

APPLICATION FORM

BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

(Check One)

- 1. Boone [checked] Florence [checked] Walton [] Union []

(Check One)

- 2. Conditional Use Permit [checked] Variance [] Appeal [] Change in Non-Conforming Use []

- 3. Applicant's Name: BJ's RESTAURANTS, Inc. Applicant's Address: 7799 Center Ave. Suite 300 Huntington Beach, CA 92647

- 4. Phone Number: 714-500-2410 Fax No: 714-908-2700 E-Mail: jkgray@bjsrestaurants.com

- Description of Request: Variance for sign area on front and rear elevations because murals are considered signs and a mural on each elevation is proposed.

- 5. Name of Development: BJ's Restaurant

- 6. Location of Development: Florence Mall

- 7. Acreage Under Review: 1.25 acres

- 8. Lot Number and Name of Subdivision (if part of a subdivision): SWC of Mall Circle Road and Plaza Blvd.

- 9. Owner of Property: Florence Mall LLC c/o GGP

- Address of Property Owner: 110 N. Wacker Dr. Chicago IL 60606

- 10. City: Chicago State: IL Zip: 60606

- 11. Phone Number: 312-960-5147 Fax No: 312-442-6397 E-Mail: katie.mccarthy@ggp.com

- Proposed Use(s) on Site: restaurant

- 12. Total Square Footage of Existing and/or Proposed Buildings: 8376 SF

- 13. Current Zoning on Property: C-2 / PD / MR

- 14. Deed Book: 273 Page No: 049 Group No: 20408

- 15. Is the site subject to a zone change? no

- If yes, give date of approval

- 16. Have you submitted a Site Plan with this request? yes

- 17. Have you submitted a list of adjoining property owners with this request? yes

- 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)



**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 1/13/12 Fee Received \$932.00 Receipt # L05911
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
 Approved
1/9/13 **Approved with Conditions** (See #6)
 Denial (See #7)
6. Conditions of Approval: SEE C.L.U.R. + 1/9/13
FBOA MEETING MINUTES
7. Reasons for Denial: _____

**Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page**

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

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

STAFF REPORT

APPLICANT: BJ's Restaurants, Inc.

LOCATION: Future 1.25 acre lot fronting on Mall Circle Road and Plaza Boulevard and located immediately to the east of 7848 Mall Road, Florence, Kentucky

ZONING: Commercial Two/Planned Development/Mall Road Overlay District (C-2/PD/MR)

DATE: December 12, 2012

PROPOSAL

BJ's Restaurant is proposing to build a 8,376 square foot restaurant on a future 1.25 acre lot. The future lot has road frontage on Mall Circle Road and Plaza Boulevard and is located immediately to the east of Smokey Bones restaurant. The submitted sign drawings show the following dimensional variances are needed:

1. Allow additional building mounted signage on the front building facade. The proposal would increase the permitted building mounted signage from 283 square feet to 317.75 square feet.
2. Allow additional building mounted signage on the rear building facade. The proposal would increase the permitted building mounted signage from 142.25 square feet to 389.25 square feet.

APPLICABLE REGULATIONS

Section 250 of the Boone County Zoning Regulations states that the Board of Adjustment and Zoning Appeals shall have the power to hear and decide on applications for variances. A variance is defined as a departure from the dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.

The Board should evaluate the applicant's requests as it relates to the criteria necessary for granting a variance as stated in Section 251 of the Boone County Zoning Regulations:

1. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements contained in the zoning regulations.
 - A. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - B. The strict application of the provisions contained in the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - C. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

2. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

The Mall Road Overlay Sign District is found in Section 3440 of the Boone County Zoning Regulations. It states that Sections 3402 and 3413 of the code shall be used in determining permitted locations and the amount of building mounted signage that is permitted on a business. Permitted exceptions to Section 3413 are noted in Subsection 2 below.

- (1) The following standards shall apply to building mounted signage in the Mall Road (MR) Overlay Sign District
 - a. Channel letters, sandblasted redwood, individual pin mounted letters, neon copy, neon or L.E.D. accent bands, fabric awnings, and similar signs as determined by the Zoning Administrator shall be permitted.
 - b. Manually changeable copy, electronically changeable copy, board signs, plexi-faced panels, internally illuminated awnings, firmly structured awnings with an "inflated" or plastic appearance, and similar signs shall not be permitted unless they are replacing an existing sign of like kind that is the same size or smaller.
 - c. Building mounted signage shall not be permitted in residential developments. Exceptions are professional name plates, addresses, and building numbers.
- (2) Permitted Exceptions to the building mounted signage regulations found in Section 3413 of the Boone County Zoning Regulations are as follows:
 - a. Projecting, shingle, or blade signs shall be permitted when a main building entrance is in close proximity to a street, private access drive, or shared private development street. Projecting signs will not be treated as one of the three permitted sign areas on a primary or secondary facade but the sign area shall be factored into the total square footage that is permitted on that given facade. The maximum size of a projecting sign shall not be more than 32 square feet in size. Projecting signs shall have a minimum clearance of 10 feet over sidewalks and shall not be permitted to project over vehicular ways.
 - b. Restaurants and entertainment uses (limited to night clubs and live performance venues) shall be allowed to have neon or L.E.D. accent banding along cornice lines and main entrances. The accent banding shall not be treated as one of the three permitted sign areas on a primary or secondary facade but the sign area shall be factored into the total square footage that is permitted on a given facade. The neon or L.E.D. banding shall be limited to 2 inches in height.

Section 3413 (1) of the Boone County Zoning Regulations states that a business establishment may be permitted building mounted signage for each building elevation directly on, or with high visibility from, any arterial, collector, or marginal access street, including areas of major internal traffic circulation of a development. The primary building elevation shall be permitted two square feet of sign area per lineal foot of building width for the elevation upon which it is mounted, or in multi-tenant buildings, the width of the portion of the building frontage occupied by an individual establishment. Any additional elevations shall be permitted one (1) square foot of sign area per lineal foot of width for the same elevation on which it is mounted. Under no circumstances shall

any establishment be allowed more than three (3) elevations of building mounted signage. The square footage allotted for any one elevation may be divided into three (3) separate sign areas. For the purpose of this order, signs on awnings are considered in the total square footage of building mounted signage permitted for that elevation. Any copy area and/or illuminated areas on the awnings will be calculated for square footage.

SITE CHARACTERISTICS

The 1.25 acre property is a grass island bound by Mall Circle Road, Plaza Boulevard, and Smokey Bones parking lot. The topography is flat and there is no vegetation on site.

SURROUNDING LAND USES AND ZONING

North: Mall Circle Road and Macy's (C-2/PD/MR)

South: Plaza Boulevard and Storm Water Detention Parcel for Florence Mall (C-2/PD/MR)

East: Plaza Boulevard and Rave Cinemas (C-2/PD/MR)

West: Smokey Bones Restaurant (C-2/PD/MR)

STAFF COMMENTS

1. All buildings in the Mall Road District Study limits are subject to design requirements. Staff has included a copy of these requirements in the Staff Report because the large murals are an integral part of the building design.
2. The Mall Road District Study states that building mounted signage is limited to channel letters, sandblasted redwood, individual pin mounted letters, neon copy, neon or L.E.D. accent bands, fabric awnings, and similar signs as determined by the Zoning Administrator.

On October 1, 2012, the Zoning Administrator determined that the proposed murals to be mounted on the building were not permissible signs. However, he indicated that BJ's could make a case to the Board to allow the murals if they were part of a Variance request for increased sign area (see Pages 3 and 4 of the October 1, 2012 letter).
3. The proposed signage on the front facade exceeds code by 34.75 square feet (283 square feet allowed and 317.75 square feet proposed). Staff does not believe the mural looks out of place as proposed.
4. The proposed signage on the rear facade exceeds code by 247 square feet (142.25 square feet allowed and 389.25 proposed). Staff questions the location of the large mural on this facade because it will be hung over the loading zone for the building. The architectural design requirements of the Mall Road District Study state that loading/unloading/service areas "shall be enclosed with a screen wall which is at least 8 feet high and which uses the same materials, colors, and design detailing as the building which it serves. Alternatively, dense landscape hedging which will provide year round screening and that will grow to at least 8 feet high without routinely overtaking the planting space may be considered."
5. The Board needs to analyze the Variance criteria before acting on the requests.

6. Staff recommends the following conditions if the request is approved:

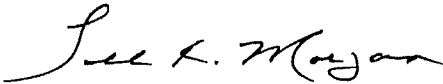
The specific murals as presented are designed to be an integral part of the overall architectural design of the BJ's building. To insure that this integral design relationship is maintained, one of the following steps shall be taken if another establishment occupies the structure in the future:

- A. The proposed murals shall be maintained as presented to the Board; or
- B. Any changes in the composition of either mural shall be reviewed by the Board through the formal Variance procedure to insure that an integral design relationship is maintained between the murals and the building; or
- C. Either or both murals may be removed and the remaining wall area(s) shall be finished in a rose limestone veneer which matches the surrounding wall areas in terms of color, texture, shape, size, and finish.

CONCLUSION

KRS 100.241 and Section 250 of the Boone County Zoning Regulations gives the Florence Board of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

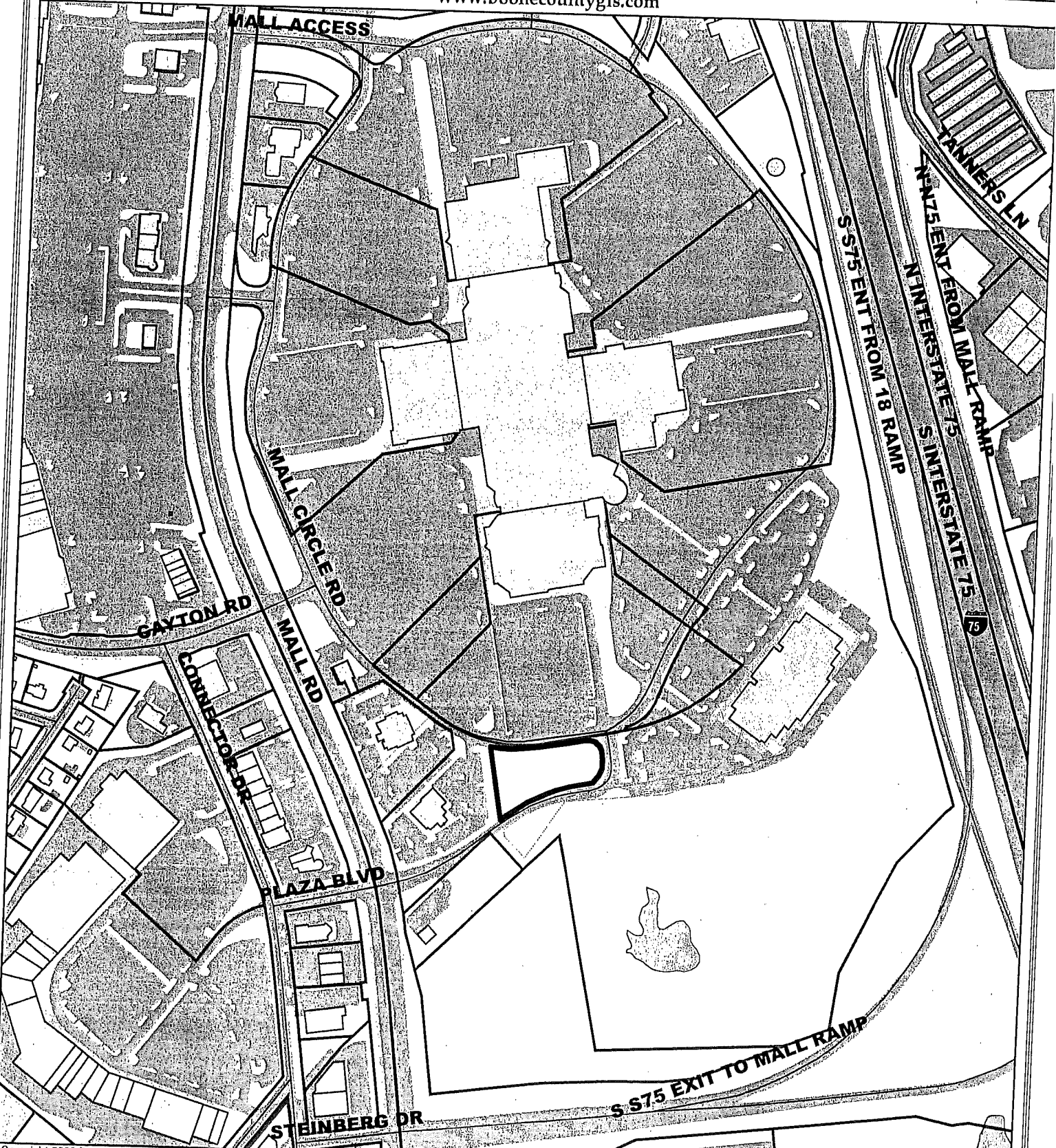
TKM/dw

Attachments

- *Site Vicinity Map
- *Zoning Map
- *2009 Aerial Map
- *Sign Drawings
- *Chapter 4 of the Mall Road District Study (Design Requirements)
- *10/1/12 letter from Kevin Wall to Jared Taylor
- *Application

