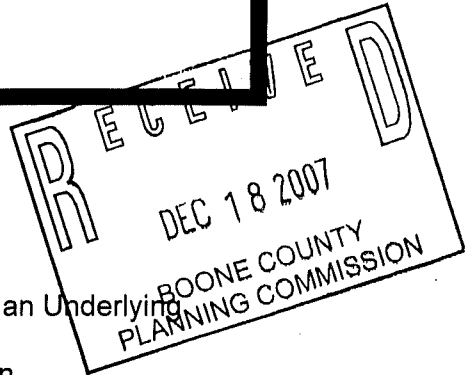


CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

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

- 2. Name of Project Enterprise Rent-A-Car
3. Location of Project 5985 Merchant Street
4. Total Acreage of Site .773 acre
5. Current Zoning C2/PD/CD
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) May 21, 1997
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) Yes. Houston-Donaldson
8. Proposed Uses (please specify each use) For rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/admin. & other uses related thereto
9. Proposed Building Intensities (please specify) approx. 1600 s.f. office building with an attached 500 s.f. garage.
10. Have you submitted a Concept Development Plan? yes
11. Are you also applying for:
Conditional Use Permit
Dimensional Variance
12. Name of Applicant(s) Enterprise Rent-A-Car Company of Cincinnati
Phone Number 513-956-3805 Fax No. 513-956-3811 Attn: Kelly Sim
13. Address of Applicant(s) 3670 Park 42 Drive
Cincinnati OH 45241
City State Zip
14. Name of Property Owner(s) Jeff Simmons
Phone Number 859-466-2251 Fax No.
15. Address of Property Owner(s) 5848 North Orient Street
Burlington KY 41005
City State Zip
16. Are there any existing buildings on the site? No
How many?
17. Deed Book 920 Page No. 11 Group No. 2033A
18. Have you had a pre-application meeting with BCPC Staff? Yes. Kevin Wall 11/9/07

(over)

# EXHIBIT

“A”

## STAFF REPORT

Request of Enterprise Rent-A-Car, Kelly Simon (applicant) for Jeff Simmons (owner) for a Change in Approved Concept Development Plan for a 0.773 acre site located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/administrative and other related uses.

January 16, 2008

### Request

The applicant is requesting a change in the approved Concept Development Plan for the Merchants Square Subdivision (within the Houston-Donaldson Study) for this 0.773 acre parcel to allow rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/administrative and other related uses.

The proposed site improvements include an approximate 2,100 square foot building constructed of brick, colored split face concrete block and E.I.F.S. with a flat roof design. Garage Doors on the north and south elevations allow access to the "Wash Bay" shown on the Concept Development Plan. There are 35 parking spaces shown on the plan as well (14 in front of the building and 21 to the rear and side of the building). Proposed signage consists of a 99 square foot building mounted sign to be located on the front elevation and an approximate 5 foot high 22 square foot monument sign. Landscaping must be provided per the current regulations. The storm water from this project can will be detained in the regional basin. All utilities are available to this site (Boone County Water and Florence for the sanitary sewer).

### Site Characteristics

This parcel slopes downhill to the north toward Parts Plus with the rear of the lot dropping off toward the Greenview Subdivision. Storm water detention is provided in a regional basin located behind Wal Mart.

### Site History

1988 The original Houston-Donaldson Study was adopted.

1990 The Zoning Map Amendment for Merchants Square Subdivision was approved.

1992 The current Houston-Donaldson Study was adopted.

Surrounding Zoning

- North: Smythe Automotive Parts Plus (City of Florence) fronting Merchants Street zoned Commercial Two (C-2/PD) within the Houston-Donaldson Study.
- East: Gateway Rehabilitation Hospital and Smith's High Tech Automotive (City of Florence) across Merchants Street zoned Commercial Two (C-2/PD) within the Houston-Donaldson Study.
- South: Quick Stop Oil Lube (Unincorporated Boone County) fronting Merchants Street zoned Commercial Two (C-2/PD) within the Houston-Donaldson Study.
- West: The Greenview Subdivision (Unincorporated Boone County) accessed from Burlington Pike (KY 18) and zoned Suburban Residential One (SR-1).

Relationship to the Boone County Comprehensive Plan

The Future Land Use Map shows the subject property as Commercial © which is defined in the adopted Comprehensive Plan as:

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

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

- A. Proper planning is achieved through accepted land use management tools and coordination with public infrastructure ("Overall," Goal).
- B. Boone County shall be viewed as an integral part of the Cincinnati Metropolitan Area ("Overall," Objective 1).
- C. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- D. Proper design principles shall be applied in development ("Overall," Objective 3).
- E. New development or redevelopment within Boone County is designed, constructed and operated in such a way that the quality of the existing physical environment and social environment are enhanced. Development within Boone County preserves and promotes a better quality of life ("Environment," Goal).

- F. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used. Residential development design in particular should minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Physical Objective 2).

#### Relationship to the Houston-Donaldson Study

This site is located within the Houston-Donaldson Study limits. This development must be evaluated against the standards outlined in the Study. The Study was adopted to provide guidelines for planned development within the area, complementing and furthering the goals and objectives of the Boone County Comprehensive Plan. The proposed development is within "Site 1, Merchants Square" and is recommended to develop according to the approved Concept Development Plan.

#### Staff Comments

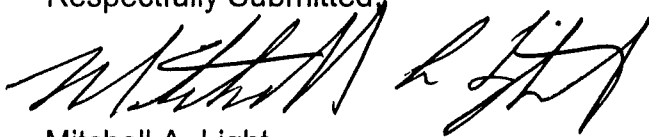
1. Staff is concerned about the visibility of any roof equipment as you are heading north on Merchants Street from KY 18. The elevations provided do not indicate any roof equipment on this building. Given the drop in elevation from KY 18 it may not be possible to screen any or all roof equipment from view. If the mechanical equipment could be located behind the proposed building, this would not be an issue and possibly a pitched roof design could be explored. This is usually handled as part of the required Design Review application performed in conjunction with the Major Site Plan Review.
2. Since this project is within unincorporated Boone County, the landscaping regulations fall under Article 37 of the *Boone County Zoning Regulations*. Specifically, Buffer Yard "A" for the side yards (Parts Plus and Quick Stop), Buffer Yard "C" for the rear yard (Greenview Subdivision) and the street frontage landscaping along Merchants Street. The applicant has submitted a Landscaping Plan with their Concept Development Plan that appears to be addressing the requirements. However, an extensive site plan review has not been conducted. If this site is annexed into the City of Florence the landscape plan would have to be prepared in accordance with Article 36 of the *Boone County Zoning Regulations*.
3. The City of Florence has submitted comments (attached) regarding sanitary sewer service. The only sanitary sewer in this area belongs to the City of Florence and the applicant has been in contact with the City regarding this issue.
4. Staff would like the applicant to explain exactly what in the way of repairs and/or maintenance would occur at this facility.

5. If approved, Design Review for the building materials and proposed signage as well as a thorough site plan review will be conducted by the Boone County Planning Commission Staff and the appropriate Project Review Committee.

Conclusion

The Boone County Planning Commission and the Boone County Fiscal Court must review this request on the basis of its relationship to the Comprehensive Plan and in terms of its relationship to Article 15 of the *Boone County Zoning Regulations*, the appropriate planning documents noted herein, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved.

Respectfully Submitted,

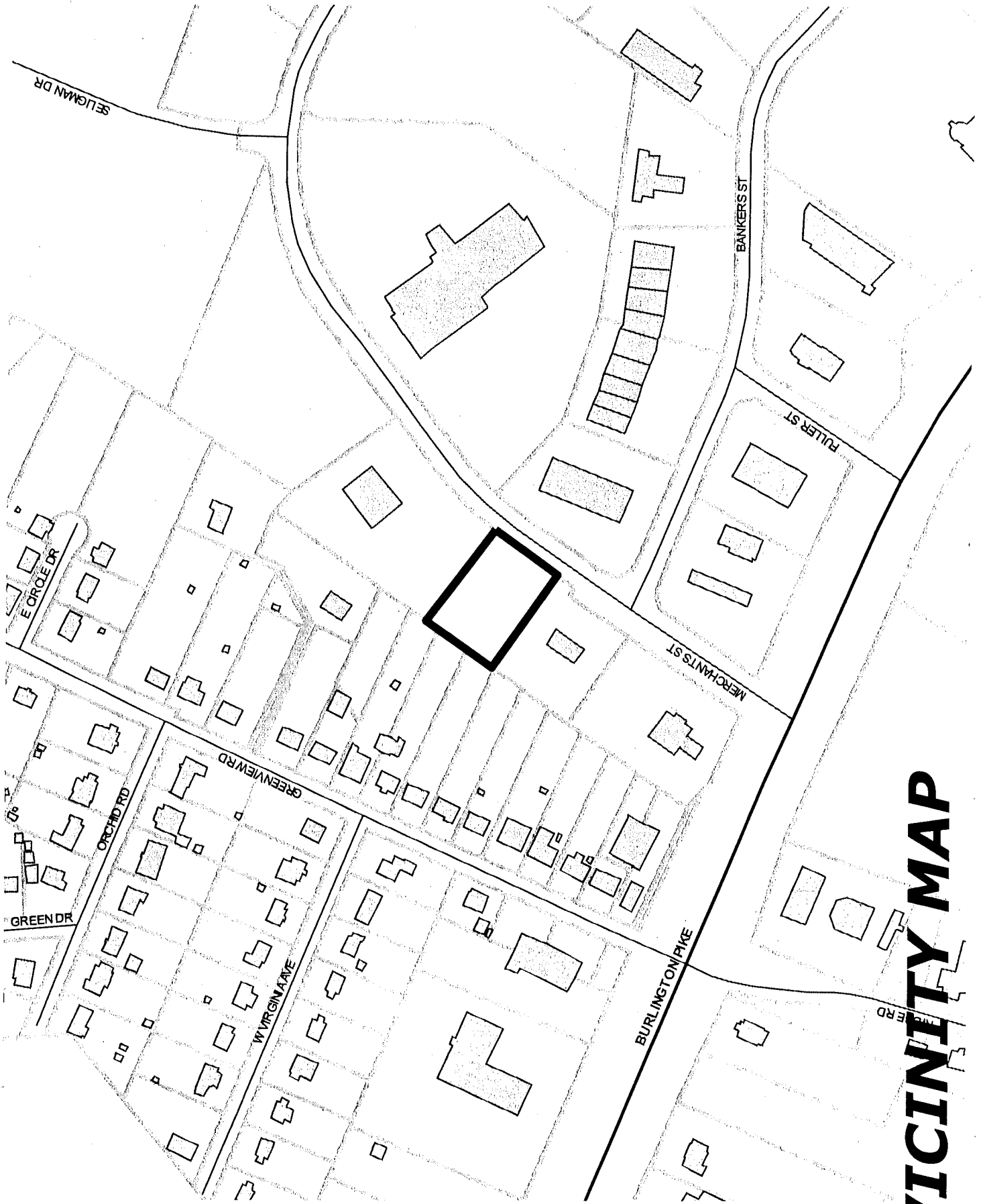


Mitchell A. Light  
Asst. Zoning Administrator/Enforcement Officer

MAL/pr

Attachments

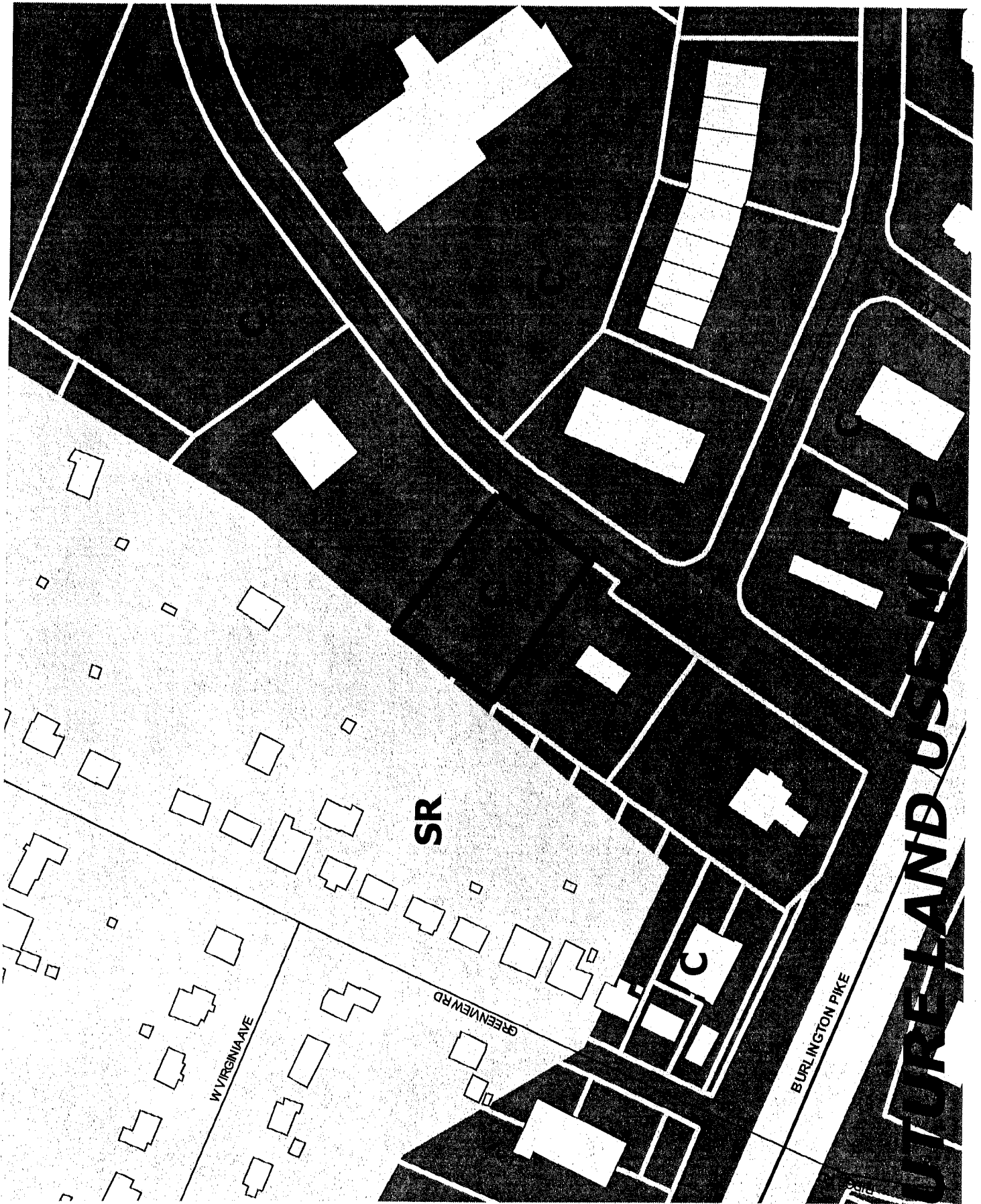
- Vicinity Map
- Zoning Map
- Future Land Use Map
- 2004 Aerial Photography
- Concept Development Plan
- Proposed Building Elevations
- City of Florence Comments
- Applicable Text from the Houston-Donaldson Study
- Planned Development Standards
- Application



