

RESOLUTION R-25-009-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF BLUEGRASS CANNACARE LLC (APPLICANT) FOR NKH INVESTMENT LLC (OWNER) FOR A ZONING MAP AMENDMENT FROM COMMERCIAL TWO (C-2) TO COMMERCIAL SERVICES (C-3) AND A CONDITIONAL USE PERMIT FOR AN APPROXIMATE 0.35 ACRE AREA LOCATED AT 6809 BURLINGTON PIKE, FLORENCE, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF FLORENCE, FLORENCE, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington Pike, Florence, Kentucky, which is more particularly described below; and,

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

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

SECTION I

That the request for a Zoning Map Amendment and Conditional Use Permit for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, this Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington Pike, Florence, Kentucky. The real estate which is subject to all requests are described in DEED BOOK: 1165, PAGE NO: 121 (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 this Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington, Florence, Kentucky are the Findings of Fact and Conditions, of the Boone

**BOONE COUNTY PLANNING COMMISSION
RESOLUTION R-25-009-A
PAGE TWO**

County Planning Commission as set forth in its minutes and official records for these requests shall be and are hereby incorporated by reference as if fully set out in this Resolution and marked as "Exhibit A."

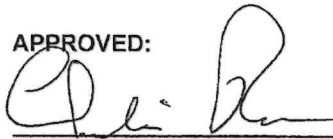
The Committee recommended approval, with conditions, for the requests based on the Findings of Fact and Conditions as set forth in the Committee Report and marked as "Exhibit B."

SECTION III

That a copy of this Resolution recommending approval, with conditions, for this Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington Pike, Florence, Kentucky, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

PASSED AND APPROVED ON THIS 19TH DAY OF MARCH, 2025.

APPROVED:



**CHARLIE ROLFSEN
CHAIRMAN**

ATTEST:



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

CR:tlb

EXHIBIT

“A”

STAFF REPORT

#2

Request of **Bluegrass Cannacare LLC (applicant)** for **NKH Investment LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington Pike, Florence, Kentucky. The request is for a Zoning Map Amendment and Conditional Use Permit to allow the existing building to be occupied by a medical cannabis dispensary business.

February 5, 2025

REQUEST

- A. The first part of the submitted request is to rezone an approximate 0.35 acre area located at 6809 Burlington Pike from C-2 to C-3 to allow the existing building to be occupied by a medical cannabis dispensary business.
- B. The second part of the submitted request is a Conditional Use Permit to allow a 'Cannabis Business, Dispensary'.

SITE HISTORY

- 1985-1990 Based on information contained in the Boone County GIS, the site was developed.
- 1987 On November 11, 1987, the Florence Board of Adjustment approved a Variance to allow a total of three (3) building mounted signs, subject to one condition (FBOA-11-11-87).
- 1997 On February 5, 1997, the Boone County Planning Commission approved a Conveyance Plat, creating the lot under review.
- 2024 On November 19, 2024, Florence City Council adopted Ordinance Number O-21-2024 adding definitions for Cannabis Businesses and adding regulations for Cannabis Businesses (R-24-023-A).

APPLICABLE REGULATIONS

- A. Section 308 of the Boone County Zoning Regulations states that before any map amendment is granted, the Planning Commission and legislative body shall use the following criteria:
 - 1. The map amendment is in agreement with the adopted comprehensive plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or
 - 2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or
 - 3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted comprehensive plan that substantially alter the area's character.
- B. Section 302.A.5 of the Boone County Zoning Regulations states that at the time of filing an application for a zoning map amendment, the property owner may also request

a variance or a conditional use permit for the same development.

- C. Section 4000 of the Boone County Zoning Regulations defines a conditional use as a use which may be suitable, as determined by the Board of Adjustment, in zones herein defined, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance are imposed.
- D. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Section 205.H of the Boone County Zoning Regulations.
1. Findings listed in Section 205.H (Findings for all Conditional Uses):
 - a. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order.
 - b. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area.
 - c. Will be hazardous to existing or future neighboring uses.
 - d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
 - e. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community.
 - f. Will involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare or odors.
 - g. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- E. Section 1003.A of the Boone County Zoning Regulations states that "the purpose of the Commercial Services district is to provide, control, and centralize those types of commercial activities which; a) depend on and generate high vehicular accessibility, visibility and traffic; and/or b) large outdoor single-purpose storage, display, and parking areas and c) which do not fit the scale, character, trade area and general objectives of the other commercial districts in this article or the employment districts defined in ARTICLE 11. Such districts will generally be organized around regional or major community trade areas. Sites will be of suitable lands which can be appropriately buffered from surrounding urban uses. Districts will be located to have direct visibility from arterial roads. District facilities and plans should be organized to accomplish as much clustering of compatible uses, sharing of parking and access, signage, lighting, and other spaces

and improvements as possible."

- F. Section 505.3 of the Boone County Zoning Regulations identifies 'Cannabis Business, Dispensary' as a Conditional Use within the C-3 district.
- G. Section 4000 of the Boone County Zoning Regulations includes the following definitions:
 - 1. Cannabis Business - A cultivator, dispensary, processor, producer, or safety compliance facility that is licensed under KRS 218B.
 - 2. Cannabis Business, Dispensary - An entity licensed under KRS 218B.060, 218B.085, and KRS 218B.090 and is generally described as a retail establishment where cannabis products are sold.

SITE CHARACTERISTICS

- A. The approximate 0.35 acre area is located along the southeast side of Burlington Pike, approximately two hundred fifty (250) feet southwest of Turfway Road.
- B. The site has approximately one hundred (100) feet of frontage along Burlington Pike.
- C. The site is currently occupied by an approximate 1,600 square foot commercial building with three (3) drive-through service lanes and a fourteen (14) space off-street parking lot.
- D. Access is currently provided by: (1) a full access curb cut onto Burlington Pike located off-site to the southwest of the site in question and; (2) a right-turn-in/right-turn-out only curb cut onto Burlington Pike located off-site to the northeast of the site in question. The 1997 Conveyance Plat provided for ingress and egress easements to these two curb cuts.
- E. Topographically, the site is relatively flat, sloping slightly upward from Burlington Pike at an average grade of two (2) percent.

ADJACENT LAND USES AND ZONES

Northeast: Lee's Famous Recipe Chicken (C-2)
Northwest: Frisch's (now vacant) (C-3)
Southeast: Turfway Plaza (C-2)
Southwest: Turfway Plaza (C-2)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for "Commercial" uses, which is described as retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.
- B. The following are excerpts from Our Boone County - Plan 2040:
 - 1. 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. Natural green space benefits the community as well as encourages developers to create innovative development designs through clustering of buildings and impermeable area. Typically, buffering is required and provided between both like and unlike land uses. However, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer areas should use and supplement existing site features where possible (Land Use, Future Land Use Development Guidelines, Buffering, pages 95-96).

