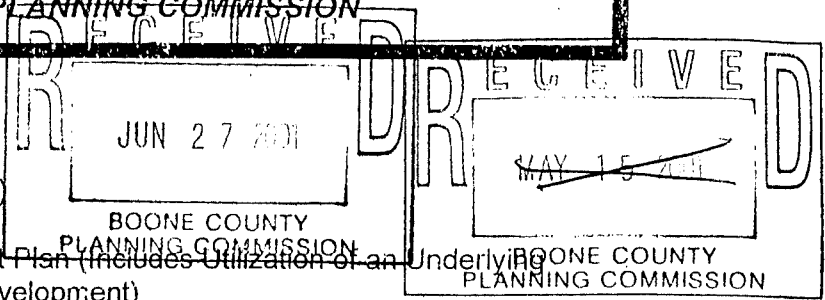


APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)
SECTION A (To be completed by applicant)

1. Check One:

- Concept Development Plan (includes Utilization of an Underlying Zone in a Planned Development)
- Change in an Approved Concept Development Plan
- Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
- Long Range Planning Committee Review (As stated in the Union Town Plan)

- 2. Name of Project Carwash
- 3. Location of Project US 42 East of 237 See Attached copy of Plat
- 4. Total Acreage of Site .9689
- 5. Current Zoning C-2 PD
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) -
- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) -

- 8. Proposed Uses (please specify each use) Full service carwash
- Proposed Building Intensities (please specify) 5000 square feet

10. Have you submitted a Concept Development Plan? No

11. Are you also applying for:
 Conditional Use Permit
 Dimensional Variance

12. Name of Applicant(s) David Ratliff CELL# 313-8448
Phone Number 331-5296 Fax No. 331-9569

13. Address of Applicant(s) 3248 Charter Oak
Edgewood Ky 41017
City State Zip

14. Name of Property Owner(s) Toll Road Properties, LLC (John + Jim Quast)
Phone Number 493-0555 Fax No. 493-0562

15. Address of Property Owner(s) 67 Cummings Drive
Walton Ky 41094
City State Zip

16. Are there any existing buildings on the site? No
How many? -

17. Deed Book 322 / 601 Page No. 85 / 242 Group No. HS 2089

18. Have you had a pre-application meeting with BCPC Staff? Yes, Todd Morgan

(over)

EXHIBIT

“A”

STAFF REPORT

Request of **David Ratliff (applicant)** for **Toll Road Properties LLC (John Quast and Jim Quast) (owners)** to consider an application for a Concept Development Plan for a 0.9689 acre site located between US 42 and Old Toll Road, approximately 600 feet east of the Pleasant Valley Road/US 42 intersection, Boone County (Annexation into the City of Florence pending), Kentucky. The request is for a Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

August 22, 2001

REQUEST

This application is for a Concept Development Plan to allow a car wash in a C-2/PD zone. This site is a 0.9689 acre lot which is located in between Old Toll Road and US 42, to the immediate west of the recently approved McDonald's restaurant site. This site was part of the Concept Development Plan for the McDonald's Concept Development Plan, but was omitted through the agreed conditions of approval because no specific project was proposed at that time (refer to condition #4 in attached 4/18/01 Committee Report).

The Concept Development Plan indicates a 4,800 square foot "drive-through" style car wash building (40' X 120') which is located along the east property line. Access is provided through a driveway that will be shared with McDonald's (connects to the Old Toll Road/US 42 connector road that is required as part of the McDonald's approval and runs parallel to Old Toll Road - no other access points onto public roads are proposed). Another driveway which runs along the west (side) property line intersects with the shared driveway at the rear of the lot - this drive curves in a horseshoe manner at the front of the lot into the car wash building. A vacuum island is proposed in the western driveway. A small parking area (thirteen parking spaces) is proposed at the rear of the lot in between the rear of the building and the shared driveway.

A monument style freestanding sign is proposed along the US 42 frontage. A building mounted sign is proposed on each side building elevation near the front corners of the building (two building mounted signs total). No design, materials, size, height, etc., has been outlined for these signs to date. Likewise, no conceptual architectural design or landscape design has been provided to date. An underground detention system that will be shared with the adjoining McDonald's is proposed. Public water and sewer are available upon annexation into the City of Florence.

SITE HISTORY

As noted above, this site was originally part of the Concept Development Plan for the adjoining McDonald's site. The Planning Commission recommended conditional approval of that application on April 18, 2001, and the Boone County Fiscal Court conditionally approved the application on June 26, 2001. The site now in question was proposed for generic commercial uses with no particular end user specified. Because no specific use was proposed at that time, the applicant agreed to withdraw the lot in question (lot 3) from the application (Concept Development Plan also attached).

ADJOINING USES AND ZONING

The following uses and zones adjoin the site in question.

- A. The approved McDonald's site is located immediately to the east and the approved Peoples Bank site is located further to the east (C-2/PD).
- B. The Wentz property, which was recently approved for a mixed use commercial center, is located to the south across US 42 (C-2/PD).
- C. The Florence United Methodist Church and senior housing complex are located to the north, across Old Toll Road (UR-1/PD).
- D. A largely tree covered area, which contains a single family residence that faces Old Toll Road, is located to the west (C-2/PD).

SITE CHARACTERISTICS

As noted above, the site contains 0.9689 acres. The proposed lot has approximately 94 feet of frontage along US 42 and the buildable portion of the lot has approximately 112 feet of frontage along Old Toll Road (this figure excludes the "panhandle" area behind the McDonald's lot that will contain the shared driveway). As the site is currently being graded in accordance with the approvals for the adjoining McDonald's, the site is basically a graded terrace which slopes downward to both street frontages and to the lot to the west. Public water and sewer exist in the vicinity and are available to the site upon annexation into the City of Florence.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the site in question for "Commercial" uses. This designation is described by the Comprehensive Plan as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Land Use Element provides the following quotes that relate to the general area ("Pleasant Valley-West Florence Area," pp. 163 and 164):

- A. Commercial development in the US 42, Pleasant Valley Road intersection area should be of a local rather than a regional scale, and should incorporate the reconstruction of Old Toll Road for use as an access road. Access Management at the intersection of US 42 and Pleasant Valley should include access roads to serve commercial developments.

The Land Use Element provides the following Future Land Use Development Guidelines that relate to the proposal.

- A. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact ("Buffering," pg. 159).
- B. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways . . .

Developments along major roadways in Boone County must include landscaping and/or the use of berms between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing uses ("Landscaping," pg. 159).

- C. Developments in Boone County must recognize the potential impacts of stormwater run off. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site. Further, control and mitigation practices for erosion associated with developments must be provided ("Stormwater Management and Erosion Control," pg. 159).
- D. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, and provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system ("Access Management," pg. 159).
- E. Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention ("Designs, Signs, and Historic Preservation," pg. 160).

The Business Activity Element provides the following comments that relate to the general area in question ("Areas of Future Commercial Activity," pp. 70 and 71).

- A. Many problems with the location and arrangement of commercial uses have emerged, especially along the KY 18 and US 42 corridors. Commercial developments along KY 18 and US 42 west of Mall Road should not be regionally oriented nor should they attract additional traffic, but rather be served by the existing or future population of the area.
- B. Commercial developments that occur in the KY 18 and US 42 corridors should be limited in scale (e.g. building, intensity, use, etc.) and clustered to serve growing residential neighborhoods. Planned Unit Developments should be encouraged so that commercial construction is incorporated within new residential areas. These commercial clusters should not function as an extension of Florence and Mall Road, but as a distinct unit serving the Burlington and Union areas.

The 2000 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements.

- A. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- B. Proper design principles shall be applied in development ("Overall," Objective 3).
- C. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be maintained or improved as needed ("Overall," Objective 4).
- D. Boone County shall strive to achieve both a diversity and balance in land use ("Overall," Objective 6).
- E. The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- F. New development or redevelopment within Boone County is designed, constructed and operated in such a way that the quality of the existing physical environment and social environment are protected and enhanced. Development within Boone County preserves and promotes a better quality of life ("Environment," Goal).
- G. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used. Residential development design in particular shall minimize grading work as opposed to clearing the entire site, without unduly restricting the development. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Physical Objective 2).
- H. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Social Objective 4).
- I. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).

- J. Compact, efficient development patterns shall be encouraged for business districts (e.g. industrial, commercial and office) with appropriately sized and well maintained buffer spaces between the business use and other land usage ("Business Activity," overall objective).
- K. Commercial uses shall be limited to strategic locations serving trade areas and neighborhood needs and shall have safe and effective access and ample parking space ("Business Activity," Commercial [Retail and Office] Objective 1).
- L. The large scale mixing of commercial and non-commercial uses shall occur in planned developments or in areas where consideration has been given to assure compatibility with surrounding land uses. The location of large scale commercial uses shall take into consideration existing or planned infrastructure conditions so as to protect the existing and future population and businesses. Small scale mixing of commercial uses within residential areas shall be carefully assessed and properly placed so as to enhance the neighborhood. Architectural Design Review and consistent sign standards shall be implemented on a corridor by corridor basis, when justified by legitimate land use planning principles ("Business Activity," Commercial [Retail and Office] Objective 2).
- M. Highway commercial uses shall be in close proximity to highway interchanges for maximum convenience and economy to the traveling public, while maximizing impact to the community in terms of traffic congestion, local commuting patterns and access ("Business Activity," Commercial [Retail and Office] Objective 3).
- J. New infrastructure systems shall be built to definite planned and balanced capacities and for definite urban and rural forms ("Public Services and Facilities," Objective 2).
- K. New connector streets shall be developed where needed and feasible thus lessening the total dependence on arterial streets. Existing connector streets shall be improved where needed ("Transportation," 2nd Goal, Objective 2).
- L. Proper access to adjoining property shall be provided and/or retained when a property develops or redevelops ("Transportation," 2nd Goal, Objective 3).

