

07-CCDP-005-A

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN + Removal of Restrictions
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

JAN 16 2007

1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
- Change in an Approved Concept Development Plan + Removal of Restrictions
- 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 Saddlebrook Center
- 3. Location of Project Weaver Road
- 4. Total Acreage of Site 9.71 acres
- 5. Current Zoning C-2
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) October, 1988
- 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) Commercial, retail, office
- 9. Proposed Building Intensities (please specify) To be determined

- 10. Have you submitted a Concept Development Plan? Revised concept Dev. Plan
- 11. Are you also applying for: attached.
- Conditional Use Permit
- Dimensional Variance

- 12. Name of Applicant(s) Noll Properties
- Phone Number 859-~~530~~ 743-8172 Fax No. 331-6592
- 13. Address of Applicant(s) 6 Dartmouth DR.
- Ft. Mitchell, Ky. 41017
- City State Zip

- 14. Name of Property Owner(s) Banklick Corporation
- Phone Number 859-371-0700 Fax No. _____
- 15. Address of Property Owner(s) 8800 Bankers st.
- Florence Ky 41042
- City State Zip

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

- 17. Deed Book ~~530~~ 530 Page No. ~~160~~ 160 Group No. ~~20488~~ 20488

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

EXHIBIT

“A”

STAFF REPORT

Request of **Noll Properties (applicant)** for **Banklick Corporation (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone for an approximate 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County (annexation pending into the City of Florence), Kentucky. The request is for a change in an approved Concept Development Plan to allow commercial, retail, and office uses.

February 21, 2007

REQUEST

The applicant has submitted a Change in Approved Concept Development Plan to allow a commercial, retail, and office development to be constructed on an approximate 9.71 acre tract, which is zoned Commercial Two (C-2). The property has road frontage on Weaver Road and Evergreen Drive and is located across from the Weaver Road/Saddlebrook Lane intersection.

The submitted Concept Development Plan shows that the development will consist of 6 lots of record. The chart below summarizes the acreage and uses shown on the Concept Plan.

LOT	ACREAGE	PRINCIPAL & ACCESSORY USES SHOWN ON CONCEPT PLAN
1	0.86	<ul style="list-style-type: none"> • Permanent Green Space
2	2.47	<ul style="list-style-type: none"> • 2 Two Story Office/Retail Buildings (Each Approx. 16,800 Sq. Ft.) • 133 Parking Stalls
3	2.32	<ul style="list-style-type: none"> • 1 Story Commercial/Retail Building (Approx. 17,500 Square Feet) • Outdoor Seating Area • 103 Parking Stalls
4	1.79	<ul style="list-style-type: none"> • 2.5 Story Office/Retail Building (Approx. 21,000 Square Feet) • 85 Parking Stalls
5	1.13	<ul style="list-style-type: none"> • 1 Story Office or Day Care w/ Play Area (Approx. 5,600 Sq. Feet) • 17 Parking Stalls
6	1.14	<ul style="list-style-type: none"> • 1 Story Bank/Daycare/Corner Commercial (Approx. 4,000 Sq. Ft.) • 4 Drive-Through Lanes • 31 Parking Stalls

The applicant's engineer has informed Staff that the building footprints and parking areas shown on the Concept Development Plan are speculative. There are notes on the plan indicating the development will have 18,800 to 19,500 square feet of commercial/retail space (lots 2, 3, or 4), 54,000 to 60,000 square feet of office space (lots 2, 4, or 5), a 4,000 to 5,000 square foot daycare (lot 5), and a 4,000-5,000 square foot corner commercial use (lot 6).

The plan shows that the development will have four access points. The main entrance is shown directly across from the Weaver Road/Saddlebrook Lane signalized intersection. Two other access points are shown on Evergreen Drive. The fourth access points will convert the existing Kentucky Farm Bureau driveway into a shared access drive. Other site improvements include two shared detention basins.

SITE HISTORY

In 1988, the Boone County Planning Commission and Boone County Fiscal Court approved a Zoning Map Amendment from Recreation (R) and Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) and Commercial Two (C-2) for an approximate 130 acre site located on both sides of the US 25/42 Connector Road (Weaver Road). The approved Concept Plan for the commercial area showed a 60,000 square foot strip center, 4,250 square foot bank, and a 4,500 square foot office (KY Farm Bureau). The plan also showed that access would be provided from Ridgeview Drive (became Evergreen Drive) and US 25/42 Connector (Weaver Road) and that twenty-five (25) to fifty (50) foot wide landscape buffers would be provided between the strip center and Evergreen Drive. Seven conditions of approval were imposed on the development (see attachments).

SITE CHARACTERISTICS

The 9.71 acre site has 1,328 feet of frontage along Weaver Road, 203 feet of frontage along the southeast side of Evergreen Drive, and 903 feet of frontage along the northeast side of Evergreen Drive. Water mains exist along the southeast side of Evergreen Drive and along the Weaver Road frontage. A sanitary sewer main bisects to southeast corner of the site. Overhead power poles are located in the northwestern and southeastern portions of the site and along the northeast side of Evergreen Drive. The central portion of the site is 900 feet above sea level and the topography falls to 870 feet above sea level to the northwest and to 890 feet above sea level to the southeast. The site is heavily wooded with mature evergreen and deciduous trees.

ADJACENT LAND USES AND ZONING

Northeast: Weaver Road, Saddlebrook Farms, Trails at Saddlebrook Apts. (SR-2/PD)

Northwest: Evergreen Drive, Ridgeview Drive, Single-Family Residential Dwellings on Ridgeview Dr. (SR-1), and Undeveloped Commercial Lot (C-2)

Southeast: KY Farm Bureau (C-2) and Single-Family Residential on Evergreen Dr. (SR-1)

Southwest: Single-Family Residential Dwellings on Evergreen Drive (SR-1)

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's "2030 Land Use Plan" designates the site for "Rural Density Residential" and "Commercial" uses. These designations are described as follows:

Rural Density Residential - "low density residential uses of up to one dwelling unit per acre."

Commercial - "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Land Use Element (Gunpowder Area, pp. 146-147) makes the following statements regarding the general area:

- A. "West of I-75 and along Weaver Road should develop residentially in a similar fashion to Saddlebrook Farms Subdivision. The vacant parcel between the Grammas strip center and the Weaver Road fire station should develop as a low traffic professional office use. This part of Weaver Road is not suitable for commercial driveway access. In addition, a connector road should be completed from Mt. Zion Road to Weaver Road along the west side of I-75. South of this area should remain Suburban Density Residential in nature. Existing tree stands should be preserved to establish the contrast of this area from the Northern Kentucky Industrial Park, and to decrease noise impacts of I-75 and the airport."
- B. The area south of the Saddlebrook Farms Subdivision along Weaver Road, has developed in an Urban Density Residential manner consistent with this subdivision, with adequate buffering for adjacent to single-family residential uses. Commercial uses should not expand along the west side of the interstate beyond the recently approved addition for Security Self Storage, and the Lion's Park site should remain as a recreation area."

The Land Use Element provides the following Future Land Use Development Guidelines (pp. 140-142) that relate to the proposal:

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined. True

Open Space subdivision design should be considered to blend new subdivisions in with areas that have a rural character ("Utilization of Existing Vegetation and Topography," pg. 140).

- B. As described in the Goals and Objectives, different development densities can occur in Boone County as long as the development is designed in a proper manner and the infrastructure exists or is planned to support the development.

Business, commercial, or industrial parks should be designed and developed to allow future residential or other uses to access through them where the corridor may extend to large developable tracts or may provide a future road connection. A roadway that is suitable for mixed use development should serve side streets for businesses rather than serving individual businesses directly, include an urban curb and gutter design, and provide pedestrian amenities and green space along the right-of-way. In this way, future residential development could be developed beyond the initial development, but be readily marketed.

These recommendations are site specific and should be evaluated on a case-by-case basis. In fact, there may be other design mechanisms not identified here that may work in some instances ("Development Layout, Lot Sizes, and Setbacks," pp. 140 and 141).

- C. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate . . .

Typically, buffering is required and provided between unlike land uses, however, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer areas should use and supplement existing site features where possible ("Buffering," pg. 141).

- D. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways.

Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," pg. 141).

- E. Developments in Boone County must recognize the potential impacts of stormwater runoff. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site. One goal of local storm water programs should be to minimize the amount of storm water generated by decreasing the amount of pavement and encouraging green rooftops. Creating less runoff is a method of managing runoff.

Control and mitigation practices for erosion associated with developments must be provided. At a minimum, developments must seed and mulch all graded areas and provide siltation controls. Stormwater management and erosion control measures must be concurrent with site work in order to be effective. Stormwater management officials must also consider the cumulative effects of increased development runoff in watersheds ("Stormwater Management and Erosion Control, pg. 141).

- F. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system ("Access Management," pp. 141 and 142).

- G. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways, and functional classifications must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but should provide connections to adjoining uses where appropriate ("Transportation and Pedestrian Network," pg. 142).

- H. 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 objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Overhead utility lines should be placed underground wherever possible, and junction boxes screened from public view. Neo-traditional residential and commercial development should be encouraged to provide quality development that blends with the natural or historic character of parts of Boone County. This Comprehensive Plan encourages the restoration, renovation and/or adaptive re-use of historically significant structures in Boone County.

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 ("Design, Signs, and Historic Preservation," pg. 142).

The Transportation Element provides the following comments that relate to the proposal:

- A. The Transportation plan has served as a guide for long range transportation improvement decisions. The thoroughfare component has assisted in the preservation of right-of-ways for transportation facilities and established a consistent framework for the design of new transportation facilities (Boone County Transportation Plan, pg. 128).
- B. The Transportation Plan is not an amendment to the Comprehensive Plan. Rather, it is intended to be one of many planning tools utilized during the review of applications submitted for development in this county (Boone County Transportation Plan, pg. 128).

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

- A. Proper design principles shall be applied in development (Overall, Objective).
- B. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be maintained or improved as needed (Overall, Objective).
- C. 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 maintained and enhanced. Development within Boone County preserves and promotes a better quality of life (Environment, Goal).
- D. Existing vegetation shall be considered as both an important site characteristic and a community resource (Environment, Objective).
- E. The incremental effects of development on the environment, including, but not limited to storm water, erosion, woodlands, streams, and views shall be evaluated and addressed (Environment, Objective).

- F. Boone County shall have a sustainable economy that both restores and protects the environment and also brings forth innovation and prosperity with meaningful employment opportunities for all its citizens (Economy, Goal).
- G. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas (Business Activity, Goal).
- H. Compact, efficient development patterns shall be encouraged for business districts (industrial commercial, and office) with appropriately sized and well maintained buffer spaces between the business use and other land usage (Business Activity, Objective).
- I. Commercial uses shall be designed and located to coordinate with surrounding land uses and shall have safe and effective access and ample parking spaces (Business Activity, Objective).
- J. Safe, efficient and environmentally sound public services and facilities shall exist for all development (Public Services and Facilities, Goal).
- K. Existing infrastructure and services (e.g. systems and facilities for: water treatment and distribution, wastewater collection and treatment, natural gas distribution, electric power distribution, communication lines, police and fire services and associated municipal buildings, schools, public roads and storm water management) shall be utilized efficiently. The phasing of proposed development shall demonstrate a means of addressing significant impacts on existing infrastructure and services (Public Services and Facilities, Objective).
- L. The incremental effects of developments on public facilities and services shall be evaluated and addressed (Public Services and Facilities, Objective).
- M. The local transportation system in Boone County shall be maintained and improved so that overall safety and level of service will be enhanced. Inefficiencies in the system will be identified and addressed. New land development shall be closely coordinated with the local transportation system to assure efficiency and continuity with the regional multi-modal transportation system (Transportation, Goal).
- N. Priority shall be given toward maintaining, protecting, and improving the capacity and safety of the existing road system (Transportation, Objective).
- O. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops.

Relationship to the Boone County Transportation Plan 2030

The following passages and information relates to the request:

- A. The current level of service (LOS) on Weaver Road, between Evergreen Drive and Sam, Neace is LOS E. The average daily trips on this section of road is 14,908 (Exhibit 2-8).

- B. The current level of service (LOS) on Weaver Road, between Evergreen Drive and U.S. 42 is LOS E. The average daily trips on this section of road is 15,989 (Exhibit 2-8).
- C. The forecasted level of service (LOS) on Weaver Road, between Saddlebrook Lane and Sam Neace Drive is LOS C. The forecasted daily trips on this section of road is 8,000 (Exhibit 6-10).
- D. The forecasted level of service (LOS) on Weaver Road, between Saddlebrook Lane and U.S. 42 is LOS D. The forecasted daily trips on this section of road is 10,300 (Exhibit 6-10).

STAFF COMMENTS

1. The property owner has filed an intent to annex application to the City of Florence. The City of Florence has had a first reading on this application. The City of Florence will have a second reading immediately after they act on the Change in Approved Concept Development Plan request.
2. Staff has the following comments regarding site access and transportation improvements:
 - A. Ed Thompson, with the Kentucky Transportation Cabinet, furnished Staff with an e-mail regarding the proposed access point on Weaver Road (see attachments). Mr. Thompson's e-mail states that the department would mostly likely require a right and left turn for this access point and that the developer will be responsible to install the additional traffic signals at the entrance.
 - B. The County Engineer has provided Staff with a Memorandum regarding the proposed access points on Evergreen Drive (see attachments). The County Engineer has indicated that Boone County Public Works will not approve an Encroachment Permit for the Evergreen Drive curb cut which is shown directly across from a residential area.
 - C. Staff has asked the applicant to furnish a traffic study which analyzes the existing and forecasted traffic counts and distribution of turning movements at the Weaver/Evergreen and Weaver/Saddlebrook intersections.
 - D. The submitted Concept Development Plan does not show any deceleration lanes or left hand turn lanes are being proposed. Staff recommends that the following transportation improvements should be analyzed after the applicant's traffic study is received:
 - Evergreen Drive - Left turn lane for motorists entering the proposed development and a right hand turn lane for motorists turning southbound onto Weaver Road. In addition, the spacing of the proposed curb cut from the two intersections should be re-analyzed. The Boone County Zoning Regulations requires the access point to be 115 feet from Weaver Road and 50 feet from the Ridgeview/Evergreen intersection (currently met).

- Weaver Road/Evergreen Drive/Red Mile Trail - Right hand deceleration lane for motorists turning onto Evergreen Drive and a traffic signal.
 - Weaver Road/Saddlebrook Lane - Right hand deceleration lane and a left turn lane for motorists entering the development.
 - Weaver Road/KY Farm Bureau Driveway - Right hand deceleration lane and a left turn lane for motorists entering the development.
3. Staff has the following comments regarding site layout, building design, and signage:
- A. Building elevation drawings have not been submitted and Staff is concerned about the building materials and a 2½ story building being proposed on lot 4. Staff recommends a consistent, high quality design program that is appropriate for residential adjacency.
 - B. Staff is concerned about site lighting because the site is in close proximity to several residential dwellings. Staff recommends that light poles should be limited to 20 feet in height and that all lighting shall be directed inwards towards the subject site.
 - C. Staff would like the applicant to address what overhead utilities will be relocated. These utilities cross over the building on lot 6 and will impact the type of landscaping planted in the buffer yards. If possible, Staff recommends that these utilities should be located underground.
 - D. Although the width of the perimeter buffers meet code, Staff and the County Engineer are concerned that the Evergreen Drive buffer is being reduced from the 1988 Concept Plan. The 1988 Concept Plan shows that a substantial portion of Evergreen Drive buffer would be 50 feet wide and contain mounding.
 - E. Staff is concerned that a substantial number of parking stalls have been laid out in a fashion which requires drivers to back into the development's main driveway aisle. Staff believes that could pose a safety issue.
 - F. Staff is concerned that sidewalks have not been shown on the Concept Plan. Staff recommends that sidewalks should be required along the development's main driveways and that they should connect to the buildings and required sidewalks on Weaver Road and Evergreen Drive.
 - G. Bob Krebs, with Florence Fire Department, has provided an e-mail indicating where additional fire hydrants will be required (see attachments).
 - H. The subdivision is permitted an architectural free-standing sign which is up to 20' tall and 150 square feet in area. Each outlot (except where the subdivision sign is proposed) is permitted a monument sign which is up to 10' tall and 100 square feet in area. Staff recommends the subdivision sign should be limited to a 15' tall monument and that lots 4 and 5 should be prohibited any free-standing signage.

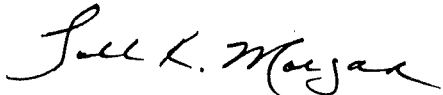
Staff also recommends that the building mounted signage should be prohibited on any building elevation which is oriented towards a residential zoning district.

4. The applicant's engineer has provided a letter outlining the principally permitted, accessory, and conditional uses that the developer is willing to eliminate. Staff recommends that the applicant and Zone Change Committee should review the principally permitted, accessory, and conditional uses of the Commercial Two (C-2) zone to determine which are appropriate on the subject site. Staff would like the applicant to address if lot 6 is being limited to a bank or daycare or if another corner commercial use would be allowed. Staff has concerns about a gasoline station, convenience store, or 24 hour operation on lot 6.
5. Staff reviewed the 1990-2005 Comprehensive Plans to determine why a portion of the property is shown with a Rural Density Residential future land use designation. Staff found that the property was properly shown with a commercial future land use designation after the property was rezoned to Commercial Two (C-2) in 1988 (1990 Comprehensive Plan) and that the property was incorrectly shown with a residential designation on the 1995-2005 Future Land Use Maps.

CONCLUSION

The Concept Development Plan request needs to be evaluated by the Boone County Planning Commission and Florence City Council in terms of the criteria in Article 3 of the Boone County Zoning Regulations and the potential impacts on existing and planned uses in the area.

Respectfully Submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

TKM/pr

Attachments:

- *Site Vicinity Map
- *Aerial Map
- *Concept Development Plan
- *E-Mail From Viox & Viox (Eliminated Uses)
- *Zoning Map
- *Topographical Map
- *Future Land Use Map
- *E-Mail from Ed Thompson
- *Memo from Greg Sketch
- *E-Mail from Robert Krebs
- *1988 Concept Development Plans
- *1988 Committee Report
- *1988 Boone County Fiscal Court Conditions
- *C-1, C-2, O-1 Uses
- *Comment From Norbert Gettys
- *Application

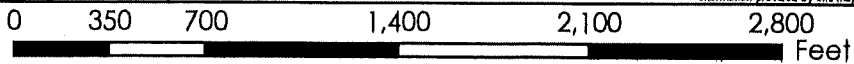
SITE VICINITY MAP

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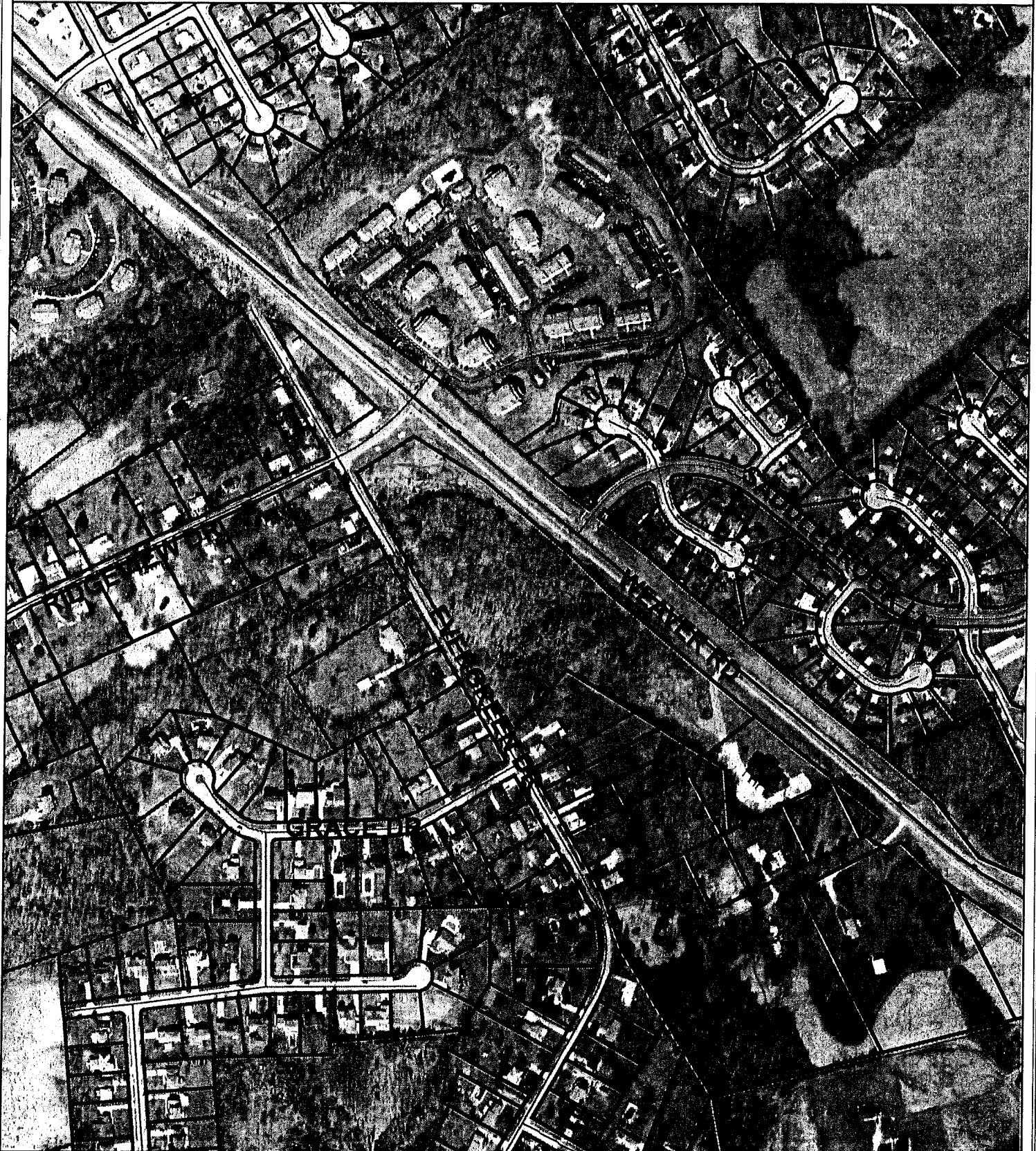


Boone County GIS - Putting Northern Kentucky on the Map



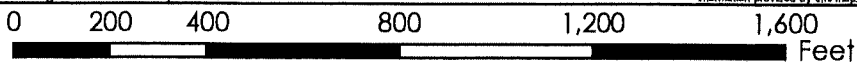
AERIAL MAP

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Boone County GIS - Putting Northern Kentucky on the Map

Todd Morgan

From: Michelle Bollman [MBollman@VioxInc.com]
Sent: Wednesday, January 31, 2007 11:17 AM
To: Todd Morgan
Cc: Megan deSola; Bill Viox
Subject: Saddelbrook Center

Todd,

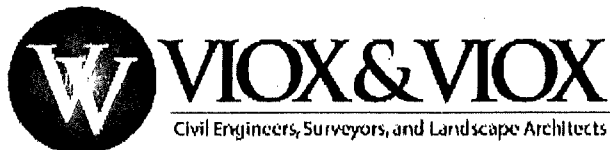
Below is a list of the C-2 uses that Noll Properties, LLC are choosing to eliminate:

1. Grocery and Supermarkets
2. Funeral Homes and Crematoriums
3. Dwelling Related
4. Outside Storage
5. Truck and Trailer Rental
6. Automotive Repair
7. Department Stores
8. Aquariums
9. Motion Picture Theatres
10. Motorcycle sales
11. Hotels/motels
12. Indoor Target ranges
13. Recycling
14. Garden/Landscape sales

Thanks,
Michelle

Michelle L. Bollman, P.E.