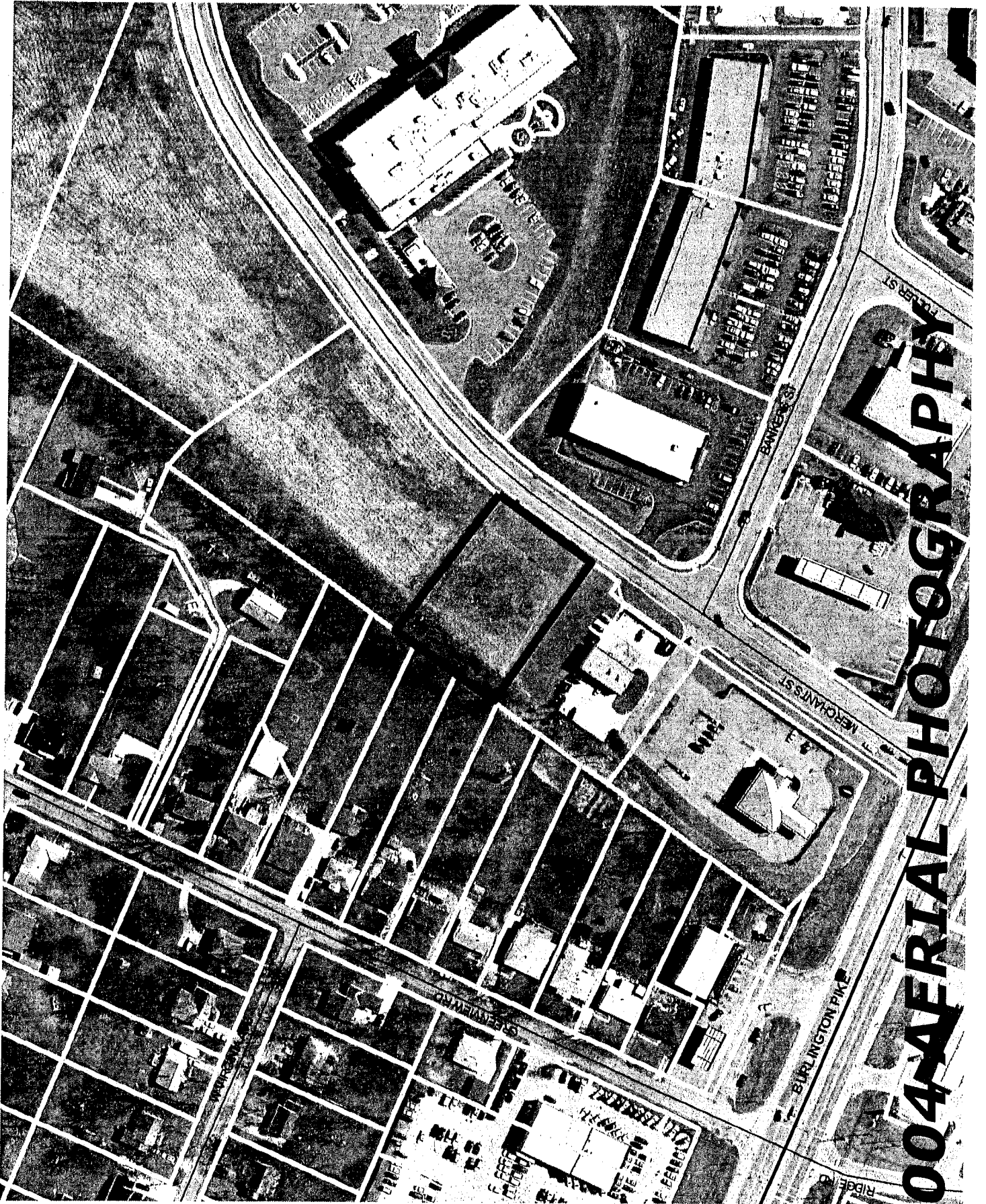
# VICINITY MAP



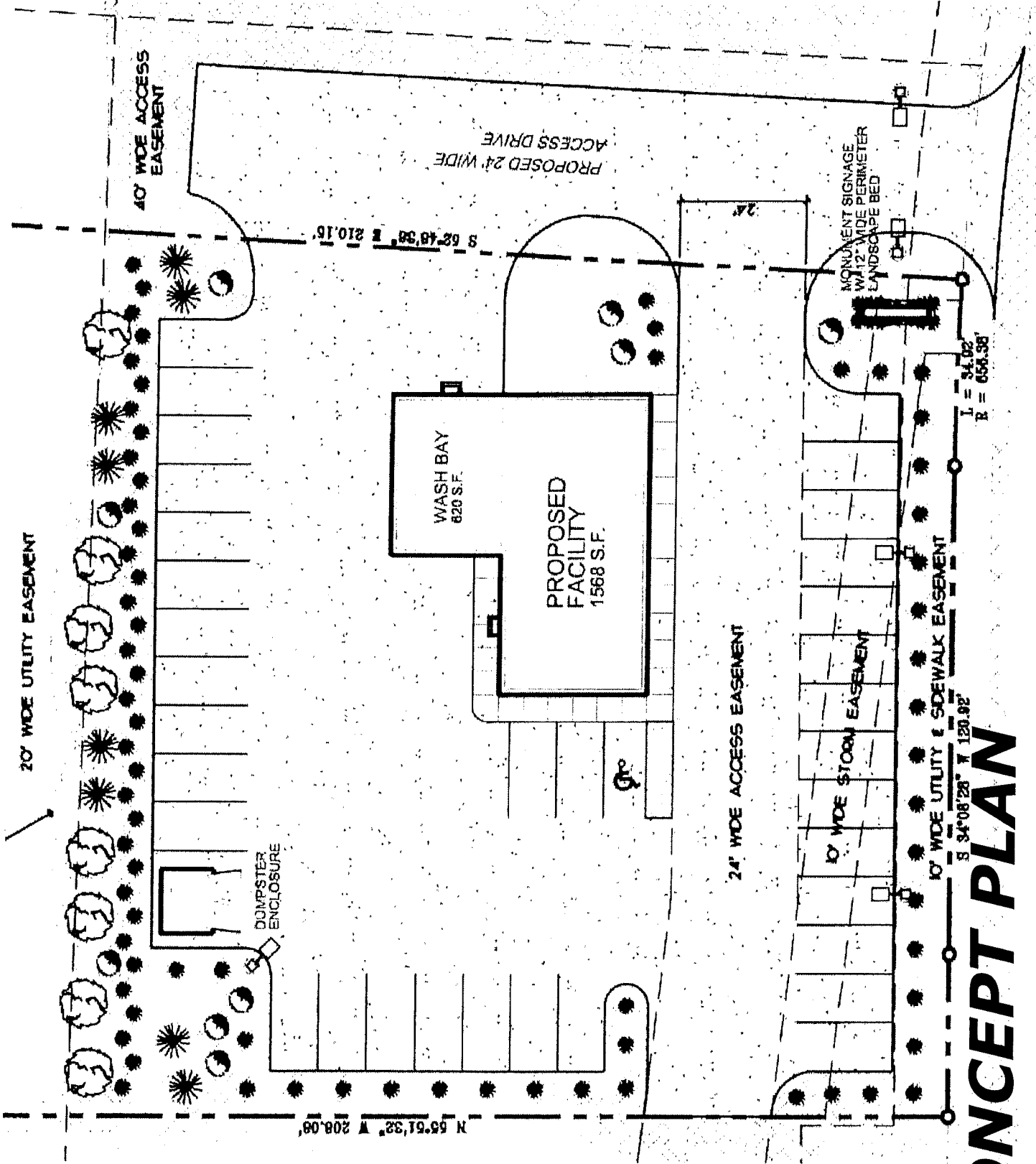
# ZONING MAP



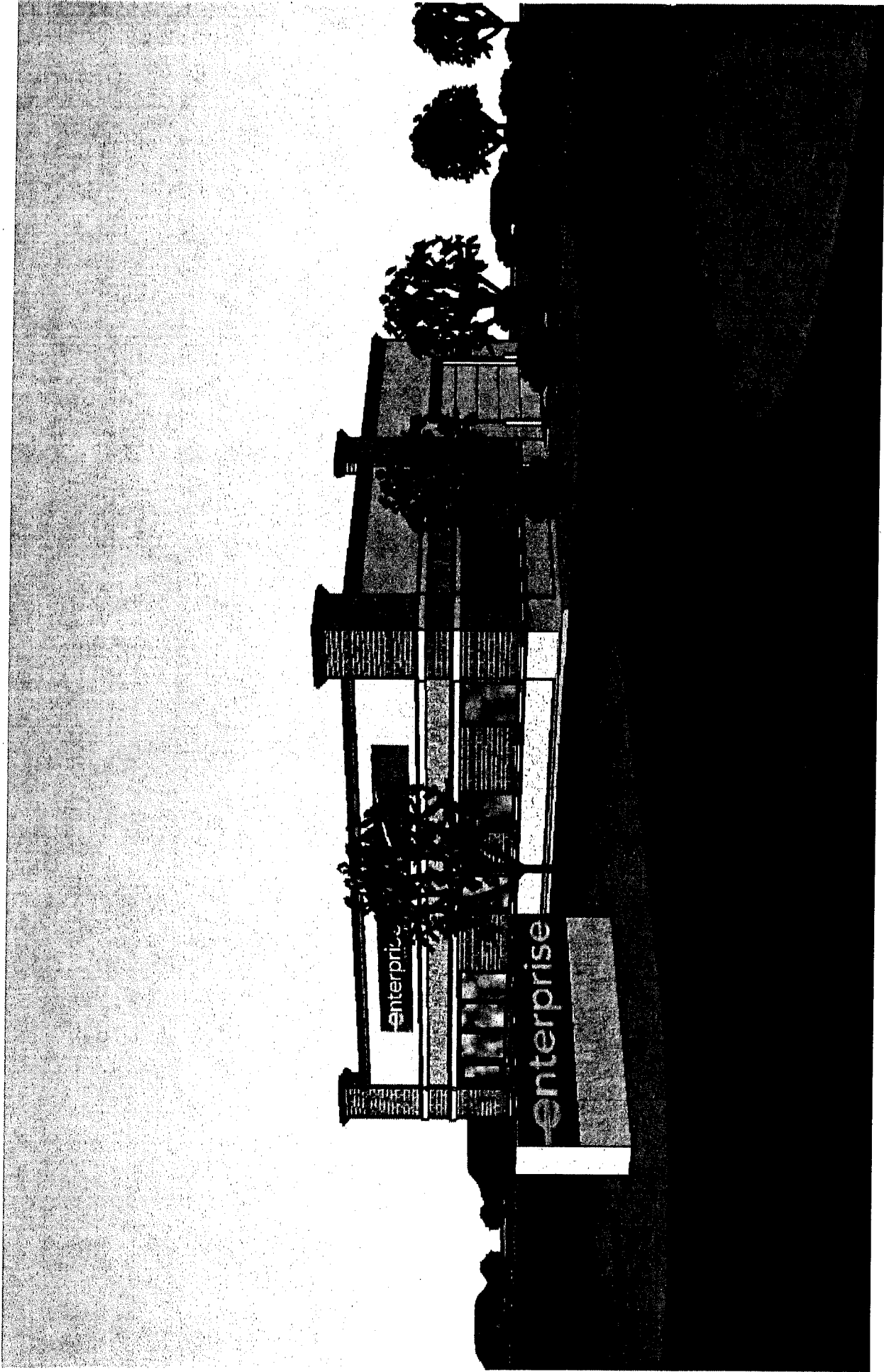
# FUTURE LAND USE MAP



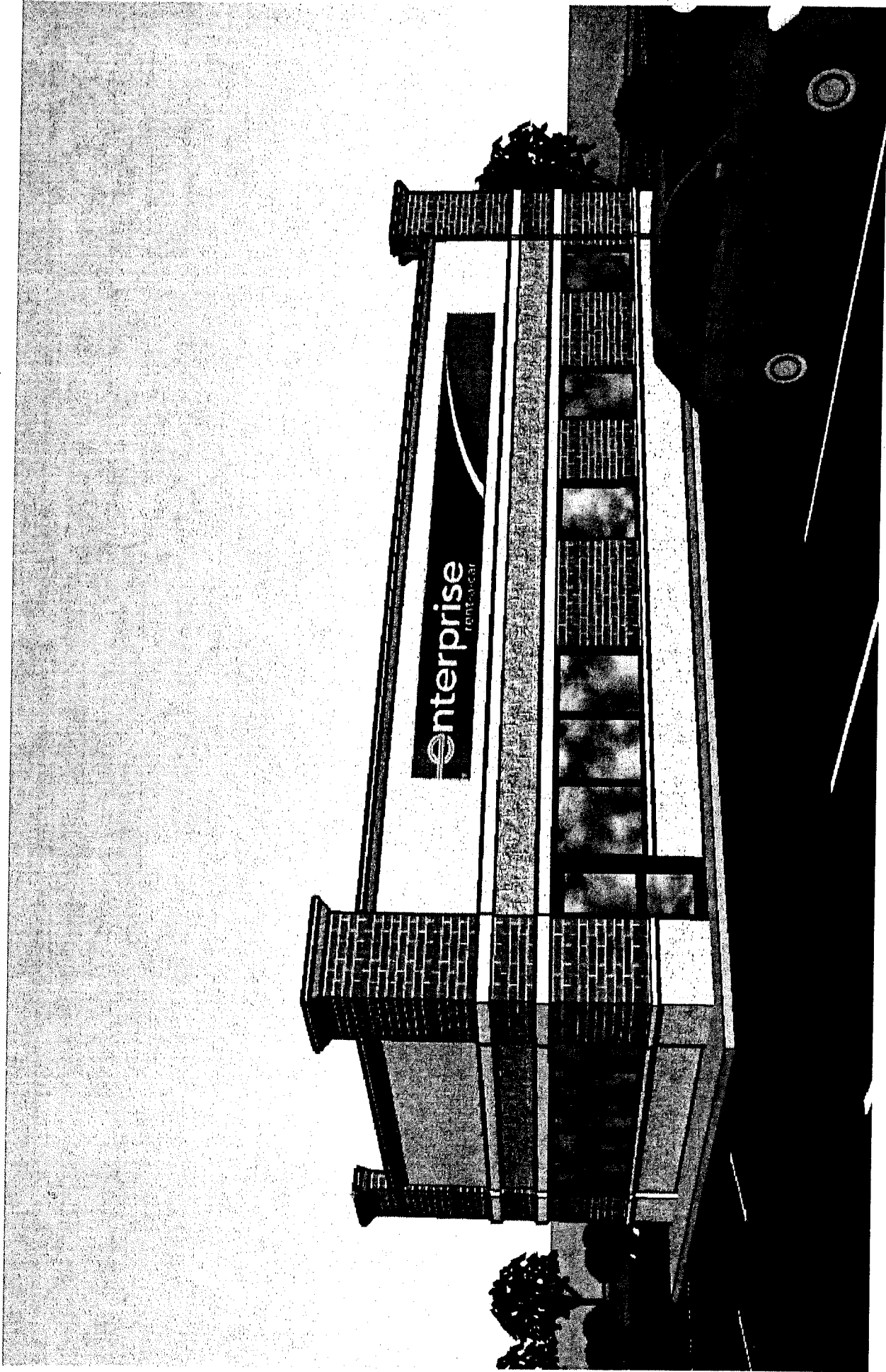
2004 AERIAL PHOTOGRAPHY



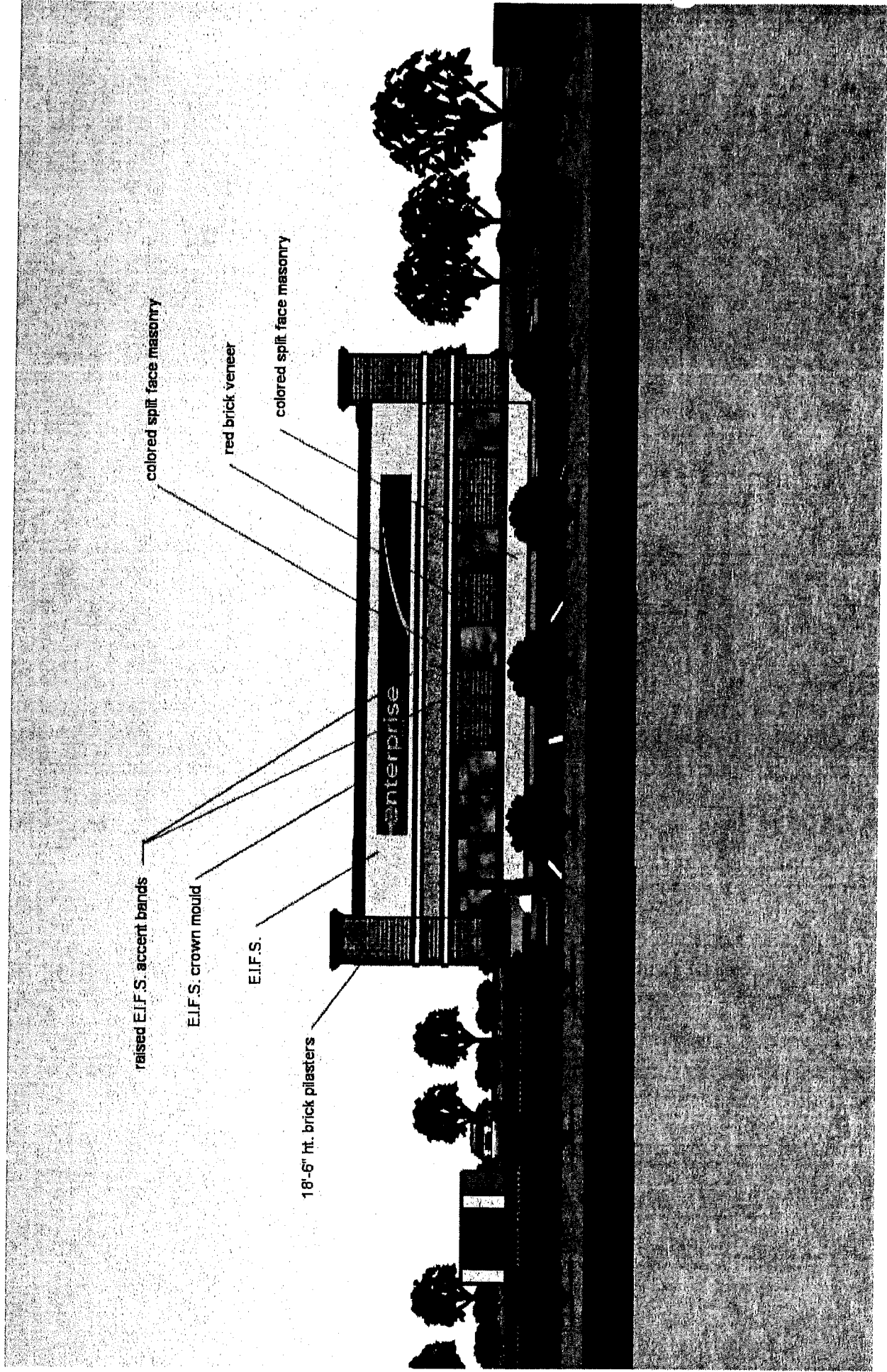
# CONCEPT PLAN



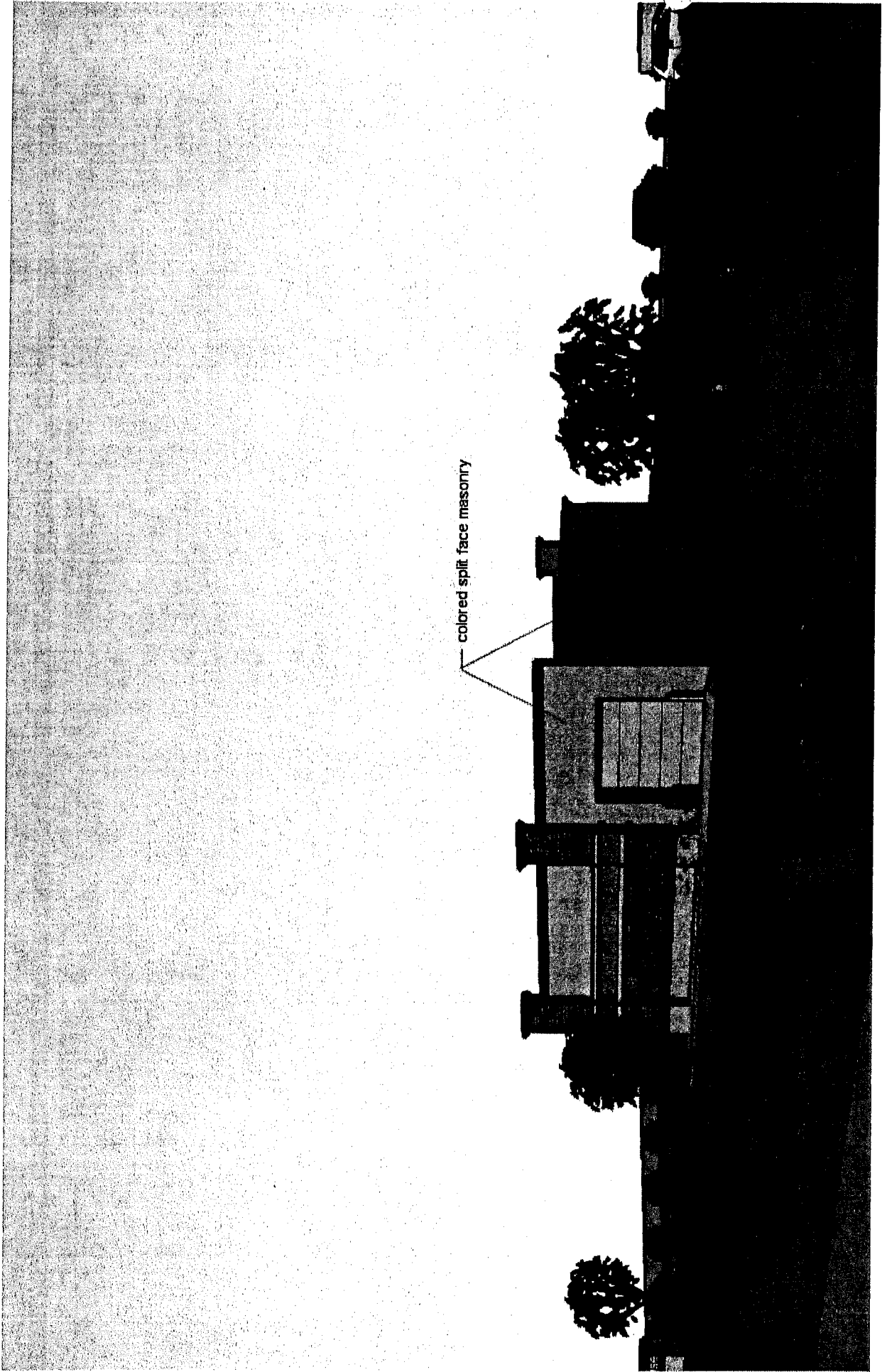
# PROPOSED NE CORNER ELEVATION



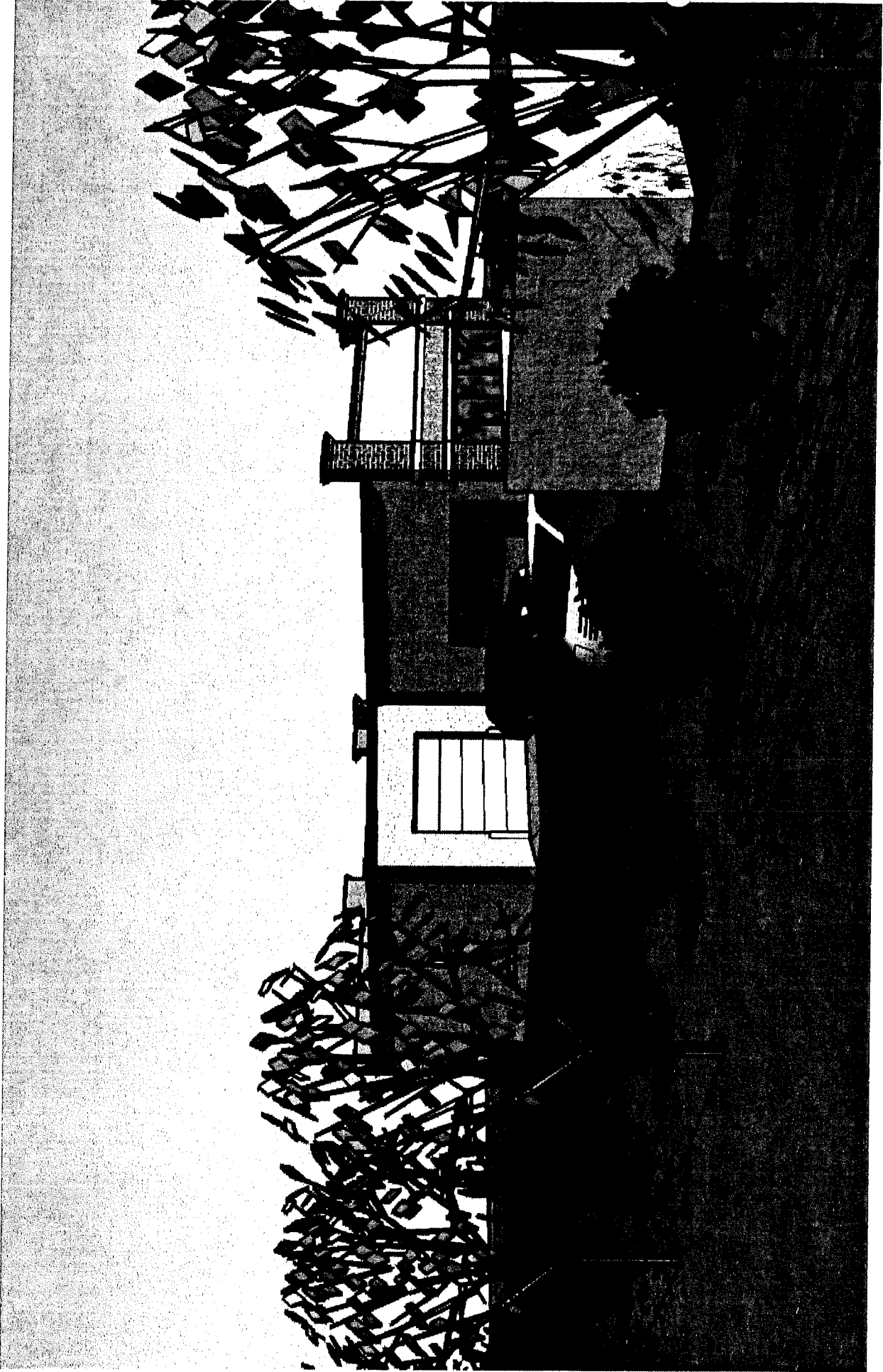
# PROPOSED SE CORNER ELEVATION



# PROPOSED FRONT ELEVATIONS



# PROPOSED NW ELEVATION



**PROPOSED SW ELEVATION**

B

**enterprise**  
rent-a-car

**ELEVATION**

| DIMENSIONS SPECIFICATIONS |           |
|---------------------------|-----------|
| A                         | 3'-0"     |
| B                         | FBD       |
| C                         | 0'-9 1/4" |

33'

| ELECTRICAL SPECIFICATIONS |     |
|---------------------------|-----|
| VOLTS                     | N/A |
| AMPS                      | N/A |
| CIRCUITS                  | N/A |

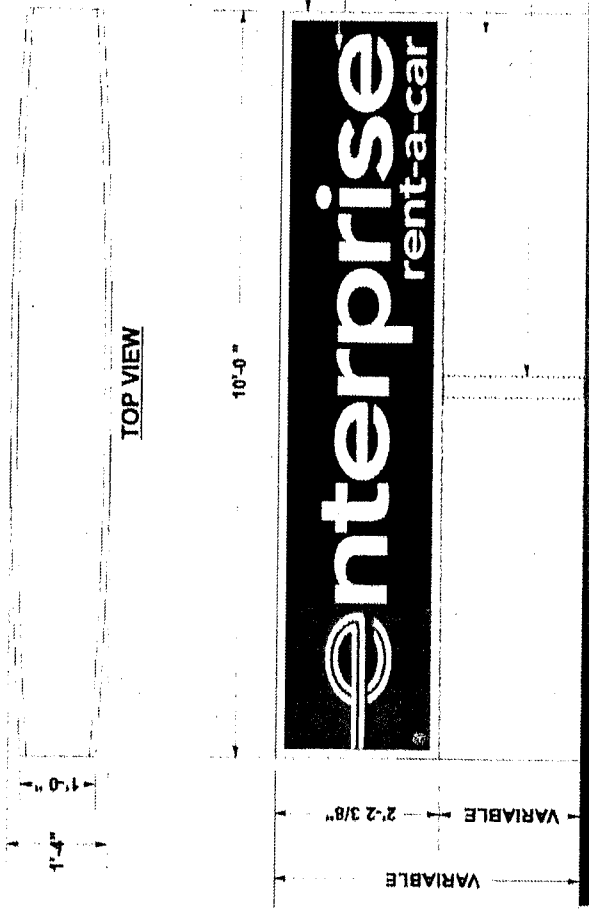
| SQUARE FOOTAGE (SQ. FEET) |
|---------------------------|
| N/A                       |

| WEIGHT (LBS.) |
|---------------|
| N/A           |

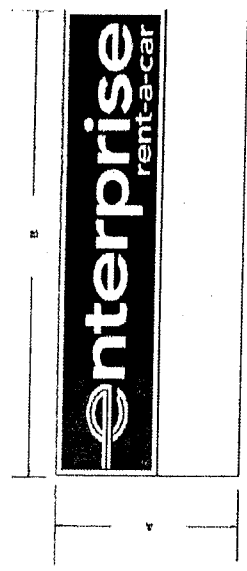
[View Specs >>](#)

Proposed Building Sign:

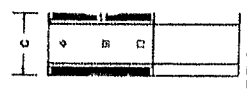
\*Approx. 99 square feet (100 square feet max. allowed per HD Study/2 sq. feet per lineal ft)



**FRONT VIEW**



**SIDE VIEW**



**ELEVATION**

| DIMENSIONS SPECIFICATIONS |           |
|---------------------------|-----------|
| A                         | 2'-2 3/8" |
| B                         | 10'-0"    |
| C                         | 1'-4"     |

| ELECTRICAL SPECIFICATIONS |     |
|---------------------------|-----|
| VOLTS                     | 120 |
| AMPS                      | 0.9 |
| CIRCUITS                  | 1   |

| SQUARE FOOTAGE (SQ. FEET) |     |
|---------------------------|-----|
|                           | N/A |

| WEIGHT (LBS.) |     |
|---------------|-----|
|               | N/A |

View Specs >>

\*\*Post and decor by others

Price

Quantity: 1

# PROPOSED MONUMENT SIGN

Proposed Monument Sign:  
 \*Approx. 22 square feet  
 (24 square feet max. allowed per  
 HD Study)



3870 Park 42 Drive  
Cincinnati, OH 45241-2072  
513-956-3800  
enterprise.com

December 18, 2007

Boone County Planning Commission  
2950 Washington Street, Room 317  
Burlington, KY 41005

Dear Chairman and Staff:

I am writing on behalf of Enterprise Rent-A-Car Company of Cincinnati. Our Company is currently under contract to purchase the .6 acre of vacant commercial land located at 5985 Merchants Street (Lot 18). This lot was previously approved under a Concept Development plan for a 5,400 square foot muffler shop with 20 parking spaces. Enterprise's proposed use of the property is for the rental, leasing, storage, parking of motor vehicles, for the cleaning and preparation of such vehicles, for office, administrative and other uses incidental or related thereto. Our development would include the construction of a 2,100+/- square foot building to include an attached garage for hand washing of vehicles and 35 parking spaces.

I'd like to take this opportunity to provide you with some additional information about our company. Enterprise Rent-A-Car has grown to be the largest and most complete car rental company in the industry. Today we are an \$11 billion dollar company with more than 50,000 employees, and more than 7,000 locations in the United States, Canada, Germany, the United Kingdom, and Ireland. Enclosed with this letter I have included a brochure that describes our Company's history, our core values, our different business divisions, and our commitment to the communities we operate in. I hope you have the chance to read through it as it provides a great snapshot of our Company.

Enterprise Rent-A-Car's primary focus is growing our local market rental business, expanding our core business practice of picking up customers, and marketing to repair shops, insurance companies, and drivers whose cars have been damaged or stolen. This is the case for the Boone County market and the reason we are pursuing this particular property. We believe the existing business mix in the adjacent/surrounding area (dealerships, auto repair) is a great fit for our proposed use and that Enterprise will be able to provide a much needed service for the community.

