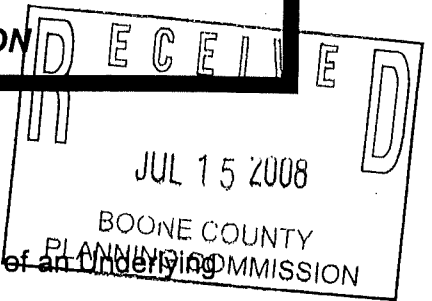


APPLICATION FORM

CONCEPT DEVELOPMENT PLAN  
BOONE COUNTY PLANNING COMMISSION



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

1. Check One:

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

- 2. Name of Project AVIATORS MULTITENANT FACILITY
- 3. Location of Project LOT 15, AIRPORT EXCHANGE BLVD
- 4. Total Acreage of Site 1.52
- 5. Current Zoning C-3/PD/CD
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) R-95-032; R-07-89
- 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) multi-tenant retail mostly in C-3 regulated businesses to support surrounding BP users.
- 9. Proposed Building Intensities (please specify) 9600 SF Building on 1.52 Acres - SF/Acre is 6315.78 of Bldg. Intensities

- 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) WRIGHT CONTRACTING SERVICES INC.
- Phone Number 859.344.0117 Fax No. 331.5348
- 13. Address of Applicant(s) Foundation Drive  
FLORENCE KY 41042

- 14. Name of Property Owner(s) INDUSTRIAL DEVELOPMENTS INTERNATIONAL (ID)
- Phone Number 859.431.1444 Fax No. 859.431.2888
- 15. Address of Property Owner(s) 100 E. River Center Blvd., Suite 420  
Covington KY 41011

- 16. Are there any existing buildings on the site? NO  
How many? —
- 17. Deed Book 234 Page No. 168 Group No. 2022
- 18. Have you had a pre-application meeting with BCPC Staff? YES

# EXHIBIT

“A”

## STAFF REPORT

Request of **Wright Contracting Services, Inc. (applicant)** for **Industrial Developments International (owner)** for a Change in an Approved Concept Development Plan in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, Boone County, Kentucky. The request is for a Change in Concept Development Plan to allow a multi-tenant retail building.

August 20, 2008

### PROPOSAL

This request is for a Change in an Approved Concept Development Plan for a 1.52 acre site located on the south side of Airport Exchange Boulevard to allow a multi-tenant retail building. The application form states that the proposal is for "multi-tenant retail mostly in C-3 regulated businesses to support surrounding BP (business park) uses" and that the proposed building is "9,600 s.f." which is an intensity of "6,315 s.f./ac."

A Concept Development Plan has been submitted with this request. The plan shows a 9,600 square foot (60' X 160') building in the center of the lot, with a parking area and sidewalk which surround the building. The submitted black and white elevations state "cultured stone, brick veneer, EIFS and fabric canopy" as the only building materials proposed.

Landscape islands and peninsulas are generically shown throughout the parking area. The Concept Development Plan shows 99 parking spaces on this site with "Existing Shared Parking" of 122 spaces at the Baymont Inn (113 sleeping rooms).

### SITE HISTORY

- 1988 Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD).
- 1989 Zoning Map Amendment to establish a Special Sign District was approved with conditions (attached).
- 1995 Change in an Approved Concept Development Plan was approved with conditions (attached). This lot was approved for "O-2 Office" uses with a gross floor area maximum of 26,000 square feet with a maximum height of 25 feet and 2 stories.

### SITE CHARACTERISTICS

The site contains 1.52 acres and has 236.55 feet of frontage along Airport Exchange Boulevard. The site is relatively flat sloping with from south to north with the high point being at approximately el 906 in the southwestern portion of the lot and the low point being at approximately el 900 at Airport Exchange Boulevard. Public water and sanitary sewer are available along Airport Exchange Boulevard.

### ADJACENT ZONING AND LAND USES

- North: Across Airport Exchange Boulevard within the Airport Exchange Subdivision, Existing Teklogix Corporation located on a 5.3 acre parcel owned by Gateway KY Properties zoned Industrial One, Office Two, Commercial Services, Planned Development with an approved Concept Development Plan (I-1/O-2/C-3/PD/CD).
- East: Existing Airport Holiday Inn zoned I-1/O-2/C-3/PD/CD.
- South: Existing Baymont Inn zoned I-1/O-2/C-3/PD/CD.
- West: Existing IDI Office Center on a 5.69 acre parcel owned by Cabot Industrial Properties zoned I-1/O-2/C-3/PD/CD.

### RELATIONSHIP TO COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site as "Business Park." This designation is described as "A mix of office warehouse, research, office, and light industrial uses in a park-like, office campus setting with large building setbacks, low floor area ratio, integrated pedestrian and recreation facilities, constant architectural and signage theme, extensive landscaped areas, and attractive entrance treatment. This land use is recommended for high visibility areas and transition areas between industrial and residential land uses."

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

"To the north, the Mineola Interchange area has experienced, and should continue to experience, significant Business Park development. The Airport Exchange Business Park and Circleport Industrial Parks should continue to develop ("14. Airport Area," pg. 153)."

The Business Activity Element states the following regarding the general area.

"Additional commercial growth based upon the expansion of the airport, and subsequent industrial growth, will be located at the Mineola I-275 interchange as evidenced by the Airport Exchange Business Park and Circleport Industrial Park ("Recommended Areas of Commercial Activity," pg. 64)."

The Goals and Objectives include the following pertinent statements.

- A. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- B. Proper design principles shall be applied in development ("Overall," Objective 3).
- C. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed ("Overall," Objective 4).
- D. Boone County shall strive to achieve both a diversity and balance in land use. Land use and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner ("Overall," Objective 6).
- E. Innovative development design methods shall continue to be pursued and supported through incentives ("Overall," Objective 9).
- F. The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- G. 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).
- H. 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).

- I. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Social Objective 4).
- J. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).
- K. Compact, efficient development patterns shall be encouraged for business districts (e.g. industrial, commercial and office) with appropriately sized and well maintained buffer spaces between the business use and other land usage. ("Business Activity," Overall Objective).
- L. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe and effective access and ample parking spaces ("Business Activity," Commercial Objective 1).
- M. The large scale mixing of commercial and non-commercial uses shall occur in planned developments or in areas where consideration has been given to assure compatibility with surrounding land uses. The location of large scale commercial uses shall take into consideration existing or planned infrastructure conditions so as to protect the existing and future population and businesses. Small scale mixing of commercial uses within residential areas shall be carefully assessed and properly placed so as to enhance the neighborhood. Architectural Design Review and consistent sign standards shall be implemented on a corridor by corridor basis, when justified by legitimate land use planning principles ("Business Activity," Commercial Objective 2).
- N. 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 1).
- O. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops ("Transportation," 2<sup>nd</sup> Goal, Objective 3).

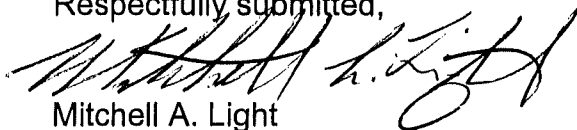
STAFF COMMENTS

1. Elevation drawings were submitted and revised. A standing seam metal roof element was eliminated from the revised elevations. No color elevations or material samples have been submitted for comment as of the writing of this Staff Report.
2. The applicant did not submit a proposed sign package for the development with the application. Has there been any thought to the proposed signage for this project?
3. Staff has attached copies of the principally permitted uses for the I-1, O-1, O-2, C-1 and C-3 zones. Staff would like to point out that the principally permitted uses of the O-2 and O-1 zone are principally permitted in the I-1 zone and the principally permitted uses of the C-1 and O-1 zone are principally permitted in the C-3 zone.
4. If approved, a thorough site plan review will be conducted by the Boone County Planning Commission Staff as well as the Boone County Project Review Committee.

CONCLUSION

The request needs to be evaluated by the Boone County Planning Commission and Boone County Fiscal Court in terms of Articles 3 and 15 of the Boone County Zoning Regulations. The Future Land Use Map would need to be amended if the request is approved.

Respectfully submitted,

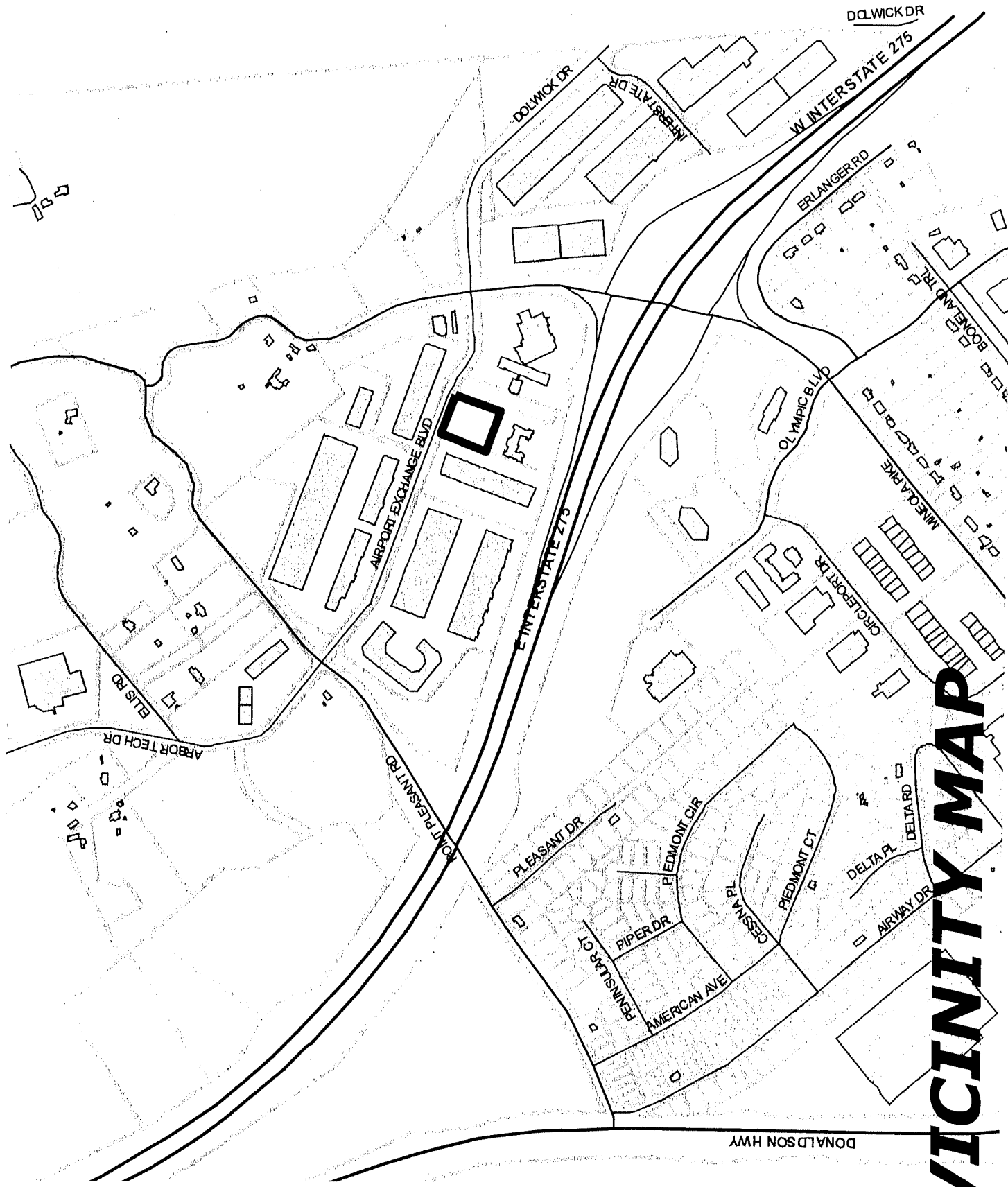


Mitchell A. Light  
Asst. Zoning Administrator/Enforcement Officer

MAL/pr

attachments:

- Vicinity Map
- Zoning Map
- Concept Development Plan
- Revised Elevations
- 1989 ZMA Special Sign District Conditions of Approval
- 1995 Change in Concept Development Plan Conditions of Approval
- I-1, O-1, O-2, C-1 & C-3 Uses
- Planned Development Standards
- Application



