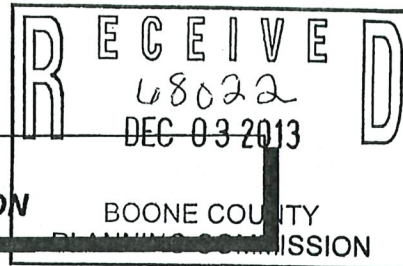


APPLICATION FORM



CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION

FIVE (5) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

14-000P-004

(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)
- Zoning Administrator Review (As stated in the Mall Road District Study)

2. Name of Project Panera

3. Location of Project 7150 Houston Road, Florence, KY

4. Total Acreage of Site 1.7+/- Acres

5. Current Zoning "C-2"/"PD"/"CD"

6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 1998 / 2004

7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) Yes - Houston-Donaldson Study

8. Proposed Uses (please specify each use) Drive-thru window for existing building.

9. Proposed Building Intensities (please specify) 0.67

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) Anne F. McBride, FAICP - McBride Dale Clarion

Phone Number 513-561-6232 Fax No. 513-561-1615 E-Mail amcbride@mcbridedale.com

13. Address of Applicant(s) 5725 Dragon Way, Suite 220

Cincinnati Ohio 45227

City State Zip

14. Name of Property Owner(s) Houston Road Investors LLC - Attn: F. Kanter

Phone Number 513-469-6580 Fax No. E-Mail fkanter@rookwoodproperties.com

15. Address of Property Owner(s) 8160 Corporate Park Drive, Suite 220

Cincinnati Ohio 45242

City State Zip

16. Are there any existing buildings on the site? Yes

How many? One - 4,983 SF

17. Deed Book 886 Page No. 282 Group No. 20338

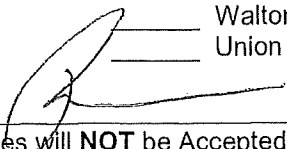
18. Have you had a pre-application meeting with BCPC Staff? Yes

(over)

ZONING MAP AMENDMENT
APPLICATION
PAGE 2

- 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: City of Florence

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

19. ORIGINAL Property Owner's Signature 
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature Q. M. B. O.
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

SECTION B (To be completed by BCPC Staff)

1. Date Received 12/31/13
2. Review Fee \$2,322.00 R# 68022
3. Check what has been submitted:
 - Application
 - Fee
 - Legal Description
 - Concept Development Plan
 - Address of Adjoining Property Owners
 - Number of copies of plan received**
4. Is application complete? Yes No
5. Staff Reviewer TODD HORGAN
6. Committee Chairman _____
7. Scheduled Public Hearing Date 1/9/14
8. Boone County Planning Commission Action:
 - Approval
 - Approval with Conditions
 - Denial
9. Other: _____

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

EXHIBIT

“A”

STAFF REPORT

Request of Anne F. McBride, FAICP (applicant) for Houston Road Investors, LLC - Attn: Fred Kanter (owner) for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 1.7 acre site located at 7150 Houston Road, Florence, Kentucky (Panera). The request is for a change in an approved Concept Development Plan to allow a drive-through facility.

January 9, 2014

REQUEST

The applicant has submitted a Change in Approved Concept Development Plan application to allow the following improvements on the subject site:

1. Construction of a drive through lane, pick-up window, and associated signage. The drive through lane is located in the southeast and southwest parking lots and can accommodate a total of eight (8) cars. The pick-up window is located in a 54.69' square foot (4.67' x 11.71') building addition located on the southeast corner of the building. The following structures and signs are shown next to the drive-through lane:
 - A. A 9' tall height clearance bar. The bar is mounted on a 9'-9" tall pole and contains a 1.08 square foot sign.
 - B. A 5'-8" tall, 24.5 square foot preview board.
 - C. A 9'-4" tall drive through canopy with attached microphone and speaker.
 - D. A 5'-11" tall, 34.98 square foot menu board.
2. Renovate the existing monument sign so it has a gable top and advertises the "drive thru". The submitted drawing show the renovated sign would be approximately 6' tall and 7' wide per the Lawsuit Settlement area conditions.
3. Add 14.27 square foot (1'-8" x 8'-6³/₄") building mounted signs on the front and side elevations of the building. Each sign is internally illuminated and advertises the "drive-thru".
4. Add directional signage in the parking lot. The signs are 3'-3¹/₄" tall and 3.97 square feet in area.

5. Change some parking lot striping to accommodate the drive through and help motorists leave the site. The revised parking lot is shown with 88 parking spaces.
6. Add additional landscaping between the drive-through lane and building and in some newly created parking lot islands.

PERTINENT SITE HISTORY

1. In 1997, Boone County Planning Commission recommends approval of a Zoning Map Amendment from Industrial One/Planned Development (I-1/PD) and Office Two/Planned Development (O-2/PD) to Commercial Two/Planned Development (C-2/PD) and the Utilization of an Underlying Zone in a Planned Development for a 95 acre tract located on both sides of Houston Road, generally between KY 18 and Woodspoint Drive. The approved Concept Plan showed the subject property (lot 3) would be developed with commercial or office uses (see attachment).

The City of Florence overturned the Planning Commission's recommendation and the applicant filed an lawsuit. A lawsuit settlement agreement between the City of Florence, applicant, and property owners was agreed to on September 8, 1998. The agreed list of uses for the development included the principally permitted uses of the Office One (O-1) and Commercial Two (C-2) restaurants and some other specific uses. Drive through restaurants were not included in the approval because they were listed as a Conditional Use in the C-2 district in the 1996 Boone County Zoning Regulations.

2. On August 4, 2004, Boone County Planning Commission approves the Design Review application (building and signage) for a Panera restaurant. The following signage is approved:

Building Mounted Signage

- A. Channel letter sign on front facade - 62 square feet (2'-7" x 24')
- B. Channel Letter signs on side facades - 47.25 square feet (2'-3" x 21')
- C. The awnings on the front and northeast side of the building are permitted to be multiple colors and contain wheat logos

Monument Sign

- A. 6' Tall and 7' wide per lawsuit settlement agreement.
 - B. Masonry base.
3. On September 24, 2004, Boone County Planning Commission approves a Major Site Plan application allowing a 4,986 square foot Panera restaurant to be constructed on site. Access to the site is shown from a shared driveway located on the southeast side of the Houston Road/Merchant Street signalized intersection. The plan indicates that 71 parking spaces are required (141 seats/2) and that 93 spaces will be provided on site.

SITE CHARACTERISTICS

The 1.6998 acre parcel is located on the southeast side of Houston Road and contains a 4,986 square foot Panera restaurant and 93 parking stalls. The building is constructed of brick, stone, and EIFS. Access to the property is provided from a shared driveway that is located at the southeast leg of the Houston Road/Merchants Street signalized intersection. Panera's monument sign, an entrance wall monument, and public sidewalks are located along the Houston Road frontage.

ADJACENT LAND USES AND ZONING

Northeast: Watson's (C-2/PD)

Northwest: Houston Road, Fuji Steakhouse, and First Security Bank (C-2/PD)

Southeast: World of Golf (R/PD)

Southwest: Hooter's and Morris Furniture (C-2/PD)

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2010 Boone County Comprehensive Plan's "2035 Land Use Plan" designates the site for "Commercial" uses. This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Land Use Element (Houston-Donaldson/Mall Road Area, pg. 167) makes the following statements regarding the general area:

- A. "Any commercial development in the Houston Road area should be consistent with the recommendations of the Houston-Donaldson Study. The Study recommended an employment district to include a mix of office, commercial, and industrial uses for the existing Houston Road corridor, with a preferred emphasis on office development along I-75 and high-technology industrial uses west of Houston Road. The development of the southern portion of the corridor has been more commercial in nature, and contains less office or industrial than recommended in the Study. The northern portion has experienced office, commercial, industrial, and education development."
- B. "Commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate. The coordination of curb cuts and parking lot connections in the already developed areas must occur in order to maintain a reasonable ease of travel along these roads. Undeveloped tracts of commercial land should connect to and coordinate with any adjoining commercial, office, or industrial development in existence. Where no development has yet occurred, provisions for Access Management must be made for

future development. This includes the use of frontage roads as well as parking lot connections and shared curb cuts.”

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

- A. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. 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. The amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping helps purify the air of harmful pollutants, thus reducing health impacts. It also helps reduce the quantity and improve the quality of storm water runoff, including temperature. The use of bioretention islands (water filtering basins) and grass swales should be used where possible in place of raised islands. Native species are often heartier than nursery stock and should be used wherever possible to minimize pesticides and other high impact forms of maintenance. 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. 163).
- B. 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. Connections between and within commercial and industrial developments allow for more efficient provision of transit service (Access Management, pg. 163).
- C. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building 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 (Design, Signs, and Historic Preservation, pg. 164).

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

- A. Since the immediate Florence area figures so prominently in Boone County's commercial activity, this region has the momentum to continue dominating any expansion of commercial activity. Currently, "big box" retail has been overbuilt in the county. As a result, building vacancies and tenant changes are visible along the major commercial corridors in Florence. The market and infrastructure impacts of future large scale or regional commercial uses on the existing Florence commercial districts must be considered. Furthermore, it is important to encourage the reuse of vacant commercial buildings and ongoing maintenance and rehabilitation of older business districts, instead of creating new commercial districts. Four studies, the Houston-Donaldson Study, the Central Florence Strategic Plan, the Main Street Study, and the Mall Road District Study, have defined the scale and type of commercial uses in the City of Florence and surrounding area. The Houston Road area will mature with expansion of the retail and office base, and expansions of St. Elizabeth-Florence Hospital. The Main Street area will experience a rebirth as a result of an expanded population in the area and public improvements. Existing business districts need to be supported through market analysis and realistic recommendations. Overall the commercial economy of Boone County has become more diversified (Recommended Areas of Commercial Activity, pg. 67).

