

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARINGS  
January 4, 2017  
7:30 P.M.**

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**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mr. Greg Breetz  
Mr. Kim Bunger, Secretary/Treasurer  
Mrs. Lori Heilman  
Mr. Mark Hicks  
Mrs. Janet Kegley  
Mr. Don McMillian  
Mr. Kim Patton  
Ms. Lisa Reeves  
Mr. Bob Schwenke  
Mr. Brad Shipe  
Mr. Steve Turner, Temporary Presiding Officer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Matt Apke  
Mr. Charlie Reynolds  
Mr. Charlie Rolfsen, Chairman

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Kevin T. Wall, AICP, Director, Zoning Services  
Mr. Mitchell A. Light, Asst. Zoning Administrator  
Mr. Todd K. Morgan, AICP, Senior Planner

Kim Bunger, Secretary/Treasurer called the Public Hearing to order at 7:49 P.M. and introduced the first item on the Agenda:

**ZONING MAP AMENDMENT - Greg Breetz, Chairman, Kevin Wall, Staff**

1. Request of **Robert G. Rothert, Abercrombie & Associates, Inc. (applicant) for E-Town Development Company LLC and Traditions Development Company, Ltd. (owner)** for a Zoning Map Amendment from Agriculture (A-1) and Recreation (R) to Suburban Residential One/Planned Development (SR-1/PD) for a 496.3 acre site located at 2035 Williams Road and at the terminus of Williams Road, Boone County, Kentucky. The request is for a zone change for a residential development, golf course, clubhouse, swimming pool, and driving range/teaching facility.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The request is for 2 zone changes for one large project. It involves 2 sites. One site is at the end of Williams Road. It is 87 acres in size. The request is from A-1 to SR-1/PD. The other site is actually the Traditions Golf Course site. It is 410 acres in size. The request is to rezone this site from Recreation ® to SR-1/PD. The total project size is about 497 acres. Mr. Wall showed photographs of the project site. The Future Land Use Map from the Comprehensive Plan designates the site as Rural Lands (RL) and Developmentally Sensitive (DS) on the north parcel. There is also Suburban Density Residential (SD) and some Rural Density Residential (RD). The actual golf course is mostly Recreation ® and some Suburban Density Residential (SD) and some Rural Density Residential (RD) near Kingsley Chase Subdivision. The site has some steep areas near the perimeter. Mr. Wall showed the submitted Concept Development Plan. The main part will be served by a new collector road. It connects to Williams Road on the west side and crosses over to the northern parcel. The entrance to the development will be moved about 500 feet to the south. There are 5 clusters of housing in the south site and 2 clusters in the north site. The clusters range in size from 5.3 acres to 45.5 acres. Open space, including the golf course, is about 360 acres. This includes the clubhouse area. The proposed maximum number of dwelling units is 515 and the maximum density is 1.04 units per acre. The applicant has provided a narrative describing the details of the project. This includes dimensional standards for the proposed lots. A new clubhouse, pool and parking lot are being proposed, as well as golf teaching and practice facilities near Williams Road. The applicant also submitted a landscaping plan for the development's entrance. Mr. Wall showed photographs or images of the style of homes planned for the subdivision. They serve as examples and not final prototypes.

In terms of Staff Comments, Mr. Wall noted the references to the Boone County Comprehensive Plan, the Boone County Transportation Plan and KRS Chapter 100 are outlined in the Staff Report. In addition, the Planned Development (PD) criteria is identified in the Staff Report. The highlights are #2 Compatibility of Uses in which there should be a better definition of open space in terms of the existing wood cover being retained. It is done in a verbal manner rather than a graphic format. Also, what is the aesthetic approach to the new clubhouse and other public structures and signage? There are other comments related to street connections. The developer did provide a traffic impact study. It is attached to the Staff Report. Some of the information submitted from the study is not consistent with the current plan submitted for review. The County Engineer also submitted comments of behalf of the County Administration. These comments relate to the figures provided and the relocation of the entrance to create a four way intersection. Other comments relate to turn lanes and to the design of the internal roads. SD1 also submitted ambiguous comments related to public sanitary sewer. Boone County Schools can absorb the amount of new students if the project is phased. The Boone County Water District and the Hebron Fire

District don't have an issue with the proposed development. Mr. Wall concluded that the request needs to be evaluated based upon the three criteria outlined in Article 3 of the Boone County Zoning Regulations which serve as a basis for approving or denying a zone change request as well as the PD criteria in Article 15 of the Zoning Regulations. It approved, the Future Land Use Map would need to be amended.

