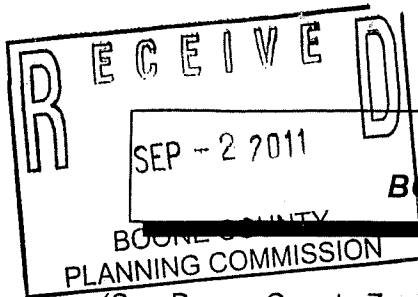


11-CCDP-014-A

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
- Zoning Administrator Review (As stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)

- 2. Name of Project Redevelopment of Safe-Lite Auto Glass
- 3. Location of Project 1041 Burlington Pike, Florence, KY 41042
- 4. Total Acreage of Site .557 Acres
- 5. Current Zoning C-1
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) ---
- 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) Auto Glass Replacement Store
- 9. Proposed Building Intensities (please specify) 4000 sq ft building on a .557 acre (24,280 sq ft) site, the building is 16.5% of site.
- 10. Have you submitted a Concept Development Plan? No
- 11. Are you also applying for:
  - Yes Conditional Use Permit
  - NO Dimensional Variance
- 12. Name of Applicant(s) Professional Design Associates, Inc. Jim Ritter, Architect  
Phone Number 513-661-2565 Fax No. 513-661-0420
- 13. Address of Applicant(s) 3627 West Fork Road  
Cincinnati, Ohio 45247  
City State Zip
- 14. Name of Property Owner(s) Big Fat Family LTD Partnership; Jerry Diers  
Phone Number 513-721-0707 Fax No. 513-721-1339
- 15. Address of Property Owner(s) 3732 Clifton Avenue  
Cincinnati, Ohio 45220  
City State Zip
- 16. Are there any existing buildings on the site? Yes  
How many? 1, existing Safe-lite Auto Glass.
- 17. Deed Book 587 Page No. 49 Group No. 2032
- 18. Have you had a pre-application meeting with BCPC Staff? Yes

(over)

# EXHIBIT

“A”

## STAFF REPORT

Request of Professional Design Associates, Inc. (applicant) for Big Fat Family Ltd. Partnership (owner) for a Change in an Approved Concept Development Plan and a Conditional Use Permit in a Commercial One (C-1) zone for a 0.557 acre site located at 1041 Burlington Pike, Boone County, Kentucky. The request is to construct a new 4,000 square foot auto glass replacement store.

October 5, 2011

### REQUEST

The applicant has applied for a Change in an Approved Concept Development Plan and a Conditional Use Permit to allow the Safelite Auto Glass building to be torn down and replaced. The existing building is 2,185 square feet in area and the proposed building is 4,000 square feet in area. The submitted Concept Development Plan shows that new building will be oriented so that the office and four garage bays will be visible from KY 18. A new parking lot with 11 stalls will also be located between the building and KY 18. The submitted elevation drawings show that the building will be constructed with aluminum store front systems, painted split-faced concrete masonry units, painted overhead garage doors, and a fabric awning.

### RELEVANT SITE HISTORY

- 1988 - The property is rezoned from Suburban Residential Two (SR-2) to Commercial One (C-1) and a Conditional Use Permit is approved allowing an auto glass shop. The approved Concept Plan shows a single family residential dwelling will be converted into an office and a 54' x 26½' addition with service bays will be added onto the rear. Seven (7) conditions are imposed on the approval (see attachments).
- 1989 - A Change in an Approved Concept Development Plan is approved which modifies condition #5 from the 1988 Zone Change and Conditional Use Permit approval. The approval allows a monument sign to be constructed.

### SITE CHARACTERISTICS

The 0.557 acre site is located on the south side of KY 18 and contains 153 feet of road frontage. The property contains a 2,185 square foot auto glass facility with two repair bays and an accessory parking lot. The building is constructed mostly with red metal siding and red standing seam metal roofing. Access to the site is provided from a single curb cut on KY 18. Some mature landscaping is located in front of the building and to the west side of the driveway. A water main is located along KY 18 and a sanitary sewer main is located on the adjoining property to the south.

### ADJACENT LAND USES AND ZONING

North: KY 18, Kerry Mazda, and Kerry Volkswagen (C-3)

South: Broeg Chiropractic (C-1)

East: Lipps Pool and Spa (C-1)

West: Single-Family Residential Dwelling on a 25 Acre Tract (SR-1 and SR-2)

#### RELATIONSHIP TO COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's "2030 Land Use Plan" designates the site for "Suburban Residential" uses. This designation is described as "single family housing of up to four units per acre. This classification does not preclude low density or estate residential developed as a formal subdivision."

The Land Use Element (Pleasant Valley - West Florence Area, pp. 145-146) makes the following statement regarding the general area:

- A. "Hopeful Church Road should continue to serve as a residential corridor. Some small scale neighborhood commercial services may be appropriate at a strategic location in the corridor. It should be scaled to serve the Hopeful Church Road and Cayton Road areas, designed with a residential-compatible look to the buildings and site, and without freestanding signage. Access management is important to avoid turning movement conflicts on Hopeful Church Road, and some road improvements may be necessary to support this development. The proposed commercial land uses on KY 18 should be planned with careful Access Management, including continuous parallel roadways. Development should create commercial clusters rather than strip centers which parallel KY 18. These commercial uses must also be designed to be compatible with existing and proposed residential developments along KY 18."

The Land Use Element provides the following Future Land Use Development Guidelines that relate to the proposal.

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

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

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

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

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

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

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

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

- F. Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Overhead utility lines should be placed underground wherever possible, and junction boxes screened from public view. Neo-traditional residential and commercial development should be encouraged to provide quality development that blends with the natural or historic character of parts of Boone County. This Comprehensive Plan encourages the restoration, renovation and/or adaptive re-use of historically significant structures in Boone County.

The proper application of these guidelines help, in part, to achieve an overall objective of this Comprehensive Plan. This goal states that proper future growth management for Boone County is implemented. As a minimum, proper design and development must include the consideration and application of the above guidelines ("Design, Signs, and Historic Preservation," pg. 142).

The Business Activity Element provides the following comment that relates to the area in question:

- A. Many problems with the location and arrangement of commercial uses have emerged, especially along the KY 18 and U.S. 42 corridors. Commercial developments along KY 18 and U.S. 42 west of Mall Road should not be regionally oriented nor should they attract additional traffic, but rather be served by the existing or future population of the area. A mix of commercial, office, and residential uses, along with limited access, should be encouraged along KY 18. Along the entire KY 18 corridor east of Burlington, there are traffic congestion problems that can be worsened by adding commercial access points (Recommended Areas of Commercial Activity, pp. 62-65).
- B. Commercial developments that occur in the KY 18 and U.S. 42 corridors should be limited in scale (e.g. building, intensity, use, etc.) and clustered to serve growing residential neighborhoods. Planned Unit Developments should be encouraged so that commercial construction is incorporated within new residential areas and designed properly. These commercial clusters should not function as an extension of Florence and Mall Road, but as distinct units serving the Burlington and Union areas. This principle should apply to the Limaburg area and surrounding area as well. The commercial development in this area should coordinate closely with the projected high and medium density residential development to form a more coherent community and create neighborhood centers rather than just a strip extending out of Florence. An example of this type of design is the Oakbrook Marketplace, which ties into the subdivision while serving a larger trade area (Recommended Areas of Commercial Activity, pp. 62-65).

The 2010 Boone County Comprehensive Plan's Goals and Objectives include the following pertinent statements:

- A. Existing vegetation shall be considered as both an important site characteristic and a community resource (Environment, Objective).

- B. The incremental effects of developments on the environment, including, but not limited to storm water, erosion, woodlands, streams, and views shall be evaluated and addressed with public involvement (Environment, Objective).
- C. Boone County Businesses are developed in appropriate locations and are compatible with their surrounding areas (Business Activity, Goal).
- D. Safe efficient and environmentally sound public services and facilities shall exist for all development (Public Services and Facilities, Goal).
- E. Public sanitary sewer systems shall be strongly encouraged in place of individual treatment plants or septic systems. Opportunities for regional/combined stormwater management system(s) shall be examined and developed if appropriate (Public Services and Facilities, Objective).
- F. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system (Transportation, Objective).
- G. New connector streets shall be developed where needed and feasible thus lessening the total dependence on arterial, collector, and local streets. Existing connector streets shall be improved where needed (Transportation, Objective).

#### CONDITIONAL USE PERMIT CRITERIA

Section 1013 of the Boone County Zoning Regulations lists auto repair facilities as a Conditional Use in the C-1 zone.

Section 303 of the Boone County Zoning Regulations indicates that an applicant may file a dimensional variance or conditional use permit when filing a zoning map amendment.

The Planning Commission needs to evaluate the Conditional Use Permit request in terms of the criteria listed in Section 262 and 1013 of the Boone County Zoning Regulations:

The criteria listed in Section 262 (Criteria for all Conditional Uses). The Planning Commission may consider whether such use at the proposed location:

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's Comprehensive Plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

The criteria listed in Section 1013 (Criteria for Conditional Uses in the C-1 Zone)

- A. The activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or
- B. The activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; and
- C. The arrangement of uses, buildings or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.

#### STAFF COMMENTS

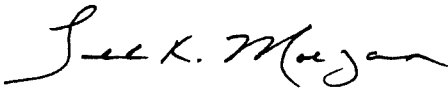
1. The Change in Approved Concept Development Plan and Conditional Use Permit applications were required because the size of the facility is almost doubling. The existing facility is 2,185 square feet in area and the proposed facility is 4,000 square feet in area.
2. Staff would like the applicant to address the following:
  - A. Provide a colored elevations of the building facades. The elevation drawings show that the building will be painted six different colors. The signage definition in Article 40 of the Boone County Zoning Regulations states that words, letters, figures, designs, symbols, fixtures, colors, illumination, and projected images are considered signs.
  - B. Will any mechanical equipment be visible from the roof?
  - C. What are the typical hours of operation?
  - D. Will the building tie into a public sanitary sewer main?
3. The conditions of approval from 1988 required a driveway or frontage road connection to the property to the east. The condition also states that a driveway connection to the west will be provided when that property undergoes a change in use. The May 18, 1988 Site Plan for the subject site shows a designated area for the future frontage road and a label states that it will be constructed by the owner when ordered by the Planning Commission or designated governing authorities (see attachments). Greg Sketch, the County Engineer, has indicated that he does not see the need for the frontage road at this time.
4. Staff would like to make the applicant aware that landscaping and storm water detention will be analyzed in more detail if a Site Plan application is submitted for review. The width of the perimeter buffer yards shown on the plan comply with code.

CONCLUSION

The Change in an Approved Concept Development Plan request needs to be evaluated by the Boone County Planning Commission and Boone County Fiscal Court in terms of Articles 3 of the Boone County Zoning Regulations and the potential impacts on existing and planned uses in the area.

The Conditional Use Permit request needs to be evaluated by the Boone County Planning Commission in terms of Articles 2 and 10 of the Boone County Zoning Regulations and the potential impacts on existing and planned uses in the area.

Respectfully Submitted,



Todd K. Morgan, AICP  
Senior Planner, Zoning Services

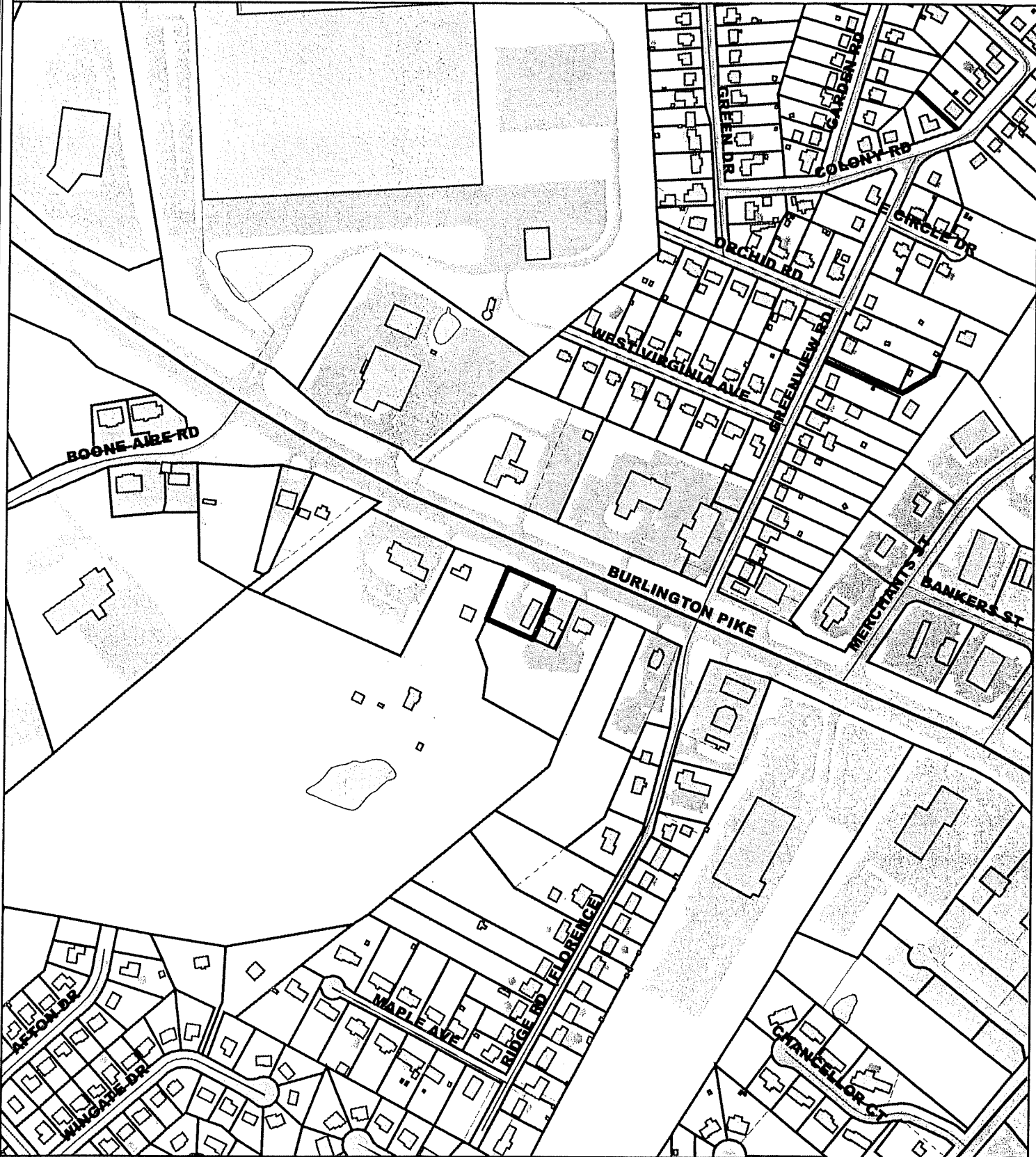
TKM/vlm

Attachments:

- \*Site Vicinity Map
- \*Concept Development Plan
- \*Proposed Building Elevations
- \*1988 Concept Development Plan and Committee Report
- \*1988 Site Plan
- \*1989 Committee Report
- \*2009 Aerial Map
- \*Zoning Map
- \*Topographical Map
- \*Future Land Use
- \*Application

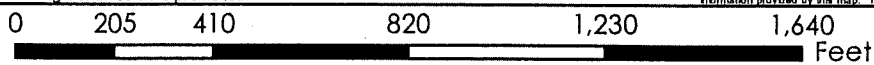
# SITE VICINITY MAP

www.boonecountygis.com



Copyright 2008 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



**Boone County GIS - Putting Northern Kentucky on the Map**





PROFESSIONAL  
DESIGN  
ASSOCIATES  
INC

architects  
engineers  
planners

3627 West Fork Rd.  
Cincinnati, Ohio  
45247

Phone: (513) 441-2845  
Fax: (513) 441-4025  
http://www.pda.com

REDEVELOPMENT  
OF  
SAFE-LITE  
AUTO GLASS

1041  
BURLINGTON PK  
FLORENCE, KY  
41042



revisions

drawn by

approved by

date

BY: MPT 2011

file no.