The following 2010 Boone County Comprehensive Plan's Goals and Objectives are pertinent:

- A. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas (Business Activity, Goal).
- B. Commercial uses shall be designed and located to coordinate with surrounding land uses and shall have safe and effective access and ample parking spaces (Business Activity, Objective).
- C. Safe, efficient and environmentally sound public services and facilities shall exist for all development (Public Services and Facilities, Goal).
- D. The incremental effects of developments on public facilities and services shall be evaluated and addressed (Public Services and Facilities, Objective).
- E. Priority shall be given toward maintaining, protecting, and improving the capacity and safety of the existing road system (Transportation, Objective).

- F. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops.

RELATIONSHIP TO THE HOUSTON-DONALDSON STUDY

- A. The property is located in Site 5 (Seligman Frontage Property) of the Study. The Study states that this area "represents the best location for freestanding commercial outlots along Houston Road, north of KY 18." The Study has not been updated since the Lawsuit Settlement Agreement was signed in 1998.
- B. The property is subject to the Site Design Standards and Architectural Design Review standards contained in the Study (see attachments).
- C. Staff would like to note that the Planning Commission has recommended approval of the 2013 Houston-Donaldson Study to the City of Florence. The City of Florence will act on the Planning Commission's recommendation later this year.

PLANNED DEVELOPMENT STANDARDS

The application needs to be evaluated in terms of the Planned Development Standards that are found in Section 1514 of the Boone County Zoning Regulations because the property is zoned Commercial Two/Planned Development (C-2/PD). A proposed Concept Development Plan shall fulfill the criteria outlined in this section unless a portion of the criteria do not apply or relate, in whole or part, to a specific proposal (see attachments).

STAFF COMMENTS

1. Staff recommends that the following Planned Development (PD) Standards should be analyzed by Boone County Planning Commission and Florence City Council:

Compatibility of Uses: Measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites.

- A. The Lawsuit Settlement agreement zone change area currently does not allow drive through restaurants because they were Conditional Uses in the 1996 Zoning Regulations. As a result, no drive through restaurants currently exist in this area. Boone County Planning Commission and the City of Florence should closely analyze the request could because it could set a precedent for similar requests in the future.
- B. The Zoning Regulations do not contain drive through stacking standards. Staff would like the applicant to address how much vehicle stacking is typical in Panera drive-throughs during breakfast and lunch hour peaks. Staff is concerned that only eight cars can stack in the drive through before other customer parking areas are blocked.

Architecture: Sites which are subject to architectural requirements through adopted overlay districts shall follow such requirements.

- A. The Lawsuit Settlement agreement area contains architectural guidelines which require "full height face brick veneer with EIFS accents"
- B. Staff would like the applicant to address the building materials of the proposed drive through bump-out. The elevation drawings don't show the rear facade.
- C. Staff would like the applicant to indicate if any architectural changes are being proposed to the northeast side of the building. The submitted elevation drawing does not match the existing building.

Signage: A consistent signage theme shall be provided within a planned development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects.

- A. Staff asked the applicant if Panera could add a gable top to their monument sign because it is the only freestanding sign in the Lawsuit Settlement area that doesn't have this characteristic. The renovated sign will be 6' tall, 7' wide, and will advertise the "drive thru".
- B. Staff recommends that the "drive thru" signs that are being proposed on the front and sides of the building should be denied or substituted for existing signs. The Houston-Donaldson Study currently permits outlot buildings to have "one building mounted sign of a maximum of one hundred square feet for each frontage on an adjoining public street or main development street for a maximum of two such signs. Panera currently has a 62 square foot sign on the front facade, 47.25 square foot signs on the side facades, and fabric awnings that contain signage.
- C. The Planning Commission and needs to analyze the proposed drive through signage.
- D. Staff would like the applicant to clarify how many directional signs are proposed. Staff noted two such signs on the Concept Development Plan.

Landscaping: Substantial landscaping shall be provided in a Planned Development.

- A. The applicant needs to show the site complies with the 22% green space requirement.

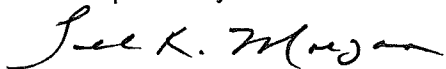
Transportation Connections and Entry Points: The provision of transportation connections (street connections, pedestrian paths, multi-purpose trails, sidewalks, and bicycle facilities) shall be provided in all planned development unless physically unfeasible or unsafe.

- A. The site shares an access point with Watson's. Staff questions if the drive through will increase the popularity of the restaurant and will make it more difficult for Watson's employees and customers to exit the site in a timely manner.
2. Staff would like to point out that Architectural Design Review will still be required for the building and sign package if the Change in Concept Development Plan application is approved. Architectural Design Review is required for any property that is located within the limits of the Houston-Donaldson Study.

CONCLUSION

The Change in Approved Concept Development Plan request needs to be evaluated by Florence City Council in terms Articles 3 and 15 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
- *Project Description From Applicant
- *Concept Development Plans (Overall, Drive-Through Detail, and Landscaping)
- *Building Elevations
- *Proposed Building Mounted Sign Specifications
- *Proposed Monument Sign
- *Proposed Directional Signs
- *Drive Through Signage (Clearance Bar, Preview Board, Menu Board, and Canopy)
- *Pictures of Panera Drive Through in Illinois
- *1998 Lawsuit Settlement Agreement Concept Plan and Conditions
- *Lawsuit Settlement Area Architectural Elevations
- *2013 Aerial Map
- *Topographical Map
- *Zoning Map
- *Future Land Use Map
- *Planned Development Standards
- *Houston-Donaldson Study Sign Regulations (Current)
- *Houston-Donaldson Study Sign Regulations (Draft)
- *Application

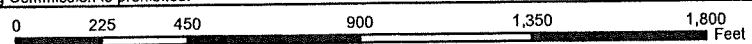
SITE VICINITY M.P

www.boonecountygis.com



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1 inch = 500 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



Panera – 7150 Houston Road

Project Description

Panera has been operating a 4,983 square foot restaurant at 7150 Huston Road since July 2005. To respond to customer demand, Panera is now offering drive-thru service at their new restaurants and including the service at existing stores wherever possible. Panera would like to add a drive-thru service at this location to better serve their customers. The 1.7 acre parcel is zoned “C-2”/“PD”/“CD” as a part of an Agreed Judgment Entry to resolve a Compliant for Declaratory Judgment filed by the then property owner against the City of Florence. The resulting Entry (1998) allowed for the site to be used for all of the permitted uses in the “C-2” District at the time of the Entry. At that time, the “C-2” District did not allow drive-thrus as a permitted use but rather as a conditional use. Since the date of the Entry, the “C-2” District has been amended to allow drive-thrus as a permitted use within the District [Section 1022(11)]. Since the Entry was specific, a request is being made to amend the zoning and Concept Plan for the property to include a drive-thru feature on the south/rear elevation of the building. The interior of the restaurant will be modified and seating reduced to accommodate the drive-thru addition.

The inclusion of the drive-thru feature at the site would mean the construction of a 4’7” by 11’7” bump out on the southeast corner of the site over an area that is currently concrete. The drive-thru would be serviced by a 10’ wide stacking lane that can accommodate eight cars. A preview board sign would be located behind the building to inform customers of food options along with a menu board/order sign to allow customers to place their orders. A clearance bar is also proposed to assure safe customer access to the drive-thru. Three small signs (14.27 square feet) indicating the “Drive Thru” service are proposed for the north, west, and east building elevations to advise customers of the drive-thru option. A small “Drive Thru” containing approximately 13 square feet would be added to each side of the existing ground-mounted sign. Directional signage would be amended to include references to the drive-thru as permitted by the Zoning Ordinance.

The site currently contains 93 parking spaces. The rear parking area has been redesigned to include a series of 45° parking spaces accessed from a one-way 15’ drive aisle. The proposed 88 parking spaces meet the requirements of the Zoning Ordinance based on the reduction in existing seating and the addition of the drive-thru as follows:

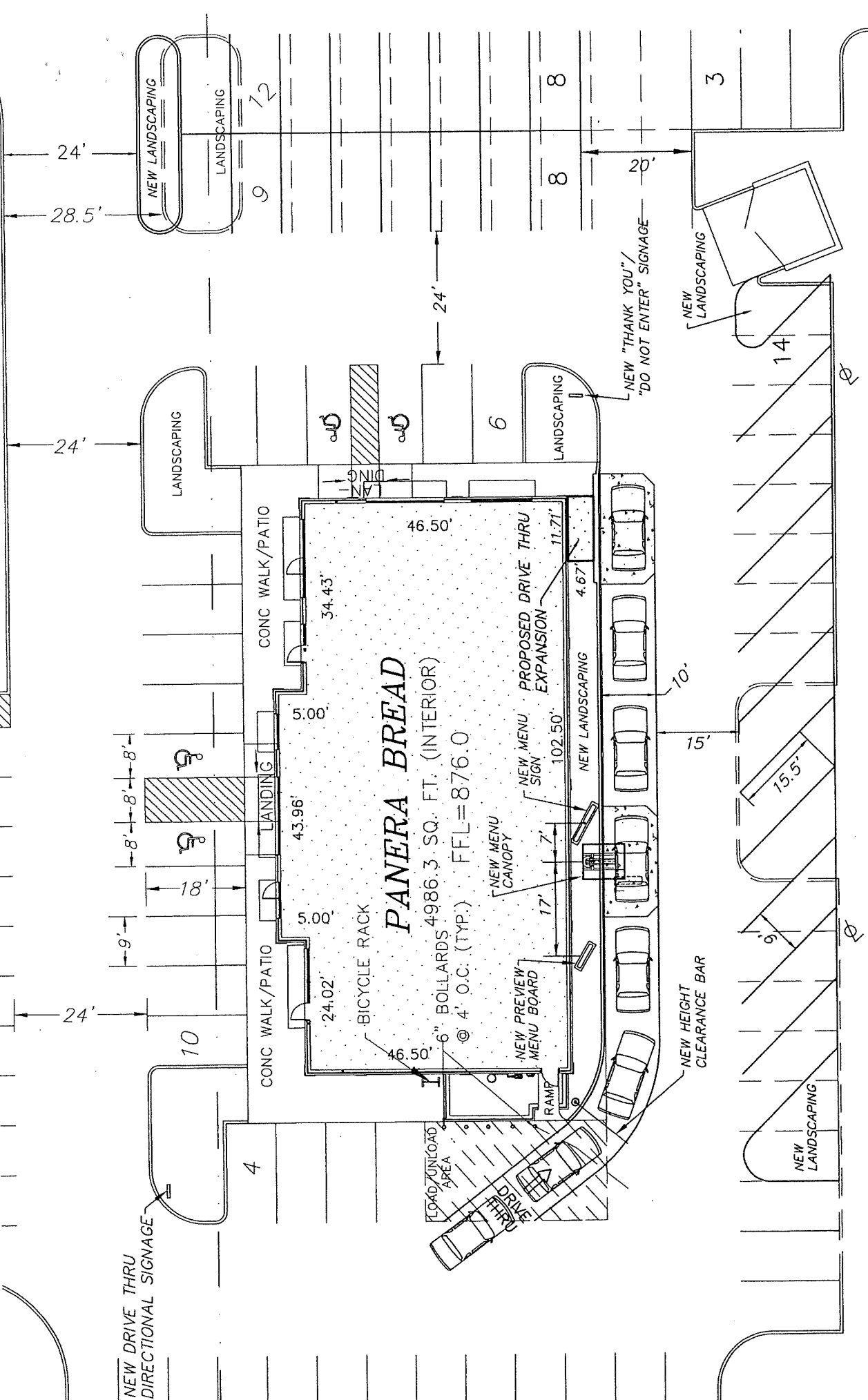
| | |
|----------------------------------|--------------------|
| 120 Proposed Seats Inside: | 60 Spaces Required |
| 28 Proposed Seats Outside: | 14 Spaces Required |
| 280 Square Feet of Waiting Area: | 14 Spaces Required |
| Total: 88 Spaces Required | |