STAFF COMMENTS

1. First, the Planning Commission and City Council will need to consider the Comprehensive Plan as it relates to this request. The Land Use Element states in general that "commercial development in the US 42, Pleasant Valley Road intersection area should be of a local rather than a regional scale, and should incorporate the reconstruction of Old Toll Road for use as an access road. Access Management at the intersection of US 42 and Pleasant Valley should include access roads to serve commercial developments." As is obvious from these statements, the Comprehensive Plan stresses the importance of access management in this area - the only access point proposed for this site is a driveway from the future connector street between Old Toll Road and US 42 that will be shared with the approved McDonald's restaurant. The Future Land Use Map designates the site as "Commercial." Additionally, the governing bodies should also consider the Goals and Objectives in determining whether a car wash specifically is a type of commercial use anticipated for the site and general area (paragraphs "I" through "M" above pertain specifically to Business Activity).

2. Staff offers the following comments regarding 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 against these criteria.
 1. Mixed Use Development and Pedestrian Orientation: Relative to this standard, the proposal involves a small, automobile oriented facility on a small lot. Based on the grading of the site (relatively steep grades along US 42, Old Toll Road, and along the west property line) and the nature of the business, a wide array of multi-modal improvements are not warranted. The Zoning Regulations do require the provision of a bike rack and a sidewalk link to the street. Based on the grading of the site, a sidewalk link to the adjoining McDonald's lot may be a better solution for pedestrian circulation versus a link to a public walk along one of the streets. Sidewalks are required along both street frontages - the sidewalk along US 42 is existing and the future sidewalk along Old Toll Road is indicated on the submitted Improvement Plan for "Quast Subdivision," which includes this lot along with the McDonald's and Peoples Bank lots.

 2. Compatibility of Uses: Staff has identified two major issues relative to this standard. First, the applicant needs to outline how the facility will operate. Staff assumes that the business will largely be conducted within the building, and that incidental operations such as vacuuming, other interior cleaning, and towel drying may occur in the parking area, although this understanding needs to be confirmed.

Second, the governing bodies need to determine whether the proposed use, based on the proposal presented and the applicable policies, is a compatible use at this location. It is Staff's conclusion that the proposed siting of the building along the east property line helps to minimize the visual impact on the building (versus at the top of the slope along the west property line which would create a dominating building scale, much like the auto maintenance facility on Merchants Street). Because the site terrace is noticeably higher than the adjoining streets and the site to the west, particular care needs to be taken relative to site lighting. Adequate lighting for this facility could probably consist of shielded wall packs on the building, and a few modestly sized freestanding fixtures (such as 8 to 10 feet high) which are directed inwards.

3. Open Space: This standard states that "useable open space(s), in an amount over and above setback areas and open areas required by the underlying zone, shall be provided." This standard has been met by the open areas proposed along the street frontages relative to amount, although this space is not useable due to grades. The opening paragraph of Section 1514 states the criterion shall be fulfilled "unless a portion of the criteria do not apply or relate, in whole or part, to a specific proposal." Therefore, the governing bodies will need to determine the applicability of this requirement to the proposal at hand. Related to open space and landscaping, the parking spaces proposed along the west property line encroach into the required 10 foot buffer yard (5' if there is a shared buffer yard agreement with the adjoining property) by approximately 6 feet. Staff recommends that the applicant attempt to modify the driveway width and alignment slightly to meet this requirement. Unrelated to this criterion but pertinent to site plan requirements, the width of the proposed angled parking spaces will also need to be modified slightly.

4. Multi-Modal Transportation System: Issues pertaining to this criterion are discussed under #1 above.

5. Preservation of Existing Site Features: As noted previously, the site is currently being graded as part of the overall Quast Subdivision and there are no remaining site features of note such as tree cover, water courses, etc.

6. Landscaping: Landscaping has not been addressed in the application materials. As a point of reference, condition #2 of the McDonald's Concept Development Plan approval requires conformance with the City of Florence landscaping requirements in Article 36 of the Zoning Regulations. Staff has not identified any particular impact or aspect of the proposal which demands landscaping outside of the normal Article 36 requirements, although any approval of this application should specify whether or not the buffer yard along the west property line must meet the normal 10 foot width requirement.

7. Architecture: The design of the proposed building has not been outlined in the application. When considering that the building itself is basically just a shell (albeit with a specialized interior), its architecture has the potential to be commanding, particularly for the type of use involved. Condition #1 of the McDonald's Concept Development Plan approval can be used for reference, although Staff believes that this condition can be expanded to include architectural detailing, use of consistent materials and detailing on all facades to avoid the appearance of a "back" or "utility" side of the building, and use predominately earth tones. As car washes can have fairly negative visual impacts, high quality architecture (along with reasonable outdoor operations as discussed above), can help assure that the use is reasonable at this location. Additionally, the dumpster enclosure, signage, and site furniture (such as light standards) should architecturally correlate to the building.
8. Historic and Prehistoric Features: Staff is not aware of any historic or prehistoric features on the site.
9. Signage: Two building mounted signs (one on each side facade near the front of the building) and a monument style freestanding sign are noted on the Concept Development Plan, although no details have been provided (size, height, materials, lighting, etc.). As discussed immediately above, the signs should architecturally relate to the building. This could be accomplished through the use of similar materials, design detailing, architectural forms, and relationship to the building facades for the building mounted signs. The size and height of all signs should be outlined. Condition #6 of the McDonald's Concept Development Plan approval allows that lot to have a monument style sign which is 14'10" high and 100 square feet in size. Based on the smaller building and lot for the car wash lot, and the height advantage the car wash building (and building mounted signage) will enjoy due to grades, Staff recommends a size and height that are somewhat more modest, such as 8 to 10 feet in height, and 60 to 70 square feet.
10. Transportation Connections and Entry Points: Other than issues raised previously, Staff has no comments on this standard.
11. Conformance with Comprehensive Plan: The Comprehensive Plan is discussed above.
3. When comparing the location of the front loop drive into the car wash with the grading shown on the submitted Improvement Plan, it is apparent that the grade along US 42 (and perhaps along the west property line as well) will need to be fairly steep based on the submitted proposal (this slope already appears steep in the field, although it has been made less severe recently as work has progressed). The top of the front slope is setback approximately 50 feet from the right-of-way line on

the Improvement Plan, and only 30 feet on the Concept Development Plan. The applicant should provide a grading concept to the Zone Change Committee so that they can evaluate the proposed slopes relative to the overall project and applicable standards.

CONCLUSION

This application needs to be evaluated by the Boone County Planning Commission and the Florence City Council in terms of the Planned Development requirements stated in Article 15 of the Zoning Regulations and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved.

Respectfully submitted,

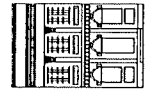
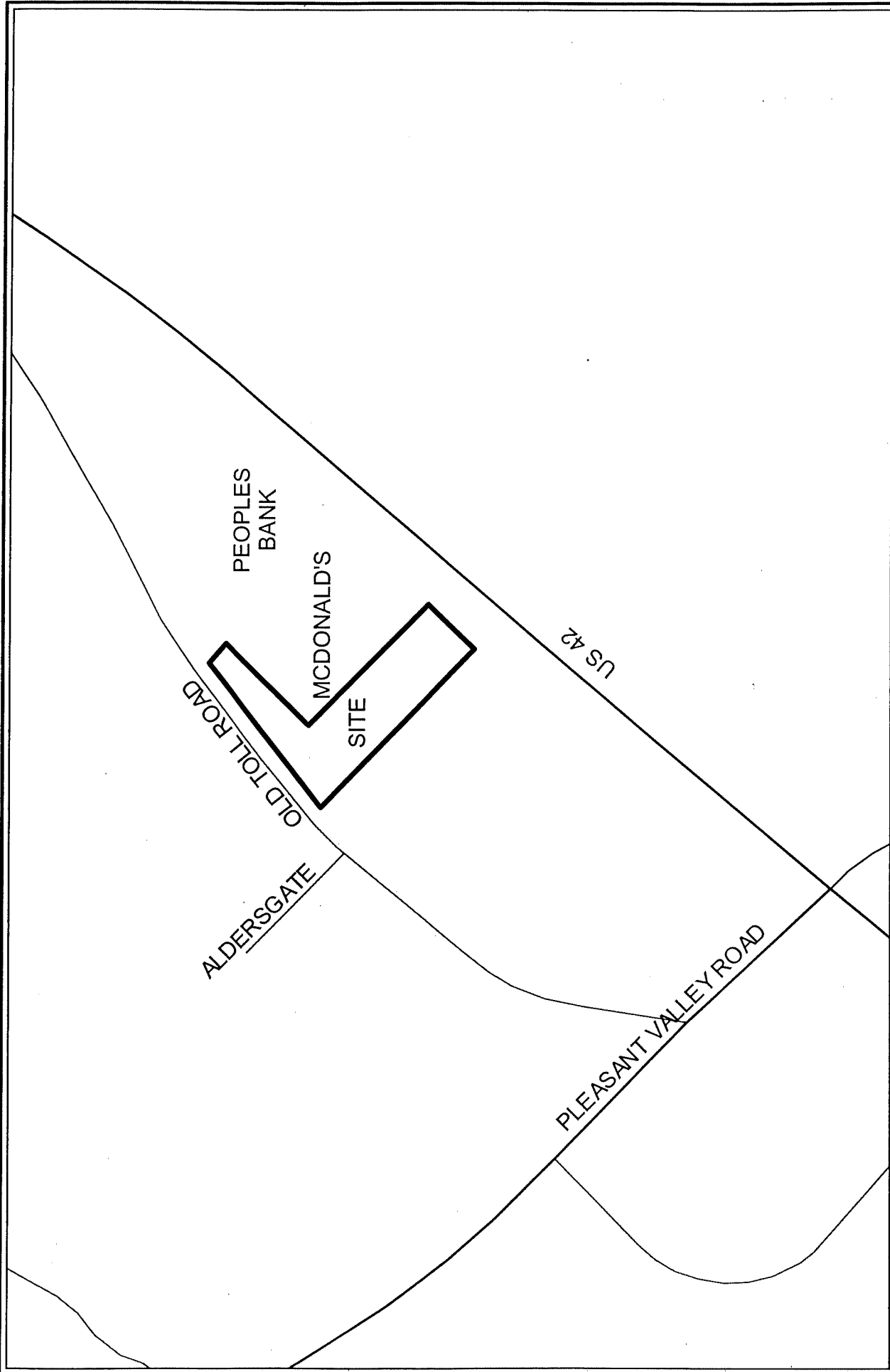


Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW\pr

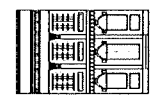
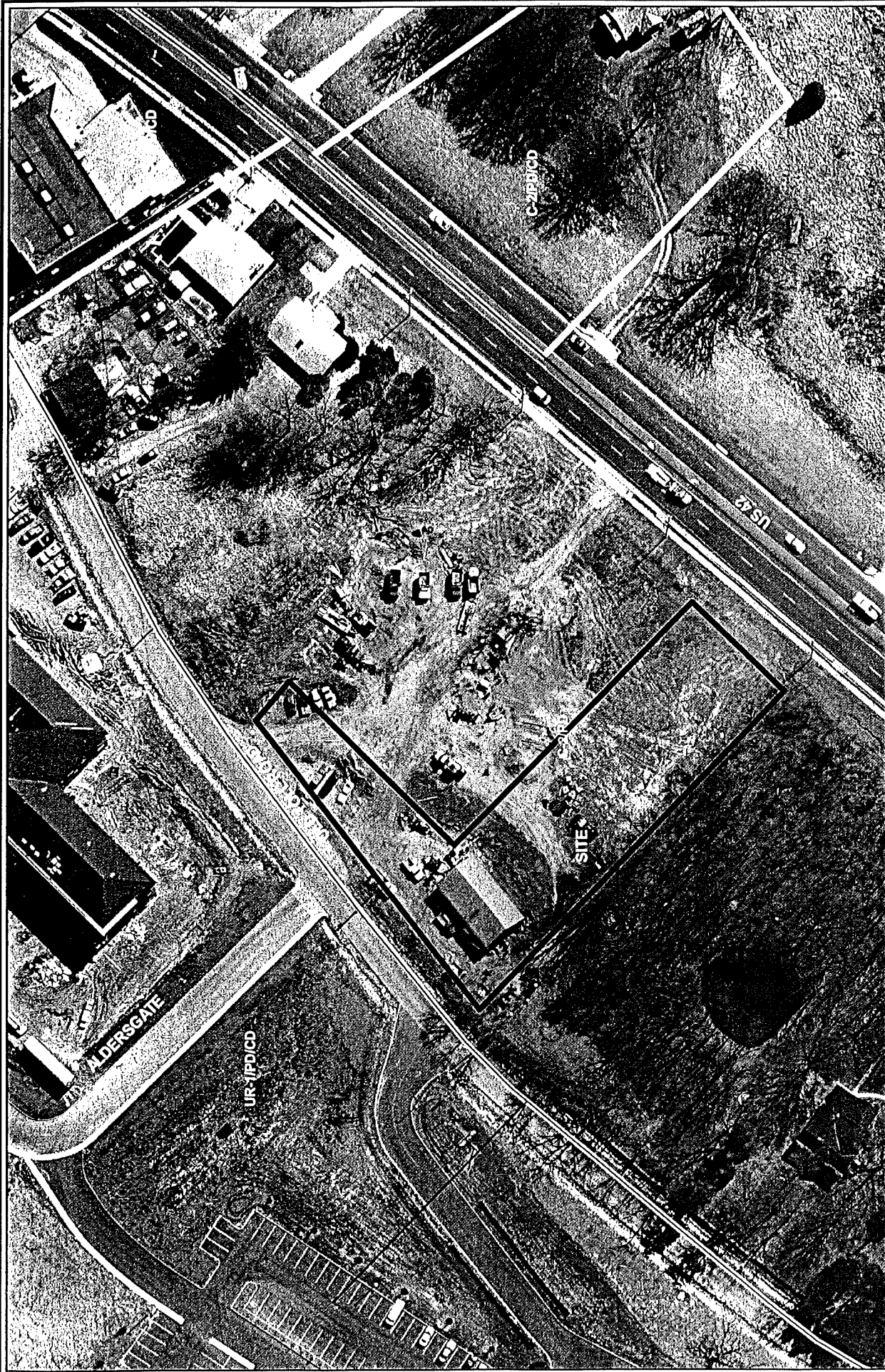
attachments:

- site location
- aerial photograph w/ zoning info
- site topography
- Future Land Use Map excerpt
- 4/18/01 Quast/McDonald's Committee Report
- Quast/McDonald's Concept Development Plan
- application materials including Concept Development Plan



1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Division
August 1, 2001

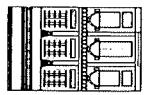
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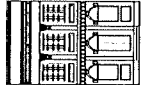
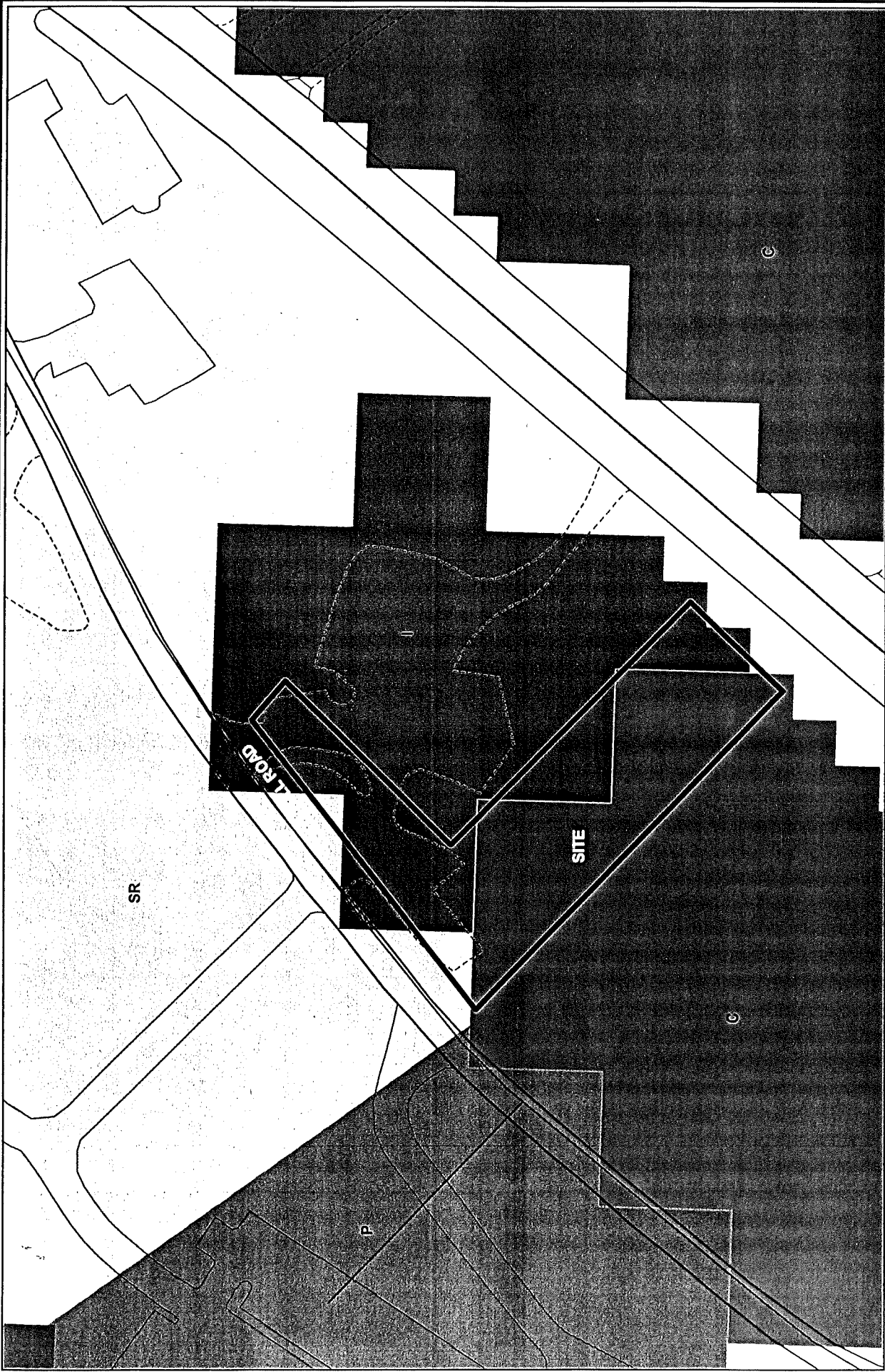
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GIS Services Division
August 1, 2001

Zoning



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August 1, 2001

Topography



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GIS Services Division
August 1, 2001

Future Land Use

Public Hearing Item No. 2:

Commission Members Present: Mr. Caddell – Chairman, Mr. Chaney – Vice Chairman, Mr. Hicks – Temporary Presiding Officer, Mrs. Kegley, Mr. Newman, Mrs. Poston, Mr. Ries, and Mr. White.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Todd Morgan, AICP, Planner; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

The Chairman introduced the second item on the Agenda:

1. **Applicant:** David Ratliff for Toll Road Properties LLC
(John Quast and Jim Quast owners)
Request: Concept Development Plan

The request of David Ratliff (applicant) for Toll Road Properties LLC (John Quast and Jim Quast owners) to consider an application for a Concept Development Plan for a 0.9689-acre site located between U.S. 42 and Old Toll Road, approximately 600 feet east of the Pleasant Valley Road/U.S. 42 intersection, Boone County, Kentucky. The request is for a Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

Staff Member Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Dave Ratliff presented and reviewed an exhibit of the site and passed around the elevations. He stated that he is a resident of Edgewood and grew up in Fort Mitchell. He explained that there are several types of car washes, including the self-service, spray-off automatic, exterior only, and full serve. He is proposing a full-service car wash where the customer exits the vehicle and it is vacuumed and taken through the car wash. Cars will pull through off U.S. 42 and the connector road and come around the back of McDonald's and enter the car wash. He stated that two cars at a time could be vacuumed. The car would then enter the building and exit toward Old Toll Road. The customer would exit the building and drive the car off the site.