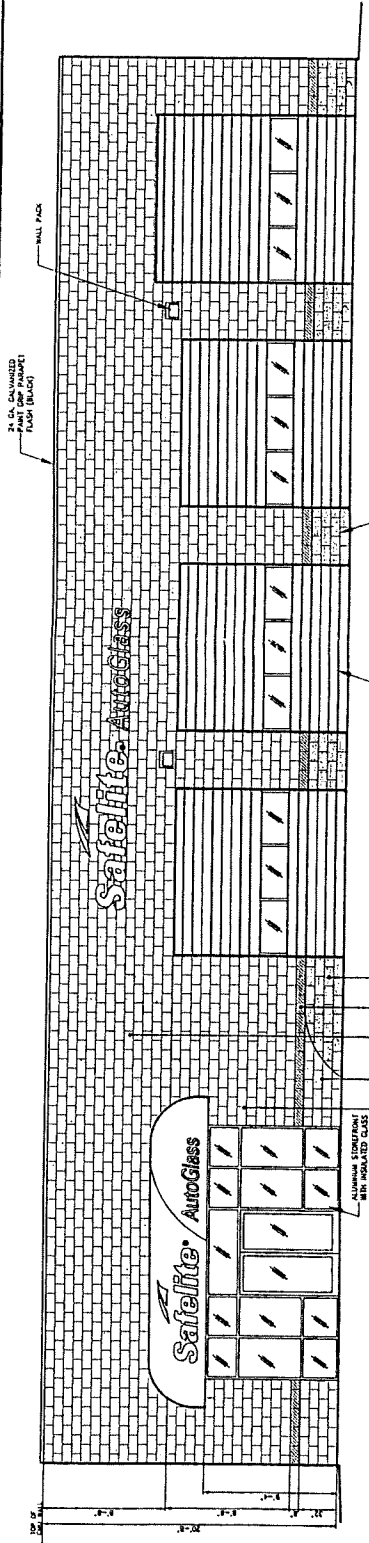
11-183

sheet

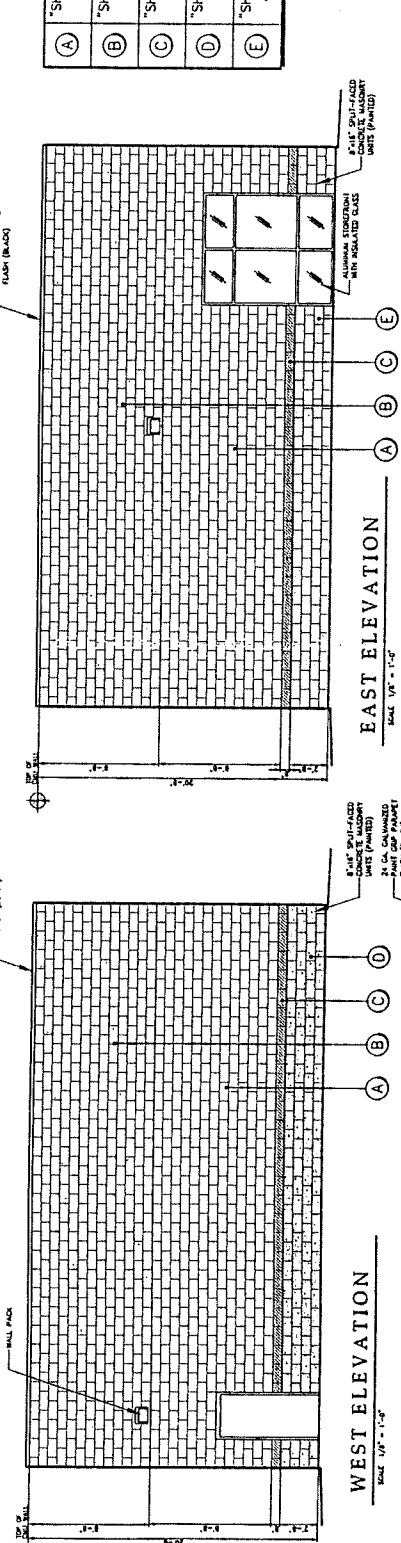
Z-2

of 2

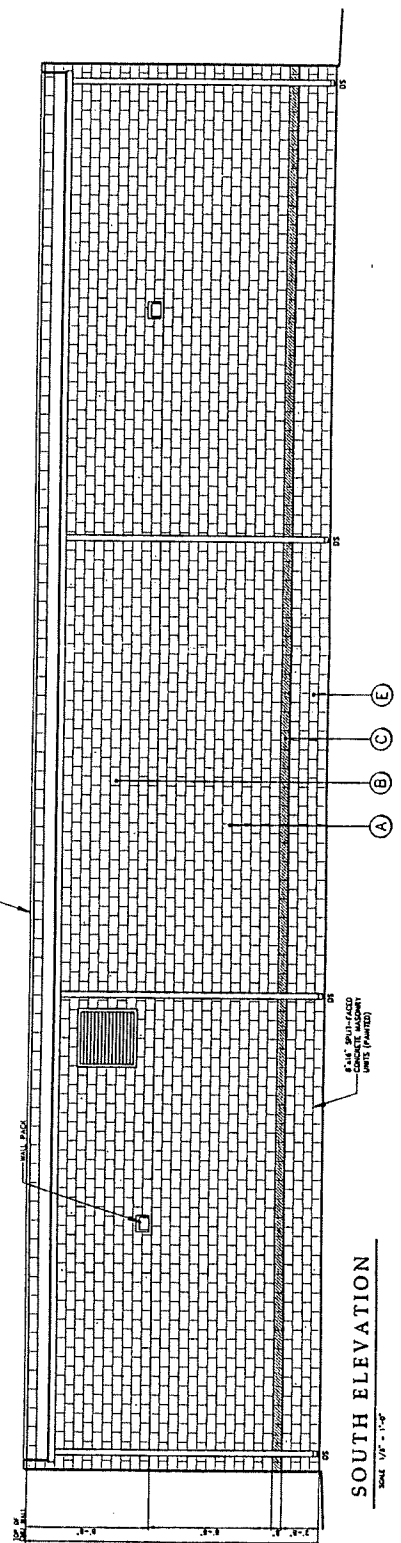
(A)	"SHERWIN-WILLIAMS" "ARGOS GRAY"
(B)	"SHERWIN-WILLIAMS" "IRON ORE"
(C)	"SHERWIN-WILLIAMS" "CITY SCAPE"
(D)	"SHERWIN-WILLIAMS" "SAFETY RED"
(E)	"SHERWIN-WILLIAMS" "BLACK MAGIC"



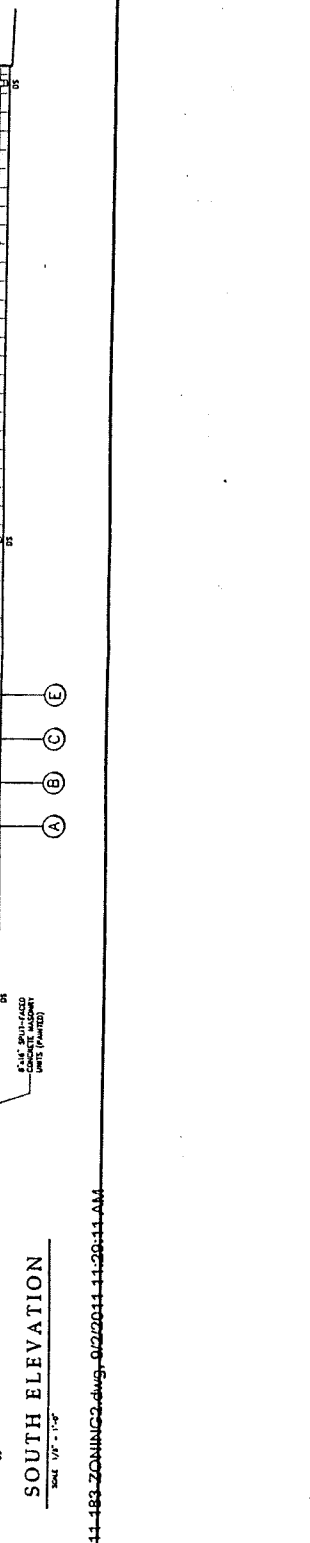
**NORTH ELEVATION**  
SCALE 1/8" = 1'-0"



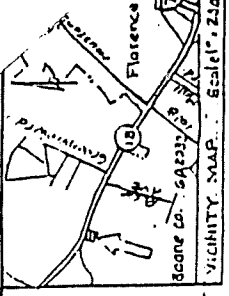
**EAST ELEVATION**  
SCALE 1/8" = 1'-0"



**WEST ELEVATION**  
SCALE 1/8" = 1'-0"



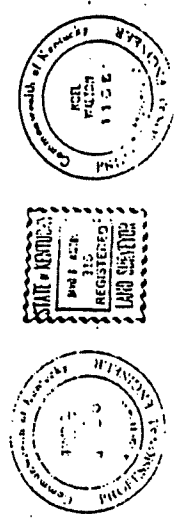
**SOUTH ELEVATION**  
SCALE 1/8" = 1'-0"



**ANDY'S GLASS SHOP**  
**- WALT RAMEY**  
**1988 CONCEPT PLAN**

1:10 = 1" = 10'

Area of bldg. 2225 sq. ft. 1 parking space for each 400 sq. ft. of floor area.  
 Draining calc. - parking area 10,000 sq. ft. 1" slope to 10' curb. An  
 water from paved area over 15' curb. 10' curb. 10' curb. An  
 curb provided on s. edge of parking lot to contain storm flow  
 storm flow to be bleed off at a controlled rate by providing curb  
 notches @ 15'.  
 All bare earth slopes to be seeded or covered with grass, seeded  
 and mulched.  
 Entrance to highway under jurisdiction of Ky Dept of Highways. Level  
 approach space to highway to be provided for sight distance.  
 Parking lot paving 2" C.O. bit. conc. on compacted 6" base of  
 C.O.A. Alternative to this is 1 1/2" conc. with 3/4" mesh rebar.  
 10000' = Finish grades - all slopes may 2:1 to 1:1

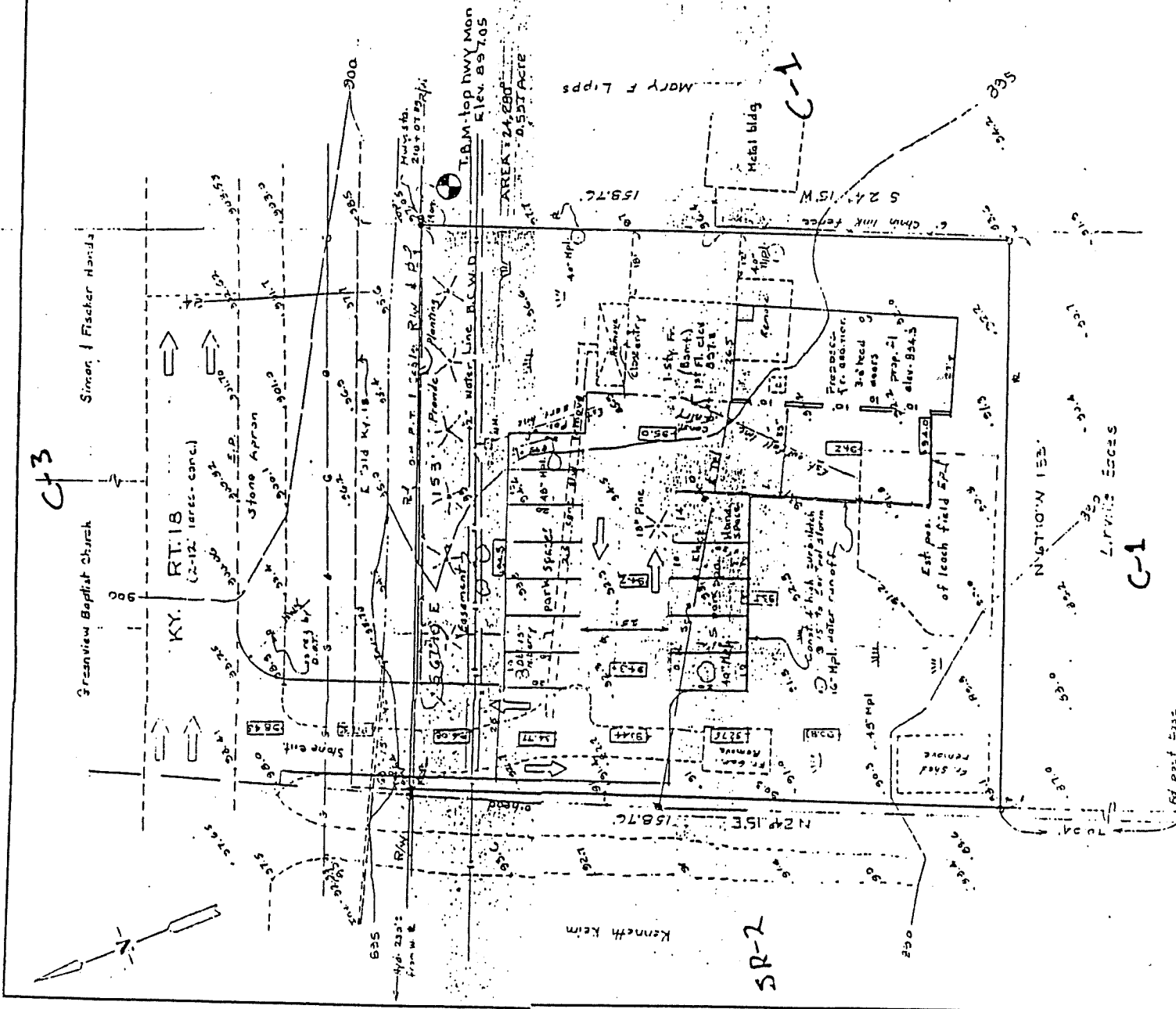


**SITE DEVELOPMENT PLAN - LOT 5000, W. SIDE KY 187, WEST OF MAPLE AVE. MADE FOR ANDY'S GLASS SHOP**

SCALE: 1" = 40' APPROVED BY: \_\_\_\_\_ DATE: 10-22-87 DRAWN BY: \_\_\_\_\_

Add 800 to all 2-digit elevations for U.S.S. datum.  
 Desc. of parcel in D.D. 388 of 225, 6/24, 2011, M.C. 2000

Walt Ramey - Civil Engineers - Surveyors  
 Lexington, KY 40503 - Phone 555-5517



COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Carol Smith, Chairwoman

DATE: February 3, 1988

RE: Request of Walt Ramey (applicant) for Mr. and Mrs. Lenore C. Surface (owners) for a Zoning Map Amendment from Suburban Residential Two (SR-2) to Commercial One (C-1) and for a Conditional Use Permit and Variance in buffer requirement to allow a glass shop and installation of automobile windows. The 0.55 acre site is located at 1041 Burlington Pike, Boone County, Kentucky.