The existing Impervious Surface Area Ratio of 0.62 has been maintained through the addition of new landscaped areas which are indicated on the landscape plan.

Panera has heard from many of its customers that they would like to have the convenience of ordering and picking up food to go without having to park and go into the store. Currently, over

300 Panera restaurants offer a drive-thru feature. The location of the drive-thru has been carefully chosen to assure that it is not visible from Houston Road. Given the topography and surrounding land uses, the inclusion of the drive-thru will not cause a negative impact to any adjacent property owner. We believe that the proposed drive-thru facility will be a convenience feature that Panera customers will utilize in a variety of circumstances. The inclusion of the drive-thru will also reduce the number of parking spaces utilized on site by customers getting carryout orders allowing more parking for dine-in customers during peak hours. We respectfully request approval of the modification to allow for the site modifications as proposed and the addition of the drive-thru service.

NEW DRIVE THRU DIRECTIONAL SIGNAGE





Panera BREAD
 7150 HOUSTON RD
 FLORENCE, KY 41042

CONSULTANT:
 N. WASSERSTROM
 DESIGNER:
 DANIELLE ANGLIN
 CHECKED:
 NOT FOR PRODUCTION

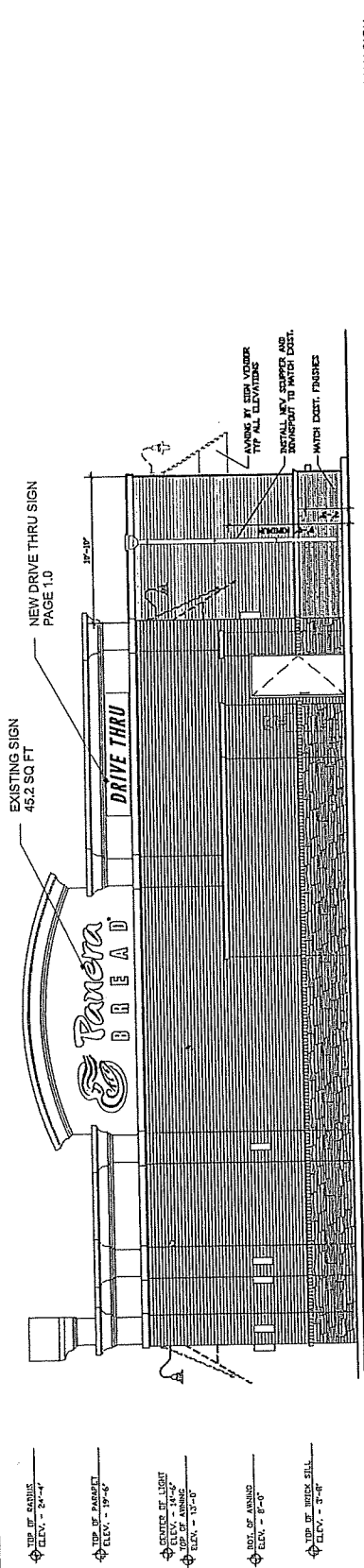
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 APPROVED

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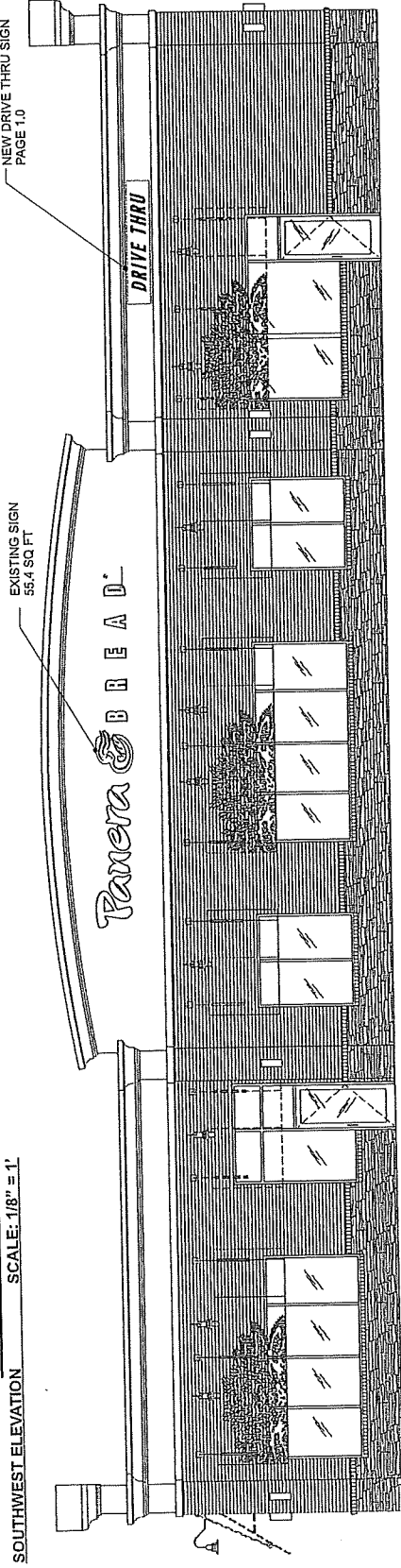
NOTES
 1. THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE CODES. THIS DRAWING INCLUDES PROPER GROUNDING AND BONDING.
 2. THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE CODES. THIS DRAWING INCLUDES PROPER GROUNDING AND BONDING.
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REVISIONS
 1. CHANGE TO BAW DRIVE THRU SIGN
 2. UPDATE ELEVATIONS
 3. ADD ELEVATION

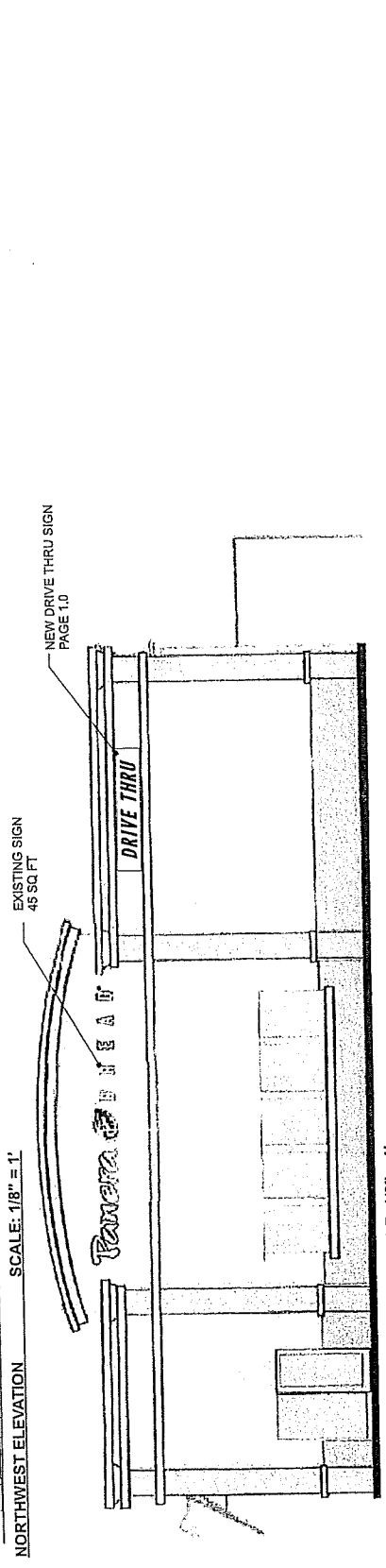
DATE: 3/7/13
 DRAWING # 34351
 REVISION # 4
ELEV



SOUTHWEST ELEVATION
 SCALE: 1/8" = 1'



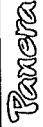
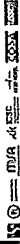
NORTHWEST ELEVATION
 SCALE: 1/8" = 1'



NORTH EAST ELEVATION
 SCALE: 1/8" = 1'



518 WALCOTT COURT COLUMBUS, OHIO 43228
 PH: 614 432 2111 FAX: 614 432 2150



BREAD
 7150 HOUSTON RD
 FLORENCE, KY 41042

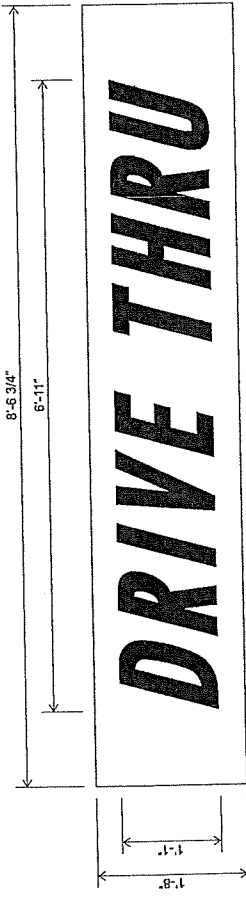
CONSULTANT:
 N. WASSERSTROM
 DESIGNER:
 DANIELLE ANGLIN
 CHECKED:
 NOT FOR PRODUCTION