At this time, Secretary/Treasurer Bunger asked if the applicant was present and wanted to proceed with its presentation?

Mr. Bob Rothert, Abercrombie & Associates, Inc., stated that he is the engineer for the project. He stated that the site has been designed to complement the golf course. It won't involve the relocation of any tees or greens. The design is attempting to preserve as much as possible of the woods and steep slopes. The main access off Williams Road will be a boulevard street with landscaped islands. The proposal includes some flexibility in lot sizes in order for each pod to have a density of 2-4 units per acre. The maximum density of 515 dwelling units is based on 4 dwelling units per acre. They will not build that amount. It will be somewhere between 2 - 4 units per acre. It may be more like 250 - 260 total units. They just want some flexibility to move different lot sizes in the pods depending on market sales. Public water will be extended from Williams Road. Boone County Water District will require a larger water main down the main road in order to provide additional water to the west in the future. It would be a 12 inch main. A sanitary pump station will be constructed on site to pump sewage to the SD1 system. Sewage could be pumped to the IDI station off Worldwide Boulevard or it could go to the Thornwilde pump station. Storm water will be directed to existing and proposed retention and detention ponds.

In terms of Staff Comments, Mr. Rothart stated that he will prepare an exhibit showing the location and amount of open space that will be saved from development. The existing cemetery will be preserved on the site. They will develop around it. At this time, they don't have a certain type of architecture selected for the clubhouse and other public buildings. However, they will provide a narrative or description. In regard to the traffic study, the consultant analyzed it based upon 350 lots knowing the development would be in the 250 - 500 unit range. If the number changes they will update the traffic study. One of the reasons they want to move the existing entrance is because it is located on the inside of a curve and it is not a great spot for sight distance purposes. If the entrance is left at its original location, something will have to be done to Williams Road in order to improve sight distance for additional traffic from the new residential uses. Mr. Rothert stated he will meet with the County Engineer. It may affect the proposed pods in the front of the development. The proposed development will complement the existing golf course because it will provide Boone County with a variety of housing options.

At this time Mr. Bunger asked if there was anyone in the audience who wanted to speak in favor or against the request?

Ms. Barbara McGraw, 1218 Williams Road, stated that when she moved to the area they said Traditions would build houses similar to Triple Crown Subdivision. The proposed homes are not keeping with this fact. There are no two acre lots like Williams Reserve. The homes will be located closer to each other than one unit per acre. It will change the make-up of the area. Little Williams Road is only one lane. It can't handle the additional traffic. She expressed a concern about

telephone service. Her telephone line comes from Graves Road. How will service be if it is not good now and hundreds of homes are built in the future?

At this time, Mr. Bunger asked if any Board Members had any comments or questions?

Mr. Hicks questioned why the traffic study only dealt with 350 homes versus 500 plus homes as explained by the applicant? Is there a better drawing that shows the lots and street network? The development is shown on one drawing and the scale of it is difficult to review. Mr. Rothert replied that the narrative calls out the lot sizes and different densities. The area designated to four units per acre will have 60 foot wide lots and the area designated to be two units per acre will be over 100 foot lots. They wanted flexibility to move different size lots into different pods based on market sales. They will not go over 500 lots. Mr. Hicks inquired on how the golf course can change to residential zoning since it is planned for recreational land use and zoning? Maybe the golf course needs to be shaved off the project and remain recreational. The golf course part is really not changing. Mr. Rothert responded that the golf course is not changing. It is considered Open Space. Mr. Hick's asked can you meet the criteria on the basis to change current zoning? Does it lock the golf course in either way? Mr. Costello responded that it is difficult to draw a zoning line around the golf course because of its design. It is similar to Triple Crown Subdivision - also in PD with a residential underlying zoning district. The submitted plan and request would limit the development to a golf course and residential use. If the owner of the golf course would decide to close the golf course, a new application to revise the original plan would be required to be submitted along with a new Public Hearing. The same procedure would occur if the applicant was requesting a Recreation zone and limiting the use to only a golf course. Triple Crown Subdivision was designed and built from the beginning to include residential uses. Traditions was the opposite. It was built primarily with a golf course in mind. The Traditions Golf Course originally was approved as a Conditional Use in an agricultural zoning district. Mr. Wall stated that the applicant just provided a color version of the submitted Concept Development Plan. He agreed to distribute it to Board Members and other interested parties. It is a lot easier to understand. Mr. Hicks asked the developer who is responsible for the proposed sanitary sewer trunk line to Thornwilde Subdivision? Is SD1 upgrading the pump station because of your development? Mr. Rothert replied there are other capacity issues and they are trying to take some existing pump stations off line. Is there any monetary commitment from the developer to upgrade the pump station? Mr. Rothert responded that currently they have proposed sanitary sewer service going into the IDI pump station in the industrial/commercial area. That pump station was oversized and it is also under utilized due to the number of warehouses uses versus office uses. It has more capacity. Mr. Rothert stated that any financial commitment by the developer will be determined by SD1. The proposed pump station for the development will be located along Little Williams Road. It will be pumped up Williams Road to Thornwilde or the IDI pump station. Mr. Hicks asked if there was a plan to upgrade or widen Little Williams Road? Mr. Rothert said that he will discuss the matter with the County Engineer.