2. 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. The amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping helps purify the air of harmful pollutants, thus reducing health impacts. It also helps reduce the quantity and improve the quality of storm water runoff, including temperature. The use of bioretention islands (water filtering basins) and grass swales should be used where possible in place of raised islands as described in Northern Kentucky's Storm Water Best Management Practices Manual (2012). Native species are often heartier than nursery stock and should be used wherever possible to minimize pesticides and other high impact forms of maintenance. 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 (Land Use, Future Land Use Development Guidelines, Landscaping, page 96).

- C. Burlington Pike is a state maintained arterial street providing for two way traffic. Fronting the site in question, Burlington Pike has two (2) westbound lanes, two (2) eastbound exclusive left-turn lanes, one (1) eastbound through lane, and one (1) eastbound exclusive right-turn lane. There are sidewalks along both sides of the roadway.

STAFF COMMENTS

- A. The submitted Concept Development Plan indicates the following:

1. Use of the existing building for a medical cannabis dispensary.
 2. Future use of the existing drive-through lanes.
 3. No other site improvements.
- B. Staff has reviewed the submitted Concept Development Plan against the Boone County Zoning Regulations and the proposal meets the minimum requirements of the zoning regulations.
- C. Staff sent out an Agency Memo to the Boone County Building Department, Community Development Division, City of Florence, Florence Fire Department, and the Kentucky Transportation Cabinet.
1. Bridget Striker, Boone County Planning Commission Community Development Division, replied that she had no comments.

STAFF CONCERNS

- A. Should the proposed medical cannabis dispensary ever vacate the site, a change of use could initiate a Change of Concept Development Plan process. To avoid another public hearing, consideration might be made to allow other permitted uses of the C-3 district, provided that no site improvements will be necessary.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and Boone Fiscal Court in terms of Articles 2 and 3 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area.

Respectfully submitted,



Michael D. Schwartz
Director, Zoning Services

MDS/ss

Attachments:

- *Vicinity Map
- *Aerial Map
- *Topographic Map
- *Zoning Map
- *2040 Future Land Use Map
- *Cannabis Business Buffer Map
- *Application
- *Concept Development Plan

Vicinity Map

www.boonecountygis.com



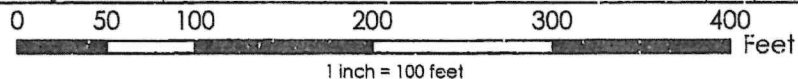
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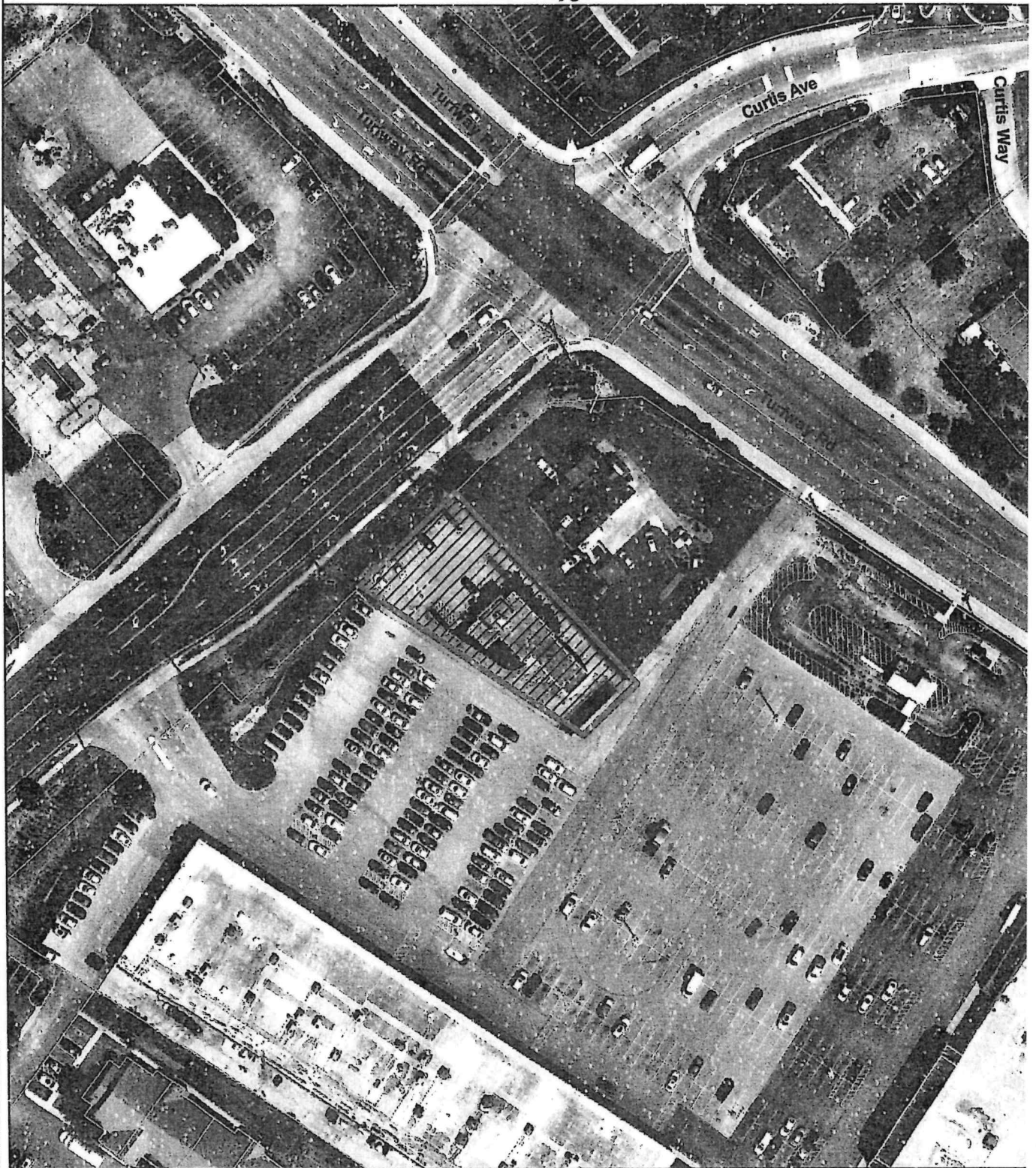
Boone



Map Document: *.mxd

Aerial Map

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Map Document: 01/01/2022

Topographic Map

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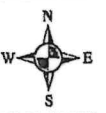
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Zoning Map