REMARKS:

We, the Committee, recommend approval of the Zoning Map Amendment and Conditional use requests based upon the following findings of fact and with the following conditions. The applicant has submitted a letter withdrawing the request for a Variance. The applicant is being asked to agree to include the items included under the Conditions section as part of the Concept Development Plan in order to clarify the plan as presented at the 1/27/88 Public Hearing.

Findings of Fact

1. The requested Zoning Map Amendment is in agreement with the 1986 Boone County Comprehensive Plan. The Future Land Use Map indicates commercial usage for the site, and the text of the Land Use Element describes the future commercial usage of existing residential areas on KY 18. Specific references to the Comprehensive Plan are made in the Staff Report dated 1/27/88. The Committee also believes that the requested type of use and the requested Conditional Use correlate well with the nature of residential and auto-related commercial development occurring along the KY 18 corridor. As reviewed in the Staff Report, and further clarified by the conditions below, the Committee believes that the request meets the seven criteria found in Section 263 of the Boone County Zoning Regulations for evaluating Conditional Use requests.
2. The existing zoning classification of Suburban Residential Two (SR-2) is inappropriate to reflect the recent growth patterns of the area and the proximity of KY 18 and associated commercial uses and zoning. The proposed zoning classification of Commercial One (C-1) is appropriate to reflect development and zoning on adjacent parcels, as well as the immediate frontage on KY 18.

Conditions

1. The Committee would like to note that the applicant has submitted a letter withdrawing the request for a Variance in buffer requirement. As a result, the proposed driveway for the site will have to be a minimum of 20 feet from the west property line.
2. The proposed access drive to the site shall be designated a Temporary Access Point under Section 1758A of the Boone County Access Management Regulations. At such time as the site is provided an alternate means of access, the proposed curb cut can be required to be closed by the Planning Commission.
3. The applicant or owner/developer shall be required to construct, as part of the site development, a driveway or frontage road connection to property to the east on KY 18. Details are to be finalized at subsequent review stages. The owner of this site shall also participate in future access to property to the west at such time as that property undergoes a change in use. If a driveway connection or frontage road connection becomes desirable at that time, the owner of this site will be required to construct the connection to the west property line.
4. No paging systems or loud speakers shall be utilized on the site. Also, during subsequent review stages, detailed lighting plans shall be required that eliminate lighting overflow onto adjacent property or onto the KY 18 right-of-way.
5. The site shall be limited to one building-mounted sign.
6. A detailed landscaping plan shall be supplied at site plan review that contains the following:
  - a) The 18 inch Spruce tree shall be retained along with as many as possible of the other existing trees through site design.
  - b) A substantial mixture of both evergreen and ornamental trees and shrubs shall be planted around the proposed building, the parking area, and along the KY 18 right-of-way. Such trees shall be at least 2 inches in caliper, and the shrubs shall be at least 3 feet in height, except where driver visibility is restricted.
  - c) The 20 foot buffer area required along the west edge of the site shall be planted with two staggered rows of 8 foot evergreen trees spaced 15 feet on center.

Conditions - Continued

7. The development shall be required to connect to a public sanitary sewer system at such time as such a system becomes available to the site. All other interim forms of sewage treatment will need to conform to the requirements of the respective Health Department.

Carol Smith  
Carol Smith, Chairwoman

Fred Burgh  
Fred Burgh

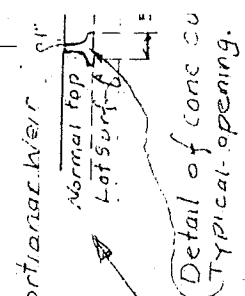
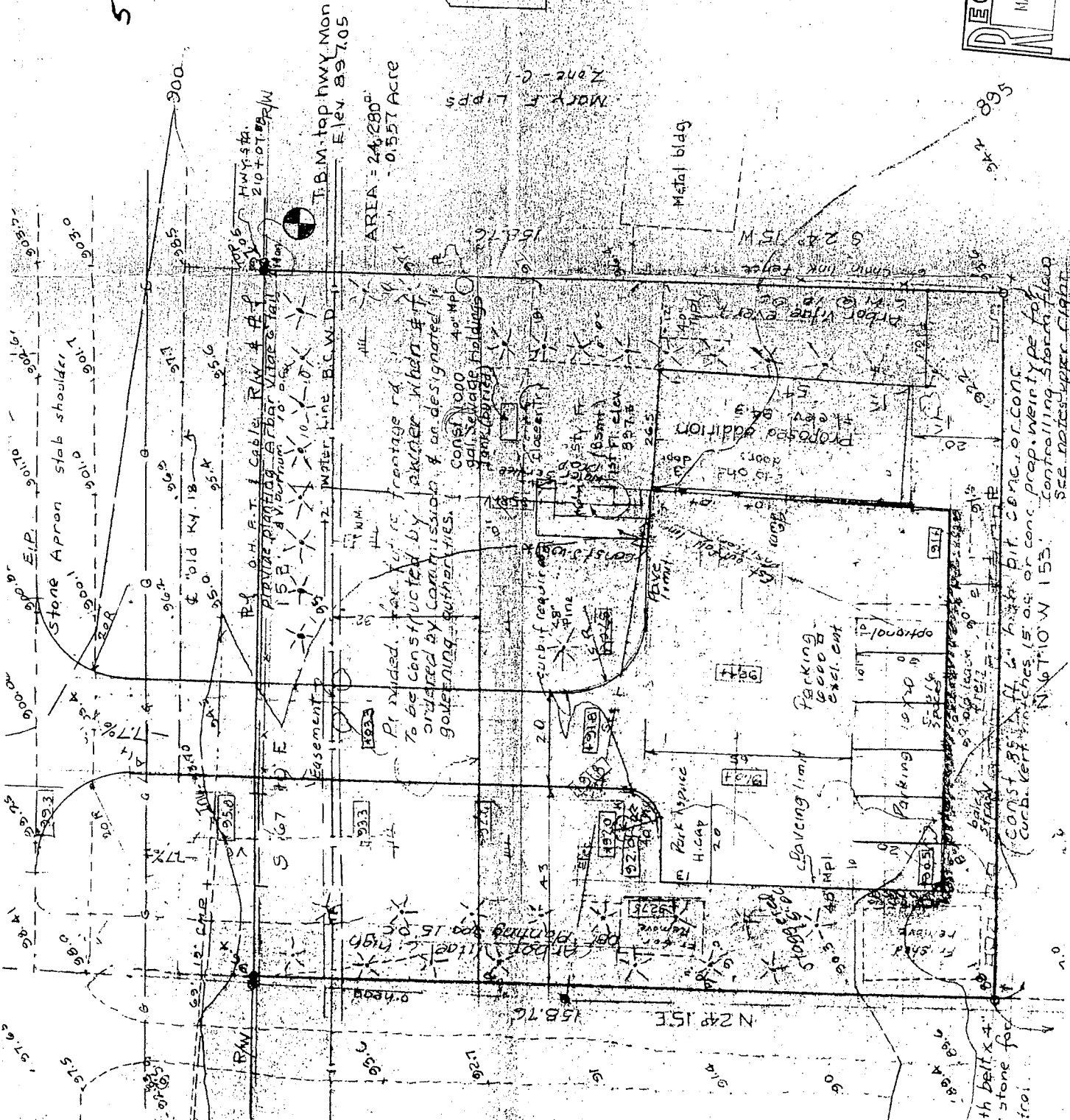
Rector Jones  
Rector Jones

Donald McMillian  
Donald McMillian

Larry Barnett  
Larry Barnett

CS:mcb

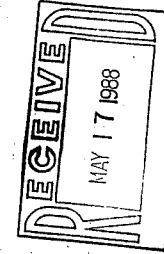
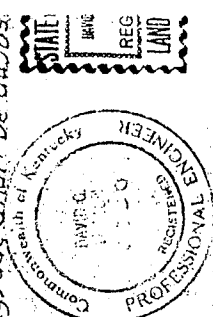
5/18/88 Approved  
SITE Plan



NOTES  
See attached addendum sheets for AF

Area of bldg = 1430 sq ft  
Reg. 1 parking space  
Drainage calc. parking area 6000 sq ft  
Water from roof to be collected in  
curb provided on s. edge of parking. It  
storm flow to be tied off at a central  
manhole 2' x 6' @ 10' D.C. If concrete curb  
All base earth slopes to be sodded or  
and mulched  
Entrance to highway under jurisdiction  
approach space to highway to be provided  
Parking lot paving - 2" R.P. bit conc. on  
2.5" A. Alternate to this - 4" 3500 #  
mesh rebar

6000 = Finish grades - all slopes must  
Mixture of Evergreen & ornamental trees  
around the proposed bldg. A parking lot  
shall be Arbor Vitae & Thuja  
Deciduous trees shall be  
by nurseryman same species  
When old or if the frontage  
Service line grade shall be above



M. E. Reed - Miller

Const. 35' x 11' 2" high bit. conc. on conc.  
curb. left hand side 15' as or conc. prop. width to be for  
controlling storage field  
N 67° 10' W 153'

AREA = 24,280 sq ft  
0.557 Acre

T.B.M. top hwy. MON  
Elev. 897.05

Stone Apron slab shoulder  
Water Line B.C.W.D.  
Frontage rd  
Proposed Addition  
Parking  
Metal Bldg

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Larry Barnett, Chairman

DATE: December 6, 1989

RE: Request of Andy's Glass (applicant) for Jerry F. Diers (owner) for a change in a previously approved Concept Development Plan for a 0.55 acre site located at 1041 Burlington Pike, Boone County, Kentucky. The site is zoned Commercial One (C-1) and the request involves removing a condition of the previous zone change application.

REMARKS:

We, the Committee, based on the statements made and facts gathered at the November 29, 1989 Public Hearing, recommend approval of the change in a previously approved Concept Development Plan based on the following findings of fact and with the following conditions.

Findings of Fact

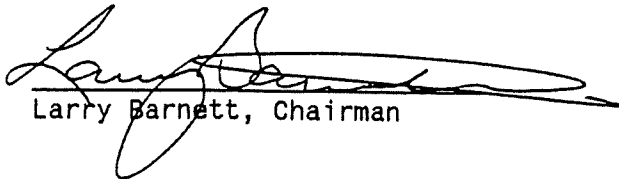
- 1.) The use of this property is in agreement with the 1986 Boone County Comprehensive Plan. The Future Land Use Map indicates commercial usage of the site, and the text of the Land Use Element describes the future commercial usage of existing residential areas on KY 18.
- 2.) The applicant has stated that the purpose of the sign is to clearly identify the entrance driveway of Andy's Glass, for customers, in order to improve automobile traffic safety along KY 18. A pole sign would serve more as a means of advertisement and add to visual distraction along KY 18. A monument sign will adequately identify Andy's Glass entrance driveway for customers destined for the site. Additionally, a monument sign fits in with the current land use and zoning on property located west of the site.
- 3.) Condition Number Five, as stated in the previously approved Concept Development Plan, is deleted and shall be replaced with the two conditions stated below.

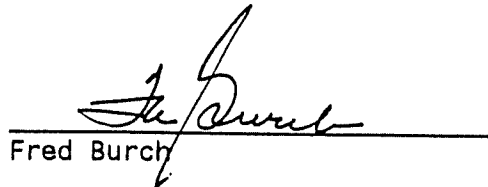
Conditions

- 1.) No sign, or other structure, may be placed in the area designated as future location for frontage road. The area is defined in the approved Site Plan dated May 18, 1988 and is described as a strip of thirty two (32) feet, to allow for future frontage road, in width parallel to and south of the existing twelve (12) inch waterline.
- 2.) A free standing pole sign is not to be permitted. Instead a monument sign placed at a maximum of five (5) feet above the centerline elevation of KY 18 and fifty (50) square feet in area will be permitted. The monument sign is to be located immediately adjacent to the eastern edge of the entrance driveway.

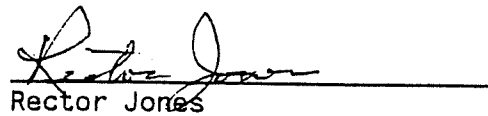
=====

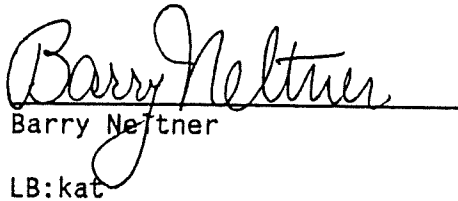
In addition, to the above findings of fact and conditions, the Zone Change Committee is concerned that the site does not comply with the approved Site Plan of May 18, 1988. The applicant is encouraged to address these improvements in a timely fashion.