DOLWICK DR

W INTERSTATE 275

DOLWICK DR

INTERSTATE DR

ERLANGER RD

AIRPORT EXCHANGE BLVD

E INTERSTATE 275

OLYMPIC BLVD

BOON BLVD

ELIS RD

ARBOR TECH DR

NORTH PLEASANT RD

PLEASANT DR

PIEDMONT CIR

PIEDMONT CT

DELTA PL

DELTA RD

RENSLAW CT

PIPER DR

AMERICAN AVE

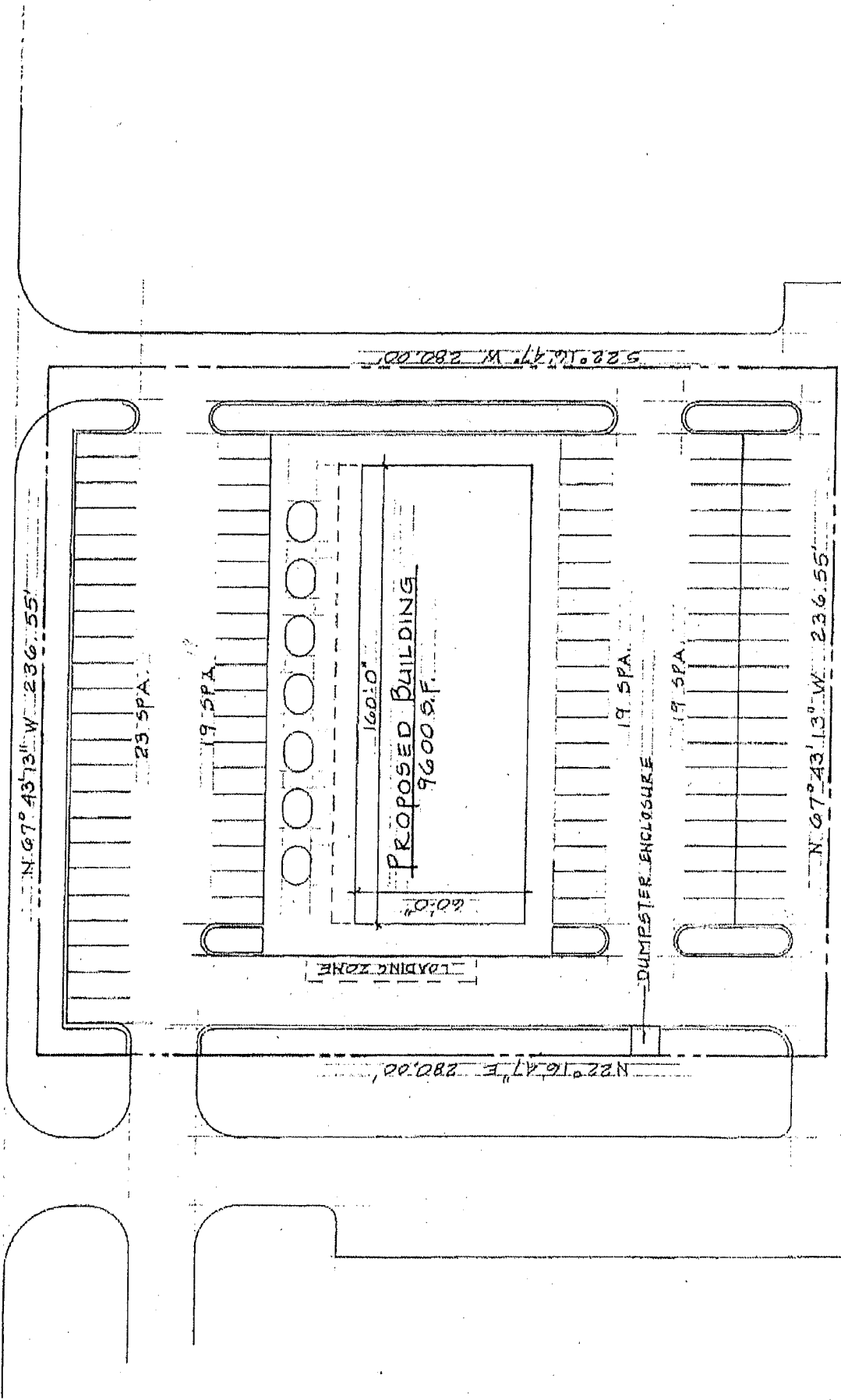
DONALDSON HWY

# VICINITY MAP

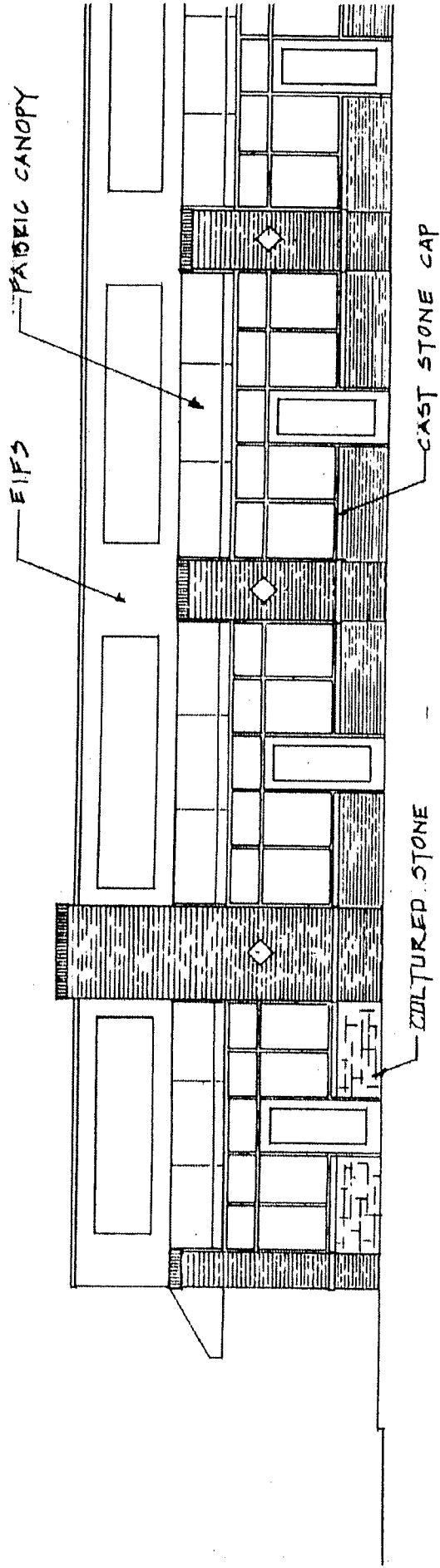


# ZONING MAP

AIRPORT EXCHANGE BOULEVARD

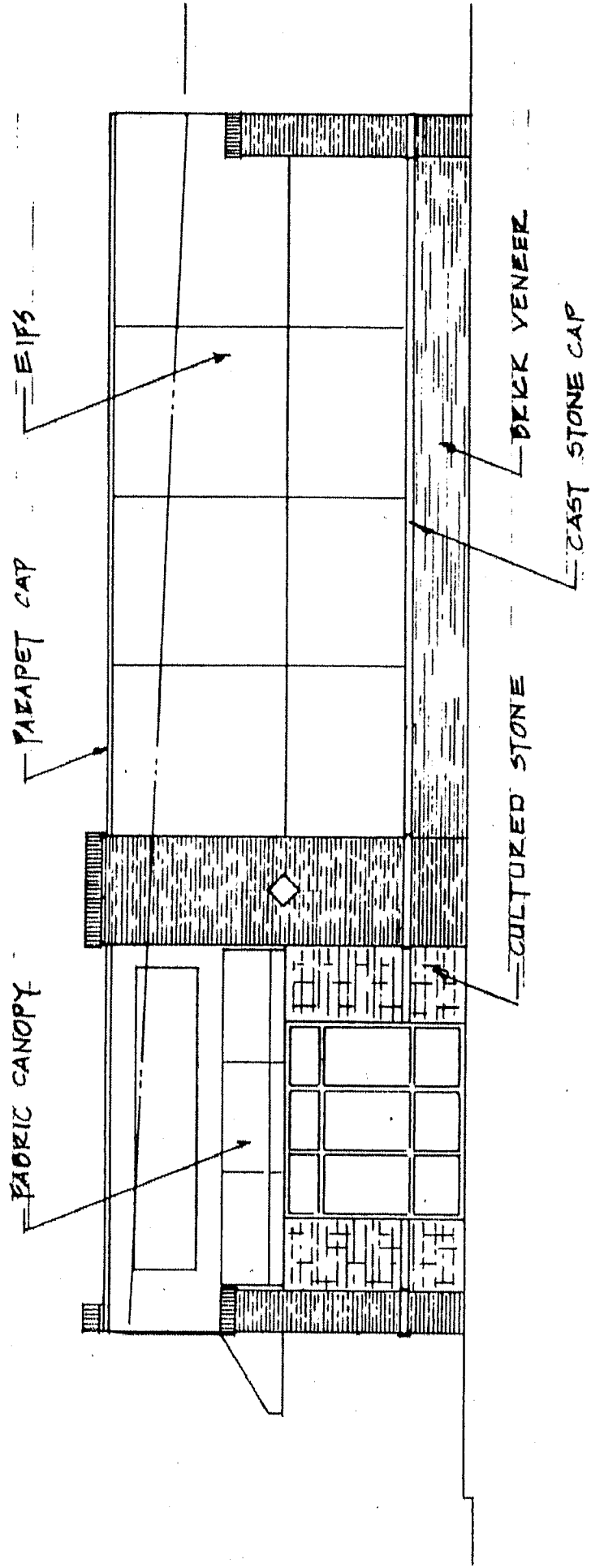


# CONCEPT DEVELOPMENT PLAN



NORTH ELEVATION. 1/8" = 1'-0"

# REVISED ELEVATIONS



WEST ELEVATION 1/8" = 1'-0"  
EAST ELEVATION OPP. HAND

# REVISED ELEVATIONS

**BOONE COUNTY PLANNING COMMISSION****BOONE COUNTY ADMINISTRATION BUILDING****P.O. BOX 887 — 1880 WASHINGTON STREET****BURLINGTON, KENTUCKY 41005****334-2198****MR. WILLIAM R. VICK**  
CHAIRMAN**MR. FRED BURCH**  
VICE CHAIRMAN**MRS. CAROL SMITH**  
SECRETARY-TREASURER**MR. GERALD A. NEWTON**  
DIRECTOR**MR. D. T. WILSON**  
ATTORNEY

January 31, 1989

Mr. Robert Laughlin  
LJ Hooker Development Company  
1310 Kemper Meadow Drive  
Suite 100  
Cincinnati, Ohio 45240

RE: Proposed conditions for approval of your  
request for a Zoning Map Amendment.

Dear Mr. Laughlin:

The following represents possible conditions being discussed by the Zone Change Committee. If you, as the applicant will agree to these conditions, please indicate so by signing your name at the end of this form and returning it to our office by 3:00 p.m., Wednesday, February 1, 1989.

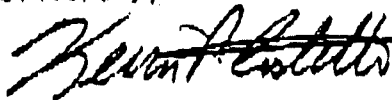
**CONDITIONS**

1. The proposed interstate signs (signs #3 and #8) shall be located on the existing retaining wall. The retaining wall shall have a brick finish.
2. All sign locations with the exception of the traffic control signs, the building mounted signs and the water featured signs shall have landscaping features near them.
3. The hotel site (Lot H) shall be permitted one free-standing sign located along Airport Exchange Boulevard. The maximum size allowed of this sign type is 10 feet in height and 3 feet in width.
4. The hotel site (Lot H) shall be allowed two building mounted signs at the top of the proposed building facing both the eastern and western sides of the interstate.
5. All signs and landscaped areas shall be maintained by the owner of each lot, developer of the subdivision or by a private landowners agreement or association.

MR. ROBERT LAUGHLIN  
PAGE TWO  
JANUARY 31, 1989

6. The following condition establishes the review procedure for application of sign permits in the Airport Exchange Business Park Special Sign District.
  - a. An applicant submits an application for a sign permit in the Planning Commission's office.
  - b. The Staff and Zoning Administrator determines if the proposed sign meets the requirements as stated in the written text and approved drawings of the Airport Exchange Business Park Special Sign District.
  - c. If the Zoning Administrator determines that the proposed sign does not meet the requirements, the applicant may appeal the decision to the Airport Exchange Business Park Special Sign District Committee. This Committee will be composed of a representative from the Boone County Planning Commission, a representative from LJ Hooker Development Company and independent or third party individual, selected by agreement by both the Boone County Planning Commission and LJ Hooker Development Company, who shall have no economic interest in the project.
7. These conditions shall be incorporated into the text of the Airport Exchange Business Park Special Sign District.

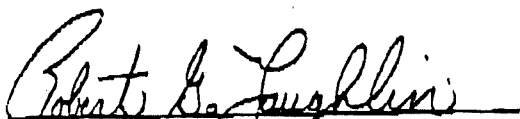
Sincerely,



Kevin P. Costello,  
Assistant Director/Senior Planner

KPC:kat

I, the applicant, agree to the above listed conditions for approval of my request for a Zoning Map Amendment to establish a Special sign District for Airport Exchange Business Park located North of I-275, east of Point Pleasant Road and west of Mineola Pike, Boone County, Kentucky.



Robert G. Laughlin, Applicant  
LJ Hooker Developments

# COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Fred Burch, Chairman

DATE: August 16, 1995

RE: Request of Smith, Stevens and Young, Inc. (applicants) for Industrial Development International (owner) for a Change in Concept Development Plan for an approximately 11 acre site known as Lots 2 and 3, Airport Exchange Business Park, Boone County, Kentucky. The request is to modify the currently approved Concept Development Plan to allow an office building, a motel, and an office/warehouse flex building in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone.

## REMARKS:

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

### Findings of Fact

1. The Committee believes that the uses proposed by the applicant are in agreement with the 1995 Boone County Comprehensive Plan. In addition, the Future Land Use Map indicates the area as Business Park, which encourages a mix of uses similar to those proposed in this development.
2. The Committee believes that the proposed Change in Concept Development Plan is in agreement with Article 15 as it relates to mixed use developments which make a more useful pattern of open space and a more efficient use of land.

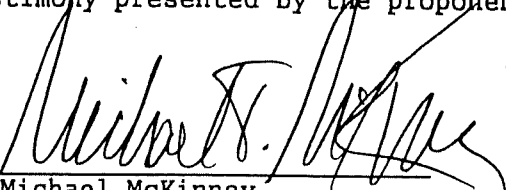
### Conditions

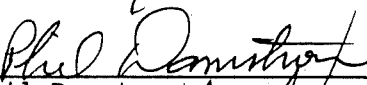
The applicant and owner are being asked to agree to and include these items as part of the Change in Concept Development Plan and to address questions and comments at the Public Hearing:

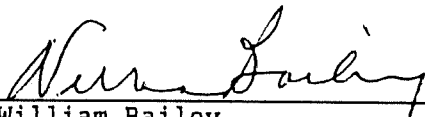
1. The development of the site shall conform to the Boone County Zoning Regulations, Article 31, Section 3170 regarding landscaping. The landscaping will be reviewed during the Site Plan Review procedure.
2. The submitted Airport Exchange Business Park Protective Covenants shall apply to the development of this site.

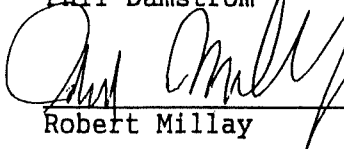
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

  
\_\_\_\_\_  
Fred Burch, Chairman

  
\_\_\_\_\_  
Michael McKinney

  
\_\_\_\_\_  
Phil Damstrom

  
\_\_\_\_\_  
William Bailey

  
\_\_\_\_\_  
Robert Millay

\_\_\_\_\_  
Barry Neltner

**O-1**

**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.
27. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.

## **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.

**SECTION 1113**  
**Conditional Uses**

1. Child and adult care centers;
2. Convenient stores;
3. Beauty and barber services and tanning salons;
4. Laundering, dry cleaning and dyeing services, including self-service;
5. Shoe repair, shoe shining and hat cleaning services;
6. Florists, excluding greenhouses.

**SECTION 1121**

**Principally Permitted Uses**

The following uses are permitted:

1. All principally permitted uses of an Office One (0-1) District;
2. Retail sales of newspapers and magazines, drugs, and proprietary goods;
3. Banking and credit union services, including drive-thru teller services.
4. Convenient stores;
5. Beauty and barber services and tanning salons;
6. Laundering, dry cleaning and dyeing services, including self-service;
7. Shoe repair, shoe shining and hat cleaning services;
8. Florists, excluding greenhouses.
9. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.

**SECTION 1122**

**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 purpose of the district defined to be:
  - a. Museum, art and craft galleries, conservatories and other cultural exhibits;
  - b. Aquariums, botanical gardens and arboretums, nature preserves, wildlife sanctuaries and other natural exhibitions;
  - c. Historic sites, structures, monuments and other exhibits available for public viewing;
  - d. Amphitheaters, motion picture theaters, legitimate theaters, playhouses and other entertainment assemblies;
  - e. Auditoriums, exhibition halls and other public or miscellaneous assembly;
  - f. Golf courses, tennis courts, ice and roller skating, bowling and other sports activities;

- g. Play lots or tot lots, playfields or athletic fields, recreation centers, gymnasiums, clubs and other athletic uses and structures;
  - h. Swimming beaches and swimming pools;
  - l. Picnicking, hiking areas, exercise trails and other recreational uses;
  - j. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
2. Public transit stations and terminals;
  3. Postal travel and transportation ticket or forwarding services;
  4. Detective, protective and other police services;
  5. Signage (See Article 34);
  6. Parking (See Article 33);
  7. Automatic teller machines;
  8. Retail defined as:
    - a. Books and stationery;
    - b. Florists excluding greenhouse or outdoor storage or growing areas;
    - c. Cigars and cigarettes;
    - d. Beauty and barber services;
  9. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

**SECTION 1123**  
**Conditional Uses and Criteria**

1. Hotels, tourist courts and motels only where the primary trade is of direct relation or support of the uses and purposes of the district;
2. The writing, publishing of newspapers, periodicals and books provided any printing operation is subservient to the writing and publishing activity and does not conflict with the purposes of permitted uses of the district;
3. Telephone, telegraph, radio and television relay, transmitting and receiving equipment provided the equipment is in direct support of the defined accessory use and does not

physically or visually overpower, detract or conflict with the building design, scale or character proposed in this district;

4. Gasoline filling stations and auto repair facilities provided the use is in direct support of and primarily trades from the employees of the district;
5. Blueprinting and photocopying services;
6. Window cleaning, disinfecting and exterminating, dwelling and building services;
7. Automobile leasing or rental agencies (maximum storage of 50 vehicles);
8. Adult and child care centers.

**SECTION 1131**

**Principally Permitted Uses**

Permitted are the wholesale distribution, storage, manufacturing and assembly of industrial products:

1. All principally permitted uses in an Office Two (O-2) zone;
2. Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut but excluding the primary manufacture of meat and fish, which includes the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage of rawhides or skins;
3. Textile mill products except primary manufacture of dyes, fibers, felt, rubber goods;
4. Apparel and other finished products made from fabrics, leather and similar materials except primary manufacture of rubber;
5. Fabricated wood products including containers, building components, structural members, but excluding the primary manufacture of wood or wood products;
6. Furniture and fixtures;
7. Paper products including envelopes, bags, boxes and containers, but excluding the primary manufacture of pulp, paper, paperboard or paper products;
8. Printing industries;
9. Pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations;
10. Soaps and other detergents;
11. Fabrication of metal products except firearms and accessories, large scale machinery, and transportation vehicles;
12. Professional, scientific and controlling instruments, photographic and optical goods, watches and clocks;
13. Electric and electronic equipment;
14. Jewelry and precious metals, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils and other office and artists materials, brooms and brushes, lamp shades, signs and advertising displays, umbrellas, parasols and canes and other miscellaneous fabrication activities.

15. Technology and research centers including medical and hospital research establishments;
16. Educational and governmental institutions;
17. Wholesale trade of automobile accessories and parts;
18. Wholesale trade of drugs, drug proprietaries and sundries;
19. Wholesale trade of dry goods and apparel;
20. Wholesale trade of groceries and related products in enclosed facilities except animals or raw farm materials or products;
21. Wholesale trade of electrical and electronic parts;
22. Wholesale trade of hardware, plumbing, heating, equipment and supplies;
23. Wholesale trade of small machinery, equipment (light) and supplies except transportation or farm vehicles;
24. Other wholesale trade except non-containerized or bulk raw metals and minerals, petroleum products, scrap and waste materials;
25. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
26. Window cleaning, disinfecting, exterminating, grounds keeping, and other dwelling and building services;
27. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage;
28. Research, development and testing services;
29. Detective and protective services;
30. Photo finishing and other photographic laboratories;
31. Electrical repair and armature rewinding services;
32. Reupholstery and furniture repairing and refinishing services;
33. Scientific research services and laboratories;

34. Building construction, general contractor, plumbing, heating, air conditioning, painting, paper handling, decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, wood flooring, roofing and sheetmetal, water-well drilling, septic and other special construction trade offices, supply, storage and related activities;
35. Postal services and related storage, distribution and transfer activities;
36. Agricultural contract sorting, grading and packaging services of fruits and vegetables;
37. Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
38. Freight forwarding, packing and crating services;
39. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;
40. Equipment (light) rental and leasing services including automobiles and trucks;
41. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
42. Manufacture of plastic products but not the primary manufacture of plastics;
43. Welding shops for the repair of industrial machinery and heavy equipment;
44. Truck stops;
45. Recycling centers;
46. Fire stations or fire related or protective services including rescue services;
47. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
48. Commercial recreational vehicle parking facilities;
49. Landscape contracting and wholesale nurseries.
50. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.