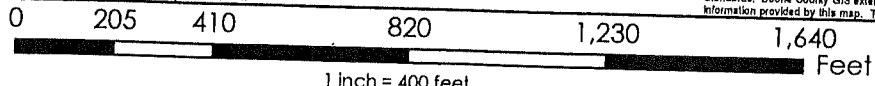
SITE VICINITY MAP

www.boonecountygis.com



Copyright 2008 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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



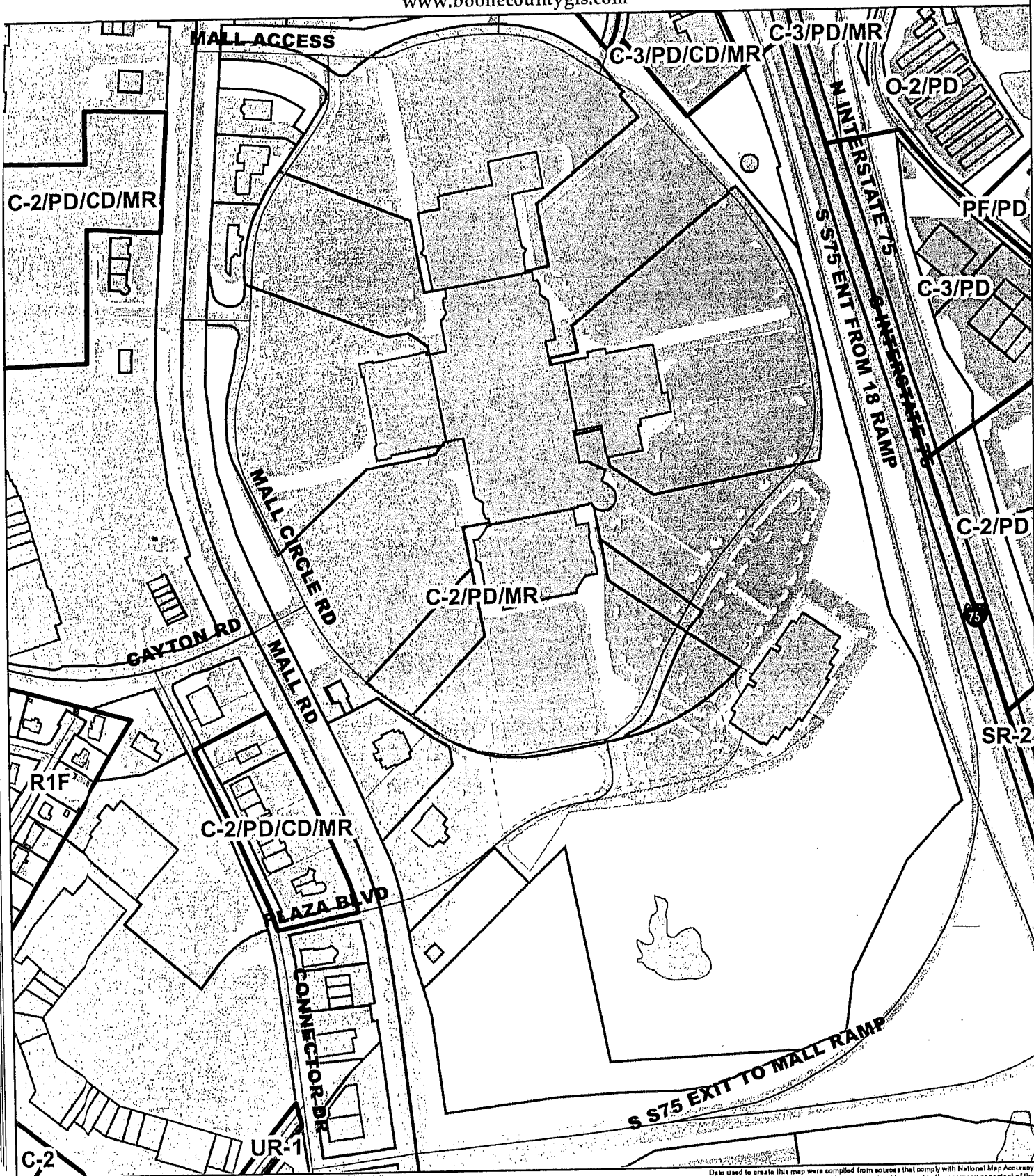
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 01/01/2008

Boone County GIS
ArcMap Document (*.mxd)

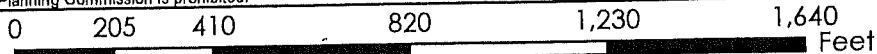
ZONING MAP

www.boonecountygis.com



Copyright 2008 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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



1 inch = 400 feet



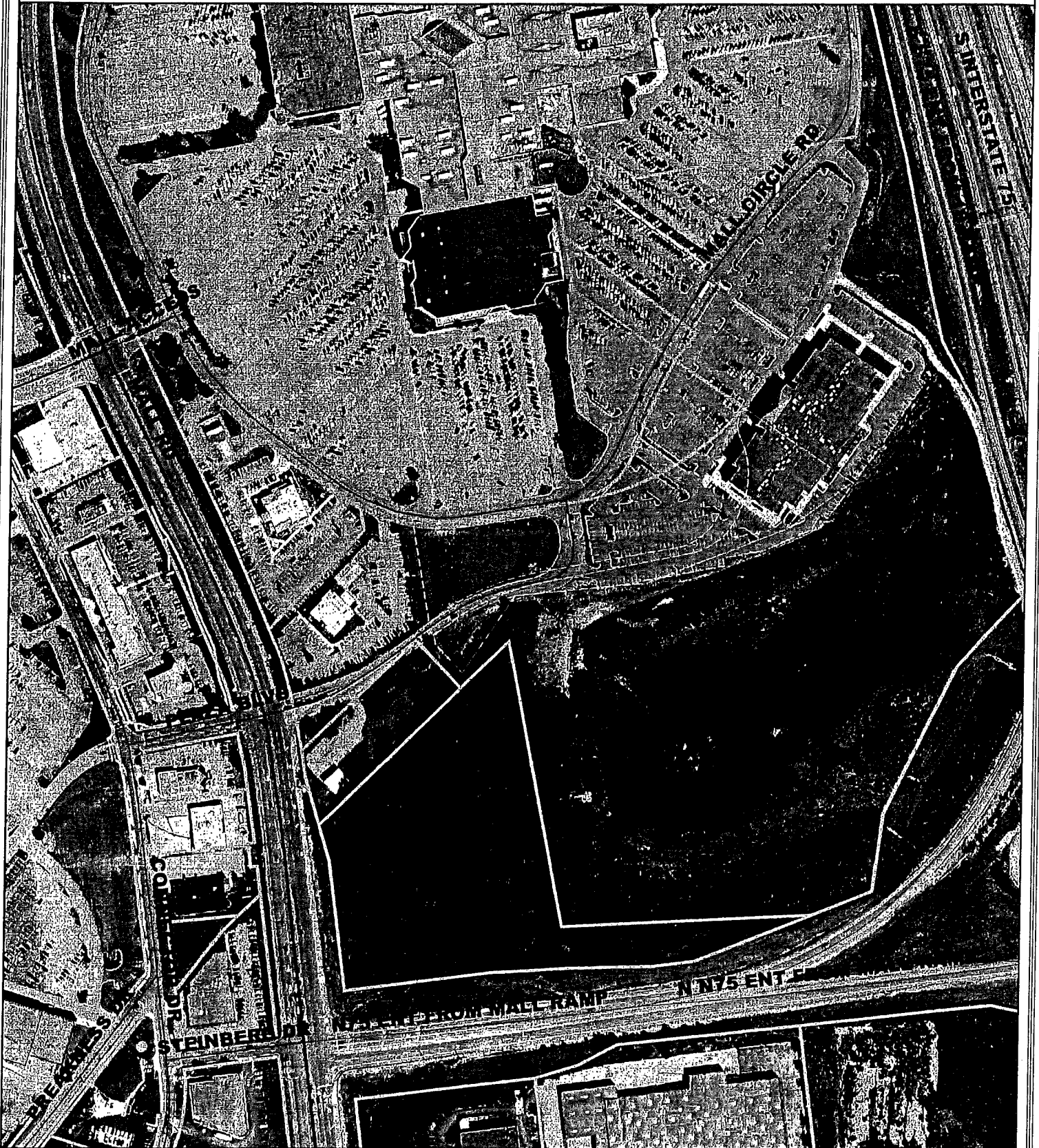
Boone County GIS - Putting Northern Kentucky on the Map



Map File Path: \\gis\mxd
ArcMap Document: *mxd

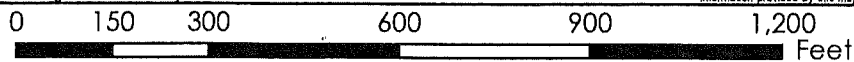
2009 AERIAL MAP

www.boonecountygis.com



Copyright 2008 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

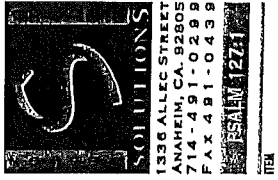
Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 01/01/2008

Boone County GIS
ArcMap Document 1.mxd



SIGN TYPE
SITE PLAN, AREA MAP
VICINITY MAP
 QUANTITY _____ SCALE _____

PAGE DESCRIPTION _____

STATUS _____

REL. _____
 GO rev#2 11-02-12

DESIGNER _____
 SALES _____
 CD _____
 JOB NO. 12-0000
 DATE 10-19-12
 PROJECT _____



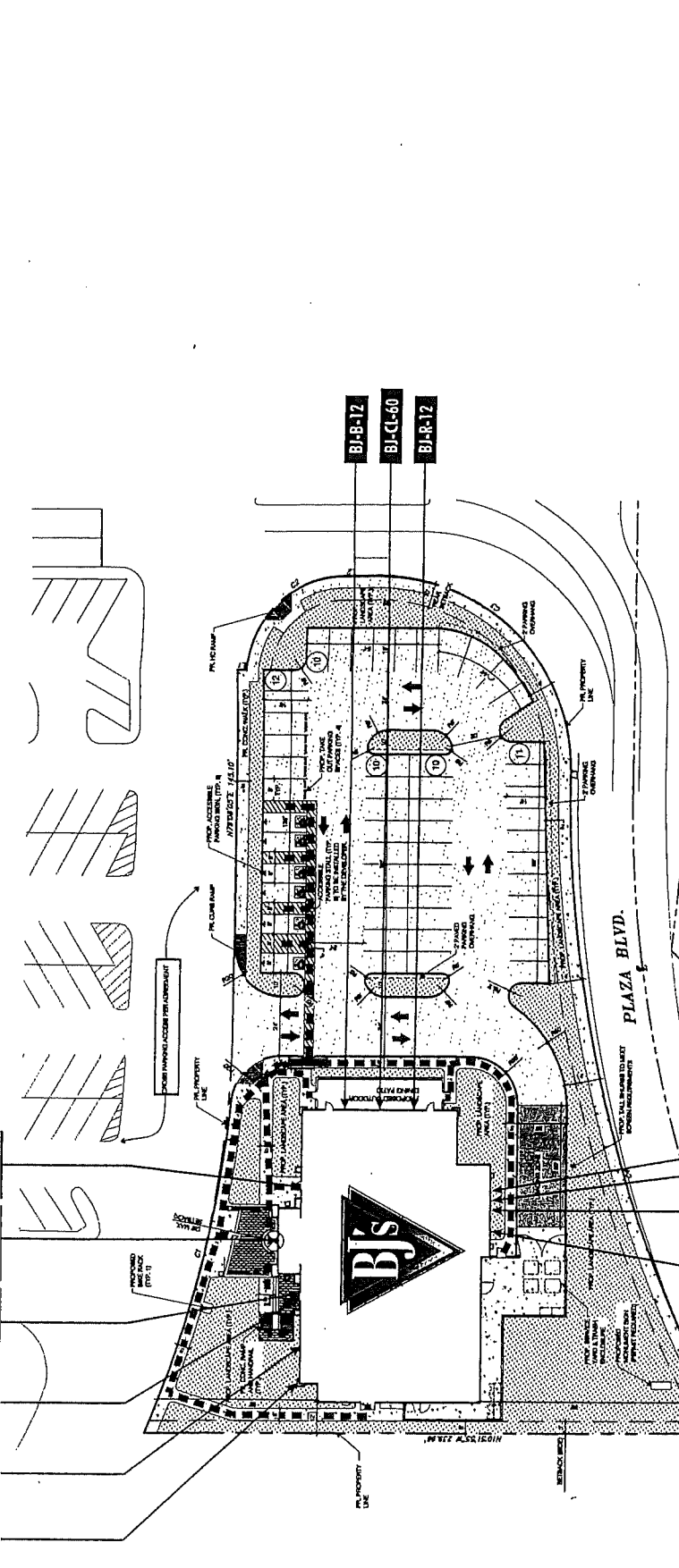
"FLORENCE HALL"
 FLORENCE, KY 41042

All signs, logos, correspondence, and plans related to this project are the property of the Designer. The Designer shall retain the right to use any and all information, including but not limited to, drawings, photographs, and other materials, in any form, for any purpose, without limitation, and without compensation to the Client. The Client shall be responsible for all dimensions and materials used in the construction of the signs. The Designer shall not be held responsible for any errors or omissions in the drawings or specifications. The Client shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The Designer shall not be held responsible for any delays or cancellations of the project. The Client shall be responsible for all costs associated with the project, including but not limited to, materials, labor, and permits. The Designer shall not be held responsible for any damage to property or persons. The Client shall be responsible for all safety measures during the construction of the signs. The Designer shall not be held responsible for any accidents or injuries. The Client shall be responsible for all insurance coverage. The Designer shall not be held responsible for any claims or lawsuits. The Client shall be responsible for all legal matters. The Designer shall not be held responsible for any other matters. The Client shall be responsible for all other matters.