THIS DRAWING SUPERCEDES ALL OTHER DOCUMENTS PROVIDED BY OTHERS CONCERNING THE FABRICATION AND INSTALLATION OF THIS DESIGN.
 CLIENT APPROVED

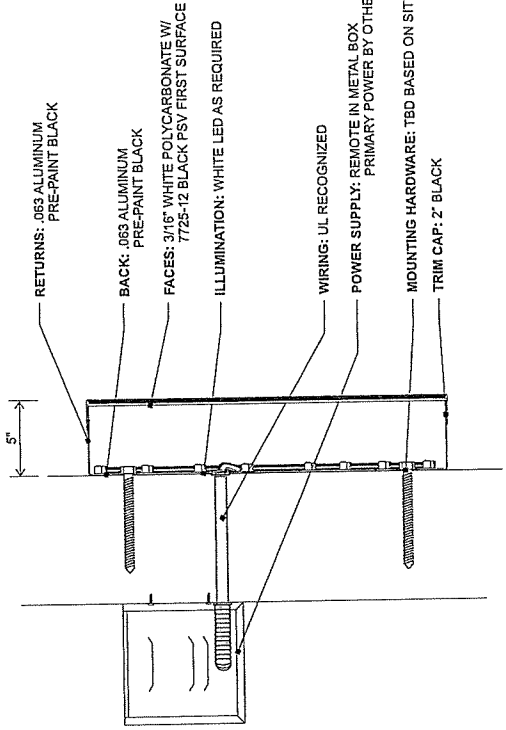
DATE: 2/22/13
 REVISION # 4

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REVISIONS
 1. CHANGE TO B/W
 2. UPDATE SIZE & COPY
 3.
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SE ILLUMINATED CABINET SCALE: 3/4" = 1'
 QUANTITY TBD
 14.27 SQ. FT EACH
 SURVEY REQUIRED PRIOR TO FABRICATION



SECTION DETAIL SCALE: 1 1/2" = 1'

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DATE: 2/22/13
 REVISION # 4

DRAWING # 34351
 REVISION # 1.0



BREAD
 7150 HOUSTON RD
 FLORENCE, KY 41042

ACCOUNTANT
 N. WASSERSTROM

DESIGNER
 DANIELLE ANGLIN

CHECKED
 NOT FOR PRODUCTION

THIS DRAWING SUPERSEDES ALL OTHER DOCUMENTS PROVIDED BY OTHER CONCERNING THE FABRICATION AND INSTALLATION OF THIS DESIGN.
 CONTRACT NO. 12/19/13
 34351

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6. THIS SIGN IS TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT.

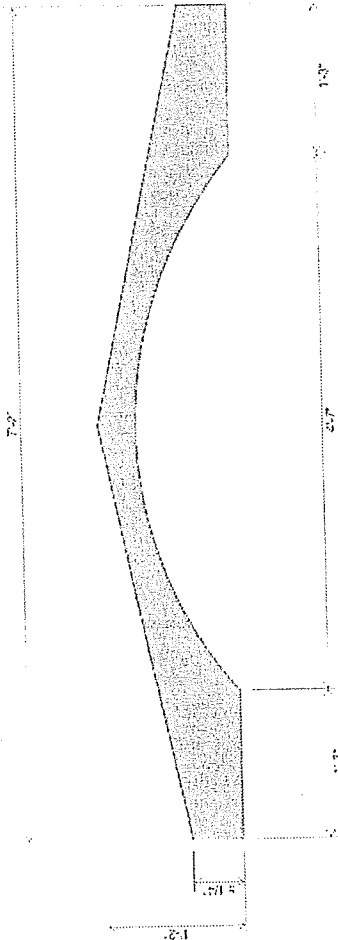
7. THIS SIGN IS TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT.

8. THIS SIGN IS TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT.

9. THIS SIGN IS TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT.

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DATE: 12/19/13
 REVISION # 6
 DRAWING # 34351
 SCALE: 4.0



SCALE: 1 1/2" = 1'

MONUMENT RENOVATION

- REMOVE EXISTING POLE CAPS
- INSTALL NEW GABLED ROOF TOP
- 3" ALUMINUM ANGLE 2W
- GRIP ALUMINUM
- PAINT TO MATCH EXISTING YELLOW TRIM

SURVEY REQUIRED PRIOR TO FABRICATION



PROPOSED SIGNS SCALE: NTS



519 WACHT COURT COLLEGIUS, OHIO 43228
 PH: 614.231.1300 FAX: 614.231.1301
 WWW.AVSG.COM



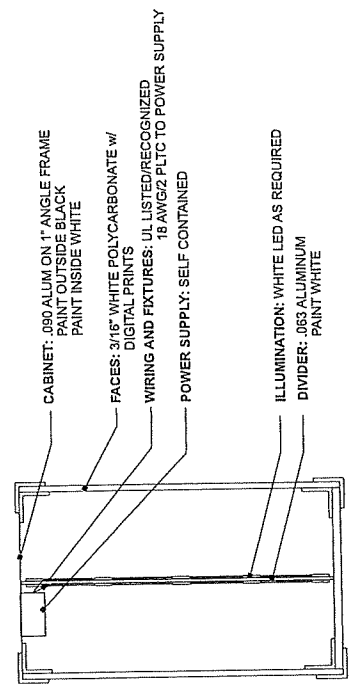
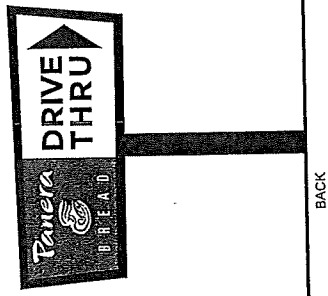
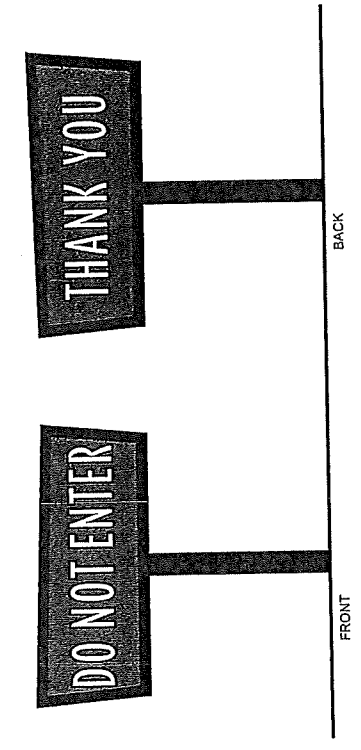
7150 HOUSTON RD
 FLORENCE, KY 41042

CONSULTANT:
 N. WASSERSTROM
 DESIGNER:
 DANIELLE ANGLIN
 CHECKED:
 NOT FOR PRODUCTION
 THIS DRAWING SUPERCEDES ALL
 OTHER DOCUMENTS PROVIDED BY
 OTHERS CONCERNING THE
 FABRICATION AND INSTALLATION OF
 THIS DESIGN.
 CLIENT
 APPROVED

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 1. THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE. THIS DRAWING DOES NOT INCLUDE PROPER GROUNDING AND BONDING.
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 5. CHANGE TO ILLUMINATED

REVISIONS
 1:
 2:
 3:
 4:
 5: CHANGE TO ILLUMINATED
 6:
 7:
 8:
 9:
 10:


DATE: 11/26/13
 DRAWING # 34351
 REVISION # 5
 3.0



D/J & S/J ILLUMINATED SIGNS SCALE 3/4" = 1'
 QUANTITY REQUIRED TBD
 3.87 SQ. FT. EACH

COPY & GRAPHICS TBD BASED ON SITE REQUIREMENTS PRIOR TO FABRICATION

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APPROVALS
Signature Required Every 6 Months or Production

Engineering _____ DATE _____
 Sales _____ DATE _____
 Estimating _____ DATE _____
 Production _____ DATE _____
 Quality Control _____ DATE _____

DATE: _____

NO. PRODUCT / NO. ORDER: _____

NO. ORDER / NO. ORDER: _____

| NO. | BY | DESCRIPTION | DATE |
|-----|----|------------------------------|----------|
| 1 | JM | Added clearance sign details | 8/22/05 |
| 2 | JM | Revised color details | 3/9/06 |
| 3 | WJ | Updated | 08/30/11 |
| 4 | JM | Revised color details | 03/05/12 |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |

CLIENT: _____

Saint Louis

BREAD CO.

