

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF CESO INC. (APPLICANT) FOR THE DETERS COMPANY (OWNER) AND VUONG XUAN NGUYEN (OWNER) FOR A CHANGE OF CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) DISTRICT, FOR AN APPROXIMATE 3.8 ACRE AREA LOCATED AT 8450 US 42 AND INCLUDING THE PROPERTY HAVING A PARCEL IDENTIFICATION NUMBER (PIDN) OF 062.00-00-039.00, AND BEING LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF US 42 WITH HOPEFUL CHURCH, 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 Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Florence, Florence, Kentucky was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made Findings of Fact recommending approval, with Conditions, for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky.

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

SECTION I

That the request for a Change of Concept Development Plan for the real estate which is more particularly described below shall be and is hereby recommended for approval, with Conditions, in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky. The real estate which is the subject of this request for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district is more particularly described in DEED BOOKS/PAGE NOS: 418/152 and 1127/470 (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 of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky, 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 Committee recommended approval, with Conditions, for this request 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 a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

PASSED AND APPROVED ON THIS 20TH DAY OF AUGUST, 2025.

APPROVED:


CHARLIE ROLFSEN
CHAIRMAN

ATTEST:


TREVA L. BEAGLE
MANAGER, ADMINISTRATIVE SERVICES

CR/tlb

EXHIBIT

“A”

STAFF REPORT

#3

Request of **CESO Inc. (applicant)** for **The Deters Company (owner)** and **Vuong Xuan Nguyen (Owner)** for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky. The request is to demolish the existing gas station, convenience store, and restaurant and construct a 6,372 square foot convenience store with gasoline pumps.

July 2, 2024

REQUEST

- A. The submitted request is for a Change in an Approved Concept Development Plan for an approximate 3.8 acre area located at the northeast corner of the intersection of US 42 with Hopeful Church Road. The proposal is to demolish the existing gas station, convenience store, and restaurant and construct a 6,372 square foot convenience store with gasoline pumps.

SITE HISTORY

- 1985 On April 23, 1985, Florence City Council adopted Ordinance Numbers O-12-85, changing the zoning of the site in question from SR-2 and C-2 to C-2/PD and O-13-85, approving a Concept Development Plan for the site in question (R-85-011-A and R-85-012-A).
- 1988 In January 1989, Florence Ordinance Number O-36-88 became effective, approving a Change of Concept Development Plan for the site in question, allowing for the development of a convenient store, fuel pumps, a self-service car wash, and a retail/office building, subject to the following conditions: (1) the development be limited to one access point on Hopeful Road, located along the north property line; (2) access to be provided to the adjoining property to the north at such time it is developed, as indicated on the Concept Development Plan; and (3) the building be constructed using the same materials and in the same architectural style for all four sides (R-53-88).
- 2008 On July 9, 2008, the Florence Board of Adjustment approved a Conditional Use Permit to allow electronic (LED) signage on the BP/Blue Pantry free-standing sign, subject to the following conditions: (1) electronic messages must be displayed on the board for at least 5 seconds and the messages cannot flash, scroll, or run. The gasoline fuel price should only be changed once or twice a day; (2) the electronic copy can only advertise regular fuel prices; (3) the electronic copy color is limited to red; and (4) the size of the sign shall be as presented (FBOA-08-006).
- 2008 On October 8, 2008, the Florence Board of Adjustment approved a Conditional Use Permit to change the color of an electronically changeable fuel price panel on a free-standing sign from red to green, subject to the following conditions: (1) electronic messages must be displayed on the board for at least 5 seconds and the messages cannot flash, scroll, or run. The gasoline fuel price should only be changed once or twice a day; (2) the electronic copy can only advertise regular

fuel prices; (3) the size of the sign shall be as presented; (4) The electronic copy color shall be limited to one color – either red or green; (5) A photocell shall be provided in the sign and the fuel price shall dim as the sky gets darker; and (6) The applicant is to work with staff to ensure that the sign is not abnormally bright (FBOA-08-011).

APPLICABLE REGULATIONS

- A. Section 311 of the Boone County Zoning Regulations states that major amendments to the terms of an approved Zoning Map Amendment, including a Concept Development Plan, that involve substantial or significant changes in the development concept, uses, intensity, supplemental conditions of approval, or other plan elements of substantive effect must be submitted to the Planning Commission and shall conform to the procedure and as it was originally approved.
- B. Section 1002.A of the Boone County Zoning Regulations states that the purpose of the Commercial Two district is to provide comparable shopping goods, personal and professional services, and some convenience goods required for normal living needs as well as major purchase opportunities. Districts will be located on suitable lands primarily central to regional trade areas and to some extent the community as a whole and such districts have access from expressways or arterial roads. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.
- C. Section 1500.A of the Boone County Zoning Regulations states that the PD District establishes a permissive, flexible and alternative zoning district and procedure for innovative, mixed use residential, commercial, industrial or other type developments or physical design proposals capable of providing substantial benefit to the community over the conventional districts and standards in these regulations, but requiring unique consideration, disposition, control and approval. Planned Development (PD) is a special overlay zoning district, which allows various types of land uses and densities in return for appropriate, flexible, creative and high quality designs consistent with the standards and criteria of this article, including the adopted Comprehensive Plan. Its purpose is to allow development of the land uses on property identified as requiring an extra layer of review or regulation. It enables development of property consistent and coordinated with infrastructure and other appropriate land use factors based upon a proper review.
- D. Section 1506 of the Boone County Zoning Regulations provides for the following planned development criteria:
 - 1. Mixed Use Development and Pedestrian Orientation: Planned Developments shall generally have a mixed use orientation (combination of differing types of residential, commercial, public or civic, and/or industrial uses)

both within the development itself and relative to the relationship between the proposed planned development and adjacent sites. The additional intensity allowed in a Planned Development by Section 1501 shall only be permitted when a true mixed use and/or an amenity - oriented development with community and recreation facilities as described in this standard is provided.

2. In general, Planned Developments shall have a pedestrian orientation, where it is possible to live, work, shop, and play in the same immediate vicinity without a required dependence on the automobile. This may be accomplished through the use of comprehensive pedestrian circulation networks including multipurpose paths and walks along main routes and open spaces such as stream corridors, between major destinations within the development and adjoining areas, secondary walk connections to the multi-purpose paths, the creation of a designed pedestrian environment including street trees in addition to other required landscaping, decorative street lights and other street furniture, and seating areas, and the use of integral curb walks where appropriate along streets. Disruptions in major paths due to street and drive intersections shall be minimal. Additionally in commercial areas, pedestrian orientation can be accomplished by placing buildings in close proximity to the street with parking areas to the side and rear of buildings, mixing uses within the same multi-story buildings, building entrances directly facing streets with reduced setbacks, architectural design which employs display windows, projecting signs, and awnings at street level, and designed outdoor seating and gathering spaces at the street level. Each development proposal must demonstrate in detail how the project will be made walkable throughout.
3. Compatibility of Uses: Measures shall be taken to assure compatibility of land uses within a Planned Development itself and adjacent sites. Such measures may include the provisions of buffer zones, common open space areas and landscape features, transitional land uses, or a mixed-use development in which no specific type of land use is dominate. When applicable, the design methods recommended in the "Development Layout, Lot Sizes, and Setbacks" section of the Comprehensive Plan's Land Use Element shall be employed. Compatibility measures/mitigation measures shall exceed the usual minimum standards of these regulations when needed to address impacts of the proposed development.
4. Open Space: Useable open space(s), in an amount over and above setback and buffer yard areas and open areas required by the underlying district, shall be provided. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space. The use of single loaded streets to provide multi-purpose paths, park areas, or to protect stream corridors, may be proposed for this purpose. Open Space areas are encouraged to have street frontage and visibility. Any site proposed to be publicly dedicated or donated for park or open space purposes shall comply with the appropriate legislative body's requirements for acceptance of such dedications or donations.
5. Multi-Modal Transportation System: Planned Developments shall

incorporate multi-modal transportation elements through the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, carpooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, etc. Multi-modal facilities are encouraged to be combined with the pedestrian systems and open spaces described in Sections 1 and 4. Multi-modal facilities should connect to existing and future facilities that lie outside of the site.

6. **Preservation of Existing Site Features:** Existing topography, significant tree cover, tree lines along property lines, cemeteries, and water courses and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article. The retention of such features may also fulfill portions of the requirements in Section 4 "Open Space" and Section 7 "Landscaping."
7. **Landscaping:** Substantial landscaping shall be provided in a Planned Development with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site. The use of landscape design guidelines is required for multi-phased projects. The retention of existing healthy, substantial trees should occur wherever possible. Properly designed street tree plantings may be permitted to fulfill some landscaping requirements as part of an overall amenity package.
8. **Architecture:** Sites which are subject to architectural requirements through adopted overlay districts or land use studies shall follow said requirements. For all other sites, a consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it. Traditional styles such as Georgian, Federal, I-House, Cape Cod, Craftsman, Tudor, Queen Anne, Italianate, early 20th century commercial structures, and local farm structures may be used as models. Contemporary or transitional styles of comparable quality may also be considered. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic.
9. For attached or multi-family residential developments and commercial or office developments, the predominant building materials shall have a solid appearance, such as could be achieved with brick, stone, and architectural grade cast 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. Long building facades and roof planes shall be interrupted through the use of three dimensional jogs in the building footprint and secondary roof forms such as hips, dormers, and gables. Such buildings shall include architectural detailing for cosmetic enhancement, largely use natural colors, and use a consistent design treatment on all facades. The use of architectural guidelines or building prototypes is required for all multi-phased projects.

Developments should be mixed-use in character with multi-level buildings where commercial services are proposed. Walkability must be planned for when locating commercial and residential uses in proximity to each other. Office and residential uses are strongly advocated above commercial uses in business districts to decrease dependence on the automobile.

10. Historic and Prehistoric Features: Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
11. Signage: A consistent signage theme shall be provided within a Planned Development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects.
12. Transportation Connections and Entry Points: The provision of transportation connections (street connections, pedestrian paths, multi-purpose trails, sidewalks, and bicycle facilities) shall be provided in all planned development unless physically unfeasible or unsafe. This shall include connections to adjoining properties and developments, and inter-connectivity within the development itself, and contain minimal use of cul-de-sacs or other dead-end types of streets only when necessary. Transportation connections shall account for the County's adopted Transportation Plan and any adopted bikeway and/or pedestrian plans. In addition, the various entry points (streets, paths, etc.) into a Planned Development shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc. Any structures used to demarcate entry points shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors.
13. Conformance with Comprehensive Plan: All Planned Developments shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations of existing or planned infrastructure.
14. Further, Concept Development Plan proposals within areas that are subject to a specific land use or corridor study shall be evaluated against the criteria or requirements of such study as well as the criteria in this section.
15. A Planned Development and its uses, buildings or structures shall be minimally subject to the supplemental performance and development standards of this order, unless superseded by any special requirements, conditions, variances or other particulars imposed by the Planning Commission during the concept or preliminary application and hearing phases described in this article. Such special conditions may include provisions governing, common open space, lands or facilities, disposition of open land, infrastructure provisions including any physical design and/or any other requirement found to be necessary, appropriate or desirable for the purposes of this district.

- E. Section 1509 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 district. If the Concept Development Plan involves a zone change, then the proposal is subject to the criteria 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 district (formerly called a "Utilization of an Underlying District 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.

SITE CHARACTERISTICS

- A. The approximate 3.8 acre area is located at the northeast corner of the intersection of US 42 with Hopeful Church Road.
- B. The site is comprised of two separate lots, one having an area of 1.2 acres and the other having an area of 2.6 acres.
- C. The lot that is located immediately at the corner is owned by KYTC.
- D. The site has approximately 210 feet of frontage along US 42 and approximately 420 feet of frontage along Hopeful Church Road.
- E. The southern portion of the site is currently occupied by an approximate 7,000 square foot commercial building, four (4) gasoline pumps, and a self-service car wash.
- F. The northern portion of the site is currently vacant with an existing tree line along portions of the north and south property lines.
- G. Existing trees are located along the Hopeful Church Road frontage.
- H. Topographically, the site slopes downward, south to north, at an average grade of four (4) percent. Areas immediately adjacent to the north and east property lines slope downward at an average grade of ten (10) to twenty (20) percent.

ADJACENT LAND USES AND ZONES

North:	Detached single-family residential dwellings (SR-2)
South:	Burger King and a retail strip center (C-2/PD)
East:	Detached single-family residential dwellings (SR-2) and a commercial structure (C-2/PD)
West:	Detached single-family residential dwellings (R-1F) and a retail strip center (C-2/PD)

RELATIONSHIP TO COMPREHENSIVE PLAN

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the southern portion of the site for "Commercial" uses and the northern portion of the site as "Suburban Density Residential". These designations are described as follows:
1. Suburban Density Residential - Single family housing of up to four units per acre.
 2. Commercial – Retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.
- B. US 42 is a state maintained arterial street providing for two way traffic within six driving lanes, two (2) eastbound through lanes, an eastbound left-turn lane, two (2) westbound through lanes, and a westbound right-turn only lane. Hopeful Church Road is a state maintained arterial street providing for two way traffic within four traffic lanes, one northbound through lane, a center left turn lane, a southbound through lane, and a southbound right-turn only lane. Sidewalks are provided on both sides of both roadways. The intersection of US 42 with Hopeful Church Road prohibits left-turn movements.
- C. The following are excerpts from Our Boone County Plan 2040:
1. 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. Open Space and Cluster subdivision designs should be considered to blend new subdivisions in with areas that have a rural character (Land Use, Future Land Use Development Guidelines, Utilization of Existing Vegetation and Topography, pages 95).
 2. 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).