**SECTION 1132**  
**Accessory Uses**

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

1. Recreational uses or spaces of integral relation to the purposes of the district defined to be:
  - a. Nature preserves, wildlife sanctuaries, open spaces and other natural areas;
  - b. Historic sites, structures, monuments and other exhibits available public viewing;
  - c. Auditoriums, exhibition halls and other public or miscellaneous assembly;
  - d. Golf course and tennis courts;
  - e. Swimming beaches and swimming pools;
  - f. Picnicking, hiking areas, exercise trails and other recreational uses;
  - g. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
  - h. Recreation/Health centers.
2. The administration management, stenographic reproductions, research, sales (including industrial retail sales, exhibit or display) and any related or integral office use or activity of the permitted use;
3. Railroad right-of-way including switching and marshaling trackage and freight terminals;
4. Marine freight terminals;
5. Employment services;
6. Signage (See Article 34);
7. Parking (See Article 33);
8. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, and which are conducted in accordance with Section 3154;
9. Food service for office, manufacturing or distribution uses;
10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

## **SECTION 1133**

### **Conditional Uses and Criteria**

1. Uses in which the primary business activity involves the following:
  - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
  - b. bag cleaning;
  - c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
  - d. creosote treatment;
  - e. distillation of bones, coal or wood;
  - f. enameling, japanning or lacquering;
  - g. radium or radioactive elements;
  - h. crushing or other reduction or waterproofing;
  - i. the storage of chemicals;

The permission of such uses will be decided on an individual basis;

2. Poultry and small game dressing and packing;
3. Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
4. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
5. Gasoline filling stations and wash services;
6. Labor unions and similar labor associations;
7. Nursery and child care centers;
8. Hotels and motels;
9. Commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
10. Retail sales or leasing of new and used motor vehicles;
11. Wholesale vehicle sales or auctions;
12. Churches, synagogues, temples and other places of religious assembly for worship.

C-1

**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 1013**

### **Conditional Uses and Criteria**

1. Gasoline filling stations and automotive repair facilities;
2. Churches, synagogues, temples and other places of religious assembly for worship;

## C-3

### SECTION 1031

#### 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 with the exception of principally permitted use #27 in Section 1111.
3. Commercial parking facilities and commercial recreational vehicle parking facilities;
4. Sales of lumber, building materials, heating and plumbing equipment, electrical supplies, hardware and farm equipment;
5. Sales, automotive repair, or lease of new and used motor vehicles including tires, batteries and accessories;
6. Major furniture, floor coverings, household appliances and home furnishing outlets;
7. Eating and drinking establishments including alcoholic beverages;
8. Sporting goods and accessories including the sales and service of new and used marine craft, recreational vehicles, camping trailers, bicycles, and motorcycles and other sporting equipment and sales;
9. Sale of mobile homes, sheds, car ports and other pre-fabricated buildings;
10. Garden and landscape sales, lawn furniture and the like, farm and garden supply outlets including equipment and vehicles;
11. Food lockers including preparation facilities and individualized household goods storage lockers (mini warehouses);
12. Equipment (light), automobile, truck rental and leasing services;
13. Gasoline filling stations, automobile repair facilities, car and truck washes, but excluding junk yards, wrecking or other storage;
14. Sale of satellite dishes;
15. Florists including greenhouses;
16. General dry goods and merchandise stores;

17. Department stores, mail order houses, direct retail selling organizations of general merchandise;
18. Household appliances, china, glassware and metal ware;
19. Medical and dental laboratory services;
20. Travel arranging, transportation ticket and public event or promotional booking agencies;
21. Hotels and motels including convention facilities;
22. Auto parts and accessories stores;
23. Flea markets;
24. Churches, synagogues, temples and other places or religious assembly for worship;
25. The business of cashing checks or accepting deferred deposit transactions as regulated by KRS 368.010 to 368.120. **(APPLIES TO THE CITY OF FLORENCE CITY LIMITS ONLY)**
26. Pawn shops. **(APPLIES TO THE CITY OF FLORENCE CITY LIMITS ONLY)**

## **SECTION 1032**

### **Accessory Uses**

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

1. Recreation uses, buildings and structures customarily incidental and subordinate to any of the permitted uses and defined to be:
  - a. Stages and similar assembly areas;
  - b. Auditoriums, exhibition halls and other public assembly spaces;
  - c. Amusement centers;
  - d. Tennis courts and billiards;
  - e. Play lots, tot lots, recreation centers and similar athletic uses;
  - f. Swimming beaches and swimming pools;
  - g. General, leisure, ornamental and other park spaces;
2. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:

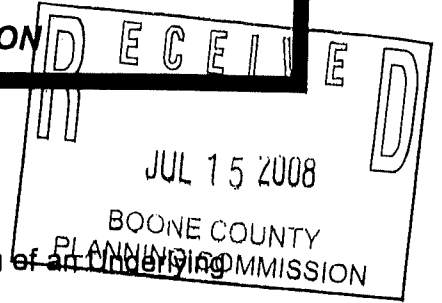
- a. Private garage and parking;
  - b. Structures such as fences and walls;
  - c. Buildings such as storage sheds;
  - d. Appropriate storage of a recreation vehicle or unit;
  - e. The keeping and use of appropriate household pets;
3. Signage (See Article 34);
  4. Parking (See Article 33);
  5. Temporary buildings incidental to construction;
  6. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, and which are conducted in accordance with Section 3154;
  7. The rental of trucks and trailers;
  8. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

**SECTION 1033**  
**Conditional Uses and Criteria**

1. Welding or limited fabrication of metal products provided the use is of office or service contract and not storage or manufacturing which is more appropriate to an industrial district;
2. Truck stops.

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN  
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

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

- 2. Name of Project Aviators Multi-Tenant Facility
- 3. Location of Project Lot 15, Airport Exchange Blvd
- 4. Total Acreage of Site 1.52
- 5. Current Zoning C-3/PD/CD
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) R-95-032; R-07-89
- 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) multi-tenant retail mostly in C-3 regulated businesses to support surrounding BP users
- 9. Proposed Building Intensities (please specify) 9600 SF Building on 1.52 Acres - SF/Acres is 6315.78 of Bldg. Intensities
- 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) WRIGHT CONTRACTING SERVICES INC.  
Phone Number 859.344.0117 Fax No. 331.5348
- 13. Address of Applicant(s) Foundation Drive  
FLORENCE KY 41042  
City State Zip
- 14. Name of Property Owner(s) INDUSTRIAL DEVELOPMENTS INTERNATIONAL (LLC)  
Phone Number 859.431.1444 Fax No. 859.431.2888
- 15. Address of Property Owner(s) 100 E. River Center Blvd., Suite 420  
Covington KY 41011  
City State Zip
- 16. Are there any existing buildings on the site? NO  
How many? —
- 17. Deed Book 234 Page No. 168 Group No. 2022
- 18. Have you had a pre-application meeting with BCPC Staff? YES

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

- Boone County Water District
- Florence Public Services Dept.
- Duke Energy
- Sanitation District #1
- Cincinnati Bell
- Owen Electric Cooperative, Inc.
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- Boone County Building Department
- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other: BCPC

20. Concept Development Plan Jurisdiction/Location

- Unincorporated Boone County
- Florence
- Walton Union
- Union

21. Applicant's Signature(s)

*Donald K. Martin*

22. Property Owner's Signature(s)

*[Signature]*

*Douglas A. ARMOURER VP Leasing*

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

1. Date Received 7-15-08 Fee Received \$2,312.40 R# 56930

2. Check what has been submitted:

- Application  Fee  Legal Description
- Concept Development Plan  Addresses of Adjoining Property Owners
- 5 No. of copies of plan received \*\*

3. Is application complete?  YES  NO

4. Staff Reviewer MITCH KAT

5. Committee Chairperson \_\_\_\_\_

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

7. Boone County Planning Commission Action:

- Approved  Approved With Conditions
- Denied

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

**\*\* Five (5) Copies Required**

Boone County Planning Commission  
 Boone County Administration Building  
 2950 Washington Street, Room 317  
 P.O. Box 958  
 Burlington, Kentucky 41005  
 (859) 334-2196 - Phone  
 (859) 334-2264 - Fax  
 plancom@boonecountyky.org - E-Mail  
 www.boonecountyky.org - Web Page

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

**Public Hearing Item No. 3:**

**Commission Members Present:** Mr. Breetz, Mr. Carmichael, Mr. Mike Ford, Mr. McMillian, Mrs. Poston - Chairwoman, Mr. Charlie Reynolds, Mr. Patrick Reynolds, Mr. Rolfsen – Vice Chairman, and Mr. Schwenke.

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

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

3. Applicant: **Wright Contracting Services, Inc. for Industrial Developments International (owner)**

Request: **Change in Concept Development Plan**

The request of **Wright Contracting Services, Inc. (applicant) for Industrial Developments International (owner)** for a Change in an Approved Concept Development Plan in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, Boone County, Kentucky. The request is for a Change in Concept Development Plan to allow a multi-tenant retail building.

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

Mrs. Poston asked for the applicant's presentation.

Mr. Don Martin, Jr., Owner/Vice President of Wright Contracting Services, 7655 Foundation Drive, Florence, introduced Mr. Randy Reno, also an Owner/Vice President of Wright Contracting Services, and their business partner/realtor Mr. Jeff Benders. Mr. Martin submitted a handout (see Exhibit 1) with information on Wright Contracting Services, survey results, and letters/faxes/emails from surrounding properties (as listed under Exhibit 1) and a packet containing a colored rendering of the proposed building, building elevations, and site/floor plans (see Exhibit 2). He stated that this is their 13<sup>th</sup> year in business. He and his partner previously worked for Paul Hemmer Companies for ten years doing similar work with tenants and smaller buildings. They have probably worked in this park for twenty years. They have done many projects in the park and in Boone County. In talking with tenants in the park, they saw that there was limited opportunity for food. He stated that employees have to get the services they need -- such as food, office supplies, technical support, uniforms, and dry cleaning.

This site was set up for office use, but it has been there for over twenty years and that has not happened. He stated that market conditions have changed and the office market is soft, making it unlikely that a two-story office building will go on the site. He stated that there has been expansion of the CirclePort facilities and Toyota and people in the area need a place to go for lunch, besides Subway. They also need retail support – such as dry cleaners and a florist. In talking with the hotels, they found that there was a huge need. There are letters of support from the hotels in the handout (see Exhibit 1). He stated that the uses will support the hotels on either side of the site, as well as businesses all the way down Airport Exchange. He presented a rendering of the proposed building. He stated that the design and colors will enhance the park and be complimentary to the existing buildings. He noted the cultured stone on the ends, utility brick on the bottom wall, and EIFS along the top of the building, as well as the glass storefront entrances and black awnings. They will continue the brick line across the back of the building (facing the Baymont Inn) and there will be black awnings around the entire building. He stated that they will lease the 60' x 20' bays. There will be no drive-throughs. He stated that they have talked to the individual tenants in the park and sent out surveys. The survey results are in the handout (see Exhibit 1).

Mr. Randy Reno stated that they went to Holiday Inn, the Baymont Inn, Courtyard by Marriott, Bob Sumerel and all of the other business around there and they got no negatives responses. People said that it would be so convenient not to have to drive anywhere for lunch. The Courtyard by Marriott wanted a dry cleaners. The Baymont Inn has 68 rooms and nowhere for people to eat – which hurts their business. He stated that most people get thirty minutes for lunch and they cannot go anywhere in that amount of time. He stated that a company with 200 people is going in across the street. He stated that there is nowhere to go to eat, other than Subway, and their carpenters cannot go to Subway for lunch because they only get 30 minutes and it is so crowded. All of the people he talked to said that the area needs something more convenient. Their proposal is better for the area as far as traffic and it be a great asset to the area.

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

Mrs. Amani Othman, owner of the gas station on Mineola Pike, stated that they bought the land seven years ago from IDI and went through a Zone Change because the property was approved for a sitdown restaurant. They had to get approval from the Association and from Boone County. She stated that they were forced to buy the three acres in the back of the lot, which was the only Commercial land there at the time, and they have to pay about \$15,000 a year in Association fees for their commercial land. She believes that another plaza will hurt them. She stated that none of the members of the Association knew about this project. She called Kevin Gross, who is responsible for the Association, and

told him about it. She believes that having another building there will not help anyone and it is not fair to them.

Mr. Othman, 1790 Airport Exchange, reviewed the costs and the process he went through to get approval for his business from Boone County and from the Association. He discussed the fees he pays to the Association. He stated that he got approval from the county last week for a Rally's Checkers restaurant. He does not understand how the applicant can come in for approval from the county when they do not have approval from the Association. He stated that all of the businesses on the street are part of the Association. He stated that there is a restaurant at the Holiday Inn. He stated that they are located across the street, but he did not receive a notice about this hearing. They only saw the sign by accident yesterday.

In response to a question from Counselor Wilson, Mr. Light stated that Mr. Othman is not an adjoining property owner. Mr. Othman's property is next to an adjoining property. He stated that legal notice was published in the Boone County Recorder on August 7, 2008. Mrs. Poston stated that letters are sent to the adjoining property owners. Mr. Othman responded that the Association should have received a letter.

Counselor Wilson stated that a letter has been received from the Association. He asked Mr. Light to read the letter.

Mr. Light stated that IDI is the owner of the subject property and a member of the Association. He does not know where the disconnect occurred. In response to questions from the Commissioners, Mr. Light explained that the Association is an owners' association and the applicant has to get approval from the Planning Commission and from the Association. Mr. Light read the letter from Thomas P. Vergamini with Taft Stettinius & Hollister LLP addressed to the Boone County Planning Commission, dated August 19, 2008 (see Exhibit 3).

Counselor Wilson stated that the Planning Commission does not have the authority to enforce the rules of the Association, but the Planning Commission has put the applicant on notice of the letter from the Association. He stated that the applicant has to get approval from the Planning Commission and from the Association. He stated that seeking approval from the Association is a separate process.

Mrs. Othman stated that they are opening their restaurant in six weeks and she objects to this proposal.

There being no one else present who wished to speak in regard to the request, Mrs. Poston asked if there were any comments or questions from the Commissioners.

Mr. Rolfsen asked if customers will be able to enter at the back of the building. Mr. Martin responded that the entrances to the stores will be in the front and the service areas will be in the back. Mr. Rolfsen questioned the location of the dumpster. Mr. Martin responded that there will be a screen around the dumpster. He indicated the location of the dumpster on the Concept Development Plan. Mr. Rolfsen asked if they have any tenants for the building. Mr. Martin responded that it is early on and there are still a lot of things to do. This is their first application for approval.

Counselor Wilson asked if the applicant is aware of the Restrictive Covenants. Mr. Martin responded "yes". Counselor Wilson advised the applicant that approval from the Planning Commission does not make them exempt from approval by the Association.

Mr. Ford asked if people coming out of the front door of the Baymont Inn will be looking at this building. Mr. Martin responded "yes". Mr. Ford stated that the first thing they will see is the parking lot and the back of the building. Mr. Reno stated that they will share a parking lot with the Baymont Inn. Mr. Martin stated that the brick on the back of the building will be about the same height as it is on the front and there will also be EIFS along the top. The dashed lines on the floor plan (Exhibit 2) represent the awnings on the front and side and over the doors on the rear. Mr. Ford noted that there will not be any windows in the back. Mr. Martin agreed. Mr. Reno stated that the Baymont Inn is aware of what the back of the building will look like. He stated that the back of the building will basically look like the front of the building with awnings over the doors.

Mr. Schwenke asked if the air-conditioning equipment on the roof will be visible. Mr. Martin responded that it will be visible from the second or third floor of the Baymont Inn. There will be a parapet that slopes to the back so that it is not seen from the ground.

Mr. Breetz questioned the location of the dumpster and asked if it will be screened. Mr. Reno responded that it will be screened with brick and there will be a gate so that people cannot see it. Mr. Light indicated the location of the dumpster on the Power Point slide. Mr. Breetz asked if the dumpster for Subway is in the parking lot area. Mr. Reno responded "yes" and added that the dumpster is temporary and will be moved all the way back for the project that is coming.

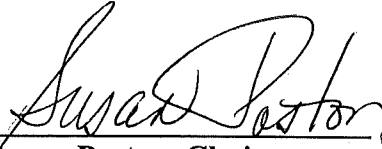
Mr. Charlie Reynolds asked if they considered a compactor instead of a dumpster. Mr. Martin responded that they did not consider a compactor because they do not know what the tenants' needs will be. Mr. Reno stated that they could look at a compactor, but there may be an issue with the noise. He stated that the dumpster enclosure will be brick with gates and there will be landscaping. They want the dumpster area to look good at all times. The dumpster area will be like the one at Smokey Bones on Mall Road.

Mr. Ford questioned the signage. Mr. Martin responded that signage is the next step – if they cannot build the building, there is no sense in pursuing other items.

Mrs. Poston asked if the parking is adequate. Mr. Reno responded “yes” and stated that the parking was part of the original agreement.

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on September 3, 2008 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on September 17, 2008 at 7:00 PM. Mrs. Poston closed this Public Hearing at 9:08 PM.

