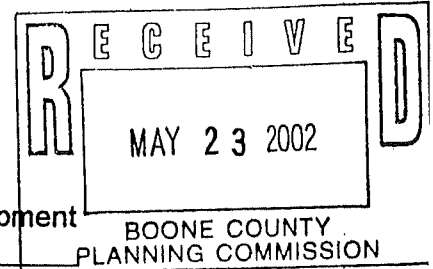


**CHANGE IN CONCEPT DEVELOPMENT PLAN  
OR  
UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT  
(CONCEPT DEVELOPMENT PLAN)  
BOONE COUNTY PLANNING COMMISSION**

(See Boone County Zoning Regulations)

**SECTION A** (To be completed by applicant)



1. Check One:

- XXX Change in Concept Development Plan
  - Utilization of An Underlying Zone in Planned Development
    - a) Public Hearing Submittal (Concept Dev. Plan) \_\_\_\_\_
    - b) Long Range Planning Committee Review \_\_\_\_\_
- (As stated in the Houston-Donaldson Study)

- 2. Name of Project Executive Springs Car Wash
- 3. Location of Project Bankers Street
- 4. Total Acreage of Site 1.0137 Acres
- 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) Automatic Car Wash
- 9. Proposed Building Intensities (please specify) 4,100 sq. ft./acre
- 10. Have you submitted a Concept Development Plan? Yes
- 11. Are you also applying for:
  - No Conditional Use Permit
  - No Dimensional Variance
- 12. Name of Applicant(s) James W. Berling  
Phone Number 331-9191 Fax No. 344-7422
- 13. Address of Applicant(s) 1671 Park Road, Suite One  
Ft. Wright, Kentucky 41011  
City State Zip
- 14. Name of Property Owner(s) R. C. Durr & Richard Crist  
Phone Number 371-0700 Fax No. 371-2099
- 15. Address of Property Owner(s) 8800 Bankers Street  
Florence, Kentucky 41042  
City State Zip
- 16. Are there any existing buildings on the site? No  
How many? \_\_\_\_\_
- 17. Deed Book 466 Page No. 298 Group No. 2033B
- 18. Have you had a pre-application meeting with BCPC Staff? Yes

(over)

EXHIBIT

“A”

## STAFF REPORT

Request of James W. Berling (applicant) for R.C. Durr and Richard Crist (owner) for a Change in Concept Development Plan for an approximate one acre tract located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

June 26, 2002

### REQUEST

This request is for a change in an approved Concept Development Plan. The applicant proposes construction of an automatic car wash in the new Concept Development Plan. The site building features concrete block masonry with metal siding and trim. The total square footage of the building is 4,100 square feet. There are four bays on the building. Two driveways provide access to the site from Bankers Street. These driveways, which are to be shared with adjacent sites, are located parallel to the east and west property lines of the site. The landscape plan features a twenty-foot wide buffer yard at the northern property line, a ten-foot wide buffer yard at the eastern property line, and landscaping islands adjacent to the western property line and the northeastern corner of the building. Plants shown in the landscape plan include flowering shrubs, Cleveland Pear, Taxus, Gold Star Juniper, Red Maple, Burning Bush, ornamental grasses, and evergreen trees. No sign package was submitted with the Concept Development Plan.

### SITE HISTORY

- 1988** American Tectonics proposed a Zoning Map Amendment for a 42-acre area in which the site is located, changing the zoning from Urban Residential One/ Office Two/Planned Development (UR-1/O-2/PD) to Commercial Services/Urban Residential One/Planned Development (C-3/UR-1/PD). The request was denied.
- 1988** The Boone County Fiscal Court adopted the Houston-Donaldson Study.
- 1990** A Zoning Map Amendment was approved for the overall Merchant's Square development, in which the site is located, changing the project's zoning from Urban Residential One/Industrial One/Planned Development (UR-1/I-1/PD) to Commercial Two//Planned Development and Industrial One Planned Development (C-2/PD and I-1/PD) That plan divided the 42-acre project into two sections: a retail section and an industrial section. The site was part of the retail portion of the approved Concept Development plan. On October 2, 1990, the Boone County Fiscal Court passed a

resolution approving the Zoning Map Amendment based on conditions listed in the attached Committee Report. The subject site is part of the area approved for a "retail anchor" under the Concept Development Plan.

1992 The current Houston-Donaldson Study was adopted.

### **SITE CHARACTERISTICS**

The 1.0137 acre site is lot 14 of Merchant's Square subdivision. The site's topography is relatively flat, sloping from 910 feet in the southwest corner of the site to 904 feet in the northeast corner of the site. A mature stand of trees is located on the site's east property line. All utilities are available in the immediate area.

### **ADJACENT LAND USES**

- **North:** Vacant land, zoned C-2/PD. The Gateway Rehabilitation Center is located to the northwest of the site.
- **South:** Special Tee Golf store, Fazoli's restaurant, and Fifth Third bank, all zoned C-2/PD.
- **East:** Vacant land, zoned C-2/PD.
- **West:** Merchants' Square, zoned C-2/PD.

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN**

The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the site as "Commercial," which is described in the Comprehensive Plan as follows:

"Retail, corporate, and professional office, interchange commercial, indoor commercial, recreation, restaurants, services, etc (p. 158, '2000 Existing and Future Land Use Classifications')."

The Land Use Element provides the following quotes that are applicable to the site:

A. "Development in the area west of I-75 should follow the guidelines of the Houston-Donaldson Study ( p. 162, 'Florence Central')."

B. "The Mall Road area should continue to develop as a regionally-oriented commercial district. This regionally-oriented growth should be confined to Mall Road and Houston Road and should not expand on to U.S. 42, KY 18 or Hopeful Church Road. However, the highway-scaled, automobile-oriented appearance of this growth should be minimized through the provision of pedestrian improvements, smaller facilities within out lots in conjunction with larger strip-style centers, multiple, scattered parking areas in lieu of large central parking areas, and street trees along Mall Road. This growth should also include multi-modal transportation amenities. Any commercial development in the Houston Road area should be consistent with the recommendations of the Houston-Donaldson Study (p. 162, 'Florence Commercial Area')."

C. "The northern portion of this section is within the Houston-Donaldson Study area. The Study recommends an employment district which would include a mix of office, commercial, and industrial uses for the existing Houston Road corridor, with a preferred emphasis on office development along I-75 and high technology industrial uses west of Houston Road. The Houston-Donaldson Study further details these developments (p. 162, 'Florence Commercial Area')."

D. "Commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate. The coordination of curb cuts and parking lot connections in the already-developed areas must occur in order to maintain a reasonable ease of travel along these roads (p. 162-163, 'Florence Commercial Area')."

The Land Use Element's Future Land Use Development Guidelines provide the following general statements 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. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate (pg. 159, 'Buffering')."

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. The amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping also helps to purify the air of harmful pollutants, reducing health impacts

"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 (p. 159, 'Landscaping')"

C. "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 (pg. 159, 'Access Management')."

D. "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 specific development, but should not be used as a means to compete for motorist attention (pg. 160, 'Design, Signs, and Historic Preservation')."

The Business Activity Element provides the following remarks relating to the general area:

A. "Since the immediate Florence area figures so prominently in Boone County's Commercial activity, this region has the momentum to continue dominating any expansion of commercial activity. Currently, "big box" retail has been overbuilt in the county. As a result, building vacancies are visible along the major commercial corridors in Florence. The market and infrastructure impacts of future large scale or regional commercial uses on the existing Florence commercial districts must be

considered. Furthermore, it is important to encourage the reuse of vacant commercial buildings instead of creating new commercial districts. Two studies, the Houston-Donaldson Study and the Main Street Study, have defined the scale and type of commercial uses in the City of Florence and surrounding area. The Houston Road area will mature with expansion of the retail and office base, additional racetrack uses, and expansions of St. Luke West Hospital (p. 70, 'Areas of Commercial Activity')."

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.
- B. "Proper design principles shall be applied in development ("Overall" Objective 3, p.4)
- C. "Future growth shall be accompanied by adequate infrastructure and services ("Overall" Objective 4, p.4)"
- D. "Boone County shall strive to achieve both a diversity and balance in land use ('Overall' Objective 6, p. 4)."
- E. "The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ('Population' Goal, p. 5)."
- F. "New development or redevelopment within Boone County is designed, constructed, and operated in such as 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, p. 5)."
- 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... 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, p. 6)."

H. "Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ('Business Activity' Goal, p. 8)."

I. "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, p. 8)."

J. "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, p. 8)."

K. "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('Business Activity,' Commercial [Retail and Office] Objective 2, p. 8)."

L. "Highway commercial uses shall be in close proximity to highway interchanges for maximum convenience and economy to the traveling public, while minimizing impact to the community in terms of traffic congestion, local commuting, patterns, and access ('Business Activity,' Commercial [Retail and Office] Objective 2, p. 8)."

M. "Proper access to adjoining property shall be provided and/or retained when a property develops or redevelops ('Transportation' 2<sup>nd</sup> Goal, Objective 3, p. 14)

### **RELATIONSHIP TO HOUSTON-DONALDSON STUDY**

The site is located in the Houston-Donaldson Corridor Overlay [HDO] District. As such the appropriateness of the development must be evaluated against the standards outlined in the Houston-Donaldson Study. The Study was adopted to provide guidelines for planned development within the area, complimenting and furthering the goals and objectives of the Boone County Comprehensive Plan. The following recommendations for the site in question are taken from the Individual Site Analysis and Recommendations section of the Study. The site under review is part of an area listed as "Site 1, Merchants Square" and is recommended to develop according to the approved Concept Development Plan. The proposed car wash is located where the retail anchor was to be located under the approved Concept Development Plan. The retail strip center adjoining the site was reduced in size.

The Houston-Donaldson Study Goals and Objectives contain the following pertinent goals and objectives:

- A. "The future land uses in the Study Area are planned in relation to the overall land use pattern of Boone County, the existing and planned developments within the Study Area, and the sense of the Study Area as a distinct corridor (Goal I, p. 7)."
- B. "Consistent with the Boone County Comprehensive Plan's recognition of this area as suitable for a large-scale employment and commercial district with unique residential and recreational opportunities, proposed land uses shall be planned in order to provide a logical, realistic development pattern with a mixture of land uses (Goal I, Objective A, p. 7)."
- C. "Commercial uses shall be designed in an innovative manner that creates prominent landscaping areas (Goal I, Objective A, p.7)."
- D. "Commercial outlots shall be located near major development access points (Goal I, Objective C, p. 7)."
- E. "Each development shall have a central architectural design focus (Goal I, Objective G, p.8)."
- F. "Recommended land uses shall be compatible with transportation-related noise impacts (Goal I, Objective H, p. 8)."
- G. "Submitted development requests shall be reviewed in context of Article 15 Planned Development of the Boone County Zoning Regulations and this document (Goal I, Objective I, p. 8)."
- H. "Where appropriate, development requests should include some form of recreation opportunity and/or pedestrian network (Goal I, Objective J, p.8)."
- I. "The traffic circulation system serves both destination and through traffic with a minimum of traffic congestion (Goal II, p.8)."
- J. "Individual uses should have access through integrated development driveways and not have individual access points (Goal I, Objective C, p.8)."
- K. "To ensure that the recommended land uses and the types of development occur in conjunction with appropriate exterior appearances to the general public. This goal is based upon the recognition that the Study Area has an enormous amount of visibility from major public thoroughfares. It also is based upon the idea that development should preserve, where appropriate, the natural terrain and vegetation (Goal III, p.9)."

STAFF COMMENTS / CONCERNS

1. The Planning Commission and Florence City Council will need to determine whether the proposal is in agreement with the Comprehensive Plan. Highlights of issues raised in this review include the following:
  - A. The Future Land Use Map classifies the area in which the site is located as appropriate for commercial development. Specifically, the Land Use Element recommends that regionally-oriented commercial land uses in the Florence Commercial Area be confined to Mall Road and Houston Road. These land uses should not be allowed to expand to KY 18. A car wash represents a locally-oriented land use rather than a regionally-oriented land use. The Land Use Element also states that curb cuts and parking lots must be connected with existing development to allow ease of travel along KY 18.
  - B. The Land Use Element recommends that any development within the Houston-Donaldson Overlay District [HDO] follow the suggestions made in the Houston-Donaldson Study. With regard to the site area, the Study states that the site is suitable for commercial land uses. The Study recommends that the area in question develop according to the Concept Development Plan that was approved for the area. While the Concept Development Plan proposes that the area develop for commercial uses, it does not specifically recommend the construction of a car wash. However, the Quickstop Oil Change Center, the Goodwrench Center, and Tire Discounters, all automotive-oriented uses, were each approved Changes to the Concept Development Plan.
2. The Goals and Objectives of the Houston-Donaldson Study and Article 15 of the Boone County Zoning Regulations stipulate that Concept Development Plan be evaluated according to the provisions of Section 1514. The following comments represent an evaluation according to these criteria:
  1. Mixed Use Development and Pedestrian Orientation- Given that there are no car wash facilities in the immediate vicinity, the proposed land use represents a diversification of land uses. The nature of the proposed use does not contribute to the pedestrian orientation of the development, as the proposed use is directed toward automobile traffic. However, sidewalk connection to Bankers Street will be required.
  2. Compatibility of Uses-The fact that the Goodwrench Service Center, the Quickstop Oil Change Center, and Tire Discounters have been approved as Changes to the approved Concept Development Plan indicates that automotive uses were previously deemed compatible with adjacent land uses. The applicant also proposes a twenty-foot wide buffer yard on the north and south property line, shielding street frontage and the Gateway Rehabilitation Center from the car wash.

3. Open Space- The applicant proposes a wider-than-required buffer yard along the north and south property lines.

4. Multi-Modal Transportation System-The nature of the proposed land use is oriented exclusively to automobiles. Thus alternative modes of transportation are not readily incorporated into the site design. However, bicycle parking areas are required under Section 3327 of the Boone County Zoning Regulations.

5. Preservation of Existing Site Features-The site does not contain any features such as those mentioned in this standard.

6. Landscaping-This standard requires that "substantial landscaping be provided with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site." Section 3645 of the Boone County Zoning Regulations requires that when a developing land use that is zoned C-2 adjoins an existing land use that is also zoned C-2, Buffer Yard "A" shall be required.

The proposed buffer yards on the north and south property lines are twenty feet wide, although Buffer Yard "A" need only be ten feet wide. However, the proposed landscaping represents fewer plants than what would be required for either Buffer Yard "A" or "B" under Section 3645.

7. Architecture- Section 1514 requires that a consistent architectural theme be provided in planned developments, featuring architecture that is traditional, with regionally-influenced elements. The theme needs to relate to surrounding structures. The Architectural Guidelines of the Houston-Donaldson Study also require that building colors and facades relate to surrounding structures. Additionally, the Guidelines specify that at least 60% of a structure in office and commercial zones be constructed of non-metal materials.

In considering these standards, staff is concerned about the use of vertical metal siding, as it is confusing, in that it replicates the roof. The site drawings also indicate that over half of the building is constructed of metal, when the metal siding and metal roofing are taken into account.

8. Historic and Prehistoric Features- To staff's knowledge, there are no such features on this site.

9. Signage- No signage package has been proposed. As the site is located within the Houston-Donaldson Overlay District, any sign package will need to be reviewed through the Design Review process outlined in the Houston-Donaldson Study.

10. Transportation Connections and Entry Points- Sidewalk connection to Bankers Street will be required.

11. Conformance with the Comprehensive Plan- This is discussed above.

### CONCLUSION

The Boone County Planning Commission and the Florence City Council must review this request on the basis of its relationship to the Comprehensive Plan and in terms of its relationship to Article 15 of the Boone County Zoning Regulations. The Future Land Use map will not need to be updated if the request is approved.

Respectfully submitted,

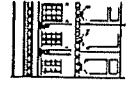
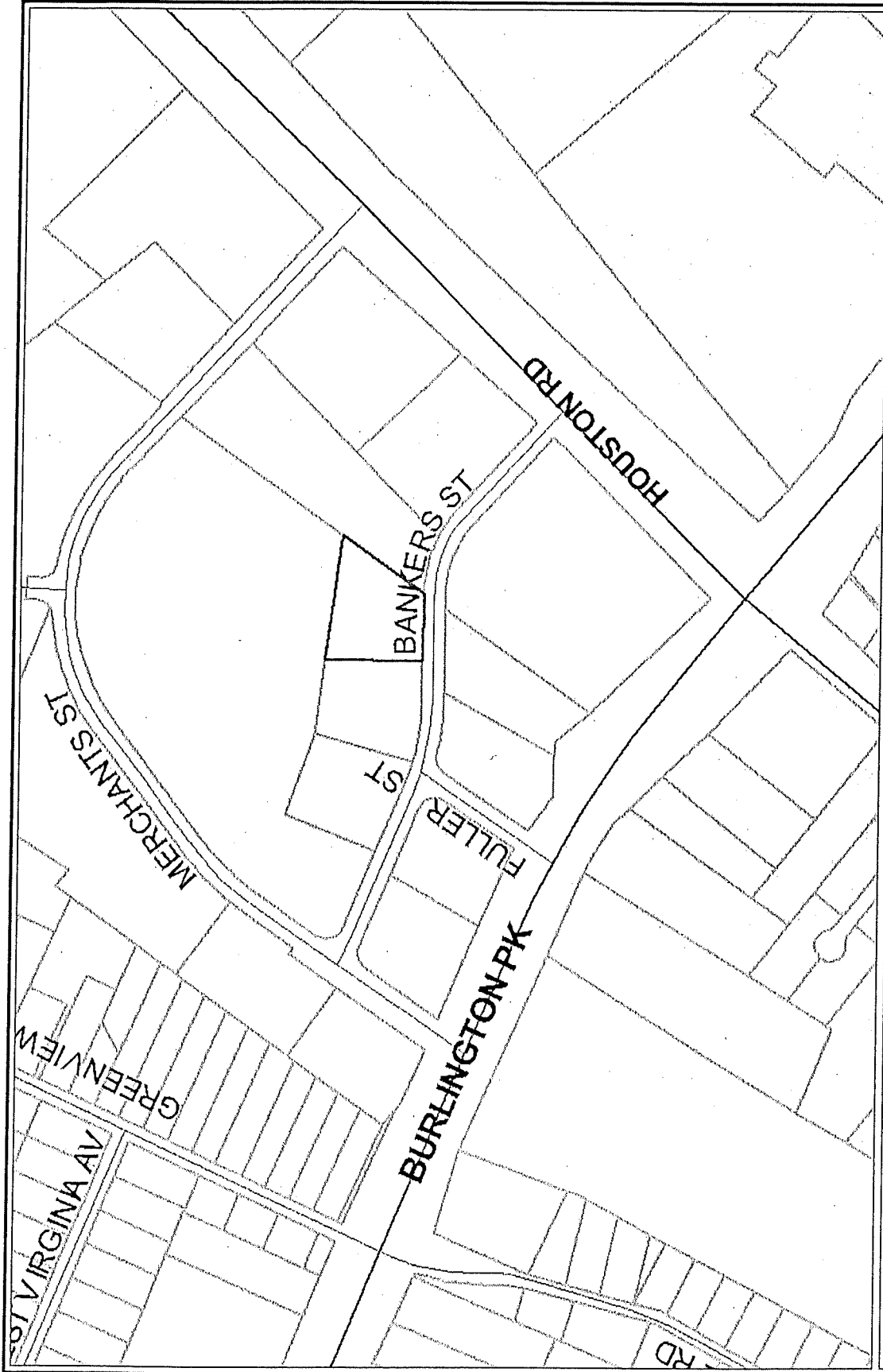


Patty Bachman  
Planner

PB/pr

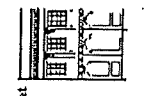
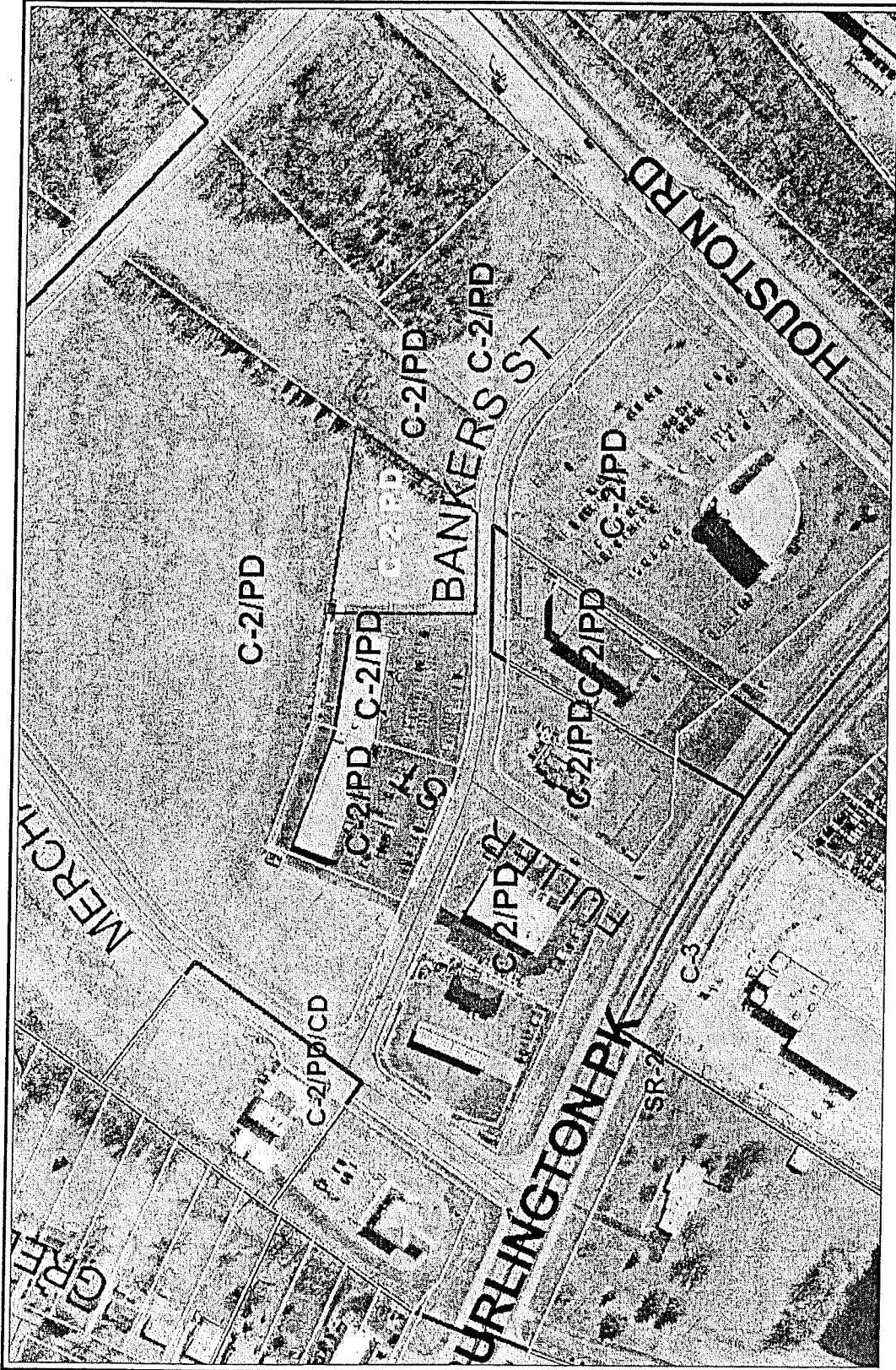
#### Attachments:

- vicinity map
- aerial photo w/zoning information
- future land use map excerpt
- site topography
- application materials including concept development plan
- committee report dated August 1, 1990



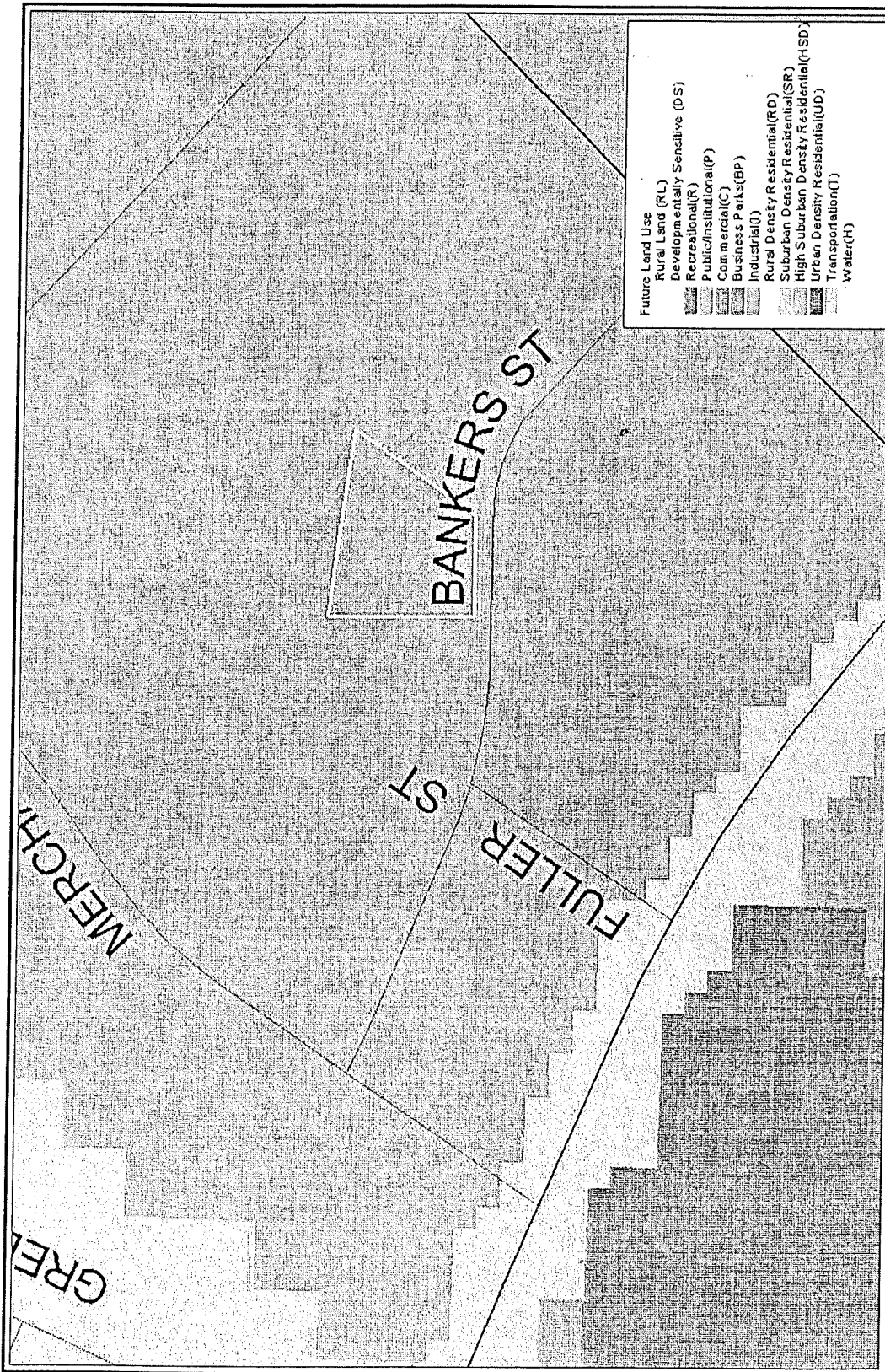
1 inch equals 300 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 7, 2002

# Executive Springs Car Wash Vicinity Map



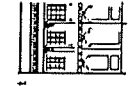
1 inch equals 200 feet  
 Produced by the  
 Beone County Planning Commission  
 GIS Services Division  
 June 7, 2002

# Executive Springs Zoning Map



**Future Land Use**

- Rural Land (RL)
- Developmentally Sensitive (DS)
- Recreational (R)
- Public/Institutional (P)
- Commercial (C)
- Business Parks (BP)
- Industrial (I)
- Rural Density Residential (RD)
- Suburban Density Residential (SR)
- High Suburban Density Residential (HSD)
- Urban Density Residential (UD)
- Transportation (T)
- Water (H)

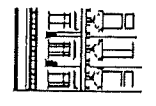
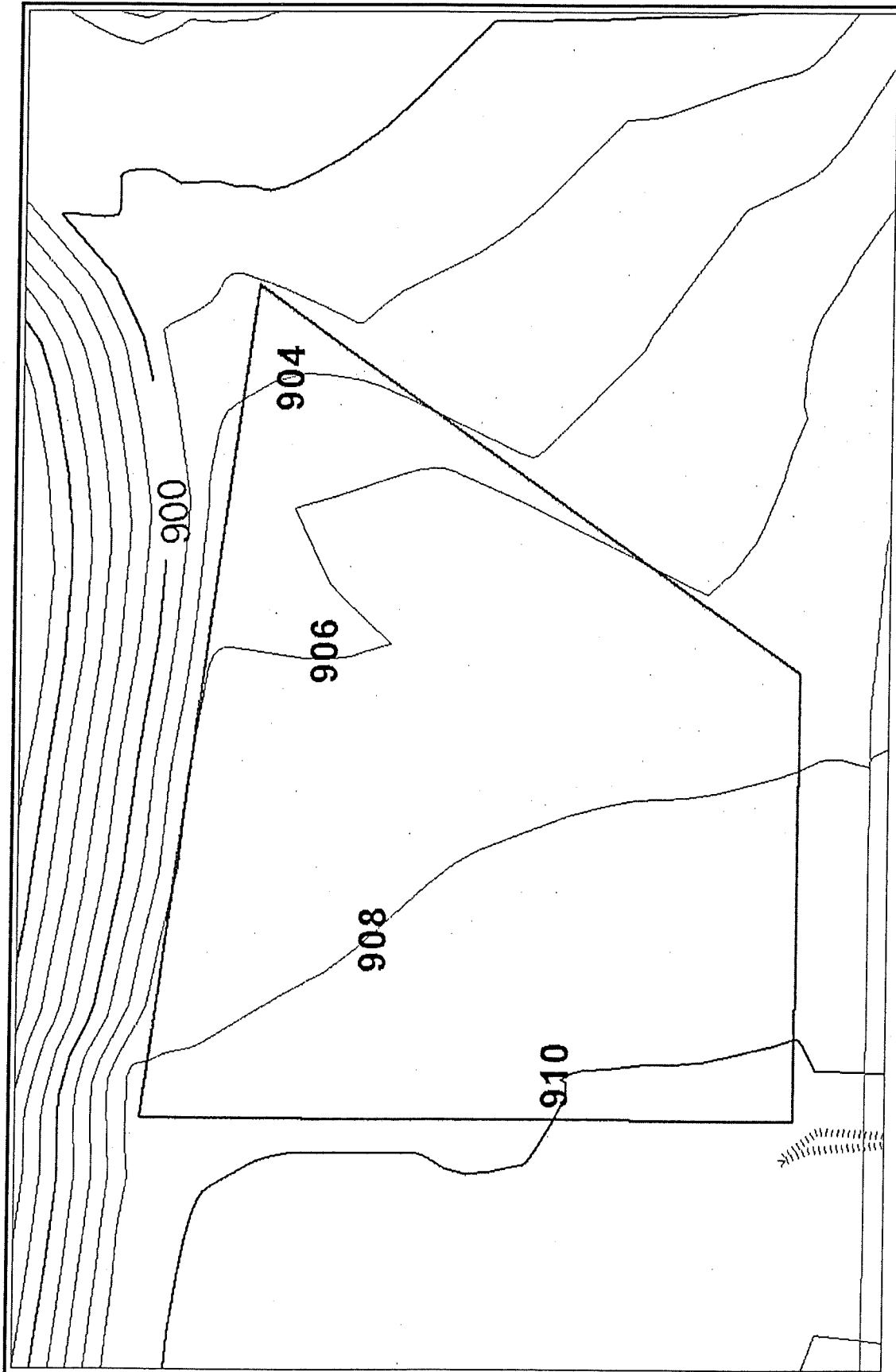


200  
0  
100  
Feet

1 inch equals 200 feet

Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 7, 2002

# Executive Springs Future Land Use Map



45 Feet  
0  
45  
1 inch equals 45 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 7, 2002

# Executive Springs Contour Map



19. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:


- Boone County Water and Sewer District
- Florence Water and Sewer Commission
- Union Light Heat and Power

- Cincinnati Bell
- Owen County Rural Electric
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- City of Florence Public Services Department
- Boone County Building Department

- Northern Kentucky Health District
- U.S. Soil Conservation Service
- Local School District
- Local Fire District
- Other: \_\_\_\_\_

20. Concept Development Plan Jurisdiction/Location  
 Unincorporated Boone County  
 Florence  
 Walton  
 Union

21. Applicant's Signature(s) 

22. Property Owner's Signature(s) 

**SECTION B (To be completed by BCPC Staff)**

1. Date Received 5-23-02 Fee Received 130.00

2. Check what has been submitted:  
 Application  Fee  Legal Description  
 Concept Development Plan  Addresses of Adjoining Property Owners  
5 No. of copies of plan received \*\*

3. Is application complete? YES  NO

4. Staff Reviewer PATTY BISHMAN

5. Committee Chairperson BOB NEWMAN

6. Scheduled Public Hearing Date \_\_\_\_\_

7. Boone County Planning Commission Action:

- Approved
- Approved With Conditions
- Denied

8. Other: \_\_\_\_\_

\*\* Five (5) Copies Required

Boone County Planning Commission  
 2995 Washington Street  
 Burlington, Kentucky 41005  
 (606) 334-2196 Phone  
 (606) 334-2264 Fax

Note: See Boone County Planning Commission Fee Schedule for Concept Development Plan Fees. An application consists of all fees paid in full, submitted drawings and a completed application form.