Chairman Caddell stated that most full service car washes have a drying or finishing area when the cars come out, but he does not see any provision for that. Mr. Ratliff responded that with new technology and advances in the industry, there could be a blow system. He stated that there might be minimal drying. The

Chairman stated that he does not see any place for stacking when cars exit the car wash. Mr. Ratliff responded that stacking is a problem, but there might only be two, three, or four vehicles out there. He reviewed the Landscaping Plan. He stated that the plan meets all the City of Florence requirements. He stated that the plan shows an underground detention area in the buffer zone on the McDonald's side that was approved as part of the McDonald's Concept Development Plan. He believes there is a ten-foot buffer there and believes that what they put there needs to be coordinated with McDonald's. The Chairman responded that that can be discussed in more detail at the Committee level and with Staff. Mr. Ratliff referred to the west side and the parking area and stated that he believes they can move it around so that it is not too close to the side buffer. He showed the Commissioners a drawing of a monument sign from Quality Signs. He stated that the architect shows a building-mounted car wash sign on the side facing U.S. 42, which he does not plan to have because the visibility will be on the east and west sides of the building. He stated that the average water consumption per car is approximately nineteen gallons. The car wash might be open five and a half days a week. They will wash approximately one hundred and forty cars a day and can determine the amount of water they might use. The Chairman advised that the Planning Commission is not too concerned about water consumption. Mr. Ratliff stated that a full service car wash will work well on this lot and fits in with the Comprehensive Plan. This concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present in opposition to the request or having questions.

Ms. Carolyn Baker of 8510 Old Toll Road, Florence; stated that she is the Manager of Panorama Plus Apartments (located right across from this site) and is an advocate for the approximate one hundred senior residents living there. They were happy about the bank and pleased with McDonald's, but they have a problem with a car wash in their back yard. This use is not senior friendly. She stated that there are probably five different car washes on U.S. 42. She stated that this is a senior community.

There being no one else present in opposition to the request, the Chairman asked if there were any comments or questions from the Commissioners.

Mr. Hicks questioned access to the property to the west or if there should be an access road with this property. Mr. Wall reviewed the slide and stated that the property to the west has frontage on U.S. 42. This site uses the new connector road between McDonald's and Peoples' Bank and shares a back driveway with McDonald's. He stated that based on the grades and the Grading Plan, which includes this site, an access road to the property to the west would be difficult.

Chairman Caddell questioned the elevation – how much is it now reduced from the slides and is the current elevation the final elevation? Mr. Wall responded

that he does not know, and noted that the Staff Report requests seeing a grading concept at the Committee level. Mr. Costello stated that there was a plan to grade the entire site. Mr. Wall responded that it is a work in progress and the grades keep changing. He stated that possibly the grades are a little closer to U.S. 42 than what was approved. Mr. Costello commented that if they start putting footers in for the McDonald's and the street, the grades will be set. Mr. Morgan stated that a 3 to 1 slope was approved. Mr. Wall responded that the grade looks a little steeper than that. He asked the applicant's engineer to comment.

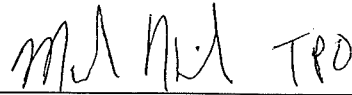
Mr. Tony Pangallo with Ray Erpenbeck Engineering, 4205 Dixie Highway, Elsmere, KY 41018, stated that the site has an approved Grading Plan with the McDonald's site. He stated that Mr. Ratliff is under the impression that he would be sold a graded lot per the plan. He stated that they can provide a conceptual Grading Plan. He stated that the grade has to change for what they want to do. The Chairman asked if he was saying that the grade is going to change from what was approved. Mr. Pangallo responded that what they are proposing changes it slightly. The Chairman questioned the final elevations from what was shown on the slide. Mr. Pangallo responded that he has not seen the Grading Plan. Mr. Newman stated that it looks like they have put on the topsoil and he would assume it is close to finished.

The Chairman asked that the applicant be prepared at the Committee meeting with the final elevations, the slope to U.S. 42, and be able to give the Committee a better idea of the final grade. Mr. Pangallo agreed.

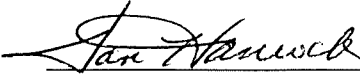
Mr. White questioned how they plan to hold the hill back. Mr. Pangallo responded that it will be seeded, which will hold the hill back. It is controlled fill and tested by a geotechnical engineer. Mr. White questioned water run off. Mr. Wall responded that they will do shared detention with McDonald's. In response to a question from Mr. White, Mr. Pangallo advised that a 3 to 1 grade means that for every three feet you go horizontally, you go up one foot vertically.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on September 5, 2001 at 5:00 PM in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on September 19, 2001 at 7:00 PM. The Chairman closed this Public Hearing at 8:15 PM.

APPROVED:


Arnold Caddell, Chairman

Attest:


Jan Hancock, Recording Secretary

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
September 19, 2001
7:00 P.M.**

Mr. W. Thomas Chaney, Vice Chairman, called the meeting to order at 7:03 PM and asked the Planning Commission to observe a moment of silence for the recent tragedies in New York and Washington.

COMMISSION MEMBERS PRESENT:

Mr. Randy Barlow
Mr. W. Thomas Chaney, Vice Chairman
Mr. Mark Hicks, Temporary Presiding Officer
Mrs. Janet Kegley
Mr. Richard Knock
Mr. Don McMillian
Mr. Robert Newman
Mrs. Susan Poston
Mr. Charlie Reynolds
Mr. Robert Ries
Mr. Bob Schwenke
Mr. Earl White
Mrs. Lisa Wilson, Secretary/Treasurer
Mr. David Zimmer

COMMISSION MEMBER NOT PRESENT:

Mr. Arnold Caddell, Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Patty Bachman, Planner
Mr. Matt Becher, Rural/Open Space Planner
Mr. David A. Geohegan, AICP, Director of Planning Services
Ms. Jan Hancock, Secretary
Mr. Robert Jonas, AICP, GIS Specialist
Mr. Todd Morgan, AICP, Planner
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

2. **Concept Development Plan**

The request of David Ratliff (applicant) for Toll Road Properties LLC (John Quast and Jim Quast owners) to consider an application for a Concept Development Plan for a 9.9689 acre site located between U.S. 42 and Old Toll Road, approximately 600 feet east of the Pleasant Valley Road/U.S. 42 intersection, Boone County, Kentucky. The request is for a Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

Staff Member Kevin Wall presented the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The property owner has signed the letter agreeing to the conditions.

There being no discussion, Mr. White moved by resolution to Boone County Fiscal Court and the City of Florence that the request be approved based on the Committee Report. Mr. Reynolds seconded the motion and it carried unanimously.

3. **Technical/Design Review - Fifth Third Bank
8100 Burlington Pike**

Mr. Chaney stated that Agenda Item #3 is recommended for deferral to the next Business Meeting. Mr. Ries so moved. Mrs. Wilson seconded the motion and it carried unanimously.

4. **Technical/Design Review - Sam's Club
4949 Houston Road**

Staff Member Patty Bachman presented the Design Review request for Sam's Club. The request is for a 430 square foot design package. In July 2000 this Commission approved the design concept for the expansion of Sam's Club at 4949 Houston Road and at that time the signs totaled 435 square feet. The proposed sign package is less than the square footage approved by the Committee at that time. Ms. Bachman showed the Commissioners pictures of the proposed signage.

Mr. McMillian stated that this is a reduction in the size of the signs they have now. He moved to approve the request based on the Committee Report. Mr. White seconded the motion and it carried unanimously.

5. **Technical/Design Review - Microtel
Woodspoint Drive**

Staff Member Kevin Wall presented the Design Review request for Microtel. The request is for a building-mounted sign on their facility on Woodspoint Drive. Mr. Wall passed around a packet with elevation drawings. He stated that the proposed

EXHIBIT
"B"

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Earl White, Chairman

DATE: September 19, 2001

RE: Request of **David Ratliff (applicant)** for **Toll Road Properties LLC (John Quast and Jim Quast) (owners)** to consider an application for a Concept Development Plan for a 0.9689 acre site located between US 42 and Old Toll Road, approximately 600 feet east of the Pleasant Valley Road/US 42 intersection, Boone County (Annexation into the City of Florence pending), Kentucky. The request is for a Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

REMARKS:

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

FINDINGS OF FACT

1. The Committee has concluded that the request is in general agreement with the 2000 Boone County Comprehensive Plan for the following reasons:
 - A. The Land Use Element (Pleasant Valley-West Florence Area) states that "commercial development in the US 42, Pleasant Valley Road intersection area should be of a local, rather than a regional scale, and should incorporate the reconstruction of Old Toll Road for use as an access road. Access management at the intersection of US 42 and Pleasant Valley Road should include access roads to serve commercial developments." In respect to this passage, the Committee notes that the project will exclusively use the previously approved US 42/Old Toll connector road for access.
 - B. The 2025 Future Land Use Plan designates the vast majority of the site for "Commercial" uses. This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc." Based on this designation, coupled with the text noted above regarding the provision of local commercial uses in this vicinity, the Committee has concluded that the Comprehensive Plan anticipated the general type of use proposed at this location.

2. The Committee has determined that the request, with the agreed conditions outlined below, will be in general conformance with the Planned Development District requirements and standards outlined in Article 15 of the Boone County Zoning Regulations.
3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan and the requirements of Article 15 of the Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The development shall follow the City of Florence landscaping requirements outlined in Article 36 of the Zoning Regulations and shall generally follow the landscape concept submitted by the applicant at the public hearing for this request. For clarification purposes, the buffer yard along the east property line can be shared with the adjoining McDonald's development in accordance with Article 36.
2. Any freestanding sign shall be a monument style sign which follows the size and height figures noted on the concept submitted by the applicant at the public hearing for this request. However, the base of the monument sign shall match the masonry used for the building and the sign face shall either: A) not use a plexi-type face and have external illumination only, or B) have internal illumination only for the sign copy itself and the background of the sign face shall be opaque. The building mounted signage shall follow the concept submitted by the applicant at the public hearing for this request.
3. The building design shall follow the architectural concept submitted by the applicant at the public hearing for this request.
4. Site lighting shall be limited only to shielded wall packs that are mounted to the building.
5. The required enclosure for any outside garbage storage area shall use the same materials and basic design as the car wash building.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change Committee Vote.