Enterprise Rent-A-Car opened for business in Florence in June of 1997. Due to the success of our current Florence location (located at 7484 Burlington Pike) we have been aggressively searching for a new site. The property at Merchant Street is such a property



*Fueled By Passion*



3670 Park 42 Drive  
Cincinnati, OH 45241-2072  
513-956-3800  
enterprise.com

that can support the growth we have already and will continue to experience.

Our typical hours of operation are Monday – Friday from 8 am to 6 pm, Saturday from 9 to Noon, and we are closed on Sunday. As mentioned in the opening paragraph we plan to construct an attached garage at the rear of the building. This garage will be used to wash our cars, which is done by hand with a brush and bucket. Enterprise does not perform any maintenance to its vehicles on-site.

I hope this information helps to provide a clear explanation of our intentions with the Merchants Street property. I look forward to further discussing this opportunity with you. Please feel free to contact me at 513-956-3805 or 513-314-0499.

Sincerely,

A handwritten signature in black ink that reads 'Kelly Simon'.

Kelly Simon  
Regional Operations Manager



*Fueled By Passion*



3670 Park 42 Drive  
Cincinnati, OH 45241-2072  
513-956-3800  
enterprise.com

## Narrative reviewing Article 15- Applicable requirements and Standards for PD District

RE: Enterprise Rent-A-Car at 5985 Merchants Street

1. Mixed Use Development and Pedestrian Orientation
  - Enterprise Rent-A-Car's proposed use will offer the community convenient access to auto rental services.
2. Compatibility of Uses
  - The proposed auto rental use fits in well with the adjacent businesses (auto repair, auto parts, gas station, and many auto dealerships close by) and offers residents convenient access to auto rental services.
3. Open Space  
N/A
4. Multi-Modal Transportation Systems  
N/A
5. Preservation of Existing Site Features
  - Existing woods line will remain in tact
6. Landscaping
  - The landscaping plan proposed for this site was designed keeping in mind the comments from the Committee Report dated May 21, 1997 under the previously approved Concept Development Plan for DCKY 18. It includes the addition of 8 large trees, 8 medium trees, 9 small trees and 74 shrubs.
7. Architecture
  - Special care was taken in the design of this building to mirror the elevations of other buildings within the Houston Donaldson Study area. A combination of materials (colored split face masonry, brick veneer, and EFIS) and pilasters were used to enhance the architectural appearance.
8. Historic Features  
N/A
9. Signage
  - Building mounted sign
    - Fascia Band without down lighting
    - 3'H x 33'L x 9 1/4"D



*Fueled By Passion*



3670 Park 42 Drive  
Cincinnati, OH 45241-2072  
513-956-3800  
enterprise.com

- Monument sign
    - Sign face 2' 2 3/8"H x 10'L x 1'4"D
    - Base to mirror building décor
10. Transportation Connections and Entry Points
- Enterprise has agreed with Seller to create and record an access easement and to construct a driveway that will connect adjoining properties to enable flow of traffic between ingress/egress points along Merchants Street. This easement and driveway is noted on the Site Plan.

11. Conformance with Comprehensive Plan



*Fueled By Passion*

## SITE DESIGN IN THE HOUSTON/DONALDSON STUDY AREA

This section is important for the implementation of the Houston-Donaldson Study because much of the Study Area comprises the highly visible Houston Road Corridor. As pointed out in the Mall Road Study of 1990, the roadway corridor shapes the public perception of a community. As described in that study, many commercial, office, and industrial corridors across the United States have experienced a common set of problems, including traffic congestion, confusing driveway alignments, proliferation of strip centers, poor landscaping, lack of corridor identity, and excessive signage. The objective of this section of the Houston-Donaldson Study is to enhance the identity of the Study Area and avoid the above problems.