Mr. Schwenke noted it is a big variation between 250-500 dwelling units in terms of impact on Williams Road. He suggested that the developer come up with a more definitive figure before the Zone Change Committee.

Mr. Patton expressed a concern of seeing all of the details of the project on a drawing with a

sufficient scale. There needs to be a drawing to see the proposed lots, road network in relation to the golf course. He also recommended having the applicant provide a drawing showing all of Williams Road and the proposed development since Williams Road is located at both ends of the development. This will show a potential traffic split.

Mrs. Heilman noted the developer's desire for flexibility in the number of homes but could have a big impact on proposed traffic from the development. She also expressed a concern that if the project wasn't successful and another developer bought the land, he or she may try to change the original design and put more housing or smaller lots on the property. The project will have to be evaluated based upon the maximum density. Further, Mr. Bunger stated that he would like to see more consistency per pod so there is not a mix of 100 foot lots and 50 foot lots in the same pod. Mr. Rothert continued to stress that the overall density of the site is low or about 1 unit per acre. Mr. Bunger noted that future residents should know what is planned for their community.

Mr. Breetz inquired about a possible pedestrian/bike path network since there is a neighborhood school in the area. He also expressed interest in street connections. Mr. Breetz asked the applicant to identify the open space and developmentally sensitive areas.

Mr. Patton requested if the developer considered two types of densities since the project is located on two sides of Williams Road? Could the applicant address the question at the Committee meeting?

Mr. Bunger asked the applicant to address the Board of Education letter in terms of phasing the development. What is the anticipated phasing (e.g. number of units per year)? Mr. Rothert replied that he did have a meeting with Mr. Ford from the school district a few months back. The development will not happen overnight. It will be a 10 - 15 year build out. He stated that it was his understanding that the impact could be absorbed. Mr. Bunger asked whether it could be addressed through existing schools or new schools? Mr. Rothert stated that he was not aware of any new schools.

Mr. Hicks asked whether the Planning Commission could stipulate that the developer pay a portion of the sanitary sewer upgrade based upon the number of units if flow goes towards Thornwilde. Mr. Wilson stated that the Staff would have to discuss that matter with SD1 officials.

Mr. Chris Penn, owner of Traditions Golf Course, stated that the sanitary sewer flow to Thornwilde is by gravity and there is no need to upgrade it. They will only have to install a pump on their property. All effluent from their development will be diverted toward Garrison Creek and then pumped back to the gravity line. Merrell Road needs to be upgraded but most traffic will use the new boulevard rather than Williams Road because it would be in better condition. With the development of the boulevard, it will be all inclusive with utilities. What is up in the air is what happens to Worldwide Boulevard and the I-275/Graves Road Interchange Justification Study? What happens to a connector road from KY 237 to Graves Road that would be located in the existing I-275 right-of-way? There could be a four way intersection through the Montoya property lining up with the golf course entrance. He stated that they are flexible in making the development work for the free flow of traffic. Mr. Penn mentioned that they tried to model the development (density and lot sizes) after Triple Crown Subdivision. Essentially, they don't want to commit to all

100 foot lots when 10 years from now that market is not possible. Empty nesters don't want 100 foot wide lots with lots of grass to cut. The pods will be designed to meet the topography.

Mr. Bunger asked the applicant to provide the details of the sanitary sewer system at the Committee meeting. Will each of the pods have an HOA? Mr. Penn responded that he does not know at this point. The pods are separated by a lot of roadway due to the topography. Mr. Penn stated that there won't be a mix of lots in each pod. Mr. Patton asked if it would be possible to get a cross-section of the boulevard to examine grade differences and speed? Mr. Penn replied that it would be provided to the County Engineer and he also noted that the school impact was based upon the 515 figure.

