

06-2MA-017-A

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project MAIL ROAD Shoppes of FLORENCE
2. Location of Project 7901 MAIL ROAD, FLORENCE, KENTUCKY, 41042
3. Total Acreage of Site 2.33
4. Current Zoning of Site C-2
5. Proposed Zoning (Classification being requested) C-2
6. Proposed Uses (please specify each use) NONE →
SPECIAL SIGN DISTRICT FOR MAIL ROAD Shoppes of Florence
7. Names of Applicant(s) GBBN ARCHITECTS INC. *Tom Meyers*
Phone Number 513.241.8700 Fax No. 513.241.8873
8. Address of Applicant(s) 332 EAST EIGHTH STREET
CINCINNATI OHIO 45202
City State Zip
9. Name of Property Owner(s) Mail Road Shoppes of Florence LLC
Phone Number 513-791-7973 Fax No. 513-791-2343
10. Address of Property Owner(s) 10979 Reed Hartman Highway, Suite 308
Cincinnati OHIO 45242
City State Zip
11. Proposed Building Intensities (please specify) SHOPPING CENTER - CONSISTING OF
2 BUILDINGS & MULTIPLE TENANTS
12. Are there any existing buildings on the site? REDEVELOPMENT
How many? _____
13. Deed Book 11 Page No. 201 Group No. 2040 A
14. Are you also applying for:
 Conditional Use Permit SPECIAL SIGN DISTRICT
 Dimensional Variance
15. Have you submitted a Concept Development Plan? N/A
16. Have you had a pre-application meeting with BCPC Staff? YES
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water District
- Florence Water and Sewer Dept.
- Cinergy/U.L.H.&P. Co.
- Sanitation District #1
- Cincinnati Bell
- Owen County Rural Electric
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- City of Florence Public Services Department
- Boone County Building Department

EXHIBIT

“A”

STAFF REPORT

Request of **GBBN Architects Inc. (applicant)** for **Mall Road Shoppes of Florence LLC (owner)** for a Zoning Map Amendment for a Special Sign District for a 2.33 acre site located at 7901 Mall Road, Florence, Kentucky. The request is for a Special Sign District in a Commercial Two (C-2) zone to allow alternative signage.

May 17, 2006

REQUEST AND BACKGROUND

The applicant is requesting a Zoning Map Amendment for a Special Sign District for the Mall Road Shoppes of Florence, located on the site of the former Chi-Chi's restaurant. The Concept Development Plan includes a narrative outlining the proposed signage for the subject property. The narrative, in essence, outlines the Mall Road Special Sign District as described in Section 3441 of the Boone County Zoning Regulations ("Mall Road Commercial Sign District"), except that a monument sign is requested for the development in addition to the free-standing sign that the development would be otherwise be permitted under Section 3441. The following provides a summary of what the applicant proposes:

Type of Sign	Number Permitted	Area of sign	Notes
building-mounted	one sign per elevation; permitted on up to four elevations, provided the elevations have street frontage on Mall road , frontage on a secondary road, or visibility from the street	Two square feet of sign area per one linear foot of building width	
architectural free-standing	one sign, up to 30 feet in height, to identify a shopping center	One square foot of sign area per one linear foot of road frontage, up to 200 square feet in area	May include electronic message center. If the sign has an electronic message center, it may not have any fixed panels advertising tenants in the shopping center.
monument sign	one sign with tenant panels, up to ten feet in overall height	No more than 100 square feet	Shall not be on Mall Road street frontage. Will not designate the addresses of the tenants nor the name of the overall development. Will match the architectural character of the center.

The following table provides detailed specifications for the three signs shown in the Concept Development Plan

Type of Sign	Materials	Location	Number of Panels Proposed	Area of Individual Panels	Overall Area of Sign	Overall Height of Sign	Notes
Architectural free-standing	masonry, concrete, and steel	Mall Road frontage	Six	Four rectangular tenant panels are 36 square feet in area One round tenant panel is 36 square feet in area "Mall Road Shoppes" panel is about 50 square feet in area	Approx. 230 square feet	31 feet, 8 inches	At this writing seven tenants are proposed for the building. Tenants may have a panel in only the architectural free-standing sign or in both the free-standing sign and the monument sign.
Monument	concrete	Connector Drive frontage	Eight	Each is 7.5 square feet	60 square feet	Approx. 9.25 feet	Applicant is proposing that Skyline Chili be allowed to advertise on the proposed monument sign. Skyline will retain its existing sign in front of its building.
Drive-through	not discussed	next to Retail Space "F" as shown on plan	one	Approx. 32 square feet	32 square feet	Approx. 8 feet	

SITE HISTORY

1986, 1991

The Florence City Council adopted the 1986 Boone County Zoning Regulations, which included Section 1951, the Mall Road Commercial Sign District. This Section was amended through the 1991 Zoning Update to include the language that is currently found in Section 3441.

- 2002 The Florence City Council commissioned Jordan, Jones, and Goulding to prepare the Mall Road Corridor Study, which provided a plan for the eventual redevelopment of Mall Road. The Study included conceptual design guidelines for signage in the Mall Road corridor.
- 2006 Boone County Planning Commission Staff approved the Site Plan for Mall Road Shoppes of Florence.

ADJACENT LAND USES AND ZONING

- North: Skyline Chili, 7899 Mall Road, zoned Commercial Two (C-2)
- South: Cingular Wireless, 7911 Mall Road, zoned Commercial Two (C-2)
- East: Florence Mall, 2028 Mall Road, zoned Commercial Two (C-2)
- Olive Garden restaurant, 7844 Mall Road, zoned Commercial Two (C-2)
- Smoky Bones restaurant, 7848 Mall Road, zoned Commercial Two (C-2)
- West: Toys R Us, 7960 Mall Road, zoned Commercial Two (C-2)

SITE CHARACTERISTICS

The site is currently under development. The former Chi-Chi's restaurant building as well as the site's parking lot have been removed. A new building, approved through the January 2006 Site Plan for the subject property, is currently under construction. The approved Site Plan depicts two multi-tenant retail buildings: a four-tenant building, 17,694 square feet in area, and a two-tenant building, 4237 square feet in area. The Plan shows 112 total parking spaces. Buffer Yard "A" is to be installed along the perimeter of the property. The enclosed building elevations indicate that the buildings will be constructed predominantly of brick, with stone and stucco trim. Canvas awnings will be installed above the storefronts.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2030 Future Land Use Map of the 2005 Boone County Comprehensive Plan designates the site as "Commercial," which allows the following:

"Retail, corporate, and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc (p. 140.)"

The Land Use Element text makes the following statements that relate to the overall area.

- A. "The Mall Road area has been recommended through the 2002 Mall Road Corridor Study to become a new urbanism corridor. The Study shows a dense, well-designed, urban style of development that should occur over time. Residential development may be a part of this urban area but should be located to minimize noise impacts from the interstate and airport. The entire area of Steinberg Drive, Rosetta Drive, and the I-75 Mall Road ramps should be planned in detail to provide mixed use development that includes a good road connection and traffic circulation between the Pleasant Valley Road corridor and I-75. Regionally-oriented growth should be confined to Mall Road and Houston Road and should not expand onto 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 outlots in conjunction with larger strip-style centers, multiple, scattered parking areas in lieu of large central parking areas and streets along Mall Road. This growth should also include multi-modal transportation amenities.

The Land Use Element provides the following general comments that relate to the proposal.

"Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention...

The proper application of these guidelines help, in part, to achieve an overall objective of this Comprehensive Plan. This goal states that proper future growth management for Boone County is implemented. As a minimum, proper design and development must include the consideration and application of the above guidelines ('Designs, Signs, and Historic Preservation,' pg. 160)."

The Business Activity Element provides the following statement that relates to the general area:

"The City of Florence was the main sponsor of the Mall Road Corridor Study in 2002 and 2003. This study examined the market conditions for Mall Road and developed a strategic plan based on demographic characteristics of the trade area, competition, and traffic patterns. During the process a week-long design charette was held to bring together citizens, public officials, planners, and designers to produce a master plan for the corridor. The Plan includes traffic improvements, bike and pedestrian improvements, parking lot design, street furniture, signage recommendations, design standards, remedies for unsightly features, and drafted model changes to the zoning ordinance for the corridor. The overall goal of the Study was to re-design Northern Kentucky's largest commercial area into a strong mixed-use, urban community with extensive new commercial, office, entertainment, and residential development. A major component of the plan is to develop new urban buildings within the existing large parking lots and implement a grid system to create a dense, active, successful, focal point for Northern Kentucky. Since the completion of the Study, the City of Florence has moved ahead with the hiring of an Economic Development Coordinator and has conducted meetings with area property owners and developers to begin implementation of the Master Plan. The City of Florence has become a catalyst in redeveloping this aging area. The major ramifications for land use planning are that increased commercial and office square footage should occur, and significant residential development may occur ('Areas of Future Commercial Activity,' pg. 70)."

The 2005 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements:

- A. "Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments ('Overall' Objective 2, p. 4)."
- B. "Proper design principles shall be applied in development ('Overall' Objective 3, p. 4).
- C. "The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ('Population' Goal, p.4)."
- D. "New development or redevelopment within Boone County is designed, constructed and operated in such a way that the quality of the existing physical environment and social environment are enhanced. Development within Boone County preserves and promotes a better quality of life ('Environment' Goal, p. 5)."

- E. "Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ('Business Activity' Goal, p. 6)."
- F. "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' Objective, p. 6)."
- G. "Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe and effective access and ample parking spaces ('Commercial [Retail and Office]' Objective 1, p. 6)."
- H. "The large scale mixing of commercial and non-commercial uses shall occur in planned developments or in areas where consideration has been given to assure compatibility with surrounding land uses. The location of large scale commercial uses shall take into consideration existing or planned infrastructure conditions so as to protect the existing and future population and businesses. Small scale mixing of commercial uses within residential areas shall be carefully assessed and properly placed so as to enhance the neighborhood. Architectural Design Review and consistent sign standards shall be implemented on a corridor by corridor basis, when justified by legitimate land use planning principles ('Commercial [Retail and Office]' Objective 1, p. 6)."

STAFF COMMENTS/CONCERNS

1. The Boone County 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 designates the site as "Commercial," allowing multi-tenant retail developments. The Land Use Element discusses the eventual redevelopment Mall Road on a pedestrian, neo-traditionalist scale, with a grid street pattern, as proposed in the Mall Road Corridor Study. The Element calls for minimizing the automobile-oriented scale of the current land uses on Mall Road through the development of smaller out lots on the existing parking lots in the corridor; several scattered parking spaces in lieu of the "sea of parking" that surrounds retail development in the corridor; and the provision of sidewalks. The retail center under development on this site is not, strictly speaking, pedestrian in scale, nor is it a neo-traditional development. The free-standing sign as proposed, at over 30 feet in height, is not at a pedestrian scale. The "Design, Signs,

and Historic Preservation" Future Land Use Development Guideline states that signage should be considered in the early stages of a development and that signage should be kept at a minimum.

- B. The Business Activity Element also discusses the Mall Road Corridor Study, indicating that the Study provides design standards, signage recommendations, potential traffic improvements, parking lot design, and possible changes to the zoning regulations for the corridor, with the goal of establishing a mixed-use, urban community.

2. As noted above, the Mall Road Corridor Study provides recommendations for signage, which include the following:
- Signs made of brick are encouraged.
 - Signs should be in scale with their surroundings.
 - The area of individual signs shall not exceed 60 square feet, and the area of grouped signs shall not exceed 60 square feet.
 - Monument signs shall be no taller than 7 feet.

Both the proposed monument sign and the architectural free-standing sign exceed the recommended height and area as suggested in the Study. The proposed free-standing sign is taller than both the free-standing sign for the adjacent Skyline Chili, which is 16 feet in overall height, and the Cingular sign to the south, which is 22 feet in overall height. However, the free-standing sign that advertizes the adjoining Florence Plaza is 65 feet tall and 960 square feet in area.

3. The Concept Development Plan indicates that the proposed monument sign may include a panel advertising the Skyline Chili adjoining to the north. This sign would be considered an off-premises sign, under the definition listed in Article 40 of the Zoning Regulations. Generally speaking, these signs are permitted in the Industrial One (I-1) zoning district as a Conditional Use (See Section 3425 of the Boone County Zoning Regulations, attached). However, the proposed off-premises sign panel may be considered within this request for a Special Sign District. Staff is concerned about the fact that no provision has been made either to remove the existing free-standing sign on Skyline's property or to replace the free-standing sign with a sign that is comparable in character or design with those proposed through the Special Sign District.
4. Staff questions the need for the additional monument sign proposed on the Connector Drive street frontage, especially given the fact that some tenants could have a sign panel on both the free-standing sign and the monument sign.

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 the three criteria necessary for a Zoning Map Amendment. The Future Land Use Map will not need to be changed if the request is approved.

Respectfully Submitted,

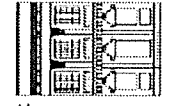


Patty Bachman
Planner

PB/pr

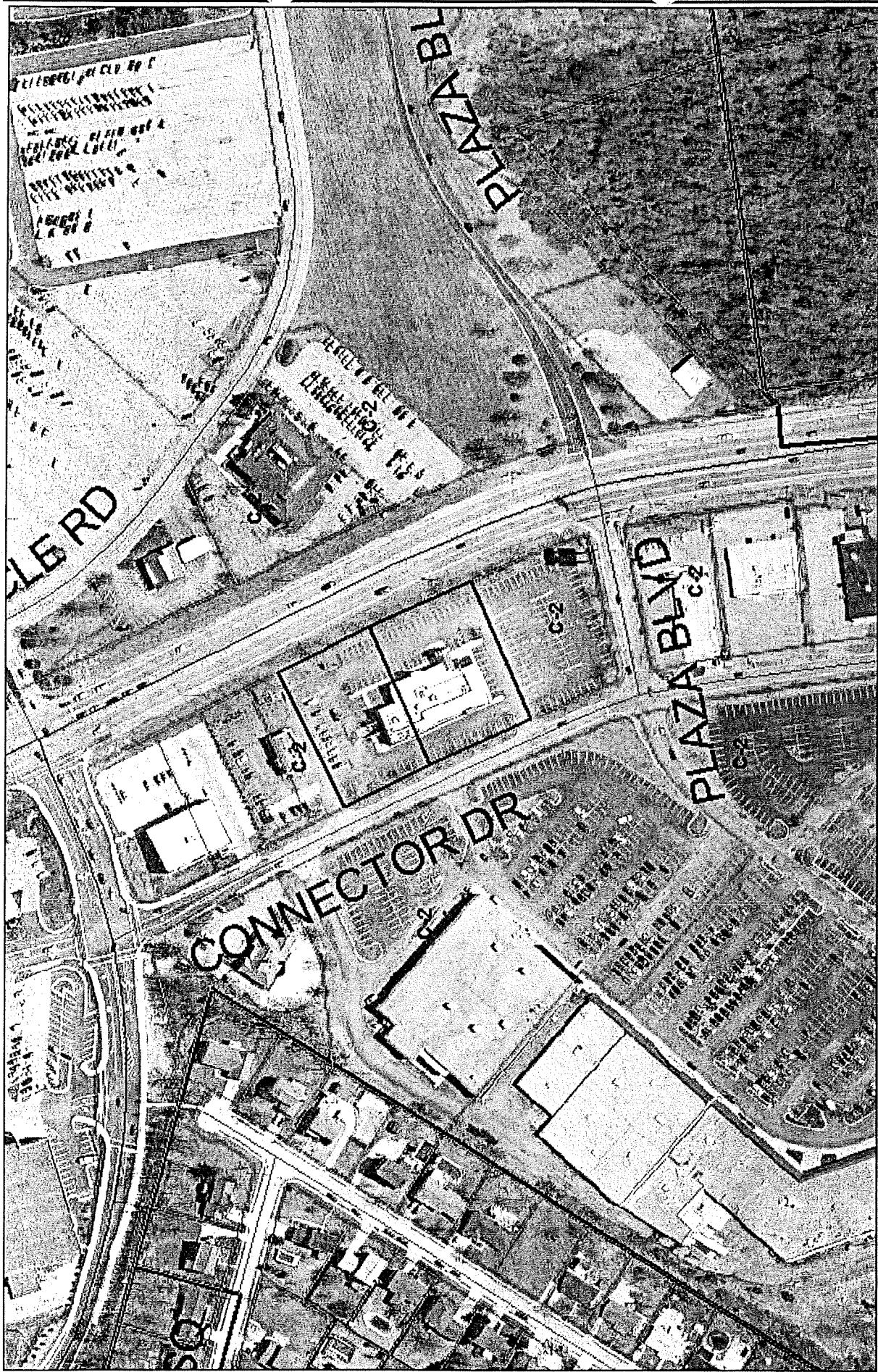
Attachments:

- vicinity map
- aerial photo w/zoning information
- future land use map excerpt
- site topography
- application materials including Concept Development Plan
- building elevations of the Mall Road Shoppes of Florence
- excerpt from the Mall Road Corridor Study
- definition of "sign, off-premises," as noted in Article 40 of the Boone County Zoning Regulations



1 inch equals 900 feet
Produced by the
Boone County Planning Commission
GIS Services Division
May 12, 2006

Vicinity

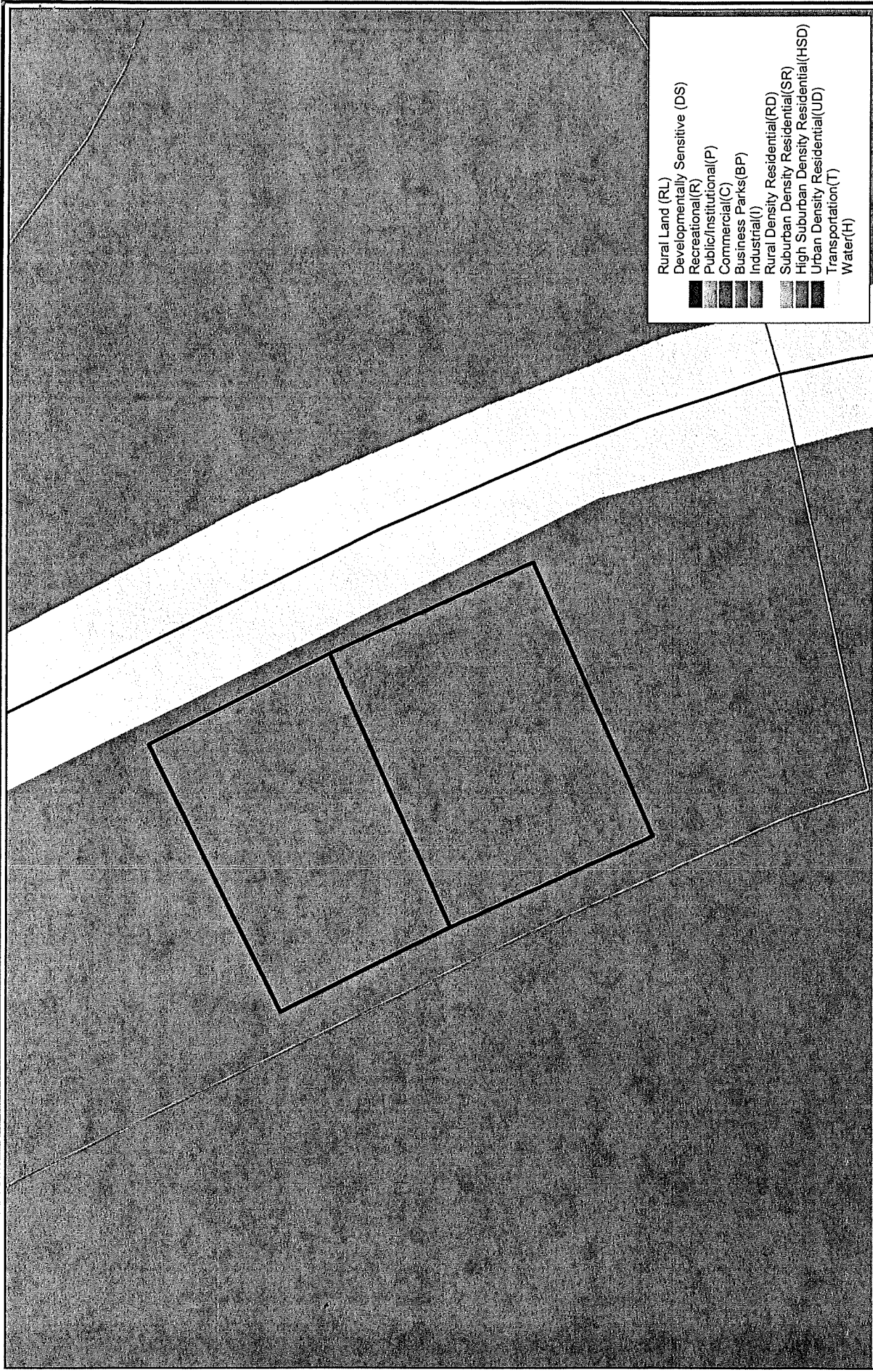


200 Feet

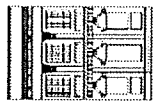
200

1 inch equals 200 feet
Produced by the
Boone County Planning Commission
GIS Services Unit
May 12, 2006

Zoning

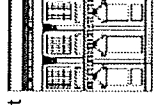
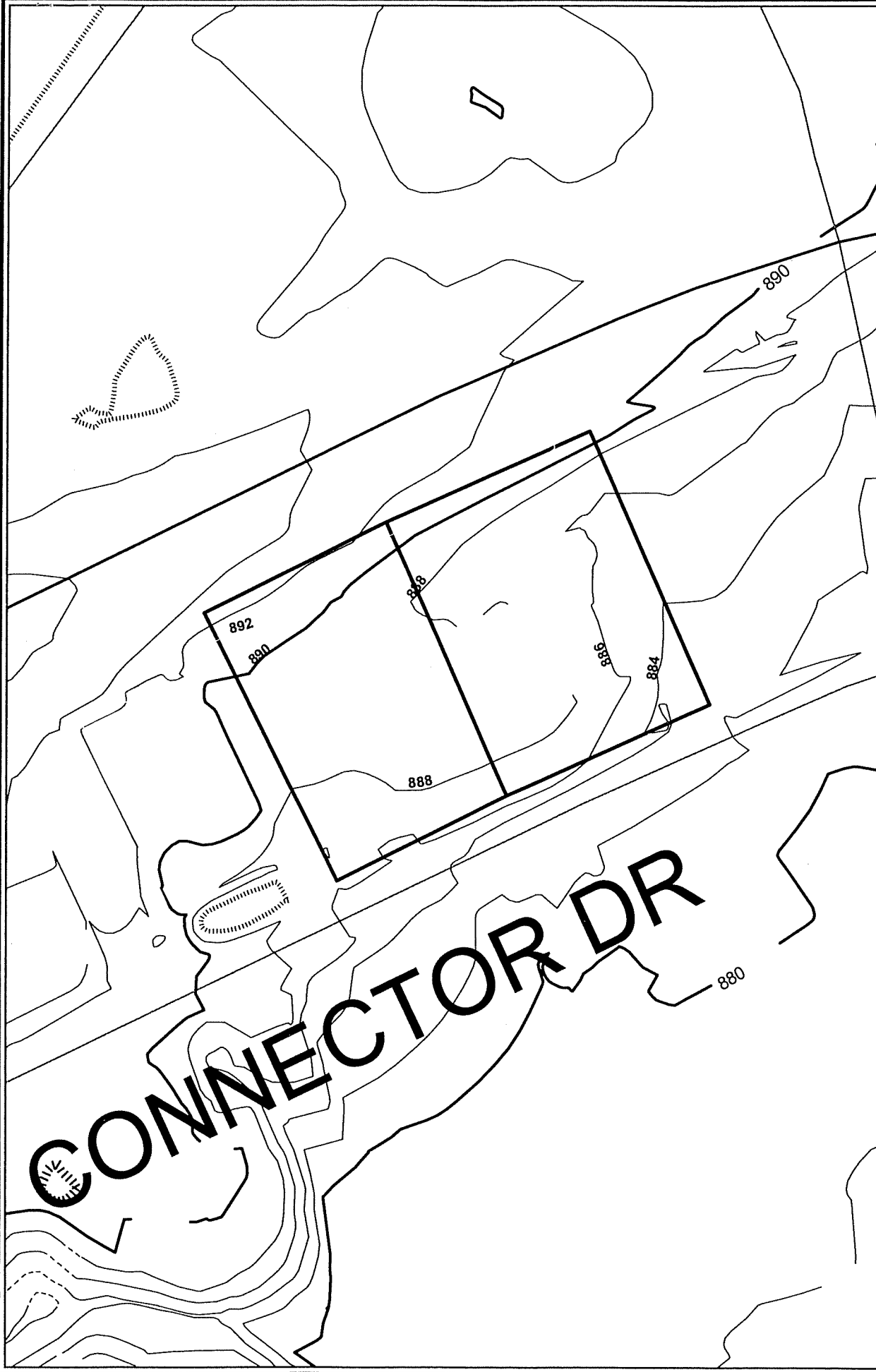


- Rural Land (RL)
- Developmentally Sensitive (DS)
- Recreational (R)
- Public/Institutional (P)
- Commercial (C)
- Business Parks (BP)
- Industrial (I)
- Rural Density Residential (RD)
- Suburban Density Residential (SR)
- High Suburban Density Residential (HSD)
- Urban Density Residential (UD)
- Transportation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



1 inch equals 100 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 May 12, 2006

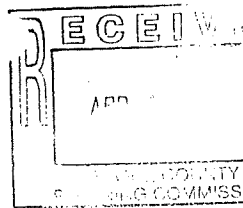
Future Land Use



100 Feet

1 inch equals 100 feet
Produced by the
Boone County Planning Commission
GIS Services Division
May 12, 2006

Topography



APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project MAIL ROAD Shoppes of FLORENCE
2. Location of Project 7401 MAIL ROAD, FLORENCE, KENTUCKY, 41042
3. Total Acreage of Site 2.33
4. Current Zoning of Site C-2
5. Proposed Zoning (Classification being requested) C-2
6. Proposed Uses (please specify each use) NONE →
SPECIAL SIGN DISTRICT FOR MAIL Road Shoppes of Florence
7. Names of Applicant(s) GBBN ARCHITECTS INC. Tom Meyers
Phone Number 513.241.8700 Fax No. 513.241.8873
8. Address of Applicant(s) 332 EAST EIGHTH STREET
CINCINNATI OHIO 45202
City State Zip
9. Name of Property Owner(s) Mail Road Shoppes of Florence LLC
Phone Number 513-791-7973 Fax No. 513-791-2343
10. Address of Property Owner(s) 10979 Reed Hartman Highway, Suite 308
Cincinnati OHIO 45242
City State Zip
11. Proposed Building Intensities (please specify) SHOPPING CENTER - CONSISTING OF
2 BUILDINGS & MULTIPLE TENANTS
12. Are there any existing buildings on the site? REDEVELOPMENT
How many? _____
13. Deed Book 11 Page No. 201 Group No. _____
14. Are you also applying for:
 Conditional Use Permit SPECIAL SIGN DISTRICT
 Dimensional Variance
15. Have you submitted a Concept Development Plan? N/A
16. Have you had a pre-application meeting with BCPC Staff? YES
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water District
- Florence Water and Sewer Dept.
- Cinergy/U.L.H.&P. Co.
- Sanitation District #1
- Cincinnati Bell
- Owen County Rural Electric
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- City of Florence Public Services Department
- Boone County Building Department

**ZONING MAP AMENDMENT
APPLICATION
PAGE 2**

- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other: _____

18. Project Jurisdiction/Location
- Unincorporated Boone County
 - Florence
 - Walton Union

19. Applicant's Signature Richard [Signature]

Property Owner's Signature _____

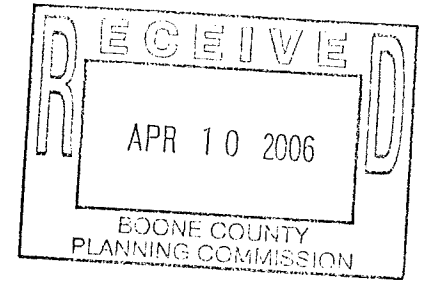
SECTION B (To be completed by BCPC Staff)

1. Date Received 4/10/06
2. Review Fee \$1667.00 R# 45489
3. Check what has been submitted:
 - Application
 - Fee
 - Legal Description
 - Concept Development Plan
 - Address of Adjoining Property Owners
 - Number of copies of plan received**
4. Is application complete? Yes Yes _____ No _____
5. Staff Reviewer: PATTY BROWN
6. Committee Chairman _____
7. Scheduled Public Hearing Date _____
8. Boone County Planning Commission Action:
 - Approval
 - Approval with Conditions
 - Denial
9. Other: _____

**** Five (5) Copies Are Required**

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page

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



architecture.
interiors.
planning.
engineering.

March 21, 2006

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky, 41005

Re: Mall Road Shoppes of Florence – Special Signage District request

Dear Sir/Madame:

Per request of the developer and at your suggestion, we wish to establish a "Special Sign District" to better serve the signage needs for future development of the surrounding community with respect to the proposed "Mall Road Shoppes of Florence" project. Please find enclosed "Special Signage District" application, fee and proposed description of the "Mall Road Shoppes of Florence Special Sign District" below.

Proposed "MALL ROAD SHOPPES OF FLORENCE SPECIAL SIGN DISTRICT" description:

Section _____.

Mall Road Shoppes of Florence Sign District

The 2.33-acre site, part of said parcel #1, bound by Mall road, Plaza Boulevard and Connector Street. This special sign district is at the request of the developer and owner of the above-described property.

For the purposes of the Mall Road Shoppes of Florence Special Sign District; the following standards shall apply:

1. All sections of article 34, except where revised herein.
2. Architectural free standing signs, which identify a shopping center or development and its major access point, may be permitted to also include a message board with electronically changeable copy. Such electronic message boards when a part of a free standing sign shall be permitted only under the following conditions:
 - a. The sign, including the electronic message board may not exceed 200-square feet in area and 30-feet in height;
 - b. Fixed copy signs which identify individual establishments within a shopping center or development and are attaché to a free standing sign are not permitted if an electronic message is requested, and must be removed from an existing sign if approval for such a message is granted;
 - c. Signs with electronics message boards shall not be located closer than 300-feet to another such sign with an electronic message board.
3. Independent building or individual establishments with direct frontage on, or, unobstructed visibility from, Mall Road shall not be permitted individual free standing signs but shall be permitted one (1) Building mounted sign, with a maximum size of 2-square feet per lineal foot of building width, for each wall with direct visibility from Mall Road, a secondary access road, or areas of major internal traffic circulation. Under no circumstances shall an establishment be allowed more than four (4) building mounted signs.

- Christopher H Beightel AIA
- Matthew J Birk
- John D Bignaul AIA, ACHA
- John B Galtner, Jr. AIA
- Robert E Gramann FAIA
- Kenneth W Greene AIA, ACHA
- Steven T Kenal AIA
- Gregory A Otis AIA
- Kirstenly D Patton AIA
- Gary J Rahn
- John W Rogers AIA, ACHA
- Matthew J Schottelkotte AIA
- Joseph T Schwab AIA
- Keven M Speece AIA
- Joseph M Turley AIA
- Alan J Warner AIA
- Philip J Babinec CDT
- Thomas M Gornley AIA
- Jeanette S McCarthy Assoc IIDA
- Amy W Mees IIDA
- Brady J Mick AIA
- Pat Moore AIA
- Steven R Roshing RA
- Tracey Priest Seibert IIDA
- Paul H Shirley
- Douglas C Spies AIA, CDT
- Timothy F Timberman AIA
- Peter Wehrand RA
- Jerry Zhaoqun Zhu AIA
- Aaron Anderson
- David G Akasler AIA, LEED AP
- Ben D Barlage AIA
- Brock C Behnfeldt
- John Bunyan CPA
- Ted Christian LEED AP
- Carolyn J Denny
- Jose Espelage
- David R Finke
- Scott Fleming
- Jane C Goode
- Ronald D Haggard RA
- Stavon C Karoly
- T Scott Kyle AIA
- Tan Laine
- Paul J Leszjowac
- Michael C Lied
- Raymond M Mack AIA
- Jodi R Mucally
- Natman Mysorewala MCP
- Krista M Poas AIA
- Ty Provosty AIA
- Brent T Reiner
- Kevin B Spector
- Tracie D Stacy
- Sandra E Weibrock
- Tony Yunker AIA

GBBN Architects, Inc.