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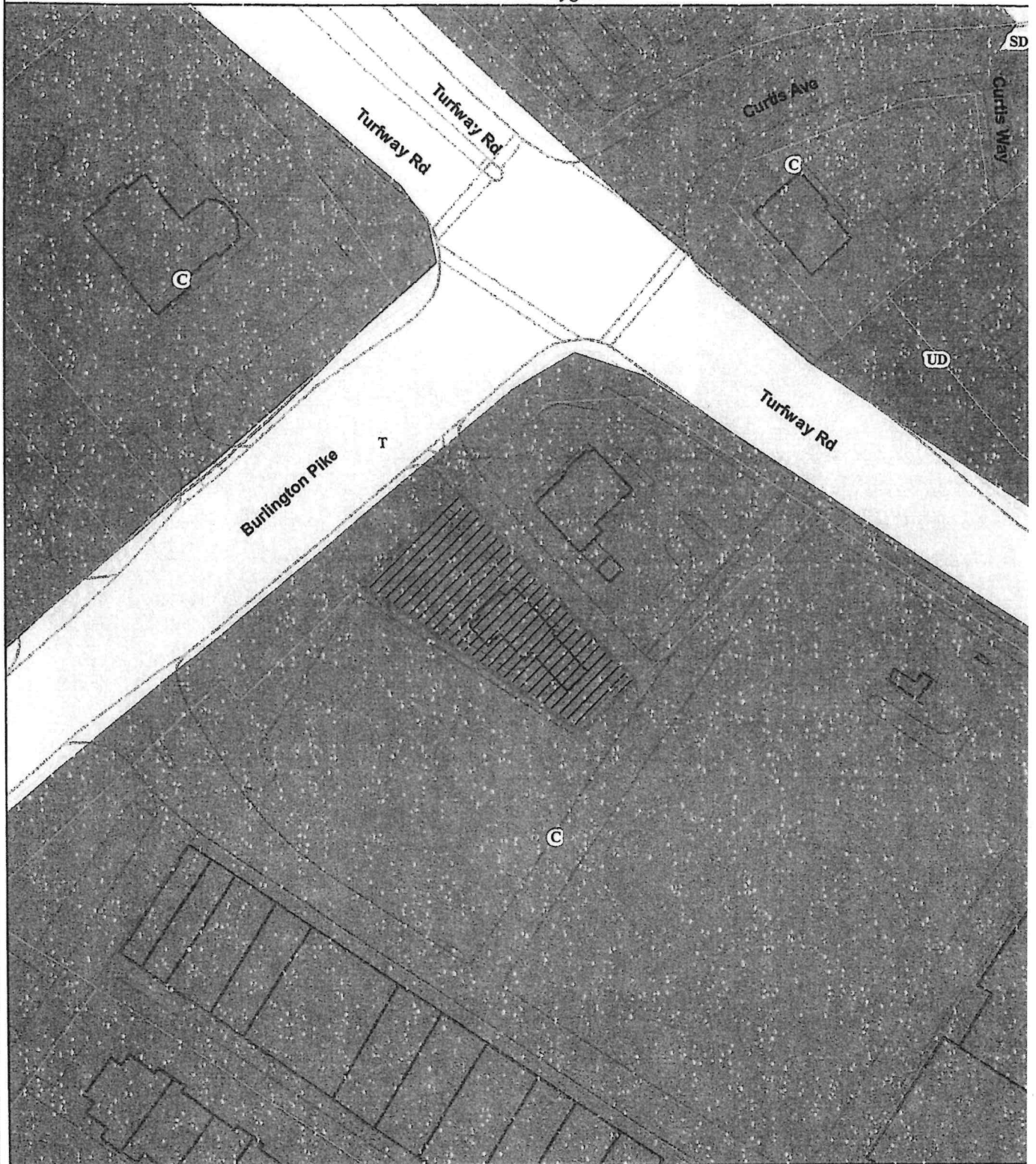


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2040 Future Land Use Map

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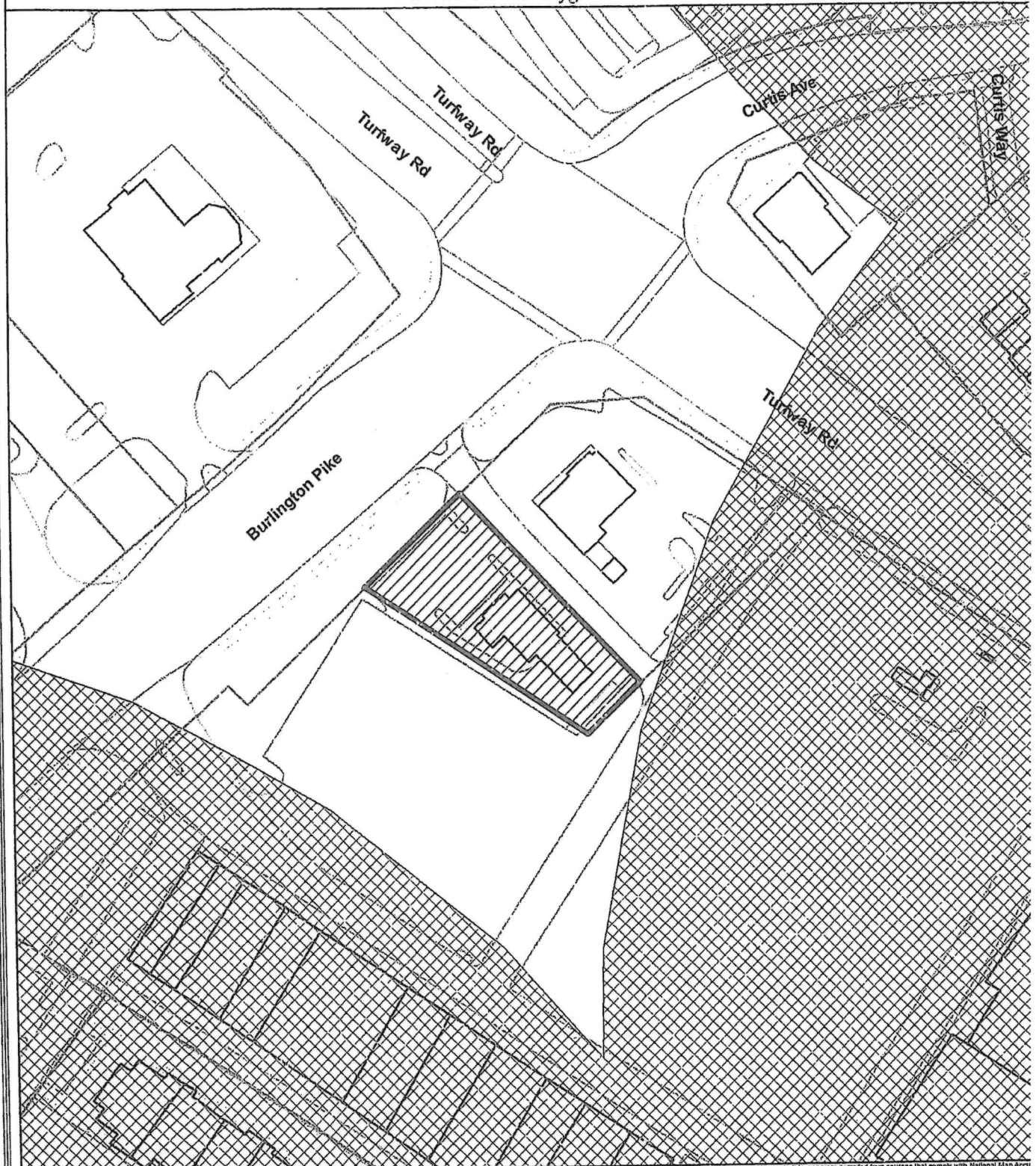
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Cannabis Business Bufter Map