**Seeing no further questions or comments, Mr. Bunger announced that the Committee Meeting for this item will be on January 18, 2017 at 5:00 P.M. in this room or the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on February 1, 2017 at 7:00 P.M. Mr. Bunger closed the Public Hearing at 8:46 P.M.**

**APPROVED:**

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**Charlie Rolfsen**  
**Chairman**

**Attest:**

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**Kevin P. Costello, AICP**  
**Executive Director**

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mr. Greg Breetz  
Mr. Kim Bungler, Secretary/Treasurer  
Mrs. Lori Heilman  
Mrs. Janet Kegley  
Mr. Don McMillian  
Mr. Kim Patton  
Ms. Lisa Reeves  
Mr. Bob Schwenke  
Mr. Brad Shipe  
Mr. Steve Turner, Temporary Presiding Officer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Matt Apke  
Mr. Mark Hicks  
Mr. Charlie Reynolds  
Mr. Charlie Rolfsen, Chairman

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Kevin T. Wall, AICP, Director, Zoning Services  
Mr. Mitchell A. Light, Asst. Zoning Administrator  
Mr. Todd K. Morgan, AICP, Senior Planner

Kim Bungler, Secretary/Treasurer called the Public Hearing to order at 8:47 P.M. and introduced the second item on the Agenda:

**CHANGE IN CONCEPT DEVELOPMENT PLAN - Janet Kegley, Chairwoman, Todd Morgan, Staff**

2. Request of **Steve Berling, P.E. (applicant)** for **DC-KY 18 LLC (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone for a 4.1401 acre site located on the west side of Seligman Drive and to the north of the property at 5935 Merchants Street, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow a senior citizen housing/assisted living facility.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The request is for a Change in an Approved Concept Development Plan to allow a 46,700 square foot senior citizen housing/assisted living facility with 48 parking spaces. The building will include 60 units with 84 beds, and provide assisted living and memory care for seniors. There will be one access point off Seligman Drive. The applicant will maintain the tree lines on the north and west sides of the site. Some of the features of the project include a courtyard and fireplaces. The applicant has submitted building elevations. The building is predominantly brick. Design Review will be required by the Planning Commission since the project is located in the Houston-Donaldson Study. There is a decorative tower element on top of the building. The maximum height of the building is 50 feet with the tower element. The building only has 2 stories. The site is located in the lawsuit settlement area and the submitted renderings are consistent with the requirements.

In terms of site history, a 46 unit, 3 story senior citizen apartment building was approved in 2015. The building was 57,976 square feet in size. Mr. Morgan showed slides of the previous approval and of the site. The site is located across from the Bear Paddle Swim School. The Future Land Use Map of the Comprehensive Plan currently shows Commercial © but would have been changed to Urban Density Residential (UD) as a result of the 2015 zone change.

In terms of the Comprehensive Plan, the Business Activity Element suggests the following: Four studies, the Houston-Donaldson Study, the Central Florence Strategic Plan, the Main Street Plan and the Mall Road District Study, have defined the scale and type of commercial uses in the City of Florence and surrounding areas.

The Housing Element also recommends that high density residential areas should be located sufficiently near and with convenient access to major streets, highways, and shopping and public facilities.

Mr. Morgan also referred to some Goals and Objectives (see (I) and (N) on Page 7 of the Staff Report). The subject site is located in Subarea One of the Houston-Donaldson Study. The study describes the following: "Subarea One is largely built out and has little development opportunity. What opportunity does exist can mostly be found on Merchants Street. This area is not one for primary retail development and should be developed as support services due to issues of limited access and visibility. Examples of this include the automobile-related development that has already occurred in this area or possibly a long term care facility for seniors, provided that such a facility

is not set up as a short/long term senior residential facility. The facility is envisioned to be a place where patients from the Gateway Rehabilitation Center could go for recuperation before either going home or to a permanent care facility.”

In relation to the Airport, the site is near the alignment with runway 36R. The site is not within a noise contour on the 2006 Noise Exposure Map adopted by the Kenton County Airport Board, but it is within the 55 DNL contour on the 2011 map.