BOONE COUNTY PLANNING COMMISSION      2995 Washington Street      Burlington, KY 41005      859-334-2196

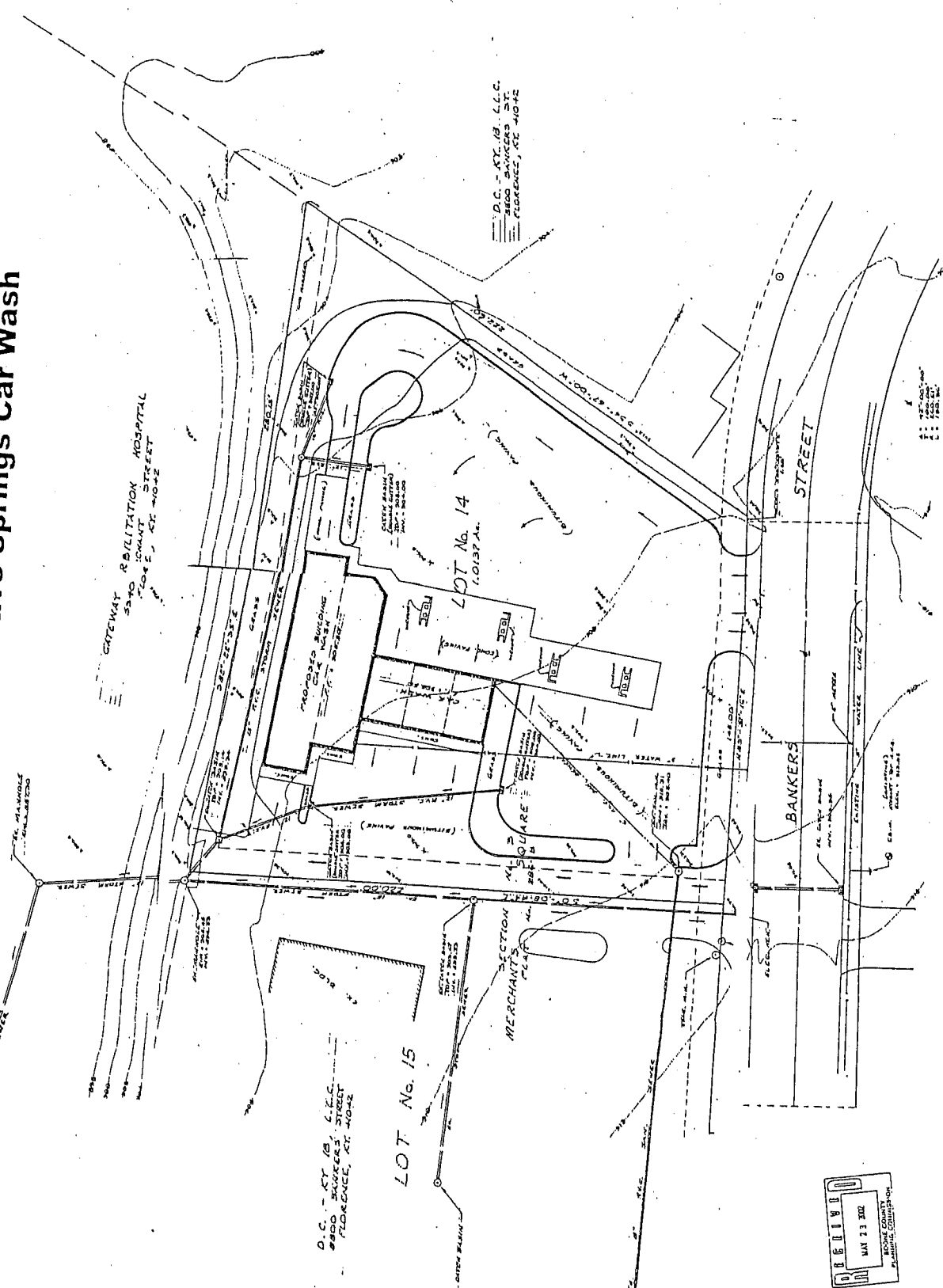
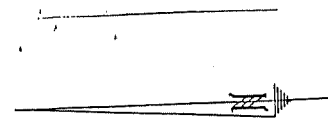
RECEIPT      Received From Radwan      Date 5-23-2002      31495

Address \_\_\_\_\_      Legislative District \_\_\_\_\_      Total Amount \$ 1130.00

Planning Commission Fees		Inspection / Enforcement Fees	How Paid
For: <u>CCDP</u>	<u>1130.00</u>	Improvement: Grading/Street	Cash
<u>Legislative District</u>		Storm Sewer	Check # <u>14042</u>
<u>Sanitary Sewer (F)</u>		Water Line (F)	Money Order
<u>Final Plat</u>		Sidewalk	
		Driveway Aprons	
		Grading: Grading	
		Storm Sewer	
		Final Plat	

By [Signature]

# Concept Development Plan Executive Springs Car Wash



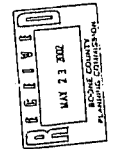
D.C. - KY 18, L.L.C.  
8800 BANKERS ST.  
FLORENCE, KY 41042

LOT No. 15

LOT No. 14  
1.0137A

D.C. - KY 18, L.L.C.  
8800 BANKERS ST.  
FLORENCE, KY 41042

SPECIALTEE GOLF  
8701 BANKERS STREET  
FLORENCE, KY 41042







ANGI ARCHITECTURAL GROUP INTERNATIONAL  
 1004 BURGESSVILLE AVENUE, SUITE 100  
 FLEMING, MISSISSIPPI 38861-4208  
 PHONE: 662-341-1405 FAX: 662-341-1428

Project Name	Date	By	Checked
EXECUTIVE SPRING CARWASH			
Project No.			
Sheet No.			

# EXECUTIVE SPRING CARWASH

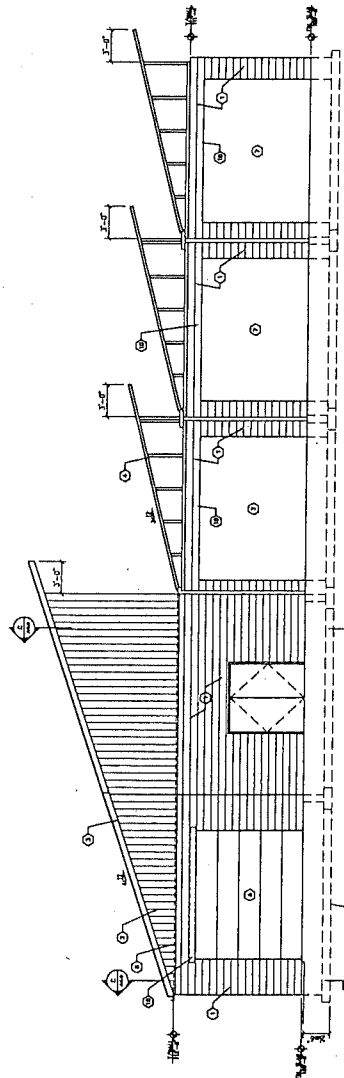
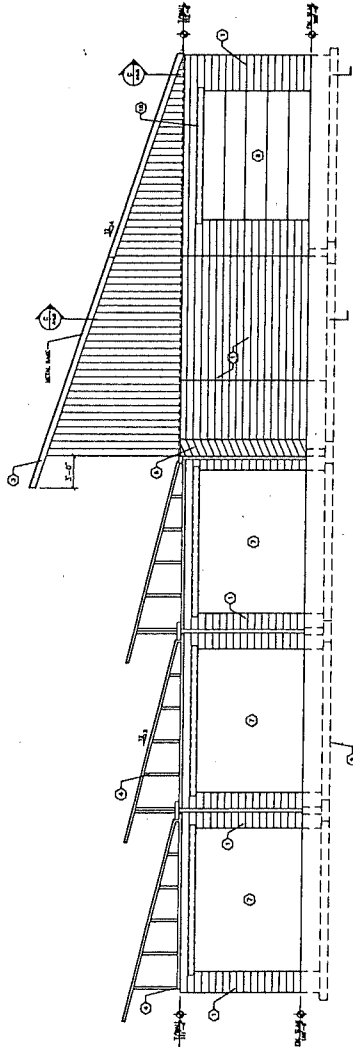
KORMANIS CARWASH  
 FLORENCE, KY.

EXTERIOR ELEVATIONS

A3.0

### PLAN NOTES

- 1 8" SURFACE CONCRETE BLAZE MARKER.
- 2 METAL TRUSS.
- 3 8" METAL TRUSS/WALL.
- 4 2" X 6" TRUSS @ 8'-0" O.C.
- 5 CONCRETE FOOTING.
- 6 12'-0" X 18'-0" INVERTED CHANNEL GAUGE DOOR.
- 7 WINDOW OPENING.
- 8 TOP OF FIN.
- 9 SPINAL COLUMNED PIPE COLUMN.
- 10 18" WIDE TOP AND BOTTOM.



**RECEIVED**

JUN 17 2002

BOONE COUNTY  
 PLANNING COMMISSION



ARCHITECTURAL  
GROUP  
INTERNATIONAL  
1884 INDEPENDENT WOOD, SUITE 200  
EVANSVILLE, INDIANA 47711  
PH: 317.432.1000 FAX: 317.432.1001  
WWW.AGINTL.COM

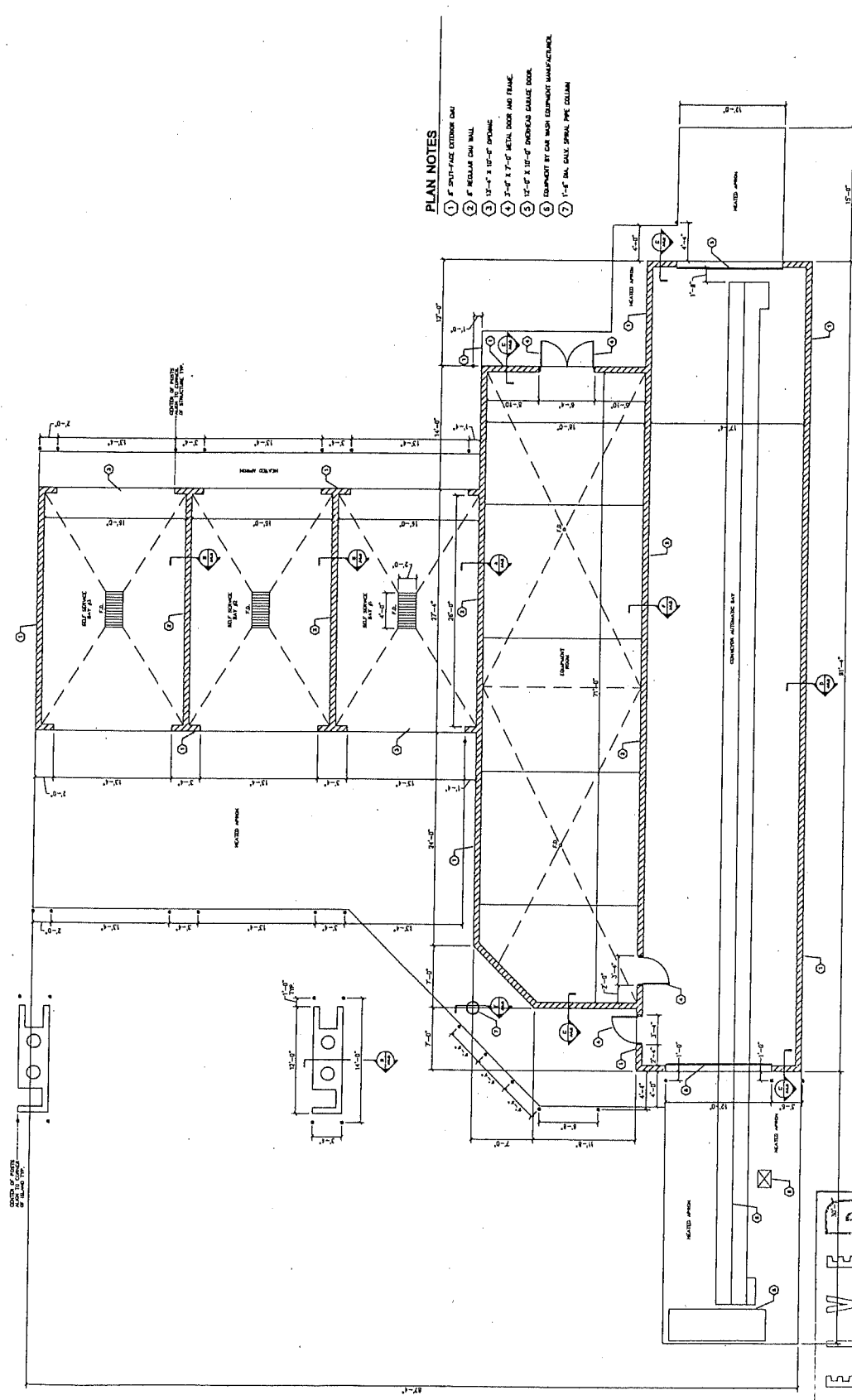
Rev	By	Description

# EXECUTIVE SPRING CARWASH

KORMANIS  
CARWASH  
FLORANCE, KY.

FLOOR  
PLAN

Sheet No. **A20**



- PLAN NOTES**
- 1" SPY-FACE EXTERIOR DOOR
  - 4" REGULAR OAK WALL
  - 12'-0" x 12'-0" FINISH
  - 3'-0" x 7'-0" METAL DOOR AND FRAME
  - 12'-0" x 12'-0" FINISH SERVICE BAY
  - EQUIPMENT BY CAR WASH EQUIPMENT MANUFACTURER
  - 1'-0" DIA. GALV. SPRAL. PNE. COLUMN

FLOOR PLAN  
3/16/02-12/02

**RECEIVED**  
JUN 17 2002  
BOONE COUNTY  
PLANNING COMMISSION

COMMITTEE REPORT

#1

TO: Boone County Planning Commission

FROM: Fred Burch, Committee Chairman

DATE: August 1, 1990

RE: Request of GBBN Architects (applicant) for Gary, Nancy and Marie Moore (owners) for a Zoning Map Amendment on a 42 acre site located on the north side of KY 18 and west of Houston Road, Boone County, Kentucky. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) and Industrial One/Planned Development (I-1/PD) and Industrial One/Planned Development (I-1/PD) to Commercial Two/Planned Development (C-2/PD) and Industrial One/Planned Development (I-1/PD).

REMARKS:

We, the Committee, based on the statements made and facts gathered at the April 25, 1990 Public Hearing, recommend approval of this request based on the following Findings of Fact and subject to the following Conditions:

Finding of Fact

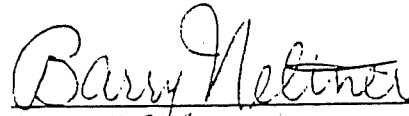
1. The Committee believes that the current zoning of UR-1/PD is inappropriate due to factors not detailed in the Houston-Donaldson Study. High Density residential development is inappropriate given the need to provide for a connector roadway through this property. This connector road from KY 18 to eventually Houston Road is critical to alleviating traffic problems at the KY 18 and Houston Road intersection. Further, the Committee believes that the commercial uses, as limited by Condition 1, meet the intent of the Houston-Donaldson Study. The commercial uses as limited, do not extend or expand the regional commercial district centered around Mall Road.
2. The Committee believes that some impacts of the proposed development will be controlled due to Article 15, Planned Development of the 1986 Boone County Zoning Regulations and the Design Review and Special Sign Regulations of the Houston-Donaldson Study. These regulations and reviews, in addition to the following Conditions, will insure that this development will not have a negative visual impact on the KY 18 corridor or surrounding community.

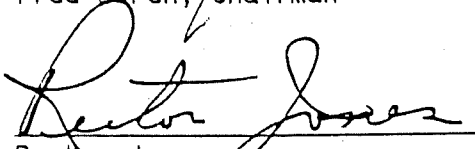
The applicants are being asked to include the following conditions as part of the revised Concept Development Plan (presented to the Planning Committee July 16, 1990) in order to address concerns and clarify questions raised at the April 25, 1990 Public Hearing.

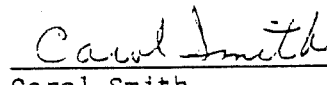
Conditions

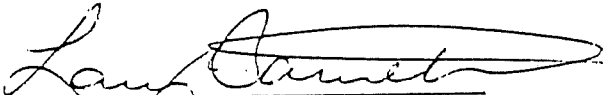
1. The Committee prefers that the retail anchor not be a regionally oriented business that would have a major negative impact on adjacent properties and traffic. The most desirable uses for this site would be those uses intended to serve the residential area west of Florence.
2. The applicant agrees to work with the Planning Commission to provide appropriate access to adjacent properties.
3. A disturb limit along the north and western property lines will be established at the Preliminary Development Plan to limit the adverse impact on the existing areas. In addition, the location of the detention ponds will be reviewed to limit their impact on the creeks.
4. Deceleration lanes will need to be constructed at both entrances along KY-18. The applicant agrees to work with Staff and KDOT on the final design of the two entrances.
5. The amount of landscaping area required for this development must equal or exceed that shown on the Concept Development Plan.
6. The applicant is aware that the property will be reviewed under the "Design Review" procedure outlined in the Houston-Donaldson Study. Items such as building design, building materials, signage, landscaping, etc. will be reviewed to insure compliance with the Design Guidelines of the Houston-Donaldson Study and the 1986 Boone County Zoning Regulations.


  
Fred Burch, Chairman

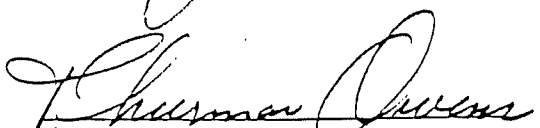
  
Barry Nelner

  
Rector Jones

  
Carol Smith

  
Larry Barnett

  
Phil Damstrom

  
Thurman Owens

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Donald McMillian, Committee Chairman

DATE: April 20, 1988

RE: Request of American Tectonics (applicant) for Marie Moore, Gary R. Moore, and Nancy J. Moore (owners) for a Zoning Map Amendment from Urban Residential One (UR-1) and Office Two/Planned Development (O-2/PD) to Commercial Services (C-3) and Urban Residential One/Planned Development (UR-1/PD). The 42.3 acre parcel is located north of KY 18 and west of Houston Road, Boone County, Kentucky.

## REMARKS:

We, the Committee, recommend denial of the request based upon the following findings of fact. Although the Committee realizes that urban residential and commercial land uses can be suitable for the site if properly developed, it is the Committee's recommendation that the request be denied for the following reasons.

Findings of Fact

1. In the Committee's opinion, the requested Zoning Map Amendment and submitted Concept Development Plan are not in conformance with the Boone County Comprehensive Plan or the Houston-Donaldson Study, which represents an official document of the Boone County Planning Commission. The Comprehensive Plan recommends against extending Mall Road area commercial development west along KY 18 in strip development fashion. Although the Future Land Use Map depicts a 25 year projection of commercial uses on the site, the Committee believes that the proposed type of commercial development in this request does not represent the appropriate form of development for the site. In the Committee's opinion, the applicant's indication of the commercial layout and types of uses anticipated for the site do not represent the neighborhood-scale commercial activities recommended by the Comprehensive Plan to accompany large residential developments. Further, the Commercial classification of the 1986 Boone County Comprehensive Land Use Map includes "nonbase land uses such as Retail, Wholesale, Services, Finance, Insurance, and Real Estate and other office uses." The Committee does not agree with the applicant's contention that 62,000 square feet of retail development represents land development consistent with the Comprehensive Plan. The Land Use Element recommends that large scale retail development be contained to Mall Road.


The Committee believes that the submitted Concept Development Plan does not adequately address several important concerns discussed in the Comprehensive Plan and the Planning Commission's Houston-Donaldson Study.

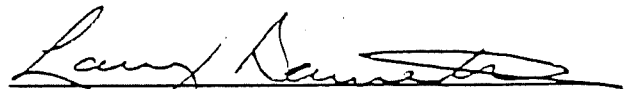
In the Committee's opinion, the submitted Concept Development Plan attempts to provide for future public roadway connection between KY 18 and Houston Road, as called for in the Houston-Donaldson Study; however, the proposed function and location are inappropriate. The proposed alignment immediately adjoins an existing single-family subdivision. Because of the site's unique topography and vegetation, it is entirely feasible to incorporate a public roadway into development of the site in a location that would have less impact on not only the existing single-family residential uses, but on the proposed apartment uses as well.

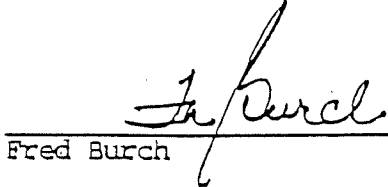
In addition, the layout of the submitted Concept Development Plan does not provide for adequate emergency access to large portions of the development. This could be remedied by constructing a public street to both serve the development and provide a future access to Houston Road, as opposed to dismissing the roadway's right-of-way to a developmentally undesirable edge of the site.

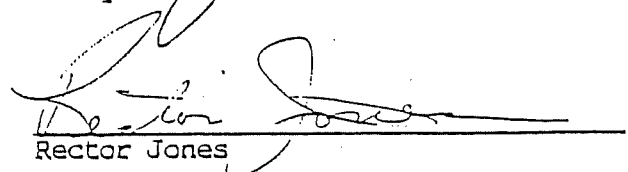
2. The applicant has not sufficiently shown that the existing Office Two/Planned Development zoning district is inappropriate and that the proposed Urban Residential One/Planned Development (UR-1/PD) zone is appropriate for the rear portion of the site. The existing office zoning was placed upon that part of the site during the 1986 update of the Boone County Comprehensive Plan and Zoning Regulations in response to (1) the topography which divides it from the existing Urban Residential zoning along KY 18, (2) anticipation of its development in conjunction with Houston Road parcels, (3) the otherwise awkward shapes of the Seligmann and Moore properties for development purposes under different zones, and (4) potential impact of the proposed north-south airport runway.

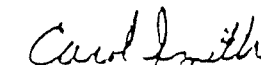
In addition, the applicant has not shown how the proposed Urban Residential One/Planned Development (UR-1/PD) zone would interact with development of the Seligmann property to the north in terms of compatibility of uses, topography, and access.

  
\_\_\_\_\_  
Donald McMillian, Chairman

  
\_\_\_\_\_  
Larry Barnett

  
\_\_\_\_\_  
Fred Burch

  
\_\_\_\_\_  
Rector Jones

  
\_\_\_\_\_  
Carol Smith

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #5  
April 25, 1990

Page 1

Following a short recess, the Chairman introduced the last item on the Agenda:

5. Applicant: GBBN Architects for Gary, Nancy, and Marie Moore (owners)  
Request: Zoning Map Amendment

The request of GBBN Architects (applicant) for Gary, Nancy, and Marie Moore (owners) for a Zoning Map Amendment on a 42-acre site located on the north side of KY 18, west of Houston Road, Boone County, Kentucky. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) and Industrial One/Planned Development (I-1/PD) to Commercial Two/Planned Development (C-2/PD) and Industrial One/Planned Development (I-1/PD).

Mr. Doug Powell, Transportation Planner, stated that there is a typographical error in the Staff Report. In Paragraph 1, line 6, "Industrial Two" should be "Industrial One".

Mr. Powell presented the Staff Report, noting its attachments, and including a slide presentation (see Staff Report).

Mr. Jack Gardner of GBBN stated that this is not a Bigg's. It is a mixed use development. Using a drawing, he reviewed the layout of the site and indicated the adjacent roadways. He stated that half of the site is zoned I-1 and the other half is UR-1. They are asking that the site be considered, under the Houston-Donaldson Study, for a mixed use of industrial, research, and retail with four outlots in the front for restaurants, gas, and a bank. The retail, which is an unidentified major user, will serve the people within the area and not be a regional draw. It will serve the Burlington and west area served by KY 18. There will be 115,000 sq. ft. of gross retail area and parking for 500+ cars. The area to the rear is proposed for industrial and they are asking that all of it be part of the Concept Development Plan incorporating the special uses of this development. He stated that the site is a challenge to develop due to the topography and requires imagination and creativity. The site slopes to the north and they are suggesting that the area to the front at KY 18 be graded down at slopes of about 8% to 10% with a transition slope to a research and development area. He stated that if the rear of the property were developed as it is currently zoned, there would be substantial movement of earth. He stated that the area is buffered by a treeline to the west and they are suggesting that it be retained and reinforced with buffering. The drainage swale to the north of the site will be retained. He stated that they have indicated retention and detention lakes. They have developed a water emphasis at the entrance to the development.

Mr. Gardner stated that the current zoning of UR-1 is inappropriate due to the change that has taken place at the airport, including the new runway with the flight patterns going across this area, making residential use questionable.

Mr. Gardner stated that there has been a concern for the extension of commercial into the area west of the Houston Road area and they think this is a logical use of the area. He stated that immediately across from the site is C-2 and C-3, with adjacent areas being commercial and retail. He added that continuing to the west there is Ameristop, automotive centers, and Hardee's restaurant. They suggest that the front portion of the site be retail. They have a hard time finding any UR-1 zoning immediately adjacent to the site. If they wanted to zone it UR-1, it would be spot zoning. They believe this development will serve the community and not a region.

Mr. Gardner stated that a by-pass road has been discussed which would by-pass the intersection and allow the traffic to flow around, but they do not control that property. He indicated the location of the entrance road to the bank and stated that there is preliminary agreement that they will consider moving the road further to the west and creating a different kind of intersection, which is not shown on the plan, but is being looked at with the owners of the bank. There is already a service drive across the front. He stated that they presented the Staff yesterday some suggestions in regard to traffic concerns, deceleration lanes, a light, and left turn lanes. This is under review. He stated that the site principally enters from the service road. The connector road will eventually connect to the Houston Road portion of the site and they think this is logical.

Mr. Gardner stated that he believes the Comprehensive Plan is being reviewed as to what this area will become. They do not think UR-1 zoning is appropriate and that retail/commercial is a logical use.

Mr. Tom Banta of Corporex noted that there are five primary concerns listed in the Staff Report. In response to the first concern, the property is partially affected by the runway. The Part 150 Study has not been approved. The plan sent to them by the Airport shows the property to be entirely affected by the runway. They do not think the property is appropriate for residential use. He stated that the Houston-Donaldson Study discouraged regional commercial from expanding off of Mall Road and going down KY 18. He stated that this is not regional retail -- which is either a mall or a major anchor. They have only an 80,000 foot anchor. They are proposing a solution to the traffic situation that currently exists at Houston Road and KY 18. The loop connector road was proposed in the Houston-Donaldson Study and they have done everything they can in the design to accommodate the Study. The access on Houston Road was moved following discussion with the Staff. In the American Tectonics Plan that was turned down, one of their problems was the road. He stated that the looped road is not consistent with a residential use which is why American Tectonics came in with a road going around. He stated that the connector road and the residential use do not go together.