3. 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).
4. Hopeful Church Road should continue to serve as a residential corridor. Some small scale neighborhood commercial services may be appropriate at a strategic location in the corridor. It should be scaled to serve the Hopeful Church Road and Cayton Road areas, designed with a residential-compatible look to the buildings and site, and without freestanding signage. Access management is important to avoid turning movement conflicts on Hopeful Church Road, and some road improvements may be necessary to support this development (Land Use, Description and Purpose of Land Use Maps, Future Land Use Geographic Areas, Conclusions and Recommendations, 13 Pleasant Valley, page 123).

EXISTING APPROVED CONCEPT DEVELOPMENT PLAN

- A. The existing approved Concept Development Plan shows the following:
 1. The southern portion of the site is to be developed with a convenience store/retail sales building, fuel pumps, and a car wash.
 2. The northern portion of the site is to be developed with an approximate 13,200 square foot commercial building.
 3. Access to the site is to be provided from a single curb cut onto US 42 and two (2) curb cuts onto Hopeful Church Road.

STAFF COMMENTS

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

1. Construction of a 6,372 square foot WaWa convenience store.
2. Installation of ten (10) fuel pump islands.
3. Construction of a 7,150 square foot fuel canopy.
4. Provision for a right-turn-in/right-turn-out access point onto US 42.
5. Provision for a full access point onto Hopeful Church Road.
6. Construction of a retaining wall along a portion of the east side of the development.
7. Provision for stormwater retention/detention.
8. Provision for landscape buffers.
9. Provision for signage.

B. Staff has reviewed the submitted Concept Development Plans against the Boone County Zoning Regulations and offers the following comments (some of these requirements can be adjusted by the Planning Commission and Florence City Council pursuant to the Planned Development (PD) regulations):

1. Section 3151.D states that trash enclosures shall be constructed with the same material(s) as the principal structure and if the principal structure is constructed of EIFS, then the enclosure shall be constructed with brick, stone, textured architectural grade block, or vinyl privacy fencing.

The submitted plans indicate that the principal structure will be constructed with the following materials: brick (33%), EIFS (24%), Siding (36%), and Tile (7%).

The submitted plan indicates that the proposed trash enclosure will be constructed with a white PVC fence.

2. Section 3155.A.9 requires a specific number of stacking spaces for a drive through eating/drinking establishment.

The submitted plan appears to have a drive through lane on the west side of the building.

The submitted plan does not indicate the required number of stacking spaces.

3. Section 3155.A.10 requires a gasoline filling station to have a minimum of two (2) stacking spaces per fuel island.

The submitted plan does not indicate the required number of stacking spaces.

4. Section 3199.B.1 states that all buildings shall be designed to have a pedestrian focus through the use of awnings, canopies, storefront windows. Oversized doorways, etc.

The submitted plan provides for the gasoline canopy immediately at the corner, contrary to the regulation.

5. Section 3199.B.2 states that new construction of buildings or building additions may be either traditional in their architectural character or a contemporary expression of historically traditional styles and forms, thus

expression of historically traditional styles and forms, thus respecting building scale, proportion, character, and materials. The use of special architectural elements such as, but not limited to towers, turrets, and corner cut-offs are to be used at major street corners to accent structures.

The submitted plan provides for a building that will be in a different architectural style than that found in the vicinity of the site.

6. Section 3199.B.4 states that the front elevation of commercial and office buildings shall provide a minimum of sixty (60) percent and a maximum of eighty-five (85) percent window transparency. The front building elevation and those facing a public road shall include windows.

The submitted plan indicates that the front building elevation will have a twenty-three (23) percent window transparency.

7. Section 3199.B.6 states that awnings may be constructed from heavy canvas, matte finish vinyl, or fabric.

The submitted plan indicates that the proposed awnings will be constructed of metal.

8. Section 3408.1 provides regulations for building mounted signs. The following table provides a comparison between what is allowed and what is being proposed:

	Front (south) Elevation		Rear (north) Elevation		Right (east) Elevation		Left (west) Elevation	
	Number of Signs	Maximum Sign Area	Number of Signs	Maximum Sign Area	Number of Signs	Maximum Sign Area	Number of Signs	Maximum Sign Area
Allowed	1	182 sq. ft.	1	91 sq. ft.	0	0	1	68 sq. ft.
Proposed	1	229 sq. ft.	1	93 sq. ft.	1	94 sq. ft.	1	56 sq. ft.

9. Section 3408.2 states that signage on canopies may not extend above or below the fascia of the canopy.

The submitted plan indicates signage under the gas canopy, mounted to the vertical support structures.

10. Section 3408.4 provides regulations for drive-through menu board signs.

Insufficient information has been submitted to determine compliance with these regulations.

11. Section 3408.6.A.3.a provides regulations for free standing signs.

Insufficient information has been submitted to determine compliance with these regulations.

12. Article 36 provides for landscaping regulations.

Insufficient information has been submitted to determine compliance with these regulations.

- C. Staff sent out an Agency Memo to the Boone County Planning Commission Planning Division, City of Florence, Florence Fire Department, and KYTC.

1. Bridget Striker, Boone County Planning Commission Planning Division, replied that she did not have any comments.
2. The City of Florence replied with the following comments:

- a. Pedestrian Orientation

- (1) A sidewalk connection is recommended between the convenience store and sidewalks on Hopeful Church Road.

- b. Compatibility of Uses

- (1) Can the applicant address if this store will be open 24 hours a day?
- (2) Coded Note 1 – When will the dumpster be serviced? It's located close to adjoining single-family residential homes.
- (3) Code Note 12 – Can any specifications be provided for the future EV charging equipment or enclosures? The area is close to adjoining single-family residential homes.

- (4) Lighting Plans

- (a) Some readings at property lines exceed 1.0 foot candle. This doesn't comply with code.
- (b) We recommend a condition which would prohibit any light pole fixture from being oriented towards adjoining single-family residential property lines.
- (c) We recommend a condition which would limit light pole heights to 20'.
- (d) The readings underneath the gasoline canopy seem excessive (up to 79 foot candles). Is this much lighting necessary?

- c. Landscaping

- (1) We have not reviewed the landscaping plan in detail. We would recommend a condition that requires the number of plantings in the perimeter buffers and V.U.A. landscaping islands to comply with code.
- (2) Coded Note 13 - The chainlink fence in the rear buffer yard does not comply with code. It should be upgraded to privacy fencing and be located closer to the proposed parking lot (with trees and shrubs on both sides). A fence location closer to the parking lot would help mitigate potential visual, sound, and headlight impacts from the development.
- (3) Please have the applicant confirm if the existing vegetation along the northern property line will be preserved. While the grading plan doesn't show disturbance in this area, the landscaping plan shows all new trees and shrubs. The City would prefer the vegetation

near the property line be preserved as much as possible and supplemental landscaping be added.

d. Architecture

- (1) Can the applicant provide a sample board or pictures showing the building and retaining wall materials? We would like to review the materials in more detail so we can verify if Sections 1506 and 3199 of the Zoning Regulations are met.
- (2) The sides and rear of the dumpster enclosure should be upgraded with brick which matches the building to comply with code.
- (3) Would any roof mounted mechanical units be visible? The elevations seem to indicate they will all be screened.

e. Signage

- (1) We request specifications be provided so the sign package and exceptions can be analyzed.
- (2) Coded Note 14 shows two freestanding signs are proposed. Our initial thought is the Hopeful Church Road freestanding sign should be limited to a small monument sign if a second freestanding sign is approved.

f. Transportation Connections and Entry Points

- (1) Has a T.I.S. been submitted? If so, we would like to receive a copy so it can be reviewed by the City Engineer.
- (2) The turning movement exhibits show tanker trucks could obstruct the US 42 access point and cause safety issues when they are turning out of the development.
- (3) Can sight distance profiles be provided for the Hopeful Church Road access point?

g. Other Comments

- (1) Does the store have any indoor seating? If so, should it be applied towards the parking requirements?
- (2) Please have the applicant explain the pick-up window? Is it used for website orders only?
- (3) Are CO2 tanks stored inside or outside? They should be in a proper enclosure if they are stored outside.
- (4) The applicant should take a closer look at the stormwater management portion of the site and make sure that maintenance equipment has proper room to access this area.

3. Linzy Brefeld, KYTC, replied that the applicant needs to apply for a KYTC encroachment permit.

STAFF CONCERNS

- A. The following list provides a summary of those requirements that are being requested to be waived/altered using the PD district regulations:

1. Allow the trash enclosure to be constructed with materials that are not part of the principal structure.
2. Allow a reduction in the number of stacking spaces for a drive through window.
3. Allow a reduction in the number of stacking spaces for a gasoline fueling station.

4. Allow deviations from the Section 3199 design standards for business districts.
 5. Allow signage that is not allowed in the underlying zoning district.
- B. Every effort should be made to retain the existing vegetation along the north property line, adjacent to the single-family residential homes and the existing trees along the Hopeful Church Road frontage.

CONCLUSION

- A. The request for change of concept development plan needs to be evaluated by the Boone County Planning Commission and Florence City Council in terms of Articles 3 and 15 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

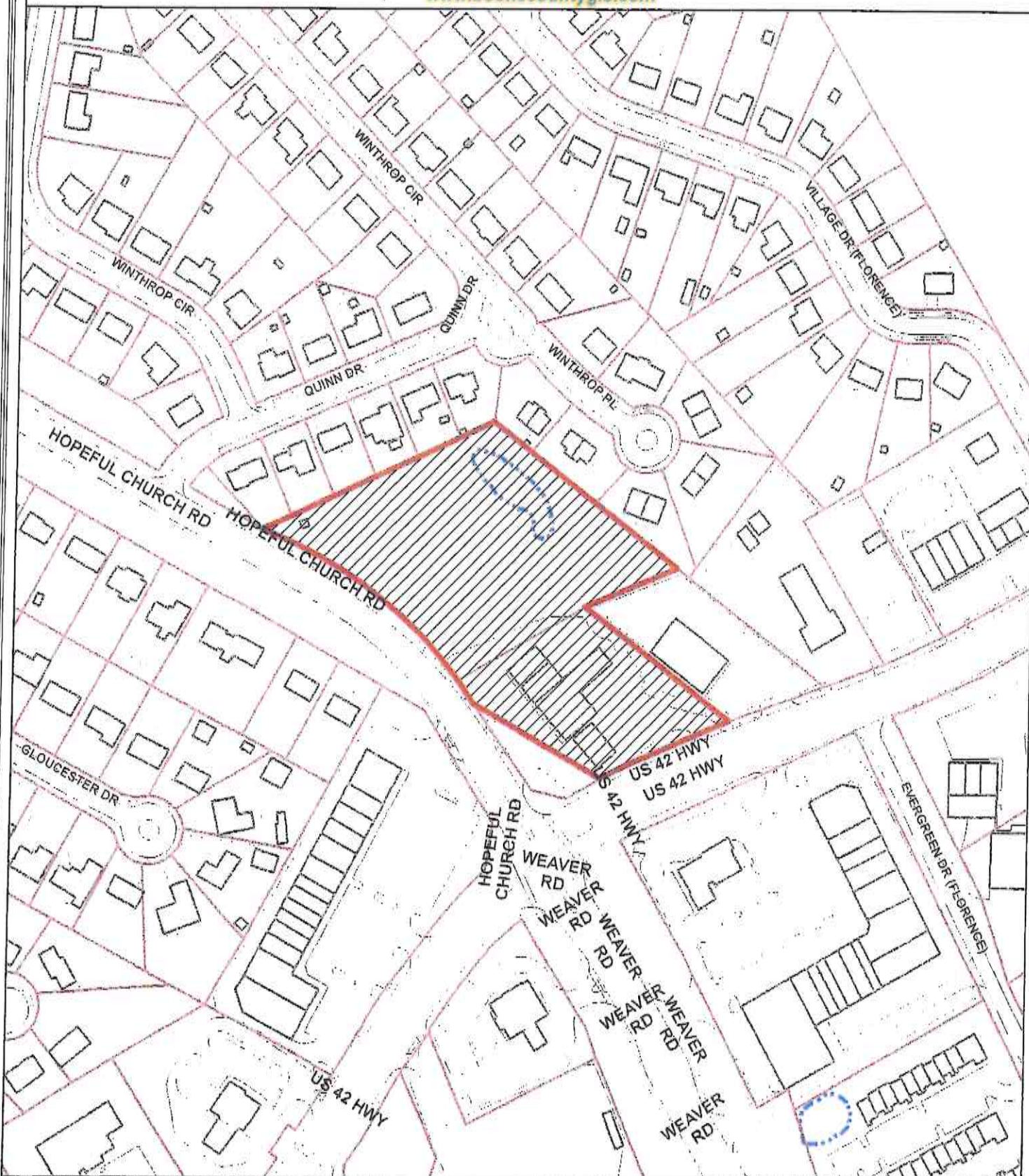
MDS/ss

Attachments:

- *Vicinity Map
- *Aerial Map
- *Topographic Map
- *Zoning Map
- *2040 Future Land Use Map
- *Original Concept Development Plan – R-85-011-A
- *Existing Approved Concept Development Plan – R-53-88
- *Application
- *Concept Development Plan