In terms of Staff Comments, the reason for the submittal is that elderly housing facilities (including assisted living) are not principally permitted or conditional uses in the C-2 zone but it could be allowed in a Planned Development (PD) zone. Mr. Morgan expressed a concern about a lack of sidewalks along the entire parcel frontage. This would be required per the Subdivision Regulations. The proposed building is 10 feet less in height with the exception of the tower when compared to the previous approval. Also, exterior lighting should be examined since there are single-family homes adjacent to the project. Landscaping and signage will have to meet the current requirements. No comments were made by Florence Fire & EMS. In response to some questions by Staff, the applicant provided the following responses. The largest employee shift is 23 to 25 people. Their communities usually have zero residents with vehicles. One resident transport bus will be kept on site. The tower element on the building cannot be occupied. They will be contacting the Kenton County Airport Board and Kentucky Airport Zoning Commission to see if any approvals are needed to construct the building.

At this time, Mr. Bunger asked if the applicant was present and wanted to make a presentation?

Mr. Steve Berling, applicant, stated that he drew the site plan for Dominion Development. He introduced Peter Hall with Dominion Development from Knoxville, Tennessee. They have assisted living facilities under construction in Richmond, Kentucky and Frankfort, Kentucky. There is a need in Florence. They have applied for a Certificate of Need for such a facility with the State of Kentucky. It is a 3 month process to obtain approval. It is assisted living. They have nurses on staff that can administer medicine. They are not a skilled care facility. They have smaller units and health care versus independent living senior living. Every meal is provided at the facility. Most residents don't drive. They will have 23-25 staff members working at any given time. Mr. Hall stated that he could commit to constructing a sidewalk.

At this time, Mr. Bunger asked if there was anyone in the audience who wanted to speak in favor or against the request?

Seeing no one, Mr. Bunger asked if any Board Members had any comments or questions?

Mr. Bunger inquired about the storm water flow from the site? He remembered a storm water problem along the creek when the hotel was built. Will the subject site drain directly into the same creek or will it drain into the regional system by Walmart? Mr. Berling agreed to look into the issue and provide information at the Committee meeting.

Seeing no further questions or comments, Mr. Bunger announced that the Committee Meeting for this item will be on January 18, 2017 at 5:00 P.M. in this room or the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on February 1, 2017 at 7:00 P.M. Mr. Bunger closed the Public Hearing at 9:00 P.M.

**APPROVED:**

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**Charlie Rolfsen**  
**Chairman**

**Attest:**

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**Kevin P. Costello, AICP**  
**Executive Director**

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mr. Greg Breetz  
Mr. Kim Bunger, Secretary/Treasurer  
Mrs. Lori Heilman  
Mrs. Janet Kegley  
Mr. Don McMillian  
Mr. Kim Patton  
Ms. Lisa Reeves  
Mr. Bob Schwenke  
Mr. Brad Shipe  
Mr. Steve Turner, Temporary Presiding Officer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Matt Apke  
Mr. Mark Hicks  
Mr. Charlie Reynolds  
Mr. Charlie Rolfsen, Chairman

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Kevin T. Wall, AICP, Director, Zoning Services  
Mr. Mitchell A. Light, Asst. Zoning Administrator  
Mr. Todd K. Morgan, AICP, Senior Planner

Kim Bunger, Secretary/Treasurer called the Public Hearing to order at 9:01 P.M. and introduced the third item on the Agenda:

**ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT - Steve Turner, Chairman, Mitch Light, Staff**

3. Request of **Ray Meyer Sign Co., Inc. (applicant)** for **Guardian Savings Bank (owner)** for a Zoning Map Amendment for a Special Sign District for a 0.71 acre tract located at 7550 Mall Road, Florence, Kentucky (Guardian Savings Bank). The request is for a Special Sign District in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) zone to allow a freestanding sign with an electronic message center.

Staff Member, Mitch Light, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The applicant is requesting a Zoning Map Amendment for a Special Sign District to modify their existing 20' high and 64 square foot free standing sign (32 s.f. of which is manually changeable copy) with a new 17' high and 64 square foot free standing sign (32 s.f. of which is proposed to be an electronic message center). The proposed sign shows a masonry base, decorative pole cover and an architectural element on the top. The applicant is requesting "a monochrome red LED message board with the normal scrolling" and motion like a waving American flag but no video motion." If there wasn't an existing free standing sign on the property, the Mall Road Overlay Sign District allows an 8' high and 60 square foot maximum (50% of which could be manually changeable) monument style sign. This site is within Area 1 of the Mall Road District Study. Copies of Area 1 and Chapter 5 (Signage) of the Mall Road District Study are included in the Staff Report. On March 13, 2012, the City of Florence adopted the Mall Road District Study and the property became zoned Commercial Two/Planned Development/ Mall Road Overlay (C-2/PD/MR).