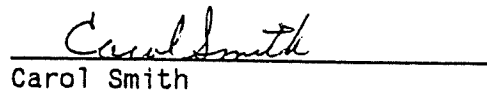
  
Larry Barnett, Chairman

  
Fred Burch

  
Phil Damstrom

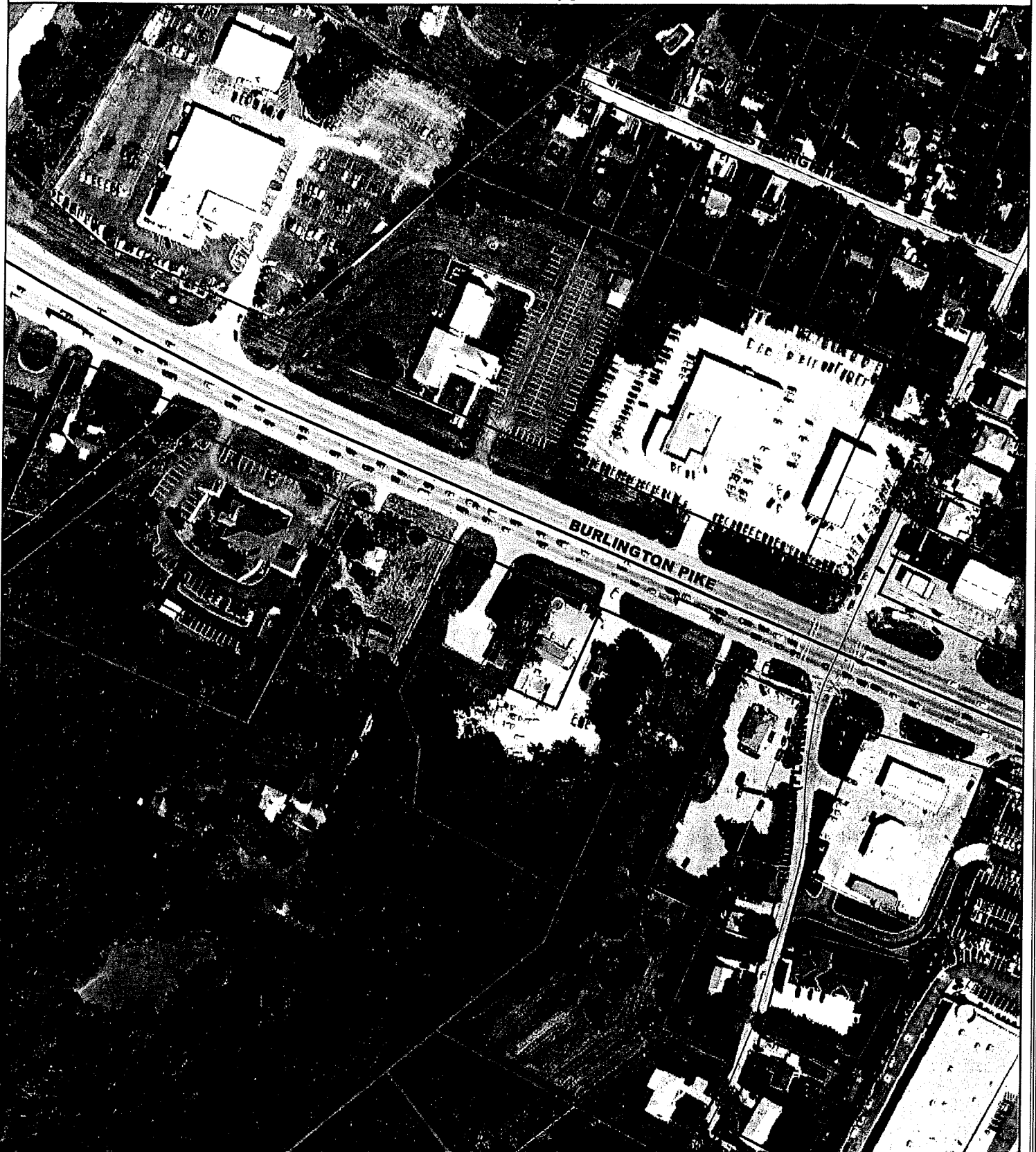
  
Rector Jones

  
Barry Neftner  
LB:kat

  
Carol Smith

# 2009 AERIAL MAP

www.boonecountygis.com



Copyright 2011 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.

0 8,750 17,500 26,250 35,000 43,750 52,500 61,250 70,000

Feet

1 inch = 83,333 feet

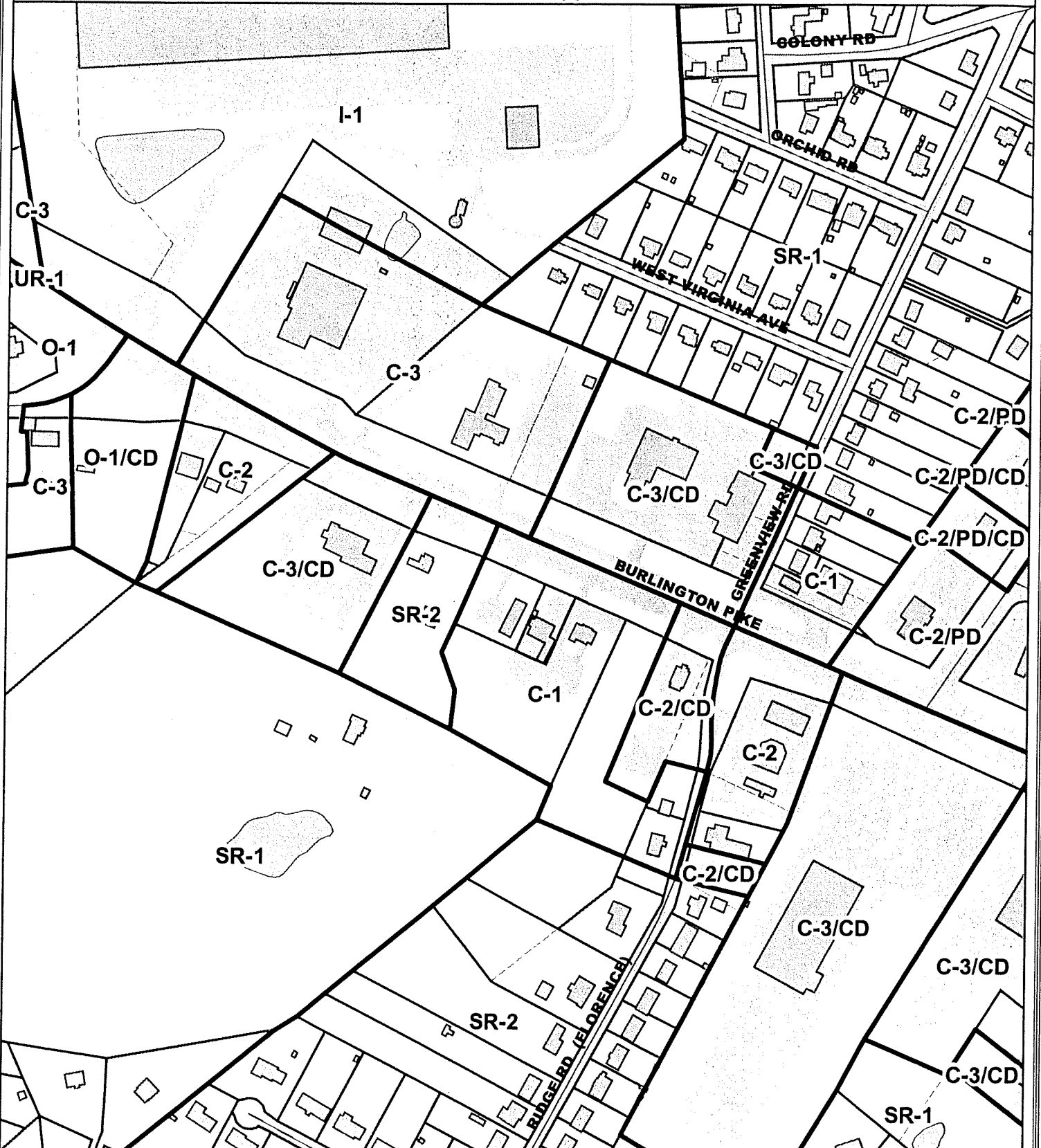


**Boone County GIS - Putting Northern Kentucky on the Map**



# ZONING MAP

www.boonecountygis.com



Copyright 2011 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.

0 8,750,500 35,000 52,500 70,000

Feet  
1 inch = 83,333 feet

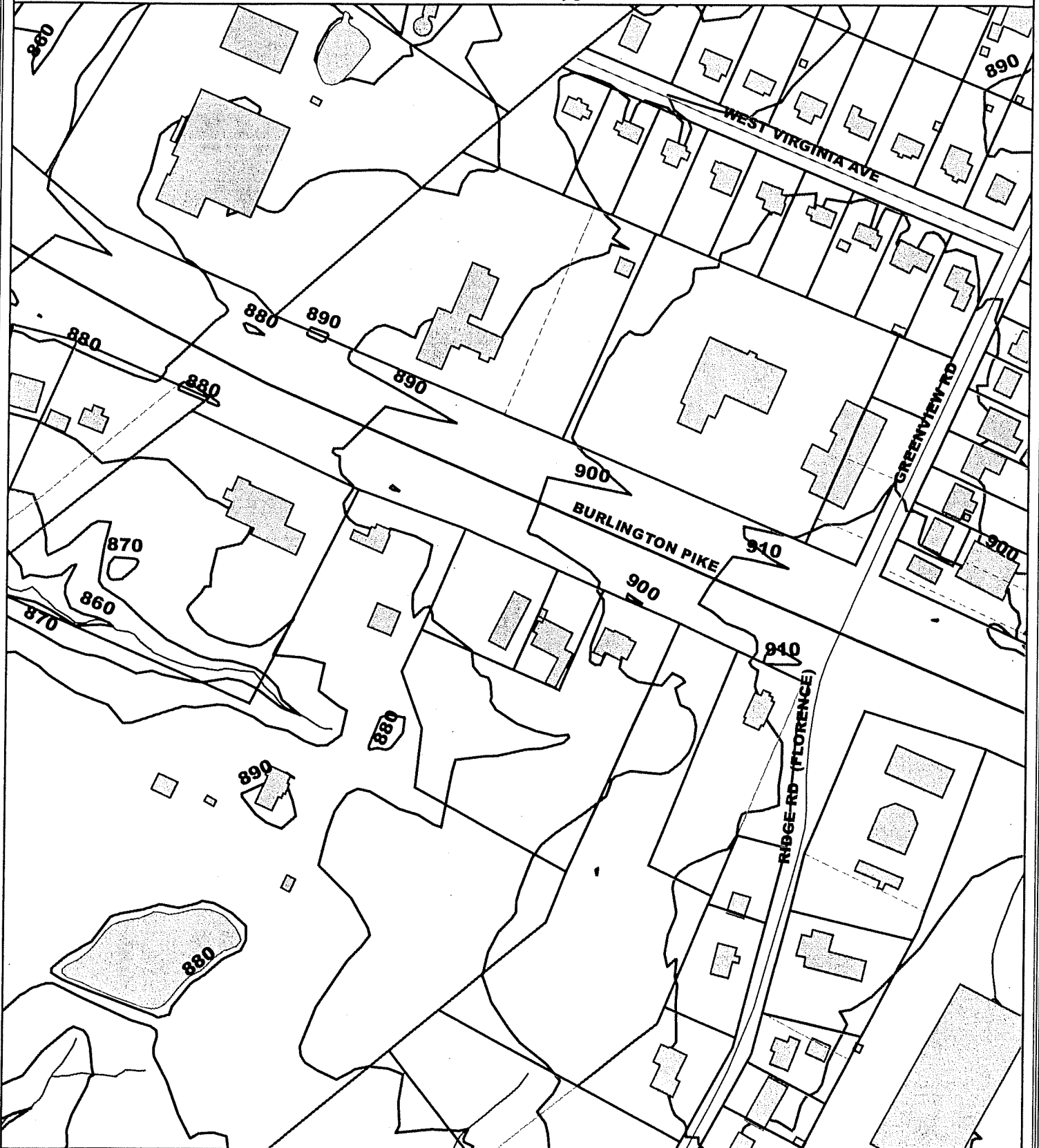


**Boone County GIS - Putting Northern Kentucky on the Map**



# TOPOGRAPHICAL MAP

www.boonecountygis.com



Copyright 2011 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.

0 8,750 17,500 26,250 35,000 43,750 52,500 61,250 70,000

Feet  
1 inch = 83,333 feet

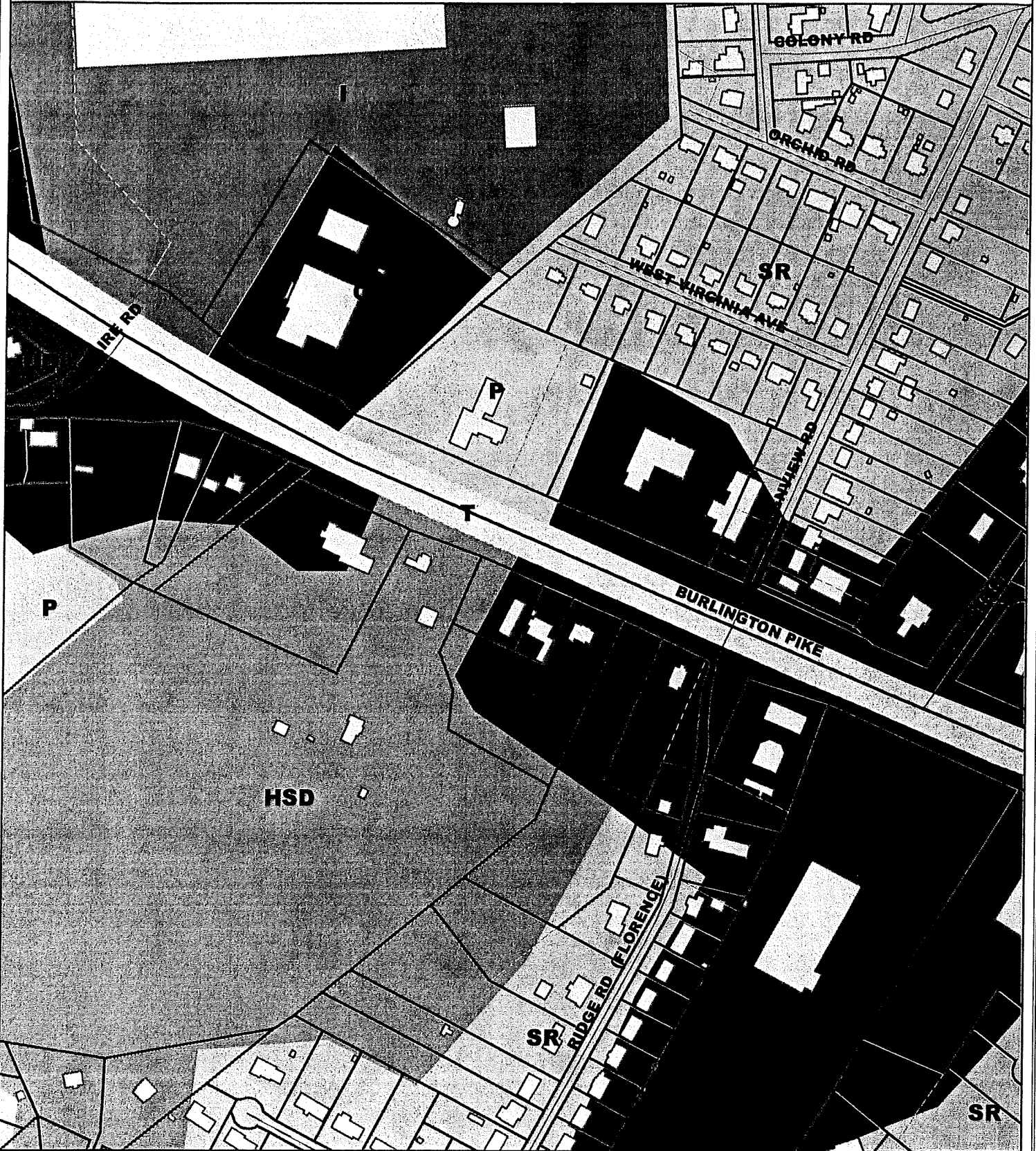


**Boone County GIS - Putting Northern Kentucky on the Map**



# FUTURE LAND USE MAP

www.boonecountygis.com



Copyright 2011 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.