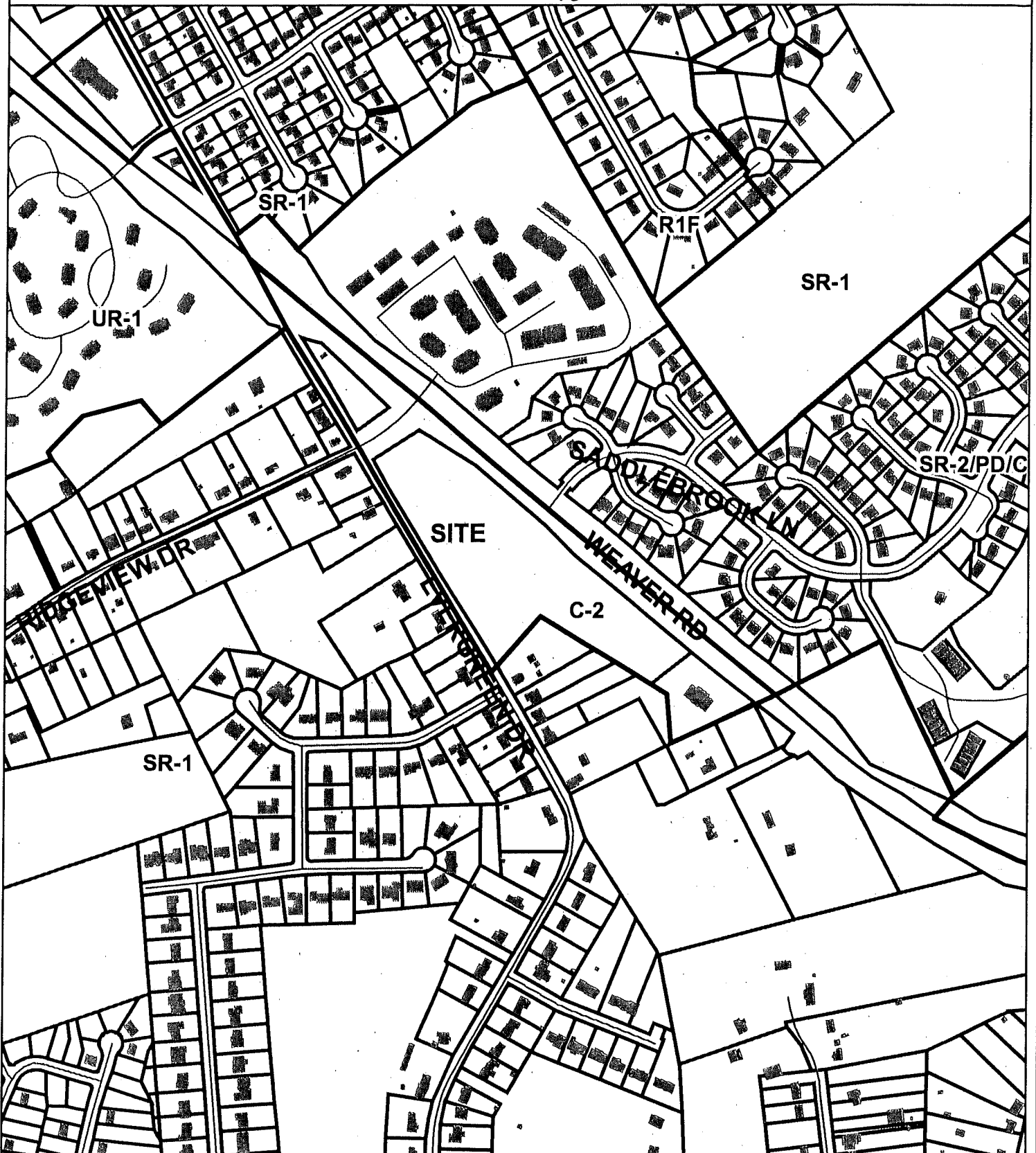
Design Engineer
Viox & Viox, Inc.
466 Erlanger Road
Erlanger, Kentucky 41018
859-727-3293 ext. 13



"Creating Innovative Pathways Through Progressive Design.....One Client At A Time. Since 1945."

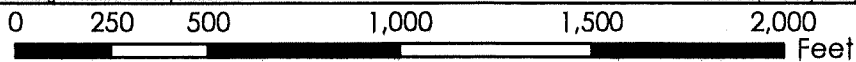
ZONING MAP

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1 inch equals 500 feet



Boone County GIS - Putting Northern Kentucky on the Map



TOPOGRAPHICAL MAP

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0 100 200 400 600 800 Feet

1 inch equals 200 feet



Boone County GIS - Putting Northern Kentucky on the Map



Todd Morgan

From: Thompson, Ed (KYTC-D06) [Ed.Thompson@ky.gov]
Sent: Friday, February 02, 2007 2:11 PM
To: Todd Morgan
Cc: Hans, Robert (KYTC-D06)
Subject: FW: New project on Weaver Rd.

Todd:

David Noll e-mailed the proposed concept plan that you have forwarded to me as per a January 31, 2007 letter & plan. This was my response to that e-mail. I hope this will be amble response for you for the Noll Properties Development on KY 842 "Weaver Road". If not just let me know and I'll send a more formal response.

Ed Thompson

-----Original Message-----

From: Thompson, Ed (KYTC-D06)
Sent: Wednesday, January 31, 2007 9:38 AM
To: 'davidjnoll@fuse.net'
Cc: Madden, Bill F (KYTC-D06)
Subject: RE: New project on Weaver Rd.

Dave:

This office has reviewed the request for an access to KY 842 "Weaver Road" across from Saddlebrook Road per e-mail. KY 842 "Weaver Road" is classified as a Partial Control Access Highway. There is an opening in the Access Control at this location that would allow access to KY 842. This access will be subject to a review of the proposed entrance & site development. The Department would most likely require a right & left turn lane for this access. It will also require the developer to install the additional traffic signals for the entrance. All this is subject to a formal Encroachment Permit application & plans for a formal review.

If you need any additional information, please contact this office.

Ed Thompson
Dist. 6 - Permits

-----Original Message-----

From: davidjnoll@fuse.net [mailto:davidjnoll@fuse.net]
Sent: Tuesday, January 30, 2007 10:18 AM
To: Thompson, Ed (KYTC-D06)
Subject: New project on Weaver Rd.

Ed,

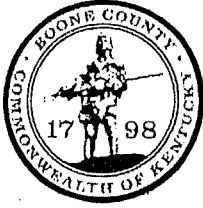
Attached is a preliminary site plan for a development we are planning on Weaver Rd. in Florence. It is across from the entrance to Saddlebrook. I wanted to get your feedback before we get to far with the county and city.

Let me know some times we can meet to go over any questions or comments you may have; I'll arrange my schedule to meet yours.

Thanks,
Dave

--

David J. Noll
Noll Builders
3 Princeton Avenue
Fort Mitchell, Ky. 41017
(859)-743-8172 mobile
davidjnoll@fuse.net



Boone County Public Works Department

5645 Idlewild Rd.
Burlington, KY 41005

Phone: (859) 334-3600
Fax: (859) 334-3598
www.boonecountyky.org

Gary W. Moore
County Judge-Executive

Jeff Earlywine
County Administrator

Gregory V. Sketch
PE, PLS County Engineer

MEMORANDUM

TO: Todd Morgan, AICP, Planner, Zoning Services
Boone County Planning Commission

FROM: Greg Sketch, PE, PLS
Boone County Engineer

RE: **Noll Properties Change in an Approved Concept Development Plan**

DATE: February 9, 2007

This is in response to your request for input concerning the request for a change in an approved concept development plan of a 9.71 acre tract of land at the intersection of Evergreen Drive and the south side of Weaver Road (KY 842). The request is to change a concept development plan approved in 1988. The proposal as submitted raises two concerns with the Public Works Department.

The proposed plan shows access points to the development at four locations. Two are on Weaver Road and two on Evergreen Drive. The first proposed point on the short section of Evergreen Drive (between Ridgeview Drive and Weaver Road) and the second is on Evergreen Drive directly across from existing residents. It is the opinion of the Public Works Department that this proposed access point creates a problem.

The 1988 approved plan does not show this access point on Evergreen Drive. To eliminate potential increase in traffic and turning movements, the Public Works Department supports this concept of no access, and therefore will not issue an encroachment permit at this location. The 1988 plan does show the proposed access point on the short section of Evergreen Drive, and although the 1988 plan shows it closer to Weaver Road, the Public Works Department supports it and will issue an encroachment permit.

The other concern is the lack of buffering along the section of Evergreen Drive across from existing residents. The 1988 plan shows buffering, while the current proposed plan does not. The Public Works Department supports significant buffering between these two different uses.

Thank you for the opportunity for input in this matter.

c: Jeff Earlywine, Boone County Administrator

Todd Morgan

From: Robert Krebs [Robert.Krebs@Florence-KY.gov]
Sent: Wednesday, January 31, 2007 2:51 PM
To: Todd Morgan
Subject: Comments on Saddlebrook Center

The following are our comments:

Hydrants in the following locations

- 1) Ridgeview Drive entrance
- 2) Saddlebrook Drive entrance on the Ridgeview side of the entrance
- 3) Near the entrance of the office/retail that is closest to the evergreen drive, this is in the same grouping with the "Day Care/Office"

There may be additional hydrant requirements that will have to be determined by any sprinkler system/FDC pit. A hydrant should be within 50' of these.

No other comments at this time but would like to reserve the right to review more detailed drawing as they are available.

Any questions please contact me.

Thanks

Bob

COMMITTEE REPORT

2

TO: Boone County Planning Commission

FROM: Larry Barnett, Chairman

DATE: July 6, 1988

RE: Request of Towne Land Company (applicant) for Banklick Corporation (owner) for a Zoning Map Amendment for a +130 acre site located on both sides of the U.S. 42/25 Connector and west of I-75 (former Kentucky Raceway site), Boone County, Kentucky. The request is to rezone the site from Suburban Residential One (SR-1) and Recreation (R) to Suburban Residential Two / Planned Development (SR-2/PD) and Commercial Two (C-2).

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 requested zoning map amendment is in conformance with the Boone County Comprehensive Plan. The Future Land Use Map indicates medium density residential for the entire site. The applicant has shown that the residential portion of the development falls within that medium density designation and accomplishes the progression of intensities, buffering, and variety of housing opportunities recommended within established urban areas.

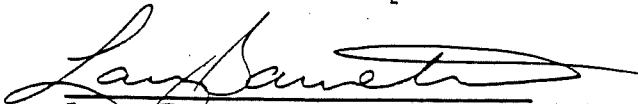
The commercial portion of the development is also in conformance with recommendations of the Boone County Comprehensive Plan. Although the Future Land Use Map does not recommend commercial uses for the specific location they are proposed, the Committee believes that the Goals and Objectives of the Business Activity Element support this portion of the proposed development. Specifically, the Business Activity Element recommends compact, integrated shopping center designs with strategic locations relative to trade areas as well as the mixing of commercial and non-commercial uses in planned developments. References to the Comprehensive Plan are made in the June 22, 1988 Staff Report.


2. The applicant has demonstrated that the existing Recreation (R) zoning is inappropriate to reflect its intended race track usage in a rapidly developing residential area. In addition, the applicant has shown that the requested zoning of Suburban Residential Two/Planned Development (SR-2/PD) and Commercial Two (C-2) achieve a realistic and well designed approach to developing a site while respecting the existing topography, vegetation and existing and planned adjacent land uses.


CONDITIONS

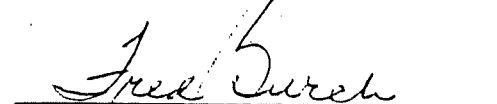
The applicant is being asked to agree to include these items as part of the Concept Development Plan in order to clarify the plan presented at the June 22, 1988 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.


1. In order to achieve safe turning movements on the new US 25/42 Connector Road, the developer shall construct full left-hand turn lanes on the Connector Road at both the main entrance drive and at Ridgeview Drive. At these two intersections, the developer shall also construct deceleration lanes for all approaches, as well as an east bound deceleration lane at the proposed office site. The design and construction of such road improvements shall be phased at the early stages of this development and at subsequent reviews.
2. The location of the proposed entrance drive on Ridgeview Drive shall be moved 100 feet to the west to allow sufficient stacking distances and driver reaction times at the adjacent intersections.
3. Any future Commercial Two (C-2) use proposed for the 2.0 acre outparcel north of Ridgeview Drive shall be required to undergo Concept Development Plan review since no use or site layout are proposed at this time. If for some reason, a legislative body acquires this parcel from the applicant or property owner for public purposes, then the only review deemed necessary would be as required by KRS 100. The applicant is submitting a letter excluding some C-2 uses from the overall commercial area south of Ridgeview Drive. The Committee intends to incorporate this letter into this Committee Report.
4. Section D apartments needs to be developed so as to retain significant stands of mature trees.
5. Recreation facilities proposed for each section of the development shall be constructed as part of the first phase of their respective section.


Larry Barnett, Chairman


Rector Jones


Carol Smith


Fred Burch


Donald McMillian

ESD

ESD ARCHITECTS/PLANNERS, INC.

ERRATA REVISIONS

DEVELOPMENT FOR
SALTERSBORO BRANCH
COWAN PROPERTIES, INC.

JUNE 1988
18023

A MULTI-FAMILY	22 AC (11.8 AC)
PHASE 1	144 UNITS 258 PMS
PHASE 2	102 UNITS 178 PMS
TOTAL	246 UNITS 436 PMS
B SINGLE FAMILY ATTACHED	36 AC (14.2 AC)
PHASE 1	49 UNITS
PHASE 2	82 UNITS
PHASE 3	15 UNITS
TOTAL	146 UNITS 154 OPEN PMS (473 SQ. FT.)
C SINGLE FAMILY	17.5 AC (15.8 AC)
PHASE 1	33 LOTS
PHASE 2	34 LOTS
PHASE 3	33 LOTS
PHASE 4	31 LOTS
TOTAL	131 LOTS 1760 SF (176)
D MULTI-FAMILY	23.0 AC (10.8 AC)
PHASE 1	156 UNITS 291 PMS
PHASE 2	240 UNITS 456 PMS
TOTAL	396 UNITS 747 PMS
TOTAL	799 UNITS 1190 AC (542 AC)

SINGLE FAMILY BLDG SETBACKS
FRONT 10'
SIDE 5'
REAR 10'

DILCREST

SITE PLAN

SCALE 1"=100'-0"

McEVoy
PROPERTY

SINGLE FAMILY LOTS
(17.5 AC)

US 25/42 Connector To 25

To 42

Commercial Area

RIDGEVIEW

EVERGREEN DRIVE

EELES LANDING

I-75

(A)

(B)

(C)

(D)

ZIEGLER & SCHNEIDER, P.S.C.

ATTORNEYS AT LAW

200 COVINGTON MUTUAL BUILDING

629 MADISON AVENUE

COVINGTON, KENTUCKY 41011

TELEPHONE (606) 581-4553

505 TURFWAY RIDGE OFFICE PARK

7300 TURFWAY ROAD

FLORENCE, KENTUCKY 41042

TELEPHONE (606) 525-7797

WILBERT L. ZIEGLER
DAVID A. SCHNEIDER
T.J. BRANDT
WILLIAM J. DEUPREE, III
JOSEPH L. BAKER
BERNIE BECK
ROBERT D. MONFORT
KAREN BURRIS BAKER
MICHAEL A. DUNCAN
LORI JEAN FIELDS-LEE

GREGORY W. HUGHES
1898-1958
ANDREW W. CLARK
1914-1967
D. COLLINS LEE
1888-1949

REPLY TO: FLORENCE

July 6, 1988

Mr. William R. Viox, Chairman
Boone County Planning Commission
Boone County Administration Building
Post Office Box 697
2950 Washington Street
Burlington, Kentucky 41005

RE: Towne Properties Zone Change Application

Dear Mr. Viox:

At the public hearing on June 22, 1988 relative to the zoning map amendment by the above applicant, it was stated that Towne Properties would submit a list of C-1 and C-2 zone uses that would not be utilized in the development if approved. The applicant has authorized me to submit the attached list to the Commission as part of its application and proposal. The pages are photocopied from the Boone County zoning ordinance. Those permitted uses which the applicant agrees not to use are lined through and initialed by an officer of Towne Properties. Should you have any questions in relation to the attached list, the applicant will be glad to meet with members of the Commission or its staff at anytime.

Respectfully yours,



David A. Schneider
For ZIEGLER & SCHNEIDER, P.S.C.
Attorneys for Towne Properties

DAS:JMc

Enclosure

ARTICLE 9

COMMERCIAL DISTRICTS

Section 900

Intent

The intent of this article is to create: a) the necessary selection of goods and services required by urban neighborhoods, communities and regions; b) in order to prevent excessive commercialization from wasting or blighting public and private facilities and land; c) at sites capable of centrally serving trade area populations; c) able to be appropriately supported and related to infrastructure capabilities—circulation, in particular; e) implementing of an overall identifiable, cohesive urban form of; f) compact and efficient plans and designs which make multi-purpose use of parking, transit utility, open space and other physical characteristics of the land and improvements.

Section 910

Commercial One - C1

The purpose of the commercial one district is to provide the convenience good and personal services required for daily living needs. Districts will be located on suitable lands central to the neighborhood trade area provided direct access from neighborhood collector roads or minor arterials. District facilities and plans will be organized to provide central and convenient collection of vehicles and pedestrians within the district's facilities and major shopping spaces.

Section 911

Principally Permitted Uses

The following uses are permitted:

1. Hardware stores;
2. ~~Eating and drinking places including alcoholic beverages, but excluding drive-in and franchise food chains;~~
3. Grocery stores and supermarkets;
4. Stores with retail sales of meat, fish, seafood, dairy and poultry products;
5. Fruit and vegetable stores;
6. Bakeries, candy, nut and confectionary stores;
7. Convenience stores;
8. ~~Liquor~~, beverage, drug and proprietary stores;
9. Banking services (including drive-thru facilities) savings and loan associations, credit unions and other credit services;
10. Insurance carriers and agents;

11. Real estate operators, agents, lessors and real estate sub-dividing and developing services, operative builders and related services;
12. Accounting, auditing and bookkeeping services;
13. Postal services;
14. Physician, dental, optical goods and services;
15. Veterinary services and pet grooming services but not including the boarding of animals.
16. Beauty and barber services and tanning salons;
17. Nursery and child care centers;
18. Laundering, dry cleaning and dyeing services including self-service;
19. Pressing, alteration, garment repair and custom tailoring;
20. Shoe repair, shoe shining and hat cleaning services;
21. Family clothing, shoe stores, specialty clothing or boutiques and other apparel retail trade;
22. Jewelry;
23. ~~Radio, t.v., music supplies, cameras, photographic supplies and specialty household appliances;~~
24. Art, craft and hobby supplies and products, gifts and novelties;
25. ~~Antiques and used merchandise;~~
26. Books, stationery, newspapers and magazines;
27. Cigars and cigarettes;
28. Florists excluding greenhouses;
29. Sporting goods including bicycles;
30. Draperies, curtains, upholstery and floor coverings;
31. Paint, glass and wallpaper stores;
32. Painting, paper hanging and decorative services;
33. Photo finishing services;

Section 914

Intensity

The intensity of use in a commercial one district of under two (2) acres shall not exceed 12,000 square feet of gross floor area per acre of land.

The intensity of use in a commercial one district larger than two (2) acres shall not exceed 15,000 square feet of gross floor area per acres of land.

Section 915

Minimum Size

There is no minimum size or extent required of a Commercial One district.

Section 916

Minimum Standards

See Table 1 for dimensional standards. (Site Plan Review required for all permitted uses. See Article 14.)

Section 920

Commercial Two - C2

The purpose of the commercial two district is to provide comparable shopping goods, personal and professional services, and some convenience goods required for normal living needs as well as major purchase opportunities. Districts will be located on suitable lands central to community or regional trade areas and provided direct access from expressways or arterial roads. District facilities and plans will be organized to provide central and convenient collection of vehicles and pedestrians within the district's facilities and major shopping spaces.

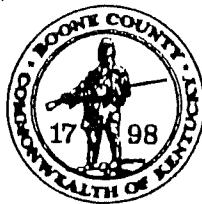
Section 921

Principally Permitted Uses

The following uses are permitted:

1. All principally permitted uses of a Commercial One (C-1) district;
2. All the principally permitted uses in an Office One (O-1) district;
3. Eating and drinking places including alcoholic beverages and entertainment, but excluding drive-in and franchise fast food chains;
4. ~~Limited price variety or discount stores, toy stores;~~
5. General dry goods and merchandise stores;
6. ~~Department stores, mail order houses, direct retail selling organizations of general merchandise;~~
7. Furniture, home furnishings including specialty and floor coverings;
8. Specialized upholstery and furniture repair or refinishing services;
9. Apparel, including furriers;
10. Household appliances, china, glassware and metal ware;

11. Radio, t.v., watch, clock, and jewelry repair;
12. Drive-thru photographic, stenographic and other duplicating and mailing services;
13. Legal services, engineering and architectural services;
14. Security brokers, dealers and floatation services;
15. Commodity contracts, bankers and dealer services;
16. Security and commodity exchanges;
17. Title abstracting services;
18. Holding and investment services;
19. Advertising services including direct mail;
20. Business and management consulting services;
21. Employment services;
22. Consumer and mercantile credit reporting, adjustment and collection services;
23. Travel arranging, transportation ticket and public event or promotional booking agencies;
- ~~24. Radio and television broadcasting studios excluding transmitting stations and towers;~~
25. Art, music and dancing schools;
26. Medical and dental laboratory services;
27. Medical clinics - out-patient services;
- ~~28. Welfare and charitable services;~~
29. Business associations and professional membership organizations;
30. Civic, social and fraternal organizations;
- ~~31. Attached upper story dwelling units of up to three stories provided the building was originally designed for residential use and existing at the time of adoption of this ordinance, including:
 - a. Private garage and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
 - d. The keeping an use of appropriate household pets;~~



BRUCE FERGUSON
County Judge — Executive
(606) 334-2240

R. SCOTT KIMMICH
Executive Assistant
(606) 334-2242

ROBERT C. MARTIN
Director of Administration
(606) 334-2200

MARILYN K. YOUNG
Director of Personnel
(606) 334-2243

OFFICES OF THE FISCAL COURT

P.O. Box 900
Burlington, KY 41005

PATRICK J. RAVERTY
Commissioner
District 1

RONALD ROBINSON
Commissioner
District 2

DON DAVIS
Commissioner
District 3

LARRY J. CRIGLER
County Attorney
(606) 586-9950

September 7, 1988

Mr. Matthew J. Brennan, Agent
Towne Land Co.
1055 St. Paul Place
Cincinnati, Ohio 45202

Dear Mr. Brennan,

Please be advised that your request for a zone change has been approved by the Boone County Fiscal Court with the following conditions having been added to those of the planning Commission.

- (1) A homeowner's association must be formed and that this association shall be responsible for all common ground in the development, which is not privately held.
- (2) That condition four (4) of the planning and zoning commission require the express written consent of the planning commission before any tree can be removed and that a fee of \$500.00 be levied for the illegal removal of same.

Attached you will find a copy of the ordinance approved and a full listing of the conditions applied by the planning commission and the Fiscal Court.

If you have any questions regarding this matter, please feel free to contact my office.

With kindest regards, I remain

Sincerely yours,

Bruce Ferguson
County Judge/Executive

BF:rs

3 enclosures

cc: Gerald Newton, P & Z Director

SECTION 1010

COMMERCIAL ONE (C-1)

The purpose of the Commercial One district is to provide the convenience goods and personal services required for daily living needs. Districts will be located on suitable lands central to the neighborhood trade area with direct access from neighborhood collector roads or minor arterials. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.

SECTION 1011

Principally Permitted Uses

The following uses are permitted:

1. Hardware stores;
2. Eating and drinking establishments including alcoholic beverages;
3. Grocery stores and supermarkets;
4. Stores with retail sales of meat, fish, seafood, dairy and poultry products;
5. Fruit and vegetable stores; bakeries, candy, nut and confectionery stores;
6. Convenience stores;
7. Liquor, beverage, drug and proprietary stores;
8. Banking services, savings and loan associations, credit unions and other credit services;
(THE FOLLOWING PASSAGE APPLIES TO THE CITY OF FLORENCE CITY LIMITS ONLY)
The business of cashing checks or accepting deferred deposit transactions as regulated by KRS 368.010 to 368.120 shall not be included in this permitted use.
9. Insurance carriers and agents;
10. Real estate operators, agents, lessors and real estate sub-dividing and developing services, operative builders and related services;
11. Accounting, auditing and bookkeeping services;
12. Postal services and packaging services provided the use is essential for pick-up and delivery convenience and not storage or transfer activities more appropriate to an employment district;
13. Physician, dental, optical goods and services;
14. Veterinary services and pet grooming services but not including the boarding of animals;
15. Beauty and barber services and tanning salons;
16. Nursery and day care centers;

17. Laundering, dry cleaning and dyeing services including self-service;
18. Alteration and garment repair and custom tailoring;
19. Shoe repair, shoe shining and hat cleaning services;
20. Family clothing, shoe stores, specialty clothing or boutiques and other apparel retail trade;
21. Jewelry stores;
22. Radio, t.v., music supplies, cameras, photographic supplies and specialty household appliances;
23. Art, craft and hobby supplies and products, gifts and novelties;
24. Antiques and used merchandise;
25. Books, stationery, newspapers and magazines;
26. Florists excluding greenhouses;
27. Sporting goods including bicycles;
28. Draperies, curtains, upholstery and floor coverings;
29. Paint, glass and wallpaper stores;
30. Photo finishing services;
31. Recreation centers, gymnasiums, clubs and similar athletic uses;
32. Video stores;
33. Funeral homes and crematoriums excluding cemeteries or mausoleums.

SECTION 1012

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses defined to be:

1. Recreation uses or spaces of integral relation to the developed portions of the district including:
 - a. Temporary exhibit spaces;
 - b. Aquariums, botanical gardens and other natural exhibitions;
 - c. Stages and similar assembly areas;
 - d. Indoor target ranges and similar athletic uses;

2. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:
 - a. Private garage and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
 - d. The keeping and use of appropriate household pets;
3. Signage (See Article 34);
4. Parking (See Article 33);
5. Temporary buildings incidental to construction;
6. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;
7. Retail sale of motor fuels;
8. Drive-up photo finishing services and automatic teller services;
9. The rental of trucks and trailers, (only permitted to be displayed in the side or rear of the property);
10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

SECTION 1020

COMMERCIAL TWO (C-2)

The purpose of the Commercial Two district is to provide comparable shopping goods, personal and professional services, and some convenience goods required for normal living needs as well as major purchase opportunities. Districts will be located on suitable lands primarily central to regional trade areas and to some extent the community as a whole and such districts have access from expressways or arterial roads. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.