Public Hearing Item No. 2:

Commission Members Present: Mr. Caddell – Chairman, Mr. Chaney – Vice Chairman, Mr. Hicks – Temporary Presiding Officer, Mrs. Kegley, Mr. Newman, Mrs. Poston, Mr. Ries, and Mr. White.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Todd Morgan, AICP, Planner; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

The Chairman introduced the second item on the Agenda:

1. **Applicant:** David Ratliff for Toll Road Properties LLC
(John Quast and Jim Quast owners)
Request: Concept Development Plan

The request of David Ratliff (applicant) for Toll Road Properties LLC (John Quast and Jim Quast owners) to consider an application for a Concept Development Plan for a 0.9689-acre site located between U.S. 42 and Old Toll Road, approximately 600 feet east of the Pleasant Valley Road/U.S. 42 intersection, Boone County, Kentucky. The request is for a Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

Staff Member Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Dave Ratliff presented and reviewed an exhibit of the site and passed around the elevations. He stated that he is a resident of Edgewood and grew up in Fort Mitchell. He explained that there are several types of car washes, including the self-service, spray-off automatic, exterior only, and full serve. He is proposing a full-service car wash where the customer exits the vehicle and it is vacuumed and taken through the car wash. Cars will pull through off U.S. 42 and the connector road and come around the back of McDonald's and enter the car wash. He stated that two cars at a time could be vacuumed. The car would then enter the building and exit toward Old Toll Road. The customer would exit the building and drive the car off the site.

Chairman Caddell stated that most full service car washes have a drying or finishing area when the cars come out, but he does not see any provision for that. Mr. Ratliff responded that with new technology and advances in the industry, there could be a blow system. He stated that there might be minimal drying. The

Chairman stated that he does not see any place for stacking when cars exit the car wash. Mr. Ratliff responded that stacking is a problem, but there might only be two, three, or four vehicles out there. He reviewed the Landscaping Plan. He stated that the plan meets all the City of Florence requirements. He stated that the plan shows an underground detention area in the buffer zone on the McDonald's side that was approved as part of the McDonald's Concept Development Plan. He believes there is a ten-foot buffer there and believes that what they put there needs to be coordinated with McDonald's. The Chairman responded that that can be discussed in more detail at the Committee level and with Staff. Mr. Ratliff referred to the west side and the parking area and stated that he believes they can move it around so that it is not too close to the side buffer. He showed the Commissioners a drawing of a monument sign from Quality Signs. He stated that the architect shows a building-mounted car wash sign on the side facing U.S. 42, which he does not plan to have because the visibility will be on the east and west sides of the building. He stated that the average water consumption per car is approximately nineteen gallons. The car wash might be open five and a half days a week. They will wash approximately one hundred and forty cars a day and can determine the amount of water they might use. The Chairman advised that the Planning Commission is not too concerned about water consumption. Mr. Ratliff stated that a full service car wash will work well on this lot and fits in with the Comprehensive Plan. This concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present in opposition to the request or having questions.

Ms. Carolyn Baker of 8510 Old Toll Road, Florence; stated that she is the Manager of Panorama Plus Apartments (located right across from this site) and is an advocate for the approximate one hundred senior residents living there. They were happy about the bank and pleased with McDonald's, but they have a problem with a car wash in their back yard. This use is not senior friendly. She stated that there are probably five different car washes on U.S. 42. She stated that this is a senior community.

There being no one else present in opposition to the request, the Chairman asked if there were any comments or questions from the Commissioners.

Mr. Hicks questioned access to the property to the west or if there should be an access road with this property. Mr. Wall reviewed the slide and stated that the property to the west has frontage on U.S. 42. This site uses the new connector road between McDonald's and Peoples' Bank and shares a back driveway with McDonald's. He stated that based on the grades and the Grading Plan, which includes this site, an access road to the property to the west would be difficult.

Chairman Caddell questioned the elevation – how much is it now reduced from the slides and is the current elevation the final elevation? Mr. Wall responded

that he does not know, and noted that the Staff Report requests seeing a grading concept at the Committee level. Mr. Costello stated that there was a plan to grade the entire site. Mr. Wall responded that it is a work in progress and the grades keep changing. He stated that possibly the grades are a little closer to U.S. 42 than what was approved. Mr. Costello commented that if they start putting footers in for the McDonald's and the street, the grades will be set. Mr. Morgan stated that a 3 to 1 slope was approved. Mr. Wall responded that the grade looks a little steeper than that. He asked the applicant's engineer to comment.

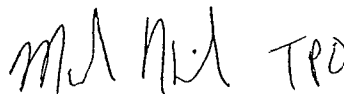
Mr. Tony Pangallo with Ray Erpenbeck Engineering, 4205 Dixie Highway, Elsmere, KY 41018, stated that the site has an approved Grading Plan with the McDonald's site. He stated that Mr. Ratliff is under the impression that he would be sold a graded lot per the plan. He stated that they can provide a conceptual Grading Plan. He stated that the grade has to change for what they want to do. The Chairman asked if he was saying that the grade is going to change from what was approved. Mr. Pangallo responded that what they are proposing changes it slightly. The Chairman questioned the final elevations from what was shown on the slide. Mr. Pangallo responded that he has not seen the Grading Plan. Mr. Newman stated that it looks like they have put on the topsoil and he would assume it is close to finished.

The Chairman asked that the applicant be prepared at the Committee meeting with the final elevations, the slope to U.S. 42, and be able to give the Committee a better idea of the final grade. Mr. Pangallo agreed.

Mr. White questioned how they plan to hold the hill back. Mr. Pangallo responded that it will be seeded, which will hold the hill back. It is controlled fill and tested by a geotechnical engineer. Mr. White questioned water run off. Mr. Wall responded that they will do shared detention with McDonald's. In response to a question from Mr. White, Mr. Pangallo advised that a 3 to 1 grade means that for every three feet you go horizontally, you go up one foot vertically

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on September 5, 2001 at 5:00 PM in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on September 19, 2001 at 7:00 PM. The Chairman closed this Public Hearing at 8:15 PM.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Earl White, Committee Chairman

DATE: September 5, 2001

RE: Request of **David Ratliff (applicant)** for **Toll Road Properties LLC (John Quast and Jim Quast) (owners)** to consider an application for a Concept Development Plan for a 0.9689 acre site located between US 42 and Old Toll Road, approximately 600 feet east of the Pleasant Valley Road/US 42 intersection, Boone County, Kentucky. The request is for a Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

REMARKS:

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

Earl White
Earl White, Chairman
For Against
Abstain Absent
Deferred

M Hicks
Mark Hicks
For Against
Abstain Absent
Deferred

Bob Newman
Bob Newman
For Against
Abstain Absent
Deferred

Susan Poston
For Against
Abstain Absent
Deferred

David Zimmer
David Zimmer
For Against
Abstain Absent
Deferred

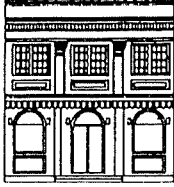
Randy Barlow (Alternate)
For Against
Abstain Absent
Deferred

Don McMillian (Alternate)*
For Against
Abstain Absent
Deferred

TOTAL: DEFERRED 4 FOR AGAINST ABSTAIN
1 ABSENT

SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

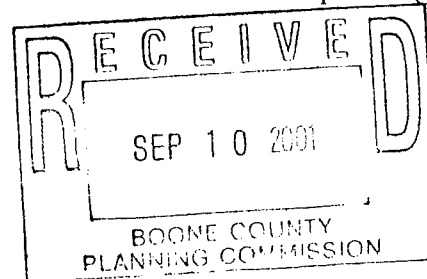
Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

September 6, 2001

Mr. John Quast and Mr. Jim Quast
Toll Road Properties, LLC
67 Cummings Drive
Walton, KY 41094



FAX: 493-0562

RE: Conditions of Approval for Ratliff Car Wash Concept Development Plan Application, 0.9689 Acre Parcel, US 42/Old Toll Road, Boone County (Annexation to City of Florence Pending), Kentucky; Commercial Two/Planned Development (C-2/PD) Zone

Dear Messr. Quast:

The following represents the conditions of approval for the above referenced application as recommended by the Planning Commission's Zone Change Committee at their September 5, 2001 meeting. If you, as the property owners, agree to these conditions, please so indicate by signing in the space provided at the end of this letter, and return the original letter to the Planning Commission's office by Friday, September 14, 2001.

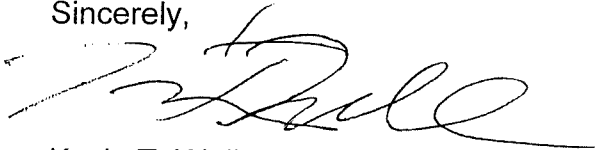
CONDITIONS

1. The development shall follow the City of Florence landscaping requirements outlined in Article 36 of the Zoning Regulations and shall generally follow the landscape concept submitted by the applicant at the public hearing for this request. For clarification purposes, the buffer yard along the east property line can be shared with the adjoining McDonald's development in accordance with Article 36.
2. Any freestanding sign shall be a monument style sign which follows the size and height figures noted on the concept submitted by the applicant at the public hearing for this request. However, the base of the monument sign shall match the masonry used for the building and the sign face shall either: A) not use a plexi-type face and have external illumination only, or B) have internal illumination only for the sign copy itself and the background of the sign face shall be opaque. The building mounted signage shall follow the concept submitted by the applicant at the public hearing for this request.

Mr. John Quast and Mr. Jim Quast
September 6, 2001
Page 2

3. The building design shall follow the architectural concept submitted by the applicant at the Public Hearing for this request.
4. Site lighting shall be limited only to shielded wall packs that are mounted to the building.
5. The required enclosure for any outside garbage storage area shall use the same materials and basic design as the car wash building.