0 8,750 17,500 35,000 52,500 70,000

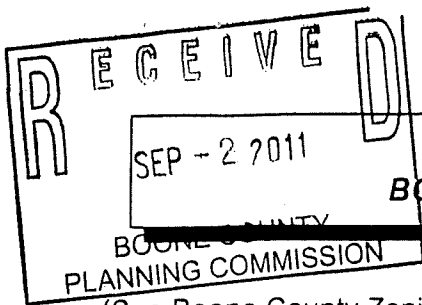
Feet

1 inch = 83,333 feet



**Boone County GIS - Putting Northern Kentucky on the Map**





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
Zoning Administrator Review (As stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)

- 2. Name of Project Redevelopment of Safe-Lite Auto Glass
3. Location of Project 1041 Burlington Pike, Florence, KY 41042
4. Total Acreage of Site .557 Acres
5. Current Zoning C-1
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable)
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) Auto Glass Replacement Store
9. Proposed Building Intensities (please specify) 4000 sq ft building on a .557 acre (24,280 sq ft) site, the building is 16.5% of site.
10. Have you submitted a Concept Development Plan? No
11. Are you also applying for:
Yes Yes Conditional Use Permit
Yes NO Dimensional Variance
12. Name of Applicant(s) Professional Design Associates, Inc. Jim Ritter, Architect
Phone Number 513-661-2565 Fax No. 513-661-0420
13. Address of Applicant(s) 3627 West Fork Road
Cincinnati, Ohio 45247
City State Zip
14. Name of Property Owner(s) Big Fat Family LTD Partnership; Jerry Diers
Phone Number 513-721-0707 Fax No. 513-721-1339
15. Address of Property Owner(s) 3732 Clifton Avenue
Cincinnati, Ohio 45220
City State Zip
16. Are there any existing buildings on the site? Yes
How many? 1, existing Safe-lite Auto Glass
17. Deed Book 587 Page No. 49 Group No. 2032
18. Have you had a pre-application meeting with BCPC Staff? Yes

**CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN AND A CONDITIONAL USE PERMIT - Todd Morgan, Staff**

2. **Request of Professional Design Associates, Inc. (applicant) for Big Fat Family Ltd. Partnership (owner) for a Change in an Approved Concept Development Plan and a Conditional Use Permit in a Commercial One (C-1) zone for a 0.557 acre site located at 1041 Burlington Pike, Boone County, Kentucky. The request is to construct a new 4,000 square foot auto glass replacement store.**

Staff Member, Todd Morgan presented the Staff Report, which included a PowerPoint presentation (See Staff Report). He stated that the site under review is the Safelite auto glass building. It is located across the street from Greenview Baptist Church and next to Lipps Pool & Spa. The request involves a Change in an Approved Concept Development Plan and a Conditional Use Permit in a C-1 zoning district in order to demolish an existing 2,200 square foot building and construct a new 4,000 square foot building. Mr. Morgan showed a slide of the submitted Site Plan. The proposed building will have an office and 4 bays. The new building will be oriented toward KY 18. The access point will remain. The Applicant will have to install perimeter buffer yards and address storm water detention. Mr. Morgan referred to the submitted architectural drawings showing five different paint colors. The entire building is almost entirely split faced CMU compared with the existing building which is primarily metal. The request was part of a Zone Change and a Conditional Use Permit application approved in 1988. The site is relatively flat and is zoned Commercial One (C-1). Automotive repair is a Conditional Use in this zone. There is a residential tract of land to the west. Lipps Pool is located to the east and is zoned Commercial One (C-1). Mr. Morgan showed photographs of the existing conditions of the site and neighboring land uses. The Comprehensive Plan's Future Land Use Map designates the majority of the site as Commercial. A small portion of it is designated as High Suburban Density Residential. Mr. Morgan referred to the Conditional Use Permit criteria and reminded everyone that the Planning Commission would take final action on the Conditional Use Permit application. The criteria is outlined on pages 5 & 6 of the Staff Report.

In terms of Staff comments, Mr. Morgan stated that he would like the applicant to address the doubling of the size of the existing building, color striping related to signage, mechanical equipment visible from the roof, hours of operation and public sanitary sewer. Currently, there is public sanitary sewer available south of the subject property. The applicant would need to obtain an easement for access to this public sanitary sewer line. Currently, the site only has a private septic system. Further, there was a 1988 condition related to a frontage road connection. This condition will have to be re-evaluated. The County Engineer doesn't feel the need for the frontage road at this time because it does not connect to Ridge Road. Customers will still have to make left-hand turns onto KY 18 from the site. Landscaping and stormwater details need to be reviewed more closely at the Site Plan Review stage.

Chairman Rolfsen asked if the applicant wanted to proceed with their presentation? Mr. Jim Ritter, PDA Architects, identified his group-Osam Mardin, Mr. Diers, owner of the property and Mr. Siefert, contractor for the project. Mr. Ritter stated that the existing building has been a glass shop since 1988 at this location. About 6 months ago, Safelite informed Mr. Diers that he needed to upgrade the building to Safelite's new standard or else they will go

somewhere else. Mr. Ritter stated that he wants to tie into the public sanitary sewer. There will be no rooftop equipment and a ventilation fan will be installed in the rear. The hours of operation will be from 8:00 a.m. until 6:00 p.m. Safelite is expanding nationally. If this site doesn't work, then they will scale back their operation to a warehouse operation only.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Mr. Jerry Diers, stated he was the original owner of Andy's Glass and he has discussed the public sanitary sewer line with Dr. Broeg and is trying to obtain any easement from him.

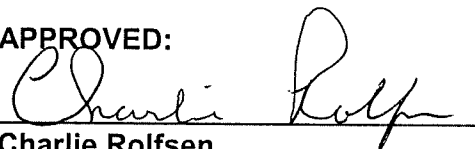
Dr. Dick Broeg owns property behind the site. He asked about customer volume due to two additional work bays? What is the traffic impact? Does the applicant plan on servicing large truck vehicles due to the larger overhead door?

Mr. Jerry Diers responded that Safelite wants to house their trucks at night. Over 90% of the business is mobile. Their delivery van from Cincinnati is a taller truck that delivers glass in the morning. A normal door isn't high enough for the delivery truck. A potato chip delivery truck can be serviced indoors. Any large truck cannot be serviced because of the depth of the parking lot blacktop. They perform the repairs with mobile units. Mr. Diers stated that the traffic will remain the same or will be less since they will have more mobile dispatch trucks with seven additional employees servicing vehicles off-site.

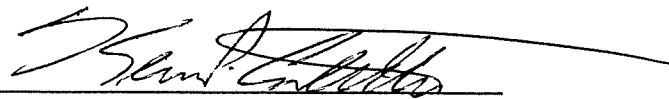
Chairman Rolfsen asked whether there will be any vehicles parked outside or inside that have not been serviced? Mr. Diers stated that each bay holds 2 vehicles. They don't want vehicles stored over night in the parking lot.

There being no further comments, Chairman Rolfsen stated that the Committee Meeting for this item will be on October 19, 2011 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on November 2, 2011 at 7:00 P.M. Chairman Rolfsen closed this Public Hearing at 8:45 P.M.

**APPROVED:**

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

**Attest:**

  
\_\_\_\_\_  
**Kevin P. Costello, AICP**  
**Executive Director**

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
FIRST FLOOR FISCAL COURTROOM  
BUSINESS MEETING  
NOVEMBER 2, 2011  
7:05 P.M.**

---

**COMMISSION MEMBERS PRESENT:**

Mr. Ben Brandstetter  
Mr. Greg Breetz  
Mr. Kim Bungler, Secretary/Treasurer  
Mr. Mike Ford, Vice Chairman  
Mrs. Janet Kegley  
Mr. Jim Longano  
Mr. Don McMillian  
Mrs. Susan Poston, Temporary Presiding Officer  
Ms. Lisa Reeves  
Mr. Charlie Reynolds  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mr. Steve Turner

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Mark Hicks  
Ms. Susan Schultz

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Kevin T. Wall, AICP, Director, Zoning Services  
Mr. Mitchell A. Light, Assistant Zoning Administrator/Zoning Enf. Officer  
Mr. Todd K. Morgan, AICP, Senior Planner

**Approval of the Minutes:**

Chairman Rolfsen stated that the Commissioners received copies of the Minutes of the October 5, 2011 Business Meeting and the October 5, 2011 Public Hearings. He asked if there were any comments or corrections. There being no changes to the Minutes, **Mr. Reynolds moved that the Minutes be approved as written. Ms. Reeves seconded the motion and it carried unanimously.**

ACTION ON PLAN REVIEWS:

CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN - Kevin Wall Staff; Kim  
Bunger, Chairman

1. Request of Tom Gill Chevrolet (applicant and owner) for a Change in an Approved Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for a 6.5 acre site located at 7830 Commerce Drive, Florence, Kentucky. The request involves adding a solar charge facility for electric vehicles.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval subject to conditions (see Committee Report). Mr. Wall noted that the Committee voted unanimously for the project with Mr. Bunger, Mrs. Poston, Mr. Brandstetter and Mrs. Kegley, voting in favor of the request.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a 5 minute time limit?

Mr. Gerry Dusing, attorney for the applicant, stated that he would waive his 5 minutes and noted that Mr. Gill and Mr. Francis were available to answer any questions. There was no one in the audience against the request.

Chairman Rolfsen asked if there was a motion to act on the Committee's recommendation? **Mr. Bunger moved that the request be approved by Resolution to the City of Florence with conditions based on the Committee Report. Mr. Reynolds seconded the motion and it passed unanimously.**

CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN AND CONDITIONAL USE  
PERMIT - Todd Morgan, Staff; Ben Brandstetter, Chairman

2. Request of Professional Design Associates, Inc. (applicant) for Big Fat Family Ltd. Partnership (owner) for a Change in an Approved Concept Development Plan and a Conditional Use Permit in a Commercial One (C-1) zone for a 0.557 acre site located at 1041 Burlington Pike, Boone County, Kentucky. The request is to construct a new 4,000 square foot auto glass replacement store.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval subject to conditions (see Committee Report). Mr. Morgan noted that the Committee voted unanimously for the project with Mr. Brandstetter, Mr. Bunger, Mrs. Kegley and Mrs. Poston voting in favor of the request.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a 5 minute time limit?

Seeing no one in the audience, Chairman Rolfsen asked if there was a motion to act on the Committee's recommendation? **Mr. Reynolds moved that the request, both the Concept Development Plan and Conditional Use Permit, be approved by Resolution to the Boone County Fiscal Court with conditions based on the Committee Report. Mr. Brandstetter seconded the motion and it carried unanimously.**

**TECHNICAL/DESIGN REVIEW - Kevin Wall, Staff; Charlie Reynolds, Chairman**

**3. Turfway Executive Center - Houston Lakes Subdivision**

**Mr. McMillian moved to defer the request until the December 7, 2011 Business Meeting. Mr. Ford seconded the motion and it carried unanimously.**

**TECHNICAL/DESIGN REVIEW - Mitch Light, Staff; Charlie Reynolds, Chairman**

**4. Firebowl Grill - 4953 Houston Road**

Staff Member, Mitch Light, presented the request (see power point presentation). The site is the old Sizzler restaurant located between Sam's and the Guitar Center. Originally, there was no signage on the front of the building. The applicant wants to install 18" individual channel letters for 30.63 square feet and a symbol of 6.25 square feet. The existing sign cabinets on the side of the building will have new sign panels. These have already been replaced because it is a change in sign face. Mr. Light stated that the Technical/Design Review Committee met prior to the Business Meeting and unanimously recommended approval based upon meeting the signage requirements of the Houston-Donaldson Study.

**There being no further comments or questions, Mr. Ford moved to approve the request based upon the Committee Report. Mr. Reynolds seconded the motion and it passed unanimously.**

**TECHNICAL/DESIGN REVIEW - Todd Morgan, Staff; Charlie Reynolds, Chairman**

**5. Morris Home Center - 8040 Burlington Pike**

Staff Member, Todd Morgan, presented the request (see power point presentation). The site is the old Kmart building, which will be converted to a Morris Home Center. The building is approximately 106,000 square feet in size. The applicant will be undertaking a major renovation of the front facade and will be painting the side and rear parts of the building. Included with this request is new building mounted signage and changing the existing free standing sign at the entrance. Mr. Morgan showed renderings of the proposed renovation. It will involve painting, new glass, scored EIFs, and fabric awnings. Building materials also were submitted. The side and rear portions of the building will be painted beige. The existing garden center will be removed and will be replaced with grass and a sidewalk towards Behrens Drive. About 774.83 square feet of building mounted signage is being proposed on the front facade and the applicant is asking for a waiver to increase the permitted square footage. The existing free standing sign will be reskirted and will

**EXHIBIT**

**“B”**

**ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT**

**TO:** Boone County Planning Commission

**FROM:** Ben Brandstetter, Chairman

**DATE:** November 2, 2011

**RE:** Request of Professional Design Associates, Inc. (applicant) for Big Fat Family Ltd. Partnership (owner) for a Change in an Approved Concept Development Plan and a Conditional Use Permit in a Commercial One (C-1) zone for a 0.557 acre site located at 1041 Burlington Pike, Boone County, Kentucky. The request is to construct a new 4,000 square foot auto glass replacement store.

**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 concluded that the request is in agreement with the 2005 Boone County Comprehensive Plan for the following reasons:
  - A. The 2005 Boone County Comprehensive Plan's "2030 Land Use Plan" designates the majority of the site for "commercial" uses. This designation is defined as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
  - B. The proposal is in agreement with the following passage from the Land Use Element:

Development should create commercial clusters rather than strip centers which parallel KY 18. These commercial uses must also be designed to be compatible with existing and proposed residential developments along KY 18" (Pleasant Valley - West Florence Area, pp. 145-146).
  - C. The proposal is in agreement with the following passage from the Business Activity Element:

Many problems with the location and arrangement of commercial uses have emerged, especially along the KY 18 and U.S. 42 corridors. Commercial developments along KY 18 and U.S. 42 west of Mall Road should not be regionally oriented nor should they attract additional traffic, but rather be served by the existing or future population of the area. A mix of commercial, office, and residential uses, along with limited access, should be encouraged along KY 18. Along the entire KY 18 corridor east of Burlington, there are traffic congestion problems that can be worsened by adding commercial access points (Recommended Areas of Commercial Activity, pp. 62-65).
2. The project is in agreement with the following Goals and Objectives from the 2010 Boone County Comprehensive Plan:

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

The proposal involves tearing down an existing 2,185 square foot auto glass repair facility and replacing it with a new 4,000 square foot facility. The new building will be constructed predominately with concrete masonry units and perimeter landscaping will be installed that meets code. The property is located in close proximity to several auto dealerships.

3. The Committee has concluded that the requested Conditional Use Permit fulfills the applicable findings, standards, and criteria outlined in KRS 100.237, which includes the findings outlined in Sections 262 and 1013 of the Boone County Zoning Regulations. Specifically, the proposed use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area and the arrangement of uses, buildings or structures will be compatible with the organization of permitted and accessory uses to be protected in the district.
4. 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 the adopted 2010 Boone County Comprehensive Plan Goals and Objectives. 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 building shall be occupied by an auto glass repair facility or another principally permitted C-1 use. Change in Approved Concept Development Plan and Conditional Use Permit applications shall be submitted if any other type of automotive repair facility wants to occupy the building.
2. Rooftop equipment shall not be visible from KY 18.