Vicinity Map

www.boonecountygis.com



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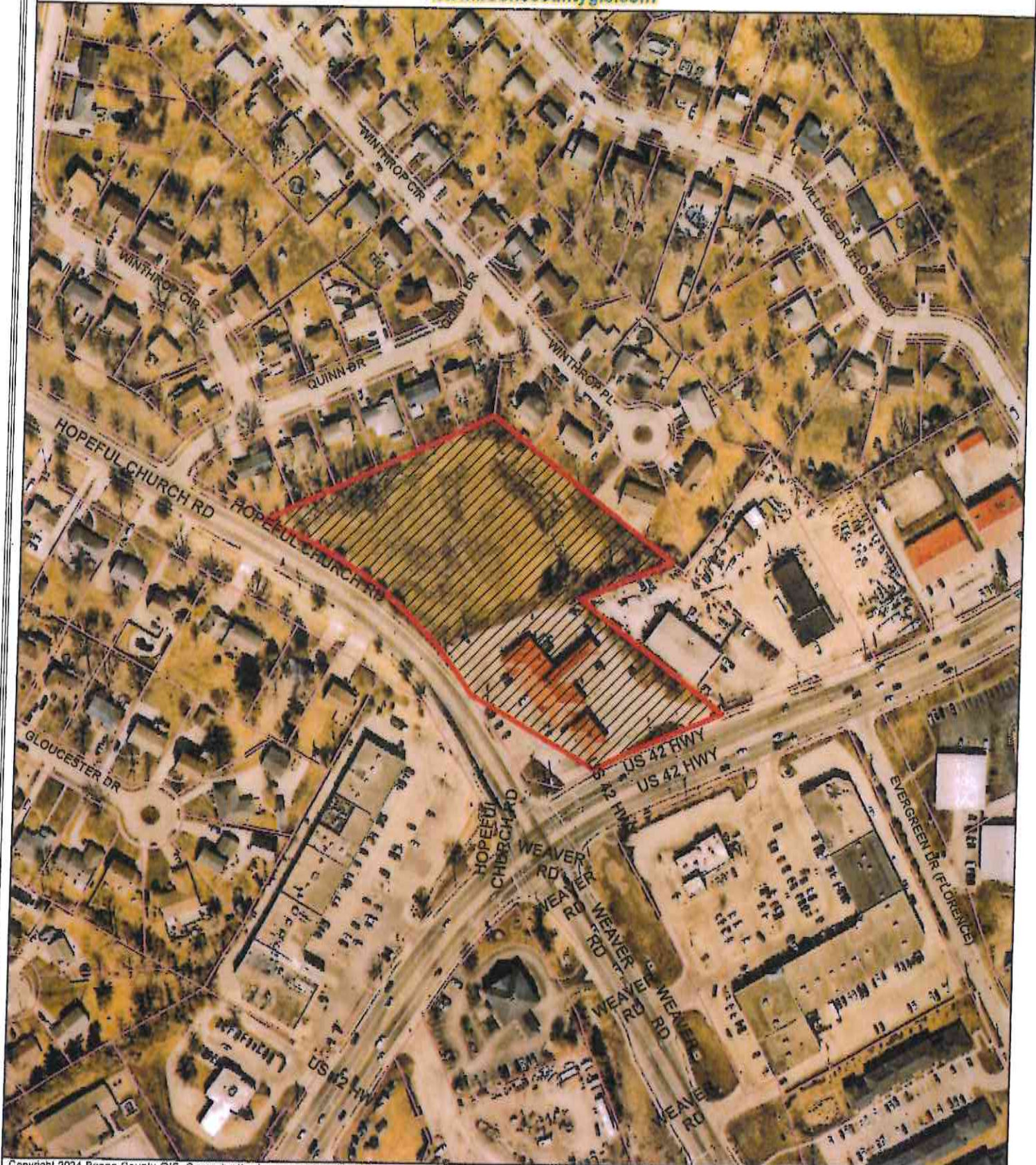


Boone County GIS - Putting Northern Kentucky on the Map

Map Document - .mxd

Aerial Map

www.boonecountygis.com



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0 100 200 400 600 800 Feet
1 inch = 200 feet

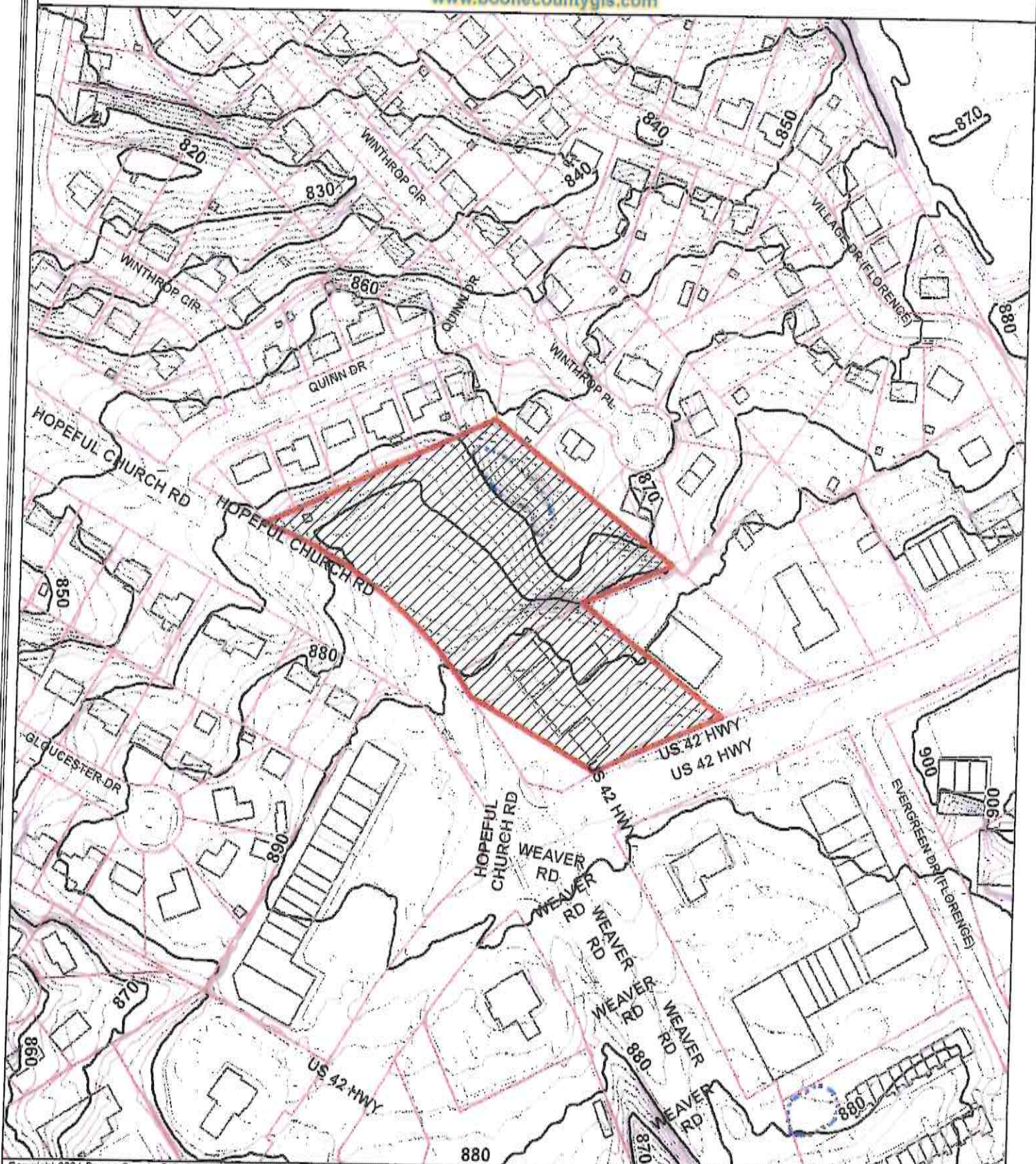


Boone County GIS - Putting Northern Kentucky on the Map

Boone County GIS - Putting Northern Kentucky on the Map
ArcMap Document (*.map)

Topographic Map

www.boonecountygis.com



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0 100 200 400 600 800 Feet
1 inch = 200 feet

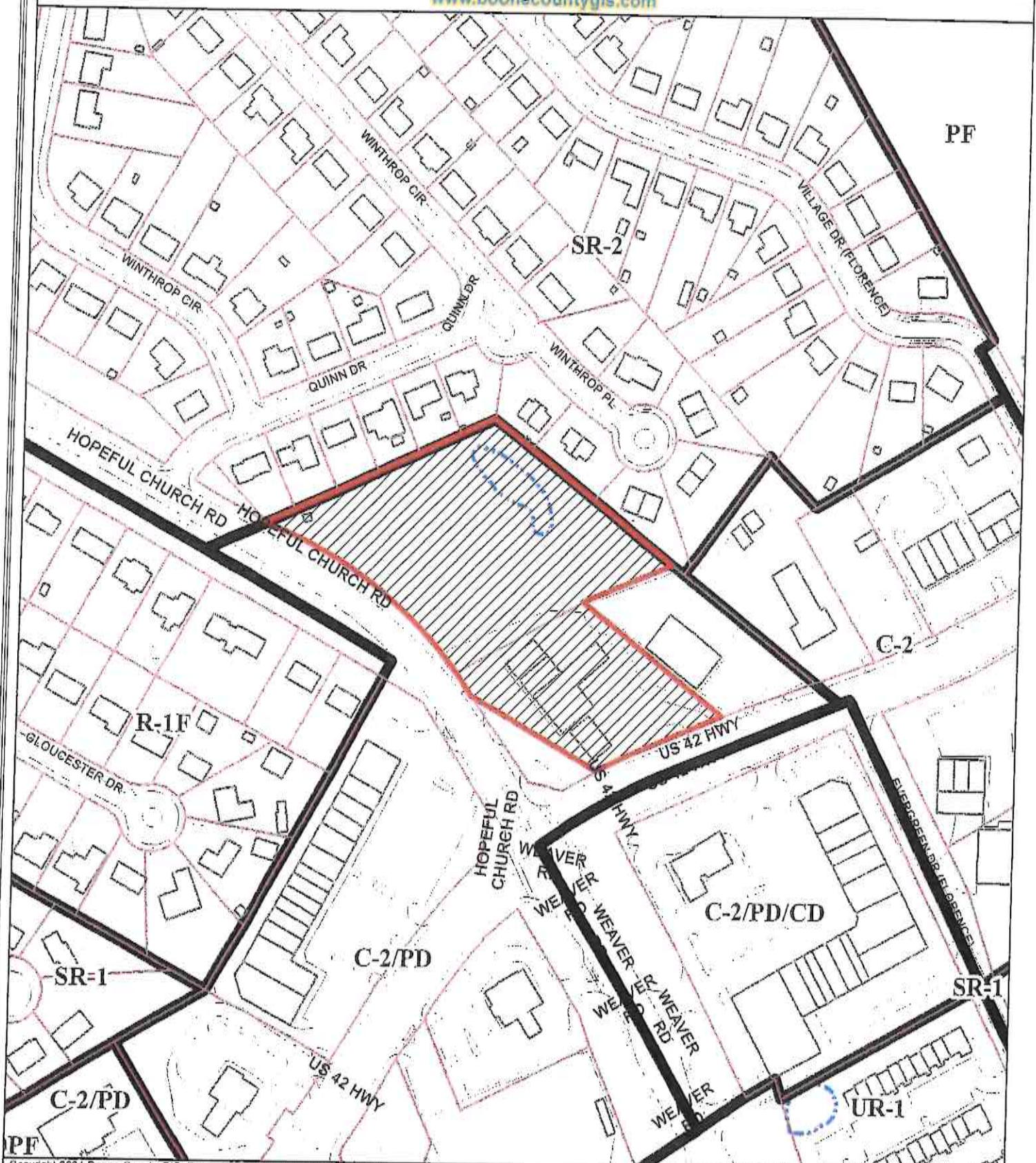
Boone County GIS - Putting Northern Kentucky on the Map



Boone County GIS
ArcMap Documents: "mxd"

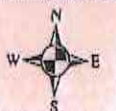
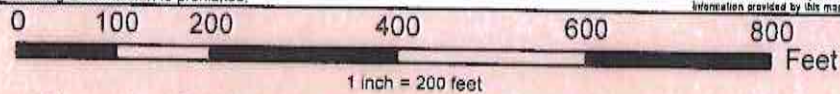
Zoning Map

www.boonecountygis.com



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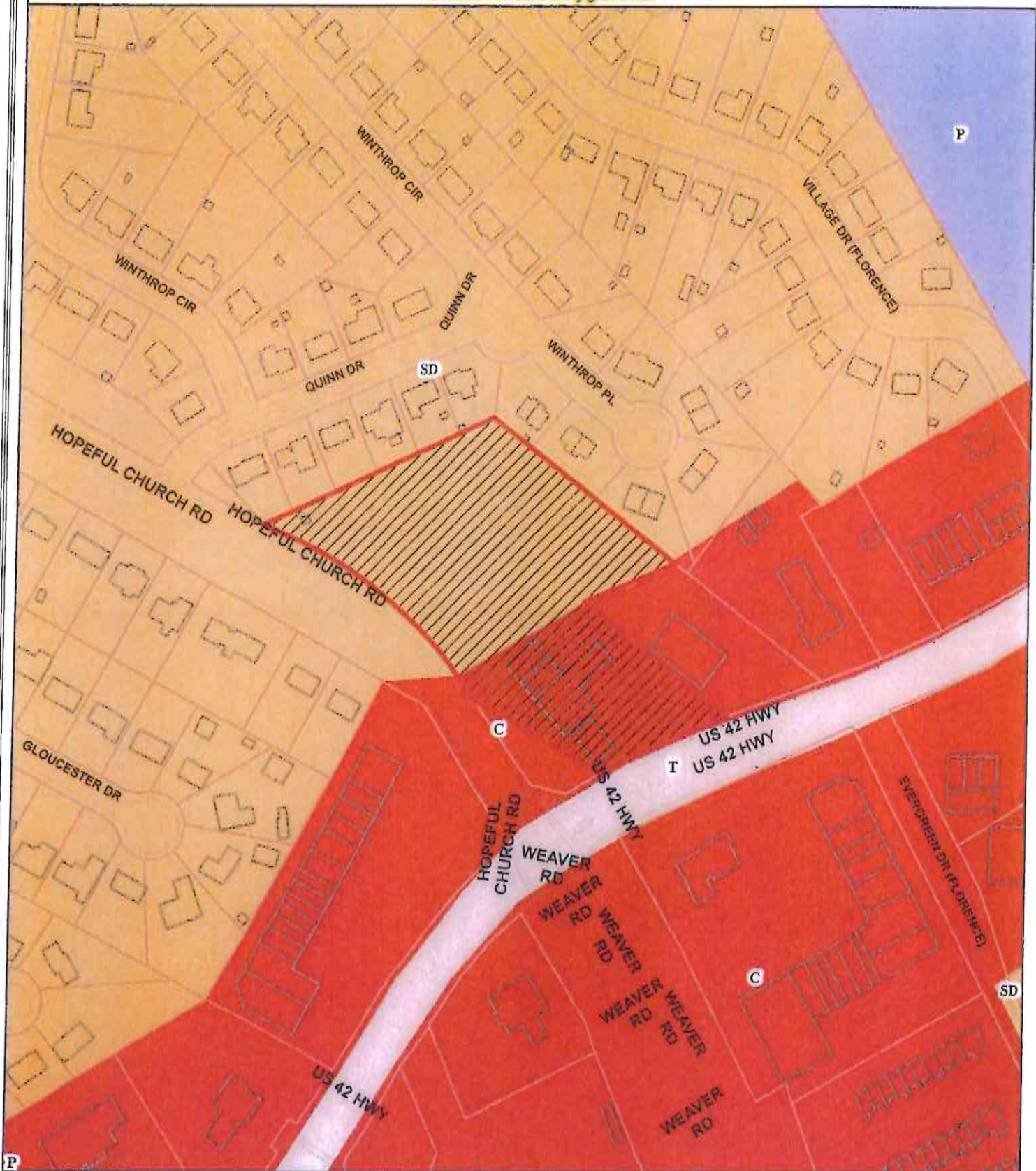


