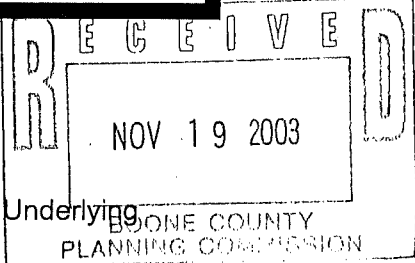


APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

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

- 2. Name of Project CROWN STORAGE
- 3. Location of Project 13286 WALTON VERONA RD.
- 4. Total Acreage of Site 4.8 ACRES 4.79 ACRES
- 5. Current Zoning C-3
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 1999
- 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) NO

8. Proposed Uses (please specify each use) SELF STORAGE

9. Proposed Building Intensities (please specify) 52,800 SF EXSTG WAREHOUSE / STORAGE BUILDINGS, 700 SF OFFICE (EXSTG) BUILDING, 33,600 SF PROPOSED STORAGE BLDGS

10. Have you submitted a Concept Development Plan? YES

11. Are you also applying for:

- Conditional Use Permit N/A
- Dimensional Variance N/A

12. Name of Applicant(s) WALTON INVESTMENT PARTNERS, LLC
Phone Number 859-781-7198 Fax No. (859) 992-1192 cell #

13. Address of Applicant(s) 1 MOOCK RD
WILDER KY 4071
City State Zip

14. Name of Property Owner(s) WALTON INVESTMENT
Phone Number 859-781-7198 Fax No.

15. Address of Property Owner(s) 106 CABIN CREEK
COLD SPRING KY 41076
City State Zip

16. Are there any existing buildings on the site? YES
How many? THREE

17. Deed Book 780 Page No. 123 Group No. 2086A

18. Have you had a pre-application meeting with BCPC Staff? YES

EXHIBIT

“A”

STAFF REPORT

The request of Erik Hermes (applicant) for Walton Investment (owner) for a Change in an Approved Concept Development Plan for a 4.79 acre lot at 13286 Walton Verona Road, Walton, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Services (C-3) zone to allow an additional 33,600 square feet of self storage building area on the site (Crown Storage).

December 17, 2003

Request

The applicant is requesting a Change in the Approved Concept Development Plan to allow for an additional 33,600 square feet from the original Concept Development Plan for a total of 86,200 square feet on the entire 4.79 acre tract. The maximum intensity permitted within the Commercial Services (C-3) zone is 18,000 square feet per acre. If approved, the overall intensity for this project will be 17,995 square feet per acre.

Site History

In 1999, this project came before the Boone County Planning Commission for a Zoning Map Amendment from Rural Suburban (RS) to Commercial Services (C-3) to allow a self storage facility with a maximum of 50,000 square feet for a maximum building intensity of approximately 10,500 square feet per acre. At that time, this parcel was in both Unincorporated Boone County and the City of Walton, therefore the recommendation for approval with conditions was forwarded to the Boone County Fiscal Court and Walton City Council. The request was approved and the remainder of the property was annexed into the City of Walton.

Surrounding Zoning

- North: Vandt property (0.41 acres) zoned Rural Suburban (RS) and the Hayes property (13.03 acres) zoned Commercial Two (C-2).
- East: Interstate 71/75.
- South: Cotton property (13.55 acres) Rural Suburban (RS).
- West: Botkin property (15.04 acres) zoned Rural Suburban (RS) and Suburban Residential One (SR-1).

Relationship to the Boone County Comprehensive Plan

The Future Land Use Map shows the subject property as Commercial (C) and Urban Density (UD) which are defined in the adopted Comprehensive Plan as:

Commercial: "Retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

Urban Density: "Attached housing, generally condominiums or apartments, of over 8 dwelling units per acre."

The Land Use Element within the 2000 Boone County Comprehensive Plan (page 168) refers to this area generally by stating:

"The Walton area should experience gradual commercial, residential, and industrial growth. This growth should result primarily from the Walton interchange, and its location near the intersection of I-71 and I-75. Walton lies along this regional interstate corridor, between Cincinnati to the north and Louisville, Lexington, and Frankfort to the south, that is generally experiencing demand for industrial development."

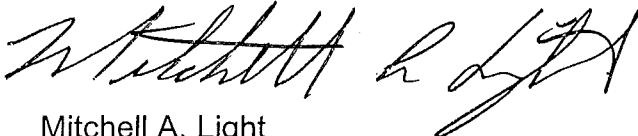
Staff Comment

1. The applicant is agreeable to the original conditions of approval as they still apply to this project. A copy of the original conditions is attached to this Staff Report for your reference.

Conclusion

This request needs to be evaluated by the Boone County Planning Commission and the City of Walton in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3, "Amendment" of the Boone County Zoning Regulations and the potential impacts on the existing and planned uses in the area.