APPROVALS _____
 CLIENT _____ DATE _____

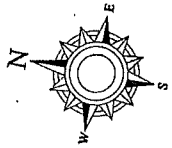
LANGUID _____ DATE _____

PAGE 1

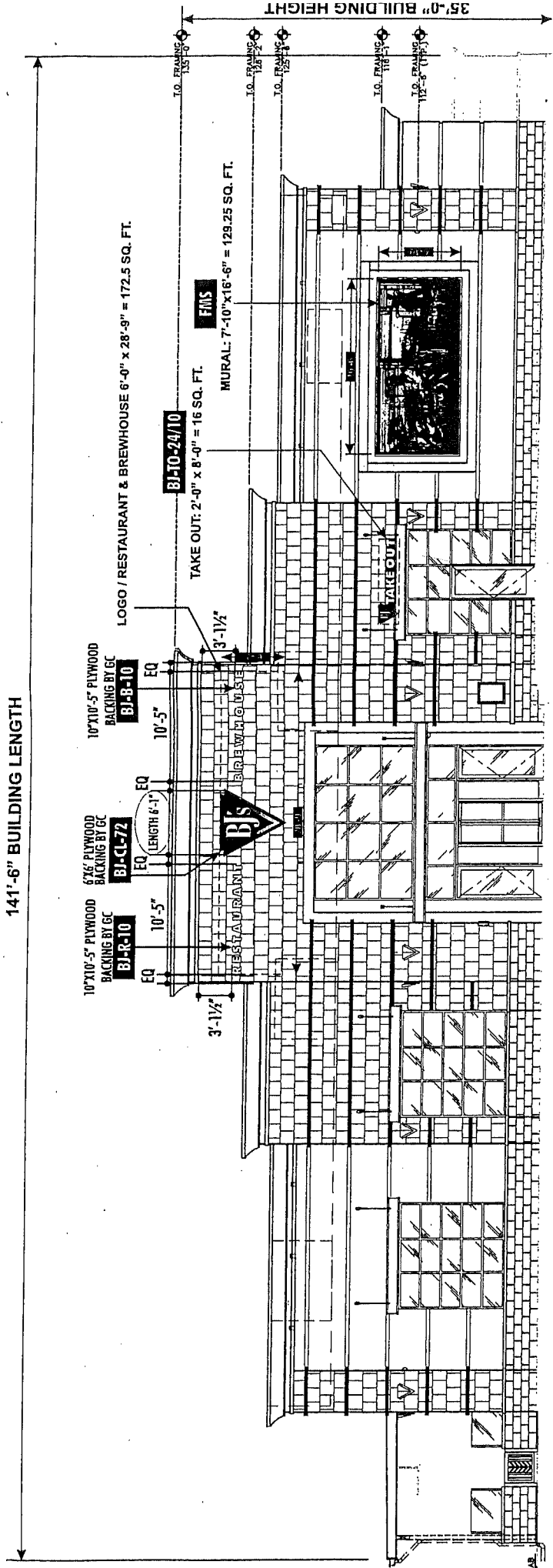


SIGN LEGEND

	DUAL LIT CHANNEL LOGO
	DUAL LIT CHANNEL LOGO X 2
	DUAL LIT CHANNEL LETTERS X 2
	DUAL LIT CHANNEL LETTERS X 2
	DUAL LIT CHANNEL LETTERS
	DUAL LIT CHANNEL LETTERS
	TAKE OUT
	FRAMED MURAL LARGE
	FRAMED MURAL SMALL



141'-6" BUILDING LENGTH



35'-0" BUILDING HEIGHT

LOGO / RESTAURANT & BREWHOUSE 6'-0" x 28'-9" = 172.5 SQ. FT.

TAKE OUT: 2'-0" x 8'-0" = 16 SQ. FT.

MURAL: 7'-10" x 16'-6" = 129.25 SQ. FT.

FMS

BJ-10-24/10

10'x10'-5" PLYWOOD BACKING BY GC BJ-B-10

6'x6' PLYWOOD BACKING BY GC BJ-C-72

10'x10'-5" PLYWOOD BACKING BY GC BJ-R-10

3'-1 1/2"

3'-1 1/2"

EQ LENGTH 6'-1"

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

EQ

FRONT NORTH ELEVATION

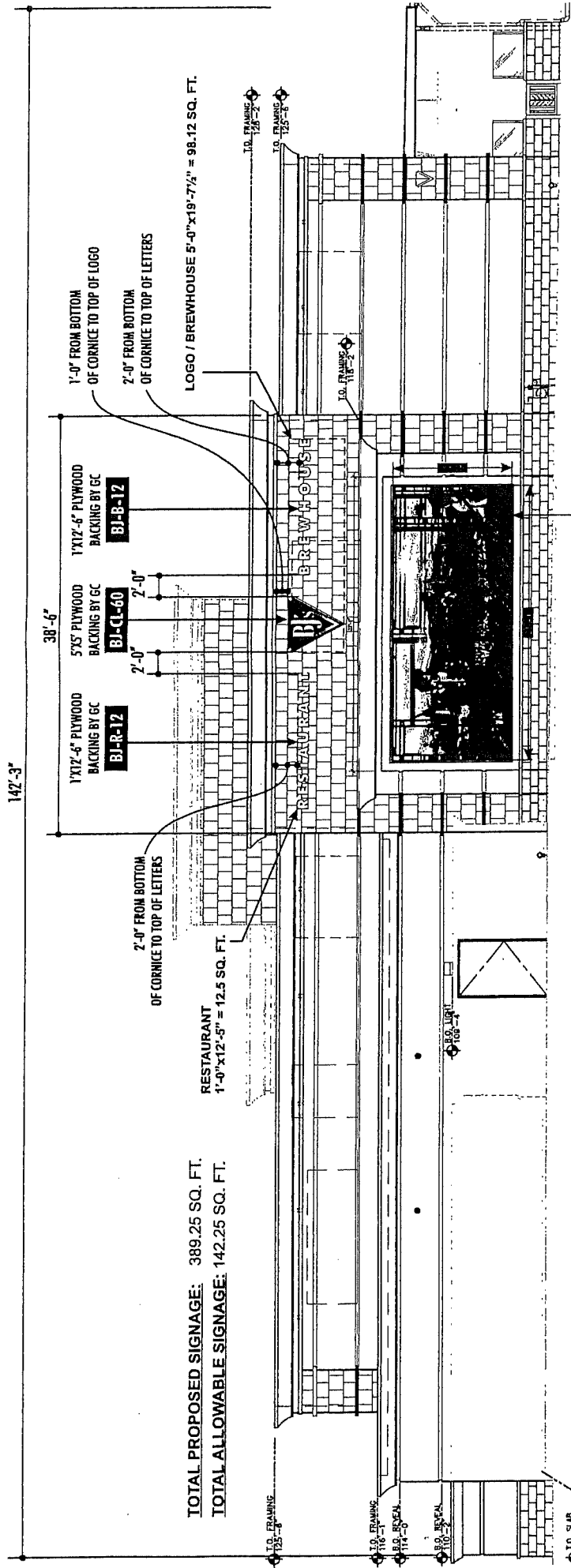
TOTAL PROPOSED SIGNAGE: 317.75 SQ. FT.

TOTAL ALLOWABLE SIGNAGE: 283.00 SQ. FT.

NOTE: USE URETHANE-SIKAFLEX SEALANT AROUND REAR RACEWAYS AND ALL PENETRATIONS

FRONT/NORTH ELEVATION SIGN LOCATION

SCALE: 3/32" = 1'-0"



142'-3"

38'-6"

1'-0" FROM BOTTOM OF CORNICE TO TOP OF LOGO
 2'-0" FROM BOTTOM OF CORNICE TO TOP OF LETTERS

1'x12'-6" PLYWOOD BACKING BY GC
BJ-B-12

5'x5' PLYWOOD BACKING BY GC
BJ-C1-60

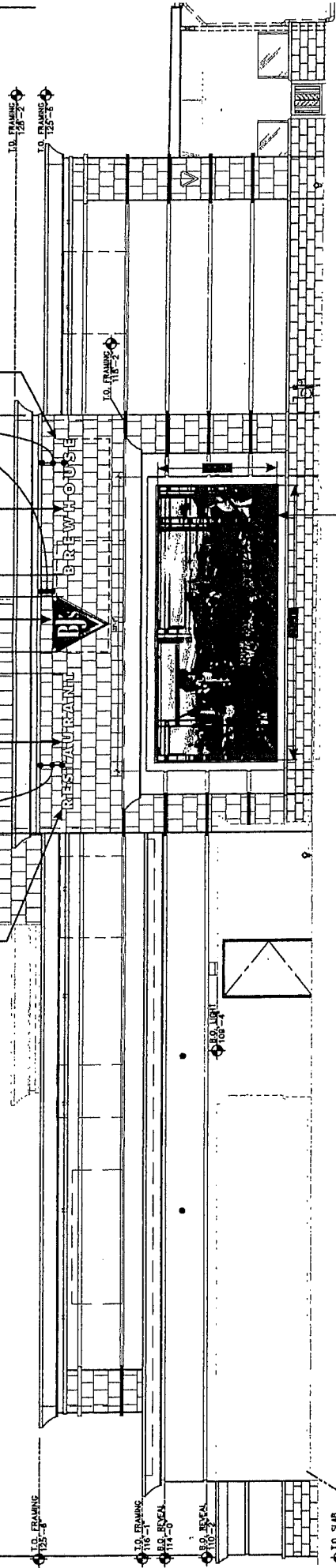
1'x12'-6" PLYWOOD BACKING BY GC
BJ-R-12

2'-0" FROM BOTTOM OF CORNICE TO TOP OF LETTERS

TOTAL PROPOSED SIGNAGE: 389.25 SQ. FT.
 TOTAL ALLOWABLE SIGNAGE: 142.25 SQ. FT.

RESTAURANT
 1'-0" x 12'-5" = 12.5 SQ. FT.

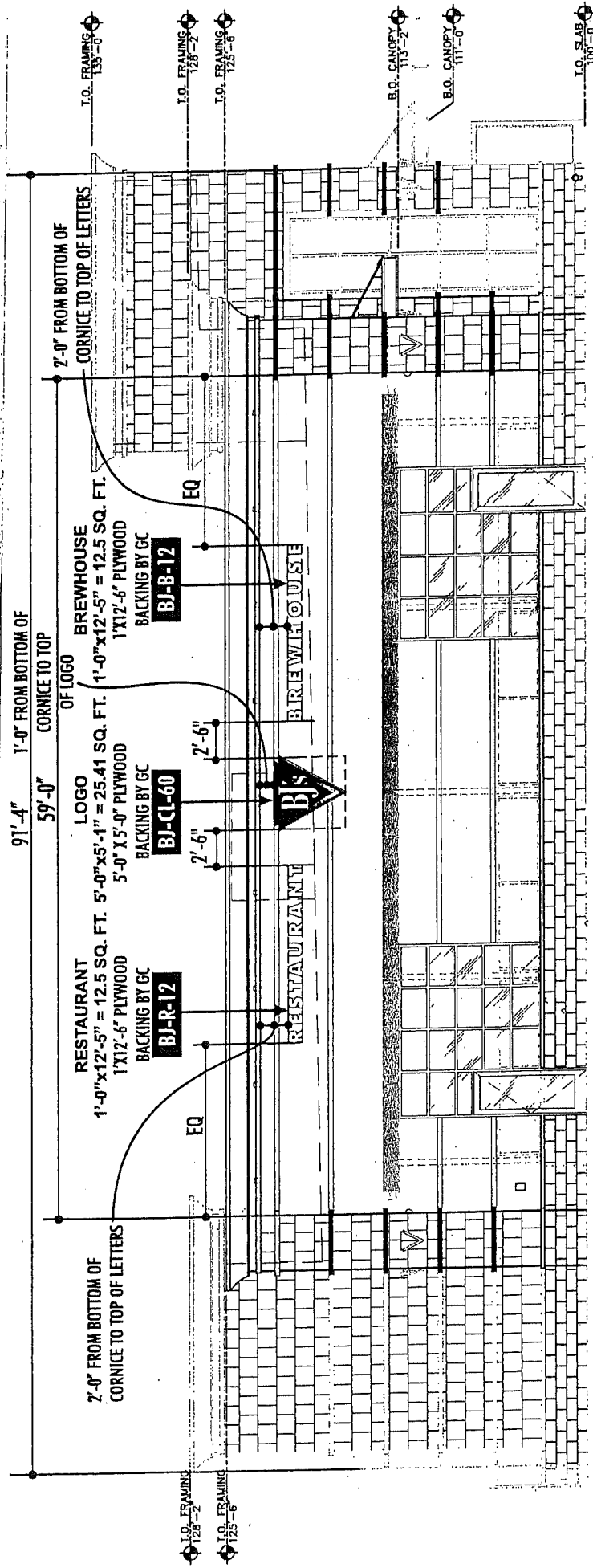
LOGO / BREWHOUSE 5'-0" x 19'-7 1/2" = 98.12 SQ. FT.



MURAL: 11'-0" x 25'-4" = 278.63 SQ. FT.