Boone County GIS - Putting Northern Kentucky on the Map

Printed on 11x17 inch paper
ArcMap Document (*.mxd)

2040 Future Land Use Map

www.boonecountygis.com



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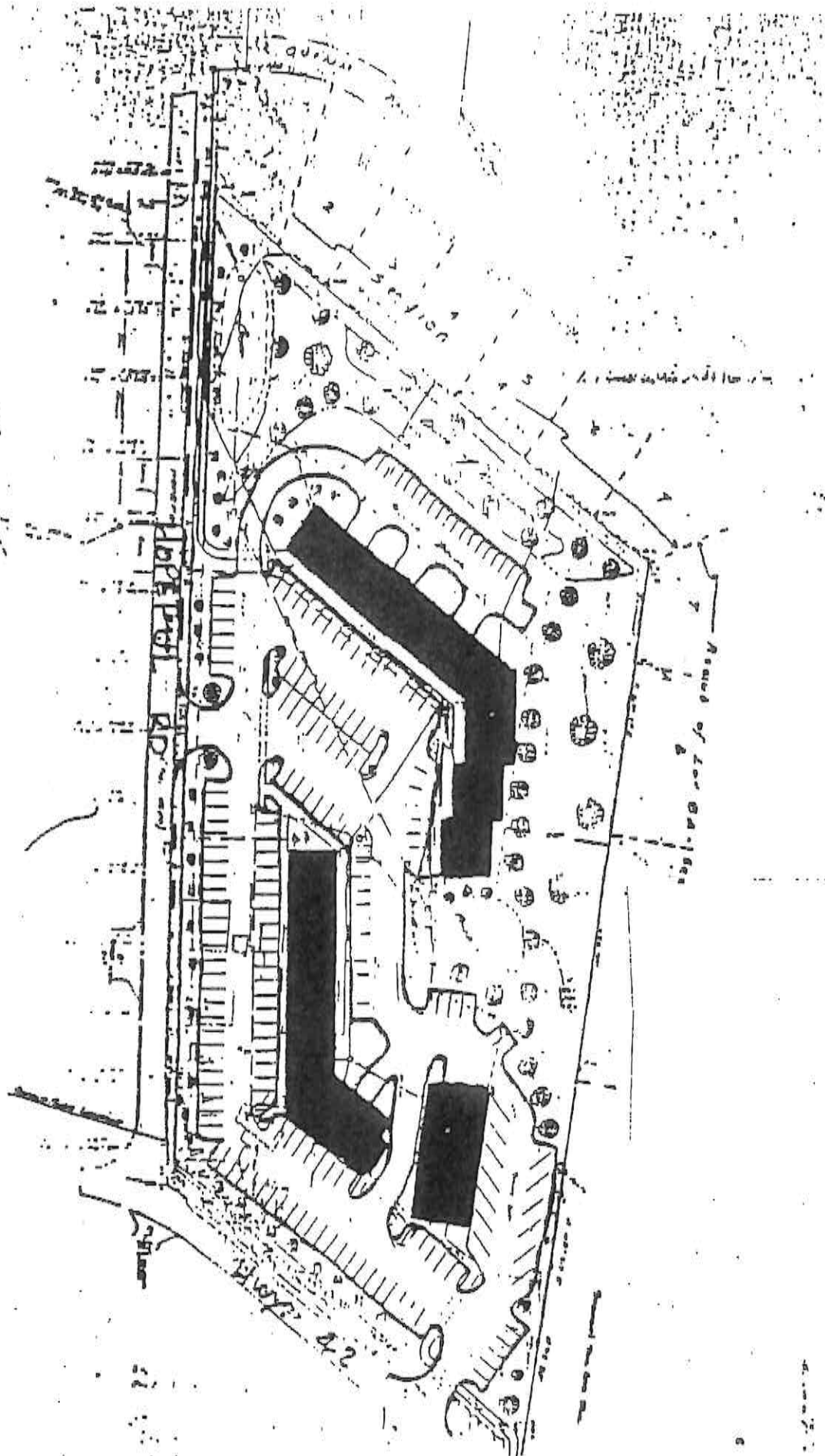


0 100 200 400 600 800 Feet
1 inch = 200 feet

Boone County GIS - Putting Northern Kentucky on the Map



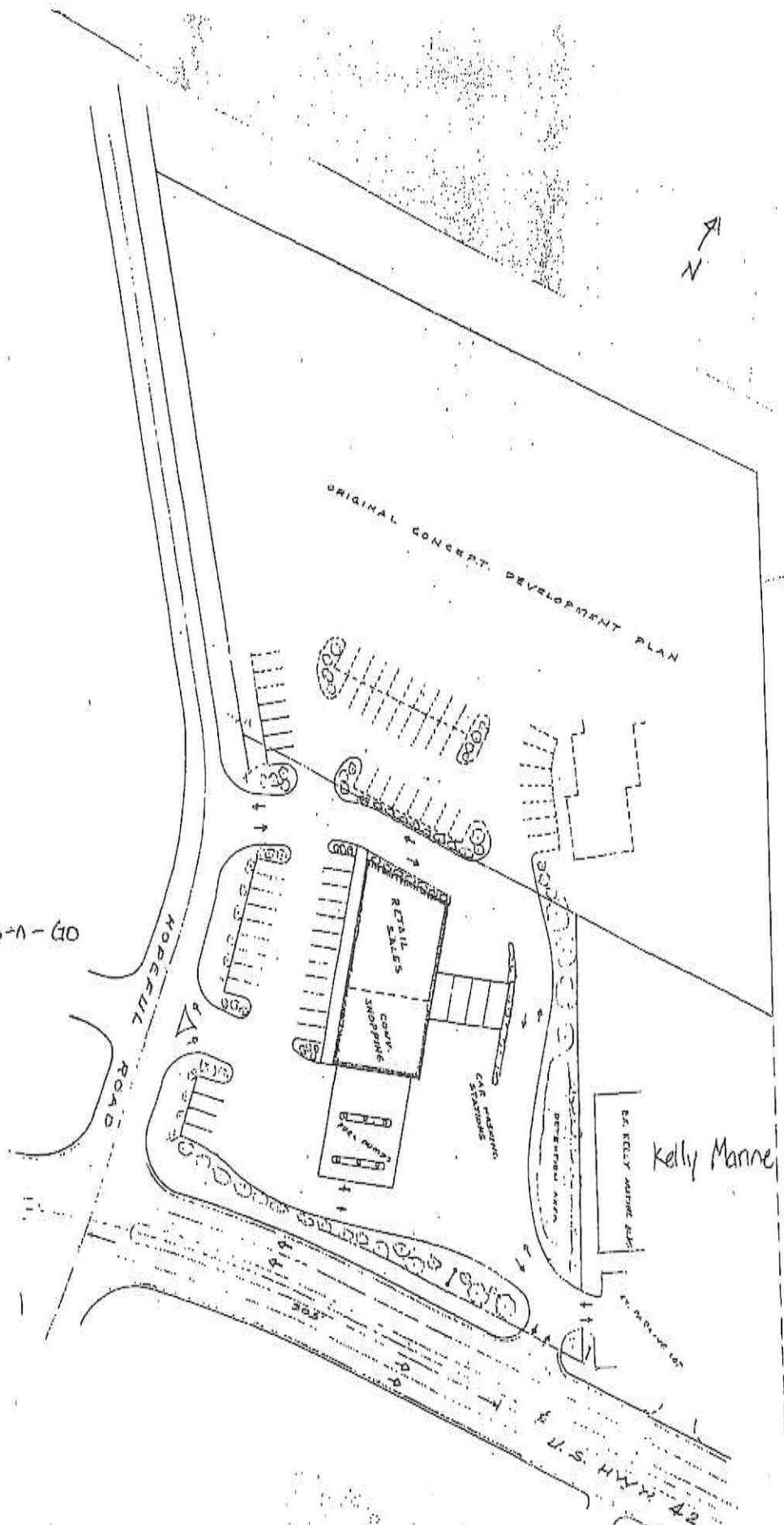
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Original Concept Development Plan

R-85-011-A

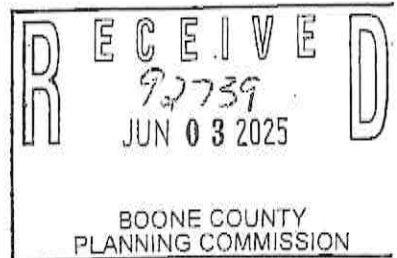
Step-A-60



Existing Approved Concept Development Plan

R-53-88

**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: Wawa Convenience Store and Fuel Station
3. Location of Project: 8450 US 42, Florence KY
4. Total Acreage of Project: 3.82
5. Current Zoning of Property: PD/C-2
6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable): _____
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):
Proposed improvements include a 5,915 sf C-Store with 8 auto fueling pumps, dumpster enclosure, and associated parking, pavements, landscaping, and utilities to support the site.
9. Proposed Building Intensities (specify for each building):
Proposed improvements include a 5,915 sf C-Store with 8 auto fueling pumps, dumpster enclosure, and associated parking, pavements, landscaping, and utilities to support the site.
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: The Deters Company
Address: 6111 Burgundy Hill Drive
Burlington KY 41005
City State Zip Code
Phone Number: _____ Fax Number: _____
Email: _____
13. Applicant: CESO Inc.

Address: 3601 Rigby Road, Suite 300
Miamisburg OH 45342
City State Zip Code
Phone Number: 209.480.5348 Fax Number: n/a
Email: boyd@cesoinc.com

14. Are there any existing buildings on the site: ☒ Yes ☐ No
If yes, indicate how many: One building with multiple tenants
15. 418 & 1127 152 & 470 2040A
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.

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

Property Owner's Signature:

James Dot, Pres.

Applicant's Signature:

EVR

For Parcel 062.00-00-039.00

Property Owner:

12. Current Owner: NGUYEN VUONG XUAN
Address: 11955 Decker Ln
Walton KY 41094
City State Zip Code
Phone Number: 859-240-7692 Fax Number: _____
Email: Bdandrea71@gmail.com

Deed Information:

15. 1127 470 2040A
Deed Book Page Number Group Number

Waiver:

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 _____

Property Owner's Signature:

 5/31/25

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

1. Date Received: 6/3/25 Fee Received: \$2392.40 Receipt #: 92739
2. Number of Copies Received: _____
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

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196
plancom@boonecountky.org
www.boonecountky.org

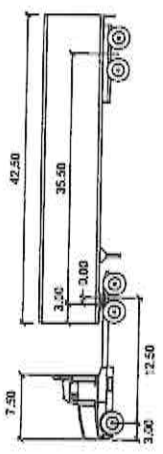
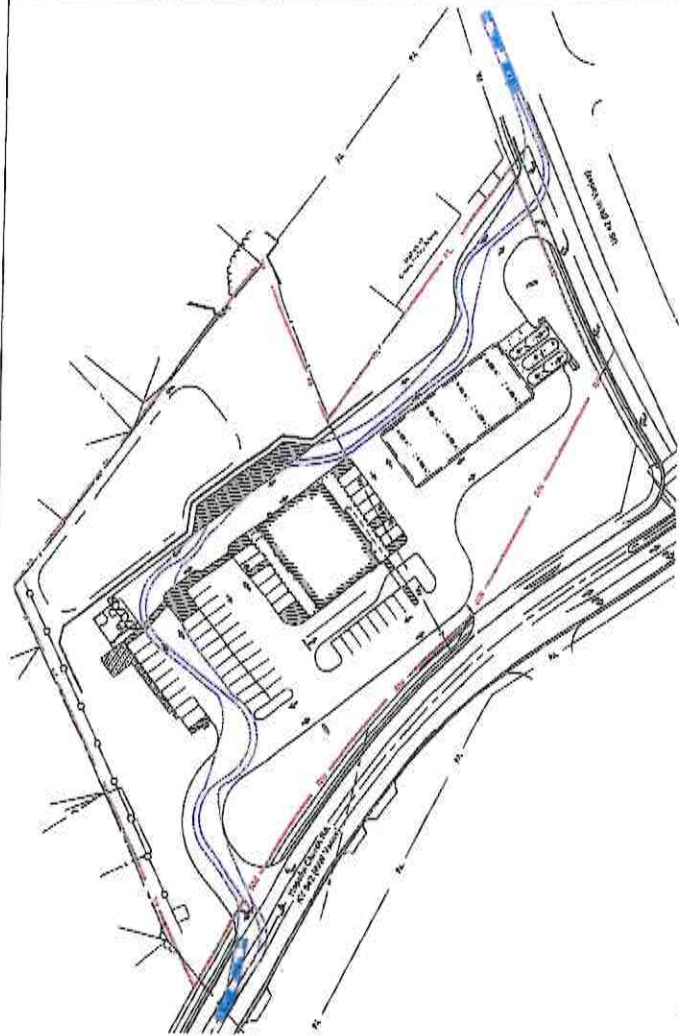