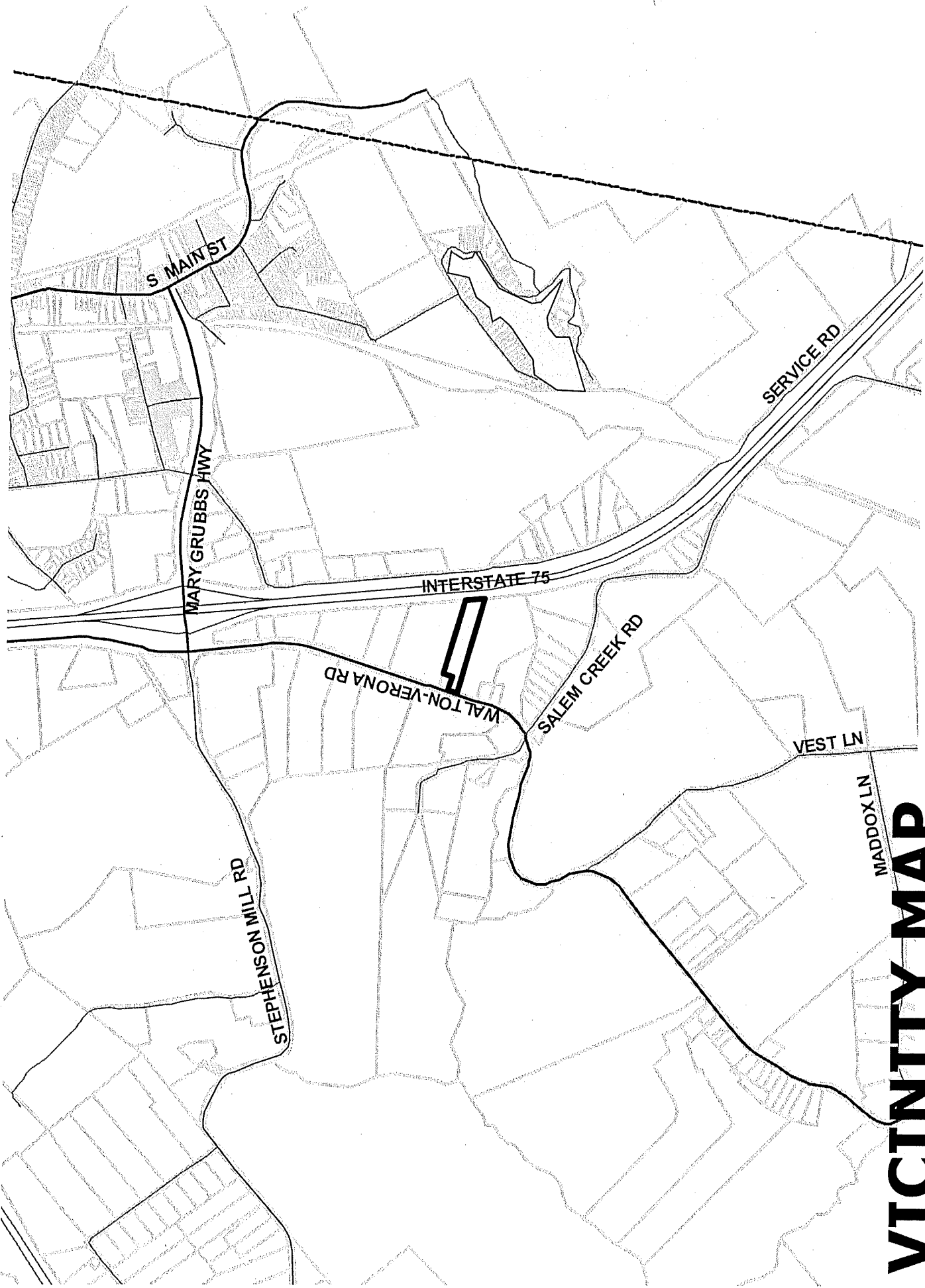
Respectfully Submitted,



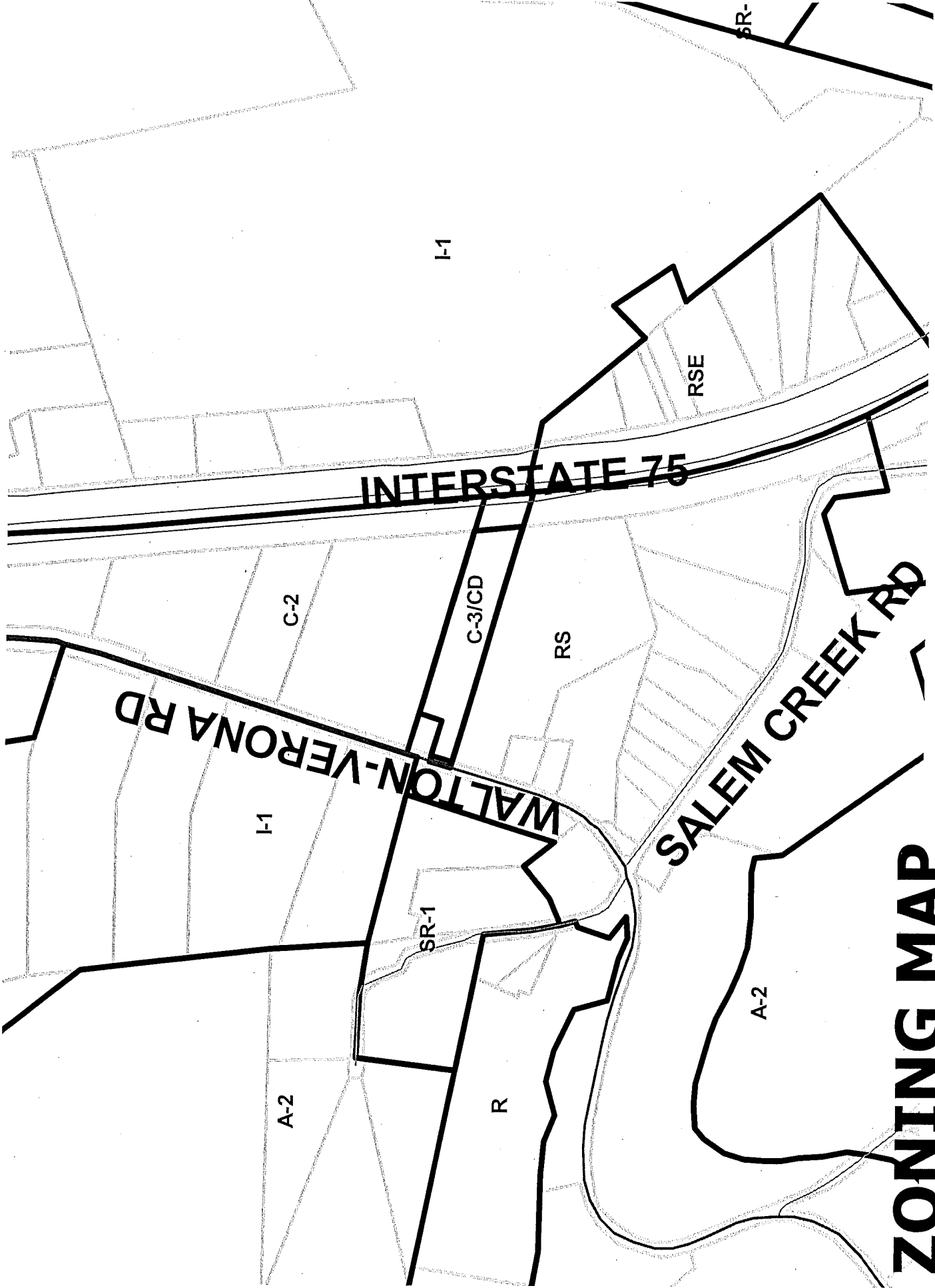
Mitchell A. Light
Asst. Zoning Administrator/Enforcement Officer

MAL/pr

- Vicinity Map
- Zoning Map
- Future Land Use Map
- Topography & Drainage
- 2002 Aerial Photography
- Existing Concept Development Plan
- Proposed Concept Development Plan
- 1999 Condition Letter
- Application