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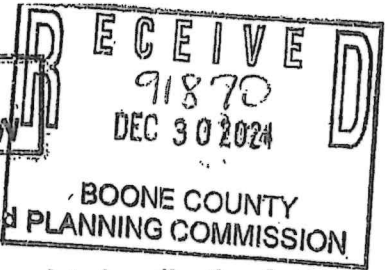
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**ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION**



Seven (7) copies of submitted drawings are required

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

SECTION A: (To be completed by applicant)

1. Name of Project: Bluegrass Cannacare LLC dispensary
2. Location of Project: 6809 Burlington Pike, Florence, KY
3. Total Acreage of Project: 0.35
4. Current Zoning of Property: C2
5. Proposed Zoning of Property (classification being requested): C3
6. Proposed Use(s) (specify each use):
retail cannabis dispensary
7. Proposed Building Intensities (specify for each building):
USE EXISTING BUILDING
8. Are you applying for any of the following (check all that apply):
☒ Conditional Use Permit ☐ Variance
9. Current Owner: ANKH INVESTMENTS LLC Hiren Pandhi
Address: 7933 Hedgewood Cir
Mason Ohio 45040
City State Zip Code
Phone Number: +1 (516) 851-7102 Fax Number: _____
Email: _____
10. Applicant: Bluegrass Cannacare LLC, Edward Maynard, member
Address: 6809 Burlington Pike, Florence, KY 41017
C/O Ed Maynard 1017 Colina Dr Villa Hills KY
City State Zip Code
Phone Number: 513.253.4456 Fax Number: 513.562.2192
Email: 935maynard@gmail.com
11. Are there any existing buildings on the site: ☒ Yes ☐ No
If yes, indicate how many: 7

12. 1165 121 2031A
Deed Book Page Number Group Number

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

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

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

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

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

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

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on March 20, 2025

Property Owner's Signature: _____

Applicant's Signature: _____

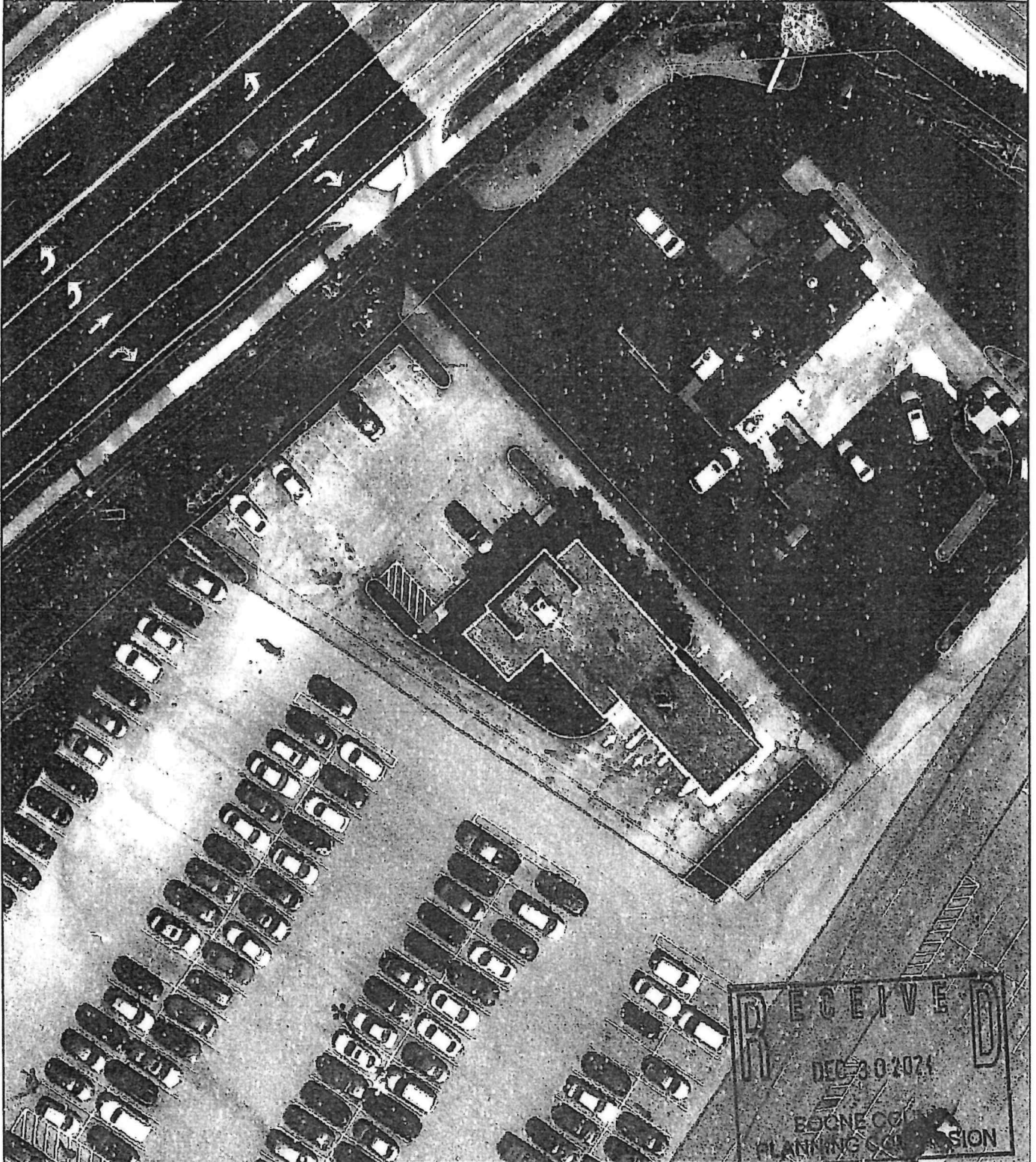
SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 12/30/24 Fee Received: \$3,123⁰⁰ Receipt #: 91870
2. Number of Copies Received: 1
3. Has the following been submitted (check all that apply):
 - ☒ Completed Application
 - ☐ Concept Development Plan
 - ☒ Legal Description
 - ☒ Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): _____
5. Staff Reviewer: _____
6. Committee Chairperson: _____
7. Scheduled Public Hearing Date: _____
8. Boone County Planning Commission Action: _____ Date of Action: _____
 - _____ Approved
 - _____ Approved with Conditions
 - _____ Denial
 - _____ Other
9. Resolution Number: _____

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
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Boone County GIS Map

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COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Eric Richardson
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Mr. Rick Lunnemann
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning Services
Mr. Steve Lilly, PLS, GISP, Planner
Ms. Lauren Elliott, Planner

Chairman Rolfsen introduced the second item on the Agenda at 7:44 p.m.