**APPROVED:**

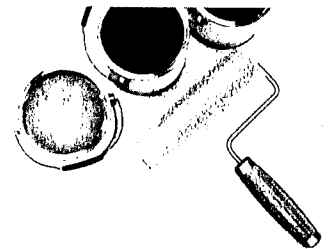
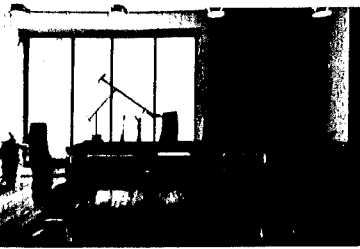
  
\_\_\_\_\_  
Susan Poston, Chairwoman

Attest:

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

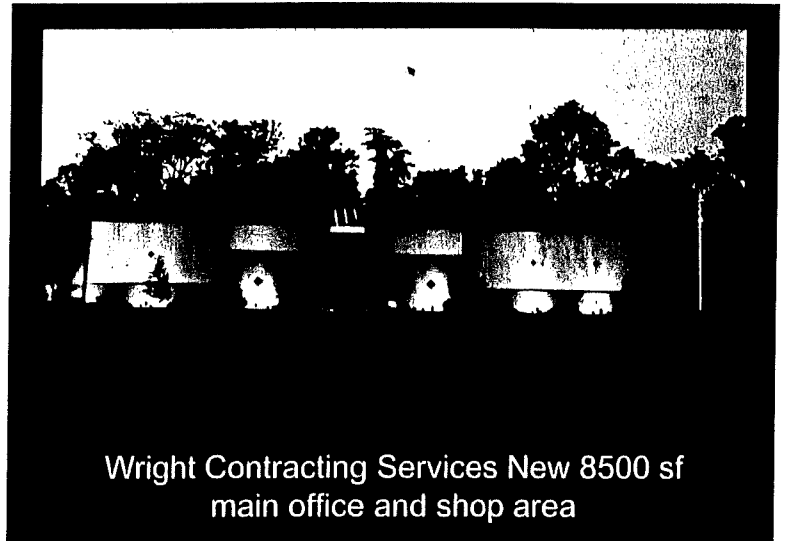
**Exhibits –**

1. **A packet of information, submitted by the applicant, containing:**
  - **information about Wright Contracting Services, Inc.**
  - **business cards**
  - **food survey with completed survey sheets and summary of results**
  - **letters from Baymont Inn & Suites, Residence Inn Marriott, and Courtyard by Marriott at Cincinnati Airport**
  - **fax from Hanser Music Group**
  - **emails from Bob Sumerel Tire and Catholic Health Initiatives**
2. **Colored rendering of the proposed building, elevation drawings, Site Plan and Floor Plan, submitted by the applicant**
3. **Letter from Thomas P. Vergamini with Taft Stettinius & Hollister LLP addressed to the Boone County Planning Commission, dated August 19, 2008, submitted by Staff**



Specializing in General Contracting, Renovation, Painting, Lawn & Landscaping Services

Founded in 1995, Wright Contracting Services, Inc. is a growing general contractor, painting contractor and grounds care and maintenance company. Based in Florence, Kentucky, we service customers in the Greater Cincinnati, Northern Kentucky and Southern Indiana markets as well as Louisville and Lexington Kentucky, Columbus and Dayton, Ohio and Indianapolis, Indiana.



Wright Contracting Services New 8500 sf main office and shop area

### Building Services

- General Contracting
- Tenant Improvements
- Interior/Exterior Renovations
- New Building/Additions
- Design Build Services
- Pits, Docks & Doors
- Building Alterations

### Painting

- Painting
- Commercial
- Wallcoverings/Faux Finishes
- Interior
- Exterior
- Dryfall Spray
- Fleck Spray Applications

### Landscaping

- Landscape
- Mowing
- Fertilization/Weed Control
- Mulching
- Spring/Fall Clean Up
- Hardscape/Retaining Walls
- Snow Removal

Wright Contracting Services, Inc.

7655 Foundation Drive  
 Florence, KY 41042

Direct: 859-344-0117 Fax: 859-331-5348

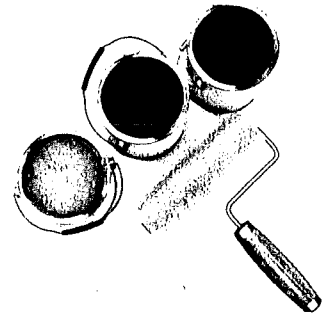
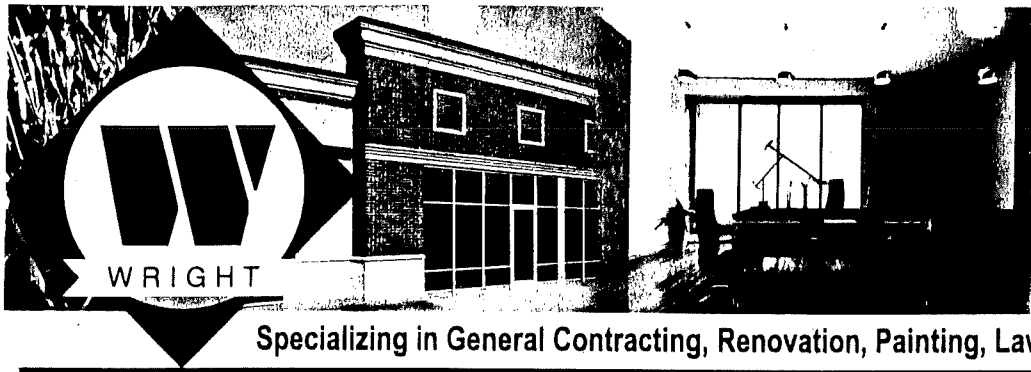
www.WrightContractingsi.com



Proud Member  
 Northern Kentucky  
 Chamber of Commerce



HOME BUILDERS ASSOCIATION  
 OF NORTHERN KENTUCKY



Specializing in General Contracting, Renovation, Painting, Lawn & Landscaping Services

## Testimonials

### Better Bodies

Whenever a company does an outstanding job, it's imperative to recognize that companies extra effort. I had the pleasure of recently working with Wright Contracting, and in particular Randy Reno and yourself, to complete the interior construction of our Edgewood location. Wright Contracting's diligence and professionalism have reassured Better Bodies that there are other companies like us that fulfill their promises.

### Opus North Corporation

On behalf of the project Superintendent Mike Mettleman, Opus North Corporation and myself, I sincerely thank you for all of your hard work and attention to our needs. As future opportunities arise I hope we can find a way to once again enlist your services. Further, if you ever require and reference rest assured you have earned one from Opus. Thanks again!

### Sears Holdings

I want to convey my sincere appreciation for your expertise, knowledge, experience, and sincere dedication to finish a very difficult scope of work in a time frame (6 weeks) that quite simply, has never been accomplished before to my knowledge in national retail construction environment. Needless to say, if Sears had delivered like Wright Contracting Services, we delivered this project would, without a doubt, been completed in the original budgeted time frame (6 weeks). Without hesitation I would highly recommend you and your company to anyone in the retail construction industry.

### TGW International

Your cooperation with our office and your attention to detail were both very important to us especially since the work was performed during office hours. We were surprised that the disturbance was so minimal. Our office continued to function in its normal capacity, even when such a major remodeling project was going on.

We could always count on a quick response from you and your employees in returning our calls and answering any concerns. And when the project was completed, the clean up was excellent. We would not have even known you were there if it wasn't for our nice, newly expanded office!

**"At Wright Contracting Services, Inc., our company focus is the pride in the workmanship of our employees and subcontractors, and earning the customer's loyalty. We expect the best and will not accept less."**

**Wright  
Contracting  
Services, Inc.**



**Arrowhead  
Services**

Commercial/Industrial Contracting  
Interior Renovation

Full Service Lawn & Grounds Care  
Landscaping/Hardscaping

Commercial/Residential  
Painting/Decorating

*Randy J. Reno • Owner/Vice President*

---

7655 Foundation Drive • Florence KY 41042 • Tel: 859.344.0117  
Cell: 859.250.0616 Fax: 859.331.5348 E-mail: rreno.wright@fuse.net  
Website: wrightcontractingsi.com

**Wright  
Contracting  
Services, Inc.**



**Arrowhead  
Services**

Commercial/Industrial Contracting  
Interior Renovation

Full Service Lawn & Grounds Care  
Landscaping/Hardscaping

Commercial/Residential  
Painting/Decorating

*Donald K. Martin, Jr • Owner/Vice President*

---

7655 Foundation Drive • Florence KY 41042 • Tel: 859.344.0117  
Cell: 859.250.0619 Fax: 859.331.5348 • E-mail: dmartin.wright@fuse.net  
Website: wrightcontractingsi.com



[Home](#) | [Builder Services](#) | [Painting Services](#) | [Landscaping Services](#) | [Photos](#) | [Testimonials](#) | [About](#) | [Contact Us](#)

### TESTIMONIALS

Thanks for a job well done. I will definitely contact you if we have any future construction needs.

-American Red Cross, David Major  
Director General Services

[17 more...](#)

### AWARDS



### NEWSLETTER



[1st Quarter 2008](#)

[6 more...](#)

### Builder Services

Wright Contracting Services is a Northern Kentucky based general contracting and Service company.

Primarily a Commercial/Industrial contractor we specialize in tenant improvements, work, office/warehouse and medical office build out and renovation, building additions and commercial building construction.

We have worked with many realtors, property managers and building owners on lease negotiations, budget pricing and value engineering to make the deal a reality.

Tenant Improvement projects have been performed thousands of times by our knowledgeable staff and will work with you to get the level of finish needed for each customer. From lease negotiations to tight move-in schedules we can help you get in the space you want and need.

Small custom buildings and additions are also part of projects performed by Wright Contracting Services. From 20,000SF commercial build out to 300 seat church sanctuaries and 10,000SF multi-use facilities (such as ours). Wright Contracting Service Inc. has the experience to assist your special needs.

Office and Production area renovations are also a key service offered by Wright Contracting Services, Inc. Many of our projects for major property owners are the renovation of their own or leased space. We have performed projects as small as \$200.00 and as large as over one million, so don't hesitate to contact one of our professional staff.

### Wright Contracting Services

Don Martin    Vice President/Estimator    [dmartin.wright@fuse.net](mailto:dmartin.wright@fuse.net)  
Tom Franxman    Estimator/Project Manager    [tomf.wright@fuse.net](mailto:tomf.wright@fuse.net)

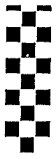
Copyright © 2006, Wright Contracting Services Inc. | 7655 Foundation Drive Florence, KY 41042 | 859.344.0117





## Food Survey Results

	<u>Yes</u>	<u>No</u>
Pizza, hoagies and pasta	117	22
Coffee Shop	61	52
Pastries	52	56
Cincinnati Style Chili	86	41
Deli/Sandwich Shop	67	48
Catering	35	53
Delivery	99	21
Covered Seating (Cabana)	123	17
Sports Bar/Wings	162	16
Beer and Mixed Drinks	80	39



# FOOD COMING SOON !!!

Location will be next to the Holiday Inn & Baymont Inn off Minneola Pike In Erlanger, Ky.

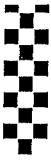
## WHAT WOULD YOU LIKE TO SEE IN THIS AREA?

	Yes	No
Pizza and hoagies and pasta	_____	<input checked="" type="checkbox"/>
Coffee shop	<input checked="" type="checkbox"/>	_____
Pastries	<input checked="" type="checkbox"/>	_____
Coneys and 3-ways	_____	_____
Deli / Sandwich shop	_____	<input checked="" type="checkbox"/>
Catering	_____	_____
Delivery	<input checked="" type="checkbox"/>	_____
Covered outside seating (with ceiling fans a cabana feel)	<input checked="" type="checkbox"/>	_____
Sports Bar with wings and burgers	<input checked="" type="checkbox"/>	_____
Beer and mixed drinks	<input checked="" type="checkbox"/>	_____

Please email us ([restaurant.info@yahoo.com](mailto:restaurant.info@yahoo.com)) with your thoughts for a facility to accommodate your company's needs. We are in the process of designing a building and would appreciate your comments.

**Fax survey back to 859-331-5348**

Please AS SOON  
AS Possible



# FOOD COMING SOON !!!

Location will be next to the Holiday Inn & Baymont Inn off Minneola Pike in Erlanger, Ky.

## WHAT WOULD YOU LIKE TO SEE IN THIS AREA?

	Yes	No
Pizza and hoagles and pasta	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coffee shop	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pastries	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Coneys and 3-ways	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deli / Sandwich shop	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Caterling	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Delivery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Covered outside seating (with ceiling fans a cabana feel)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sports Bar with wings and burgers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Beer and mixed drinks	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please email us ([restaurant.info@yahoo.com](mailto:restaurant.info@yahoo.com)) with your thoughts for a facility to accommodate your company's needs. We are in the process of designing a building and would appreciate your comments.

IT'S ABOUT TIME!! THANKS!!

Fax survey back to 859-331-5348

# DHL Answers

## FOOD COMING SOON !!!

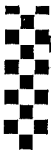
Location will be next to the Holiday Inn & Baymont Inn off Minneola Pike in Erlanger, Ky.

### WHAT WOULD YOU LIKE TO SEE IN THIS AREA?

	Yes	No
Pizza and hoagles and pasta	13	___
Coffee shop	/	___
Pastries	___	___
Coneys and 3-ways	12	___
Deli / Sandwich shop	/	___
Catering	/	___
Delivery	/	___
Covered outside seating (with ceiling fans a cabana feel)	___	___
Sports Bar with wings and burgers	42	___
Beer and mixed drinks	5	___

Please email us ( [restaurant.ideas@yahoo.com](mailto:restaurant.ideas@yahoo.com) ) with your thoughts for a facility to accommodate your company's needs. We are in the process of designing a building and would appreciate your comments.

Fax survey back to 859-331-5348



# FOOD COMING SOON !!!

Location will be next to the Holiday Inn & Baymont Inn off Minneola Pike In Erlanger, Ky.

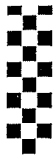
## WHAT WOULD YOU LIKE TO SEE IN THIS AREA?

	Yes	No
Pizza and hoagles and pasta	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coffee shop	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pastries	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coneys and 3-ways	<input type="checkbox"/>	<input type="checkbox"/>
Deli / Sandwich shop	<input type="checkbox"/>	<input type="checkbox"/>
Catering	<input type="checkbox"/>	<input type="checkbox"/>
Delivery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Covered outside seating (with ceiling fans a cabana feel)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sports Bar with wings and burgers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Beer and mixed drinks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHICKEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please email us ( [restaurant.ideas@yahoo.com](mailto:restaurant.ideas@yahoo.com) ) with your thoughts for a facility to accommodate your company's needs. We are in the process of designing a building and would appreciate your comments.

HAVE WI-FI AVAILABLE

Fax survey back to 859-331-5348



# FOOD COMING SOON !!!

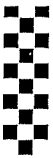
Location will be next to the Holiday Inn & Baymont Inn off Minneola Pike in Erlanger, Ky.

## WHAT WOULD YOU LIKE TO SEE IN THIS AREA?

	Yes	No
Pizza and hoagies and pasta	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coffee shop	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pastries	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Coneys and 3-ways	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deli / Sandwich shop	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Catering	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Delivery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Covered outside seating (with ceiling fans a cabana feel)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sports Bar with wings and burgers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Beer and mixed drinks	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please email us ( [restaurant.ideas@yahoo.com](mailto:restaurant.ideas@yahoo.com) ) with your thoughts for a facility to accommodate your company's needs. We are in the process of designing a building and would appreciate your comments.

**Fax survey back to 859-331-5348**



# FOOD COMING SOON !!!

Location will be next to the Holiday Inn & Baymont Inn off Minneola Pike in Erlanger, Ky.

## WHAT WOULD YOU LIKE TO SEE IN THIS AREA?

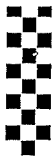
*not*

	Yes	No
Pizza and hoagles and pasta	<input checked="" type="checkbox"/>	<input type="checkbox"/>
* Coffee shop	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pastries	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Coneys and 3-ways	<input type="checkbox"/>	<input type="checkbox"/>
Deli / Sandwich shop	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Catering	<input type="checkbox"/>	<input type="checkbox"/>
* Delivery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Covered outside seating (with ceiling fans a cabana feel)	<input type="checkbox"/>	<input type="checkbox"/>
Sports Bar with wings and burgers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Beer and mixed drinks	<input type="checkbox"/>	<input type="checkbox"/>

*- already enough around here  
- lunch box  
- Circle K Deli  
- Subway*

Please email us ([restaurant.info@yahoo.com](mailto:restaurant.info@yahoo.com)) with your thoughts for a facility to accommodate your company's needs. We are in the process of designing a building and would appreciate your comments.

**Fax survey back to 859-331-5348**



# FOOD COMING SOON !!!

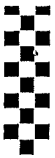
Location will be next to the Holiday Inn & Baymont Inn off Minneola Pike in Erlanger, Ky.

## WHAT WOULD YOU LIKE TO SEE IN THIS AREA?

	Yes	No
Pizza and hoagies and pasta	<u>X</u>	—
Coffee shop	<u>X</u>	—
Pastries	—	<u>X</u>
Coneys and 3-ways	—	<u>X</u>
Deli / Sandwich shop	—	<u>X</u>
Catering	<u>X</u>	—
Delivery	<u>X</u>	—
Covered outside seating (with ceiling fans a cabana feel)	<u>X</u>	—
Sports Bar with wings and burgers	<u>X</u>	—
Beer and mixed drinks	—	<u>X</u>

Please email us ([restaurant.info@yahoo.com](mailto:restaurant.info@yahoo.com)) with your thoughts for a facility to accommodate your company's needs. We are in the process of designing a building and would appreciate your comments.

**Fax survey back to 859-331-5348**



# FOOD COMING SOON !!!

Location will be next to the Holiday Inn & Baymont Inn off Minneola Pike in Erlanger, Ky.

## WHAT WOULD YOU LIKE TO SEE IN THIS AREA?

	Yes	No
Pizza and hoagles and pasta	—	X
Coffee shop	—	X
Pastries	—	X
Coneys and 3-ways	X	—
Deli / Sandwich shop	X	—
Catering	—	X
Delivery	—	X
Covered outside seating (with ceiling fans a cabana feel)	X	—
Sports Bar with wings and burgers	X	—
Beer and mixed drinks	X	—

Please email us ( [restaurant.ideas@yahoo.com](mailto:restaurant.ideas@yahoo.com) ) with your thoughts for a facility to accommodate your company's needs. We are in the process of designing a building and would appreciate your comments.