332 East 8th Street | Cincinnati, Ohio 45202-2217
T 513.241.8700 | F 513.241.8873

325 W Main Suite 280 | Lexington, Kentucky 40507-1632
T 859.381.0787 | F 859.381.8873



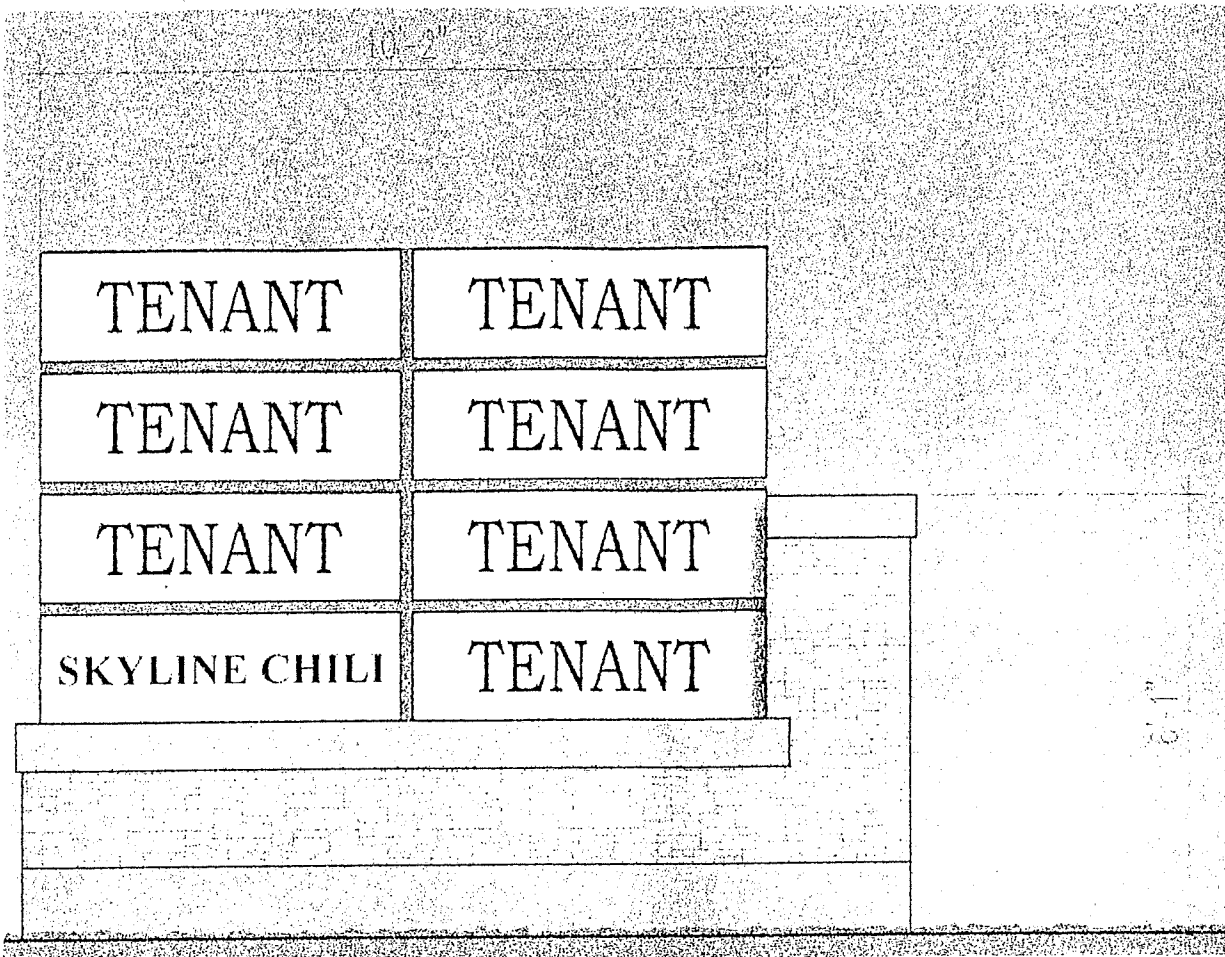
4. In addition to the free standing monument sign as permitted per section 3413 (4), (2), (b), shopping centers shall be permitted one (1) additional free standing secondary entrance monument sign for the purpose of identifying tenants/ businesses only.
 - a. The sign shall not designate addresses of tenant and/ or owners, and shall not designate the name of the development.
 - b. The sign shall not be located on Mall Road frontage, or on street/ roads perpendicular thereto.
 - c. The free standing sign shall meet the architectural character of the development.
 - d. The signage shall not exceed 100-square feet in area and the sign shall not exceed 10-feet in height.

If you should have any questions regarding the proposed Mall Road Shoppes of Florence special sign district description please do not hesitate to contact me.

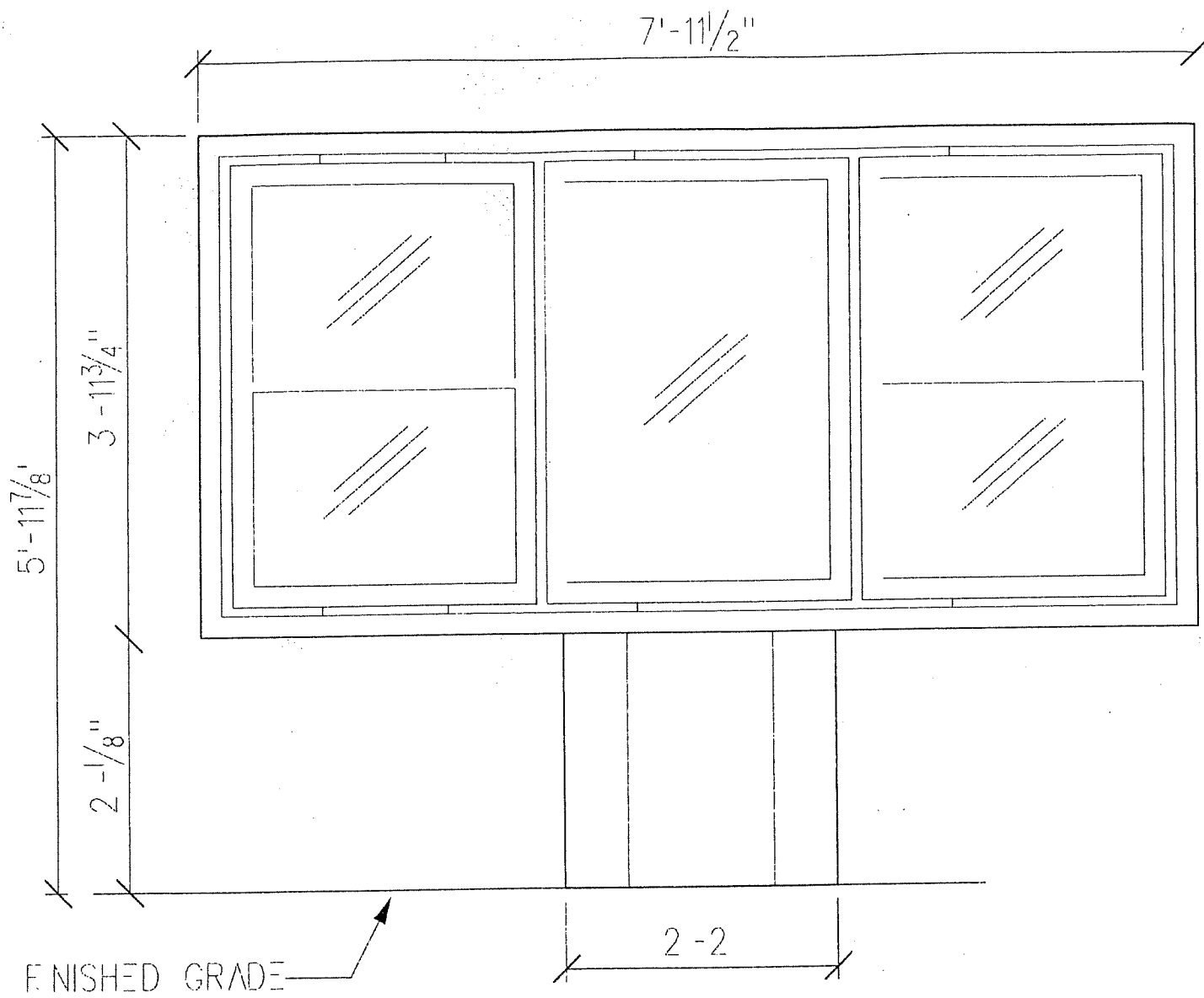
Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Feigh", with a long horizontal line extending to the right.

Shawn Feigh
GBBN Architect Inc.
332 East Eighth Street
Cincinnati, Ohio, 45202
(513) 241-8700



GROUND SIGN



MENU SIGN

RIGHT OF WAY

12'-0"

TENANT SIGN

TENANT SI

MALL ROAD SHOPPES

TENANT

TENANT

TENANT

TENANT

TENANT

MASONRY BASE

STL COLUMN

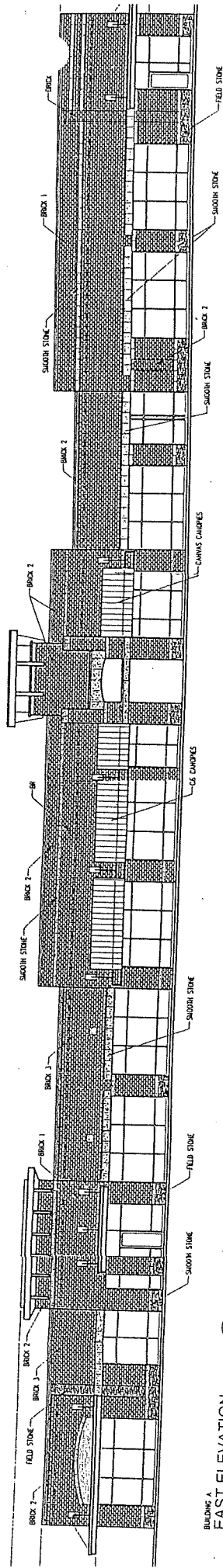
CONCR. BASE

17'-4"

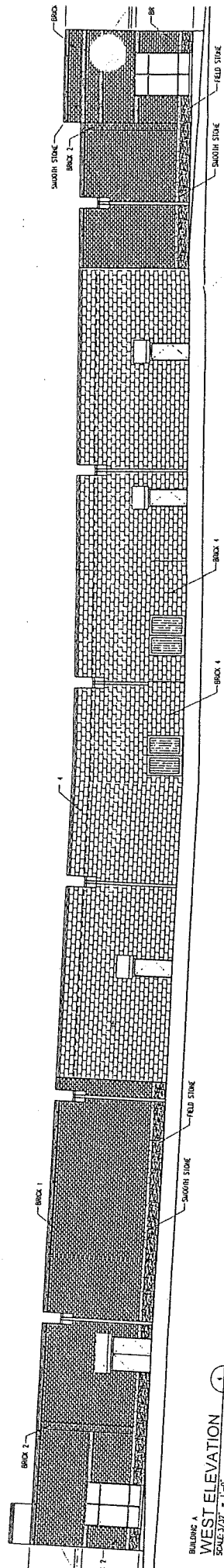
10'-0"

3'-0" 3'-0" 3'-0" 3'-0" 3'-8"

PYLON SIGN

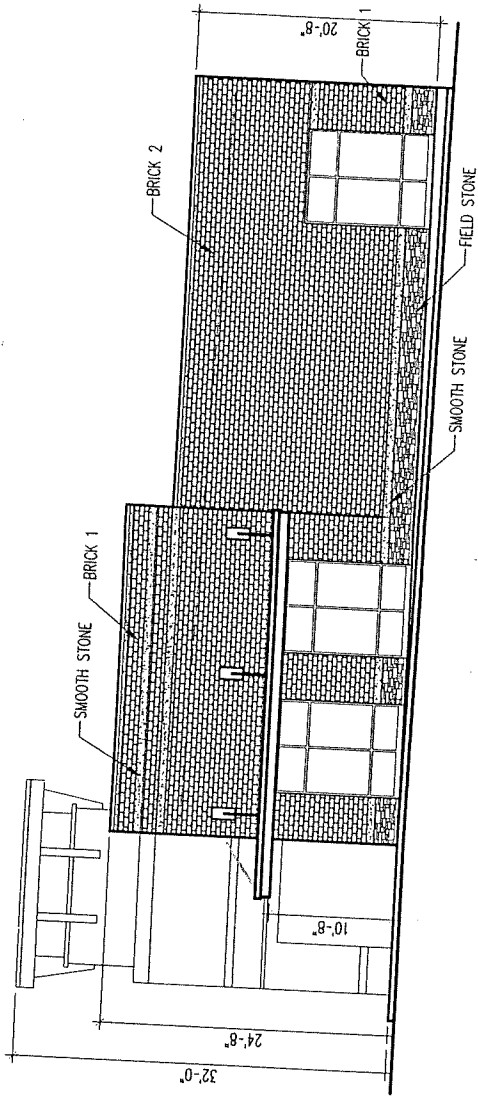


BUILDING A
EAST ELEVATION
SCALE 1/32" = 1'-0"
1/4" = 1'-0"

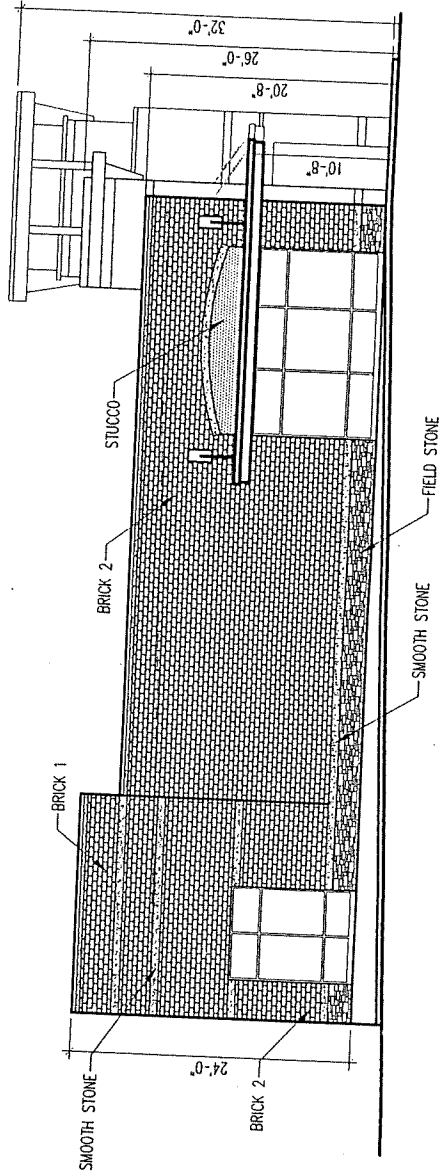


BUILDING A
WEST ELEVATION
SCALE 1/32" = 1'-0"
1/4" = 1'-0"