ZONING MAP AMENDMENT/CONDITIONAL USE PERMIT, Michael Schwartz, Staff

2. Request of **Bluegrass Cannacare LLC (applicant)** for **NKH Investment LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington Pike, Florence, Kentucky. The request is for a Zoning Map Amendment and Conditional Use Permit to allow the existing building to be occupied by a medical cannabis dispensary business.

Staff member, Michael Schwartz, referred to his PowerPoint presentation (see Staff Report). The request is to rezone the site from C-2 to C-3 since the City of Florence added medical cannabis dispensaries as a Conditional Use in a C-3 zoning district. Page 1 of the Staff Report provides a history of the site. It has roughly 100 feet of road frontage along Burlington Pike. The site is occupied by an existing 1,600 square foot building with 3 drive thru service lanes. It was a former bank building. It has 14 off street parking spaces. Access to Burlington Pike is off-site at two locations. Cross access easements exist to serve the site. Mr. Schwartz described the surrounding land uses and zoning. Page 1-3 of the Staff Report included references to the Zoning Regulations that are pertinent with the request. The 2040 Future Land Use Map designates the site for Commercial (C) use. Pages 3-4 of the Staff Report include appropriate sections of the Comprehensive Plan. The site is located just outside the buffers that are mandated by the City of Florence and State in terms of separation from schools, parks, etc. Mr. Schwartz showed photographs of the existing building.

The submitted Concept Development Plan shows use of the existing building. There will be no changes to the site, just interior work. New signage will be installed and Mr. Schwartz reminded the Board that the Planning Commission takes final action on the Conditional Use Permit.

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

Mr. Ed Maynard introduced himself and Mr. Jason Culter. Mr. Culter stated that his intention for the building is to renovate it and make it look better. It will be gutted and new flooring will be installed and the building will be repainted. It will be Class A space and they are designing it like a pharmacy. Their logo will have a plus sign instead of a pot leaf. It is a medical look. The existing building mounted sign will be replaced as well as the ATM. They will also have to install a lot of security features to the building. They are discussing the use of the drive-thru windows. That has to be determined by the State. Currently, the public will only be allowed to use the front door to enter. Mr. Maynard stated that the rules to operate are very strict. The number of customers is depended on the number of staff members working. They also have full time security during all hours of operation. They have 6 people working at the store so they can only have 6 customers at a time. In order to get into the building, one has to have a medical card issued by the State. There will be a minimal amount of traffic. The medical card is scanned and has to match the State list. All windows are secured by curtains or bars. The facility is also inspected biannually.

Ms. Gulick asked if the ITE Manual has trip information for these types of facilities? There are only three dispensaries in Northern Kentucky. Ms. Gulick asked how the site will be impacted if the State allowed recreational cannabis in the future. Could the site change?

Mr. Chad Johns, operator, explained that generally when a State allows recreational after medical, there is usually a new application that occurs. Mr. Jay Armstrong stated that he currently owns a responsible vape shop in Ft. Wright. He wants to operate a responsible medical cannabis shop. It deserves to have a responsible voice. Their audience is limited in size. Mr. Cutler stated that if

they get a recreational license, they will not be located in the same building. They would build their only building and not rent one.

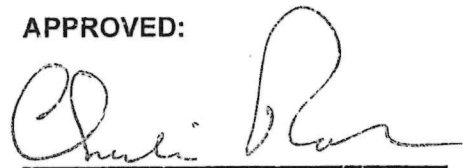
Chairman Rolfsen asked if anyone in the audience would like to speak in favor or against the request or had any questions?

Seeing no one, Chairman Rolfsen asked if the Commissioners had any questions or comments?

Mrs. Kegley stated that she was more interested in what the building will look like from the outside. She also asked the applicant to check the existing landscaping. Does it need to be replaced? Mr. Cutler stated that it needs to be replaced with decorative rock, bushes and flowers.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 19, 2025 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on March 5, 2025 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:01 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY FISCAL COURTROOM
BURLINGTON, KENTUCKY
BUSINESS MEETING
MARCH 5, 2025
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's March 5, 2025 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

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

COMMISSION MEMBERS NOT PRESENT:

Mrs. Pamela Goetting
Mr. Eric Richardson
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael Schwartz, Director, Zoning Services
Mr. Steve Lilly, GISP, Planner
Ms. Lauren Elliott, Planner

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the February 19, 2025 Business Meeting. He asked if there were any comments or corrections?

Mr. Szurlinski moved to approve the Minutes as presented. Mr. Hincks 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 February 6, 2025 and March 5, 2025.

EXPENSES:

Accounting Fees	1,361.95
Attorney Fees	4,800.00
Auto Expense	32.30
Consultant/Profess Svcs Fees	1,195.00
Filing Fees (CLURS)	600.00
Legal Ads/Recruitment	591.33
Office & Board Meeting Supplies	655.05
Office / Equipment Maintenance	692.40
Office Equipment / Expense	331.48
Postage Expense	502.25
Printing/Pub/Dues/Subscriptions	1,459.00
Professional Development	240.00

TOTAL: \$ 12,460.76

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 7,004.15
Health/Dental/Life/LTD	17,693.76
Retirement – BCPC Portion	18,726.66
Salaries – Staff Expenses	96,341.84
Salaries – BCPC & BOA	1,375.00

TOTAL: \$ 141,436.67

GRAND TOTAL: \$ 153,897.43

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. Dr. Clark seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

ZONING MAP AMENDMENT/CONDITIONAL USE PERMIT/VARIANCE, David Hincks, Chairman, Michael Schwartz, Staff

1. Request of **Arnold Consulting Engineering Services Inc (applicant)** for **Shree Laxmi Vishnu LLC (owner)** for a Zoning Map Amendment from Commercial Four (C-4) to Office Two (O-2), a Conditional Use Permit for a hotel, and a Variance for an approximate 3.7 acre area located along the east side of Frogtown Connector Road, between Richwood Road and Frontage Road, approximately six hundred (600) feet north of Richwood Road, and having Parcel Identification Numbers (PIDN's) of 075.00-00-102.00 and 075.00-00-102.13, Boone County, Kentucky. The request is for: (1) a Zoning Map Amendment to allow the development of a 73,275 square foot, four story, 109 room hotel and a future development area; (2) a Conditional Use Permit to allow a hotel in an O-2 district; and (3) a Variance reducing the Buffer Yard A width along a portion of Frogtown Connector Road from ten (10) feet to four (4) feet.

Staff Member, Michael Schwartz read the Committee Report, which recommended approval of the Zoning Map Amendment, Conditional Use Permit and Variance based upon Findings of Facts and Conditions. The Condition Letter has been signed by the applicant and property owner and submitted to the Planning Commission. All Committee Members present voted in favor of the request with Mr. Lunnemann, Mr. Hincks and Ms. Gulick voting in favor.

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

Mr. Danny Whitley, applicant, stated that he was in agreement with the Conditions and was available to answer any questions.

Ms. Michelle Kelly, Gaines Way, inquired about the other existing hotels in the area. Mr. Schwartz showed a slide of the Holiday Inn Express and Hampton Inn. Both are located on the Frogtown Connector Road.

Seeing no further comment, **Mr. Hincks moved, by Resolution to the Boone County Fiscal Court to recommend approval of the Zoning Map Amendment, Conditional Use Permit and Variance based on the Committee Report, Findings of Fact and Conditions. Mr. Lunnemann seconded the motion.**

Mr. Hincks asked if there were any restrictions concerning the height of the other two hotels in the area as he noted that they were 3 stories in height. Mr. Schwartz responded no, since the other two hotels were built under the existing zoning of C-4.

Chairman Rolfsen asked for a vote on the original motion made by Mr. Hincks and seconded by Mr. Lunnemann. The motion passed unanimously.

**ZONING MAP AMENDMENT/CONDITIONAL USE PERMIT, Janet Kegley, Chairwoman,
Michael Schwartz, Staff**

2. Request of **Bluegrass Cannacare LLC (applicant)** for **NKH Investment LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington Pike, Florence, Kentucky. The request is for a Zoning Map Amendment and Conditional Use Permit to allow the existing building to be occupied by a medical cannabis dispensary business.

Staff Member, Michael Schwartz read the Committee Report, which recommended approval of the Zoning Map Amendment and Conditional Use Permit based upon Findings of Facts and Conditions. The Condition Letter has been signed and submitted to the Planning Commission. .

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

Mr. Jason Culter, contractor for the project, stated that he was available to answer any questions.

Seeing no further comment, **Mrs. Kegley moved, by Resolution to the City of Florence (as noted) to recommend approval of the Zoning Map Amendment and Conditional Use Permit based on the Committee Report, Findings of Fact and Conditions. Ms. Gulick seconded the motion and it passed unanimously.**

**CHANGE OF CONCEPT DEVELOPMENT PLAN/VARIANCES, Corrin Gulick, Chairwoman
Lauren Elliott, Staff**

3. Request of **Brew Team KY, LLC (applicant)** for **Massive 2.0, LLC (owner)** for a Change of Concept Development Plan and Variances in a Commercial Services (C-3) district, for an approximate 0.56 acre area lot located at 7303 Turfway Road, Florence, Kentucky. The request is for a Change of Concept Development Plan to allow the development of a 543 square foot drive-through only coffee shop and a 277 square foot remote storage/cooler accessory structure. The Variances are to: (1) reduce the front yard setback from fifty (50) feet to thirty-seven (37) feet; and (2) reduce the Buffer Yard width from ten (10) feet to seven (7) feet along the west property line, five (5) feet along the south property line, and eight (8) feet along the east property line.

Staff Member, Lauren Elliott, read the Committee Report, which recommended approval of the Change in Concept Development Plan and Variances based upon the Committee Report, Findings of Fact and Conditions . The Condition Letter has been signed by the applicant and property owner and submitted to the Planning Commission. The Committee voted 3-0 in favor of the request.

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

Mr. Brian Evans, applicant, stated that he was available to answer any questions by the Board.

Seeing no further comment, **Ms. Gulick moved, by Resolution to the City of Florence to recommend approval of the Change in Concept Development Plan and Variances, based on the Committee Report, Findings of Fact and Conditions. Mrs. Steele seconded the motion and it passed unanimously.**

CHANGE OF CONCEPT DEVELOPMENT PLAN/VARIANCE, Steve Harper, Chairman, Steve Lilly, Staff

4. Request of **Viox and Viox Inc, per Brock MacKay (applicant)** for **CCM LLC (owner)** for a Change of Concept Development Plan and Variance in a Commercial Services (C-3) district, for an approximate 6.7 acre area lot located at 10855 Dixie Highway, Boone County, Kentucky. The request is for a Change of Concept Development Plan to allow the construction of an approximate 6,400 square foot building addition and the construction of an approximate 28,500 square foot commercial building and an approximate 11,000 square foot commercial building. The Variance is to reduce the Buffer Yard A width along the south property line from ten (10) feet to zero (0) feet.

Staff Member, Steve Lilly read the Committee Report, which recommended approval of the Change in Concept Development Plan based upon Findings of Facts and Conditions. The Condition Letter has been signed by the applicant and property owner and submitted to the Planning Commission. All Committee Members present voted in favor of the request with a 3-0 vote.

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

Mr. Mackay, applicant, stated that he was present to answer any questions from the Board.

Seeing no further comment, **Ms. Gulick moved, by Resolution to the Boone County Fiscal Court to recommend approval of the Change in Concept Development Plan and Variance based on the Committee Report, Findings of Fact and Conditions. Mr. Turner seconded the motion and it passed unanimously.**

ZONING MAP AMENDMENT, Corrin Gulick, Chairwoman, Michael Schwartz, Staff

5. Request of **Steve Berling (applicant)** for **Corporex Parks of Kentucky LLC (owner)** for a Zoning Map Amendment from Rural Suburban (RS) to Commercial Two (C-2) for an approximate 2.8 acre area located at 1681 Erlanger Road, Boone County, Kentucky, and including those properties with the following Parcel Identification Numbers (PIDN's): 071.00-01-020.00, 071.00-01-021.00, 071.00-01-022.00, and 071.00-01-024.00. The request is for a zone change to allow for the construction of a 6,000 square foot restaurant and a 2,800 square foot restaurant with drive-through service.

Staff Member, Michael Schwartz read the Committee Report, which recommended approval of the Zoning Map Amendment based upon Findings of Facts and Conditions. The Condition Letter has been signed by the applicant and property owner and submitted to the Planning Commission.

All Committee Members present voted in favor of the request with a 3-0 vote.