**Fax survey back to 859-331-5348**

## FOOD COMING SOON !!!

Location will be next to the Holiday Inn & Baymont Inn off  
Minneola Pike in Erlanger, Ky.

### WHAT WOULD YOU LIKE TO SEE IN THIS AREA?

	Yes	No
Pizza and hoagies and pasta	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coffee shop	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pastries	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coneys and 3-ways	<input type="checkbox"/>	<input type="checkbox"/>
*Deli / Sandwich shop	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Catering	<input type="checkbox"/>	<input type="checkbox"/>
*Delivery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Covered outside seating (with ceiling fans a cabana feel)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sports Bar with wings and burgers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Beer and mixed drinks	<input type="checkbox"/>	<input type="checkbox"/>
Ice cream Shop	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please email us ( [restaurant.ideas@yahoo.com](mailto:restaurant.ideas@yahoo.com) ) with your thoughts for a facility to accommodate your company's needs. We are in the process of designing a building and would appreciate your comments.

**Fax survey back to 859-331-5348**

# FOOD COMING SOON !!!

Location will be next to the Holiday Inn & Baymont Inn off Minneola Pike In Erlanger, Ky.

## WHAT WOULD YOU LIKE TO SEE IN THIS AREA?

	Yes	No
Pizza and hoagies and pasta	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coffee shop	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pastries	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Coneys and 3-ways	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Deli / Sandwch shop	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Catering	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Delivery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Covered outside seating (with ceiling fans a cabana feel)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sports Bar with wings and burgers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Beer and mixed drinks	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please email us ( [restaurant.ideas@yahoo.com](mailto:restaurant.ideas@yahoo.com) ) with your thoughts for a facility to accommodate your company's needs. We are in the process of designing a building and would appreciate your comments.

**Fax survey back to 859-331-5348**



**BAYMONT**  
INN & SUITES

August 19, 2008

Boone County Planning & Zoning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
Burlington, KY 41005

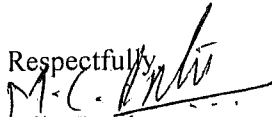
RE: Development for Strip Center on Airport Exchange Blvd.

Commission Members:

As the general manager of the Baymont Inn, located at 1805 Airport Exchange Blvd., which is adjacent to the lot where Aviators, KY., wants to place a retail facility, we enthusiastically support and endorse the building of their facility and the business intended to be located within. We have been located at this site for more than five years and see the need for this type of establishment to help support our business and increase the satisfaction of our guests. We serve guests that are in need of a location that offers a variety of eating and retail opportunities to expand the quality of the experience they receive while staying with us. Many times we have seen guests have to take a cab to simply pick up "fast food" as there are no options within any type of walking distance of our facility. We would like to make it known that we are very much in favor of the new building and the service industry it would bring to our area.

If you have any questions, please feel free to contact me.

Respectfully,



Mike Patel

General Manager  
Baymont Inn



August 20, 2008

To Whom It May Concern,

I am writing on behalf of the staff, clients and management of The Residence Inn by Marriott Cincinnati Airport. We would like to show our support in favor of a new restaurant or restaurants off the Mineola Pike exit in Kenton County. We have many opportunities to showcase our hotel and exceptional services to clients from around the world. We are challenged as a community in this immediate area due to the lack of food choices for our guests. It would behoove the county, city of Erlanger and all parties to allow Wright Contracting services or any other purveyors to build up this area and offer better services; not only to the many local residents but also the tourists that come into our area because of our hotels. We are losing tourism and tax dollars to Boone County, Campbell and even other areas in Covington due to lack of restaurants off of our exit on I-275. Please accept this letter as support from the many people who are employed here and live in this area. If you would like to contact me directly please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jenny Schneider'.

Jenny Schneider  
General Manager  
Residence Inn by Marriott Cincinnati Airport  
2811 Circleport Drive  
Erlanger, KY 41018  
859-282-7400



August 20, 2008

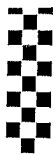
To Whom It May Concern,

This letter is in regards to a new restaurant going in off Mineola Pike. I am writing on behalf of the staff, clients and managers of The Courtyard by Marriott Cincinnati Airport. We are in favor of a new restaurant or restaurants off the Mineola Pike exit in Kenton County. We have many guests that request better food options off our exit and we support their requests. We are challenged as a community in this immediate area due to the lack of food choices for our guests. It would be a significant improvement to the county, city of Erlanger and all parties to allow Wright Contracting services or any other purveyors to build up this area and offer better services; to all the people that call Kenton County their home, place of work or area of attraction or business. We are losing tourism and tax dollars to Boone County, Campbell and even other areas in Covington due to lack of restaurants off of our exit on I-275. Please accept this letter as support from the many people who are employed here and live in this area. If you would like to contact me directly please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Jim MacFarlane".

Jim MacFarlane  
General Manager  
Courtyard by Marriott Cincinnati Airport  
3990 Olympic Boulevard  
Erlanger, KY 41018  
859-647-9900



**Hanser Music Group**  
 2395 Arbor Tech Dr.  
 Hebron, KY 41048  
 Credit Department 877-362-9444  
 Credit Dept Fax: 888-442-6737

# Fax

**To:** Mr. Restaurateur – Opinion Survey      **From:** Forrest Gibson – Credit Manager

---

**Fax:** 859-331-5346      **Pages:** 4

---

**Phone:**      **Date:** 5/5/08

---

**Re:** SURVEY      **CC:**

Urgent       For Review       Please Comment       Please Reply

Dear Mr. Restaurateur,  
 We spoke this AM about you plans to open a restaurant in this area. I have passed out the survey to many of our employees. Hopefully they will respond.  
 On a personal note, this area definitely needs more choices. I feel that the lunch crowd would be by far your largest draw. The dinner crowd would have to be, initially, a draw from the Holiday Inn and Beaumont guests. I like all the survey choices. However, the Deli/Sandwich shop would be competing with Subway, also in the area. Since there are few choices, Subway does have a solid following. The covered Cabana type of area and the liquor decision would probably be determined by you decision whether or not to go after the evening crowd.

Good luck. I think it's a great business decision. By the way. I tried to email this but it wouldn't go thru.

**From:** Lako, John (jlako@BOBSUMERELTIRE.com)  
**To:** restaurant.ideas@yahoo.com  
**Date:** Thursday, May 8, 2008 3:15:14 PM  
**Subject:** Survey you asked for ideals ??

From our office anything would be great, we do not have much choices around her just subway and a small deli. We have to drive everywhere else to get lunch. With the high Gas prices all of us so not like to drive to Dixie or any other place.

So from all of us here we would be happy to have a place with a wide open menu a little of everything. No specialty shop like pizza or subs we would get tired of same thing, but if the menu has a variety then you can have something different every day.

John Lako A/R Manager  
jlako@bobsumereltire.com  
859-283-2700 ext 312  
859-283-3090 fax  
513-460-1224 cell

/n

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this document.

/n

**From:** Gates, Randy (RandyGates@catholichealth.net)  
**To:** restaurant.ideas@yahoo.com  
**Date:** Thursday, May 8, 2008 3:47:15 PM  
**Subject:** FW: Survey on What Type of Food Service & Stores You'd Like to See Close to the Office

I would like to see almost any kind of lunch place, and I would particularly like to see one that served alcohol, or a bar, with outside seating. As to stores, a drug store would be great, or a UPS type store, or barber/hair salon.

---

**From:** Arnold, Carol  
**Sent:** Thursday, May 08, 2008 3:33 PM  
**To:** /CHI Natl Ofc No Kentucky  
**Subject:** Survey on What Type of Food Service & Stores You'd Like to See Close to the Office

Good afternoon,

A local contractor is purchasing some land close by and plans to build a restaurant and other needed amenities. He is looking for some feedback on ideas of what type of restaurant and what type of stores folks are looking for in this vicinity. If you're interested, attached is a survey form that you can complete and email or fax to him with your comments and ideas.

Thanks,

Carol

*Carol Arnold*

NKY Office Manager  
Catholic Health Initiatives  
3900 Olympic Boulevard Suite 400  
Erlanger, KY 41018  
Ph: 859-594-3062  
[carolarnold@catholichealth.net](mailto:carolarnold@catholichealth.net)

**From:** Neiburg, Lorrie (LorrieNeiburg@catholicealth.net)  
**To:** restaurant.ideas@yahoo.com  
**Date:** Thursday, May 8, 2008 4:26:49 PM  
**Subject:** Restaurant/Stores Near Holiday Inn - Erlanger (CVG Airport)

Hi -

Got the survey regarding the type of food that would be good to have in that area - I'd love to see:

- Sandwich shop/Deli
- Coffee shop
- Pastries
- Someplace with outside seating

A place that delivered food would be great too (especially during bad weather).

If you're adding any stores there, it would be great to have a card shop and a drugstore.

Thanks!

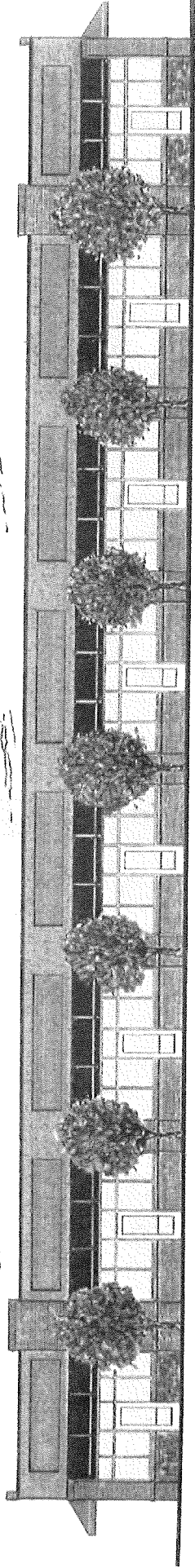
Lorrie Neiburg

**From:** Engelman, Amy (amyengelman@catholichealth.net)  
**To:** restaurant.ideas@yahoo.com  
**Date:** Thursday, May 8, 2008 3:43:19 PM  
**Subject:** RE: Food Coming Soon

Pizza and hoagies and pasta	YES
Coffee shop	YES
Pastries	YES
Coneys and 3-ways	YES
Covered outside seating (with ceiling fans a cabana feel)	YES!!!!

Thank you for being interested in our input!

Amy Engelman  
Catholic Health Initiatives  
Alternative Insurance Management Services  
Claim Assistant  
3900 Olympic Boulevard  
Suite 400  
Erlanger, KY 41018  
800-331-2235 ext. 3259  
859-594-3259  
859-594-3070 fax  
amyengelman@catholichealth.net



**AVIATORS**  
( Looking from Airport Exchange Boulevard )

**PUBLIC HEARING EXHIBIT #2**



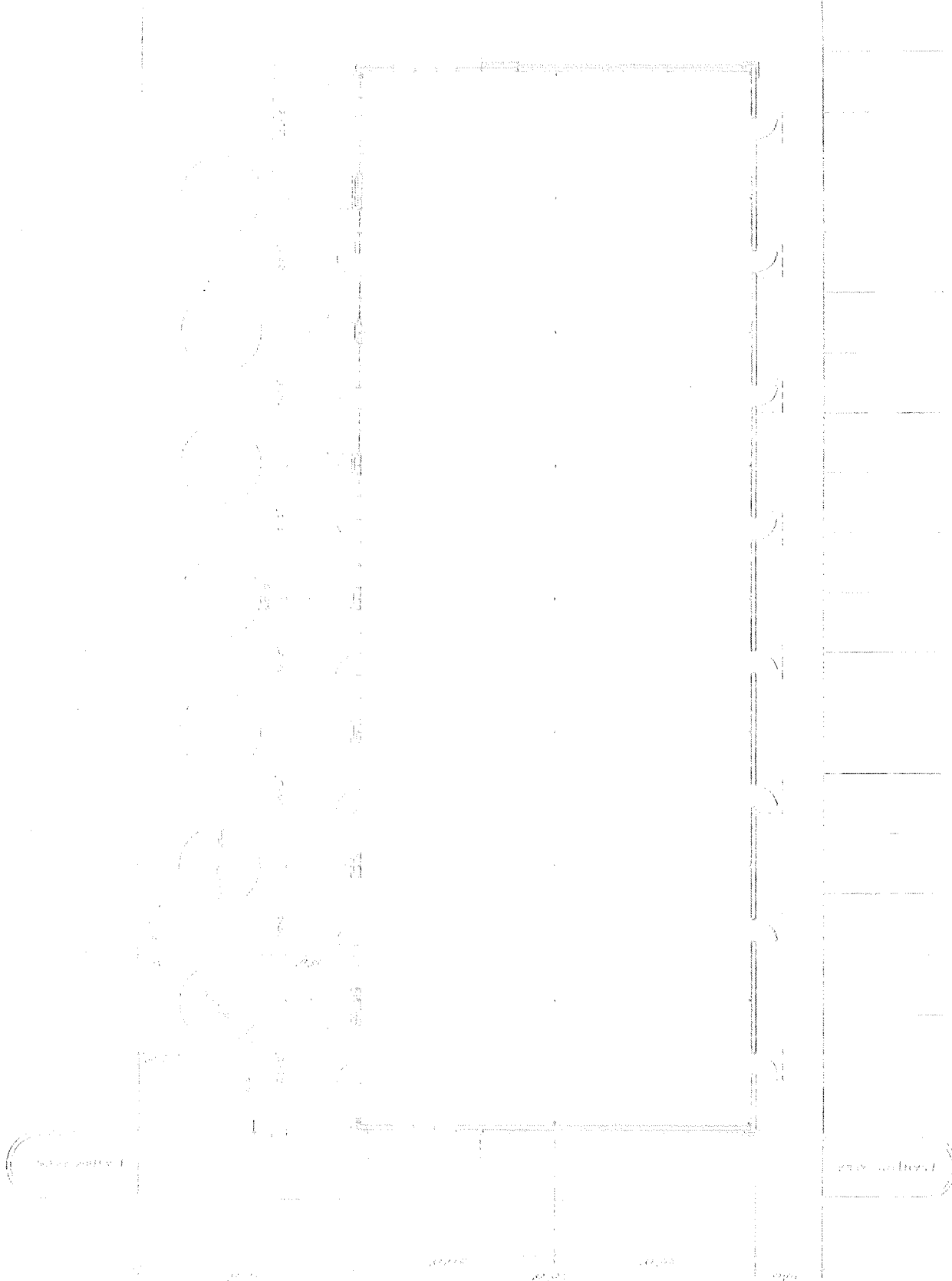
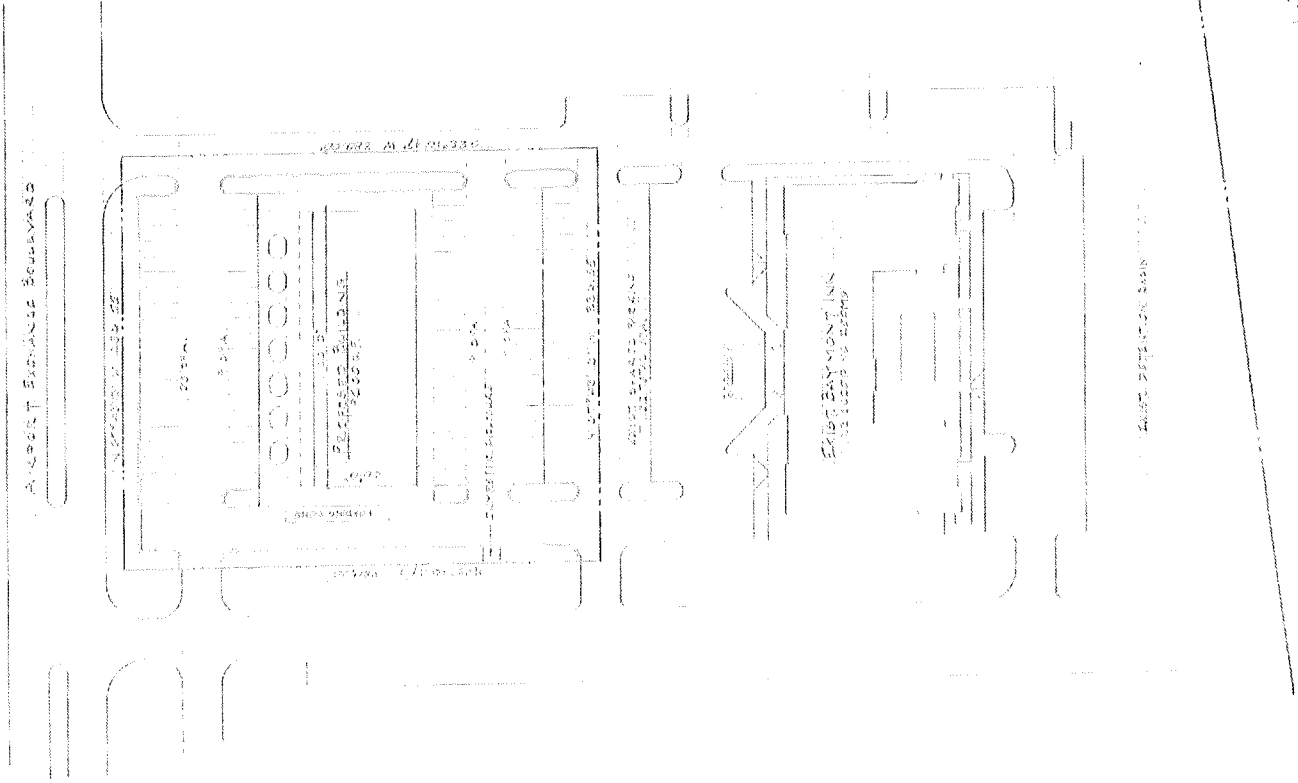


Exhibit 2

# PUBLIC HEARING EXHIBIT

# CONCEPT DEVELOPMENT PLAN



1-275



ldll/

Taft Stettinius & Hollister LLP

1717 Dixie Highway, Suite 340 / Covington, KY 41011-4704 / Tel: 859.331.2838, 513.381.2838 / Fax: 513.381.6613 / www.taftlaw.com  
Cincinnati / Cleveland / Columbus / Dayton / Indianapolis / Northern Kentucky / Phoenix / Beijing

THOMAS P. VERGAMINI  
513.367.9625  
vergamini@taftlaw.com

August 19, 2008

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

Re: Request of Wright Contracting Services, Inc. Regarding Change in  
Concept Development Plan - Airport Exchange Business Park, Lot 15

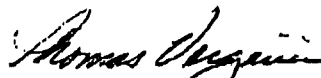
Members of the Boone County Planning Commission:

This office represents the Airport Exchange Business Park Owners Association, Inc. (the "Association"). The Association members include all real estate property owners of the parcels located within the Airport Exchange Business Park situated at the intersection of I-275 and Mineola Pike.