STONE NUMBER: _____

CLEARANCE BAR

LOCATION: _____

PAGE 11

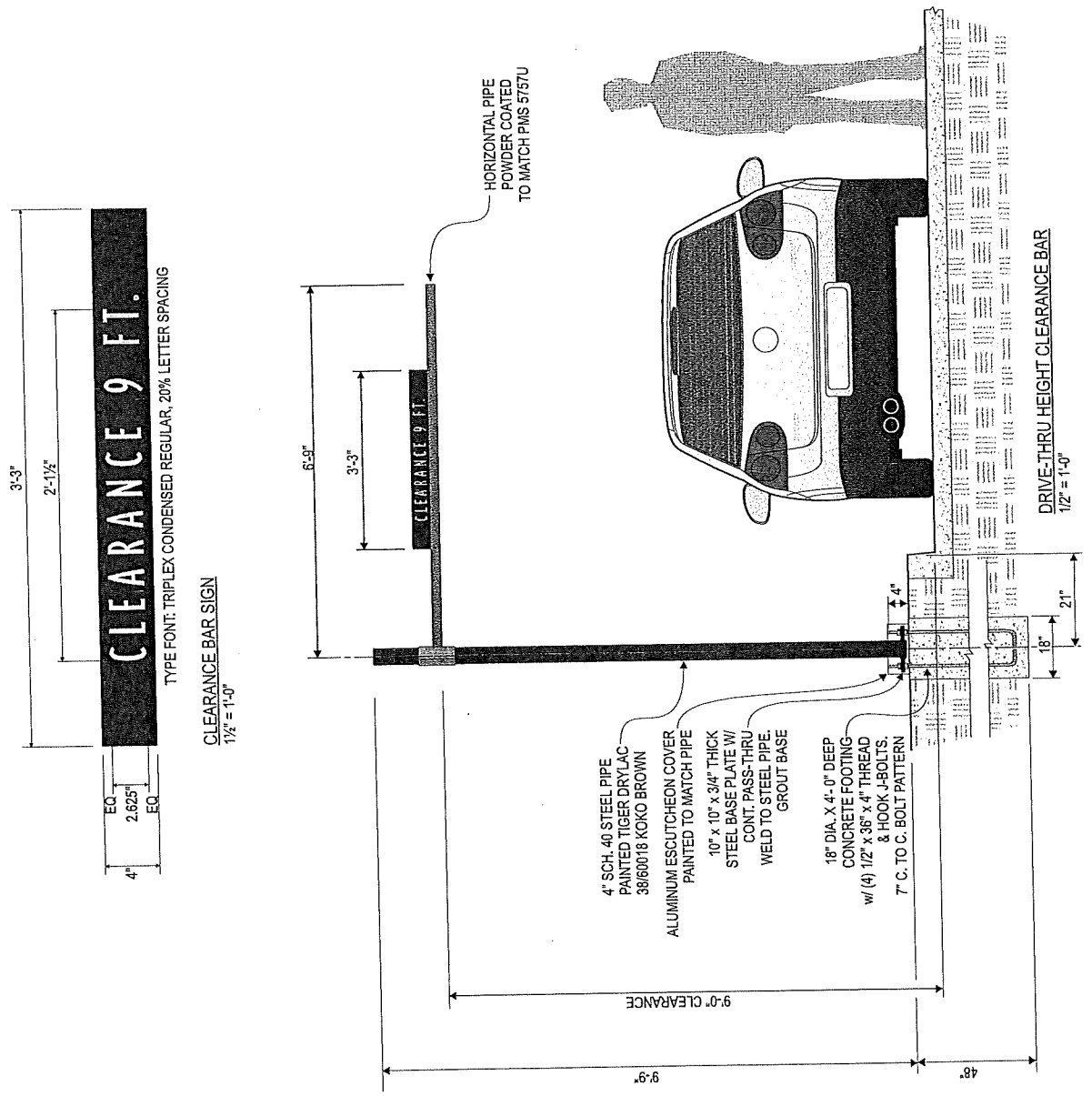
PROJECT MANAGER: JIM MANDEVILLE

NOTED: JM 08/03/05

SCALE: AS SHOWN

DT-CLEARANCEBAR

PROWING WASTE



SINCE 1917



MANDENVILLE SIGN

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LINCOLN, RI 02885-4255

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APPROVALS

Engineering

BY DATE

SALES

BY DATE

ESTIMATING

BY DATE

PRODUCTION

BY DATE

QUALITY CONTROL

BY DATE

REVISIONS

NO. BY DESCRIPTION DATE

1 JM Revised menu board 3/11/05

2 JM Reprinted background image 8/21/06

3 JM Updated Panera logo 01/31/12

PROJECT: PANERA

DATE: 8/17/05

SCALE: NOTED

DT MENU SIGN-a.0

STORE NUMBER: N/A

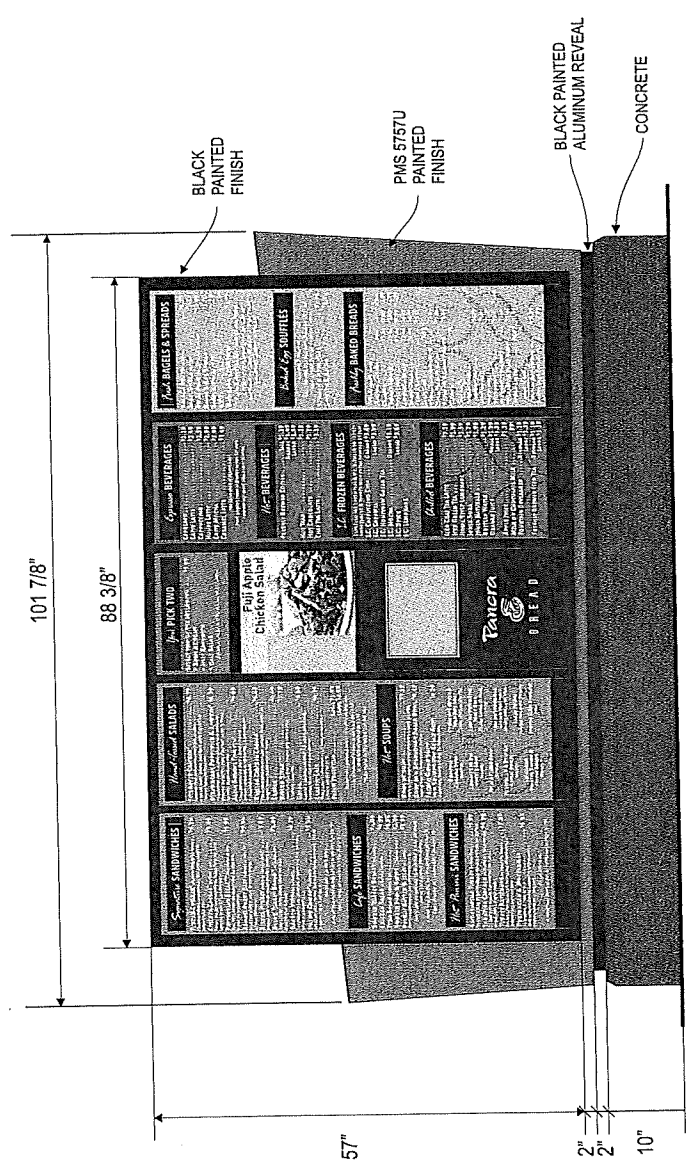
LOCATION: JIM MANDEVILLE

PROJECT MANAGER: JM

DATE: 8/17/05

SCALE: NOTED

DT MENU SIGN-a.0



1 MENU SIGN ELEVATION
SCALE - 3/4" = 1'-0"

SINCE 1917

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APPROVALS
 Engineering: _____ DATE: _____
 BY: _____ DATE: _____
 Estimating: _____ DATE: _____
 BY: _____ DATE: _____
 Production: _____ DATE: _____
 BY: _____ DATE: _____
 Quality Control: _____ DATE: _____
 BY: _____ DATE: _____

UN PRODUCT NUMBER: _____
 WORK ORDER NUMBER: _____

REVISIONS

| NO. | BY | DESCRIPTION | DATE |
|-----|----|---|----------|
| 1 | GL | add details, add vent | 10/17/05 |
| 2 | JM | Revised canopy enclosure, enclosure layout, add speaker to roof | 2/21/06 |
| 3 | JM | Revised canopy design and color | 3/9/06 |
| 4 | JM | Added custom speaker enclosure | 5/1/06 |
| 5 | JM | Revised enclosure of speaker enclosure, added speaker to roof | 5/6/06 |
| 6 | JM | Revised speaker enclosure of | 9/25/07 |
| 7 | JM | Revised part case to 6000 8000 | 03/05/12 |

UN PRODUCT NUMBER: _____
 WORK ORDER NUMBER: _____

CLIENT: _____
 STORE NUMBER: _____

PANERA MENU
 SHELTER

PAGE 7

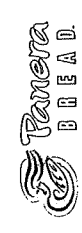
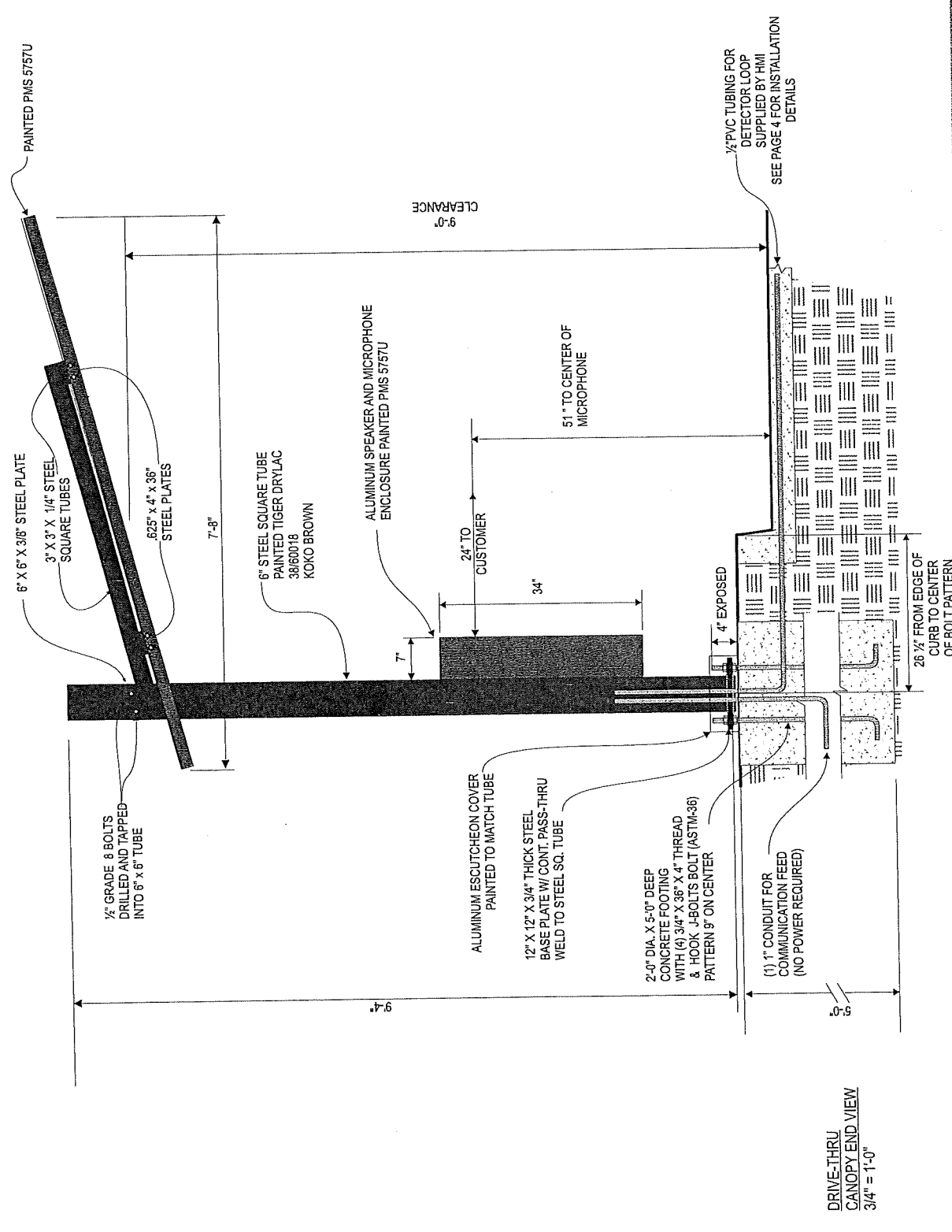
LOCATION: _____