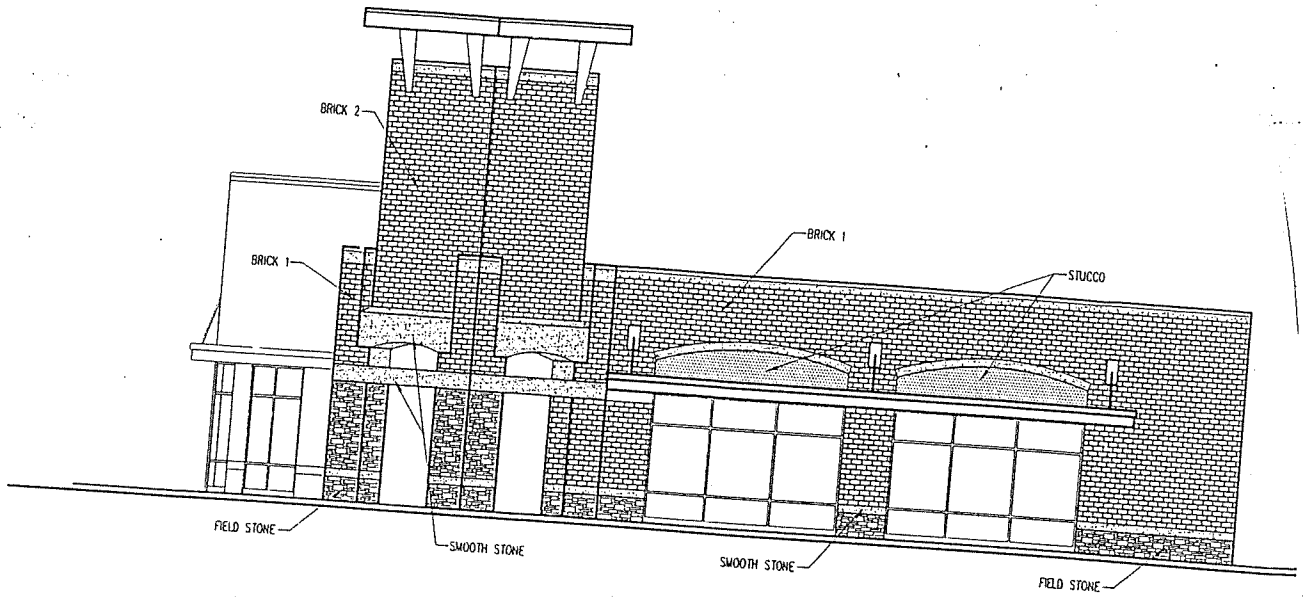
Building "A" Elevations



BUILDING A
NORTH ELEVATION
 SCALE: 3/32" = 1'-0"
 2
 A401A

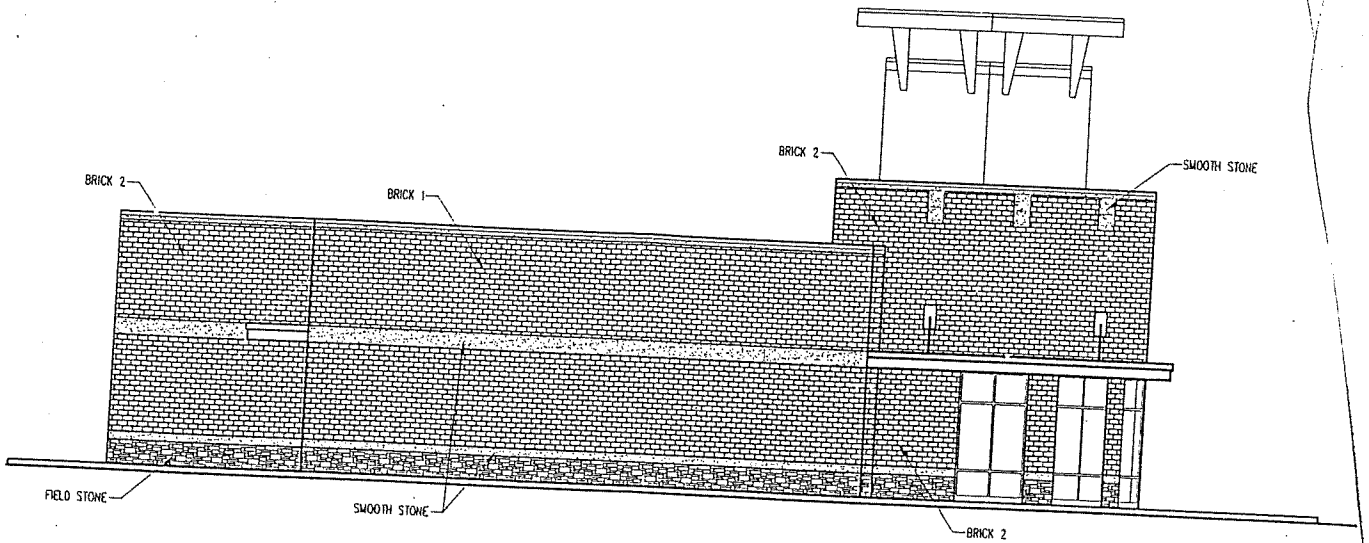


BUILDING A
SOUTH ELEVATION
 SCALE: 3/32" = 1'-0"
 3
 A401A



BUILDING B
 NORTH ELEVATION
 SCALE: 1/8" = 1'-0"

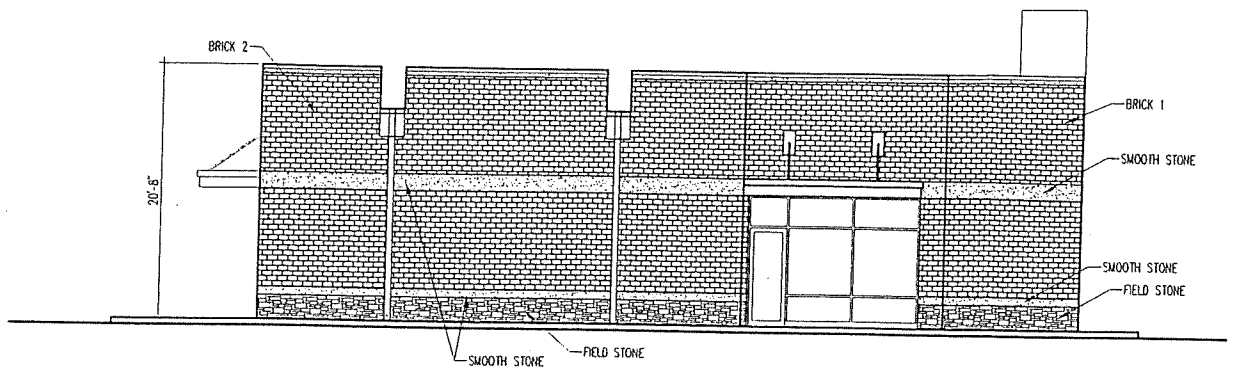
2
 A4018



BUILDING B
 SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"

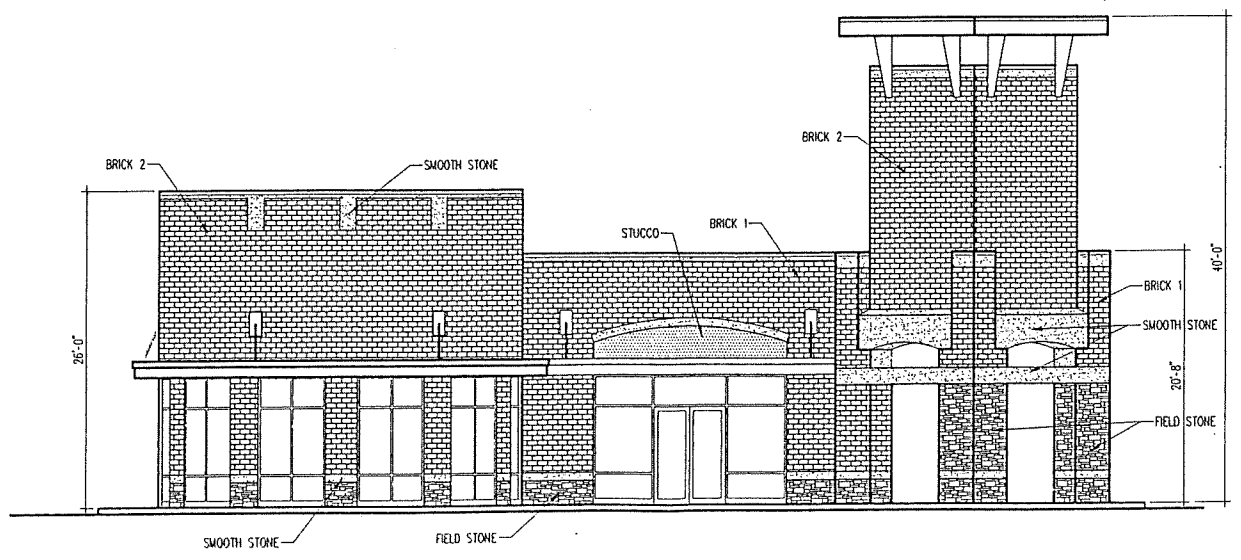
1
 A4018

Building "B" Elevations



BUILDING B
WEST ELEVATION
 SCALE: 1/8" = 1'-0"

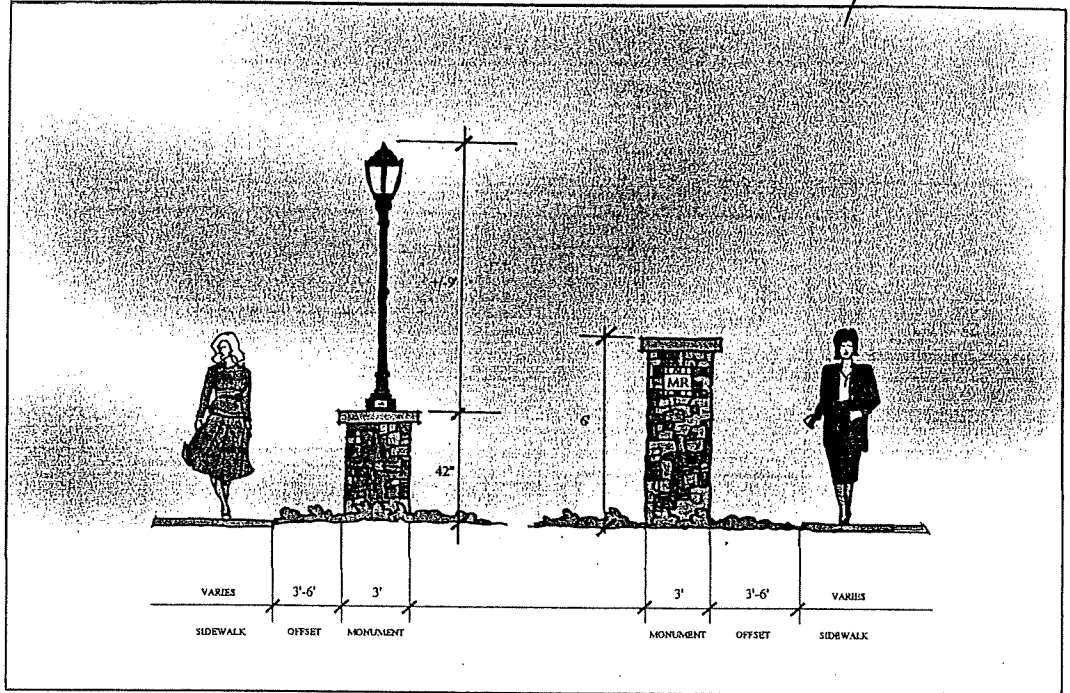
4
 A401B



BUILDING B
EAST ELEVATION
 SCALE: 1/8" = 1'-0"

3
 A401B

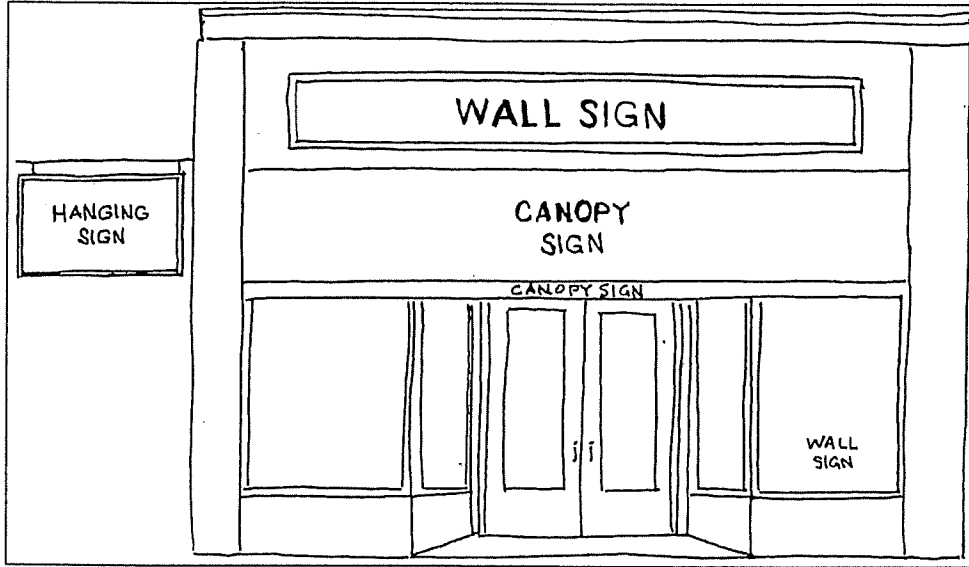
Excerpt from Mall Road Corridor Study



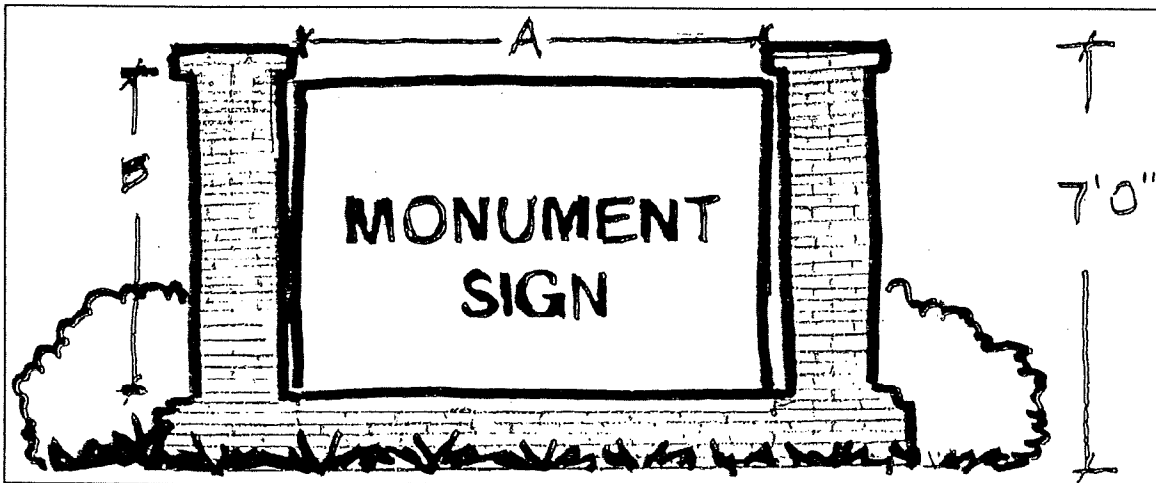
Gateway Example for Mall Road Design District

Signage

- Signs made of wood, brick, or other permanent material is encouraged, and plastic is discouraged.
- Festival banners along commercial streets are encouraged.
- Signs should be in scale with their surroundings.
- Signs shall not obscure the architectural detailing of historic buildings.
- Individual signs shall have an area no greater than 60 sq. ft., and the total area of grouped signs shall not exceed 60 square feet.
- Monument signs shall have a height no greater than seven (7) feet.
- The bottom of hanging signs shall be a minimum of eight (8) feet above ground level.
- Flashing or sounds emitting signs are prohibited.
- Street signage shall be mounted on decorative poles to match style of traffic and light poles.
- Four (4) feet white street sign lettering used on all street signage.
- Decorative finials recommended on top of all sign poles.



Commercial Signage



Monument Sign

* Sign, Off-Premises: A sign advertising an attraction, facility, or product and the location of said attraction, facility, or product. The sign may or may not be located on the same property as the advertised item.