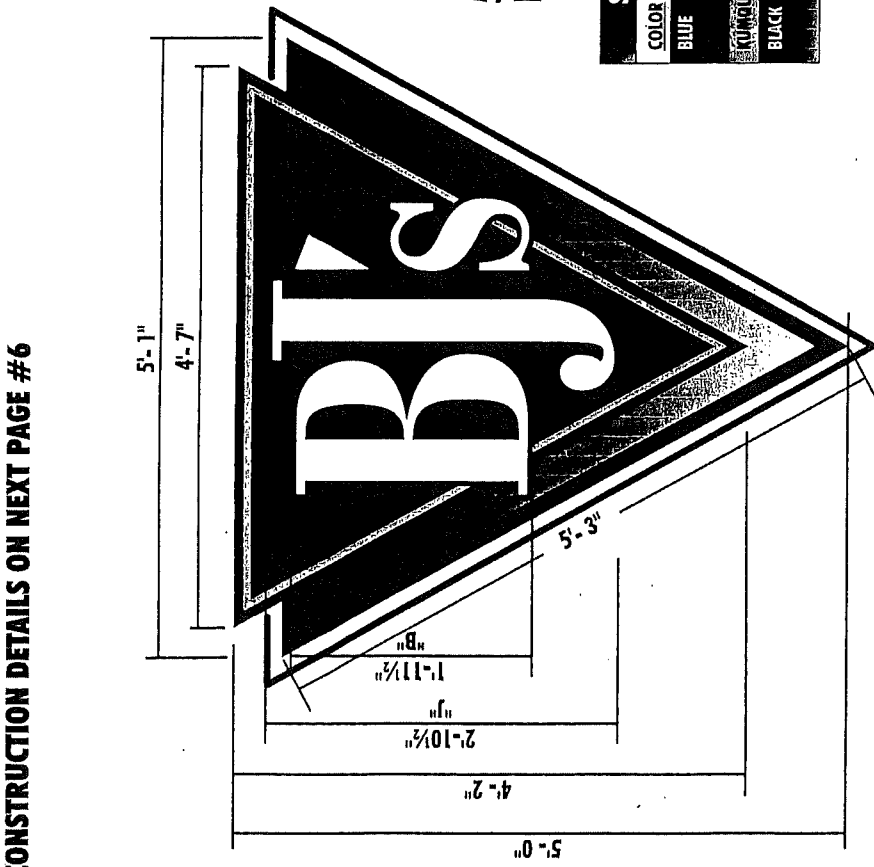
FML

REAR ELEVATION



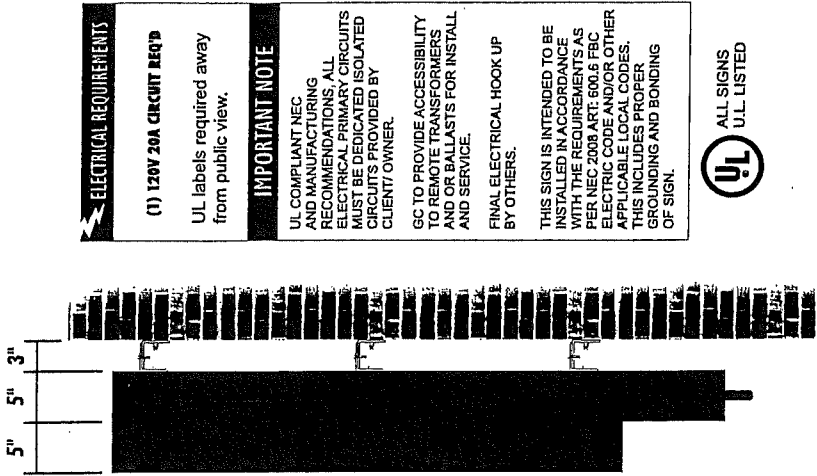
TOTAL PROPOSED SIGNAGE: 50.41 SQ. FT.
TOTAL ALLOWABLE SIGNAGE: 91.33 SQ. FT.

LEFT ELEVATION



**5' x 5' PLYWOOD
BACKER NEEDED
BEHIND WALL**

STANDARD COLORS	
COLOR	PMS
BLUE	INTENSE BLUE #3630-127
BLACK	BLACK 3630-22



ELECTRICAL REQUIREMENTS
(1) 120V 20A CIRCUIT REQ'D
UL labels required away from public view.

IMPORTANT NOTE
UL COMPLIANT NEC AND MANUFACTURING RECOMMENDATIONS ALL ELECTRICAL PRIMARY CIRCUITS MUST BE DEDICATED ISOLATED CIRCUITS PROVIDED BY CLIENT/OWNER.
GC TO PROVIDE ACCESSIBILITY TO REMOTE TRANSFORMERS AND OR BALLASTS FOR INSTALL AND SERVICE.
FINAL ELECTRICAL HOOK UP BY OTHERS.
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS AS PER NEC 2008 ART: 600.6 FBC ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.



ALL SIGNS
U.L. LISTED

SOLUTIONS
1336 ALLEC STREET
ANAHEIM, CA 92805
714-491-0299
FAX 491-0439
PEAK 124

ITEM **BJ-CL-60**
SIGN TYPE **CUSTOM BJ'S LOGO**
QUANTITY
AS NOTED
SCALE **AS NOTED**
PAGE DESCRIPTION
SECTION DETAIL
STATUS
CONCEPT DRAWINGS
REV
GG rev#7 11-02-12

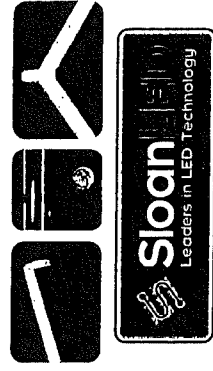
DESIGNER **SALES**
GG **CD**
JOB NO. **DATE**
12-0000 **10-19-12**
PROJECT



"FLORENCE MAUI"
FLORENCE, NY 41042
All signs, fixtures, components, and accessories are warranted by the manufacturer and are not the property of Sign Systems Solutions, and are intended, installed, and designed for use only in accordance with the product literature. Sign Systems Solutions is not responsible for any damage to property or persons, loss of operation, or any other consequences, without the written permission of Sign Systems Solutions. Written warranties on any signage shall be provided in accordance with the applicable local codes and regulations. Sign Systems Solutions shall not be held responsible for all alterations and conditions shown by these drawings. Signage must be submitted to the authority for approval before installation proceeds.

APPROVALS
CLIENT
DATE
UNROLLED
DATE

SECTION DETAIL



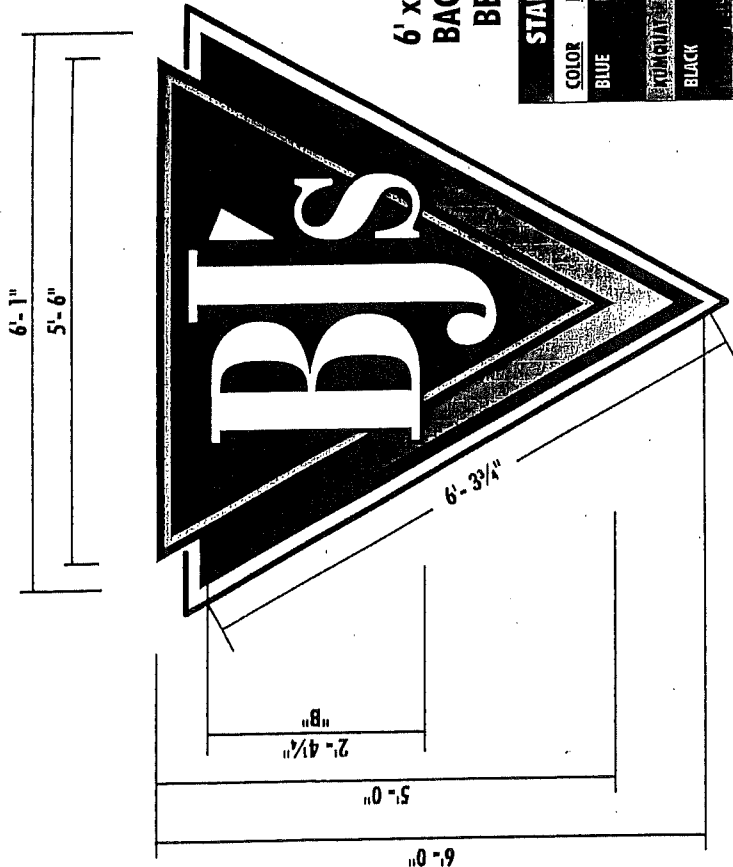
BJ'S EXPOSED SLOAN ColorLINE™ AROUND LOGO

BJ-CL-60 CUSTOM BJ'S LOGO w/SLOAN ColorLINE
Qty: Make Two [2]

NOTE: USE THICK, SQUARE, FLANGE AROUND SIGN BACKERS AND ALL PENETRATIONS

BJ-CL-60

CONSTRUCTION DETAILS ON NEXT PAGE #6



STANDARD COLORS	
COLOR	PMS VINYL
BLUE	PMS 300 INTENSE BLUE #3630-127
BLACK	BLACK 3630-22



ELECTRICAL REQUIREMENTS

(1) 120V 20A CIRCUIT REQ'D

UL labels required away from public view.

IMPORTANT NOTE

UL COMPLIANT NEC AND MANUFACTURING RECOMMENDATIONS. ALL ELECTRICAL PRIMARY CIRCUITS MUST BE DEDICATED ISOLATED CIRCUITS PROVIDED BY CLIENT/OWNER.

GC TO PROVIDE ACCESSIBILITY TO REMOTE TRANSFORMERS AND OR BALLASTS FOR INSTALL AND SERVICE.

FINAL ELECTRICAL-HOOK UP BY OTHERS.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS AS PER NEC 2008 ART: 600.6 FFC ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.



ALL SIGNS U.L. LISTED

SIGNAGE SOLUTIONS

1336 ALLEC STREET
ANAHEIM, CA 92805
714-491-0299
FAX 481-0438
PSALM 127:1

ITEM **BJ-CL-72**

SKIN TYPE **CUSTOM BJ'S LOGO**

QUANTITY **AS NOTED**

SCALE **AS NOTED**

PAGE DESCRIPTION **SECTION DETAIL**

STATUS **CONCEPT DRAWINGS**

REV **06 REV#2 11-02-12**

DESIGNER	SALES	C/D
GG		
JOB NO.	DATE	
12-0000	10-19-12	
PROJECT		



"FLORENCE MALL"
FLORENCE, NY 41042

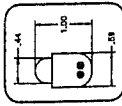
All ideas, designs, arrangements, and plans indicated or suggested by this drawing are intended to be used in accordance with the applicable codes and regulations of the State of Florida, and shall be subject to the approval of the local authorities having jurisdiction over the project. It is the responsibility of the client to obtain all necessary permits, approvals, and licenses for the project. The client shall be responsible for all dimensions and materials used in the project. The client shall be responsible for all dimensions and materials used in the project. The client shall be responsible for all dimensions and materials used in the project.

APPROVALS
CLIENT _____ DATE _____

LANDLORD _____ DATE _____

PAGE 5

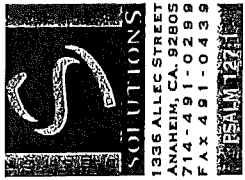
SECTION DETAIL



BJ'S EXPOSED SLOAN ColorLINE™ AROUND LOGO

NOTE: USE URETHANE-SILANE/SEALANT AROUND REAR RACEWAYS AND ALL PENETRATIONS

BJ-CL-72



BJ-CL

SIGN TYPE
**CUSTOM BJ'S
 LOGO (LED)**
 QUANTITY SCALE
 AS NOTED AS NOTED
 PAGE DESCRIPTION
 SECTION DETAIL
 STATUS
 CONCEPT DRAWINGS
 REV.
 GG rev#2 11-02-12

DESIGNER SALES
 GG CD
 JOB NO. DATE
 12-0000 10-19-12
 PROJECT



"FLORENCE MALL"
 FLORENCE, KY 41042

All work, design, materials, and labor shall be the responsibility of the contractor. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for the safety of all personnel and equipment on the job site. The contractor shall be responsible for the protection of all existing utilities and structures. The contractor shall be responsible for the removal of all debris and materials from the job site. The contractor shall be responsible for the cleanup of the job site. The contractor shall be responsible for the final inspection and sign-off of the project.