Mr. Banta stated that in regard to design, Planned Development call for the creative use of the land. They are proposing the PD because the Houston-Donaldson Study requires it. The densities are less than what the Houston-Donaldson Study would allow for C-2 and I-1 zoning. The topography of the site is difficult. The small ravine changes 50+ feet from top to bottom. He stated that maintaining

the trees in the center of the property is not possible. They will maintain the trees around the perimeter, along the creek lines, and in the back areas. They intend to adequately buffer the residential per the requirements. They are well known for doing this with their other developments. They will leave the creeks in their natural state as natural buffer. He stated that the houses are a good distance back and the creek is a good divider.

In regard to traffic, Mr. Banta stated that the new connector road will improve this much more than the commercial aspect will hurt the traffic situation, and the new traffic study given to the Staff bears this out. He added that they have a letter from the state approving the curb cuts as shown on Burlington Pike. In regard to the impact of the outlots on KY 18, he stated that they have a history of doing things nicely and they have no intention of having junky outlots. He stated that they are known for their architectural controls and will maintain these controls over the outlots to make KY 18 attractive.

In regard to phasing, Mr. Banta stated that their plan is to build the infrastructure initially as shown on the plan. The outlots are spoken for, but they do not have a retail anchor at this time and the retail center may follow after the outlots. The industrial will be built as the market dictates.

Mr. Bill Butler, President of Corporex, stated that they are widely known for their office and industrial developments. This would be their first retail undertaking. He stated that they worked hard for their reputation for setting good design standards and the Commission can rely on what they do to be an addition to the environment. He noted the money spent on the entrance at Circleport. He stated that they have worked closely with the Staff and the plan is representative of collective ideas. He stated that there were initially five outlots, and now there are four, which is \$400,000 less income for the project, but in response to Staff's concerns. He stated that everybody wants the looped road, and there is a great deal of engineering involved. He stated that the economics and underlying costs will require that the uses be of a high order. He stated that the property is surrounded by C-2 and C-3 zoning and they ask for a zone change to make the property conform to its neighbors. He stated that they will put the usual covenants on the the development that the put on their industrial developments -- such as high level architecture. They promise high levels of quality. He stated that this is 20% as large as the Bigg's development.

The Chairman asked if there was anyone else present who wished to speak in favor of the request.

Mr. Ray Bolling stated that this is a wonderful project as the airport says there is too much noise for residential. He indicated on the map the location of an acre of ground that he owns. He stated that he will sell them the property so that they will have a stop light to use to get out.

The Chairman asked if there was anyone else present who wished to speak in regard to this request. There being no response, he asked if there were any comments from the Commission.

Mr. McMillian asked if the road in the industrial area would be continued to the property line in case of future development.

Mr. Powell stated that they should not go over the creek at that point. They want to protect the creek and believe there can be alternate access. He stated that you would be able to travel from property to property without getting back on Houston Road.

Mr. DeLong asked if they would be willing to put all of the infrastructure in in the first phase.

Mr. Banta stated that they planned to hold off on the roads as they may not be necessary. Mr. Butler stated that putting the road in in the first phase will depend on the financial arrangement and they will work with the Staff in this regard and enter into agreements.

Mr. Gardner stated that if the area to the east is to be used, the road and infrastructure would have to go in.

Mr. Kirby questioned the easement going through two of the buildings and Mr. Butler advised that it is a gas line to be relocated.

Mr. Powell stated that they received a Traffic Impact Analysis from the applicant and have reviewed it briefly. There is a concern reflected in the study as to how much traffic will be captured from existing traffic on KY 18, and will there be people drawn in.

Mr. Banta stated that assuming the retail use is soft goods, it will serve the residents there. He added that 43% of the traffic in and out will be people already on KY 18.

There being no further comments, Chairman Viox stated that this item will be on the Agenda for the Business Meeting on May 2, 1990 at 8 P.M. and closed this Public Hearing.

APPROVED:



William R. Viox, Chairman

Attest:

  
Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

August 1, 1990

8:00 P.M.

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Mr. William Viox, Chairman, called the meeting to order at 8:10 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Larry Barnett  
Mr. Fred Burch, Vice Chairman  
Mr. Lawrence Collins  
Mr. Phil Damstrom  
Mr. Melvin DeLong  
Mr. R. N. Greene  
Mr. Rector Jones  
Mr. Robert Kirby, Jr.  
Mr. Don McMillian  
Mr. Barry Neltner  
Mr. Floyd Sharp  
Mrs. Carol Smith  
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. Thurman Owens  
Mr. Ralph Rush

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox stated that each member had received copies of the Minutes of the Business Meeting of July 18, 1990 and the Public Hearings of July 18 and July 25, 1990. He asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mrs. Smith seconded the motion and it carried unanimously.

BUSINESS MEETING AGENDA

UNFINISHED BUSINESS:

1. Zoning Map Amendment

The request of GBBN Architects (applicant) for Gary, Nancy, and Marie Moore (owners) for a Zoning Map Amendment on a 42-acre site located on the north side of KY 18, west of Houston Road, Boone County, Kentucky. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) and Industrial One/Planned Development (I-1/PD) and Industrial One/Planned Development (I-1/PD) to Commercial Two/Planned Development (C-2/PD) and Industrial One/Planned Development (I-1/PD).

Mr. Kevin Costello, Interim Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The Committee Report included a summary of findings for the contrary recommendation. The applicant has signed the letter agreeing to the conditions and a copy is included in the packet.

There being no discussion, Mr. McMillian moved by resolution to the legislative bodies that the request be approved based on the Committee Report, including the conditions. Mr. Jones seconded the motion and it carried unanimously.

2. Zoning Map Amendment and Conditional Use Permit

The request of Pilot Oil Corporation (owner) for a Zoning Map Amendment and a Conditional Use Permit on a 9.688-acre site located at the northwest corner of KY 338 and U.S. 25, Boone County, Kentucky. The request is to rezone the site from Rural Suburban (RS) to Commercial Services (C-3) and to receive a Conditional Use Permit to expand the existing parking lot for the Pilot Oil truck stop.

Mr. Costello read the Committee Report which recommended deferral of the request until the August 15, 1990 Business Meeting (see Committee Report).

There being no discussion, Mr. McMillian moved that the request be deferred until the August 15, 1990 Business Meeting based on the Committee Report. Mrs. Smith seconded the motion and it carried unanimously.

3. Zoning Map Amendment

The request of A. D. Malley for PFP Inc. (owners) for a Zoning Map Amendment with a Conditional Use Permit on a 1.0-acre site located on KY 18 and known as the Little Red School House. The request is to rezone the site from Suburban Residential Two (SR-2) to Office One (O-1) with a Conditional Use Permit to allow a Nursery School.

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
June 26, 2002  
7:00 P.M.**

**PUBLIC HEARING**

**Commission Members Present:** Mr. Barlow, Mr. Knock - Temporary Presiding Officer, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Ries, Mr. Schwenke, and Mrs. Wilson - Secretary/Treasurer.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Patty Bachman, Planner; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

**Legal Counsel Present:** Mr. Dale Wilson

Mrs. Susan Poston, Vice Chairperson, called the meeting to order at 7:06 PM and introduced the item on the Agenda:

1.     **Applicant:**     James W. Berling for  
                          R. C. Durr and Richard Crist (owners)

**Request:**         Change in Concept Development Plan

The request of James W. Berling for R. C. Durr and Richard Crist (owners) for a Change in Concept Development Plan for an approximate one-acre tract on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

Staff Members Kevin Wall and Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, Mrs. Poston asked for the applicant's presentation.

Mr. Matt Tobler with Radius Construction Company, 409 West 35<sup>th</sup> Street, Covington, and Mr. Mark Kormanis of 9762 Cherbourg Drive, Union, Kentucky, the owner of the proposed project, were present. Mr. Tobler stated that they tried to put the project together in a way that meets the buffer and setback requirements

and eases the traffic flow. He stated that there is some flexibility in the design of the building. They feel that the project will be beneficial to the area. The car wash is for the use of the residents of the area and will be a consolidation of services with the other automotive service projects. He offered to answer any questions.

Mrs. Poston asked if there was anyone else present who wished to speak in favor of the request. There being no response, she asked if there was anyone present who wished to speak in opposition to the request or ask questions. There was no response.

Mrs. Poston asked if there were any comments or questions from the Commissioners.

Mr. Schwenke noted Staff Comment #7 that the Houston-Donaldson Study Guidelines specify that at least 60% of the structure is to be of non-metal materials and asked if what they propose is all metal. Mr. Kormanis responded "no" and stated that they want to stay close to the construction materials of the existing structures including Tom McGil and the Merchant Square strip center, which is split block. He stated that the bulk of the roof structure is open air and not metal. Ms. Bachman noted that the architectural drawings are attached to the Staff Report. She stated that Staff is not so much concerned with the roof as with the vertical siding which creates an industrial look. Mr. Kormanis stated that they do not want the building to look like a typical car wash. He stated that the three bays are self-service, they have no siding, and have open truss sections that would match the roof. The siding would be over the equipment room and the longer tunnel on the north side. The taller roof section is to provide an area for signage along the south side. Mr. Tobler stated that it is more of an architectural panel that has small ribs that come in and out for a decorative look. The color scheme is a green roof with earth tone beige on the siding and masonry to be complimentary. He does not think it will have the industrial look of a typical metal building.

Mr. Poe questioned how the building fits in with the surrounding structures. Ms. Bachman responded that there is metal trim on the surrounding structures. Goodwrench has metal trim on the back of the bays and Merchant's Square has green metal trim. She asked the applicant to provide colored architectural renderings. Mr. Wall suggested the applicant provide samples of the building materials.

Mr. Kormanis stated that the building would be split block masonry up to twelve feet high and the only siding would be on the taller structure underneath the truss section. He stated that the split block is almost identical to the building next to it at Merchant's Square.

Mr. Costello asked if the architect was present. Mr. Tobler responded "no". Mr. Costello asked that the architect attend the Committee Meeting. He stated that the rendering is misleading. Staff can provide the Committee with the approved plans of the buildings that are out there and determine the percentage of brick and vinyl and can take pictures to show the Committee what is out there. He explained that there is another review process involved with the Technical Design Review Committee if the Planning Commission approves the use. He stated that having the architect at the Committee Meeting and having a better drawing is a better way to convey the information.

In response to a question from Mrs. Wilson regarding regionally oriented and locally oriented uses, Ms. Bachman stated that the car wash is a locally oriented use as people go to the closest car wash. She stated that this car wash would serve Greenview Subdivision. Mr. Costello stated that there was to be a retail center with a Winn Dixie grocery store and there was debate about whether it was a regional draw or a local draw. He stated that Mr. Butler talked about Corporex and building a local grocery store (Winn Dixie) and discounted the fact that it would be a regional retail center.

Mr. Barlow stated that the buildings on that end of Bankers Street have architectural features that are different from what is being proposed. If this development were proposed at the other end of Bankers Street, it would fit better because the fueling station and car repair station are there. This use is being placed in a developed office/commercial area that has a theme. The office condominiums across Houston Road have a Colonial look. The Trust Company has an architectural design to it. There is an established architectural theme on that end of Bankers Street and this design does not fit in.

Mr. Kormanis stated that they should have provided the color schemes, drawings, and materials. He stated that they tried to develop a car wash that did not look like a car wash and wanted it to fit in with the theme of the area. They tried to match the building materials (split block and brick) and to match the green trim roof of the office condominiums. He stated that he has photographs of an existing building that is northwest of Louisville that uses the same roof structure. He stated that the open air roof does not look like a car wash. He feels that the Commissioners need to see a picture of what they are saying. Mr. Tobler stated that there would be exposed metal trusses and a metal roof. Mr. Barlow stated that it is more of a canopy than a roof. He stated that the drawings do not show any office space in the equipment building. He asked if it is intended that there be someone there. Mr. Kormanis responded that there will be an operator there the majority of the day and part of the evening. The car wash will be open twenty-four hours a day and there will be an attendant there at the higher traffic times and seasons. Their intention is to have an office inside the equipment room. The attendant will be there from about 8 AM or 9 AM to about 8 PM or 9 PM. The attendant would interact with the public until the public becomes familiar with the procedures and systems.

In response to questions from Mr. Ries, Mr. Kormanis stated that there will be three self-service bays where people pull in and deposit their money. There is a high pressure washer and brush. For the automatic car wash, people will dial a code and pay. The conveyor will draw them through the car wash.

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Mrs. Wilson questioned stacking distance. Mr. Kormanis responded that they want to avoid stacking onto Bankers Street and causing delays, which is one of the reasons for the orientation of the building. On the east side, they have provided stacking space for approximately eighteen vehicles prior to entering the car wash. They can stack eighteen vehicles before encroaching on the curb cut on Bankers Street.

Mr. Knock asked if Staff is satisfied that the physical construction blends with the other buildings. Ms. Bachman responded that she is concerned and would prefer to see colored renderings to better understand how the materials are used and the colors. She stated that the buildings next door are using metal for trim – which is an accent feature versus being the main component of the building. Mr. Knock asked if the renderings can be submitted at a later date. Counselor Wilson advised that they can as they were brought up at the Public Hearing.

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reasons for the attendant. The attendant would be there approximately twelve hours a day and would maintain the cleanliness of the area.

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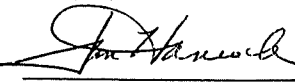
Mr. Ries asked if there are any safety features – such as if at night someone got hung up in the car wash or it shuts down. Mr. Kormanis explained that there is a monitoring system that will dial his e-mail, cell phone, and home telephone. They will install six cameras (one at each end of the tunnel) and there is a web link to the monitoring system. If they receive a page or telephone call, they will have six displays on a split screen to be able to see what is going on. Mr. Ries stated that car washes have a lot of theft and vandalism and he is concerned about security. Mr. Kormanis stated that there are floor safes and all of the coins drop down into a safe below ground. He stated that it is difficult to address major vandalism and theft, but the reason for the design and layout of the building is that they are trying to set a standard that says it is a safe place to come and wash a car at 8 AM or at 8 PM. They want to provide a service for the community where people feel safe. The facility is well lit, there is an attendant on duty during the day and into the evening, and there is a surveillance system.

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on July 3, 2002 at 4:00 PM in the Fiscal Courtroom on the second floor of this building. This item will be on the Agenda for the Business Meeting on July 17, 2002 at 7:30 PM. Mrs. Poston closed this Public Hearing at 8:02 PM.

**APPROVED:**

  
\_\_\_\_\_  
**Susan Poston, Vice Chairperson**

**Attest:**

  
\_\_\_\_\_  
**Jan Hancock, Recording Secretary**

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
BUSINESS MEETING  
August 7, 2002  
7:30 P.M.**

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Mrs. Susan Poston, Vice Chairwoman, called the meeting to order at 7:42 PM.

**COMMISSION MEMBERS PRESENT:**

Mr. Mark Hicks, Chairman  
Mr. Randy Poe  
Mrs. Susan Poston, Vice Chairwoman  
Mr. Charlie Reynolds  
Mr. Robert Ries  
Mr. Bob Schwenke  
Mr. Earl White  
Mrs. Lisa Wilson, Secretary/Treasurer  
Mr. David Zimmer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Randy Barlow  
Mr. Arnold Caddell  
Mrs. Janet Kegley  
Mr. Richard Knock, Temporary Presiding Officer  
Mr. Don McMillian  
Mr. Robert Newman

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Patty Bachman, Planner  
Ms. Jan Hancock, Secretary  
Mr. Todd Morgan, AICP, Planner  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

EXPENSES:

Accounting Fees	\$ 644.95
Advertisements/Recruitment	290.02
Attorney Fees	4,640.00
Auto Expenses	1,312.24
Filing Fees (CLURs)	195.50
GIS Operations	14,647.73
Office/Equip.Maintenance	340.00
Miscellaneous Expenses	1,634.13
Office Equip/Depreciation	3,229.49
Professional Development	322.57
Postage Expenses	1,624.89
Printing/PubDuesSubscrip	6,455.17
Prof.Services/Consultants	2,200.00
Refunds	538.00
Office & Board Mtg. Supplies	1,716.82

TOTAL: \$ 39,791.51

GRAND TOTAL: \$142,022.36

Mr. McMillian moved that the salaries, benefits, and bills due be approved and paid as presented; and indicated approval of those items which have been paid. Mr. Reynolds seconded the motion. A vote on the motion found all voting members in favor. Chairman Hicks was not yet present. The motion carried.

ACTION ON PLAN REVIEWS:

1. Change in Concept Development Plan

The request of Sam's East, Inc. (applicant) for Wal-Mart Stores, Inc. (owner) for a Change in Concept Development Plan for a 1.62 acre site at 4949 Houston Road, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a gasoline fueling station in a Commercial Two/Planned Development (C-2/PD) zone.

Mrs. Poston stated that Agenda Item #1 is recommended for deferral to the September 4, 2002 Business Meeting at 7:30 PM. The Committee Meeting will be on August 21, 2002 at 4 PM in the Fiscal Courtroom. Mr. White so moved. Mrs. Wilson seconded the motion. A vote on the motion found all voting members in favor. Chairman Hicks was not yet present. The motion carried.

2. Change in Concept Development Plan

The request of James W. Berling (applicant) for R. C. Durr and Richard Crist (owners) for a Change in Concept Development Plan for an approximate one-acre tract on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

Staff Member Patty Bachman presented the Committee Report which recommended approval of the request based on the Planned Development Standards and the Goals and Objectives of the Houston-Donaldson Study, but subject to conditions (see Committee Report).

Mr. White moved by resolution to the City of Florence that the request be approved based on the Committee Report. Mrs. Wilson seconded the motion.

In response to questions from Mr. Schwenke, Mr. Matt Tobler with Radius Construction Company, presented and reviewed the elevations. He stated that the self-service bays will be open, but the tunnel wash will have doors that will be closed when it is not in use. The walls will be split-faced block with scored block accent areas. There will be a standing seam metal roof with dormers. The front gable area where the sign will be will be dryvet material.

Mr. Poe questioned how the building fits in with the surrounding structures. Ms. Bachman responded that the surrounding buildings are masonry with metal trim and it fits in well.

There being no further discussion, Mrs. Poston asked for a vote on the motion made by Mr. White and it carried unanimously.

Mr. Ries stated that the Chairman of the Committee did not attend the Public Hearing or the Committee Meetings and, if the Chairperson does not attend the Public Hearing or the Committee meetings, another Chairperson should be assigned. It is important for the Chairperson be at the Public Hearing because the Chairperson should be the most informed person. He asked if there is a policy in regard to replacing the Chairperson. Mr. White responded that Mrs. Kegley chaired the Committee. Mr. Ries stated that she should then be shown as the Chairperson on the Agenda. Mr. Costello stated that such a policy has been discussed and could be implemented and it will be discussed at the Executive Committee.

Chairman Hicks chaired the meeting at this time and introduced the next item on the Agenda:

3. **Technical Design Review - Florence Medical Group  
8731 A Bankers Street**

Staff Member Patty Bachman presented the Technical Design Review request for Florence Medical Group at 8731 A Bankers Street, which is in the Houston-Donaldson Study area. The applicant is proposing the construction of an awning with lettering. Ms. Bachman showed a rendering of the proposed awning, which is four feet tall and twenty-one feet long. The letters will be ten feet tall and nineteen feet long. Only the lettering is considered to be a sign and the awning is considered to be part of the building structure. She stated that the request is for 15,833 square feet of signage. This is a vacant lease space within a commercial center and the Houston-Donaldson Study allows it one building-mounted sign and a maximum of

EXHIBIT  
"B"

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Bob Newman, Chairman

DATE: August 7, 2002

RE: Request of **James W. Berling (applicant)** for **R.C. Durr and Richard Crist (owner)** for a Change in Concept Development Plan for an approximate one acre tract located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in 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 Change in Concept Development Plan request based upon the following Planned Development Standards and the Goals and Objectives of the Houston-Donaldson Study and with the following condition:

1. The site is designated by the 2000 Boone Comprehensive Plan's Land Use Map as "Commercial." The Future Land Use Map classifies the area in which the site is located as appropriate for commercial development. Specifically, the Land Use Element recommends that regionally-oriented commercial land uses in the Florence Commercial Area be confined to Mall Road and Houston Road. These land uses should not be allowed to expand to KY 18. A car wash represents a locally-oriented land use rather than a regionally-oriented land use. Additionally, the Land Use Element recommends that any development within the Houston-Donaldson Overlay District [HDO] follow the suggestions made in the Houston-Donaldson Study. With regard to the site area, the Study states that the site is suitable for commercial land uses. The Study recommends that the area in question develop according to the Concept Development Plan that was approved for the area. While the Concept Development Plan proposes that the area develop for commercial uses, it does not specifically recommend the construction of a car wash. However, the Quickstop Oil Change Center, the Goodwrench Center, and Tire Discounters, all automotive-oriented uses, were each approved Changes to the Concept Development Plan. The Goals and Objectives of the Business Activity Element state that "commercial uses shall be limited to strategic locations serving trade area and neighborhood needs and shall have safe and effective access and ample parking space." The Committee believes that the addition of a car wash to the Merchants Square subdivision is appropriate in the face of that goal. The proposed car wash would serve adjoining residential areas including the Greenview subdivision and residences along Ridge Road. In addition the access to the site will not impact traffic on Kentucky 18 or Houston Road.

2. A. Goal I of the Houston-Donaldson Study states that "the future land uses in the Study Area are planned in relation to the overall land use pattern of Boone County, the existing and planned developments within the Study Area, and the sense of the Study Area as a distinct corridor (p. 7)." The proposed development is in harmony with the existing land uses that adjoin it on both an architectural and a land-use level. The redesigned building features architectural elements that are repeated on the adjacent Merchants' Square strip development as well as on the Houston Office Condominiums located near the site on Houston Road. In terms of land use, the proposed car wash fits with the automotive-related uses that are present in the immediate area (i.e. Goodwrench Service Center, Quickstop Oil Change, and Tire Discounters). Additionally, the car wash will serve nearby residential areas such as the Greenview Subdivision.  
  
B. Goal II of the Houston-Donaldson Study states that "the traffic circulation system serves both destination and through traffic with a minimum of traffic congestion (p.8)." The location of the proposed car wash, along Bankers Street, presents minimal impact upon traffic on Kentucky 18 or Houston Road. Traffic on Bankers Street is limited.
3. The Committee has concluded that the proposed Concept Development Plan, with the attached condition noted below, generally fulfills the applicable requirements outlined in Section 1514 "Planned Development Standards" of the Boone County Zoning Regulations.
4. The Committee has concluded that the attached condition is necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan and the Houston-Donaldson Study, as well as the intent, objectives, and requirements of the Article 15 "Planned Development District (PD)" of the Boone County Zoning Regulations. The Committee has also concluded that the attached condition is necessary to mitigate any foreseeable community impacts that may be created by the development. The applicant has signed a letter demonstrating agreement with this condition.

#### CONDITION

1. Buildings will be constructed as shown in the revised architectural renderings brought to the 7-17-02 Zone Change Committee meeting.

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT  
August 7, 2002  
**Berling/Crist/Car-Wash-Bankers Street**

Page 3

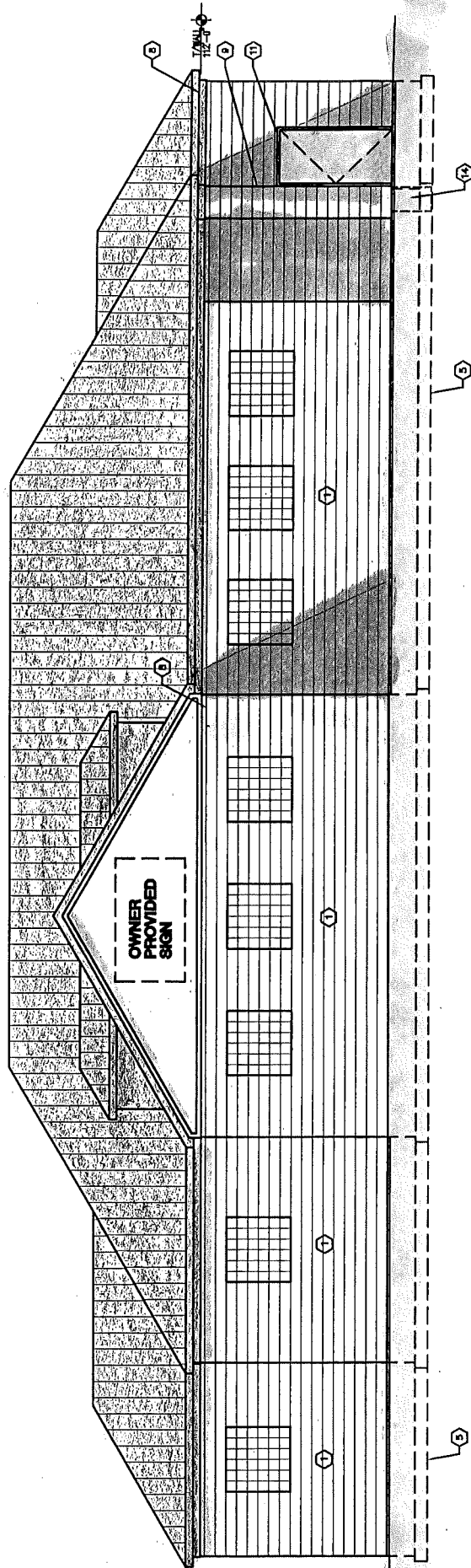
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change Committee Vote.

**APPROVED**

Staff MP Beck

Date 8-07-02

Boone County  
Planning Commission



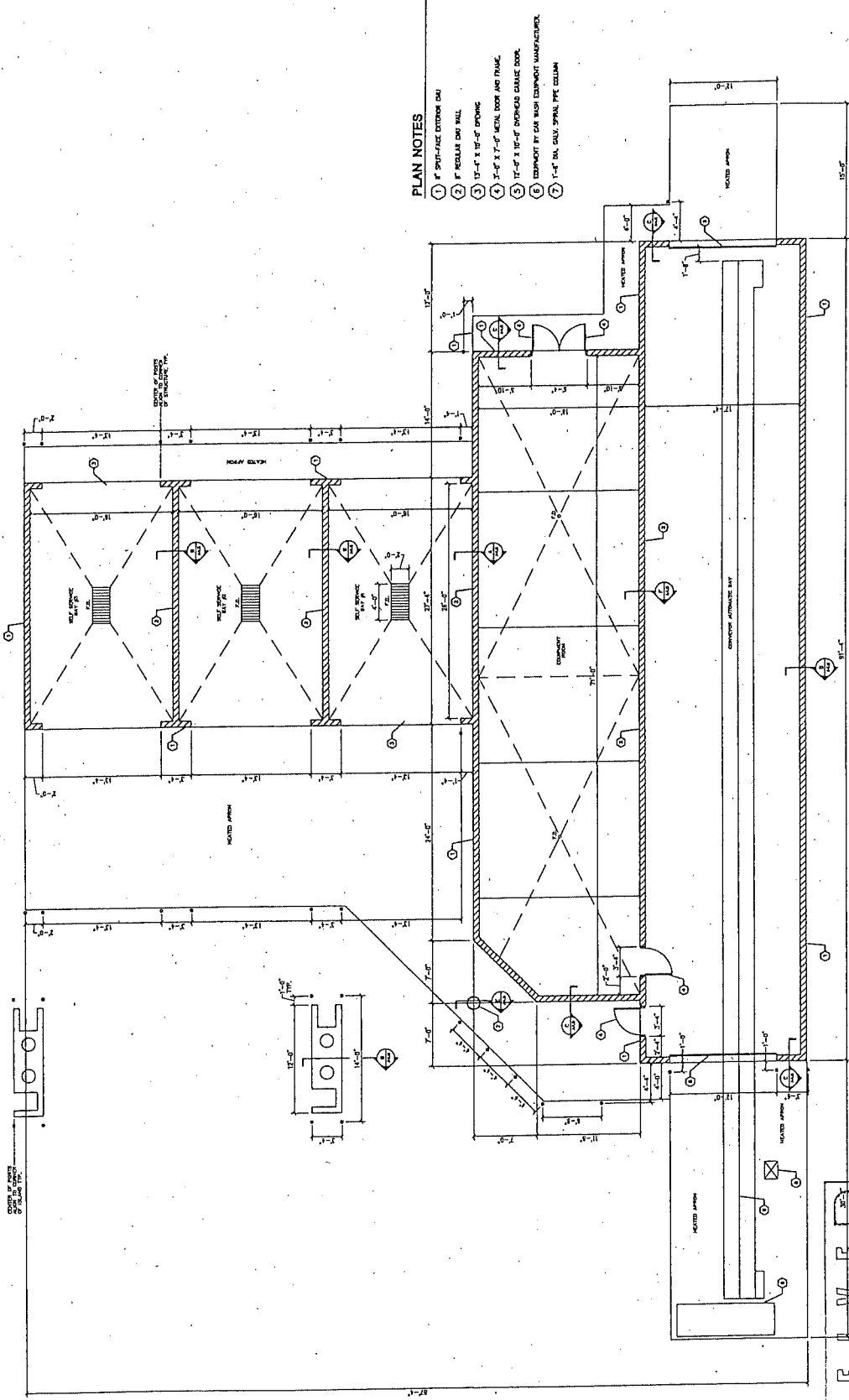
# EXECUTIVE SPRING CARWASH

KORMANIS  
CARWASH

FLORENCE, KY

FLOOR  
PLAN

SHEET NO. 00000  
 PROJECT NO. 00000  
 DATE 06/17/02  
 DRAWN BY: [blank]  
 CHECKED BY: [blank]  
 A2.0



- PLAN NOTES**
- 1 8" SPIRIT-LACE EXTERIOR CMU
  - 2 2" RESILIENT CMU WALL
  - 3 12'-0" x 12'-0" OPENING
  - 4 3'-0" x 7'-0" METAL DOOR AND FRAME
  - 5 12'-0" x 12'-0" OVERHEAD GARAGE DOOR
  - 6 EQUIPMENT BY OEM (WAS EQUIPMENT MANUFACTURER)
  - 7 1'-0" DIA. GALV. SPRAL. PPK COLUMN

RECEIVED

JUN 17 2002

BOONE COUNTY  
PLANNING COMMISSION

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A**

**June 26, 2002  
7:00 P.M.**

**PUBLIC HEARING**

**Commission Members Present:** Mr. Barlow, Mr. Knock - Temporary Presiding Officer, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Ries, Mr. Schwenke, and Mrs. Wilson - Secretary/Treasurer.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Patty Bachman, Planner; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

**Legal Counsel Present:** Mr. Dale Wilson

Mrs. Susan Poston, Vice Chairperson, called the meeting to order at 7:06 PM and introduced the item on the Agenda:

1. **Applicant:** James W. Berling for  
R. C. Durr and Richard Crist (owners)

**Request:** Change in Concept Development Plan

The request of James W. Berling for R. C. Durr and Richard Crist (owners) for a Change in Concept Development Plan for an approximate one-acre tract on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

Staff Members Kevin Wall and Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, Mrs. Poston asked for the applicant's presentation.