SECTION 1021

Principally Permitted Uses

The following uses are permitted:

1. All principally permitted uses of a Commercial One (C-1) district;
2. All the principally permitted uses in an Office One (O-1) district;
3. Eating and drinking establishments including alcoholic beverages;

4. Department stores, mail order houses, direct retail selling organizations of general merchandise;
5. Furniture, home furnishings including specialty and floor coverings;
6. Specialized upholstery and furniture repair or refinishing services;
7. Apparel stores;
8. Household appliances, china, glassware and metal ware;
9. Radio, t.v., watch, clock, and jewelry repair;
10. Photographic, stenographic and other duplicating and mailing services;
11. Legal services, engineering and architectural services;
12. Security brokers, dealers and flotation services;
13. Title abstracting services; holding and investment services;
14. Advertising services including direct mail;
15. Business and management consulting services;
16. Employment services;
17. Consumer and mercantile credit reporting, adjustment and collection services;
18. Travel arranging, transportation ticket and public event or promotional booking agencies;
19. Radio and television broadcasting studios excluding transmitting stations and towers;
20. Art, music and dancing schools, libraries and museums;
21. Medical and dental laboratory services;
22. Medical clinics - out - patient services;
23. Welfare and charitable services;
24. Business associations and professional membership organizations including civic, social and fraternal organizations;
25. Art and craft galleries and similar exhibit space;
26. Aquariums, botanical gardens and other natural exhibitions;
27. Arcades and other amusement centers;
28. Motion picture theaters (indoor);
29. Bowling alley, skating rinks, roller skating rinks, miniature golf courses golf driving ranges, and skateboard facilities;

30. Recreation centers, gymnasiums, clubs and similar athletic uses;
31. Motorcycles sales or bike shops excluding outside storage;
32. Churches, synagogues, temples and other places or religious assembly for worship;
33. Hotels and motels including convention facilities;
34. Pawn shops (**Not Applicable within the City of Florence**);
35. Auto parts and accessories stores;
36. Gasoline filling station;

SECTION 1022

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses including:

1. Recreation uses or spaces of integral relation to the developed portions of the district defined to be:
 - a. Stages and similar assembly areas;
 - b. Auditoriums, exhibition halls and other public assembly spaces;
 - c. Billiards;
 - d. Play lots and tot lots;
 - e. General, leisure, ornamental and other parks, spaces, trails bikeway systems, malls and urban pedestrian networks;
2. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:
 - a. Private garage and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
 - d. The keeping and use of appropriate household pets;
3. Signage (See Article 34);
4. Parking (See Article 33);
5. Temporary buildings incidental to construction ;
6. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;

7. Drive-up photo finishing services and automatic teller services,
8. Indoor target ranges and similar athletic uses;
9. Recycling collection points (See Article 31);
10. Garment and Furniture centers (See Article 31);
11. The rental of trucks and trailers, (only permitted to be displayed in the side or rear of the property);
12. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

SECTION 1023

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or b) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; and c) the arrangement of uses, buildings or structures will be mutually compatible with the organization of permitted and accessory uses to be protected in the district:

1. Garden and landscape sales including florist greenhouses, lawn furniture and the like;
2. Automotive repair facility and wash services for vehicles;
3. Small scale sales or leasing of new and used motor vehicles requiring the storage of no more than fifty (50) vehicles on the premises **(Does not apply in the City of Florence)**;
4. Sale of satellite dishes;
5. Small scale sales or leasing of new and used recreational vehicles requiring the storage of no more than fifty (50) vehicles on the premises **(Does not apply in the City of Florence)**;
6. Mini-warehouses or storage facilities **(Does not apply in the City of Florence)**;

SECTION 1110

OFFICE ONE (0-1)

The purpose of the Office One district is to create a low density, low rise office environment and to provide professional and personal services and employment opportunities in close proximity to and compatible with residential districts. The Office One district shall accommodate smaller scale and independent office uses, which are not located within a larger Office Two district or which do not need or desire to be located in a commercial district. Office One districts are located on suitable lands within established or planned urban entities where adequate infrastructure and services are available or proposed.

SECTION 1111

Principally Permitted Uses

The following uses are permitted:

1. Bank related services or credit unions;
2. Business and personal credit services and title services;
3. Security brokers, investment services and finance companies;
4. Insurance agents, brokers and services;
5. Real estate agents, brokers and management services;
6. Real estate management services and builders offices excluding any outside storage equipment and the like;
7. Photographic services;
8. Eating and drinking establishments including alcoholic beverages;
9. Direct mail and advertising services;
10. Stenographic services and other duplicating and mailing services;
11. News syndicate services and employment services;
12. Research, development and testing services of an office nature;
13. Business and management consulting services and associations;
14. Motion picture, audio-visual and similar media production and distribution services;
15. Physician and dental services including medical, dental laboratories and clinics;
16. Legal, engineering, architectural, education and scientific research services;
17. Accounting, auditing and bookkeeping services;
18. Charitable and social services administration offices;
19. Professional membership organizations and labor organizations and civic associations;
20. Telephone exchange stations, telegraph message centers, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting or receiving towers or similar unattached, erected equipment;
21. The administration, management and any related office use or activity of commercial, business, service, professional, industrial, religious, private institutional, or similar organization, incorporation, companies, associations and such uses. Includes all integral stenographic reproduction, mailing, research, sales and similar office functions, as determined by the Zoning Administrator;

22. Veterinary services not including the boarding of animals;
23. Business colleges or schools;
24. Recreation centers, gymnasiums and other related recreational facilities;
25. The retail sale of office supplies and equipment;
26. Funeral homes and crematoriums excluding cemeteries or mausoleums.

SECTION 1112

Accessory Uses

Accessory uses, buildings, and structures customarily incidental and subordinate to the purposes of the district including:

1. Recreation uses or spaces of integral relation to the developed portions of the district including:
 - a. Temporary exhibit spaces;
 - b. Aquariums, botanical gardens and other natural exhibitions;
 - c. Stages and similar assembly areas;
2. Accessory uses for an office facility:
 - a. Garages and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
3. Signage (See Article 34);
4. Parking (See Article 33);
5. Automatic teller machines;
6. Single-family dwelling unit;
7. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

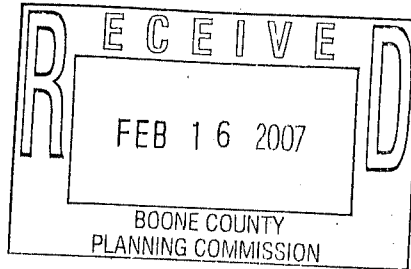


BOONE COUNTY PLANNING COMMISSION

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

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

February 5, 2007



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

Dear Property Owner:

The purpose of this letter is to make you aware of an upcoming Public Hearing and to briefly explain the process. The request is as follows:

Request of **Noll Properties (applicant)** for **Banklick Corporation (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone for an approximate 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County (annexation pending into the City of Florence), Kentucky. The request is for a change in an approved Concept Development Plan to allow commercial, retail, and office uses.

The Public Hearing will be held on Wednesday, February 21, 2007 at 7:30 p.m. in the First Floor Fiscal Courtroom of the Boone County Administration Building, 2950 Washington Street, Burlington, Kentucky. The Planning Commission's Staff will present a Staff Report which details the request's relationship to the Boone County Comprehensive Plan and potential land use impacts. The applicant will be given the opportunity to present their application of how the site will develop should the request be approved. Individuals in attendance at the Public Hearing will be given the opportunity to express opinions and ask questions. Opinions and questions are to be presented in an informal but orderly manner. Minutes of the Public Hearing will be taken and will serve as a part of the record along with any exhibits and reports that have been presented.

The Planning Commission makes a decision regarding the request based upon the finding of fact collected at the Public Hearing. The decision is based on the applicant's presentation, land use impacts, and Article Three of the Boone County Zoning Regulations. The Planning Commission's decision occurs at the next regularly scheduled Business Meeting after the Public Hearing. The decision will either be approval, approval with conditions, denial, or deferral of the request.

The Planning Commission's decision will be forwarded in the form of a recommendation to the Florence City Council. They will take final action on the request by either adopting, adopting with modification, or denying the Planning Commission's recommendation.

You may call for an appointment to come to the Planning Commission's office to review and discuss the submitted request. Any questions or concerns should be directed to me.

Sincerely,

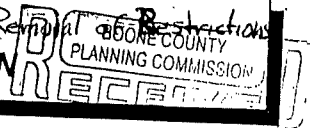
Todd K. Morgan, AICP
Senior Planner

TKM/pr

I would be in favor of this change if it is intended to include a "carry-out" for groceries, etc. It could help to alleviate the need for getting on 42 to buy such things.
Warbert Gettys

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN + ~~Removal of Restrictions~~
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

JAN 16 2007

1. Check One:
 - Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
 - Change in an Approved Concept Development Plan + Removal of Restrictions
 - 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 Saddlebrook Center
3. Location of Project Weaver Road
4. Total Acreage of Site 9.71 acres
5. Current Zoning C-2
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) October, 1988
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) Commercial, retail, office
9. Proposed Building Intensities (please specify) To be determined
10. Have you submitted a Concept Development Plan? Revised Concept Dev. Plan attached.
11. Are you also applying for:
 - Conditional Use Permit
 - Dimensional Variance
12. Name of Applicant(s) Noll Properties
- Phone Number 859-331-2470 Fax No. 331-6592
13. Address of Applicant(s) 6 Portmouth
14. Mitchell, Ky 41017
City State Zip
14. Name of Property Owner(s) Banklick Corporation
- Phone Number 859-371-0700 Fax No. _____
15. Address of Property Owner(s) 8800 Bankers St.
Florence, Ky 41042
City State Zip
16. Are there any existing buildings on the site? NO
How many? _____
17. Deed Book 394 Page No. 312 Group No. 2248
18. Have you had a pre-application meeting with BCPC Staff? yes

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM**

February 21, 2007

7:30 P.M.

PUBLIC HEARING

Commission Members Present: Mrs. Arnett, Mr. Breetz, Mr. Caddell – Chairman, Mr. Carmichael, Mrs. Herald, Mrs. Kegley, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen, and Mr. Schwenke.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; 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 7:30 PM and introduced the item on the Agenda:

Applicant: Noll Properties for
Banklick Corporation (owner)

Request: Change in Approved Concept Development Plan

The request of Noll Properties (applicant) for Banklick Corporation (owner) for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone for an approximate 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County (annexation pending into the City of Florence), Kentucky. The request is for a change in an approved Concept Development Plan to allow commercial, retail, and office uses.

Staff Member Todd Morgan 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. Bill Viox with Viox & Viox was present on behalf of Noll Properties. Reviewing the applicant's Power Point presentation (see Exhibit 1), he noted the partners in the development and examples of projects in which they have been involved. He stated that David Noll is a member of one of the older families in the Northern Kentucky building community and his father, Bob Noll, is a past president of the Homebuilders' Association. Mr. Viox presented and reviewed the Vicinity Map and the Development Plan for Saddlebrook which was done by Viox & Viox in 1988. He stated that the zone change for Saddlebrook was approved in 1988, which is about the same time as Oakbrook was approved. Saddlebrook and Oakbrook are both Planned Developments and both had commercial elements planned from the beginning. Oakbrook had two planned commercial elements – the one on the KY 18 end developed early because of the traffic counts on KY 18 and the one on the Pleasant Valley end is developing now. He stated that the traffic counts were not there for the Saddlebrook commercial element to develop and the Farm Bureau purchased a portion of it. He stated that they could bring in a Site Plan and go forward with the approved plan – but it is outdated. He stated that there is 60,000 square feet of retail on the approved plan, including an anchor the size of Bed Bath & Beyond in Crestview Hills, and thirty-one different retail outlets. He stated that the property sold to the Farm Bureau and the area designated in 1988 as “unknown commercial” are not part of this application. Reviewing the Power Point slide, he indicated the loading dock area that is 100 feet in length. He noted the location of the berm. He stated that in 1988 there was no landscape ordinance and the previous record called for a berm and landscaping of unknown size and species. He stated that retail hours are Monday through Sunday -- Sunday until 6 PM, Saturday is a busy day, and the stores might be open weekdays until midnight. Retail is approved now, but they are moving away from it in their application. He stated that restaurants were disallowed in the original approval. He reviewed the uses that have occurred in the neighborhood since 1988, including CVS, Dunkin Doughnuts, Gateway College, and one of the most important changes is Sam Neace Boulevard. Once Sam Neace Boulevard was put in, the college was built, and the commercial was located over on Mt. Zion Road -- the traffic patterns changed on Weaver Road. Prior to that time, Weaver Road took people to Old U.S. 25 and the traffic counts were low. Tamarack Trace is there now and Saddlebrook is 90% complete. He presented the proposed plan and the approved plan. He stated that the main signalized entrance is proposed across from Saddlebrook. They agree with many of the items mentioned in the Staff Report regarding the access. He stated that the makeup of the uses is now completely different. The 1988 plan would have generated 1.5 times the traffic of the 2007 Concept Plan because the makeup of the 1988 plan was a lot of retail. The proposed plan shows office/retail because office buildings today often have ancillary retail uses such as coffee shops, a small pharmacy, or a spa. He stated that office use is 9 AM to 5 PM and some are open Saturday morning, but almost none are open on Sunday. The blue area on

the 2007 Concept Plan shows office uses. He stated that the 2.5 story building is built down into the topography (not up) and will not have the impact of a large office building. He indicated the locations for a possible daycare center and a bank. He stated that instead of having thirty-one retail uses, there will be five or six retail uses. There will be a completely different traffic plan. He stated that this plan is a win for the City of Florence and the Planning Commission. The retail (red) area is 18,000 – 19,500 square feet and there is 54,000 – 60,000 square feet of office. He stated that if an Applebee's wants to come in, they would forego an office building and put in the sitdown restaurant -- that type of restaurant was mentioned to them as something that was needed in the community. He stated that the hours are completely different in the proposed development compared to the 1988 plan, which will make a big impact from a traffic standpoint. He indicated the entrance to the Farm Bureau on the slide and stated that the previous owners were trying to follow the Concept Plan. He noted Mr. Sketch's comments about the road (attached to the Staff Report) and stated that the Committee will need to take a close look at the benefits versus the detriments. He stated that during peak hours making a left turn out of the site is difficult and they have proposed a way to get to the light and out safely. He visited the site at 1:30 PM Monday and there was no traffic problem at that time, but that changes in the peak hours. They are not adverse to one-way traffic. He presented a virtual tour of the development. He stated that they have to step the elevations down. He indicated where they will put in extensive landscaping. He stated that in 1988 there was a loading dock there and a berm in the back. They do not have the loading dock, but they will meet the Boone County and City of Florence landscaping regulations. The City of Florence landscaping regulations are more stringent than the county's. He stated that the entrance at the back may be more of a benefit than a detriment. He introduced Michelle Bollman, P.E. with Viox & Viox to talk about the traffic analysis.

Ms. Michelle Bollman reviewed *Traffic Operations Analysis, Saddlebrook Center* (see Exhibit 2). The traffic analysis was performed using the Kentucky Transportation Cabinet Highway Design Manual and the AASHTO Green Book Design Standards. She stated that manual field counts were performed on February 20, 2007 during the AM and PM peak hours on Weaver Road, particularly at Evergreen Drive and at Saddlebrook Drive. Trip generations were determined for the approved plan and for the proposed plan. She stated that the approved plan would generate approximately 1.5 times more traffic volume than the proposed plan. She stated that the signalized intersection at Saddlebrook Drive will provide a key link for exiting the proposed site and for adjoining properties. She noted that the report addresses pavement modifications, re-striping and pole relocations that will be necessary for the signalized and unsignalized intersections in front of the proposed site. A detailed analysis has been provided to the Planning Commission (see Exhibit 2).

Mr. Viox stated that the entrance at the back reminds him of the Mall Road/Hopeful Church Road connector -- a controversial highway ultimately built

by the county. When it was completed, the people on Cayton Road could go to the Kroger's on Mall Road and go back home without getting into the traffic. What they are proposing here is similar to the situation at Oakbrook where people can come off of KY 18 and use the facilities, but the people who live in Oakbrook can access the uses by the back door and go back home without mingling in the traffic. He stated that if they do not have a connection at the back of the proposed development, the residents who come to the development and then go back home will become part of the traffic problem. He asked the Committee to take a good look at that. He stated that the Noll group has never built anything that was low quality. David Noll brought him the pictures and said that these are the types of facilities that he is interested in building in Florence. Mr. Viox stated that they do not have a buyer. He stated that the owners and their attorney are also present. They did not wish to speak, but were available to answer any questions. This concluded the applicant's presentation.

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

Mr. Bill Boyle, 788 Grace Drive in Eagle's Landing, stated that he has been a resident of Evergreen Drive since he was born. He stated that this development is more acceptable than the original plan. He agrees with the Staff Report that there should be turning lanes into and out of Evergreen Drive from Weaver Road, which is a horrible area since the light is further up. The single-family homes at Saddlebrook exit out onto Weaver Road by way of Evergreen Drive directly across from the apartment complex, and it is mess in the morning and afternoon as there are no decel lanes coming off Weaver Road to turn in or a right-turn lane coming out of Evergreen Drive to turn right toward Sam Neace Boulevard. The traffic is backed up on Evergreen Drive every morning. He is in favor of an egress to the development off of Evergreen Drive so that they have access to a light to alleviate some of the traffic back up in the morning, whether the access is where it is currently or closer to Grace Drive and nearer the entrance to Eagle's Landing. He suggested that a ten-foot berm with trees along the top be placed behind the buildings on Evergreen Drive so that the residents are not looking at the back of the buildings and the dumpsters. He stated that those houses have been there well over fifty years. He is in favor of the project and prefers it to the currently approved plan, with the modifications he stated.

Mr. Earl Litton, a resident of 775 Grace Drive for 21 years, is concerned about the traffic and about business lights shining into the residential area. He stated that the residents will have to make four or five stops to get out to Weaver Road and he would like to see another scenario if possible. He agreed with Mr. Boyle in regard to the berm and landscaping to preserve the residential setting. He stated that there are already eight banks between the Union Kroger store and Weaver Road.

Mr. Kevin Kloentrup, 9265 Tranquility Drive, Eagle's Landing, agreed with the other speakers. He stated that it is a mess at Evergreen Drive and Weaver Road in the peak hours. He asked for a nice green area for the single-family residences that have been there for a long time. He stated that it is hazardous where Evergreen Drive comes into Weaver Road due to the rise on Weaver Road and the speed limit of 55 MPH -- and something needs to be done there. He stated that the infrastructure is not keeping up with the development. He is not against the development but wants the developer to respect the single-family residences that have been there forever.

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

Bruce Bremer, owner of 8745 Evergreen Drive, stated that it is important not to have the road access onto Evergreen Drive because it will take traffic from a commercial area and put in onto a residential street. Evergreen Drive is not suitable for that traffic, especially if there is daycare there because the people will be coming in and leaving at the same time. He stated that the traffic study only included Weaver Road and Evergreen Drive and the traffic out of the commercial area, but a traffic study was not done of the other intersections around the area. He questioned the backside of Evergreen Drive and the traffic going down toward Weaver Road, which is a bottleneck. He stated that the berm and the fence are important to separate the uses from the residential area. He stated that banks and restaurants are 24-hour a day operations. He stated that this puts a commercial building complex into a residential area and safety is important. There needs to be a traffic study done of what is going to occur on Evergreen Drive and the back road that goes through. He stated that people will take a shortcut down to Gunpowder, which will increase the traffic. He stated that the subdivision behind the development does not have sewer and is on septic systems, which has not been addressed.

Ms. Bernice Craft, 12 Thorne Hill, Saddlebrook, questioned the type of stores that would go into the development. She believes that it will be a strip mall and stores in strip malls can be here today and gone tomorrow. She is concerned that drug problems will move up to this area -- which could depend on the type of stores. She asked if there will be restrictions on the type of stores that go there. Will there be a tattoo parlor? She stated that you cannot stop progress, and questioned if this is progress.

Mr. Ed Goetz, who has lived at the corner of Evergreen Drive and Ridgeview Drive for 28 years, stated that the traffic information looks good on paper with the access and the light, but people run the stop signs constantly and enforcement at the intersection is lax. He is concerned about putting more traffic through there. His understanding is that a certain number of people have to be killed at an intersection in order for a stoplight to be put in. He questioned increasing the

chances for people to be killed coming out onto Weaver Road. He stated that it would be a mistake to put that much additional traffic there without a light or better enforcement. He asked if they will be able to tap into the sewer. He stated that they have been without sewers for over thirty years and that needs to be addressed. Boone County told him that an engineering feasibility study would be done, but he does not think anything has been done.

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

Mr. Knock questioned the sewer issue. Mr. Viox responded that they have filed for annexation into the City of Florence. He stated that the City of Florence system, which is available to them at the lot coming out of Oakbrook, is a different sewer system than Sanitation District #1 that services the county. He stated that the residential area is in a different jurisdiction. He stated that the proposed development will be on public sewer.

Mr. Reynolds noted Mr. Goetz' comments regarding the speed and danger at Evergreen Drive and Weaver Road. He questioned what could be done there whether this development is approved or not. Chairman Caddell responded that it is a state highway and Staff will communicate the concerns expressed by the residents to the Highway Department, but the Planning Commission has no other authority. Mr. Reynolds noted the comment that people run the stop signs and questioned enforcement in the area or possibly putting up cameras there. Chairman Caddell stated that Staff will make the appropriate police department aware of the concerns and information brought to the attention of the Planning Commission this evening.

Mrs. Kegley stated that she understands that there are different jurisdictions in regard to the sewer, but questioned if the sewer would be large enough for the residents to tap into if they were annexed into the City of Florence. Mr. Viox responded that there will be an 8" public sewer line and it could handle the sewage, but the issue would be coming into the system -- the residences are at the top of the hill and would require a lift station. He believes future sewers for the residents would flow more towards Gunpowder.

Mr. Rolfsen stated that the road proposed onto Evergreen Drive looks to be in the dip and not a good location for the road. He asked the applicant to bring sight distance information to the Committee Meeting. Mr. Viox responded that the sight distance is good because people can look all the way to the top of the hill. He reviewed the Power Point slide in regard to the location of the road and the topography. He stated that the sight distance is good in that location -- but this is a Concept Plan and they can consider moving the road.

Mr. McMillian agreed with the comments made by Ms. Craft and stated that the Committee will determine which shops will be eliminated.

Mr. Goetz asked to speak again and was recognized by the Chairman. Mr. Goetz stated that when Saddlebrook went in, they were told that the stand of mature trees would be left – but the mature trees were cut down and they put in pine trees. He questioned what assurances the residents have that the landscaping will be done as shown. Chairman Caddell responded that it is the responsibility of the Enforcement Officer to see that the landscaping is done as shown on the approved plans. The Enforcement Officer has the ability to take them to court to enforce the agreements. Mr. Costello stated that the current landscaping regulations are more stringent than those that were in place in 1988 when Saddlebrook was approved.

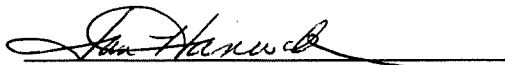
Ms. Peggy Scalley, a resident of Eagle's Landing, stated that Evergreen Drive looks fairly wide in the Power Point slides, but it is not – only two cars can be on the road. She asked if turning lanes will be put in. She stated that the road will be much more traveled, particularly if a daycare center goes in. She stated that going down Ridgeview Drive and exiting onto Gunpowder Road is very dangerous particularly when making a righthand turn because people come over the top of Gunpowder Road. She stated that the increase in traffic that will occur in that area should be considered.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on March 7, 2007 at 5:00 PM in this room. He stated that the concerns raised will be further addressed by the Zone Change Committee. The public is welcome to attend the Committee Meeting. This item will be on the Agenda for the Business Meeting on March 21, 2007 at 7:00 PM. The Chairman closed this Public Hearing at 8:30 PM.