APPROVALS
 CLIENT
 DATE

LANDLORD
 DATE

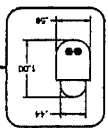
PAGE 6

BJ-CL / MANUFACTURING & ATTACHMENT

BJ'S EXPOSED SLOAN COLIOLINE™ AROUND LOGO



DRAIN HOLE NEEDED
 AT BOTTOM OF SIGN



(6) 1/2" X 2" MACHINE BOLTS

GC TO PROVIDE PLYWOOD BACKING
 BEHIND OUR SIGN FOR SUPPORT
 ATTACHMENT USE (6) 3/8" X 6" TOGGLE BOLTS

3" X 3" ALUM. ANGLE "L" CLIPS

STRUCTURE SUPPORT

1 1/2" X 1" ALUM. ANGLE ADDED
 TO CLEAR LEXAN BACKS FOR

TO SUPPORT FRONT LOGO SECTION

LOCATED INSIDE REAR SECTION

1" X 1" ALUM. SQUARE TUBE

CLEAR LEXAN BACKS

WHITE LED

EXTERIOR LIQUID TITE FLEX
 RUN FLEX TO PRIMARY ELECTRICAL

POWER SUPPLY LOCATED AT TOP CENTER

WHITE LED

ACRYLIC FACES W/ DIGITAL PRINT OVERLAY
 OF REAR LOGO SECTION

PUT ON/OFF TOGGLE SWITCH AT TOP LEFT

POWER LOCATED AT TOP

.040 ALUM. RETURNS

1" TRIMCAP W/ #8 HEX HEAD
 SCREWS PAINTED TO MATCH TRIMCAP

EXTERIOR WALL

ELECTRICAL REQUIREMENTS
 (1) 120V 20A CIRCUIT REQ'D
 UL labels required away
 from public view.
IMPORTANT NOTE
 UL COMPLIANT NEG
 AND MANUFACTURING
 RECOMMENDATIONS, ALL
 ELECTRICAL PRIMARY CIRCUITS
 MUST BE DEDICATED ISOLATED
 CIRCUITS PROVIDED BY
 CLIENT/ OWNER.
 GC TO PROVIDE ACCESSIBILITY
 TO REMOTE TRANSFORMERS
 AND OR BALLASTS FOR INSTALL
 AND SERVICE.
 FINAL ELECTRICAL HOOK UP
 BY OTHERS.
 THIS SIGN IS INTENDED TO BE
 INSTALLED IN ACCORDANCE
 WITH THE REQUIREMENTS AS
 PER NEC 2008 ART. 800.8 FBC
 ELECTRIC CODE AND/OR OTHER
 APPLICABLE LOCAL CODES.
 THIS INCLUDES PROPER
 GROUNDING AND BONDING
 OF SIGN.

NOTE: USE URETHANE STRAPPED SEALANT AROUND REAR FACEWAYS AND ALL PENETRATIONS

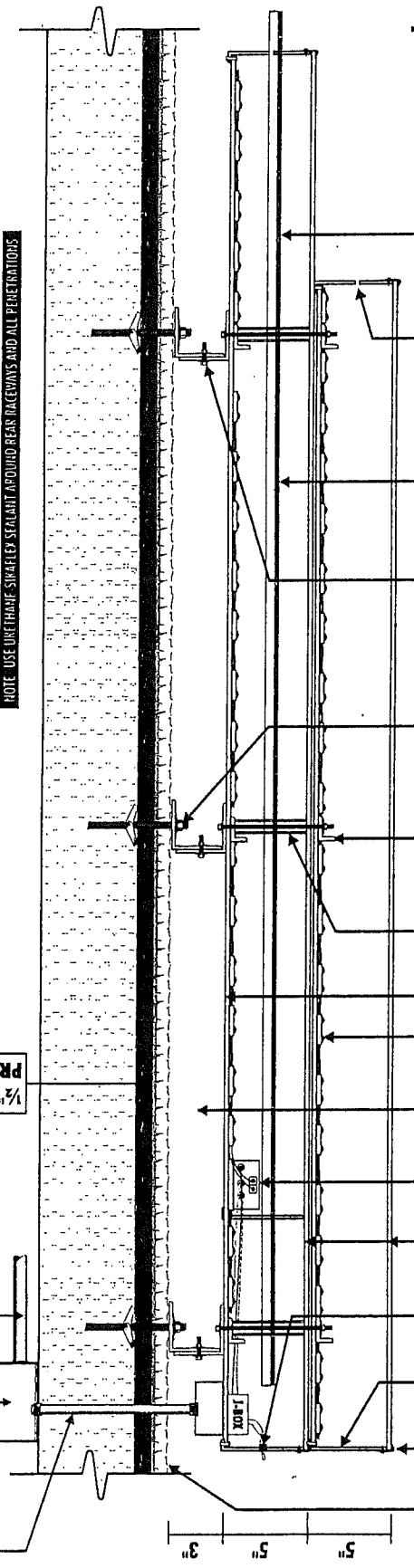
1/2" PLYWOOD BACKER PANEL
 PROVIDED BY GC

PRIMARY ELECTRICAL
 (SUPPLIED BY OTHERS)

J-BOX

1/2" EMT RIGID CONDUIT

3" 5" 5"



ITEM: **BJ-R-12**
 SIGN TYPE: **DUAL LIT LETTERS MOUNTED TO WALL**
 QUANTITY: **AS NOTED**
 SCALE: **AS NOTED**
 PAGE DESCRIPTION:
 DETAILS
 STATUS:
 CONCEPT DRAWINGS
 REL

DESIGNER: SALES
 CD
 DATE: 10-19-12
 JOB NO.: 12-0000
 PROJECT:



"FLORENCE MAIL"
 FLORENCE, KY 41042

All signs, letters, emblems, and other indicia as represented by this drawing are owned by and the property of Signage Solutions, and have been created, made, and designed for you and are not to be used, copied, or reproduced in any form without the express written consent of Signage Solutions. Signage Solutions shall have no liability for any damage or loss of any kind resulting from the use of this drawing. The client shall be responsible for all drawings and specifications. Signage Solutions shall not be responsible for any damage or loss of any kind resulting from the use of this drawing. Stop work immediately if you find any errors in this drawing. Signage Solutions reserves the right to make any changes to this drawing without notice.

APPROVALS: CLIENT DATE

UNOUDO: DATE

PAGE 7

RESTAURANT

12'-6"

SCALE: 3/4" = 1'-0"
 SIGN AREA: 12.50 SQ. FT.

DUAL LIT "RESTAURANT" LETTERS MOUNTED TO WALL
 Qty: Make Two [2]

ELECTRICAL REQUIREMENTS

(1) 120V 20A CIRCUIT BREAKER
 UL labels required away from public view.

IMPORTANT NOTE

UL COMPLIANT NEC AND MANUFACTURING RECOMMENDATIONS. ALL ELECTRICAL PRIMARY CIRCUITS MUST BE DEDICATED ISOLATED CIRCUITS PROVIDED BY CLIENT/OWNER.

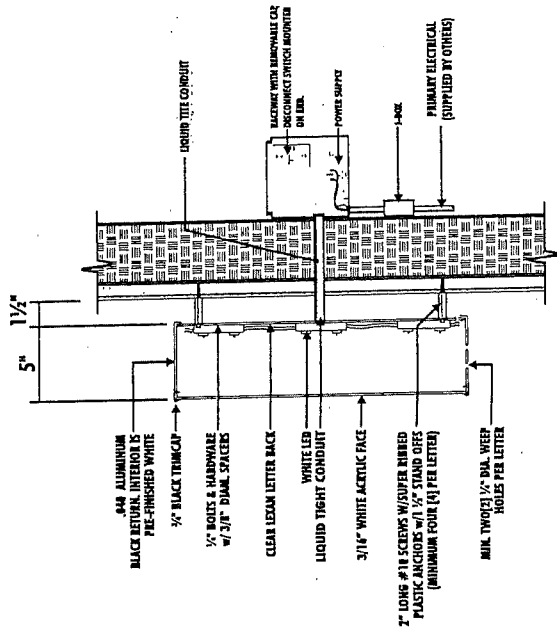
GC TO PROVIDE ACCESSIBILITY TO REMOTE TRANSFORMERS AND OR BALLASTS FOR INSTALL AND SERVICE.

FINAL ELECTRICAL HOOK UP BY OTHERS.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS AS PER NEC 2008 ART. 600.6 FBC ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.



ALL SIGNS U.L. LISTED



DUAL LIT LETTERS MOUNTED TO WALL

SECTION DETAIL

NOTE: USE DUAL TAP-SHAPED SEALANT AROUND REAR RACEWAYS AND ALL PREPARATIONS

SIGNAGE SOLUTIONS
 1336 ALLEC STREET
 ANAHEIM, CA 92805
 714-491-0299
 FAX 491-0439
 P.S.A.M. #27

ITEM **BJ-R-10**
 SER TYPE
DUAL LIT LETTERS MOUNTED TO WALL
 QUANTITY SCALE
 AS NOTED AS NOTED
 PAGE DESCRIPTION
DETAILS
 STATUS

CONCEPT DRAWINGS
 REV. GG rev#2 11-02-12

DESIGNER SALES
 GG CD
 JOB NO. DATE
 12-0000 10-19-12
 PROJECT



"FLORENCE MAIL"
 FLORENCE, KY 41042

All text, design, arrangement, and other material is represented by this drawing and shall be the property of the designer. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written permission of the designer. The designer shall not be responsible for any errors or omissions in this drawing. The client shall be responsible for obtaining all necessary permits and approvals. The client shall be responsible for providing all necessary information and materials. The client shall be responsible for the accuracy and completeness of the information and materials provided. The client shall be responsible for the timeliness of the information and materials provided. The client shall be responsible for the accuracy and completeness of the information and materials provided. The client shall be responsible for the timeliness of the information and materials provided.

DATE
 CLIENT

LANDING DATE



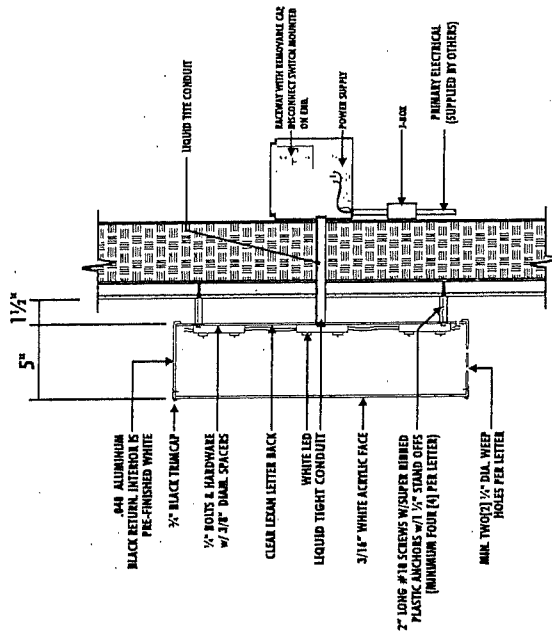
10'-5" **RESTAURANT**

SCALE: 1" = 1'-0"
 SIGN AREA: 8.64 SQ. FT.

BJ-R-10 DUAL LIT "RESTAURANT" LETTERS MOUNTED TO WALL
 Qty: Make One [1]

ELECTRICAL REQUIREMENTS
 (1) 120V 20A CIRCUIT REQ'D
 UL labels required away from public view.

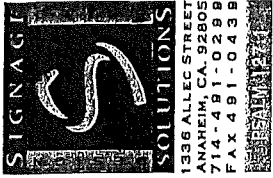
IMPORTANT NOTE
 UL COMPLIANT NEC AND MANUFACTURING RECOMMENDATIONS. ALL ELECTRICAL PRIMARY CIRCUITS MUST BE DEDICATED ISOLATED CIRCUITS PROVIDED BY CLIENT OWNER.
 GO TO PROVIDE ACCESSIBILITY TO REMOVE TRANSFORMERS AND OR BALLASTS FOR INSTALL AND SERVICE.
 FINAL ELECTRICAL HOOK UP BY OTHERS.
 THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS AS PER NEC 2008 ART. 600 & IEC ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.



DUAL LIT LETTERS MOUNTED TO WALL

SECTION DETAIL

NOTE: USE URETHANE-SHEATHED SECURITY AROUND REAR RACEWAYS AND ALL PENETRATIONS



BJ-TO-24/10

SIGN TYPE

BJ's TAKE-OUT

QUANTITY SCALE
AS NOTED AS NOTED
PAGE DESCRIPTION

DETAILS
STATUS

CONCEPT DRAWINGS
REV.

EG REF# 2 11-02-12

DESIGNER SALES
GG CD
JOB NO. DATE
12-9000 10-19-12
PROJECT



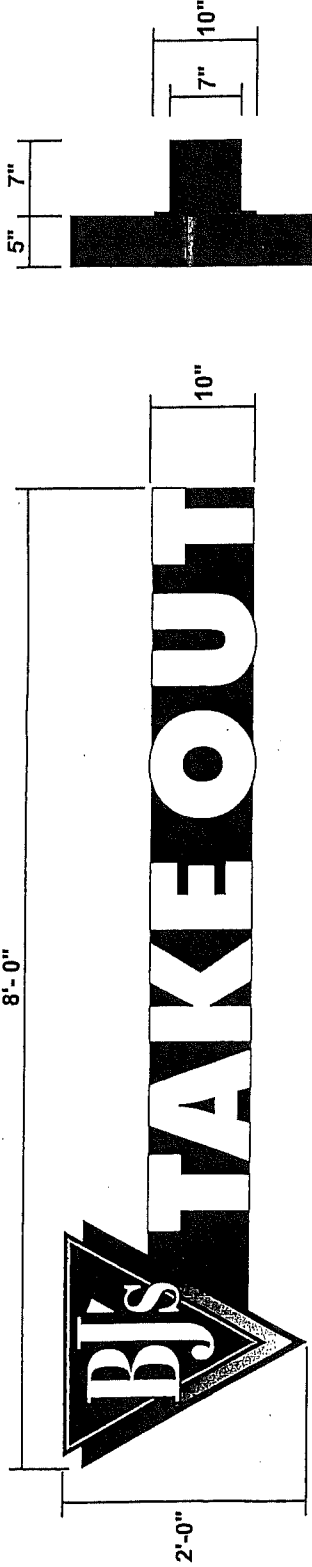
"FLORENCE MALI"
FLORENCE, KY 41042

All text, design, arrangements, and other information contained herein is the property of Signalage Solutions, Inc. and shall remain the property of Signalage Solutions, Inc. unless otherwise stated. Signalage Solutions, Inc. shall not be held responsible for any damage to property or persons, loss of equipment, or other consequences resulting from the use of this information. Signalage Solutions, Inc. shall not be held responsible for any damage to property or persons, loss of equipment, or other consequences resulting from the use of this information. Signalage Solutions, Inc. shall not be held responsible for any damage to property or persons, loss of equipment, or other consequences resulting from the use of this information.