Each development should meet the following specific development guidelines at Site Plan Review in addition to the standard requirements of Article 30 of the Boone County Zoning Regulations:

1. Placement or location of buildings - Buildings shall be placed on a site so that a) building frontages are diagonal to the street where possible, b) large blank building walls are partially screened with vegetation or made visually less intrusive with architectural treatment, and c) landscaping and planting spaces are created. In addition, restaurant and bank outlot buildings along Houston Road should be placed so that the building frontage is diagonal from the public roadway similar to previously approved Concept Development Plans in the Study Area. A minimum 20 foot landscaped setback should be maintained between the parking area and the public right-of-way.
2. Impervious Area Coverage - Impervious areas include all building and pavement coverage on a site. Green Space areas include all landscape areas that have a meaningful visual impact on a development. Consistent with the previous approvals of Concept Development Plans in the Study Area, all commercial, office, and industrial developments shall contain a minimum of 22 percent of the development site as permanent green space. The computation of this green space ratio can include landscaped parking islands, buffer areas, and aesthetically suitable wet stormwater retention areas, but will not include any area on public right-of-way or dry detention areas that will have a negative visual impact on the development. Interior road systems, sidewalk networks, and parking lots of new developments must be designed with this in mind. In industrial zones, any parking in the front yard area should be devoted to office employee and visitor parking. Other employee parking in industrial zones, will be placed on the side and rear portions of the building. Parking areas should include decorative elements, such as suitable fences, wall extensions, plantings, and/or berms between the public

right-of-way to screen parking areas from public view. Parking lots must be designed with landscaped islands as described under requirement 3. Concrete curbs should be used around the perimeter of the parking lot. Landscaped areas with trees and bushes will be installed at the entrances of any commercial, office, or industrial development. Continuous curbs or wheel blocks should be placed between a parking area and a sidewalk. As approved for the Houston Lakes development in 1990, pedestrian crossings at interior intersections should be constructed of suitable brick, cobblestone, or similar surface to emphasize the crossing location.

3. Landscaping - The simplest and most effective method to enhance the appearance of a roadway corridor is to provide adequate landscaping. Landscaping also reduces glare and the amount of reflected and absorbed sunlight, resulting in a more comfortable environment and reduced energy costs. Landscaping and buffering should meet the requirements under Article 30 Site Plan Review of the 1991 Boone County Zoning Regulations. These requirements were developed for the Mall Road Study in 1990, however, are generally consistent with several approved developments in the Study Area. A list of reference source books for suitable plant species can be found in the Mall Road Study.
  
4. Pedestrian Connections - Each development or land use within the Study Area will provide pedestrian connections to other developments, recreation facilities, and public open space areas, if appropriate. An area-wide pedestrian network that connects developments, recreation areas, and existing green areas should be developed for the Study Area. Innovative and practical pathway designs other than typical sidewalks are encouraged within developments. Certain sites within the Study Area, such as the Marydale property, World of Sports site, Seligman property, and Houston Lakes site are important to the overall pedestrian network of the corridor, and are addressed in detail in the Individual Site Analysis and Recommendations section of this Study. In addition, pedestrian crossings on public and private roadways within planned developments may be required to be of distinct pavement treatment, such as brick or cobblestone to emphasize these crossings. This feature will provide a safer pedestrian environment because motorists can actually feel the pavement difference at the crossing.

#### ARCHITECTURAL DESIGN REVIEW

Architectural Design Review is based upon the third goal of the Houston/Donaldson Study, or more specifically, "to ensure that the recommended land uses and the type of development occurs in conjunction with appropriate exterior appearances to the general

public." Design review is important because many sites within the Study Area have an enormous amount of public visibility from major public thoroughfares, and the Study Area represents one of the few locations in Boone County where the opportunity exists to achieve a distinct corridor of planned uses.

The purpose or intent of establishing a procedure for reviewing exterior design features of new development, site improvements, and exterior renovations is to protect the existing and planned public investment in the Houston/Donaldson Study Area. The public investment refers to the existing infrastructure such as the road and utility systems and future improvements. Recommended land uses in the Study Area are sensitive to the existing infrastructure and needed improvements. Any future improvements to the existing infrastructure system will most likely be the result of actions by local and state government officials and by developers in the area. What makes this area unique to Boone County is the rapid pace of development and the amount of investment already occurring. A formal design review process would help ensure orderly and compatible development in the Study Area. Architectural Design review is based upon the recommendations of the Study and would only include those sites or structures subject to public view from a public street. This section should not be used as a criteria in determining the review process to be followed for a specific application, as described in the Implementation section. Design review is based upon the following objectives:

1. To formulate a procedure or process which would protect the public's view and create a harmonious development pattern in a specified area.
2. To protect and promote the economic and general welfare of the public and to encourage complementary, orderly and efficient growth and development.
3. To ensure that future development occurs with appropriate exterior appearance because the area has a high level of visibility from major public thoroughfares.
4. To encourage compatibility and visual continuity among structures and land uses in the Study Area.
5. To be consistent with the objectives of Planned Development (PD), Article 15, Boone County Zoning Regulations and the goals and objectives section of the 1990 Boone County Comprehensive Plan, which recommends the utilization of proper design principles among land uses.
7. To create public awareness concerning the importance of aesthetics based upon a study of recommended land uses and zoning.
8. To assure that appropriate design features are built and

maintained according to approved plans.

9. To establish criteria and standards for evaluating the exterior appearance of a proposed or existing building or structure.

#### Procedure/Application

Submittal is required for any proposed office, commercial, and industrial building(s), exterior building renovations (including painting), or site improvements visible from a public viewpoint in the Study Area. The Zoning Administrator shall make a determination whether Architectural Design Review is required for a specific project. Each applicant will submit four (4) sets of architectural drawings or renderings of the site and proposed building plans showing the external features of the building (including elevations), which are subject to public view or from a public street. These features are described in more detail in the following section.

At the same time a Site Plan is being reviewed by the Boone County Planning Commission, the building plans and architectural drawings or renderings of a site will be reviewed by the appropriate committee of the Boone County Planning Commission. Time limitations will remain the same or in accordance with Site Plan Review unless otherwise indicated. The Committee will be working with Staff and should possess the appropriate technical background to review and evaluate the set of plans. The Committee and/or Staff may at some time seek the technical assistance of experts in reviewing these plans or drawings. The experts and Staff will not vote on the approval or disapproval of any design plans. During the review process, a meeting will be arranged with the applicant to discuss the details of the design plans.

If for some reason an applicant does not submit the building plans, architectural drawings or renderings at the Site Plan Review stage, then the applicant can only receive conditional approval of the Site Plan pending final approval on the building plans, architectural drawings or renderings. The applicant will have up to thirty (30) days to submit the building plans, architectural drawings or renderings from the date of approval of a Site Plan. Upon submittal of the Design Review Drawings, the Boone County Planning Commission will approve or disapprove the Design Review Drawings within forty-five (45) days.

#### Criteria and Standards Used for Evaluating Architectural Design Plans

Based upon the following standards, the Committee will determine if the submitted plans are consistent with the Purpose, Intent and Objectives sections of this element and the criteria and standards used for evaluating such plans:

1. Height - The height of any structure will be in accordance with the limitation of the underlying zone and will be compatible with the nearby existing buildings in the Study Area. Other restrictions may include airport clearance regulations.
2. Building Facades - Building facades shall be designed in the same architectural style if part of a large commercial, retail or office center. Individual building facades not part of larger development or industrial building facades will be compatible with surrounding structures. If a structure has double-frontage or double entry (faces two or more streets), the type of facade shall be same for both frontages.
3. Windows and Doors - The type, location and size of any window and door should be dependent upon the relationship of width to height of any proposed structure. Service or delivery doors or windows shall be limited from public view or from a public street. Appropriate screening shall be required in order to minimize their visual effect.
4. Relationship of Materials - At least 30 percent of the front elevation portion of a building in industrial areas shall be of non-metal material such as but not limited to brick, refined stone, stucco, wood, decorative masonry, or architectural concrete. An appropriate type of architectural metal siding may be permitted. Regular painted concrete block or smooth face block will not be permitted in the area if open to view from a public street. At least 60 percent of the building in the office and commercial zones should be of non-metal material as previously mentioned above. Materials should be of durable quality and should be in harmony with surrounding buildings in color and texture.
5. Relationship of Color - Consideration should be given to the predominant color that may be of a natural material or a patina color over time. Color refers to trim work and a majority of a building and should be in harmony with adjacent structures and the natural environment. Colors should be harmonious, and only compatible accents should be used for any trim work. Unusually bright colors should not be used on the majority of any building, but may be permitted as a compatible accent to any building.
6. Entrances and Porch Projections - Entrances and porch projections (enclosed or open) should be designed so as to provide rhythm and open space at an intimate scale.
7. Architectural Details - Architectural details including, but not limited to arches, cornices, balustrades, iron work and chimneys shall be designed in relationship to the structure itself and to the architecture of surrounding buildings.

Architectural details may be required to enhance or downplay the shape or size of a building. If adjacent buildings are of inconsistent architectural styles, they may be required to be separated by some sort of buffer.

8. Roof Types and Shapes - Roof types and shapes shall be designed in accordance with the design of surrounding buildings. Utility equipment to be located on building roofs in commercial, office, and industrial zones must be screened from public view with materials harmonious with the building. A parapet of sufficient height should be used in office and commercial zones to screen the roof utility equipment from a public street. Such equipment should be located away from the edge of the building to assist in hiding it. Utility equipment shall also be screened in industrial zones. This equipment should be located in areas not directly visible from public view.
9. Scale - Consideration should be given to the scale of each building and architectural detail, which relates to the size of man and the natural environment. In rendering this decision, emphasis should be given to building mass and how it relates to open space.
10. Elevation - The elevation of any site or structure should be determined by the grade of any existing or proposed public road. Consideration should be given to the relationship between the width and height of the front, side and rear elevation of any building as viewed from a public road. Exposed foundations visible from a public street shall be minimized.
11. Signage - A signage package for the entire site shall be developed in accordance with the Special Sign Regulations of this Study and in uniformity with the existing signs in the Study Area.
12. Detention/Retention Ponds or Lakes - Large detention/retention ponds or lakes shall not be placed in the front yard or in an area subject to public view from a public street, unless also designed for aesthetic purposes.
13. Lighting - Exterior lighting, whether free-standing or building mounted, shall enhance the building design and the adjoining landscape. Lighting fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting will be designed and placed to prevent excessive brightness and glare on adjacent properties or public streets.
14. Retaining Walls - The placement of retaining walls, which are visible to a public street, should be minimized. If located in an area subject to view from a public street, then either brick facing or some other type of decorative masonry or

textured concrete material or appropriate landscaping shall be used.

15. Rear of Buildings and Storage Areas - The rear of buildings and outside storage areas shall be sufficiently screened from public view by the orientation of the building or the use of berms, landscaping, walls of materials similar to the front facade of the building. Any portion of the rear wall or seasonal display area that is visible from public view shall be faced with materials similar in texture and color as the front of the building.
16. Utilities - All utility service lines to the building and main lines to or within the site shall be located and installed underground, or located along a low visibility rear lot line. New development or redevelopment of a site should include the placement of existing overhead utility lines underground.
17. Maintenance - The property owner of each parcel is responsible for the proper maintenance and visual appearance of each building within the development. Documentation shall be provided at the Design Review stage.
18. Registered Kentucky Seal or Stamp - Each set of architectural drawings or renderings and building plans should include the stamp or seal of a registered architect and/or engineer from the Commonwealth of Kentucky.
19. Waiver of Requirement - The Boone County Planning Commission, upon recommendation of the Committee's report, may waive any requirement or standard based upon a sufficient alternate design; the discovery of a new type of technology; or apparent minimal impact on the public. The purpose of this waiver is to allow some flexibility based upon sound design principles and the economic realities of such design.

#### Committee Recommendation on Architectural Design Review

Based upon the thorough review and evaluation by the appropriate committee of the Boone County Planning Commission and Staff, the Committee shall recommend approval or denial to the full Planning Commission in the form of a report. The Committee decision or report is based upon a majority vote of the Committee. By a majority vote of the members present, the Boone County Planning Commission will vote to approve or deny the building plans, architectural drawings and renderings of the site, which relate to the exterior appearance of the project subject to public view. If the applicant's sign package is ready at the Site Plan stage, it may be incorporated into the Committee's report so that the necessary sign permit(s) may be issued. The signage package may be submitted at a later date and follow the approval procedure described in the next section, Special Sign Regulations - Houston-Donaldson Study Area. The absence of a signage package for the

site under review shall in no way affect the review at this stage.

Approval of the Design Plans (i.e. building plans, architectural drawings and renderings) is dependent upon the approval of a Site Plan. Both the approval or disapproval of the Site Plan and Design Plans will be forwarded to the appropriate Building Inspector's office in an effort to determine if and when the City of Florence or Boone County can issue a building permit to begin construction. A Site Plan can be approved with a condition that the Design Review Drawings be approved by the Boone County Planning Commission at a date specified by the Commission. All Design Review requirements that are approved shall be installed within six (6) months of the Site Plan approval.

If the Committee recommends a denial of the request or disapproval of the design plans, the applicant can appeal the Committee's decision to the full Planning Commission membership. If the building plans, architectural drawings or renderings are disapproved or the request denied, the Committee and Planning Commission shall indicate the reason(s) for such action in the form of a written report.

## SECTION 1514

### Planned Development Standards

Concept Development Plan proposals in a Planned Development shall be primarily evaluated against the criteria listed below. The Concept Development Plan shall fulfill the following criteria unless a portion of the criteria do not apply or relate, in whole or part, to a specific proposal.

1. **Mixed Use Development and Pedestrian Orientation:** Planned Developments shall generally have a mixed use orientation (combination of differing types of residential, commercial, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites. In general, planned developments shall have a pedestrian orientation. The additional intensity allowed in a Planned Development by Section 1500 shall only be permitted when a mixed use development as described in this standard is provided.
2. **Compatibility of Uses:** Measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites. Such measures may include the provisions of buffer zones, common open space areas and landscape features, transitional land uses, or a mixed-use development in which no specific type of land use is dominate. Compatibility measures/mitigation measures shall exceed the usual minimum standards of this order when needed to address impacts of the proposed development.
3. **Open Space:** Useable open space(s), in an amount over and above setback areas and open areas required by the underlying zone, shall be provided. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space.
4. **Multi-Modal Transportation System:** Planned developments shall incorporate multi-modal transportation elements through the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, etc.
5. **Preservation of Existing Site Features:** Existing topography, significant tree cover, and water courses and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article.
6. **Landscaping:** Substantial landscaping shall be provided in a planned development with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site. The use of landscape design guidelines is required for multi-phased projects.
7. **Architecture:** A consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic. The use of architectural guidelines is required for multi-phased projects.

8. **Historic and Prehistoric Features:** Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
9. **Signage:** A consistent signage theme shall be provided within a planned development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. The use of signage design guidelines is required for multi-phased projects.
10. **Transportation Connections and Entry Points:** The provision of transportation connections (street connections, pedestrian paths and sidewalks, bicycle facilities) shall be provided in all planned development unless physically unfeasible or undesirable due to land use characteristics. In addition, the various entry points (streets, paths, etc.) into a planned development shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc.
11. **Conformance with Comprehensive Plan:** All planned developments shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations or existing or planned infrastructure.

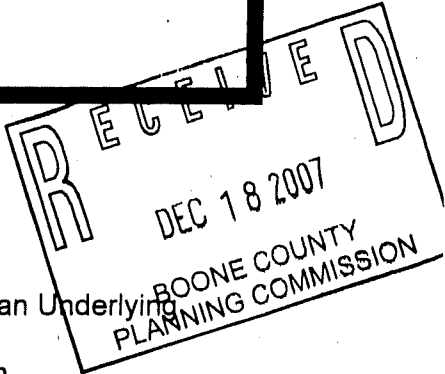
Further, Concept Development Plan proposals within areas that are subject to a specific land use or corridor study shall be evaluated against the criteria or requirements of such study as well as the criteria in this section.

A Planned Development and its uses, buildings or structures shall be minimally subject to the supplemental performance and development standards of this order, unless superseded by any special requirements, conditions, variances or other particulars imposed by the Planning Commission during the concept or preliminary application and hearing phases described in this article. Such special conditions may include provisions governing, common open space, lands or facilities, disposition of open land, infrastructure provisions including any physical design and/or any other requirement found to be necessary, appropriate or desirable for the purposes of this district.

Such conditions shall be made a part of the terms under which the development is approved. Any violation of such conditions shall be deemed a violation of this order.

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

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

- 2. Name of Project Enterprise Rent-A-Car
3. Location of Project 5985 Merchant Street
4. Total Acreage of Site .773 acre
5. Current Zoning C2/PD/CD
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) May 21, 1997

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) Yes. Houston-Donaldson

8. Proposed Uses (please specify each use) For rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/admin. & other uses related theret

9. Proposed Building Intensities (please specify) approx. 1600 s.f. office building with an attached 500 s.f. garage.

10. Have you submitted a Concept Development Plan? yes

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

12. Name of Applicant(s) Enterprise Rent-A-Car Company of Cincinnati
Phone Number 513-956-3805 Fax No. 513-956-3811 Attn: Kelly Sin

13. Address of Applicant(s) 3670 Park 42 Drive
Cincinnati OH 45241
City State Zip

14. Name of Property Owner(s) Jeff Simmons
Phone Number 859-466-2251 Fax No.

15. Address of Property Owner(s) 5848 North Orient Street
Burlington KY 41005
City State Zip

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

17. Deed Book 920 Page No. 11 Group No.

18. Have you had a pre-application meeting with BCPC Staff? Yes. Kevin Wall 11/9/07

(over)

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

**January 16, 2008  
7:30 P.M.**

**PUBLIC HEARING**

**Commission Members Present:** Mrs. Arnett – Secretary/Treasurer, Mr. Breetz, Mr. Bunger, Mr. Carmichael, Mrs. Herald, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mrs. Poston - Chairwoman, Mr. Patrick Reynolds, Mr. Rolfsen – Vice Chairman, and Mr. Schwenke.