Sign, On-Premises: A sign related to a business or professional conducted, or a commodity or service sold or offered upon the premises where such sign is located.

Sign, Portable: Any sign not permanently attached to the ground or to a permanent structure, or a sign designed to be transported, including but not limited to signs designed to be transported by means of wheels, including such signs originally designed to be transported by means of wheels but have had the wheels removed (regardless of whether they are mounted to a pole, building, or other permanent or temporary structure), and signs attached to or painted on parked vehicles that are visible from the public right-of-way, unless said vehicles is used in the normal day-to-day operations of the business.

Sign, Projecting: A sign which projects from the exterior of a building, having a display area which is other than parallel to the face of the building.

Sign, Wall: A sign which is attached to an exterior wall of a building having a display area which is parallel to that wall.

Signal Progression

Progressive movement of traffic at a planned rate of speed through adjacent signalized locations within a traffic control system without stopping.

Single Family Dwelling Unit

A residential building or structure designed, constructed and occupied by persons living as one housekeeping unit using one kitchen facility. A single family dwelling unit does include a residential care facility for handicapped persons as previously defined and stated in K.R.S. 100.92 and K.R.S. 100.984.

Site Plan

A plan prepared to scale showing accurately and with complete dimensioning, the location of all proposed uses and all site development features for a specific site. A site plan addresses physical design, location of structures, access management, interior vehicular and pedestrian access, stormwater management, landscaping, signage, provision of all required improvements, and the interrelationship of the various site plan components (See Article 30).

Specialized Amusement Facility

An establishment that offers one or more separate, single purpose, recreational attractions such as skateboard parks; bungee, bicycle, or ski jumping; hang gliding; etc, but that does not include live entertainment such as live music performances, theater, or multi-media events.

Speed Change Lane

A separate lane for the purpose of enabling a vehicle entering or leaving a roadway to increase (acceleration lane) or decrease (deceleration lane) its speed to a rate at which it can more safely merge or diverge with through traffic.

Stopping Sight Distance

The distance traveled by the vehicle from the instant the driver of a vehicle sights an object necessitating a stop, to the instant the brakes are applied, and the distance required to stop the vehicle from the instant brake application begins.

SECTION 3441

Mall Road Commercial Sign District

Signs have as significant of an impact upon the character of an area as the types of land uses allowed. An example is the Mall Road area. When this was originally developed, it was the intent of the Commission, the County, and the City, that a particular character be established and maintained for this commercial district. This desired character called for a boulevard area with low key and aesthetically pleasing signage identifying larger commercial developments located along it. The desired effect was to discourage the area from becoming cluttered with sign upon sign, with each one trying to be bigger and more visible than the next.

For the purpose of the Mall Road Commercial Sign District, the following standards shall apply:

1. All sections of Article 34 not otherwise replaced below;
2. Architectural free-standing signs which identify a shopping center or development and its major access point may be permitted to also include a message board with electronically changeable copy. Such electronic message boards when a part of a free-standing sign shall be permitted only under the following conditions:
 - a. The sign, including the electronic message board may not exceed 200 square feet in area and 30 feet in height;
 - b. Fixed copy signs which identify individual establishments within a shopping center or development and are attached to a free-standing sign are not permitted if an electronic message board is requested, and must be removed from an existing sign if approval for such a message board is granted;
 - c. Signs with electronic message boards shall not be located closer than 300 feet to another such sign with an electronic message board;
3. Independent building or individual establishments with direct frontage on, or unobstructed visibly from, Mall Road shall not be permitted individual free-standing signs but shall be permitted one (1) building mounted sign, with a maximum size of 2 square feet per lineal foot of building width, for each wall with direct visibility from Mall Road, a secondary access road, or areas of major internal traffic circulation. Under no circumstances shall an establishment be allowed more than four (4) building mounted signs.

SECTION 3442

Special Sign Regulations, Houston-Donaldson Study Area

The Houston-Donaldson Study is a detailed, comprehensive land use plan for the Houston, Donaldson, and Turfway Road area. This Study sets specific regulations and procedures for signage within this area. Refer to the Houston-Donaldson Study for specific details, including the geographic boundaries of the Study area.

SECTION 3443

Commonwealth Park Special Sign District

A 16 acre site bounded by Turfway Road on the north, Houston Road on the west, the south-bound I-75/Turfway Road exit ramp on the south, and I-75 on the east is within the Commonwealth Hilton

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

**May 17, 2006
7:30 P.M.**

PUBLIC HEARING

Commission Members Present: Mrs. Arnett, Mr. Barlow, Mr. Bungler, Mr. Caddell – Chairman, Mr. Carmichael, Mr. Knock – Temporary Presiding Officer, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen, 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. Todd Morgan, AICP, Senior Planner.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 8:00 PM and introduced the item on the Agenda:

1. **Applicant:** GBBN Architects Inc. for
Mall Road Shoppes of Florence LLC (owner)

Request: Zoning Map Amendment

The request of GBBN Architects Inc. (applicant) for Mall Road Shoppes of Florence LLC (owner) for a Zoning Map Amendment for a Special Sign District for a 2.33 acre site located at 7901 Mall Road, Florence, Kentucky. The request is for a Special Sign District in a Commercial Two (C-2) zone to allow alternative signage.

Staff Member Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

Chairman Caddell questioned the-off premise sign for Skyline. Ms. Bachman responded that off-premise signage is allowed only as a Conditional Use in the I-1 zone, but since the applicant is requesting a Special Sign District they can basically ask for whatever they want. Chairman Caddell asked for clarification of what the applicant is requesting. Ms. Bachman responded that what is outside of the norm is the monument sign. The development would be permitted its own architectural free-standing sign, provided it is 31 feet in height and 200 square feet in area. Chairman Caddell stated that it is a 230 square foot sign on Mall

Road. Ms. Bachman stated that they are also asking to place a tenant panel for Skyline Chili on the requested monument sign on Connector Drive. Mr. Carmichael stated that it is not within the norm for the free-standing sign to have multiple panels, but the applicant is requesting an architectural free-standing sign with multiple tenant panels plus a monument sign with multiple tenant panels on the Connector Drive side. Ms. Bachman stated that under Section 34 of the Zoning Regulations they could have a free-standing sign with multiple tenant panels. Mr. Knock stated that the free-standing sign on Mall Road is taller and larger than what is normally allowed. Ms. Bachman stated that they would be permitted one free-standing sign. They are asking for one free-standing sign over and above what they are allowed. She explained that the term "free-standing sign" refers to any sign that is not building-mounted.

The Chairman asked the applicant to address why they want off-premise signage on the property.

Mr. Jerry Atkins stated that their company is a small development company and they have been looking for a site on Mall Road for three years. The central hub of retail shopping is Florence Mall, but it has become aged and needs to go through a revitalization funded with public and private investment. They paid a high price for the property and want to build a high quality development. He presented a picture showing the type of project they propose (see Exhibit 1). Their store in West Chester (Ohio) is pedestrian friendly and that is what they propose on this 2.3 acre tract. They hope to build 21,700 square feet and will put sidewalks all the way around the property. They have agreed with the City of Florence to put sidewalks in the public right-of-way at their own expense. He stated that they will build a high quality commercial development, unlike anything on Mall Road now, to attract small retail tenants. They are negotiating to have the first free-standing Starbucks Coffee shop. This is the first time in ten years that Starbucks has found a project on Mall Road up to their standards. He stated that it is a pedestrian-friendly project using high quality materials. They have a large budget for landscaping and will conform to the regulations and, in addition, there will be irrigated flowerbeds throughout the front area. He stated that the property is owned by his family and they are residents of the area. This is not an institutional investor. He stated Family Christian has signed a lease and made a ten-year commitment. Starbucks has also made a ten-year commitment and they are meeting with a couple from Southern California in regard to a use that will be a great service to Northern Kentucky and will fit in this project. He stated that they met with Staff and the City of Florence and want to be part of redevelopment of Mall Road. In turn, they are asking for help with the signage. Part of the signage is not necessarily needed by the project, but it is needed by the tenants. They want a sign made of high quality materials with masonry at the bottom and architectural style. They are asking for two signs because they do not have a front driveway and people driving along the back of the center would not know what businesses are there. According to the Sign Code, they can have building-mounted signage for each individual tenant on the front and the back of the

building, but that would be cluttered and not architecturally pleasing. Therefore, they want to consolidate the signage and put up a monument sign. Chairman Caddell asked if Mr. Atkins was saying that they will not put building-mounted signage on the individual tenant spaces. Mr. Atkins responded that they would not put signage on the back of the building. Chairman Caddell asked if they will put signage on the front of the building. Mr. Atkins responded "yes". He stated that they are asking for a monument sign with individual sign panels so that there is not a sea of signs in the back and front of the project. They are offering something that is better than what is in place now. He stated that there is a road in the back and a road in the front and that creates issues for tenant identification.

Chairman Caddell asked Ms. Bachman if it was her understanding that there would not be signs on the back of the building. Ms. Bachman responded "no".

Chairman Caddell stated that he is excited about a high quality development on Mall Road, but this has been a confusing request and he believes that Staff was not totally clear on the applicant's intentions. He stated that the Planning Commission has spent time that would normally be spent at the Committee level, but that should not be misinterpreted as opposition to the request. The Planning Commission is trying to get a clearer understanding of the proposal.

Mr. Atkins stated that Skyline is a contiguous business and shares the parking lot, but Skyline is not up to their standards. Skyline said that if they bring in this type of development, Skyline will renovate and redevelop their site. Skyline requested some parking from them and they gave it to Skyline. They hope that others will follow their efforts and get national tenants to come into other developments along Mall Road. He stated that there is a national shopping center convention in Las Vegas and other developers on Mall Road are redesigning plans to attract similar centers. He stated that they could have leased the space to tenants that do not add to the community, but he wants national tenants that sign ten-year leases. He stated that what Skyline does with their free-standing sign is their business, but Skyline asked for a free-standing panel on this site and, if there is an extra sign panel left after they finish leasing the space, it will be made available to Skyline. It would be an off-site panel to designate that people can get to Skyline through this site. He stated that the major tenants will be on the pylon sign. Skyline will not be on the front pylon sign and may or may not be on the back sign. It depends on whether they have all small tenants or one tenant that takes the rest of the lease space. Chairman Caddell stated that an off-premise sign would require approval from the Planning Commission.

Mr. Bunger agreed that the picture (Exhibit 1) shows a very attractive development, but there is no monument sign shown. He questioned where the monument sign would be placed relative to the development. He questioned why it is necessary to have a larger sign than what is allowed.

Mr. Atkins stated that the pylon sign will be near the tower in the center of the project. The walkway will go through the parking lot and out to the right-of-way and the pylon sign will be there.

Mr. Barlow asked the applicant to bring a drawing to Committee showing the signs on the front of the building to scale. The applicant was also asked to impose the pylon and monument signs onto the rendering shown. Mr. Barlow stated that he believes the signs are an overload and may become the focal point of the development. Mr. Atkins stated that the signs are consistent with what they have in their lifestyle development. Mr. Barlow commented that it is not on Mall Road. Mr. Atkins stated that they will be dwarfed by the 65-foot high sign. He stated that this sign package gives the tenants an opportunity to market themselves. If the tenants were not asking for it, he would not be paying for the sign. He wants "A" tenants and they require this signage. He stated that Starbucks will have a neon sign for their drive-through. He stated that he will provide the renderings as requested, which is difficult at this time as they are only 50% leased.

Mr. Bunger stated that it is an attractive development that is welcome in the community. He questioned why the tenants have determined that they need the option of signage larger than what is allowed. Mr. Atkins responded that the tenants have requested a certain type of visibility in order to compete with today's market on Mall Road. There is a contingency in the Starbucks lease that they will have a sign on Mall Road and Connector Drive of a certain size.

Mr. Reynolds stated that they are 1'8" over what is allowed for the height of the pylon sign on Mall Road. Mr. Atkins responded that they will conform to the standard and it will be 30 feet tall. Mr. Reynolds asked if the sign will be 200 square feet. Mr. Atkins responded that there are gaps and open space in the sign. Ms. Bachman stated that the 230 feet is the total area of the panels. Mr. Atkins responded "I will conform to the standards in regard to height and area of the sign".

Chairman Caddell stated that there appears to be some misunderstanding in regard to the individual building-mounted signs on the back of the building, which would normally be permitted. He stated that the question is *does the Planning Commission want to accept a trade off of that signage?* Ms. Bachman explained that the applicant is saying that they will give up the building-mounted signs on the rear of the building for a monument sign, and they will keep the free-standing sign on Mall Road. Mr. Atkins stated that "the back of the building" refers to Building A and the other building may have signage and a menu sign.

Mrs. Wilson asked the applicant to bring to Committee a picture of the Starbucks drive-through area. She stated that the applicant has seen the study that was done in regard to monument signs and street signs and she asked the applicant to

compare the proposed signage to that study and indicate if they are using any of those ideas.

Chairman Caddell questioned the drive-through area for Starbucks. Ms. Bachman stated that they are proposing a sign 32 square feet in area and 8 feet in height, which meets the Code. Mr. Morgan stated that when he approved the Site Plan, he did not approve a drive-through. He stated that they need a ten-foot drive-through lane and 30 feet between the building and the back of the parking stall. He questioned how they will meet the requirements. Chairman Caddell suggested that the developer discuss this issue with Staff before the Committee Meeting.

Mrs. Poston stated that she would like to see the panel signs cleaned up.

Mr. Knock commended the applicant for bringing this development in. He believes it is an opportunity for a new start on Mall Road.

There being no one else present who wished to speak in regard to this request and there being no further comments from the Commissioners, the Chairman stated that the Committee Meeting for this item will be on June 7, 2006 at 5:00 PM in the first floor Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on June 21, 2006 at 7:00 PM in the first floor Fiscal Courtroom. The Chairman closed this Public Hearing at 8:55 PM.

APPROVED:



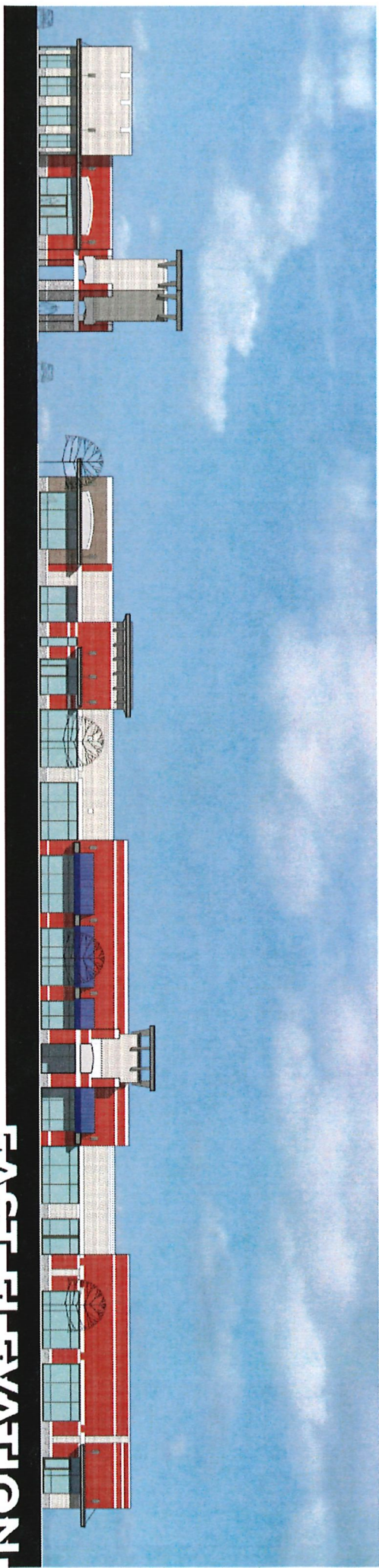
Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

Exhibit 1 – Rendering submitted by the applicant



EAST ELEVATION
6 JANUARY 2005

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
June 21, 2006
7:00 P.M.**

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

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett
Mr. Kim Bunger
Mr. Arnold Caddell, Chairman
Mrs. Janet Kegley
Mr. Don McMillian
Mrs. Susan Poston, Vice Chairwoman
Mr. Charlie Reynolds
Mr. Bob Schwenke
Mrs. Lisa Wilson, Secretary/Treasurer

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Barlow
Mr. Greg Breetz
Mr. Jim Carmichael
Mr. Richard Knock, Temporary Presiding Officer
Mr. Randy Poe
Mr. Charlie Rolfsen

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. Todd Morgan, AICP, Senior Planner

Approval of the Minutes:

Chairman Caddell stated that the Commissioners received copies of the Minutes of the June 7, 2006 Business Meeting. He asked if there were any comments or corrections. There being no changes to the Minutes, Mrs. Poston moved that they be approved as mailed. Mr. Schwenke seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

1. Zoning Map Amendment

The request of GBBN Architects Inc. (applicant) for Mall Road Shoppes of Florence LLC (owner) for a Zoning Map Amendment for a Special Sign District for a 2.33 acre site located at 7901 Mall Road, Florence, Kentucky. The request is for a Special Sign District in a Commercial Two (C-2) zone to allow alternative signage.

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

The Chairman offered the applicant the opportunity to make a summary statement.

Mr. Tom Meyers with Reliance Capital was present on behalf of Mall Road Shoppes of Florence. He offered to answer any questions.

The Chairman asked if there was anyone present who wished to make a summary statement in opposition. There was no response.

Chairman Caddell asked if the Committee discussed the off-premise retail establishment having signage in this development. Ms. Bachman responded that the Committee discussed it, but did not reach a conclusion. Counselor Wilson advised that the off-premise sign would not be in conflict with the Zoning Regulations since this is a Special Sign District. Mr. Costello stated that the Committee felt that it was a directional type of sign since Skyline does not have a curb cut and is located between the video store and this new center. He stated that Skyline has no plans to replace their existing sign at this time, even though they are renovating their building. Chairman Caddell expressed concern that approving the off-premise sign would open up the potential for future issues with other requests for off-premise signage.

There being no further discussion, **Mrs. Arnett moved by resolution to the City of Florence that the request be approved based on the Staff and Committee Reports. Mr. Reynolds seconded the motion and it carried unanimously.**

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Judy Arnett, Chairwoman

DATE: June 21, 2006

RE: Request of **GBBN Architects Inc. (applicant)** for **Mall Road Shoppes of Florence LLC (owner)** for a Zoning Map Amendment for a Special Sign District for a 2.33 acre site located at 7901 Mall Road, Florence, Kentucky. The request is for a Special Sign District in a Commercial Two (C-2) zone to allow alternative signage.

REMARKS:

We, the Committee, recommend approval of the request based upon the following findings of fact and with the following conditions:

FINDINGS OF FACT

1. The Committee has concluded that the proposal is in agreement with the 2005 Boone County Comprehensive Plan for the following reasons:

The Future Land Use Map designates the site as "Commercial," allowing multi-tenant retail developments. The "Design, Signs, and Historic Preservation" Future Land Use Development Guideline states that signage should be considered in the early stages of a development and that signage should be kept at a minimum. The goal of signage should be to inform the motorist rather than to distract the motorist. The proposed Special Sign District would minimize signage, in that building-mounted signage at the rear of the Retail Building "A" would be eliminated to allow the proposed monument sign on the Connector Drive road frontage. This monument sign would also serve to inform motorists, as it would be located adjacent to the sole entry point into the development.

The Land Use Element notes that "the visual appearance of commercial areas in general, and of Mall Road in particular, should be enhanced through the design of buildings, landscaping, signs, and arrangement of buildings (p. 145)." The proposed Special Sign District is in keeping with the architectural character of Mall Road Shoppes of Florence that is currently under development. This development will be constructed predominately of masonry, architectural concrete, and stone. The proposed "pylon" sign and monument sign would be constructed of like materials and in a similar design style as that of the retail center.

2. The applicants have revised the Concept Development Plan to address concerns noted in the Staff Report. Changes to the proposal are as follows:
 - The overall height of the pylon sign has been reduced to 29 feet, 10 inches.
 - The overall area of the pylon sign has been reduced to about 198 square feet (Please see attached drawing of Revised Pylon Sign).

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.



GBBN Architects Inc.

325 West Main Street
Lexington, Kentucky 40507
v 859.381.8787
f 859.381.8873
www.gbbn.com

Revised

Pylon

Sign

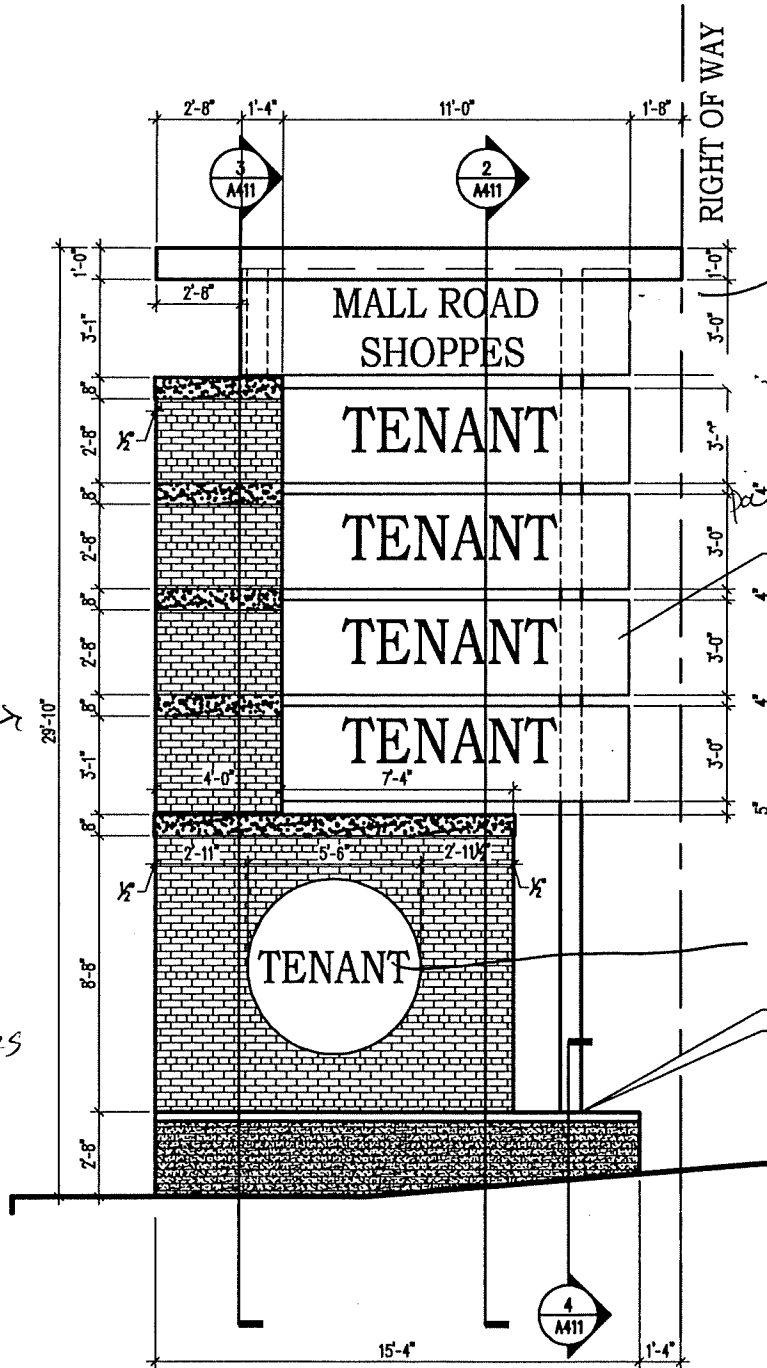
Job Name: MALL ROAD SHOPPES OF FLORENCE

Job No: 11446.01

Sheet No: A001

Date: 06.02.06

Overall height = 29 feet, 10 inches



"Mall Road Shoppes" Panel = 36 ft²

Each tenant panel = 33 ft²

Circular panel = 30.25 ft²

COPE CALCIUM SILICATE CAP AROUND STEEL COLUMN SEALANT

Overall Area =

Area =

198.25 ft²

Revised Pylon

ELEVATION
SCALE: 1/4" = 1'-0"



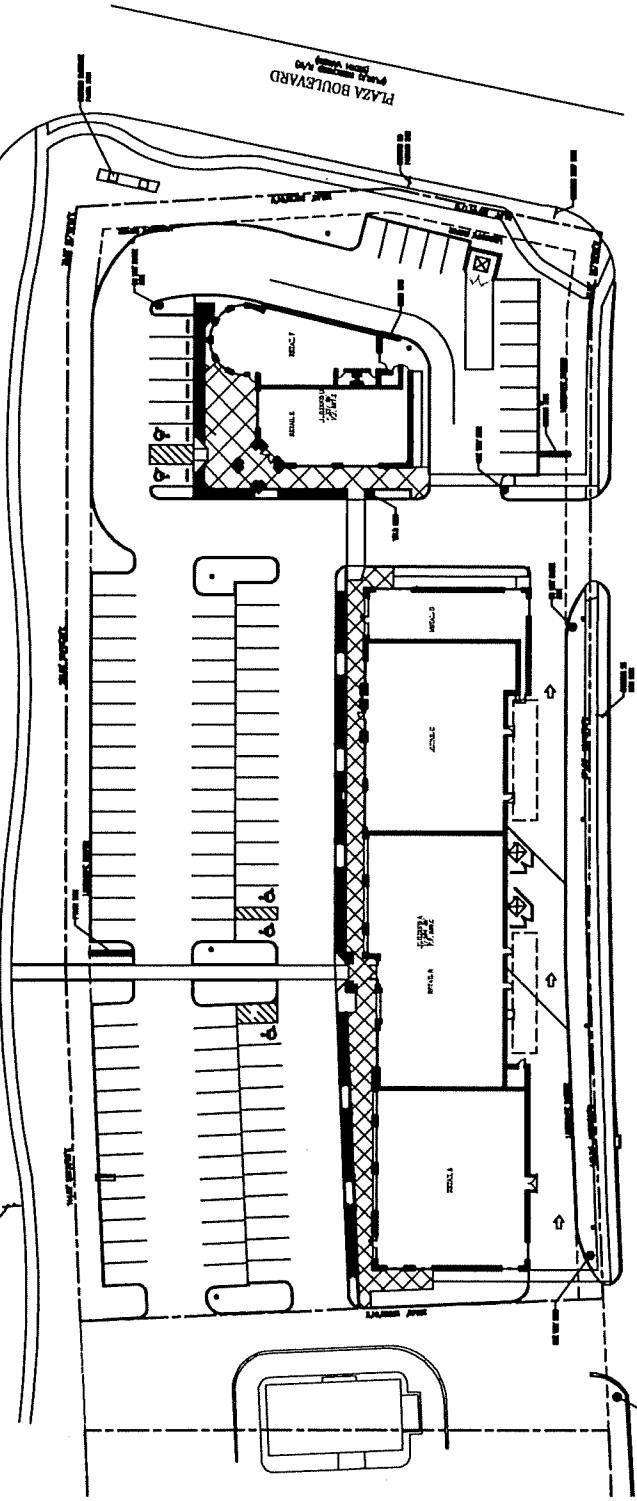
38" SIGN

Originally Submitted Concept
MALL ROAD DEVELOPMENT PLAN

OWNER / DEVELOPER
 RELIANT CAPITAL
 7901 Mall Road
 Florence, Kentucky 41042

MALL ROAD
 7901 Mall Road, KY

Development Plan



GBBN architects

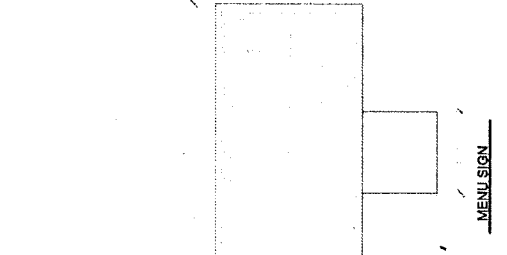
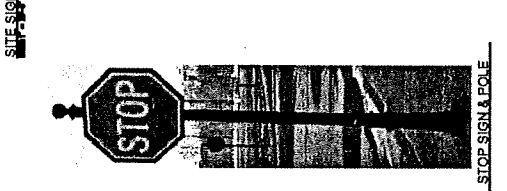
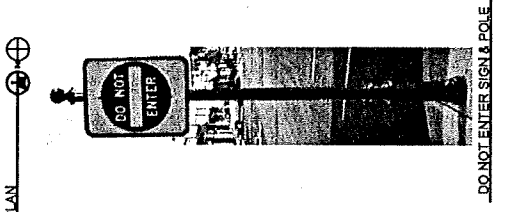
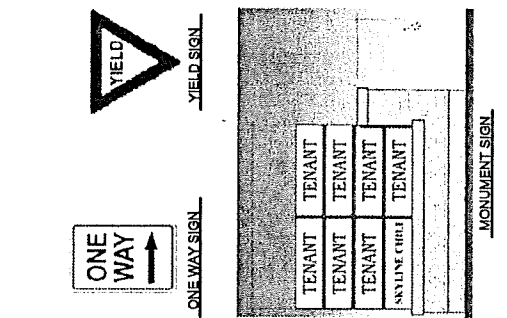
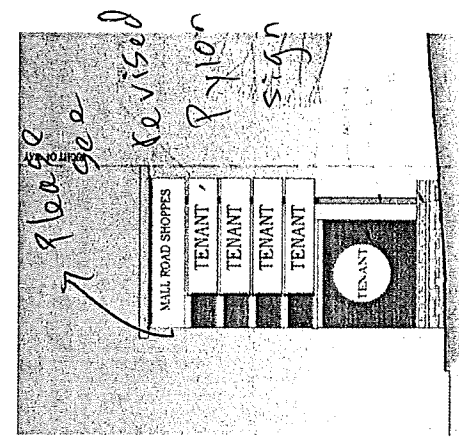
RELIANT CAPITAL
 MALL ROAD SHoppes OF FLORENCE
 7901 Mall Road
 Florence, Kentucky 41042

Division of General Architecture, Inc.

CONSTRUCTION DOCUMENTS

SIGN SUBMITTAL SITE PLAN

A001



SITE SIGN PLAN

DO NOT ENTER SIGN & POLE

STOP SIGN & POLE

MENU SIGN

MONUMENT SIGN

ONE WAY SIGN

YIELD SIGN

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

**May 17, 2006
7:30 P.M.**

PUBLIC HEARING

Commission Members Present: Mrs. Arnett, Mr. Barlow, Mr. Bunger, Mr. Caddell – Chairman, Mr. Carmichael, Mr. Knock – Temporary Presiding Officer, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen, 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. Todd Morgan, AICP, Senior Planner.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 8:00 PM and introduced the item on the Agenda:

1. **Applicant:** GBBN Architects Inc. for
Mall Road Shoppes of Florence LLC (owner)

Request: Zoning Map Amendment

The request of GBBN Architects Inc. (applicant) for Mall Road Shoppes of Florence LLC (owner) for a Zoning Map Amendment for a Special Sign District for a 2.33 acre site located at 7901 Mall Road, Florence, Kentucky. The request is for a Special Sign District in a Commercial Two (C-2) zone to allow alternative signage.

Staff Member Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

Chairman Caddell questioned the off-premise sign for Skyline. Ms. Bachman responded that off-premise signage is allowed only as a Conditional Use in the I-1 zone, but since the applicant is requesting a Special Sign District they can basically ask for whatever they want. Chairman Caddell asked for clarification of what the applicant is requesting. Ms. Bachman responded that what is outside of the norm is the monument sign. The development would be permitted its own architectural free-standing sign, provided it is 31 feet in height and 200 square feet in area. Chairman Caddell stated that it is a 230 square foot sign on Mall

Road. Ms. Bachman stated that they are also asking to place a tenant panel for Skyline Chili on the requested monument sign on Connector Drive. Mr. Carmichael stated that it is not within the norm for the free-standing sign to have multiple panels, but the applicant is requesting an architectural free-standing sign with multiple tenant panels plus a monument sign with multiple tenant panels on the Connector Drive side. Ms. Bachman stated that under Section 34 of the Zoning Regulations they could have a free-standing sign with multiple tenant panels. Mr. Knock stated that the free-standing sign on Mall Road is taller and larger than what is normally allowed. Ms. Bachman stated that they would be permitted one free-standing sign. They are asking for one free-standing sign over and above what they are allowed. She explained that the term "free-standing sign" refers to any sign that is not building-mounted.

The Chairman asked the applicant to address why they want off-premise signage on the property.

Mr. Jerry Atkins stated that their company is a small development company and they have been looking for a site on Mall Road for three years. The central hub of retail shopping is Florence Mall, but it has become aged and needs to go through a revitalization funded with public and private investment. They paid a high price for the property and want to build a high quality development. He presented a picture showing the type of project they propose (see Exhibit 1). Their store in West Chester (Ohio) is pedestrian friendly and that is what they propose on this 2.3 acre tract. They hope to build 21,700 square feet and will put sidewalks all the way around the property. They have agreed with the City of Florence to put sidewalks in the public right-of-way at their own expense. He stated that they will build a high quality commercial development, unlike anything on Mall Road now, to attract small retail tenants. They are negotiating to have the first free-standing Starbucks Coffee shop. This is the first time in ten years that Starbucks has found a project on Mall Road up to their standards. He stated that it is a pedestrian-friendly project using high quality materials. They have a large budget for landscaping and will conform to the regulations and, in addition, there will be irrigated flowerbeds throughout the front area. He stated that the property is owned by his family and they are residents of the area. This is not an institutional investor. He stated Family Christian has signed a lease and made a ten-year commitment. Starbucks has also made a ten-year commitment and they are meeting with a couple from Southern California in regard to a use that will be a great service to Northern Kentucky and will fit in this project. He stated that they met with Staff and the City of Florence and want to be part of redevelopment of Mall Road. In turn, they are asking for help with the signage. Part of the signage is not necessarily needed by the project, but it is needed by the tenants. They want a sign made of high quality materials with masonry at the bottom and architectural style. They are asking for two signs because they do not have a front driveway and people driving along the back of the center would not know what businesses are there. According to the Sign Code, they can have building-mounted signage for each individual tenant on the front and the back of the

building, but that would be cluttered and not architecturally pleasing. Therefore, they want to consolidate the signage and put up a monument sign. Chairman Caddell asked if Mr. Atkins was saying that they will not put building-mounted signage on the individual tenant spaces. Mr. Atkins responded that they would not put signage on the back of the building. Chairman Caddell asked if they will put signage on the front of the building. Mr. Atkins responded "yes". He stated that they are asking for a monument sign with individual sign panels so that there is not a sea of signs in the back and front of the project. They are offering something that is better than what is in place now. He stated that there is a road in the back and a road in the front and that creates issues for tenant identification.

Chairman Caddell asked Ms. Bachman if it was her understanding that there would not be signs on the back of the building. Ms. Bachman responded "no".

Chairman Caddell stated that he is excited about a high quality development on Mall Road, but this has been a confusing request and he believes that Staff was not totally clear on the applicant's intentions. He stated that the Planning Commission has spent time that would normally be spent at the Committee level, but that should not be misinterpreted as opposition to the request. The Planning Commission is trying to get a clearer understanding of the proposal.

Mr. Atkins stated that Skyline is a contiguous business and shares the parking lot, but Skyline is not up to their standards. Skyline said that if they bring in this type of development, Skyline will renovate and redevelop their site. Skyline requested some parking from them and they gave it to Skyline. They hope that others will follow their efforts and get national tenants to come into other developments along Mall Road. He stated that there is a national shopping center convention in Las Vegas and other developers on Mall Road are redesigning plans to attract similar centers. He stated that they could have leased the space to tenants that do not add to the community, but he wants national tenants that sign ten-year leases. He stated that what Skyline does with their free-standing sign is their business, but Skyline asked for a free-standing panel on this site and, if there is an extra sign panel left after they finish leasing the space, it will be made available to Skyline. It would be an off-site panel to designate that people can get to Skyline through this site. He stated that the major tenants will be on the pylon sign. Skyline will not be on the front pylon sign and may or may not be on the back sign. It depends on whether they have all small tenants or one tenant that takes the rest of the lease space. Chairman Caddell stated that an off-premise sign would require approval from the Planning Commission.

Mr. Bunger agreed that the picture (Exhibit 1) shows a very attractive development, but there is no monument sign shown. He questioned where the monument sign would be placed relative to the development. He questioned why it is necessary to have a larger sign than what is allowed.

Mr. Atkins stated that the pylon sign will be near the tower in the center of the project. The walkway will go through the parking lot and out to the right-of-way and the pylon sign will be there.

Mr. Barlow asked the applicant to bring a drawing to Committee showing the signs on the front of the building to scale. The applicant was also asked to impose the pylon and monument signs onto the rendering shown. Mr. Barlow stated that he believes the signs are an overload and may become the focal point of the development. Mr. Atkins stated that the signs are consistent with what they have in their lifestyle development. Mr. Barlow commented that it is not on Mall Road. Mr. Atkins stated that they will be dwarfed by the 65-foot high sign. He stated that this sign package gives the tenants an opportunity to market themselves. If the tenants were not asking for it, he would not be paying for the sign. He wants "A" tenants and they require this signage. He stated that Starbucks will have a neon sign for their drive-through. He stated that he will provide the renderings as requested, which is difficult at this time as they are only 50% leased.

Mr. Bunger stated that it is an attractive development that is welcome in the community. He questioned why the tenants have determined that they need the option of signage larger than what is allowed. Mr. Atkins responded that the tenants have requested a certain type of visibility in order to compete with today's market on Mall Road. There is a contingency in the Starbucks lease that they will have a sign on Mall Road and Connector Drive of a certain size.

Mr. Reynolds stated that they are 1'8" over what is allowed for the height of the pylon sign on Mall Road. Mr. Atkins responded that they will conform to the standard and it will be 30 feet tall. Mr. Reynolds asked if the sign will be 200 square feet. Mr. Atkins responded that there are gaps and open space in the sign. Ms. Bachman stated that the 230 feet is the total area of the panels. Mr. Atkins responded "I will conform to the standards in regard to height and area of the sign".

Chairman Caddell stated that there appears to be some misunderstanding in regard to the individual building-mounted signs on the back of the building, which would normally be permitted. He stated that the question is *does the Planning Commission want to accept a trade off of that signage?* Ms. Bachman explained that the applicant is saying that they will give up the building-mounted signs on the rear of the building for a monument sign, and they will keep the free-standing sign on Mall Road. Mr. Atkins stated that "the back of the building" refers to Building A and the other building may have signage and a menu sign.

Mrs. Wilson asked the applicant to bring to Committee a picture of the Starbucks drive-through area. She stated that the applicant has seen the study that was done in regard to monument signs and street signs and she asked the applicant to

compare the proposed signage to that study and indicate if they are using any of those ideas.

Chairman Caddell questioned the drive-through area for Starbucks. Ms. Bachman stated that they are proposing a sign 32 square feet in area and 8 feet in height, which meets the Code. Mr. Morgan stated that when he approved the Site Plan, he did not approve a drive-through. He stated that they need a ten-foot drive-through lane and 30 feet between the building and the back of the parking stall. He questioned how they will meet the requirements. Chairman Caddell suggested that the developer discuss this issue with Staff before the Committee Meeting.

Mrs. Poston stated that she would like to see the panel signs cleaned up.

Mr. Knock commended the applicant for bringing this development in. He believes it is an opportunity for a new start on Mall Road.

There being no one else present who wished to speak in regard to this request and there being no further comments from the Commissioners, the Chairman stated that the Committee Meeting for this item will be on June 7, 2006 at 5:00 PM in the first floor Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on June 21, 2006 at 7:00 PM in the first floor Fiscal Courtroom. The Chairman closed this Public Hearing at 8:55 PM.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

Exhibit 1 – Rendering submitted by the applicant

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Judy Arnett, Chairwoman

DATE: June 7, 2006

RE: Request of **GBBN Architects Inc. (applicant)** for **Mall Road Shoppes of Florence LLC (owner)** for a Zoning Map Amendment for a Special Sign District for a 2.33 acre site located at 7901 Mall Road, Florence, Kentucky. The request is for a Special Sign District in a Commercial Two (C-2) zone to allow alternative signage.

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.

Judy Arnett

Judy Arnett, Chairwoman
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

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

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

Janet Kegley

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

Susan Poston

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

Jim Carmichael (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Charlie Reynolds

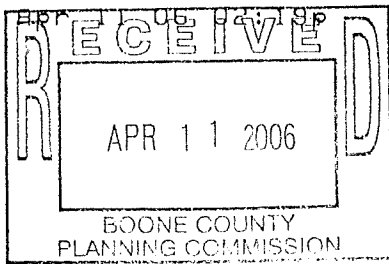
Charlie Reynolds (Alternate)
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Bob Schwenke (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Lisa Wilson (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

TOTAL: _____ DEFERRED 4 FOR PROJECT 2 ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

SUPPORTING INFORMATION



Order No. : SR04005245CC
Loan No.:

EXHIBIT A

Situated in Florence, Boone County, Kentucky and being a parcel of land lying on the southwesterly side of Mall Road and being more particularly described as follows:

BEGINNING at a point in the southwesterly right-of-way line of Mall Road, said point also being North 17° 00' 56" West 35.00 feet from the southeasterly corner of Lot 5 of Florence Plaza C.M. Section 2; thence South 62° 29' 04" West 132.58 feet to a point in the northerly right-of-way line of Plaza Blvd.; thence, with said northerly right-of-way line South 77° 44' 17" West 89.94 feet to the easterly right-of-way line of Connector Drive; thence, with said easterly right-of-way line North 17° 00' 56" West 33.09 feet; thence, North 24° 03' 30" West 271.70 feet, thence North 26° 30' 56" West 140.34 feet; thence, North 63° 29' 04" East 220.00 feet to a point in the southwesterly right-of-way line of Mall Road; thence with said southwesterly right-of-way line South 26° 30' 56" East 144.98 feet; thence, South 24° 03' 30" East 289.96 feet; thence, South 17° 00' 56" East 30.00 feet to the point of beginning containing 2.334 acres of land, more or less.

Being part of Lots 5 and 3, and all of Lot 4, Florence Plaza C.M., Section 1, Subdivision Plat 15/45.

TOGETHER WITH a Declaration of Easement granted by Phillip R. Duke & Associates No. 28, an Indiana limited partnership, dated March 27, 1984 and recorded April 6, 1984 at Easement Book 12, Page 85, in the Office of the Clerk of the County Court of Boone County, Kentucky; as being amended by Instrument of record at Easement Book 13, Page 96, in the Office aforesaid; for a perpetual, non-exclusive right and easement in, over and across the Easement Property for utilities and fire protection systems and ingress and egress of pedestrian and vehicular traffic on, over and through the Easement property. Said Easement being described as follows:

Situated in Florence, Boone County, Kentucky and being a parcel of land lying on the southwesterly side of Mall Road and being more particularly described as follows:

Beginning at a point on the southwesterly right-of-way of Mall Road, said point also being South 26° 30' 56" East 9.44 feet of the northeastern corner of Lot 3, Florence Plaza C.M. Section 2; thence South 65° 56' 30" West 220.20 feet to a point on the northeasterly right-of-way of Collector (sic) Road, said point also being the westerlymost corner of Lot 3; thence North 26° 30' 56" West 30.03 feet; thence North 65° 56' 30" East 220.20 feet; thence South 26° 30' 56" East 30.03 feet to the point or place of beginning, containing 0.152 acres (6,606.07 S.F.) more or less.

AND TOGETHER WITH, a Cross Easement Agreement between Chelsea Moore Corporation, an Ohio corporation, and Phillip (sic) R. Duke & Associates, No. 28, an Indiana limited partnership, dated January 10, 1984 and recorded January 10, 1984 at Easement Book 11, Page 205, in the Office of the Clerk aforesaid. Said Agreement having been modified by Modification of Easements dated September 17, 1984 and of record at Easement Book 13, Page 92, in the Office of the Clerk aforesaid. Said Agreement created for the purpose of providing for certain reciprocal cross easements for utilities, for ingress and egress and for joint use of certain roadways, as set out in said Agreement.

AND ALSO INCLUDING, the Declaration of Access and Utility Easement, granted by the Chelsea Moore Corporation, an Ohio corporation, for the creation of a certain common, perpetual, non-exclusive easement in, over, under and across the Easement property for Pedestrian and vehicular traffic, sewer lines, water lines, fire protection lines and other

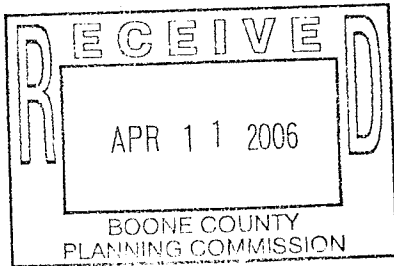
Order No. : SR04005245CC
Loan No.:

EXHIBIT A cont.

utilities. Said Declaration of Access and Utility Easement is of record at Easement Book 11, Page 220; modified by Modification of Easements of record at Easement Book 13, Page 92, both in the Office of the Clerk aforesaid.

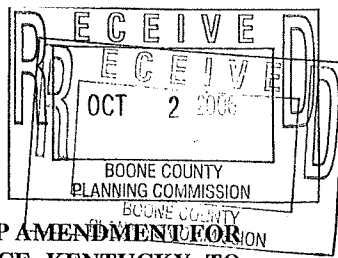
Group No. 1372

Tax ID No.: 62T-4H1=3,4,5



A small, handwritten mark or signature in the bottom right corner of the page, enclosed in a circular scribble.

ORDINANCE NO. 0-20-06



AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FOR A 2.33 ACRE SITE LOCATED AT 7901 MALL ROAD, FLORENCE, KENTUCKY, TO ESTABLISH A SPECIAL SIGN DISTRICT IN A COMMERCIAL TWO (C-2) ZONE TO ALLOW ALTERNATIVE SIGNAGE. (MALL ROAD SHOPPES OF FLORENCE, LLC PROPERTY)

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

WHEREAS, the Boone County Planning Commission by Resolution No. R-06-017-A recommended approval for a zoning map amendment to establish a special sign district, and

WHEREAS, the recommendation for approval by the Boone County Planning Commission is based upon certain findings attached to the Commission's Resolution, all of which have been reviewed by the Florence Planning & Zoning Committee and 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 request of GBBN Architects, Inc. (Applicant) for Mall Road Shoppes of Florence, LLC (Owner), for a zoning map amendment to establish a special sign district for a 2.33 acre site located at 7901 Mall Road, Florence, Kentucky, in a Commercial Two (C-2) zone to allow alternative signage shall be and is hereby approved, subject to the Concept Development Plan as well as agreed conditions for this site. 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 zoning map amendment to establish this special sign district for this subject property.

SECTION II

The approval of this zoning map amendment is granted subject to the terms and provisions of the Boone County Planning Commission recommendation, including its Committee Report, made a part of that recommendation, and all provisions comprising the development plan herein, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "A" and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-06-017-A of the Boone County Planning Commission, including the exhibits referenced to that Resolution.

SECTION III

In addition to the terms and provisions set forth in the recommendation 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 additional conditions that have been agreed to in writing by the property owner/applicant as shown on Exhibit "B", a copy of which is attached and incorporated herein by reference as if fully set out.

SECTION IV

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission's Resolution No. R-06-017-A marked Exhibit "A", and attached hereto.

SECTION V

If the approval for this zoning map amendment shall be held invalid, in whole or in part, by any Court of proper jurisdiction, that invalidity shall not affect the validity of any of the other zoning regulations, zoning map, comprehensive plan, or other portions, provisions or terms of the approved zoning map amendment, or its concept development plan, and its agreed conditions, for this property as they are severable from this Ordinance and are intended to have full force and 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 8th DAY OF August, 2006.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 15th DAY OF August, 2006.

APPROVED:

Dean S. Whalen
MAYOR

ATTEST:

[Signature]
CITY CLERK

**City of Florence Special Conditions of Approval
For
A Zoning Map Amendment That Will Allow for a
Special Sign District at 7901 Mall Road
Mall Road Shoppes of Florence LLC**

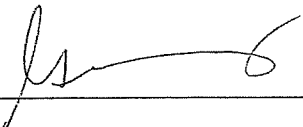
The undersigned on behalf of Mall Road Shoppes of Florence as the owner hereby agrees to the following Special Conditions of Approval for a Zoning Map Amendment that will allow for a Special Sign District on the property. The property to which these Conditions of Approval apply is located at 7901 Mall Road in Florence, Kentucky.

1. The adjacent Skyline Chili located at 7899 Mall Road shall only be permitted to have off-premise signage to advertise their business on the Mall Road Shoppes of Florence monument sign if they first renovate their existing free standing sign consistent with the free standing signage design for the Mall Road Shoppes of Florence property at 7901 Mall Road. Alternatively, the adjacent Skyline Chili may also have off-premise signage to advertise their business on the Mall Road Shoppes of Florence monument sign if they permanently remove their free standing sign.

2. The architectural free standing sign on the Mall Road side of the Mall Road Shoppes of Florence property shall not exceed 29' 10" in height and 198 square feet in area. The monument sign on the Connector Drive side of the Mall Road Shoppes of Florence property shall not exceed 9.25' in height and 60 square feet in area.

3. No building mounted signage shall be permitted on the rear (Connector Drive side) of building "A" on the Mall Road Shoppes of Florence property.

7-17-2006
Date


Owner Signature



RELIANCE CAPITAL

MALL ROAD SHOPS OF FLORENCE

7901 Mall Road
Florence, Kentucky 41042

Architect of Record
GBBN Architects Inc.
330 East Ogden Street
Florence, KY 41042
Tel: 781-231-2200
Fax: 781-231-2202
www.gbbn.com

Contractor
Milroy & Co., Inc.
10000 W. Highway
Florence, KY 41042
Tel: 781-231-2200
Fax: 781-231-2202
www.milroy.com

General Contractor
Conroe Engineering Corporation
10000 W. Highway
Florence, KY 41042
Tel: 781-231-2200
Fax: 781-231-2202
www.conroe.com



CONSTRUCTION DOCUMENTS

No.	Date	Description
1	08-28-11	100% COMPLETE

SIGN SUBMITTAL SITE PLAN

Project No. 1104021

City of Florence, KY

Site No. 02-028

A001

OWNER / DEVELOPER
MALL ROAD SHOPS OF FLORENCE, INC.
7901 Mall Road
Florence, KY 41042
Tel: 781-231-2200
Fax: 781-231-2202
www.gbbn.com

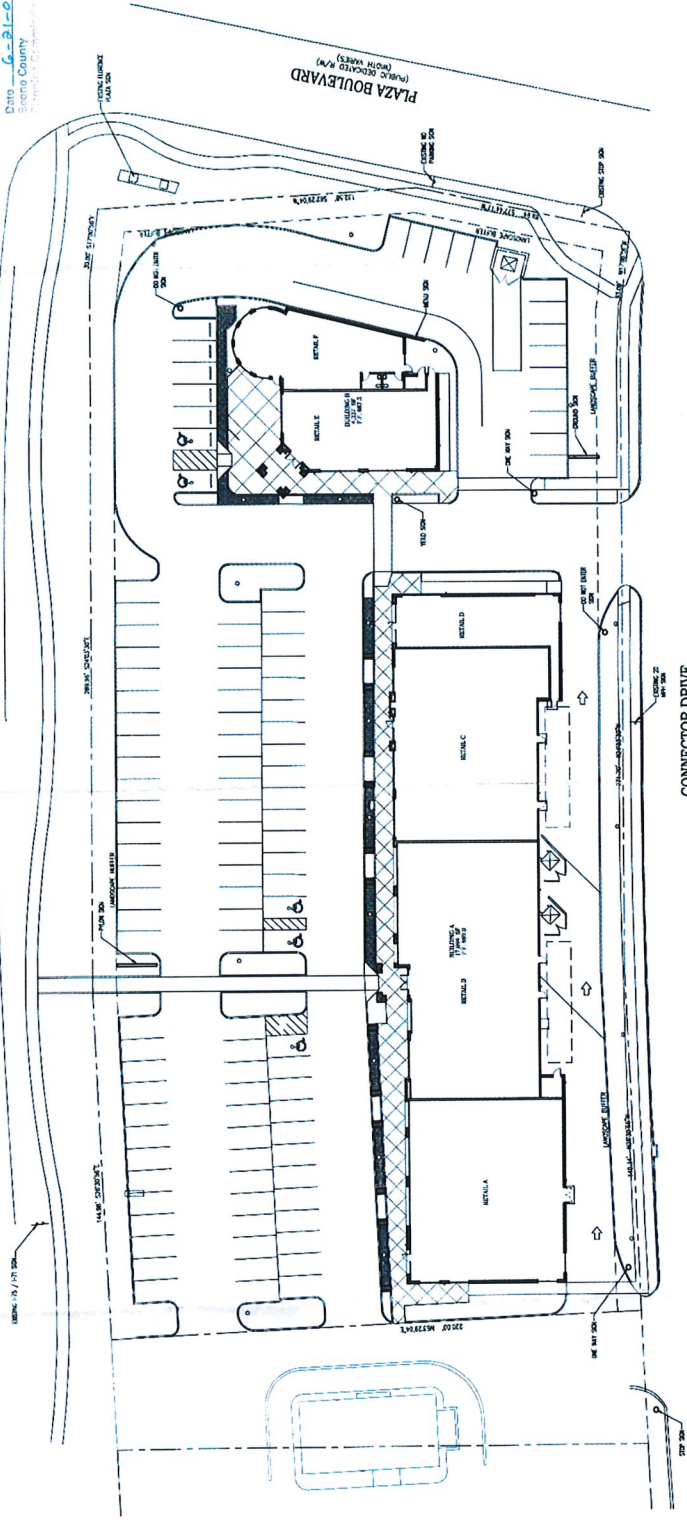
APPROVED
Shirley M. ...
Sevier County
Sevier County

Date: 6-21-12

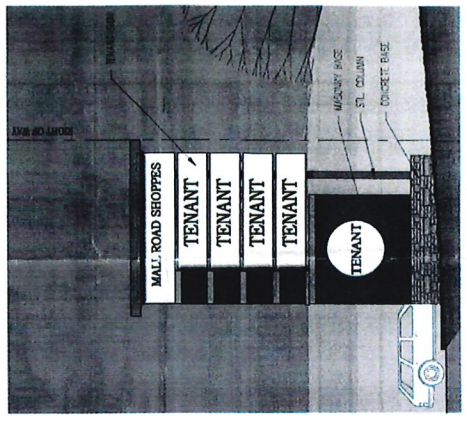
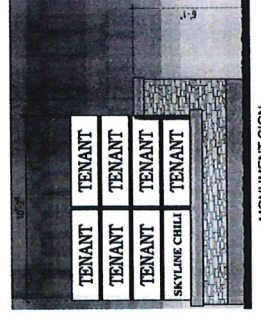
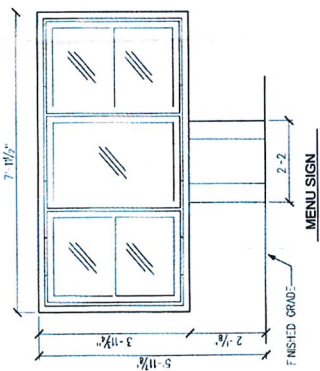
MALL ROAD
(PUBLIC DEPOSED R/W)

PLAZA BOULEVARD
(PUBLIC DEPOSED R/W)

CONNECTOR DRIVE
(PUBLIC DEPOSED R/W)



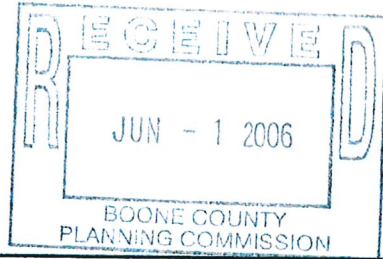
SITE SIGN PLAN
SHEET 1 OF 2





GBBN Architects Inc.

325 West Main Street
Lexington, Kentucky 40507
v 859.381.8787
f 859.381.8873
www.gbbn.com

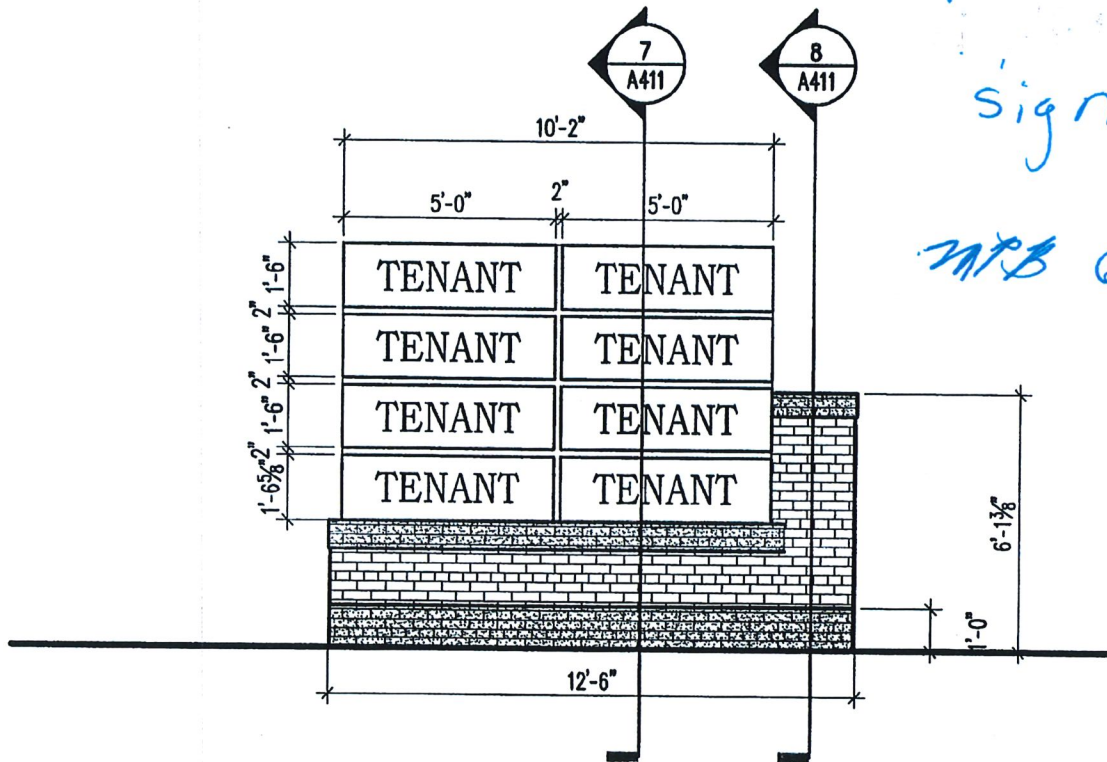


Job Name: MALL ROAD SHOPPES OF FLORENCE Job No: 11446.01 Sheet No: A002

Date: 06.02.06

*Approved
Monument
Sign*

MPB 6-21-06



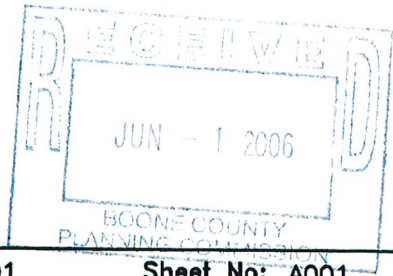
MONUMENT SIGN
ELEVATION

SCALE: 1/4" = 1'-0"



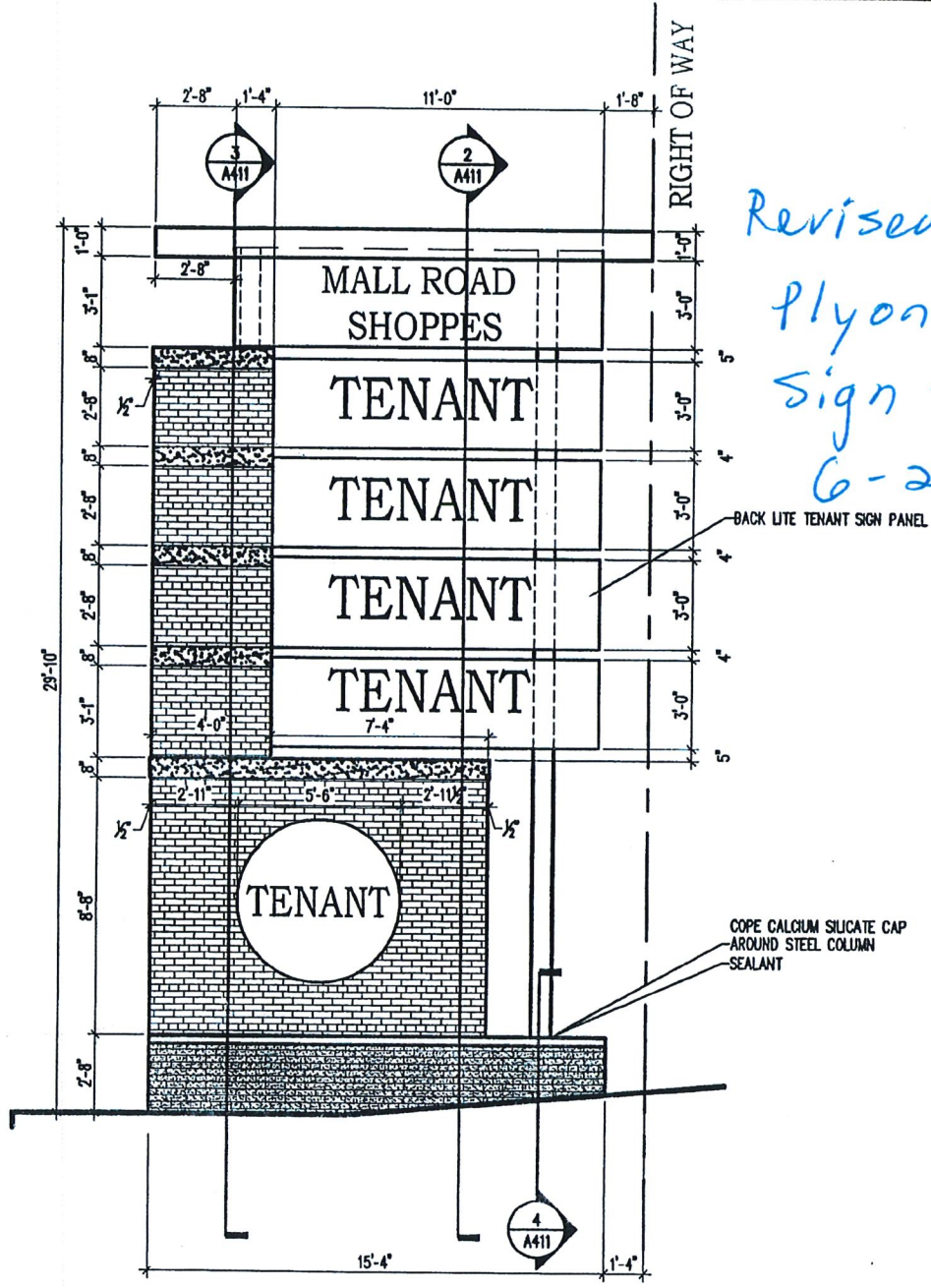


GBBN Architects Inc.
 325 West Main Street
 Lexington, Kentucky 40507
 v 859.381.8787
 f 859.381.8873
 www.gbbn.com



Job Name: MALL ROAD SHOPPES OF FLORENCE Job No: 11446.01 Sheet No: A001

Date: 06.02.06



*Revised
 Plyon
 Sign mTB
 6-21-06*

ELEVATION
 SCALE: 1/4" = 1'-0"