WAWA
STORE #
FLORENCE, KY
40302 US-42
FLORENCE, KY 41003

Address Number
No. Description
Date

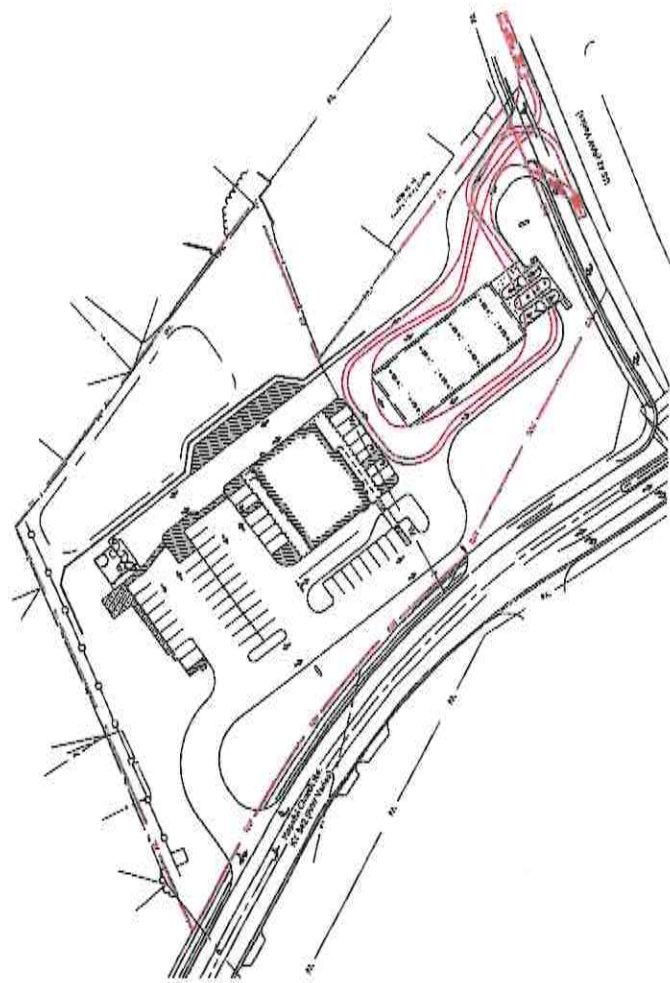
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Series	11-100
Checked By	JTP
Date	10/1/00
Scale	2500000
Notes	NOT FOR CONSTRUCTION

CIRCULATION PLAN



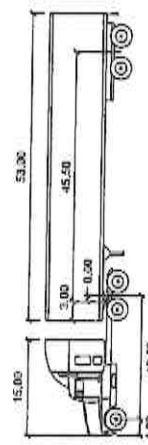
WB-50

Tractor Width	: 8.00	Lock to Lock Time	: 6.3
Tractor Width	: 17.7	Swinging Angle	: 17.7
Tractor Track	: 8.80	Articulating Angle	: 73.0
Tractor Track	: 8.50		



VEHICLE CIRCULATION (WB-50 FUEL TRUCK)
SCALE 1" = 50'

VEHICLE CIRCULATION (WB-67)
SCALE 1" = 50'



WB-67

Tractor Width	: 8.00	Lock to Lock Time	: 5.0
Tractor Width	: 28.4	Swinging Angle	: 28.4
Tractor Track	: 8.50	Articulating Angle	: 75.0
Tractor Track	: 8.50		

IMPORTANT REMARKS:
THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.
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THE USER OF THIS PLAN ASSUMES ALL LIABILITY FOR ANY ERRORS OR OMISSIONS.
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WAWA
STORE #

0	Sample	360
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[illegible]

Drawing Title:
LANDSCAPE PLAN -
NORTH

8 OF 10

0333

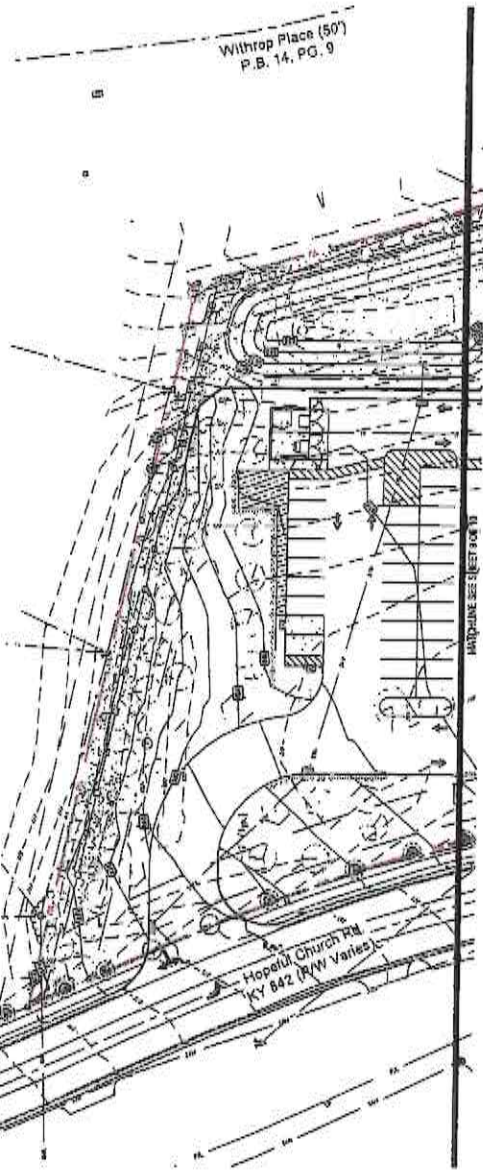
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	CALCULATOR
	RULER
	COMPASS
	PROTRACTOR
	ERASER
	SHARPENER
	PENCIL
	SCISSORS

2000-2001, and 2002-2003. The
state of Michigan has been
one of the most successful
in the nation in reducing
the number of children in
foster care. The state has
been able to do this by
implementing a number of
strategies, including the
creation of a foster care
registry, the implementation
of a foster care licensing
system, and the creation of
a foster care review board.

Kentucky 811

Withrop Place (50)
P.B. 14, PG. 9

[illegible]

1

DATE: 10/10/2008 TIME: 10:10 AM



WAWA
STONE
FLORENCE, KY

12	Barbado	Pa-
----	---------	-----

Project Number:	754702
Scale:	1" = 30'
Drawn By:	JC
Checked By:	EB
Date:	25 November
Notes:	NOT FOR CONSTRUCTION

LANDSCAPE DETAILS
& NOTES

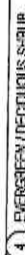
10 OF 10

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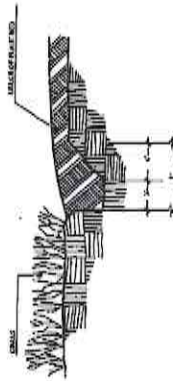
GROUND COVER SPACING



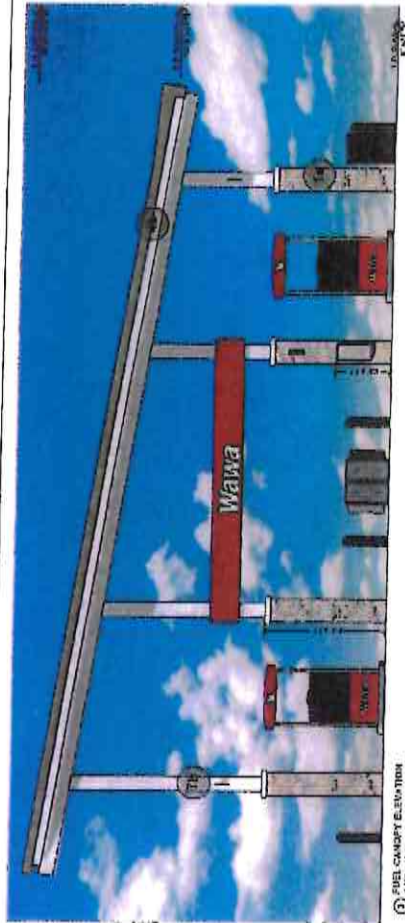
2) EVERGREEN TREE STAKING



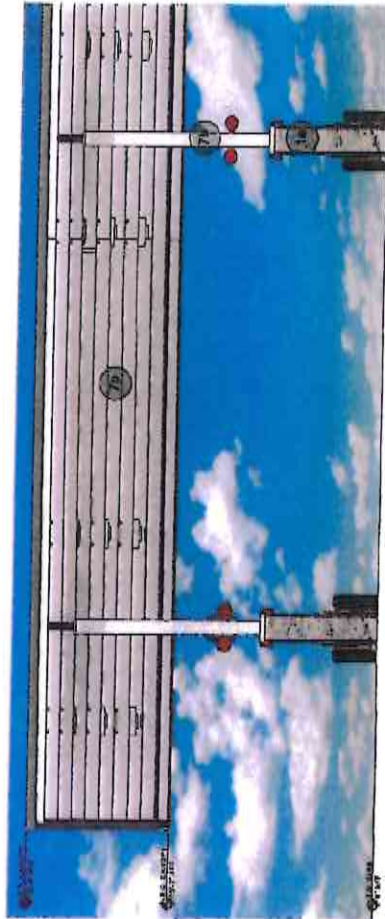
TEACHING



1000



① FUEL CANOPY ELEVATION
18' x 14'



② BACK CANOPY ELEVATION - LONG
18' x 14'



③ FUEL CANOPY PERSPECTIVE

MATERIALS:



7b

METAL:
WHITE



7b METAL:
WHITE

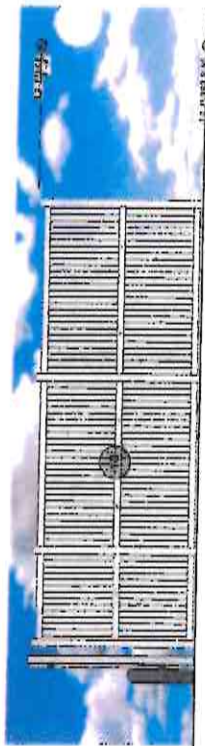
10 WHITE
PVC
FENCE



ROOF:
SLATE
SHED



④ SIDE ELEVATION - 1 - TRASH COMPOUND
30' x 12'



⑤ SIDE ELEVATION - 2 - TRASH COMPOUND
30' x 12'



⑥ REAR ELEVATION - TRASH COMPOUND
30' x 12'



⑦ FRONT ELEVATION
30' x 12'

HFA

WAWA STAKED 8 FUEL CANOPY - TRASH COMPOUND STANDART L

8450 US Highway 42
Florence, KY

Wawa

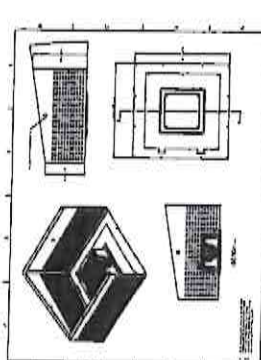


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6	AD	1914	15.5	22	AD	1914	15.5
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8	AD	1914	15.5	24	AD	1914	15.5
9	AD	1914	15.5	25	AD	1914	15.5
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12	AD	1914	15.5	28	AD	1914	15.5
13	AD	1914	15.5	29	AD	1914	15.5
14	AD	1914	15.5	30	AD	1914	15.5
15	AD	1914	15.5	31	AD	1914	15.5
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17	AD	1914	15.5	33	AD	1914	15.5
18	AD	1914	15.5	34	AD	1914	15.5
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52	AD	1914	15.5	68	AD	1914	15.5</

[illegible]

SSW
Sustainable Systems
Sustainable Systems
Sustainable Systems

WAC LIGHTING
Responsible Lighting
Responsible Lighting
Responsible Lighting



RCV LED
Responsible LED
Responsible LED
Responsible LED

D-Series
LED
LED
LED

SSW
Sustainable Systems
Sustainable Systems
Sustainable Systems

WAC LIGHTING
Responsible Lighting
Responsible Lighting
Responsible Lighting



RCV LED
Responsible LED
Responsible LED
Responsible LED

D-Series
LED
LED
LED

RECYCLED LED LIGHTING

D-Series Eye 1 LED LIGHTING

Product Features:

- 100% Recycled
- 100% LED
- 100% Dimmable
- 100% Energy Efficient
- 100% Recycled
- 100% LED
- 100% Dimmable
- 100% Energy Efficient

Technical Specifications:

Model	Power (W)	Voltage (V)	Current (A)	Power Factor	THD (%)	Efficiency (%)	Life Span (hrs)
D-Series Eye 1	10	120	0.083	0.95	15	90	50,000
D-Series Eye 2	20	120	0.167	0.95	15	90	50,000
D-Series Eye 3	30	120	0.250	0.95	15	90	50,000
D-Series Eye 4	40	120	0.333	0.95	15	90	50,000
D-Series Eye 5	50	120	0.417	0.95	15	90	50,000

RECYCLED LED LIGHTING

Model	Power (W)	Voltage (V)	Current (A)	Power Factor	THD (%)	Efficiency (%)	Life Span (hrs)
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D-Series Eye 4	40	120	0.333	0.95	15	90	50,000
D-Series Eye 5	50	120	0.417	0.95	15	90	50,000
D-Series Eye 6	60	120	0.500	0.95	15	90	50,000
D-Series Eye 7	70	120	0.583	0.95	15	90	50,000
D-Series Eye 8	80	120	0.667	0.95	15	90	50,000
D-Series Eye 9	90	120	0.750	0.95	15	90	50,000
D-Series Eye 10	100	120	0.833	0.95	15	90	50,000