VICINITY MAP



ZONING MAP

INTERSTATE 75

C

C

UD

UD

WALTON-VERONA RD

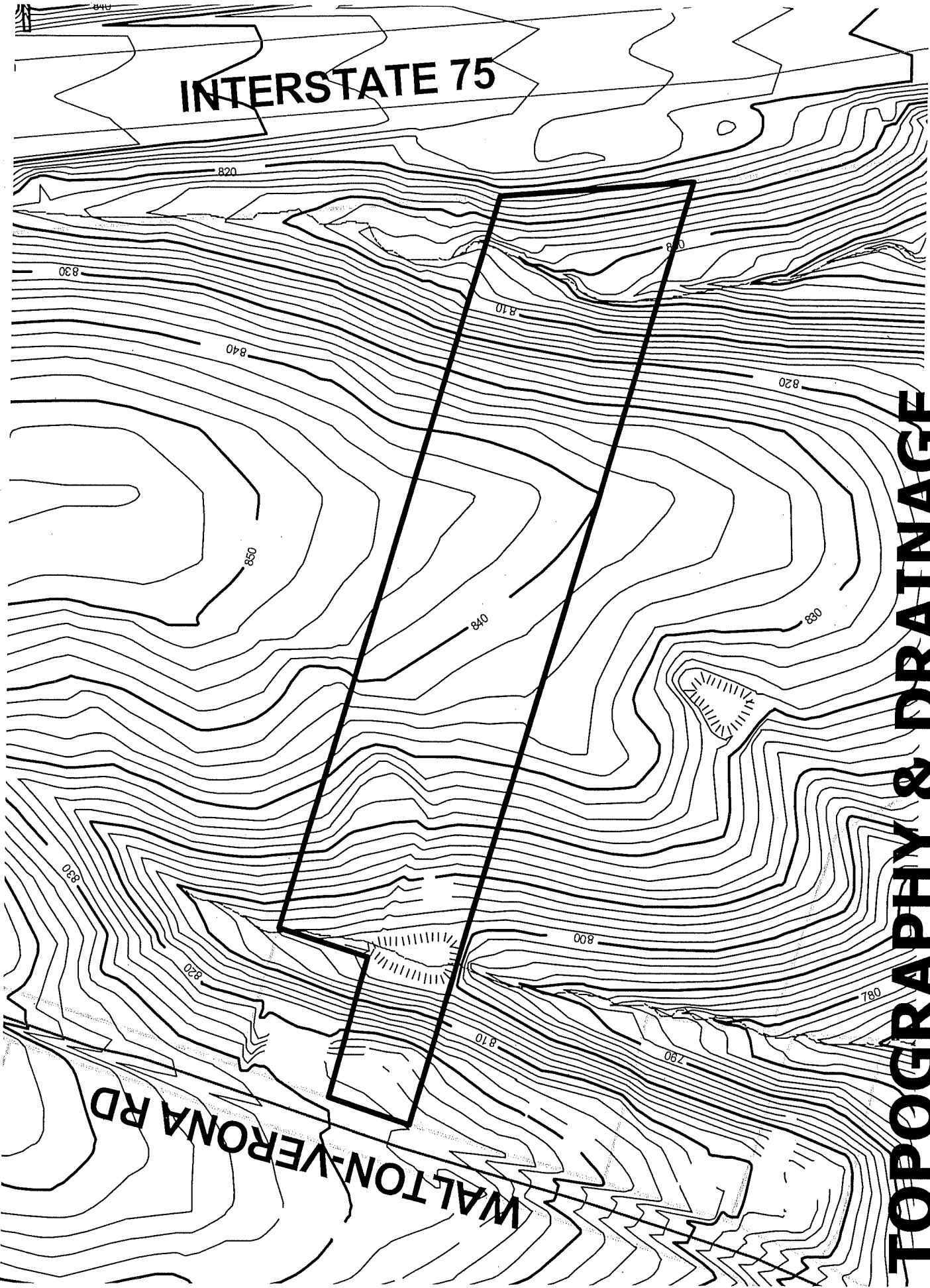
FUTURE LAND USE MAP

1

INTERSTATE 75

WALTON-VERONA RD

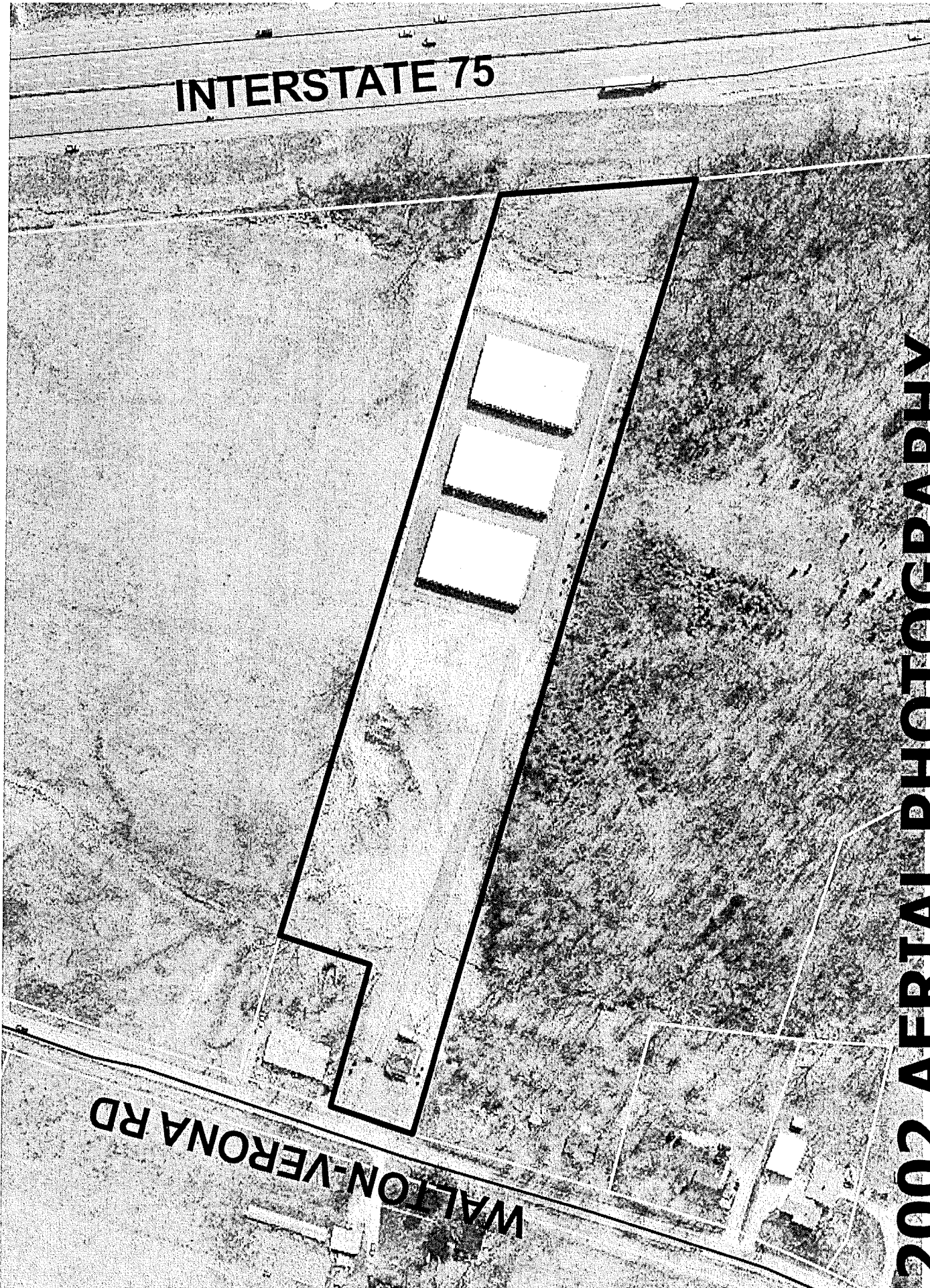
TOPOGRAPHY & DRAINAGE

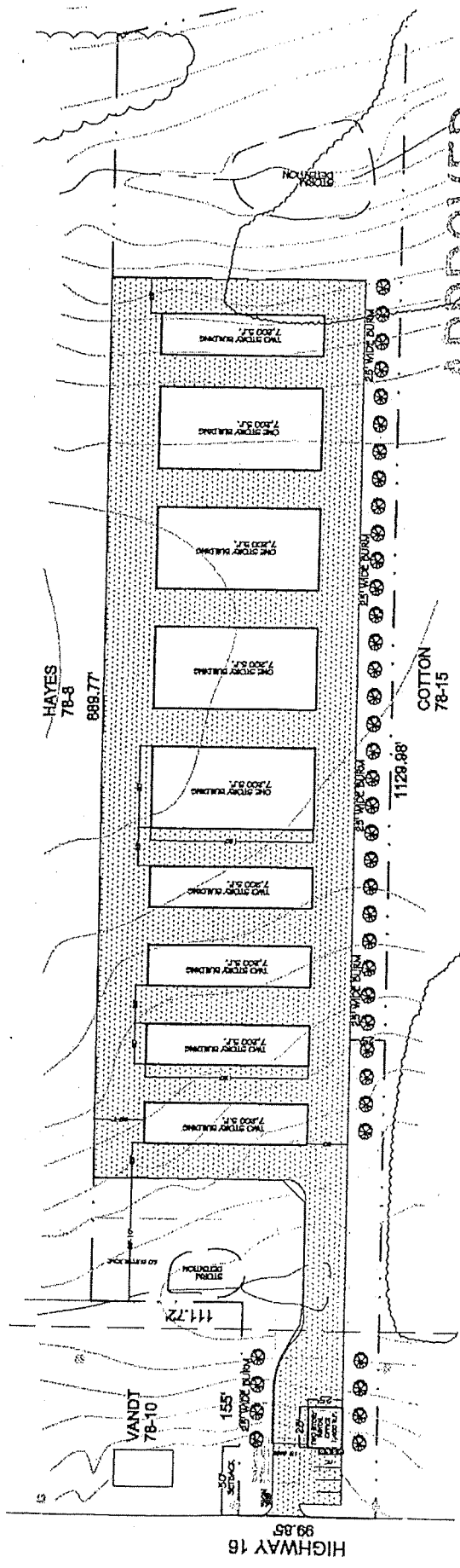


INTERSTATE 75

WALTON-VERONA RD

2002 AERIAL PHOTOGRAPHY





APPROVED

Staff *[Signature]*

Date 4/21/89

Boone County
Planning Commission

RECEIVED
MAR 12 1989
BOONE COUNTY
PLANNING COMMISSION

PROPOSED SITE PLAN

SCALE: NTS



LEGEND

- PROPERTY LINES
- PROPOSED BUILDINGS
- TOPOGRAPHY
- VEGETATION
- PROPOSED FENCE LINE
- ASPHALT PAVING
- FUTURE COUNTY SEWER
- EXISTING ELECTRIC POLE

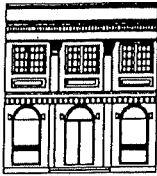
Soil Survey of Boone, Campbell, and Kenton Counties, Kentucky
Publication of the United States Department of Agriculture Soil Conservation Service

As it pertains to the Area of Project:
Faywood-Nicholson association; Dominantly gently sloping to moderately steep soils that have a loamy to clayey subsoil on ridgetops and side slopes of the limestone and shale uplands.

As it pertains to the Subject Property:
Frontage of 16 is moderately NIB, Nicholson silt loam.
Small strand of E&G running parallel to Hwy. 16 on flat area where wider buildings are planned, Faywood silty clay loam.
Land in close proximity along 1-75 is P&DS, Faywood silty clay.

EXISTING CONCEPT PLAN

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005

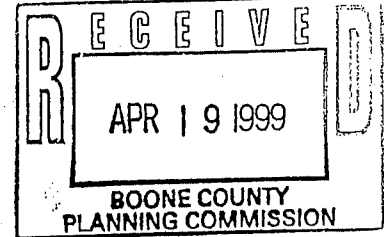
606-334-2196

FAX 606-334-2264

E-Mail plancom@one.net

April 13, 1999

Mr. Greg Roland & Ms. Barbara Martin
13286 Walton-Verona Road
Walton, KY 41094



RE: Conditions of Approval for a Zoning Map Amendment from Rural Suburban (RS) to Commercial Services (C-3) and a Variance from buffer yard requirements for a zone change and variance to allow a self storage facility on a 4.8 acre site located at 13286 Walton-Verona Road, Walton and unincorporated Boone County, Kentucky.

Dear Mr. Roland & Ms. Martin:

The following represents the conditions of approval for the above referenced application as agreed by the Boone County Planning Commission's Zone Change Committee. If you as the owners agree to these conditions please indicate so by providing your signature on the agreement stated at the end of this letter.

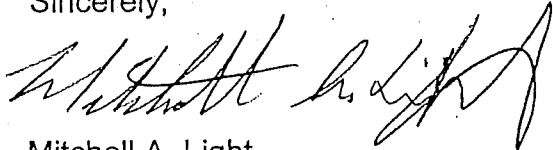
Conditions

1. There will be no storage outside of the proposed storage buildings.
2. All driving lanes, parking spaces, loading/unloading areas will be impervious (asphalt or concrete).
3. A continuous Buffer Yard "C" will be installed (as outlined in Article 37 of the *Boone County Zoning Regulations*) along the common property line with Cotton.
4. A continuous Buffer Yard "A" will be installed (as outlined in Article 37 of the *Boone County Zoning Regulations*) along the common property line with Hayes.
5. Landscaping will be provided along the eastern limits of the development in order to provide buffering along I-75.

Mr. Greg Roland
Ms. Barbara Martin
April 13, 1999
Page 2

6. A full Buffer Yard "C" will be installed (as outlined in Article 37 of the *Boone County Zoning Regulations*) along the common property line with Vandt.
7. The applicant will continue to work with the Vandts' in regard to a Zoning Map Amendment and/or helping find a buyer for their property currently zoned Rural Suburban (RS).

Sincerely,




Mitchell A. Light
Asst. Zoning Administrator/Enf. Officer

MAL\pr

Agreement

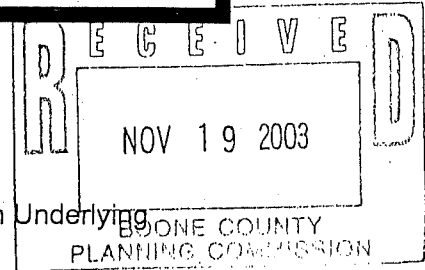
We, Greg Roland & Barbara Martin, do hereby agree to the conditions of approval stated above for the Zoning Map Amendment from Rural Suburban (RS) to Commercial Services (C-3) and a Variance from buffer yard requirements for a zone change and variance to allow a self storage facility on a 4.8 acre site located at 13286 Walton-Verona Road, Walton and unincorporated Boone County, Kentucky.