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

**COMMISSION MEMBERS PRESENT:**

Mr. Ben Brandstetter  
Mr. Greg Breetz  
Mr. Mike Ford, Vice Chairman  
Mrs. Janet Kegley  
Mr. Jim Longano  
Mr. Don McMillian  
Mrs. Susan Poston, Temporary Presiding Officer  
Ms. Lisa Reeves  
Mr. Charlie Rolfsen, Chairman  
Ms. Susan Schultz  
Mr. Bob Schwenke  
Mr. Steve Turner

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Kim Bunger, Secretary/Treasurer  
Mr. Mark Hicks  
Mr. Charlie Reynolds.

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Kevin T. Wall, AICP, Director, Zoning Services  
Mr. Todd K. Morgan, AICP, Senior Planner

Mr. Rolfsen, Chairman, called the meeting to order at 8:29 P.M. and introduced the second item on the Agenda:

CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN AND A CONDITIONAL USE PERMIT - Todd Morgan, Staff

2. Request of Professional Design Associates, Inc. (applicant) for Big Fat Family Ltd. Partnership (owner) for a Change in an Approved Concept Development Plan and a Conditional Use Permit in a Commercial One (C-1) zone for a 0.557 acre site located at 1041 Burlington Pike, Boone County, Kentucky. The request is to construct a new 4,000 square foot auto glass replacement store.

Staff Member, Todd Morgan presented the Staff Report, which included a PowerPoint presentation (See Staff Report). He stated that the site under review is the Safelite auto glass building. It is located across the street from Greenview Baptist Church and next to Lipps Pool & Spa. The request involves a Change in an Approved Concept Development Plan and a Conditional Use Permit in a C-1 zoning district in order to demolish an existing 2,200 square foot building and construct a new 4,000 square foot building. Mr. Morgan showed a slide of the submitted Site Plan. The proposed building will have an office and 4 bays. The new building will be oriented toward KY 18. The access point will remain. The Applicant will have to install perimeter buffer yards and address storm water detention. Mr. Morgan referred to the submitted architectural drawings showing five different paint colors. The entire building is almost entirely split faced CMU compared with the existing building which is primarily metal. The request was part of a Zone Change and a Conditional Use Permit application approved in 1988. The site is relatively flat and is zoned Commercial One (C-1). Automotive repair is a Conditional Use in this zone. There is a residential tract of land to the west. Lipps Pool is located to the east and is zoned Commercial One (C-1). Mr. Morgan showed photographs of the existing conditions of the site and neighboring land uses. The Comprehensive Plan's Future Land Use Map designates the majority of the site as Commercial. A small portion of it is designated as High Suburban Density Residential. Mr. Morgan referred to the Conditional Use Permit criteria and reminded everyone that the Planning Commission would take final action on the Conditional Use Permit application. The criteria is outlined on pages 5 & 6 of the Staff Report.

In terms of Staff comments, Mr. Morgan stated that he would like the applicant to address the doubling of the size of the existing building, color striping related to signage, mechanical equipment visible from the roof, hours of operation and public sanitary sewer. Currently, there is public sanitary sewer available south of the subject property. The applicant would need to obtain an easement for access to this public sanitary sewer line. Currently, the site only has a private septic system. Further, there was a 1988 condition related to a frontage road connection. This condition will have to be re-evaluated. The County Engineer doesn't feel the need for the frontage road at this time because it does not connect to Ridge Road. Customers will still have to make left-hand turns onto KY 18 from the site. Landscaping and stormwater details need to be reviewed more closely at the Site Plan Review stage.

Chairman Rolfsen asked if the applicant wanted to proceed with their presentation? Mr. Jim Ritter, PDA Architects, identified his group-Osam Mardin, Mr. Diers, owner of the property and Mr. Siefert, contractor for the project. Mr. Ritter stated that the existing building has been a glass shop since 1988 at this location. About 6 months ago, Safelite informed Mr. Diers that he needed to upgrade the building to Safelite's new standard or else they will go

somewhere else. Mr. Ritter stated that he wants to tie into the public sanitary sewer. There will be no rooftop equipment and a ventilation fan will be installed in the rear. The hours of operation will be from 8:00 a.m. until 6:00 p.m. Safelite is expanding nationally. If this site doesn't work, then they will scale back their operation to a warehouse operation only.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Mr. Jerry Diers, stated he was the original owner of Andy's Glass and he has discussed the public sanitary sewer line with Dr. Broeg and is trying to obtain any easement from him.

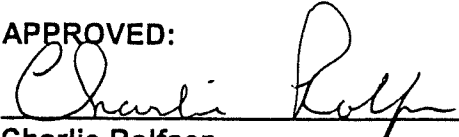
Dr. Dick Broeg owns property behind the site. He asked about customer volume due to two additional work bays? What is the traffic impact? Does the applicant plan on servicing large truck vehicles due to the larger overhead door?

Mr. Jerry Diers responded that Safelite wants to house their trucks at night. Over 90% of the business is mobile. Their delivery van from Cincinnati is a taller truck that delivers glass in the morning. A normal door isn't high enough for the delivery truck. A potato chip delivery truck can be serviced indoors. Any large truck cannot be serviced because of the depth of the parking lot blacktop. They perform the repairs with mobile units. Mr. Diers stated that the traffic will remain the same or will be less since they will have more mobile dispatch trucks with seven additional employees servicing vehicles off-site.

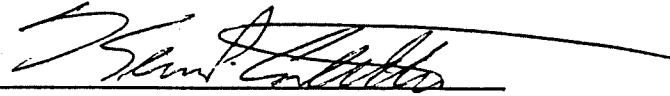
Chairman Rolfsen asked whether there will be any vehicles parked outside or inside that have not been serviced? Mr. Diers stated that each bay holds 2 vehicles. They don't want vehicles stored over night in the parking lot.

There being no further comments, Chairman Rolfsen stated that the Committee Meeting for this item will be on October 19, 2011 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on November 2, 2011 at 7:00 P.M. Chairman Rolfsen closed this Public Hearing at 8:45 P.M.

APPROVED:

  
Charlie Rolfsen  
Chairman

Attest:

  
Kevin P. Costello, AICP  
Executive Director

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: October 19, 2011

RE: Request of **Professional Design Associates, Inc. (applicant)** for **Big Fat Family Ltd. Partnership (owner)** for a Change in an Approved Concept Development Plan and a Conditional Use Permit in a Commercial One (C-1) zone for a 0.557 acre site located at 1041 Burlington Pike, Boone County, Kentucky. The request is to construct a new 4,000 square foot auto glass replacement store.

### 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.

\_\_\_\_\_  
**Greg Breetz, Chairman**

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

*Ben Brandstetter*  
\_\_\_\_\_  
**Ben Brandstetter - Chairman**

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

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

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

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

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

*Susan Poston*  
\_\_\_\_\_  
**Susan Poston**

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

\_\_\_\_\_  
**Mark Hicks (Alternate)**

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

\_\_\_\_\_  
**Jim Longano (Alternate)**

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

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

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

TOTAL: \_\_\_\_ DEFERRED 4 FOR PROJECT 1 ABSENT  
\_\_\_\_ AGAINST PROJECT \_\_\_\_ ABSTAIN

# SUPPORTING INFORMATION



# BOONE COUNTY PLANNING COMMISSION

[www.boonecountky.org/pc](http://www.boonecountky.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@boonecountky.org](mailto:plancom@boonecountky.org)

October 25, 2011

Mr. Jerry Diers  
1151 Harrison Avenue  
Cincinnati, OH 45214

RE: Request of **Professional Design Associates, Inc. (applicant)** for **Big Fat Family Ltd. Partnership (owner)** for a Change in an Approved Concept Development Plan and a Conditional Use Permit in a Commercial One (C-1) zone for a 0.557 acre site located at 1041 Burlington Pike, Boone County, Kentucky. The request is to construct a new 4,000 square foot auto glass replacement store.

Dear Mr. Diers:

The following letter represents the conditions of approval for the above referenced request. You need to sign the appropriate line on the next page if you are in agreement with the conditions. Please return this letter to the Boone County Planning Commission office by November 1, 2011.

## CONDITIONS

1. The building shall be occupied by an auto glass repair facility or another principally permitted C-1 use. Change in Approved Concept Development Plan and Conditional Use Permit applications shall be submitted if any other type of automotive repair facility wants to occupy the building.
2. Rooftop equipment shall not be visible from KY 18.

Sincerely,

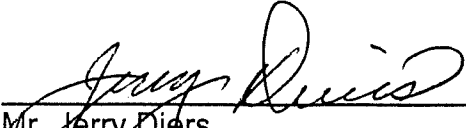
Todd K. Morgan, AICP  
Senior Planner, Zoning Services

TKM\pr

Mr. Jerry Diers  
October 25, 2011  
Page 2

AGREEMENT

I, Jerry Diers, do hereby agree to the listed conditions of approval for the Change in Approved Concept Development Plan and Conditional Use Permit which is described on the first page of this letter.

  
\_\_\_\_\_  
Mr. Jerry Diers  
Big Fat Family Ltd. Partnership

10-30-11  
\_\_\_\_\_  
Date

cc: Mr. Jim Ritter, Professional Design Associates

RECEIVED

1995 OCT 22 P 1:39

JERRY W. ROUSE  
BOONE COUNTY CLERK 12.00 pd.

PROPERTY TRANSFER TAX PAID \$ 64 BOOK 587 PAGE 40  
JERRY W. ROUSE, CLERK J. R.  
**DEED**

**KNOW ALL PERSONS BY THIS INSTRUMENT:**

That JERRY F. DIERS and JUDITH F. DIERS, husband and wife, GRANTORS, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations paid by the GRANTEE to the GRANTORS herein, the receipt of which is hereby acknowledged, do hereby Bargain, Sell and Convey to the GRANTEE, BIG CAT FAMILY LIMITED PARTNERSHIP, an Ohio limited partnership, it successors and assigns forever, the real estate located in Florence, Boone County, Kentucky, to-wit:

Street Address: 1041 Burlington Pike  
Florence, Kentucky 41042

GRANTORS' Address: 1422 Walnut Street  
Cincinnati, Ohio 45210

GRANTEE'S Address: 1445 Wynnburne Avenue  
Cincinnati, Ohio 45238

Group No.: 2032

SEE EXHIBIT "A" ATTACHED HERETO FOR A LEGAL DESCRIPTION OF THE REAL ESTATE BEING CONVEYED BY THIS DEED.

Being the same real estate conveyed to the GRANTORS herein by Deed recorded in Deed Book 380, Page 204 of the Boone County, Kentucky Clerk's records.

The above described real estate is conveyed together with and subject to all easements, conditions, restrictions and encumbrances of record and with all privileges and appurtenances to the same belonging.

To have and to hold forever the same to said GRANTEE in the fashion and manner stated above in the conveying clause, with covenants of general warranty.

GRANTORS and GRANTEE each certify, under oath, that the consideration reflected in this Deed is the full consideration paid for the property, the same being exempt from the transfer tax under K.R.S. Section 142.050(7)(k) and the full estimated value of the property is \$250,000.00 and GRANTEE joins in this Deed for the purpose of making this Certification regarding the consideration.

RETURN TO: Mark Jahnke

(22)

IN WITNESS WHEREOF, the said GRANTORS and GRANTEE have executed this Deed this 21<sup>st</sup> day of September, 1995.

WITNESSES:

(As to All)

GRANTORS:

Mark J. Jahnke  
MARK J. JAHNKE  
Karen H. Jahnke  
KAREN H. JAHNKE

Jerry F. Diers  
JERRY F. DIERS  
Judith F. Diers  
JUDITH F. DIERS

GRANTEE:

BIG CAT FAMILY LIMITED PARTNERSHIP, an Ohio Limited Partnership

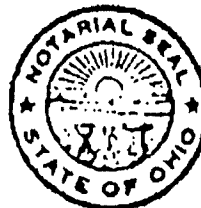
By: Jerry F. Diers  
JERRY F. DIERS, PARTNER

STATE OF OHIO }  
COUNTY OF HAMILTON }

SS: (GRANTORS)

The foregoing instrument was sworn to and acknowledged before me this 21<sup>st</sup> day of September, 1995 by JERRY F. DIERS and JUDITH F. DIERS, husband and wife, as GRANTORS in the foregoing Deed.

Mark Jahnke  
NOTARY PUBLIC

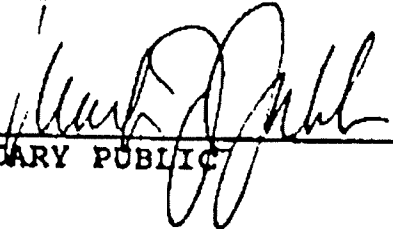


MARK J. JAHNKE, ATTORNEY AT LAW  
Notary Public - State of Ohio  
My Commission has no expiration date. Section 147.03 O.R.C.

STATE OF OHIO )  
COUNTY OF HAMILTON )

SS: (GRANTEE)


The statement regarding the consideration in the foregoing Deed was sworn to and acknowledged before me this 21<sup>st</sup> day of September, 1995 by JERRY F. DIERS, a Partner of BIG CAT FAMILY LIMITED PARTNERSHIP, an Ohio limited partnership on behalf of said Partnership, as GRANTEE in the foregoing Deed.

  
\_\_\_\_\_  
NOTARY PUBLIC



MARK J. JAHNKE, ATTORNEY AT LAW  
Notary Public - State of Ohio  
My Commission has no expiration date. Section 147.03 O.R.C.

This instrument prepared by:

  
\_\_\_\_\_  
Mark J Jahnke, Esq.  
Katz, Teller, Brant & Hild  
2400 Chemed Center  
255 East Fifth Street  
Cincinnati, Ohio 45202  
(513) 721-4532

0163007.KTBM

EXHIBIT "A"

Located generally on the south side of Kentucky 18, .4 mile west of Hopeful Road and described thus:

Beginning at the intersection of the west line of the Wm. J. Mautz 3.16 acre tract (DB 84, page 420) with the centerline of Kentucky Rt. 18; thence with part of said west line S. 24-15' W, 176.8 feet; thence on a line partitioning said tract S. 66-30 E 153 feet, N. 24-15 E. 176.8 feet to the centerline of Kentucky Rt. 18; thence along the said centerline N. 66-30 W. 153 feet to the beginning. Containing .62 acres.

State of Kentucky, County of Boone  
 JERRY W. ROUSE, Clerk of the Boone County  
 Court, do certify that the foregoing  
Deed was, on the 22 day of  
Sept.  
 1991, at 11:39 P. M, lodged in my office  
 for record, and that it has been duly recorded in  
 my said office, together with this and the  
 certificate thereon endorsed.  
 Given under my hand this 22 day of Sept.  
 1991.

JERRY W. ROUSE, CLERK

By Jerry Rouse D.C.



PROFESSIONAL  
DESIGN  
ASSOCIATES  
INC

architects  
engineers  
planners

3627 west fork rd.  
circumville, ohio  
42247

Phone: (513) 641-2345  
Fax: (513) 641-4270  
www.pdaohio.com

REDEVELOPMENT  
OF  
SAFE-LITE  
AUTO GLASS

1041  
BURLINGTON PK  
FLORENCE, KY  
41042



REVISIONS


DRAWN BY  
J.L. & D.A.

APPROVED BY  
J.L.