CLIENT DATE
LANGRISH DATE

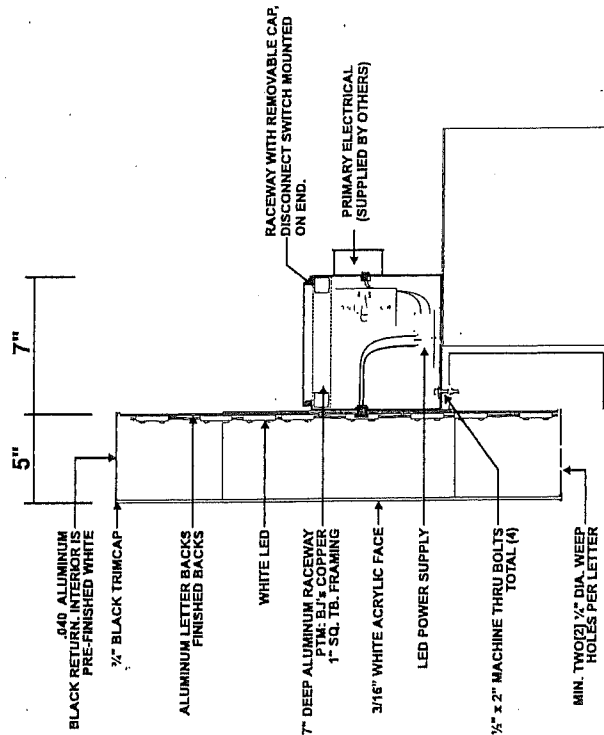
LANGRISH DATE

PAGE 11

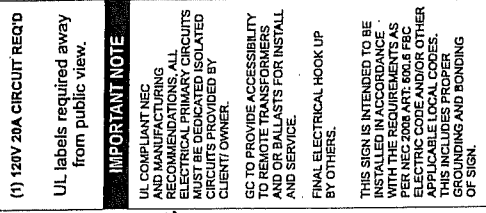


SCALE: 1" = 1'-0"
SIGN AREA: 7 SQ. FT.

NOTE: USE URETHANE SILKPLEX SEALANT AROUND REAR RACEWAYS AND ALL PENETRATIONS



LOGO MOUNTED TO CUSTOM RACEWAY SECTION DETAIL



LETTERS MOUNTED TO CUSTOM RACEWAY SECTION DETAIL

ELECTRICAL REQUIREMENTS

(1) 120V 20A CIRCUIT REQ'D
UL labels required away from public view.

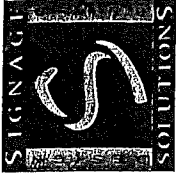
IMPORTANT NOTE

UL COMPLIANT NEG AND MANUFACTURING RECOMMENDATIONS. ALL ELECTRICAL PRIMARY CIRCUITS MUST BE DEDICATED ISOLATED CIRCUITS PROVIDED BY CLIENT/OWNER.
GC TO PROVIDE ACCESSIBILITY TO REMOTE TRANSFORMERS AND OR BALLASTS FOR INSTALL AND SERVICE.
FINAL ELECTRICAL HOOK UP BY OTHERS.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS AS PER NEC 2008 ART. 600.6 FSC ELECTRIC CODE AND/OR OTHER ELECTRIC CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.



ALL SIGNS U.L. LISTED



1336 ALLEC STREET
ANAHEIM, CA 92805
714-491-0299
FAX 491-0439

BJ-FM

FRAMED MURALS

QUANTITY _____ SCALE _____
AS NOTED AS NOTED
PAGE DESCRIPTION _____

DETAILS _____
STATUS _____

CONCEPT DRAWINGS
KEY _____
CG rev#2 11-02-12

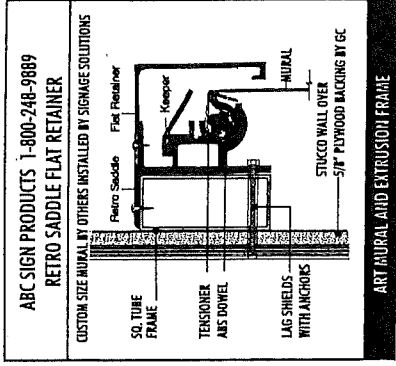
DESIGNER SALES _____
GG CD _____
JOB NO. 12-0000 DATE 10-19-12
PROJECT _____



"FLORENCE HALL"
FLORENCE, KY 41042

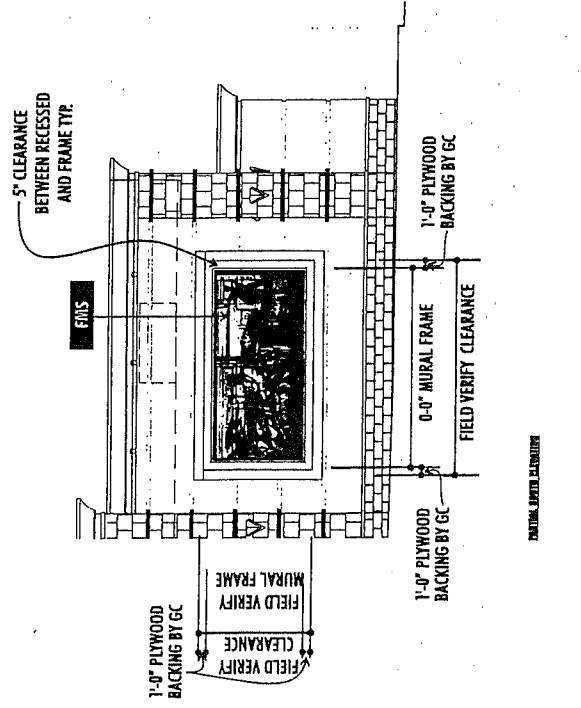
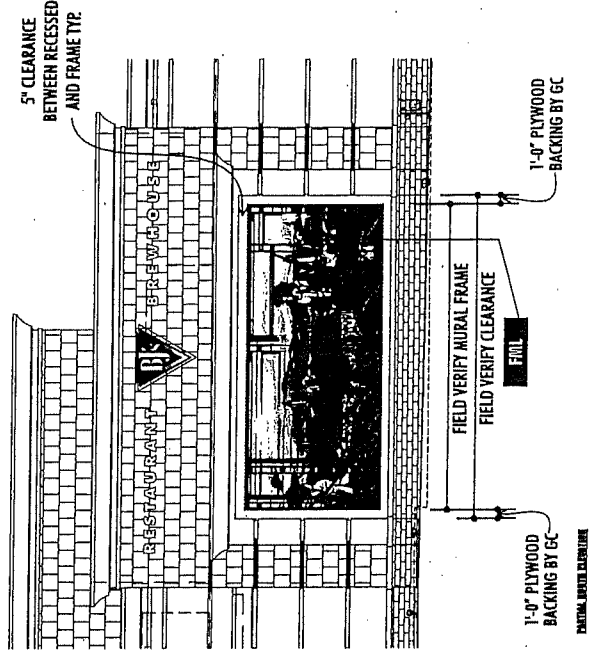
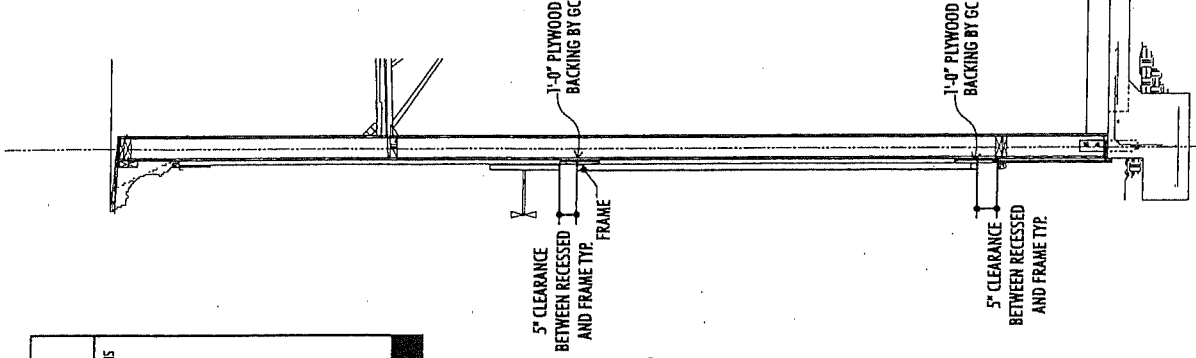
All views, designs, arrangements, and details indicated are prepared by BJS Signage Solutions and are the property of BJS Signage Solutions, and may be used, copied, or displayed in any way without the written consent of BJS Signage Solutions. BJS Signage Solutions shall not be held responsible for any damage or loss of any kind resulting from the use of these drawings. BJS Signage Solutions shall not be held responsible for any damage or loss of any kind resulting from the use of these drawings. BJS Signage Solutions shall not be held responsible for any damage or loss of any kind resulting from the use of these drawings.

CLIENT _____ DATE _____
UNORDERED _____ DATE _____



FRAMED MURALS

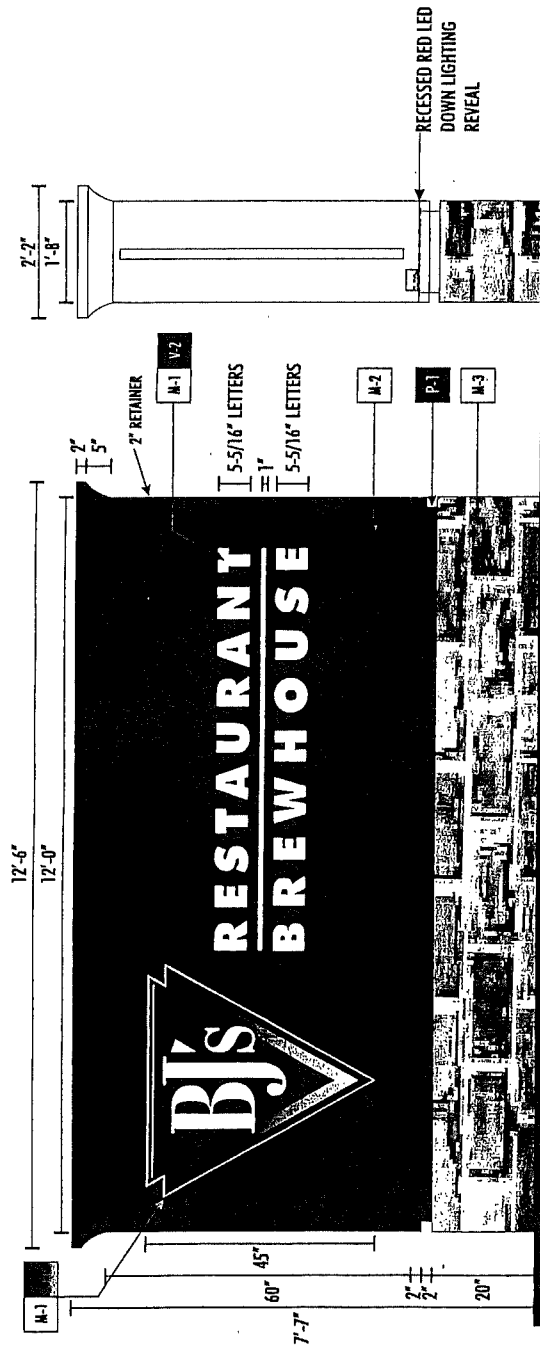
CUSTOM SIZE MURAL BY OTHERS. MURALS NEED TO BE 5/16" OVERSIZE ON ALL SIDES.



TYPICAL WALL SECTION - NTIS

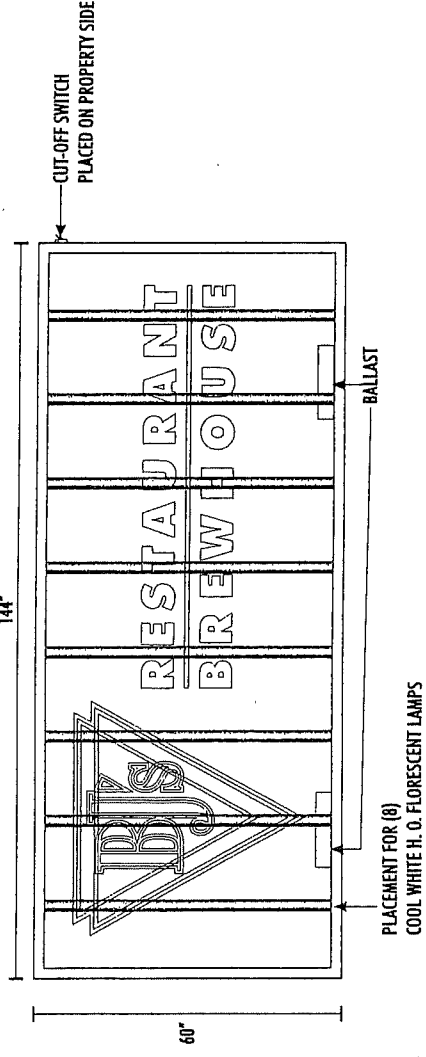
BJ-FM

BJ-M MONUMENT



FACE VIEW
60. SQ. FT.