 4-15-99
Greg Roland (owner) (date)

 4/15/99
Barbara Martin (owner) (date)

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

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

- 2. Name of Project CROWN STORAGE
- 3. Location of Project 13286 WALTON VERONA RD.
- 4. Total Acreage of Site 4.8 ACRES 4.79 ACRES
- 5. Current Zoning C-3
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 1999
- 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) NO

8. Proposed Uses (please specify each use) SELF STORAGE

9. Proposed Building Intensities (please specify) 52,800 SF EXSTG WAREHOUSE / STORAGE BUILDINGS, 700 SF OFFICE (EXSTG) BUILDING, 33,600 SF PROPOSED STORAGE BLDGS

10. Have you submitted a Concept Development Plan? YES

11. Are you also applying for:

- Conditional Use Permit
- Dimensional Variance N/A ERIK HERMES (859) 992-1192 cell #

12. Name of Applicant(s) WALTON INVESTMENT PARTNERS, LLC

Phone Number 859-781-7198 Fax No. _____

13. Address of Applicant(s) 1 MOOCK RD

WILDER KY 4071
City State Zip

14. Name of Property Owner(s) WALTON INVESTMENT

Phone Number 859-781-7198 Fax No. _____

15. Address of Property Owner(s) 106 CABIN CREEK

COLD SPRING KY 41076
City State Zip

16. Are there any existing buildings on the site? YES

How many? THREE

17. Deed Book 780 Page No. 123 Group No. _____

18. Have you had a pre-application meeting with BCPC Staff? YES

(over)

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
December 17, 2003
7:30 P.M.**

PUBLIC HEARINGS

Commission Members Present: Mr. Barlow, Mr. Breetz, Mr. Bungler, Mr. Caddell - Chairman, Mrs. Kegley, Mr. Knock - Temporary Presiding Officer, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, Mr. White, and Mrs. Wilson – Secretary/Treasurer.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Patty Bachman, Planner; Ms. Jan Hancock, Secretary; and Mr. Mitch Light, Assistant Zoning Administrator/ZEO.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:33 PM and introduced the first item on the Agenda:

Applicant: Erik Hermes for
Walton Investment (owner)

Request: Change in Concept Development Plan

The request of Erik Hermes (applicant) for Walton Investment (owner) for a **Change in an Approved Concept Development Plan** for a 4.79 acre lot at 13286 Walton Verona Road, Walton, Kentucky. The request is for a **Change in an Approved Concept Development Plan in a Commercial Services (C-3) zone to allow an additional 33,700 square feet of self-storage building area on the site (Crown Storage).**

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

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

Mr. Erik Hermes, owner of Walton Investment, 106 Cabin Creek, Cold Spring, Kentucky, stated that their submitted booklet (see Exhibit 1) contains the approved plan and the proposed plan. He reviewed the booklet and explained that after the plan was approved in 1993, they determined that this was an ideal location for climate-controlled storage. Climate-controlled storage is used primarily by residential users who have belongings that they do not want exposed to heat, cold and humidity. He stated that the buildings are wider as the units are accessed from an internal hallway, and there are less driveways. The site is a mix of traditional self-storage and climate-controlled storage. Since they have not met the maximum density, they would like to develop the rest of the land with the same type of storage. He stated that the driveways and building area is less on this plan compared to the original plan. There are more two-story buildings on the property and they take advantage of the hillside – each level is accessible from grade level and there are no stairs or elevators. This concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak regarding this request. There being no response, he asked if there were any comments or questions from the Commissioners.

Mr. McMillian asked if there are four buildings on the site now. Mr. Light responded "yes". Mr. McMillian commented that the slide showed three buildings. Mr. Light responded that the last aerial photograph was done in March 2002 and they had a Site Plan approved in 2002 which used up the allowable square footage.

Mr. Newman and Mr. Reynolds arrived at this time.

Mr. Schwenke questioned how the runoff from the additional buildings would be handled. Mr. Light responded that there was more coverage in the previous plan and the detention was planned to handle all of the development at that time. Mr. Breetz questioned the location of the detention area. Mr. Light stated that there are detention areas at both ends of the development. He noted the natural drainage way which handles runoff from the interstate.

Mr. Hermes stated that the water retention is in the driveways between the buildings. Mr. Costello questioned how they are retaining the runoff. Mr. Hermes responded that the runoff is stored on the surface. It goes through the stormwater system and runs off at a slower rate. It is designed so that when and if it retains water, it will not fill up and back up into the buildings – it would overflow into the driveways before it would back up into the buildings. Chairman Caddell questioned if this was an acceptable system. Mr. Light responded that the Staff Engineer reviewed and approved it. He stated that water can be detained in a parking lot by raising the curb. Mr. Costello recommended that the Committee look at the Approved Site Plan and see what the system was. Chairman Caddell asked that the engineer who approved it attend the Committee Meeting or provide

a written report. Mr. Light stated that the County Engineer approved it. He asked if the applicant's engineer should also attend the Committee Meeting. Mr. Knock responded that the Planning Commission's concern is with our engineer approving it.

Chairman Caddell questioned how people get around between the buildings if there is an inch or two of rain and it freezes. Mr. Hermes responded that if it is warm enough to rain the water runoff is fast enough that it will not freeze in the driveway. Chairman Caddell responded that if the water runoff is that fast, he does not think it is being properly retained. Mr. Hermes stated that water retention is only for a matter of hours and it slows down the runoff -- it is not meant to hold water for a matter of days. He stated that water is retained in the driveways and in the pipes underground. The site is higher in the middle and lower at both ends and the water runs off into the creeks at the far ends. Chairman Caddell asked that all the engineers who were involved in this attend the Committee Meeting.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on January 7, 2004 at 4 PM in this room. This item will be on the Agenda for the Business Meeting on January 21, 2004 at 7:00 PM.

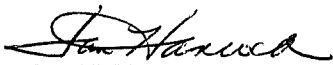
The Chairman closed this Public Hearing.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