As the Association was unaware of the proposed request until very recently, the Association presents no comment either in favor of or against this proposed application.

However, the Association notes and informs the Committee, and the applicant, of the existence of Declaration of Protective Covenants for the Airport Exchange Business Park ("Restrictive Covenants") which are recorded with the Boone County Clerk. These Restrictive Covenants address, among other things, development and construction activity within the Business Park.

Very truly yours,



Thomas P. Vergamini

TPV:sw

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
FIRST FLOOR FISCAL COURTROOM  
BUSINESS MEETING  
September 17, 2008  
7:00 P.M.**

---

---

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

**COMMISSION MEMBERS PRESENT:**

Mrs. Judy Arnett, Secretary/Treasurer  
Mr. Kim Bunger  
Mr. Mike Ford  
Mrs. Janet Kegley  
Mr. Richard Knock, Temporary Presiding Officer  
Mr. Don McMillian  
Mrs. Susan Poston, Chairwoman  
Mr. Patrick Reynolds  
Mr. Charlie Rolfsen, Vice Chairman  
Mr. Bob Schwenke

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Greg Breetz  
Mr. Jim Carmichael  
Mrs. Linda Herald  
Mrs. Vivian Llambi  
Mr. Charlie Reynolds

**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  
Mr. Todd Morgan, AICP, Senior Planner  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

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

**3. Change in Concept Development Plan**

**The request of Wright Contracting Services, Inc. (applicant) for Industrial Developments International (owner) for a Change in an Approved Concept Development Plan in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, Boone County, Kentucky. The request is for a Change in Concept Development Plan to allow a multi-tenant retail building.**

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 has signed the letter agreeing to the conditions.

Mrs. Poston asked if the applicant wanted 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. The applicant was present but did not wish to speak.

Mrs. Poston asked if there was anyone else present who wished to make a summary statement before the Planning Commission takes action on this request. There was no response.

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

**4. Technical Design Review - **Merchant Square  
Vandercar Way & Seligman Drive****

Staff Member Mitch Light passed around copies of the revised elevation drawings. He presented the Design Review Request for Lots #22 and #23 of Merchant Square, 1055 Vandercar Way, at the corner of Vandercar Way & Seligman Drive, next to the strip center. He reviewed the aerial photograph and noted the location of Wal-Mart, the strip center, and the office condominiums. He stated that there is a "dog leg" in the strip center. When the City of Florence reviewed the original elevations, they determined that there was not enough brick on the front elevation, the north

**EXHIBIT**

**“B”**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

**TO:** Boone County Planning Commission

**FROM:** Charlie Rolfsen, Chairman

**DATE:** September 17, 2008

**RE:** Request of Wright Contracting Services, Inc. (applicant) for Industrial Developments International (owner) for a Change in an Approved Concept Development Plan in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, Boone County, Kentucky. The request is for a Change in Concept Development Plan to allow a multi-tenant retail building.

### 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 proposed Concept Development Plan is in agreement with the Comprehensive Plan due to the following reasons.
  - A. The Future Land Use Map designates this site as "Business Park." This designation is described as "A mix of office warehouse, research, office, and light industrial uses in a park-like, office campus setting with large building setbacks, low floor area ratio, integrated pedestrian and recreation facilities, constant architectural and signage theme, extensive landscaped areas, and attractive entrance treatment. This land use is recommended for high visibility areas and transition areas between industrial and residential land uses." The proposal is for a multi-tenant retail building supporting the surrounding office and industrial uses.
  - B. The text of the Business Activity Element ("Recommended Areas of Commercial Activity," pg. 64) states "Additional commercial growth based upon the expansion of the airport, and subsequent industrial growth, will be located at the Mineola I-275 interchange as evidenced by the Airport Exchange Business Park and Circleport Industrial Park."
  - C. The text of the Land Use Element ("14. Airport Area," pg. 153) states "To the north, the Mineola Interchange area has experienced, and should continue to experience, significant Business Park development. The Airport Exchange Business Park and Circleport Industrial Parks should continue to develop."

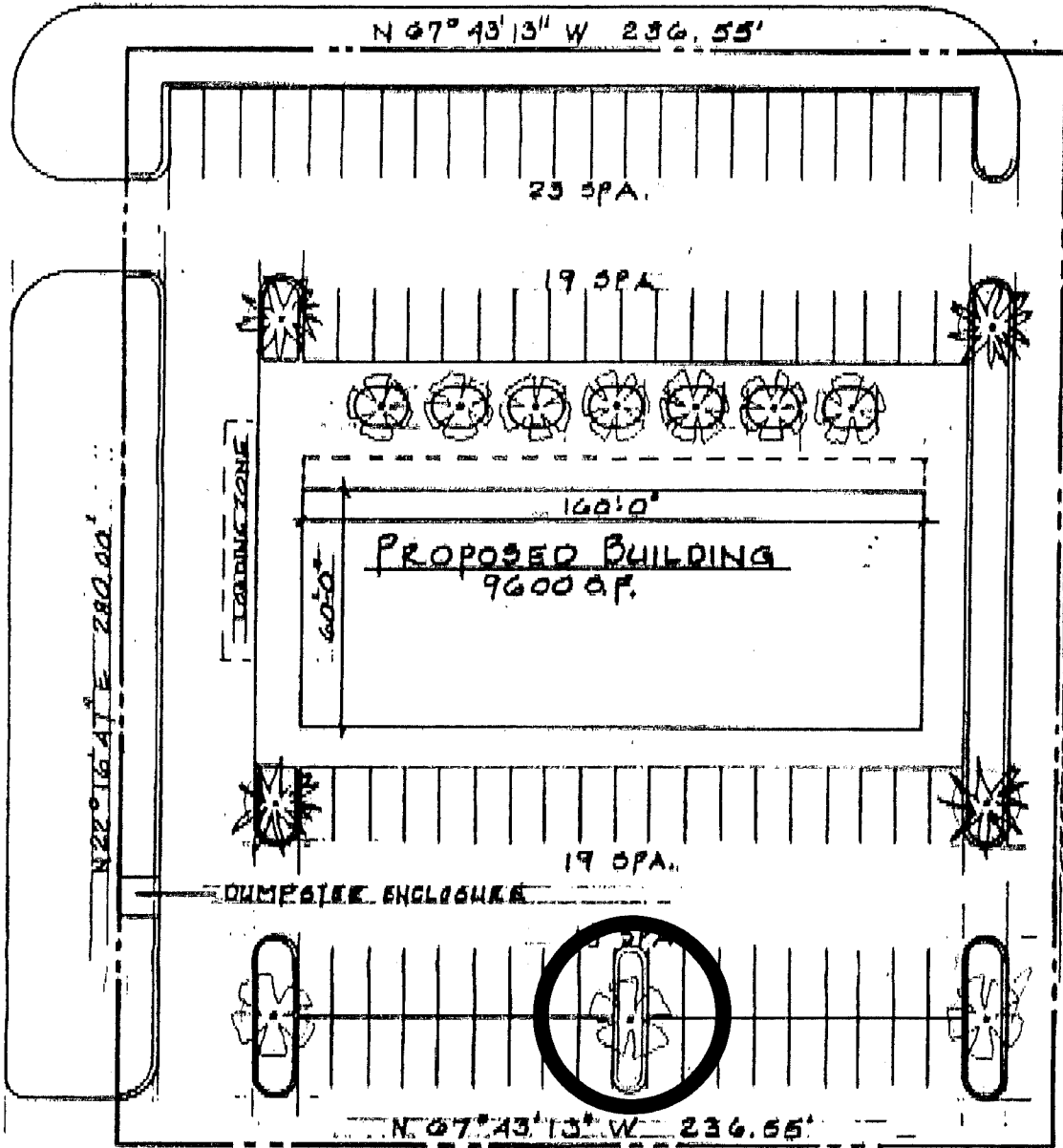
- D. The Committee has concluded that the proposal is in agreement with the applicable Future Land Use Development Guidelines as described in the Comprehensive Plan and the Goals and Objectives. Specific references to the guidelines and Goals and Objectives are outlined in the staff report for this request.
2. The Committee has concluded that the Concept Development Plan, coupled with the agreed conditions, fulfill the applicable requirements of 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 Article 15 "Planned Development District" of the Boone County Zoning Regulations. 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 has signed a letter demonstrating agreement with these conditions.

#### CONDITIONS

1. The property owner agrees that all signage must follow the adopted regulations in place at the time sign permits are submitted as well as the special sign district requirements as they normally apply.
2. The property owner agrees to provide an additional landscape island between this proposed building and the Baymont Inn measuring a minimum of 9' x 36' (2 parking spaces).
3. The property owner agrees to locate the proposed awnings directly over the rear doors on the rear building elevation.

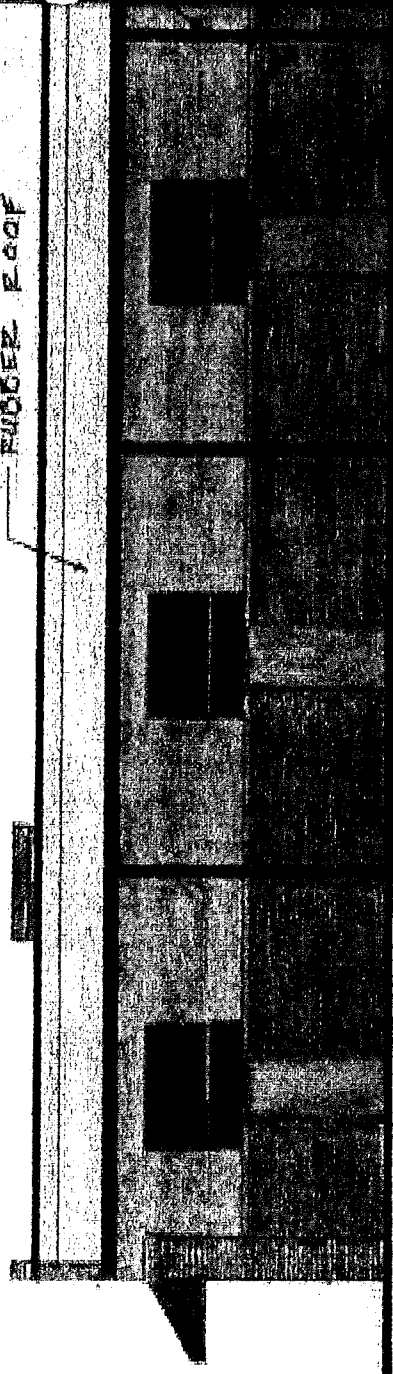
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Concept Development Plan Committee Vote.

AIRPORT EXCHANGE BOULEVARD



**REVISED CONCEPT PLAN**

METAL GUTTER + DOWNSPOUT  
RUBBER FOOT



SOUTH ELEVATION 1/8" = 1'-0"

# REVISED REAR ELEVATION

**Public Hearing Item No. 3:**

**Commission Members Present:** Mr. Breetz, Mr. Carmichael, Mr. Mike Ford, Mr. McMillian, Mrs. Poston - Chairwoman, Mr. Charlie Reynolds, Mr. Patrick Reynolds, Mr. Rolfsen – Vice Chairman, and Mr. Schwenke.

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

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

3. Applicant: **Wright Contracting Services, Inc. for Industrial Developments International (owner)**

Request: **Change in Concept Development Plan**

The request of **Wright Contracting Services, Inc. (applicant) for Industrial Developments International (owner)** for a Change in an Approved Concept Development Plan in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, Boone County, Kentucky. The request is for a Change in Concept Development Plan to allow a multi-tenant retail building.

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

Mrs. Poston asked for the applicant's presentation.

Mr. Don Martin, Jr., Owner/Vice President of Wright Contracting Services, 7655 Foundation Drive, Florence, introduced Mr. Randy Reno, also an Owner/Vice President of Wright Contracting Services, and their business partner/realtor Mr. Jeff Benders. Mr. Martin submitted a handout (see Exhibit 1) with information on Wright Contracting Services, survey results, and letters/faxes/emails from surrounding properties (as listed under Exhibit 1) and a packet containing a colored rendering of the proposed building, building elevations, and site/floor plans (see Exhibit 2). He stated that this is their 13<sup>th</sup> year in business. He and his partner previously worked for Paul Hemmer Companies for ten years doing similar work with tenants and smaller buildings. They have probably worked in this park for twenty years. They have done many projects in the park and in Boone County. In talking with tenants in the park, they saw that there was limited opportunity for food. He stated that employees have to get the services they need -- such as food, office supplies, technical support, uniforms, and dry cleaning.

This site was set up for office use, but it has been there for over twenty years and that has not happened. He stated that market conditions have changed and the office market is soft, making it unlikely that a two-story office building will go on the site. He stated that there has been expansion of the CirclePort facilities and Toyota and people in the area need a place to go for lunch, besides Subway. They also need retail support – such as dry cleaners and a florist. In talking with the hotels, they found that there was a huge need. There are letters of support from the hotels in the handout (see Exhibit 1). He stated that the uses will support the hotels on either side of the site, as well as businesses all the way down Airport Exchange. He presented a rendering of the proposed building. He stated that the design and colors will enhance the park and be complimentary to the existing buildings. He noted the cultured stone on the ends, utility brick on the bottom wall, and EIFS along the top of the building, as well as the glass storefront entrances and black awnings. They will continue the brick line across the back of the building (facing the Baymont Inn) and there will be black awnings around the entire building. He stated that they will lease the 60' x 20' bays. There will be no drive-throughs. He stated that they have talked to the individual tenants in the park and sent out surveys. The survey results are in the handout (see Exhibit 1).

Mr. Randy Reno stated that they went to Holiday Inn, the Baymont Inn, Courtyard by Marriott, Bob Sumerel and all of the other business around there and they got no negatives responses. People said that it would be so convenient not to have to drive anywhere for lunch. The Courtyard by Marriott wanted a dry cleaners. The Baymont Inn has 68 rooms and nowhere for people to eat – which hurts their business. He stated that most people get thirty minutes for lunch and they cannot go anywhere in that amount of time. He stated that a company with 200 people is going in across the street. He stated that there is nowhere to go to eat, other than Subway, and their carpenters cannot go to Subway for lunch because they only get 30 minutes and it is so crowded. All of the people he talked to said that the area needs something more convenient. Their proposal is better for the area as far as traffic and it be a great asset to the area.

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

Mrs. Amani Othman, owner of the gas station on Mineola Pike, stated that they bought the land seven years ago from IDI and went through a Zone Change because the property was approved for a sitdown restaurant. They had to get approval from the Association and from Boone County. She stated that they were forced to buy the three acres in the back of the lot, which was the only Commercial land there at the time, and they have to pay about \$15,000 a year in Association fees for their commercial land. She believes that another plaza will hurt them. She stated that none of the members of the Association knew about this project. She called Kevin Gross, who is responsible for the Association, and

told him about it. She believes that having another building there will not help anyone and it is not fair to them.

Mr. Othman, 1790 Airport Exchange, reviewed the costs and the process he went through to get approval for his business from Boone County and from the Association. He discussed the fees he pays to the Association. He stated that he got approval from the county last week for a Rally's Checkers restaurant. He does not understand how the applicant can come in for approval from the county when they do not have approval from the Association. He stated that all of the businesses on the street are part of the Association. He stated that there is a restaurant at the Holiday Inn. He stated that they are located across the street, but he did not receive a notice about this hearing. They only saw the sign by accident yesterday.

In response to a question from Counselor Wilson, Mr. Light stated that Mr. Othman is not an adjoining property owner. Mr. Othman's property is next to an adjoining property. He stated that legal notice was published in the Boone County Recorder on August 7, 2008. Mrs. Poston stated that letters are sent to the adjoining property owners. Mr. Othman responded that the Association should have received a letter.

Counselor Wilson stated that a letter has been received from the Association. He asked Mr. Light to read the letter.