Mr. Light described the adjacent land uses and zoning. He also showed photographs of the existing sign and the proposed sign. The applicant would like to modify the existing sign to 17 feet high, 64 square feet, of which 32 square feet is an electronic message center. The proposed sign would include a masonry base, decorative pole cover and an architectural element on top. Mr. Light showed photographs of other existing signs along Mall Road. Page 2 of the Staff Report refers to the applicable sign regulations. The site is located within Area 1 of the Mall Road District Study.

The Mall Road Overlay Sign District (Chapter 5) states:

"The Mall Road Overlay Sign District applies to those properties which are within the Mall Road (MR) Overlay as part of the Mall Road District Study. The purpose of the sign district is to promote the mixed-use district that is visualized by the study with high quality construction materials and to follow the recommendations of the 2005 Boone County Comprehensive Plan. The Land Use Element found in the 2005 Comprehensive Plan states that "the minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor."

The subject property is designated Commercial © on the Future Land Use Map of the Boone County Comprehensive Plan. Reference to the Land Use Element is mentioned on Page 5 of the Staff Report.

In terms of Staff comments, Mr. Light stated that the applicant is requesting to modify their existing 20' high and 64 square foot free standing sign (32 square feet of which is manually changeable copy) with a new approximately 17' high and 64 square foot free standing sign (32 square feet of which is proposed to be an electronic message center). Staff suggests bringing the proposed sign closer to complying with the Mall Road Overlay Sign District. Again, if no sign were on the property, they would be permitted an 8' high and 60 square foot maximum (50% of which could be manually changeable) monument style sign.

The Boone County Planning Commission and City of Florence should analyze the following passage from the Boone County Zoning Regulations and Boone County Comprehensive Plan before acting on the request:

“Section 3440 of the Zoning Regulations states that the purpose of a Special Sign District shall be to respond to the special circumstances of development, renewal, redevelopment, or rehabilitation of areas of the County and to better achieve county-wide policies for growth and development”. The site is located within Area 1 of the Mall Road District Study. Copies of Area 1 and Chapter 5 (Signage) of the Mall Road District Study are attached to this report. The applicant is requesting “a monochrome red LED message board with the normal scrolling” and motion like a waving American flag but no video motion.” For reference purposes, the Conditions of Approval from the Crossroads Church Special Sign District request are included to the Staff Report.

In conclusion, the request needs to be evaluated by both the Planning Commission and the City of Florence based upon the requirements in Article 15 - Planned Development, the Mall Road District Study and the 3 criteria outline in KRS 100 and the Boone County Zoning Regulations. If the request is approved, the Future Land Use Map would not need to be amended.

At this time, Mr. Bunger asked if the applicant was present and wanted to proceed with his presentation?

Mr. Michael Meyer, Meyer Sign Company, stated he is the sign contractor for Guardian Savings Bank. The existing sign is plain. It is a box on a pole. They would like to improve it by lowering it, replacing the existing internal illumination with LED lighting, installing a pole cover and a masonry base, adding landscaping and incorporating an electronic 19 millimeter message center.

Secretary/Treasurer asked the applicant to describe what would be displayed on the sign? Mr. Meyer replied that it is a monochromatic board with 2 color schemes. It could be amber or red. They are proposing red. The background could be black. The graphics would be in red. It is a single color board. The software associated with the proposed sign will allow the display of letters and simple graphics. There is no video shown. The resolution is 19 millimeter for secondary road visibility. It is the same as other previously approved signs.

At this time Mr. Bunger asked if there was anyone in the audience who wanted to speak in favor or against the request?

Seeing no one, Mr. Bunger asked if any Board Members had any comments or questions?

Mr. Turner inquired about the location of the sign relative to sight distance to allow people to pull in and out of the access point? Mr. Light responded that it sits back far enough. He showed a photograph of the sign and a stop sign bar on the pavement. They are not proposing to move the sign anywhere. Mr. Light stated that if nothing was on the site, the applicant would be allowed an 8 foot high, 60 square foot monument style sign. The monument sign would be solid from the base to the top of the sign. It would include electronic changeable copy and a single color.