PROJECT MANAGER: JIM MANDEVILLE

SCALE: NOTED

DATE: 10/13/05

DT-MENU CANOPY-a

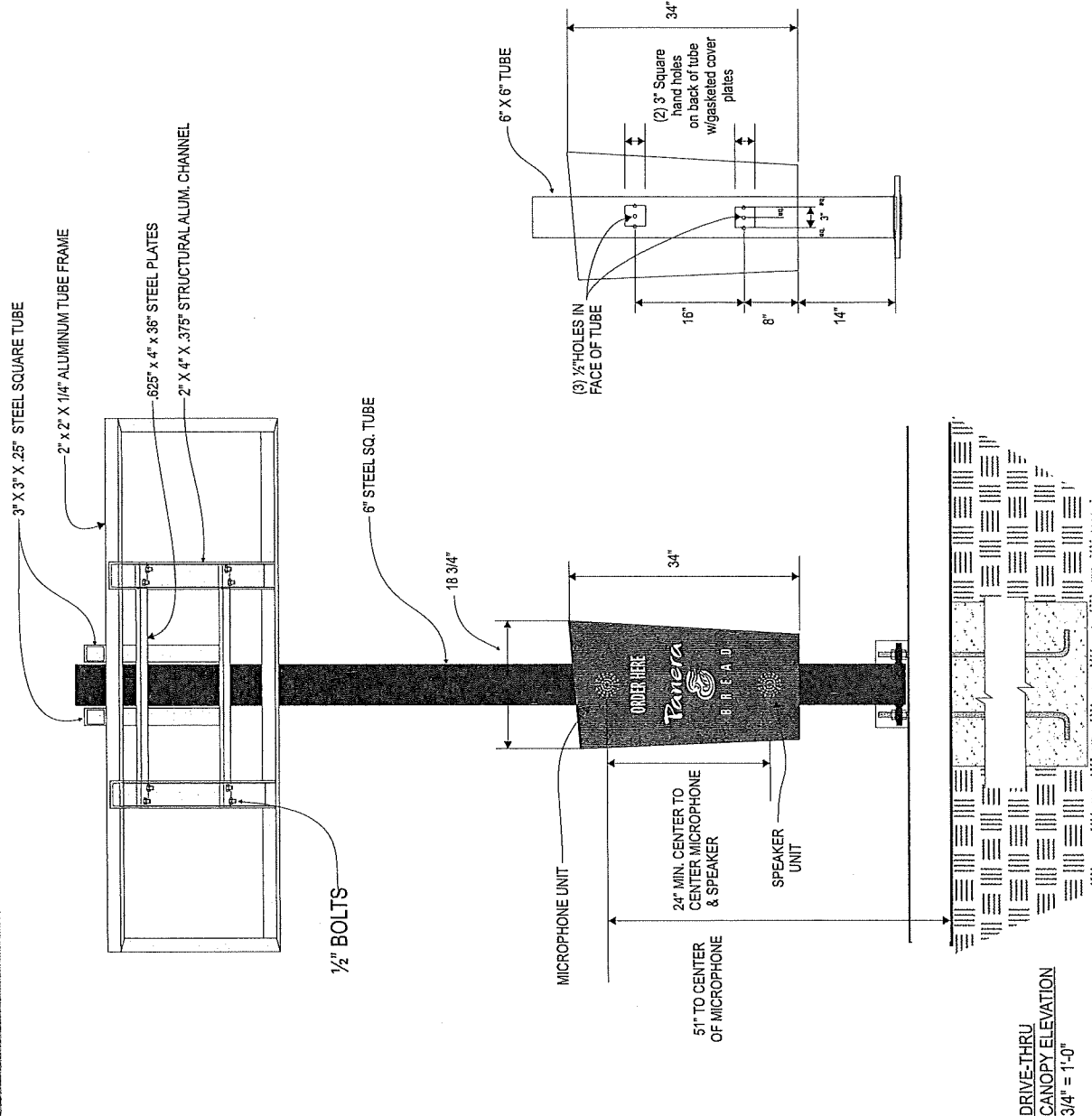


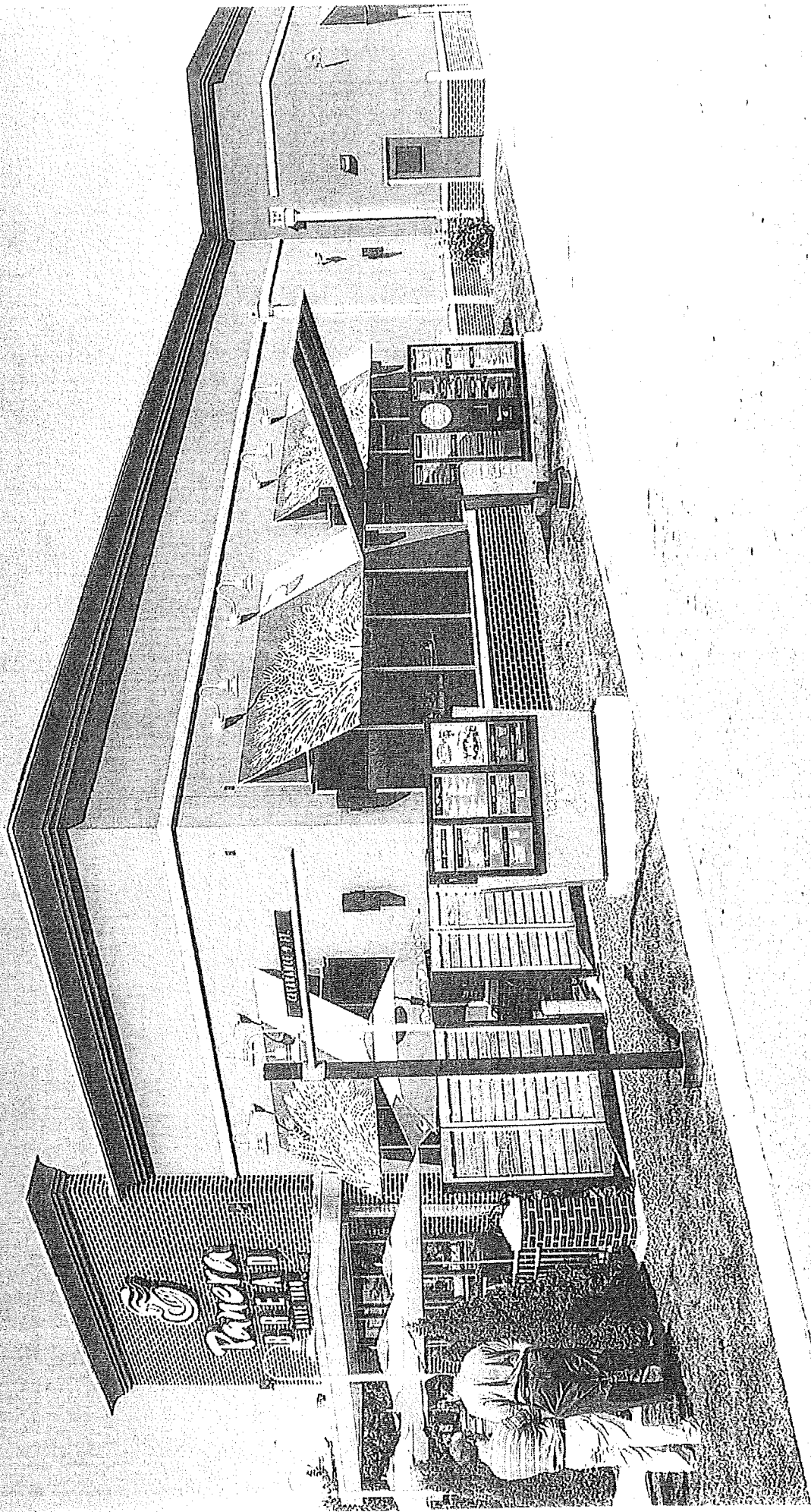
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APPROVALS
 Engineering: _____ DATE _____
 Sales: _____ DATE _____
 Estimating: _____ DATE _____
 Production: _____ DATE _____
 Quality Control: _____ DATE _____
 BY: _____