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

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

Mrs. Susan Poston, Chairwoman, called the meeting to order at 7:32 PM and introduced the item on the Agenda:

**Applicant:** Enterprise Rent-A-Car, Kelly Simon for Jeff Simmons (owner)

**Request:** Change in Concept Development Plan

The request of Enterprise Rent-A-Car, Kelly Simon (applicant) for Jeff Simmons (owner) for a Change in Approved Concept Development Plan for a 0.773 acre site located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/administrative and other related uses.

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report). He stated that the site is currently in unincorporated Boone County and they will be able to connect to the sanitary sewer without annexation into the City of Florence. It is not their intention to have the property annexed into the City and, therefore, it falls under Article 37 of the Boone County Zoning Regulations for landscaping purposes. He stated that the Planning Commission's recommendation will go to Fiscal Court.

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

Ms. Kelly Simon, Regional Operations Manager for Enterprise Rent-A-Car, stated that she lives in Boone County at 7061 High Point Drive. She introduced Mr. Dave Sallings, Design Engineer, and Mr. Jeff Rensing, Area Rental Manager for Enterprise Rent-A-Car. In response to the Staff Comments, Ms. Simon stated that it is not their intention to have any equipment on the roof. The equipment will be located in the grassy area next to the building. Mr. Sallings stated that it is a split system with a condensing unit and he indicated the proposed location of the unit. He stated that the adjacent buildings will have flat roofs and they want to be consistent with a flat-style roof – it will be an EPDM single-slope roof. Ms. Simon stated that the wash bay is used for “bucket wash” and they do not have automated car wash equipment. Cars are washed by hand, the interiors are vacuumed, and windshield washer fluid is added. All of the cars are late model vehicles that are under warranty and they go to the dealership for maintenance. There will not be any maintenance performed on the site. This concluded the applicant's presentation.

Mrs. Poston asked if there was anyone else who wished to speak in favor of this request.

Mr. Jeff Simmons, owner of the subject property and the Quik Stop Oil Lube next door, stated that he has no objections. He stated that the use is an excellent fit – there is automotive use across the street, the Quik Stop Oil Lube is automotive, and there is automotive on the other side. It is a great looking building and he is happy to have them as a neighbor.

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

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

Mr. Breetz asked if there will be an outdoor intercom. He is concerned about noise from the intercom and from the vacuums if they are located outside. Ms. Simon responded that all of the car prep activities will occur inside the wash bay. She stated that there will not be an intercom. She stated that it is really an office, but they need a garage to prepare the cars.

Mr. Breetz stated that the building appears to be in close proximity to the access route through the property. He questioned the required setback from the access route. Mr. Light responded that it is a frontage road. He stated that if someone rented a car and wanted to go and use the ATM, they would not have to go out

onto Merchants Street. He stated that the rears of the lots slope off towards Greenview – the lots are not flat and, therefore, they have to get the interconnections wherever they can. He did not know how much traffic there would be on the site, but noted that there are 14 parking spaces on the other side of the sidewalk in front of the building. He does not anticipate it being a high-traffic location. In response to additional questions from Mr. Breetz, Ms. Simon stated that the easement was granted to the adjacent parcel (the Quik Stop).

Mr. Bungler asked if the 24-foot access flows to the adjoining property on the opposite side so that eventually there could be an access route for several businesses. He asked if there will be a refueling facility on the site. Ms. Simon responded that they will not have any above ground storage tanks or anything like that.

Mr. Patrick Reynolds asked if this location will replace the existing Enterprise office on KY 18. Ms. Simon responded that they intend to have both locations.

Mrs. Poston asked if they rent trucks. Ms. Simon responded that they rent pick-up trucks. Mrs. Poston asked if all of the cars are kept on site. Ms. Simon responded that the vehicles are primarily not stored on the site. There are times when there will be excess fleet on the property – typically their peak times for having cars on the lot are the weekends. She stated that vehicles that are dropped off on Saturday after they close will typically go back out on Monday morning.

Mr. Rolfsen questioned the hours of operation. Ms. Simon responded that they are open from 8:00 AM to 6:00 PM Monday through Friday and on Saturday from 9:00 AM to noon and sometimes until 2:00 PM. They are closed on Sunday.

Mr. Rolfsen asked the applicant to bring to Committee information regarding how they will illuminate the back lot. He is concerned about the neighbors on Greenview. Mr. Sallings responded that there will be 20-foot light poles with shoebox style lights. Ms. Simon stated that they do not need to have the lot lit up like a car sales lot. They will concentrate lights around the building so that a customer can look at a car when they pick it up and they can check the car for damage when it is returned. Lighting in the outlying areas of the lot would be for security.

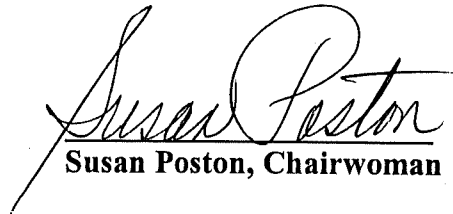
Mr. Rolfsen asked if it is their intention just to have enough cars on the lot to fill the marked spaces. Ms. Simon responded that the parking spaces are also for employees and for customers who want to rent a truck and leave their personal car there for the day. The parking spaces are not just for the rental fleet.

Mr. McMillian asked if the lot is fenced for security. Ms. Simon responded “no”.

Mr. Carmichael stated that the location of the condenser unit will be addressed at the Committee meeting. He asked the applicant to be prepared for that discussion. He noted that the site is in the Houston-Donaldson Study area.

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on February 6, 2008 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on February 20, 2008 at 7:00 PM. Mrs. Poston closed this Public Hearing at 7:55 PM.

**APPROVED:**

  
**Susan Poston, Chairwoman**

**Attest:**

  
**Jan Hancock, Recording Secretary**

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
FIRST FLOOR FISCAL COURTROOM  
BUSINESS MEETING  
February 20, 2008  
7:00 P.M.**

---

---

Mrs. Susan Poston, Chairwoman, called the meeting to order at 7:02 PM.

**COMMISSION MEMBERS PRESENT:**

Mr. Greg Breetz  
Mr. Kim Bungler  
Mrs. Janet Kegley  
Mr. Richard Knock, Temporary Presiding Officer  
Mrs. Vivian Llambi  
Mr. Don McMillian  
Mr. Randy Poe  
Mrs. Susan Poston, Chairwoman  
Mr. Charlie Reynolds  
Mr. Patrick Reynolds  
Mr. Charlie Rolfsen, Vice Chairman  
Mr. Bob Schwenke

**COMMISSION MEMBERS NOT PRESENT:**

Mrs. Judy Arnett, Secretary/Treasurer  
Mr. Jim Carmichael  
Mrs. Linda Herald

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Jan Hancock, Secretary  
Mr. Mitch Light, Assistant Zoning Administrator/ZEO

**Approval of the Minutes:**

Mrs. Poston stated that the Commissioners received copies of the Minutes of the February 6, 2008 Business Meeting. She asked if there were any comments or corrections. There being no changes to the Minutes, Mrs. Llambi moved that they be approved as mailed. Mr. Patrick Reynolds seconded the motion and it carried unanimously.

**ACTION ON PLAN REVIEWS:**

**1. Change in Concept Development Plan**

**The request of Enterprise Rent-A-Car, Kelly Simon (applicant) for Jeff Simmons (owner) for a Change in Approved Concept Development Plan for a 0.773 acre site located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/administrative and other related uses.**

Staff Member Mitch Light 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 applicant have signed the letter agreeing to the conditions.

Mrs. Poston offered the applicant the opportunity 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.

Ms. Kelly Simon, 7061 High Point Drive, Florence, was present but had nothing to add to the Committee Report.

Mrs. Poston asked if there was anyone present who wished to make a summary statement in opposition to the request. There was no response.

There being no discussion, **Mr. Rolfsen moved by resolution to Boone County Fiscal Court that the request be approved based on the Committee Report with the conditions. Mr. Charlie Reynolds seconded the motion and it carried unanimously.**

**EXHIBIT**

**“B”**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

**TO:** Boone County Planning Commission

**FROM:** Charlie Rolfsen, Chairman

**DATE:** February 20, 2008

**RE:** Request of **Enterprise Rent-A-Car, Kelly Simon (applicant)** for **Jeff Simmons (owner)** for a Change in Approved Concept Development Plan for a 0.773 acre site located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/administrative and other related uses.

### REMARKS:

We, the Committee, recommend approval of this request based upon 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 Goals and Objectives for the following reasons:
  - A. The Future Land Use Map designates the site for "Commercial" uses. This designation is described by the Comprehensive Plan as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
  - B. The Committee has concluded that the request demonstrates agreement with the Land Use Element's Future Land Use Development Guidelines as well as the applicable Goals and Objectives.
2. The Committee has concluded that the request fulfills the applicable requirements of the Houston-Donaldson Study and Article 15 "Planned Development District" of the Boone County Zoning Regulations.
3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan and to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

#### CONDITIONS

1. The property owner agrees that there will be no intercom system or freestanding "vacuum station" at this location.

2. The property owner agrees that there will be no "fueling center" located on this site.
3. The property owner agrees that no portion of the site will be fenced.
4. The property owner agrees that nothing larger than a pick-up truck/full sized van will be stored and/or rented at this location.
5. The property owner agrees that proposed building materials will reflect the elevations presented at the January 16, 2008 Public Hearing. This will be reviewed as part of the required Design Review by the Boone County Planning Commissions' Technical/Design Review Committee.
6. The property owner agrees that there will be no equipment located on the roof and that any HVAC equipment will be screened by the same colored split faced block to match the building and landscaped. This will be reviewed as part of the required Design Review by the Boone County Planning Commissions' Technical/Design Review Committee as well as the Major Site Plan review.

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

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

**January 16, 2008  
7:30 P.M.**

**PUBLIC HEARING**

**Commission Members Present:** Mrs. Arnett – Secretary/Treasurer, Mr. Breetz, Mr. Bunger, Mr. Carmichael, Mrs. Herald, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mrs. Poston - Chairwoman, Mr. Patrick Reynolds, Mr. Rolfsen – Vice Chairman, and Mr. Schwenke.

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

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

Mrs. Susan Poston, Chairwoman, called the meeting to order at 7:32 PM and introduced the item on the Agenda:

**Applicant:** **Enterprise Rent-A-Car, Kelly Simon for  
Jeff Simmons (owner)**

**Request:** **Change in Concept Development Plan**

The request of **Enterprise Rent-A-Car, Kelly Simon (applicant) for Jeff Simmons (owner)** for a **Change in Approved Concept Development Plan** for a 0.773 acre site located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky. The request is for a **Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/administrative and other related uses.**

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report). He stated that the site is currently in unincorporated Boone County and they will be able to connect to the sanitary sewer without annexation into the City of Florence. It is not their intention to have the property annexed into the City and, therefore, it falls under Article 37 of the Boone County Zoning Regulations for landscaping purposes. He stated that the Planning Commission's recommendation will go to Fiscal Court.

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

Ms. Kelly Simon, Regional Operations Manager for Enterprise Rent-A-Car, stated that she lives in Boone County at 7061 High Point Drive. She introduced Mr. Dave Sallings, Design Engineer, and Mr. Jeff Rensing, Area Rental Manager for Enterprise Rent-A-Car. In response to the Staff Comments, Ms. Simon stated that it is not their intention to have any equipment on the roof. The equipment will be located in the grassy area next to the building. Mr. Sallings stated that it is a split system with a condensing unit and he indicated the proposed location of the unit. He stated that the adjacent buildings will have flat roofs and they want to be consistent with a flat-style roof – it will be an EPDM single-slope roof. Ms. Simon stated that the wash bay is used for “bucket wash” and they do not have automated car wash equipment. Cars are washed by hand, the interiors are vacuumed, and windshield washer fluid is added. All of the cars are late model vehicles that are under warranty and they go to the dealership for maintenance. There will not be any maintenance performed on the site. This concluded the applicant's presentation.

Mrs. Poston asked if there was anyone else who wished to speak in favor of this request.

Mr. Jeff Simmons, owner of the subject property and the Quik Stop Oil Lube next door, stated that he has no objections. He stated that the use is an excellent fit – there is automotive use across the street, the Quik Stop Oil Lube is automotive, and there is automotive on the other side. It is a great looking building and he is happy to have them as a neighbor.

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

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

Mr. Breetz asked if there will be an outdoor intercom. He is concerned about noise from the intercom and from the vacuums if they are located outside. Ms. Simon responded that all of the car prep activities will occur inside the wash bay. She stated that there will not be an intercom. She stated that it is really an office, but they need a garage to prepare the cars.

Mr. Breetz stated that the building appears to be in close proximity to the access route through the property. He questioned the required setback from the access route. Mr. Light responded that it is a frontage road. He stated that if someone rented a car and wanted to go and use the ATM, they would not have to go out

onto Merchants Street. He stated that the rears of the lots slope off towards Greenview – the lots are not flat and, therefore, they have to get the interconnections wherever they can. He did not know how much traffic there would be on the site, but noted that there are 14 parking spaces on the other side of the sidewalk in front of the building. He does not anticipate it being a high-traffic location. In response to additional questions from Mr. Breetz, Ms. Simon stated that the easement was granted to the adjacent parcel (the Quik Stop).

Mr. Bungler asked if the 24-foot access flows to the adjoining property on the opposite side so that eventually there could be an access route for several businesses. He asked if there will be a refueling facility on the site. Ms. Simon responded that they will not have any above ground storage tanks or anything like that.

Mr. Patrick Reynolds asked if this location will replace the existing Enterprise office on KY 18. Ms. Simon responded that they intend to have both locations.

Mrs. Poston asked if they rent trucks. Ms. Simon responded that they rent pick-up trucks. Mrs. Poston asked if all of the cars are kept on site. Ms. Simon responded that the vehicles are primarily not stored on the site. There are times when there will be excess fleet on the property – typically their peak times for having cars on the lot are the weekends. She stated that vehicles that are dropped off on Saturday after they close will typically go back out on Monday morning.

Mr. Rolfsen questioned the hours of operation. Ms. Simon responded that they are open from 8:00 AM to 6:00 PM Monday through Friday and on Saturday from 9:00 AM to noon and sometimes until 2:00 PM. They are closed on Sunday.

Mr. Rolfsen asked the applicant to bring to Committee information regarding how they will illuminate the back lot. He is concerned about the neighbors on Greenview. Mr. Sallings responded that there will be 20-foot light poles with shoebox style lights. Ms. Simon stated that they do not need to have the lot lit up like a car sales lot. They will concentrate lights around the building so that a customer can look at a car when they pick it up and they can check the car for damage when it is returned. Lighting in the outlying areas of the lot would be for security.

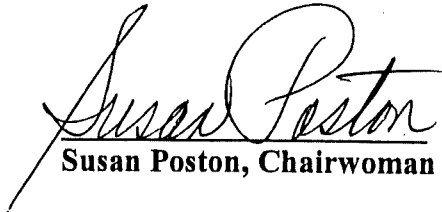
Mr. Rolfsen asked if it is their intention just to have enough cars on the lot to fill the marked spaces. Ms. Simon responded that the parking spaces are also for employees and for customers who want to rent a truck and leave their personal car there for the day. The parking spaces are not just for the rental fleet.

Mr. McMillian asked if the lot is fenced for security. Ms. Simon responded “no”.


Mr. Carmichael stated that the location of the condenser unit will be addressed at the Committee meeting. He asked the applicant to be prepared for that discussion. He noted that the site is in the Houston-Donaldson Study area.

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on February 6, 2008 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on February 20, 2008 at 7:00 PM. Mrs. Poston closed this Public Hearing at 7:55 PM.

**APPROVED:**

  
**Susan Poston, Chairwoman**

**Attest:**

  
**Jan Hancock, Recording Secretary**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Charlie Rolfsen, Chairman

DATE: February 6, 2008

RE: Request of **Enterprise Rent-A-Car, Kelly Simon (applicant)** for **Jeff Simmons (owner)** for a Change in Approved Concept Development Plan for a 0.773 acre site located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/administrative and other related 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.

Enterprise Rent-A-Car

February 6, 2008

*Charlie Rolfsen*  
 \_\_\_\_\_  
**Charlie Rolfsen, Chairman**

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

*Judy Arnett*  
 \_\_\_\_\_  
**Judy Arnett**

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

\_\_\_\_\_  
**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**

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 4 FOR PROJECT \_\_\_\_\_ ABSENT  
 \_\_\_\_\_ AGAINST PROJECT \_\_\_\_\_ ABSTAIN

# **SUPPORTING INFORMATION**



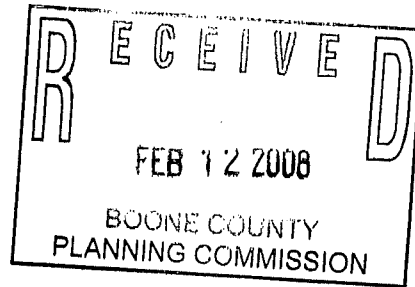
# BOONE COUNTY PLANNING COMMISSION

[www.boonecountyky.org/pc](http://www.boonecountyky.org/pc)  
[www.boonecountygis.com](http://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](mailto:plancom@boonecountyky.org)

February 8, 2008



Ms. Kelly Simon  
Regional Operations Manager  
3670 Park 42 Drive  
Cincinnati, OH 45241-2072

RE: Request of **Enterprise Rent-A-Car, Kelly Simon (applicant)** for **Jeff Simmons (owner)** for a Change in Approved Concept Development Plan for a 0.773 acre site located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone to allow rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/administrative and other related uses.