Exhibit

1 Booklet submitted by Erik Hermes "Crown Storage"

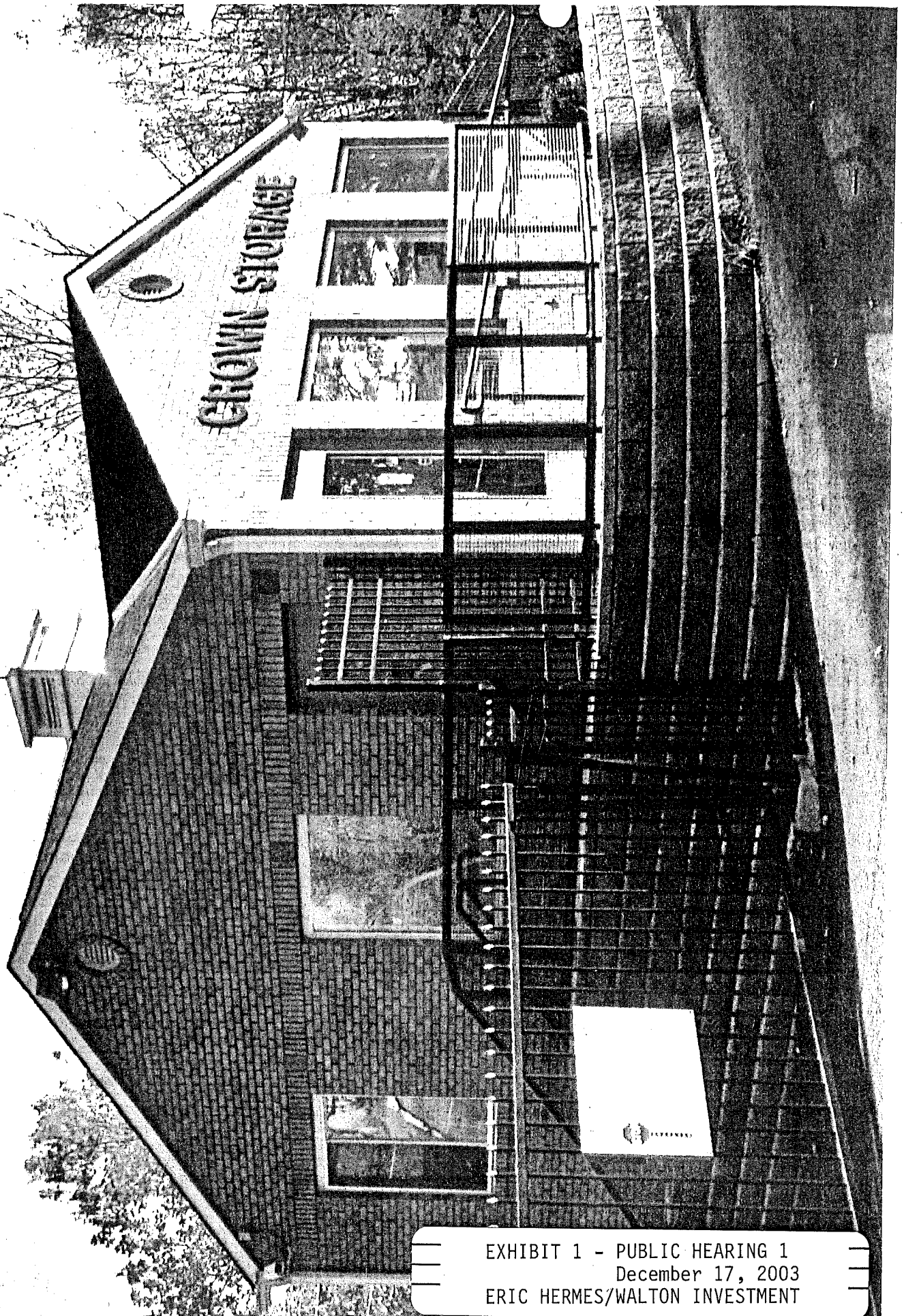


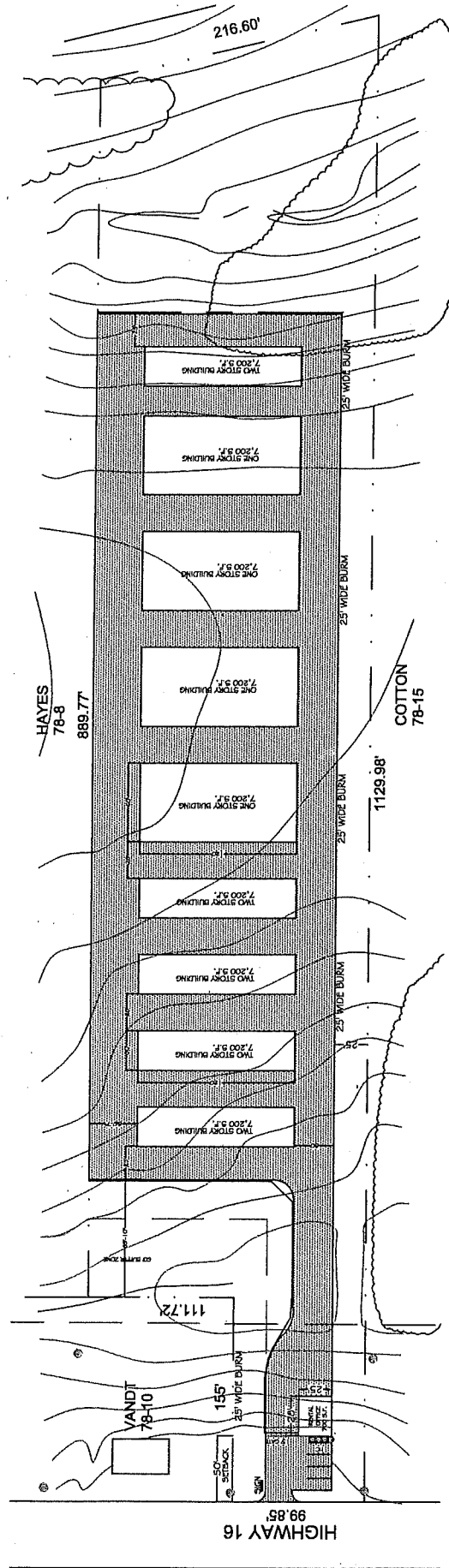
EXHIBIT 1 - PUBLIC HEARING 1
December 17, 2003
ERIC HERMES/WALTON INVESTMENT

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• Aerial Photo Phase I.....	6
• Aerial from Boone County Website...	7

APPROVED SITE PLAN - 1999

Developed Area: 132,726 s.f.



APPROVED SITE PLAN

SCALE: NTS



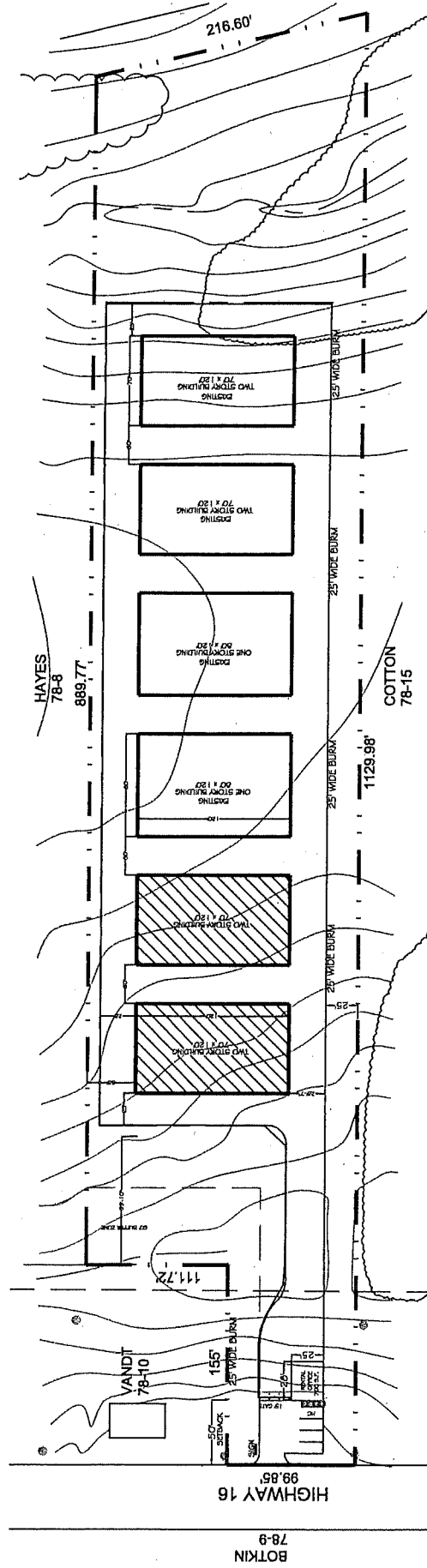
LEGEND

- PROPERTY LINES
- ▨ PROPOSED BUILDINGS
- ~ TOPOGRAPHY
- ☁ VEGETATION
- PROPOSED FENCE LINE
- ▨ ASPHALT PAVING
- EXISTING COUNTY SEWER
- ⊙ EXISTING ELECTRIC POLE

CROWN SELF STORAGE
13286 WALTON-VERONA RD.

PROPOSED SITE PLAN

Developed Area: 123,601 s.f.



PROPOSED SITE PLAN

SCALE: NTS

- LEGEND**
- — — — — PROPERTY LINES
 - ▭ PROPOSED BUILDINGS
 - ~ ~ ~ ~ ~ TOPOGRAPHY
 - ☁ VEGETATION
 - — — — — PROPOSED FENCE LINE
 - ▨ ASPHALT PAVING
 - ⊙ COUNTY SEWER
 - ⊙ EXISTING ELECTRIC POLE
 - ▭ EXISTING BUILDINGS

CROWN SELF STORAGE
13286 WALTON-VERONA RD.

Explanation of Concept Development Plan Alteration

1. After the Concept Development Plan approval in 1999, we had determined that the site was an ideal location for climate-controlled self-storage.
2. The typical climate controlled building is wider than the traditional self-storage building due to internal storage units accessed by hallways in lieu of driveways. Thus using the site more efficiently (see page 6).

Result:

The ability to develop more building area while decreasing the impermeable area (more green space).

Facts:

Building Area

Original Plan 65,500 sf

Proposed Plan 87,100 sf

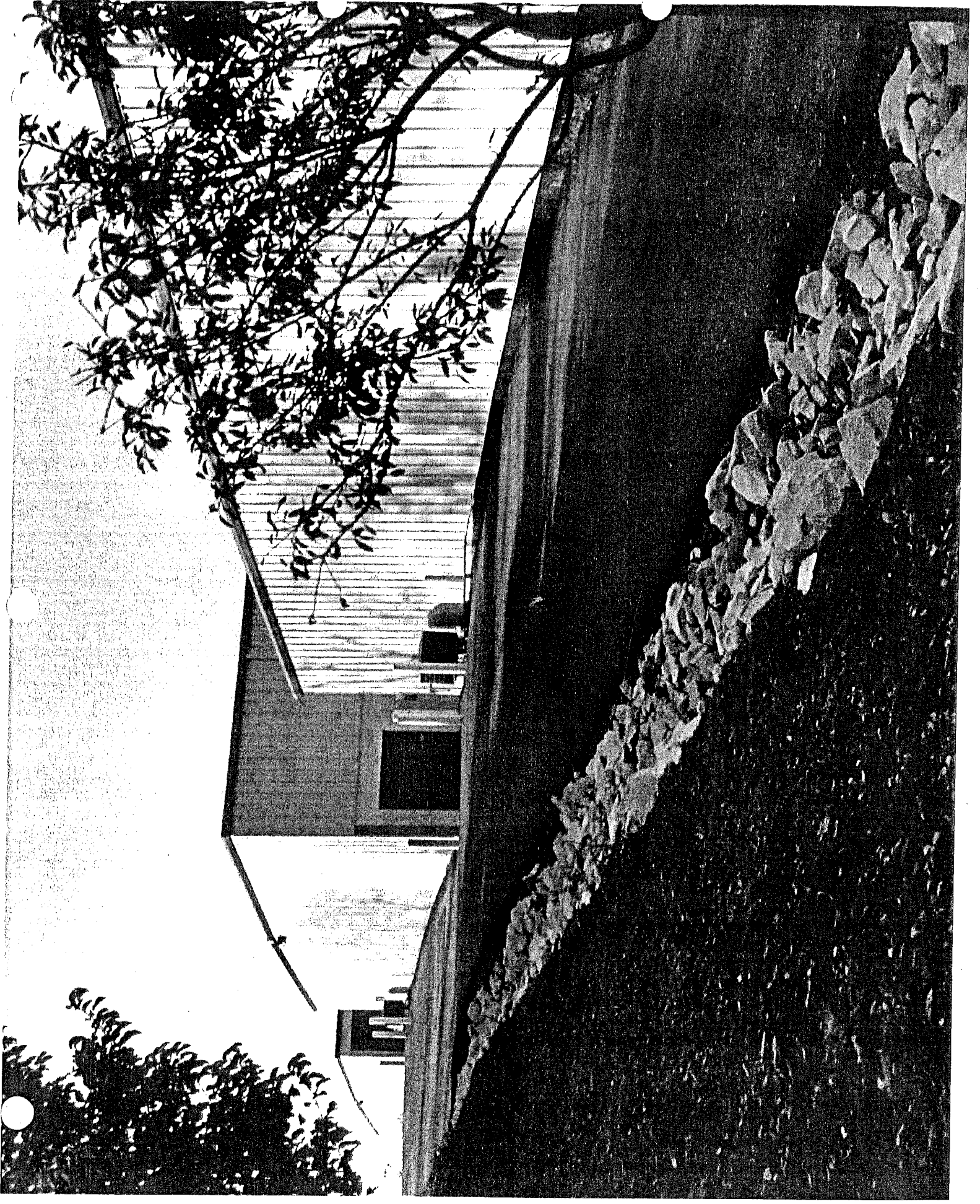
Impermeable Area (Building foot print & Driveways)