DATE  
2 SEPTEMBER 2011

FILE NO.  
11-183

SHEET  
Z-1

OF  
2

*Concept Development Plan +  
Conditional Use Permit  
with  
APPROVED Conditions*

*Jeff Jackson 11/2/11*

Boone County  
Planning Commission

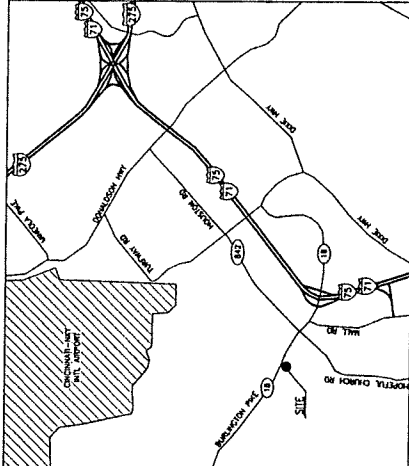
DRAWING INDEX	
Z-1	VICINITY MAP & SITE PLAN
Z-2	BUILDING ELEVATIONS

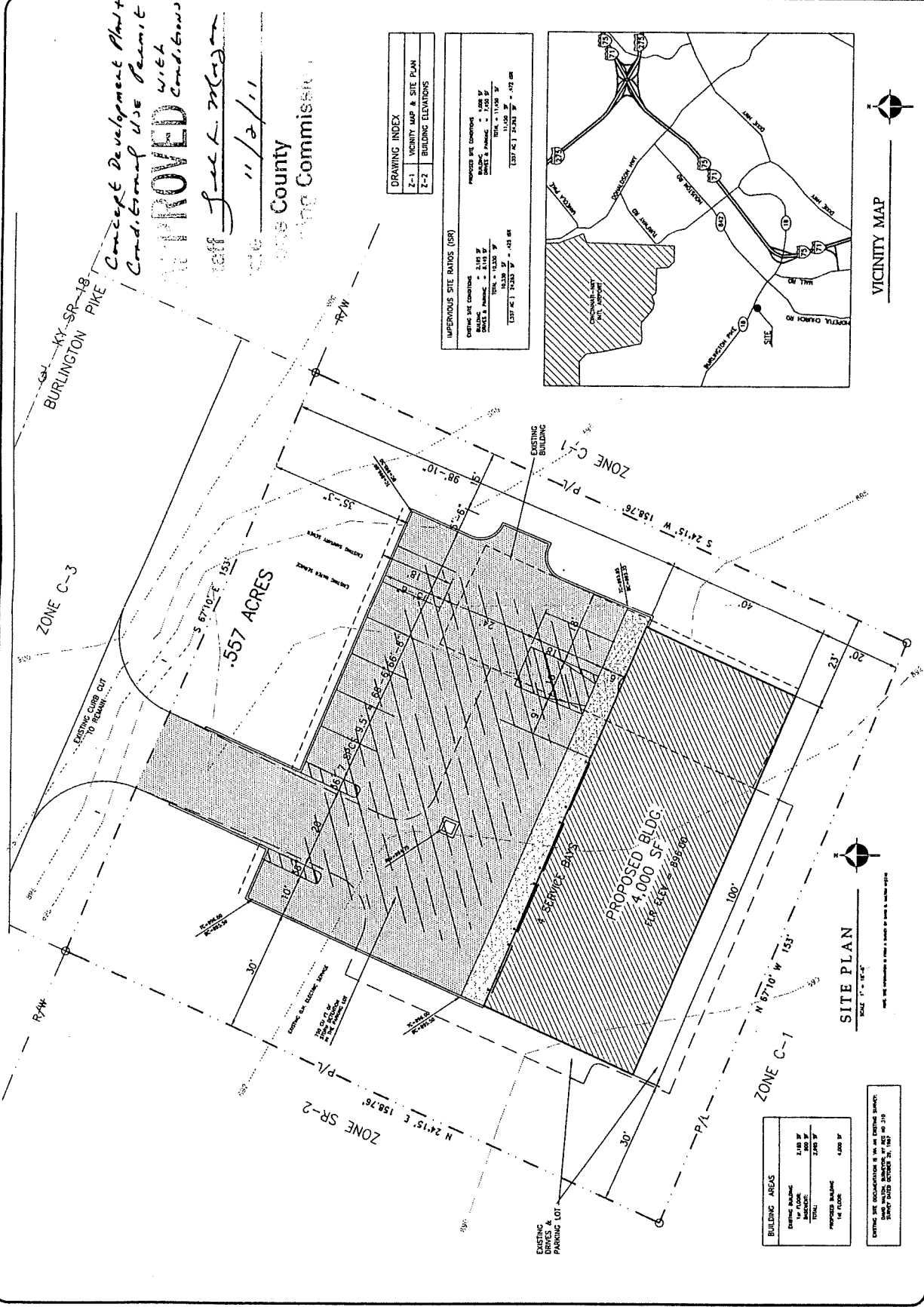
IMPERVIOUS SITE RATIOS (ISR)	
EXISTING SITE CONDITIONS	11.1%
PROPOSED BLDG. FOOTPRINT	21.1%
DRIVEWAY PAVING	1.0%
PAVING	11.0%
TOTAL	33.2%
1537 SQ. FT. 33.2% = 432 SQ. FT.	

PROPOSED SITE CONDITIONS	
BLDG. FOOTPRINT	21.1%
DRIVEWAY PAVING	1.0%
PAVING	11.0%
TOTAL	33.2%
1537 SQ. FT. 33.2% = 432 SQ. FT.	



VICINITY MAP



SITE PLAN  
SCALE: 1" = 100'

BUILDING AREAS	
EXISTING BLDG.	1,100 SF
PROPOSED BLDG.	4,000 SF
TOTAL	5,100 SF
PROPOSED PARKING	400 SF
TOTAL	5,500 SF

EXISTING SITE INFORMATION IS TO BE PROVIDED BY THE CLIENT. THE CLIENT SHALL VERIFY THE ACCURACY OF ALL INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT.



PROFESSIONAL  
DESIGN  
ASSOCIATES  
INC

architects  
engineers  
planners

3627 west fork rd.  
cincinnati, ohio  
45247

Phone (513) 461-2444  
Fax (513) 461-2420  
pda@pda-oh.com

REDEVELOPMENT  
OF  
SAFE-LITE  
AUTO GLASS

1041  
BURLINGTON PK  
FLORENCE, KY  
41042



REVISIONS

drawn by  
EAK

approved by  
JJK

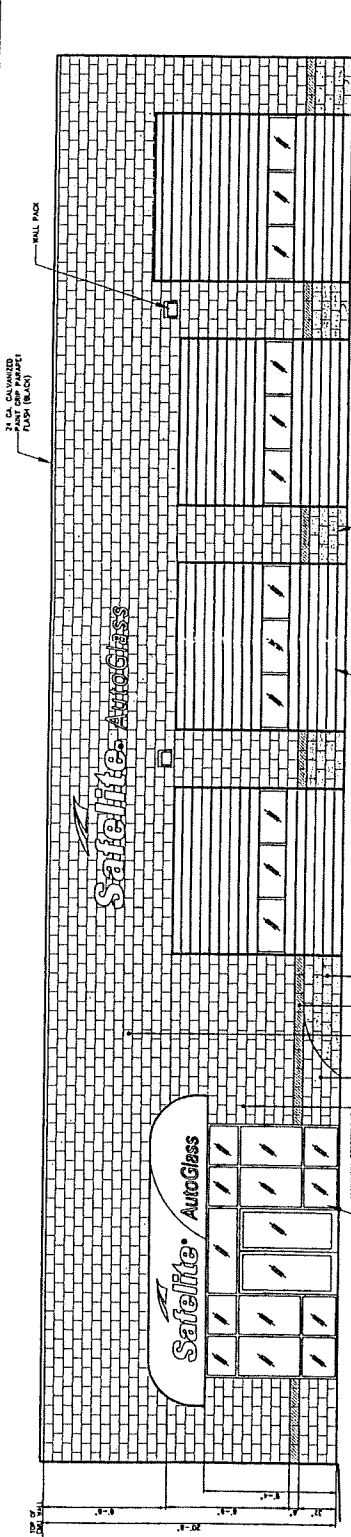
date  
02 SEP 2011

file no.  
11-183

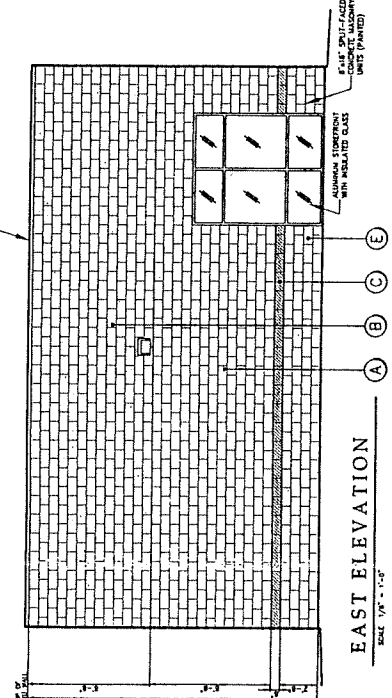
sheet  
Z-2

of  
2

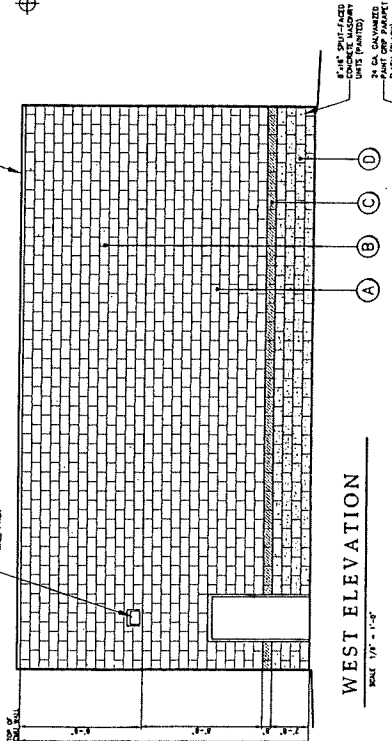
(A)	"SHERWIN-WILLIAMS" "SW 7085" "ARGOS GRAY"
(B)	"SHERWIN-WILLIAMS" "SW 7089" "IRON ORE"
(C)	"SHERWIN-WILLIAMS" "SW 7087" "CITY SCAPE"
(D)	"SHERWIN-WILLIAMS" "SW 4081" "SAFETY RED"
(E)	"SHERWIN-WILLIAMS" "SW 6951" "BLACK MAGIC"



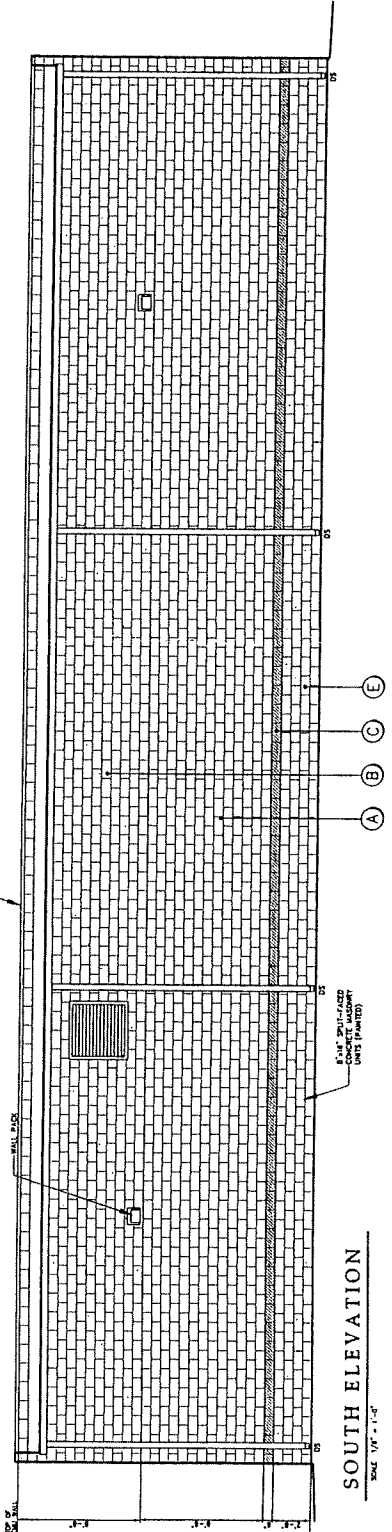
**NORTH ELEVATION**  
SCALE 1/8" = 1'-0"



**EAST ELEVATION**  
SCALE 1/8" = 1'-0"



**WEST ELEVATION**  
SCALE 1/8" = 1'-0"



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



**PROFESSIONAL  
DESIGN  
ASSOCIATES  
INC**  
architects  
engineers  
planners

3627 west fork rd.  
cincinnati, ohio  
45247  
Phone (513) 891-2888  
Fax (513) 891-4288

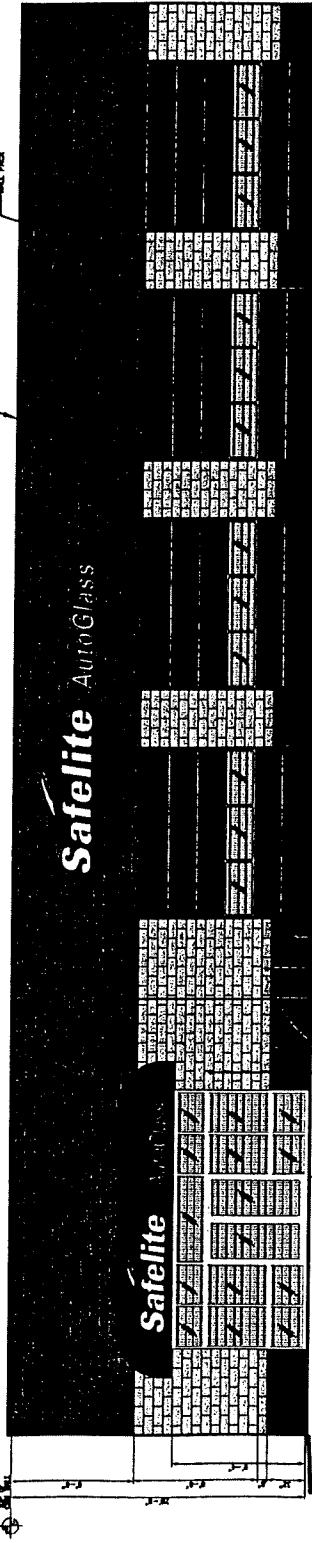
**REDEVELOPMENT  
OF  
SAFE-LITE  
AUTO GLASS**  
1041  
BURLINGTON PK  
FLORENCE, KY  
41042