APPROVED:

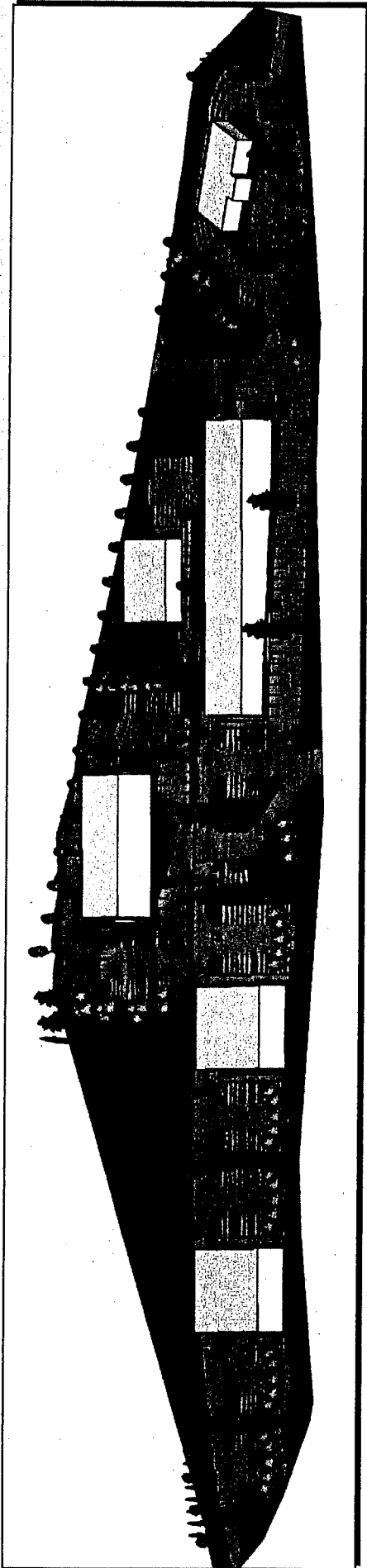

Arnold Caddell, Chairman

Attest:


Jan Hancock, Recording Secretary

Exhibits –

- 1 Spiral bound copy of applicant's Power Point presentation *Saddlebrook Center, Florence, Kentucky* submitted by Bill Viox**
- 2 Traffic Operations Analysis, Saddlebrook Center, Boone County/Florence, Kentucky submitted by Michelle Bollman, P.E.**



SADDLEBROOK CENTER

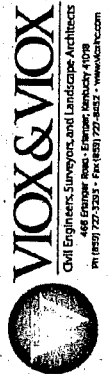
FLORENCE, KENTUCKY

Civil Engineers:

Viox & Viox
466 Erlanger Road
Erlanger, KY 41018

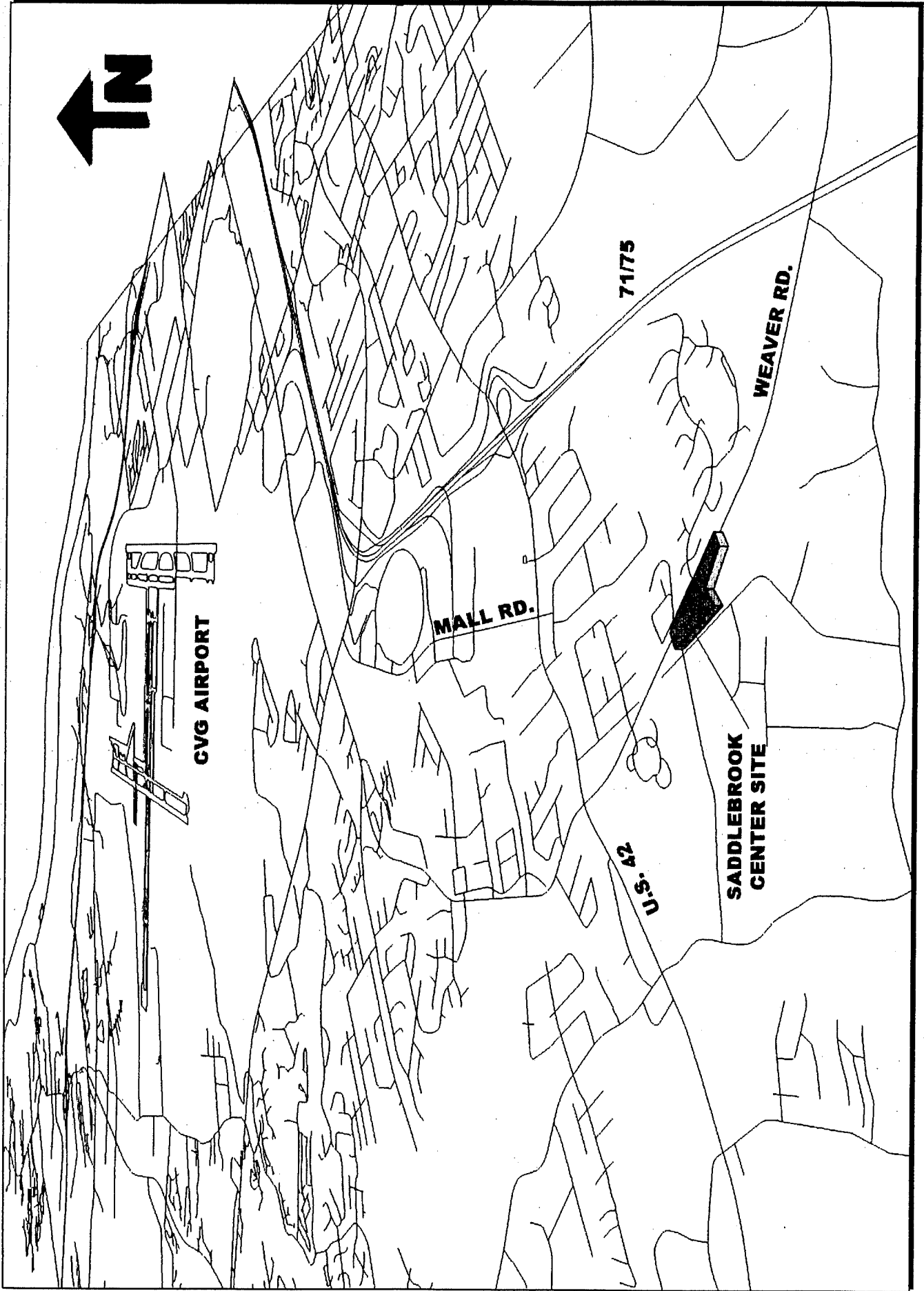
Developer:

Noll Properties
3 Princeton Avenue
Fort Mitchell, Ky. 41017



February 21, 2007

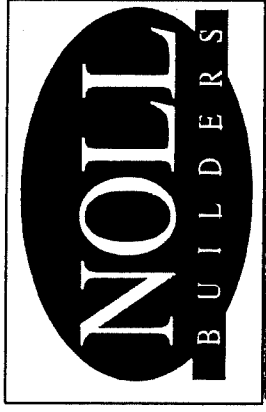




VICINITY MAP

NOLL PROPERTIES – FT. MITCHELL, KENTUCKY

•Noll Properties is a real estate development company specializing in new homes, condominiums, and apartments.



- Noll Properties is the collaboration of
 - David Noll – Partner and Owner of Noll Builders
 - Tom Colgan – President and founder of TOWNmark, Inc., a Cincinnati based real estate firm
 - Frank Raeon – Vice President with TOWNmark, Inc.

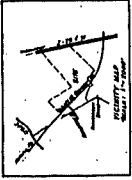
•Examples of TOWNmark, Inc. Completed Projects:

The Village Shoppes – Mixed Use Development located on U.S. 42 in Florence (across from Kroger and Scheben Branch of the Boone County Library).

Cambridge Square - 40,000 sq. ft. office condominium development off of Thomas More Parkway in Crestview Hills, Kentucky.

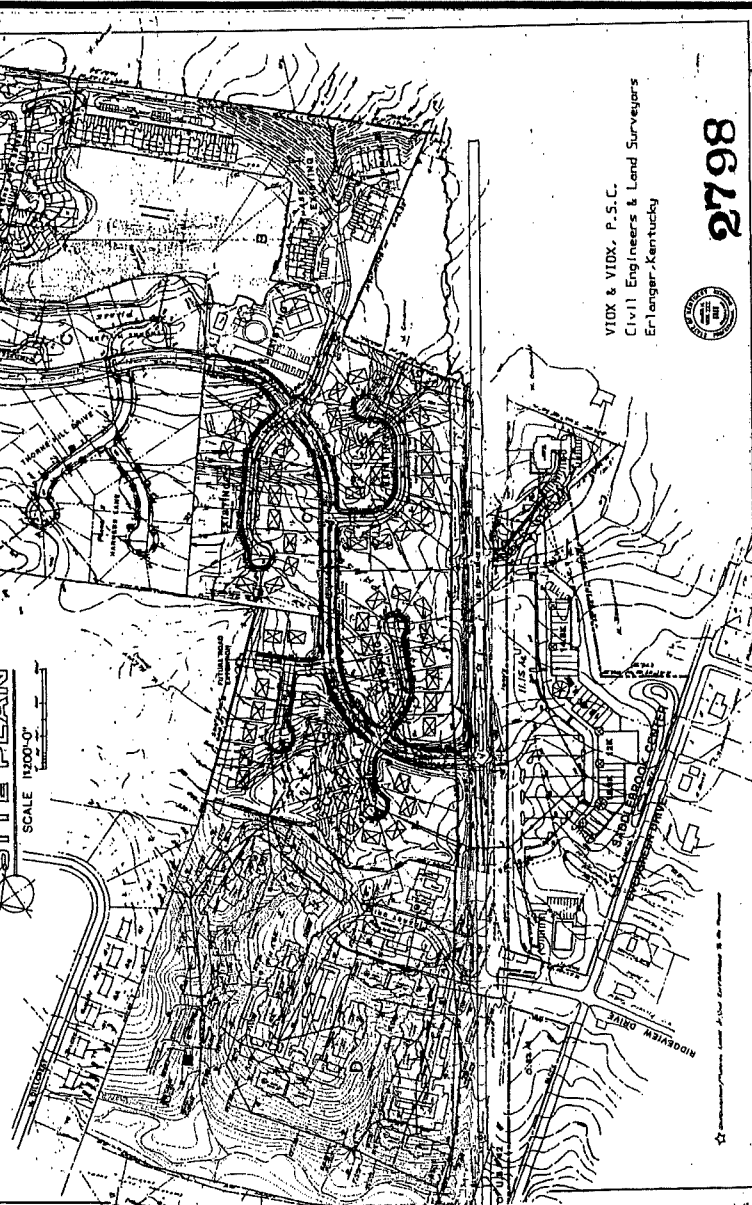
Thoroughbred Parke – Mixed commercial use development near I-75/I-71 Richwood exit and Triple Crown residential subdivision.

REVISED
 Preliminary Plan
 of
 * * SADDLEBROOK FARMS * *
 Boone County, Kentucky
 Scale: 1 inch = 200 feet
 October 18, 1988
 REVISED MARCH 4, 1991
 REC. 9112191



A. MULTI-FAMILY		15.0 AC. (SOMC)	
PHASE 1	72 DUA	144 PWS	
PHASE 2	182 DUA	374 PWS	
B. SINGLE FAMILY ATTACHED		270 AC. (SOMC)	
PHASE 1	30 DUA	270 PWS	
PHASE 2	45 DUA	405 PWS	
PHASE 3	150 DUA	1350 PWS	
C. SINGLE FAMILY		510 AC. (SOMC)	
PHASE 1	45 DUA	45 LOTS	
PHASE 2	135 DUA	135 LOTS	
PHASE 3	225 DUA	225 LOTS	
PHASE 4	225 DUA	225 LOTS	
D. MULTI-FAMILY		23.0 AC. (SOMC)	
PHASE 1	84 DUA	84 PWS	
PHASE 2	112 DUA	112 PWS	
PHASE 3	112 DUA	112 PWS	
TOTAL		739 UNITS	

SITE PLAN
 SCALE 1"=200'-0"



VIOX & VIOX, P.S.C.
 Civil Engineers & Land Surveyors
 Erlanger, Kentucky

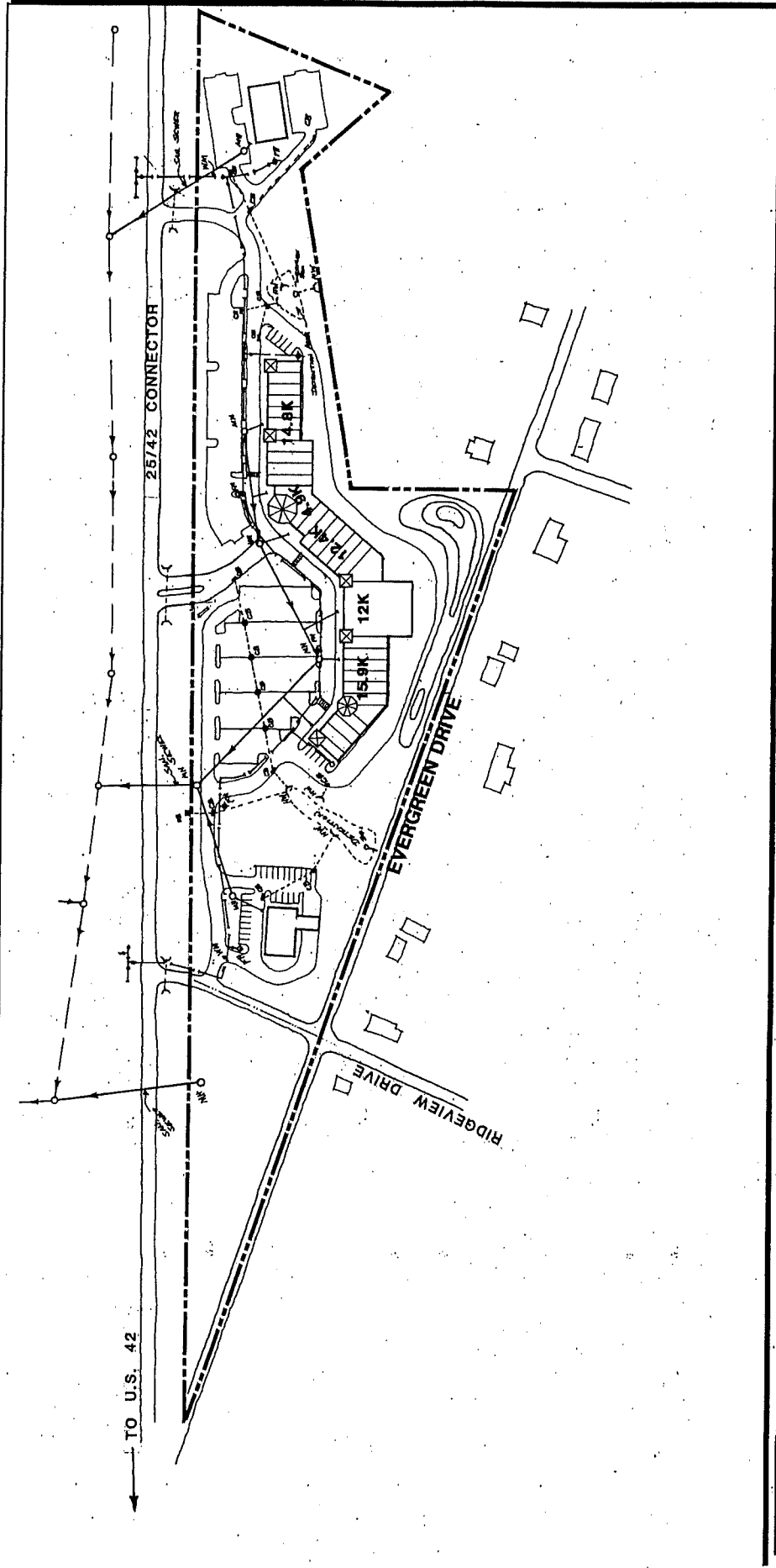


2798

PREVIOUSLY APPROVED SADDLEBROOK DEVELOPMENT PLAN

VIOX & VIOX
 Civil Engineers, Surveyors and Landscape Architects
 465 Erlanger Road - Erlanger, Kentucky 41018
 Ph (603) 727-9293 - Fax (603) 727-9132 - www.viox.com





SADDLEBROOK CENTER

Towne Land Company
Boone County, Kentucky

Böhm-NBBJ

55 Nationwide Blvd.
Columbus, Ohio 43215
(614) 228-7145

Architecture
Planning
Landscape Architecture

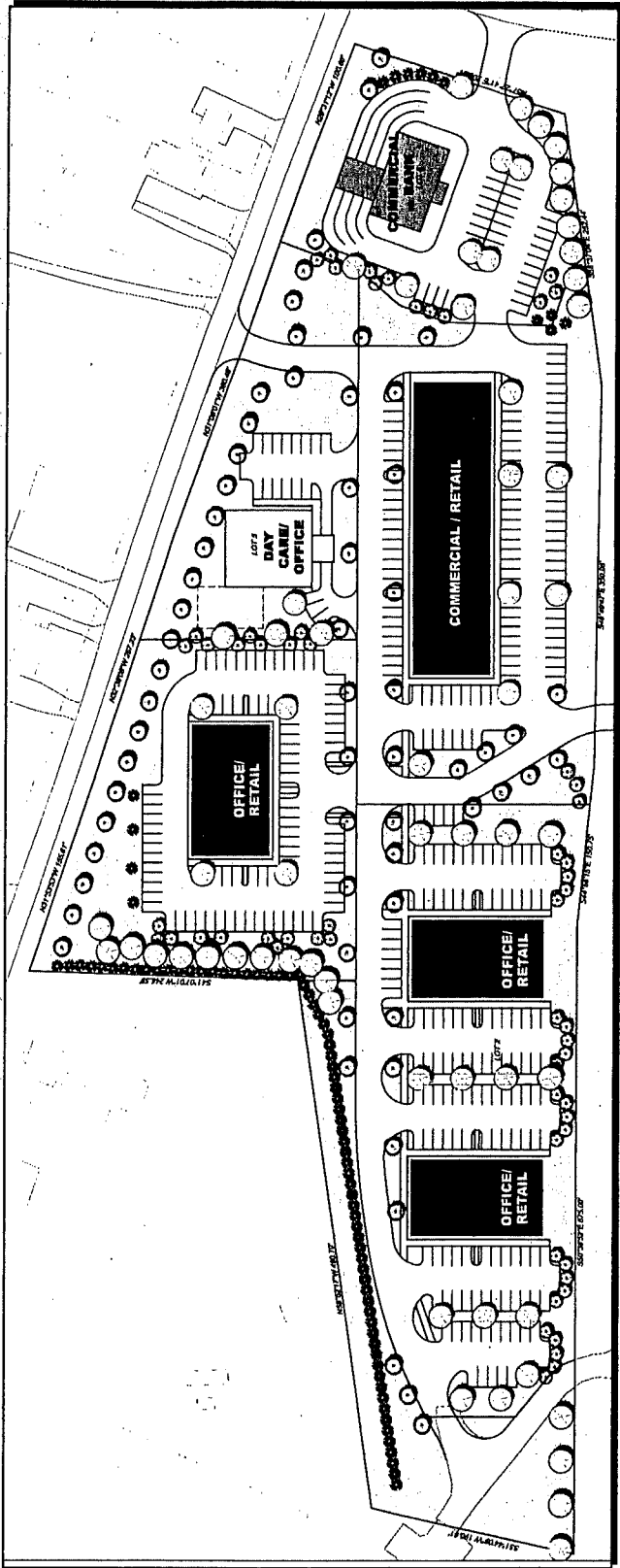
PREVIOUSLY APPROVED PLAN

HOW HAS THE AREA CHANGED SINCE 1988?

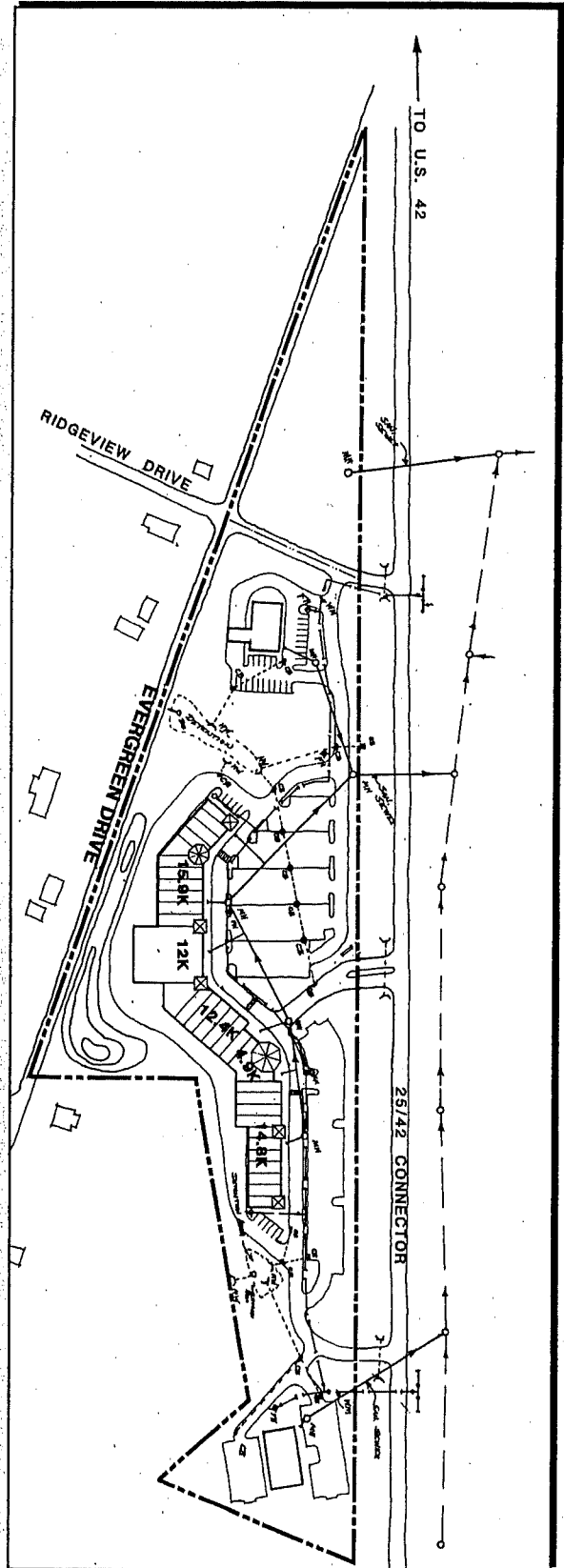
- McDonald's Restaurant
- CVS Pharmacy
- Dunkin Donuts
- Ace Hardware
- Mio's Pizzeria
- Bruster's Ice Cream
- The UPS Store
- Gateway College
- Sam Neace Blvd.
(Access to Mount Zion Rd.)
- Saddlebrook Planned Community – **90% COMPLETE**



Civil Engineers, Surveyors, and Landscape Architects
10000 Saddlebrook Blvd., Suite 100
P.O. Box 10000, Saddlebrook, MD 21118
Tel: (410) 772-6200 Fax: (410) 772-6452 www.viox.com

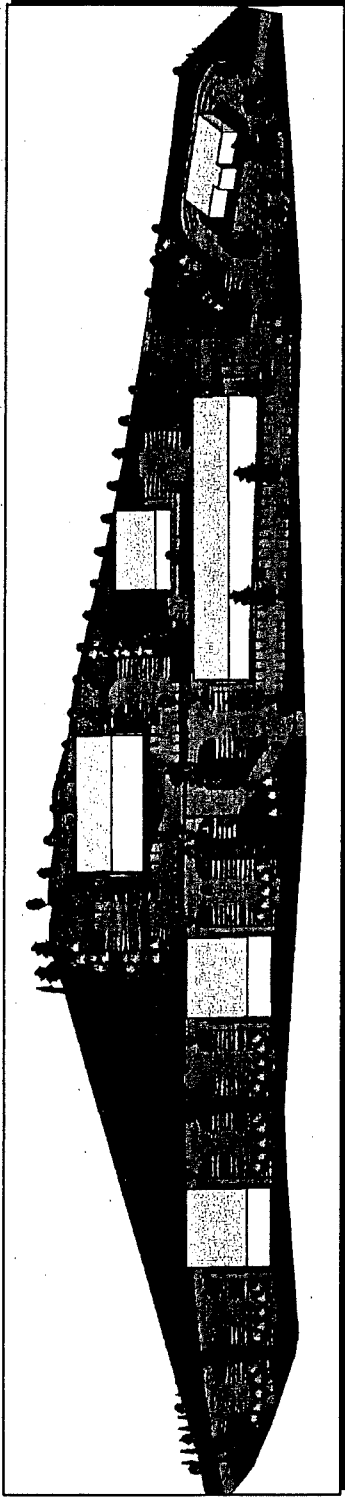


2007 CONCEPT PLAN

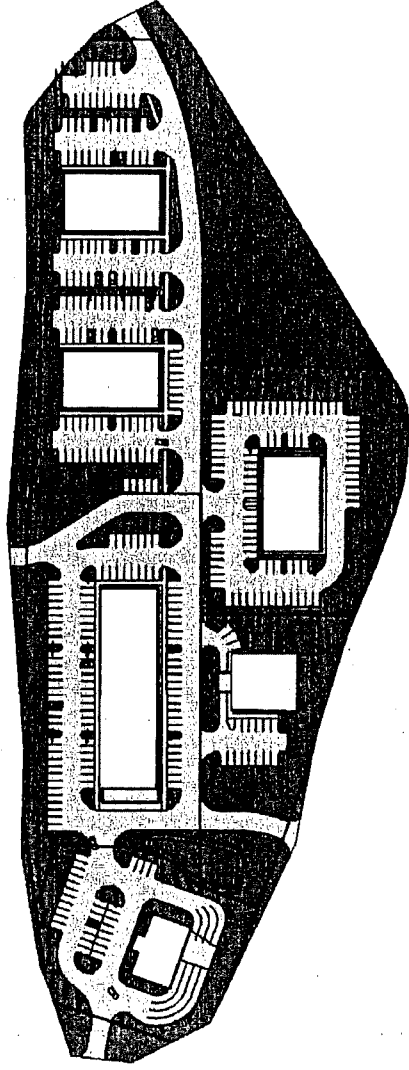


1988 CONCEPT PLAN

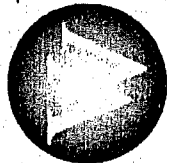
3-DIMENSIONAL COMPUTER MODEL OF PROPOSED DEVELOPMENT