Mr. Matt Tobler with Radius Construction Company, 409 West 35<sup>th</sup> Street, Covington, and Mr. Mark Kormanis of 9762 Cherbourg Drive, Union, Kentucky, the owner of the proposed project, were present. Mr. Tobler stated that they tried to put the project together in a way that meets the buffer and setback requirements

and eases the traffic flow. He stated that there is some flexibility in the design of the building. They feel that the project will be beneficial to the area. The car wash is for the use of the residents of the area and will be a consolidation of services with the other automotive service projects. He offered to answer any questions.

Mrs. Poston asked if there was anyone else present who wished to speak in favor of the request. There being no response, she asked if there was anyone present who wished to speak in opposition to the request or ask questions. There was no response.

Mrs. Poston asked if there were any comments or questions from the Commissioners.

Mr. Schwenke noted Staff Comment #7 that the Houston-Donaldson Study Guidelines specify that at least 60% of the structure is to be of non-metal materials and asked if what they propose is all metal. Mr. Kormanis responded "no" and stated that they want to stay close to the construction materials of the existing structures including Tom McGil and the Merchant Square strip center, which is split block. He stated that the bulk of the roof structure is open air and not metal. Ms. Bachman noted that the architectural drawings are attached to the Staff Report. She stated that Staff is not so much concerned with the roof as with the vertical siding which creates an industrial look. Mr. Kormanis stated that they do not want the building to look like a typical car wash. He stated that the three bays are self-service, they have no siding, and have open truss sections that would match the roof. The siding would be over the equipment room and the longer tunnel on the north side. The taller roof section is to provide an area for signage along the south side. Mr. Tobler stated that it is more of an architectural panel that has small ribs that come in and out for a decorative look. The color scheme is a green roof with earth tone beige on the siding and masonry to be complimentary. He does not think it will have the industrial look of a typical metal building.

Mr. Poe questioned how the building fits in with the surrounding structures. Ms. Bachman responded that there is metal trim on the surrounding structures. Goodwrench has metal trim on the back of the bays and Merchant's Square has green metal trim. She asked the applicant to provide colored architectural renderings. Mr. Wall suggested the applicant provide samples of the building materials.

Mr. Kormanis stated that the building would be split block masonry up to twelve feet high and the only siding would be on the taller structure underneath the truss section. He stated that the split block is almost identical to the building next to it at Merchant's Square.

Mr. Costello asked if the architect was present. Mr. Tobler responded "no". Mr. Costello asked that the architect attend the Committee Meeting. He stated that the rendering is misleading. Staff can provide the Committee with the approved plans of the buildings that are out there and determine the percentage of brick and vinyl and can take pictures to show the Committee what is out there. He explained that there is another review process involved with the Technical Design Review Committee if the Planning Commission approves the use. He stated that having the architect at the Committee Meeting and having a better drawing is a better way to convey the information.

In response to a question from Mrs. Wilson regarding regionally oriented and locally oriented uses, Ms. Bachman stated that the car wash is a locally oriented use as people go to the closest car wash. She stated that this car wash would serve Greenview Subdivision. Mr. Costello stated that there was to be a retail center with a Winn Dixie grocery store and there was debate about whether it was a regional draw or a local draw. He stated that Mr. Butler talked about Corporex and building a local grocery store (Winn Dixie) and discounted the fact that it would be a regional retail center.

Mr. Barlow stated that the buildings on that end of Bankers Street have architectural features that are different from what is being proposed. If this development were proposed at the other end of Bankers Street, it would fit better because the fueling station and car repair station are there. This use is being placed in a developed office/commercial area that has a theme. The office condominiums across Houston Road have a Colonial look. The Trust Company has an architectural design to it. There is an established architectural theme on that end of Bankers Street and this design does not fit in.

Mr. Kormanis stated that they should have provided the color schemes, drawings, and materials. He stated that they tried to develop a car wash that did not look like a car wash and wanted it to fit in with the theme of the area. They tried to match the building materials (split block and brick) and to match the green trim roof of the office condominiums. He stated that he has photographs of an existing building that is northwest of Louisville that uses the same roof structure. He stated that the open air roof does not look like a car wash. He feels that the Commissioners need to see a picture of what they are saying. Mr. Tobler stated that there would be exposed metal trusses and a metal roof. Mr. Barlow stated that it is more of a canopy than a roof. He stated that the drawings do not show any office space in the equipment building. He asked if it is intended that there be someone there. Mr. Kormanis responded that there will be an operator there the majority of the day and part of the evening. The car wash will be open twenty-four hours a day and there will be an attendant there at the higher traffic times and seasons. Their intention is to have an office inside the equipment room. The attendant will be there from about 8 AM or 9 AM to about 8 PM or 9 PM. The attendant would interact with the public until the public becomes familiar with the procedures and systems.

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reasons for the attendant. The attendant would be there approximately twelve hours a day and would maintain the cleanliness of the area.

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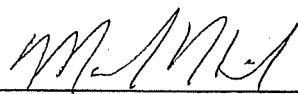
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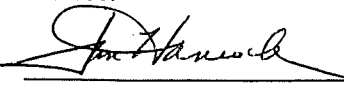
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There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on July 3, 2002 at 4:00 PM in the Fiscal Courtroom on the second floor of this building. This item will be on the Agenda for the Business Meeting on July 17, 2002 at 7:30 PM. Mrs. Poston closed this Public Hearing at 8:02 PM.

**APPROVED:**

  
\_\_\_\_\_  
**Susan Poston, Vice Chairperson**

**Attest:**

  
\_\_\_\_\_  
**Jan Hancock, Recording Secretary**

## **ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE**

TO: Boone County Planning Commission

FROM: Bob Newman, Chairman

DATE: July 17, 2002

RE Request of **James W. Berling (applicant)** for **R.C. Durr and Richard Crist (owner)** for a Change in Concept Development Plan for an approximate one acre tract located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in 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.

July 17, 2002

Berling/Crist/Car Wash-Bankers Street

**Bob Newman, Chairman**

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent   
 Deferred \_\_\_\_\_

**Susan Poston**

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent   
 Deferred \_\_\_\_\_

*Earl White*  
**Earl White**

For  Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent \_\_\_\_\_  
 Deferred \_\_\_\_\_

*Lisa Wilson*  
**Lisa Wilson**

For  Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent \_\_\_\_\_  
 Deferred \_\_\_\_\_

**David Zimmer**

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent   
 Deferred \_\_\_\_\_

**Randy Barlow (Alternate)\***

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent \_\_\_\_\_  
 Deferred \_\_\_\_\_

*Janet Kegley*  
**Janet Kegley (Alternate)\***

For  Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent \_\_\_\_\_  
 Deferred \_\_\_\_\_

TOTAL: \_\_\_\_\_ DEFERRED 3 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_ ABSTAIN  
3 ABSENT

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Bob Newman, Chairman

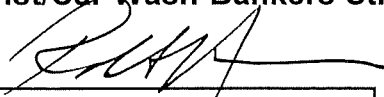
DATE: July 3, 2002

RE Request of James W. Berling (applicant) for R.C. Durr and Richard Crist (owner) for a Change in Concept Development Plan for an approximate one acre tract located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

### REMARKS:

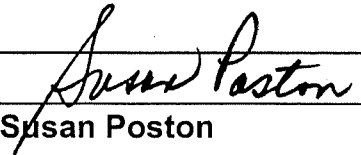
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

**Berling/Crist/Car Wash-Bankers Street**



**Bob Newman, Chairman**

For	___	Against	___
Abstain	<u>  J  </u>	Absent	___
Deferred	<u>  ✓  </u>		



**Susan Poston**

For	___	Against	___
Abstain	___	Absent	___
Deferred	<u>  ✓  </u>		

**Earl White**

For	___	Against	___
Abstain	___	Absent	<u>  ✓  </u>
Deferred	___		

**Lisa Wilson**


For	___	Against	___
Abstain	___	Absent	<u>  ✓  </u>
Deferred	___		

**David Zimmer**

For	___	Against	___
Abstain	___	Absent	<u>  ✓  </u>
Deferred	___		

**Randy Barlow (Alternate)\***

For	___	Against	___
Abstain	___	Absent	___
Deferred	___		



**Janet Kegley (Alternate)\***

For	___	Against	___
Abstain	<u>  ✓  </u>	Absent	___
Deferred	<u>  ✓  </u>		

**TOTAL:**      3   DEFERRED      -   FOR      -   AGAINST      -   ABSTAIN  
                    3   ABSENT

# SUPPORTING INFORMATION

AUG -06' 02 (TUE) 16:24

BOONE COUNTY PLANNING COMM

TEL: 859 334 2264

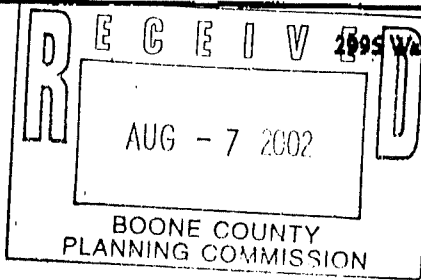
P. 002

# BOONE COUNTY PLANNING COMMISSION



July 19, 2002

Mr. James W. Berling  
1671 Park Road, Suite One  
Ft. Wright, KY 41011



2995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

RE: Change in Concept Development Plan for Lot 14 of Merchant's Square

Dear Mr. Berling:

The following condition in conjunction with the Concept Development Plan Application, as agreed to by the Boone County Planning Commission's Zone Change Committee, serves as the basis for the Committee's recommendation of approval. If you, as the applicant, agree to the following condition, please indicate so by signing at the space provided below, and return this letter to the Planning Commission Office by 5:00 P.M. Tuesday, July 30, 2002.

1. The building will be constructed as shown in the revised architectural renderings brought to the 7-17-02 Zone Change Committee meeting.

Sincerely,

Patty Bachman  
Planner

MPB/pr

Agreement

We, the property owners, agree to the above-listed condition of approval for the requested Change in Concept Development Plan for property located at Lot 14 of Merchant's Square, Florence, Kentucky.

R.C. Durr 8/8/02  
R.C. Durr (Date)  
Property Owner

RICHARD CRIST 8-8-02  
Richard Crist (Date)  
Property Owner



# JAMES W. BERLING ENGINEERING, PLLC

*Land Surveying • Site Development • Civil Engineering Services • Land Planning*

*KY Registration No. 5745*

1671 PARK ROAD, SUITE ONE • FT. WRIGHT, KENTUCKY 41011 • (859) 331-9191 • FAX (859) 344-7422

*Land Surveyor Registration KY 206*

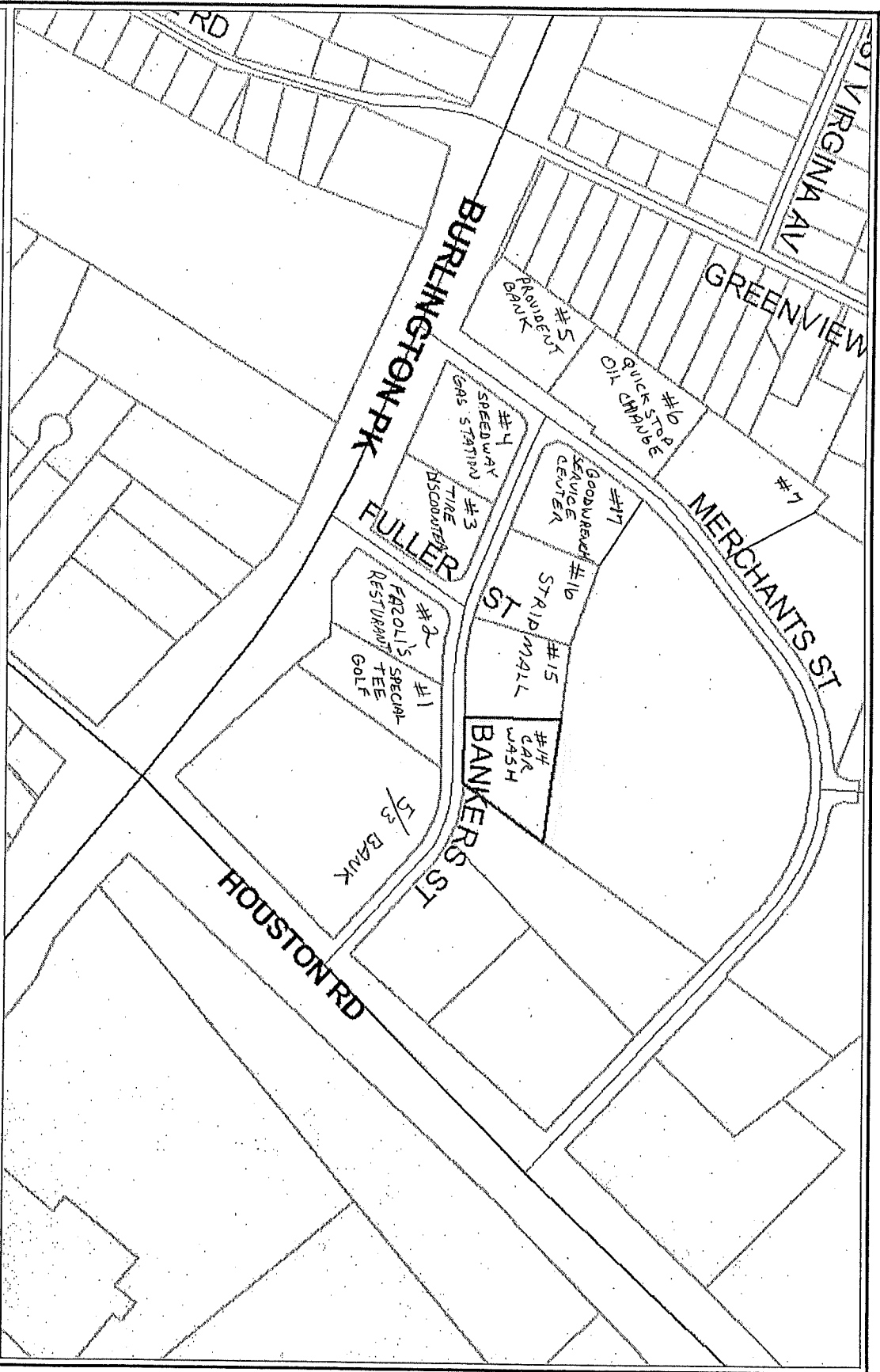
August 13, 2002

## LEGAL DESCRIPTION

### EXECUTIVE SPRINGS CAR WASH

Being all of Lot No. 14, Section No. 3, Merchants Square, as recorded on Plat Slide No. 286B of the Boone County Clerk's records at Burlington, Kentucky.

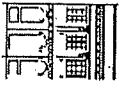




# Executive Springs Car Wash Vicinity Map



Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 7, 2002



ORDINANCE NO. 0-26-02

**AN ORDINANCE ADOPTING AND APPROVING A CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATE 1 ACRE SITE GENERALLY LOCATED ON THE NORTH SIDE OF BANKERS STREET, IMMEDIATELY EAST OF 8810 BANKERS STREET, FLORENCE, KENTUCKY, FOR USE AS A CAR WASH. (R.C. DURR & RICHARD CRIST PROPERTY)**

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

WHEREAS, the Boone County Planning Commission has recommended approval, subject to agreed conditions, of a concept development plan for an approximate 1 acre site located on the north side of Bankers Street, immediately east of 8810 Bankers Street in the City of Florence, Kentucky to allow a car wash, 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 1 acre site located on the north side of Bankers Street, immediately east of 8810 Bankers Street, 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 this 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 other 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-02-016-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 owner/applicant 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 part of the Commission's Resolution No. R-02-016-A, marked Exhibit "B" hereto.

**SECTION V**

If this approval for 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 2 DAY OF October, 2002.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 15 DAY OF October, 2002.

APPROVED:

Diana E. Whalen  
MAYOR

ATTEST:

Betsy R. Conrad  
CITY CLERK

I, Betsy R. Conrad, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of 0-26-02 as same appears in the official records of my office.

Dated this 21<sup>st</sup> day of October, 2002.

Betsy R. Conrad

**AGREED ADDITIONAL CONDITIONS -  
CONCEPT DEVELOPMENT PLAN APPROVAL**

IN RE: JAMES W. BERLING (APPLICANT) FOR R.C. DURR AND RICHARD CRIST (OWNERS) FOR A CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATE ONE ACRE SITE GENERALLY LOCATED ON THE NORTH SIDE OF BANKERS STREET, IMMEDIATELY EAST OF 8810 BANKERS STREET, FLORENCE, KENTUCKY, TO ALLOW A CAR WASH.

WHEREAS, R.C. Durr, Richard Crist and Mark E. Kormanis as Owners of a tract of approximately one acre located generally on the north side of Bankers Street immediately east of 8810 Bankers Street, Florence, Kentucky have, through James W. Berling, Applicant, applied to the Boone County Planning Commission for approval of a Concept Development Plan which would allow a car wash, and

WHEREAS, the Commission has recommended approval of the application to the City of Florence and the Planning and Zoning Committee of the City has issued its report in support of such recommendations, subject however, to the additional conditions hereinafter set out, and

WHEREAS, the Owner and Applicant have agreed to said additional conditions.

NOW, THEREFORE, the Owners and Applicant identified above do hereby agree that the following conditions shall be incorporated into approval by the City of Florence, Kentucky, of the recommendation of the Boone County Planning Commission contained in Resolution No. R-02-016-A of a Concept Development Plan for said tract and that this Agreement shall become part of the Ordinance of approval. It is further agreed that, to the extent that these additional conditions shall be inconsistent with the conditions of approval contained in the record from the Boone County Planning Commission, these additional conditions shall take precedence and apply.

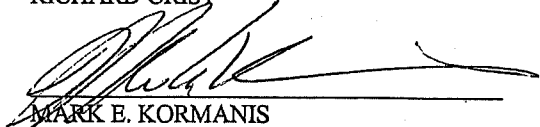
1. Applicant shall provide plantings in the buffer zones in accordance with the Buffer Yard A requirements of section 3645 of the Boone County Zoning Regulations.
2. The L-shaped grass berm on the Bankers Street side of the building shall be extended 10 feet to the east.
3. Signage for the site, other than a building mounted sign, shall be limited to one monument sign which complies with section (A)(1) of the Definition of Sign Types and Sizes subsection of the special sign regulations section of the Houston-Donaldson Study.
4. No gasoline pumps shall be placed upon the premises.

Dated this 8<sup>th</sup> day of OCTOBER, 2002.

  
\_\_\_\_\_  
JAMES W. BERLING

  
\_\_\_\_\_  
R.C. DURR

  
\_\_\_\_\_  
RICHARD CRIST

  
\_\_\_\_\_  
MARK E. KORMANIS

CITY OF FLORENCE, KENTUCKY  
PLANNING AND ZONING COMMITTEE

IN RE: REPORT AND RECOMMENDATION - REQUEST OF JAMES W. BERLING (APPLICANT) FOR R.C. DURR AND RICHARD CRIST (OWNERS) FOR A CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATE ONE ACRE SITE GENERALLY LOCATED ON THE NORTH SIDE OF BANKERS STREET, IMMEDIATELY EAST OF 8810 BANKERS STREET, FLORENCE, KENTUCKY, TO ALLOW A CAR WASH.


The Committee met in a regular meeting on September 17, 2002 at the Florence Government Center Building to consider Resolution No. R-02-016-A of the Boone County Planning Commission which recommended approval of the request described above. The Committee reviewed the record of proceedings before the Boone County Planning Commission, including said Resolution and the exhibits thereto, and the approved Minutes of the public hearing. The Committee determined that the record from the Boone County Planning Commission contains adequate information for consideration of the recommendation and that no need exists for an additional hearing before the City Council.

Further, the Committee determined, and the applicant has agreed, that the recommendation for approval should be affirmed, based upon the findings contained in the record before the Boone County Planning Commission, subject to the additional conditions which are attached hereto and incorporated herein.

NOW, THEREFORE, the Planning and Zoning Committee recommends to the City Council of the City of Florence, Kentucky, as follows:

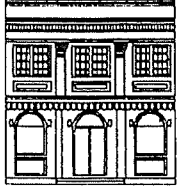
- a. That this matter be considered solely on the record before the Boone County Planning Commission and that no additional hearings be held; and
- b. That the recommendation of approval from the Boone County Planning Commission be affirmed, subject to the additional conditions attached hereto and incorporated herein.

MEMBERS OF THE COMMITTEE:

  
\_\_\_\_\_  
JULIE METZGER

  
\_\_\_\_\_  
DALE STEPHENS

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

August 21, 2002

The Honorable Diane E. Whalen  
Mayor, City of Florence  
8100 Ewing Boulevard  
Florence, KY 41042-7588

Dear Mayor Whalen:

This letter is written to advise you of the action taken by the Boone County Planning Commission in regard to the request of **James W. Berling (applicant)** for **R.C. Durr and Richard Crist (owners)** for a Concept Development Plan for an approximate one acre site generally located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The property is currently zoned Commercial Two/Planned Development (C-2/PD), and the request would allow a car wash.

At their meeting of August 7, 2002, the Boone County Planning Commission voted unanimously to recommend approval, with one condition, by **Resolution R-02-016-A**. This action was taken upon hearing the recommendation of the Committee and based on the findings of fact and one condition attached to the enclosed Resolution. The deadline for action to be taken by the City of Florence is **Tuesday, November 5, 2002**.

The approved minutes of the June 26, 2002 Public Hearing, along with the pertinent information regarding this request are enclosed.

If you need any further information, please do not hesitate to call the Planning Commission office.

With Kindest Regards,

A handwritten signature in black ink, appearing to read 'Mark Hicks', written in a cursive style.

Mark Hicks  
Chairman

MH/vlm

Enclosures

## RESOLUTION R-02-016-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH ONE CONDITION, FOR A REQUEST OF JAMES W. BERLING (APPLICANT) FOR R.C. DURR AND RICHARD CRIST (OWNERS) FOR A CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE ON AN APPROXIMATE ONE ACRE SITE GENERALLY LOCATED ON THE NORTH SIDE OF BANKERS STREET, IMMEDIATELY EAST OF 8810 BANKERS STREET, FLORENCE, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF FLORENCE, FLORENCE, KENTUCKY.

**WHEREAS**, the Boone County Planning Commission received a request for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate one acre site generally located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky, which is more particularly described below; and,

**WHEREAS**, the Boone County Planning Commission as the planning unit for the City of Florence, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with one condition, for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate one acre site generally located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky.

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

### **SECTION I**

That the request for a Concept Development Plan for the real estate which is more particularly described below shall be and is hereby recommended for approval, with one condition, in a Commercial Two/Planned Development (C-2/PD) zone for an approximate one acre site generally located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The real estate which is the subject of this request for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone is more particularly described in DEED BOOK 466, PAGE NO. 298 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

**SECTION II**

That as a basis for the recommendation of approval for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone on an approximate one acre site generally located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky, findings of fact and one condition of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Resolution and marked as "Exhibit A."

The Committee recommended approval for this request based on the findings of fact and one condition as set forth in the Committee Report and marked as "Exhibit B."

**SECTION III**

That a copy of this Resolution recommending approval, with one condition, for a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone generally located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky, shall be forwarded to the City of Florence, Florence, Kentucky, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

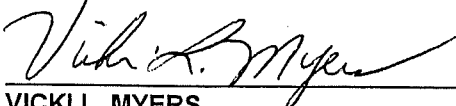
**PASSED AND APPROVED ON THIS 21ST DAY OF AUGUST, 2002.**

**APPROVED:**



**MARK HICKS  
CHAIRMAN**

**ATTEST:**



**VICKI L. MYERS  
MANAGER, ADMINISTRATIVE SERVICES**

EXHIBIT

“A”

## STAFF REPORT

Request of James W. Berling (applicant) for R.C. Durr and Richard Crist (owner) for a Change in Concept Development Plan for an approximate one acre tract located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

June 26, 2002

### REQUEST

This request is for a change in an approved Concept Development Plan. The applicant proposes construction of an automatic car wash in the new Concept Development Plan. The site building features concrete block masonry with metal siding and trim. The total square footage of the building is 4,100 square feet. There are four bays on the building. Two driveways provide access to the site from Bankers Street. These driveways, which are to be shared with adjacent sites, are located parallel to the east and west property lines of the site. The landscape plan features a twenty-foot wide buffer yard at the northern property line, a ten-foot wide buffer yard at the eastern property line, and landscaping islands adjacent to the western property line and the northeastern corner of the building. Plants shown in the landscape plan include flowering shrubs, Cleveland Pear, Taxus, Gold Star Juniper, Red Maple, Burning Bush, ornamental grasses, and evergreen trees. No sign package was submitted with the Concept Development Plan.

### SITE HISTORY

- 1988** American Tectonics proposed a Zoning Map Amendment for a 42-acre area in which the site is located, changing the zoning from Urban Residential One/ Office Two/Planned Development (UR-1/O-2/PD) to Commercial Services/Urban Residential One/Planned Development (C-3/UR-1/PD). The request was denied.
- 1988** The Boone County Fiscal Court adopted the Houston-Donaldson Study.
- 1990** A Zoning Map Amendment was approved for the overall Merchant's Square development, in which the site is located, changing the project's zoning from Urban Residential One/Industrial One/Planned Development (UR-1/I-1/PD) to Commercial Two//Planned Development and Industrial One Planned Development (C-2/PD and I-1/PD) That plan divided the 42-acre project into two sections: a retail section and an industrial section. The site was part of the retail portion of the approved Concept Development plan. On October 2, 1990, the Boone County Fiscal Court passed a

resolution approving the Zoning Map Amendment based on conditions listed in the attached Committee Report. The subject site is part of the area approved for a "retail anchor" under the Concept Development Plan.

1992 The current Houston-Donaldson Study was adopted.

### **SITE CHARACTERISTICS**

The 1.0137 acre site is lot 14 of Merchant's Square subdivision. The site's topography is relatively flat, sloping from 910 feet in the southwest corner of the site to 904 feet in the northeast corner of the site. A mature stand of trees is located on the site's east property line. All utilities are available in the immediate area.

### **ADJACENT LAND USES**

- **North:** Vacant land, zoned C-2/PD. The Gateway Rehabilitation Center is located to the northwest of the site.
- **South:** SpecialTee Golf store, Fazoli's restaurant, and Fifth Third bank, all zoned C-2/PD.
- **East:** Vacant land, zoned C-2/PD.
- **West:** Merchants' Square, zoned C-2/PD.

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN**

The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the site as "Commercial," which is described in the Comprehensive Plan as follows:

"Retail, corporate, and professional office, interchange commercial, indoor commercial, recreation, restaurants, services, etc (p. 158, '2000 Existing and Future Land Use Classifications')."

The Land Use Element provides the following quotes that are applicable to the site:

A. "Development in the area west of I-75 should follow the guidelines of the Houston-Donaldson Study ( p. 162, 'Florence Central')."

B. "The Mall Road area should continue to develop as a regionally-oriented commercial district. This regionally-oriented growth should be confined to Mall Road and Houston Road and should not expand on to U.S. 42, KY 18 or Hopeful Church Road. However, the highway-scaled, automobile-oriented appearance of this growth should be minimized through the provision of pedestrian improvements, smaller facilities within out lots in conjunction with larger strip-style centers, multiple, scattered parking areas in lieu of large central parking areas, and street trees along Mall Road. This growth should also include multi-modal transportation amenities. Any commercial development in the Houston Road area should be consistent with the recommendations of the Houston-Donaldson Study (p. 162, 'Florence Commercial Area')."

C. "The northern portion of this section is within the Houston-Donaldson Study area. The Study recommends an employment district which would include a mix of office, commercial, and industrial uses for the existing Houston Road corridor, with a preferred emphasis on office development along I-75 and high technology industrial uses west of Houston Road. The Houston-Donaldson Study further details these developments (p. 162, 'Florence Commercial Area')."

D. "Commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate. The coordination of curb cuts and parking lot connections in the already-developed areas must occur in order to maintain a reasonable ease of travel along these roads (p. 162-163, 'Florence Commercial Area')."

The Land Use Element's Future Land Use Development Guidelines provide the following general statements 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. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate (pg. 159, 'Buffering')."

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. The amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping also helps to purify the air of harmful pollutants, reducing health impacts

"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 (p. 159, 'Landscaping')"

C. "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 (pg. 159, 'Access Management')."

D. "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 specific development, but should not be used as a means to compete for motorist attention (pg. 160, 'Design, Signs, and Historic Preservation')."

The Business Activity Element provides the following remarks relating to the general area:

A. "Since the immediate Florence area figures so prominently in Boone County's Commercial activity, this region has the momentum to continue dominating any expansion of commercial activity. Currently, "big box" retail has been overbuilt in the county. As a result, building vacancies are visible along the major commercial corridors in Florence. The market and infrastructure impacts of future large scale or regional commercial uses on the existing Florence commercial districts must be

considered. Furthermore, it is important to encourage the reuse of vacant commercial buildings instead of creating new commercial districts. Two studies, the Houston-Donaldson Study and the Main Street Study, have defined the scale and type of commercial uses in the City of Florence and surrounding area. The Houston Road area will mature with expansion of the retail and office base, additional racetrack uses, and expansions of St. Luke West Hospital (p. 70, 'Areas of Commercial Activity')."

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.
- B. "Proper design principles shall be applied in development ("Overall" Objective 3, p.4)
- C. "Future growth shall be accompanied by adequate infrastructure and services ("Overall" Objective 4, p.4)"
- D. "Boone County shall strive to achieve both a diversity and balance in land use ('Overall' Objective 6, p. 4)."
- E. "The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ('Population' Goal, p. 5)."
- F. "New development or redevelopment within Boone County is designed, constructed, and operated in such as 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, p. 5)."
- 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... 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, p. 6)."

H. "Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ('Business Activity' Goal, p. 8)."

I. "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, p. 8)."

J. "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, p. 8)."

K. "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('Business Activity,' Commercial [Retail and Office] Objective 2, p. 8)."

L. "Highway commercial uses shall be in close proximity to highway interchanges for maximum convenience and economy to the traveling public, while minimizing impact to the community in terms of traffic congestion, local commuting, patterns, and access ('Business Activity,' Commercial [Retail and Office] Objective 2, p. 8)."

M. "Proper access to adjoining property shall be provided and/or retained when a property develops or redevelops ('Transportation' 2<sup>nd</sup> Goal, Objective 3, p. 14)

### **RELATIONSHIP TO HOUSTON-DONALDSON STUDY**

The site is located in the Houston-Donaldson Corridor Overlay [HDO] District. As such the appropriateness of the development must be evaluated against the standards outlined in the Houston-Donaldson Study. The Study was adopted to provide guidelines for planned development within the area, complimenting and furthering the goals and objectives of the Boone County Comprehensive Plan. The following recommendations for the site in question are taken from the Individual Site Analysis and Recommendations section of the Study. The site under review is part of an area listed as "Site 1, Merchants Square" and is recommended to develop according to the approved Concept Development Plan. The proposed car wash is located where the retail anchor was to be located under the approved Concept Development Plan. The retail strip center adjoining the site was reduced in size.

The Houston-Donaldson Study Goals and Objectives contain the following pertinent goals and objectives:

- A. "The future land uses in the Study Area are planned in relation to the overall land use pattern of Boone County, the existing and planned developments within the Study Area, and the sense of the Study Area as a distinct corridor (Goal I, p. 7)."
- B. "Consistent with the Boone County Comprehensive Plan's recognition of this area as suitable for a large-scale employment and commercial district with unique residential and recreational opportunities, proposed land uses shall be planned in order to provide a logical, realistic development pattern with a mixture of land uses (Goal I, Objective A, p. 7)."
- C. "Commercial uses shall be designed in an innovative manner that creates prominent landscaping areas (Goal I, Objective A, p.7)."
- D. "Commercial outlots shall be located near major development access points (Goal I, Objective C, p. 7)."
- E. "Each development shall have a central architectural design focus (Goal I, Objective G, p.8)."
- F. "Recommended land uses shall be compatible with transportation-related noise impacts (Goal I, Objective H, p. 8)."
- G. "Submitted development requests shall be reviewed in context of Article 15 Planned Development of the Boone County Zoning Regulations and this document (Goal I, Objective I, p. 8)."
- H. "Where appropriate, development requests should include some form of recreation opportunity and/or pedestrian network (Goal I, Objective J, p.8)."
- I. "The traffic circulation system serves both destination and through traffic with a minimum of traffic congestion (Goal II, p.8)."
- J. "Individual uses should have access through integrated development driveways and not have individual access points (Goal I, Objective C, p.8)."
- K. "To ensure that the recommended land uses and the types of development occur in conjunction with appropriate exterior appearances to the general public. This goal is based upon the recognition that the Study Area has an enormous amount of visibility from major public thoroughfares. It also is based upon the idea that development should preserve, where appropriate, the natural terrain and vegetation (Goal III, p.9)."

STAFF COMMENTS / CONCERNS

1. The Planning Commission and Florence City Council will need to determine whether the proposal is in agreement with the Comprehensive Plan. Highlights of issues raised in this review include the following:
  - A. The Future Land Use Map classifies the area in which the site is located as appropriate for commercial development. Specifically, the Land Use Element recommends that regionally-oriented commercial land uses in the Florence Commercial Area be confined to Mall Road and Houston Road. These land uses should not be allowed to expand to KY 18. A car wash represents a locally-oriented land use rather than a regionally-oriented land use. The Land Use Element also states that curb cuts and parking lots must be connected with existing development to allow ease of travel along KY 18.
  - B. The Land Use Element recommends that any development within the Houston-Donaldson Overlay District [HDO] follow the suggestions made in the Houston-Donaldson Study. With regard to the site area, the Study states that the site is suitable for commercial land uses. The Study recommends that the area in question develop according to the Concept Development Plan that was approved for the area. While the Concept Development Plan proposes that the area develop for commercial uses, it does not specifically recommend the construction of a car wash. However, the Quickstop Oil Change Center, the Goodwrench Center, and Tire Discounters, all automotive-oriented uses, were each approved Changes to the Concept Development Plan.
2. The Goals and Objectives of the Houston-Donaldson Study and Article 15 of the Boone County Zoning Regulations stipulate that Concept Development Plan be evaluated according to the provisions of Section 1514. The following comments represent an evaluation according to these criteria:
  1. Mixed Use Development and Pedestrian Orientation- Given that there are no car wash facilities in the immediate vicinity, the proposed land use represents a diversification of land uses. The nature of the proposed use does not contribute to the pedestrian orientation of the development, as the proposed use is directed toward automobile traffic. However, sidewalk connection to Bankers Street will be required.
  2. Compatibility of Uses-The fact that the Goodwrench Service Center, the Quickstop Oil Change Center, and Tire Discounters have been approved as Changes to the approved Concept Development Plan indicates that automotive uses were previously deemed compatible with adjacent land uses. The applicant also proposes a twenty-foot wide buffer yard on the north and south property line, shielding street frontage and the Gateway Rehabilitation Center from the car wash.

3. Open Space- The applicant proposes a wider-than-required buffer yard along the north and south property lines.

4. Multi-Modal Transportation System-The nature of the proposed land use is oriented exclusively to automobiles. Thus alternative modes of transportation are not readily incorporated into the site design. However, bicycle parking areas are required under Section 3327 of the Boone County Zoning Regulations.

5. Preservation of Existing Site Features-The site does not contain any features such as those mentioned in this standard.

6. Landscaping-This standard requires that "substantial landscaping be provided with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site." Section 3645 of the Boone County Zoning Regulations requires that when a developing land use that is zoned C-2 adjoins an existing land use that is also zoned C-2, Buffer Yard "A" shall be required.

The proposed buffer yards on the north and south property lines are twenty feet wide, although Buffer Yard "A" need only be ten feet wide. However, the proposed landscaping represents fewer plants than what would be required for either Buffer Yard "A" or "B" under Section 3645.

7. Architecture- Section 1514 requires that a consistent architectural theme be provided in planned developments, featuring architecture that is traditional, with regionally-influenced elements. The theme needs to relate to surrounding structures. The Architectural Guidelines of the Houston-Donaldson Study also require that building colors and facades relate to surrounding structures. Additionally, the Guidelines specify that at least 60% of a structure in office and commercial zones be constructed of non-metal materials.

In considering these standards, staff is concerned about the use of vertical metal siding, as it is confusing, in that it replicates the roof. The site drawings also indicate that over half of the building is constructed of metal, when the metal siding and metal roofing are taken into account.

8. Historic and Prehistoric Features- To staff's knowledge, there are no such features on this site.

9. Signage- No signage package has been proposed. As the site is located within the Houston-Donaldson Overlay District, any sign package will need to be reviewed through the Design Review process outlined in the Houston-Donaldson Study.

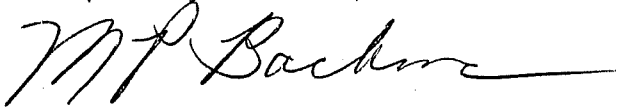
10. Transportation Connections and Entry Points- Sidewalk connection to Bankers Street will be required.

11. Conformance with the Comprehensive Plan- This is discussed above.

### CONCLUSION

The Boone County Planning Commission and the Florence City Council must review this request on the basis of its relationship to the Comprehensive Plan and in terms of its relationship to Article 15 of the Boone County Zoning Regulations. The Future Land Use map will not need to be updated if the request is approved.

Respectfully submitted,

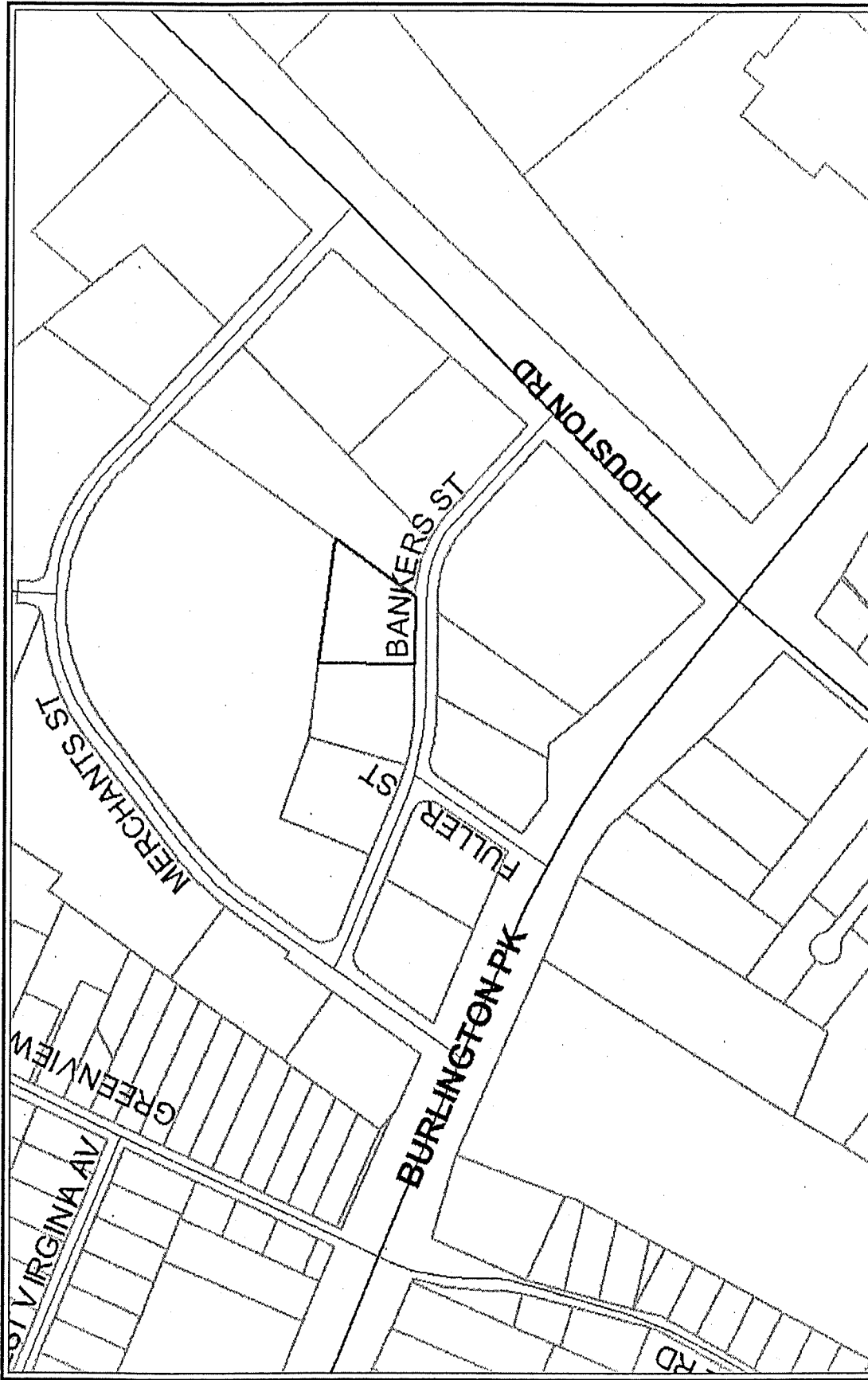


Patty Bachman  
Planner

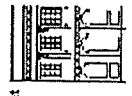
PB/pr

#### Attachments:

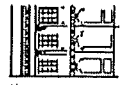
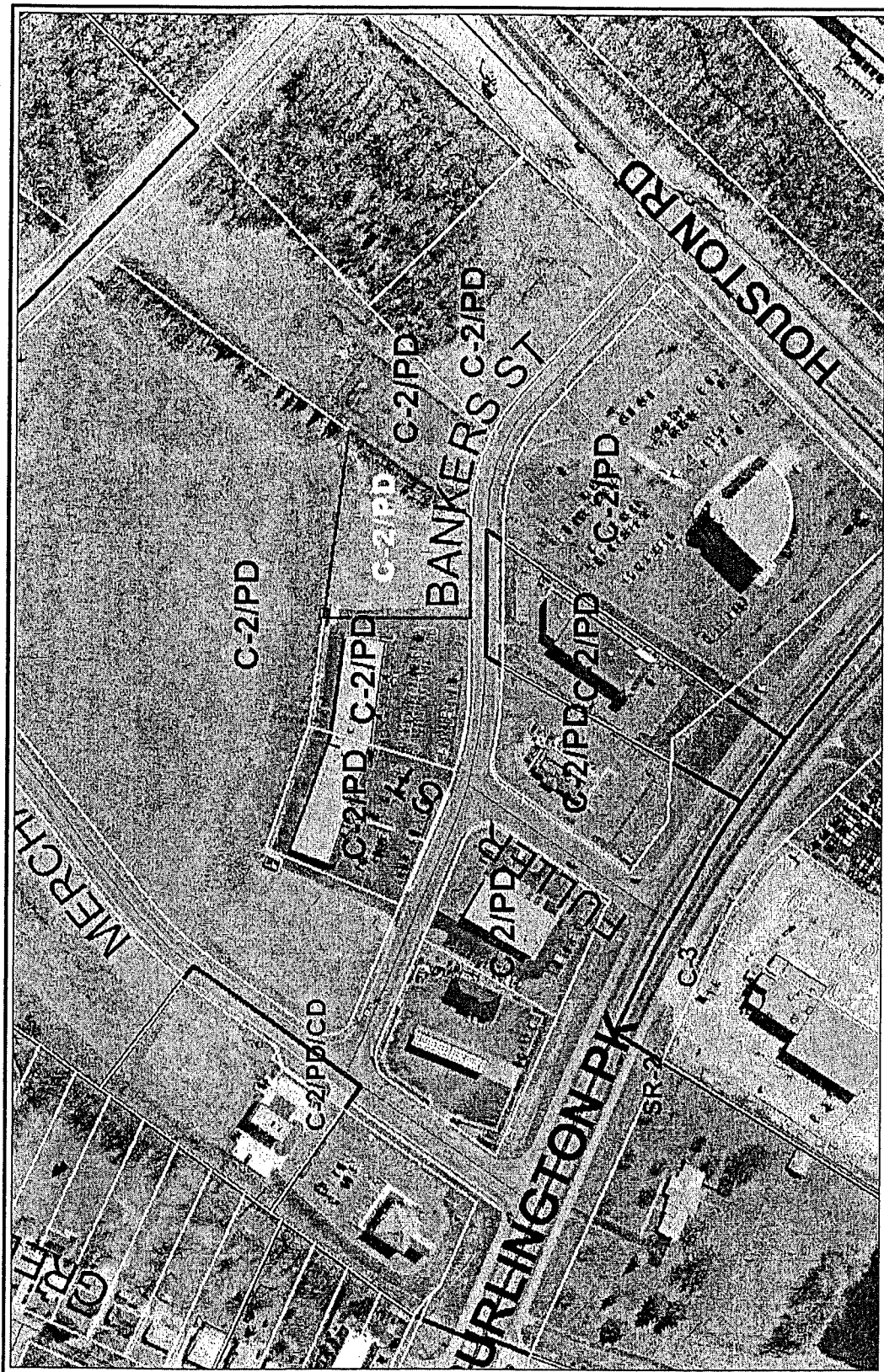
- vicinity map
- aerial photo w/zoning information
- future land use map excerpt
- site topography
- application materials including concept development plan
- committee report dated August 1, 1990



# Executive Springs Car Wash Vicinity Map

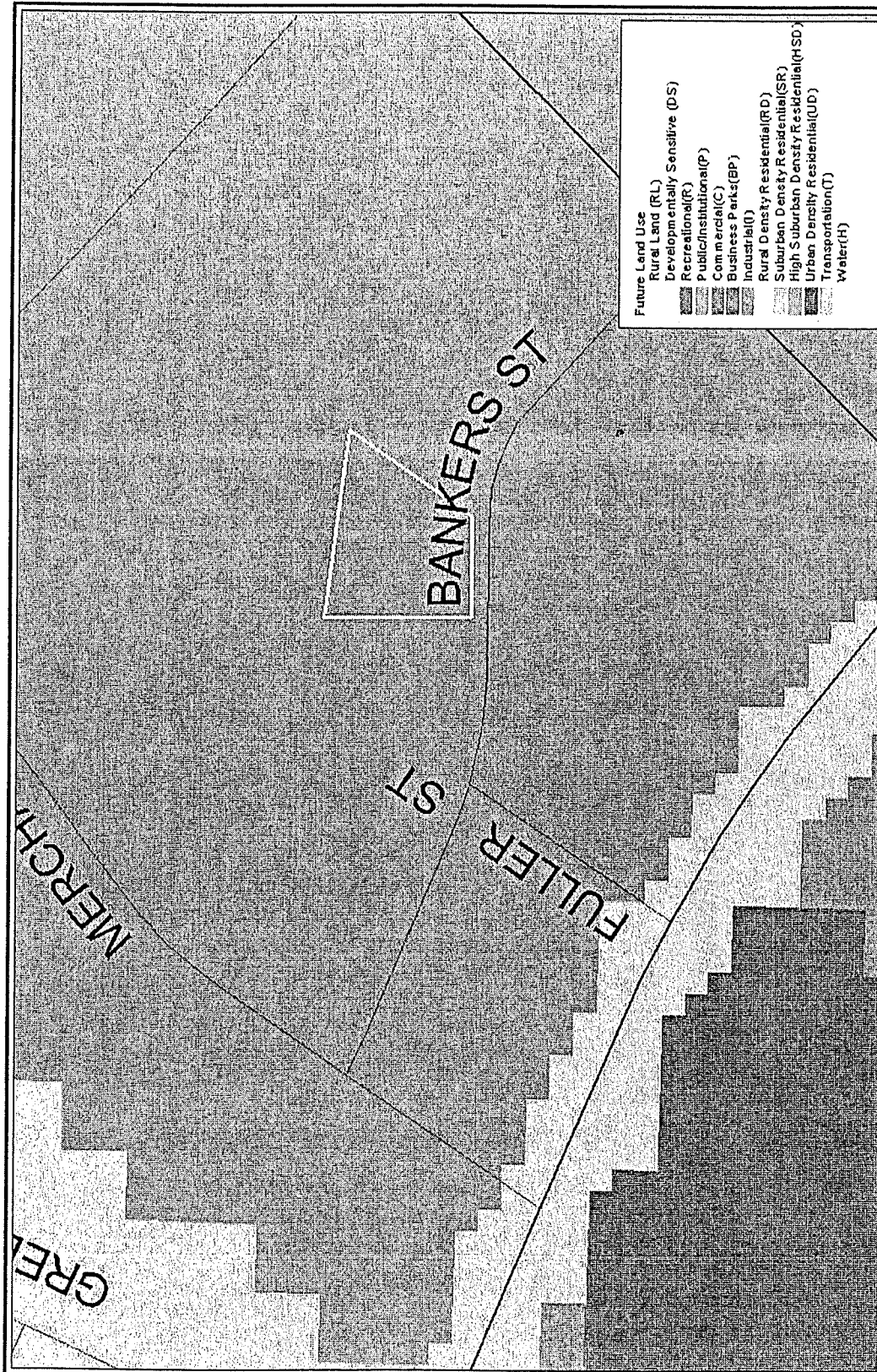


1 inch equals 300 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 7, 2002



200 Feet  
 0 200 Feet  
 1 inch equals 200 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 June 7, 2002

# Executive Springs Zoning Map

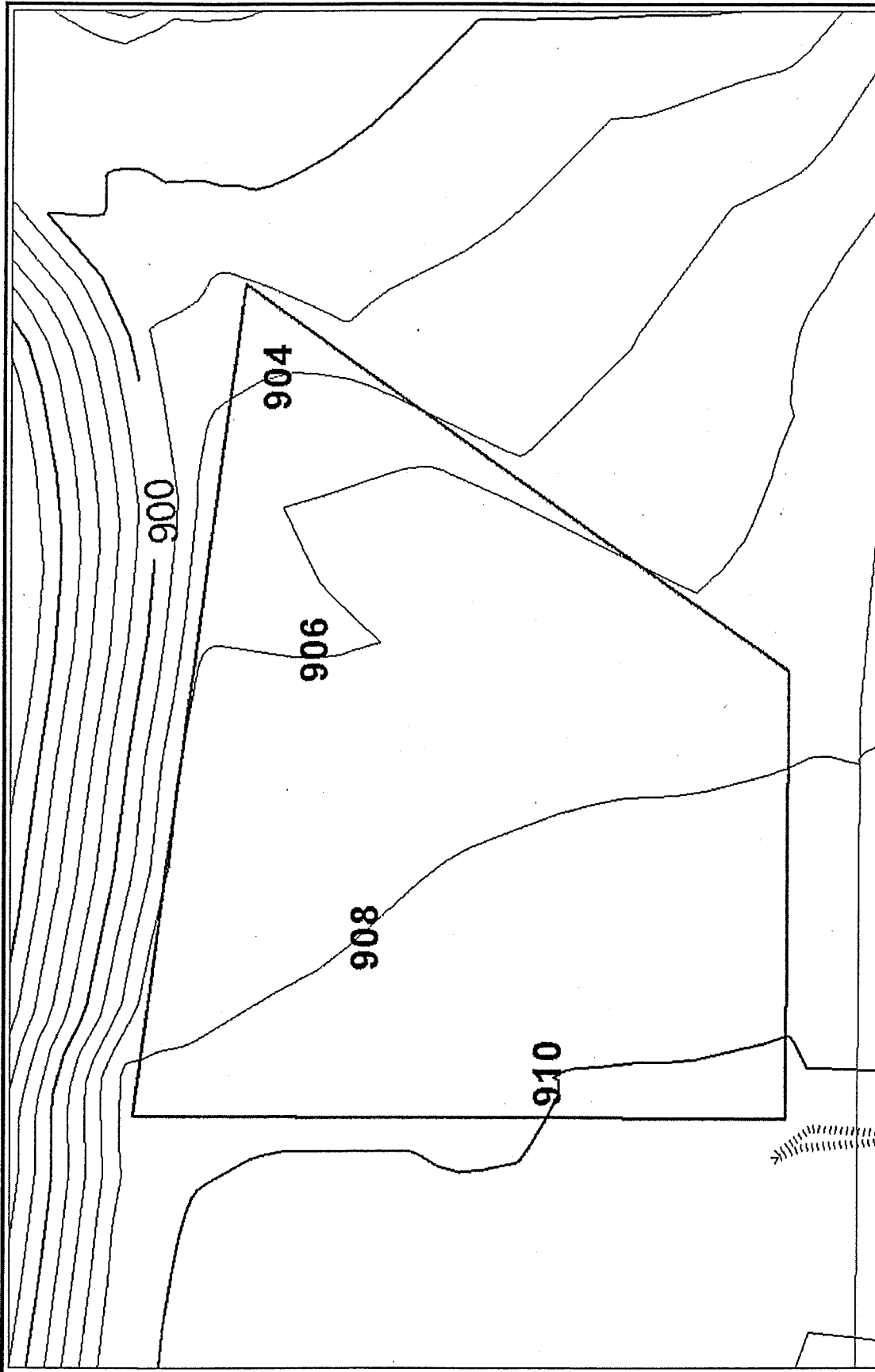


- Future Land Use**
- Rural Land (RL)
  - Developmentally Sensitive (DS)
  - Recreational (R)
  - Public/Institutional (P)
  - Commercial (C)
  - Business Parks (BP)
  - Industrial (I)
  - Rural Density Residential (RD)
  - Suburban Density Residential (SR)
  - High Suburban Density Residential (HSD)
  - Urban Density Residential (UD)
  - Transportation (T)
  - Water (H)

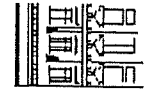


200 0 200 Feet  
 1 inch equals 200 feet  
 Produced by the  
 Boone County Planning Commission  
 GIS Services Division  
 June 7, 2002

# Executive Springs Future Land Use Map



# Executive Springs Contour Map



1 inch equals 45 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 7, 2002



5/22/02

APPLICATION FORM

**CHANGE IN CONCEPT DEVELOPMENT PLAN  
OR  
UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT  
(CONCEPT DEVELOPMENT PLAN)  
BOONE COUNTY PLANNING COMMISSION**

**R E C E I V E D**  
MAY 23 2002

(See Boone County Zoning Regulations)

**SECTION A** (To be completed by applicant)

1. Check One:

- XXX Change in Concept Development Plan
- Utilization of An Underlying Zone in Planned Development
- a) Public Hearing Submittal (Concept Dev. Plan)
- b) Long Range Planning Committee Review
- (As stated in the Houston-Donaldson Study)

BOONE COUNTY  
PLANNING COMMISSION

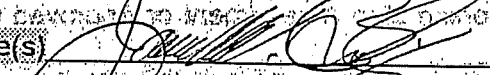
2. Name of Project Executive Springs Car Wash
3. Location of Project Bankers Street
4. Total Acreage of Site 1.0137 Acres
5. Current Zoning C-2/PD
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) \_\_\_\_\_
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) \_\_\_\_\_
8. Proposed Uses (please specify each use) Automatic car wash
9. Proposed Building Intensities (please specify) 4,100 sq. ft./acre
10. Have you submitted a Concept Development Plan? Yes
11. Are you also applying for \_\_\_\_\_
- No Conditional Use Permit
- No Dimensional Variance
12. Name of Applicant(s) James W. Berling
- Phone Number 331-9191 Fax No. 344-7422
13. Address of Applicant(s) 1671 Park Road, Suite One  
Ft. Wright, Kentucky 41011
- City State Zip \_\_\_\_\_
14. Name of Property Owner(s) R. C. Durr & Richard Crist
- Phone Number 371-0700 Fax No. 371-2099
15. Address of Property Owner(s) 8800 Bankers Street  
Florence, Kentucky 41042
- City State Zip \_\_\_\_\_
16. Are there any existing buildings on the site? No
- How many? \_\_\_\_\_
17. Deed Book 466 Page No. 298 Group No. 2033B
18. Have you had a pre-application meeting with BCPC Staff? Yes

(over)

19. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- Boone County Water and Sewer District
- Florence Water and Sewer Commission
- Union Light Heat and Power
- Cincinnati Bell
- Owen County Rural Electric
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- City of Florence Public Services Department
- Boone County Building Department
- Northern Kentucky Health District
- U.S. Soil Conservation Service
- Local School District
- Local Fire District
- Other: \_\_\_\_\_

20. Concept Development Plan Jurisdiction/Location  
 Unincorporated Boone County  
 Florence  
 Walton  
 Union

21. Applicant's Signature(s) 

22. Property Owner's Signature(s) 

**SECTION B (To be completed by BCPC Staff)**

1. Date Received: 5-23-02 Fee Received: 1130.00
2. Check what has been submitted:
  - Application  Fee  Legal Description
  - Concept Development Plan  Addresses of Adjoining Property Owners
  - 5 No. of copies of plan received \*\*
3. Is application complete? YES  NO
4. Staff Reviewer: PATTY BISHAN
5. Committee Chairperson: BOB NEWMAN
6. Scheduled Public Hearing Date: \_\_\_\_\_
7. Boone County Planning Commission Action:
  - Approved
  - Approved With Conditions
  - Denied
8. Other: \_\_\_\_\_

\*\* Five (5) Copies Required

Boone County Planning Commission  
 2995 Washington Street  
 Burlington, Kentucky 41005  
 (606) 334-2196 Phone  
 (606) 334-2264 Fax

Note: See Boone County Planning Commission Fee Schedule for Concept Development Plan Fees. An application consists of all fees paid in full, submitted drawings and a completed application form.  
 BCPC:11/96

BOONE COUNTY PLANNING COMMISSION      2995 Washington Street      Burlington, KY 41005      859-334-2196

# RECEIPT

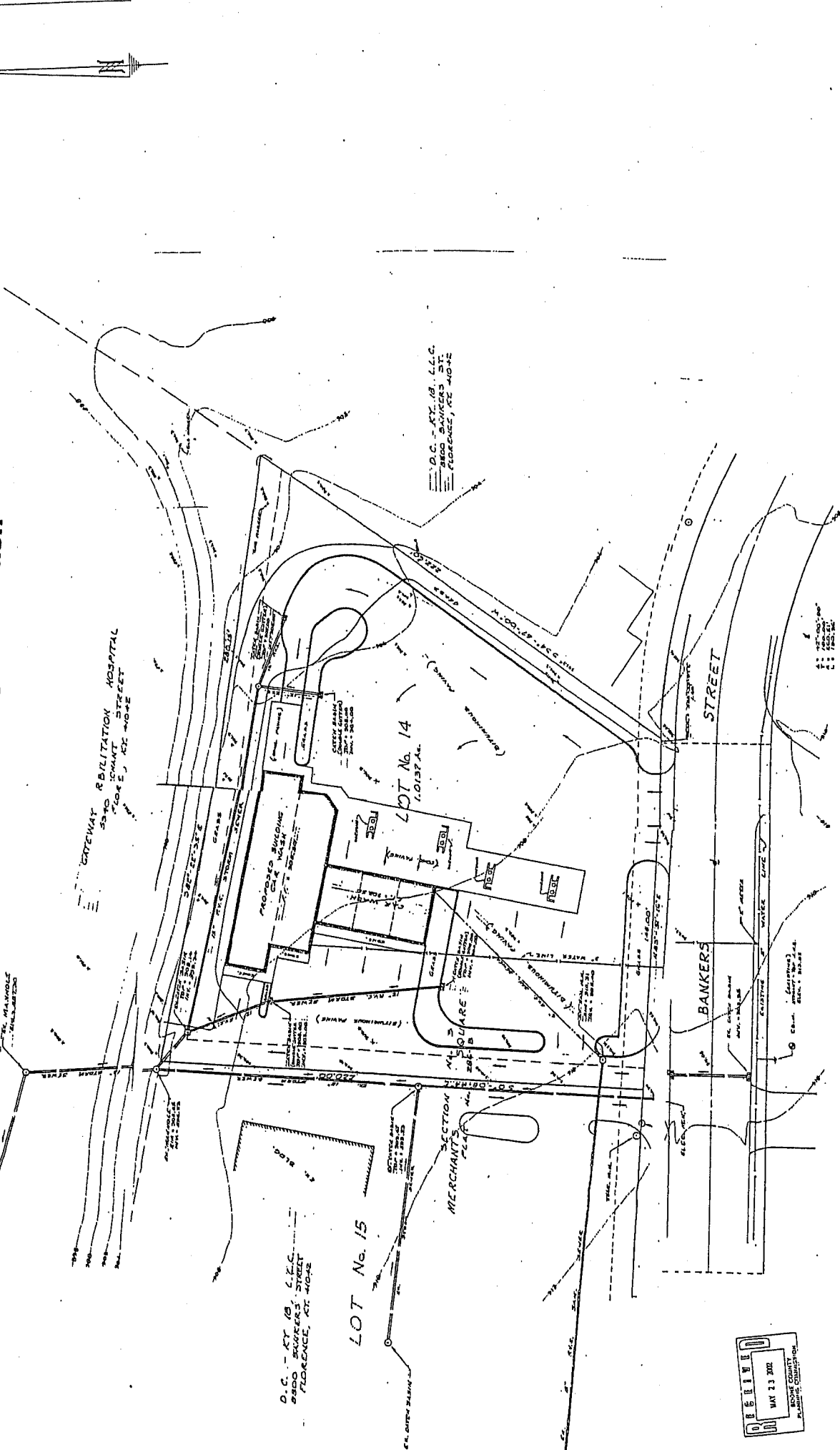
Received From Rodman      Date 5-23-2002      31495

Address \_\_\_\_\_      Legislative District \_\_\_\_\_      Total Amount \$ 1130.00

Planning Commission Fees		Inspection / Enforcement Fees		How Paid	
For: <u>CCDP</u>	1130.00	Improvement: Grading/Street		Cash	
<u>Legislative District</u>		Storm Sewer		Check # <u>14042</u>	1130.00
<u>Washington St</u>		Sanitary Sewer (F)		Money Order	
<u>Washington St</u>		Water Line (F)			
		Sidewalk			
		Driveway Aprons			
		Grading: Grading			
		Storm Sewer			
		Final Plat			

By 

# Concept Development Plan Executive Springs Car Wash



D.C. - KY 18, L.L.C.  
2800 BANKERS STREET  
FLORENCE, KY 41042

LOT No. 15

MERCHANTS STREET

LOT No. 14  
1.0137 AC.

D.C. - KY 18, L.L.C.  
2800 BANKERS ST.  
FLORENCE, KY 41042

RECEIVED  
MAY 13 2011  
BOONE COUNTY  
PLANNING COMMISSION

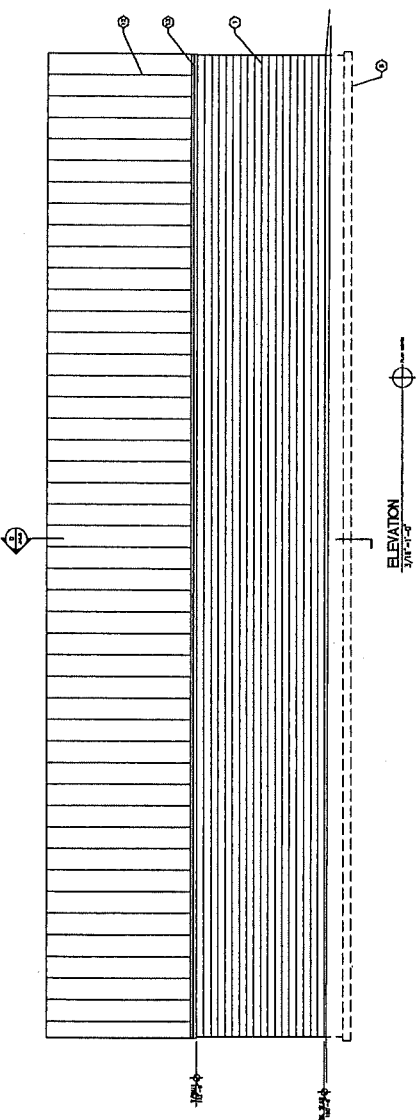
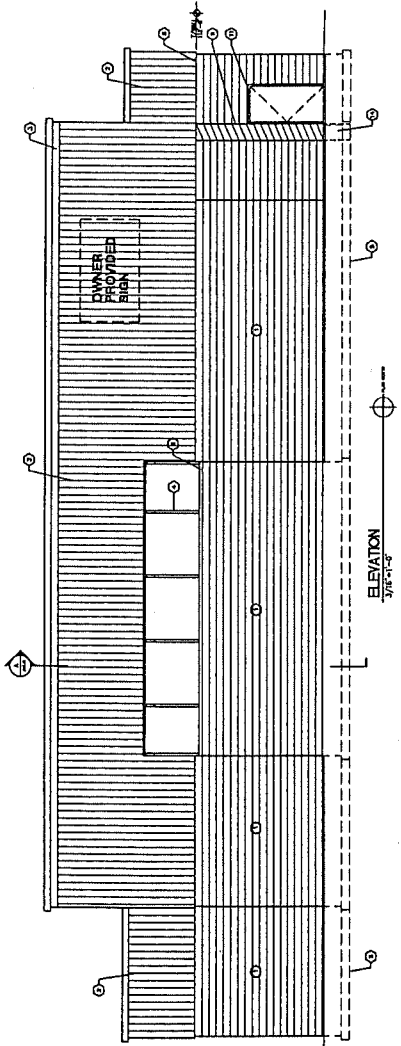
SPECIALTY GOLF  
2701 BANKERS  
FLORENCE, KY 41042

# EXECUTIVE SPRING CARWASH

**KORMANIS  
 CARWASH**  
 FLORENCE, KY

EXTERIOR  
 ELEVATIONS

A3.1



- PLAN NOTES**
1. 8\"/>
  2. VERTICAL METAL SODIC
  3. 8\"/>
  4. 3\"/>
  5. CONCRETE FORMING
  6. 12\"/>
  7. MASONRY SPINDLE
  8. TOP OF CURB
  9. SPINAL GALVANIZED PIPE COLUMN
  10. 1/2\"/>
  11. 4\"/>
  12. METAL ROOF OR 20\"/>
  13. ALUMINUM DUTTER
  14. CONCRETE FORMING COLUMN

**RECEIVED**  
 JUN 17 2002  
 BOONE COUNTY  
 PLANNING COMMISSION

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DATE: \_\_\_\_\_ BY: \_\_\_\_\_

PROJECT: \_\_\_\_\_

# EXECUTIVE SPRING CARWASH

**KORMANIS  
CARWASH**  
FLORENCE, KY

EXTERIOR  
ELEVATIONS

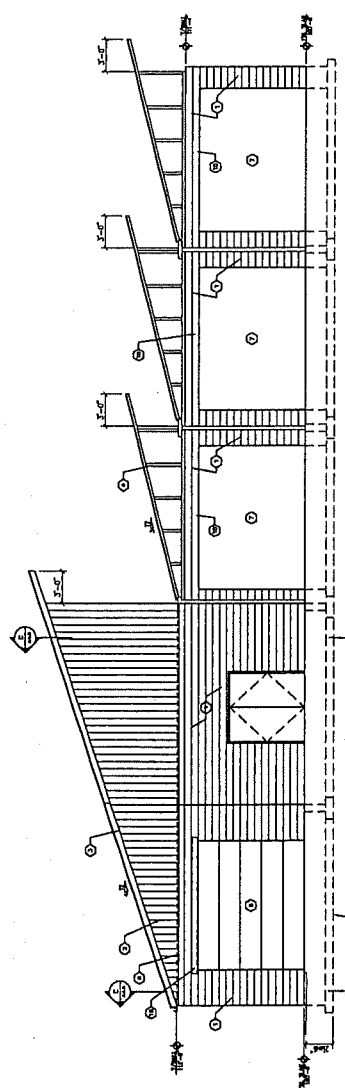
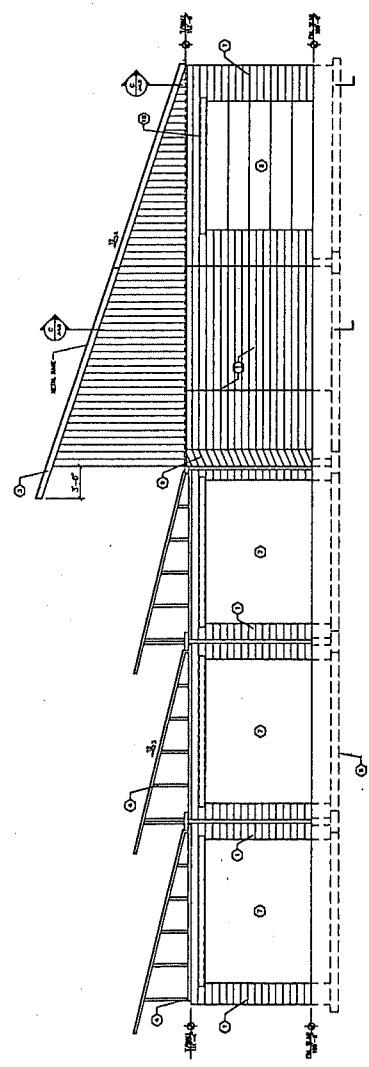
Project No.: 2002E

Scale: \_\_\_\_\_

Sheet No.: **A3.0**

### PLAN NOTES

1. 8" PUFF-FACE CONCRETE BLOCK MASONRY
2. VERTICAL METAL SINC
3. 8" METAL TRIM/FAZE
4. 3" T.S. TRUSS @ 8'-0" O.C.
5. CONCL. CONCRETE FOOTING
6. 12'-0" x 18'-0" OVERHEAD STORAGE DOOR
7. MASONRY FINISH
8. TOP OF CMU
9. SPINAL RAINWATER PVC COLLECTOR
10. 2" x 12" GL. BRG. W/ 1" CONCL. UNDER 8" x 12" GL. BRG. @ 12" O.C. TOP AND BOTTOM



**RECEIVED**

JUN 17 2002

BOONE COUNTY  
PLANNING COMMISSION

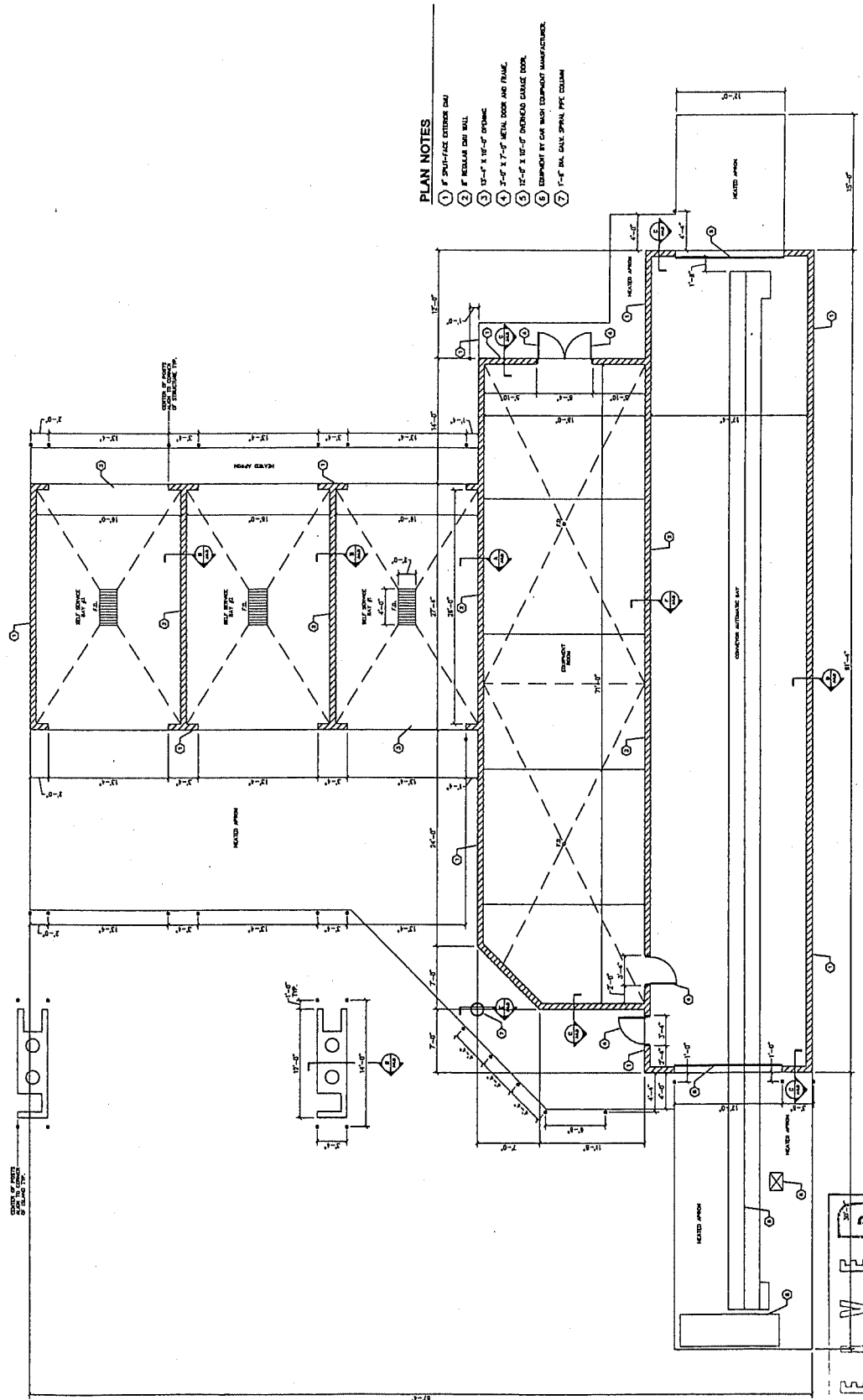
NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		

# EXECUTIVE SPRING CARWASH

KORMANIS  
CARWASH  
FLORENCE, KY.

FLOOR  
PLAN

A20



- PLAN NOTES**
1. 8" SURFACE EXTERIOR DAM
  2. 8" REGULAR CMU WALL
  3. 12" X 12" X 16'-0" STUCCO
  4. 2'-0" X 7'-0" METAL DOOR AND FRAME
  5. 12'-0" X 12'-0" OVERHUNG GARAGE DOOR
  6. EQUIPMENT BY OUR SHOP EQUIPMENT MANUFACTURER
  7. 1'-0" DIA. GALV. SPRAL. PIPE COLUMN

**RECEIVED**  
JUN 17 2002  
BOONE COUNTY  
PLANNING COMMISSION

COMMITTEE REPORT

#1

TO: Boone County Planning Commission

FROM: Fred Burch, Committee Chairman

DATE: August 1, 1990

RE: Request of GBBN Architects (applicant) for Gary, Nancy and Marie Moore (owners) for a Zoning Map Amendment on a 42 acre site located on the north side of KY 18 and west of Houston Road, Boone County, Kentucky. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) and Industrial One/Planned Development (I-1/PD) and Industrial One/Planned Development (I-1/PD) to Commercial Two/Planned Development (C-2/PD) and Industrial One/Planned Development (I-1/PD).

REMARKS:

We, the Committee, based on the statements made and facts gathered at the April 25, 1990 Public Hearing, recommend approval of this request based on the following Findings of Fact and subject to the following Conditions:

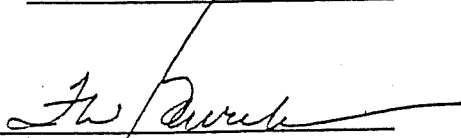
Finding of Fact


1. The Committee believes that the current zoning of UR-1/PD is inappropriate due to factors not detailed in the Houston-Donaldson Study. High Density residential development is inappropriate given the need to provide for a connector roadway through this property. This connector road from KY 18 to eventually Houston Road is critical to alleviating traffic problems at the KY 18 and Houston Road intersection. Further, the Committee believes that the commercial uses, as limited by Condition 1, meet the intent of the Houston-Donaldson Study. The commercial uses as limited, do not extend or expand the regional commercial district centered around Mall Road.
2. The Committee believes that some impacts of the proposed development will be controlled due to Article 15, Planned Development of the 1986 Boone County Zoning Regulations and the Design Review and Special Sign Regulations of the Houston-Donaldson Study. These regulations and reviews, in addition to the following Conditions, will insure that this development will not have a negative visual impact on the KY 18 corridor or surrounding community.

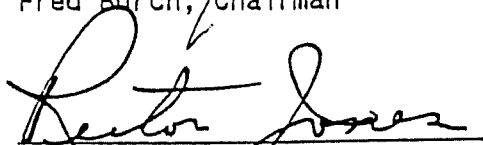
The applicants are being asked to include the following conditions as part of the revised Concept Development Plan (presented to the Planning Committee July 16, 1990) in order to address concerns and clarify questions raised at the April 25, 1990 Public Hearing.

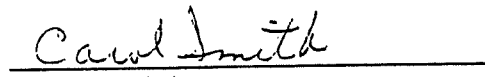
Conditions

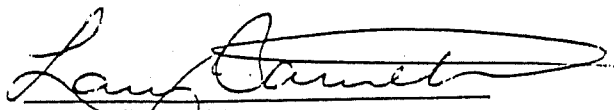
1. The Committee prefers that the retail anchor not be a regionally oriented business that would have a major negative impact on adjacent properties and traffic. The most desirable uses for this site would be those uses intended to serve the residential area west of Florence.
2. The applicant agrees to work with the Planning Commission to provide appropriate access to adjacent properties.
3. A disturb limit along the north and western property lines will be established at the Preliminary Development Plan to limit the adverse impact on the existing areas. In addition, the location of the detention ponds will be reviewed to limit their impact on the creeks.
4. Deceleration lanes will need to be constructed at both entrances along KY-18. The applicant agrees to work with Staff and KDOT on the final design of the two entrances.
5. The amount of landscaping area required for this development must equal or exceed that shown on the Concept Development Plan.
6. The applicant is aware that the property will be reviewed under the "Design Review" procedure outlined in the Houston-Donaldson Study. Items such as building design, building materials, signage, landscaping, etc. will be reviewed to insure compliance with the Design Guidelines of the Houston-Donaldson Study and the 1986 Boone County Zoning Regulations.

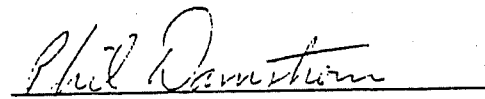
  
Fred Burch, Chairman

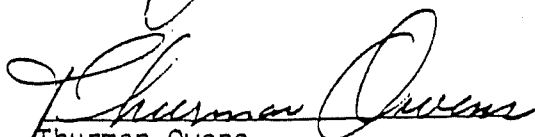
  
Barry Nelner

  
Rector Jones

  
Carol Smith

  
Larry Barnett

  
Phil Damstrom

  
Thurman Owens

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Donald McMillian, Committee Chairman

DATE: April 20, 1988

RE: Request of American Tectonics (applicant) for Marie Moore, Gary R. Moore, and Nancy J. Moore (owners) for a Zoning Map Amendment from Urban Residential One (UR-1) and Office Two/Planned Development (O-2/PD) to Commercial Services (C-3) and Urban Residential One/Planned Development (UR-1/PD). The 42.3 acre parcel is located north of KY 18 and west of Houston Road, Boone County, Kentucky.

REMARKS:

We, the Committee, recommend denial of the request based upon the following findings of fact. Although the Committee realizes that urban residential and commercial land uses can be suitable for the site if properly developed, it is the Committee's recommendation that the request be denied for the following reasons.

Findings of Fact

1. In the Committee's opinion, the requested Zoning Map Amendment and submitted Concept Development Plan are not in conformance with the Boone County Comprehensive Plan or the Houston-Donaldson Study, which represents an official document of the Boone County Planning Commission. The Comprehensive Plan recommends against extending Mall Road area commercial development west along KY 18 in strip development fashion. Although the Future Land Use Map depicts a 25 year projection of commercial uses on the site, the Committee believes that the proposed type of commercial development in this request does not represent the appropriate form of development for the site. In the Committee's opinion, the applicant's indication of the commercial layout and types of uses anticipated for the site do not represent the neighborhood-scale commercial activities recommended by the Comprehensive Plan to accompany large residential developments. Further, the Commercial classification of the 1986 Boone County Comprehensive Land Use Map includes "nonbase land uses such as Retail, Wholesale, Services, Finance, Insurance, and Real Estate and other office uses." The Committee does not agree with the applicant's contention that 62,000 square feet of retail development represents land development consistent with the Comprehensive Plan. The Land Use Element recommends that large scale retail development be contained to Mall Road.


The Committee believes that the submitted Concept Development Plan does not adequately address several important concerns discussed in the Comprehensive Plan and the Planning Commission's Houston-Donaldson Study.


In the Committee's opinion, the submitted Concept Development Plan attempts to provide for future public roadway connection between KY 18 and Houston Road, as called for in the Houston-Donaldson Study; however, the proposed function and location are inappropriate. The proposed alignment immediately adjoins an existing single-family subdivision. Because of the site's unique topography and vegetation, it is entirely feasible to incorporate a public roadway into development of the site in a location that would have less impact on not only the existing single-family residential uses, but on the proposed apartment uses as well.

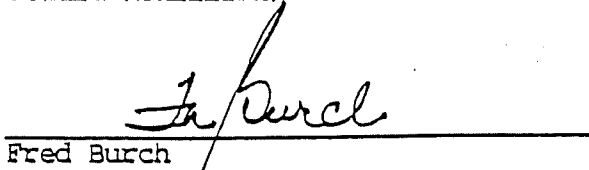
In addition, the layout of the submitted Concept Development Plan does not provide for adequate emergency access to large portions of the development. This could be remedied by constructing a public street to both serve the development and provide a future access to Houston Road, as opposed to dismissing the roadway's right-of-way to a developmentally undesirable edge of the site.

2. The applicant has not sufficiently shown that the existing Office Two/Planned Development zoning district is inappropriate and that the proposed Urban Residential One/Planned Development (UR-1/PD) zone is appropriate for the rear portion of the site. The existing office zoning was placed upon that part of the site during the 1986 update of the Boone County Comprehensive Plan and Zoning Regulations in response to (1) the topography which divides it from the existing Urban Residential zoning along KY 18, (2) anticipation of its development in conjunction with Houston Road parcels, (3) the otherwise awkward shapes of the Seligmann and Moore properties for development purposes under different zones, and (4) potential impact of the proposed north-south airport runway.


In addition, the applicant has not shown how the proposed Urban Residential One/Planned Development (UR-1/PD) zone would interact with development of the Seligmann property to the north in terms of compatibility of uses, topography, and access.

  
\_\_\_\_\_  
Donald McMillian, Chairman

  
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Larry Barnett

  
\_\_\_\_\_  
Fred Burch

  
\_\_\_\_\_  
Rector Jones

  
\_\_\_\_\_  
Carol Smith

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #5  
April 25, 1990

Page 1

Following a short recess, the Chairman introduced the last item on the Agenda:

5. Applicant: GBBN Architects for Gary, Nancy, and Marie Moore (owners)  
Request: Zoning Map Amendment

The request of GBBN Architects (applicant) for Gary, Nancy, and Marie Moore (owners) for a Zoning Map Amendment on a 42-acre site located on the north side of KY 18, west of Houston Road, Boone County, Kentucky. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) and Industrial One/Planned Development (I-1/PD) to Commercial Two/Planned Development (C-2/PD) and Industrial One/Planned Development (I-1/PD).

Mr. Doug Powell, Transportation Planner, stated that there is a typographical error in the Staff Report. In Paragraph 1, line 6, "Industrial Two" should be "Industrial One".

Mr. Powell presented the Staff Report, noting its attachments, and including a slide presentation (see Staff Report).

Mr. Jack Gardner of GBBN stated that this is not a Bigg's. It is a mixed use development. Using a drawing, he reviewed the layout of the site and indicated the adjacent roadways. He stated that half of the site is zoned I-1 and the other half is UR-1. They are asking that the site be considered, under the Houston-Donaldson Study, for a mixed use of industrial, research, and retail with four outlots in the front for restaurants, gas, and a bank. The retail, which is an unidentified major user, will serve the people within the area and not be a regional draw. It will serve the Burlington and west area served by KY 18. There will be 115,000 sq. ft. of gross retail area and parking for 500+ cars. The area to the rear is proposed for industrial and they are asking that all of it be part of the Concept Development Plan incorporating the special uses of this development. He stated that the site is a challenge to develop due to the topography and requires imagination and creativity. The site slopes to the north and they are suggesting that the area to the front at KY 18 be graded down at slopes of about 8% to 10% with a transition slope to a research and development area. He stated that if the rear of the property were developed as it is currently zoned, there would be substantial movement of earth. He stated that the area is buffered by a treeline to the west and they are suggesting that it be retained and reinforced with buffering. The drainage swale to the north of the site will be retained. He stated that they have indicated retention and detention lakes. They have developed a water emphasis at the entrance to the development.

Mr. Gardner stated that the current zoning of UR-1 is inappropriate due to the change that has taken place at the airport, including the new runway with the flight patterns going across this area, making residential use questionable.

Mr. Gardner stated that there has been a concern for the extension of commercial into the area west of the Houston Road area and they think this is a logical use of the area. He stated that immediately across from the site is C-2 and C-3, with adjacent areas being commercial and retail. He added that continuing to the west there is Ameristop, automotive centers, and Hardee's restaurant. They suggest that the front portion of the site be retail. They have a hard time finding any UR-1 zoning immediately adjacent to the site. If they wanted to zone it UR-1, it would be spot zoning. They believe this development will serve the community and not a region.

Mr. Gardner stated that a by-pass road has been discussed which would by-pass the intersection and allow the traffic to flow around, but they do not control that property. He indicated the location of the entrance road to the bank and stated that there is preliminary agreement that they will consider moving the road further to the west and creating a different kind of intersection, which is not shown on the plan, but is being looked at with the owners of the bank. There is already a service drive across the front. He stated that they presented the Staff yesterday some suggestions in regard to traffic concerns, deceleration lanes, a light, and left turn lanes. This is under review. He stated that the site principally enters from the service road. The connector road will eventually connect to the Houston Road portion of the site and they think this is logical.

Mr. Gardner stated that he believes the Comprehensive Plan is being reviewed as to what this area will become. They do not think UR-1 zoning is appropriate and that retail/commercial is a logical use.

Mr. Tom Banta of Corporex noted that there are five primary concerns listed in the Staff Report. In response to the first concern, the property is partially affected by the runway. The Part 150 Study has not been approved. The plan sent to them by the Airport shows the property to be entirely affected by the runway. They do not think the property is appropriate for residential use. He stated that the Houston-Donaldson Study discouraged regional commercial from expanding off of Mall Road and going down KY 18. He stated that this is not regional retail -- which is either a mall or a major anchor. They have only an 80,000 foot anchor. They are proposing a solution to the traffic situation that currently exists at Houston Road and KY 18. The loop connector road was proposed in the Houston-Donaldson Study and they have done everything they can in the design to accommodate the Study. The access on Houston Road was moved following discussion with the Staff. In the American Tectonics Plan that was turned down, one of their problems was the road. He stated that the looped road is not consistent with a residential use which is why American Tectonics came in with a road going around. He stated that the connector road and the residential use do not go together.

Mr. Banta stated that in regard to design, Planned Development call for the creative use of the land. They are proposing the PD because the Houston-Donaldson Study requires it. The densities are less than what the Houston-Donaldson Study would allow for C-2 and I-1 zoning. The topography of the site is difficult. The small ravine changes 50+ feet from top to bottom. He stated that maintaining

the trees in the center of the property is not possible. They will maintain the trees around the perimeter, along the creek lines, and in the back areas. They intend to adequately buffer the residential per the requirements. They are well known for doing this with their other developments. They will leave the creeks in their natural state as natural buffer. He stated that the houses are a good distance back and the creek is a good divider.

In regard to traffic, Mr. Banta stated that the new connector road will improve this much more than the commercial aspect will hurt the traffic situation, and the new traffic study given to the Staff bears this out. He added that they have a letter from the state approving the curb cuts as shown on Burlington Pike. In regard to the impact of the outlots on KY 18, he stated that they have a history of doing things nicely and they have no intention of having junky outlots. He stated that they are known for their architectural controls and will maintain these controls over the outlots to make KY 18 attractive.

In regard to phasing, Mr. Banta stated that their plan is to build the infrastructure initially as shown on the plan. The outlots are spoken for, but they do not have a retail anchor at this time and the retail center may follow after the outlots. The industrial will be built as the market dictates.

Mr. Bill Butler, President of Corporex, stated that they are widely known for their office and industrial developments. This would be their first retail undertaking. He stated that they worked hard for their reputation for setting good design standards and the Commission can rely on what they do to be an addition to the environment. He noted the money spent on the entrance at Circleport. He stated that they have worked closely with the Staff and the plan is representative of collective ideas. He stated that there were initially five outlots, and now there are four, which is \$400,000 less income for the project, but in response to Staff's concerns. He stated that everybody wants the looped road, and there is a great deal of engineering involved. He stated that the economics and underlying costs will require that the uses be of a high order. He stated that the property is surrounded by C-2 and C-3 zoning and they ask for a zone change to make the property conform to its neighbors. He stated that they will put the usual covenants on the the development that the put on their industrial developments -- such as high level architecture. They promise high levels of quality. He stated that this is 20% as large as the Bigg's development.

The Chairman asked if there was anyone else present who wished to speak in favor of the request.

Mr. Ray Bolling stated that this is a wonderful project as the airport says there is too much noise for residential. He indicated on the map the location of an acre of ground that he owns. He stated that he will sell them the property so that they will have a stop light to use to get out.

The Chairman asked if there was anyone else present who wished to speak in regard to this request. There being no response, he askdd if there were any comments from the Commission.

Mr. McMillian asked if the road in the industrial area would be continued to the property line in case of future development.

Mr. Powell stated that they should not go over the creek at that point. They want to protect the creek and believe there can be alternate access. He stated that you would be able to travel from property to property without getting back on Houston Road.

Mr. DeLong asked if they would be willing to put all of the infrastructure in in the first phase.

Mr. Banta stated that they planned to hold off on the roads as they may not be necessary. Mr. Butler stated that putting the road in in the first phase will depend on the financial arrangement and they will work with the Staff in this regard and enter into agreements.

Mr. Gardner stated that if the area to the east is to be used, the road and infrastructure would have to go in.

Mr. Kirby questioned the easement going through two of the buildings and Mr. Butler advised that it is a gas line to be relocated.

Mr. Powell stated that they received a Traffic Impact Analysis from the applicant and have reviewed it briefly. There is a concern reflected in the study as to how much traffic will be captured from existing traffic on KY 18, and will there be people drawn in.