RECYCLED LED LIGHTING

D-Series Eye 1 LED LIGHTING

Product Features:

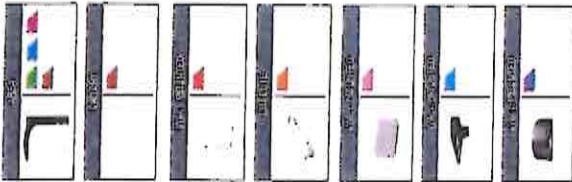
- 100% Recycled
- 100% LED
- 100% Dimmable
- 100% Energy Efficient
- 100% Recycled
- 100% LED
- 100% Dimmable
- 100% Energy Efficient

Technical Specifications:

Model	Power (W)	Voltage (V)	Current (A)	Power Factor	THD (%)	Efficiency (%)	Life Span (hrs)
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D-Series Eye 4	40	120	0.333	0.95	15	90	50,000
D-Series Eye 5	50	120	0.417	0.95	15	90	50,000

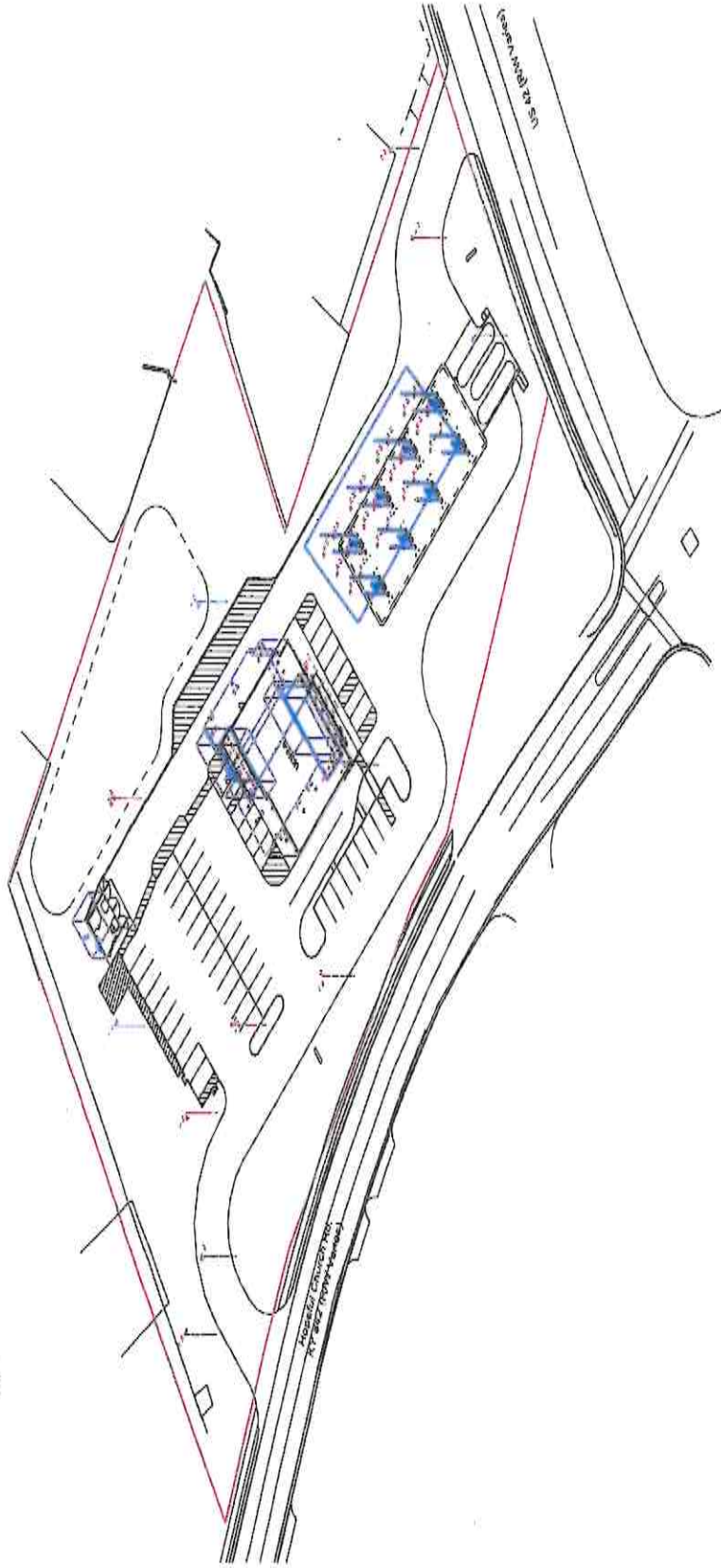
RECYCLED LED LIGHTING

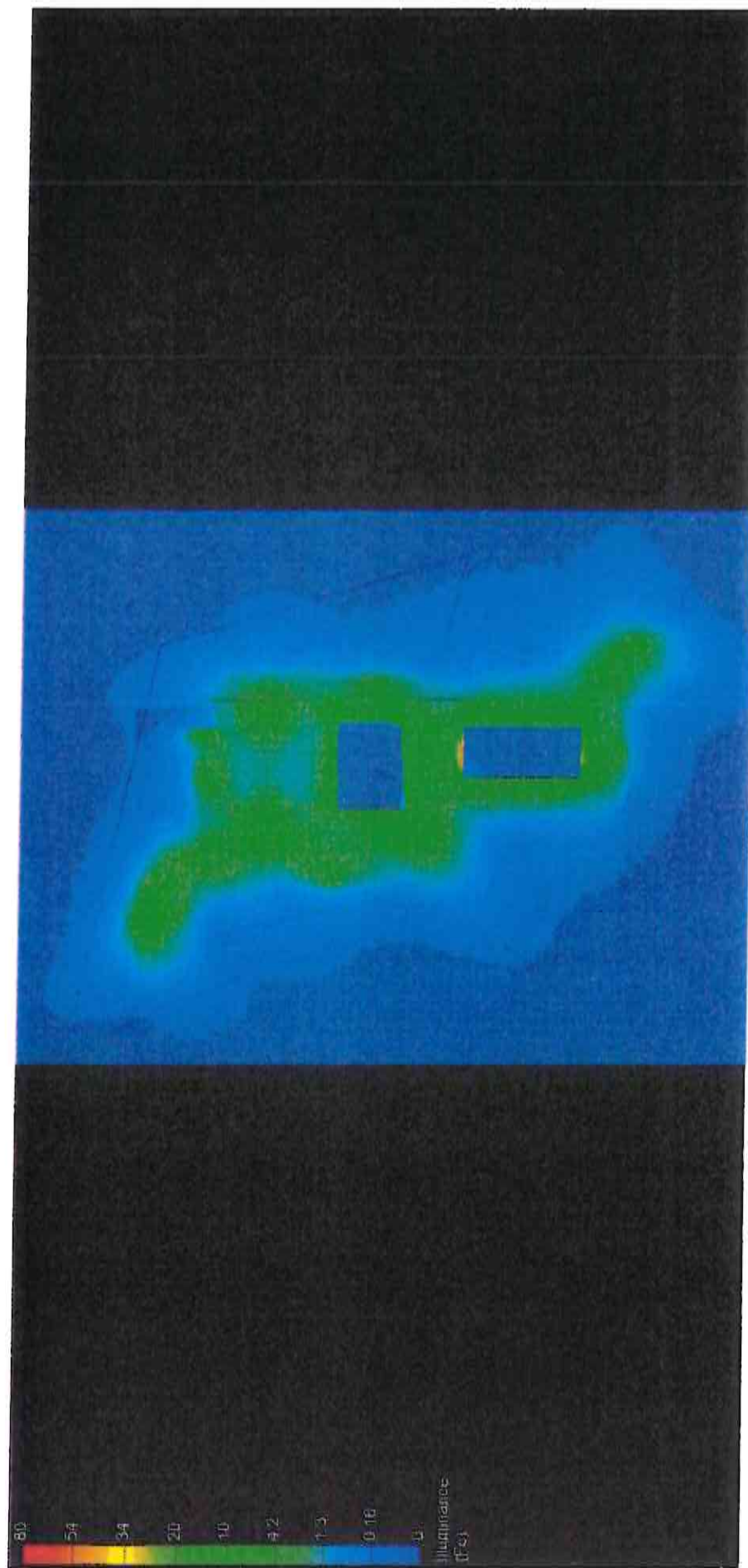
Model	Power (W)	Voltage (V)	Current (A)	Power Factor	THD (%)	Efficiency (%)	Life Span (hrs)
D-Series Eye 1	10	120	0.083	0.95	15	90	50,000
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D-Series Eye 3	30	120	0.250	0.95	15	90	50,000
D-Series Eye 4	40	120	0.333	0.95	15	90	50,000
D-Series Eye 5	50	120	0.417	0.95	15	90	50,000
D-Series Eye 6	60	120	0.500	0.95	15	90	50,000
D-Series Eye 7	70	120	0.583	0.95	15	90	50,000
D-Series Eye 8	80	120	0.667	0.95	15	90	50,000
D-Series Eye 9	90	120	0.750	0.95	15	90	50,000
D-Series Eye 10	100	120	0.833	0.95	15	90	50,000



Waterdrop Phase (2007)

Queen Drive (2007)



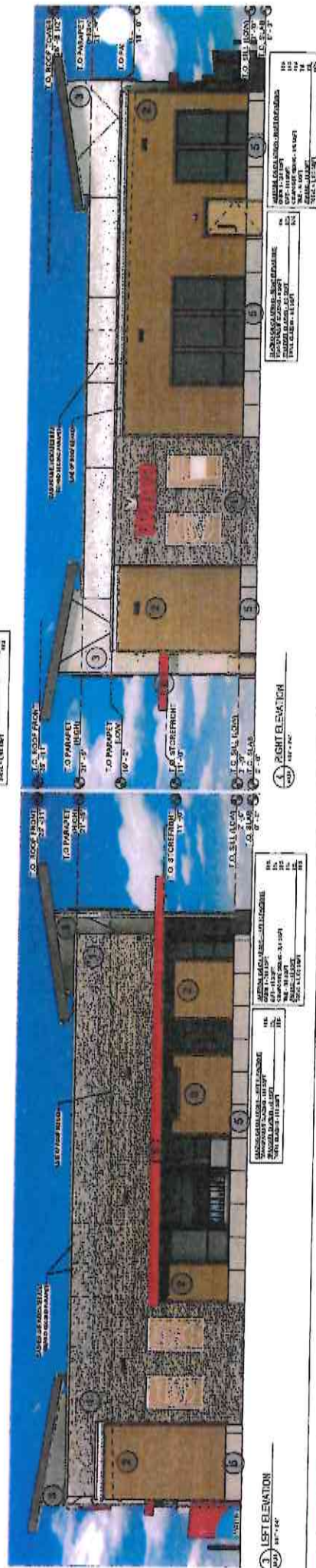
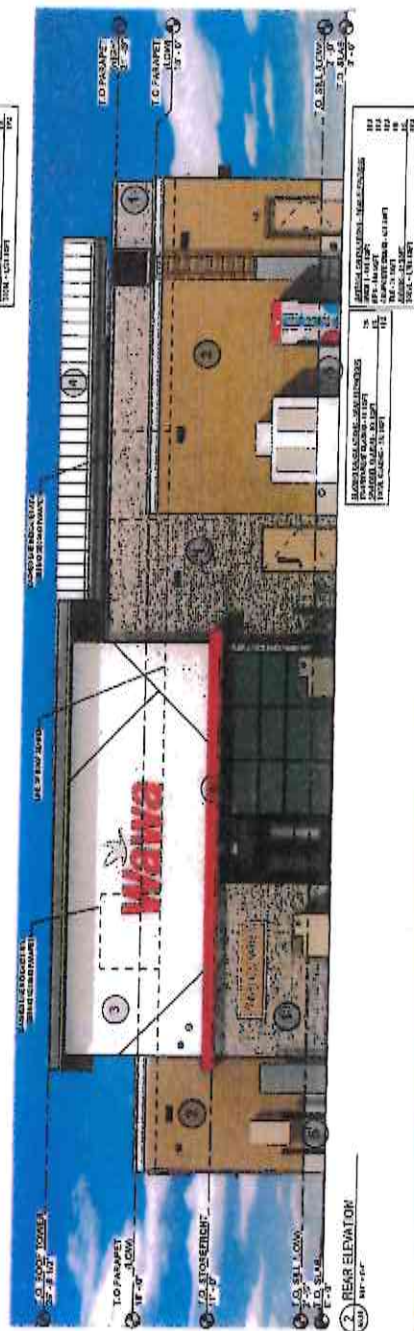




WMAA 47610
FLORENCE, KY
RL-10193-S1



There is a growing body of evidence that suggests that the use of a single, standardized, and validated instrument to measure the prevalence of mental health problems in the community is essential for the development of a comprehensive and accurate picture of the mental health needs of the population. The use of a single, standardized, and validated instrument to measure the prevalence of mental health problems in the community is essential for the development of a comprehensive and accurate picture of the mental health needs of the population. The use of a single, standardized, and validated instrument to measure the prevalence of mental health problems in the community is essential for the development of a comprehensive and accurate picture of the mental health needs of the population.