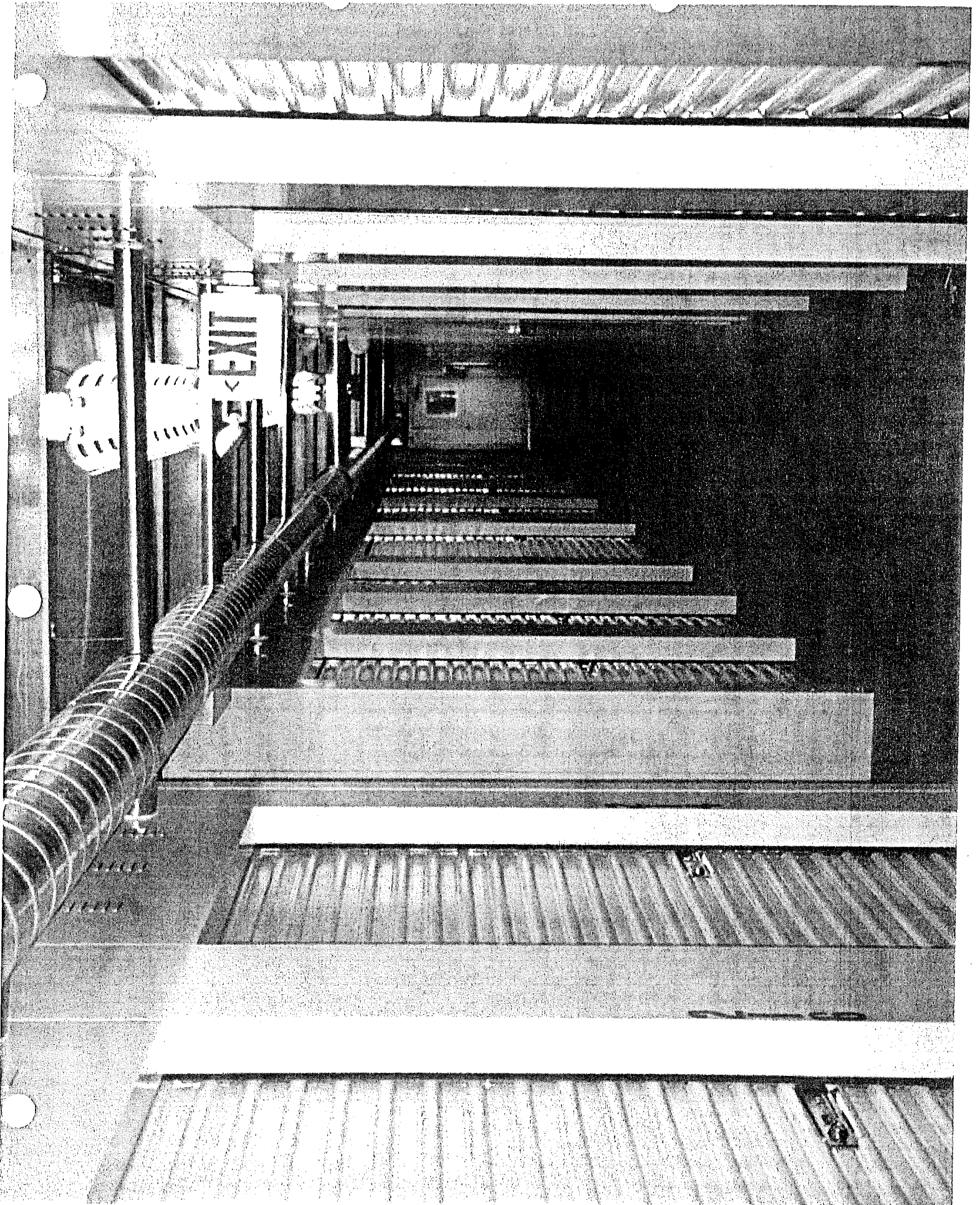
Original Plan 132,726 sf

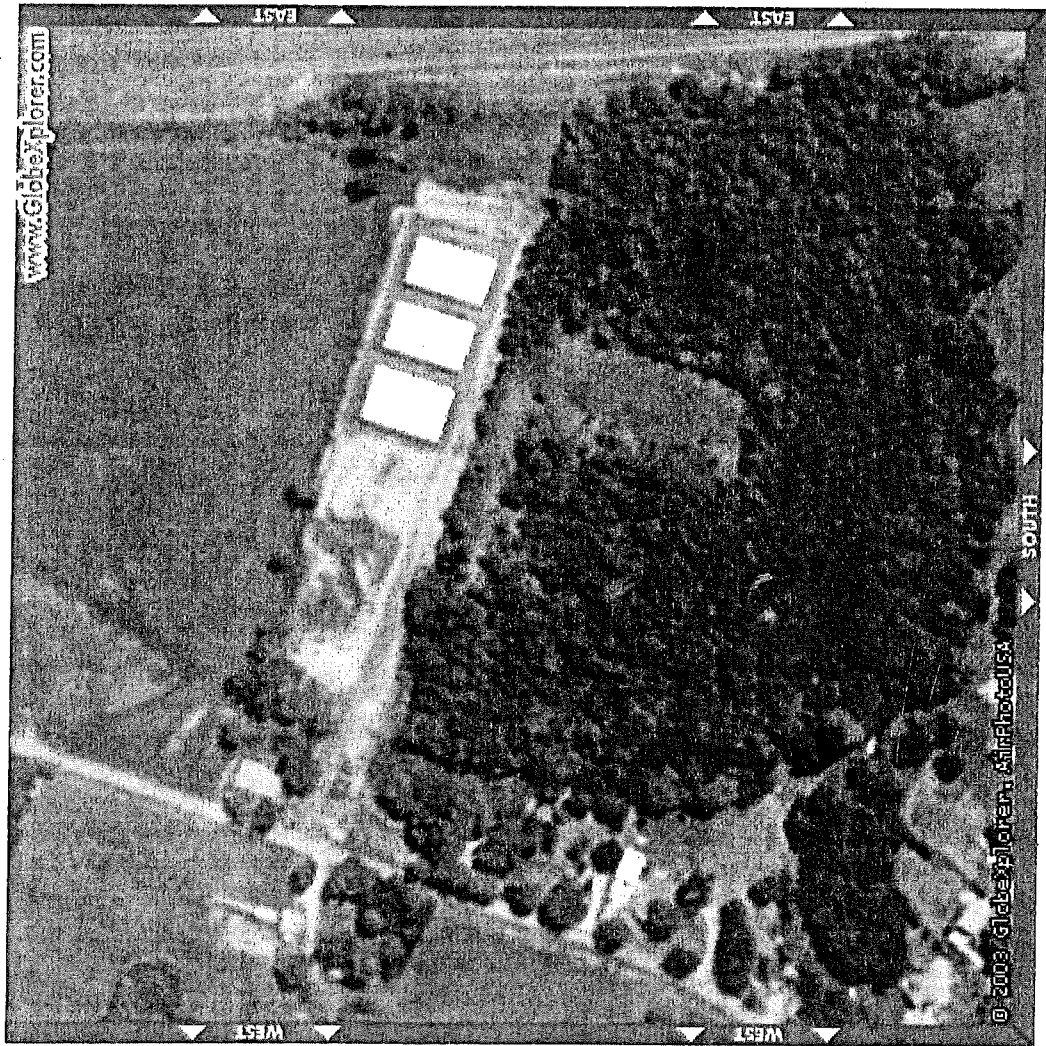
Proposed Plan 123,601 sf

Advantages:

1. Smaller developed area resulting in more green space.
2. The ability to satisfy more of the self-storage market and reducing the need of additional self-storage facilities.







Click on a map will: Zoom In Re-center

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**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
January 21, 2004
7:00 P.M.**

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:02 PM.

COMMISSION MEMBERS PRESENT:

Mr. Randy Barlow
Mr. Greg Breetz
Mr. Kim Bunger
Mr. Arnold Caddell, Chairman
Mr. Mark Hicks
Mr. Richard Knock, Temporary Presiding Officer
Mr. Don McMillian
Mr. Randy Poe
Mrs. Susan Poston, Vice Chairwoman
Mr. Charlie Reynolds
Mr. Bob Schwenke
Mr. Earl White
Mrs. Lisa Wilson, Secretary/Treasurer

COMMISSION MEMBERS NOT PRESENT:

Mrs. Janet Kegley
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. Mitch Light, Assistant Zoning Administrator/ZEO
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

Approval of the Minutes:

Chairman Caddell stated that the Commissioners received copies of the Minutes of the January 7, 2004 Business Meeting. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. White moved that they be approved as mailed. Mrs. Wilson seconded the motion and it carried unanimously.