BIRD'S EYE VIEW OF SITE



3-D ANIMATION
OF PROPOSED
SITE LAYOUT



VIOX & VIOX

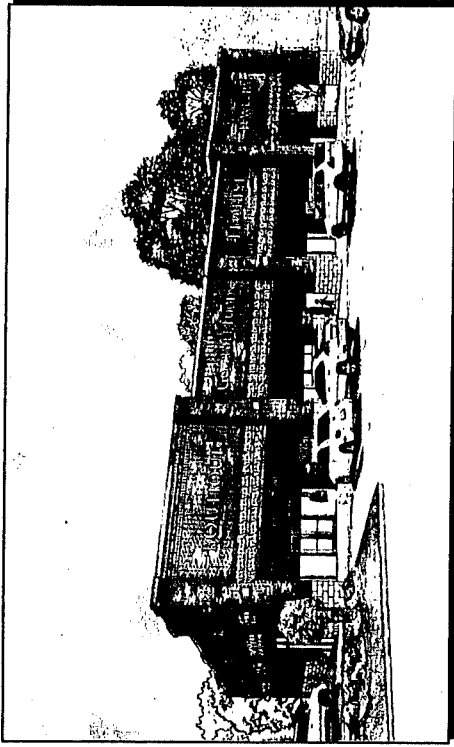
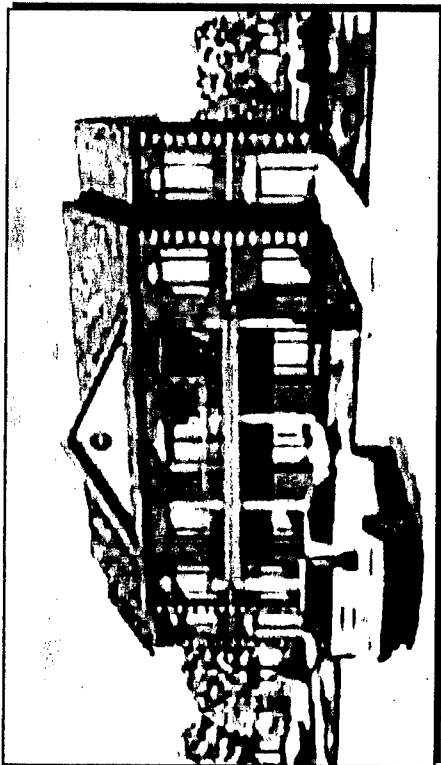
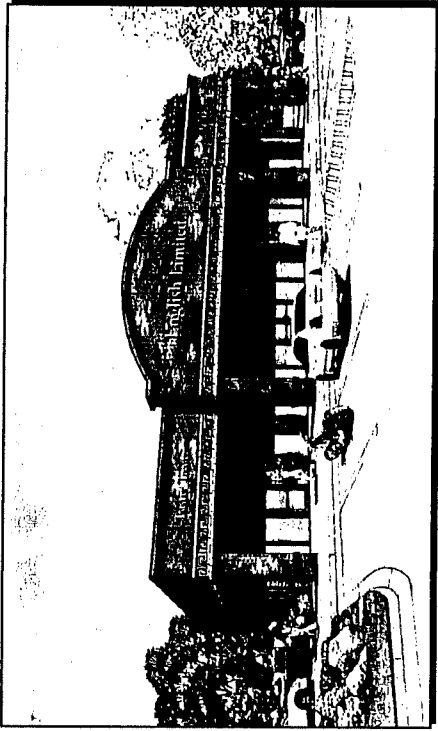
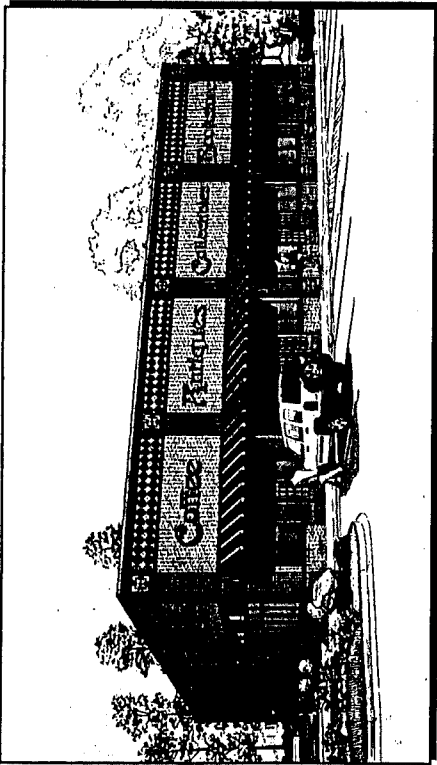
Civil Engineers, Surveyors, and Landscape Architects
466 Erlanger Road • Erlanger, Kentucky 41018
Ph (859) 727-3293 • Fax (859) 727-8452 • www.vioxinc.com

TRAFFIC ANALYSIS

- **Traffic analysis performed using KYTC Hwy Design Manual and AASHTO**
- **Field counts performed on 2-20-07 for AM & PM peak hours**
- **Trip generations determined for current approved plan and proposed plan**
- **Current approved plan generates approx 1.5 times more volume than proposed**
- **Signalized intersection at Saddlebrook Dr. will provide a vital link for exiting site and adjoining properties**
- **Pavement modifications, restriping, pole relocation will be required at the signalized and unsignalized intersections**
- **A detailed analysis has been provided to the Planning Commission**



TYPICAL BUILDING CONCEPTS





VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road
Erlanger, Kentucky 41018

Tel: 859.727.3293
Fax: 859.727.8452
www.vioxinc.com

BOONE COUNTY PLANNING COMMISSION
Date: 1/21/07 Public Hearing # / Exhibit # 2



February 21, 2007

JAN 24 2007
FEB 21 2007

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

ATTN: Todd Morgan,
AICP - Planner

Re: Saddlebrook Center

Dear Mr. Morgan:

Enclosed is the Traffic Operation Analysis Report for the above referenced project.

Please feel free to call me if you have any questions concerning this report.

Sincerely,

Michelle L. Bollman, P.E.
Viox & Viox, Inc.

Traffic Operations Analysis

Saddlebrook Center

Boone County

Florence, Kentucky

20 February 2007

Introduction

The purpose of this report is to summarize the results of a technical analysis conducted to assess the traffic needs and degree of impact of the proposed Saddlebrook Center commercial development. The development is proposed to be located on the south side of the intersection of KY Highway 842 (Weaver Road) and Saddlebrook Drive in Florence, Boone County, Kentucky.

Included in the study and summarized in this report is an analysis of circulation and safety. Traffic turning movement counts, field observations and measurements were included in the work tasks.

The overall objective of this report is to define the recommended turn lane improvements, through the use of traditional traffic engineering measures and practices, which should mitigate as fully as practical the traffic issues and concerns created by the development.

This report is based upon the following referenced sources:

- 1) A site development plan dated January 26, 2007;
 - 2) Site reconnaissance, traffic counts collected on February 20, 2007 and field observations;
 - 3) Applications of the Traffic Engineering Standards accepted and practiced by the Federal Highway Administration;
 - 4) Reference to the Institute of Transportation Engineers (ITE) Trip Generation Manual, Seventh Edition and the ITE Trip Generation Handbook;
 - 5) The application of accepted and normal traffic safety and engineering standards.
-

Traffic Forecast

The total number of trips to be generated by the proposed development during an average weekday was estimated using empirical data consistent with similar types of proposed land uses. The Institute of Transportation Engineers' (ITE) Trip Generation Manual, Seventh Edition, was used as a basic source of reference. A summary of the trip generation estimates is shown in Table 1.

Table 1
Forecasted Trip Generation ¹

ITE Land Use & Code	GFA/ 1,000 Sq.Ft.	AM Peak			PM Peak		
		IN	OUT	TOTAL	IN	OUT	TOTAL
Day Care Center							
ITE Code (#565)	6	40	36	76	32	36	68
General Office Bldg							
ITE Code (#710)	60	109	15	124	25	122	147
Specialty Retail Center							
ITE Code (#814)	19.5	N/A	N/A	N/A	22	29	51
Pass-By (37%)		N/A	N/A	N/A	8	11	19
Bank w/ Drive Thru							
ITE Code (#912)	5	35	28	63	78	52	130
Pass-By (15%)		5	4	9	21	20	41
TOTAL TRIPS		184	79	263	216	324	540
PASS-BY TRIPS		5	4	9	29	31	60
PRIMARY (NEW) TRIPS		179	75	254	187	293	480

¹ Trip Generation Manual, Institute of Transportation Engineers, 7th Edition;

An important element of trip generation for this development is the consideration of pass-by trips. For this development, two types of trips were considered as follows:

Primary Trips

A primary trip is made for the specific purpose of visiting the generator. The trip typically goes from origin to generator and then returns to the origin.

Pass-By Trips

Pass-By trips are attracted from traffic passing the site on the way to a primary trip destination and may be part of a multiple-stop chain of trips.

Based on the information provided in the ITE Manual and ITE Handbook, it was determined that a percentage of the generated trips would be pass-by trips for some of the uses. The remaining trips to the proposed development would be primary trips.

Figures 1 through 4 show the existing traffic turning movement count data collected on February 20, 2007. This data was combined with the forecasted traffic or site generated traffic in order to determine the full impact of the development on the roadway system.

Recommendations - Storage Analysis

Signalized Intersection

In order to achieve the desired safety level for the proposed development, it is necessary that a storage analysis be conducted to assess the needs of the movements of KY Highway 842 intersections affected by the development. The recommendations are per KYTC Design Manual Section HD-901 and per AASHTO's "A Policy on Geometric Design of Highways and Streets". The storage length at a signalized intersection, exclusive of taper, should be based on 1.5 to 2 times the average number of vehicles that would store per cycle.

Reviewing the intersection of Saddlebrook Drive at KY Highway 842 (Weaver Road), it appears that the left-turn and right turn volumes into the development, would be less than 100 vehicles during the peak hour. While this is the case, the KYTC Highway Design Manual suggests that a right turn pocket can be used at any minor intersection not requiring a deceleration lane. A right turn pocket consists of an 8:1 bay taper with a 50-foot storage for rural areas and 100 foot storage for urban areas. Due to the speed limit along Weaver Road, a minimum of a 100' right turn lane or pocket is recommended on the eastbound approach to the intersection.

The westbound PM peak hour volume of left-turning vehicles into the proposed site is 69 vehicles at the intersection of KY Highway 842 and Saddlebrook Drive. One hundred left-turning vehicles require a left turn lane, but in order to reduce the likelihood of high-speed rear end crashes, there is an existing painted area that should be used for left turn vehicle storage. It is recommended that this area be extended if necessary to accommodate the storage of at least seven vehicles. This would be approximately 140' of storage not including a 50' taper.

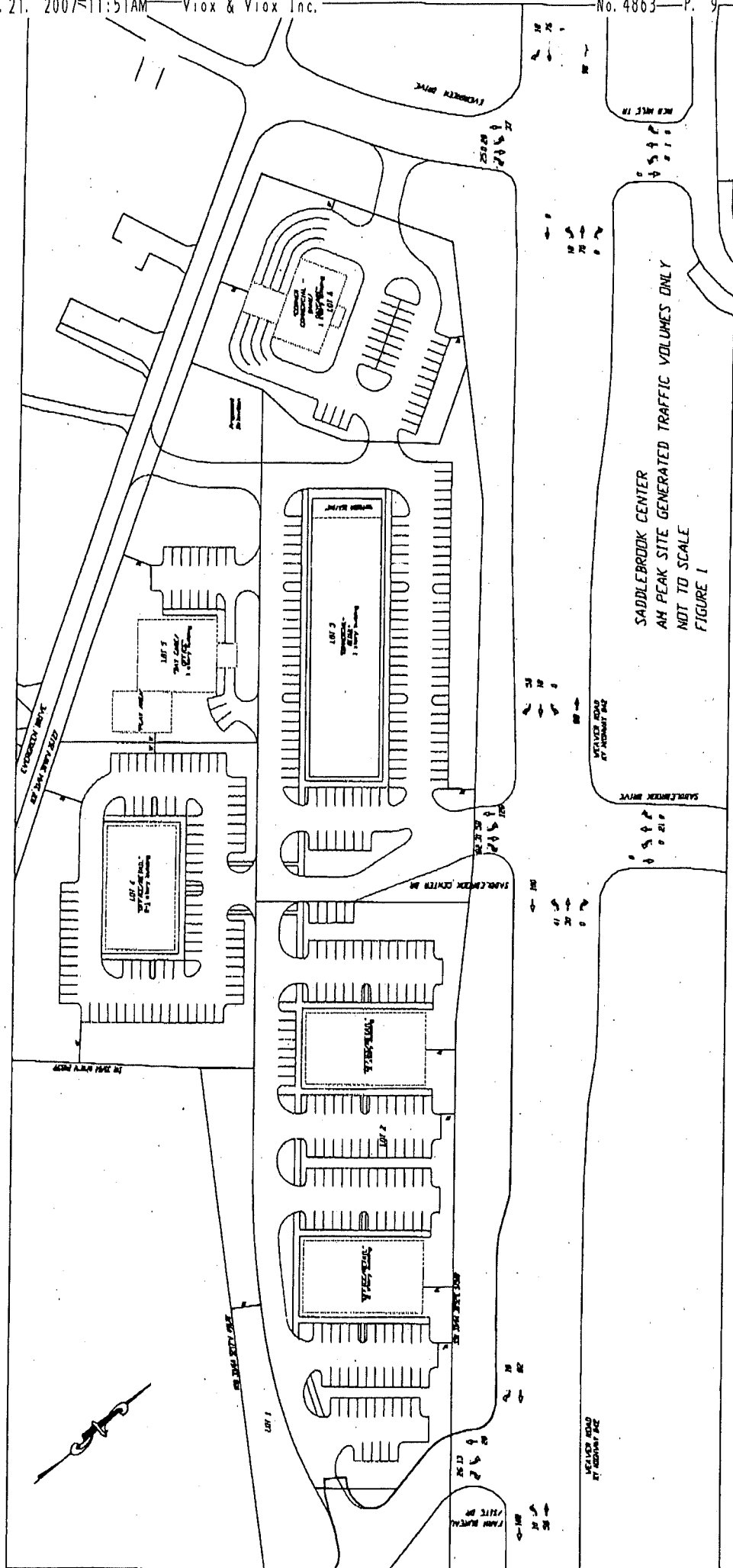
Recommendations - Storage Analysis

Unsignalized Site Access Points On KY Highway 842 (Weaver Road)

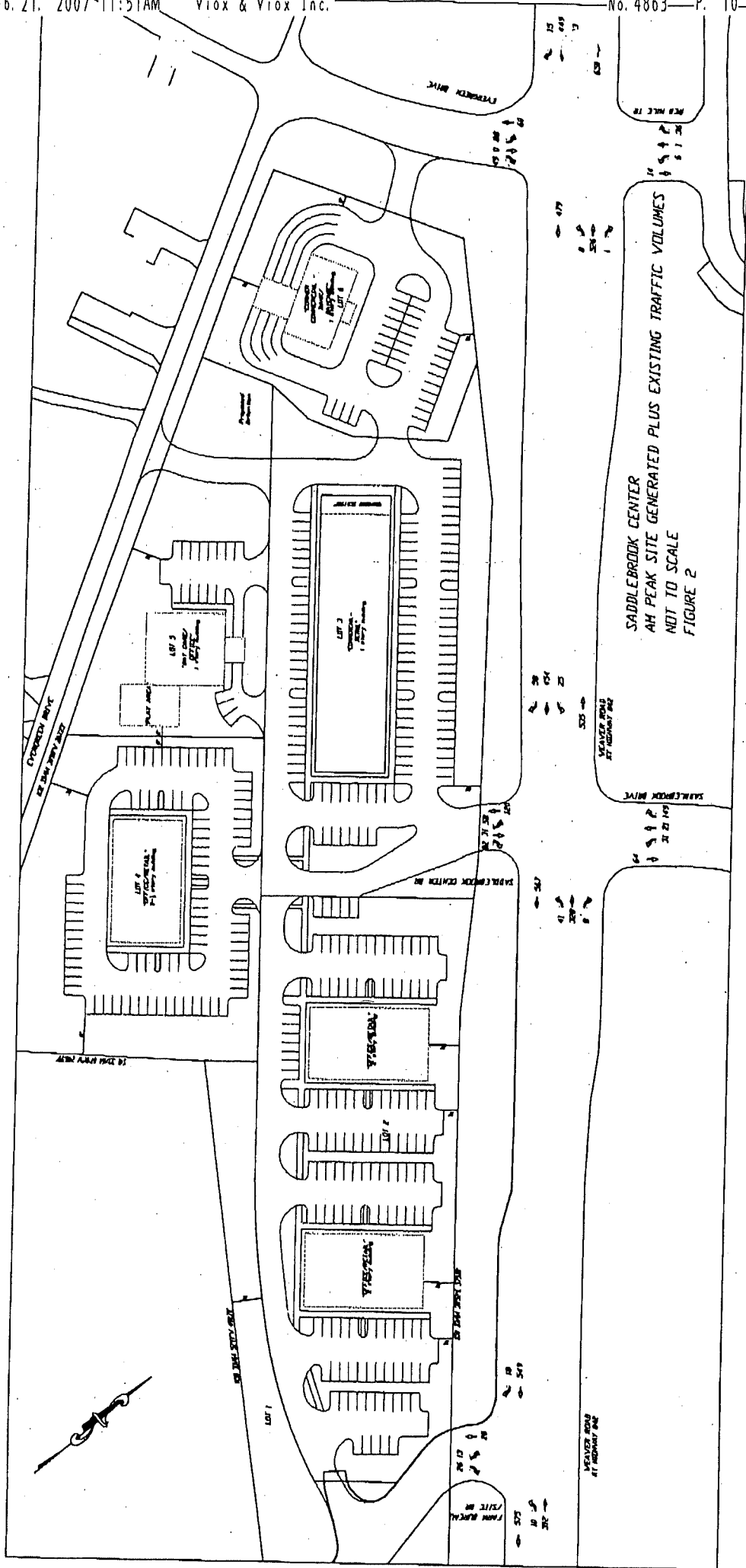
Storage analyses were also conducted at the two unsignalized site access points on KY Highway 842 (Weaver Road) for the PM peak hour. The AASHTO manual and the KYTC Highway design manual were used for these analyses. Based on this research, right-turn lanes into the site access points are not required based on the volumes. However, as a measure of safety, it would be beneficial to have a right turn lane or right turn pocket at the intersection of the Farm Bureau Drive at Highway 842 (Weaver Road) on the eastbound approach. A right turn lane at the intersection of Evergreen at KY Highway 842 (Weaver Road) on the eastbound approach would also be beneficial as a measure of safety. It would also benefit the Level of Service at this intersection.

General Recommendations

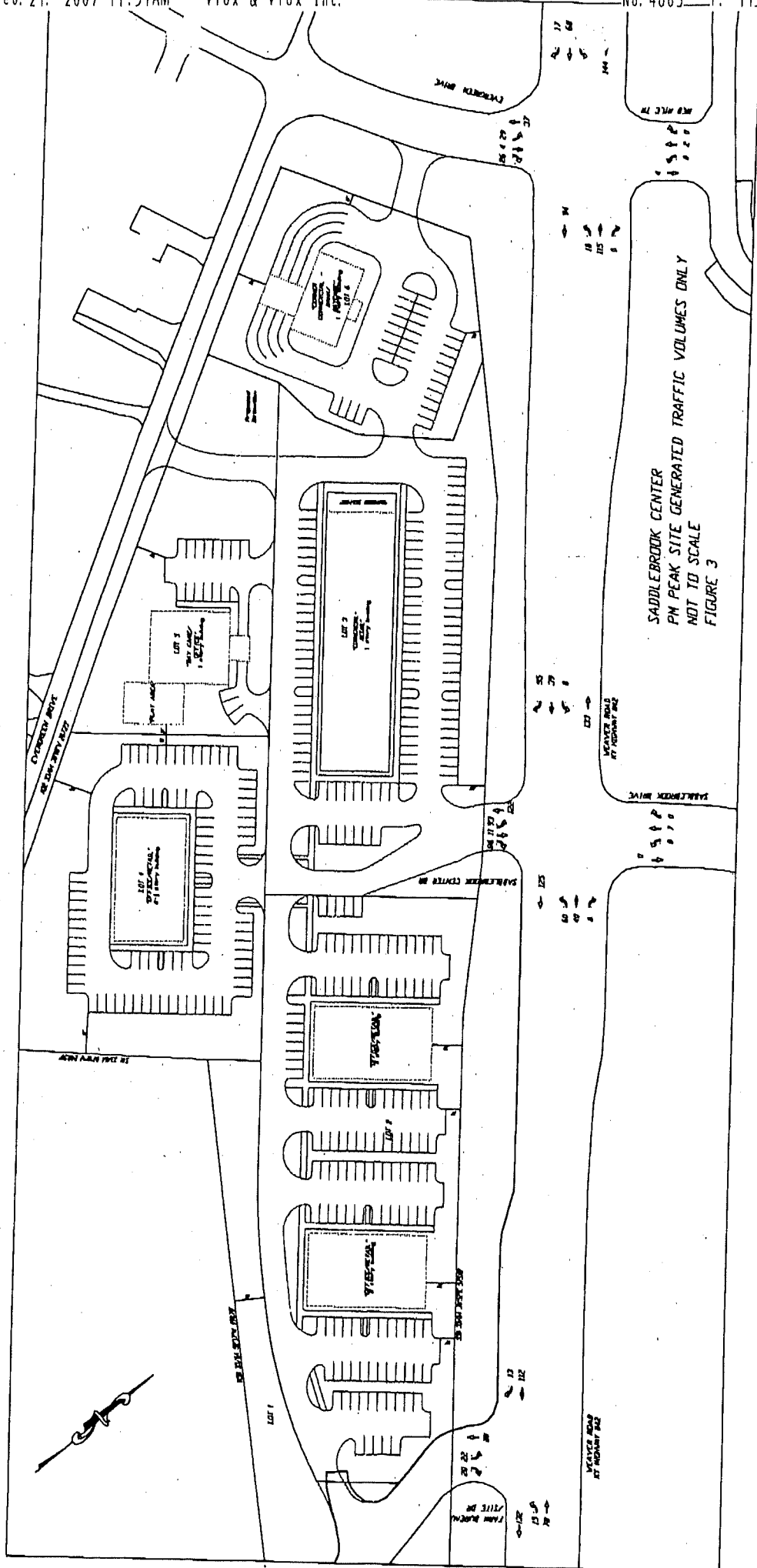
In addition to the review of the turn lanes, it appears that the northbound approach to the intersection of Evergreen at KY Highway 842 may experience additional delay during the peak hour without turn lanes and / or signal improvements. This intersection should be reviewed in more detail. It is important to note that a Level of Service analysis should be completed in order to compare vehicle delay with the development versus the existing conditions. If vehicles are severely impacted, then addition measures should be taken. A traffic signal modification will be necessary at KY Highway 842 and Saddlebrook Drive, due to the addition of a fourth leg to the intersection.



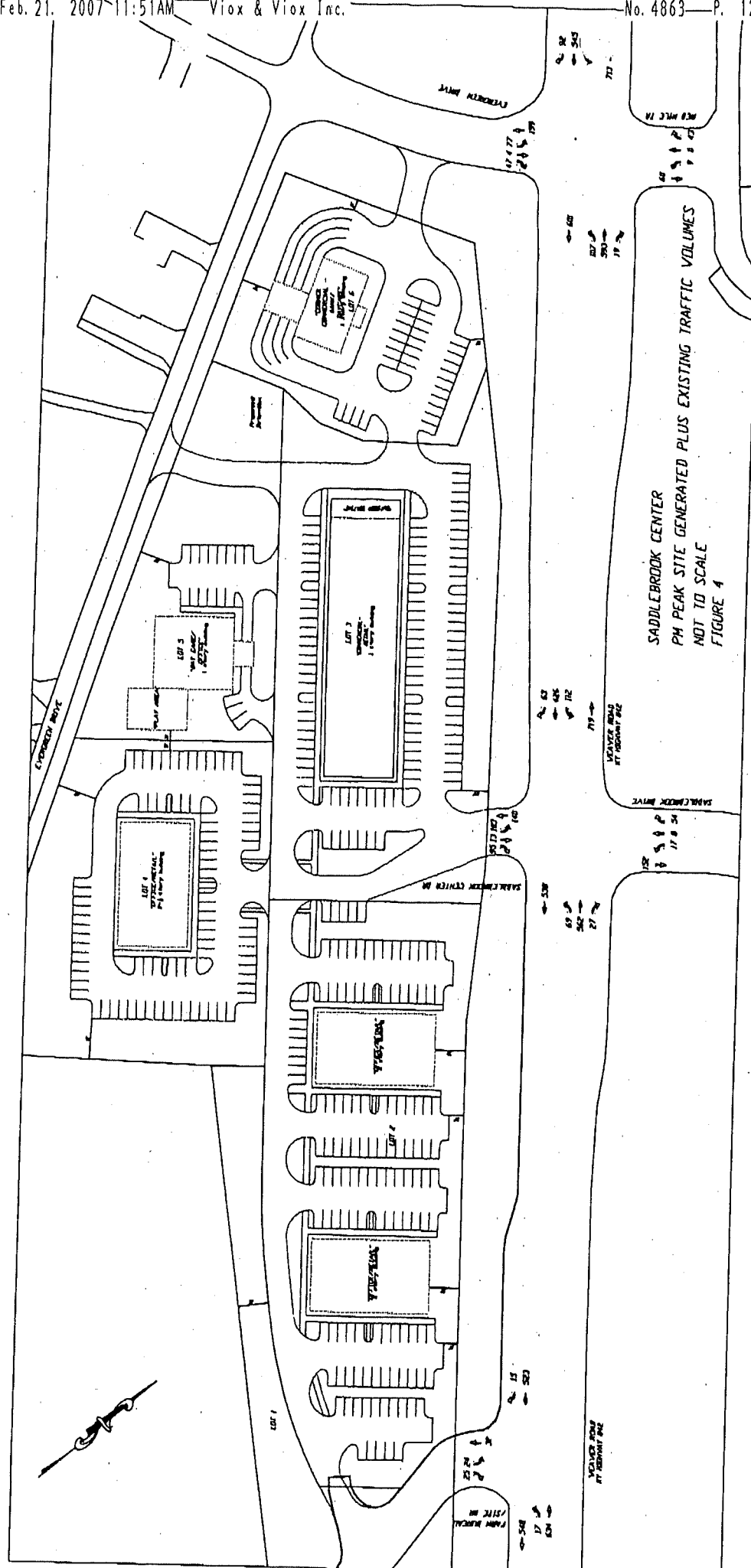
SADDLEBROOK CENTER
AM PEAK SITE GENERATED TRAFFIC VOLUMES ONLY
NOT TO SCALE
FIGURE 1



SADDLEBROOK CENTER
 AM PEAK SITE GENERATED PLUS EXISTING TRAFFIC VOLUMES
 NOT TO SCALE
 FIGURE 2



SADDLEBROOK CENTER
 PM PEAK SITE GENERATED TRAFFIC VOLUMES ONLY
 NOT TO SCALE
 FIGURE 3



SADDLEBROOK CENTER
 PM PEAK SITE GENERATED PLUS EXISTING TRAFFIC VOLUMES
 NOT TO SCALE
 FIGURE 4

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
March 21, 2007
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
Mr. Jim Carmichael
Mrs. Linda Herald
Mrs. Janet Kegley
Mr. Richard Knock, Temporary Presiding Officer
Mr. Don McMillian
Mr. Randy Poe
Mrs. Susan Poston, Vice Chairwoman
Mr. Charlie Reynolds
Mr. Charlie Rolfsen
Mr. Bob Schwenke

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Barlow
Mr. Greg Breetz

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Jan Hancock, Recording 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 March 7, 2007 Business Meeting. 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. Rolfsen seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

1. Change in Approved Concept Development Plan

The request of Noll Properties (applicant) for Banklick Corporation (owner) for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone for an approximate 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County (annexation pending into the City of Florence), Kentucky. The request is for a change in an approved Concept Development Plan to allow commercial, retail, and office uses.