HFA

WAWA U63-FB-T

8450 US Highway 42
florencia, KY



MATERIALS:



100

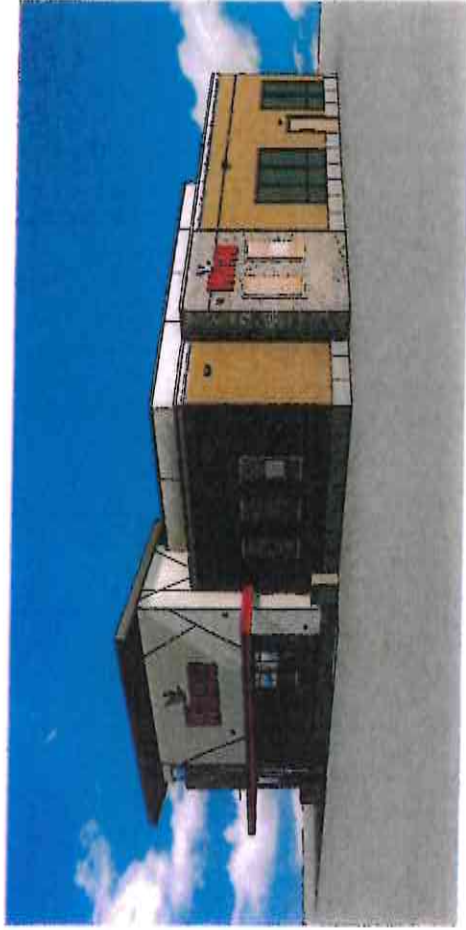
COMP-DATE
DATE

③
BFS OR
STUCCO

4
ROOF: TITANIUM

⑤ TILE

⑤ TILE



1 FRONT RIGHT VIEW



2 FRONT LEFT VIEW



3 REAR LEFT VIEW



4 REAR RIGHT VIEW

HFA

WAWA U63-FB-R
8450 US Highway 42
Florence, KY

Wawa

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mr. Thomas Judd
Mrs. Janet Kegley
Mr. Rick Lunnemann
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:

Mrs. Pamela Goetting

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

Chairman Rolfsen introduced the third item on the Agenda at 8:13 p.m.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

3. Request of **CESO Inc. (applicant)** for **The Deters Company (owner)** and **Vuong Xuan Nguyen (Owner)** for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky. The request is to demolish the existing gas station, convenience store, and restaurant and construct a 6,372 square foot convenience store with gasoline pumps.

Staff member, Michael Schwartz, referred to his PowerPoint presentation (see Staff Report). The 3.8 acre site is located at the northeast corner of the intersection of US 42 and Hopeful Church Road. The site is comprised of 2 separated lots – 1.2 and 2.6 acres in size. It has 210 feet of road frontage along US 42 and 420 feet of road frontage along Hopeful Church Road. Pages 1-2 of the Staff Report provides the history of the site. The original Concept Development Plan dated in 1985 indicated a commercial development on the entire site. In 1988, the plan was amended to include the existing convenience store, fuel pumps, a car wash and a 13,200 square foot retail/office building. The retail/office building was never constructed. A curb cut was approved off US 42 and Hopeful Church Road. The site is currently occupied by a 7,000 square foot commercial building, 4 gasoline pumps and a self-serve car wash. The site has trees around the perimeter of the site including a nice set of trees along Hopeful Church Road. The site is currently zoned C-2/PD. Mr. Schwartz described the surrounding zoning and uses. Pages 2-6 of the Staff Report include sections of the zoning code that are applicable to the request. The site slopes downward south to north from 4% to 20%. The 2040 Future Land Use Map designates the site for Commercial (C) and Suburban Density Residential (SD). Mr. Schwartz described the road network nearby. Left turns are prohibited at the intersection. He showed photographs of the site and adjoining properties. The submitted Concept Development Plan shows the construction of a 6,400 square foot Wawa convenience store. Ten gasoline islands will be installed under the 7,100 square foot fuel canopy. The US 42 curb cut will be right turn in and out. A full access will be provided at the northern end of Hopeful Church Road. A retaining wall will be built along the north and east property lines. Storm water detention will be located on the northeastern corner of the site. The applicable regulations to the request can be found on Pages 9-11 of the Staff Report. Comments from outside agencies are noted on Pages 11-12 of the Staff Report. A majority of the comments are from the City of Florence. A vast majority of them can be handled through the Site Plan Review process. Mr. Schwartz expressed a concern about tanker trucks pulling in and out of the site – especially the wide turn while leaving the site onto US 42. Mr. Schwartz provided a list of items that are being asked by the applicant to be modified using the PD overlay regulations. The first one deals with trash dumpster materials. Another one deals with a reduction in the number of stacking spaces at a drive-thru window as well as with gasoline fuel pumps. In addition, the applicant is asking for a deviation from Section 3199 of the Zoning Code – design standards for business districts (building materials, colors and signage). The applicant has proposed building mounted signage on all 4 sides, posters on the building and canopy signage. In addition, every effort should be made to maintain the existing vegetation along the north, east and west property lines. Some new trees will be installed.

Mr. Schwartz reminded the Board that the request is not a Zone Change but rather a Change in Concept Development Plan. A lighting plan has been submitted and the applicant submitted an email today stating that the Kentucky Transportation Cabinet has approved their Traffic Impact Study (Exhibit A).

Chairman Rolfsen asked if the applicant could use digital signage for gas pricing for the new store? Mr. Schwartz replied yes because it was previously approved and the new regulations allow it. The current site does not have a digital message center only digital fuel cost numbers.

Mr. Harper asked if the tanker truck could exit the site from Hopeful Church Road? Mr. Schwartz stated that it could navigate it. In addition, he stated that the North Bend Road location was not allowed to have a canopy sign.

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

Mr. Patrick Warnement, Wawa, stated that they can remove the small Wawa sign on the canopy. They want to replace the building with a like use. They will try to maintain as much of the existing vegetation. It is easy to do on the west side. The east side will be tougher with the detention pond. They don't have menu boards. Customers order and pay ahead. He will look at the radius to allow more room for the tanker to turn in and out.

Mr. Harper expressed a concern about left turns onto Hopeful Church Road during peak times. There are back-ups.

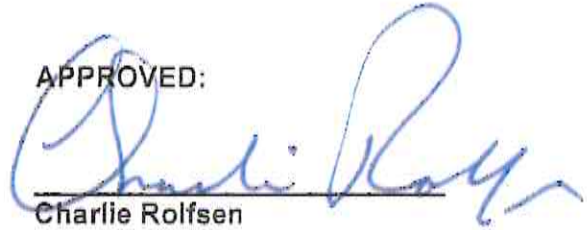
Ms. Gulick asked for a copy of the Traffic Impact Study. Mr. Warnement replied that he will provide that to Staff. He stated that they don't plan on purchasing the additional right of way from the State. However, they will remove the concrete and plant grass. They will also add a tree protection plan to the set of drawings.

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

Ms. Brenda Haynes, 8540 Quinn Drive, expressed a concern about traffic, hours of operation, privacy and property values. She prefers to see an office at the location that closes at 5:00 p.m. She has peace and tranquility right now. There will be people in and out all night long. It is about 100 feet from the edge of the parking lot to her fence/property line. Mr. Schwartz noted there will be trees, landscaping, and a retaining wall. Mr. Costello asked if the applicant can show a detailed landscaping plan with elevations at the Committee meeting? Ms. Gulick suggested adding a profile of the east side residential area. Mr. Warnement stated that he would consider adding a fence along the property line or at least the pond or detention area. He is willing to install a board fence along the property line.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on July 16, 2025 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on August 6, 2025 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:41 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

Exhibit A – Email from Linzy Brefeld re: TIS

Michael Schwartz

From: Eric Boyd <eric.boyd@cesoinc.com>
Sent: Wednesday, July 2, 2025 3:39 PM
To: Michael Schwartz
Subject: FW: Wawa 7630 Hopeful Church Rd Florence KY - Traffic Study for Review

External sender <eric.boyd@cesoinc.com>

Make sure you trust this sender before taking any actions.

Michael,

Please see email below about the traffic study.

Thanks,

Eric Boyd, P.E.
Senior Project Manager



MOBILE: 209.480.5348

From: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Sent: Wednesday, April 2, 2025 12:38 PM
To: Eric Boyd <Boyd@cesoinc.com>; eric.hall@florence-ky.gov
Cc: Taylor Cline <cline@cesoinc.com>; Bandy, John D (KYTC-D06) <John.Bandy@ky.gov>
Subject: RE: Wawa 7630 Hopeful Church Rd Florence KY - Traffic Study for Review

Caution: External Email

No comments on the report.
TIS is approved by KYTC.

Thanks,

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

From: Eric Boyd <Boyd@cesoinc.com>

Sent: Wednesday, March 19, 2025 6:12 PM

To: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>; eric.hall@florence-ky.gov

Cc: Taylor Cline <cline@cesoinc.com>

Subject: Wawa 7630 Hopeful Church Rd Florence KY - Traffic Study for Review

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

Linzy and Eric,

Attached for your review is the traffic study for the proposed Wawa site at the corner of Hopeful Church Rd and US 42 in Florence. Please let us know if you have any comments after reviewing.

Thanks,



Eric Boyd, PE
Senior Project Manager

3601 Rigby Road, Suite 300
Dayton, OH 45342
M 209.480.5348
boyd@cesoinc.com

www.cesoinc.com



This message may contain information that is privileged, confidential, and protected from disclosure. If you are not an intended recipient, use and disclosure of this message are prohibited. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY FISCAL COURTROOM
BURLINGTON, KENTUCKY
BUSINESS MEETING
AUGUST 6, 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 August 6, 2025 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mr. Thomas Judd
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. Kathy Clark
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. 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 July 2, 2025 Business Meeting and Public Hearing. He asked if there were any comments or corrections?

Mr. Hincks moved to approve the Minutes as presented and amended. Mr. Judd 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 July 3, 2025 and August 6, 2025.

EXPENSES:

Accounting Fees	1,815.92
Attorney Fees	5,000.00
Auto Expense	65.22
Consultant/Profess Svcs Fees	1,810.20
Filing Fees (CLURS)	600.00
GIS Operations	1,750.00
Legal Ads/Recruitment	498.19
Miscellaneous Expense	2,728.45
Office & Board Meeting Supplies	1,147.90
Office Equipment / Expense	1,161.66
Printing/Pub/Dues/Subscriptions	1,211.27

TOTAL: \$ 17,788.81

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 9,002.00
Health/Dental/Life/LTD	17,470.17
Retirement – BCPC Portion	18,246.49
Salaries – Staff Expenses	123,427.84
Salaries – BCPC & BOA	945.00

TOTAL: \$ 169,091.50

GRAND TOTAL: \$ 186,880.31

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. Mrs. Steele seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

CHANGE OF CONCEPT DEVELOPMENT PLAN, Corrin Gulick, Chairwoman, Steve Lilly, Staff

1. Request of **Longbranch Development (applicant)** for **Longbranch Development Inc. and AF Investments (owners)** for a Change of Concept Development Plan in a Rural Suburban Estates (RSE), Suburban Residential One (SR-1), and Suburban Residential Two (SR-2) districts for an approximate 185 acre area located along the north side of Hathaway Road, between Big Bone Road and Enclave Drive, approximately six hundred (600) feet east of Big Bone Road, Boone County, Kentucky. The request is for a Change of Concept Development Plan to reduce the number of detached single-family residential lots and to eliminate the street access to Hathaway Road for the Woodvale Subdivision.

This item or application has been withdrawn by the applicant.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Michael Schwartz, Staff

2. Request of **City of Union (applicant)** for a Change of Concept Development Plan for an approximate 21 acre area located along the west side of US 42, extending from Sweet Harmony Lane to Union Promenade, and being the commercial lots within the Union Promenade development, Union, Kentucky, which is currently zoned Union Commercial/Union Neighborhood Office/Urban Residential Two/Planned Development (UC/UNO/UR-2/PD). The submitted request is to modify the off-street parking requirements for eating and drinking establishments, from one (1) parking space for every two (2) seats to one (1) parking space for every three (3) seats.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval of the Change in Concept Development Plan based upon Findings of Facts and a Condition.

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

Mr. T.J. Ackerman, developer, stated that he did some research on their existing leases and there are already some parking spaces allocated to certain restaurants. If the condition is adopted as proposed, it may pose a problem on some of the existing leases and the two remaining lots have purchase contracts.

Mr. Harper noted that the condition refers to a maximum number of 3 parking spaces per lot. He thought the intent was 3 parking spaces per restaurant. There could be more than one restaurant per lot. Mr. Schwartz suggested changing the conditions to eating and drinking establishments. Mr. Ackerman agreed. The rest of the Zone Change Committee members agreed with the proposed change in wording.

Seeing no further comment, **Mr. Harper moved, by Resolution to the City of Union to recommend approval of the Change in Concept Development Plan based on the Committee Report, Findings of Fact and the revised Condition as presented by Staff. Ms. Gulick seconded the motion and it passed unanimously.**

CHANGE OF CONCEPT DEVELOPMENT PLAN, Rick Lunnemann, Chairman, Steve Lilly, Staff

3. Request of **Bank of America (applicant)** for **Farmview Commons LLC (owner)** for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 1.0 acre area located at 8748 US 42 and being located at the northeast corner of the intersection of US 42 with Farmview Drive, Florence, Kentucky. The submitted request is to modify conditions imposed with the previous Concept Development Plan.

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. Mr. Lilly stated that the revised drawing shows a full red brick façade. The building will have a metal roof. The lighting plan was revised to utilize the same style as Publix.

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

Mr. Yemo Koo, Nelson, stated that the bottom was a limestone veneer. The closest Bank of America building is in Louisville.

Seeing no further comment, **Mr. Lunnemann moved, by Resolution to the City of Florence to recommend approval of the Change in Concept Development Plan based on the Committee Report, Findings of Fact and Conditions. Mr. Hincks seconded the motion. The motion passed unanimously.**

CHANGE OF CONCEPT DEVELOPMENT PLAN, Janet Kegley, Chairwoman, Michael Schwartz, Staff

4. Request of **CESO Inc. (applicant)** for **The Deters Company (owner)** and **Vuong Xuan Nguyen (Owner)** for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky. The request is to demolish the existing gas station, convenience store, and restaurant and construct a 6,372 square foot convenience store with gasoline pumps.