Mr. Light stated that IDI is the owner of the subject property and a member of the Association. He does not know where the disconnect occurred. In response to questions from the Commissioners, Mr. Light explained that the Association is an owners' association and the applicant has to get approval from the Planning Commission and from the Association. Mr. Light read the letter from Thomas P. Vergamini with Taft Stettinius & Hollister LLP addressed to the Boone County Planning Commission, dated August 19, 2008 (see Exhibit 3).

Counselor Wilson stated that the Planning Commission does not have the authority to enforce the rules of the Association, but the Planning Commission has put the applicant on notice of the letter from the Association. He stated that the applicant has to get approval from the Planning Commission and from the Association. He stated that seeking approval from the Association is a separate process.

Mrs. Othman stated that they are opening their restaurant in six weeks and she objects to this proposal.

There being no one else present who wished to speak in regard to the request, Mrs. Poston asked if there were any comments or questions from the Commissioners.

Mr. Rolfsen asked if customers will be able to enter at the back of the building. Mr. Martin responded that the entrances to the stores will be in the front and the service areas will be in the back. Mr. Rolfsen questioned the location of the dumpster. Mr. Martin responded that there will be a screen around the dumpster. He indicated the location of the dumpster on the Concept Development Plan. Mr. Rolfsen asked if they have any tenants for the building. Mr. Martin responded that it is early on and there are still a lot of things to do. This is their first application for approval.

Counselor Wilson asked if the applicant is aware of the Restrictive Covenants. Mr. Martin responded "yes". Counselor Wilson advised the applicant that approval from the Planning Commission does not make them exempt from approval by the Association.

Mr. Ford asked if people coming out of the front door of the Baymont Inn will be looking at this building. Mr. Martin responded "yes". Mr. Ford stated that the first thing they will see is the parking lot and the back of the building. Mr. Reno stated that they will share a parking lot with the Baymont Inn. Mr. Martin stated that the brick on the back of the building will be about the same height as it is on the front and there will also be EIFS along the top. The dashed lines on the floor plan (Exhibit 2) represent the awnings on the front and side and over the doors on the rear. Mr. Ford noted that there will not be any windows in the back. Mr. Martin agreed. Mr. Reno stated that the Baymont Inn is aware of what the back of the building will look like. He stated that the back of the building will basically look like the front of the building with awnings over the doors.

Mr. Schwenke asked if the air-conditioning equipment on the roof will be visible. Mr. Martin responded that it will be visible from the second or third floor of the Baymont Inn. There will be a parapet that slopes to the back so that it is not seen from the ground.

Mr. Breetz questioned the location of the dumpster and asked if it will be screened. Mr. Reno responded that it will be screened with brick and there will be a gate so that people cannot see it. Mr. Light indicated the location of the dumpster on the Power Point slide. Mr. Breetz asked if the dumpster for Subway is in the parking lot area. Mr. Reno responded "yes" and added that the dumpster is temporary and will be moved all the way back for the project that is coming.

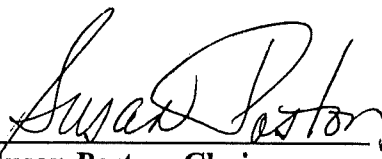
Mr. Charlie Reynolds asked if they considered a compactor instead of a dumpster. Mr. Martin responded that they did not consider a compactor because they do not know what the tenants' needs will be. Mr. Reno stated that they could look at a compactor, but there may be an issue with the noise. He stated that the dumpster enclosure will be brick with gates and there will be landscaping. They want the dumpster area to look good at all times. The dumpster area will be like the one at Smokey Bones on Mall Road.

Mr. Ford questioned the signage. Mr. Martin responded that signage is the next step – if they cannot build the building, there is no sense in pursuing other items.

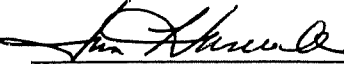
Mrs. Poston asked if the parking is adequate. Mr. Reno responded “yes” and stated that the parking was part of the original agreement.

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on September 3, 2008 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on September 17, 2008 at 7:00 PM. Mrs. Poston closed this Public Hearing at 9:08 PM.

**APPROVED:**

  
\_\_\_\_\_  
Susan Poston, Chairwoman

Attest:

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

**Exhibits –**

1. A packet of information, submitted by the applicant, containing:
  - information about Wright Contracting Services, Inc.
  - business cards
  - food survey with completed survey sheets and summary of results
  - letters from Baymont Inn & Suites, Residence Inn Marriott, and Courtyard by Marriott at Cincinnati Airport
  - fax from Hanser Music Group
  - emails from Bob Sumerel Tire and Catholic Health Initiatives
2. Colored rendering of the proposed building, elevation drawings, Site Plan and Floor Plan, submitted by the applicant
3. Letter from Thomas P. Vergamini with Taft Stettinius & Hollister LLP addressed to the Boone County Planning Commission, dated August 19, 2008, submitted by Staff

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Charlie Rolfsen, Chairman

DATE: September 3, 2008

RE: Request of **Wright Contracting Services, Inc. (applicant)** for **Industrial Developments International (owner)** for a Change in an Approved Concept Development Plan in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, Boone County, Kentucky. The request is for a Change in Concept Development Plan to allow a multi-tenant retail building.

### 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.

Wright Contracting Services/IDI

September 3, 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*  
 \_\_\_\_\_  
**Greg Breetz**

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

\_\_\_\_\_  
**Kim Bunger**

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

*Janet Kegley*  
 \_\_\_\_\_  
**Janet Kegley**

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

\_\_\_\_\_  
**Jim Carmichael (Alternate)**

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

\_\_\_\_\_  
**Charlie Reynolds (Alternate)**

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

\_\_\_\_\_  
**Patrick 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 1  
 \_\_\_\_\_ 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)

September 10, 2008

Mr. Donald K. Martin Jr.  
Wright Contracting Services, Inc.  
7655 Foundation Drive  
Florence, KY 41042

RE: Request of **Wright Contracting Services, Inc. (applicant)** for **Industrial Developments International (owner)** for a Change in an Approved Concept Development Plan in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, Boone County, Kentucky. The request is for a Change in Concept Development Plan to allow a multi-tenant retail building.

Dear Mr. Martin:

The following represents the conditions of approval for the above referenced application as recommended by the Planning Commission's Zone Change Committee at their September 3, 2008 meeting. If you, as the applicant, agree with these conditions, please indicate by providing the signatures of the property owners, in the spaces provided at the end of this letter, and return the original letter to the Planning Commission office by Tuesday, September 16, 2008.

## CONDITIONS

1. The property owner agrees that all signage must follow the adopted regulations in place at the time sign permits are submitted as well as the special sign district requirements as they normally apply.
2. The property owner agrees to provide an additional landscape island between this proposed building and the Baymont Inn measuring a minimum of 9' x 36' (2 parking spaces).
3. The property owner agrees to locate the proposed awnings directly over the rear doors on the rear building elevation.

Sincerely,

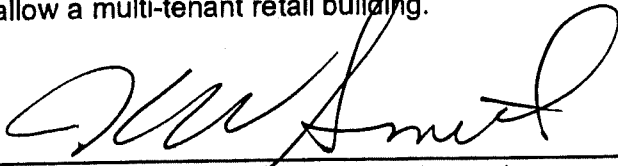
Mitchell A. Light  
Assistant Zoning Admin/Enforcement Officer

MAL/pr

Mr. Donald K. Martin Jr.  
Wright Contracting Services, Inc.  
September 10, 2008  
Page 2

AGREEMENT

*Kenneth W. Smith*  
I, ~~Douglas A. Ambruster~~, do hereby agree to the recommended conditions of approval stated above for a Change in an Approved Concept Development Plan in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) to allow a multi-tenant retail building.



*9/17/08*

~~Doug Ambruster, VP Leasing, IDI (owner)~~

Date

*Kenneth W. Smith, Sr. VP, Regional Development officer*



PROPERTY TRANSFER TAX PAID \$ 8.00  
JERRY W. ROUSE, CLERK *JWR*SPECIAL WARRANTY DEED

This Special Warranty Deed, made and entered into as of the 31st day of July, 1990, by and between Airport Exchange Hotel Partners, a Kentucky general partnership, comprised of the The Western and Southern Life Insurance Company and Winegardner & Hammons, Inc. as its sole general partners, whose address is 4243 Hunt Road, Cincinnati, Ohio 45242 ("First Party") and Industrial Developments International, Inc., a Delaware corporation, whose address is 950 East Paces Ferry Road, Suite 875, Atlanta, Georgia 30326 ("Second Party").

WITNESSETH

That, for and in consideration of the sum of One Dollar (\$1.00) in hand and paid, the receipt and sufficiency of which is hereby acknowledged, the First Party does hereby bargain, sell, grant and convey unto Second Party, its heirs, representatives, executors, successors and assigns forever that certain real property described in Exhibit A attached hereto and incorporated herein by this reference (the "Property"). This conveyance of the Property is made subject, however, to the covenants, restrictions, terms and conditions and other matters of record as set forth on Exhibit B attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD, the above described Property together with all rights, privileges and appurtenances, thereunto belonging or in any way appertaining to Second Party, its heirs, representatives, executors, successors and assigns,

PLAT ATTACHED

forever with covenants of Special Warranty. First Party covenants in so far as its own actions are concerned only, that:

(i) It is lawfully seized of the Property;

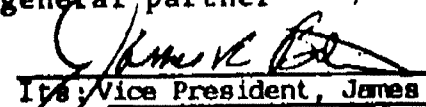
(ii) That it has all right and power to convey the Property; and

(iii) It owns the Property free and clear of all liens and encumbrances whatsoever other than easements and restrictions of record, and other matters of record as of the date of this deed instrument, and state and local taxes for the year 1990 and all subsequent years.

IN WITNESS WHEREOF, witness the signature of First Party the day and year first above written.

AIRPORT EXCHANGE HOTEL PARTNERS

By: The Western and Southern Life Insurance Company, its general partner

By:   
Its Vice President, James R. Barton

And By:   
Its Vice President, D. J. Muebling

(Corporate Seal)

This instrument prepared by:



William F. O'Brien  
Vice President - General Counsel  
Winegardner & Hammons, Inc.  
4243 Hunt Road  
Cincinnati, Ohio 45242



STATE OF OHIO )  
 ) .SS  
COUNTY OF HAMILTON)

I Melody Minges, a Notary Public in and for said County and State, do certify that on this day the foregoing instrument was acknowledged before me by J. Kirk Hammon as President of Winegardner & Hammons, Inc. to be executed on behalf of said corporation by him as its President an officer there unto duly authorized who did further acknowledge that execution of the foregoing instrument was the free act and deed of the corporation and the free act and deed of the officer(s) of the corporation and that the corporation did execute the foregoing instrument in its capacity as a general partner of Airport Exchange Hotel Partners, a Kentucky general partnership.

July Given under my hand and seal of office this 31<sup>st</sup> day of July, 1990.

Melody Minges  
Notary Public

MELODY M. MINGES  
Notary Public, State of Ohio  
My Commission Expires Dec. 10, 1991

lar/31000.0430/89docs  
exhibit.b

PARCEL "B"

Situated at the northwest corner of the Interstate 275 and Mineola Pike Interchange in Boone County, Kentucky, and being more particularly described as follows:

Beginning at Centerline Station 36+00 of relocated Mineola Pike as shown on Sheet 3 of 28 of the Kentucky Bureau of Highways Right-of-Way Plans; thence leaving said centerline south 79 degrees 41 minutes 11 seconds west, 40.00 feet to a point in the westerly right-of-way of said Mineola Pike; thence along said right-of-way south 04 degrees 27 minutes 52 seconds east, 252.89 feet to a point in the northerly right-of-way line of relocated Dolwick Drive; thence along said right-of-way south 86 degrees 55 minutes 25 seconds west, 105.00 feet to a point in the westerly right-of-way line of said relocated Dolwick Drive; thence along said right-of-way south 03 degrees 04 minutes 35 seconds east, 224.28 feet to a point in the southerly right-of-way line of said relocated Dolwick Drive; thence along said right-of-way north 51 degrees 14 minutes 26 seconds east, 59.29 feet to a set iron pin and the REAL PLACE OF BEGINNING; then continuing along said right-of-way north 51 degrees 14 minutes 26 seconds east, 59.28 feet to a set iron pin in the westerly right-of-way line of said Mineola Pike; thence along said right-of-way south 03 degrees 04 minutes 35 seconds east, 75.00 feet to a set iron pin; thence leaving said right-of-way north 53 degrees 04 minutes 04 seconds west, 62.87 feet to the PLACE OF BEGINNING; containing 0.0415 acres of land; as shown on plat of survey prepared by American Land Surveys, T. N. Kohler, K.R.L.S. No. 2339, dated March 21, 1989.

Book ref. 417/87

434/167

EXHIBIT B

1. Declaration of Protective Covenants for Airport Exchange Business Park by Hooker Atlanta (7) Corporation, a Georgia corporation, dated July 5, 1988 and recorded July 6, 1988 in Miscellaneous Book 234, Page 168, as amended by Memorandum of Waiver and Variation of Certain Provisions of the Declaration of Protective Covenants for Airport Exchange Business Park recorded October 24, 1989 in Book 265, Page 232 of the Boone County Clerk's Records at Burlington, Kentucky; as further amended by the First Amendment to Declaration of Protective Covenants for Airport Exchange Business Park dated July 31, 1990 and recorded \_\_\_\_\_, 1990 in Miscellaneous Book \_\_\_\_\_, Page \_\_\_\_\_ of the Boone County Clerk's Records at Burlington, Kentucky.
2. Terms and conditions of that certain Water Main Easement granted in favor of Boone County Water and Sewer District; recorded in Easement Volume 14, Page 315, of the Boone County Clerk's Records at Burlington, Kentucky.
3. Terms and conditions of that certain Sewer Easement granted in favor of Boone County Water and Sewer District as recorded in Easement Volume 14, Page 311, of the Boone County Clerk's Records at Burlington, Kentucky.
4. Terms and conditions of that certain Reciprocal Easement Agreement dated September 5, 1989 by and between Industrial Developments International, Inc., a Delaware corporation, and Winegardner & Hammons, Inc., an Ohio corporation as recorded in Easement Volume 23, Page 118 of the Boone County Clerk's Records at Burlington, Kentucky.
5. Ad valorem real property state and local taxes for the year 1990 and all subsequent years.

CERTIFICATION

For purposes of complying with KRS Chapter 382, Airport Exchange Hotel Partners, a Kentucky general partnership comprised of The Western and Southern Life Insurance Company and Winegardner & Hammons, Inc. as its two general partners, whose address is 4243 Hunt Road, Cincinnati, Ohio 45242 (the "Partnership") and Industrial Developments International, Inc., a Delaware corporation, whose address is 950 East Paces Ferry Road, Suite 875, Atlanta, Georgia 30326 ("IDI") do hereinafter certify as follows:

1. The Partnership is the Grantor or First Party of the within deed instrument and IDI is the Grantee or Second Party of the within said instrument.

2. IDI and the Partnership do hereby certify pursuant to KRS Chapter 382 that the consideration granted or given in exchange for the conveyance of the real property which is the subject matter of the within deed is the contemporaneous execution and delivery by the Grantee of a deed instrument conveying an adjoining .0415 acre parcel to the Grantor, and that the contemporaneous swap of the adjoining .0415 acre parcels is being undertaken by the parties in satisfaction of previous contractual agreements made and entered into by and between IDI and the Partnership.

(Transfer of Parcel B)

3. For purposes of computing the estimated fair cash value of the real property which is the subject matter of the within deed to satisfy the provisions of KRS Chapter 382, the parties agree that the value of the real property or full consideration paid for the real property described in the within deed shall be \$7,677.50 (the "Valuation Price").

4. In computing the Valuation Price, the parties made reference to the conveyance by IDI of a 7.11 acre tract of real property more fully described on deed instrument dated September 5, 1989, and recorded in Deed Book 414, Page 198 of the Boone County Clerk's Records maintained at Burlington, Kentucky, which 7.11 acre parcel is hereinafter referred to as (the "Hotel Parcel"). The Price paid to IDI for the conveyance of the Hotel Parcel was \$1,315,350. For purposes of the estimated fair cash value computation, this amount is defined as (the "Base Price").

(a) The contemporaneous swap of the adjoining .0415 acre parcels by Grantor and Grantee is for purposes of reconfiguring the Hotel Parcel; specifically, the parcel conveyed from the Partnership to IDI in the within deed instrument, while originally included in the Hotel Parcel, shall, upon recording of the within deed, be excluded; and the parcel conveyed from IDI to the Partnership in a separate deed instrument of even date herewith will be included and become a part of the Hotel Parcel.

5. The parties do further certify that the Valuation Price was derived by allocating a prorata share of the Base Price to the .0415 acre parcel which is the subject matter of the within deed instrument. Stated somewhat differently, the Valuation Price was computed by dividing the Base Price by the acreage in the Hotel Parcel, which quotient was multiplied by the acreage of the parcel being conveyed in the within deed instrument ( $\$1,315,350 \div 7.11 \times .0415 = \text{Valuation Price}$ ).

6. The parties do further certify that the Valuation Price reflects their best judgement as to the estimated fair cash value of the property described in the within deed instrument having made no independent investigation or determination of value other than as set forth herein.

7. The parties do further understand that a knowing falsification of the stated full estimated fair value is a Class D felony subject to 1 to 5 years imprisonment and fines up to \$10,000.