Sincerely,

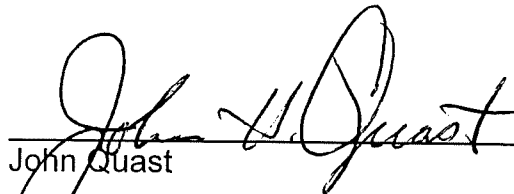


Kevin T. Wall
Director, Zoning Services

KTW/vlm

AGREEMENT

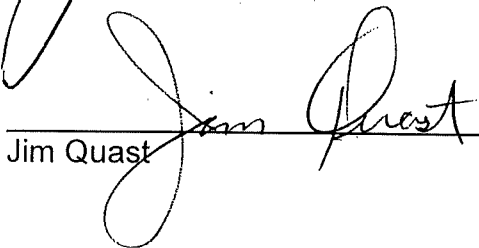
We, the owners of the 0.9689 acre tract noted above, agree to the conditions listed herein for the David Ratliff car wash Concept Development Plan application.



John Quast

9-8-01

Date

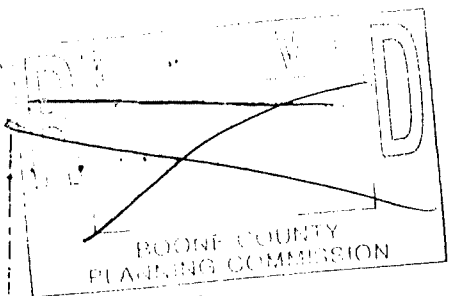


Jim Quast

9-8-01

Date

cc: David Ratliff - FAX: 331-9569



BOOK 322 PAGE 85

DEED

Property Transfer Tax Paid \$ 47.50
With State Tax 5.00

KNOW ALL MEN BY THESE PRESENTS:

That VIRGIL BERRY and RACHEL V. BERRY, his wife

for and in consideration of-----\$47,500.00-----
considerations to them paid by the Grantees herein, the receipt
of which is acknowledged, do bargain, sell and convey to:

JAMES M. QUAST and KATHY QUAST, his Wife, as to an undivided
one-half (1/2) interest, for and during their joint and
natural lives with the remainder in fee simple to the
survivor of them, his or her, and JOHN H. QUAST and CHERYL
QUAST, his Wife, as to an undivided one-half (1/2) interest,
for and during their joint and natural lives with the
remainder in fee simple to the survivor of them, his or her

heirs and assigns forever, the following described Real Estate
in the City of _____; County of Boone
and Commonwealth of Kentucky, to-wit:

GROUP NUMBER 115

PLAT NUMBER 1/74

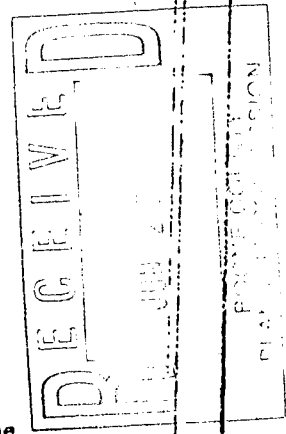
PRESENT STREET ADDRESS 8532 Old Toll Road

MAILING ADDRESS 771 Tanners Lane Florence Ky 40304

Being Lots No. 7, 8, 9, 10, 11 and 12 in the
Midway Place Subdivision on the Covington and
Louisville Highway, (U.S. Highway 42), Boone
County, Kentucky, the dimensions of said lots
being shown in detail on the plat of said
subdivision recorded in Plat Book 1, Page 74 of
the Boone County Clerk's records at Burlington,
Kentucky.

EXCEPTION - There is excepted herefrom a parcel of
real estate conveyed to James Lewis Morgan and
Wife recorded in Deed Book 153, Page 427,
described as follows: Being part of Lots 11 and

CONTINUED ON EXHIBIT "A" ATTACHED HERETO AND MADE
A PART HEREOF.



Together with all the PRIVILEGES AND APPURTENANCES to the same
belonging. TO HAVE AND TO HOLD the same to the said

JAMES M. QUAST and KATHY QUAST, his Wife, as to an undivided
one-half (1/2) interest, for and during their joint and
natural lives with the remainder in fee simple to the
survivor of them, his or her, and JOHN H. QUAST and CHERYL
QUAST, his Wife, as to an undivided one-half (1/2) interest,
for and during their joint and natural lives with the
remainder in fee simple to the survivor of them, his or her

heirs and assigns, forever, the Grantors their heirs, executors
and administrators, HEREBY COVENANTING with the Grantees their
successors and assigns, that the TITLE so conveyed is CLEAR,
FREE AND UNENCUMBERED, and that they will WARRANT AND DEFEND the
same against all legal claims whatsoever.

EXHIBIT "A"

17, Midway Place Subdivision, Route #42, Boone County, Kentucky, as recorded in Deed Book 58, Page 295 and more fully described thus: Beginning at a point on the North line of U.S. Highway #42, said point being the Southeast corner of Lot #12; thence along the East line of #12 North 55 degrees West 89.92 feet; thence South 38-54 West 190.83 feet; thence South 54-46 East 47.34 feet; thence South 64-21 East 36.11 feet to the North line of U.S. Highway #42; thence along the North line of said Highway North 38 degrees East 95.12 feet to the place of beginning.

Being the same property conveyed to the Grantors herein by Robert Victor Benham and Marie Benham, his Wife, by Deed dated May 7, 1964 and recorded in Deed Book 162, Page 329 of the Boone County Clerk's records at Burlington, Kentucky.

PROPERTY TRANSFER TAX PAID \$45.00
JERRY W. ROUSE, CLERK

BOOK 601 PAGE 242
DEED

12.09.86
RECEIVED
1986 FEB 27 A 8:30
JERRY W. ROUSE
BOONE COUNTY CLERK

KNOW ALL PERSONS BY THIS INSTRUMENT:

That KEVIN P. HAGEDORN and HOLLY A. HAGEDORN, husband and wife,

the GRANTOR(S), for and in consideration of One (\$1.00) Dollar and other good and valuable consideration as certified to below, paid to the GRANTOR(S) by the GRANTEE(S) herein, the receipt of which is hereby acknowledged, do(es) bargain, sell and convey to the following named GRANTEE(S),

an undivided one-half (1/2) interest, to JAMES M. QUAST and KATHY QUAST, husband and wife, jointly, for and during their natural lives with the remainder in fee simple to the survivor of them, his or her heirs and assigns forever, and the remaining one-half (1/2) interest to JOHN H. QUAST, his heirs and assigns forever,

in and to the following described real estate, in the county of BOONE, state of KENTUCKY, to wit:

Street Address: 8534 U.S. HIGHWAY 42, FLORENCE, KY 41042

Grantee(s) Address: 8532 OLD TOLL ROAD, FLORENCE, KY 41042

Grantor(s) Address: 8534 HWY. 42, FLORENCE, KY 41042

Group No.: 115
Plat No.: 1/74

E & S: 18444
KY-9998-BB

Being part of Lots Nos. 11 and 12, Midway Place Subdivision, as shown on plat recorded in Plat Book 1, Page 74 and Deed Book 66, Page 462, Boone County Clerk's records at Burlington, Kentucky and described as follows:

Beginning at a point on the north line of U.S. Highway #42, said point being the southeast corner of Lot No. 12; thence along the east line of Lot #12, North 55° West 80.92 feet; thence South 38° 54' West 100.83 feet; thence South 54° 46' East 47.04 feet; thence South 64° 21' East 36.11 feet to the north line of U.S. Highway #42; thence along the north line of said Highway, North 38° East 95.12 feet to the place of beginning.

BEING the same property conveyed to the Grantors herein by deed from Roger D. McNabb and Janet L. McNabb, his wife, dated February 13, 1984, and recorded in Deed Book 314, page 138, of the records in the Boone County Clerk's Office at Burlington, Kentucky.

SUBJECT to conditions, restrictions and easements contained in deeds and instruments of record.

RETURN TO: JRS.

①

12'-0"



SUBMITTED BY APPLICANT
 HT PUBLIC HEARINGS -
 SEE CADDICAL 2
 Proposed Sign - 84 sq/ft - 9' high

7'-0"

2'-0"

- Furnish & install one- (1) double face internally illuminated monument sign.
- Sign frame is 12" deep extruded aluminum painted one (1) color
- Sign faces are 2.5" deep formed polycarbonate with embossed copy 5/8" high
- Sign face-painted (3) colors
- Sign base - conceals the mounting pole - 8" deep fabricated aluminum - paint to match the building
- Internal high output fluorescent illumination
- UL listed & labeled construction
- Footer - 3000 psi concrete - sized as required

US 42 - Florence, KY 41042

This is an original unpublished drawing, submitted for your use in connection with a project being planned for you by Quality Signs. It is not to be reproduced, copied or exhibited in any fashion without written permission of Quality Sign.

Approved for: _____

DH 08/21/01

© 2001

SB graphic-1

Scale: 3/8" = 1'0"

By: _____

Date: _____

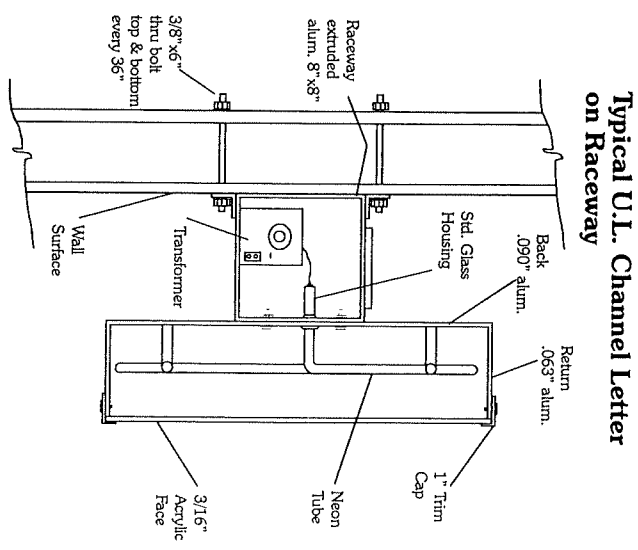


SUBMITTED BY APPLICANT
 AT PUBLIC HEARINGS —
 Proposed Sign 50 sq/ft SEE
 Front East Elevation
 Side North Elevation
 CONDITIONS 2

Sunny Brite CAR WASH



- Furnish & install two- (2) sets of neon illuminated raceway mounted channel letters.
- Letters are 5" deep fabricated aluminum
- Letter returns - painted (1) color
- Letter faces are - 3/16" thick pigment plexiglass with a 1" trim cap
- Neon illumination inside each letter
- Raceway is 8"x8" fabricated aluminum - painted to match the building
- UL listed & labeled construction



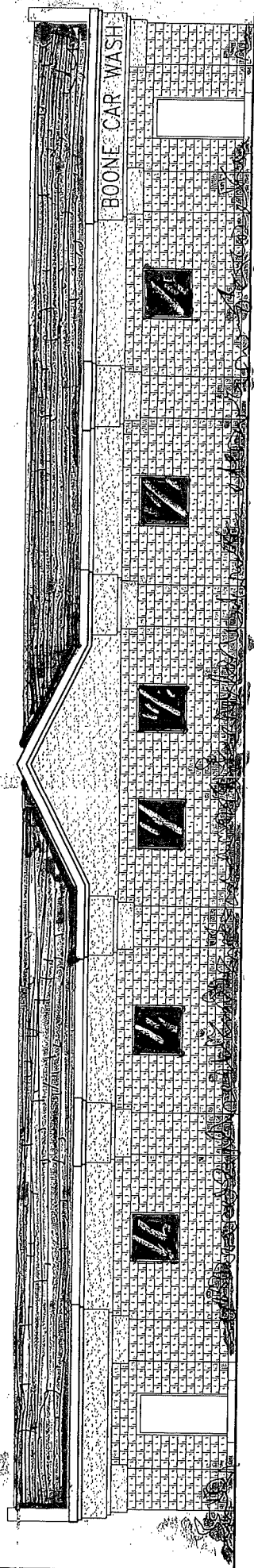
US 42 - Florence, KY 41042

This is an original unpublished drawing, submitted for your use in connection with a project being planned for you by Quality Signs. It is not to be reproduced, copied or exhibited in any fashion without written permission of Quality Sign.

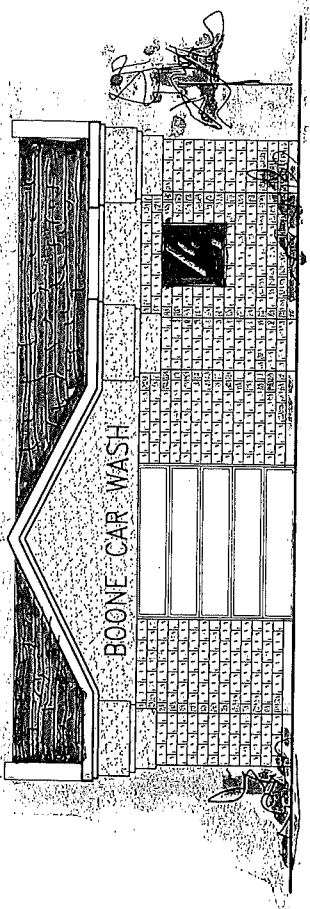
DH 08/21/01 © 2001 SB graphic-2 Scale: 3/8" = 1'0"

Approved for: _____
 By: _____
 Date: _____

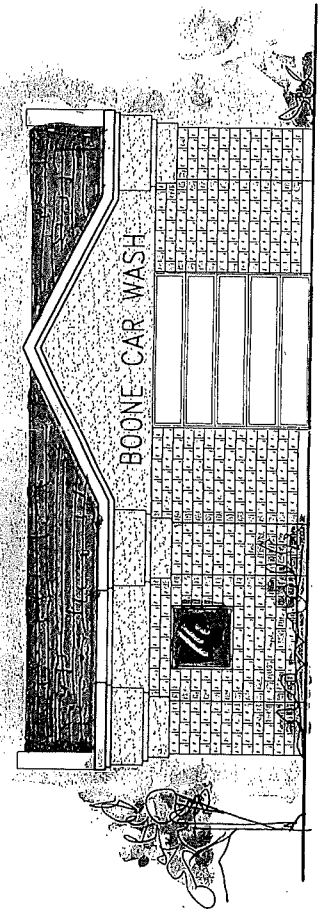




SIDE ELEVATION



REAR ELEVATION



FRONT ELEVATION

FACING US HIGHWAY 42

SUBMITTED BY APPLICANT AT PUBLIC HEARING -
SEE CONDITION 3

City of Florence



CITY CLERK/
HUMAN RESOURCES DIRECTOR
Betsy R. Conrad

December 14, 2001

Mr. Kevin P. Costello
C/o Ms. Vicki Myers
BOONE COUNTY PLANNING COMMISSION
2995 Washington Street
Burlington, Kentucky 41005

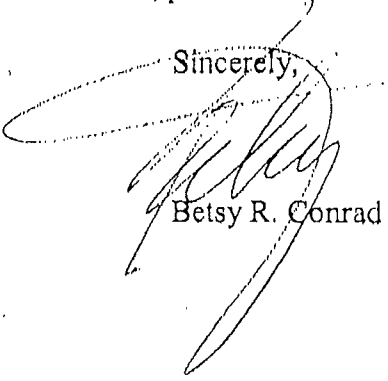
In Re: ORDINANCE NO. O-22-01: AN ORDINANCE ADOPTING AND APPROVING A CONCEPT DEVELOPMENT PLAN FOR A 0.9689 ACRE TRACT GENERALLY LOCATED BETWEEN U.S. 42 AND OLD TOLL ROAD, APPROXIMATELY 600 FEET EAST OF THE PLEASANT VALLEY ROAD/U.S. 42 INTERSECTION, IN THE CITY OF FLORENCE, KENTUCKY, THIS PROPERTY BEING CURRENTLY ZONED COMMERCIAL TOW/PLANNED DEVELOPMENT (C-2/PD), THIS CONCEPT DEVELOPMENT PLAN BEING TO ALLOW A CAR WASH, SUBJECT TO AGREED CONDITIONS. (TOLL ROAD PROPERTIES, LLC - OWNERS: JOHN & JIM QUAST)

Dear Mr. Costello:

Enclosed please find a copy of **City of Florence Ordinance No. O-22-01** along with a copy of **AGREED CONDITIONS - CONCEPT DEVELOPMENT PLAN APPROVAL** relating to **TOLL ROAD PROPERTIES, LLC - OWNERS: JOHN & JIM QUAST**. Please note that these conditions are *in addition* to those that were developed with the Planning Commission related to your Resolution R-01-021-A.

If you have any questions regarding this Ordinance, please contact me.

Sincerely,



Betsy R. Conrad

ORDINANCE NO. 0-22-01

AN ORDINANCE ADOPTING AND APPROVING A CONCEPT DEVELOPMENT PLAN FOR A 0.9689 ACRE TRACT GENERALLY LOCATED BETWEEN U.S. 42 AND OLD TOLL ROAD, APPROXIMATELY 600 FEET EAST OF THE PLEASANT VALLEY ROAD/U.S. 42 INTERSECTION, IN THE CITY OF FLORENCE, KENTUCKY, THIS PROPERTY BEING CURRENTLY ZONED COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD), THIS CONCEPT DEVELOPMENT PLAN BEING TO ALLOW A CAR WASH, SUBJECT TO AGREED CONDITIONS. (TOLL ROAD PROPERTIES, LLC - OWNERS: JOHN & JIM QUAST)

WHEREAS, the City of Florence, Kentucky, is a member of the county-wide planning unit with a county-wide planning commission known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission has recommended approval, subject to a development plan and agreed conditions, of a Concept Development Plan for an approximate 0.9689 acre tract generally located between U.S. 42 and Old Toll Road, approximately 600 feet east of the Pleasant Valley Road/U.S. 42 intersection in the City of Florence, Kentucky, to allow a car wash, the subject property being zoned Commercial Two/Planned Development (C-2/PD), and

WHEREAS, the Boone County Planning Commission recommendation for approval is based upon certain findings and conditions attached to its Resolution of recommendation, all of which have been reviewed by the City Council for the City of Florence, Kentucky.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

That the Concept Development Plan for the approximate 0.9689 acre tract generally located between U.S. 42 and Old Toll Road, approximately 600 feet east of the Pleasant Valley Road/U.S. 42 intersection, in the City of Florence, Kentucky, shall be and is hereby approved to allow a car wash, subject to the Concept Development Plan and other agreed conditions for this site currently zoned Commercial Two/Planned Development (C-2/PD). The real estate which is the subject of this Ordinance is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be designated to reflect the approval of this Concept Development Plan for the subject property.

SECTION II

The approval of this Concept Development Plan is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including the Committee Report made a part of that recommendation, and all provisions comprising the development plan herein, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "B" and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-01-021-A of the Boone County Planning Commission along with the referenced exhibits to that Resolution.

SECTION III

In addition to those conditions set forth in the recommendations of the Boone County Planning Commission, this approval of the City of Florence, Kentucky, through its City Council, shall be and is hereby subject to those additional conditions that have been agreed to in writing by the property owners as shown on Exhibit "C", a copy of which is attached and incorporated herein by reference.

SECTION IV

This approval is granted based on the findings of fact made by the Boone County Planning Commission and contained within its recommendation, including the Committee Report of that Commission, which is attached and made part of the Commission's Resolution No. R-01-021-A, marked Exhibit "B" hereto.

SECTION V

If this approval of this Concept Development Plan shall be held invalid, in whole or in part, by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map or comprehensive plan provisions as they are severable from this Ordinance and they are intended to have effect regardless of any invalidity relating to this particular Ordinance.

SECTION VI

Publication of this Ordinance is hereby authorized to be by summary publication in accordance with Kentucky law.

PASSED AND APPROVED ON FIRST READING THIS 20 DAY OF November, 2001.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS
27 DAY OF November, 2001.

APPROVED:

Deane E. Whalen

ATTEST:

Mary Couval
CITY CLERK

AGREED CONDITIONS - CONCEPT DEVELOPMENT PLAN APPROVAL

IN RE: TOLL ROAD PROPERTIES, LLC - 0.9689 ACRE PARCEL, US 42/OLD TOLL ROAD, FLORENCE, KENTUCKY

WHEREAS, Toll Road Properties, LLC, is the owner of 0.9689 acre parcel generally located between Old Toll Road and U.S. 42, Florence, Kentucky, and

WHEREAS, the owner applied to the Boone County Planning Commission for approval of a Concept Development Plan which would allow a building for use as a car wash and the Commission has recommended approval thereof to the City of Florence, Kentucky, and

WHEREAS, the owner has agreed that the conditions hereinafter set out shall be incorporated into approval of the recommended plan by the City.

NOW, THEREFORE, Toll Road Properties, LLC, owner of the tract identified, does hereby agree that the following conditions shall be incorporated into the approval by the City of Florence, Kentucky, of the recommendation of the Boone County Planning Commission contained in Resolution No. R-01-021-A of a Concept Development Plan for said tract and that this agreement shall become a part of the ordinance of approval:

1. All of the requirements, specifications and conditions of the Boone County Planning Commission recommendation, Inc., shall continue to apply except, in the event of an inconsistency or conflict between such conditions and this agreement, the conditions set forth in this agreement shall prevail.
2. Split face block utilizing earth tones on all elevations will be used in construction of building and the exterior design of the structure shall conform substantially to the drawing depicted on Exhibit "1" hereto.
3. Any freestanding sign shall be a 4' x 8' type monument sign; however, the base of the monument sign shall match the masonry used for the building. The sign may only be located on the U.S. 42 side of the building.
4. No outside storage will be allowed; all garbage storage shall be inside the main building.

5. Only one building mounted sign may be placed on the north side of the building facing McDonald's restaurant.
6. A small directional sign may be allowed at the entrance off the access road only.
7. Any canopy/awning covering the vacuuming area must conform to the color of the split face brick utilized in the main building.
8. There shall be no outside public address system.

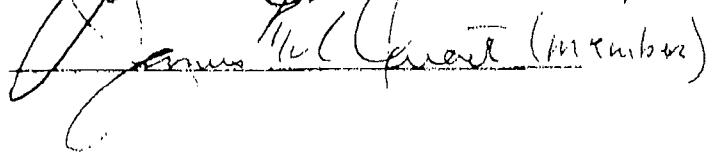
Dated this 20 day of November, 2001.

TOLL ROAD PROPERTIES, LLC

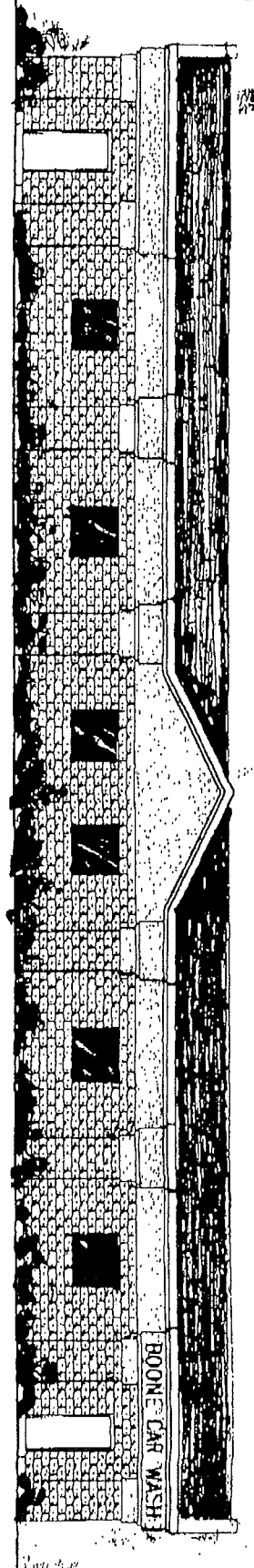
BY:



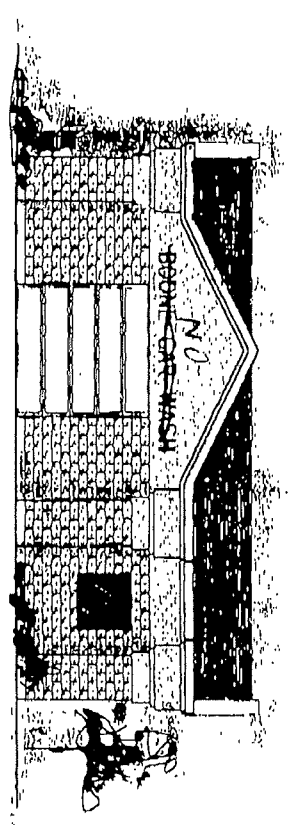
John H. Grant (member)



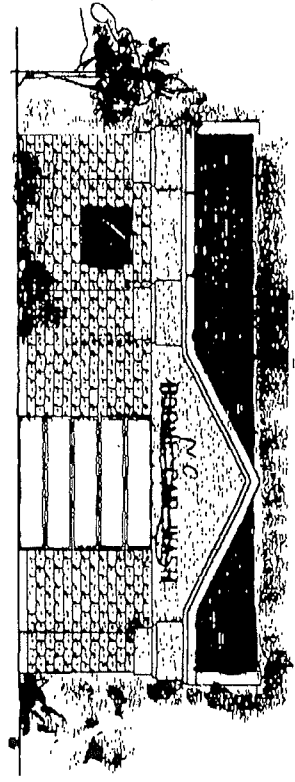
James H. Grant (member)



SIDE ELEVATION - NORTH



REAR ELEVATION



FRONT ELEVATION

SKETCHED BY ARLYAN H. POSEY (EPA/PA)
SEE CONDITION 3

McC Design Group, LLC

EX #1

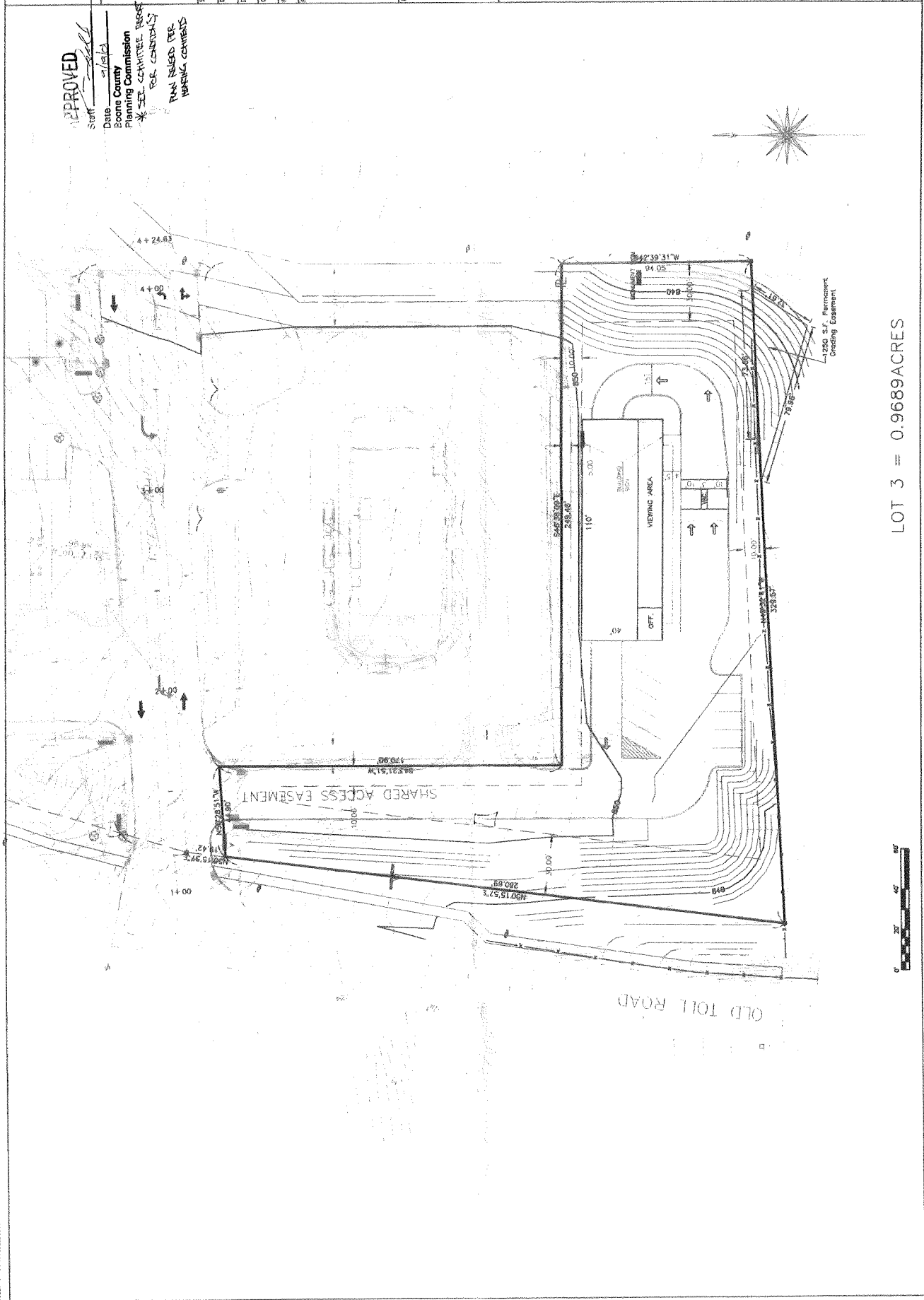
APPROVED

Staff: *[Signature]*
Date: 5/1/13
Boone County Planning Commission
* SEE COMMITTEE BASES FOR CHANGES
PLAN BASED PER MEETING COMMENTS

DEVELOPER: DAVID RATUFF 3248 CHARTER OAK ROAD EDGEWOOD, KENTUCKY 41017	ENGINEER: RAYMOND ERPENBECK CONSULTING ENGINEERS 4205 DIXIE HIGHWAY ELSMERE, KENTUCKY	PLANNERS	SURVEYORS
REVISIONS			
SCALE:	DESIGNED BY:	DRAWN BY:	CHECKED BY:
TITLE:	DATE:	BY:	DATE:

BOONE CAR WASH

RESUBMITTER
FLORENCE BOONE COUNTY KENTUCKY
CONCEPT PLAN
SHEET
1 OF 1
DATE: MAY 2013
PROJECT NO: XXXXX
DRAWING NUMBER: XXXXX



LOT 3 = 0.96889ACRES