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

Mr. Korey Guess stated that he lives two plots from the proposed development. He asked where does the need for this use arise? He moved into his house over a year ago and there was no mention of it. He will lose his privacy. There will be a noisy lift station next to him. There will be truck traffic delivering to both restaurants. He doesn't want it or need it because he is the community. There are four houses on this road. He wasn't aware of the meeting. Mr. Costello asked if Mr. Guess's wife attended the Public Hearing. Mr. Guess replied yes.

Mr. Schwartz stated that there was a legal ad in the newspaper, a sign posted on the property and all adjoining property owners were notified via a letter. He pointed to the property owners that were notified. Mr. Guess stated that he didn't get a letter.

Mr. Wilson noted that Mr. Guess's wife attended the Public Hearing and had an opportunity to speak. Questions were asked and answers were provided at the Committee Meeting.

Mr. Berling, applicant, stated that Corporex has owned the property for a while. He noted that Mr. Guess's back yard does touch the property in question. It is not immediately adjacent. He is the second property owner. The road will be widened to the third entrance. Water will be provided by the Northern Kentucky Water District because there is a 12 inch water main in the area. The lift station is a private one without a big generator. One will not be able to hear it go on and off. It will be away from the neighbor's property. A 30 foot buffer is required. Mr. Schwenke asked if the berm and fence could be installed? Mr. Berling responded yes if they could limit it to towards the back and not the side. Mr. Berling agreed to do it. Mr. Schwartz stated that the minutes could reflect this change and new condition.

Seeing no further comment, **Ms. Gulick moved, by Resolution to the Boone County Fiscal Court to recommend approval of the Zoning Map Amendment based on the Committee Report, Findings of Fact and Conditions and to include a fence as recorded in the minutes. Mr. Hincks seconded the motion and it passed unanimously.**

CHANGE OF CONCEPT DEVELOPMENT PLAN/CONDITIONAL USE PERMIT, Corrin Gulick, Chairwoman, Michael Schwartz, Staff

6. Request of **Alex Othman (applicant/owner)** for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3). The submitted request is to allow the conversion of an approximate 7.52 acre area of the site from commercial parking to a truck stop and to allow the expansion of the existing commercial parking facility on an approximate 2.02 acre area of the site.

Staff Member, Michael Schwartz read the Committee Report, which recommended approval of the Change in Concept Development Plan and Conditional Use Permit based upon Findings of

Facts and Conditions. He referred to updated drawings showing Hetzel Drive and Hunter Drive. The Condition Letter has been signed by the applicant and property owner and submitted to the Planning Commission.

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

Mr. Jim Bertrum, engineer, stated that he was present to answer any questions about the project.

Seeing no further comment, **Ms. Gulick moved, by Resolution to the Boone County Fiscal Court to recommend approval of the Change in Concept Development Plan and Conditional Use Permit based on the Committee Report, Findings of Fact and Conditions. Mr. Szurlinski seconded the motion.**

Ms. Gulick stated that she was motivated to make it work. In both the Boone County Transportation Plan and the Boone County Comprehensive Plan, truck traffic is discussed in depth because of our location near the interstate and river. We are going to have trucks because of our location with the transportation network. She suggests the County Engineer and the applicant look at the following: the westbound left had turn from KY 20 to KY 212 as well as the right turn onto Hetzel Drive. Finally, the sight distance at Hetzel Drive for vehicles coming up the hill. With all of this, it could work. Chairman Rolfsen thought that the use of Hetzel Drive for truck traffic was the only way it could work. Ms. Gulick replied that both entrances would be evaluated for right turning movements during the permitting process. The left turn lane has 75 feet of storage. That is the minimum. It might have to be 200 feet based upon the 45 mph speed limit.

Mr. Bertrum responded that they are studying it and agreed to it as the next step. Hetzel Drive will continue to be a public road. In response to a question from Mrs. Steele, Mr. Bertrum stated that signs will be posted that trucks are not allowed on Hunter Road similar to what is there now.

Chairman Rolfsen asked for a vote on the original motion made by Ms. Gulick and seconded by Mr. Szurlinski. The motion passes unanimously.

NEW BUSINESS

ZONING MAP AMENDMENT/CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

7. Request of **The Northern Kentucky Development Alliance, LLC, per Dale McPherson and Patrick Rector (applicant) for Arlinghaus I LLC, per Robert Schroeder (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential One/Planned Development (SR-1/PD) for an approximate 18.8 acre area located along the north side of Hathaway Road, between Old Union Road and Spruce Lane, approximately 2,400 feet east of Spruce Lane, being directly across from Meiman Road and having a Parcel Identification Number (PIDN) of 052.00-00-028.03, Union, Kentucky and a request of **Arlinghaus I LLC, per Robert Schroeder (applicant and owner)** for a Change in an Approved Concept Development Plan in a Suburban Residential One (SR-1) district for an approximate 81 acre area located along the north side of Hathaway Road, between Old Union Road and Spruce Lane, approximately

2,400 feet east of Spruce Lane, being directly across from Meiman Road and having a Parcel Identification Number (PIDN) of 052.00-00-028.03. The request is for a zone change/change of concept development plan to allow the development of an approximate 13,000 square foot event center, with associated functions and structures, and to amend the design and layout of a previously approved single-family residential subdivision.

Mrs. Steele moved to schedule the Public Hearing for Item #7 on April 2, 2025 at 7:30 p.m. in the Fiscal Courtroom. Mr. Schwenke seconded the motion and it passed unanimously.

H. EXECUTIVE DIRECTOR'S REPORT:

- No Report

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)

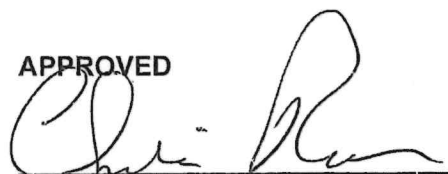
J. CHAIRMAN'S REPORT: (Charlie Rolfsen)

**K. OKI REPORT: (Randy Bessler)
No Report**

L. ADJOURNMENT:

There being no further business to come before the Planning Commission, **Mr. Bessler moved to adjourn the meeting. Mr. Turner seconded the motion and it passed unanimously. The meeting was adjourned at 7:52 p.m.**

APPROVED



Charlie Rolfsen
Chairman

Attest:

A handwritten signature in black ink, appearing to read "Kevin P. Costello", is written over a horizontal line.

Kevin P. Costello, AICP
Executive Director

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Corrin Gulick, Chair

DATE: March 5, 2025

RE: Request of **Bluegrass Cannacare LLC (applicant)** for **NKH Investment LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington Pike, Florence, Kentucky. The request is for a Zoning Map Amendment and Conditional Use Permit to allow the existing building to be occupied by a medical cannabis dispensary business.