Chairman Caddell stated that the Commissioners received copies of the Minutes of the January 7, 2004 Public Hearing. 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. Mr. Bunger seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

1. **Change in Concept Development Plan**

The request of Erik Hermes (applicant) for Walton Investment (owner) for a **Change in an Approved Concept Development Plan for a 4.79 acre lot at 13286 Walton Verona Road, Walton, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Services (C-3) zone to allow an additional 33,600 square feet of self-storage building area on the site (Crown Storage).**

Staff Member Mitch Light presented the Committee Report which recommended approval of the request based on the Findings of Fact (see Committee Report).

Mrs. Poston moved by resolution to the City of Walton that the request be approved based on the Committee Report. Mr. Bunger seconded the motion.

Mr. Barlow asked if the drainage issues raised at the Public Hearing were discussed by the engineer at the Committee Meeting. Mr. Light responded that the County Engineer, Greg Sketch attended at the Committee Meeting. Mr. Sketch reviewed the plans prior to the meeting and advised that instead of creating one large detention pond on the site, they are retaining water in the driveway area and it is then piped out to I-75. Mr. Breetz added that Mr. Sketch stated at the Committee Meeting that they are allowed up to two feet of storage in the ponded parking lots and what they are doing meets the requirements.

There being no further comments, the Chairman asked for a vote on the motion made by Mrs. Poston **and it carried unanimously.**

EXHIBIT
“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: January 21, 2004

RE: The request of **Erik Hermes (applicant)** for **Walton Investment (owner)** for a Change in an Approved Concept Development Plan for a 4.79 acre lot at 13286 Walton Verona Road, Walton, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Services (C-3) zone to allow an additional 33,600 square feet of self storage building area on the site (Crown Storage).

REMARKS:

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

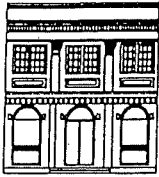
FINDINGS OF FACT

1. The Committee has concluded that the request is in agreement with the 2000 Boone County Comprehensive Plan for the following reasons:
 - A. The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Commercial" uses. This designation is described by the Comprehensive Plan as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
 - B. The text of the Land Use Element ("Walton Area," pg. 168) states that "the Walton area should experience gradual commercial, residential, and industrial growth. This growth should result primarily from the Walton interchange, and its location near the intersection of I-71 and I-75."
 - C. The Goals and Objectives state "Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas" ("Business Activity," Goal) and "commercial uses shall be limited to strategic locations serving trade areas and neighborhood needs" ("Business Activity," Commercial [Retail and Office] Objective 1). When considering these statements, the Committee has concluded that the proposed expansion of the established self storage facility (Crown Storage), and with the original conditions of approval from 1999, will be compatible with the surrounding area.

- D. The Committee has concluded that the proposal, with the original conditions of approval from 1999, demonstrate agreement with the Land Use Element's Future Land Use Development Guidelines.
2. The Committee has concluded that the original conditions of approval from 1999 are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan. The Committee has also concluded that the original conditions of approval from 1999 are necessary to mitigate any foreseeable community impacts that may be created by the development.

A copy of the original conditions of approval from 1999 and 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

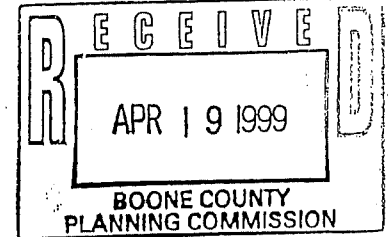


2995 Washington Street, Burlington, KY 41005

606-334-2196

FAX 606-334-2264

E-Mail plancom@one.net



April 13, 1999

Mr. Greg Roland & Ms. Barbara Martin
13286 Walton-Verona Road
Walton, KY 41094

RE: Conditions of Approval for a Zoning Map Amendment from Rural Suburban (RS) to Commercial Services (C-3) and a Variance from buffer yard requirements for a zone change and variance to allow a self storage facility on a 4.8 acre site located at 13286 Walton-Verona Road, Walton and unincorporated Boone County, Kentucky.

Dear Mr. Roland & Ms. Martin:

The following represents the conditions of approval for the above referenced application as agreed by the Boone County Planning Commission's Zone Change Committee. If you as the owners agree to these conditions please indicate so by providing your signature on the agreement stated at the end of this letter.

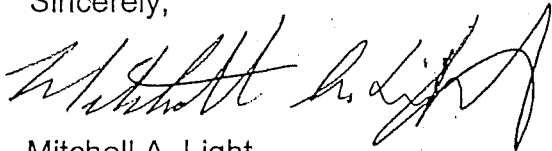
Conditions

1. There will be no storage outside of the proposed storage buildings.
2. All driving lanes, parking spaces, loading/unloading areas will be impervious (asphalt or concrete).
3. A continuous Buffer Yard "C" will be installed (as outlined in Article 37 of the *Boone County Zoning Regulations*) along the common property line with Cotton.
4. A continuous Buffer Yard "A" will be installed (as outlined in Article 37 of the *Boone County Zoning Regulations*) along the common property line with Hayes.
5. Landscaping will be provided along the eastern limits of the development in order to provide buffering along I-75.

Mr. Greg Roland
Ms. Barbara Martin
April 13, 1999
Page 2

6. A full Buffer Yard "C" will be installed (as outlined in Article 37 of the *Boone County Zoning Regulations*) along the common property line with Vandt.
7. The applicant will continue to work with the Vandts' in regard to a Zoning Map Amendment and/or helping find a buyer for their property currently zoned Rural Suburban (RS).

Sincerely,




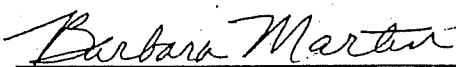
Mitchell A. Light
Asst. Zoning Administrator/Enf. Officer

MAL\pr

Agreement

We, Greg Roland & Barbara Martin, do hereby agree to the conditions of approval stated above for the Zoning Map Amendment from Rural Suburban (RS) to Commercial Services (C-3) and a Variance from buffer yard requirements for a zone change and variance to allow a self storage facility on a 4.8 acre site located at 13286 Walton-Verona Road, Walton and unincorporated Boone County, Kentucky.

 4-15-99
Greg Roland (owner) (date)

 4/15/99
Barbara Martin (owner) (date)

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
December 17, 2003
7:30 P.M.**

PUBLIC HEARINGS

Commission Members Present: Mr. Barlow, Mr. Breetz, Mr. Bunger, Mr. Caddell - Chairman, Mrs. Kegley, Mr. Knock - Temporary Presiding Officer, Mr. McMillian, Mr. Newman, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, Mr. White, and Mrs. Wilson – Secretary/Treasurer.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Patty Bachman, Planner; Ms. Jan Hancock, Secretary; and Mr. Mitch Light, Assistant Zoning Administrator/ZEO.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:33 PM and introduced the first item on the Agenda:

Applicant: Erik Hermes for
Walton Investment (owner)

Request: Change in Concept Development Plan

The request of Erik Hermes (applicant) for Walton Investment (owner) for a Change in an Approved Concept Development Plan for a 4.79 acre lot at 13286 Walton Verona Road, Walton, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Services (C-3) zone to allow an additional 33,700 square feet of self-storage building area on the site (Crown Storage).

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

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

Mr. Erik Hermes, owner of Walton Investment, 106 Cabin Creek, Cold Spring, Kentucky, stated that their submitted booklet (see Exhibit 1) contains the approved plan and the proposed plan. He reviewed the booklet and explained that after the plan was approved in 1993, they determined that this was an ideal location for climate-controlled storage. Climate-controlled storage is used primarily by residential users who have belongings that they do not want exposed to heat, cold and humidity. He stated that the buildings are wider as the units are accessed from an internal hallway, and there are less driveways. The site is a mix of traditional self-storage and climate-controlled storage. Since they have not met the maximum density, they would like to develop the rest of the land with the same type of storage. He stated that the driveways and building area is less on this plan compared to the original plan. There are more two-story buildings on the property and they take advantage of the hillside – each level is accessible from grade level and there are no stairs or elevators. This concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak regarding this request. There being no response, he asked if there were any comments or questions from the Commissioners.

Mr. McMillian asked if there are four buildings on the site now. Mr. Light responded "yes". Mr. McMillian commented that the slide showed three buildings. Mr. Light responded that the last aerial photograph was done in March 2002 and they had a Site Plan approved in 2002 which used up the allowable square footage.

Mr. Newman and Mr. Reynolds arrived at this time.

Mr. Schwenke questioned how the runoff from the additional buildings would be handled. Mr. Light responded that there was more coverage in the previous plan and the detention was planned to handle all of the development at that time. Mr. Breetz questioned the location of the detention area. Mr. Light stated that there are detention areas at both ends of the development. He noted the natural drainage way which handles runoff from the interstate.