Mr. Banta stated that assuming the retail use is soft goods, it will serve the residents there. He added that 43% of the traffic in and out will be people already on KY 18.

There being no further comments, Chairman Viox stated that this item will be on the Agenda for the Business Meeting on May 2, 1990 at 8 P.M. and closed this Public Hearing.

APPROVED:



William R. Viox, Chairman

Attest:

  
Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

August 1, 1990

8:00 P.M.

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Mr. William Viox, Chairman, called the meeting to order at 8:10 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Larry Barnett  
Mr. Fred Burch, Vice Chairman  
Mr. Lawrence Collins  
Mr. Phil Damstrom  
Mr. Melvin DeLong  
Mr. R. N. Greene  
Mr. Rector Jones  
Mr. Robert Kirby, Jr.  
Mr. Don McMillian  
Mr. Barry Neltner  
Mr. Floyd Sharp  
Mrs. Carol Smith  
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. Thurman Owens  
Mr. Ralph Rush

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox stated that each member had received copies of the Minutes of the Business Meeting of July 18, 1990 and the Public Hearings of July 18 and July 25, 1990. He asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mrs. Smith seconded the motion and it carried unanimously.

BUSINESS MEETING AGENDA

UNFINISHED BUSINESS:

1. Zoning Map Amendment

The request of GBBN Architects (applicant) for Gary, Nancy, and Marie Moore (owners) for a Zoning Map Amendment on a 42-acre site located on the north side of KY 18, west of Houston Road, Boone County, Kentucky. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) and Industrial One/Planned Development (I-1/PD) and Industrial One/Planned Development (I-1/PD) to Commercial Two/Planned Development (C-2/PD) and Industrial One/Planned Development (I-1/PD).

Mr. Kevin Costello, Interim Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The Committee Report included a summary of findings for the contrary recommendation. The applicant has signed the letter agreeing to the conditions and a copy is included in the packet.

There being no discussion, Mr. McMillian moved by resolution to the legislative bodies that the request be approved based on the Committee Report, including the conditions. Mr. Jones seconded the motion and it carried unanimously.

2. Zoning Map Amendment and Conditional Use Permit

The request of Pilot Oil Corporation (owner) for a Zoning Map Amendment and a Conditional Use Permit on a 9.688-acre site located at the northwest corner of KY 338 and U.S. 25, Boone County, Kentucky. The request is to rezone the site from Rural Suburban (RS) to Commercial Services (C-3) and to receive a Conditional Use Permit to expand the existing parking lot for the Pilot Oil truck stop.

Mr. Costello read the Committee Report which recommended deferral of the request until the August 15, 1990 Business Meeting (see Committee Report).

There being no discussion, Mr. McMillian moved that the request be deferred until the August 15, 1990 Business Meeting based on the Committee Report. Mrs. Smith seconded the motion and it carried unanimously.

3. Zoning Map Amendment

The request of A. D. Malley for PFP Inc. (owners) for a Zoning Map Amendment with a Conditional Use Permit on a 1.0-acre site located on KY 18 and known as the Little Red School House. The request is to rezone the site from Suburban Residential Two (SR-2) to Office One (O-1) with a Conditional Use Permit to allow a Nursery School.

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A**

**June 26, 2002  
7:00 P.M.**

**PUBLIC HEARING**

**Commission Members Present:** Mr. Barlow, Mr. Knock - Temporary Presiding Officer, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Ries, Mr. Schwenke, and Mrs. Wilson - Secretary/Treasurer.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Patty Bachman, Planner; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

**Legal Counsel Present:** Mr. Dale Wilson

Mrs. Susan Poston, Vice Chairperson, called the meeting to order at 7:06 PM and introduced the item on the Agenda:

1.     **Applicant:**     James W. Berling for  
                          R. C. Durr and Richard Crist (owners)

**Request:**       Change in Concept Development Plan

**The request of James W. Berling for R. C. Durr and Richard Crist (owners) for a Change in Concept Development Plan for an approximate one-acre tract on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.**

Staff Members Kevin Wall and Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, Mrs. Poston asked for the applicant's presentation.

Mr. Matt Tobler with Radius Construction Company, 409 West 35<sup>th</sup> Street, Covington, and Mr. Mark Kormanis of 9762 Cherbourg Drive, Union, Kentucky, the owner of the proposed project, were present. Mr. Tobler stated that they tried to put the project together in a way that meets the buffer and setback requirements

and eases the traffic flow. He stated that there is some flexibility in the design of the building. They feel that the project will be beneficial to the area. The car wash is for the use of the residents of the area and will be a consolidation of services with the other automotive service projects. He offered to answer any questions.

Mrs. Poston asked if there was anyone else present who wished to speak in favor of the request. There being no response, she asked if there was anyone present who wished to speak in opposition to the request or ask questions. There was no response.

Mrs. Poston asked if there were any comments or questions from the Commissioners.

Mr. Schwenke noted Staff Comment #7 that the Houston-Donaldson Study Guidelines specify that at least 60% of the structure is to be of non-metal materials and asked if what they propose is all metal. Mr. Kormanis responded "no" and stated that they want to stay close to the construction materials of the existing structures including Tom McGil and the Merchant Square strip center, which is split block. He stated that the bulk of the roof structure is open air and not metal. Ms. Bachman noted that the architectural drawings are attached to the Staff Report. She stated that Staff is not so much concerned with the roof as with the vertical siding which creates an industrial look. Mr. Kormanis stated that they do not want the building to look like a typical car wash. He stated that the three bays are self-service, they have no siding, and have open truss sections that would match the roof. The siding would be over the equipment room and the longer tunnel on the north side. The taller roof section is to provide an area for signage along the south side. Mr. Tobler stated that it is more of an architectural panel that has small ribs that come in and out for a decorative look. The color scheme is a green roof with earth tone beige on the siding and masonry to be complimentary. He does not think it will have the industrial look of a typical metal building.

Mr. Poe questioned how the building fits in with the surrounding structures. Ms. Bachman responded that there is metal trim on the surrounding structures. Goodwrench has metal trim on the back of the bays and Merchant's Square has green metal trim. She asked the applicant to provide colored architectural renderings. Mr. Wall suggested the applicant provide samples of the building materials.

Mr. Kormanis stated that the building would be split block masonry up to twelve feet high and the only siding would be on the taller structure underneath the truss section. He stated that the split block is almost identical to the building next to it at Merchant's Square.

Mr. Costello asked if the architect was present. Mr. Tobler responded "no". Mr. Costello asked that the architect attend the Committee Meeting. He stated that the rendering is misleading. Staff can provide the Committee with the approved plans of the buildings that are out there and determine the percentage of brick and vinyl and can take pictures to show the Committee what is out there. He explained that there is another review process involved with the Technical Design Review Committee if the Planning Commission approves the use. He stated that having the architect at the Committee Meeting and having a better drawing is a better way to convey the information.

In response to a question from Mrs. Wilson regarding regionally oriented and locally oriented uses, Ms. Bachman stated that the car wash is a locally oriented use as people go to the closest car wash. She stated that this car wash would serve Greenview Subdivision. Mr. Costello stated that there was to be a retail center with a Winn Dixie grocery store and there was debate about whether it was a regional draw or a local draw. He stated that Mr. Butler talked about Corporex and building a local grocery store (Winn Dixie) and discounted the fact that it would be a regional retail center.

Mr. Barlow stated that the buildings on that end of Bankers Street have architectural features that are different from what is being proposed. If this development were proposed at the other end of Bankers Street, it would fit better because the fueling station and car repair station are there. This use is being placed in a developed office/commercial area that has a theme. The office condominiums across Houston Road have a Colonial look. The Trust Company has an architectural design to it. There is an established architectural theme on that end of Bankers Street and this design does not fit in.

Mr. Kormanis stated that they should have provided the color schemes, drawings, and materials. He stated that they tried to develop a car wash that did not look like a car wash and wanted it to fit in with the theme of the area. They tried to match the building materials (split block and brick) and to match the green trim roof of the office condominiums. He stated that he has photographs of an existing building that is northwest of Louisville that uses the same roof structure. He stated that the open air roof does not look like a car wash. He feels that the Commissioners need to see a picture of what they are saying. Mr. Tobler stated that there would be exposed metal trusses and a metal roof. Mr. Barlow stated that it is more of a canopy than a roof. He stated that the drawings do not show any office space in the equipment building. He asked if it is intended that there be someone there. Mr. Kormanis responded that there will be an operator there the majority of the day and part of the evening. The car wash will be open twenty-four hours a day and there will be an attendant there at the higher traffic times and seasons. Their intention is to have an office inside the equipment room. The attendant will be there from about 8 AM or 9 AM to about 8 PM or 9 PM. The attendant would interact with the public until the public becomes familiar with the procedures and systems.

In response to questions from Mr. Ries, Mr. Kormanis stated that there will be three self-service bays where people pull in and deposit their money. There is a high pressure washer and brush. For the automatic car wash, people will dial a code and pay. The conveyor will draw them through the car wash.

Mrs. Poston questioned where all of the water will go. Mr. Tobler responded that it goes through a separator and then into the sanitary sewer. It will be contained and go into the sanitary sewer. It will not go into the street.

Mrs. Wilson questioned the bike rack. Mr. Wall explained that there is a requirement in the Code and they need to provide one bike rack. It is typically oriented towards employees. He stated that at the car wash in Erlanger they hired high school students and there were bike racks there.

Mrs. Wilson questioned stacking distance. Mr. Kormanis responded that they want to avoid stacking onto Bankers Street and causing delays, which is one of the reasons for the orientation of the building. On the east side, they have provided stacking space for approximately eighteen vehicles prior to entering the car wash. They can stack eighteen vehicles before encroaching on the curb cut on Bankers Street.

Mr. Knock asked if Staff is satisfied that the physical construction blends with the other buildings. Ms. Bachman responded that she is concerned and would prefer to see colored renderings to better understand how the materials are used and the colors. She stated that the buildings next door are using metal for trim – which is an accent feature versus being the main component of the building. Mr. Knock asked if the renderings can be submitted at a later date. Counselor Wilson advised that they can as they were brought up at the Public Hearing.

Mrs. Wilson questioned signage. Mr. Kormanis responded that the name of the Business, *Executive Springs*, would be in script and under that in smaller script would be *Touchless Car Wash*. He stated that they have not come to a conclusion regarding a monument sign. If there is a monument sign, it will adhere to the stipulations of the Houston-Donaldson Study.

Mrs. Wilson questioned lighting. Mr. Kormanis responded that lighting is provided for the whole area.

Mr. Barlow asked if people could pull a backhoe or front end loader into the self-service bays. Mr. Kormanis responded that the limitation would be the size of the door. He believes a backhoe on a trailer would exceed the height of the building. There is a possibility that someone could drive in a backhoe that is not on a trailer. He stated that a lot of self-service bays have concerns with horse trailers and dual axle pick-up trucks covered in mud and straw – which is one of the

reasons for the attendant. The attendant would be there approximately twelve hours a day and would maintain the cleanliness of the area.

Mr. Knock asked if they intend to limit the car wash to the kinds of activities brought to the attention of the Planning Commission and if there will be signs saying that they do not want the other kind of business (backhoes and horse trailers). Mr. Kormanis responded that he does not know if there would be signs, but that is their intention.


Mr. Costello asked if they will model this facility after the Louisville facility. Mr. Kormanis responded "no" and explained that the only thing they modeled after it was the metal truss roof. Mr. Costello asked if they have any other facilities in the region. Mr. Kormanis responded "no".

Mrs. Wilson questioned outside storage and trash bins. Mr. Kormanis responded that there will be no outside storage whatsoever.

Mr. Ries asked if there are any safety features – such as if at night someone got hung up in the car wash or it shuts down. Mr. Kormanis explained that there is a monitoring system that will dial his e-mail, cell phone, and home telephone. They will install six cameras (one at each end of the tunnel) and there is a web link to the monitoring system. If they receive a page or telephone call, they will have six displays on a split screen to be able to see what is going on. Mr. Ries stated that car washes have a lot of theft and vandalism and he is concerned about security. Mr. Kormanis stated that there are floor safes and all of the coins drop down into a safe below ground. He stated that it is difficult to address major vandalism and theft, but the reason for the design and layout of the building is that they are trying to set a standard that says it is a safe place to come and wash a car at 8 AM or at 8 PM. They want to provide a service for the community where people feel safe. The facility is well lit, there is an attendant on duty during the day and into the evening, and there is a surveillance system.

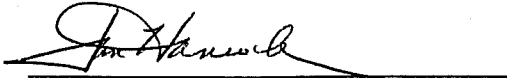
There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on July 3, 2002 at 4:00 PM in the Fiscal Courtroom on the second floor of this building. This item will be on the Agenda for the Business Meeting on July 17, 2002 at 7:30 PM. Mrs. Poston closed this Public Hearing at 8:02 PM.

**APPROVED:**



**Susan Poston, Vice Chairperson**

**Attest:**



**Jan Hancock, Recording Secretary**

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
BUSINESS MEETING  
August 7, 2002  
7:30 P.M.**

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Mrs. Susan Poston, Vice Chairwoman, called the meeting to order at 7:42 PM.

**COMMISSION MEMBERS PRESENT:**

Mr. Mark Hicks, Chairman  
Mr. Randy Poe  
Mrs. Susan Poston, Vice Chairwoman  
Mr. Charlie Reynolds  
Mr. Robert Ries  
Mr. Bob Schwenke  
Mr. Earl White  
Mrs. Lisa Wilson, Secretary/Treasurer  
Mr. David Zimmer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Randy Barlow  
Mr. Arnold Caddell  
Mrs. Janet Kegley  
Mr. Richard Knock, Temporary Presiding Officer  
Mr. Don McMillian  
Mr. Robert Newman

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Patty Bachman, Planner  
Ms. Jan Hancock, Secretary  
Mr. Todd Morgan, AICP, Planner  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

**EXPENSES:**

Accounting Fees	\$ 644.95
Advertisements/Recruitment	290.02
Attorney Fees	4,640.00
Auto Expenses	1,312.24
Filing Fees (CLURs)	195.50
GIS Operations	14,647.73
Office/Equip.Maintenance	340.00
Miscellaneous Expenses	1,634.13
Office Equip/Depreciation	3,229.49
Professional Development	322.57
Postage Expenses	1,624.89
Printing/PubDuesSubscrip	6,455.17
Prof.Services/Consultants	2,200.00
Refunds	538.00
Office & Board Mtg. Supplies	<u>1,716.82</u>

TOTAL: \$ 39,791.51

GRAND TOTAL: \$142,022.36

Mr. McMillian moved that the salaries, benefits, and bills due be approved and paid as presented; and indicated approval of those items which have been paid. Mr. Reynolds seconded the motion. A vote on the motion found all voting members in favor. Chairman Hicks was not yet present. The motion carried.

**ACTION ON PLAN REVIEWS:**

1. **Change in Concept Development Plan**

The request of Sam's East, Inc. (applicant) for Wal-Mart Stores, Inc. (owner) for a Change in Concept Development Plan for a 1.62 acre site at 4949 Houston Road, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a gasoline fueling station in a Commercial Two/Planned Development (C-2/PD) zone.

Mrs. Poston stated that Agenda Item #1 is recommended for deferral to the September 4, 2002 Business Meeting at 7:30 PM. The Committee Meeting will be on August 21, 2002 at 4 PM in the Fiscal Courtroom. Mr. White so moved. Mrs. Wilson seconded the motion. A vote on the motion found all voting members in favor. Chairman Hicks was not yet present. The motion carried.

2. **Change in Concept Development Plan**

The request of James W. Berling (applicant) for R. C. Durr and Richard Crist (owners) for a Change in Concept Development Plan for an approximate one-acre tract on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

Staff Member Patty Bachman presented the Committee Report which recommended approval of the request based on the Planned Development Standards and the Goals and Objectives of the Houston-Donaldson Study, but subject to conditions (see Committee Report).

Mr. White moved by resolution to the City of Florence that the request be approved based on the Committee Report. Mrs. Wilson seconded the motion.

In response to questions from Mr. Schwenke, Mr. Matt Tobler with Radius Construction Company, presented and reviewed the elevations. He stated that the self-service bays will be open, but the tunnel wash will have doors that will be closed when it is not in use. The walls will be split-faced block with scored block accent areas. There will be a standing seam metal roof with dormers. The front gable area where the sign will be will be dryvet material.

Mr. Poe questioned how the building fits in with the surrounding structures. Ms Bachman responded that the surrounding buildings are masonry with metal trim and it fits in well.

There being no further discussion, Mrs. Poston asked for a vote on the motion made by Mr. White and it carried unanimously.

Mr. Ries stated that the Chairman of the Committee did not attend the Public Hearing or the Committee Meetings and, if the Chairperson does not attend the Public Hearing or the Committee meetings, another Chairperson should be assigned. It is important for the Chairperson be at the Public Hearing because the Chairperson should be the most informed person. He asked if there is a policy in regard to replacing the Chairperson. Mr. White responded that Mrs. Kegley chaired the Committee. Mr. Ries stated that she should then be shown as the Chairperson on the Agenda. Mr. Costello stated that such a policy has been discussed and could be implemented and it will be discussed at the Executive Committee.

Chairman Hicks chaired the meeting at this time and introduced the next item on the Agenda:

3. **Technical Design Review - Florence Medical Group  
8731 A Bankers Street**

Staff Member Patty Bachman presented the Technical Design Review request for Florence Medical Group at 8731 A Bankers Street, which is in the Houston-Donaldson Study area. The applicant is proposing the construction of an awning with lettering. Ms. Bachman showed a rendering of the proposed awning, which is four feet tall and twenty-one feet long. The letters will be ten feet tall and nineteen feet long. Only the lettering is considered to be a sign and the awning is considered to be part of the building structure. She stated that the request is for 15.833 square feet of signage. This is a vacant lease space within a commercial center and the Houston-Donaldson Study allows it one building-mounted sign and a maximum of

EXHIBIT  
"B"

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Bob Newman, Chairman

DATE: August 7, 2002

RE: Request of **James W. Berling (applicant)** for **R.C. Durr and Richard Crist (owner)** for a Change in Concept Development Plan for an approximate one acre tract located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in 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 Change in Concept Development Plan request based upon the following Planned Development Standards and the Goals and Objectives of the Houston-Donaldson Study and with the following condition:

1. The site is designated by the 2000 Boone Comprehensive Plan's Land Use Map as "Commercial." The Future Land Use Map classifies the area in which the site is located as appropriate for commercial development. Specifically, the Land Use Element recommends that regionally-oriented commercial land uses in the Florence Commercial Area be confined to Mall Road and Houston Road. These land uses should not be allowed to expand to KY 18. A car wash represents a locally-oriented land use rather than a regionally-oriented land use. Additionally, the Land Use Element recommends that any development within the Houston-Donaldson Overlay District [HDO] follow the suggestions made in the Houston-Donaldson Study. With regard to the site area, the Study states that the site is suitable for commercial land uses. The Study recommends that the area in question develop according to the Concept Development Plan that was approved for the area. While the Concept Development Plan proposes that the area develop for commercial uses, it does not specifically recommend the construction of a car wash. However, the Quickstop Oil Change Center, the Goodwrench Center, and Tire Discounters, all automotive-oriented uses, were each approved Changes to the Concept Development Plan. The Goals and Objectives of the Business Activity Element state that "commercial uses shall be limited to strategic locations serving trade area and neighborhood needs and shall have safe and effective access and ample parking space." The Committee believes that the addition of a car wash to the Merchants Square subdivision is appropriate in the face of that goal. The proposed car wash would serve adjoining residential areas including the Greenview subdivision and residences along Ridge Road. In addition the access to the site will not impact traffic on Kentucky 18 or Houston Road.

2. A. Goal I of the Houston-Donaldson Study states that "the future land uses in the Study Area are planned in relation to the overall land use pattern of Boone County, the existing and planned developments within the Study Area, and the sense of the Study Area as a distinct corridor (p. 7)." The proposed development is in harmony with the existing land uses that adjoin it on both an architectural and a land-use level. The redesigned building features architectural elements that are repeated on the adjacent Merchants' Square strip development as well as on the Houston Office Condominiums located near the site on Houston Road. In terms of land use, the proposed car wash fits with the automotive-related uses that are present in the immediate area (i.e. Goodwrench Service Center, Quickstop Oil Change, and Tire Discounters). Additionally, the car wash will serve nearby residential areas such as the Greenview Subdivision.  
  
B. Goal II of the Houston-Donaldson Study states that "the traffic circulation system serves both destination and through traffic with a minimum of traffic congestion (p.8)." The location of the proposed car wash, along Bankers Street, presents minimal impact upon traffic on Kentucky 18 or Houston Road. Traffic on Bankers Street is limited.
3. The Committee has concluded that the proposed Concept Development Plan, with the attached condition noted below, generally fulfills the applicable requirements outlined in Section 1514 "Planned Development Standards" of the Boone County Zoning Regulations.
4. The Committee has concluded that the attached condition is necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan and the Houston-Donaldson Study, as well as the intent, objectives, and requirements of the Article 15 "Planned Development District (PD)" of the Boone County Zoning Regulations. The Committee has also concluded that the attached condition is necessary to mitigate any foreseeable community impacts that may be created by the development. The applicant has signed a letter demonstrating agreement with this condition.

#### CONDITION

1. Buildings will be constructed as shown in the revised architectural renderings brought to the 7-17-02 Zone Change Committee meeting.

August 7, 2002

**Berling/Crist/Car-Wash-Bankers Street**

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.

BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A

June 26, 2002  
7:00 P.M.

PUBLIC HEARING

Commission Members Present: Mr. Barlow, Mr. Knock - Temporary Presiding Officer, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Ries, Mr. Schwenke, and Mrs. Wilson - Secretary/Treasurer.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Patty Bachman, Planner; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mrs. Susan Poston, Vice Chairperson, called the meeting to order at 7:06 PM and introduced the item on the Agenda:

1. **Applicant:** James W. Berling for  
R. C. Durr and Richard Crist (owners)

**Request:** Change in Concept Development Plan

The request of James W. Berling for R. C. Durr and Richard Crist (owners) for a Change in Concept Development Plan for an approximate one-acre tract on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.

Staff Members Kevin Wall and Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, Mrs. Poston asked for the applicant's presentation.

Mr. Matt Tobler with Radius Construction Company, 409 West 35<sup>th</sup> Street, Covington, and Mr. Mark Kormanis of 9762 Cherbourg Drive, Union, Kentucky, the owner of the proposed project, were present. Mr. Tobler stated that they tried to put the project together in a way that meets the buffer and setback requirements

and eases the traffic flow. He stated that there is some flexibility in the design of the building. They feel that the project will be beneficial to the area. The car wash is for the use of the residents of the area and will be a consolidation of services with the other automotive service projects. He offered to answer any questions.

Mrs. Poston asked if there was anyone else present who wished to speak in favor of the request. There being no response, she asked if there was anyone present who wished to speak in opposition to the request or ask questions. There was no response.

Mrs. Poston asked if there were any comments or questions from the Commissioners.

Mr. Schwenke noted Staff Comment #7 that the Houston-Donaldson Study Guidelines specify that at least 60% of the structure is to be of non-metal materials and asked if what they propose is all metal. Mr. Kormanis responded "no" and stated that they want to stay close to the construction materials of the existing structures including Tom McGil and the Merchant Square strip center, which is split block. He stated that the bulk of the roof structure is open air and not metal. Ms. Bachman noted that the architectural drawings are attached to the Staff Report. She stated that Staff is not so much concerned with the roof as with the vertical siding which creates an industrial look. Mr. Kormanis stated that they do not want the building to look like a typical car wash. He stated that the three bays are self-service, they have no siding, and have open truss sections that would match the roof. The siding would be over the equipment room and the longer tunnel on the north side. The taller roof section is to provide an area for signage along the south side. Mr. Tobler stated that it is more of an architectural panel that has small ribs that come in and out for a decorative look. The color scheme is a green roof with earth tone beige on the siding and masonry to be complimentary. He does not think it will have the industrial look of a typical metal building.

Mr. Poe questioned how the building fits in with the surrounding structures. Ms. Bachman responded that there is metal trim on the surrounding structures. Goodwrench has metal trim on the back of the bays and Merchant's Square has green metal trim. She asked the applicant to provide colored architectural renderings. Mr. Wall suggested the applicant provide samples of the building materials.

Mr. Kormanis stated that the building would be split block masonry up to twelve feet high and the only siding would be on the taller structure underneath the truss section. He stated that the split block is almost identical to the building next to it at Merchant's Square.

Mr. Costello asked if the architect was present. Mr. Tobler responded "no". Mr. Costello asked that the architect attend the Committee Meeting. He stated that the rendering is misleading. Staff can provide the Committee with the approved plans of the buildings that are out there and determine the percentage of brick and vinyl and can take pictures to show the Committee what is out there. He explained that there is another review process involved with the Technical Design Review Committee if the Planning Commission approves the use. He stated that having the architect at the Committee Meeting and having a better drawing is a better way to convey the information.

In response to a question from Mrs. Wilson regarding regionally oriented and locally oriented uses, Ms. Bachman stated that the car wash is a locally oriented use as people go to the closest car wash. She stated that this car wash would serve Greenview Subdivision. Mr. Costello stated that there was to be a retail center with a Winn Dixie grocery store and there was debate about whether it was a regional draw or a local draw. He stated that Mr. Butler talked about Corporex and building a local grocery store (Winn Dixie) and discounted the fact that it would be a regional retail center.

Mr. Barlow stated that the buildings on that end of Bankers Street have architectural features that are different from what is being proposed. If this development were proposed at the other end of Bankers Street, it would fit better because the fueling station and car repair station are there. This use is being placed in a developed office/commercial area that has a theme. The office condominiums across Houston Road have a Colonial look. The Trust Company has an architectural design to it. There is an established architectural theme on that end of Bankers Street and this design does not fit in.

Mr. Kormanis stated that they should have provided the color schemes, drawings, and materials. He stated that they tried to develop a car wash that did not look like a car wash and wanted it to fit in with the theme of the area. They tried to match the building materials (split block and brick) and to match the green trim roof of the office condominiums. He stated that he has photographs of an existing building that is northwest of Louisville that uses the same roof structure. He stated that the open air roof does not look like a car wash. He feels that the Commissioners need to see a picture of what they are saying. Mr. Tobler stated that there would be exposed metal trusses and a metal roof. Mr. Barlow stated that it is more of a canopy than a roof. He stated that the drawings do not show any office space in the equipment building. He asked if it is intended that there be someone there. Mr. Kormanis responded that there will be an operator there the majority of the day and part of the evening. The car wash will be open twenty-four hours a day and there will be an attendant there at the higher traffic times and seasons. Their intention is to have an office inside the equipment room. The attendant will be there from about 8 AM or 9 AM to about 8 PM or 9 PM. The attendant would interact with the public until the public becomes familiar with the procedures and systems.

In response to questions from Mr. Ries, Mr. Kormanis stated that there will be three self-service bays where people pull in and deposit their money. There is a high pressure washer and brush. For the automatic car wash, people will dial a code and pay. The conveyor will draw them through the car wash.

Mrs. Poston questioned where all of the water will go. Mr. Tobler responded that it goes through a separator and then into the sanitary sewer. It will be contained and go into the sanitary sewer. It will not go into the street.

Mrs. Wilson questioned the bike rack. Mr. Wall explained that there is a requirement in the Code and they need to provide one bike rack. It is typically oriented towards employees. He stated that at the car wash in Erlanger they hired high school students and there were bike racks there.

Mrs. Wilson questioned stacking distance. Mr. Kormanis responded that they want to avoid stacking onto Bankers Street and causing delays, which is one of the reasons for the orientation of the building. On the east side, they have provided stacking space for approximately eighteen vehicles prior to entering the car wash. They can stack eighteen vehicles before encroaching on the curb cut on Bankers Street.

Mr. Knock asked if Staff is satisfied that the physical construction blends with the other buildings. Ms. Bachman responded that she is concerned and would prefer to see colored renderings to better understand how the materials are used and the colors. She stated that the buildings next door are using metal for trim – which is an accent feature versus being the main component of the building. Mr. Knock asked if the renderings can be submitted at a later date. Counselor Wilson advised that they can as they were brought up at the Public Hearing.

Mrs. Wilson questioned signage. Mr. Kormanis responded that the name of the Business, *Executive Springs*, would be in script and under that in smaller script would be *Touchless Car Wash*. He stated that they have not come to a conclusion regarding a monument sign. If there is a monument sign, it will adhere to the stipulations of the Houston-Donaldson Study.

Mrs. Wilson questioned lighting. Mr. Kormanis responded that lighting is provided for the whole area.

Mr. Barlow asked if people could pull a backhoe or front end loader into the self-service bays. Mr. Kormanis responded that the limitation would be the size of the door. He believes a backhoe on a trailer would exceed the height of the building. There is a possibility that someone could drive in a backhoe that is not on a trailer. He stated that a lot of self-service bays have concerns with horse trailers and dual axle pick-up trucks covered in mud and straw – which is one of the

reasons for the attendant. The attendant would be there approximately twelve hours a day and would maintain the cleanliness of the area.

Mr. Knock asked if they intend to limit the car wash to the kinds of activities brought to the attention of the Planning Commission and if there will be signs saying that they do not want the other kind of business (backhoes and horse trailers). Mr. Kormanis responded that he does not know if there would be signs, but that is their intention.


Mr. Costello asked if they will model this facility after the Louisville facility. Mr. Kormanis responded "no" and explained that the only thing they modeled after it was the metal truss roof. Mr. Costello asked if they have any other facilities in the region. Mr. Kormanis responded "no".

Mrs. Wilson questioned outside storage and trash bins. Mr. Kormanis responded that there will be no outside storage whatsoever.

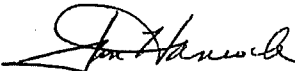
Mr. Ries asked if there are any safety features – such as if at night someone got hung up in the car wash or it shuts down. Mr. Kormanis explained that there is a monitoring system that will dial his e-mail, cell phone, and home telephone. They will install six cameras (one at each end of the tunnel) and there is a web link to the monitoring system. If they receive a page or telephone call, they will have six displays on a split screen to be able to see what is going on. Mr. Ries stated that car washes have a lot of theft and vandalism and he is concerned about security. Mr. Kormanis stated that there are floor safes and all of the coins drop down into a safe below ground. He stated that it is difficult to address major vandalism and theft, but the reason for the design and layout of the building is that they are trying to set a standard that says it is a safe place to come and wash a car at 8 AM or at 8 PM. They want to provide a service for the community where people feel safe. The facility is well lit, there is an attendant on duty during the day and into the evening, and there is a surveillance system.