Dear Ms. Simon:

The following represents the conditions of approval for the above referenced application as recommended by the Planning Commission's Zone Change Committee at their February 6, 2008 meeting. Please have the property owner and applicant sign in the space provided at the end of this letter, and return the original letter to the Planning Commission's office by Friday, February 15, 2008.

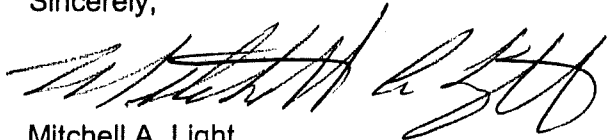
## CONDITIONS

1. The property owner agrees that there will be no intercom system or freestanding "vacuum station" at this location.
2. The property owner agrees that there will be no "fueling center" located on this site.
3. The property owner agrees that no portion of the site will be fenced.
4. The property owner agrees that nothing larger than a pick-up truck/full sized van will be stored and/or rented at this location.
5. The property owner agrees that proposed building materials will reflect the elevations presented at the January 16, 2008 Public Hearing. This will be reviewed as part of the required Design Review by the Boone County Planning Commissions' Technical/Design Review Committee.

Ms. Kelly Simon  
Regional Operations Manager  
February 8, 2008  
Page 2

- The property owner agrees that there will be no equipment located on the roof and that any HVAC equipment will be screened by the same colored split faced block to match the building and landscaped. This will be reviewed as part of the required Design Review by the Boone County Planning Commissions' Technical/Design Review Committee as well as the Major Site Plan review.

Sincerely,



Mitchell A. Light  
Assistant Zoning Admin/Enforcement Officer

MAL/pr

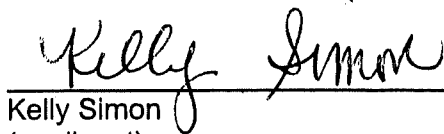
AGREEMENT

We do hereby agree to the recommended conditions of approval stated above for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 0.773 acre site located along the west side of Merchants Street between 5985 and 5969 Merchants Street, to allow rental, storage, parking of motor vehicles, cleaning/preparation of vehicles, office/administrative and other related uses.



Jeff Simmons  
(owner)

2/12/2008  
Date



Kelly Simon  
(applicant)

2/11/08

Date



5294 Madsen Pike  
Independence, KY 40051  
859-363-9075  
Fax 859-363-9125

LEGAL DESCRIPTION  
**PARCEL 1**  
**0.1434 ACRES**

- Situated In the Commonwealth of Kentucky, Boone County, being part of Lot 6 of Merchants Square Subdivision heretofore conveyed to E109, LLC by deed, recorded in Deed Book 920, Page 11 and further shown on Plat Slide 430-B of the Boone County deed and plat records on file in Burlington, KY, and being more particularly described as follows:
- Beginning at a set iron pin in the northerly right-of-way of Merchant Street and being the southeasterly corner of Lot 6 and also the southwesterly corner of said Lot 18 of said Merchants Square Subdivision heretofore conveyed to E109, LLC by deed, recorded in Deed Book 920, Page 11 of said County records;
- Thence along said northerly right-of-way of Merchant Street **S 34°08'28" W, 30.00** feet to a set X-notch in existing sidewalk;
- Thence along a new division line partitioning Lot 6 **N 55°51'32" W, 208.08** feet to a set iron pin in the southeasterly line of Greenview Subdivision as shown in Plat Book 2, Page 25 of said County records;
- Thence along said southeasterly line of Greenview Subdivision and the northwesterly line of Lot 6 **N 33°51'00" E, 30.00** feet to a set iron pin being the common corner of Lot 18 and Lot 6 of Merchant Square Subdivision;
- Thence along the common line of Lot 6 and Lot 18 **S 55°51'32" E, 208.23** feet to the **Point of Beginning;**
- Containing **0.1434** acres of land, more or less, subject to easements, conditions, covenants, restrictions, and rights-of-way of record.

Iron pins called to be set are 5/8" iron pins, twenty-four inches in length, with an orange cap stamped One Eleven #3423-3729.

The above description and bearing system is based on the centerline of Merchant Street of Merchants Square Subdivision as shown on Plat Slide 430-B of said County records. It is further based on a field survey made by One Eleven Engineering and Surveying PLLC dated November 15, 2007.

Prepared by:  
One Eleven Engineering and Surveying PLLC  
James J. Bertram Jr. #3423 in the  
Commonwealth of Kentucky  
November 28, 2007

**LEGAL DESCRIPTION**  
**REMAINDER**  
**0.6219 ACRES**

- Situated In the Commonwealth of Kentucky, Boone County, being all the remaining of Lot 6 of Merchants Square Subdivision heretofore conveyed to E109, LLC by deed, recorded in Deed Book 920, Page 11 and further shown on Plat Slide 430-B of the Boone County deed and plat records on file in Burlington, KY, and being more particularly described as follows:
- Commencing at a set iron pin in the northerly right-of-way of Merchant Street and being the southeasterly corner of Lot 6 and also the southwesterly corner of said Lot 18 of said Merchants Square Subdivision heretofore conveyed to E109, LLC by deed, recorded in Deed Book 920, Page 11 of said County records;
- Thence along said northerly right-of-way of Merchant Street the following four (4) courses:
1. **S 34°08'28" W, 30.00** feet to a set X-notch in existing sidewalk being the **Principal Point of Beginning**;
  2. **S 34°08'28" W, 11.63** feet to a set iron pin;
  3. **N 55°51'32" W, 17.00** feet to a set iron pin;
  4. **S 34°08'28" W, 129.37** feet to a found 5/8" iron pin (LS 206) being the southeasterly corner of Lot 5 of Merchants Square Subdivision heretofore conveyed to The Provident Bank of Kentucky by deed, recorded in Deed Book 561, Page 70 of said County records;
- Thence leaving said right-of-way along the common line between Lot 5 and Lot 6 of Merchants Square Subdivision **N 55°51'32" W, 190.36** feet to a found 5/8" iron pin (LS 206) in the southeasterly line of Greenview Subdivision as shown in Plat Book 2, Page 25 of said County Records;
- Thence along said southeasterly line of Greenview Subdivision and the northwesterly line of Lot 6 **N 33°51'00" E, 141.00** feet to a set iron pin;
- Thence along a new division line partitioning Lot 6 **S 55°51'32" E, 208.08** feet to the **Point of Beginning**;
- Containing **0.6219** acres of land, more or less, subject to easements, conditions, covenants, restrictions, and rights-of-way of record.

Iron pins called to be set are 5/8" iron pins, twenty-four inches in length, with an orange cap stamped One Eleven #3423-3729.

The above description and bearing system is based on the centerline of Merchant Street of Merchants Square Subdivision as shown on Plat Slide 430-B of said County records. It is further based on a field survey made by One Eleven Engineering and Surveying PLLC dated November 15, 2007.

Prepared by:  
 One Eleven Engineering and Surveying PLLC  
 James J. Bertram Jr. #3423 in the  
 Commonwealth of Kentucky  
 November 28, 2007