AIRPORT EXCHANGE HOTEL PARTNER

By: Winegardner & Hammons, Inc.,  
its managing general partner

By:   
ITS: PRESIDENT

(Corporate Seal)

INDUSTRIAL DEVELOPMENTS INTERNATIONAL, INC.

By: [Signature]  
Its: PRESIDENT

Attest: [Signature]  
Its: SECRETARY

(Corporate Seal)

STATE OF OHIO )  
                  )  
COUNTY OF HAMILTON)

The undersigned, a notary public in and for said county and state, do hereby certify that on this day the foregoing instrument was acknowledged before me by J. Erik Kamfjord, as President of Winegardner & Hammons, Inc., the managing general partner of Airport Exchange Hotel Partners, who did acknowledge that he did execute the foregoing instrument in his capacity of President of Winegardner & Hammons, Inc. who is the managing general partner of Airport Exchange Hotel Partners, and who did further acknowledge that the execution and delivery of the foregoing instrument was the free act and deed of the corporation in its capacity as managing general partner and that the corporation did execute the foregoing instrument in its capacity as managing general partner of Airport Exchange Hotel Partners.

Given under my hand and seal of office this 31<sup>st</sup> day of July, 1990.

Melody Minges  
Notary Public

MELODY M MINGES  
Notary Public, State of Ohio  
My Commission Expires 07/01/1994

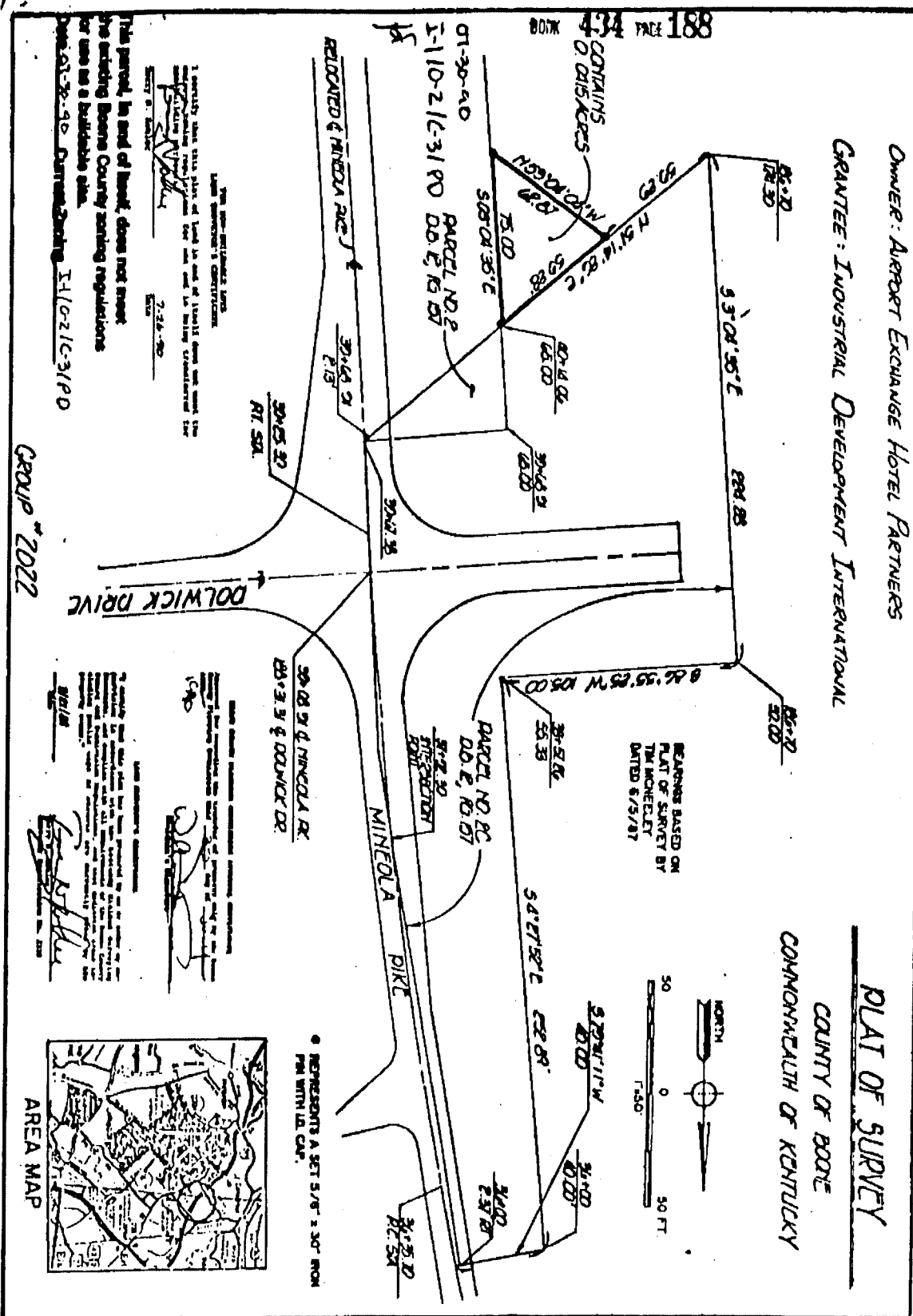
OWNER: AIRPORT EXCHANGE HOTEL PARTNERS

GRANTEE: INDUSTRIAL DEVELOPMENT INTERNATIONAL

PLAT OF SURVEY  
COUNTY OF BOONE  
COMMONWEALTH OF KENTUCKY

Page 0

MISC. 7-24-90 E.L.A.  
NEW CHARGE LOTS  
BARRIEMENT 7-20-90 E.L.A.



This parcel, in and of itself, does not meet the existing Boone County zoning regulations for use as a building site.  
Date: 01-28-90  
Dariusz Dabing  
11/02/10-31/90

GROUP "2022"

<p><b>AMERICAN LAND SURVEYS</b> 431 OHIO PIKE SUITE 164 SOUTH CINCINNATI, OHIO 45230 513/528-1200</p>	
<p><b>SCALE OF KENTUCKY REGISTERED LAND SURVEYORS</b> I. N. KOHLER 2339</p>	
DRAWN	SAC
CHECKED	CLP
DATE	3-21-89
SCALE	1"=50'
JOB NO.	7-89-01
SHEET	01 OF 01 SHEETS

STATE OF GEORGIA )  
                          )  
COUNTY OF FULTON )

The undersigned, a notary public in and for said county and state, do hereby certify that the foregoing instrument was acknowledged before me by Henry D. Gregory, JR. as PRESIDENT / CEO of Industrial Developments International, Inc. to be executed on behalf of the corporation by him as its PRESIDENT an officer thereunto duly authorized who did further acknowledge that the execution of the foregoing instrument was the free act and deed of the corporation and his free act and deed as an officer of the corporation.

Given under my hand and seal of office this 31<sup>st</sup> day of July, 1990.

Samantha Cochran  
Notary Public

Notary Public, Fulton County, Georgia  
My Commission Expires Jan. 21, 1994

RETURN TO: Strauss & Troy

RECEIVED

EXD 105-3 FI 4-02

JERRY W. ROUSE  
BOONE COUNTY CLERK

FILED \_\_\_\_\_ DAY OF \_\_\_\_\_  
AT \_\_\_\_\_ M \_\_\_\_\_ BOOK  
RECORDED BY Donna Collins  
NO. \_\_\_\_\_ PAGE 190

*Jerry W. Rouse*  
*24.0000*

STATE OF KENTUCKY, )  
                          ) : SCT.  
COUNTY OF BOONE, )

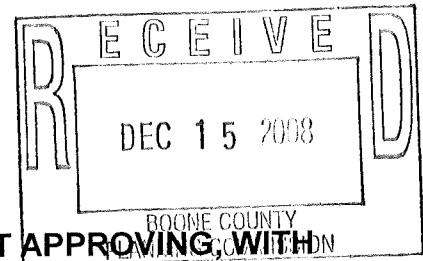
I, JERRY W. ROUSE, CLERK OF THE COUNTY COURT IN AND FOR THE  
COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF  
WRITING WAS, ON THE 3 DAY OF August, 1990, AT 4:02 P. M.  
LODGED IN MY OFFICE FOR RECORD, WHEREUPON THE SAME, THE FOREGOING, AND THIS  
CERTIFICATE HAVE BEEN DULY RECORDED IN MY OFFICE.

19 90.

GIVEN UNDER MY HAND, THIS THE 3 DAY OF August

JERRY W. ROUSE, CLERK

BY Donna Collins, D.C.



**ORDINANCE NO. 08-17**

**AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING WITH CONDITIONS, FOR A REQUEST OF WRIGHT CONTRACTING SERVICES, INC. (APPLICANT) FOR INDUSTRIAL DEVELOPMENTS INTERNATIONAL (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN AN INDUSTRIAL ONE/OFFICE TWO/ COMMERCIAL SERVICES/PLANNED DEVELOPMENT (I-1/O-2/C-3/PD) ZONE FOR A 1.52 ACRE SITE GENERALLY LOCATED ON THE SOUTH SIDE OF AIRPORT EXCHANGE BOULEVARD (LOT 15, AIRPORT EXCHANGE SUBDIVISION) AND TO THE IMMEDIATE EAST OF THE PROPERTY AT 1825 AIRPORT EXCHANGE BOULEVARD, BOONE COUNTY, KENTUCKY.**

**WHEREAS**, the Boone County Planning Commission received a request for a Change in an Approved Concept Development Plan in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site generally located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, 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 an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site generally located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, Boone County, Kentucky.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOONE COUNTY FISCAL COURT 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 an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site generally located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, Boone County, Kentucky. The real estate which is the subject of this request for a Change in an Approved Concept Development Plan in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone is more particularly described in DEED BOOK 234, PAGE NO. 168 (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 an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for a 1.52 acre site generally located on the south side of Airport Exchange Boulevard (Lot 15, Airport Exchange Subdivision) and to the immediate east of the property at 1825 Airport Exchange Boulevard, Boone County, Kentucky, the findings of fact 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.

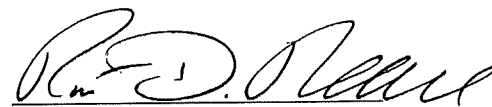
Introduced and given First Reading on the 21th day of Oct., 2008.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 18th day of Nov., 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

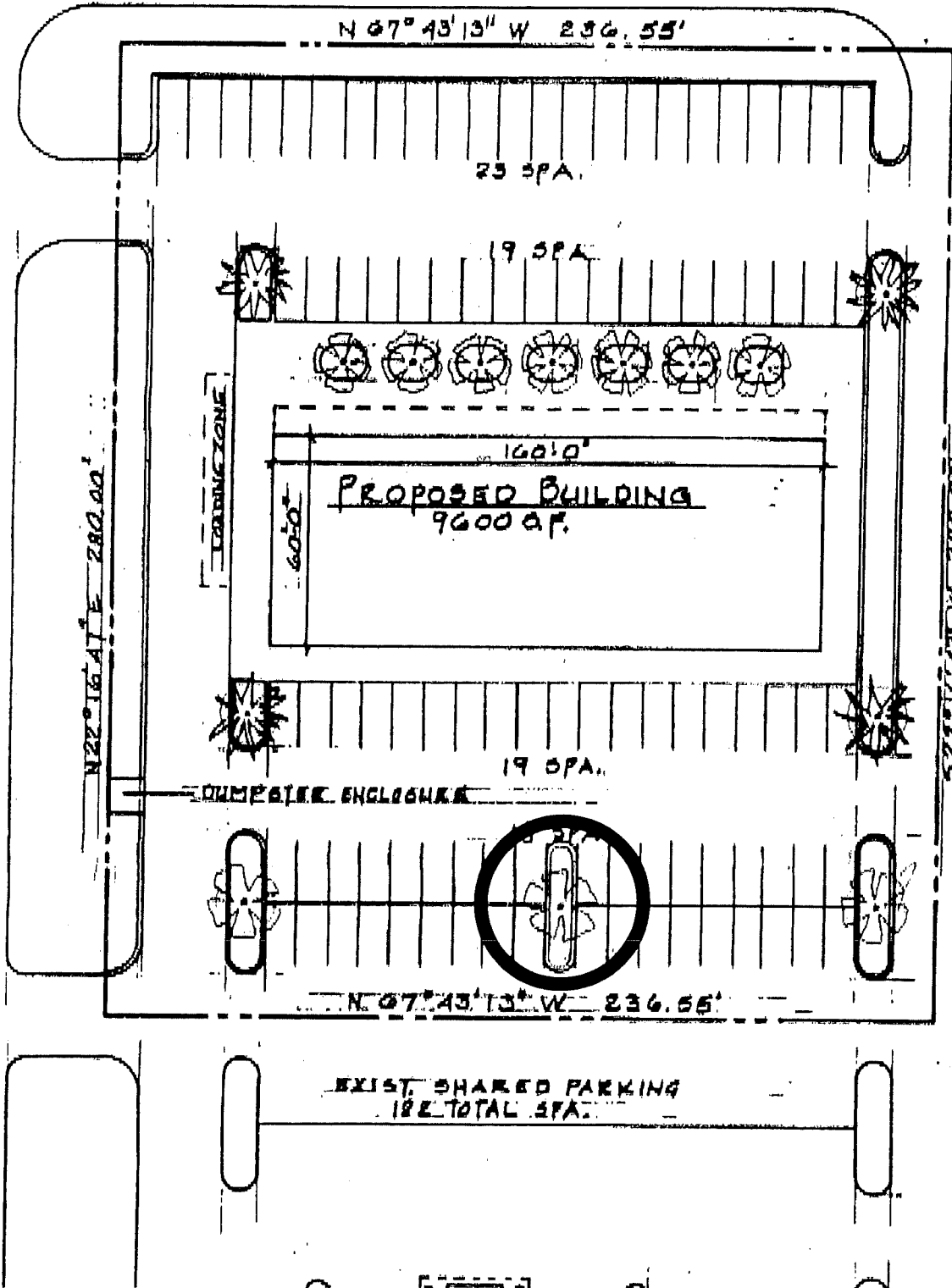
ATTEST:

  
BLAIR SCHROEDER  
FISCAL COURT CLERK

  
ROBERT NEACE  
COUNTY ATTORNEY

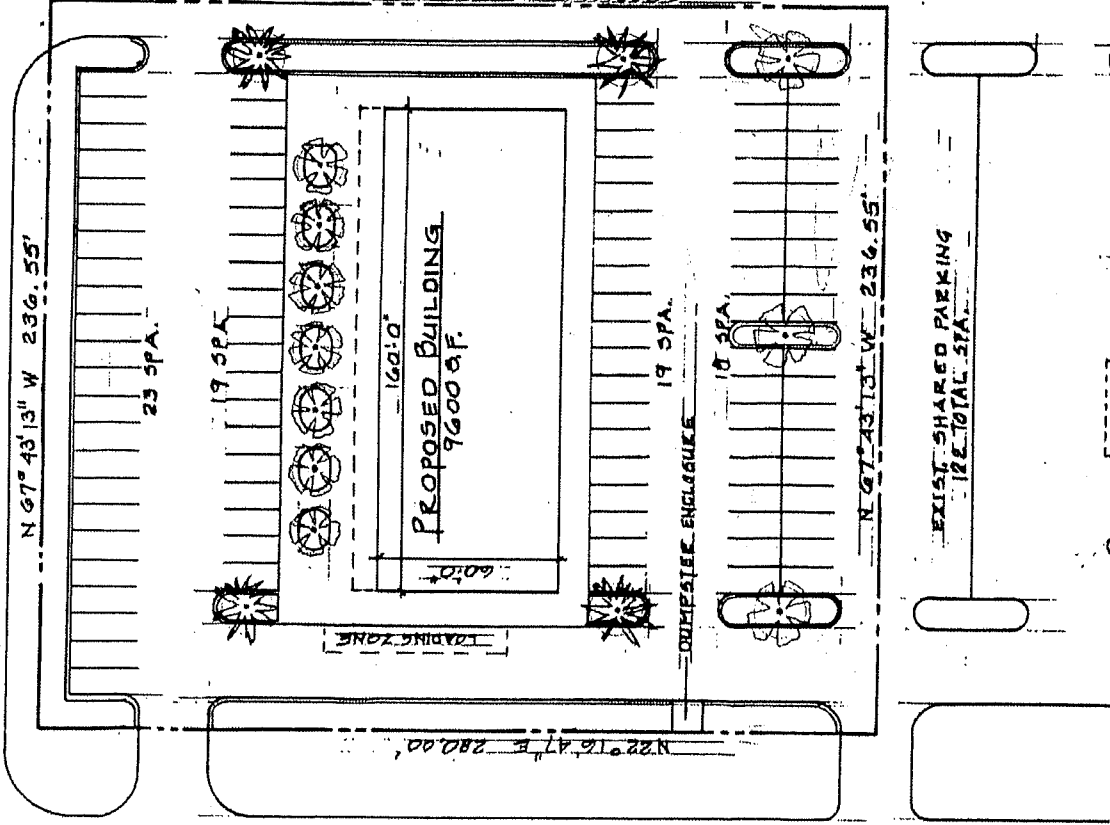
December 5, 2008  
DATE PUBLISHED

AIRPORT EXCHANGE BOULEVARD



**REVISED CONCEPT PLAN**

AIRPORT EXCHANGE BOULEVARD



APPROVED

Staff

Date

Boone County  
Planning Commission

*[Signature]*  
 9/17/08

REVISED CONCEPT PLAN