Staff Member Todd Morgan presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see Committee Report). The property owner and the applicant have signed letters agreeing to the conditions. He noted a correction to the Committee Report on Page 3, Item 4, the second sentence should read "The portion of the buffer which adjoins the residential area shall contain all Buffer Yard A plantings and a continuous five to six foot tall berm". (*text added*)

Chairman Caddell asked if the applicant wished to make a summary statement in regard to items raised at the Public Hearing or discussed at the Committee Meeting before the Planning Commission takes action on this request.

Mr. Bill Viox with Viox & Viox was present but had no comments to make at this time.

Chairman Caddell asked if there was anyone present who wished to make a summary statement on behalf of the opposition. There was no response.

There being no discussion, **Mrs. Arnett moved by resolution to the City of Florence (annexation pending) that the request be approved based on the Staff and Committee Reports with the conditions. Mr. Bunger 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: March 21, 2007

RE: Request of **Noll Properties (applicant)** for **Banklick Corporation (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone for an approximate 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County (annexation pending into the City of Florence), Kentucky. The request is for a change in an approved Concept Development Plan to allow commercial, retail, and office uses.

REMARKS:

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

FINDINGS OF FACT

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

- A. The 2005 Boone County Comprehensive Plan's "2030 Land Use Plan" designates the majority of the site for "Rural Density Residential" uses and a smaller area for "Commercial" uses.

Staff found that the property was properly shown with a Commercial future land use designation after the property was rezoned to Commercial Two (C-2) in 1988 (1990 Comprehensive Plan) and that the majority of the property was incorrectly shown with a residential designation on the 1995-2005 Future Land Use Maps.

- B. The request is in agreement with the following passages from the Land Use Element:

"Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact..." (Future Land Use Development Guidelines – Buffering, pg. 141).

The Committee determined that the perimeter landscaping is in compliance or exceeds the requirements of the Boone County Zoning Regulations. Conditions of Approval were imposed which requires a berm and evergreen trees in a portion of the street frontage buffer and light poles to be directed inwards toward the site.

C. The project is in agreement with the following 2005 Goals and Objectives:

- Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas (Business Activity, Goal).

The Committee determined that submitted Concept Development Plan was a substantial improvement over the 1988 Concept Development Plan because it is more compatible with the surrounding residential areas. Improvements included replacing a 60,000 square foot strip center with individual buildings, enhancing perimeter landscaping requirements, limiting lighting and signage, and requiring all brick building facades.

- Commercial uses shall be designed and located to coordinate with surrounding land uses and shall have safe and effective access and ample parking spaces (Business Activity, Objective).

The Committee determined that the project would have safe and effective access and ample parking space. In addition, the applicant has agreed to conditions which require transportation improvements to be made on Weaver Road and Evergreen Drive before any building in the development is issued a Certificate of Occupancy.

2. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner and applicant have signed letters demonstrating agreement with these conditions.

CONDITIONS

1. The applicant agrees to install the transportation improvements which are shown on the attached traffic control concept plan. The transportation improvements may be modified to maximize sight distance, increase intersection clearance, and align curb cuts and are subject to approval by Boone County Planning Commission, Boone County Public Works, and the Kentucky Transportation Cabinet. All traffic improvements shall be constructed and open to the public before any building in the development is issued a Certificate of Occupancy by the Boone County Building Department.
2. All parking lot lighting shall be directed downwards and inwards toward the site. Light poles shall be limited to a maximum height of twenty (20) feet.

3. The following signage conditions apply to the development:
 - A. The architectural free-standing sign for the development shall be limited to fifteen (15) feet in height.
 - B. Outlot (monument) signs shall not be permitted on lots 4 and 5.
 - C. Building mounted signs are prohibited on the rear (western) facades of lots 4, 5, and 6.
4. The width of the Evergreen Drive street frontage buffers shall comply with the submitted Concept Development Plan. The portion of the buffer which adjoins the residential area shall contain all Buffer Yard A plantings and a continuous five (5) to six (6) foot tall berm. All required large trees shall be evergreen species and small breaks will be permitted in the berm to allow storm water drainage.
5. Any proposed building in the development, except for a convenience store with accessory gasoline sales, shall be reviewed through a Staff Design Review process which analyzes the following:
 - A. All building facades shall be constructed with natural toned colored brick and shall be consistent with one of the submitted building concepts (see attachment).
 - B. Roof equipment shall not be visible from any public right-of-way or adjoining residential property.
 - C. The buildings on lots 2, 4, 5, and 6 shall have windows and/or doors which are uniformly dispersed on all facades.
 - D. The building on lot 3 shall have windows and/or doors which are uniformly dispersed on the front and side facades.

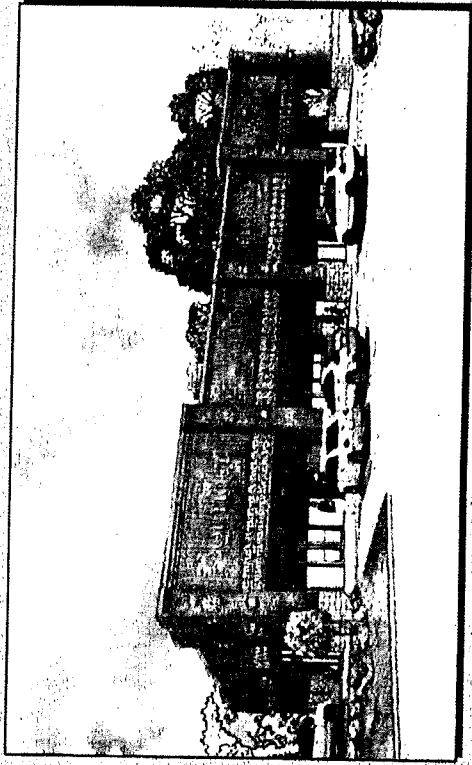
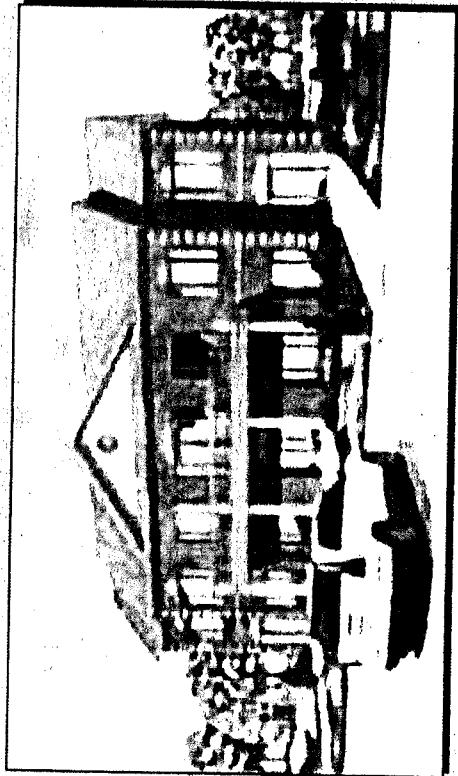
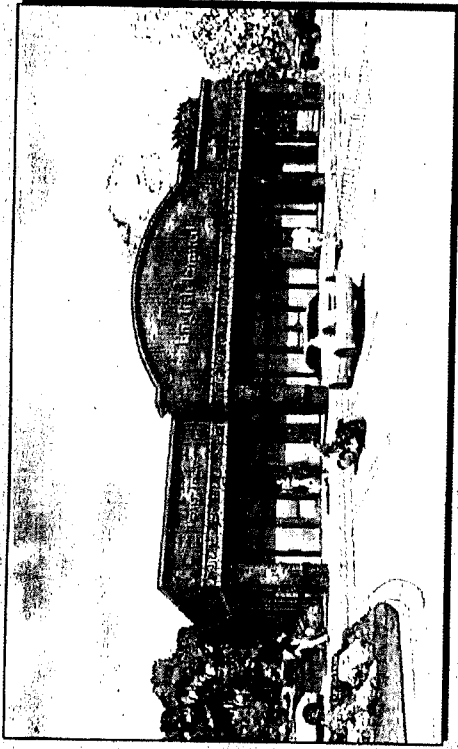
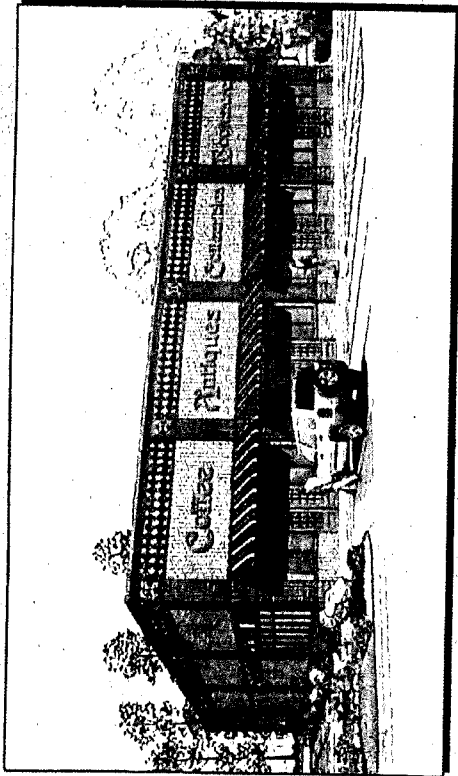
Any proposed convenience store with accessory gas sales (lot 6 only) shall be subject to a formal Design Review application. Items to be reviewed are as follows:

- A. All building facades shall be constructed with natural toned colored brick and shall be consistent with one of the submitted building concepts (see attachment).
- B. The placement of windows and/or doors on the front and sides shall be uniformly dispersed on the front and side facades. Windows and/or doors on the rear facade shall be designed to be to be appropriate for residential adjacency in terms of appearance and lighting impact.
- C. Roof equipment shall not be visible from any public right-of-way or adjoining residential property.

- D. The gasoline canopy shall be supported with brick columns. The brick used in the columns must match the dominant brick color of the principal structure.
 - E. The gasoline canopy roof shall have a substantial fascia with materials that match the principal structure or a pitched roof.
 - F. The gasoline canopy and pumps shall be an accessory use.
6. Sidewalks shall be required along all development driveways. The sidewalks shall connect to the required sidewalks on Weaver Road and Evergreen Drive.
 7. An attachment list the principally permitted and accessory uses which are allowed in the development.

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 Concept Development Plan Committee Vote.

TYPICAL BUILDING CONCEPTS



SECTION 1010

COMMERCIAL ONE (C-1)

The purpose of the Commercial One district is to provide the convenience goods and personal services required for daily living needs. Districts will be located on suitable lands central to the neighborhood trade area with direct access from neighborhood collector roads or minor arterials. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.

SECTION 1011

Principally Permitted Uses

The following uses are permitted:

1. Hardware stores;
2. Eating and drinking establishments including alcoholic beverages **(With the Condition that franchise style fast food restaurants are prohibited in the development. This Condition does not apply to franchise style coffee shops);**
- ~~3. Grocery stores and supermarkets;~~
4. Stores with retail sales of meat, fish, seafood, dairy and poultry products;
5. Fruit and vegetable stores; bakeries, candy, nut and confectionery stores;
6. Convenience stores;
7. Liquor, beverage, drug and proprietary stores;
8. Banking services, savings and loan associations, credit unions and other credit services; **(THE FOLLOWING PASSAGE APPLIES TO THE CITY OF FLORENCE CITY LIMITS ONLY)** The business of cashing checks or accepting deferred deposit transactions as regulated by KRS 368.010 to 368.120 shall not be included in this permitted use.
9. Insurance carriers and agents;
10. Real estate operators, agents, lessors and real estate sub-dividing and developing services, operative builders and related services;
11. Accounting, auditing and bookkeeping services;
12. Postal services and packaging services provided the use is essential for pick-up and delivery convenience and not storage or transfer activities more appropriate to an employment district;
13. Physician, dental, optical goods and services;
14. Veterinary services and pet grooming services but not including the boarding of animals;
15. Beauty and barber services and tanning salons;
16. Nursery and day care centers;

17. Laundering, dry cleaning and dyeing services including self-service;
18. Alteration and garment repair and custom tailoring;
19. Shoe repair, shoe shining and hat cleaning services;
20. Family clothing, shoe stores, specialty clothing or boutiques and other apparel retail trade;
21. Jewelry stores;
22. Radio, t.v., music supplies, cameras, photographic supplies and specialty household appliances;
23. Art, craft and hobby supplies and products, gifts and novelties;
24. Antiques and used merchandise;
25. Books, stationery, newspapers and magazines;
26. Florists excluding greenhouses;
27. Sporting goods including bicycles;
28. Draperies, curtains, upholstery and floor coverings;
29. Paint, glass and wallpaper stores;
30. Photo finishing services;
31. Recreation centers, gymnasiums, clubs and similar athletic uses **(With the Condition that the facility is limited to an area of 3,000 square feet or less);**
32. Video stores;
- ~~33. Funeral homes and crematoriums excluding cemeteries or mausoleums.~~

SECTION 1012

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses defined to be:

1. Recreation uses or spaces of integral relation to the developed portions of the district including:
 - a. Temporary exhibit spaces;
 - b. ~~Aquariums~~, botanical gardens and other natural exhibitions;
 - c. Stages and similar assembly areas;
 - ~~d. Indoor target ranges and similar athletic uses;~~

- ~~2. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:
 - a. Private garage and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
 - d. The keeping and use of appropriate household pets;~~
3. Signage (See Article 34);
4. Parking (See Article 33);
5. Temporary buildings incidental to construction;
- ~~6. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;~~
7. Retail sale of motor fuels;
8. Drive-up photo finishing services and automatic teller services;
- ~~9. The rental of trucks and trailers, (only permitted to be displayed in the side or rear of the property);~~
10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155 **(With the Condition that drive-through facilities shall only permitted on lots 2, 3, and 6).**

SECTION 1020

COMMERCIAL TWO (C-2)

The purpose of the Commercial Two district is to provide comparable shopping goods, personal and professional services, and some convenience goods required for normal living needs as well as major purchase opportunities. Districts will be located on suitable lands primarily central to regional trade areas and to some extent the community as a whole and such districts have access from expressways or arterial roads. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.

SECTION 1021

Principally Permitted Uses

The following uses are permitted:

1. ~~All~~ principally permitted uses of a Commercial One (C-1) district;
2. ~~All~~ the principally permitted uses in an Office One (O-1) district;

3. Eating and drinking establishments including alcoholic beverages **(With the Condition that franchise style fast food restaurants are prohibited in the development. This Condition does not apply to franchise style coffee shops);**
4. ~~Department stores~~, mail order houses, direct retail selling organizations of general merchandise;
5. Furniture, home furnishings including specialty and floor coverings;
6. Specialized upholstery and furniture repair or refinishing services;
7. Apparel stores;
8. Household appliances, china, glassware and metal ware;
9. Radio, t.v., watch, clock, and jewelry repair;
10. Photographic, stenographic and other duplicating and mailing services;
11. Legal services, engineering and architectural services;
12. Security brokers, dealers and flotation services;
13. Title abstracting services; holding and investment services;
14. Advertising services including direct mail;
15. Business and management consulting services;
16. Employment services;
17. Consumer and mercantile credit reporting, adjustment and collection services;
18. Travel arranging, transportation ticket and public event or promotional booking agencies;
19. Radio and television broadcasting studios excluding transmitting stations and towers;
20. Art, music and dancing schools, libraries and museums;
21. Medical and dental laboratory services;
22. Medical clinics - out - patient services;
23. Welfare and charitable services;
24. Business associations and professional membership organizations including civic, social and fraternal organizations;
25. Art and craft galleries and similar exhibit space;
26. ~~Aquariums~~, botanical gardens and other natural exhibitions;

27. Arcades and other amusement centers;
- ~~28. Motion picture theaters (indoor);~~
29. Bowling alley, skating rinks, roller skating rinks, miniature golf courses golf driving ranges, and skateboard facilities;
30. Recreation centers, gymnasiums, clubs and similar athletic uses **(With the Condition that the facility is limited to an area of 3,000 square feet or less)**;
- ~~31. Motorcycles sales or bike shops excluding outside storage;~~
32. Churches, synagogues, temples and other places or religious assembly for worship;
- ~~33. Hotels and motels including convention facilities;~~
- ~~34. Pawn shops (Not Applicable within the City of Florence);~~
35. Auto parts and accessories stores;
- ~~36. Gasoline filling station;~~

SECTION 1022

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses including:

1. Recreation uses or spaces of integral relation to the developed portions of the district defined to be:
 - a. Stages and similar assembly areas;
 - b. Auditoriums, exhibition halls and other public assembly spaces;
 - c. Billiards;
 - d. Play lots and tot lots;
 - e. General, leisure, ornamental and other parks, spaces, trails bikeway systems, malls and urban pedestrian networks;
- ~~2. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:~~
 - ~~a. Private garage and parking;~~
 - ~~b. Structures such as fences and walls;~~
 - ~~c. Buildings such as storage sheds;~~
 - ~~d. The keeping and use of appropriate household pets;~~
3. Signage (See Article 34);

4. Parking (See Article 33);
5. Temporary buildings incidental to construction ;
6. ~~Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;~~
7. Drive-up photo finishing services and automatic teller services;
8. ~~Indoor target ranges and similar athletic uses;~~
9. ~~Recycling collection points (See Article 31);~~
10. Garment and Furniture centers (See Article 31);
11. ~~The rental of trucks and trailers, (only permitted to be displayed in the side or rear of the property);~~
12. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155 **(With the Condition that drive-through facilities shall only permitted on lots 2, 3, and 6).**

SECTION 1110

OFFICE ONE (O-1)

The purpose of the Office One district is to create a low density, low rise office environment and to provide professional and personal services and employment opportunities in close proximity to and compatible with residential districts. The Office One district shall accommodate smaller scale and independent office uses, which are not located within a larger Office Two district or which do not need or desire to be located in a commercial district. Office One districts are located on suitable lands within established or planned urban entities where adequate infrastructure and services are available or proposed.

SECTION 1111

Principally Permitted Uses

The following uses are permitted:

1. Bank related services or credit unions;
2. Business and personal credit services and title services;
3. Security brokers, investment services and finance companies;
4. Insurance agents, brokers and services;
5. Real estate agents, brokers and management services;
6. Real estate management services and builders offices excluding any outside storage equipment and the like;
7. Photographic services;

8. Eating and drinking establishments including alcoholic beverages; **(With the Condition that franchise style fast food restaurants are prohibited in the development. This Condition does not apply to franchise style coffee shops);**
9. Direct mail and advertising services;
10. Stenographic services and other duplicating and mailing services;
11. News syndicate services and employment services;
12. Research, development and testing services of an office nature;
13. Business and management consulting services and associations;
14. Motion picture, audio-visual and similar media production and distribution services;
15. Physician and dental services including medical, dental laboratories and clinics;
16. Legal, engineering, architectural, education and scientific research services;
17. Accounting, auditing and bookkeeping services;
18. Charitable and social services administration offices;
19. Professional membership organizations and labor organizations and civic associations;
20. Telephone exchange stations, telegraph message centers, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting or receiving towers or similar unattached, erected equipment;
21. The administration, management and any related office use or activity of commercial, business, service, professional, industrial, religious, private institutional, or similar organization, incorporation, companies, associations and such uses. Includes all integral stenographic reproduction, mailing, research, sales and similar office functions, as determined by the Zoning Administrator;
22. Veterinary services not including the boarding of animals;
23. Business colleges or schools;
24. Recreation centers, gymnasiums and other related recreational facilities **(With the Condition that the facility is limited to an area of 3,000 square feet or less);**
25. The retail sale of office supplies and equipment;
- ~~26. Funeral homes and crematoriums excluding cemeteries or mausoleums.~~

SECTION 1112

Accessory Uses

Accessory uses, buildings, and structures customarily incidental and subordinate to the purposes of the district including:

1. Recreation uses or spaces of integral relation to the developed portions of the district including:

- a. Temporary exhibit spaces;
 - b. ~~Aquariums~~, botanical gardens and other natural exhibitions;
 - c. Stages and similar assembly areas;
2. Accessory uses for an office facility:
 - a. Garages and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
 3. Signage (See Article 34);
 4. Parking (See Article 33);
 5. Automatic teller machines;
 6. ~~Single-family dwelling unit;~~
 7. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155 **(With the Condition that drive-through facilities shall only permitted on lots 2, 3, and 6).**

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM**

February 21, 2007

7:30 P.M.

PUBLIC HEARING

Commission Members Present: Mrs. Arnett, Mr. Breetz, Mr. Caddell – Chairman, Mr. Carmichael, Mrs. Herald, Mrs. Kegley, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen, and Mr. Schwenke.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; 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 7:30 PM and introduced the item on the Agenda:

Applicant: Noll Properties for
Banklick Corporation (owner)

Request: Change in Approved Concept Development Plan

The request of Noll Properties (applicant) for Banklick Corporation (owner) for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone for an approximate 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County (annexation pending into the City of Florence), Kentucky. The request is for a change in an approved Concept Development Plan to allow commercial, retail, and office uses.

Staff Member Todd Morgan 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. Bill Viox with Viox & Viox was present on behalf of Noll Properties. Reviewing the applicant's Power Point presentation (see Exhibit 1), he noted the partners in the development and examples of projects in which they have been involved. He stated that David Noll is a member of one of the older families in the Northern Kentucky building community and his father, Bob Noll, is a past president of the Homebuilders' Association. Mr. Viox presented and reviewed the Vicinity Map and the Development Plan for Saddlebrook which was done by Viox & Viox in 1988. He stated that the zone change for Saddlebrook was approved in 1988, which is about the same time as Oakbrook was approved. Saddlebrook and Oakbrook are both Planned Developments and both had commercial elements planned from the beginning. Oakbrook had two planned commercial elements – the one on the KY 18 end developed early because of the traffic counts on KY 18 and the one on the Pleasant Valley end is developing now. He stated that the traffic counts were not there for the Saddlebrook commercial element to develop and the Farm Bureau purchased a portion of it. He stated that they could bring in a Site Plan and go forward with the approved plan – but it is outdated. He stated that there is 60,000 square feet of retail on the approved plan, including an anchor the size of Bed Bath & Beyond in Crestview Hills, and thirty-one different retail outlets. He stated that the property sold to the Farm Bureau and the area designated in 1988 as “unknown commercial” are not part of this application. Reviewing the Power Point slide, he indicated the loading dock area that is 100 feet in length. He noted the location of the berm. He stated that in 1988 there was no landscape ordinance and the previous record called for a berm and landscaping of unknown size and species. He stated that retail hours are Monday through Sunday -- Sunday until 6 PM, Saturday is a busy day, and the stores might be open weekdays until midnight. Retail is approved now, but they are moving away from it in their application. He stated that restaurants were disallowed in the original approval. He reviewed the uses that have occurred in the neighborhood since 1988, including CVS, Dunkin Doughnuts, Gateway College, and one of the most important changes is Sam Neace Boulevard. Once Sam Neace Boulevard was put in, the college was built, and the commercial was located over on Mt. Zion Road -- the traffic patterns changed on Weaver Road. Prior to that time, Weaver Road took people to Old U.S. 25 and the traffic counts were low. Tamarack Trace is there now and Saddlebrook is 90% complete. He presented the proposed plan and the approved plan. He stated that the main signalized entrance is proposed across from Saddlebrook. They agree with many of the items mentioned in the Staff Report regarding the access. He stated that the makeup of the uses is now completely different. The 1988 plan would have generated 1.5 times the traffic of the 2007 Concept Plan because the makeup of the 1988 plan was a lot of retail. The proposed plan shows office/retail because office buildings today often have ancillary retail uses such as coffee shops, a small pharmacy, or a spa. He stated that office use is 9 AM to 5 PM and some are open Saturday morning, but almost none are open on Sunday. The blue area on

the 2007 Concept Plan shows office uses. He stated that the 2.5 story building is built down into the topography (not up) and will not have the impact of a large office building. He indicated the locations for a possible daycare center and a bank. He stated that instead of having thirty-one retail uses, there will be five or six retail uses. There will be a completely different traffic plan. He stated that this plan is a win for the City of Florence and the Planning Commission. The retail (red) area is 18,000 – 19,500 square feet and there is 54,000 – 60,000 square feet of office. He stated that if an Applebee's wants to come in, they would forego an office building and put in the sitdown restaurant -- that type of restaurant was mentioned to them as something that was needed in the community. He stated that the hours are completely different in the proposed development compared to the 1988 plan, which will make a big impact from a traffic standpoint. He indicated the entrance to the Farm Bureau on the slide and stated that the previous owners were trying to follow the Concept Plan. He noted Mr. Sketch's comments about the road (attached to the Staff Report) and stated that the Committee will need to take a close look at the benefits versus the detriments. He stated that during peak hours making a left turn out of the site is difficult and they have proposed a way to get to the light and out safely. He visited the site at 1:30 PM Monday and there was no traffic problem at that time, but that changes in the peak hours. They are not adverse to one-way traffic. He presented a virtual tour of the development. He stated that they have to step the elevations down. He indicated where they will put in extensive landscaping. He stated that in 1988 there was a loading dock there and a berm in the back. They do not have the loading dock, but they will meet the Boone County and City of Florence landscaping regulations. The City of Florence landscaping regulations are more stringent than the county's. He stated that the entrance at the back may be more of a benefit than a detriment. He introduced Michelle Bollman, P.E. with Viox & Viox to talk about the traffic analysis.