Mr. Patton asked if the owner was aware that the sign was pre-existing? Mr. Meyer replied yes. He stated they always ask the owner what are their intentions? Do they want to start from scratch? The client preferred coming before the Planning Commission to see if it was possible. Mr. Bunger suggested that the applicant discuss the standards in the area with the owner.

Mrs. Heilman mentioned other signs on Mall Road that have changed over time. Most of them meet the current standards. She encouraged the owner to consider meeting the current standards. Mall Road has changed and signage has improved. There are still a few of the older signs left but most of them are new. Mr. Meyer responded that electronic boards have come a long way even in the past 5 years. Software packages allow owners to do as much as they want to do or do very little. Restrictions can be applied. Graphics can be accelerated or slowed down. Electronic signs dim automatically depending on the time of day. Mrs. Heilman referred to an old electronic sign at the southern end of Mall Road. It is a busy sign with a lot of advertising that greatly impacts drivers.

**Seeing no further questions or comments, Mr. Bunger announced that the Committee Meeting for this item will be on January 18, 2017 at 5:00 P.M. in this room or the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on February 1, 2017 at 7:00 P.M. Mr. Bunger closed the Public Hearing at 9:19 P.M.**

**APPROVED:**

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**Charlie Rolfsen**  
**Chairman**

**Attest:**

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**Kevin P. Costello, AICP**  
**Executive Director**

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mr. Greg Breetz  
Mr. Kim Bunger, Secretary/Treasurer  
Mrs. Lori Heilman  
Mrs. Janet Kegley  
Mr. Don McMillian  
Mr. Kim Patton  
Ms. Lisa Reeves  
Mr. Bob Schwenke  
Mr. Brad Shipe  
Mr. Steve Turner, Temporary Presiding Officer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Matt Apke  
Mr. Mark Hicks  
Mr. Charlie Reynolds  
Mr. Charlie Rolfsen, Chairman

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Kevin T. Wall, AICP, Director, Zoning Services  
Mr. Mitchell A. Light, Asst. Zoning Administrator  
Mr. Todd K. Morgan, AICP, Senior Planner

Kim Bunger, Secretary/Treasurer called the Public Hearing to order at 9:20 P.M. and introduced the fourth item on the Agenda:

**CHANGE IN CONCEPT DEVELOPMENT PLAN - Kim Bunger, Chairman, Mitch Light, Staff**

4. Request of **Quick 8 Automotive, LLC (Brian Schreiber) (applicant)** for **Florence Promenade, LLC (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 0.515 acre site located on the southeast corner of the US 42/Bill Wentz Drive intersection, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow a quick oil change/automotive repair facility.

Staff Member, Mitch Light, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The applicant is proposing a 1,914 square foot retail building identified on the plan as a "Victory Lane Oil Change" store. Access is shown from Bill Wentz Drive (shared with the Republic Bank). Mr. Light showed photographs of the site and the original Concept Development Plan. Originally, the site was supposed to be a bank site. A bank was built in the subdivision but there was left over acreage. The conceptual front building elevation shows the proposed facility with a concrete block and EFIS facade, three (3) single loaded bays, an office with waiting area and an equipment area. Building mounted signage is permitted on three elevations at a ratio of 2 square feet of signage per linear foot of building for the primary elevation (2:1) and 1 square feet of signage per linear foot of building for two secondary elevations (1:1). Victory Lane Oil Change is not permitted its own monument sign since the multi-tenant subdivision sign is located on the subject lot. They can occupy one of the vacant tenant panels on the multi-tenant subdivision sign. Mr. Light showed an elevation of the proposed building.

In terms of site history, the majority of the corridor was changed to Commercial Two/Planned Development (C-2/PD) through the Zoning Update. In 2005, the Concept Development Plan for the Florence Promenade commercial subdivision was approved with conditions that are included in the Staff Report. Mr. Light noted the adjacent land uses and zoning. He showed the location of the service bays and dumpster location. He also showed a photograph of a store from Tulsa, Oklahoma that might be similar to one in Florence. The Florence store would not have a pitched roof. Mr. Light identified other store examples and neighboring buildings in the area. The Future Land Use Element of the Comprehensive Plan designates the site as Commercial ©. The Land Use Element states that the "US 42 corridor between the Weaver Road/Hopeful Church intersection and the newly rebuilt Pleasant Valley/Gunpowder intersection has developed commercially over the last decade. Vehicle stacking problems during rush hours and conflicting left turn movements have become significant problems on this section of roadway. Frontage road and interconnecting parking lots are necessary here to allow vehicles to access existing and future traffic signals. Through redevelopment of the former Boone Kenton Warehouse site and adjacent parcels, access to Weaver Road should be implemented, as well as, well-planned access to US 42." No new access off US 42 is planned for the site. The site in question is not part of the State road improvement from US 42 to Weaver Road. This improvement does not access over to Bill Wentz Drive.