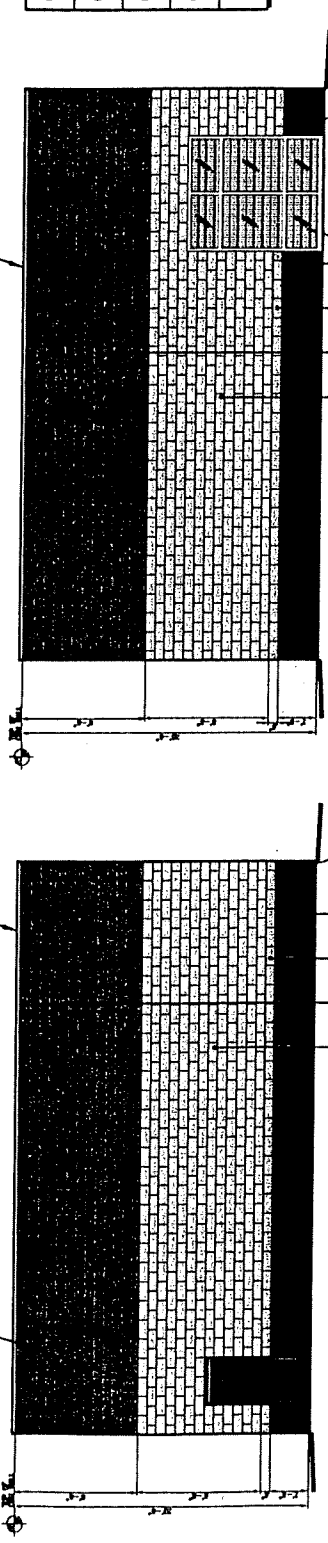
revisions

drawn by  
date  
approved by  
date  
file no.  
11-183

sheet  
Z-2  
of  
2

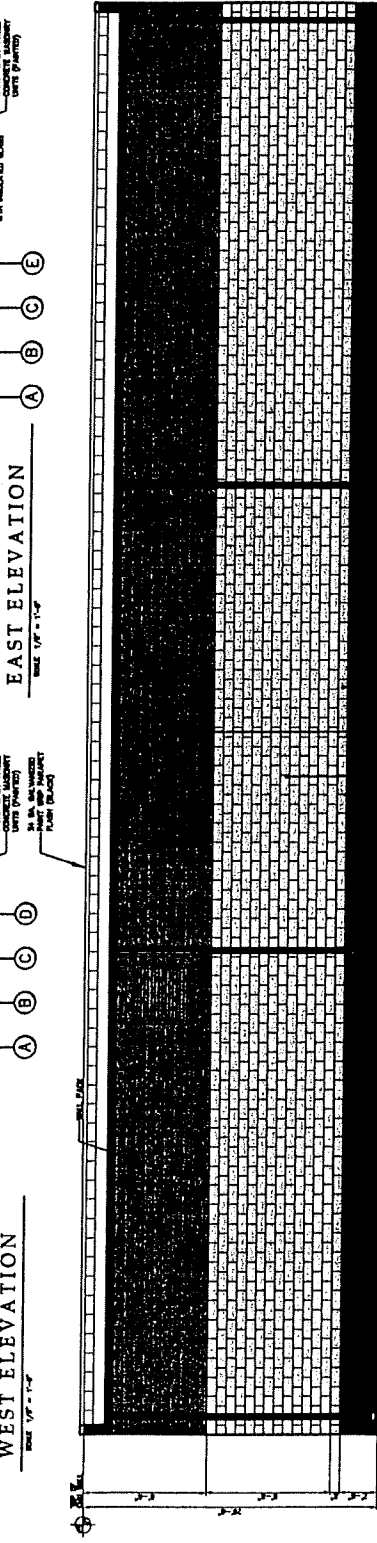


**NORTH ELEVATION**  
SCALE 1/8" = 1'-0"

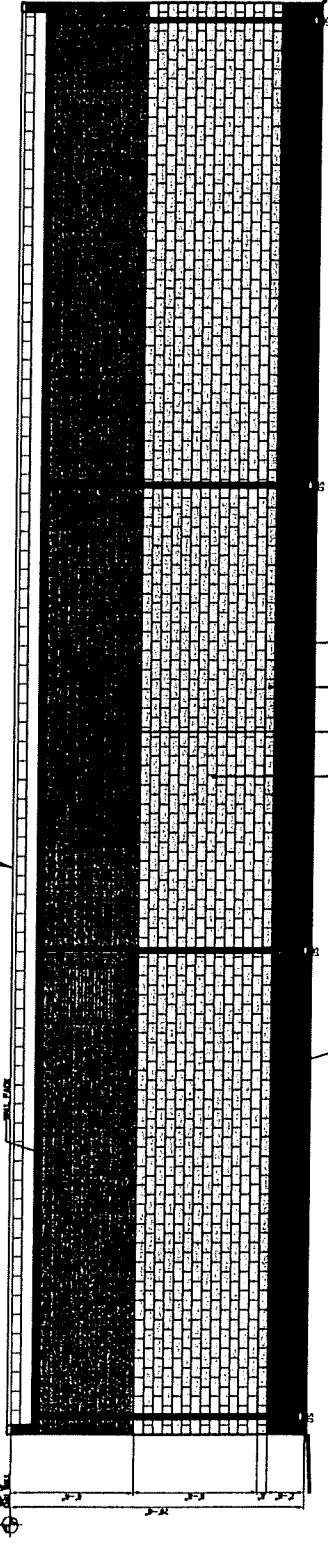


**WEST ELEVATION**  
SCALE 1/8" = 1'-0"

(A)	"SHERMAN WILLIAMS" "ARGOS GRAY"
(B)	"SHERMAN WILLIAMS" "IRON ORE"
(C)	"SHERMAN WILLIAMS" "CITY SCAPE"
(D)	"SHERMAN WILLIAMS" "SAFETY RED"
(E)	"SHERMAN WILLIAMS" "BLACK MAGIC"



**EAST ELEVATION**  
SCALE 1/8" = 1'-0"



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

## ORDINANCE 12-01

**AN ORDINANCE RELATING TO APPROVAL, WITH CONDITIONS, FOR THE REQUEST OF PROFESSIONAL DESIGN ASSOCIATES, INC. (APPLICANT) FOR BIG FAT FAMILY LTD. PARTNERSHIP (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN AND A CONDITIONAL USE PERMIT IN A COMMERCIAL ONE (C-1) ZONE FOR A 0.557 ACRE SITE LOCATED AT 1041 BURLINGTON PIKE, BOONE COUNTY, KENTUCKY.**

**WHEREAS**, the Boone County Planning Commission received a request for a Change in an Approved Concept Development Plan and a Conditional Use Permit in a Commercial One (C-1) zone for a 0.557 acre site located at 1041 Burlington Pike, 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 the Change in an Approved Concept Development Plan and Conditional Use Permit.

**NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:**

### SECTION I

That the request for a Change in an Approved Concept Development Plan and Conditional Use Permit for the real estate which is more particularly described below shall be hereby approved with conditions, for a 0.557 acre site located at 1041 Burlington Pike, Boone County, Kentucky. The real estate which is the subject of this approval of a Change in an Approved Concept Development Plan and a Conditional Use Permit is more particularly described in DEED BOOK 587, PAGE

NO. 49 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

## SECTION II

That as a basis for this approval for a Change in an Approved Concept Development Plan and Conditional Use Permit request are the findings of fact and conditions of the Boone County Planning Commission as set forth in its minutes and official records and same are hereby incorporated by reference as if fully set out in this Ordinance and are marked as "Exhibit A."

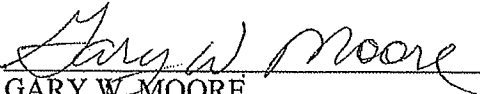
The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and same are marked as "Exhibit B."


## 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 20<sup>th</sup> day of December, 2011.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 24<sup>th</sup> day of January, 2012 and signed 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.

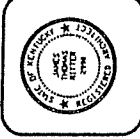
  
GARY W. MOORE  
BOONE COUNTY JUDGE/EXECUTIVE

  
DAPHNE KORNBLUM  
FISCAL COURT CLERK



**plg**  
**PROFESSIONAL DESIGN ASSOCIATES INC**  
 architects engineers planners  
 3627 west fork rd.  
 cincinnati, ohio 45247  
 Phone: (513) 861-2666  
 Fax: (513) 861-2629  
 plg@plg-inc.com

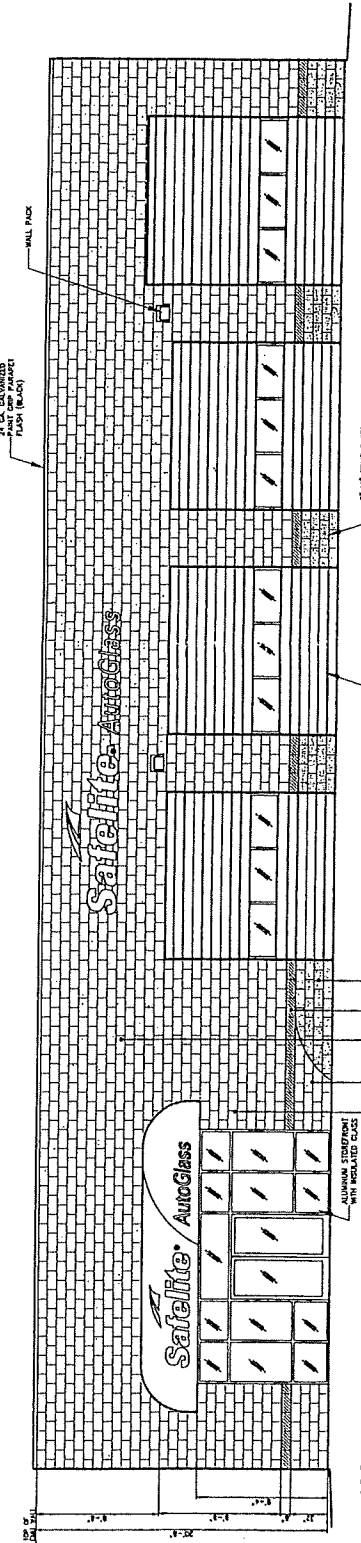
**REDEVELOPMENT OF SAFE-LITE AUTO GLASS**  
 1041 BURLINGTON PK FLORENCE, KY 41042



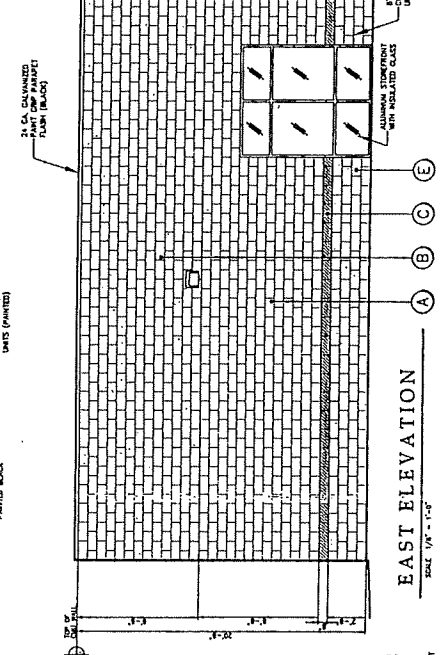
revisions	
drawn by	D.A.M.
approved by	
date	08 SEP 2011
file no.	11-183

sheet Z-2 of 2

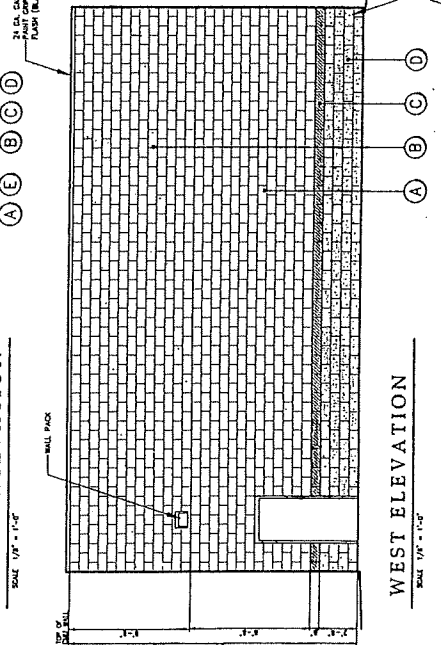
(A)	"SHERWIN-WILLIAMS" "SW-7065" "ARGOS GRAY"
(B)	"SHERWIN-WILLIAMS" "SW-7069" "IRON ORE"
(C)	"SHERWIN-WILLIAMS" "SW-7067" "CITY SCAPE"
(D)	"SHERWIN-WILLIAMS" "SW-4081" "SAFETY RED"
(E)	"SHERWIN-WILLIAMS" "SW-6951" "BLACK MAGIC"



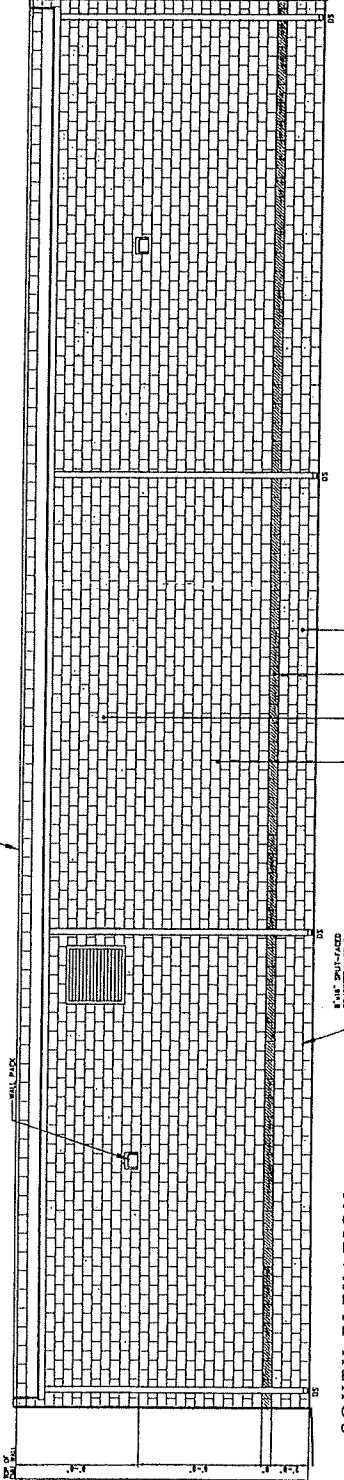
**NORTH ELEVATION**  
 SCALE 1/8" = 1'-0"



**EAST ELEVATION**  
 SCALE 1/8" = 1'-0"



**WEST ELEVATION**  
 SCALE 1/8" = 1'-0"



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



**PROFESSIONAL DESIGN ASSOCIATES, INC.**  
 architects  
 engineers  
 planners  
 3627 west fork rd.  
 cincinnati, ohio  
 45247  
 Phone: (613) 861-2388  
 Fax: (613) 861-6438  
 pdap@pda-inc.com

**REDEVELOPMENT OF SAFE-LITE AUTO GLASS**  
 1041 BURLINGTON PK  
 FLORENCE, KY  
 41042



revisions	

drawn by **JKL**  
 approved by **JLS**  
 date **11-11-11**  
 file no. **11-183**

sheet **Z-2**  
 of **2**

(A)	"SHERMAN WILLIAMS" "ARGOS GRAY"
(B)	"SHERMAN WILLIAMS" "IRON ORE"
(C)	"SHERMAN WILLIAMS" "CITY SCAPE"
(D)	"SHERMAN WILLIAMS" "SAFETY RED"
(E)	"SHERMAN WILLIAMS" "BLACK MAGIC"