Ms. Michelle Bollman reviewed *Traffic Operations Analysis, Saddlebrook Center* (see Exhibit 2). The traffic analysis was performed using the Kentucky Transportation Cabinet Highway Design Manual and the AASHTO Green Book Design Standards. She stated that manual field counts were performed on February 20, 2007 during the AM and PM peak hours on Weaver Road, particularly at Evergreen Drive and at Saddlebrook Drive. Trip generations were determined for the approved plan and for the proposed plan. She stated that the approved plan would generate approximately 1.5 times more traffic volume than the proposed plan. She stated that the signalized intersection at Saddlebrook Drive will provide a key link for exiting the proposed site and for adjoining properties. She noted that the report addresses pavement modifications, re-striping and pole relocations that will be necessary for the signalized and unsignalized intersections in front of the proposed site. A detailed analysis has been provided to the Planning Commission (see Exhibit 2).

Mr. Viox stated that the entrance at the back reminds him of the Mall Road/Hopeful Church Road connector -- a controversial highway ultimately built

by the county. When it was completed, the people on Cayton Road could go to the Kroger's on Mall Road and go back home without getting into the traffic. What they are proposing here is similar to the situation at Oakbrook where people can come off of KY 18 and use the facilities, but the people who live in Oakbrook can access the uses by the back door and go back home without mingling in the traffic. He stated that if they do not have a connection at the back of the proposed development, the residents who come to the development and then go back home will become part of the traffic problem. He asked the Committee to take a good look at that. He stated that the Noll group has never built anything that was low quality. David Noll brought him the pictures and said that these are the types of facilities that he is interested in building in Florence. Mr. Viox stated that they do not have a buyer. He stated that the owners and their attorney are also present. They did not wish to speak, but were available to answer any questions. This concluded the applicant's presentation.

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

Mr. Bill Boyle, 788 Grace Drive in Eagle's Landing, stated that he has been a resident of Evergreen Drive since he was born. He stated that this development is more acceptable than the original plan. He agrees with the Staff Report that there should be turning lanes into and out of Evergreen Drive from Weaver Road, which is a horrible area since the light is further up. The single-family homes at Saddlebrook exit out onto Weaver Road by way of Evergreen Drive directly across from the apartment complex, and it is mess in the morning and afternoon as there are no decel lanes coming off Weaver Road to turn in or a right-turn lane coming out of Evergreen Drive to turn right toward Sam Neace Boulevard. The traffic is backed up on Evergreen Drive every morning. He is in favor of an egress to the development off of Evergreen Drive so that they have access to a light to alleviate some of the traffic back up in the morning, whether the access is where it is currently or closer to Grace Drive and nearer the entrance to Eagle's Landing. He suggested that a ten-foot berm with trees along the top be placed behind the buildings on Evergreen Drive so that the residents are not looking at the back of the buildings and the dumpsters. He stated that those houses have been there well over fifty years. He is in favor of the project and prefers it to the currently approved plan, with the modifications he stated.

Mr. Earl Litton, a resident of 775 Grace Drive for 21 years, is concerned about the traffic and about business lights shining into the residential area. He stated that the residents will have to make four or five stops to get out to Weaver Road and he would like to see another scenario if possible. He agreed with Mr. Boyle in regard to the berm and landscaping to preserve the residential setting. He stated that there are already eight banks between the Union Kroger store and Weaver Road.

Mr. Kevin Kloentrup, 9265 Tranquility Drive, Eagle's Landing, agreed with the other speakers. He stated that it is a mess at Evergreen Drive and Weaver Road in the peak hours. He asked for a nice green area for the single-family residences that have been there for a long time. He stated that it is hazardous where Evergreen Drive comes into Weaver Road due to the rise on Weaver Road and the speed limit of 55 MPH -- and something needs to be done there. He stated that the infrastructure is not keeping up with the development. He is not against the development but wants the developer to respect the single-family residences that have been there forever.

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

Bruce Bremer, owner of 8745 Evergreen Drive, stated that it is important not to have the road access onto Evergreen Drive because it will take traffic from a commercial area and put in onto a residential street. Evergreen Drive is not suitable for that traffic, especially if there is daycare there because the people will be coming in and leaving at the same time. He stated that the traffic study only included Weaver Road and Evergreen Drive and the traffic out of the commercial area, but a traffic study was not done of the other intersections around the area. He questioned the backside of Evergreen Drive and the traffic going down toward Weaver Road, which is a bottleneck. He stated that the berm and the fence are important to separate the uses from the residential area. He stated that banks and restaurants are 24-hour a day operations. He stated that this puts a commercial building complex into a residential area and safety is important. There needs to be a traffic study done of what is going to occur on Evergreen Drive and the back road that goes through. He stated that people will take a shortcut down to Gunpowder, which will increase the traffic. He stated that the subdivision behind the development does not have sewer and is on septic systems, which has not been addressed.

Ms. Bernice Craft, 12 Thorne Hill, Saddlebrook, questioned the type of stores that would go into the development. She believes that it will be a strip mall and stores in strip malls can be here today and gone tomorrow. She is concerned that drug problems will move up to this area -- which could depend on the type of stores. She asked if there will be restrictions on the type of stores that go there. Will there be a tattoo parlor? She stated that you cannot stop progress, and questioned if this is progress.

Mr. Ed Goetz, who has lived at the corner of Evergreen Drive and Ridgeview Drive for 28 years, stated that the traffic information looks good on paper with the access and the light, but people run the stop signs constantly and enforcement at the intersection is lax. He is concerned about putting more traffic through there. His understanding is that a certain number of people have to be killed at an intersection in order for a stoplight to be put in. He questioned increasing the

chances for people to be killed coming out onto Weaver Road. He stated that it would be a mistake to put that much additional traffic there without a light or better enforcement. He asked if they will be able to tap into the sewer. He stated that they have been without sewers for over thirty years and that needs to be addressed. Boone County told him that an engineering feasibility study would be done, but he does not think anything has been done.

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

Mr. Knock questioned the sewer issue. Mr. Viox responded that they have filed for annexation into the City of Florence. He stated that the City of Florence system, which is available to them at the lot coming out of Oakbrook, is a different sewer system than Sanitation District #1 that services the county. He stated that the residential area is in a different jurisdiction. He stated that the proposed development will be on public sewer.

Mr. Reynolds noted Mr. Goetz' comments regarding the speed and danger at Evergreen Drive and Weaver Road. He questioned what could be done there whether this development is approved or not. Chairman Caddell responded that it is a state highway and Staff will communicate the concerns expressed by the residents to the Highway Department, but the Planning Commission has no other authority. Mr. Reynolds noted the comment that people run the stop signs and questioned enforcement in the area or possibly putting up cameras there. Chairman Caddell stated that Staff will make the appropriate police department aware of the concerns and information brought to the attention of the Planning Commission this evening.

Mrs. Kegley stated that she understands that there are different jurisdictions in regard to the sewer, but questioned if the sewer would be large enough for the residents to tap into if they were annexed into the City of Florence. Mr. Viox responded that there will be an 8" public sewer line and it could handle the sewage, but the issue would be coming into the system -- the residences are at the top of the hill and would require a lift station. He believes future sewers for the residents would flow more towards Gunpowder.

Mr. Rolfsen stated that the road proposed onto Evergreen Drive looks to be in the dip and not a good location for the road. He asked the applicant to bring sight distance information to the Committee Meeting. Mr. Viox responded that the sight distance is good because people can look all the way to the top of the hill. He reviewed the Power Point slide in regard to the location of the road and the topography. He stated that the sight distance is good in that location -- but this is a Concept Plan and they can consider moving the road.

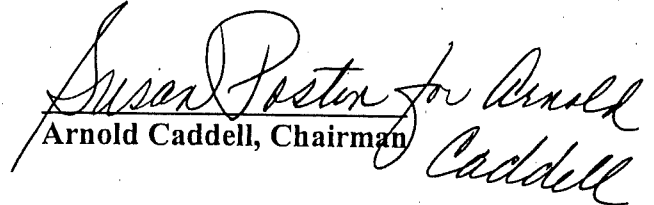
Mr. McMillian agreed with the comments made by Ms. Craft and stated that the Committee will determine which shops will be eliminated.

Mr. Goetz asked to speak again and was recognized by the Chairman. Mr. Goetz stated that when Saddlebrook went in, they were told that the stand of mature trees would be left – but the mature trees were cut down and they put in pine trees. He questioned what assurances the residents have that the landscaping will be done as shown. Chairman Caddell responded that it is the responsibility of the Enforcement Officer to see that the landscaping is done as shown on the approved plans. The Enforcement Officer has the ability to take them to court to enforce the agreements. Mr. Costello stated that the current landscaping regulations are more stringent than those that were in place in 1988 when Saddlebrook was approved.

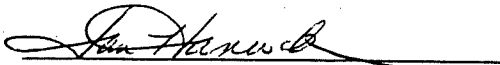
Ms. Peggy Scalley, a resident of Eagle's Landing, stated that Evergreen Drive looks fairly wide in the Power Point slides, but it is not – only two cars can be on the road. She asked if turning lanes will be put in. She stated that the road will be much more traveled, particularly if a daycare center goes in. She stated that going down Ridgeview Drive and exiting onto Gunpowder Road is very dangerous particularly when making a righthand turn because people come over the top of Gunpowder Road. She stated that the increase in traffic that will occur in that area should be considered.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on March 7, 2007 at 5:00 PM in this room. He stated that the concerns raised will be further addressed by the Zone Change Committee. The public is welcome to attend the Committee Meeting. This item will be on the Agenda for the Business Meeting on March 21, 2007 at 7:00 PM. The Chairman closed this Public Hearing at 8:30 PM.

APPROVED:


Arnold Caddell, Chairman

Attest:


Jan Hancock, Recording Secretary

Exhibits –

- 1 Spiral bound copy of applicant's Power Point presentation *Saddlebrook Center, Florence, Kentucky* submitted by Bill Viox.
- 2 Traffic Operations Analysis, Saddlebrook Center, Boone County/Florence, Kentucky submitted by Michelle Bollman, P.E.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Judy Arnett, Chairwoman

DATE: March 7, 2007

RE: Request of **Noll Properties (applicant)** for **Banklick Corporation (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone for an approximate 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County (annexation pending into the City of Florence), Kentucky. The request is for a change in an approved Concept Development Plan to allow commercial, retail, and office uses.

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

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

Kim Bunger

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 _____

Charlie Rolfsen
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

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

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

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

TOTAL: _____ DEFERRED 5 FOR PROJECT _____ ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

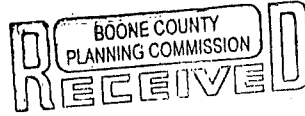
SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

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

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



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

March 14, 2007

MAR 21 2007

Noll Properties
c/o – Mr. David Noll
6 Dartmouth Drive
Ft. Mitchell, KY 41017

RE: Request of **Noll Properties (applicant)** for **Banklick Corporation (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone for an approximate 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County (annexation pending into the City of Florence), Kentucky. The request is for a change in an approved Concept Development Plan to allow commercial, retail, and office uses.

Dear Mr. Noll:

The following represents the conditions of approval for the above referenced Concept Development Plan request as agreed to by the Zone Change/Concept Plan Committee. You, as applicant, and an officer of the Banklick Corporation will need to sign the appropriate spaces on the last page of this letter if you are in agreement with the conditions. Please return this original letter to the Boone County Planning Commission office by March 20, 2007.

CONDITIONS

1. The applicant agrees to install the transportation improvements which are shown on the attached traffic control concept plan. The transportation improvements may be modified to maximize sight distance, increase intersection clearance, and align curb cuts and are subject to approval by Boone County Planning Commission, Boone County Public Works, and the Kentucky Transportation Cabinet. All traffic improvements shall be constructed and open to the public before any building in the development is issued a Certificate of Occupancy by the Boone County Building Department.
2. All parking lot lighting shall be directed downwards and inwards toward the site. Light poles shall be limited to a maximum height of twenty (20) feet.

3. The following signage conditions apply to the development:
 - A. The architectural free-standing sign for the development shall be limited to fifteen (15) feet in height.
 - B. Outlot (monument) signs shall not be permitted on lots 4 and 5.
 - C. Building mounted signs are prohibited on the rear (western) facades of lots 4, 5, and 6.
4. The width of the Evergreen Drive street frontage buffers shall comply with the submitted Concept Development Plan. The portion of the buffer which adjoins the residential area shall contain all Buffer Yard A plantings and a continuous five (5) to six (6) berm. All required large trees shall be evergreen species and small breaks will be permitted in the berm to allow storm water drainage.
5. Any proposed building in the development, except for a convenience store with accessory gasoline sales, shall be reviewed through a Staff Design Review process which analyzes the following:
 - A. All building facades shall be constructed with natural toned colored brick and shall be consistent with one of the submitted building concepts (see attachment).
 - B. Roof equipment shall not be visible from any public right-of-way or adjoining residential property.
 - C. The buildings on lots 2, 4, 5, and 6 shall have windows and/or doors which are uniformly dispersed on all facades.
 - D. The building on lot 3 shall have windows and/or doors which are uniformly dispersed on the front and side facades.

Any proposed convenience store with accessory gas sales (lot 6 only) shall be subject to a formal Design Review application. Items to be reviewed are as follows:

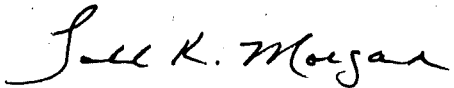
- A. All building facades shall be constructed with natural toned colored brick and shall be consistent with one of the submitted building concepts (see attachment).
- B. The placement of windows and/or doors on the front and sides shall be uniformly dispersed on the front and side facades. Windows and/or doors on the rear facade shall be designed to be to be appropriate for residential adjacency in terms of appearance and lighting impact.
- C. Roof equipment shall not be visible from any public right-of-way or adjoining residential property.

Mr. David Noll
March 14, 2007

Page 3

- D. The gasoline canopy shall be supported with brick columns. The brick used in the columns must match the dominant brick color of the principal structure.
 - E. The gasoline canopy roof shall have a substantial fascia with materials that match the principal structure or a pitched roof.
 - F. The gasoline canopy and pumps shall be an accessory use.
6. Sidewalks shall be required along all development driveways. The sidewalks shall connect to the required sidewalks on Weaver Road and Evergreen Drive.
7. An attachment list the principally permitted and accessory uses which are allowed in the development.

Sincerely,



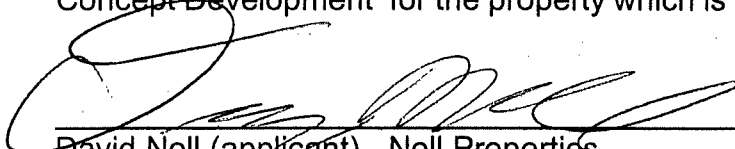
Todd K. Morgan, AICP
Senior Planner, Zoning Services

TKM\pr

Attachments

AGREEMENTS

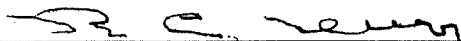
I, David Noll, agree to the listed conditions of approval for the Change in Approved Concept Development for the property which is referenced on the first page of this letter.



David Noll (applicant) - Noll Properties

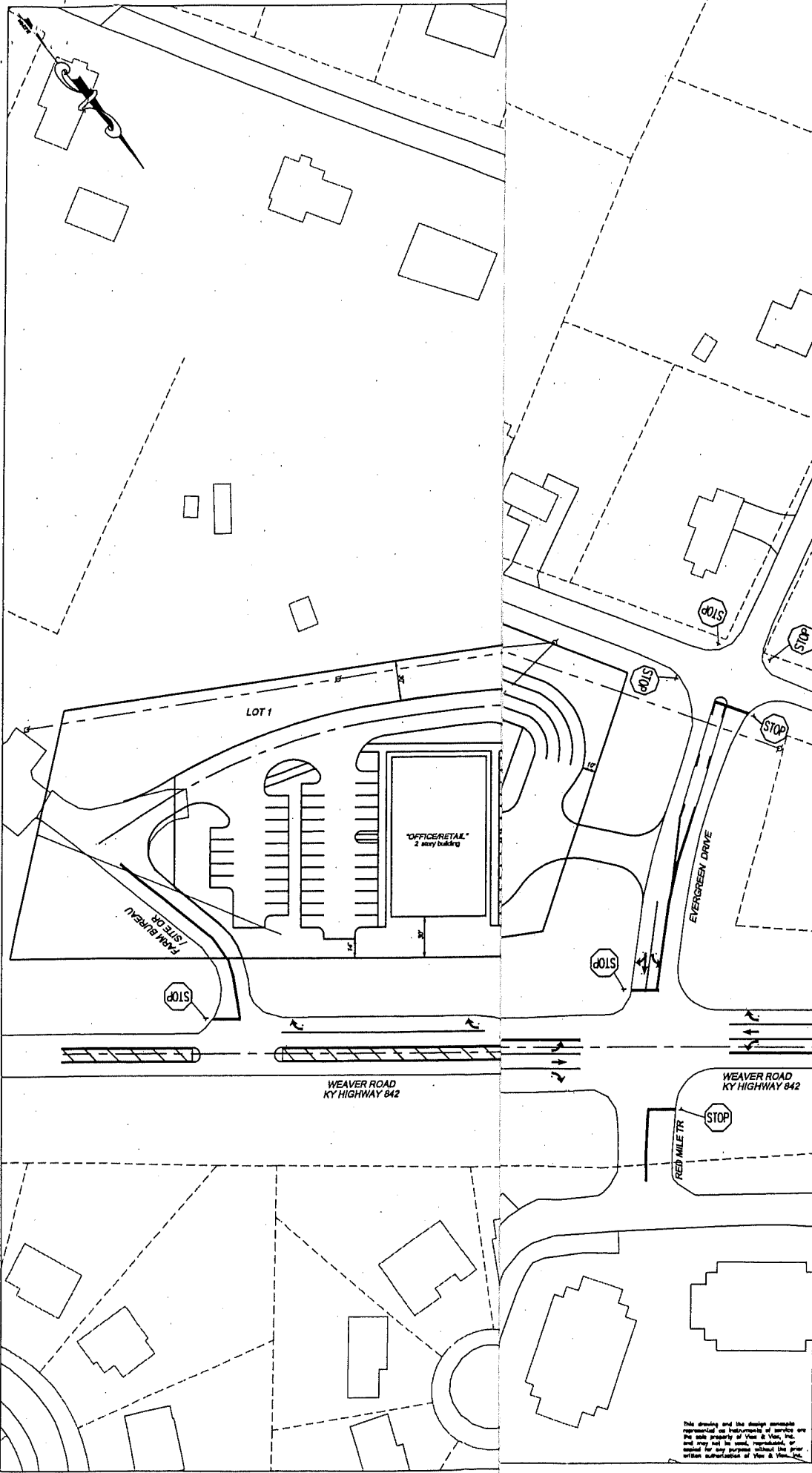
3-20-2007
Date

I, R.C. Durr, agree to the listed conditions of approval for the Change in Approved Concept Development for the property which is referenced on the first page of this letter.



R.C. Durr - Member of the Banklick Corporation (owner)

3-16-2007
Date



- PLAN NOTES:**
1. Owner: Banklick Corporation
1067 Richwood Road
Walton, Kentucky 41094
(DB 530/PG 160)
 2. Developer: Noll Properties, LLC
6 Dartmouth
FL Mitchell, Kentucky 41017
 3. Site Area = 9.71 ± Acres
 4. Existing Zone = C-2
 5. Proposed Zone = C-2
 6. Proposed Lots = 7
 Lot 1 = 0.86 Ac.
 Lot 2 = 2.47 Ac.
 Lot 3 = 2.32 Ac.
 Lot 4 = 1.79 Ac.
 Lot 5 = 1.13 Ac.
 Lot 6 = 1.14 Ac.
 6. Proposed Uses
 A. Commercial Retail = 18,800 SF - 19,500 SF
 B. Corner Commercial = 4,000 SF - 5,000 SF
 C. Day Care = 5,600 SF - 6,000 SF
 D. Office = 54,800 SF - 60,000 SF
 7. Soil Types - R8C, R8B, JeD
 8. Sanitary Sewer: City of Florence
 9. Water: City of Florence
 10. Electric & Gas: Duke Energy
 11. Telephone: Cincinnati-Bell

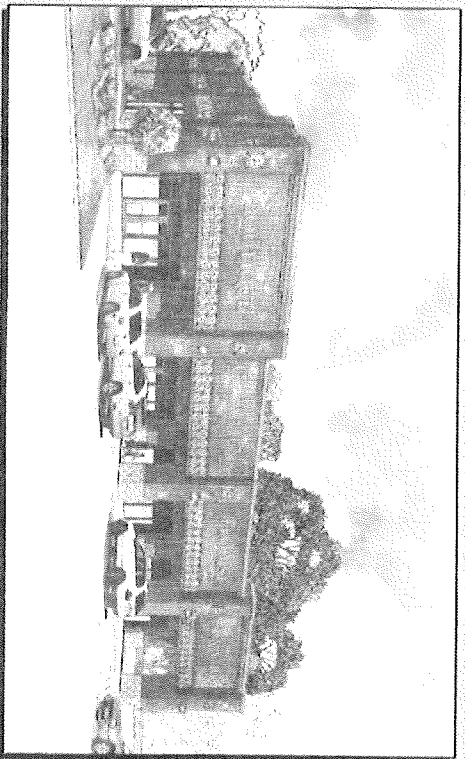
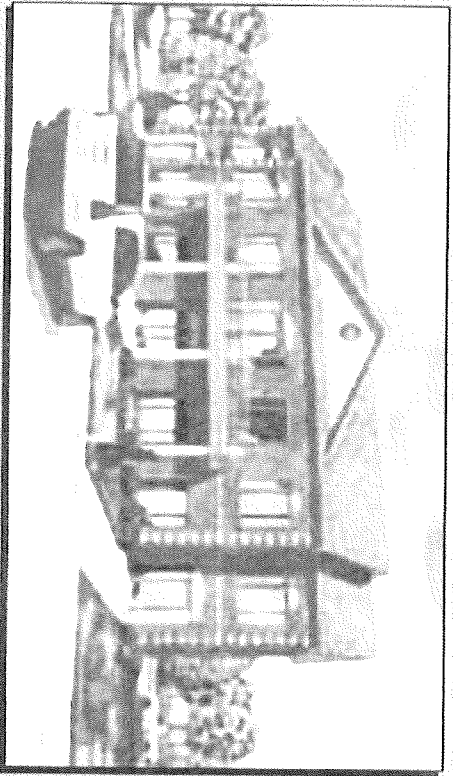
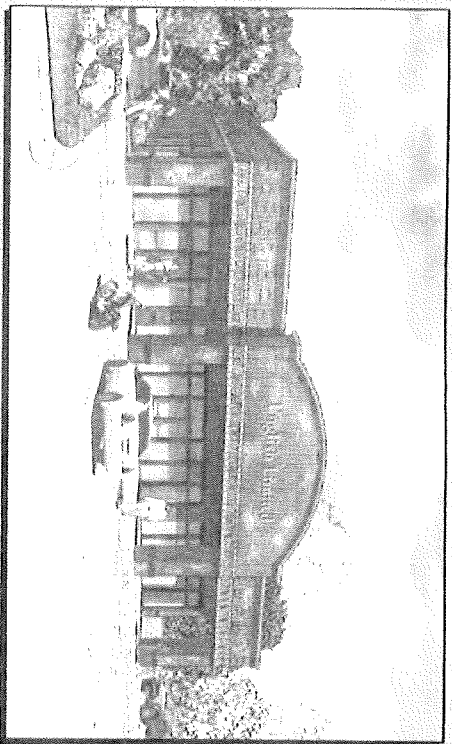
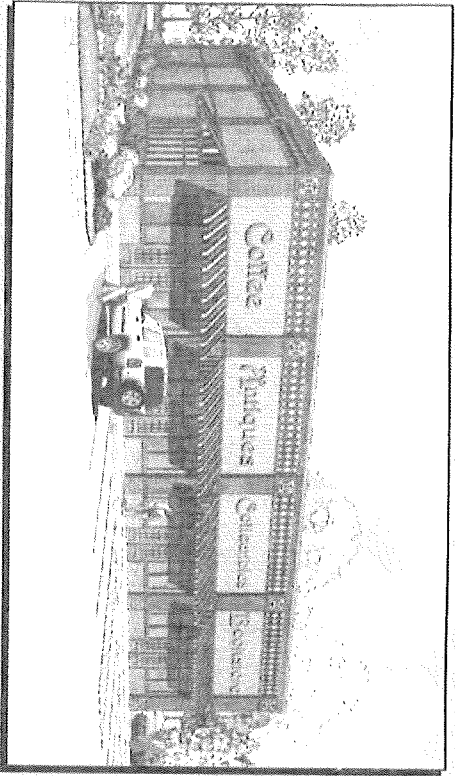
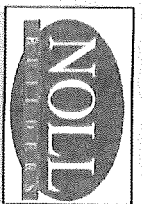
RECEIVE
 MAR 15 2007
 BOONE COUNTY
 PLANNING COMMISSION