In terms of Staff comments, the proposed building materials should be consistent with other buildings in the area. The examples provided show a wide range of designs and building materials that they have used in their other developments. The conditions of approval from the 2005 Concept

Development Plan for the Florence Promenade commercial subdivision are included in the Staff Report. Staff would like the applicant to address if there is any outside storage at any of their other locations and if there would be any outside proposed at this location? Comments from KYTC District 6 and the Florence Fire Department are included in the Staff Report. Staff has provided a copy of the standards set forth in Section 1514 "Planned Development Standards" of the Boone County Zoning Regulations. Concept Development Plan proposals in Planned Developments are to be primarily evaluated in relation to the criteria. In conclusion, the request needs to be evaluated by the Boone County Planning Commission and the City of Florence in terms of Article 3 and the Planned Development requirements stated in Article 15 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on the existing and planned uses in the area.

In response to a question from Mr. Costello, Mr. Light explained that the applicant has the right to have a panel on the existing monument sign. An existing repair business decided to use the applicant's panel space. The City's Code Enforcement Board has cited the property owner about the use of the sign.

At this time, Mr. Bunger asked if the applicant was present and wanted to proceed with its presentation? Mr. Don Stegman, Cardinal Engineering, stated that he was representing the applicant. Both Brian Schreiber and Jim Harrington of Victory Lane Oil Change are present to answer any questions. Mr. Stegman stated that they will not have a panel on the monument sign due to the location of the lot. All the advertising will be on the building sides. Mr. Harrington, Victory Lane Oil Change, noted that they have 12 company locations and 22 franchise locations. They have stores in Minnesota, Ohio, Michigan, and North Carolina. Currently, they have 34 locations and plan to be in the 50 - 60 range in the future. They are an oil change business. They don't do brakes, struts, tires, etc.. It is all quick service. They offer preventative maintenance services. They follow the dealers schedule for maintenance. Their service usually takes 22 minutes or less. There is no waiting or drop offs. There is no repair just preventative maintenance like wipers, oil change, fluids, air filters, etc.. At most locations the customer doesn't leave the vehicle. It is dealership quality service at a quick pace. There won't be any outside storage.

At this time Mr. Bunger asked if there was anyone in the audience who wanted to speak in favor or against the request?

Seeing no one, Mr. Bunger asked if any Board Members had any comments or questions?

Mr. Breetz inquired about the building mounted signage. Mr. Stegman replied that they will comply with what is allowed per the regulations. Mr. Harrington stated it is a back lit LED channel letter sign. Mr. Light stated that the applicant would be allowed 116 square feet. They are allowed signage on 3 elevations. Mr. Harrington explained that the doors will open in the summer. They do tire rotation. It would be the only time an air wrench would be used. It involves a small amount of customers. He also noted that a clock would not be installed on the exterior of the building.

Mrs. Heilman asked if the checkerboard stripe around the sign is factored into the calculation of what is allowed. Mr. Light replied yes but the other stripe is not. They are not proposing any signage at this time. Mr. Bunger asked if at any other store locations there was a request for a different door design rather than plain glass? Mr. Harrington responded that the bottom panel could be solid since the lower area gets a lot of snow, salt and dirt. It is what they are proposing. Mr. Light showed a photograph. Mr. Bunger asked the applicant to bring the proposed drawings showing signage, colors, materials, etc. that represents what they are really going to build to the Committee meeting. Mr. Harrington noted their facilities have double doors (front and back). Sometimes they try to keep a set of doors closed because of nearby road noise. Mr. Bunger inquired about landscaping. The details will be provided at the Committee meeting.

**Seeing no further questions or comments, Mr. Bunger announced that the Committee Meeting for this item will be on January 18, 2017 at 5:00 P.M. in this room or the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on February 1, 2017 at 7:00 P.M. Mr. Bunger closed the Public Hearing at 9:36 P.M.**

**APPROVED:**

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**Charlie Rolfsen**  
**Chairman**

**Attest:**

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**Kevin P. Costello, AICP**  
**Executive Director**