SIDE VIEW



MONUMENT SIGN

SOLUTIONS
1336 ALLEC STREET
ANAHEIM, CA 92805
714-491-0298
FAX 491-0439
PALM BEACH

ITEM: BJ-M
SIGN TYPE: BJ'S MONUMENT SIGN
SCALE: (1) D.E. 1/4" = 1'-0"
PAGE DESCRIPTION:
STATUS:
REV: GG Rev#2 11-02-12

DESIGNER: SALES
CD
DATE: 10-19-12
JOB NO.: 12-0000
PROJECT:



"FLORENCE HALL"
FLORENCE, KY 41042

All Plans, drawings, arrangements, and details are prepared or represented by the drawing and are not to be used for any other project without the written consent of the designer. The designer shall be held responsible for all dimensions and quantities shown on these drawings. Shop notes and specifications for this work shall be prepared by the fabricator.

DATE: 10-19-12
CLIENT: BJS RESTAURANT

LANDLORD: DATE:

ELECTRICAL REQUIREMENTS
Approx. 6.4 A load (Lamps)
(1) 120V 20A circuit req'd
UL labels required away from public view.

IMPORTANT NOTE
UL 2161 COMPLIANT NEC AND MANUFACTURING RECOMMENDATIONS. ALL ELECTRICAL PRIMARY CIRCUITS MUST BE DEDICATED, ISOLATED CIRCUITS PROVIDED BY CLIENT/OWNER.

GC TO PROVIDE ACCESSIBILITY TO REMOTE TRANSFORMERS AND OR BALLASTS FOR INSTALL AND SERVICE.
FINAL ELECTRICAL HOOK UP BY OTHERS.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS AS PER NEC 2008 ART: 600.6 FBC ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.

MATERIAL	
M-1	1/4" WHITE ACRYLIC PUSH THRU COPY & LOGO
M-2	.080 ALUM MONUMENT BODY
M-3	APPLY HARDI BACKER BOARD MASONRY BY OTHERS
VINYL	
FULL COLOR DIGITAL PRINT	
V-2	3M (BLACK)
PAINT	
P-1	PMS 200 RED

CHAPTER 4

DESIGN REQUIREMENTS

This chapter outlines the aesthetic or cosmetic design requirements that apply to all buildings and sites in the Mall Road (MR) Overlay District, including parking structures, except for those which are exclusively detached or attached single family residential. These requirements are not intended to create or replicate any specific architectural style, although they are reflective of commercial and office structures which were customarily constructed from the late 19th through the mid 20th century. The design requirements are intended to create structures which are visually interesting and substantive, have “timeless” aesthetic characteristics, and which are adaptable over time. They are also intended to help establish more “urban” aesthetic qualities and human scale in the context of a regional, suburban shopping district, and establish design consistency without replication between sites. Based on these objectives, standardized corporate franchise/chain style architectural designs shall not be used unless they meet the design requirements set forth and can be reasonably adapted for future users without leaving earlier “trademark” features behind. It is recognized that there may be instances when corporate architecture is considered appropriate or even preferred for specific reasons. In these situations, deviation from these requirements may be considered.

These requirements supercede the normal requirements of the Boone County Zoning Regulations. When specific development standards or requirements are not outlined in this document, the normal requirements of the Boone County Zoning Regulations shall apply. Specific, individual requirements in this chapter may be modified by the Zoning Administrator provided the proposal will create an equivalent or superior solution to the requirement in question, and the proposal does not diminish the design character which would otherwise be created by the normal requirement.

For additions or exterior modifications to existing buildings, these design requirements shall be followed to the extent that they will produce a cohesive overall design in which the new improvements and original structure are compatible with one another when viewed from public vantage points. If compatibility between the new improvements and original structure is not feasible based on these requirements, retrofit design concepts prepared by KZF Design may be used. These design concepts are available at the Planning Commission office.

Compliance with the design requirements in this chapter shall be determined through the applicable Site Plan process as required by Article 30 of the zoning regulations. Architectural elevations and sufficient design details which demonstrate compliance with these requirements shall be submitted as part of the Site Plan application in addition to the materials listed in Article 30. Architectural plans shall be stamped or sealed by a

registered architect licensed by the Commonwealth of Kentucky.

Architectural Design

Building Materials: The primary exterior wall materials shall include brick, architectural grade CMU, stone, tile, or concrete which is formed to have a unit masonry appearance. These materials shall have an integral color. Other materials such as EIFS/stucco, architectural grade metals, wood or cement board siding, glass block, and precast concrete may be used for trim, detailing, and incidental or secondary wall areas.

Only architectural grade materials shall be used. Flimsy or synthetic appearing exterior wall materials, such as ribbed, industrial style metal siding, T-111, EIFS systems with visually pronounced joints (not including designed scoring or reveals), plain faced CMU, vinyl siding, or hard board type materials are not permitted. Snap-in grids or applied mullions are not permitted in windows; only mullions which physically separate window glass into multiple panes shall be used for divided light type windows.

Materials for any pitched roof shall be architectural grade, three dimensional shingles or tiles, slate, or standing seam metal. Other types of decorative metal roofing can be evaluated on a case-by-case basis and approved if they are integral to the overall design of the structure.

Exterior Wall Colors: Exterior walls shall primarily use colors which are reflective of rich, natural tones such as those in the red, red-brown/terra cotta, brown, clay, beige/tan/blond, mustard, and/or warm gray ranges. White or exceptionally dark colors are not permitted. Other colors may be used for trim and detailing.

Facade Composition: Facades shall be designed to have a defined base, mid section, and top or cap. This can be accomplished by differentiating the material, finish, and/or color of the wainscot or knee wall (or entire ground floor for multi-story buildings) from the upper portion of the exterior wall. Additionally for multi-story buildings, a change in the fenestration pattern between the ground floor and the upper floors can be employed. The top or cap effect should be created through the provision of a three dimensional detail(s) which breaks or jogs the wall plane from the roof such as a defined cornice, brackets, corbels, projecting eave, exposed rafter tails, et al.

Tangible masonry detailing shall be provided such as defined window sills and lintels, quoins, soldier courses, herringbone or tile detailing, or medallions. Windows and storefront units shall be recessed within their openings ("punched" openings) to create shadow lines and three-dimensional relief. Windows/openings other than storefront type units shall have a vertical height to width orientation. Transoms and main/public entrances which are recessed behind the exterior facade are preferred. For office/commercial buildings, broad storefronts which allow direct visibility into the building interior shall be provided for building frontages along public sidewalks, streets, and private access drives

which function as “streets.” Facade projections, such as simple fabric awnings and roof awnings/canopies at street level, and shingle/blade style projecting signs, are encouraged for building frontages along public sidewalks, streets, and private access drives which function as “streets.” Firmly structured awnings with an “inflated” or plastic appearance shall not be used.

For “Impact Sites” as discussed in the “Recommended Land Use and Development Concepts for the 8 Sub-Districts” section in Chapter 2 and identified on the Impact Sites Map on page 2.16, at least one type of facade projection is required along both of the street/access drive frontages at the intersection corner where the building is located. Multi-story buildings are preferred on “Impact Sites.” If one story, they shall use a taller ceiling height with an extended parapet to create height and scale commensurate with a multi-story building to anchor the structure to the intersection corner. The arrangement of bays and openings on the primary facades of buildings on “Impact Sites” shall align with the landscaping along the adjoining street frontages as discussed in the Landscaping section of Chapter 3.

For large scale structures such as anchor style retail buildings, parking structures, and civic/institutional buildings, the amount of detailing and fenestration will need to be adjusted to match the scale and function of the building. The exterior walls of larger office/commercial buildings can be designed to appear as a collection of multiple zero lot line buildings or tenants. No exterior wall for large scale structures should exceed 150 feet in length without being interrupted by a minimum 5 foot horizontal change or jog in the footprint.

Public Entry Points: The main public building entrances for all buildings, except for the individual doorways into in-line multi-tenant spaces or bays, shall be placed along the adjoining public street frontages or private access drives which function as “streets.” Public entrances may be placed on other frontages as well. These main public entrances shall be emphasized in the facade design by methods such as recessing the entrance behind the exterior facade, providing an over-scaled entrance feature which projects outward from or above the exterior facade, placing the doorway within a three dimensional archway, providing an awning or roof awning/canopy, and/or a changing the building materials, detailing, or color around the entrance opening.

For “Impact Sites” as discussed in the “Recommended Land Use and Development Concepts for the 8 Sub-Districts” section in Chapter 2 and identified on the Impact Sites Map on page 2.16, at least one main, emphasized pedestrian entrance should be placed at the corner of the intersection where the building is located or along the primary street frontage. For civic/public/institutional uses, the main entrance(s) should be placed symmetrically on the primary facade(s) with over-scaled features which emphasize or highlight it as discussed above; formal plazas or squares which align with the main entry points in an axial manner may also be employed (refer to civic space plazas below in this

chapter).

Roof Shape: Parapet designs which have a defined cornice line and pitched roofs are permitted. Pitched roof forms shall be complete and symmetrical, and span the entire building massing on which they are placed. Mansard or other "stage set" type designs are not permitted.

Screening

Mechanical Equipment Screening: All mechanical equipment shall be screened. Ground mounted equipment shall be screened either with landscaping or enclosed with an enclosure structure which uses the same materials, colors, and design detailing as the principal building. If roof mounted, the equipment shall be screened by a parapet wall (for flat roofed buildings) which is designed and constructed as an integral part of the overall building; applied, "stage set" style mechanical equipment screens are not permitted. For roof mounted equipment on pitched roofed buildings, the equipment shall be wholly contained within roof structure.

Loading/Unloading/Service Areas: Loading/unloading and/or service areas shall be placed in the side or rear yard only, excluding corner side yards and along access drives which function as "streets" including shared private development streets/driveways. Any such area shall be enclosed with a screen wall which is at least 8 feet high and which uses the same materials, colors, and design detailing as the building which it serves. Alternatively, dense landscape hedging which will provide year round screening and that will grow to at least 8 feet high without routinely overtaking the planting space may be considered.

Trash Enclosures: Garbage storage areas shall be placed in the side or rear yard only, excluding corner side yards and along access drives which function as "streets" including shared private development streets/driveways. Garbage storage areas shall be enclosed per the requirements of Section 3151 of the zoning regulations. Additionally, the required enclosure structure shall be constructed with the same materials, colors, and design detailing as the principal building.

Site Features

Civic Space Plazas: The provision of civic space plazas is recommended for several areas in Chapter 2. These are larger scale plazas which generally serve multi-building developments as opposed to the smaller scale street frontage plazas described in Chapter 3. These spaces should be centrally located within the development they serve, and sited to create visibility for the adjoining businesses. They should be surfaced with pavers and/or decorative concrete in at least two different colors and/or textures. Fixed seating such as benches or combination bench walls/landscape planters should be provided.

Moveable seating, Identity Elements as described below, and formally arranged landscaping are also recommended for these spaces.

In addition to casual or informal use, civic space plazas may also be used for activities such as the following:

- Outdoor seating for adjoining eating and drinking establishments.
- Outdoor event venues in commercial or office developments as described in Chapter 3 provided the stated requirements for this purpose are fulfilled.
- Temporary commercial displays (TCDs) provided the requirements of Article 35 of the zoning regulations are fulfilled.

Identity Elements: Identity or "personality" features such as flag pole arrangements, water features, follies, monuments or walls, and public art are encouraged throughout the Study Area, especially along the street frontages of Impacts Sites as shown on the "Impact Sites Map" on page 2.16, the main vehicular entrances and building entrances in larger multi-building/multi-tenant developments, street frontage plazas as described in Chapter 3, and civic space plazas as described immediately above. There are no prescribed setbacks for identity elements, however, they may not be located in vision triangles as prescribed by Article 32 of the zoning regulations, or within required buffer yards as outlined in Section 3645. Identity elements which contain any type of "sign" as defined by Article 40 of the zoning regulations will need to conform to the requirements of Article 34, which may include obtaining a Sign Permit.

Site Furniture: Site furniture includes items such as benches/seating and outdoor tables, light fixtures and masts, waste receptacles, bollards, bicycle racks, railings around outdoor seating areas, and street/regulatory signage. There are no proprietary specifications or requirements for site furniture, or prototypes which must be followed. Rather, site furniture must be architectural grade and the various items selected for any given site must visually correlate to one another as components of an overall design system. Also, site furniture must use neutral or dark colors, and shall not use wood or wood products.



BOONE COUNTY PLANNING COMMISSION

www.boonecountyky.org/pc
www.boonecountygis.com

Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264
plancom@boonecountyky.org

October 1, 2012

Mr. Jared Taylor
Golden Property Development, LLC
1288 Palmerston Loop
Roseville, CA 95678

FAX: 916-496-9769

RE: Determination of Review Process Relative to the *Mall Road District Study "Plan Recommendations Report"* for BJ's Restaurant, Plaza Boulevard, Florence, Kentucky; Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) Zone

Dear Mr. Taylor:

As Zoning Administrator, I have reviewed the BJ's proposal that was submitted for the Plaza Boulevard site relative to the criteria in Chapter 2 of the *Mall Road District Study "Plan Recommendations Report."* This document is incorporated into the *Boone County Zoning Regulations* by reference in Article 26. The "short review process" (administrative site plan and subdivision reviews by the Planning Commission's staff) may be followed provided the criteria prescribed on pages 2.4 and 2.5 are met by the proposal. Alternatively, the "long review process" requires approval of a Concept Development Plan before the administrative construction approvals.