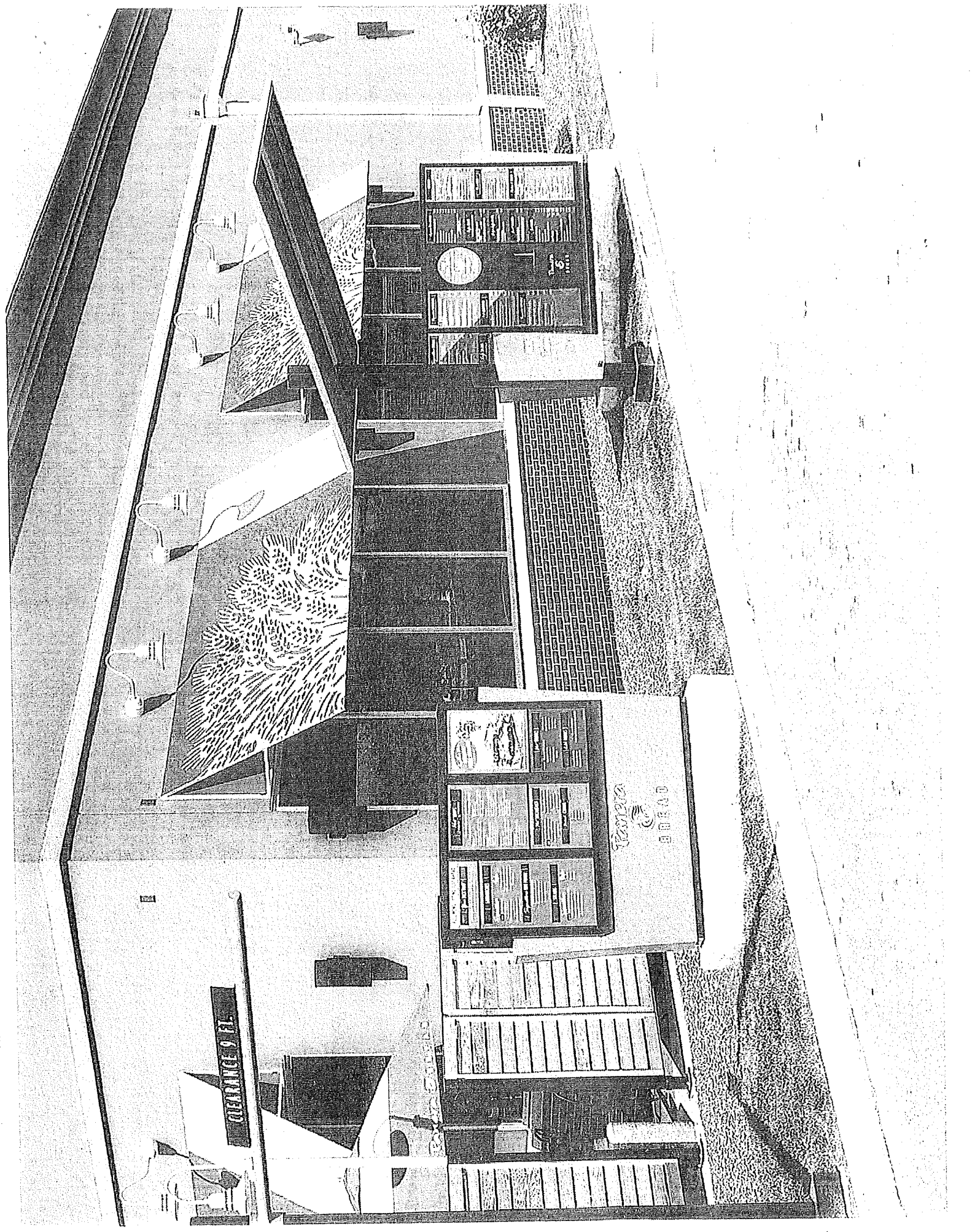
ALL PRODUCT NUMBERS:
 WORK ORDER NUMBERS:
REVISIONS

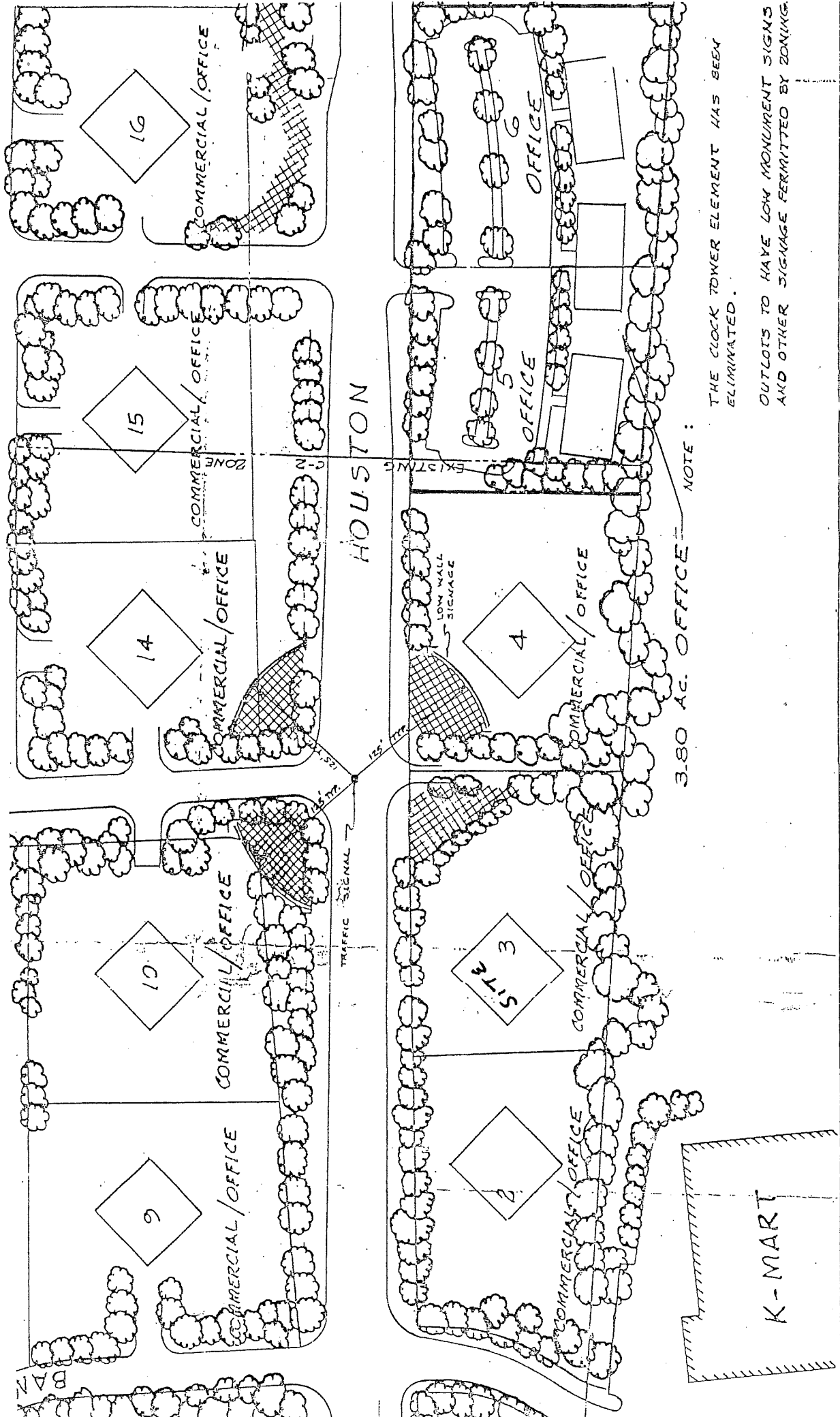
| NO. | BY | DESCRIPTION | DATE |
|-----|----|--|----------|
| 1 | JM | add details per rev | 10/17/05 |
| 2 | JM | Revised canopy design, oriented signage panel, added speaker to side | 02/27/06 |
| 3 | JM | Revised canopy design and color | 03/06/06 |
| 4 | JM | Added custom speaker enclosure | 05/10/06 |
| 5 | JM | Revised enclosure of speaker to accommodate 2" center to center microphone speaker unit. Added recessed key cover. | 06/06/06 |
| 6 | JM | Revised speaker enclosure 3" | 09/25/07 |
| 7 | JM | Updated Panera logo | 01/31/12 |

CLIENT: **Panera BREAD.**
 STORE NUMBER: **PANERA MENU SHELTER**
 LOCATION: **PAGE 9**
 PROJECT MANAGER: **JIM MANDEVILLE**
 SCALE: **NOTED**
 DATE: **10/13/05**
DT-MENU CANOPY-BPG3









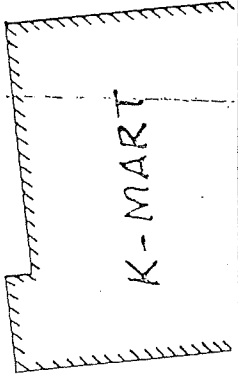
HOUSTON

3.80 AC. OFFICE

NOTE:

THE CLOCK TOWER ELEMENT HAS BEEN ELIMINATED.

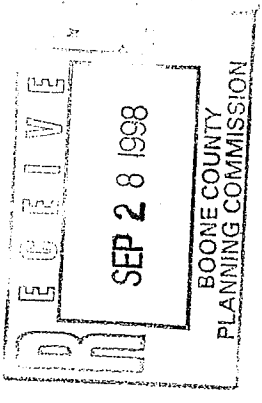
OUTLOTS TO HAVE LOW MONUMENT SIGNS AND OTHER SIGNAGE PERMITTED BY ZONING.



K-MART

B.C.C.

ORDINANCE NO. 0-18-98



AN ORDINANCE ADOPTING AND APPROVING A REZONING ON AN APPROXIMATE 95 ACRE SITE GENERALLY LOCATED ON BOTH SIDES OF HOUSTON ROAD BETWEEN KENTUCKY 18 AND WOODSPOINT DRIVE FOR THAT PORTION OF THE SITE WITHIN THE CITY OF FLORENCE, KENTUCKY, AND APPROVING THE UTILIZATION OF THE UNDERLYING ZONE IN ACCORDANCE WITH A CONCEPT DEVELOPMENT PLAN AGREED TO BY THE CITY AND THE OWNERS OF THE SITE PURSUANT TO THE SETTLEMENT OF A PENDING APPEAL IN THE BOONE CIRCUIT COURT. (DOERING, FULLER, FOLTZ, DURR AND CRIST PROPERTY)

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

WHEREAS, the Boone County Planning Commission by Resolution R-97-020A recommended that a request for a zone change for an approximate 95 acre site located on both sides of Houston Road, generally between Kentucky 18 and Woodspoint, being part of the complete tract as recorded in Deed Book 446, Page 301, Deed Book 136, Page 74, and Deed Book 635, Page 68, of the Boone County Clerk's records (the "Site") to Commercial Two/Planned Development (C-2/PD) from Industrial One/Planned Development (I-1/PD) and Office Two/ Planned Development (O-2/PD) be approved and utilization of the underlying zone be granted, and

WHEREAS, On January 6, 1998, City Council voted to override the recommendation of the Boone County Planning Commission and deny the zone change request, and

WHEREAS, the zone change applicant and owners of the site filed an action in the Boone Circuit Court being James W. Berling, et al v. City of Florence, et al, Case No. 98-CI-00145 (the "Lawsuit") as an appeal from such denial, and

WHEREAS, settlement negotiations between the parties to that action resulted in agreement on a revised concept development plan which was acceptable to all parties, and

WHEREAS, because the revised concept development plan results in a decrease in the intensity of uses recommended by the Boone County Planning Commission and, on advice of the staff of said Commission, the City and the applicant/owner have determined that, in settlement of the lawsuit, the zone change and utilization of the underlying zone represented by the revised concept development plan can be approved without the necessity of additional Planning Commission review and recommendation, and

WHEREAS, the parties have agreed to settle the lawsuit by granting the requested zone change in accordance with the revised concept development plan and subject to the terms and conditions hereinafter set out.