Mr. Hermes stated that the water retention is in the driveways between the buildings. Mr. Costello questioned how they are retaining the runoff. Mr. Hermes responded that the runoff is stored on the surface. It goes through the stormwater system and runs off at a slower rate. It is designed so that when and if it retains water, it will not fill up and back up into the buildings – it would overflow into the driveways before it would back up into the buildings. Chairman Caddell questioned if this was an acceptable system. Mr. Light responded that the Staff Engineer reviewed and approved it. He stated that water can be detained in a parking lot by raising the curb. Mr. Costello recommended that the Committee look at the Approved Site Plan and see what the system was. Chairman Caddell asked that the engineer who approved it attend the Committee Meeting or provide

a written report. Mr. Light stated that the County Engineer approved it. He asked if the applicant's engineer should also attend the Committee Meeting. Mr. Knock responded that the Planning Commission's concern is with our engineer approving it.

Chairman Caddell questioned how people get around between the buildings if there is an inch or two of rain and it freezes. Mr. Hermes responded that if it is warm enough to rain the water runoff is fast enough that it will not freeze in the driveway. Chairman Caddell responded that if the water runoff is that fast, he does not think it is being properly retained. Mr. Hermes stated that water retention is only for a matter of hours and it slows down the runoff -- it is not meant to hold water for a matter of days. He stated that water is retained in the driveways and in the pipes underground. The site is higher in the middle and lower at both ends and the water runs off into the creeks at the far ends. Chairman Caddell asked that all the engineers who were involved in this attend the Committee Meeting.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on January 7, 2004 at 4 PM in this room. This item will be on the Agenda for the Business Meeting on January 21, 2004 at 7:00 PM.

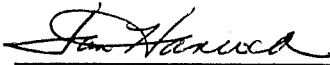
The Chairman closed this Public Hearing.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

Exhibit

- 1 Booklet submitted by Erik Hermes "Crown Storage"

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: January 7, 2004

RE: The request of **Erik Hermes (applicant)** for **Walton Investment (owner)** for a Change in an Approved Concept Development Plan for a 4.79 acre lot at 13286 Walton Verona Road, Walton, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Services (C-3) zone to allow an additional 33,600 square feet of self storage building area on the site (Crown Storage).

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.

January 7, 2004

Hermes/Walton Investment

Greg Breetz

Greg Breetz, Chairman
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Randy Barlow
 For Project _____ Absent
 Against Project _____
 Abstain _____ Deferred _____

Kim Bungler

Kim Bungler
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Janet R. Kegley

Janet Kegley
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Susan Poston

Susan Poston
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Charlie Reynolds(Alternate)*
 For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

TOTAL: _____ DEFERRED 4 FOR PROJECT 1 ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

SUPPORTING INFORMATION

BOOK 760 PAGE 251

PROPERTY TRANSFER TAX PAID \$225.00
MARILYN K. ROUSE, CLERK

File No.: 991093

DEED

BARBARA G. ROLAND, fka BARBARA G. MARTIN, and GREG ROLAND, wife and husband, Grantors whose mailing address is 11321 Tollhouse Drive, Union, Kentucky 41094, for and in consideration of Two Hundred Twenty Five Thousand dollars and Zero cents (\$225,000.00) to be paid by the Grantees herein, the receipt of which is acknowledged, does hereby bargain, sell, and convey to ERIK A. HERMES and MELISSA S. HERMES, husband and wife, Grantee(s), for and during their joint lives, with the remainder to the survivor of them, his or her heirs and assigns forever, whose tax mailing address is, "The following described Real Estate, in the City of Walton, County of Boone, and Commonwealth of Kentucky, to-wit:

*106 East Cabin Drive, Cold Springs, Kentucky 41076
Group No.: 2086A

Located generally in Walton #2 Precinct of Boone County, Kentucky, on the East side of Kentucky highway #16 about .5 mile South of The Walton Interchange on Highway #1-75 and described particularly thus:
Beginning at a point in the East line (30 feet from centerline) of Kentucky highway #16, 109.4 feet South as measured along said line from the North line of the 5.80 acre tract of Frank Butler's thence along said line of said highway's 16-15 W. 99.35 feet to a point therein; thence with the south line of 5.80 acre tract S. 75-21 E. 1130.9 feet to a point in the west line of interstate highway #75; thence with said line of said highway N. 6-9 W. 223 feet to the North line of said 5.80 acre tract; thence with said line of said tract N. 75-21 W. 890.8 feet to a corner with a lot conveyed out of said 5.80 acres to Franklin Butler; thence with line thereof S. 16-15 W. 109.4 feet, N. 75-21 W. 153.0 feet to the place of beginning, containing 4.80 acres. Subject to all easements, restrictions and conditions of record.

LEGAL DESCRIPTION

Property Street Address: 13286 Walton-Verona Road, Walton, KY 41094

Being all of the property described in:
Prior Instrument Reference: Deed Book 573, Page 142 and Deed Book 549, Page 204 of the Boone County, Kentucky Records.

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging.

TO HAVE AND TO HOLD the same to the said ERIK A. HERMES and MELISSA S. HERMES, husband and wife, for and during their joint lives with the remainder to the survivor of them, their heirs and assigns forever, the Grantors and his or her heirs, executors, and administrators HEREBY COVENANTING with the Grantees and his or her heirs and assigns, that the title so conveyed is CLEAR, FREE, AND UNENCUMBERED, and that they will WARRANT AND DEFEND the same against all legal claims whatsoever.

IN WITNESS WHEREOF, the said Grantors, BARBARA G. ROLAND, fka BARBARA G. MARTIN and GREG ROLAND, wife and husband, have hereunto set their hands this 13th day of August, 1999.

[Signature]
Witness JOAN T. SCHWIERLING
[Signature]
Witness DAVID O. TAYLOR

[Signature]
GREG ROLAND
[Signature]
BARBARA G. ROLAND, fka BARBARA G. MARTIN

STATE OF Ohio, COUNTY OF Hamilton) SS.

The foregoing instrument was acknowledged before me on this 13th day of August, 1999 by BARBARA G. ROLAND, fka BARBARA G. MARTIN, and GREG ROLAND, wife and husband.

[Signature]
Notary Public

My Commission Expires: JOHN T. SCHWIERLING, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My Commission Began and expiration
date: December 14, 2000 & C.

RECEIVED
9-17-99 9:35 A.M. 12.00
MARILYN K. ROUSE, CLERK 20

CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2004- 02

AN ORDINANCE APPROVING AND ADOPTING A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL FOR A REQUEST FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN TO ALLOW ADDITIONAL BUILDING AREA ON THE CROWN STORAGE SITE.

WHEREAS, the City Council of the City of Walton, Kentucky is a legislative body member of the Boone County Planning Commission, a joint county-wide planning unit or commission established under Chapter 100 of the Kentucky Revised Statutes; and,

WHEREAS, the Boone County Planning Commission received a request from Erik Hermes (applicant) for Walton Investment (owner) for a Change in Approved Concept Development Plan to allow an additional 33,600 square feet of self storage building area on the Crown Storage site located at 13286 Walton-Verona Road, Walton, KY; and,

WHEREAS, the Boone County Planning Commission, as the planning unit for the City of Walton, Kentucky, was requested and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval of the Change in an Approved Concept Development Plan; and,

WHEREAS, the City of Walton, Kentucky, has received Resolution R-04-002-A of the Boone County Planning Commission recommending approval of this request; and,

WHEREAS, the City of Walton, Kentucky deems it necessary to enact this Ordinance to preserve and protect the health, safety, and convenience of the inhabitants of the City of Walton, Kentucky, pursuant to the City's legal authority, including, but not limited to, KRS Chapter 100;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, as follows:

SECTION ONE

The request for a Change in an Approved Concept Development Plan is hereby approved and adopted to allow an additional 33,600 square feet of self-storage building area on the Crown Storage site located at 13286 Walton-Verona Road, Walton, KY.

SECTION TWO

Resolution R-04-002-A of the Boone County Planning Commission, recommending approval of the Change in an Approved Concept Development Plan, along with the findings of fact and conditions as set forth in the minutes and official records for this request, is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION THREE

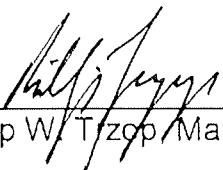
This Ordinance shall take effect and shall be in full force after its enactment and publication as required by law.

PASSED AND APPROVED on first reading by 5 Members of City Council on the 8th day of MARCH, 2004.

PASSED AND APPROVED on second reading by 5 Members of City Council on the 12th day of APRIL, 2004.

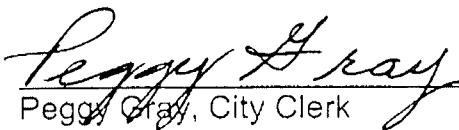
DATE OF PUBLICATION: April 22, 2004.

APPROVED:

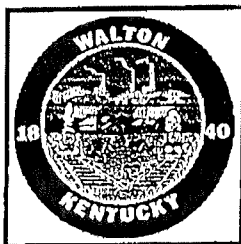


Phillip W. Trzop, Mayor

ATTEST:



Peggy Gray, City Clerk



City of Walton

40 North Main St
P O Box 95
Walton, KY 41094

Phone number: 859-485-4383
Fax number: 859-485-9710

Fax Transmittal Form

To Name: Kevin Costello

From Name: Peggy Gray

Phone number: 334-2196

Phone number: 859-485-4383

Fax number: 334-2264

Fax number: 859-485-9710

- Urgent
- For Your Approval
- As Requested
- For Review and Comment
- Please Reply
- Confidential

Date sent: 04-13-04

Time sent: 9:00 AM

Number of pages including cover page: 5

Message:

