

RESOLUTION R-23-037-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF CROSLAND SOUTHEAST, PER CHRISTOPHER W. TAFT (APPLICANT) FOR FARMVIEW COMMONS LLC, PER HEMAKUMAR SONI (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR AN APPROXIMATE 11.82 ACRE SITE LOCATED ON THE NORTHEAST CORNER OF THE US 42/FARMVIEW DRIVE INTERSECTION AND THE SOUTHEAST CORNER OF THE OLD US 42/FARMVIEW DRIVE INTERSECTION, FLORENCE AND UNION, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF FLORENCE, FLORENCE, KENTUCKY AND THE CITY OF UNION, UNION, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the U.S. 42/Farmview Drive intersection and the southeast corner of the Old U.S. 42/Farmview Drive intersection, Florence and Union, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for unincorporated City of Florence and the City of Union, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made Findings of Fact and Conditions recommending approval, with conditions, for the Change in Approved Concept Development Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

SECTION I

That the request for a Change of Approved Concept Development Plan for the real estate which is more particularly described below shall be and is hereby recommended approval, with conditions, this Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the U.S. 42/Farmview Drive intersection and the southeast corner of the Old U.S. 42/Farmview Drive intersection, Florence and Union , Kentucky. The real estate which is subject to all requests are described in DEED BOOK: 1163, PAGE NO: 924 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

SECTION II

That as a basis for the recommendation of approval, with conditions, for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the U.S.

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42/Farmview Drive intersection and the southeast corner of the Old U.S. 42/Farmview Drive intersection, Florence and Union, Kentucky, 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 shall be and are hereby incorporated by reference as if fully set out in this Resolution and marked as "Exhibit A."

The full Planning Commission recommended approval, with conditions, of the request based on the Findings of Fact and Conditions as set forth in the Report and marked as "Exhibit B."

SECTION III

That a copy of this Resolution recommending approval, with conditions, for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the U.S. 42/Farmview Drive intersection and the southeast corner of the Old U.S. 42/Farmview Drive intersection, Florence and Union, Kentucky be forwarded to the City of Florence and the City of Union for a Change in Approved Concept Development Plan, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

PASSED AND APPROVED ON THIS 3RD DAY OF JANUARY, 2024.

APPROVED:



**CHARLIE ROLFSEN
CHAIRMAN**

ATTEST:



**TREVA L. BEAGLE
MANAGER, ADMINISTRATIVE SERVICES**

CR:tlb

EXHIBIT

“A”

STAFF REPORT

Request of **Crosland Southeast, per Christopher W. Taft (applicant) for Farmview Commons LLC, per Hemakumar Soni (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit an approximate 56,000 square foot grocery store with an attached liquor store and drive-through pharmacy, along with two outlots for retail, service, and/or eating and drinking establishment uses.

October 4, 2023

PROPOSAL

This application is for a Change in Concept Development in a Commercial Two/Planned Development (C-2/PD) zone. The majority of the property consists of an approximate 10.519-acre tract that's in the City of Florence. The remainder is an approximate 1.303-acre tract located along the site's Farmview Drive frontage that is in the City of Union.

The submitted Concept Development Plans show the following improvements:

- A. Lot 1 - A 5,150 square foot office/commercial outlot building with a pick-up window is shown on the 0.9-acre lot. The pick-up window lane is shown with six (6) stacking spaces. The parking lot contains 37 parking stalls.
- B. Lot 2 - A 7,000 square foot office/commercial outlot building with a drive through is shown on the 0.9-acre lot. The drive through lane is shown with ten (10) stacking spaces. The parking lot contains 31 parking spaces. Two (2) dumpsters are shown in the rear parking lot.
- C. Lot 3 - An 56,264 square foot grocery, attached 3,200 square foot liquor store, drive through pharmacy, and shared detention basin, which will be fenced per the City of Florence regulations, are shown on an approximate 10-acre lot. Optional outdoor seating and seasonal displays are shown on the sidewalk in front of the grocery store. Three (3) truck docks are shown on the rear facade and another loading zone is behind the liquor store. The parking lot is shown with 289 parking stalls (standard, handicapped, and electric vehicle charging), and landscaping islands.
- D. Access to the development is proposed from private driveways that connect to Farmview Drive (one right-in/right-out), Old US 42 (two full access), and St. Elizabeth Way (two full access). A note on the plan states that St. Elizabeth Way will be improved to meet the City of Florence's public street standards and road improvements are shown.

- E. A total of four monument signs are shown and each one is 14' tall and 97.78 square feet in area. Two monument signs are shown on the grocery store parcel and one is proposed on each outlot.
- F. One directional sign, which will advertise the grocery store, is shown near the Farmview Drive access point.
- G. An approximate 316' long retaining wall is shown on lots 1 and 2 and the plans indicate a 15' maximum height.

PD EXCEPTIONS BEING SOUGHT WITH THE APPLICATION

- A. The required 10' wide landscaping buffer between lots 1 and 2 is proposed to be eliminated.
- B. Building landscaping is required when a portion of a façade is not used for outdoor display, storage, or unloading. The landscaping is not required if the building is less than 10,000 square feet in area or the façade is not visible from a public right-of-way.
- C. The outlot monument signs are 14' and 97.78 square feet in area. The Boone County Zoning Regulations permit outlot monument signs to be a maximum of 10' tall and 100 square feet in area.
- D. The proposed monument sign on outlot 1 would contain a panel which advertises the grocery store.
- E. Two monument signs are proposed on the grocery store/liquor store lot. The signs are 14' tall and 97.78 square feet in area.

SITE HISTORY

- 1996 A Zoning Map Amendment and Concept Development Plan for a 321-acre area on both sides of US 42 (Plantation Pointe North) was conditionally approved by the City of Florence. The 10.8-acre tract located in Florence was part of the request and was rezoned to Commercial Two/Planned Development (C-2/PD). The area was identified as "Area 12" on the approved 1996 Concept Development Plan and a condition was imposed which limited the building height in this area to 35 feet.
- 2014 A Change in Concept Development Plan to modify the previous building height condition for the 10.8-acre tract was conditionally approved by the City of Florence. Concurrently, a zone change from RSE to C-2/PD was conditionally approved for the 1.14 acre tract.
- 2021 A Change in Concept Development Plan was conditionally approved by the City of Florence and City of Union. The approved plan showed five (5) commercial outlots fronting on US 42 (buildings ranged between 4,000 and 8,000 square feet and each was shown with a drive through), a maximum 112,500 square foot senior living/medical office building, a storm water and detention lot, and access from Farmview Drive, St. Elizabeth

Way, and US 42. Seventeen (17) conditions were imposed on the approval (see attachments).

APPLICABLE REGULATIONS

- A. Section 1506 "Planned Development Criteria" of the Boone County Zoning Regulations states that Concept Development Plan proposals in Planned Developments are to be primarily evaluated against these criteria. The criteria are attached and are analyzed in the Staff comments section of this report.
- B. Section 1517 of the Boone County Zoning Regulations states that the Planning Commission shall require that a Concept Development Plan be submitted for the development or redevelopment of property located in a Planned Development zone. The Concept Development Plan may be filed to the Planning Commission by the owner(s), owner by contract (option) or lessee of property for which the planned development is proposed. If the Concept Development Plan involves a zone change, then the proposal is subject to the criteria in Section 308 as well as the provisions of this article. If the Concept Development Plan does not involve a zone change, or only involves uses that are permitted in the underlying zone (also called a Utilization of an Underlying Zone Within a Planned Development), then the proposal is subject only to the provisions of this article. The contents of the Concept Development Plan submittal shall include the items listed in Section 303.
- C. Section 3155 of the Boone County Zoning Regulations states the following regarding drive throughs:
1. Drive-through facilities must be incidental and subordinate to the principal use of the property.
 2. The vehicular lane(s) serving a drive-through facility must be a minimum of ten (10) feet wide. This minimum ten (10) foot wide driving lane is for the exclusive use of the drive-through facility, and parking spaces cannot be situated so that vehicles must back into it.
 3. Canopies, awnings, or other structural components which are part of drive-through operations shall be attached to the principal building and have a design which is integral with the principal building by using the same materials, colors, and design details or stylistic features.
 4. Drive-through lanes, windows, canopies, or other structures, shall be located at the side or rear of the principal structure only and shall not directly adjoin street frontages which abut the front yard or corner side yard.
 5. Intercoms or other audio devices used in conjunction with a drive-through facility shall not be audible beyond the property line of the lot containing the drive-through facility.

6. Signage for drive-through facilities shall conform to the requirements of ARTICLE 34.
 7. A single stacking space shall have a minimum width of ten (10) feet and a minimum length of twenty (20) feet.
 8. A stacking space does not include the space where the service is being conducted or the product is being dispensed.
 9. Stacking spaces shall be provided as follows (these requirements shall be the minimum that must be provided and the required amount of stacking spaces may be increased based upon the peak hour trip generation information required per SECTION 3004):
 - a. Car Wash, Automatic: a minimum of three (3) stacking spaces per drive through lane.
 - b. Car Wash, Self Serve: a minimum of four (4) stacking spaces per bay.
 - c. Eating and Drinking Establishment: A minimum of four (4) stacking spaces, per drive through lane, prior to the menu board/ordering station, plus one (1) stacking space at the menu board/ordering station, plus a minimum of four (4) stacking spaces between the menu board/ordering station and the pick up window.
 - d. Financial Services: A minimum of four (4) stacking spaces per window, ATM, dispenser, or other service machine.
 - e. Gasoline Filling Station: A minimum of two (2) stacking spaces per fuel island.
 - f. Uses not listed above: A minimum of three (3) stacking spaces per drive through lane.
 10. The zoning administrator may modify the requirements of subsection 9, based upon the submittal of a traffic/parking study.
- D. Section 3210 of the Boone County Zoning Regulations indicates that roadway classifications shall be designated on a list maintained by the Planning Commission. US 42 is classified as an arterial, Farmview Drive and Old US 42 are local streets, and St. Elizabeth Way is a private street.

ADJACENT LAND USES AND ZONING

The land uses and zoning adjacent to the site include the following:

- A. A residential condominium development (Village at South Fork Creek) is located to the north on the opposite side of Old US 42 (UR-1). A farm tract with a detached single-family dwelling and several outbuildings is located to the northeast (SR-1). A subdivision of detached single-family dwellings and attached dwellings (Farmview) is located to the northwest (SR-1/PD).
- B. A medical office building and a bank are located to the east (C-2/PD).

- C. Commercial and office uses are located to the south, southeast, and southwest on the opposite side of US 42 (C-2, C-2/PD, and O-1/PD).
- D. A wooded area (expanded road right-of-way) is located to the immediate west on the opposite side of Farmview Drive (RSE) and a medical office building is located further to the west (O-1).

SITE CHARACTERISTICS

The site contains 11.82 acres and has approximately 855 feet of frontage on US 42, approximately 295 feet of frontage on Farmview Drive, and approximately 1,175 feet of frontage on Old US 42. The topography of the site is fairly level overall with steeper slopes in the northeast corner and along the Old US 42 and Farmview Drive frontages. The high point is at the southeast corner of the site at approximately el 855, and the low point is along Old US 42 adjoining the intersection with Rio Grande Circle at approximately el 816. The site contains no structures and has existing tree cover along the Old US 42 frontage.

Soil types on the site include Faywood silty clay (FdD3) and Rossmoyne Silt Loam (RsC). Public water and sanitary sewer mains exist in several locations around the site. Section 3210 "Functional Roadway Classification" of the Boone County Zoning Regulations identifies US 42 as an arterial roadway. Farmview Drive and Old US 42 are identified as local streets in the Planning Commission's GIS system.

RELATIONSHIP TO COMPREHENSIVE PLAN

The Our Boone County Plan 2040 Future Land Use Map designates the site as "Commercial." This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Land Use Element provides the following quotes that relate to the site and general area.

- A. Mixed-use development, that has commercial uses focused along U.S. 42 and varying types of residential uses, should occur southwest of its intersection with Pleasant Valley Road. The intensities of these commercial uses, in terms of building intensities, the size and style of individual structures, and the range of uses permitted, should begin with a broader range of commercial uses near the intersection and gradually decline to smaller-scaled office and institutional uses in the vicinity of Farmview Subdivision and the Florence/Union corporate boundary. Creative building layout and orientation should be used in lieu of strip-style commercial development, and Planned Development Overlay Districts should be utilized. All development in this area should be viewed as part of an entryway to both the Cities of Florence and Union ("13. Pleasant Valley," p. 124).
- B. This section of Boone County contains the City of Union and a substantial portion of Hathaway Road and U.S. 42. In general, this section should experience considerable residential growth due to Union's current residential nature, growth associated with the City of Florence, and improvements to U.S. 42. For these reasons, the 2000 Union Town Plan was prepared by the Boone County Planning Commission, City of Union, and

Boone County Fiscal Court. The plan's recommendations are shown on the 2040 Future Land Use Map and also affect the Boone County Zoning Regulations.

The U.S. 42 corridor should experience commercial growth on a smaller scale to mitigate any adverse impacts and to be compatible with surrounding land uses and densities. As defined by the 2000 Union Town Plan, commercial development should occur in neighborhood business district form in specified locations instead of strip style commercial ("20. Union," p. 137).

The Land Use Element's Future Land Use Development Guidelines provide the following general comments that relate to the proposal.

- A. Developments in Boone County should begin with an assessment of existing site features to determine positive and useful attributes, as well as features that should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole. Development plans should identify such areas and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," p. 95).
- B. Different residential development densities can occur in Boone County as long as the development is designed in a proper manner and the infrastructure exists (or is planned) to support the development ("Development Layout, Lot Sizes, and Setbacks," p. 95).
- C. 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. Appropriate wooded areas and stream valleys should remain as open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate. ("Buffering," p. 95).
- D. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. This landscaping should be designed to improve the public view of a development and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to soften the visual impacts of the development from adjoining properties and roadways ("Landscaping," p. 96).
- E. Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," p. 96).

- F. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and sight distance for access points, adequate spacing between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterial or collector streets should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial street system. Connections between and within commercial and industrial developments allow for more efficient provision of transit service. In addition, the amount of travel time saved for services relying on routing (such as school buses, waste collection, mail, and other delivery services) is invaluable, not to mention the importance of simply connecting neighborhoods and people to each other. More importantly, the connectivity between developments promotes safety as emergency response vehicles have multiple ways of gaining access to a property during an emergency ("Access Management," p. 96).
- G. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways and functional classifications must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. The traditional grid system can provide an alternative to typical suburban design. Parallel and frontage roads should be used to minimize impacts of individual sites on collector and arterial roadways ("Transportation and Pedestrian Network," p. 97).
- H. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view ("Design, Signs, and Cultural Resource Preservation," p. 97).

The Our Boone County – Plan 2040 Goals and Objectives include the following pertinent statements.

- A. Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems ("Overall," Objective 3).

- B. The unique characteristics of the legislative units and their different development and infrastructure needs should be recognized and accommodated ("Overall," Objective 5).
- 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 existing topography and vegetation (including mature trees where possible) and preserve the existing character of the land where practical. [Unincorporated Boone County, City of Union, City of Walton only].

Development shall utilize existing topography and vegetation (including mature trees) and preserve the existing character of the land. [City of Florence only] ("Environment," Objective 7).
- E. Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses ("Economy," Goal B).
- F. 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).
- G. 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).
- H. 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).
- I. Development of mixed use designed to lessen vehicle travel shall be encouraged ("Transportation," Goal A, Objective 8).
- J. New connector streets shall be developed where needed and feasible to lessen the dependence on arterial, collector, and local streets ("Transportation," Goal B, Objective 5).
- 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).
- L. New land development shall be closely coordinated with the local transportation system to assure efficiency and continuity within Boone County and with the regional multi-modal transportation system ("Transportation," Goal B, Objective 9).
- M. Redevelopable and infill sites shall be encouraged to develop as walkable, mixed-use districts ("Transportation," Goal C, Objective 7).

STAFF COMMENTS

1. COMPREHENSIVE PLAN

The governing bodies need to consider the Comprehensive Plan before acting on the request (see the previous section of the Staff Report).

The subject site is in the immediate vicinity of Farmview Subdivision and is located on the municipal boundary. Thus, the "smaller-scaled office and institutional uses" passage from the Comprehensive Plan is applicable to this location.

The proposed Change in Concept Development Plan application is seeking to replace three of the five previously approved commercial outlot buildings (5,400 square feet + 8,000 square feet + 8,000 square feet) and senior living and/or medical office building (112,500 square feet maximum) with a 59,464 square foot building (56,264 square foot grocery store/pharmacy and attached 3,200 square foot liquor store).

2. PD OVERLAY ZONE CRITERIA AND DEVELOPMENT STANDARDS

Staff offers the following comments regarding the criteria set forth in Section 1506 "Planned Development Criteria" of the Boone County Zoning Regulations (see attachments). Concept Development Plan proposals in Planned Developments are to be primarily evaluated against these criteria.

Mixed Use Development and Pedestrian Orientation

The proposal is a mixed-use development only when considering adjacent residential sites.

Sidewalks exist along the US 42 and Farmview Drive frontages. They will also be required along St. Elizabeth Way if it's converted to a public street. The Concept Development Plan shows the following sidewalks are proposed:

- On the south side of the east-west driveway, between Farmview Drive and the grocery store.
- On the west side of lot 3, between US 42 and the east-west driveway. This sidewalk connection also ties into the patio area on lot 2.

To better meet this criterion, Staff recommends the following additional sidewalks should be provided:

- On at least one side of the north-south driveway between Old Union Road and the east-west driveway.
- Between the grocery/liquor store and St. Elizabeth Way.

- The Old US 42 frontage.
- ADA accessibility between the lot 1 and lot 2 patio areas.

Compatibility of Uses

A. Building Height

The submitted grocery store elevations show the primary roof level is 30'-9" tall and that the main entrance feature is slightly higher. The finished floor elevation for the grocery store is approximately 23 feet higher than the surface elevation of the Old US 42/Rio Grande Circle intersection, meaning that the grocery store will be highly visible from the properties on the north side of Old US 42. Due to this issue, Staff recommends the applicant provide cross section drawings, which show the relationship between the grocery store and the properties on the north side of Old US 42. Staff would like the cross sections to address the visibility of existing or proposed vegetation, the rear of the building and roof mounted mechanical units, and proposed light fixtures from the adjoining residential areas.

Staff would like the applicant to confirm that the outlot buildings will be single-story construction.

B. Outlot Uses

The applicant's "Consideration of Planned Development Criteria" summary indicates both outlots will develop per the area 12 use list from the 1996 Plantation Pointe North Zone Change and Concept Development Plan approval. This list is included as an attachment to the Staff Report. Staff recommends that this list should be reanalyzed and inappropriate uses should be removed.

Drive-through facilities (one drive through and one pickup window) and are shown on the outlots. The Concept Development Plan demonstrates basic compliance with the standards in Section 3155 "Drive-Through Facilities" of the zoning regulations, but insufficient information has been provided at this point to determine whether or not all detailed requirements have been met. Based on recent, local experience with drive-through facilities, the proposed drive-through on lot 2 has the potential to generate significant traffic congestion with back-ups onto the internal driveways and the main east-west driveway if it's developed as a high turnover fast-food use with a drive-through facility.

C. Truck Traffic and Loading Docks

The Concept Plan shows the grocery store will have three loading docks on the rear elevation (one of the docks is shown 4' below the finished floor level). This loading area is close to Old US 42 and the residential area to the north. Designated delivery areas for the outlot buildings are not shown.

Staff would like the applicant to address the following:

- Can grocery store deliveries occur anytime?
- What are the anticipated sound levels from the grocery store deliveries?
- Would truck drivers be permitted to park and idle in the grocery store lot overnight?
- Where will the outlot deliveries be made? What types of vehicles will make these deliveries?
- Where will semi-trucks enter and exit the development?
- Have tractor trailer turning movements been analyzed?

D. Lighting

Lighting is not addressed in the application materials. As a result, Staff would like the applicant to address the following:

- Is freestanding lighting going to meet the 2021 condition? The condition required freestanding site lighting fixtures to use decorative/architectural masts with a maximum height of 20 feet.
- Would the applicant be agreeable to a condition which required light pole fixtures be oriented downwards and inwards towards the subject properties and away from adjoining properties and streets?
- Are any lighting fixtures being proposed on the rear façade of the grocery/liquor store?
- Can a photometric plan be prepared which shows the proposed lighting and fixtures on the grocery store lot?

Open Space

The Concept Plan does not provide useable open space in the form of parks, plaza, trails, etc. Patio or seating area are shown in front of the outlot buildings and grocery store. Staff recommends that 4' tall black metal fencing that has an opacity of 50% or less should be required if these areas are enclosed.

Preservation of Existing Site Features

Staff would like the applicant to clarify how much of the existing tree line between the grocery/liquor store and Old US 42 will be preserved. In addition, one of the Concept Plan shows the area between the detention basin and Old US 42 will be graded and another plan shows that the existing tree line in this area will be preserved. Which is correct?

Landscaping

The submitted narrative states the development will comply with the current zoning regulations as well as the landscape requirements included as part of the 1996 Plantation Pointe Concept Plan. The key landscape requirement from the 1996 Concept Development Plan is the provision of a 20-foot-wide landscape area along the US 42 frontage and it is shown on the plans.

Staff has identified the following landscaping issues:

- The applicant is asking for a Waiver to eliminate the required 10' wide landscaping buffer yard between outlots 1 and 2.
- The grocery/liquor store is more than 10,000 square feet in area and no building landscaping is shown per Section 3630 of the Boone County Zoning Regulations.
- Staff would like the applicant to prepare a true landscaping plan for the grocery store/liquor store lot/detention lot so it can be evaluated. Staff recommends that a supplemental evergreen buffer with an 8' tall PVC privacy fence be installed in an approximate 465 linear foot area immediately behind the rear parking lot to help mitigate visual and sound impacts to the residential area to the north. Staff recommends the fence should be located closer to the parking lot and evergreen trees should be located closer to Old US 42.

Architecture

A. Grocery Store

The grocery store does not meet the architectural planned development standard or the 2021 Change in Concept Development Plan conditions.

- The submitted elevations for the grocery store show the building will be largely constructed with EIFS and will have a flat roof. The architectural planned development standard states the predominate building material for commercial developments "shall have a solid appearance, such as could be achieved with brick, stone, and architectural grade concrete products designed to replicate natural materials. Roof designs shall have a finished appearance through the use of three dimensional pitched roof forms with architectural grade roofing and/or the use of defined parapets with cornice lines."
- Condition #7 from the 2021 Change in Concept Development Plan approval required the building on lot 6 (the 112,500 square foot senior living or medical office building) to have full height brick exterior walls, with other materials being permitted for trim and secondary areas. The condition also required the building to have a pitched roof which covered the entirety of the building.

B. Outlots

B. Outlots

- Condition #6 from the 2021 Change in Concept Development Plan approval required the outlot buildings along the US 42 frontage to follow submitted architectural concepts and use a combination of flat and pitched roofs. Staff would like the applicant to explain if this condition will be followed since no elevations were submitted for the outlot buildings.

C. Roof Mechanical and Dumpster Screening

- Condition #8 from the 2021 Concept Development Plan approval required mechanical equipment and dumpsters to be screened with enclosure structures materials, colors, and design detailing that were consistent with the buildings they served. Staff is concerned that the grocery store is shown with several large roof mounted mechanical units that will be highly visible and painted. Staff would also like the applicant to address dumpster screening.

D. Retaining Wall on Outlots 1 and 2.

- Condition #9 from the 2021 Concept Development Plan approval required all retaining walls to have a decorative/architectural finish which correlated to the architectural theme in the development. Staff would like the applicant to address if this condition will be followed.

E. EV Charging Stations and Cart Corrals

- Staff would like the applicant to provide some pictures of details of the EV charging stations and cart corrals.

Signage

The applicant's narrative states, "the signage for the development will be constructed per the details, renderings, and exhibits, and will be coordinated with the architecture of the site."

A total of four monument signs are shown. Two are shown on the grocery store lot and one is shown on each outlot. A note on the outlot one monument sign indicates it will include a grocery store tenant panel. Staff has the following questions regarding the monument signs:

- The monument sign detail shows a sign which is 14' tall and 97.78 square feet in area. Will all four monument signs match (same dimensions, design, and brick)?
- The proposed monument signs are larger than the 2021 approval allowed. That approval allowed 10' tall and 56 square foot monument signs. These dimensions also complied with the 1996 Plantation Pointe North Zoning Map Amendment and Concept Development Plan approval.

- The building elevations show that the grocery store and liquor store will have channel letter building mounted signs. Will the outlots use channel letters?
- The plans show a 5'-6½" tall, 6 square foot grocery store directional sign near the Farmview Drive access point. The sign has the same detailing as the monument signs. Is this the only directional sign that's proposed?

Transportation Connections and Entry Points:

- The main east-west and north-south driveways function as a local street system and connect the site to the major road network while avoiding a new access point on US 42.
- Staff recommends that sight distance and stopping distance should be analyzed for those vehicles turning in and out of the development from Old US 42 access. There is a curve to the east of the access point that causes concerns.
- This criterion also discusses the demarcation of entry points through the use of landscaping, architectural or sculptural elements, etc. This criterion is met for the access points on Old US 42 and Farmview Drive through the provision of the proposed monument and directional signs. The applicant should explain how this criterion will be met for the access points proposed on the east (St. Elizabeth Way) side of the site.

Conformance with Comprehensive Plan

The Comprehensive Plan is discussed on pages 5-7 of the Staff Report.

3. TRAFFIC IMPACT STUDY

A Traffic Impact Study (TIS) was submitted with this application and the entire Study is part of the record as an exhibit. The executive summary and conclusions are attached to the Staff Report. Linzy Brefeld with, Kentucky Transportation Cabinet indicated that they were still actively reviewing the Traffic Impact Study on 9/14/23. Justin Finke, with the City of Florence, expressed a concern about excessive stacking on Farmview Drive. Staff contacted him regarding this comment and he replied that it centered around whether the southbound turn lanes on Farmview Drive could be extended.

Staff would like the applicant to highlight the Traffic Study at the Public Hearing or Zone Change Committee Meeting (once KYTC has provided comments). Staff would like the applicant to address the following:

- Is a right-hand deceleration lane needed at US 42 and Farmview Drive or US and St. Elizabeth Way?

- Are any road improvements needed on Old US 42 with the increased traffic? Residents from Farmview Subdivision, Pleasant Valley Meadows, and Plantation Pointe will likely use Old US 42 to access the development.

4. DEVELOPMENT STANDARDS

For the applicant's information, an exhaustive site plan type review was not conducted due to the conceptual nature of the proposal. However, Staff did identify a potential issue with the number of parking spaces indicated on the plan. The outlots could potentially be developed as restaurants and the parking may not be sufficient unless a shared parking agreement is recorded with the grocery store. Unless exceptions are approved through this process per Section 1500 "Intent" (PD overlay zone) of the zoning regulations, the project will need to meet all applicable standards at the Subdivision and Site Plan stages.

5. OUTSIDE AGENCY COMMENTS

Staff sent out an agency email and received comments back from Florence Fire/EMS, the City of Union, Kentucky Transportation Cabinet, and the City of Florence. These comments are attached to the Staff Report.

6. EMAILS IN OPPOSITION

At the time the Staff Report was finalized, one email had been received in opposition to the request. The email was from Lynne Mullins and it's attached to the Staff Report.

CONCLUSION

The Boone County Planning Commission, Florence City Council, and Union City Commission need to evaluate the application in terms of the Our Boone County – Plan 2040 (the adopted Comprehensive Plan), Article 15 of the Boone County Zoning Regulations (Planned Development District), and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved.

Respectfully submitted,



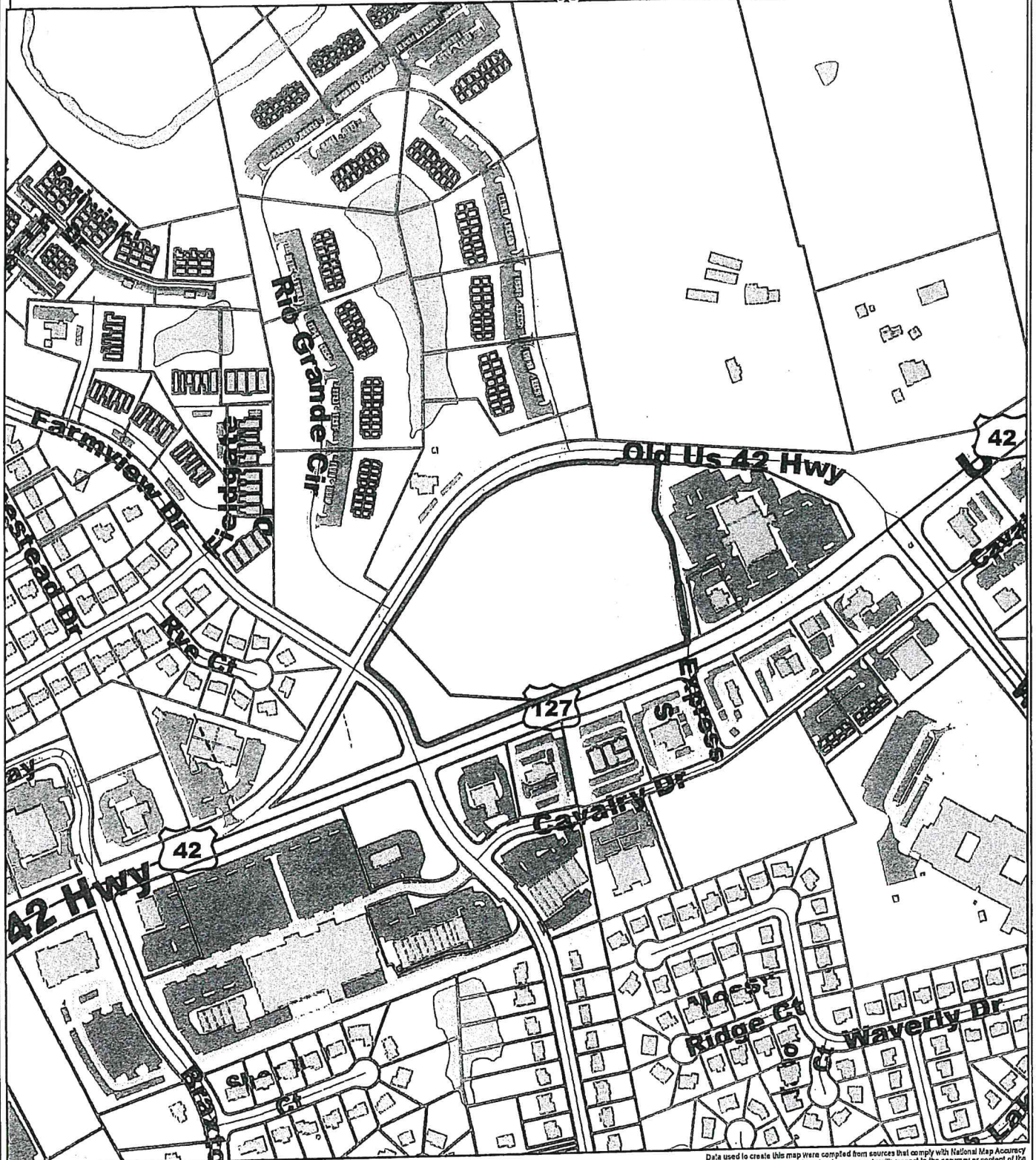
Todd K. Morgan, AICP
Senior Planner, Zoning Services

Attachments:

- *Site Vicinity Map
- *Applicant's Cover Letter
- *Applicant's Narrative
- *Executive Summary and Conclusions from Traffic Impact Study
- *Submitted Concept Development Plans
- *Zoning Map
- *2040 Future Land Use Map
- *Topographical Map
- *2023 Aerial Map
- *Planned Development Criteria
- *1996 Concept Development Plan excerpts, 7/17/96 Committee Report, and 9/10/96 Florence City Council minutes
- *Design Guidelines for Commercial/Office Area in Plantation Pointe North
- *2014 Concept Development Plan, 5/7/14 Committee Report, City of Florence Summary Ordinance 0-17-14, and 9/4/14 email from Kathy Porter, Union City Clerk/Treasurer
- *2021 Concept Development Plan excerpts, 5/5/21 Committee Report, Architectural Concepts
- *9/8/23 Email from Randy Childress, Florence Fire/EMS
- *9/11/23 Email from Amy Safran, City of Union
- *9/14/23 Email from Linzy Brefeld, KYTC District 6
- *9/21/23 Email from Justin Finke, City of Florence
- *9/28/23 Email from Lynne Mullins
- *Application

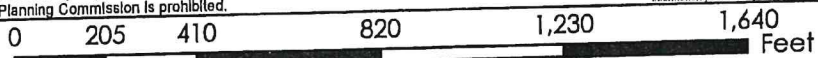
SITE VICINITY MAP

www.boonecountygis.com



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Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: 10/02/2020

ArchMap Document: *.mxd

Farmview Commons Retail Site

September 5, 2023

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
Burlington, Kentucky 41005

**Re: Farmview Commons Retail Site
Change in Concept Development Plan Submittal**

Honorable Members of the Boone County Planning Commission,

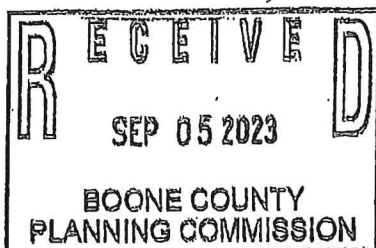
On behalf of Crosland Southeast, it is our pleasure to present the enclosed Change in Concept Development Plan submittal for the site located at the intersection of U.S. 42 and Farmview Drive, in the cities of Florence and Union. The 11.82-acre site, identified as "Area 12" of the Plantation Pointe Planned Development", is bounded by U.S. 42, Old U.S. 42, Farmview Drive, and the private access road named St. Elizabeth Way. The existing site contains two parcels, one of which is in the City of Florence and the other in the City of Union. Most recently, in 2021, this site went through the Change in Concept Development Plan process. The conditions of approval for this past submittal, from the Boone County Planning Commission, along with prior conditions/zoning criteria have been considered for the current design.

The retail development, specifically designed to meet the needs of the residents and workforce of Florence and Union, will be anchored by a best-in-class grocery center and will feature a mix of convenience retail, service retail, and eating establishments. The revised concept development plan includes two commercial use outlots with frontage along U.S. 42. The remainder of the site includes an approximate 56,000 square foot grocery store with attached liquor store and drive-through pharmacy. A summary of the concept plan including how the proposed site addresses the Planned Development criteria is described in the attached narrative.

We believe the proposed development will help meet the demand for grocery and retail convenience uses in this region of Boone County and are requesting recommendation for approval by the Planning Commission. We appreciate your consideration of this submittal and look forward to the opportunity to present at an upcoming public hearing. Please review and reach out should you have any questions or need additional information.

Sincerely,

Austin Williams
Christopher Taft
Crosland Southeast
801 East Boulevard
Charlotte, North Carolina 28203



**Narrative for Change in Concept Development Plan Submittal
Farmview Commons Retail Site
September 2023**

Applicant Information

Crosland Southeast has a long history of developing award-winning retail and mixed-use projects throughout the Southeast, with its founding members serving as former partners of the 74-year-old Crosland LLC. Today, Crosland Southeast strives to build on its legacy by investing in retail and mixed-use acquisitions and by developing grocery, single-tenant, market-rate and affordable multi-family communities and transformative mixed-use assets that epitomize placemaking at its finest.

Proposed Development Information

Introduction:

Crosland Southeast is proposing to develop the 11.82-acre site located north of the intersection of U.S. 42 and Farmview Drive, located primarily in the City of Florence, with the western portion in the City of Union. The site will be anchored by a grocery store with an attached liquor store. The grocery will include a pharmacy with a drive-through. There will also be two buildings on outlots situated at the corner of Farmview Drive and U.S. 42.

The development is directly across U.S. 42 from several commercial uses including Heritage Bank, Skyline Chili, and General Electric Credit Union. Along St. Elizabeth Way, the site is adjacent to Kentucky Farm Bureau Insurance and a St. Elizabeth and OrthoCincy healthcare facility. There is single-family and multi-family residential across Farmview Drive and Old U.S. 42 from the site.

Site History:

The Farmview Commons site has previously been reviewed by the Boone County Planning Commission on several occasions. It was included as "Area 12" in the Plantation Pointe Planned Development which was adopted in 1996. In 2014, a Change in Concept Development Plan was submitted and approved with conditions by BCPC. Again, in 2021, a Change in Concept Development Plan was submitted and approved with conditions. The original development criteria, along with the prior conditions, have been considered with the submittal.

Utilities:

All necessary utilities are available immediately adjacent to the site. Approximate locations of on-site utilities are shown on the attached concept development plan. All on-site utilities are planned to be underground. Water and sanitary sewer will be connected to the City of Florence's public systems. The storm sewer will be private and discharge to an on-site basin that will provide detention and water quality. The basin will meet all City of Florence regulations. Private utility companies will be coordinated with for connections to their facilities.

Traffic:

A Traffic Impact Study has been completed for the proposed development. The attached Executive Summary contains information on the analysis. The study has been submitted to the Kentucky Transportation Cabinet (KYTC), Boone County, the City of Florence, and the City of Union. The report is under review with KYTC. All requirements from the KYTC approved study will be complied with.

Requests of Current Concept Plan:

The attached conceptual plan provides a development containing three separate lots: two outlots and the main grocery store lot. The applicant is requesting that the proposed grocery store and two outlots with associated parking, drives, utilities, and landscaping be considered and approved as shown and described in the attached concept development plan and supporting documentation.

Regarding the two outlots, the applicant is requesting that there be no required landscape buffer yard between Lots 1 and 2 and would also like to note that there will be shared parking and access agreements between Lots 1 and 2.

Consideration of Planned Development Criteria (Section 1506, 2020 Boone County Zoning Ordinance)

Mixed-Use Development and Pedestrian Orientation:

The revised concept development plan includes two commercial use outlots with frontage along U.S. 42. The remainder of the site includes a grocery store and attached liquor store. The uses proposed in the development reflect the original commercial-use plan for "Area 12" of the 1996 Plantation Pointe Planned Development and also the underlying Commercial-2 Boone County zoning. The grocery store and outlots support mixed-use development by complementing the surrounding single-family and multi-family residential developments.

The grocery store and outlots will have pedestrian access points connecting to the existing pedestrian routes along U.S. 42 and Farmview Drive. This will provide connectivity to nearby residential and commercial areas. On-site sidewalks will be accessible routes designed for pedestrian safety. The site will meet the overall pedestrian orientation of the larger U.S. 42 corridor through the cities of Florence and Union.

Compatibility of Uses:

The original Plantation Pointe Planned Development reserved "Area 12" for commercial use. By maintaining the intended commercial use, the site will be compatible with the remainder of the planned development.

Open Space:

Approximately 4 acres of the site will remain open space. A large area to the west will function as a detention basin. This will be kept in a highly maintained/finished condition. The frontage along Old U.S. 42 will remain undeveloped and contain existing vegetation, maintained grass slopes, and landscaped areas. A buffer area will be provided along U.S. 42, Farmview Drive, and St. Elizabeth Way with green space and landscaping.

Multi-Modal Transportation:

The development will be auto-oriented with possible drive-throughs at the outlots and a pharmacy drive-through attached to the grocery store. As noted in the Pedestrian Orientation section, the site will provide access to adjacent pedestrian routes and provide on-site routes. It will also be accessible for cyclists and include bicycle racks.

Preservation of Existing Site Features:

The existing site is largely open fields with some existing mature vegetation along Old U.S. 42. It is the goal of the project team to maintain as much of the existing site vegetation as possible.

Landscaping:

Landscaping for the development will comply with the requirements of the current Boone County Zoning Ordinance, Article 36 as well as the requirements included in the Plantation Pointe development criteria.

Architecture:

Details for the architectural elements of the development will be per provided elevations, renderings, and exhibits.

Signage:

The signage for the development will be constructed per provided details, renderings, and exhibits, and will be coordinated with the architectural elements of the site. Locations of proposed free-standing monument signs are shown on the attached concept development plan.

Transportation Connections and Entry Points:

Vehicular entry points to the development will be from Farmview Drive, Old U.S. 42, and St. Elizabeth Way. The access from Farmview Drive will be right-in / right-out only. Careful consideration has been given to vehicular access and flow. All requirements included in the Traffic Impact Study will be complied with. There will be a pedestrian entry point at the Farmview Drive vehicular entry point and a connection to the existing sidewalk along U.S. 42.

Conformance with Comprehensive Plan:

The proposed commercial retail use for this development conforms to the 2035 Future Land Use Map as shown in the 2010 Boone County Comprehensive Plan. The Plan encourages commercial and retail sites in this area to utilize planned developments.

Executive Summary

Farmview Commons is a proposed mixed-use development that is to be located along US 42, at the northeast corner of the US 42 and Farmview Drive intersection, in the Cities of Florence and Union, Boone County, Kentucky. According to the latest concept plan prepared by Bayer Becker, the project site/proposed development is to consist of various retail and restaurant land uses, estimated as follows.

- Shopping Plaza at 59,464 square feet including a supermarket at 56,264 square feet and a liquor store at 3,200 square feet.
- Two Outparcels consisting of two commercial buildings at 5,850 square feet and at 6,500 square feet with a potential drive-through window at each.

Site access is to be provided along Farmview Drive (right-in/right-out), approximately 160 feet north of US 42, at Old US 42, approximately 400 feet east of Farmview Drive, and 2 access points along St. Elizabeth Way approximately 270 and 440 feet north of US 42.

It is anticipated that the proposed development will be constructed in two phases with Phase 1 consisting of the primary shopping plaza and Phase 2 being the outparcels. An opening year of 2025 and a full build out year of 2027 are estimated.

Bayer Becker corresponded with the Kentucky Transportation Cabinet (KYTC) District 6, Boone County, the City of Florence, and the City of Union to review and discuss the project and to establish the scope of this study, which is summarized in a Memorandum of Understanding dated April 11, 2023, and revised May 3, 2023.

The following intersections comprise the study area of this report:

- US 42 and Old US 42 / Wetherington Boulevard
- US 42 and St. Elizabeth Way / Express Street
- US 42 and Farmview Drive / Richmond Road
- Old US 42 and St. Elizabeth Way
- Old US 42 and Farmview Drive
- Farmview Drive and Proposed Site Access 1 (right-in/right-out)
- Old US 42 and Proposed Site Access 2

The analysis years of the study include the 2023 existing year (no build conditions), the 2025 opening year (no build and build conditions), 2027 full build out year (no build and build conditions), and the 2035 horizon year (opening year + 10) (no build and build conditions).

Based on the analysis contained in this report, no recommendations are made for 2023 existing traffic and/or 2025, 2027, and 2035 no build traffic volume projections (exclusive of traffic generated by the proposed development).

However, based on additional review of US 42 at St. Elizabeth Way / Express Street, the following recommendations are made for 2023 existing traffic and/or 2025, 2027, and 2035 no build traffic volume projections (exclusive of traffic generated by the proposed development):

- Provide ongoing monitoring of the operations at the intersection of US 42 and St. Elizabeth Way / Express Street with regards to eastbound and westbound left turn movements.

As indicated above, recommendations associated with existing and no build traffic are made regardless of the proposed Farmview Commons mixed-use development.

Also based on the analysis contained in this report, the following additional recommendations are made for 2025, 2027, and/or 2035 build traffic volumes (including traffic generated by the proposed development):

- Modify southbound St. Elizabeth Way at US 42 to allow right turn only movements.
- Extend the southbound right turn lane on Farmview Drive at US 42 to provide a total of 280' of storage by restriping the existing pavement.
- Monitor signal timing for the intersection of US 42 and Old US 42 / Wetherington Boulevard and modify as appropriate per corridor signal timing plans.

Ongoing monitoring of the operations at the intersection of US 42 and St. Elizabeth Way / Express Street is also recommended for 2024, 2027, and/or 2035 build conditions with regards to northbound left turn and through movements (in addition to eastbound and westbound left turn movements).

These recommendations for build conditions are made as a result of the proposed Farmview Commons mixed-use development, to mitigate the new traffic associated with the development.

Based upon engineering judgement and the analysis contained in this report, with the above improvements incorporated, the proposed Farmview Commons mixed-use development will not significantly impact operations on the adjacent roadway network.

Recommendations and Conclusions

Improvements to Accommodate Base Traffic

Based on the analysis contained in this report, no recommendations are made for 2023 existing traffic and/or 2025, 2027, and 2035 no build traffic volume projections (exclusive of traffic generated by the proposed development).

However, based on additional review of US 42 at St. Elizabeth Way / Express Street, the following recommendations are made for 2023 existing traffic and/or 2025, 2027, and 2035 no build traffic volume projections (exclusive of traffic generated by the proposed development):

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As indicated above, recommendations associated with existing and no build traffic are made regardless of the proposed Farmview Commons mixed-use development.

Additional Improvements to Accommodate Site Traffic

Based on the analysis contained in this report, the following additional recommendations are made for 2025, 2027, and/or 2035 build traffic volumes (including traffic generated by the proposed development):

- Modify southbound St. Elizabeth Way at US 42 to allow right turn only movements.
- Extend the southbound right turn lane on Farmview Drive at US 42 to provide a total of 280' of storage by restriping the existing pavement.
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These recommendations for build conditions are made as a result of the proposed Farmview Commons mixed-use development, to mitigate the new traffic associated with the development.

Based upon engineering judgement and the analysis contained in this report, with the above improvements incorporated, the proposed Farmview Commons mixed-use development will not significantly impact operations on the adjacent roadway network.



PRELIMINARY		DATE	1/15/13
		BY	DAVID CLARK

FARMVIEW COMMONS
RETAIL
 FARMVIEW DRIVE & UNION
 BOONE COUNTY, KENTUCKY
 PROPERTY EXHIBIT



SUBJECT PROPERTY SUMMARY:
 10.519 ACRES
 1,313 ACRES
 1,313 ACRES

ADDITIONAL SUMMARY:
 1,313 ACRES
 1,313 ACRES
 1,313 ACRES

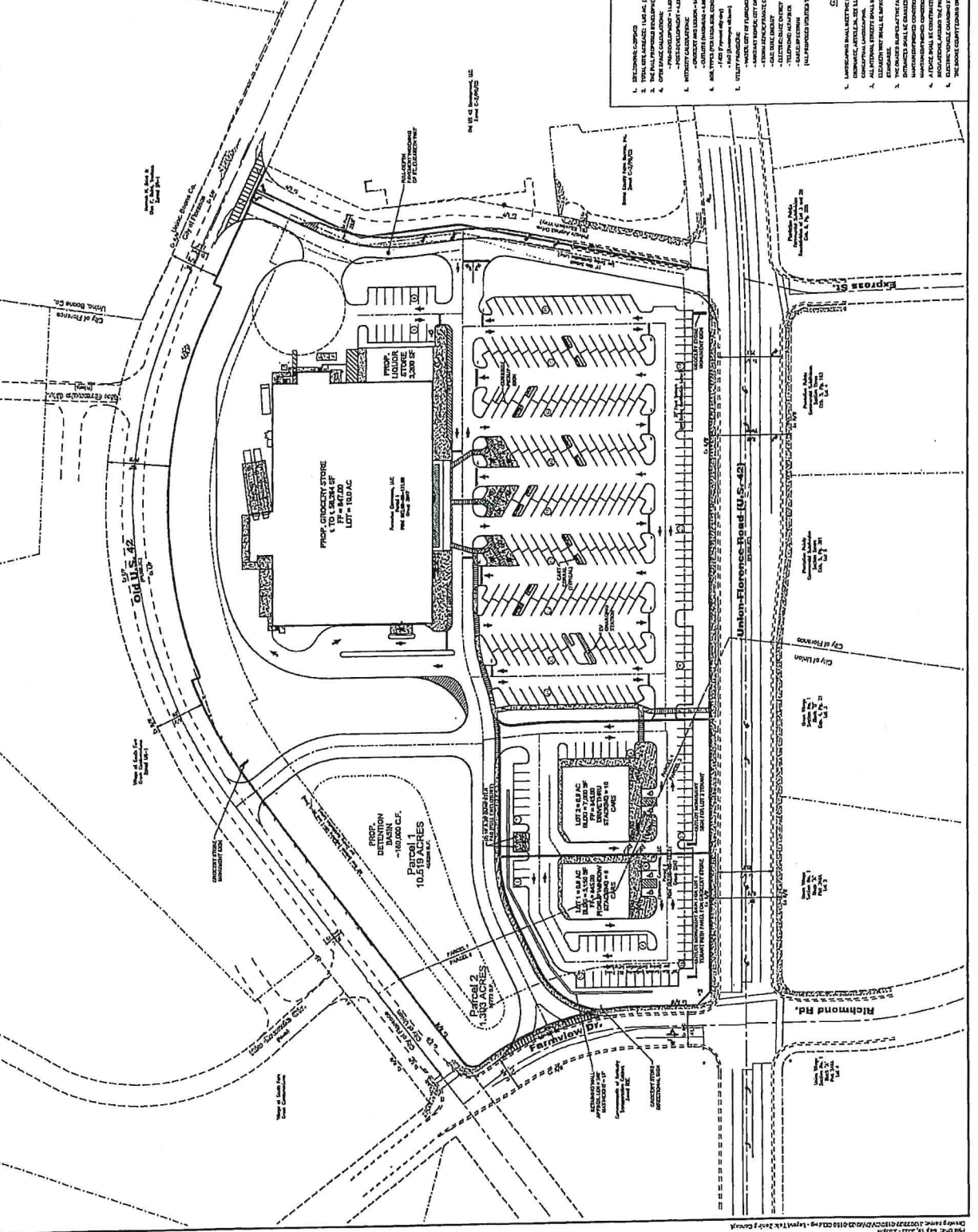
PROPERTY SUMMARY:
 1,313 ACRES
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 1,313 ACRES

SITE DATA:

1. SITE DATA
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GENERAL NOTE:

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10. THE PROPOSED LAYOUT SHALL BE SUBMITTED TO THE CITY OF FARMVIEW FOR REVIEW AND APPROVAL.



PROJECT SUMMARY

ZONING: C-2/PD/CD - Commercial Two (C-2)/
Planned Development District (PD)/
Concept Development Plan (CD)

TOTAL ACREAGE: 11.82 AC

LOT 1 SUMMARY: 0.9 AC
Retail: 5,150 SQ FT

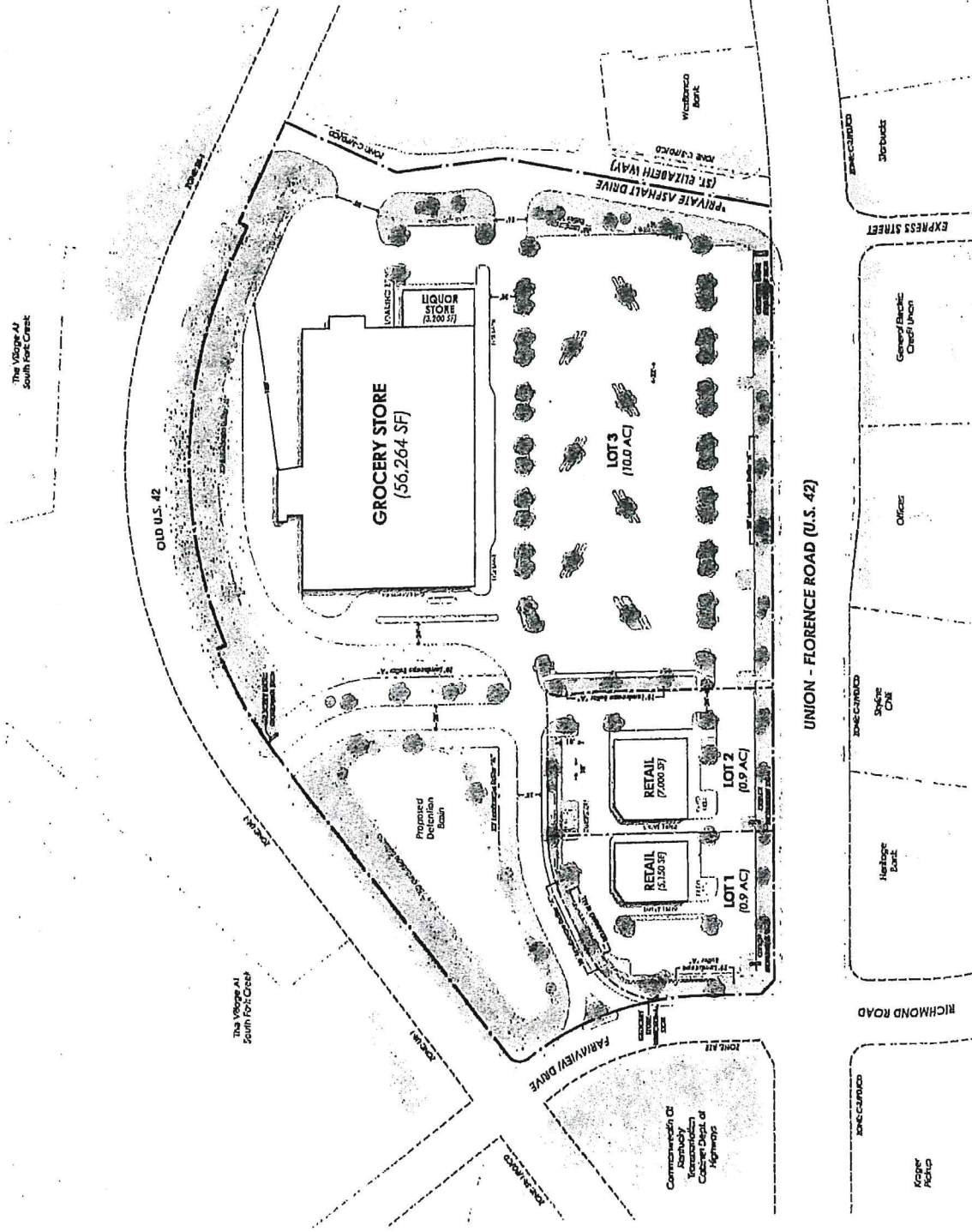
LOT 2 SUMMARY: 0.9 AC
Retail: 7,000 SQ FT

LOTS 1+2 PARKING SUMMARY:
49 SPACES
Required Parking: (1.57/250 SQ FT GFA)
71 SPACES
Provided Parking: (1.57/171 SQ FT GFA)

LOT 3 SUMMARY: 10.0 AC
Grocery: 56,264 SQ FT
Liquor: 3,200 SQ FT
Total: 59,464 SQ FT

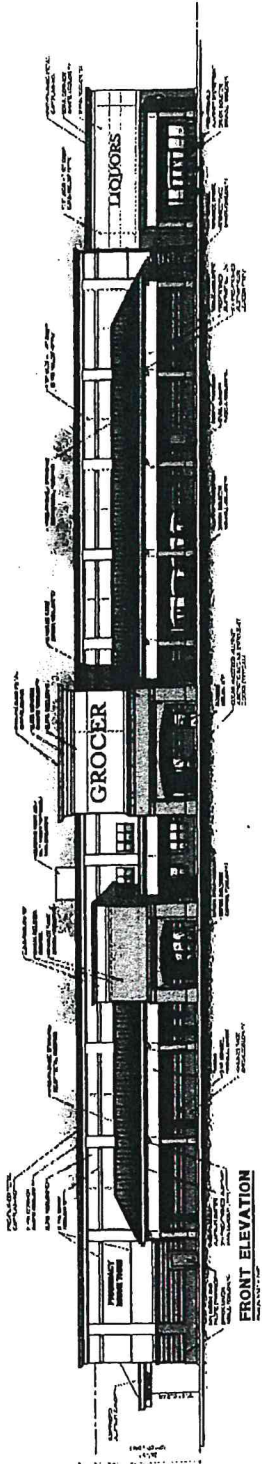
LOT 3 PARKING SUMMARY:
238 SPACES
Required Parking: (1.57/250 SQ FT GFA)
289 SPACES
Provided Parking: (1.57/206 SQ FT GFA)

*NOTE:
All landscaping shown is for illustrative purposes only. Planning
plan to be provided with final Development Plan.



FARMVIEW COMMONS RETAIL | BOONE CO, KY

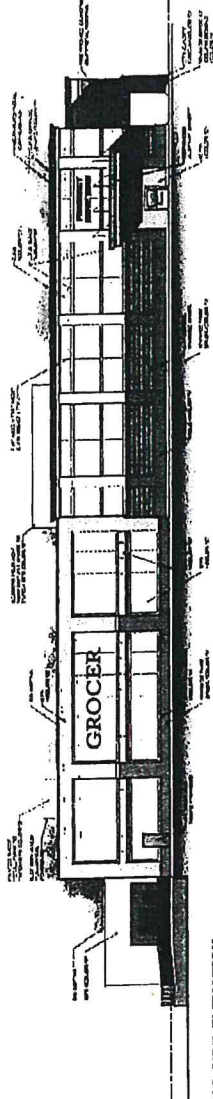
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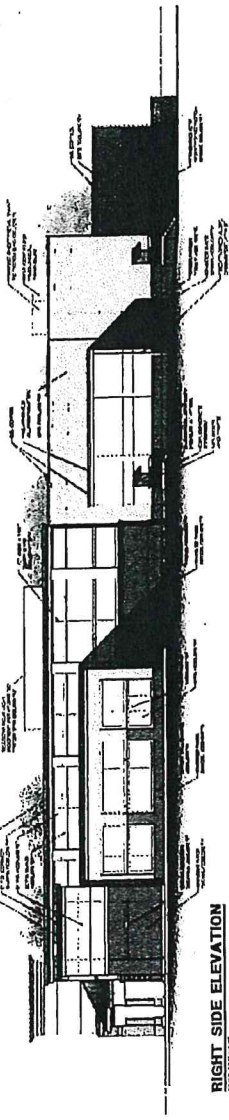
FRONT ELEVATION

EXTERIOR FINISH LEGEND

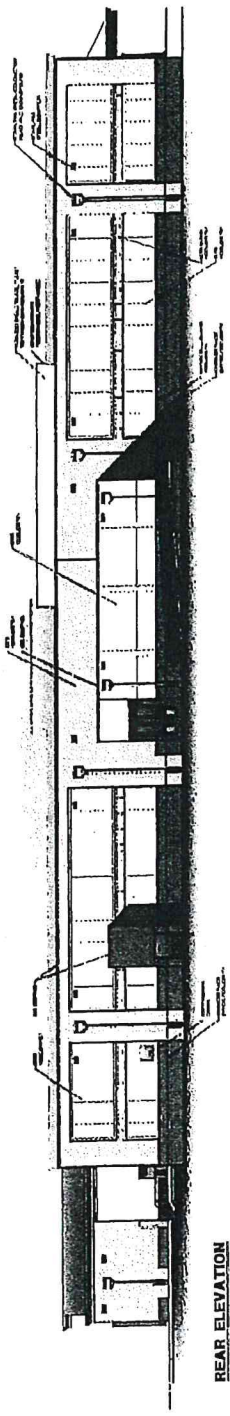
CEILING & INTERIOR	
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196	DETAIL
197	GLASS
198	WOOD
199	METAL
200	CONCRETE



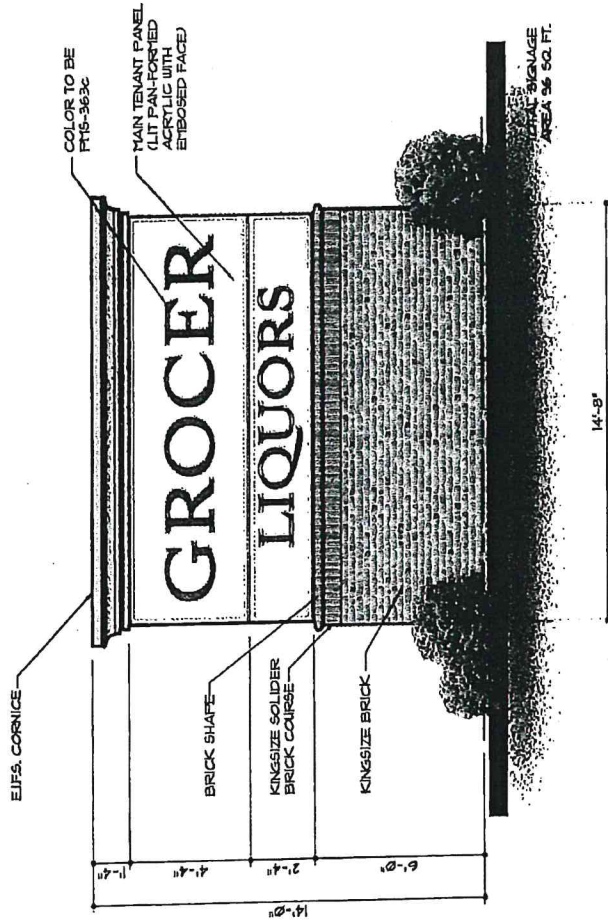
LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

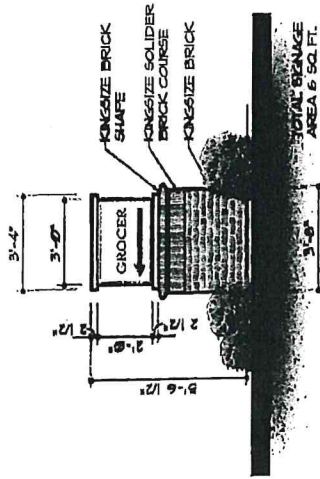


REAR ELEVATION



MONUMENT SIGN

SCALE: 1/4" = 1'-0"



DIRECTIONAL SIGN

SCALE: 1/4" = 1'-0"

MONUMENT SIGNS FOR GROCER AT FARMVIEW

HWY 42 AND FARMVIEW DR
FLORENCE, KENTUCKY

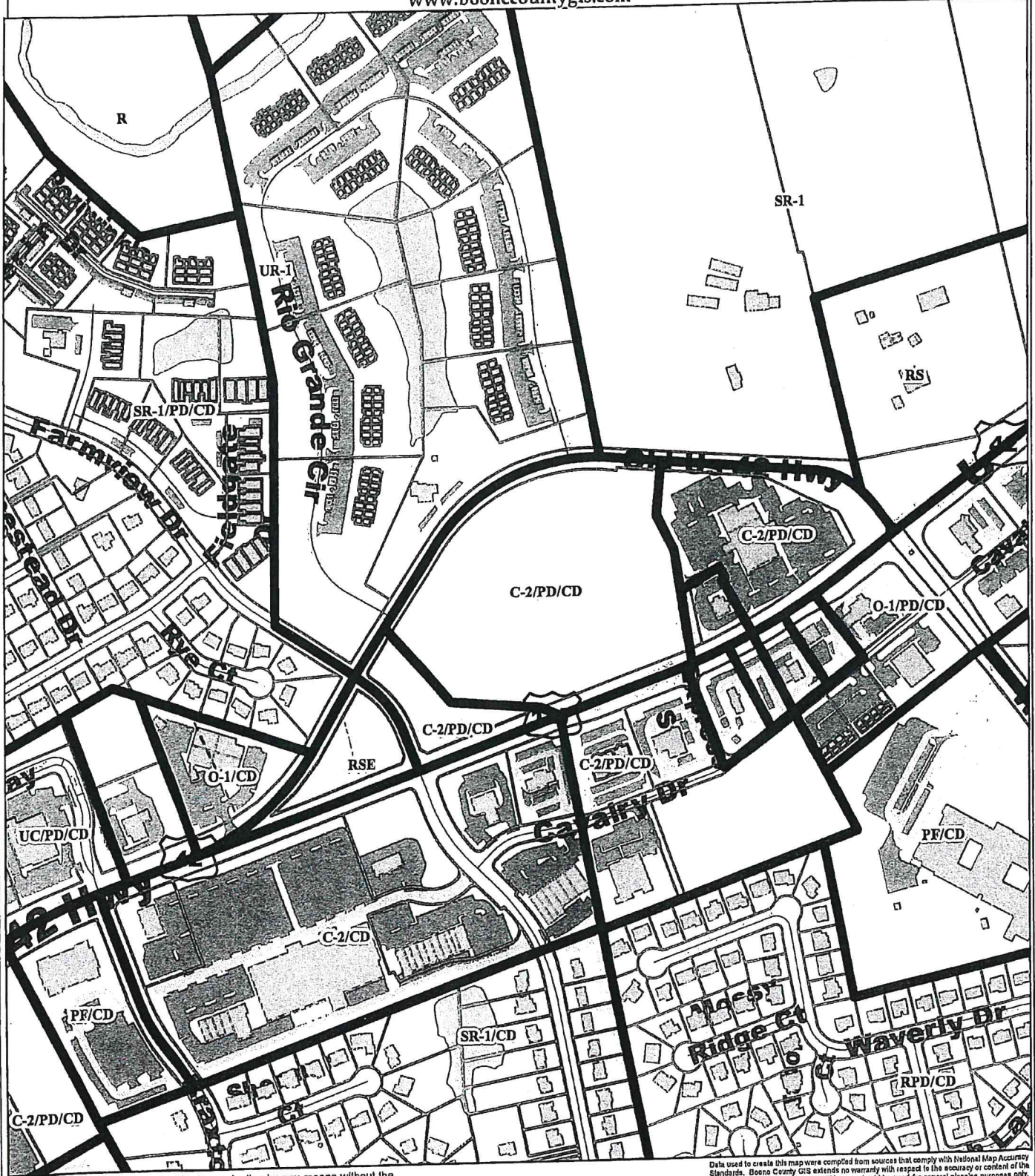
FREEMAN MORGAN ARCHITECTS
7229 Forest Avenue, Suite 209 | Henrico, Virginia 23226
P: 804-252-9700 | F: 804-252-8257 | www.freemammorgan.com

Job Number: 2317
Issued Date: 09/07/2023

Sheet Number: **SK-1**

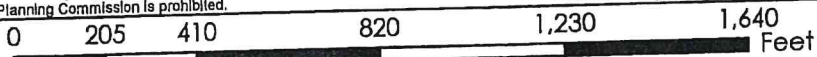
ZONING MAP

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1 Inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: 06/28/2020

Map File: 17.mxd
Arch/Map Document: 17.mxd

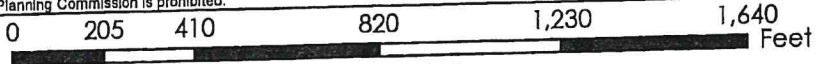
2040 FUTURE LAND USE MAP

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1 Inch = 400 feet



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Map Created: x/xx/2020

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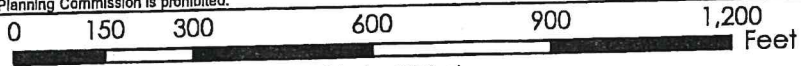
TOPOGRAPHICAL MAP

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1 Inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: 10/20/2020

Arch/Map Document: 1.mxd

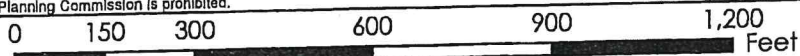
2023 AERIAL MAP

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1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: 09/20/2020

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1996 CONCEPT DEVELOPMENT PLAN

CONCEPT DEVELOPMENT PLAN PLANTATION POINTE -- NORTH CITY OF FLORENCE

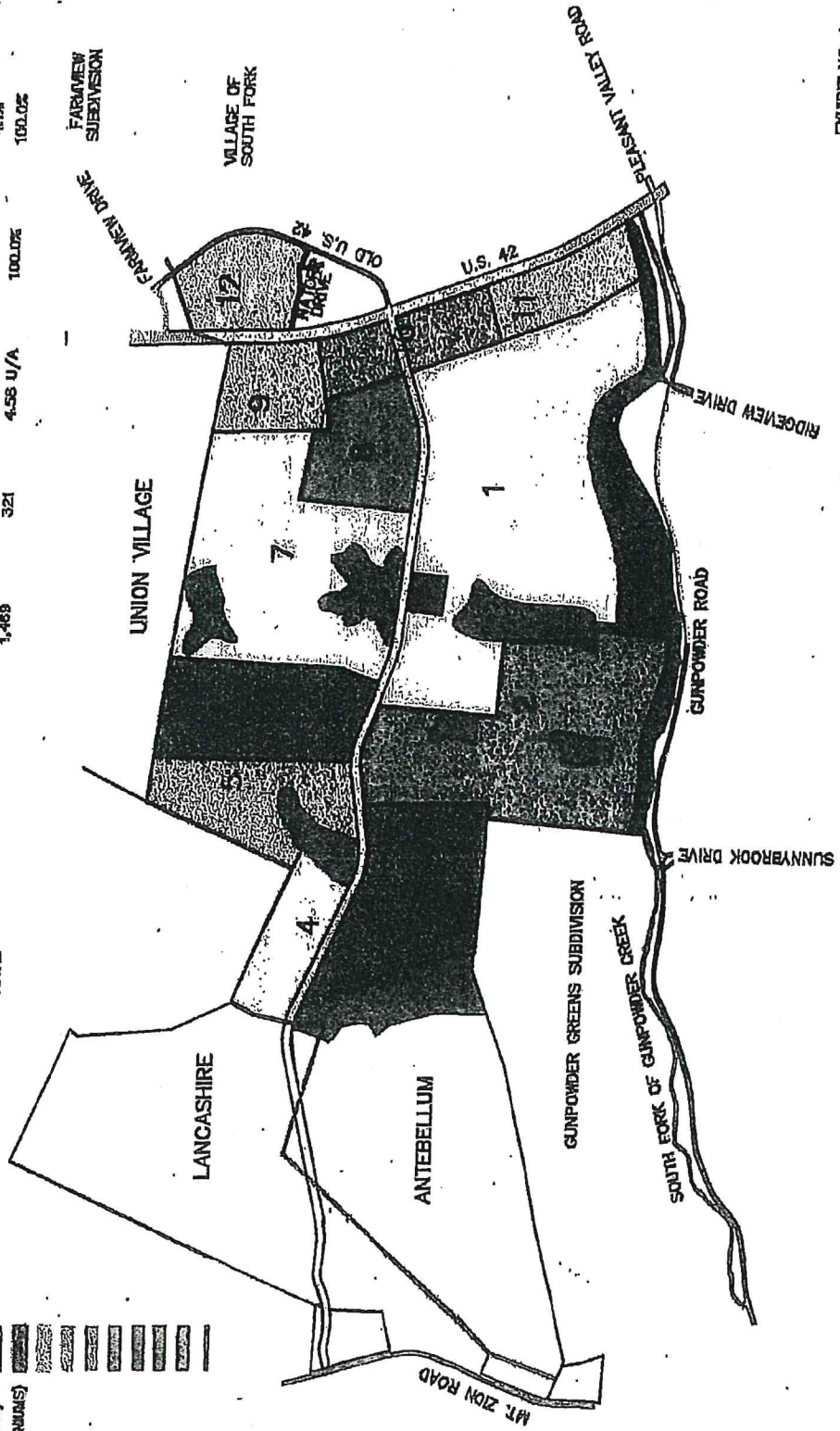
SUMMARY BY LAND USE

NUMBER OF UNITS (ACRES)	APPROX. AREA	DENSITY UNITS/ACRE	% OF TOTAL UNITS	% OF TOTAL LAND AREA
455	130	3.5 U/A	31%	40.5%
270	45	6.00 U/A	18.0%	14%
532	48	12.00 U/A	37.8%	14.3%
192	16	12.00 U/A	13%	5%
---	42.5	---	---	13.2%
---	1.5	---	---	0.5%
---	20	---	---	6.2%
---	7	---	---	2.2%
---	13	---	---	4.1%
1,469	321	4.58 U/A	100.0%	100.0%

- SINGLE FAMILY--DETACHED
- SINGLE FAMILY--ATTACHED (TOWNHOMES)
- SINGLE FAMILY--ATTACHED (CONDOMINIUMS)
- MULTI-FAMILY
- COMMERCIAL/OFFICE
- COMMUNITY SWIMMING POOL
- OPEN SPACE & LAKES
- COLLECTOR ROAD R.O.W.
- ELEMENTARY SCHOOL SITE
- TOTAL

LEGEND

- SINGLE FAMILY DETACHED
- SINGLE FAMILY ATTACHED (TOWNHOMES)
- SINGLE FAMILY ATTACHED (CONDOMINIUMS)
- MULTI-FAMILY
- COMMERCIAL
- OFFICE
- LAKES
- OPEN SPACE
- COMMUNITY SWIMMING POOL
- ELEMENTARY SCHOOL
- CITY LIMITS



3. Area 12 has an area of approximately 10.6 acres and is the island located between new U.S. 42, old U.S. 42, Natorp Drive, and Farmview Drive. The development of Area 12 will be limited to the following C-2 uses:

- 1) Eating and drinking places including alcoholic beverages, but excluding drive-thru;
- 2) Grocery stores and supermarkets;
- 3) Stores with retail sales of meat, fish, seafood, dairy, and poultry products;
- 4) Fruit and vegetable stores; bakeries, candy, nut, and confectionery stores;
- 5) Convenience stores;
- 6) Liquor, beverage, drug, and proprietary stores;
- 7) Banking services (including drive-thru facilities) savings and loan associations, credit unions, and other credit services;
- 8) Insurance carriers and agents; brokers and services;
- 9) Physician, dental, optical goods and services; including medical and dental laboratories;
- 10) Veterinary services and pet grooming services but not including the boarding of animals;
- 11) Beauty and barber services and tanning salons;
- 12) Nursery and day care centers;
- 13) Laundering and dry cleaning and dyeing services including self-service;
- 14) Alteration and garment repair and custom tailoring;
- 15) Shoe repair, shoe shining, and hat cleaning services;
- 16) Family clothing, shoe stores, specialty clothing or boutiques and other apparel retail trade;
- 17) Jewelry stores;
- 18) Radio, T.V., music supplies, cameras, photographic supplies, and specialty household appliances;
- 19) Art, craft, and hobby supplies and products, gifts and novelties;
- 20) Books, stationery, newspapers and magazines;
- 21) Florist excluding greenhouses;
- 22) Sporting goods including bicycles;
- 23) Draperies, curtains, upholstery, and floor coverings;
- 24) Paint, glass, and wallpaper stores;
- 25) Photofinishing services;

- 26) Recreation centers, gymnasiums, clubs, and similar athletic uses;
- 27) Gasoline service stations;
- 28) Churches, synagogues, temples, and other places of religious assembly for worship;
- 29) Real estate operators, agents, lessors, and real estate sub-dividing and developing services, operative builders and related services;
- 30) Accounting, auditing, and bookkeeping services;
- 31) Business and personal credit services and title services;
- 32) Security brokers, dealers, and flotation services and finance companies;
- 33) Holding and investment services;
- 34) Photographic services;
- 35) Direct mail and advertising services;
- 36) Stenographic services and other duplicating and mailing services;
- 37) News syndicate service and employment services;
- 38) Research, development, and testing services of an office nature;
- 39) Business and management consulting services and associations;
- 40) Motion picture, audio-visual, and similar media production and distribution services;
- 41) Legal, engineering, architectural, education and scientific research services;
- 42) Welfare and charitable administration offices;
- 43) Professional membership organizations, labor organizations, and civic associations;
- 44) Telephone exchange stations, telegraph message centers, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting, or receiving towers or similar unattached, erected equipment;
- 45) The administration, management, and any related office use or activity of commercial, business, service, professional, industrial, religious, private institutional, or similar organizations, incorporations, companies, associations, and such uses. Includes all integral stenographic reproduction, mailing, research, sales, and similar office functions as determined by the Zoning Administrator.
- 46) Business colleges or schools;
- 47) Recreation centers, gymnasiums, and other related recreational facilities;

- 48) Retail and sales of drugs and proprietary goods;
- 49) Medical clinics - out-patient services;
- 50) Additional Principally Permitted Uses that may be added to the current list of Principally Permitted Uses for the Commercial Two (C-2) zoning classification will become a permitted use if the Zoning Administration determines that the additional use is compatible with the existing permitted uses.

Accessory Uses: Accessory uses, buildings, and structures customarily incidental and subordinate to the purposes of the district include:

1. Recreation uses or spaces of integral relation to the developed portions of the district including:
 - a. Temporary exhibit spaces;
 - b. Aquariums, botanical gardens, and other natural exhibitions;
 - c. Stages and similar assembly areas;
2. Accessory uses for an office facility:
 - a. Garages and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
3. Directional and incidental signage (See Article 34);
4. Parking (See Article 33);
5. Temporary buildings incidental to construction;
6. Storage, uncrating, or unpacking areas provided such activities are an integral function of a permitted use and do not create enclosed or outside spaces which tend to enlarge or overpower the activities of permitted uses;
7. Retail sale of motor fuels;
8. Automatic teller services.

Intensity: No individual commercial use within any structure shall exceed 50,000 square feet.

F. Office use will be located on approximately 11 acres along U.S. 42 and being split by Weatherington Boulevard. This area is identified as Area 10 on the concept plan map. The following O-1 uses will be permitted to be developed in Area 10 (Exhibit No. 1):

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Barry Neltner, Chairman

DATE: July 17, 1996

RE: Request of Raymond Erpenbeck Consulting Engineers (applicant) for ERPS, Inc., Thomas D. Erpenbeck, and Catherine E. Erpenbeck (owners) for a Zoning Map Amendment on a 321 acre site located on both sides of U.S. 42 and to the east of Union Village Subdivision, Florence, Kentucky. The request is to rezone the site from Suburban Residential One (SR-1) to Residential Planned Development (RPD), Office One/Planned Development (O-1/PD), and Commercial Two/Planned Development (C-2/PD) in order to allow a mixed-use residential/commercial development, **Plantation Pointe - North.**

REMARKS:

We, the Committee, recommend approval of this request based upon the following findings of fact and with the following conditions:

Findings of Fact

1. The residential aspects of the request are in agreement with the adopted Boone County Comprehensive Plan Future Land Use Map which indicates the area as Suburban Density Residential and High Suburban Density Residential.
2. The Committee concludes that due to the developing character and growing needs of the area, due to the fact that US 42 has been upgraded to a five lane highway adjacent to the site, and due to the fact that a commercial subdivision is being developed immediately to the west, a mixed-use development, as sought by the Boone County Comprehensive Plan, that includes a variety of commercial uses as well as a variety of residential uses is appropriate for the site in question.
3. The Committee concludes that although commercial uses are appropriate, these uses must be limited in scope and compatible with the existing physical character of the site in question and the adjoining areas. The Committee also concludes that it is appropriate for the range of uses permitted, and their corresponding intensities, to become more limited around the proposed intersection of US 42 and Wetherington Boulevard (extended) as to discourage the future uninterrupted commercial development along US 42 to the center of Union, as sought by the Boone County Comprehensive Plan.

4. The Committee concludes that given the Findings of Fact numbered 1, 2, and 3 above, the current zoning is inappropriate and the proposed zoning is more appropriate.
5. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives and policies of the Boone County Comprehensive Plan as well as the intent, objectives, and requirements of Article 15 "Planned Development District (PD)" and Article 16 "Employment Planned Development District (EPD), Residential Planned Development District (RPD)" of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The applicant has signed a letter demonstrating agreement with these conditions. It is further understood that the development shall otherwise follow the provisions stated in the submitted Concept Development Plan that served as a basis for the recommendation contained in this Committee Report.

Conditions

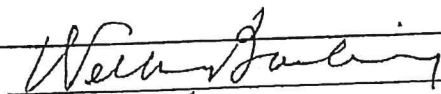
1. No building within Area 12 shall exceed 35 feet in height.
2. Design guidelines that address general qualitative (versus quantitative) architectural, landscape, site (including general site arrangement and representative examples of site furniture and appurtenances), and signage design elements for the commercial and office uses and pool facility shall be submitted for review and approval by the Zone Change Committee prior to the submittal of any review application for said uses. The commercial uses shall be regulated by the design guidelines, in addition to any other site plan requirements, through the Site Plan procedure.

The guidelines shall include general statements of intent which describe development standards within the non-commercial phases that may deviate from the letter of the Subdivision Regulations and/or Zoning Regulations.
3. The design guidelines for the commercial and office uses shall outline a consistent architectural theme and shall include architectural elements that are vernacular in nature; i.e., influenced by traditional Boone County architectural forms, materials, and details. The character created by the design guidelines as a whole shall be compatible with the existing rural landscape and the horse farms in the area.
3. A. All residential uses designated as single family attached in the Concept Development Plan shall be owner occupied.

4. Freestanding signs for any commercial or office use shall be monument style which may not exceed 60 square feet in area or 10 feet in height. With the exception of the style, size, and height restrictions for freestanding signs as noted herein, the current signage regulations within the Zoning Regulations shall regulate signage on the site unless alternate regulations are approved through the design guidelines. Alternate size and height limitations for freestanding signs may also be proposed through the design guidelines.
5. The HOA open space areas and public walkways shall be constructed along with, and considered a part of, the infrastructure for the applicable phase and reviewed as part of the applicable Improvement Plan. A site plan application for the pool facility must accompany the Improvement Plan submittal for the applicable phase. The pool facility shall be constructed prior to the issuance of 410 Zoning Permits for new single family residences within the entire Plantation Pointe development; the 410 figure includes the Lancashire and Antebellum phases of Plantation Pointe which are not subject to the current application.
6. The development shall provide the following street connections:
 - A. A connection between Area 4 and the adjoining property immediately to the west (Seltman property).
 - B. A connection between Area 9 and the commercial area in Union Village Subdivision, and a connection between Area 9 and Area 10 within the proposed development.
 - C. A connection between Area 10 and Area 11 within the proposed development.

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.

<hr/>			
Barry Neltner, Chairman			
For	<input checked="" type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>

			
William Bailey			
For	<input checked="" type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

FLORENCE CITY COUNCIL
MINUTES - REGULAR MEETING

SEPTEMBER 10, 1996

The City Council of the City of Florence, Kentucky met in Regular Session on Tuesday, September 10, 1996 at 7:00 p.m. in the Florence Municipal Building with Mayor Evelyn Kalb presiding in the Chair.

Mayor Kalb called the meeting to order and declared the Regular Session to be open for the presentation of all City business.

The roll was called and the following members registered present: Mel Carroll, Carl Howard, Dr. Ferd Metzger, David A. Osborne and Linda Schaffer. Absent was Robert O. Hay.

Also present were City Attorney Hugh O. Skees, Finance Director Ronald Epling, Public Services Director Jeffrey Koenig, Police Chief Paul Buelterman, Don Roberts, Pete Stark, Diane Whalen, Ray Erpenbeck and City Clerk Betsy R. Conrad.

Mayor Kalb called for a motion to approve the minutes of August 27, 1996, Regular Meeting of Council. Councilmember Howard so moved, with second from Councilmember Metzger and unanimous approval of Council.

Mayor Kalb presented the following Ordinance for second reading:

~~ORDINANCE NO. 0-17-96~~ AN ORDINANCE ADOPTING AND APPROVING A REZONING OF ~~2.77~~ ACRES LOCATED ON BOTH SIDES OF U. S. HIGHWAY 42 AND TO THE EAST OF UNION VILLAGE SUBDIVISION, FLORENCE, KENTUCKY, AND TO UTILIZE THE UNDERLYING ZONE, THIS REZONING BEING FROM ITS PRESENT ZONE OF SUBURBAN RESIDENTIAL ONE (SR-1) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD), OFFICE ONE/PLANNED DEVELOPMENT (O-1/PD), AND COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) TO ALLOW A MIXED USE RESIDENTIAL/COMMERCIAL DEVELOPMENT, SUBJECT TO AN AGREED DEVELOPMENT PLAN. (ERPS, INC. - PLANTATION POINTE - NORTH)

Mayor Kalb then read the following Summary of the Ordinance: By enactment of this Ordinance, the development of Plantation Pointe is approved, subject to an agreed development plan. Plantation Pointe is a mixed development of residential and commercial uses.

Councilmember Metzger moved, with second from Councilmember Howard, that Ordinance No. O-17-96 be approved on second reading with two additional conditions and be published in accordance with the law. Attorney Skees advised that the two additional conditions needed to be read into the record. Mayor Kalb read a letter dated September 10, 1996 referring to the August 27, 1996, Council meeting confirming that as part of the Plantation Pointe-North zone change, ERPS, Inc. agreed to the following conditions:

- 1) Free standing signs for any commercial or office use shall be monument-style which may not exceed sixty (60) square feet in area or ten (10) feet in height. All other signage shall be controlled by the signage regulations within the Zoning Regulations. 2) All vacant lots within the developing projects shall be kept graded and cut.

Councilmember Metzger related that this development proposal has been reviewed for over a year, has gone through the Public Hearing process and is much changed from the original plan that was turned down a year ago. He noted additional conditions and a reduction in multi-family and commercial development. Mayor Kalb called for roll call vote. Voting Yes: Councilmembers Howard, Schaffer, Metzger and Osborne. Voting No: Councilmember Carroll. Council approved by a vote of four (4) to one (1).

BOONE COUNTY PLANNING COMMISSION

2995 Washington Street, Burlington, KY 41005

606-334-2196

FAX 606-334-2264

E-Mail plancom@one.net



July 23, 1999

Mr. Raymond Erpenbeck, P.E.
Raymond Erpenbeck Consulting Engineers
4205 Dixie Highway
Elsmere, KY 41018

FAX: 342-5852

RE: Design Guidelines for Commercial/Office Area in Plantation Pointe North

Dear Mr. Erpenbeck:

As you are aware, the amended design guidelines for the above referenced project were reviewed by the Planning Commission's Zone Change Committee on July 22, 1999. These guidelines were amended with the addition of explanatory graphics. As you will recall, the Zone Change Committee had previously approved the original guidelines (text only, no graphics) with the condition that each individual development within the commercial section of the subdivision be reviewed by the Committee for conformance with the guidelines. This condition was added because no illustrative graphics were included in the original guidelines. Upon review of the amended guidelines, the Committee agreed to lift this condition. Thus, the architectural review will be conducted by the Planning Commission's staff through the site plan process. Please call me if you have any questions or need any clarifications.

Sincerely,



Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

EXHIBIT "D"

DEVELOPMENT CRITERIA

PLANTATION POINTE - COMMERCIAL

SPACE ALLOCATIONS AND DIMENSIONAL STANDARDS

1.1 Building-to-Land Ratio:

The ratio of building coverage to the Lot area will be subject to the approval of the DRC, but in no case may the ratio exceed fifty percent (50%). Building coverage shall mean the largest area encompassed when the exterior walls of a building are projected vertically to a horizontal surface. As used herein, the building coverage on a Lot shall include the sum total of the building coverage of all building improvements on such Lot, but shall not include any building coverage for plazas, garages, screening and retaining walls, poles, signs, water, sewer, electrical, gas and other utility lines.

1.2 Setbacks:

Except as provided in Section 1.3. below, no structure or improvement of any kind and no part thereof, shall be placed on any Lot closer to a property line or right of way/easement or service road line than the setback distances as follows:

a. Front Yard: The setback lines are hereby established as thirty (30) feet from any public right of way or private service road.

b. Side Yard: The setback line is established as fifteen (15') feet from an interior property line, however, the sum of both side yard setbacks on a Lot shall not be less than sixty (60) feet.

c. Rear Yard: The setback line is established as twenty (20) feet from a rear property line.

d. Notwithstanding the building setbacks set forth in Section 1.2 a-c, above, the building setbacks shall also conform to the Conditions of Approval set forth in the Concept Development Plan for Plantation Pointe.

e. Notwithstanding the building setbacks set forth in Section 1.2 a-c above the DRC may increase any one or more of such setback requirements where the DRC in its sole discretion determines such setback is necessary to assure desired visibility of buildings or anticipated buildings on adjoining lots or to assure proper site distance for vehicular traffic within the development.

1.3 Exceptions to Setback Requirements:

The following structures and improvements are specifically excluded from the setback provisions of Section 1.2. above:

- a. Roof overhang, subject to the specific approval of the DRC in writing.
- b. Steps, walks and driveways from the public right of way and from paving and associated curbing as permitted under Section (c) below to the improvements.
- c. Paving and associated curbing, except that vehicle parking areas shall not be permitted within ten feet (10') of the public right of way or right of ways or within ten feet (10') of the service road, nor within ten (10) feet of any interior property line or lines.
- d. Retaining walls and landscaping.
- e. Planters, not to exceed three (3) feet in height.
- f. Water lines, sewers, electrical and gas distribution facilities.

1.4 Off-Street Parking Areas:

a. No parking will be permitted on the public right of ways or service roads within the Property, and each Owner shall provide adequate off-street parking to accommodate all parking needs for employees, visitors and company vehicles on its Lot. If parking requirements increase as a result of a change in use or the number of employees, additional off-street parking shall be provided by the Owner to satisfy the intent of this Section. All parking facilities and private driveways must be approved by the DRC in accordance with Part II hereof.

b. Parking shall be permitted between the buildings and the public right-of-way and/or service road, subject to Section 1.3.c., when properly shielded by landscaping and approved by the DRC.

c. All driveways and parking areas shall be paved and curbed.

d. Off-street parking areas designated for automobile use shall not be used for trucks, commercial vehicles, and/or material storage.

1.5 Off-Street Loading Areas:

a. Loading areas shall not encroach into setback areas unless specifically approved by the DRC in writing.

b. Loading areas located in side yards shall be set back and screened to minimize the effect from the public right-of-way and neighboring properties. No loading areas shall be permitted on the front of any building without the express written permission of the DRC, and, except where a Lot is bounded by three or more public right-of-ways, no loading areas shall be permitted on the side of any building facing a public right-of-way, unless specifically approved by the DRC in writing.

1.6 Streets-Driveways/Sidewalks-Curbing:

Streets, driveways, curbs and walks shall be constructed or altered only in accordance with plans and specifications submitted to and approved in writing by the DRC.

1.7 Easement Restrictions:

No structure or other improvement may be made on or over any underground easements, including sewer, water and utility easements or sprinkler systems, which will interfere with access to such easements or facilities. It is hereby understood that this restriction does not apply to parking lots, driveways, sidewalks or sewer, water and other utility lines.

II. ARCHITECTURAL AND AESTHETIC STANDARDS

2.1 Landscaping:

a. No plans for any building, structure or other improvements to be erected, placed or altered in or upon any Lot shall be approved by the DRC unless there shall also have been submitted separate landscape plans, satisfactory to the DRC, to include plant material and landscape construction to be installed on the Lot.

b. The front-yard setback area of each Lot shall be landscaped, and the side and rear setback areas of each lot not used for parking shall be seeded, except that the front yard and side yards of corner lots shall be landscaped. All unpaved areas of each Site not utilized for parking or buildings shall be landscaped, and no Lot shall have less than five percent (5%) thereof maintained as such unpaved and unimproved open space. Landscaping shall be used to mark entrance points and parking areas. It shall be used to shield or define service areas and property divisions, and to enhance building scale and forms. Undeveloped areas proposed for future expansion shall be planted with grass or other landscaping and maintained in a neat, well-trimmed condition. All landscaping and screening plans shall be submitted to the DRC for its prior approval.

c. Berms. Earthen berms shall have a maximum slope of three-to-one (3-to-1) unless otherwise approved by the DRC. Manholes, cleanouts or other points of

access to utility lines shall be preserved in the design and construction of the berms. The DRC shall be entitled to prohibit berms in landscaping plans in its sole discretion to maintain desired visibility and adequate site distance for vehicular traffic.

d. Landscape treatment shall not interfere with sight line requirements at street or driveway intersections. All landscaping shall be designed for reasonable maintenance, and all landscaped areas shall be maintained in a quality manner at all times. Paving or terracing may be used in areas where excessive maintenance would otherwise be required.

2.2 Exterior Construction, Permitted Materials, Prohibited Materials, Approved Construction Methods, Design:

Any building erected on a Lot shall conform to the following construction practices:

a. Exterior walls shall be finished on the exterior only with one or more of the following: (1) brick, architectural masonry units (excluding standard concrete block and cinder block), (2) natural stone, (3) decorative precast concrete with prior written approval of the DRC, (4) glass wall panels, provided that the DRC has given its prior written approval to the exact material, use, color and configuration of those wall panels, (5) glass materials, or (6) their equivalent as approved by the DRC. Exterior walls of metal or wood products are not permitted without the express written approval of the DRC.

Such finish building materials shall be applied to all sides of a building. Colors shall be harmonious and compatible with colors of the natural surroundings and other adjacent buildings. The DRC shall have the sole right to approve or disapprove materials and colors.

b. Exterior construction materials shall conform with the Conditions of Approval.

c. Building(s) shall utilize gable and/or hip roof shapes with a minimum roof slope of 4:12. Each roof shall have a gable facing roads or driveways.

Roofs shall have defined overhangs, cornice lines, dormers, or cupolas.

Roofing materials shall be heavy weight dimensional shingles or metal. Roof colors shall be medium to dark green or hunter green.

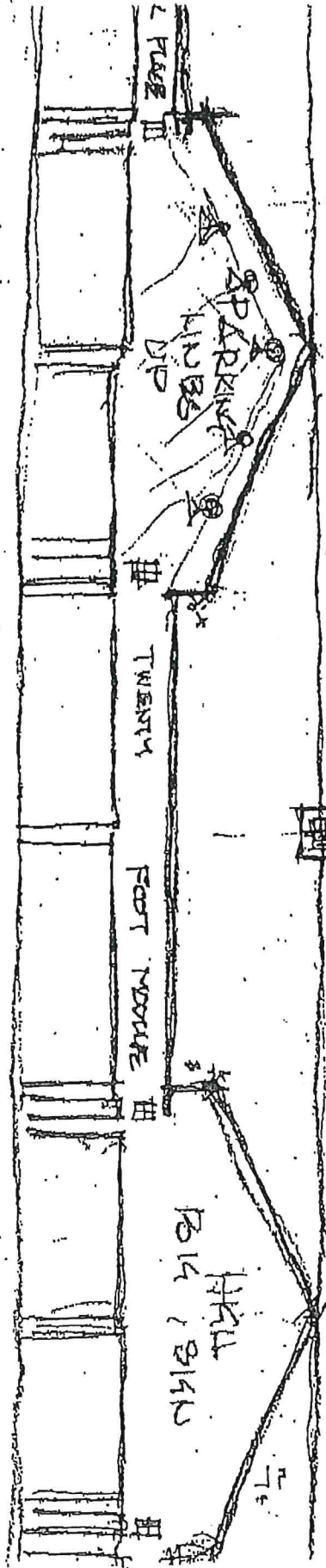
Flat roofs and mansard roofs are not allowed.

The DRC shall have the sole right to approve or disapprove all roof designs and materials.

The DRC's final approval of all signs will be based not only on the above, but on reasonable architectural standards and overall balance as same applies to identification displays. Without limiting any of the above, the DRC must approve the manner in which any sign is constructed, lighted and mounted. All signs must also comply with all applicable zoning and other regulations.

3. Graphic Depictions: The design guidelines outlined above in the Development Criteria of Plantation Pointe - Commercial are graphically depicted on those certain drawings and sketches prepared by LBH Design located at 211 Grandview Drive, Ft. Mitchell, Kentucky 41017, copies of which are attached hereto and made a part hereof.

256836_8.DOC.1



LBH DESIGN
MAR 15 1999

MAR 15 1999

1999

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LBH DESIGN
MAR 15 1999

LBH DESIGN
DESIGN AND LAND PLANNING
211 GRANDVIEW DRIVE
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800 578-8877 FAX 502 344-5

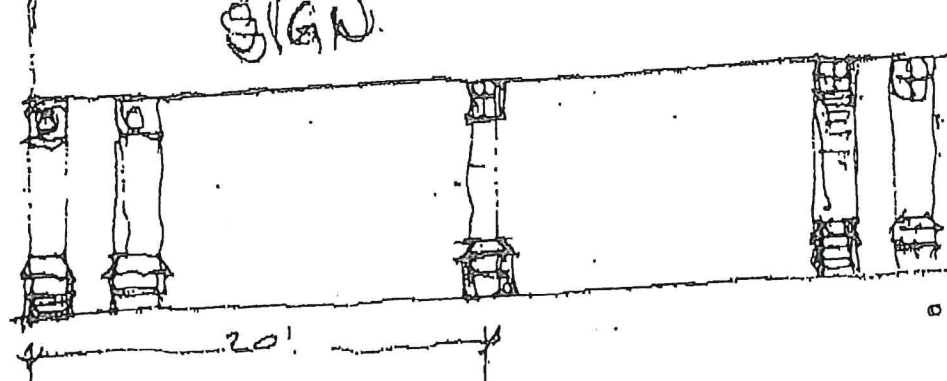
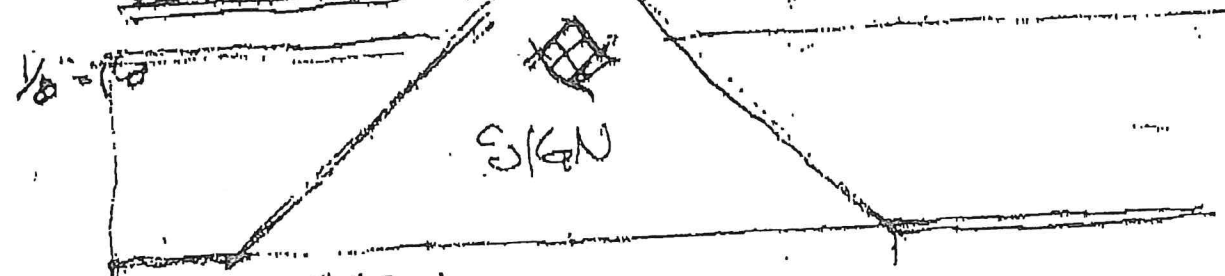
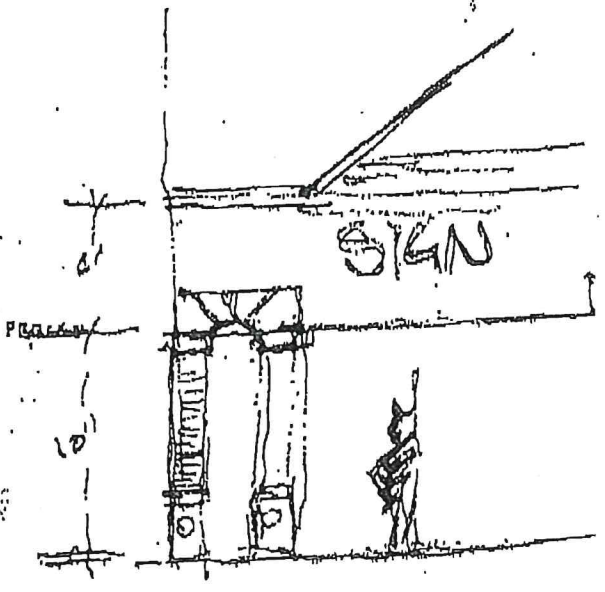
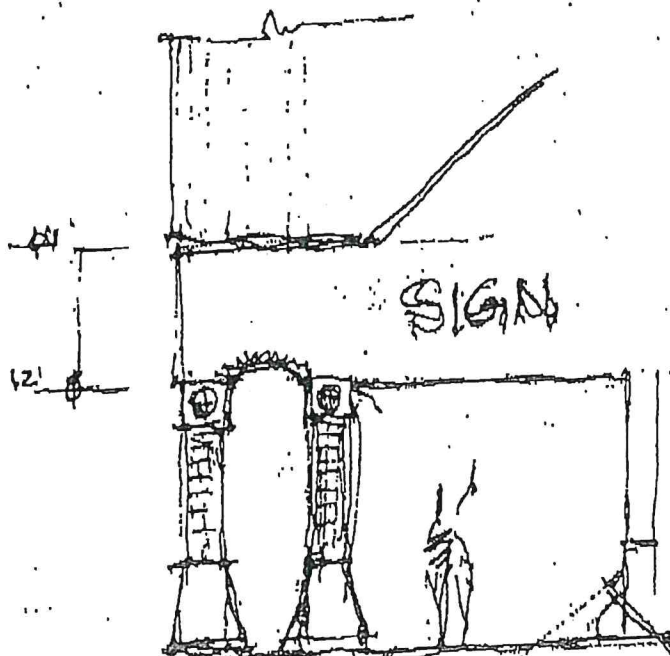
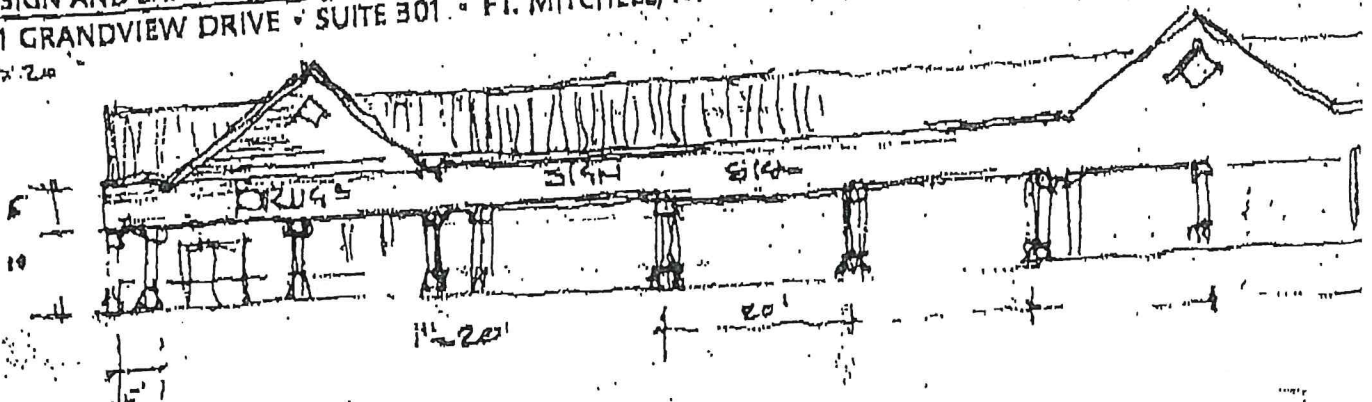
MAY 27, 1998

LBH DESIGN

DESIGN AND LAND PLANNING

211 GRANDVIEW DRIVE • SUITE 301 • FT. MITCHELL, KY 41017 • (606) 578-8877 • FAX (606) 344-9838

L. BRIAN HUEHLS, ARCHITECT



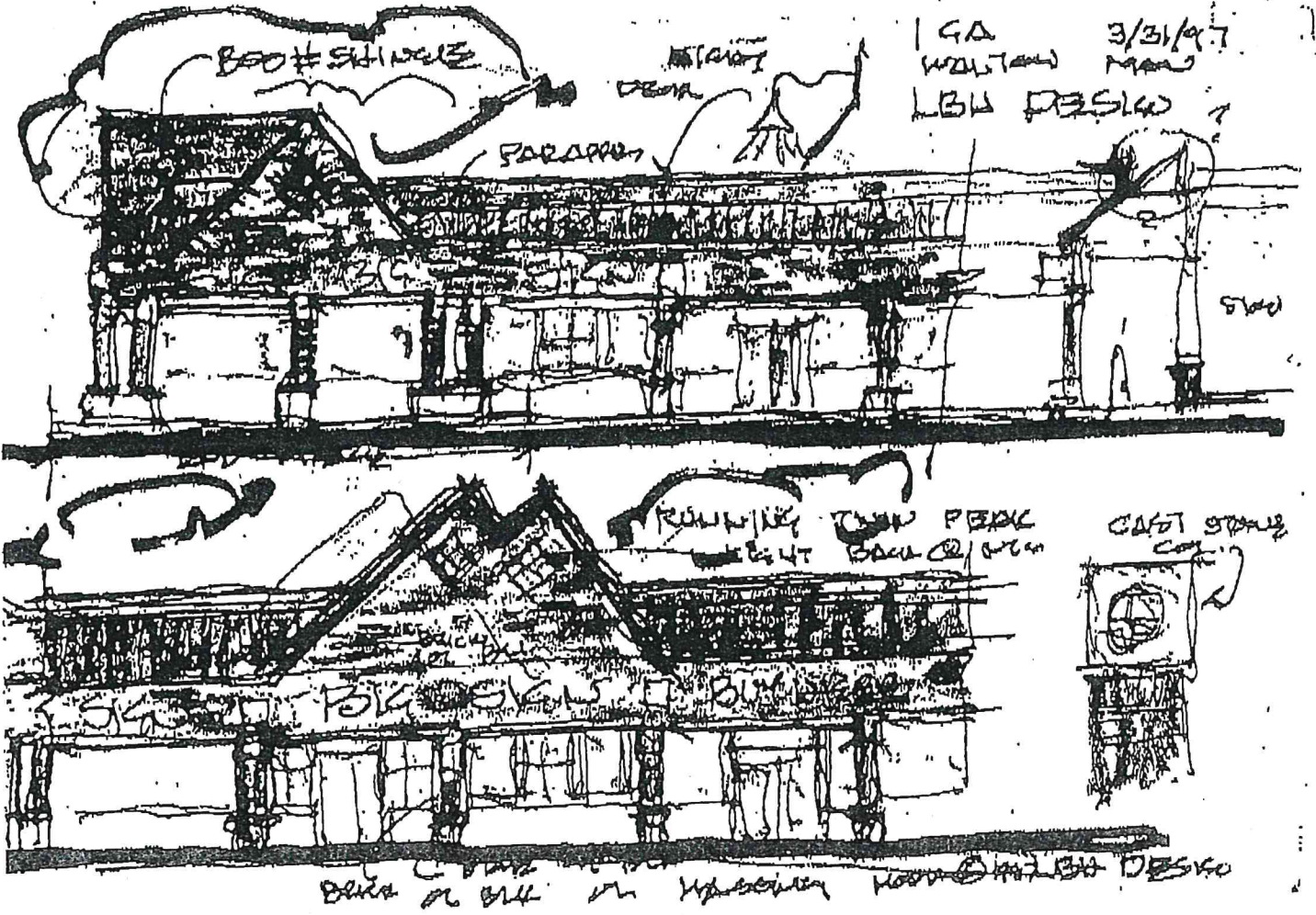
FOR THE COST
 OF BRICK
 METAL ROOF
 METAL AND FLOOR

L.B.H. DESIGN

DESIGN AND LAND PLANNING

L. BRIAN HUEHLS, ARCHITECT

211 GRANDVIEW DRIVE • SUITE 301 • FT. MITCHELL, KY 41017 • (606) 578-8877 • FAX (606) 344-9838



L. B H DESIGN
JUN 09 1998

© COPYRIGHT 1998 - L BRIAN HUEHLS

MAY 27 1998 WKS

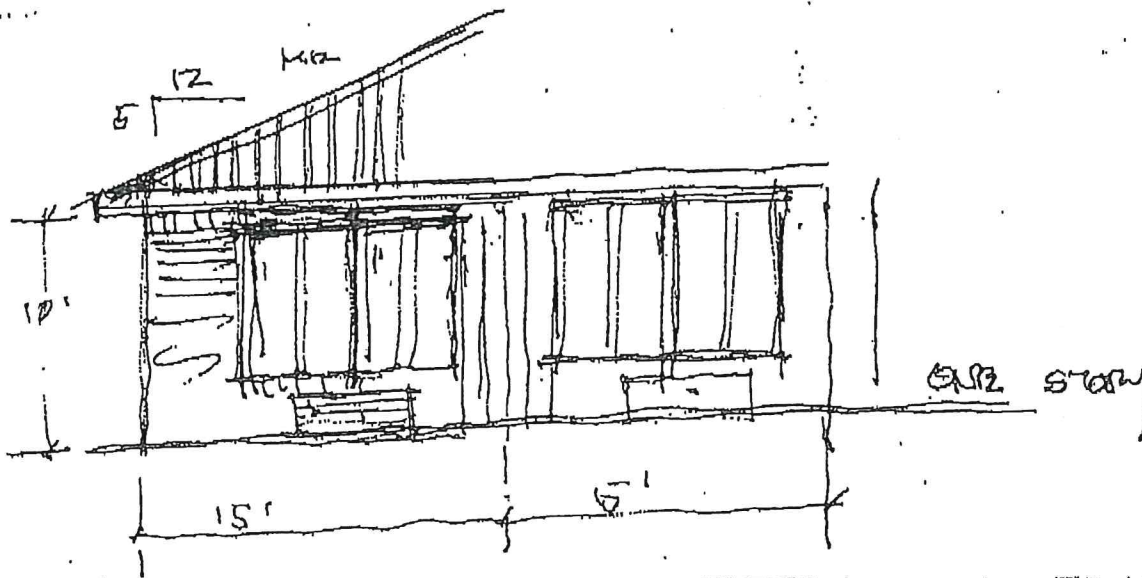
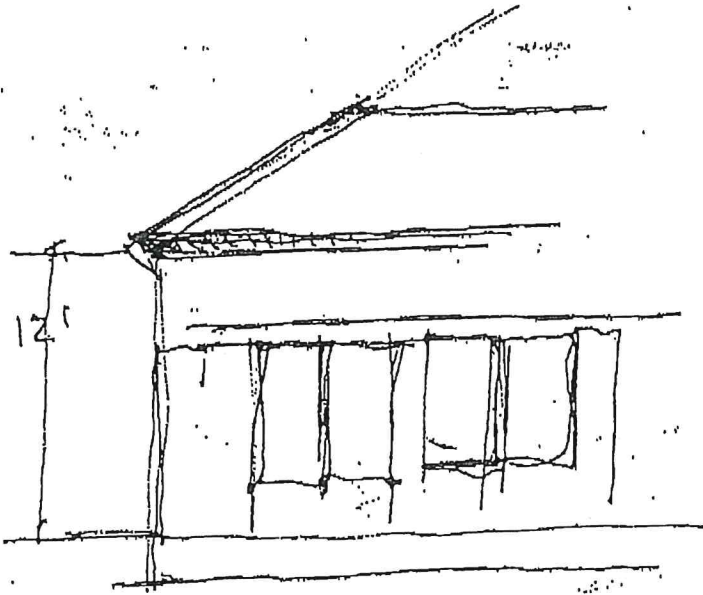
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DESIGN AND LAND PLANNING

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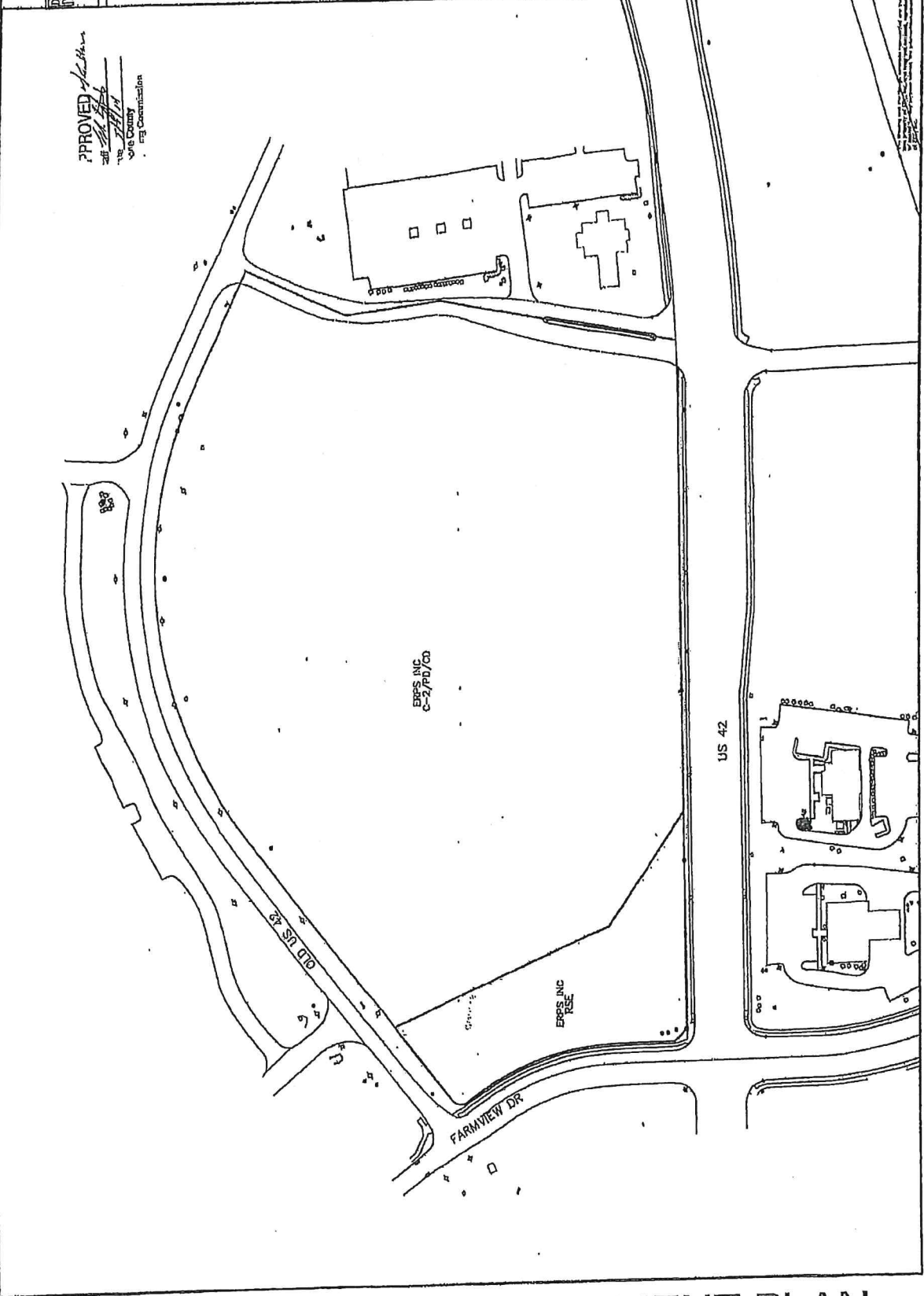
211 GRANDVIEW DRIVE • SUITE 301 • FT. MITCHELL, KY 41017 • (606) 578-8877 • FAX (606) 344-9838

STRIP COMMERCIAL
OFFICE



State of Kentucky, County of Boone
MARILYN K. ROUSE, Clerk of the Boone County
Court, do certify that the foregoing

SHEET 1 OF 1
 PLANTATION POINTE NORTH
 CITY OF UNION, DOONE COUNTY, KENTUCKY
 ZONE CHANGE
 OWNERS: ERPS, INC
 4205 DIKIE HIGHWAY
 ELSMERE, KENTUCKY 40126
 ERPS, INC
 4205 DIKIE HIGHWAY
 ELSMERE, KY 40126
 DATE: 03/20/14
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: MARCH 2014
 PROJECT: [Name]
 DESCRIPTION: [Name]



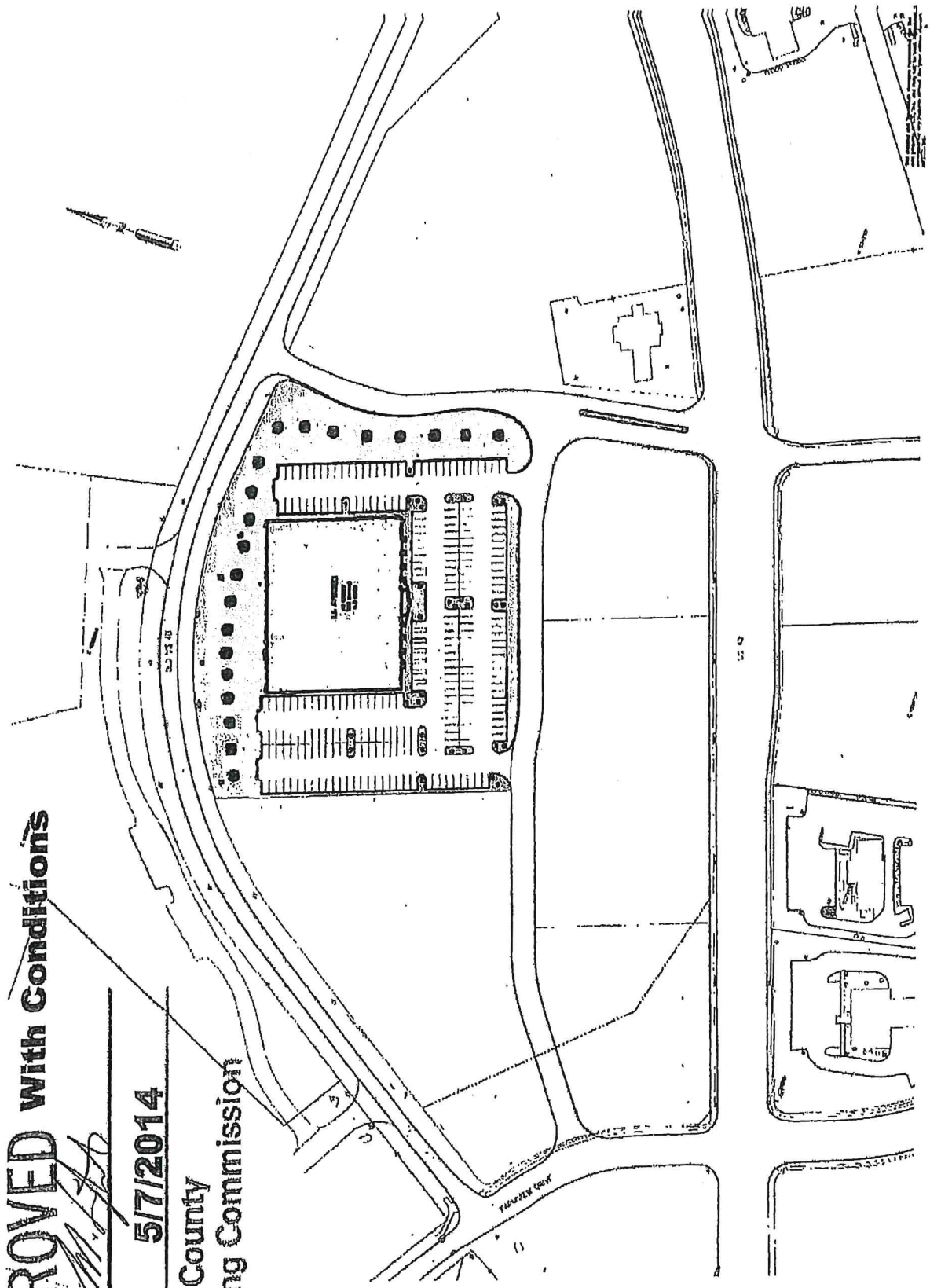
2014 CONCEPT DEVELOPMENT PLAN

APPROVED With Conditions

Staff *M. J. [Signature]*

Date 5/7/2014

Boone County
Planning Commission



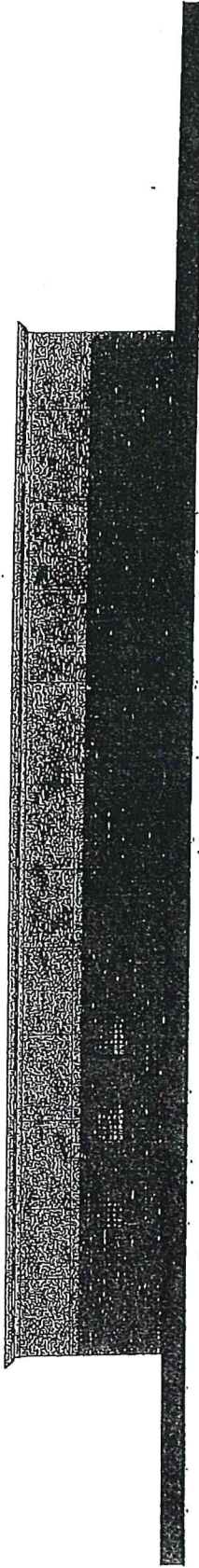
CONCEPTUAL SITE LAYOUT

APPROVED *w/conditions*

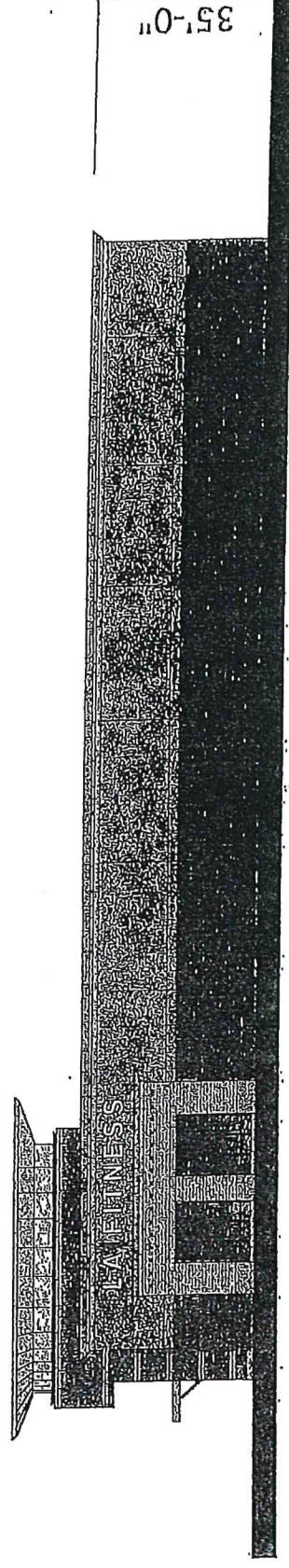
Staff *M. [Signature]*

Date *5/2/14*

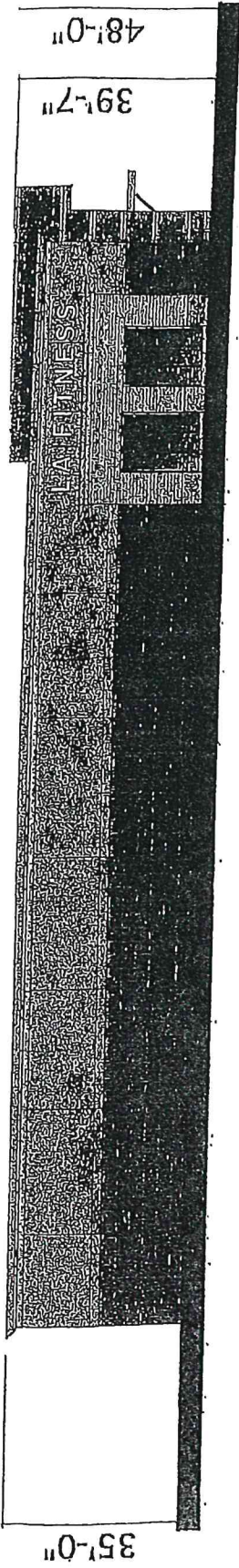
Boone County
 Planning Commission



Rear Elevation



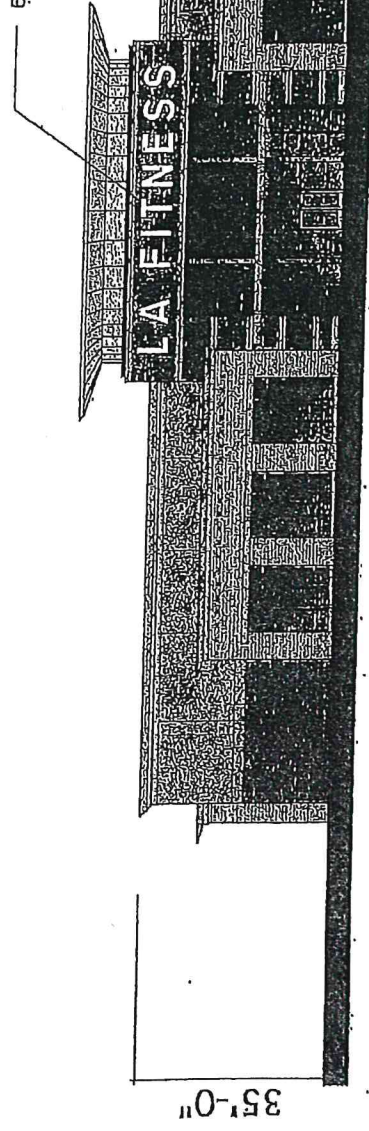
Side Elevation



Side Elevation

60" high internally illuminated letters, 390 SF

Integral color/textured concrete masonry block or EIFS
Brick Veneer at entry and arcades



Front Elevation

R E C E I V E D
MAR 04 2014
BOONE COUNTY
PLANNING COMMISSION



Concept Elevation

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: May 7, 2014

RE: Request of **BSM Development, LLC (applicant)** for **ERPS, Inc. (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 10.8 acre tract located at 8739 US 42, Florence, Kentucky. The request is to modify a previous condition of approval to increase the permissible building height to 50 feet; and request of **BSM Development, LLC (applicant)** for **ERPS, Inc. (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Commercial Two/Planned Development (C-2/PD) for a 1.14 acre tract located on the northeast corner of the US 42/Farmview Drive intersection and southeast corner of the Old US 42/Farmview Drive Intersection, Union, Kentucky. The request is for a zone change to allow commercial uses.

REMARKS:

We, the Committee, recommend approval of both requests based upon the following findings of fact and with the following conditions:

FINDINGS OF FACT

1. The Committee has concluded that the proposed Zoning Map Amendment for the 1.14 acre tract, Union, Kentucky, is in agreement with the 2010 Boone County Comprehensive Plan due to the following reasons:
 - A. The 2010 Boone County Comprehensive Plan Future Land Use Map designates the site as "Commercial." This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
2. The Committee has concluded that Zoning Map Amendment for the 1.14 acre tract, Union, Kentucky, is consistent with the original and overall Concept Development Plan for Plantation Pointe.
3. The Committee has concluded that the request for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 10.8 acre tract, Florence, Kentucky, is in agreement with the Business Activity Element of the 2010 Boone County Comprehensive Plan for the following reasons:

- A. Many problems with the location and arrangement of commercial uses have emerged, especially along the KY 18 and U.S. 42 corridors. Commercial developments along KY 18 and U.S. 42 west of Mall Road should not be regionally oriented nor should they attract additional traffic, but rather be served by the existing or future population of the area.
- B. The land surrounding the U.S. 42 area, southwest of Florence, will experience additional commercial growth towards the City of Union, but should be done on a smaller scale to mitigate any adverse impacts and to be compatible with surrounding land uses and densities. The U.S. 42 corridor toward Union will have a mixture of commercial, office, institutional, public facility and residential uses.
- C. Commercial developments that occur in the KY 18 and U.S. 42 corridors should be limited in scale (e.g. building, intensity, use, etc.) and clustered to serve growing residential neighborhoods. Planned Unit Developments should be encouraged so that commercial construction is incorporated within new residential areas and designed properly. These commercial clusters should not function as an extension of Florence and Mall Road, but as distinct units serving the Burlington and Union areas.

The Change to the Approved Concept Development Plan allows development of the parcel while still protecting the residential neighborhood.

3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2010 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The Property Owner agrees that all of the original conditions approved by the Boone County Planning Commission and City of Florence for Area 12 from the 1996 Zoning Map Amendment will still apply unless amended below.
2. The Property Owner agrees that the lots with frontage on "new" US 42 can have a 50 foot building height and that the building height for the lots with frontage along Old US 42 will remain 35 feet with the provision that architectural details/features can extend above to a maximum of 50 feet from grade.

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT
BSM Development, LLC/ERPS, Inc.
May 7, 2014

Page 3

3. The Property Owner agrees that the 1.14 acre tract in the City of Union will follow all of the original conditions of approval for Area 12 from the 1996 Zoning Map Amendment as well as the building height provision outlined in Condition 2 above.

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 Plan Committee Vote.

CITY OF FLORENCE, KENTUCKY
SUMMARY OF ORDINANCE NO. 0-17-14

The City of Florence, Kentucky, enacted on second reading Ordinance No. 0-17-14 on July 1, 2014. The title of this Ordinance is as follows:
ORDINANCE NO. 0-17-14

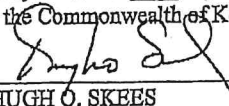
AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 10.8 ACRE SITE LOCATED AT 8739 US 42, FLORENCE, KENTUCKY, TO INCREASE THE PERMISSIBLE BUILDING HEIGHT TO 50 FEET. (BSM DEVELOPMENT, LLC/ERPS, INC.)

The effect of this Ordinance is to allow an increase in the permissible building height to 50 feet in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 10.8 acre site located at 8739 US 42, Florence, Kentucky.

The full text of Ordinance No. 0-17-14, including its exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Blvd., Florence, Kentucky, during regular office hours.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of Ordinance No. 0-17-14 and that it has been prepared by me on the 20th day of June, 2014, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



HUGH O. SKEES
SKEES, WILSON & NIENABER, PLLC
7699 Ewing Blvd., P.O. Box 756
Florence, KY 41022-0756
Phone: (859) 371-7407
Fax: (859) 371-7407

Vicki Myers

From: Kathy Porter <cityclerk@mw.twcbc.com>
Sent: Thursday, September 04, 2014 12:42 PM
To: Vicki Myers
Cc: 'Attorney Voss'
Subject: RE: Resolution R-14-012-A
Attachments: cityclerk@mw.twcbc.com_20140904_115134.pdf

Vicki,

No, the city did not take any action on this. (I have attached a copy of the letter we received dated June 4, 2014)

Kathy L. Porter | City Clerk/Treasurer | City of Union, Kentucky | 1843 Mount Zion Road | Union, KY 41091 |
Voice: 859.384.1511 | Fax: 859.384.7760 | E-mail: cityclerk@mw.twcbc.com

From: Vicki Myers [<mailto:VMyers@boonecountyky.org>]
Sent: Thursday, September 04, 2014 9:50 AM
To: Kathy Porter, City of Union
Subject: Resolution R-14-012-A

Kathy,

Did the City of Union ever act on Resolution R-14-012-A (BSM Development) that we sent to you on June 5, 2014? If so, please send me your ordinance indicating the action taken. Thanks.

Vicki L. Myers

*Manager, Administrative Services
Boone County Planning Commission
P.O. Box 958
Burlington, KY 41005
(859) 334-2196 (P)
(859) 334-2264 (F)
vmyers@boonecountyky.org*

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: May 5, 2021

RE: Request of Farmview Commons LLC (applicant) for ERPS, Inc. (owner) for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit eating and drinking establishments and commercial uses, including drive-through facilities, elderly housing facility, multi-family housing, medical offices, and a car wash, and to modify previous conditions of approval concerning architectural design and to permit a 50 foot maximum building height on the entire site.

REMARKS:

We, the Committee, recommend approval of the above referenced request based on the following findings of fact and with the following conditions. The application at this point in time is limited to the revised "Farmview Commons Option A" Concept Development Plan sheet which includes five commercial lots along the US 42 frontage, a senior living, multi-family housing, or office building in the northeast corner of the site, and an open space/detention lot in the northwest corner. This sheet has been revised in accordance with the evidence and testimony presented at the Public Hearing. The "Farmview Commons Option B" sheet, which included a car wash, has been formally withdrawn by the applicant.

FINDINGS OF FACT

1. The Committee has concluded that the proposed Concept Development Plan is in agreement with the Our Boone County - 2040 Plan, which is the adopted Comprehensive Plan, due to the following reasons.

The Our Boone County – Plan 2040's Future Land Use Map designates the site as "Commercial." This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc." The Committee has determined that the proposal, particularly when considering the surrounding commercial and office development along US 42, is consistent with the general land use concept outlined on the Future Land Use Map.

The Land Use Element's "13. Pleasant Valley" section (p. 124) states the following regarding this area:

Mixed-use development, that has commercial uses focused along U.S. 42 and varying types of residential uses, should occur southwest of its intersection with Pleasant Valley Road. The intensities of these commercial uses, in terms of building intensities, the size and style of individual structures, and the range of uses permitted, should begin with a broader range of commercial uses near the intersection and gradually decline to smaller-scaled office and institutional uses in the vicinity of Farmview Subdivision and the Florence/Union corporate boundary. Creative building layout and orientation should be used in lieu of strip-style commercial development, and Planned Development Overlay Districts should be utilized. All development in this area should be viewed as part of an entryway to both the Cities of Florence and Union.

The proposal is for a mixed-use development which includes a variety of commercial uses along the US 42 frontage (Lots 1 through 5), a senior living, multi-family housing, or office building in the northeast corner (Lot 6), and an open space lot with a detention basin in the northwest corner adjoining the entrance to Farmview Subdivision (Lot 7). The size and scale of the buildings decrease from east to west so that the smallest building (4,000 square feet) is on the northeast corner of the US 42/Farmview Drive intersection and on the Florence/Union corporate boundary (Lot 1), thereby creating an appropriate entryway to both cities.

Both the senior living, multi-family housing, or office building (Lot 6) and the open space lot (Lot 7) function as transitional uses to the residential areas to the north. Appropriate transitional uses or progression of densities are discussed in a general sense in the Demographics Element ("Housing Types and Locations," p. 20) and the Future Land Use Development Guidelines ("Buffering," p. 95). The Demographics Element ("Housing Types and Locations," p. 19) states, "A variety of multi-family housing options should include apartments, townhouses, patio homes, condominiums, nursing homes, and retirement housing all ranging greatly in price per unit to accommodate a wide range of relative affordability," which corresponds to the proposed senior living or multi-family housing options for Lot 6. The open space lot adjoining the entrance to Farmview Subdivision functions as a "quality of life amenity" that is promoted by the Goals and Objectives ("Demographics," Goal A, Objective 3).

The Future Land Use Development Guidelines ("Design, Signs, and Cultural Resource Preservation," p. 97) state:

Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention.

Per the changes made by the applicant in response to the comments presented at the Public Hearing and the agreed conditions, the design of all buildings and retaining walls will be appropriate for, and compatible with, the surrounding uses. Channel letter building mounted signs will be used throughout the development and the proposed monument signs (three total) are limited in size and height and correspond to the architectural theme. Landscaping will generally meet the applicable requirements of Article 36 of the zoning regulations. The landscape area along the US 42 frontage will generally be 20 feet wide and include a white board fence as a design feature. Additionally, pedestrian improvements will be provided in accordance with the Goals and Objectives ("Transportation," Goal B, Objective 6).

2. The Committee has concluded that the Concept Development Plan fulfills the applicable requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations, including Section 1514 "Planned Development Criteria."
3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the Our Boone County – Plan 2040 and Article 15 "Planned Development District" of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

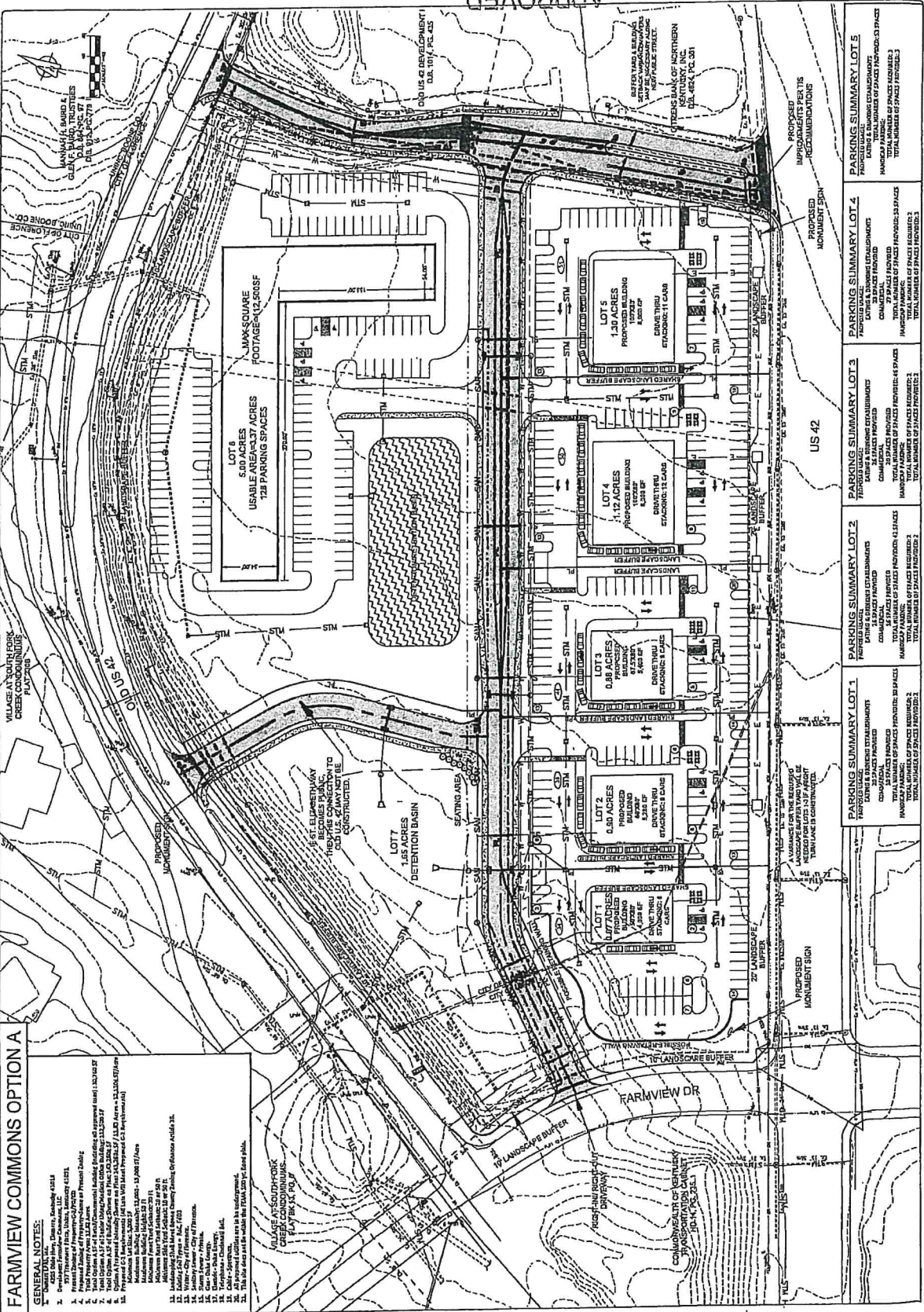
1. The development shall follow the revised "Farmview Commons Option A" Concept Development Plan sheet (attached) except where modified by the agreed conditions outlined below. The "Farmview Commons Option B" sheet, which included a car wash, has been formally withdrawn.
2. The Traffic Impact Study shall be updated to reflect the revised "Farmview Commons Option A" Concept Development Plan sheet and forwarded to the Kentucky Transportation Cabinet, the City of Florence, and the City of Union for

- review. The developer shall construct, at their expense, any road improvements (including right turn lanes at the US 42 intersections with Farmview Drive and Old US 42) required by the Kentucky Transportation Cabinet, the City of Florence, and/or the City of Union.
3. The existing north-south driveway which runs along the site's east boundary (St. Elizabeth Way) shall be upgraded to the City of Florence's public street standards and shall be dedicated to the City of Florence.
 4. The main on-site north/south driveway, which runs between Lots 6 and 7 to Old US 42, shall be constructed as part of the overall site circulation system. The note on the revised "Farmview Commons Option A" Concept Development Plan sheet which states, "If St. Elizabeth Way becomes public, then this connection to Old U.S. 42 may not be constructed" shall not apply.
 5. The graded slopes at the Farmview Drive and Old US 42 entrances shall be grassed and landscaped to be kept in a highly maintained/finished condition. The detention/retention basin(s) shall also be kept in a highly maintained/finished condition.
 6. The buildings along the US 42 frontage (Lots 1 through 5) shall follow the submitted architectural concepts (attached). A combination of flat and pitched roofs shall be provided on the buildings that are 8,000 square feet or greater and entirely pitched roofs shall be provided on the buildings that are smaller than 8,000 square feet.
 7. The building on Lot 6 shall have full height brick exterior walls. Other materials may be used for trim and secondary wall areas. This building shall also have a pitched roof which covers the entirety of the structure. The height of this structure, from grade to the highest ridge line, shall be a maximum of 44 feet.
 8. Mechanical equipment and dumpsters shall be screened with enclosure structures which use materials, colors, and design detailing that are consistent with the buildings they serve.
 9. All retaining walls shall have a decorative/architectural finish which correlates to the architectural theme in the development.
 10. Freestanding site lighting fixtures shall use decorative/architectural masts and shall have a maximum height of 20 feet.
 11. A decorative fence shall be provided around the detention/retention basin(s) in accordance with the City of Florence's requirements. Additionally, a decorative

- white board fence shall be provided in the landscape area along the site's US 42 frontage.
12. Bench seating shall be provided in the seating area on Lot 7. Outside seating shall be provided at each restaurant and enclosed with a decorative fence or rail.
 13. The monuments signs (three total) shall be located as shown on the revised "Farmview Commons Option A" Concept Development Plan sheet. The monument signs shall follow the designs on the "Sign Concepts" exhibit (attached). Building mounted signs shall be internally illuminated channel letter signs only.
 14. No outside storage shall occur in the development.
 15. No automotive repair facility/auto service uses shall be permitted in the development.
 16. Lot 1 shall not have a full service drive-through facility, but may have a pick-up only style drive-through facility.
 17. If a drive-through facility is proposed on Lots 1 through 5 in combination with land uses 930, 933, 934, 935, 937, 938, 939, or 940 as defined by the 10th Edition of the ITE Trip Generation Manual, a Traffic Study shall be submitted to the Planning Commission for review with the applicable site plan application(s). This Traffic Study shall evaluate on-site traffic flow and the expected queue lengths at proposed drive-through facilities. The site plan shall provide adequate storage for drive-through queue lengths, to prevent stacking of vehicles on shared driveways/roadways within the development during peak business hours. This will include consideration of drive-through window placement to provide additional storage as needed and agreed upon by the Planning Commission staff.

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 Committee Vote.

APPROVED
 Staff _____
 Date 5/3/21
 Boone County
 Planning Commission
 *with conditions



FARMVIEW COMMONS OPTION A

GENERAL NOTES:

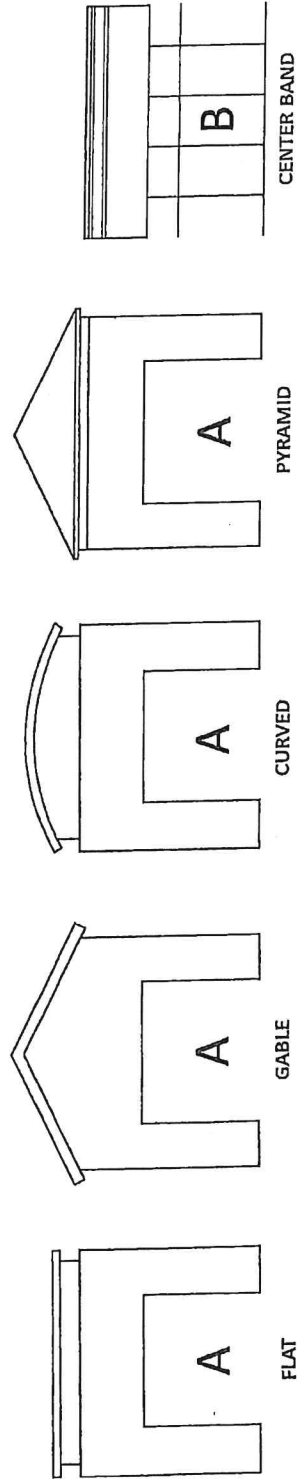
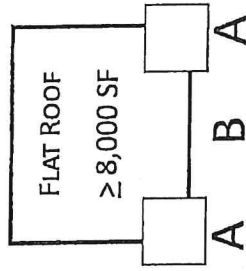
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Lot Number	Proposed Building	Proposed Parking Spaces	Total Number of Spaces
PARKING SUMMARY LOT 1	Proposed Building	30 Spaces Provided	30 Spaces Provided
PARKING SUMMARY LOT 2	Proposed Building	30 Spaces Provided	30 Spaces Provided
PARKING SUMMARY LOT 3	Proposed Building	30 Spaces Provided	30 Spaces Provided
PARKING SUMMARY LOT 4	Proposed Building	30 Spaces Provided	30 Spaces Provided
PARKING SUMMARY LOT 5	Proposed Building	30 Spaces Provided	30 Spaces Provided
PARKING SUMMARY LOT 6	Proposed Building	128 Spaces Provided	128 Spaces Provided

BUILDING COMPONENTS

FLAT ROOF

ROOF PLAN DIAGRAM



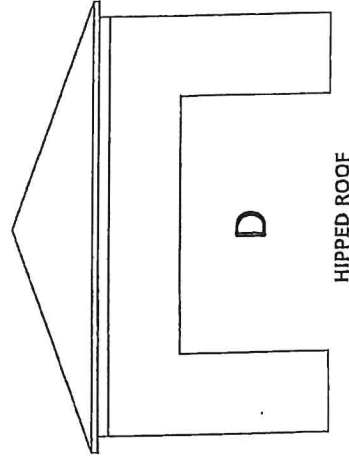
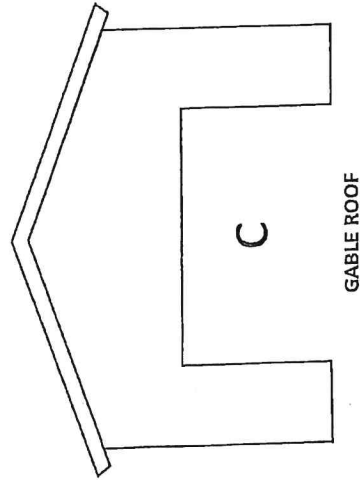
Farmview Commons

US 42 and Farmview Drive
Florence, KY 41042

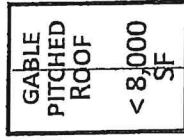
R S L COMMERCIAL ARCHITECTURE

BUILDING COMPONENTS

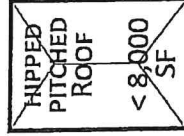
PITCHED ROOF



ROOF PLAN DIAGRAM



C



D

Farmview Commons

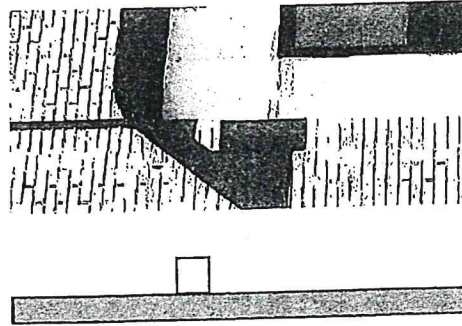
US 42 and Farmview Drive
Florence, KY 41042

1007 Farmview Blvd
Chattanooga, TN 37426
(423) 891-2600
(423) 891-2601
www.rsl.com

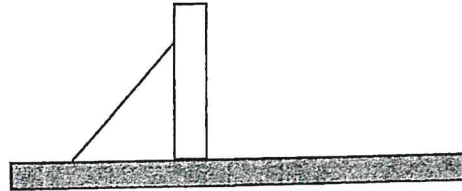
R S L
COMMERCIAL
ARCHITECTURE

BUILDING COMPONENTS

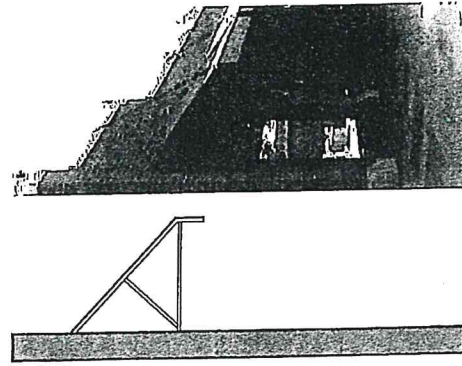
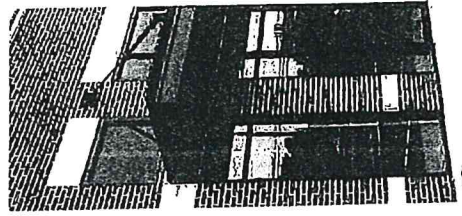
CANOPIES



EYEBROW CANOPY
PREFINISHED ALUMINUM, CLEAR ANODIZED,
DARK BRONZE OR BLACK.



METAL CANOPY
PREFINISHED ALUMINUM, CLEAR ANODIZED, DARK BRONZE
OR BLACK.



FABRIC CANOPY
FLEXIBLE COLORS THAT CAN BE TENANT SPECIFIC

US 42 and Farmview Drive
Florence, KY 41042

Farmview Commons

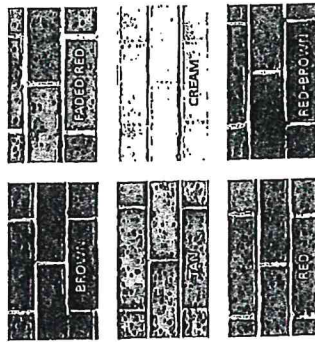
PHOTO COURTESY OF FARMVIEW COMMONS

807 Farmview Blvd
 Florence, KY 41042
 Phone: 502-841-1000
 Fax: 502-841-1001
 Website: www.rsl.com

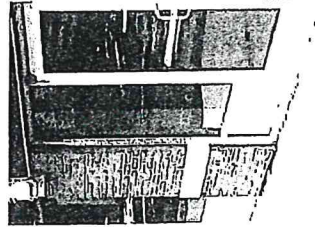
R S L
 COMMERCIAL
 ARCHITECTURE

BUILDING COMPONENTS

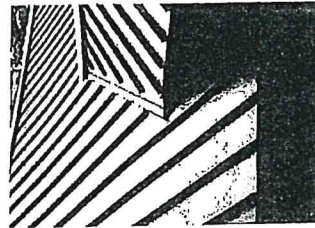
DEVELOPMENT MATERIALS



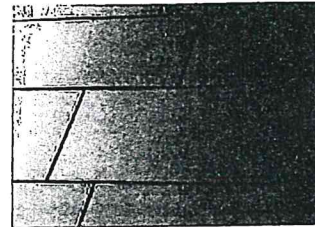
BRICK



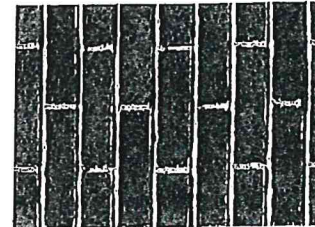
BRONZE AND CLEAR ANODIZED STOREFRONT



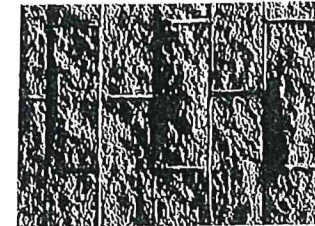
BRONZE, DARK GREY AND DARK GREEN METAL ROOF



METAL PANEL



CONCRETE BRICK



SPLIT-FACE BLOCK

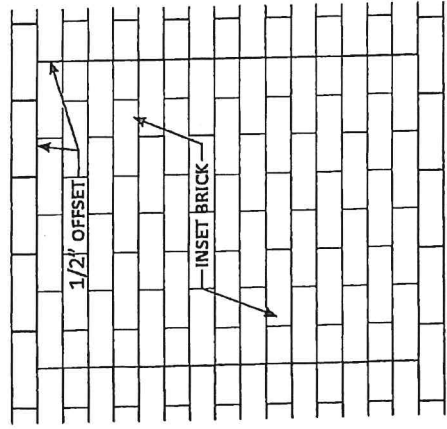
Farmview Commons

US 42 and Farmview Drive
 Florence, KY 41042

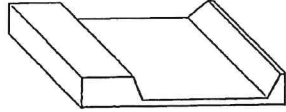
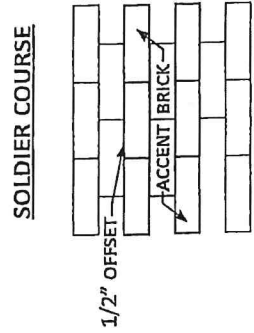
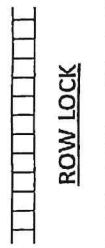
807 Farmview Blvd
 Florence, KY 41042
 Phone: 502-841-1000
 Fax: 502-841-1001
 Website: www.rsl.com

BUILDING COMPONENTS

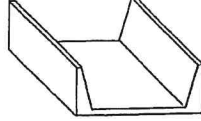
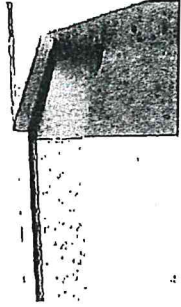
DETAIL ELEMENTS



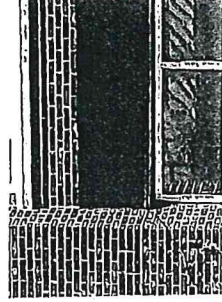
INSET BRICK



Steel Channel Cornice



Steel Channel Trim



Farmview Commons

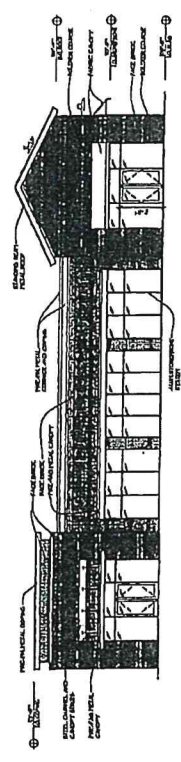
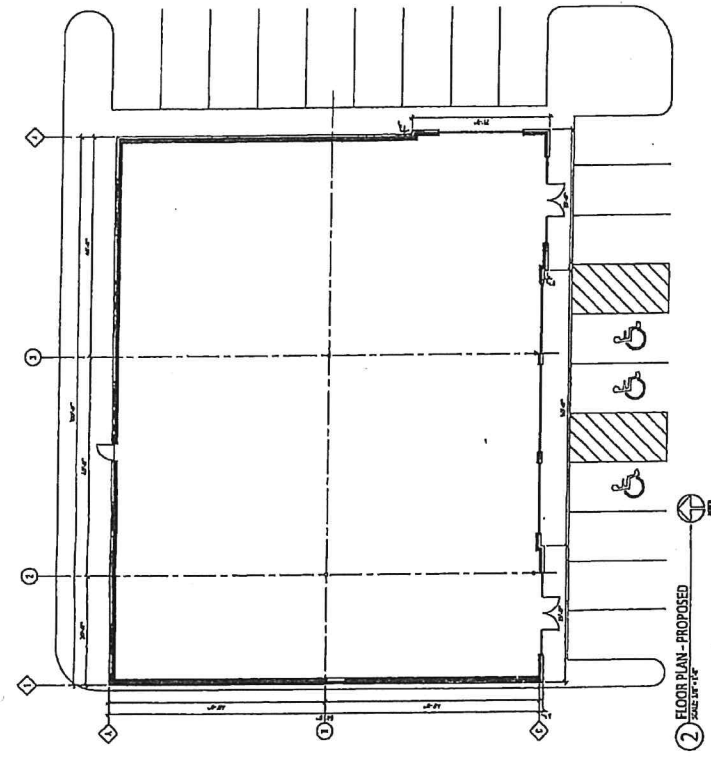
US 42 and Farmview Drive
 Florence, KY 41042

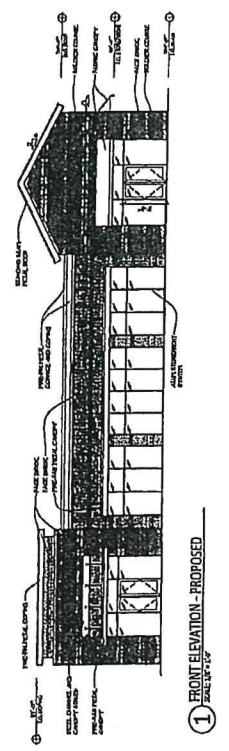
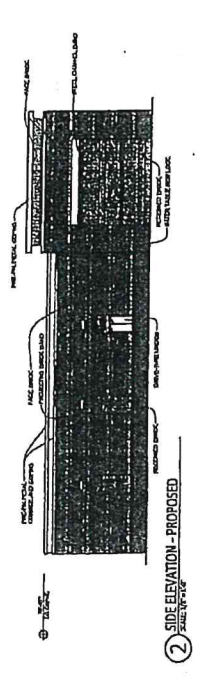
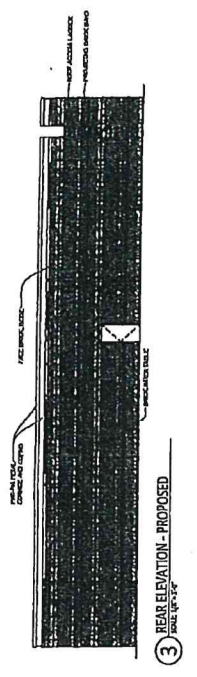
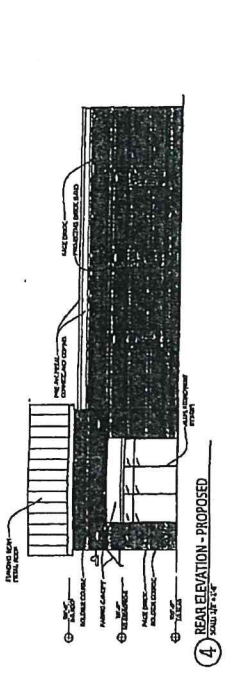
COMMERCIAL
ARCHITECTURE
R S L
OFFICE OF THE
CITY OF MILWAUKEE
1225 WEST WISCONSIN AVENUE
MILWAUKEE, WI 53233

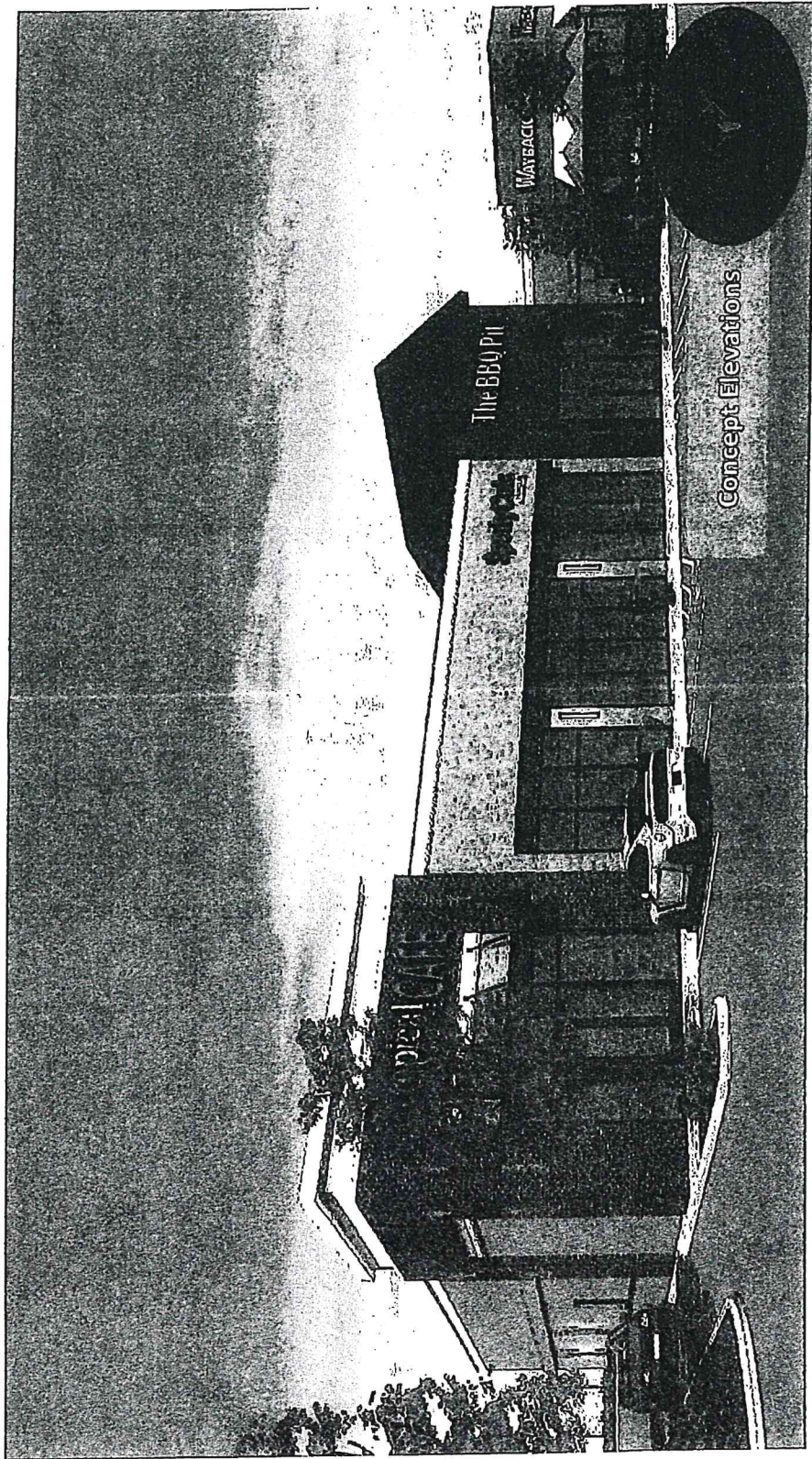
NEW CONSTRUCTION
BUILDING ONE
COLD DARK SHELL
US 41 AND HANTRY DRIVE
FOND DU LAC, WI

DESIGNED BY:
R.S.L. ARCHITECTS
DATE: 08/20/2018

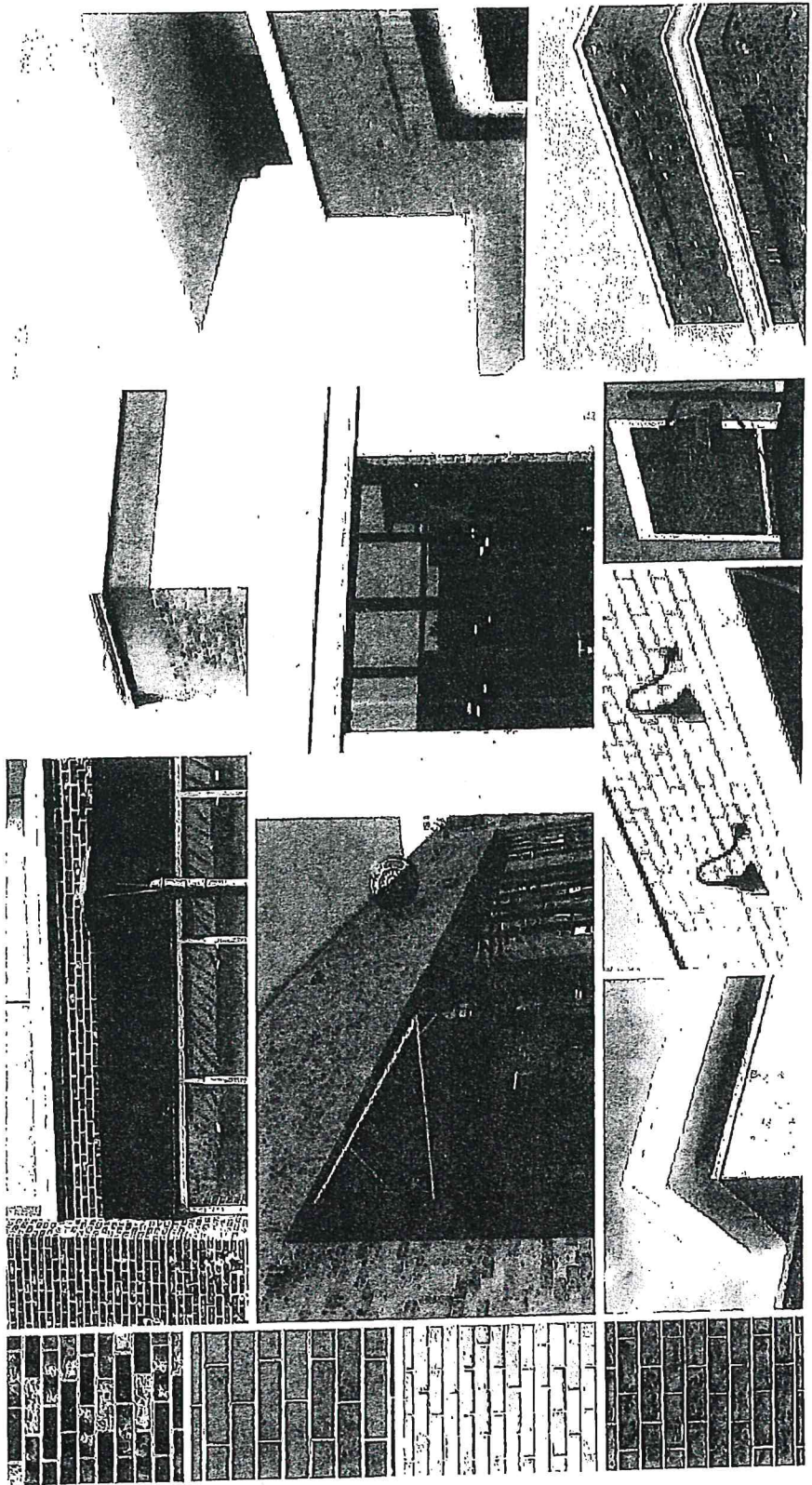
PROJECT NUMBER
PD03a

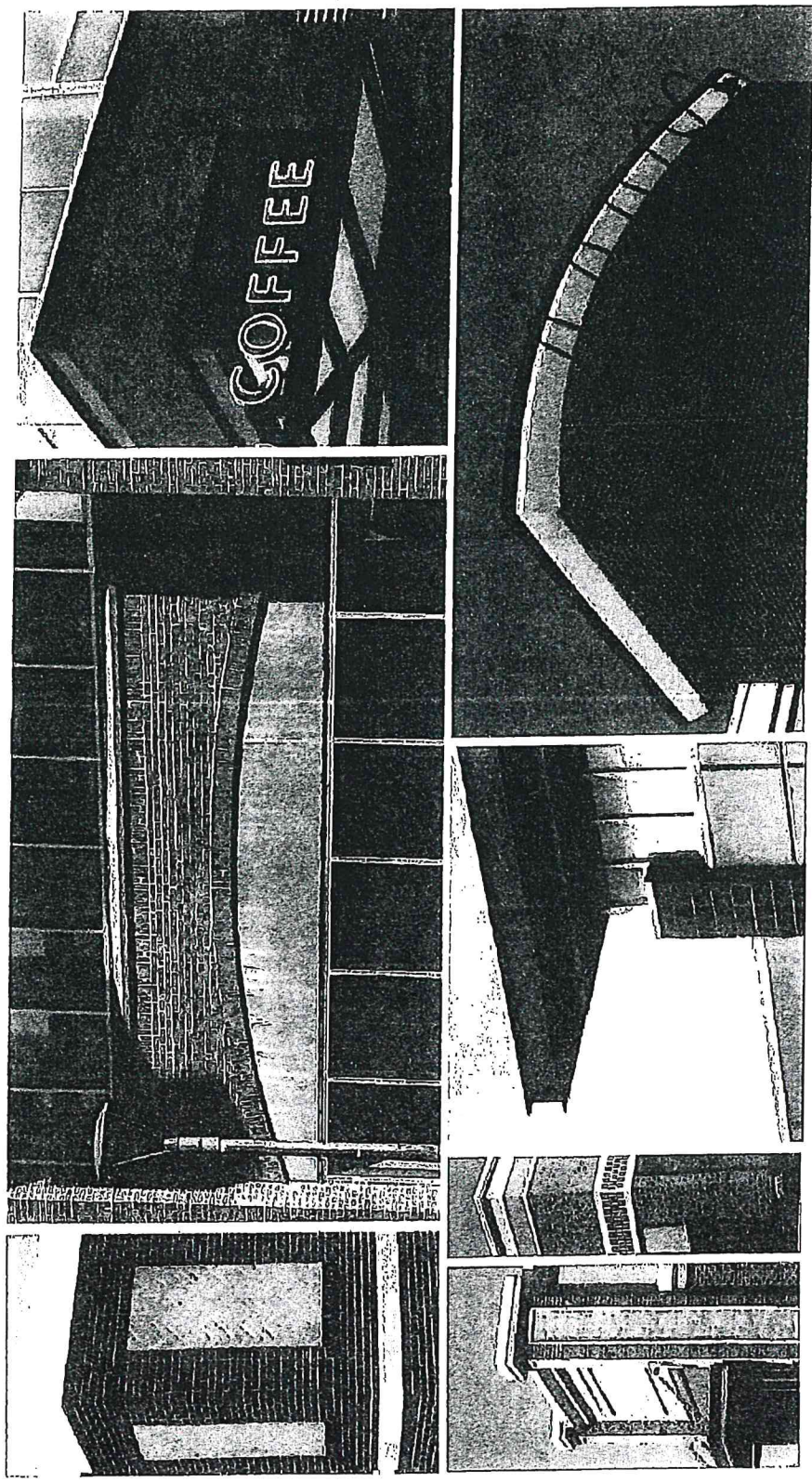


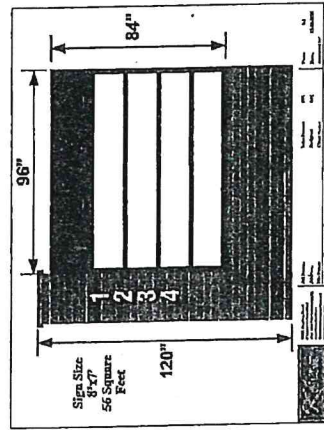
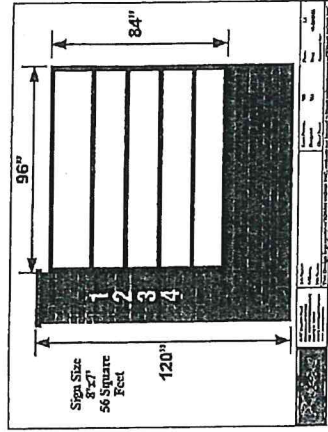
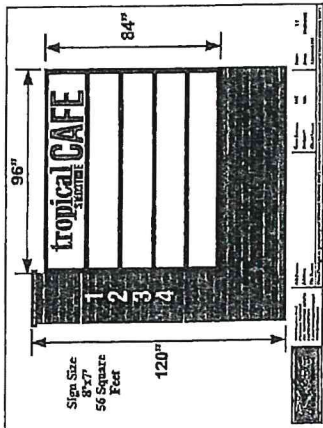




Concept Elevations







Concept only. Materials may vary.



Todd Morgan


From: Randy Childress <Randy.Childress@Florence-KY.gov>
Sent: Friday, September 08, 2023 4:20 PM
To: Todd Morgan; joshua.hunt@florence-ky.gov; Justin Finke; Tom Gagnon; Amy; mayorlarry@cityofunionky.org; agruelle; Mark Martin; Brefeld, Linzy M (KYTC-D06)
Subject: RE: Farmview Commons Retail Site - Change in Approved Concept Development Plan Application

EXTERNAL MESSAGE

No comments on the concept development plan. If approved I would like to see a site utility plan. Thanks.

From: Todd Morgan <TMorgan@boonecountyky.org>
Sent: Friday, September 8, 2023 2:56 PM
To: Joshua Hunt <Joshua.Hunt@Florence-KY.gov>; Justin Finke <Justin.Finke@Florence-KY.gov>; Tom Gagnon <Tom.Gagnon@Florence-KY.gov>; Randy Childress <Randy.Childress@Florence-KY.gov>; Amy <amys@cityofunionky.org>; mayorlarry@cityofunionky.org; agruelle <a.gruelle@unionky911.org>; Mark Martin <mmartin@boonecountyky.org>; Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Subject: FW: Farmview Commons Retail Site - Change in Approved Concept Development Plan Application

I've been told that the link to the cover letter and Concept Development Plan still would not open. See the new link below. Sorry for the inconvenience.

 https://boonecountyky.org-my.sharepoint.com/:b/g/personal/tmorgan_boonecountyky_org/Efn1SESmlhIoomizgiLtXEABT8FfDmPvcdDG_QiGtMI50A?e=LIPdkr

Todd

From: Tom Gagnon <Tom.Gagnon@Florence-KY.gov>
Sent: Friday, September 08, 2023 10:44 AM
To: Todd Morgan <TMorgan@boonecountyky.org>
Cc: Justin Finke <Justin.Finke@Florence-KY.gov>
Subject: RE: Farmview Commons Retail Site - Change in Approved Concept Development Plan Application

EXTERNAL MESSAGE

I can only get the traffic study to open.

Sincerely,

Tom Gagnon
Project Manager

City of Florence
Public Services
Infrastructure Support Services

Todd Morgan

From: Amy Safran <amys@cityofunionky.org>
Sent: Monday, September 11, 2023 10:31 AM
To: Todd Morgan
Cc: Paul Kremer
Subject: RE: Farmview Commons Retail Site - Change in Approved Concept Development Plan Application

EXTERNAL MESSAGE

Hi Todd,

Just following up on my previous email. Specifically: developer to repave Farmview Drive from the intersection of Old US Hwy 42 to US Hwy 42 (~320 linear feet).

Also, we would like to verify that the road system within the Farmview Commons development is the responsibility of the developer to pave/maintain/snow removal, lighting, etc.

Thanks again,
Amy

Amy Safran
City Administrator
City of Union, KY
1843 Bristow Drive
859-384-1511



From: Amy Safran
Sent: Monday, September 11, 2023 9:34 AM
To: Todd Morgan <TMorgan@boonecountyky.org>
Cc: Paul Kremer <pkremer@cityofunionky.org>
Subject: RE: Farmview Commons Retail Site - Change in Approved Concept Development Plan Application

Thanks Todd. We do want to request that the developers repave Farmview Drive after construction.

Amy Safran
City Administrator
City of Union, KY

Todd Morgan

From: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Sent: Thursday, September 14, 2023 11:25 AM
To: Todd Morgan
Subject: RE: Farmview Commons Retail Site - Change in Approved Concept Development Plan Application

EXTERNAL MESSAGE

Todd,


We had a call with the traffic consultant last week. She's working out some of our issues with the TIS. Just wanted to give you update as we are still actively reviewing the TIS.

Thanks,

Linzy Brefeld, P.E.
Transportation Engineer Supervisor
KYTC District 6
Traffic and Permits Section
Linzy.Brefeld@ky.gov

From: Todd Morgan <TMorgan@boonecountyky.org>
Sent: Friday, September 8, 2023 2:56 PM
To: joshua.hunt@florence-ky.gov; Justin Finke <Justin.Finke@Florence-KY.gov>; Tom Gagnon <Tom.Gagnon@Florence-KY.gov>; Randy Childress <Randy.Childress@Florence-KY.gov>; Amy <amys@cityofunionky.org>; mayorlarry@cityofunionky.org; agruelle <a.gruelle@unionky911.org>; Mark Martin <mmartin@boonecountyky.org>; Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Subject: FW: Farmview Commons Retail Site - Change in Approved Concept Development Plan Application

I've been told that the link to the cover letter and Concept Development Plan still would not open. See the new link below. Sorry for the inconvenience.

 https://boonecountykyorg-my.sharepoint.com/:b:/g/personal/tmorgan_boonecountyky_org/Efn1SESmLhlOomjzgilTxEABT8FfDmPvcdDG_QiGtMI50A?e=LIPdkr

Todd

From: Tom Gagnon <Tom.Gagnon@Florence-KY.gov>
Sent: Friday, September 08, 2023 10:44 AM

Todd Morgan

From: Justin Finke <Justin.Finke@Florence-KY.gov>
Sent: Thursday, September 21, 2023 4:12 PM
To: Todd Morgan
Cc: joshua.hunt@florence-ky.gov
Subject: Farmview Commons

EXTERNAL MESSAGE

Todd,

I hope this email finds you well. I wanted to bring to your attention the following comments we have compiled regarding the Farmview Commons Change in Concept Plan Submittal:

1. **Building Material Breakdown:** The building currently appears to be heavily reliant on EIFS. The City requests a greater percentage of brick along the front facade. We kindly request that you provide a detailed breakdown of building materials for all sides of the building.
2. **Storm Water Runoff Mitigation:** We have noticed a notable change in grade on the rear drive connecting to Old US 42. Are there any plans in place to mitigate storm water runoff in this area? While it seems that most of the water is captured before reaching US 42, please note that during the major site plan submittal process, the City will require measures to mitigate any runoff from draining onto Old US 42.
3. **Garbage Collection and Truck Turning Movements:** Could you confirm if garbage collection trucks will have easy and direct access to the proposed dumpsters for the out lot structures in their current positions? Additionally, we would like to know the proposed truck turning movements for this site.
4. **EV Charging Station:** Are there any specific details available for the proposed EV charging station, or is the applicant reserving this area for possible future installation of EV charging stations?
5. **Improvements to St. Elizabeth Way:** We recommend that improvements to St. Elizabeth Way incorporate a full curb and gutter design for enhanced functionality and aesthetics. It would be in the best interest of the developer to bring this road to city standards and dedicate it to the City of Florence.
6. **Shopping Cart Storage/Corrals:** Site plans indicate the inclusion of shopping cart storage corrals in the design. We would appreciate the opportunity to see detailed plans for this feature.
7. **Tractor Trailer Deliveries:** While Farmview Drive is not maintained by the City of Florence, we have concerns about tractor trailer deliveries turning down Farmview Drive. Both Farmview Drive and St. Elizabeth Way currently do not provide adequate turning radius for tractor trailers entering the site. We kindly request that the applicant provide a narrative describing how tractor trailer deliveries will safely enter and exit the site.
8. **Traffic Study and Stacking on Farmview Drive:** Based on the traffic study, there are concerns about excessive stacking on Farmview Drive. Florence will defer to Union on this matter. It is crucial to determine whether an additional turning lane is warranted on Farmview Drive to address these concerns.
9. **Use Category Restrictions:** The City kindly requests that the use category restrictions that were previously applied to the retail uses on the last Change In Concept Plan be carried over to this submittal. It is essential to ensure that the proposed retail activities align with the established use categories, thus maintaining the integrity

of the development plan. We also reserve some concern over the potential of high turnover restaurant uses in these spaces and reserve the right to evaluate an in-depth traffic stacking plan for future proposed users.

10. **Landscape Plan:** Could you provide details regarding the proposed buffer yards and types of plantings in the landscape plan?

11. **Photometric Plan:** Is there a proposed plan for parking lot lighting? We would appreciate receiving information regarding this aspect of the project.

12. **Details:** Are there specific construction details available for the dumpster enclosures? Please provide any pertinent information.

13. **Retail Buildings:** Are there colored renderings available for the proposed retail users' buildings to better visualize their appearance within the development?

14. **Mechanical Units:** Review of proposed building elevations indicate mechanical units are painted to match building materials in lieu of traditional screening methods. We have concerns regarding overall visibility of these mechanical units, and request mechanicals be screened by the building parapet. We would appreciate the opportunity to see rooftop plan details highlighting mechanical unit placement and height details.

We appreciate the applicants attention to these comments and look forward to working collaboratively to address them as we progress through the planning process. If you require any additional information or clarification, please do not hesitate to reach out to us.

Thank you for your cooperation.

Sincerely,

JUSTIN D. FINKE
Community Projects Administrator

CITY OF FLORENCE, KENTUCKY
8100 Ewing Boulevard | Florence, KY 41042
P: 859.647.8152 | E: justin.finke@florence-ky.gov
Florence-ky.gov

Todd Morgan

From: Sara Smith
Sent: Thursday, September 28, 2023 9:22 AM
To: Todd Morgan
Subject: FW: Regarding the Proposed Development for Grocery Store, etc

From: Lynne Mullins <lmullins450@gmail.com>
Sent: Thursday, September 28, 2023 9:15 AM
To: Planning Commission General Account <plancom@boonecountyky.org>; Commissioner Jesse Brewer <jbrewer@boonecountyky.org>
Subject: Regarding the Proposed Development for Grocery Store, etc

EXTERNAL MESSAGE

Request of **Crosland Southeast**, per **Christopher W. Taft (applicant)** for **Farmview Commons LLC**, per **Hemakumar Soni (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit an approximate 56,000 square foot grocery store with an attached liquor store and drive-through pharmacy, along with two outlots for retail, service, and/or eating and drinking establishment uses.

Hello

With regard to the above proposed new development, I'd like to let you know my views.

I recently moved into South Fork Village as it is a quaint quiet safe community. The above proposed new development threatens that. Currently the traffic light at US42 and Old 42 cannot handle the traffic as it currently stands. Adding more traffic to this will make it extremely difficult for the residents to get out. The proposal doesn't allow for access to the grocery from US42. The delivering semi trucks will be required to travel on Old 42. This road was not designed for heavy traffic and will not be able to handle the load. Trucks will be there night and day and our quiet community will no longer be quiet and exhaust fume free.

Our community will have to deal with losing the greenery that is planted there, the addition of traffic and trash as well as the run-off water from this development. Please reconsider.

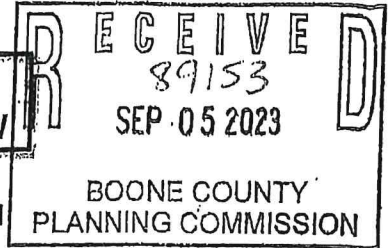
Thank you

Lynne Mullins

33 Rio Grande Cir #1

Florence, KY 41042

**CONCEPT DEVELOPMENT PLAN
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. Type of review (check one):
- Concept Development Plan (includes Utilization of an Underlying Zone in a Planned Development)
 - Change in an Approved Concept Development Plan
 - Long Range Planning Committee Review (as stated in the Houston-Donaldson Study)
 - Long Range Planning Committee Review (as stated in the Union Town Plan)
 - Zone Change Committee Review of previously approved Concept Development Plan Conditions or Zoning Map Amendment Conditions
 - Zoning Administrator Review (as stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)
 - Zoning Administrator Review (as stated in the Mall Road District Study)
 - Zoning Administrator Review (as stated in the I-275/Graves Road Interchange Study)

2. Name of Project: Farmview Commons Retail Site

3. Location of Project: Northeast of U.S. 42 and Farmview Drive, Cities of Florence and Union

4. Total Acreage of Project: 11.82 ac.

5. Current Zoning of Property: C-2/PD/CD

6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):
Change in CDP 5/5/2021, 5/7/2014 Map Amendment 7/17/1996

7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission Yes No

If yes, indicate the name of the study: _____

8. Proposed Use(s) (specify each use):
The proposed use will be a grocery store for the larger lot. The uses of the two outlots will meet those established in the original development plan and succeeding changes in CDP.

9. Proposed Building Intensities (specify for each building):
Proposed Intensity for Grocery and Liquor = 56,264 sf / 10.04 ac = 5,604 sf/ac
Proposed Maximum Intensity for Outlots = 8,000 sf/ac

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

11. Are you applying for any of the following (check all that apply):

Conditional Use Permit Variance

12. Current Owner: Farmview Commons LLC

Address: 957 Traemore Place

Union Kentucky 41091
City State Zip Code

Phone Number: 516-581-3364 Fax Number: N/A

Email: hema1603@gmail.com

13. Applicant: Crosland Southeast

Address: 801 East Boulevard
Charlotte North Carolina 28203
City State Zip Code
Phone Number: 252-531-9755 Fax Number: N/A
Email: ctaft@csere.com

14. Are there any existing buildings on the site: Yes No
If yes, indicate how many: _____
15. 1163 924 2047
Deed Book Page Number Group Number

16. Have you had a pre-application meeting with the BCPC staff: Yes No
17. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

Prior to construction of improvements, the applicant is recommended to submit copies of the Site Plan to the appropriate organizations/agencies prior to approval by the Boone County Planning Commission.

- | | |
|---|---|
| <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 checked="" type="checkbox"/> Sanitation District No. 1 |
| <input checked="" type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input checked="" type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Kentucky Division of Water | |
| <input checked="" type="checkbox"/> Kentucky Transportation Cabinet | |

18. Concept Development Plan Jurisdiction/Location (check all that apply):
 Unincorporated Boone Florence Walton Union
19. 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 November 16, 2023

Property Owner's Signature: Hemakumar Soni Digitally signed by Hemakumar Soni
Date: 2023.09.05 14:53:50 -04'00'

Applicant's Signature: Christopher W. Taft Digitally signed by Christopher W. Taft
Date: 2023.09.05 13:17:49 -04'00'

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY FISCAL COURTROOM
BURLINGTON, KENTUCKY
BUSINESS MEETING
DECEMBER 6, 2023
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:02 p.m. and welcomed the audience to the Planning Commission's December 6, 2023 Business Meeting. Mr. Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance led by Mr. Cooper Stewart, a future Eagle Scout.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. David Hincks
Mr. Rick Lunnemann
Mr. Eric Richardson
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Steve Harper, Temporary Presiding Officer
Mrs. Janet Kegley

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

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

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the November 15, 2023 Business Meeting and Public Hearings. He asked if there were any comments or corrections?

Mrs. Goetting moved to approve the Minutes as presented. Mr. Szurlinski 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 November 2, 2023 and December 6, 2023.

EXPENSES:

Accounting Fees	\$ 1,538.00
Attorney Fees	4,600.00
Auto Expense	251.92
Consultant/Professional Svcs Fees	871.25
Filing Fees (CLURS)	950.00
Legal Ads/Recruitment	783.86
Miscellaneous Expense	1,862.84
Office & Board Meeting Supplies	1,974.36
Office Equipment / Maintenance	692.40
Office Equipment / Expense	552.72
Postage Expense	500.00
Printing/Pub/Dues/Subscriptions	166.00
Professional Development	<u>150.00</u>

TOTAL: \$ 14,893.35

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 8,236.85
Health/Dental/Life/LTD	17,016.22
Retirement – BCPC Portion	20,887.44
Salaries – Staff Expenses	112,601.44
Salaries – BCPC & BOA	<u>1,450.00</u>

TOTAL: \$ 160,191.95

GRAND TOTAL: \$ 175,085.30

Ms. Gulick 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. Hincks seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

ZONING MAP AMENDMENT AND CONCEPT DEVELOPMENT PLAN, Rick Lunnemann, Chairman, Todd Morgan, Staff

1. Requests of **Continental Fund 734 LLC, per Lexi Goetsch (applicant)** for **Gregory Ammon and Helen Ammon (owners)** for: (1) a Zoning Map Amendment from Commercial Four/Planned Development (C-4/PD) and Suburban Residential Two/Planned Development (SR-2/PD) to Urban Residential

Two/Planned Development (UR-2/PD) for a 14.25 acre area located at the southwest corner of Burlington Pike and Camp Ernst Road, at the terminus of Beil Road, and across from Patrick Drive, Boone County, KY. The site includes the properties at 2141 Burlington Pike and portions of 6089 and 6091 Camp Ernst Road. The request is for a zone change to allow 324 apartment units within nine (9) three-story buildings, a clubhouse/pool, and other accessory uses; (2) a Concept Development Plan in a Suburban Residential Two/Planned Development (SR-2/PD) zone for a 66.53 acre area located on portions of 6089 and 6091 Camp Ernst Road, Boone County, KY. The request is for a Concept Development Plan to allow Ammon Nursery to fully locate their business on a 66.53 acre remainder tract, relocate existing buildings and structures, and construct a new office/retail store, parking areas, gardens, and greenhouses.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions for the Zoning Map Amendment and Concept Development Plan. He showed revised building elevations per the Committee Report. It was recommended unanimously for approval with Mrs. Kegley, Mr. Lunnemann, Mr. Harper and Ms. Gullick voting in favor of the request. The applicant signed the Condition letter.

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

Mr. Jay Bayer, Engineer, stated that he had nothing to add and was available for any questions.

Mr. Carl Smith, 2171 Biehl Road, asked that Beil Road be closed off prior to commencing construction on the site to avoid construction traffic? Mr. Lunnemann responded that the Committee discussed that access to Beil Road would only occur for emergency purposes with a secured gate. The Committee did not discuss closing the road during construction. Mr. Costello explained that it would be up to the County to make that decision as the road is owned by the County. Chairman Rolfsen advised Mr. Smith to let the Fiscal Court know his concern about construction traffic.

Seeing no further comment, **Mr. Lunnemann moved to approve the request by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Ms. Gulick seconded the motion. Chairman Rolfsen asked about the change in building materials. He asked the location of the stone on the proposed buildings. Mr. Morgan showed the location of the stone based on the revised building elevations. Chairman Rolfsen asked for a vote on the original motion made by Mr. Lunnemann and seconded by Ms. Gulick. The motion passed unanimously.**

ZONING MAP AMENDMENT, Steve Harper, Chairman, Steve Lilly, Staff

2. Request of Rose Powell, on behalf of Rose and Donald Powell (applicant/owner) for a Zoning Map Amendment from Rural Suburban Estate (RSE) and Agriculture (A-1) to Recreation (R) for an approximate 2.0 acre area located along the east side of Ryle Road, approximately 0.9 miles southwest of Beaver Road, having a Parcel Identification Number (PIDN) of 031.00-04-017.00. The request is for a zone change to allow a campground with personal boat and recreational vehicle storage.

Staff Member, Steve Lilly, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions for the Zoning Map Amendment. It was recommended unanimously for approval with Mrs. Kegley, Mr. Lunnemann, Mr. Harper and Ms. Gullick voting in favor of the request. The applicant has signed the Condition letter.

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

Mr. Donald Powell (applicant) stated that he had nothing more to add.

Seeing no further comment, **Ms. Gulick moved to approve the request by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Dr. Clark seconded the motion and it passed unanimously.**

CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Michael Schwartz, Staff

3. Request of **9541 US 42, LLC , per Thomas J. Ackerman (applicant) for the City of Union (owner)** for a Change in an Approved Concept Development Plan in a Union Commercial/Union Neighborhood Office/Urban Residential Two/Planned Development (UC/UNO/UR-2/PD) zone for lots 2 and 3 of Union Promenade Subdivision. The overall 2.531 acre site is located at the southwest corner of US 42 and Childrens Way and the southeast corner of Childrens Way and Union Promenade, Union, KY. The request is for a Change in an Approved Concept Development Plan to permit a grocery store.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Facts and a Condition for the Change in an Approved Concept Development Plan. It was recommended unanimously for approval with Mr. Harper, Mr. Lunnemann, Mrs. Kegley and Ms. Gulick and voting in favor of the request. The applicant has signed the Condition letter.

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

Mr. James Parsons, attorney for the applicant, stated that he had no comments at this point. He asked the Board to support the Committee's recommendation.

Ms. Tabetra Bine, Arbor Springs Subdivision, stated that she was opposed to the change. The project was supposed to have small shops, small offices, residential and walking trails. It was supposed to be more of a neighborhood development where one could walk in the area to a local deli. Making this change sets it up to make it totally different. They are not trying to do something totally different than what you see along already U.S. 42. There is a grocery store with Kroger and a Publix. The proposed use has a better place somewhere else. We need to hold the developers accountable to the plan that was approved by the City.

Ms. Patricia Hensley, 9712 Colbalt Way, asked what has changed in the last 2.5 years that now means we need a grocery store? What work, live and play? Nobody said we want to walk to a grocery store. What changed physically, socially or economically in which we now need a grocery store? The development was supposed to have fine shops and restaurants.

Seeing no further comment, **Mr. Lunnemann moved to approve the request by Resolution to the City of Union based upon the Committee Report and subject to the Findings of Fact and Conditions. He mentioned that the Committee had a considerable discussion about a grocery. It is a small store that promotes the walkability of community living in the development. It is consistent with the overall Concept Development Plan. Mr. Hincks seconded the motion.**

Mr. Szurlinski added that he had some of the same concerns as the residents. He expressed a concern about future changes on other lots. Mr. Costello asked Staff to review the buildings that have been approved for construction. Mr. Schwartz showed the location of UDF, the proposed Aldi store, Children's Hospital, Drees single-family patio homes, two buildings that mirror each other located on the main entrance to the development (micro/brewery restaurant and medical spa), and half of the apartments. There are other restaurants in the pipeline.

Mr. Parsons noted that almost all of the lots have been sold and assured the Committee there would be no more changes to the original Concept Development Plan. Again, the reason for the change was the viewshed easement required by Children's Hospital. One lot had to be combined to protect the viewshed for Children's Hospital. It represents only one change to a 54 acre tract area project with construction occurring on multiple lots today.

Mrs. Steele asked if a grocery stores were ever restricted as a use for the site? Mr. Lunnemann replied that grocery stores were a principally permitted use within the zoning district. Their proposed use is the same square footage as what was allowed on the two lots. **Chairman Rolfsen asked for a vote on the original motion made by Mr. Lunnemann and seconded by Mr. Hincks. The motion passed unanimously.**

ZONING MAP AMENDMENTS, David Hincks, Chairman, Steve Lilly, Staff

4. Request of **Stephen K. Dallas (applicant/owner)** for a Zoning Map Amendment from Office One (O-1) to Commercial Services (C-3) for an approximate 1.4 acre area located at 1113 Boone Aire Road, Boone County, Kentucky. The request is for a Zoning Map Amendment to bring all land under common ownership into the same zoning district.

Staff Member, Steve Lilly, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions for the Zoning Map Amendment and Concept Development Plan. It was recommended unanimously for approval with Mrs. Kegley, Mr. Lunnemann, Mr. Harper and Ms. Gulick voting in favor of the request. The applicant has signed the condition letter.

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

Mr. Dallas (applicant) noted that he didn't have any further comments.

Seeing no further comment, **Ms. Gulick moved to approve the request by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Lunnemann seconded the motion and it passed unanimously.**

WIRELESS COMMUNICATION FACILITY, Rick Lunnemann, Chairman, Todd Morgan, Staff

5. Request of VB BTS II, LLC – Vertical Bridge (Fortune Wireless), per Jason Riggs (applicant) for James B. Walton (owner) for a Wireless Communication Facility at 5001 Burlington Pike, Boone County, Kentucky. The request is for a 205 foot tall self-supporting lattice tower, with a 5 foot high lightning rod, and associated antennas and ground equipment.

Mrs. Steele left the meeting room.

Staff Member, Todd Morgan, reminded everyone that the Planning Commission takes final action and not the Fiscal Court based on State law. Mr. Morgan read the Committee Report, which recommended approval based upon Findings of Facts for the Wireless Communication Facility (see Committee Report). It was recommended unanimously for approval with Mr. Lunnemann, Mr. Hincks, Mrs. Goetting and Mr. Vaught voting in favor and Mrs. Steele abstaining.

Chairman Rolfsen asked if the applicant was in the audience and wanted to speak?

Mr. Jason Riggs, applicant, stated that the lighting rod was actually 10 feet and not 5 feet in length.

Seeing no further comment, **Mr. Lunnemann moved to approve the request based upon the Committee Report and subject to the Findings of Fact as presented. Mr. Vaught seconded the motion and it passed unanimously.**

Mrs. Steele returned to the meeting room.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Rick Lunnemann, Chairman, Todd Morgan, Staff

6. Request of Crosland Southeast, per Christopher W. Taft (applicant) for Farmview Commons LLC, per Hemakumar Soni (owner) for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit an approximate 56,000 square foot grocery store with an attached liquor store and drive-through pharmacy, along with two outlots for retail, service, and/or eating and drinking establishment uses.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions for the Change in Concept Development Plan. Mr. Morgan noted most of the changes that were based on comments are reflected on the revised Concept Development Plan and that is why they are not reflected as conditions. He showed the revised Concept Development Plan and building elevations. It was recommended unanimously for approval with Mrs. Kegley, Mr. Lunnemann, Mr. Harper and Ms. Gulick voting in favor of the request. The applicant has signed the Condition letter.

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

Mr. Jay Bayer, Project Engineer, stated that the Committee got together three times and he had nothing to add at this time. The owner also doesn't have any comments.

Seeing no further comment, **Mr. Lunnemann moved to approve the request by Resolution to the City of Florence and City of Union based upon the Committee Report and subject to the Findings of Fact and Conditions.** Mr. Szurlinski seconded the motion. Chairman Rolfsen inquired about the two outlots. Mr. Lunnemann replied that they worked through the design of the loading areas and traffic circulations. They also limited the number and type of used on lots 1 & 2. Only small truck deliveries are allowed. There will also be one monument sign for both outlots. Ms. Gulick noted that the applicant added an additional lane between the two buildings. Mrs. Steele inquired about the screen the roof tip equipment. Mr. Bayer replied they are boxed in and will be painted to match the building. **Chairman Rolfsen asked for a vote on the original motion made by Mr. Lunnemann and seconded by Mr. Szurlinski. The motion passed unanimously.**

TECHNICAL/DESIGN REVIEW, Rick Lunnemann, Chairman, Todd Morgan, Staff

7. Gordon Food Service – 5885 Merchants Street

Staff Member, Todd Morgan, referred to a PowerPoint presentation.

The applicant is proposing a freezer addition in the rear of the existing building. It will be 619 square feet. It will be made of the same building materials. The applicant is proposing three new building mounted signs totaling 200 square feet. They will be a "push-through " style sign.

Mr. Lunnemann moved to approve the request as submitted and presented with the stated condition of a "push-through" sign. Mr. Hincks seconded the motion and it passed unanimously.

NEW BUSINESS

CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Steve Lilly, Staff

8. Request of Jillian Hunt (applicant) for MACS Property, LLC (owner) for a Change in an Approved Concept Development Plan in a Commercial Services (C-3) zone for an approximate 3.4 acre area located at 2804 Idlewild Bypass, Boone County, Kentucky. The request is for a Change of Concept Development Plan from a landscape business to construction sales and service uses.

ZONING MAP AMENDMENT/CHANGE OF CONCEPT DEVELOPMENT PLAN/VARIANCE, Michael Schwartz, Staff

9. Request of The Myers Y. Cooper Company, per Christopher E. Breda (applicant) for Em-A-Non Acres, LLC, per Dennis G. Davis (owner) for: (1) a Zoning Map Amendment from Public Facility (PF) to Commercial Services (C-3) for an approximate 3.2 acre area located along the west side of Grand National

Boulevard, between Davis Lane and Overland Ridge, approximately 250 feet north of Overland Ridge, and being the southern portion of the property located at 11001 Grand National Boulevard, Boone County, Kentucky; (2) a Change of Concept Development Plan for an approximate 7.2 acre area located at 11001 Grand National Boulevard, which is currently zoned Commercial Services (C-3) and Public Facilities (PF) (proposed to be rezoned to C-3), Boone County, Kentucky; and (3) a Variance reducing the Buffer Yard width along a portion of the west property line from sixty (60) feet with a thirty (30) foot option to fifteen (15) feet, for an approximate 7.2 acre area located at 11001 Grand National Boulevard, Boone County, Kentucky. The request is for the development of three (3) commercial building sites.

Mrs. Goetting moved to schedule the Public Hearings for Items #1 and #2 on January 3, 2024 at 7:30 p.m. in the Fiscal Courtroom. Mr. Schwenke seconded the motion and it passed unanimously.

H. EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP asked the full Board to adopt the 2024 office Holiday Schedule, the 2024 Business Meeting and Public Hearing date schedule, the 2024 Committee Meeting schedule and the 2024 Board of Adjustment schedules outlined in Mr. Costello's December 1, 2023 memo and as presented. **Mr. Vaught moved to adopt the four schedules as presented by Mr. Costello. Dr. Clark seconded the motion and it passed unanimously.**

Mr. Costello reported that the Staff is recommending the hiring of Mr. Baline Hovel as a GIS Analyst based upon the information sent to the Board on December 6, 2023. **Mr. Schwanke moved to hire Mr. Blaine Hovel as a GIS Analyst effective December 22, 2023 and subject to the conditions outlined by Mr. Costello in his memorandum/email. Mr. Turner seconded the motion and it passed unanimously.**

Mr. Costello added that Mr. Randy Bessler would like to continue being the Planning Commission's representative to the OKI Board of Trustees for 2024. **Ms. Gulick moved to appoint Mr. Bessler to serve as the Planning Commission's representative to the OKI Board of Trustees. Mr. Schwenke seconded the motion and it passed unanimously.**

Finally, Mr. Costello noted that there will be no Business Meeting on December 20, 2023. However, the Zone Change Committee will meet at 5:00 pm that day.


I. COMMITTEE REPORTS:

- Airport (Randy Bessler)
No Report
- Administrative/Personnel (Tom Szurlinski)
No Report

- Enforcement (Tom Szurlinski)
No Report
 - Long-Range Planning/Comprehensive Plan (Bob Schwenke)
No Report
 - Technical/Design Review (Rick Lunnemann)
No Report
 - Executive (Charlie Rolfsen)
No Report
- J. **CHAIRMAN'S REPORT:** (Charlie Rolfsen)
No Report
- K. **OKI REPORT:** (Randy Bessler)
No Report
- L. **OTHER**
Chairman Rolfsen announced that Mr. Schwenke and Mrs. Kegley will serve on the Nomination Committee. If anyone is interested in serving as an officer of the Planning Commission, contact either Mr. Schwenke or Mrs. Kegley. The 2024 Election of Officers will occur on January 3, 2024.
- M. **ADJOURNMENT:**

There being no further business to come before the Planning Commission, **Mr. Bessler moved to adjourn the meeting. Mrs. Goetting seconded the motion and it passed unanimously. The meeting was adjourned at 8:02 P.M.**

APPROVED



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
OCTOBER 4, 2023
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:40 p.m. and welcomed the audience to the Planning Commission's October 4, 2023 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mr. Rick Lunnemann
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mrs. Pamela Goetting
Mrs. Janet Kegley
Mr. Eric Richardson

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

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

Chairman Rolfsen introduced the first item on the Agenda:

CHANGE OF CONCEPT DEVELOPMENT PLAN, Todd Morgan, Staff

1. Request of **Crosland Southeast, per Christopher W. Taft (applicant) for Farmview Commons LLC, per Hemakumar Soni (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner

of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit an approximate 56,000 square foot grocery store with an attached liquor store and drive-through pharmacy, along with two outlots for retail, service, and/or eating and drinking establishment uses.

Staff Member, Todd Morgan, referred to his PowerPoint presentation (See Staff Report). The 11.82 acre site has road frontage on U.S. 42. It is bounded by Old U.S. 42, St. Elizabeth Way, Farmview Drive and U.S. 42. The property is located in Florence and Union. Mr. Morgan described the submitted Concept Development Plan. Lot 1 is an outlot with a 5,150 square foot office/commercial building with a pick-up window and 37 parking spaces on 0.9 acres. Lot 2 is also an outlot with a 7,000 square foot office/commercial building with a drive-through and 31 parking spaces. The lot is also 0.9 acres in size. Lot 3 is a 56,264 square foot grocery store with an attached 3,200 square foot liquor store, a drive-through pharmacy and 289 parking stalls. It includes electric vehicle charging stations. There are 3 loading docks for the large building and a shared detention basin. The overall size of the lot is about 10 acres. Access to the site is planned to be right in and out of Farmview Drive. There is a full access off U.S. 42 via St. Elizabeth Way, which will be converted to a public street and a full access point on Old U.S. 42. The Concept Development Plan shows monument signs. They are 14 feet tall and 97.78 square feet in area. Two monument signs are shown on the grocery store parcel and one for each out lot. The proposed monument sign on outlot #1 would contain a panel advertising the grocery store.

In terms of the PD exceptions, there is no 10 foot landscape buffer between the outlots. Building landscaping is another exception against the grocery store. The applicant is asking for a higher monument sign instead of the normal requirement of 10 feet. Mr. Morgan showed building elevations. Building materials include masonry and EIFs. He also showed drawings of the monument signs. Brick will be used to match the grocery store. He showed photographs of the site and adjoining properties. The Future Land Use Map designates the site for Commercial (C) use. Mr. Morgan noted what the Comprehensive Plan says for the area in question. It is noted on Page 5 of the Staff Report under mixed-use development (A.) The passage is specific to the Farmview Subdivision area. Other references to the Comprehensive Plan are noted on Pages 5-8 of the Staff Report.

In terms of Staff Comments, Mr. Morgan references the reduction of outlots and the inclusion of a grocery store. The project must also be evaluated in terms of mixed-use development and a pedestrian orientation. Sidewalks should be added on at least one side of the north-south driveway between Old U.S. 42 and the east-west driveway between the grocery store and St. Elizabeth Way, the old U.S. 42 frontage and ADA accessibility between Lot 1 and Lot 2 patio areas. In terms of compatibility of uses, the building height of the grocery store will be highly visible along Old U.S. 42. Will all of the out lot buildings be single story? The applicant wants to utilize the use list from the 1996 approval of Area 12. It is attached to the Staff Report. Lot #1

should be analyzed more if it will have a "heavy use" drive-through. He expressed a concern about noise levels from the 3 loading docks. What time will the deliveries occur? Will trucks idle overnight? How will trucks enter and exit the development? What about truck traffic patterns? They should be analyzed. Lighting is not addressed in the application. Will the applicant meet the 2021 condition of decorative poles and a maximum height of 20 feet. What about fixtures on the back of the building? There is no planned useable open space on the site. Staff recommends that 4 foot tall black metal fencing with an opacity of 50% or less should be required to be used for outside seating area. How much of the existing tree line along Old U.S. 42 will be preserved? Is any of this area being graded and will trees be removed? Staff has identified the following landscaping issues: The applicant is asking for a waiver to eliminate the 10 foot buffer between Lots 1 & 2. There is no building landscaping planned around the grocery store. Finally, Staff requested that a landscaping plan be submitted for the grocery store lot. Mr. Morgan also recommended evergreens and a fence near the rear parking to mitigate the visual and noise impacts. In terms of architecture, the Staff recommends changes so that the grocery store meets the 2021 conditions and architectural planned development standards. The building should have more masonry and less EIFs. It would be helpful to obtain percentages of building materials. Because the roof is flat, all the mechanicals are visible and just painted. Will the outlots meet Condition #6 dealing with a combination of flat and pitched roofs? Further details about dumpster screening, retaining walls, E-V charging stations and cart corrals are needed. Will all 4 monument signs match? Will the out lots have channel letter signs? Staff recommends that sight distance and stopping distance be analyzed for Old U.S. 42. How will the entry points be demarcated? A Traffic Impact Study has been submitted and the executive summary has been included in the Staff Report. It is being reviewed by the Kentucky Transportation Cabinet. The City of Florence had questions about stacking on Farmview Drive. Is a right deceleration lane needed at U.S. 42 and Farmview Drive or at St. Elizabeth Way? In addition, what about improvements on Old U.S. 42 from traffic coming from neighboring subdivisions? Mr. Morgan indicated that he received comments from Florence Fire/EMS, the City of Union, the City of Florence and Kentucky Transportation Cabinet. Further, emails have been received from Mr. Lynne Mullins and Mr. John Mullins (see Exhibit 1). Finally, Mr. Morgan expressed a concern about storm water management of the site since he heard about flooding from residents in the area.

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

Mr. Jay Bayer, project engineer, introduced Chris Taft, Crossland Southeast, Charlotte, North Carolina. His firm has developed a lot of projects in the southeast and is excited to be in Kentucky.

Mr. Bayer noted that the 2040 Comprehensive Plan designates the site for Commercial (C). A private road will be built in the middle of the site. It is similar to the previously approved project. The number of outlots have been reduced along with the retirement home eliminated. A grocery is being proposed. Access is also similar to the previous plan. Mr. Bayer stated that he will address the comments made in the Staff Report. The Chairman preferred that the applicant address the major concerns and save the others for the Committee Meeting. Mr. Bayer reached out to the City

of Florence about stormwater issues in the area. He pledged to do a detailed stormwater analysis for site plan review. They are proposing a stormwater detention basin. The outlet will be the basic flow of what is there now. They will reduce the amount of peak flow leaving the site. They will improve St. Elizabeth Way with curb and gutters to direct the flow versus the overland flow. Mr. Bayer reviewed the transportation improvements. No turning lanes on U.S. 42 will be required by the State. The Farmview Drive curb cut will only be right in and out. St. Elizabeth Way will be improved to a public road. Farmview Drive will be restriped to have more right turn movements. Mr. Costello asked about a left turn lane on Farmview Drive to Old U.S. 42 due to subdivision traffic? Mr. Bayer replied that he would look at it again.

Mr. Lunnemann asked the applicant to provide a sight line study of the grocery store from the neighboring residential buildings for appearance purposes. The previous plan showed a building of 44 feet high. The proposed building is 30'9" tall. They are also going to preserve all of the existing vegetation along Old U.S. 42. He would look at a fence in relation to preserving the existing trees. Lighting would be limited to the 20 foot height. They will also discuss the decorative fixtures at a later date. The area where the detention area is located will be cleared and then new trees will be planted. They will agree to install a sidewalk from Farmview Drive to the entrance of the site along Old U.S. 42. In the interest of saving vegetation, they would prefer not to install it directly behind the grocery store.

Chairman Rolfsen asked what was the name of the grocery store? Mr. Taft replied that he has a name but can't disclose it. He stated that he can discuss the amount of EIFS used in the building at the Committee Meeting. The intent of the outlots is not to have an intense use like a Starbucks or Chick-fil-A.

Dr. Clark asked if the grocery store chain is located in the south because of the proposed flat roof? Mr. Taft replied yes.

Mr. Szurlinski asked if the TIS included the other intersection of Old U.S. 42 and U.S. 42? Mr. Bayer responded yes. Mr. Szurlinski stated that it backs up daily.

At this time, Chairman Rolfsen asked if anyone in the audience who was in favor or against the request or have questions?

Mr. Hemakumar Sono stated that he is the landowner of the project. The City of Union needs options. It is a high to medium income area. There is only one large grocery store in the area. It is the best option for the Cities of Union and Florence and Boone County.

Ms. Sheila Spradling, 32 Rio Grande Circle, stated that traffic will be bad. Old U.S. 42 is a two lane road. There is a bad curve where the entrance is planned on Old U.S. 42. Her community uses old U.S. 42 for access. There is no other access. In 2020, there were 4 accidents. In 2021, there were 9 accidents. These accidents are at Old U.S. 42 and Wetherington Drive. In 2022, there were 17 accidents. So far this year there have been 13 accidents. There is a progression of

accidents. There will be more accidents with more traffic. She is concerned about stormwater run off especially the overflow. It will affect their detention pond. It will bring water and silt. They will have to take care of the problem. She also expressed a concern about lighting and dumpsters. Who wants to hear trucks especially refrigerated trucks? She understands something will be built there. It has to be a good neighbor. She asked Board members to drive Old U.S. 42.

Ms. Carol Haynes, Building #10, Unit 2, Southfork Creek, said she has seen enough growth. She doesn't want to smell bakery goods and fried chicken 24/7. Turning left onto U.S. 42 is dangerous. We don't need anymore stores.

Ms. Cynthia Markley, 10 Rio Grande Circle, #4, expressed a concern about the new street access on Old U.S. 42. Lights from the cars using the access will be shining in her condo. The road also doesn't look wide enough. She expressed a concern about the appearance of the building. It sits higher and she will be able to see it more.

Chairman Rolfsen asked for a cross-section of where the building and trees sit in relation to the residential buildings. Mr. Bayer replied that they would provide it at the Committee Meeting.

Mr. Mark Maynard, 38 Rio Grande, expressed a concern about the Farmview side. There isn't a lot of road between Old U.S. 42 and U.S. 42 off Farmview Drive. It will affect stacking and one of the existing traffic signals has a long wait time. How will the big trucks make the turn? The site isn't made for the type of anticipated traffic. Old U.S. 42 doesn't have much traffic now.

Ms. Charlotte Runion, 40 Rio Grande Circle, #5, expressed a concern about traffic but wanted to know the hours of operation. The lights will shine in her condo. The roads are not made for semi-tractor trailers.

Mr. Taft replied that the store is not open 24 hours. The proposed store is 55,000 square feet and much smaller than Kroger. It is more of a traditional grocery store.

Ms. Jill Charles, 9105 Diamond Trace, asked where is the best place for the grocery store? She is not convinced that the proposed location is the best place. It seems like it is too small of a site. It is not deep enough. Kroger sits way back. There is another site in Richwood. Do we need store?

Ms. Lynne Mullins, 33 Rio Grande Circle #1, is more concerned about trucks and where they will line up. How will that affect their way in and out?

Chairman Rolfsen inquired about truck stacking?

Mr. Bayer replied that they expect 3 trucks a day. The trucks will be staggered since they only have 2 bays.

Ms. Belinda Klein, 33-7 Rio Grande Circle, expressed a concern about emergency vehicle access since her unit had a fire in the past. Additional traffic would impair response time.

Mr. John Mullins, 33 Rio Grande Circle #1, stated that their club house and swimming pool is in the front. They will lose their privacy. What about putting up a wall for privacy on their side?

Ms. Patricia Smith, 24 Rio Grande Circle, Unit #1, stated that they have had sink holes in the past. Runoff from the site may create more sink holes. The proposed electronic charging stations may affect their electricity supply.

Chairman Rolfsen explained detention to the audience. Any new stormwater generated from the development has to be contained in the detention pond. The volume of water exiting the site must be the same as before the development occurs.

Mr. Carl Weber, 38 Rio Grande Circle, #7, stated that a right turn only for trucks is very difficult. It can create major traffic problems. Old U.S. 42 is like a driveway. Just think if a 60,000 square foot building was put in your neighborhood with all of the noise and light, etc. The applicant won't be bound by 3 trucks a day. He wasn't sure where sidewalks would be located along Old U.S. 42. The project will make people stay at home.

Ms. Angela Grover, 31 Rio Grande Circle, #3 stated she moved there because it was peaceful. The project will create more noise. It won't be a peaceful neighborhood. There is no need for another grocery store because Kroger and Meijer are just up the road.

Mr. Jeff Flick, 53 Barnwood Court, stated that if Farmview Drive will be straightened, it needs to also be widened. It is difficult for trucks. Mr. Bayer replied that trucks will come from U.S. 42 and make a right turn onto Farmview Drive and then turn right onto the site. Trucks will either go right or left onto Old U.S. 42 from St. Elizabeth Way.

Mr. Costello asked if there was a plan to widen Old U.S. 42 by the City of Florence? Mr. Morgan replied no. Mr. Costello noted the intersection with Wetherington Drive is not aligned with Old U.S. 42. It is an awkward turning movement. There is another potential development off that road with Dr. Baird's property – over 50 acres available.

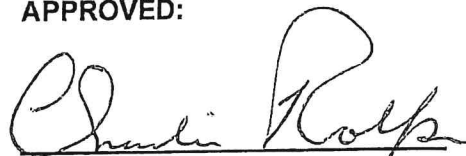
Ms. Lois Evans, 30 Rio Grande, noted that there is a lot of traffic generated from Ortho Cincy and St. Elizabeth Urgent Care. Sometimes those people have difficulty leaving the area and making turns. It takes forever to leave the area because the short traffic light cycle and traffic that is stacked, especially during peak times with school traffic.

Ms. Debbie Cappel, 106 Fieldgate Drive, expressed a concern about signage. Most of the signs in the area are low and the developer wants a 30 foot high sign. She doesn't want to see another Colerain Avenue.

At this time, Chairman Rolfsen asked if any Board members had any questions or comments. He explained the remaining steps of the zone change process to the audience.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on October 18, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on November 1, 2023 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:55 p.m.

APPROVED:


Charlie Rolfsen
Chairman

Attest:


Kevin P. Costello, AICP
Executive Director

Exhibit 1 – Letter from Mr. John Mullins

Todd Morgan

From: Sara Smith
Sent: Monday, October 02, 2023 9:44 AM
To: Todd Morgan
Subject: FW: Proposed Construction

From: John L Mullins <j.mullins08@hotmail.com>
Sent: Monday, October 02, 2023 8:47 AM
To: Planning Commission General Account <plancom@boonecountyky.org>; Commissioner Jesse Brewer <jbrewer@boonecountyky.org>
Subject: Proposed Construction

EXTERNAL MESSAGE

To Whom it may concern,

I want to voice my concerns about the proposed construction of a grocery store and pharmacy and liquor store and out buildings between US 42 and Old 42.

I am not for this as the back of the store will be facing my condo village(Village of South Fork) and the trash and stink that will come from there will be very bad.

Also the traffic it will cause on Old 42 will make it so the residents will not be able to leave the complex without a long wait time and also increase the likelihood of more accidents. The infrastructure of roads is not set for the heavy delivery trucks that will have to access the store and it appears that there are only entrances to the proposed construction area is from Old 42.

Also it will require that the greenery that is growing to be cut down and it does not appear that there is plan in place to save any of the trees and that will leave us with no privacy for our village.
Please consider not approving this construction.

My kindest Regards,

John L Mullins
33 Rio Grande Circle Unit #1
Florence Kentucky 41042
8599079509

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Rick Lunnemann, Chairman

DATE: December 6, 2023

RE: Request of **Crosland Southeast, per Christopher W. Taft (applicant) for Farmview Commons LLC, per Hemakumar Soni (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit an approximate 56,000 square foot grocery store with an attached liquor store and drive-through pharmacy, along with two outlots for retail, service, and/or eating and drinking establishment uses.

REMARKS:

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

FINDINGS OF FACT:

1. The Committee concluded the proposed development is generally consistent with Our Boone County Plan 2040 for the following reasons:
 - A. The 2040 Future Land Use Map identifies the site for commercial uses. This designation is described as "retail, corporate and professional office. Interchange commercial, indoor commercial recreation, restaurants, services, etc." The proposal is to develop the property with an approximate 56,000 square foot grocery/liquor store and two office/commercial outlots.
 - B. The proposed development is consistent with the following Goals and Objectives:
 - 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).
 - Development shall attempt to utilize existing topography and vegetation (including mature trees where possible) and preserve the existing character of the land where practical. [Unincorporated Boone County, City of Union, City of Walton only].
 - Development shall utilize existing topography and vegetation (including mature trees) and preserve the existing character of the land. [City of Florence only] ("Environment," Objective 7).

- Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses ("Economy," Goal B).
- 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).
- 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).

C. The proposal is in agreement with the following passages from the Land Use Element text:

- Developments in Boone County should begin with an assessment of existing site features to determine positive and useful attributes, as well as features that should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole. Development plans should identify such areas and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," page 95).
- 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 (Land Use, Future Land Use Development Guidelines, Buffering, page 95).
- Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and sight distance for access points, adequate spacing between access points, shared access points and

parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way (Land Use, Future Land Use Development Guidelines, Access Management, page 96).

- Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor (Land Use, Future Land Use Development Guidelines, Design, Signs, and Cultural Resource Preservation, page 97).
- Mixed-use development, that has commercial uses focused along U.S. 42 and varying types of residential uses, should occur southwest of its intersection with Pleasant Valley Road. The intensities of these commercial uses, in terms of building intensities, the size and style of individual structures, and the range of uses permitted, should begin with a broader range of commercial uses near the intersection and gradually decline to smaller-scaled office and institutional uses in the vicinity of Farmview Subdivision and the Florence/Union corporate boundary. Creative building layout and orientation should be used in lieu of strip-style commercial development, and Planned Development Overlay Districts should be utilized. All development in this area should be viewed as part of an entryway to both the Cities of Florence and Union ("13. Pleasant Valley," p. 124).

The Committee determined the desired mix of commercial and residential properties in the area is achieved when considering adjoining single-family and multi-family residential developments. In addition, the development does not include any strip-style development and building intensities decline from a 56,264 square foot grocery/liquor store near St. Elizabeth Way to two smaller outlot buildings near Farmview Drive. It's also important to note that the approved 2011 Concept Development Plan permitted five commercial outlots along the US 42 frontage.

3. The Committee concluded the request is in agreement with the following Planned Development standards found in Section 1506 of the Boone County Zoning Regulations:
 - Mixed Use and Pedestrian Orientation – The subject property adjoins single-family and multi-family residential uses. The Concept Development Plans show the development will have sidewalk connections to US 42, Farmview Drive, Old US 42, and St. Elizabeth Way.
 - Landscaping – Substantial landscaping will be provided in the development. The Concept Development Plans show additional evergreen landscaping and fencing will be installed behind the grocery/liquor store to help mitigate visual and/or noise impacts from the loading docks.

- Compatibility of Uses – Lighting standards for both the grocery/liquor store and outlots are outlined on the Concept Development Plans. The outlot uses were reviewed and inappropriate uses were ~~stricken~~ from consideration.
 - Architecture – The revised building elevations for the grocery/liquor store comply with the Planned Development Standards. The architecture of the two outlot buildings will follow the conditions from the 2021 Change in Concept Development Plan approval.
 - Signage – The approved Concept Development Plans outline the permitted freestanding signs for the development. All building mounted signage shall be constructed with channel letters.
4. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of Our Boone County – Plan 2040 and to mitigate foreseeable community impacts that may be created by the development. The applicant and property owner have signed a letter demonstrating agreement with the conditions.

CONDITIONS:

1. The approval shall be based on the Concept Development Plan packet that was submitted for review at the November 15, 2023, Zone Change Committee meeting.
2. Required road improvements on US 42, Old US 42, St. Elizabeth Way, and Farmview Drive shall be determined by the appropriate road owner (Kentucky Transportation Cabinet, City of Florence, or City of Union).
3. The City of Florence shall determine what sidewalks are required on Old US 42 and if the owner/developer shall be required to install any portion of them at their expense.
4. The owner/developer shall dedicate additional right-of-way as needed to make needed road improvements.
5. Outlot deliveries shall not be made from tractor trailers.

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.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Rick Lunnemann, Chairman

DATE: November 15, 2023

REMARKS:

We, the Committee Members were present 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.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Rick Lunnemann, Chairman, Todd Morgan, Staff

2. Request of **Crosland Southeast, per Christopher W. Taft (applicant) for Farmview Commons LLC, per Hemakumar Soni (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit an approximate 56,000 square foot grocery store with an attached liquor store and drive-through pharmacy, along with two outlots for retail, service, and/or eating and drinking establishment uses.

Janet Kegley
Janet Kegley

For Project Absent
Against Project
Abstain Deferred

Corrin Gulick
Corrin Gulick

For Project Absent
Against Project
Abstain Deferred

Rick Lunnemann
Rick Lunnemann (Chairman)

For Project Absent
Against Project
Abstain Deferred

Kathy Clark (Alternate)
Kathy Clark (Alternate)

For Project Absent
Against Project
Abstain Deferred

Steve Harper
Steve Harper

For Project Absent
Against Project
Abstain Deferred

Steve Turner (Alternate)
Steve Turner (Alternate)

For Project Absent
Against Project
Abstain Deferred

David Hincks
David Hincks

For Project Absent
Against Project
Abstain Deferred

Jackie Steele (Alternate)
Jackie Steele (Alternate)

For Project Absent
Against Project
Abstain

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

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission
FROM: Rick Lunnemann, Chairman
DATE: November 1, 2023

REMARKS:

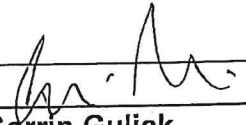
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Rick Lunnemann, Chairman, Todd Morgan, Staff

2. Request of **Crosland Southeast, per Christopher W. Taft (applicant) for Farmview Commons LLC, per Hemakumar Soni (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit an approximate 56,000 square foot grocery store with an attached liquor store and drive-through pharmacy, along with two outlots for retail, service, and/or eating and drinking establishment uses.

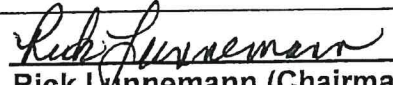
Janet Kegley

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___



Corrin Gulick

For Project ^{CS} ~~CS~~ ___ Absent ___
Against Project ___
Abstain ___ Deferred

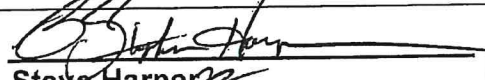


Rick Lunnemann (Chairman)

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred

Kathy Clark (Alternate)

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

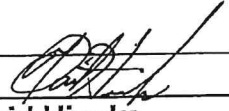


Steve Harper

For Project ~~CS~~ ___ Absent ___
Against Project ___
Abstain ___ Deferred

Steve Turner (Alternate)

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___



David Hincks

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred

Jackie Steele (Alternate)

For Project ___ Absent ___
Against Project ___
Abstain ___

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

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

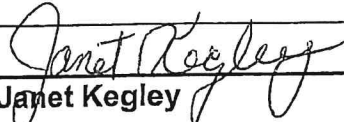
TO: Boone County Planning Commission
FROM: Rick Lunnemann, Chairman
DATE: October 18, 2023

REMARKS:

We, the Committee Members were present 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.


CHANGE OF CONCEPT DEVELOPMENT PLAN, Rick Lunnemann, Chairman, Todd Morgan, Staff

2. Request of **Crosland Southeast**, per **Christopher W. Taft (applicant)** for **Farmview Commons LLC**, per **Hemakumar Soni (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit an approximate 56,000 square foot grocery store with an attached liquor store and drive-through pharmacy, along with two outlots for retail, service, and/or eating and drinking establishment uses.



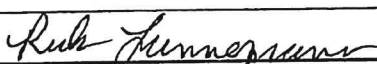
Janet Kegley

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred



Corrin Gulick

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred

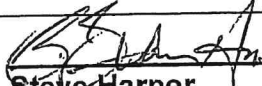


Rick Lunnemann (Chairman)

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred

Kathy Clark (Alternate)

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___



Steve Harper

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred

Steve Turner (Alternate)

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

David Hincks

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

Jackie Steele (Alternate)

For Project ___ Absent ___
Against Project ___
Abstain ___

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

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
OCTOBER 4, 2023
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:40 p.m. and welcomed the audience to the Planning Commission's October 4, 2023 Public Hearings.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mr. Rick Lunnemann
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mrs. Pamela Goetting
Mrs. Janet Kegley
Mr. Eric Richardson

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

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

Chairman Rolfsen introduced the first item on the Agenda:

CHANGE OF CONCEPT DEVELOPMENT PLAN, Todd Morgan, Staff

1. Request of **Crosland Southeast, per Christopher W. Taft (applicant) for Farmview Commons LLC, per Hemakumar Soni (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner

of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit an approximate 56,000 square foot grocery store with an attached liquor store and drive-through pharmacy, along with two outlots for retail, service, and/or eating and drinking establishment uses.

Staff Member, Todd Morgan, referred to his PowerPoint presentation (See Staff Report). The 11.82 acre site has road frontage on U.S. 42. It is bounded by Old U.S. 42, St. Elizabeth Way, Farmview Drive and U.S. 42. The property is located in Florence and Union. Mr. Morgan described the submitted Concept Development Plan. Lot 1 is an outlot with a 5,150 square foot office/commercial building with a pick-up window and 37 parking spaces on 0.9 acres. Lot 2 is also an outlot with a 7,000 square foot office/commercial building with a drive-through and 31 parking spaces. The lot is also 0.9 acres in size. Lot 3 is a 56,264 square foot grocery store with an attached 3,200 square foot liquor store, a drive-through pharmacy and 289 parking stalls. It includes electric vehicle charging stations. There are 3 loading docks for the large building and a shared detention basin. The overall size of the lot is about 10 acres. Access to the site is planned to be right in and out of Farmview Drive. There is a full access off U.S. 42 via St. Elizabeth Way, which will be converted to a public street and a full access point on Old U.S. 42. The Concept Development Plan shows monument signs. They are 14 feet tall and 97.78 square feet in area. Two monument signs are shown on the grocery store parcel and one for each out lot. The proposed monument sign on outlot #1 would contain a panel advertising the grocery store.

In terms of the PD exceptions, there is no 10 foot landscape buffer between the outlots. Building landscaping is another exception against the grocery store. The applicant is asking for a higher monument sign instead of the normal requirement of 10 feet. Mr. Morgan showed building elevations. Building materials include masonry and EIFs. He also showed drawings of the monument signs. Brick will be used to match the grocery store. He showed photographs of the site and adjoining properties. The Future Land Use Map designates the site for Commercial (C) use. Mr. Morgan noted what the Comprehensive Plan says for the area in question. It is noted on Page 5 of the Staff Report under mixed-use development (A.) The passage is specific to the Farmview Subdivision area. Other references to the Comprehensive Plan are noted on Pages 5-8 of the Staff Report.

In terms of Staff Comments, Mr. Morgan references the reduction of outlots and the inclusion of a grocery store. The project must also be evaluated in terms of mixed-use development and a pedestrian orientation. Sidewalks should be added on at least one side of the north-south driveway between Old U.S. 42 and the east-west driveway between the grocery store and St. Elizabeth Way, the old U.S. 42 frontage and ADA accessibility between Lot 1 and Lot 2 patio areas. In terms of compatibility of uses, the building height of the grocery store will be highly visible along Old U.S. 42. Will all of the out lot buildings be single story? The applicant wants to utilize the use list from the 1996 approval of Area 12. It is attached to the Staff Report. Lot #1

should be analyzed more if it will have a "heavy use" drive-through. He expressed a concern about noise levels from the 3 loading docks. What time will the deliveries occur? Will trucks idle overnight? How will trucks enter and exit the development? What about truck traffic patterns? They should be analyzed. Lighting is not addressed in the application. Will the applicant meet the 2021 condition of decorative poles and a maximum height of 20 feet. What about fixtures on the back of the building? There is no planned useable open space on the site. Staff recommends that 4 foot tall black metal fencing with an opacity of 50% or less should be required to be used for outside seating area. How much of the existing tree line along Old U.S. 42 will be preserved? Is any of this area being graded and will trees be removed? Staff has identified the following landscaping issues: The applicant is asking for a waiver to eliminate the 10 foot buffer between Lots 1 & 2. There is no building landscaping planned around the grocery store. Finally, Staff requested that a landscaping plan be submitted for the grocery store lot. Mr. Morgan also recommended evergreens and a fence near the rear parking to mitigate the visual and noise impacts. In terms of architecture, the Staff recommends changes so that the grocery store meets the 2021 conditions and architectural planned development standards. The building should have more masonry and less EIFs. It would be helpful to obtain percentages of building materials. Because the roof is flat, all the mechanicals are visible and just painted. Will the outlots meet Condition #6 dealing with a combination of flat and pitched roofs? Further details about dumpster screening, retaining walls, E-V charging stations and cart corrals are needed. Will all 4 monument signs match? Will the out lots have channel letter signs? Staff recommends that sight distance and stopping distance be analyzed for Old U.S. 42. How will the entry points be demarcated? A Traffic Impact Study has been submitted and the executive summary has been included in the Staff Report. It is being reviewed by the Kentucky Transportation Cabinet. The City of Florence had questions about stacking on Farmview Drive. Is a right deceleration lane needed at U.S. 42 and Farmview Drive or at St. Elizabeth Way? In addition, what about improvements on Old U.S. 42 from traffic coming from neighboring subdivisions? Mr. Morgan indicated that he received comments from Florence Fire/EMS, the City of Union, the City of Florence and Kentucky Transportation Cabinet. Further, emails have been received from Mr. Lynne Mullins and Mr. John Mullins (see Exhibit 1). Finally, Mr. Morgan expressed a concern about storm water management of the site since he heard about flooding from residents in the area.

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

Mr. Jay Bayer, project engineer, introduced Chris Taft, Crossland Southeast, Charlotte, North Carolina. His firm has developed a lot of projects in the southeast and is excited to be in Kentucky.

Mr. Bayer noted that the 2040 Comprehensive Plan designates the site for Commercial (C). A private road will be built in the middle of the site. It is similar to the previously approved project. The number of outlots have been reduced along with the retirement home eliminated. A grocery is being proposed. Access is also similar to the previous plan. Mr. Bayer stated that he will address the comments made in the Staff Report. The Chairman preferred that the applicant address the major concerns and save the others for the Committee Meeting. Mr. Bayer reached out to the City

of Florence about stormwater issues in the area. He pledged to do a detailed stormwater analysis for site plan review. They are proposing a stormwater detention basin. The outlet will be the basic flow of what is there now. They will reduce the amount of peak flow leaving the site. They will improve St. Elizabeth Way with curb and gutters to direct the flow versus the overland flow. Mr. Bayer reviewed the transportation improvements. No turning lanes on U.S. 42 will be required by the State. The Farmview Drive curb cut will only be right in and out. St. Elizabeth Way will be improved to a public road. Farmview Drive will be restriped to have more right turn movements. Mr. Costello asked about a left turn lane on Farmview Drive to Old U.S. 42 due to subdivision traffic? Mr. Bayer replied that he would look at it again.

Mr. Lunnemann asked the applicant to provide a sight line study of the grocery store from the neighboring residential buildings for appearance purposes. The previous plan showed a building of 44 feet high. The proposed building is 30'9" tall. They are also going to preserve all of the existing vegetation along Old U.S. 42. He would look at a fence in relation to preserving the existing trees. Lighting would be limited to the 20 foot height. They will also discuss the decorative fixtures at a later date. The area where the detention area is located will be cleared and then new trees will be planted. They will agree to install a sidewalk from Farmview Drive to the entrance of the site along Old U.S. 42. In the interest of saving vegetation, they would prefer not to install it directly behind the grocery store.

Chairman Rolfsen asked what was the name of the grocery store? Mr. Taft replied that he has a name but can't disclose it. He stated that he can discuss the amount of EIFS used in the building at the Committee Meeting. The intent of the outlots is not to have an intense use like a Starbucks or Chick-fil-A.

Dr. Clark asked if the grocery store chain is located in the south because of the proposed flat roof? Mr. Taft replied yes.

Mr. Szurlinski asked if the TIS included the other intersection of Old U.S. 42 and U.S. 42? Mr. Bayer responded yes. Mr. Szurlinski stated that it backs up daily.

At this time, Chairman Rolfsen asked if anyone in the audience who was in favor or against the request or have questions?

Mr. Hemakumar Sono stated that he is the landowner of the project. The City of Union needs options. It is a high to medium income area. There is only one large grocery store in the area. It is the best option for the Cities of Union and Florence and Boone County.

Ms. Sheila Spradling, 32 Rio Grande Circle, stated that traffic will be bad. Old U.S. 42 is a two lane road. There is a bad curve where the entrance is planned on Old U.S. 42. Her community uses old U.S. 42 for access. There is no other access. In 2020, there were 4 accidents. In 2021, there were 9 accidents. These accidents are at Old U.S. 42 and Wetherington Drive. In 2022, there were 17 accidents. So far this year there have been 13 accidents. There is a progression of

accidents. There will be more accidents with more traffic. She is concerned about stormwater run off especially the overflow. It will affect their detention pond. It will bring water and silt. They will have to take care of the problem. She also expressed a concern about lighting and dumpsters. Who wants to hear trucks especially refrigerated trucks? She understands something will be built there. It has to be a good neighbor. She asked Board members to drive Old U.S. 42.

Ms. Carol Haynes, Building #10, Unit 2, Southfork Creek, said she has seen enough growth. She doesn't want to smell bakery goods and fried chicken 24/7. Turning left onto U.S. 42 is dangerous. We don't need anymore stores.

Ms. Cynthia Markley, 10 Rio Grande Circle, #4, expressed a concern about the new street access on Old U.S. 42. Lights from the cars using the access will be shining in her condo. The road also doesn't look wide enough. She expressed a concern about the appearance of the building. It sits higher and she will be able to see it more.

Chairman Rolfsen asked for a cross-section of where the building and trees sit in relation to the residential buildings. Mr. Bayer replied that they would provide it at the Committee Meeting.

Mr. Mark Maynard, 38 Rio Grande, expressed a concern about the Farmview side. There isn't a lot of road between Old U.S. 42 and U.S. 42 off Farmview Drive. It will affect stacking and one of the existing traffic signals has a long wait time. How will the big trucks make the turn? The site isn't made for the type of anticipated traffic. Old U.S. 42 doesn't have much traffic now.

Ms. Charlotte Runion, 40 Rio Grande Circle, #5, expressed a concern about traffic but wanted to know the hours of operation. The lights will shine in her condo. The roads are not made for semi-tractor trailers.

Mr. Taft replied that the store is not open 24 hours. The proposed store is 55,000 square feet and much smaller than Kroger. It is more of a traditional grocery store.

Ms. Jill Charles, 9105 Diamond Trace, asked where is the best place for the grocery store? She is not convinced that the proposed location is the best place. It seems like it is too small of a site. It is not deep enough. Kroger sits way back. There is another site in Richwood. Do we need store?

Ms. Lynne Mullins, 33 Rio Grande Circle #1, is more concerned about trucks and where they will line up. How will that affect their way in and out?

Chairman Rolfsen inquired about truck stacking?

Mr. Bayer replied that they expect 3 trucks a day. The trucks will be staggered since they only have 2 bays.

Ms. Belinda Klein, 33-7 Rio Grande Circle, expressed a concern about emergency vehicle access since her unit had a fire in the past. Additional traffic would impair response time.

Mr. John Mullins, 33 Rio Grande Circle #1, stated that their club house and swimming pool is in the front. They will lose their privacy. What about putting up a wall for privacy on their side?

Ms. Patricia Smith, 24 Rio Grande Circle, Unit #1, stated that they have had sink holes in the past. Runoff from the site may create more sink holes. The proposed electronic charging stations may affect their electricity supply.

Chairman Rolfsen explained detention to the audience. Any new stormwater generated from the development has to be contained in the detention pond. The volume of water exiting the site must be the same as before the development occurs.

Mr. Carl Weber, 38 Rio Grande Circle, #7, stated that a right turn only for trucks is very difficult. It can create major traffic problems. Old U.S. 42 is like a driveway. Just think if a 60,000 square foot building was put in your neighborhood with all of the noise and light, etc. The applicant won't be bound by 3 trucks a day. He wasn't sure where sidewalks would be located along Old U.S. 42. The project will make people stay at home.

Ms. Angela Grover, 31 Rio Grande Circle, #3 stated she moved there because it was peaceful. The project will create more noise. It won't be a peaceful neighborhood. There is no need for another grocery store because Kroger and Meijer are just up the road.

Mr. Jeff Flick, 53 Barnwood Court, stated that if Farmview Drive will be straightened, it needs to also be widened. It is difficult for trucks. Mr. Bayer replied that trucks will come from U.S. 42 and make a right turn onto Farmview Drive and then turn right onto the site. Trucks will either go right or left onto Old U.S. 42 from St. Elizabeth Way.

Mr. Costello asked if there was a plan to widen Old U.S. 42 by the City of Florence? Mr. Morgan replied no. Mr. Costello noted the intersection with Wetherington Drive is not aligned with Old U.S. 42. It is an awkward turning movement. There is another potential development off that road with Dr. Baird's property – over 50 acres available.

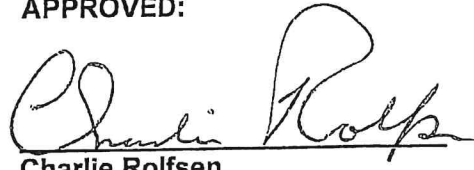
Ms. Lois Evans, 30 Rio Grande, noted that there is a lot of traffic generated from Ortho Cincy and St. Elizabeth Urgent Care. Sometimes those people have difficulty leaving the area and making turns. It takes forever to leave the area because the short traffic light cycle and traffic that is stacked, especially during peak times with school traffic.

Ms. Debbie Cappel, 106 Fieldgate Drive, expressed a concern about signage. Most of the signs in the area are low and the developer wants a 30 foot high sign. She doesn't want to see another Colerain Avenue.

At this time, Chairman Rolfsen asked if any Board members had any questions or comments. He explained the remaining steps of the zone change process to the audience.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on October 18, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on November 1, 2023 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:55 p.m.

APPROVED:


Charlie Rolfsen
Chairman

Attest:


Kevin P. Costello, AICP
Executive Director

Exhibit 1 – Letter from Mr. John Mullins