REMARKS:

1. 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 finding of fact and conditions, if deemed necessary, to complete the Committee Report.
2. We, the Committee, recommend approval of the above referenced Zoning Map Amendment based on the following findings of fact:

FINDINGS OF FACT (Zoning Map Amendment):

1. The proposed Zoning Map Amendment from C-2 to C-3 is consistent with the 2040 Future Land Use Map of the Comprehensive Plan, Our Boone County Plan 2040, which recommends the site to be developed with commercial uses.

The proposed C-3 district will allow the site to be developed with a medical cannabis dispensary, which will have similar characteristics as a pharmacy.

2. The proposed C-3 district, along with the submitted Concept Development Plan, is reasonable and appropriate.

The proposed medical cannabis dispensary will be consistent with other commercial uses within the vicinity of the site in question.

3. 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 property owner has signed a letter demonstrating agreement with this condition.

CONDITIONS:

1. Any other use that is principally permitted in the C-3 district can occupy the existing structure without having to go through a Change of Concept Development Plan process, provided that all other requirements of the zoning regulations can be met.

2. Landscaping shall be installed along the front façade of the building.

FINDINGS OF FACT (Conditional Use Permit):

1. The proposed Conditional Use meets the requirements of Section 205.H of the zoning regulations.

The proposed medical cannabis dispensary will have similar characteristics as a pharmacy, which is a permitted use within the C-3 district.

The proposed medical cannabis dispensary meets the separation distances required by both the State and the City.

The site is located along an arterial street, ensuring that traffic generated by the proposed use will not have to go through residential areas for access.

2. The following condition is necessary in the event that the legislative body denies the companion Zoning Map amendment application.

CONDITION:

1. The Conditional Use Permit shall only be approved if Florence City Council takes action to approve the proposed Zoning Map Amendment.

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: Janet Kegley, Chairwoman

DATE: February 19, 2025

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.

**ZONING MAP AMENDMENT/CONDITIONAL USE PERMIT, Janet Kegley, Chairwoman,
Michael Schwartz, Staff**

2. Request of **Bluegrass Cannacare LLC (applicant)** for **NKH Investment LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington Pike, Florence, Kentucky. The request is for a Zoning Map Amendment and Conditional Use Permit to allow the existing building to be occupied by a medical cannabis dispensary business.

Janet Kegley (Chairwoman)

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

Corrin Gulick

For Project ☒ Absent ____
Against Project ____
Abstain ____ Deferred ____

Rick Lunnemann

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: - DEFERRED 3 FOR PROJECT 2 ABSENT
 - AGAINST PROJECT - ABSTAIN

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Mrs. Pamela Goetting
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Eric Richardson
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Mr. Rick Lunnemann
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael D. Schwartz, Director, Zoning Services
Mr. Steve Lilly, PLS, GISP, Planner
Ms. Lauren Elliott, Planner

Chairman Rolfsen introduced the second item on the Agenda at 7:44 p.m.

ZONING MAP AMENDMENT/CONDITIONAL USE PERMIT, Michael Schwartz, Staff

2. Request of **Bluegrass Cannacare LLC (applicant)** for **NKH Investment LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington Pike, Florence, Kentucky. The request is for a Zoning Map Amendment and Conditional Use Permit to allow the existing building to be occupied by a medical cannabis dispensary business.

Staff member, Michael Schwartz, referred to his PowerPoint presentation (see Staff Report). The request is to rezone the site from C-2 to C-3 since the City of Florence added medical cannabis dispensaries as a Conditional Use in a C-3 zoning district. Page 1 of the Staff Report provides a history of the site. It has roughly 100 feet of road frontage along Burlington Pike. The site is occupied by an existing 1,600 square foot building with 3 drive thru service lanes. It was a former bank building. It has 14 off street parking spaces. Access to Burlington Pike is off-site at two locations. Cross access easements exist to serve the site. Mr. Schwartz described the surrounding land uses and zoning. Page 1-3 of the Staff Report included references to the Zoning Regulations that are pertinent with the request. The 2040 Future Land Use Map designates the site for Commercial (C) use. Pages 3-4 of the Staff Report include appropriate sections of the Comprehensive Plan. The site is located just outside the buffers that are mandated by the City of Florence and State in terms of separation from schools, parks, etc. Mr. Schwartz showed photographs of the existing building.

The submitted Concept Development Plan shows use of the existing building. There will be no changes to the site, just interior work. New signage will be installed and Mr. Schwartz reminded the Board that the Planning Commission takes final action on the Conditional Use Permit.

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

Mr. Ed Maynard introduced himself and Mr. Jason Culter. Mr. Culter stated that his intention for the building is to renovate it and make it look better. It will be gutted and new flooring will be installed and the building will be repainted. It will be Class A space and they are designing it like a pharmacy. Their logo will have a plus sign instead of a pot leaf. It is a medical look. The existing building mounted sign will be replaced as well as the ATM. They will also have to install a lot of security features to the building. They are discussing the use of the drive-thru windows. That has to be determined by the State. Currently, the public will only be allowed to use the front door to enter. Mr. Maynard stated that the rules to operate are very strict. The number of customers is depended on the number of staff members working. They also have full time security during all hours of operation. They have 6 people working at the store so they can only have 6 customers at a time. In order to get into the building, one has to have a medical card issued by the State. There will be a minimal amount of traffic. The medical card is scanned and has to match the State list. All windows are secured by curtains or bars. The facility is also inspected biannually.

Ms. Gulick asked if the ITE Manual has trip information for these types of facilities? There are only three dispensaries in Northern Kentucky. Ms. Gulick asked how the site will be impacted if the State allowed recreational cannabis in the future. Could the site change?

Mr. Chad Johns, operator, explained that generally when a State allows recreational after medical, there is usually a new application that occurs. Mr. Jay Armstrong stated that he currently owns a responsible vape shop in Ft. Wright. He wants to operate a responsible medical cannabis shop. It deserves to have a responsible voice. Their audience is limited in size. Mr. Cutler stated that if

they get a recreational license, they will not be located in the same building. They would build their only building and not rent one.

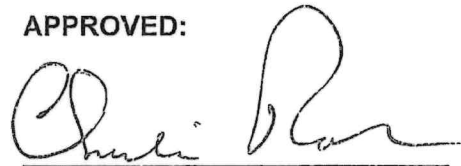
Chairman Rolfsen asked if anyone in the audience would like to speak in favor or against the request or had any questions?

Seeing no one, Chairman Rolfsen asked if the Commissioners had any questions or comments?

Mrs. Kegley stated that she was more interested in what the building will look like from the outside. She also asked the applicant to check the existing landscaping. Does it need to be replaced? Mr. Cutler stated that it needs to be replaced with decorative rock, bushes and flowers.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 19, 2025 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on March 5, 2025 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:01 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director