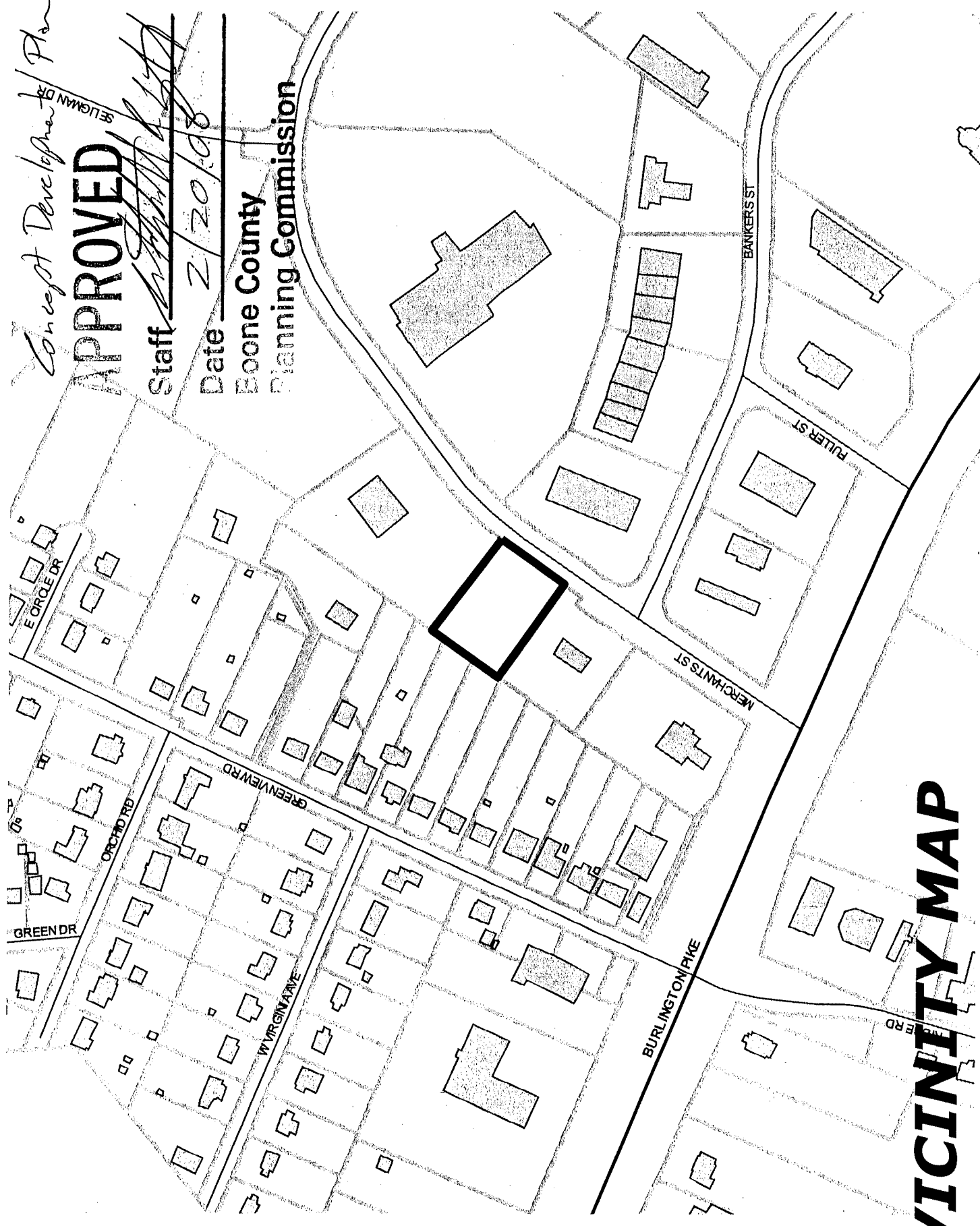
*Concept Development Plan*

**APPROVED**

Staff *[Signature]*

Date *2/20/08*

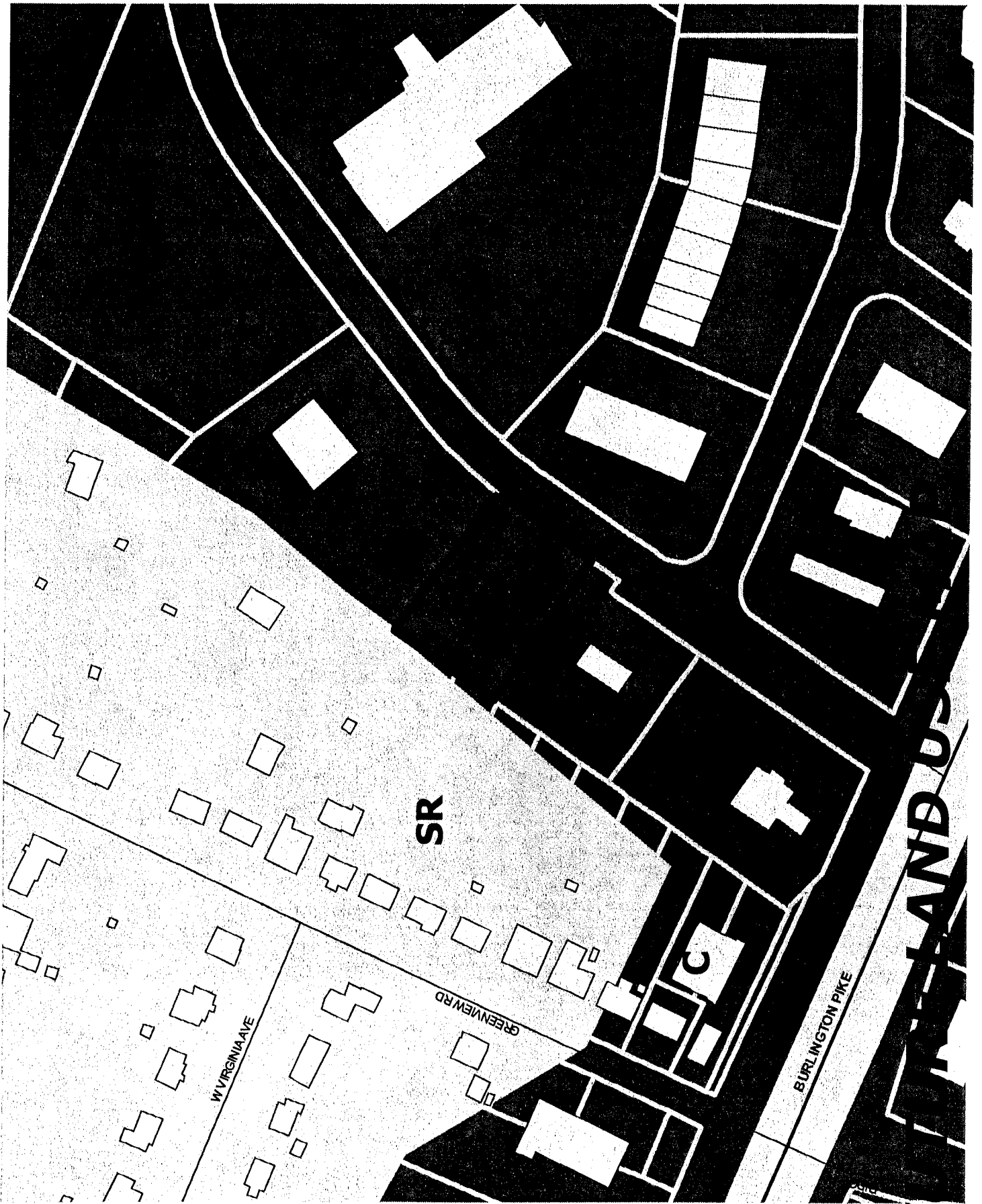
Boone County  
Planning Commission



**VICINITY MAP**



# ZONING MAP



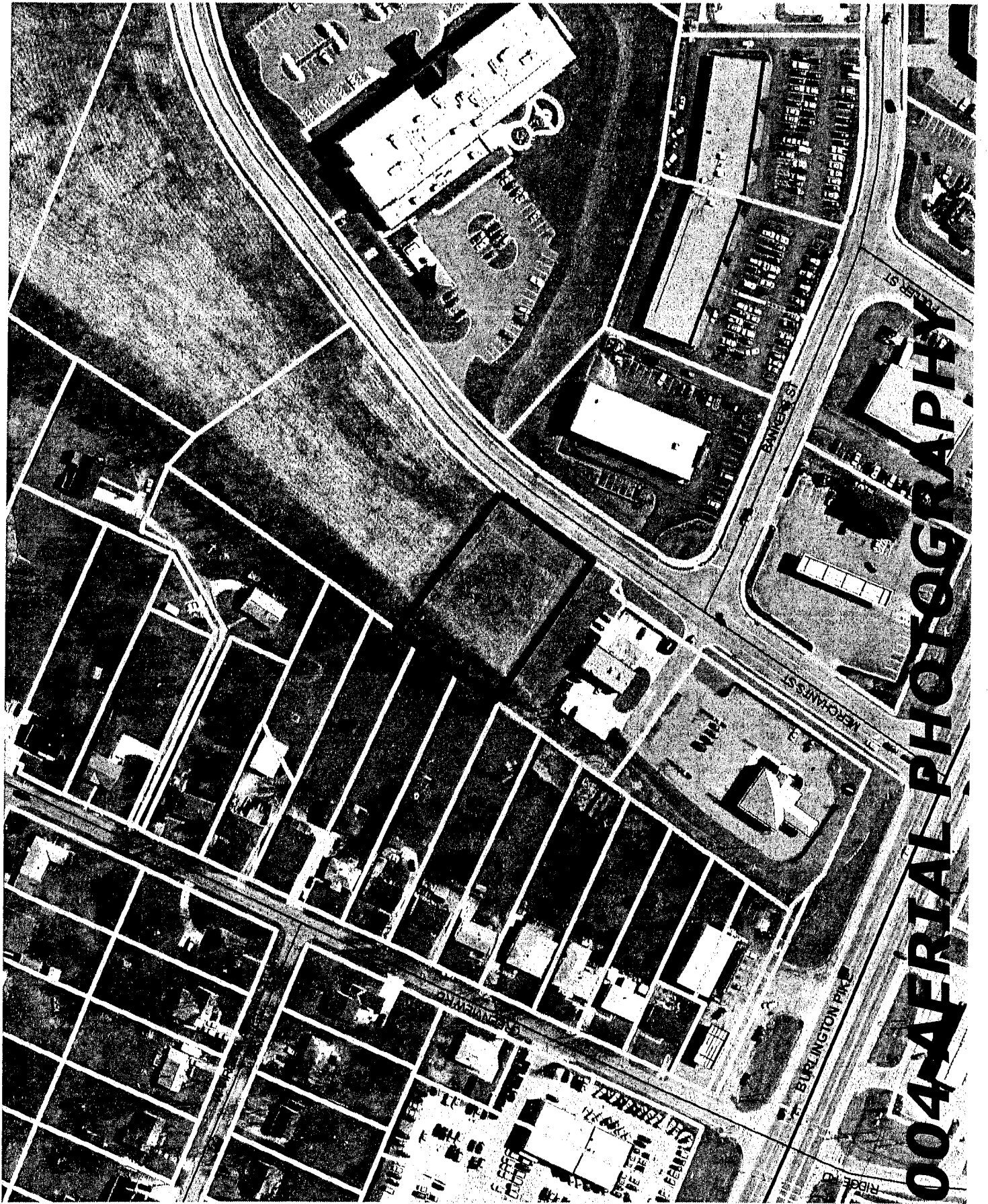
SR

W VIRGINIA AVE

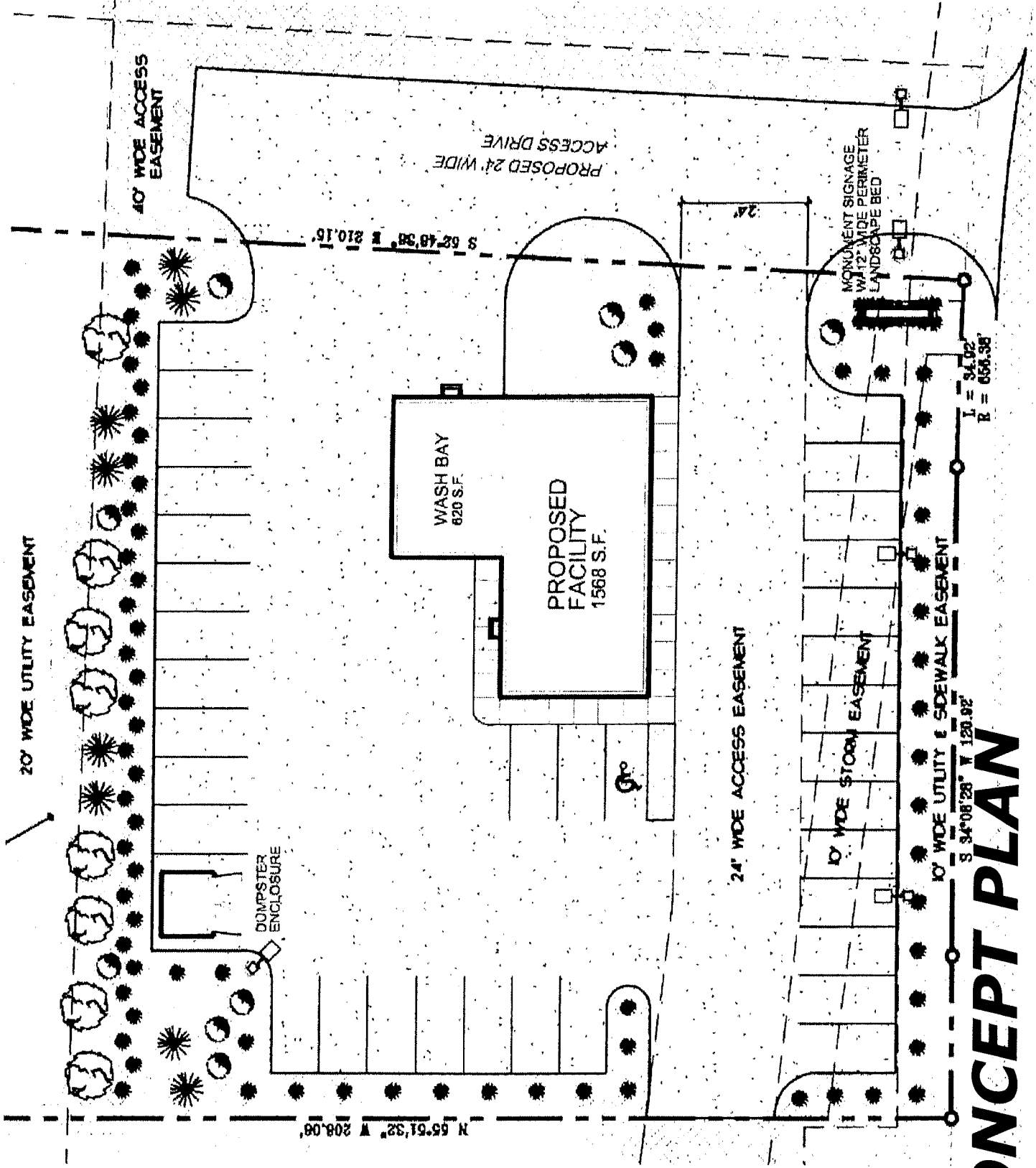
GREENNEW RD

BURLINGTON PIKE

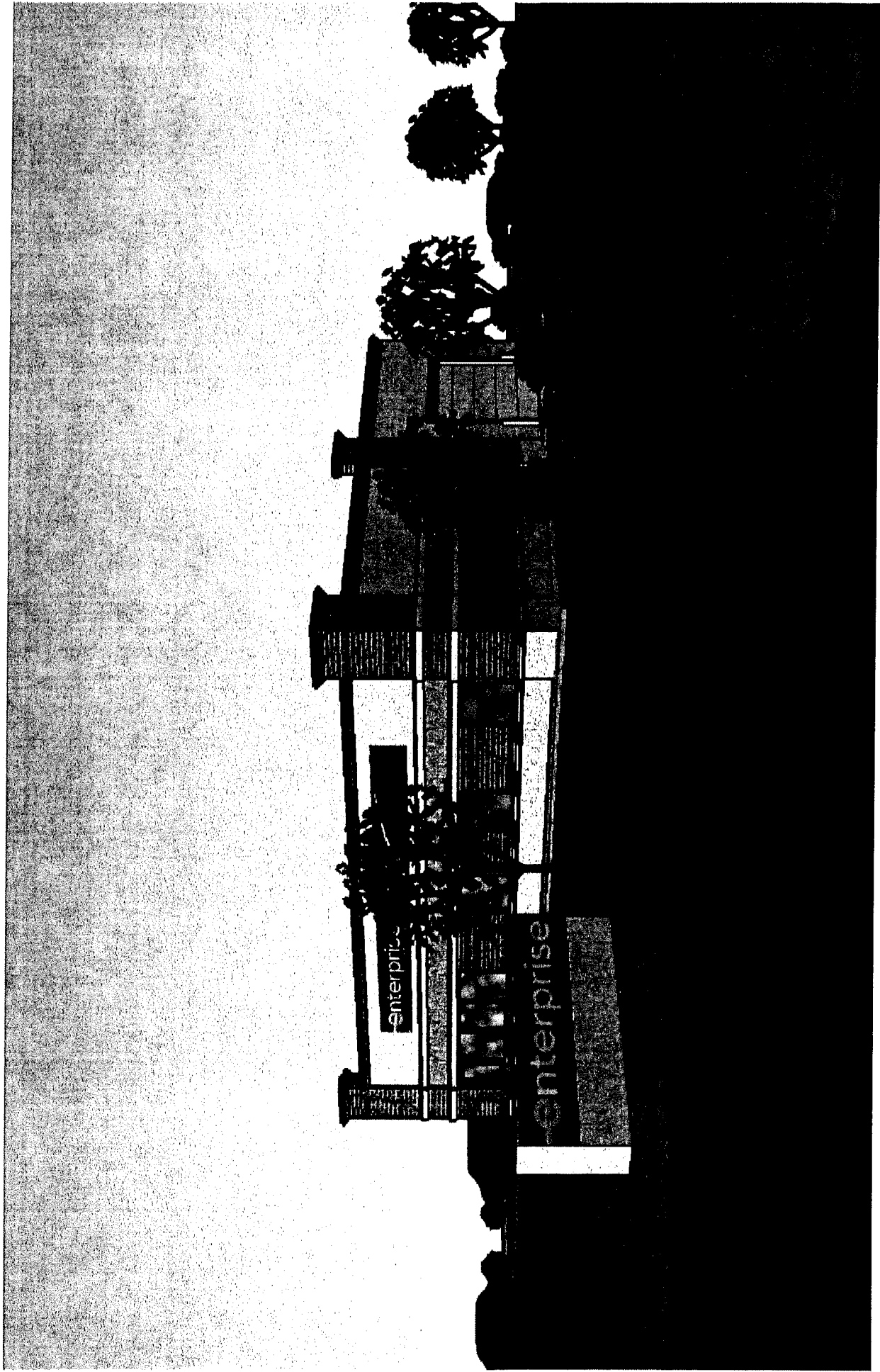
FURNACE AND D...