TRAFFIC CONTROL CONCEPT PLAN
SADDLEBROOK CENTER
FLORENCE, BOONE COUNTY, KENTUCKY
 (amendment pending)

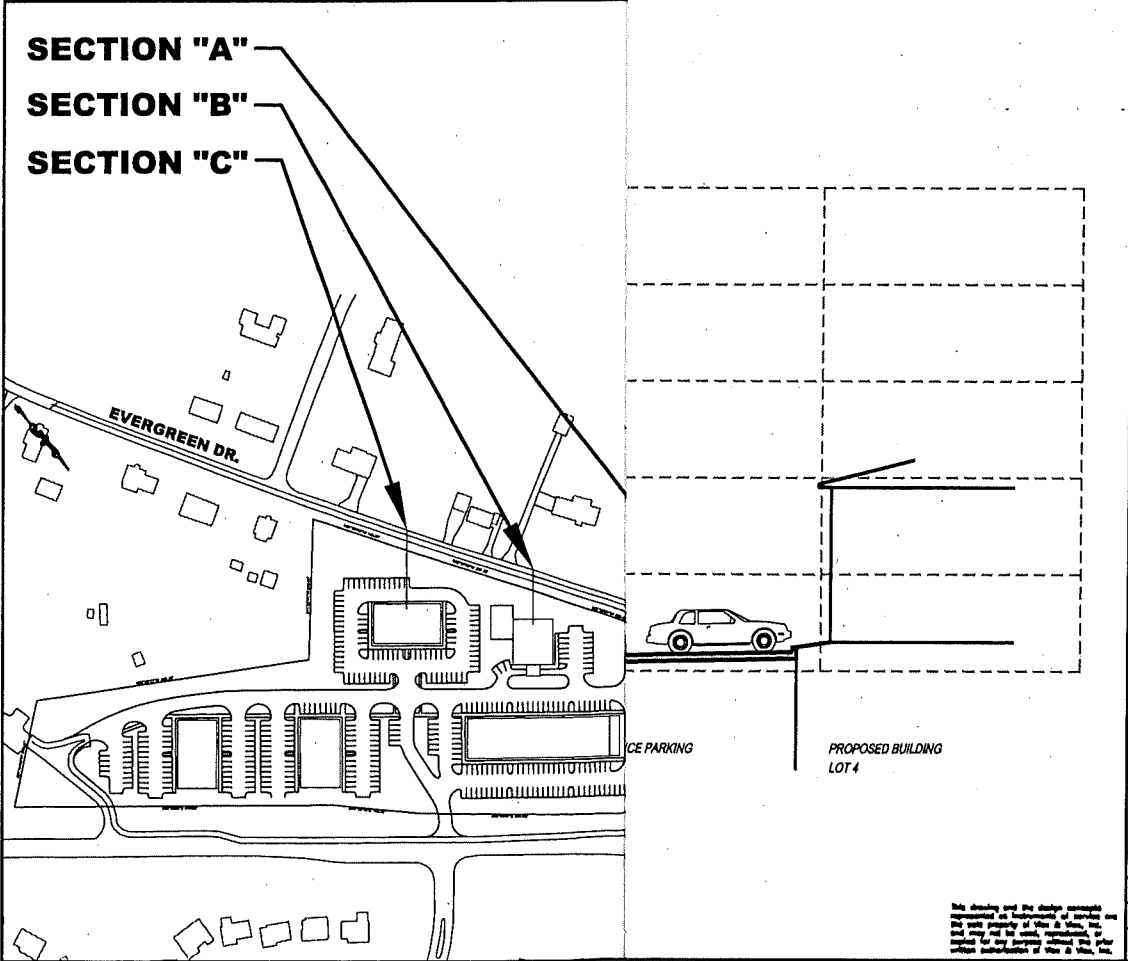
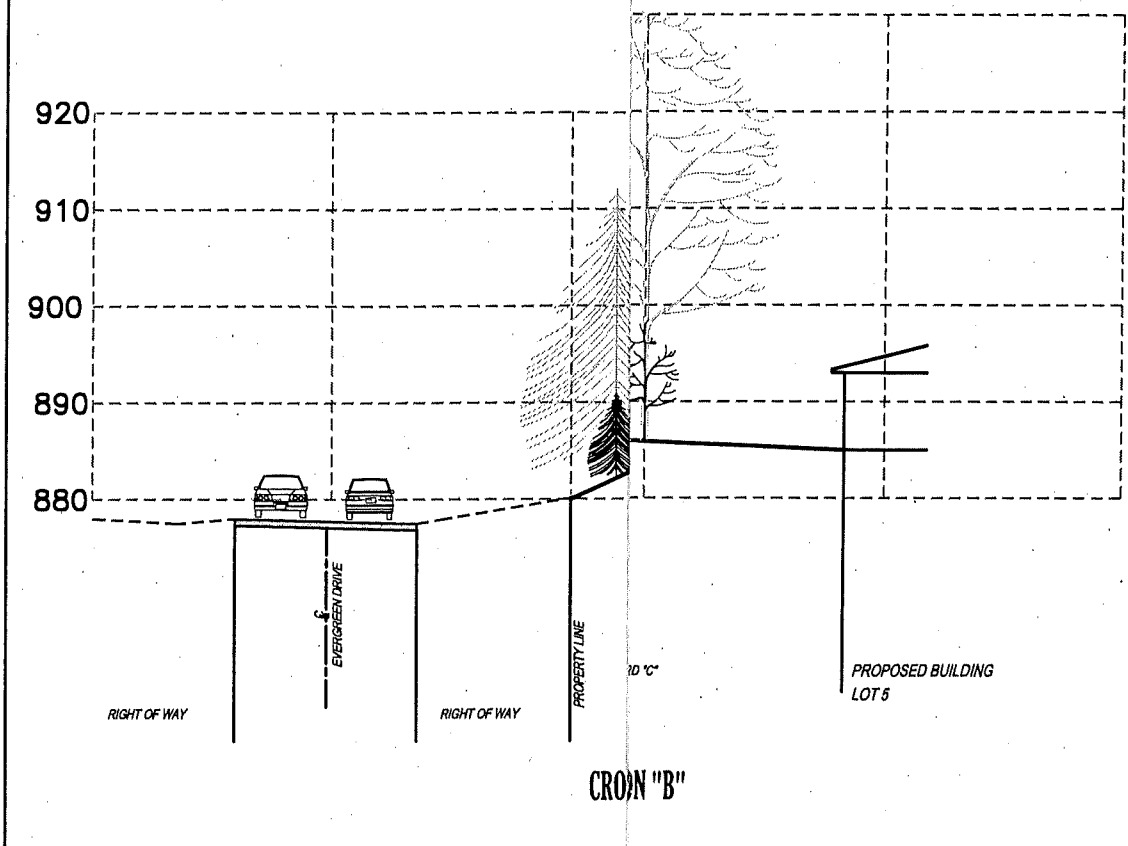
This drawing and the design concepts
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PROJECT NO. 11-07	DATE 1/28/07
DRAWN BY M.B./K.A.C.	CHECKED BY M.B./K.A.C.
PAGE 1	

TYPICAL BUILDING CONCEPTS



SCALE: 1" = 20'



**GROSS SECTIONS - EVERGREEN DR.
SADDLEBROOK CENTER
FLORENCE, BOONE COUNTY, KENTUCKY**
(annexation pending)



DATE	PROJECT NO.
11/20/07	377/07
2007/08/10/07/07 - 1000 - 1000 - 1000 1000 - 1000 - 1000 - 1000 - 1000 1000 - 1000 - 1000 - 1000 - 1000	

**VIOX & VIOX**

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road
Erlanger, Kentucky 41018Tel: 859.727.3293
Fax: 859.727.8452
www.vioxinc.com

December 8, 2006

**PARCEL OF 9.71 ACRES TO BE
ANNEXED BY
FLORENCE, KENTUCKY**

Located on the southwest side of Weaver Road (Kentucky Highway 842), the southeast side of Ridgeview Drive and the northeast side of Evergreen Drive and is more particularly described as follows:

Beginning at a point in the southwest right-of-way line of Weaver Road at the most northerly corner of Kentucky Farm Bureau Insurance Company (Deed Book 918, page 728) and in the existing corporation line of Florence, Kentucky; thence with said corporation line and leaving said right-of-way line S 51°44'09" W 190.91 feet to a point; thence leaving said corporation line N 58°52'17" W 490.70 feet to a point; thence S 41°07'01" W 248.59 feet to a point in the northeast right-of-way line of Evergreen Drive; thence with said right-of-way line N 31°53'53" W 155.61 feet to a point; thence N 32°38'08" W 267.23 feet to a point; thence N 31°06'01" W 380.48 feet to a point; thence N 29°31'12" W 100.60 feet to a point in the southeast right-of-way line of Ridgeview Drive; thence with said right-of-way line N 57°22'41" E 203.91 feet to a point in the southeast right-of-way line of Weaver Road; thence with said right-of-way line S 58°37'08" E 252.45 feet to a point; thence S 49°49'47" E 350.05 feet to a point; thence S 44°56'15" E 150.75 feet to a point; thence S 50°38'52" E 575.00 feet to the point of beginning containing 9.71 acres, more or less.

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

Group 2048-B

GENERAL WARRANTY DEED

That, Saddlebrook Partners, an Ohio general partnership (hereinafter "Grantor"), whose address is 1055 St. Paul Place, Cincinnati, Ohio 45202, for and in full consideration of the release of security for a debt to it paid by Banklick Corporation, a Kentucky corporation (hereinafter "Grantee"), whose address is 7262 Walton-Nicholson Road, Independence, Kentucky 41051 does hereby bargain, sell, and convey with general warranty covenants to said Grantee the following described real estate which is approximately 10.39 acres on the southwesterly side of Weaver Road, Boone County, Kentucky:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF 7CV = 263,500.00

Together with all privileges and appurtenances to the same belonging. To have and to hold forever the same to the Grantee, in the fashion and manner stated above in the conveying clause. Grantor agrees to pay the taxes and assessments due and payable in the year 1993.

There are excepted from the general warranty covenants and the real estate is conveyed subject to legal highways, easements, restrictive covenants of record, and installments of taxes and assessments due and payable after the date hereof.

Prior Instrument Reference: Deed Book 394, Page 312
Parcel A being All of the remaining property of Boone County, Kentucky Records. parcel 2 D.B. 394 pg 312. Parcel B being the same property as Parcel 3 DB 394/312

The assumed name certificate of the Grantor is recorded in Miscellaneous Book 274, Page 71 of the Boone County Clerk's records at Burlington, Kentucky.

The persons signing on behalf of the Grantor have full power and authority to do so.

Grantor has executed this Deed this 30th day of December, 1993.

Signed and Acknowledged in the presence of:

GRANTOR:

SADDLEBROOK PARTNERS, AN OHIO GENERAL PARTNERSHIP

BY: Towne Land Co., an Ohio corporation, General Partner

BY: Philip T. Montanus
Philip T. Montanus, President

BY: Williamsburg Properties, Inc., an Ohio corporation, General Partner

BY: William R. Ryan
William R. Ryan, CEO
Vice President

RECEIVED
13.5892

Herbert B. Weiss
Printed: Herbert B. Weiss
Robert C. Ziegler
Printed: Robert C. Ziegler

Herbert B. Weiss
Printed: Herbert B. Weiss
Philip T. Montanus
Printed: Philip T. Montanus

RECEIVED
NOV 10 1993
BOONE COUNTY CLERK

13.5892

CERTIFICATE

We, Grantor and Grantee, do hereby certify pursuant to KRS Chapter 382, that the above-stated consideration in the amount of the release of security for a debt is the true, correct and full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration or sale price of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00.

Banklick Corporation,
a Kentucky corporation

Saddlebrook Partners,
an Ohio general partnership

BY: Towne Land Co.,
an Ohio corporation,
general partner,

BY: R. C. Durr
R. C. Durr,
President

BY: Philip T. Montanus
Philip T. Montanus,
President

BY: Williamsburg Properties, Inc.,
an Ohio corporation,
General Partner

BY: William R. Ryan
William R. Ryan, ~~CEO~~
~~Vice President~~

STATE OF OHIO)
COUNTY OF HAMILTON) SS:

The foregoing instrument was acknowledged before me this 30th day of December, 1993 by Philip T. Montanus, President of Towne Land Co., an Ohio corporation, General Partner of Saddlebrook Partners, an Ohio general partnership on behalf of the partnership?

Herbert B. Weiss
Notary Public

STATE OF OHIO)
COUNTY OF HAMILTON) SS:



HERBERT B. WEISS, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My Commission has no expiration
date, Section 147.03 O. R. C.

The foregoing instrument was acknowledged before me this 30th day of December 1993 by William R. Ryan, ~~Vice President~~ of Williamsburg Properties, Inc., an Ohio corporation, General Partner of Saddlebrook Partners, an Ohio general partnership on behalf of the partnership.

Herbert B. Weiss
Notary Public

COMMONWEALTH OF KENTUCKY)
COUNTY OF Kenton) SS:



HERBERT B. WEISS, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My Commission has no expiration
date, Section 147.03 O. R. C.

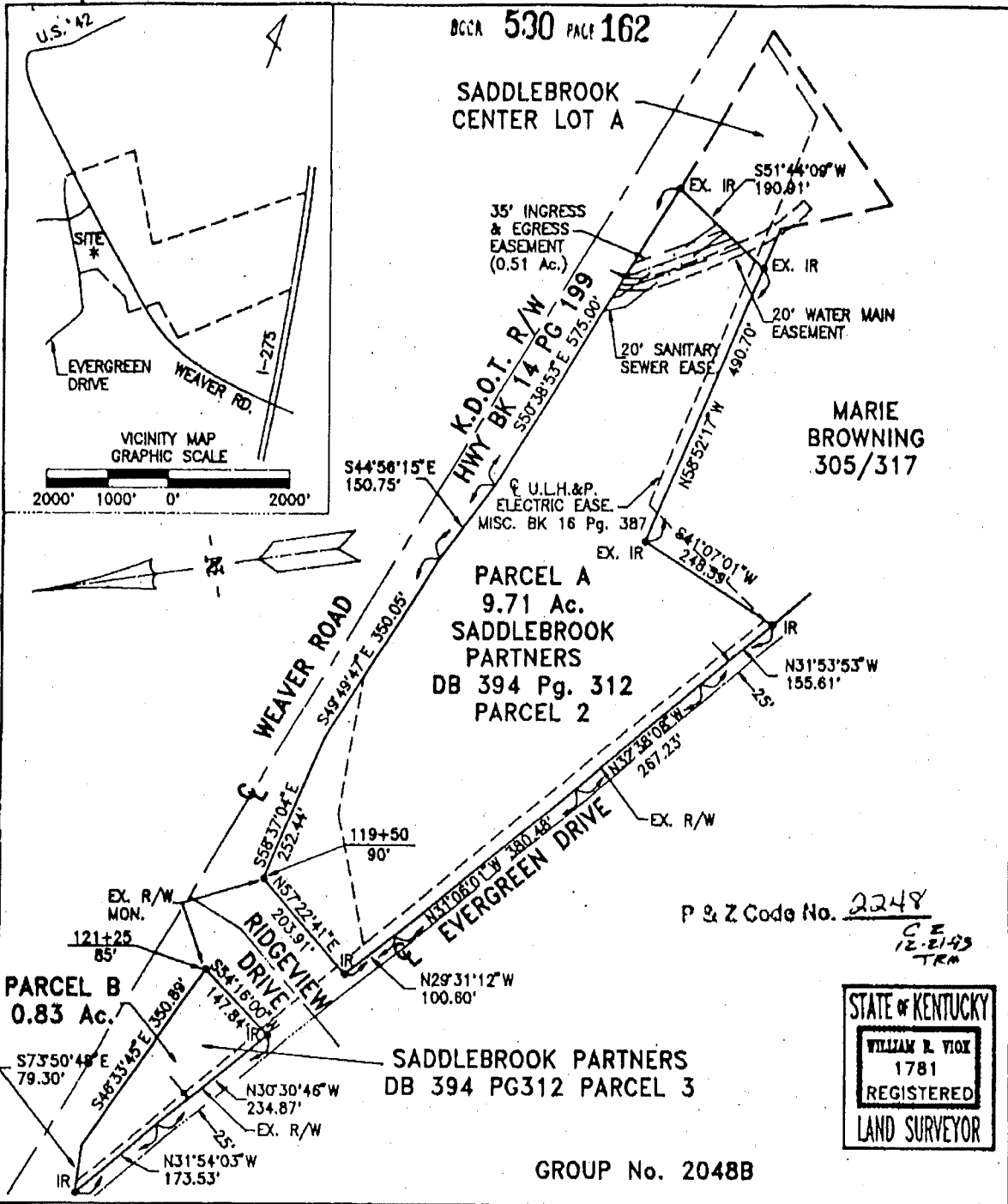
The foregoing instrument was acknowledged before me this 30 day of December, 1993 by R. C. Durr, President of Banklick Corporation, a Kentucky corporation on behalf of the corporation.

Herbert B. Weiss
Notary Public

This Instrument Prepared By:

Herbert B. Weiss
Herbert B. Weiss, Esq.
Keating, Muething & Klekamp
1800 Provident Tower
Cincinnati, Ohio 45202
(513) 579-6400
138192.1

Comm exp. 5-18-97
Jvr. State at Large, Ky.



MARIE BROWNING 305/317

P & Z Code No. 2248
C.E. 12-21-93 TRM



GROUP No. 2048B

FOR NON-BUILDABLE LOTS
LAND SURVEYOR'S CERTIFICATE

I certify that this plot of land is being transferred for non-building purposes.

W. R. Viox 12/10/93

Subdivision approval for non building purposes only except in accord with approved plans for SADDLEBROOK CENTER with restrictions/conditions of record or on file at planning commission offices.

LAND SURVEYOR'S CERTIFICATE

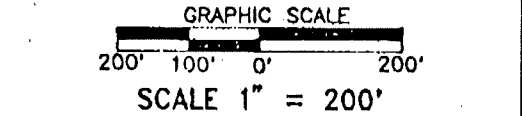
"I certify that this plat depicts a survey made by me or under my supervision in accordance with the Kentucky Minimum Surveying Standards, and complies with all requirements of the Boone County Zoning and Subdivision Regulations, and that dedicated areas including public ways or streets are currently owned by the property owner."

12/15/93 *W. R. Viox*
DATE

BOONE COUNTY PLANNING COMMISSION APPROVAL CERTIFICATE
Approved for recording the transfer of property only by the Boone County Planning Commission this 23rd day of December 1993.

W. R. Viox

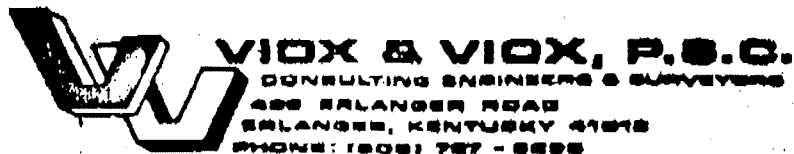
PARCELS TO BE
CONVEYED BY
SADDLEBROOK PARTNERS



FLORENCE, BOONE CO. KENTUCKY
DECEMBER 10, 1993

VIOX & VIOX P.S.C.
CONSULTING ENGINEERS & SURVEYORS
485 ERLANGER ROAD
ERLANGER, KENTUCKY 41018
PHONE: (606) 727-3293

BOOK 530 PAGE 163



JAMES H. VIOX, III, P.E.
KY REG. NO. 8208
KY LAND SURVEYOR NO. 1751

WILLIAM R. VIOX, P.E.
KY REG. NO. 8208
KY LAND SURVEYOR NO. 1751

EXHIBIT A

DESCRIPTION

(parcel A)

Saddlebrook Partners
Deed Book 304, Page 312, Part of Parcel 2
8.71 Acres

A parcel of land lying on the southwesterly side of Weaver Road in Boone County, Kentucky and being more particularly described as follows:

BEGINNING at a point in the southwesterly right-of-way line of Weaver Road at its intersection with the southeasterly right-of-way line of Ridgeview Drive, and running thence:

S 58-37-04 E, along the southwesterly right-of-way line of Weaver Road, a distance of 282.44 feet, to a point, thence Continuing along the southwesterly right-of-way line of Weaver Road as follows:

S 48-49-47 E - 350.05 feet
S 44-56-18 E - 150.75 feet
S 50-38-53 E - 575.00 feet, to a point, thence
S 81-44-02 W, a distance of 180.81 feet, to a point, thence
N 88-52-17 W, a distance of 480.70 feet, to a point, thence
S 41-07-01 W, a distance of 248.59 feet, to a point, thence
N 31-53-53 W, a distance of 155.81 feet, to a point, thence
N 32-38-08 W, a distance of 287.23 feet, to a point, thence
N 31-08-01 W, a distance of 380.48 feet, to a point, thence
N 28-31-12 W, a distance of 100.80 feet, to a point, thence
N 57-22-41 E, along the southeasterly right-of-way line of Ridgeview Drive, a distance of 203.81 feet, to the place of beginning, and containing 8.71 acres more or less.

The above described parcel being subject to any and all easements and/or rights-of-ways of record.

12/18/83

ORDINANCE NO. 0-11-07

AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 9.71 ACRE SITE LOCATED ON THE SOUTH/WEST SIDE OF WEAVER ROAD ACROSS FROM SADDLEBROOK LANE, ON THE SOUTH AND EAST SIDES OF EVERGREEN DRIVE, TO THE NORTHWEST OF THE PROPERTY AT 957 WEAVER ROAD, TO THE NORTH AND EAST OF THE PROPERTY AT 8912 EVERGREEN DRIVE, AND TO THE EAST OF THE PROPERTIES AT 8930 AND 8940 EVERGREEN DRIVE, BOONE COUNTY, KENTUCKY, TO ALLOW COMMERCIAL, RETAIL AND OFFICE USES. (NOLL PROPERTIES/BANKCLICK CORPORATION 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-07-005-A recommended approval for a change to an approved concept development plan, and

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

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

SECTION I

That the request of Noll Properties (Applicant) for Banklick Corporation (Owner), for a change in an approved concept development plan in a Commercial Two/Planned Development (C-2/PD) zone, for a 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County, Kentucky, in conjunction with proposed annexation of the 9.71 acres into the City of Florence, Kentucky, shall be and is hereby approved, this change in concept development plan being to allow commercial, retail and office uses. 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 change in the concept development plan for this subject property.

SECTION II

The approval of this change to the concept development plan is granted subject to the conditions, 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-07-005-A of the Boone County Planning Commission, including the exhibits referenced to that Resolution.

SECTION III

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-07-005-A, marked Exhibit "A", and attached hereto.

SECTION IV

If the approval for this change in the concept development plan 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 concept development plan 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.

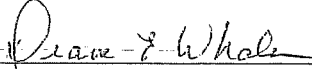
SECTION V

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

PASSED AND APPROVED ON FIRST READING THIS 22nd DAY OF May, 2007.

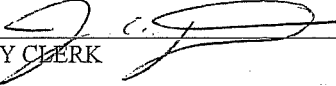
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 12 DAY OF June, 2007.

APPROVED:



MAYOR

ATTEST:



CITY CLERK

June 21, 2007

VIA IN-HOUSE:

Project Manager Peter Glenn
Florence Public Services
Florence Government Center
Florence, KY 41042

Chief Tom Szurlinski
Florence Police Department
Florence Government Center
Florence, KY 41042

Chief Marc Muench
Florence Fire/EMS Department
Fire Station 3, 1152 Weaver Road
Florence, KY 41042

Director Bob Townsend
Florence Public Services
Florence Government Center
Florence, KY 41042

Boone County Property Valuation Administrator
P.O. Box 388
Burlington, KY 41005

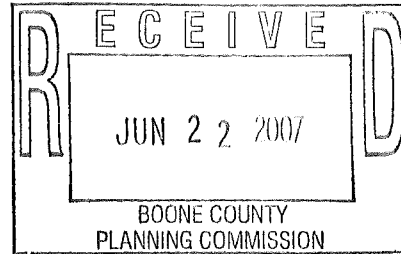
Chief Building Official Jim Key
Boone County Building Inspection Office
2950 Washington Street, Room 312
P.O. Box 960
Burlington, KY 41005

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

Manager, Administrative Services Vicki Myers
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005

Director James Staverman Boone Co. PSCC
Florence Government Center
Florence, KY 41042

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



Banklick Holdings Ltd. Co.
% Noll Properties
3 Princeton Avenue
Ft. Mitchell, KY 41017

Dear Sirs and/or Madams:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. O-11-07 adopting and approving a change in an approved concept development plan in a commercial two/planned development (C-2/PD) zone for a 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County, Kentucky, to allow commercial, retail and office uses. (Noll Properties/Banklick Corporation Property)

First reading of Ordinance No. O-11-07 was held on the 22nd Day of May 2007. Second reading was held on the 12th Day of June 2007, and the full Ordinance was published in the *Boone County Recorder* on the 21st Day of June 2007 at which time the Ordinance became statutorily official.

If you require additional information, please contact me.

Sincerely,


Joseph A. Christofield, City Clerk

I, Joseph A. Christofield, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance O-11-07 as same appears in the official records of my office.

Dated this 5th day of June, 2007.



Joseph A. Christofield
Florence City Clerk