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on July 3, 2002 at 4:00 PM in the Fiscal Courtroom on the second floor of this building. This item will be on the Agenda for the Business Meeting on July 17, 2002 at 7:30 PM. Mrs. Poston closed this Public Hearing at 8:02 PM.

APPROVED:

  
\_\_\_\_\_  
Susan Poston, Vice Chairperson

Attest:

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Bob Newman, Chairman

DATE: July 17, 2002

RE Request of **James W. Berling (applicant)** for **R.C. Durr and Richard Crist (owner)** for a Change in Concept Development Plan for an approximate one acre tract located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in 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.

July 17, 2002

Berling/Crist/Car Wash-Bankers Street

<hr/>			
<b>Bob Newman, Chairman</b>			
For	___	Against	___
Abstain	___	Absent	<input checked="" type="checkbox"/>
Deferred	___		

<hr/>			
<b>Susan Poston</b>			
For	___	Against	___
Abstain	___	Absent	<input checked="" type="checkbox"/>
Deferred	___		

<i>Earl White</i>			
<b>Earl White</b>			
For	<input checked="" type="checkbox"/>	Against	___
Abstain	___	Absent	___
Deferred	___		

<i>Lisa Wilson</i>			
<b>Lisa Wilson</b>			
For	<input checked="" type="checkbox"/>	Against	___
Abstain	___	Absent	___
Deferred	___		

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<b>David Zimmer</b>			
For	___	Against	___
Abstain	___	Absent	<input checked="" type="checkbox"/>
Deferred	___		

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<b>Randy Barlow (Alternate)*</b>			
For	___	Against	___
Abstain	___	Absent	___
Deferred	___		

<i>Janet Kegley</i>			
<b>Janet Kegley (Alternate)*</b>			
For	<input checked="" type="checkbox"/>	Against	___
Abstain	___	Absent	___
Deferred	___		

<b>TOTAL:</b>	___	<b>DEFERRED</b>	<u>3</u>	<b>FOR</b>	___	<b>AGAINST</b>	___	<b>ABSTAIN</b>
	<u>3</u>	<b>ABSENT</b>						

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Bob Newman, Chairman

DATE: July 3, 2002

RE Request of James W. Berling (applicant) for R.C. Durr and Richard Crist (owner) for a Change in Concept Development Plan for an approximate one acre tract located on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in 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.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

July 3, 2002

Berling/Crist/Car Wash-Bankers Street

*Bob Newman*

<hr/>			
<b>Bob Newman, Chairman</b>			
For	<input type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Deferred	<input checked="" type="checkbox"/>		

*Susan Poston*

<hr/>			
<b>Susan Poston</b>			
For	<input type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Deferred	<input checked="" type="checkbox"/>		

<hr/>			
<b>Earl White</b>			
For	<input type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Deferred	<input type="checkbox"/>		

<hr/>			
<b>Lisa Wilson</b>			
For	<input type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Deferred	<input type="checkbox"/>		

<hr/>			
<b>David Zimmer</b>			
For	<input type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Deferred	<input type="checkbox"/>		

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<b>Randy Barlow (Alternate)*</b>			
For	<input type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Deferred	<input type="checkbox"/>		

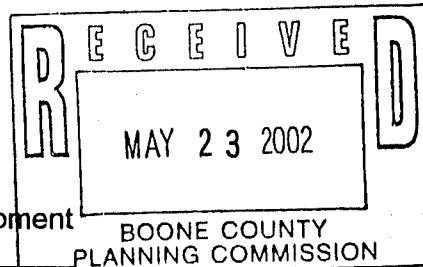
*Janet Kegley*

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<b>Janet Kegley (Alternate)*</b>			
For	<input type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input checked="" type="checkbox"/>	Absent	<input type="checkbox"/>
Deferred	<input checked="" type="checkbox"/>		

TOTAL:	<u>3</u> DEFERRED	<u>—</u> FOR	<u>—</u> AGAINST	<u>—</u> ABSTAIN
	<u>3</u> ABSENT			

**EXHIBIT**  
**“C”**

**CHANGE IN CONCEPT DEVELOPMENT PLAN  
OR  
UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT  
(CONCEPT DEVELOPMENT PLAN)  
BOONE COUNTY PLANNING COMMISSION**



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

1. Check One:

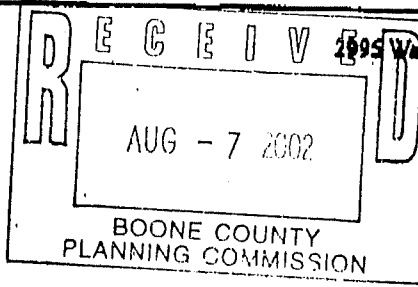
- XXX Change in Concept Development Plan
- Utilization of An Underlying Zone in Planned Development
  - a) Public Hearing Submittal (Concept Dev. Plan) \_\_\_\_\_
  - b) Long Range Planning Committee Review \_\_\_\_\_
 (As stated in the Houston-Donaldson Study)

- 2. Name of Project Executive Springs Car Wash
- 3. Location of Project Bankers Street
- 4. Total Acreage of Site 1.0137 Acres
- 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) Automatic Car Wash
- 9. Proposed Building Intensities (please specify) 4,100 sq. ft./acre
- 10. Have you submitted a Concept Development Plan? Yes
- 11. Are you also applying for:
  - No Conditional Use Permit
  - No Dimensional Variance
- 12. Name of Applicant(s) James W. Berling  
 Phone Number 331-9191 Fax No. 344-7422
- 13. Address of Applicant(s) 1671 Park Road, Suite One  
Ft. Wright, Kentucky 41011  
 City State Zip
- 14. Name of Property Owner(s) R. C. Durr & Richard Crist  
 Phone Number 371-0700 Fax No. 371-2099
- 15. Address of Property Owner(s) 8800 Bankers Street  
Florence, Kentucky 41042  
 City State Zip
- 16. Are there any existing buildings on the site? No  
 How many? \_\_\_\_\_
- 17. Deed Book 466 Page No. 298 Group No. 2033B
- 18. Have you had a pre-application meeting with BCPC Staff? Yes

(over)

# SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



1995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

July 19, 2002

Mr. James W. Berling  
1671 Park Road, Suite One  
Ft. Wright, KY 41011

RE: Change in Concept Development Plan for Lot 14 of Merchant's Square

Dear Mr. Berling:

The following condition in conjunction with the Concept Development Plan Application, as agreed to by the Boone County Planning Commission's Zone Change Committee, serves as the basis for the Committee's recommendation of approval. If you, as the applicant, agree to the following condition, please indicate so by signing at the space provided below, and return this letter to the Planning Commission Office by 5:00 P.M. Tuesday, July 30, 2002.

1. The building will be constructed as shown in the revised architectural renderings brought in the 7-17-02 Zone Change Committee meeting.

Sincerely,

Patty Bachman  
Planner

MPB/pr

Agreement

We, the property owners, agree to the above-listed condition of approval for the requested Change in Concept Development Plan for property located at Lot 14 of Merchant's Square, Florence, Kentucky.

R.C. Durr  
Property Owner

8/8/02  
(Date)

Richard Crist  
Property Owner

8-8-02  
(Date)



# JAMES W. BERLING ENGINEERING, PLLC

*Land Surveying • Site Development • Civil Engineering Services • Land Planning*

*KY Registration No. 5745*

1671 PARK ROAD, SUITE ONE • FT. WRIGHT, KENTUCKY 41011 • (859) 331-9191 • FAX (859) 344-7422

*Land Surveyor Registration KY 206*

August 13, 2002

LEGAL DESCRIPTION

EXECUTIVE SPRINGS CAR WASH

Being all of Lot No. 14, Section No. 3, Merchants Square, as recorded on Plat Slide No. 286B of the Boone County Clerk's records at Burlington, Kentucky.

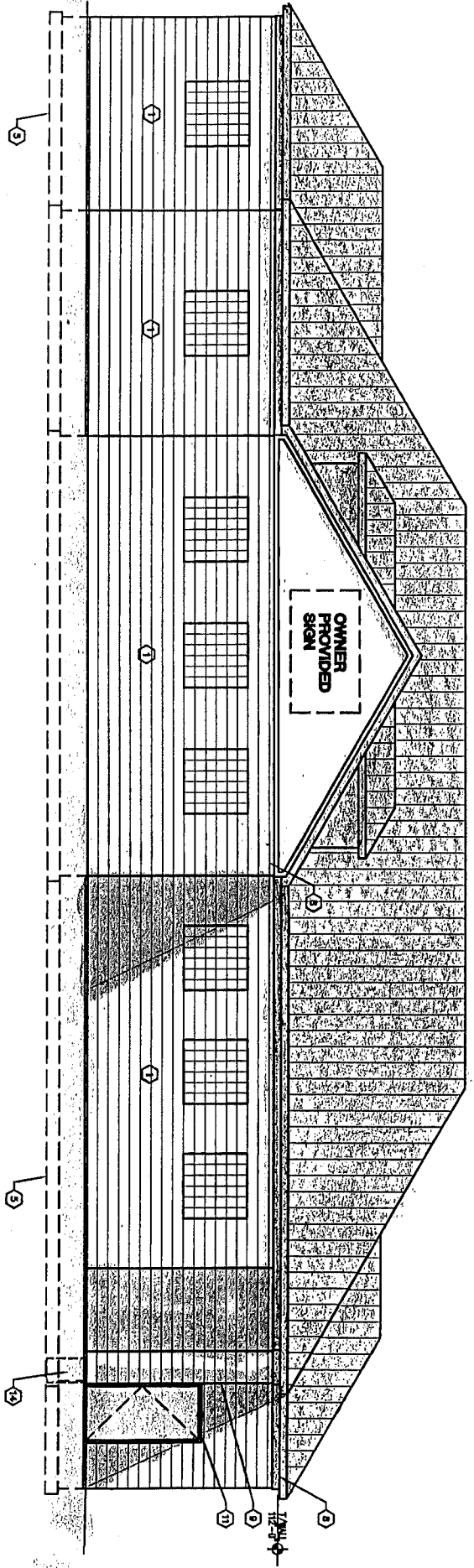
**APPROVED**

Staff *M. P. ...*

Date 8-07-02

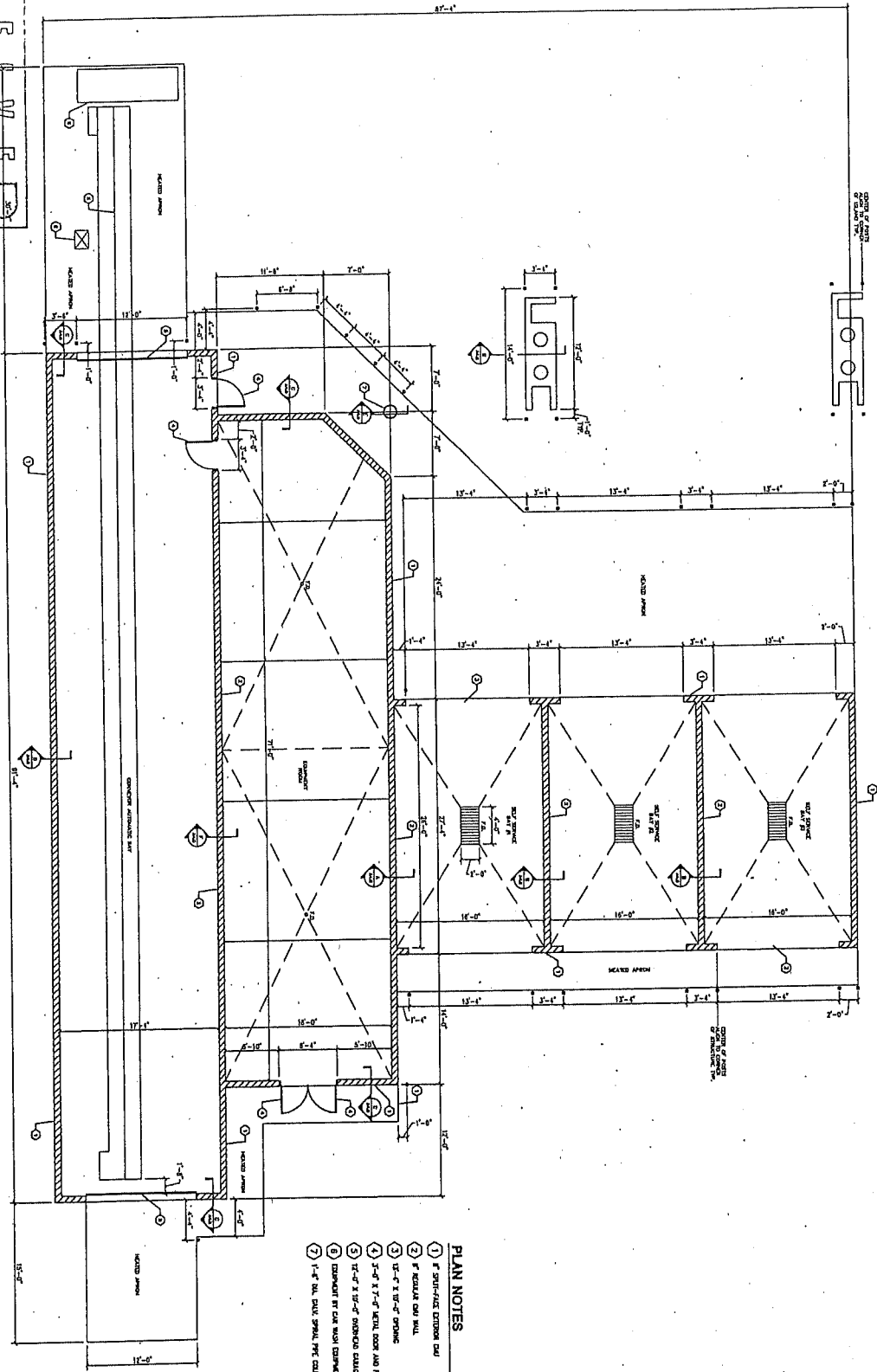
Boone County

Planning Commission



BOONE COUNTY  
PLANNING COMMISSION  
JUN 17 2002

FLOOR PLAN  
1/8" = 1'-0"



- PLAN NOTES**
- 1 8' SHUT-FACE EXTERIOR DOOR
  - 2 8' RECURVE DOOR WALL
  - 3 12'-0" X 12'-0" OPENING
  - 4 3'-0" X 7'-0" KITCHEN DOOR AND TRUCK
  - 5 12'-0" X 12'-0" SHIMCO SLATED DOOR
  - 6 COMPONENT OF CAR WASH EQUIPMENT WASH/SPRINKLER
  - 7 1'-0" DIA. STEEL SMALL PFC COLUMN

**KORHANS  
CARWASH**  
FLORENCE, KY

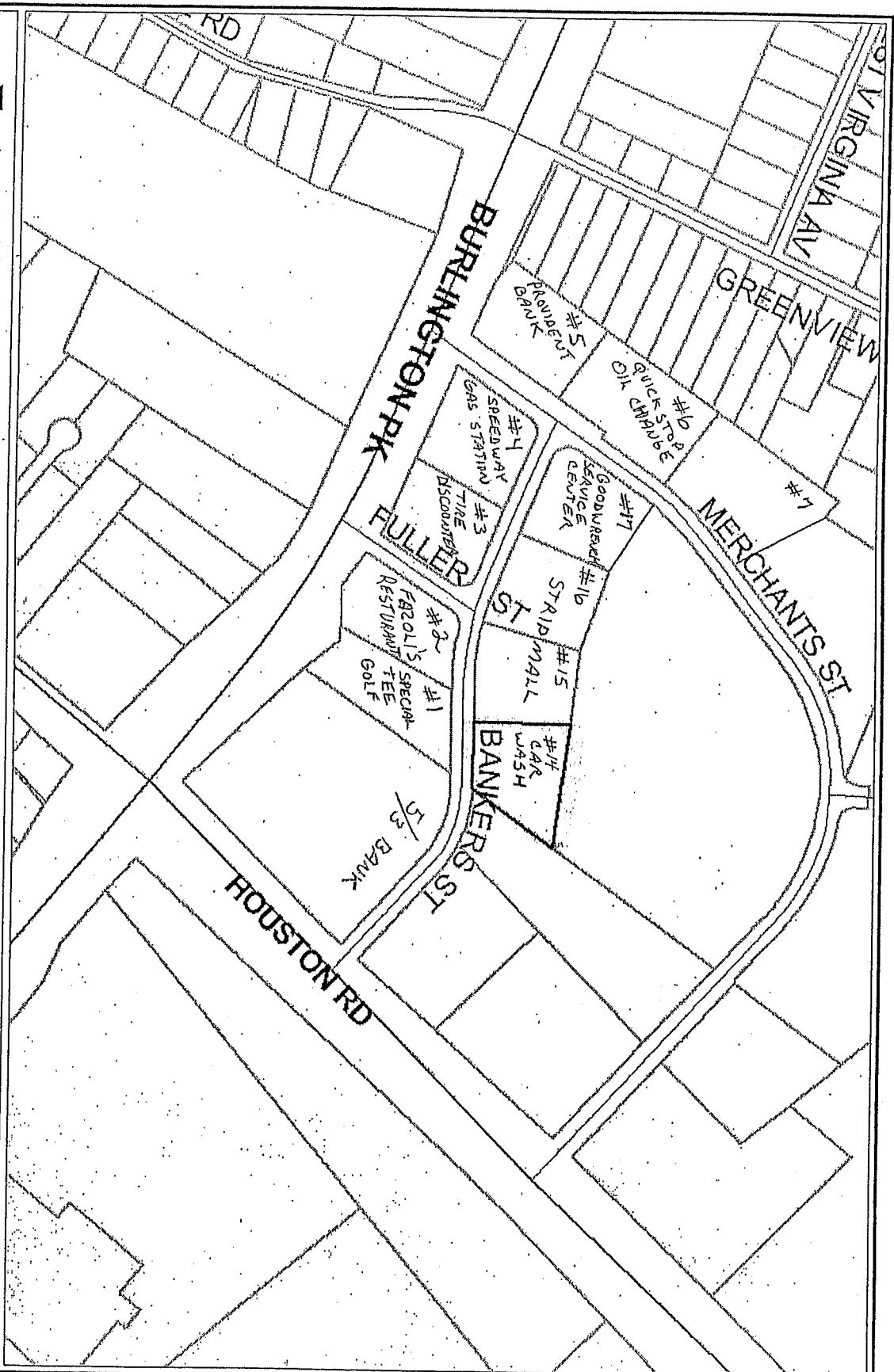
Project Name: \_\_\_\_\_  
Client: \_\_\_\_\_  
Date: \_\_\_\_\_  
Scale: \_\_\_\_\_  
Sheet No: **A20**

**EXECUTIVE SPRING  
CARWASH**

Symbol	Description
△	Foundation
□	Column
○	Door
○	Window
○	Other

**AGI**  
ARCHITECTURAL  
GROUP  
INTERNATIONAL

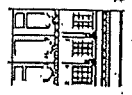
100 S. ANDERSON AVE., SUITE 200  
FLORENCE, KY 40302  
PHONE: 502-338-1234  
FAX: 502-338-1235



# Executive Springs Car Wash Vicinity Map



Produced by the  
Boone County Planning Commission  
GIS Services Division  
June 7, 2002





CITY CLERK/HUMAN RESOURCES DEPARTMENT

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October 18, 2002

**VIA FIRST CLASS MAIL:**

Judge/Executive Gary Moore  
County of Boone  
P.O. Box 900  
Burlington, KY 41005

Kevin Costello, Executive Director  
Boone County Planning Commission  
2995 Washington Street  
Burlington, KY 41005

Vicki Myers, Mgr. Of Adm. Services  
Boone County Planning Commission  
2995 Washington Street  
Burlington, KY 41005

Dan Richards, Director of GIS Services  
Boone County Planning Commission  
2995 Washington Street  
Burlington, KY 41005

Jim Key, Chief Building Official  
Boone County Building Inspection Office  
5958 Garrard Street  
Burlington, KY 41005

Bill Viox, City Engineer  
Viox & Viox Inc.  
466 Erlanger Road  
Erlanger, KY 41018

Bob Hall, Acting General Manager  
FLORENCE WATER & SEWER COMMISSION  
Florence Government Center  
8100 Ewing Blvd.  
Florence, KY 41042

Mr. James W. Berling  
1671 Park Road, Suite One  
Ft. Wright, KY 41011

Messrs. R.C. Durr & Richard Crist  
8800 Bankers Street  
Florence, KY 410142

Dear Sirs and/or Madams:

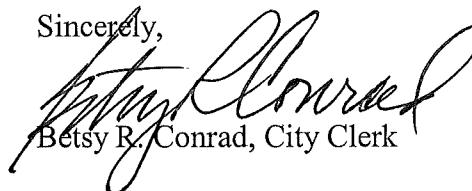
Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. O-26-02 adopting and approving a Concept Development Plan for an approximate 1 acre site generally located on the north side of Bankers Street, immediately east of 8810 Bankers Street, in the City of Florence, Kentucky, for use as a car wash (R.C. Durr & Richard Crist Property). **Additional conditions were agreed to by the applicants, and a copy of the signed agreement to those additional conditions is included herewith.**

First reading of Ordinance No. O-26-02 was held on October 8, 2002. Second reading was held on October 15, 2002, and the Ordinance summary will be published in the *Boone County Recorder* October 24, 2002, at which time the Ordinance will become statutorily official.

The Florence City Council meeting minutes are available at the Florence City Clerk's office, or online at [www.cityofflorenceky.com](http://www.cityofflorenceky.com), and hard copies of the minutes of October 8 and 15, 2002 are being forwarded herewith to Ms. Vicki Myers at the Boone County Planning Commission.

If you require additional information, please contact me.

Sincerely,

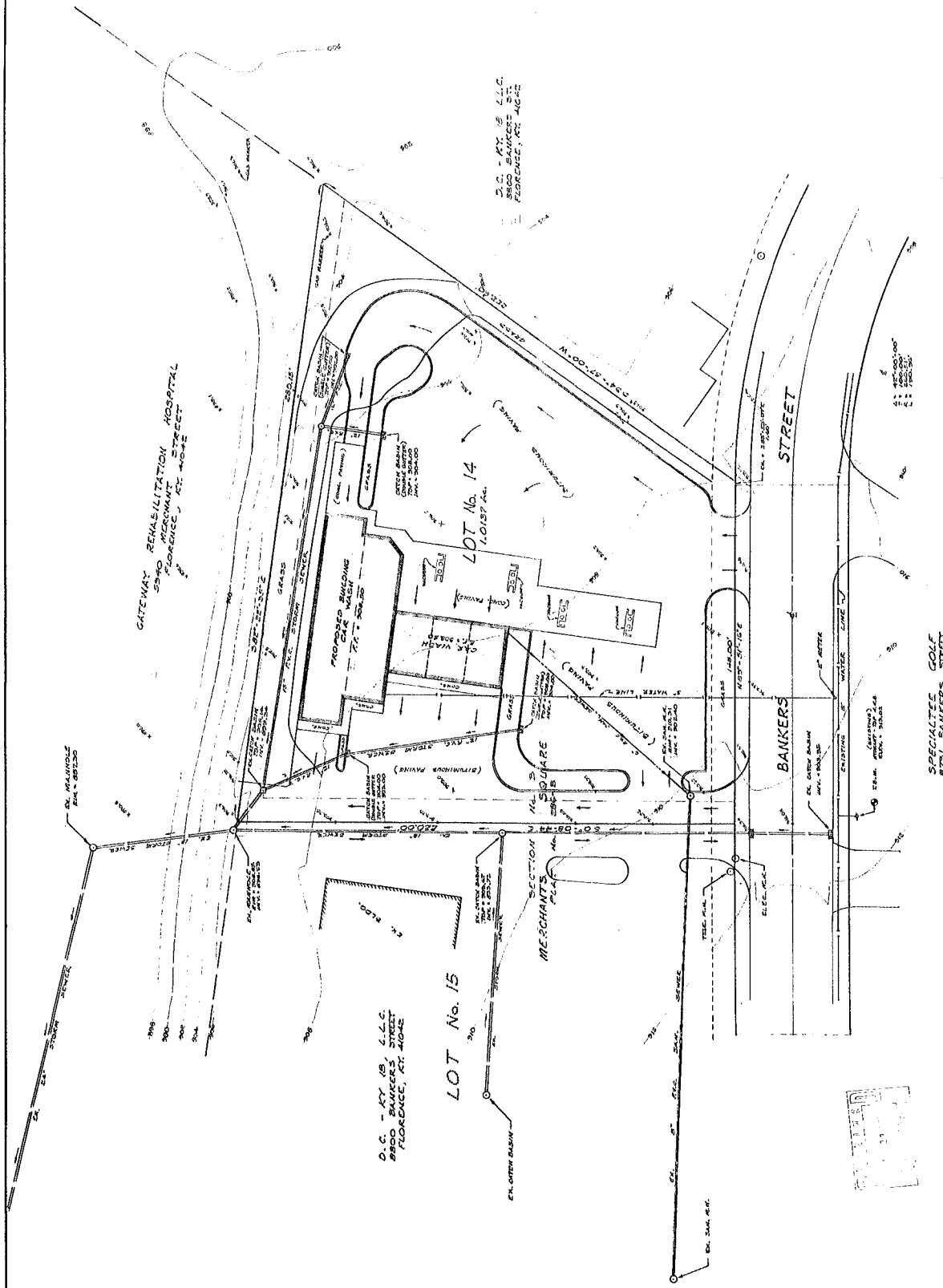


Betsy R. Conrad, City Clerk



**APPROVED**  
 Staff *[Signature]*  
 Date 8-10-02  
 Perry County  
 Planning Department

CONCEPT DEVELOPMENT PLAN #	
SITE PLAN	
EXECUTIVE SPRINGS CAR WASH	
DATE: 7-1-02	DESIGNED BY: J.L.A.K.
DATE: 5-9-02	REVISED: 5-23-02
BANKERS STREET FLORENCE, KENTUCKY	
APPROVED BY: [Signature]	



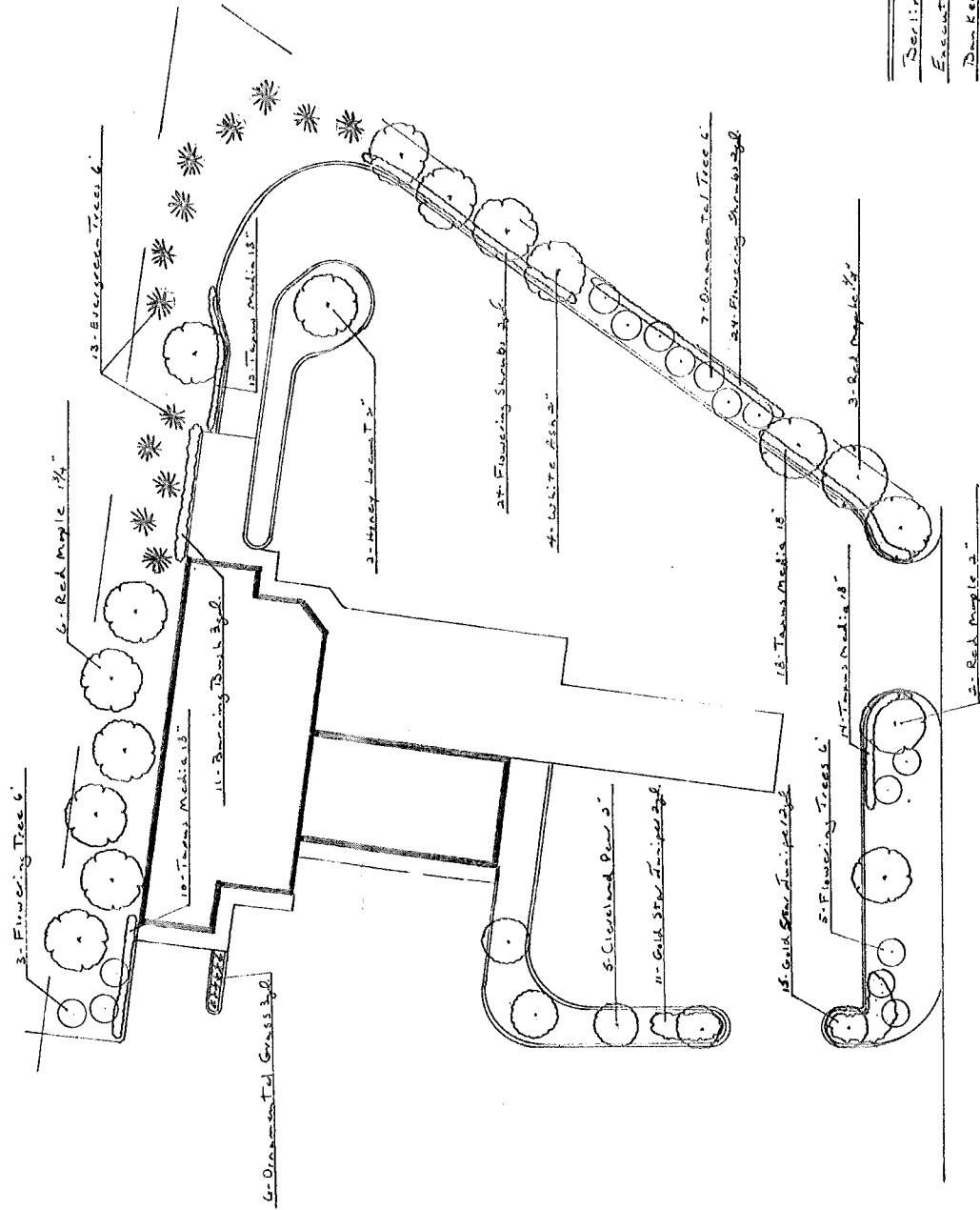
D.C. - KY 18, L.L.C.  
 8800 BANKERS STREET  
 FLORENCE, KY 41042

LOT No. 15

LOT No. 14

SPECIALTEE GOLF  
 8701 BANKERS STREET  
 FLORENCE, KY 41042





Serling Engineering  
 Executive Springs Cur Wash  
 Bankers Street  
 Florence, Ky. 40422