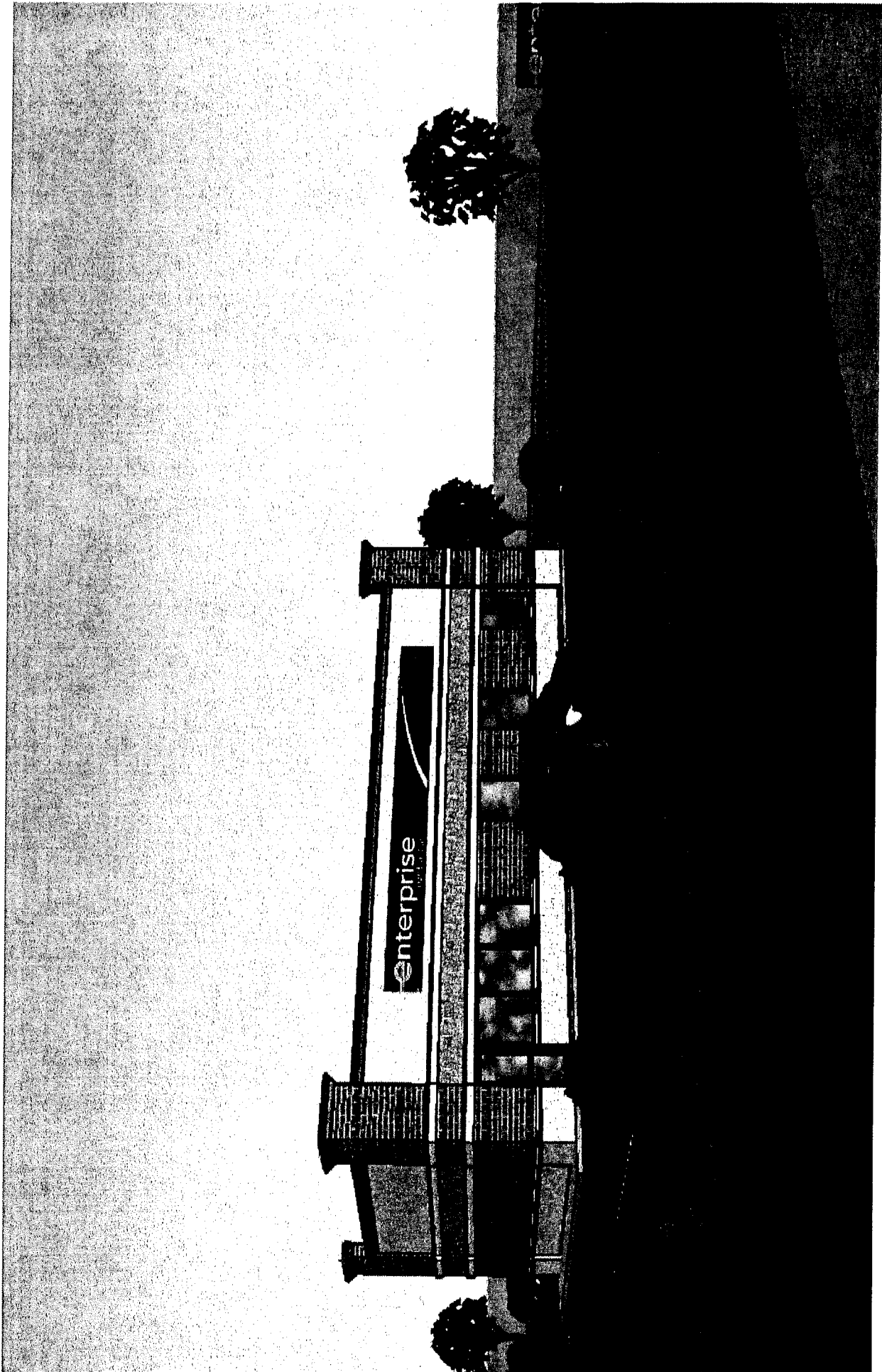
2004 AERIAL PHOTOGRAPHY

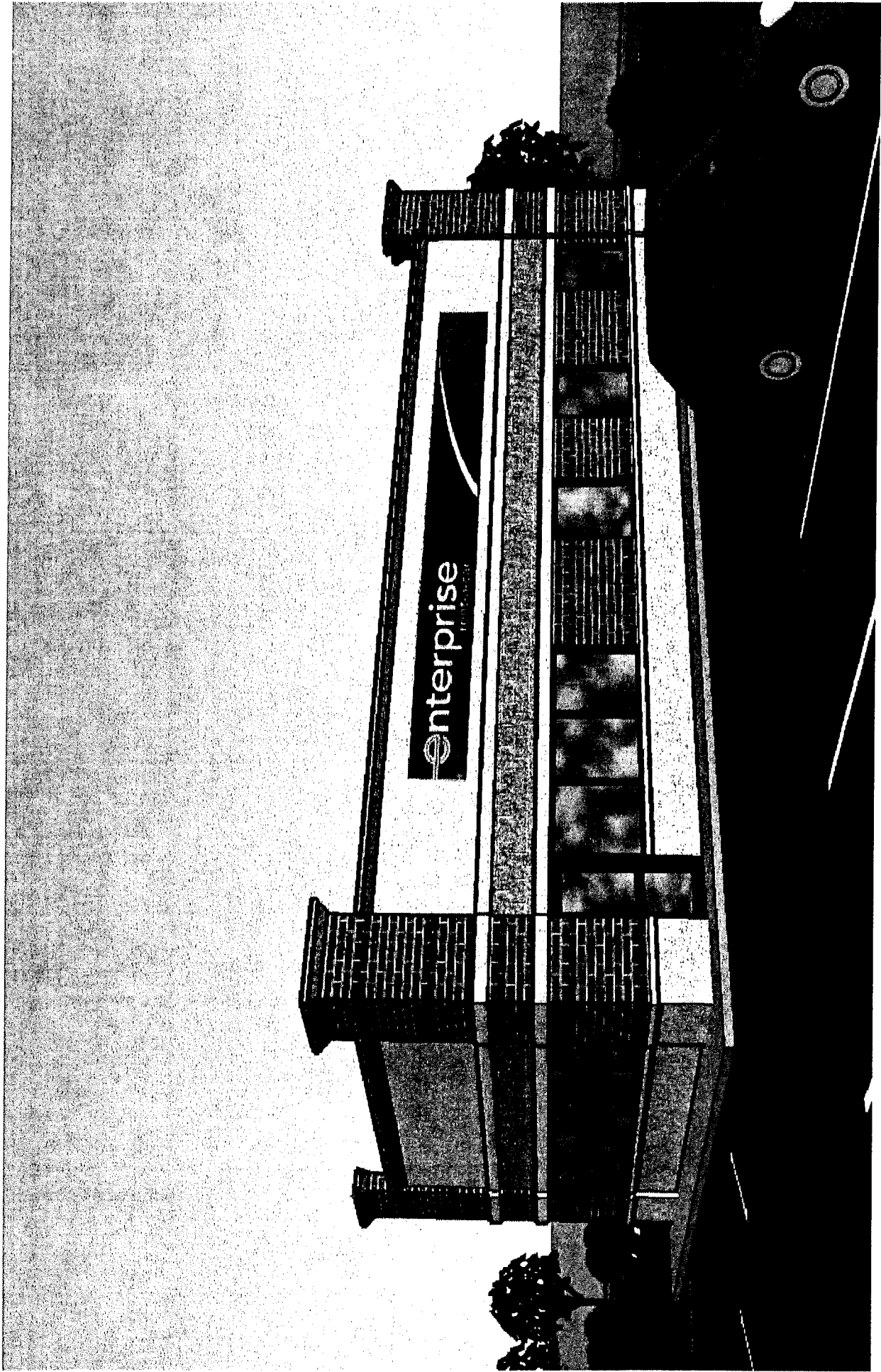


# CONCEPT PLAN

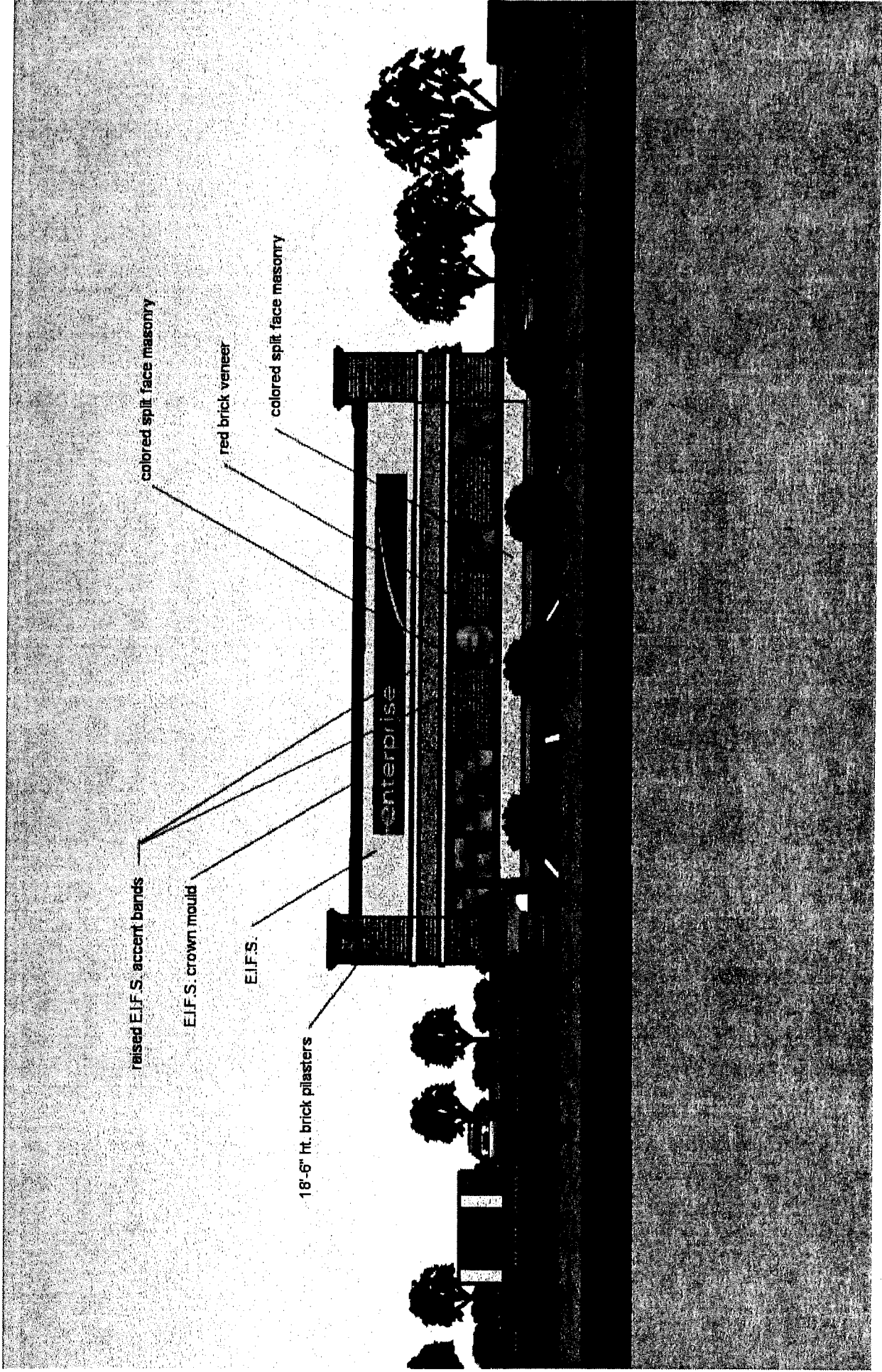


# PROPOSED NE CORNER ELEVATION





# PROPOSED SE CORNER ELEVATION



raised EIFS accent bands

EIFS crown mould

EIFS

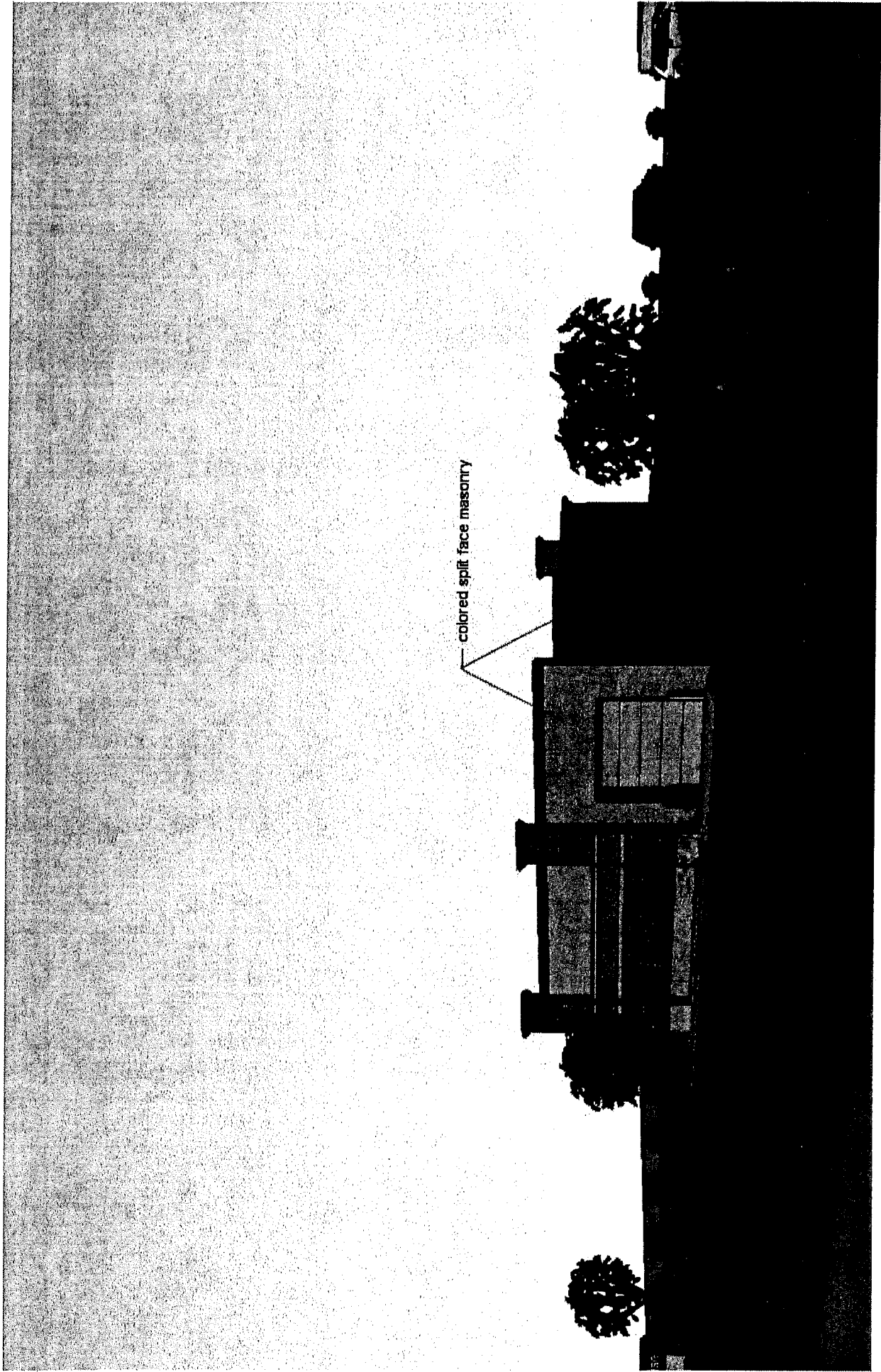
18'-6" ht. brick pilasters

colored split face masonry

red brick veneer

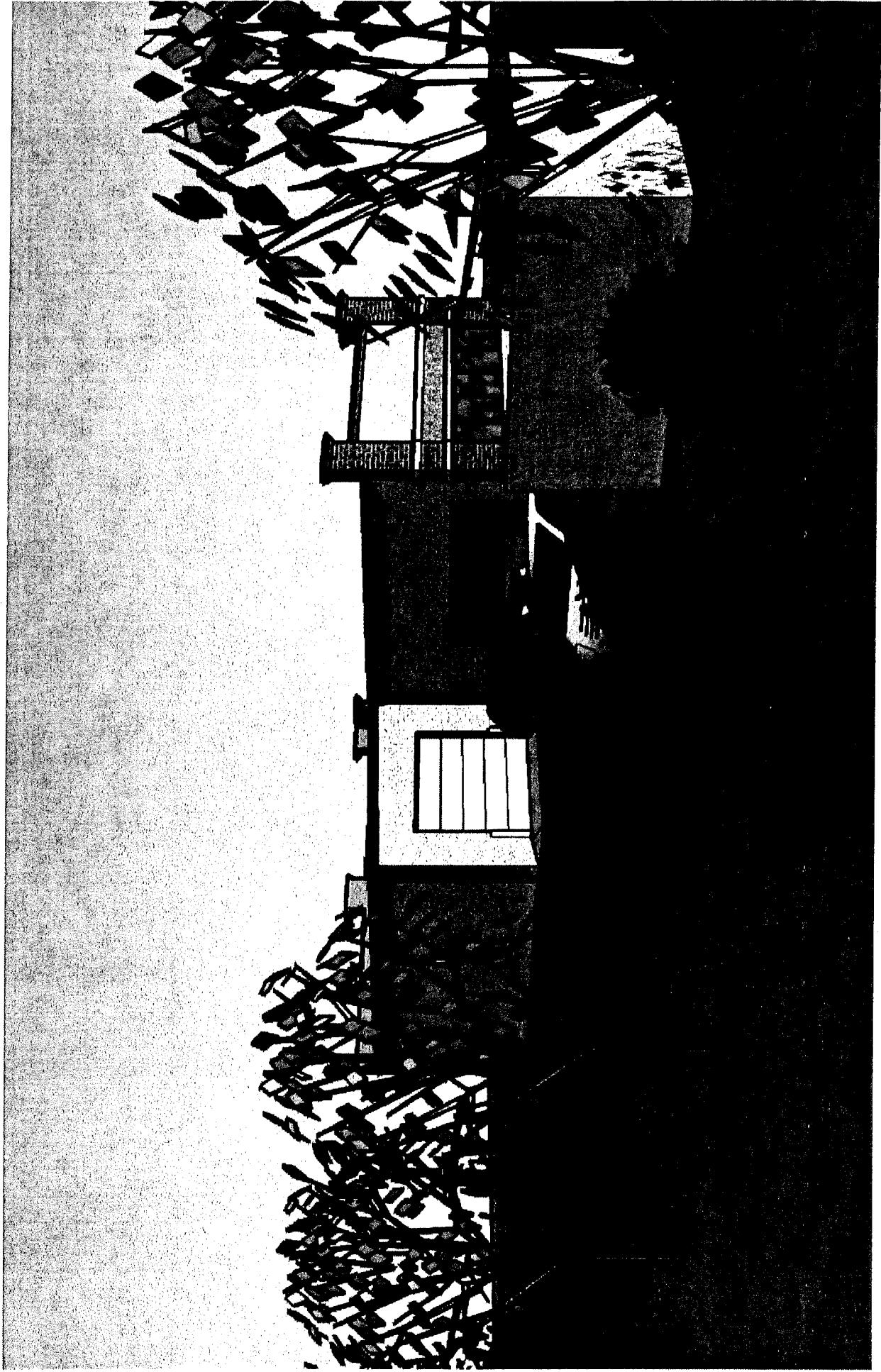
colored split face masonry

# PROPOSED FRONT ELEVATIONS



colored split face masonry

# PROPOSED NW ELEVATION



# PROPOSED SW ELEVATION

B



ELEVATION

| DIMENSIONS SPECIFICATIONS |           |
|---------------------------|-----------|
| A                         | 3'-0"     |
| B                         | FBD       |
| C                         | 0'-9 1/4" |

33'

| ELECTRICAL SPECIFICATIONS |     |
|---------------------------|-----|
| VOLTS                     | N/A |
| AMPS                      | N/A |
| CIRCUITS                  | N/A |

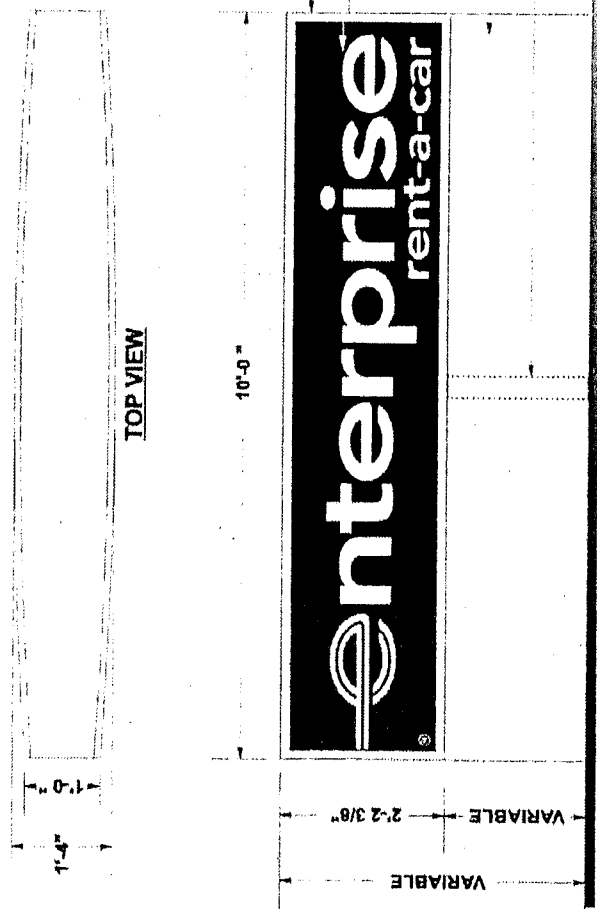
|                           |
|---------------------------|
| SQUARE FOOTAGE (SQ. FEET) |
| N/A                       |

|               |
|---------------|
| WEIGHT (LBS.) |
| N/A           |

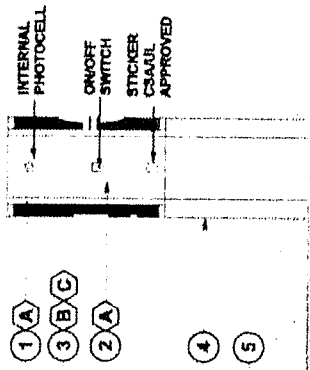
[View Specs >>](#)

Proposed Building Sign:

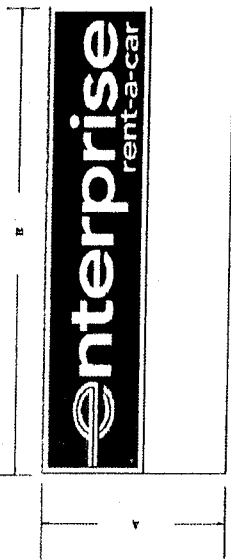
\*Approx. 99 square feet (100 square feet max. allowed per HD Study/2 sq. feet per lineal ft)



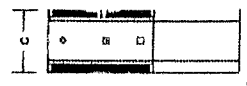
**TOP VIEW**



**SIDE VIEW**



**FRONT VIEW**



**PROFILE**

**ELEVATION**

| DIMENSIONS SPECIFICATIONS |           | ELECTRICAL SPECIFICATIONS |     |
|---------------------------|-----------|---------------------------|-----|
| A                         | 2'-2 3/8" | VOLTS                     | 120 |
| B                         | 10'-0"    | AMPS                      | 0.9 |
| C                         | 1'-4"     | CIRCUITS                  | 1   |

| SQUARE FOOTAGE (SQ. FEET) |     |
|---------------------------|-----|
|                           | N/A |

| WEIGHT (LBS.) |     |
|---------------|-----|
|               | N/A |

View Specs >>

\*\*Post and decor by others

Qty

Quantity: 1

# PROPOSED MONUMENT SIGN

Proposed Monument Sign:  
 \* Approx. 22 square feet  
 (24 square feet max. allowed per HD Study)

## Ordinance 08-06

**AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, FOR A REQUEST OF ENTERPRISE RENT-A-CAR, KELLY SIMON (APPLICANT) FOR JEFF SIMMONS (OWNER) FOR A CHANGE IN THE CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 0.773 ACRE SITE GENERALLY LOCATED ALONG THE WEST SIDE OF MERCHANTS STREET BETWEEN 5985 AND 5969 MERCHANTS STREET, BOONE COUNTY, KENTUCKY.**

**WHEREAS**, the Boone County Planning Commission received a request for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 0.773 acre site generally located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky, which is more particularly described below; and,

**WHEREAS**, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 0.773 acre site generally located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky.

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

### **SECTION I**

That the request for a Change in an Approved Concept Development Plan for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, in a Commercial Two/Planned Development (C-2/PD) zone for a 0.773 acre site generally located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky. The real estate which is the subject of this request for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone is more particularly described in DEED BOOK 920, PAGE NO. 11 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

### **SECTION II**

That as a basis for the recommendation of approval, with conditions, for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 0.773 acre site generally located along the west side of Merchants Street between 5985 and 5969 Merchants Street, Boone County, Kentucky, findings of fact and conditions of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby

incorporated by reference as if fully set out in this Resolution and marked as "Exhibit A."

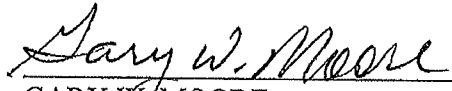
The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and marked as "Exhibit B."


### SECTION III

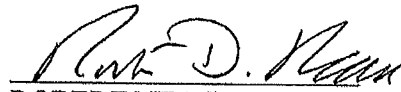
That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

Introduced and given First Reading on the 8th day of April, 2008.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 6th day of May, 2008, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the County Fiscal Court Clerk and declared to be in full force and effect.

  
GARY W/MOORE  
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:  
  
BLAIR SCHROEDER  
FISCAL COURT CLERK

  
ROBERT NEACE  
COUNTY ATTORNEY

May 22, 2008  
DATE PUBLISHED