The Concept Development Plan process requires a Public Hearing before the Planning Commission, a review of the hearing record and a recommendation by the Planning Commission's Zone Change Committee to the full Commission, a decision by the Planning Commission which is a recommendation to the Florence City Council, and a final decision by the City Council. This process takes between four and six months to complete without any guarantees of success.

The "*Plan Recommendations Report*" outlines three basic criteria for the Zoning Administrator to apply when determining whether a proposal should follow the "short review process" or "long review process." These are outlined in a section entitled "New Development, Site Redevelopment, Changes or Additions to Building or Site Subject to Major Site Plan, Other Use Changes."

Criterion A pertains to following the recommendations of the "Recommended Land Use and Development Concepts for the 8 Sub-Districts" section text for the MR overlay zone. This criterion also states that the objectives in Chapter 1 of the Study and the *Boone County Comprehensive Plan* may be consulted. This site is in Area 2. I have identified the following excerpts from the Area 2 text which apply to this proposal (pages 2.6 and 2.7).

- A. Further development is recommended to occur throughout this Area to increase density, increase activity levels, shorten distances between activities, and decrease the amount of open surface parking. This Area, combined with Area 8 across Mall Road, should be reinforced as the main activity center in the overall Study Area. In addition to commercial and office uses that are Principally Permitted in the underlying C-2 zone, entertainment, recreation, hospitality, and other uses which help to diversify functions and create a 24 hour environment are sought.
- B. A interconnected pedestrian system around Mall Circle Road which also links new outlot development is also recommended.
- C. Additional development around the perimeter of this Area including along Mall Circle Road, Plaza Boulevard, and Mall Road, is recommended.
- D. Other new structures around the perimeter of this Area should be sited in close proximity to Mall Circle Road or Plaza Boulevard. Access to any development in the southern-most portion of this Area that is currently vacant should occur from Plaza Boulevard or other internal route and not from Mall Road.

When considering these statements, as well as the applicable objectives in Chapter 1 and the adopted comprehensive plan, it is my conclusion that the proposal follows Criterion A.

Criterion B states "the proposal follows all applicable standards and requirements in Chapter 3 'Development Standards' and Chapter 4 'Design Requirements.' The proposal also follows any applicable provisions in Chapter 6 'Transportation and Connectivity Improvements'." The proposal meets several of the applicable standards and requirements in these chapters, however, this Criterion requires that "all applicable standards and requirements" be met, not just a portion. Several issues can be addressed with a more detailed plan or information at the site plan stage. These include the following

- A. A detailed landscape plan will need to be provided. Related to landscape requirements, the vegetative screening for the loading area will need to be detailed. Also, a portion of the handicap route from the handicap parking to the building is in the required street frontage landscape area along Mall Circle Road. Not only does this configuration take away required landscaping, it potentially places handicapped patrons along the road and requires them to navigate across BJ's access point at its intersection with Mall Circle Road. The short length of sidewalk at the nose end of the handicap parking spaces should be removed, using the internal drive as the handicap accessible route.

- B. Verification will need to be provided that all utilities are underground.
- C. Parking figures for the overall Florence Mall and BJ's developments will need to be provided so that we can verify that the applicable parking requirements are met for both sites. Also, a copy of the cross parking agreement will need to be provided.
- D. The specific treatment of the enclosure for the rear service/trash/mechanical area is not clear (Detail Sheet A6.0 referenced in the submitted materials for this detail was not provided). The enclosure will need to meet the requirements outlined on page 4.4.
- E. The site furniture will need to meet the requirements outlined on page 4.5.
- F. Some more explanation, photographs, product literature, etc., will need to be provided for the "recess lights" noted on the elevations.
- G. FYI - signage is shown on all four sides of the building whereas Article 34 of the zoning regulations only allows signage on up to three sides. Because this is an "intensity" issue versus an "area" issue, a variance can not be granted for how many elevations have signage mounted on them. Also, the sign for the take out area door appears to be on the roof of the canopy (must be mounted on the wall or painted on the glass versus placed on a roof).

Several aspects of the proposal do not meet the applicable standards and requirements in Chapter 4, and are more involved than just providing additional details or information at the site plan stage. Specifically, a substantial portion of the building's exterior is finished with a stucco cladding material. Based on the extensive application of this material (it is not limited to "trim, detailing, and incidental or secondary wall areas" as permitted by Chapter 4), I can not conclude that the proposal follows the building material requirements outlined on page 4.2. This section states "the primary exterior wall materials shall include brick, architectural grade CMU, stone, tile, or concrete which is formed to have a unit masonry appearance." This aspect of the design could be readily modified to both meet the Study requirements and maintain the basic character of the BJ's prototype.

The canopy over the outdoor seating area is fairly utilitarian in demeanor. This can be remedied by applying the requirements in Chapter 4. It can be redesigned using a more substantial fascia and cornice line, such as those shown for the main building, by using columns which have visual "weight" (use larger three dimensional proportions and construct them out of coordinating masonry, use architectural grade prefabricated columns, etc), and by minimizing or concealing the exposed gutter and down spouts.

Two preprinted murals are shown on the building's exterior walls (one on the front, and one on the rear, which would be substantially blocked by the rear landscape screening if it were done correctly). The discussion from BJ's to date has been that the murals are art and/or architectural features versus signage. While I do not necessarily disagree that they are art

and/or architectural features, they are also clearly signage as defined by Article 40 of the zoning regulations. The term "sign" is defined as "a device designed to promote and identify an establishment or activity by any means including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images." In fact, our office seen a number of instances where specific devices, structures, graphic images, etc., were considered signage by Article 40, and would otherwise appear to be less of a "sign" in the conventional, non-regulatory understanding of the term than the proposed murals. It has been pointed out that an artist was hired by BJ's to produce the murals which are used at various locations - artists, graphic designers, and the like are routinely used to design signs, advertisements, and comparable visuals for retailers. This fact does not change whether or not the local regulations consider a particular graphic work to be a sign.

Because no dimensions were provided for the various signs shown on the elevations, I do not know offhand if the permitted sign area has been exceeded, either with or without the murals (sign dimensions often vary between architectural elevations and a sign contractor's shop drawings). The potential for applying for a variance for sign area has been discussed with BJ's representatives. Section 3440, Subsection 1.A. (paragraph 4) outlines the types of building mounted signs which are permissible in the Mall Road Overlay Sign District. Applied, painted or printed images such as the proposed murals are not listed among the permissible types (they are somewhat comparable to a board sign, which is expressly prohibited). However, you can present your case for the murals to the Board of Adjustment as part of a variance application, assuming the proposal exceeds the permitted sign area and the variance process is applicable.

Chapter 4 of the "Plan Recommendations Report" outlines various cosmetic type architectural requirements which apply to this proposal and site, and the MR overlay district at large. Regardless of whether the proposed murals were or were not signage under the definition in Article 40 of the zoning regulations, the design requirements in Chapter 4 would still apply. The requirements in the "Architectural Design" section of Chapter 4 (pages 4.2 - 4.4) do not endorse or permit this type of element as part of the architectural designs in this district (refer to the "Building Materials" and "Facade Composition" subsections). However, it does offer other options for the provision of architectural detailing and features, several of which would appear to be very complementary to BJ's base building design. Again, the murals as a sign type is an issue the BOA can consider in context of a variance application for sign area.

The conclusion of Criterion B states "the proposal also follows any applicable provisions in Chapter 6 'Transportation and Connectivity Improvements'." I have not identified any issues regarding compliance with Chapter 6.

Criterion C pertains to unknown or undue impacts on infrastructure or public services. I have not identified any issue with this criterion based on the Study's recommendations.

Mr. Jared Taylor
October 1, 2012
Page 5

Overall, as Zoning Administrator, I believe it would be reasonable to determine that the proposal qualifies for the "short review process" provided that the major design issues outlined above are remedied. These include modifying the stucco exterior cladding to an acceptable material(s), revising the canopy design, and either eliminating the murals from the exterior or getting them approved through the variance procedure provided a sign area variance was applicable. These issues need to be addressed through the submission of revised plans before I will make a final determination that the proposal may follow the "short review process." Otherwise, the review criteria dictates that the proposal follow the "long review process" as these specific issues have a substantial effect on the character of the development and are not inconsequential design details.

In order to expedite the project, you can resubmit revised architectural elevations which eliminate the exterior murals to complete the Zoning Administrator Determination process and for the Major Site Plan application, and then simultaneously pursue a variance application. If the variance(s) is approved, revised architectural drawings which include the murals could be submitted at a later time as a "minor revision" to the approved Major Site Plan.

Please keep in mind that an exhaustive site plan type review was not conducted at this point. Rather, the proposal was evaluated in context of the criteria noted above and any other issues which could be readily identified. Please call me if you have any questions.

Sincerely,



Kevin T. Wall, AICP
Zoning Administrator
City of Florence

KTW/vlm

cc: Todd Morgan, Senior Planner
Josh Wice, Business & Community Development Director, City of Florence

RECEIVED
 NOV 13 2012
 BOONE COUNTY
 PLANNING COMMISSION

APPLICATION FORM

**BOARD OF ADJUSTMENT
 AND
 ZONING APPEALS ACTION
 BOONE COUNTY PLANNING COMMISSION**

FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One)
 1. Boone Florence Walton Union
 (Check One)
 2. Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use
 3. Applicant's Name BJS RESTAURANTS, INC.
 Applicant's Address 7799 CENTER AVE. SUITE 300
HUNTINGTON BEACH, CT 92647
 City State Zip
 Phone Number 714 900 2410 Fax No. 714 908 2700 E-Mail jkgway@bjsrestaurants.com
 4. Description of Request: Variance for sign area on front and rear elevations because murals are considered signs and a mural on each elevation is proposed.
 5. Name of Development BJS RESTAURANT
 6. Location of Development Florence Mall
SWC OF Mall Circle Road and Plaza Blvd.
 7. Acreage Under Review 1.25 acres
 8. Lot Number and Name of Subdivision (if part of a subdivision)
legal description attached
 9. Owner of Property Florence Mall LLC c/o GGP
 Address of Property Owner 110 N. Wacker Dr.
 10. City State Zip
Chicago IL 60606
 Phone Number 312 960 5147 Fax No. 312 442 6397 E-Mail Kate.mccarthy@ggp.com
 11. Proposed Use(s) on Site restaurant
 12. Total Square Footage of Existing and/or Proposed Buildings 8376 SF
 13. Current Zoning on Property C-2/PD/MR
 14. Deed Book 273 Page No. 049 Group No. 20408
 15. Is the site subject to a zone change? no
 If yes, give date of approval _____
 16. Have you submitted a Site Plan with this request? YES
 17. Have you submitted a list of adjoining property owners with this request? YES
 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: _____
 (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Jean Legway
 (Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

APPROVAL

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Florence Mall LLC
110 N. Wacker Drive
Chicago, IL 60606

2. ADDRESS OF PROPERTY

Florence Mall

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)

BJ's Restaurant

4. DEED BOOK 273

PAGE NO. 049

GROUP NO. 2040B

5. TYPE OF RESTRICTION(S) (Check all that apply)

___ Zoning Map Amendment:
From ___ To ___

___ Conditional Use Permit

___ Development Plan

___ Conditional Zoning

___ Subdivision Plat
(Not Recorded)

___ Other:

X Variance

6. NAME AND ADDRESS OF PLANNING COMMISSION; BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005

Todd K. Morgan

SIGNATURE OF COMPLETING OFFICIAL

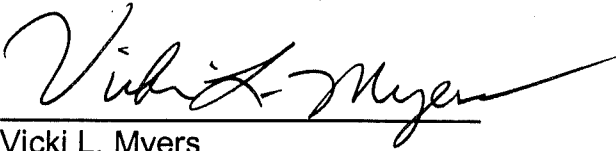
Todd K. Morgan, Senior Planner, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan

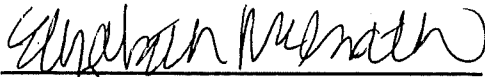
on behalf of the Boone County Planning Commission this 11th day of January, 2013.



Vicki L. Myers
Vicki L. Myers
Notary ID 438411
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2015

This instrument was prepared for recording purposes only by:



Elizabeth McGrath
Elizabeth McGrath
Boone County Planning Commission
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Variance approved by the Florence Board of Adjustments and in accordance with the current zoning in effect as of January 10, 2013 Certificate of Land Use Restriction (#13-FBOA-001-A), for Florence Mall LLC, Property Owner(s).

The following conditions will apply:

1. The proposed mural shall be installed and maintained as presented to the Board in Exhibit 1.
2. Any changes in the composition of the mural shall be reviewed by the Board through the formal Variance procedure to insure that an integral design relationship is maintained between the mural and the building.
3. Per the applicant, BJ's will remove the mural from the building if they vacate the premises and the wall area shall be finished in a rose limestone veneer which matches the surrounding wall areas in terms of color, texture, shape, size, and finish.
4. The Variance shall terminate if BJ's vacates the premises.

The approved Variance as well as the preceding conditions apply to the property described in:

DEED BOOK 273 PAGE NO. 049 GROUP NO. 2040B