Staff Member, Michael Schwartz, 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 property owners and submitted to the Planning Commission. All Committee Members present voted 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. Patrick Warnement, Wawa, stated that they are agreeable to all the Conditions. They did take the two art panels on both sides of the building and replaced them with glass. The fence issue was resolved with the adjoining neighbor.

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

TECHNICAL/DESIGN REVIEW – Rick Lunnemann, Chairman, Lauren Elliott, Staff

5. Hilton Hotel Generator Enclosure - 7373 Turfway Road

Ms. Lauren Elliott presented the request. The Technical/Design Review Committee met prior to the Business Meeting to review a Design Review application for the Hilton Hotel Generator Enclosure in Florence. The hotel installed two generators along the south side of the existing building that are visible along the I-71/I-75 on ramp. The Houston-Donaldson Study requires mechanicals to be screened. A vinyl privacy fence will be installed. The Committee recommended approval subject to one condition that the fence be as tall as the generator – 7-8 feet in height.

Mr. Lunnemann moved to approve the request with the condition. Mr. Turner seconded the motion and it passed unanimously.

NEW BUSINESS

ZONING MAP AMENDMENT, Michael Schwartz, Staff

- 6. Request of Charter Commercial, per Pat Manger (applicant) for Robert E. Reeves Estate, per Amy Parmen (owner) for a Zoning Map Amendment from Suburban Residential One/Planned Development (SR-1/PD) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 39.5 acre area located at 2063 Hathaway Road, Boone County and Union, Kentucky. The request is for a zone change to allow the development of 382 dwelling units.**

Mr. Szurlinski moved to schedule the Public Hearing for Item #6 on September 3, 2025 at 7:30 p.m. in the Fiscal Courtroom. Mr. Schwenke seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT – Kevin P. Costello, AICP

No Report

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

CHAIRMAN'S REPORT: (Charlie Rolfsen)

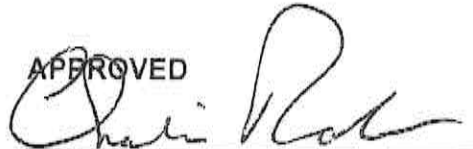
No Report

OKI REPORT: (Randy Bessler)

No Report

ADJOURNMENT:

There being no further business to come before the Planning Commission, Mr. Bessler moved to adjourn the meeting. Mr. Lunnemann seconded the motion and it passed unanimously. The meeting was adjourned at 7:25 p.m.

APPROVED

Charlie Rolfsen

Attest:


Kevin P. Costello, AICP
Executive Director

EXHIBIT

"B"

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Janet Kegley, Chair

DATE: August 6, 2025

RE: Request of **CESO Inc. (applicant)** for **The Deters Company (owner)** and **Vuong Xuan Nguyen (Owner)** for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky. The request is to demolish the existing gas station, convenience store, and restaurant and construct a 6,372 square foot convenience store with gasoline pumps.

APPROVAL**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 findings of fact and conditions, if deemed necessary, to complete the Committee Report.
2. We, the Committee, recommend approval of the above referenced Change of Concept Development Plan based on the following findings of fact:

FINDINGS OF FACT:

1. The proposed convenience store with gasoline pumps is consistent with the 2040 Future Land Use Map of Our Boone County – Plan 2040 which identifies the southern portion of the site for Commercial uses.
2. The proposed convenience store with gasoline pumps is generally consistent with the existing approved Concept Development Plan which identified the site to be developed with a convenience store, fuel pumps, a self-service car wash, and a 13,200 square foot retail/office building.
3. The proposed Change of Concept Development Plan is reasonable in that it provides for less intensity than the existing approved Concept Development Plan.

The existing approved Concept Development Plan indicates that the site would be developed at an intensity of 5,315 square feet of floor area per acre. The proposed Concept Development Plan indicates that the site will be developed at an intensity of 1,677 square feet of floor area per acre.

4. The proposed Change of Concept Development Plan is appropriate in that it provides a setback from the adjacent residential uses ranging from forty-two (42) feet to one hundred six (106) feet.
5. The proposed development fulfills the applicable requirements of Article 15 "Planned Development District" of the zoning regulations.
6. The following conditions are necessary to achieve consistency with the Our Boone County - Plan 2040 and 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 proposed development shall meet the minimum requirements of the zoning regulations, except for the following, which shall be consistent with the submitted Concept Development plan drawings:
 - a. Number of stacking spaces for a drive-through eating and drinking establishment.
 - b. Number of stacking spaces for a gasoline filling station.
 - c. The building architecture, including the building materials and colors.
 - d. Number and size of building mounted signs on the front and rear building elevations.
2. The drive-through shall be for pick-up only and menu board signage shall be prohibited.
3. The existing trees along Hopeful Church Road shall be protected and retained.
4. To prevent headlights from shining into adjacent residential properties, a solid fence, having a minimum height of four (4) feet and a maximum height of six (6) feet, shall be installed wherever an off-street parking space or drive aisle faces a residential property. The exact location of the fence shall be determined at the time of a Major Site Plan submittal.
5. A sidewalk shall be provided from the site to the existing sidewalk along Hopeful Church Road.
6. The curb cut onto US 42 shall be widened by twelve (12) feet to accommodate trucks turning rights onto US 42.
7. A directional sign shall be provided in the vicinity of the underground fuel storage tanks directing fuel delivery trucks to use the Hopeful Church Road exit.

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT
WaWa/US 42
August 6, 2025
Page 3

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

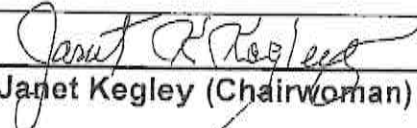
TO: Boone County Planning Commission
FROM: Janet Kegley, Chairwoman
DATE: July 16, 2025

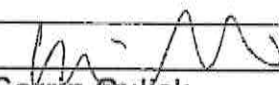
REMARKS:

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.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Janet Kegley, Chairwoman, Michael Schwartz, Staff

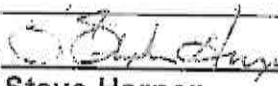
3. Request of **CESO Inc. (applicant)** for **The Deters Company (owner)** and **Vuong Xuan Nguyen (Owner)** for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky. The request is to demolish the existing gas station, convenience store, and restaurant and construct a 6,372 square foot convenience store with gasoline pumps.


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 5 FOR PROJECT - ABSENT
 - AGAINST PROJECT - ABSTAIN

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mr. Thomas Judd
Mrs. Janet Kegley
Mr. Rick Lunnemann
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:

Mrs. Pamela Goetting

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

Chairman Rolfsen introduced the third item on the Agenda at 8:13 p.m.

CHANGE OF CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

3. Request of **CESO Inc. (applicant)** for **The Deters Company (owner)** and **Vuong Xuan Nguyen (Owner)** for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky. The request is to demolish the existing gas station, convenience store, and restaurant and construct a 6,372 square foot convenience store with gasoline pumps.

Staff member, Michael Schwartz, referred to his PowerPoint presentation (see Staff Report). The 3.8 acre site is located at the northeast corner of the intersection of US 42 and Hopeful Church Road. The site is comprised of 2 separated lots – 1.2 and 2.6 acres in size. It has 210 feet of road frontage along US 42 and 420 feet of road frontage along Hopeful Church Road. Pages 1-2 of the Staff Report provides the history of the site. The original Concept Development Plan dated in 1985 indicated a commercial development on the entire site. In 1988, the plan was amended to include the existing convenience store, fuel pumps, a car wash and a 13,200 square foot retail/office building. The retail/office building was never constructed. A curb cut was approved off US 42 and Hopeful Church Road. The site is currently occupied by a 7,000 square foot commercial building, 4 gasoline pumps and a self-serve car wash. The site has trees around the perimeter of the site including a nice set of trees along Hopeful Church Road. The site is currently zoned C-2/PD. Mr. Schwartz described the surrounding zoning and uses. Pages 2-6 of the Staff Report include sections of the zoning code that are applicable to the request. The site slopes downward south to north from 4% to 20%. The 2040 Future Land Use Map designates the site for Commercial (C) and Suburban Density Residential (SD). Mr. Schwartz described the road network nearby. Left turns are prohibited at the intersection. He showed photographs of the site and adjoining properties. The submitted Concept Development Plan shows the construction of a 6,400 square foot Wawa convenience store. Ten gasoline islands will be installed under the 7,100 square foot fuel canopy. The US 42 curb cut will be right turn in and out. A full access will be provided at the northern end of Hopeful Church Road. A retaining wall will be built along the north and east property lines. Storm water detention will be located on the northeastern corner of the site. The applicable regulations to the request can be found on Pages 9-11 of the Staff Report. Comments from outside agencies are noted on Pages 11-12 of the Staff Report. A majority of the comments are from the City of Florence. A vast majority of them can be handled through the Site Plan Review process. Mr. Schwartz expressed a concern about tanker trucks pulling in and out of the site – especially the wide turn while leaving the site onto US 42. Mr. Schwartz provided a list of items that are being asked by the applicant to be modified using the PD overlay regulations. The first one deals with trash dumpster materials. Another one deals with a reduction in the number of stacking spaces at a drive-thru window as well as with gasoline fuel pumps. In addition, the applicant is asking for a deviation from Section 3199 of the Zoning Code – design standards for business districts (building materials, colors and signage). The applicant has proposed building mounted signage on all 4 sides, posters on the building and canopy signage. In addition, every effort should be made to maintain the existing vegetation along the north, east and west property lines. Some new trees will be installed.

Mr. Schwartz reminded the Board that the request is not a Zone Change but rather a Change in Concept Development Plan. A lighting plan has been submitted and the applicant submitted an email today stating that the Kentucky Transportation Cabinet has approved their Traffic Impact Study (Exhibit A).

Chairman Rolfsen asked if the applicant could use digital signage for gas pricing for the new store? Mr. Schwartz replied yes because it was previously approved and the new regulations allow it. The current site does not have a digital message center only digital fuel cost numbers.

Mr. Harper asked if the tanker truck could exit the site from Hopeful Church Road? Mr. Schwartz stated that it could navigate it. In addition, he stated that the North Bend Road location was not allowed to have a canopy sign.

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

Mr. Patrick Warnement, Wawa, stated that they can remove the small Wawa sign on the canopy. They want to replace the building with a like use. They will try to maintain as much of the existing vegetation. It is easy to do on the west side. The east side will be tougher with the detention pond. They don't have menu boards. Customers order and pay ahead. He will look at the radius to allow more room for the tanker to turn in and out.

Mr. Harper expressed a concern about left turns onto Hopeful Church Road during peak times. There are back-ups.

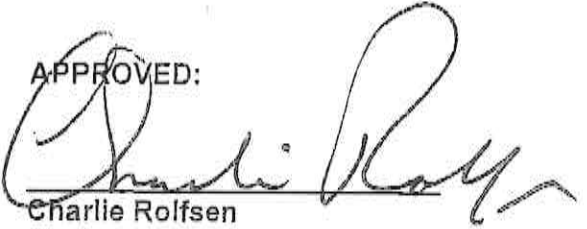
Ms. Gulick asked for a copy of the Traffic Impact Study. Mr. Warnement replied that he will provide that to Staff. He stated that they don't plan on purchasing the additional right of way from the State. However, they will remove the concrete and plant grass. They will also add a tree protection plan to the set of drawings.

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

Ms. Brenda Haynes, 8540 Quinn Drive, expressed a concern about traffic, hours of operation, privacy and property values. She prefers to see an office at the location that closes at 5:00 p.m. She has peace and tranquility right now. There will be people in and out all night long. It is about 100 feet from the edge of the parking lot to her fence/property line. Mr. Schwartz noted there will be trees, landscaping, and a retaining wall. Mr. Costello asked if the applicant can show a detailed landscaping plan with elevations at the Committee meeting? Ms. Gulick suggested adding a profile of the east side residential area. Mr. Warnement stated that he would consider adding a fence along the property line or at least the pond or detention area. He is willing to install a board fence along the property line.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on July 16, 2025 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on August 6, 2025 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:41 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

Exhibit A – Email from Linzy Brefeld re: TIS

Michael Schwartz

From: Eric Boyd <eric.boyd@cesoinc.com>
Sent: Wednesday, July 2, 2025 3:39 PM
To: Michael Schwartz
Subject: FW: Wawa 7630 Hopeful Church Rd Florence KY - Traffic Study for Review

External sender <eric.boyd@cesoinc.com>

Make sure you trust this sender before taking any actions.

Michael,

Please see email below about the traffic study.

Thanks,

Eric Boyd, P.E.
Senior Project Manager



MOBILE: 209.480.5348

From: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Sent: Wednesday, April 2, 2025 12:38 PM
To: Eric Boyd <Boyd@cesoinc.com>; eric.hall@florence-ky.gov
Cc: Taylor Cline <cline@cesoinc.com>; Bandy, John D (KYTC-D06) <John.Bandy@ky.gov>
Subject: RE: Wawa 7630 Hopeful Church Rd Florence KY - Traffic Study for Review

Caution: External Email

No comments on the report.
TIS is approved by KYTC.

Thanks,

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

From: Eric Boyd <Boyd@cesoinc.com>

Sent: Wednesday, March 19, 2025 6:12 PM

To: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>; eric.hall@florence-ky.gov

Cc: Taylor Cline <cline@cesoinc.com>

Subject: Wawa 7630 Hopeful Church Rd Florence KY - Traffic Study for Review

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

Linzy and Eric,

Attached for your review is the traffic study for the proposed Wawa site at the corner of Hopeful Church Rd and US 42 in Florence. Please let us know if you have any comments after reviewing.

Thanks,



Eric Boyd, PE

Senior Project Manager

3601 Rigby Road, Suite 300

Dayton, OH 45342

M 209.480.5348

boyd@cesoinc.com

www.cesoinc.com



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