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

SECTION I

That a zone change for the Site is hereby approved as shown on the concept development plan titled: "June 16, 1998, Second Amendment Concept Development Plan, Seligman/Durr/Crist/Foltz Properties, Houston Road, Florence, Kentucky" (the "Development Plan"), a copy of which is attached hereto as Exhibit "I", subject to the conditions hereinafter set out. The zoning map of Boone County, Kentucky as it applies to the City of Florence, Kentucky shall be amended or changed to reflect the rezoning of that portion of the Site located within the City of Florence, Kentucky, as so approved.

SECTION II

That utilization of the underlying zone for that portion of the Site located in the City of Florence, Kentucky, in accordance with the Development Plan is hereby approved, subject to the conditions hereinafter set out.

SECTION III

The zone change and utilization of underlying zone are subject to all of the terms and conditions of the Committee Report of the Boone County Planning Commission dated October 15, 1997, (the "Committee Report"), a copy of which is attached hereto and incorporated herein as Exhibit "II", except as modified by the following:

A. Condition 1 is modified to provide that the development shall follow the Development Plan attached hereto as Exhibit "I".

B. Condition 1E is modified to provide that signage for the site shall be permitted in the areas designated on the Concept Development Plan and in compliance with the following criteria:

1. Building Mounted Signage shall be limited to the number and size as permitted by the Zoning Ordinance but must be internally illuminated individual channel letters, mounting raceway optional, and generally of the dimensions and criteria as depicted on Exhibits "A" through "E" to this Ordinance.

2. Project Identification Signage shall consist of a pylon sign maximum 28 feet in height and of materials and architectural details as depicted on Exhibit "F", hereto and of low wall signage not to exceed six (6) feet in height and constructed of masonry, brick or stone identifying only the development and containing only polished metal individual channel letters which may be backlighted as depicted on Exhibit "G" to this Ordinance. The developer shall construct an architectural feature at the northeast corner of Houston Road and Kentucky Highway 18 identifying the south entrance to the development. This feature shall be architecturally compatible with the other landscaping and building construction.

3. Low Ground Monument Signage is permitted one per out-lot not to exceed six (6) feet in height and seven (7) feet in width and generally as depicted on Exhibit "H" to this Ordinance.

C. Condition 2 is deleted and the following substituted:

Zoning of the entire tract shall be in accordance with the land use designations on the Development Plan. The 19.20 acre parcel designated Office/Research Park/Light Industrial and the 3.80 acre parcel designated Office shall be zoned O1/PD. The remainder of the Site shall be zoned C2/PD. The following additional uses shall be permitted in the O1/PD and C2/PD areas.

1. Real estate sub-dividing and developing services.
2. Postal services and packaging services provided the use is essential for pick-up and delivery convenience.
3. Nursery and day care centers.
4. Consumer and mercantile credit reporting, adjustment and collection services.
5. Travel arranging, transportation ticket and public event or promotional booking agencies.
6. Art, music, and dancing schools, libraries, museums, art and craft galleries and similar exhibit space.
7. Medical clinics with outpatient services.
8. Welfare and charitable services.
9. Aquariums, botanical gardens and other natural exhibitions.

10. Rehabilitation hospital facilities.
11. Micro-brewery.
12. Professional scientific and controlling instruments, photographic and optical goods, watches and clocks.
13. Electric and electronic equipment.
14. Technology and research centers including medical and hospital research establishments.
15. Educational and governmental institutions.
16. Wholesale trade of drugs, drug proprietaries and sundries.
17. Wholesale trade of electrical and electronic parts.
18. Research, development and testing services.
19. Photo finishing and other photographic laboratories.
20. Postal services and related storage, distribution and transfer activities.
21. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services.
22. Fire stations or fire related protective services including rescue services.
23. Warehouse and distribution center-warehouse facilities.

D. The retail commercial center located on parcel no. 22 shall not exceed 296,000 square feet under total roof and the square footage of any single user in the retail commercial center shall not be more than 150,000 square feet.

E. Not less than 22% of the total acreage of the Site shall be green space which may be integrated throughout the other approved uses, provided that green space of 18% of the total acreage shall be contained in the privately owned areas.

F. Neither the owners of the Site nor their successors or assigns shall apply for a land use change within the area zoned O1/PD to any commercial use for a period of 5 years from the date of final passage of this Ordinance.

SECTION IV

If these approvals for a zone change and utilization of the subject property should be held invalid by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map, or comprehensive plan provisions as they are severable from these approvals herein and are intended to continue to have effect regardless of any invalidity regarding these particular approvals.

SECTION V

This Ordinance shall be effective upon final passage, publication by summary, and approval by Judgment of the Boone Circuit Court in the Lawsuit.

PASSED AND APPROVED ON FIRST READING THIS 8th DAY OF September, 1998.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 22nd DAY OF September, 1998.

APPROVED:

Evlyn M. Kelt
MAYOR

ATTEST:

[Signature]
CITY CLERK

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Arnold Caddell, Chairman

DATE: October 15, 1997

RE: Request of James W. Berling (applicant) for Ruth Doering, Harry Fuller, Mary Ellen Foltz, R.C. Durr and Richard Crist (owner) to consider a Zoning Map Amendment and the Utilization of an Underlying Zone in a Planned Development for 95 acres located on both sides of Houston Road generally between KY 18 and Woodspoint Drive, Florence and unincorporated Boone County, Kentucky. The request is for a zone change from Industrial One/Planned Development (I-1/PD) and Office Two/Planned Development (O-2/PD) to Commercial Two/Planned Development (C-2/PD), and the Utilization of an Underlying Zone in a Commercial Two/Planned Development (C-2/PD) zone, both to allow a retail/commercial development.

Remarks:

We, the Committee, recommend approval of the Zoning Map Amendment and Utilization of an Underlying Zone request based upon the following findings of fact and with the following conditions:

Findings of Fact:

The Committee believes that the applicant has adequately demonstrated that the restrictive site features, which include topography, geometry, and utilities, make the site unsuitable for industrial development. These site features were not foreseen in the 1995 Boone County Comprehensive Plan or the Houston Donaldson Study as possible deterrents for industrial development. As a result, the Committee has concluded that the existing Industrial One Planned Development (I-1/PD) zoning classification, which comprises a majority of the site, is not appropriate.

The applicant has demonstrated that the proposed uses within the underlying Commercial Two (C-2) zoning classification, as part of the Concept Development Plan, produce a cohesive and coordinated development of several distinct and separately-owned properties, which would otherwise be difficult to develop individually.

The Committee believes that the applicant has adequately demonstrated that the proposed Commercial Two Planned Development (C-2/2PD) zoning classification is appropriate for the 95 acre site because, the submitted Concept Development Plan along with the attached conditions meets the standards required for a Planned Development within Article 15 of the Boone County Zoning Regulations. The Concept Development Plan with these conditions provides a beneficial interior circulation pattern, a comprehensive landscaping and entry feature package, a lightly controlled and consistent architectural theme and mixture of uses, all of which are consistent with the intent of a Planned Development.

The Applicant has signed a letter of agreement with these conditions and understands that the submitted Concept Development Plan along with these conditions serves as the basis for this recommendation.

Conditions

1. The development shall follow the revised Concept Development Plan which was submitted by the applicant during the review process to the Zone Change Committee. These changes reflect the issues raised at the Public Hearing on July 23, 1997. In addition to the revised Concept Development Plan, the applicant has provided supplemental design standards for the architectural treatment of all buildings, signage, and landscaping. The revised Concept Development Plan and supporting information contains the following:
 - A. The architectural development guidelines, as submitted by the applicant, outline the minimum design standards for all buildings to be constructed within the development. All proposed buildings shall be reviewed by the Design Review Committee and Planning Commission to determine if the architectural development guideline design standards are being followed. Each proposed building shall receive approval from the Committee and the Planning Commission before any construction occurs. Building types include anchor retailers (Exhibit A), attached retailers (Exhibits B & C), free standing commercial properties (Exhibits D & E), and single use buildings. The guidelines include general building design, roof treatment, building facade materials, colors, exterior lighting, window treatment, and signage. In addition, buildings shall not contain exposed heating or cooling units or other engineering devices. Roof mounted equipment shall not be seen as part of any building silhouette. See Exhibits A, B, C, D, and E of the Architectural Development Guidelines.

- B. Lot 1, which is located at the northeast corner of Houston Road and Hwy 18, will contain an architectural feature and landscaping for the purpose of identifying the southern entrance into the development. The architectural element shall be no taller than 32 feet and shall only identify the development. Advertising is prohibited. See Exhibits F, I, and J of the Architectural Development Guidelines. The existing billboard sign on Lot 1 shall be permanently removed.
- C. The proposed access road behind the Foltz property on the north end of the site shall either be relocated onto the Foltz property so that it runs parallel with the property line or constructed on the airport property as shown on the Concept Development Plan. Construction of this access road shall occur concurrently with the first phase of development of either lot. A four lane divided boulevard that extends from the airport to Houston Road is indicated on the north end of the Concept Development Plan. The applicant has agreed that if either lot on the Foltz property is ready to develop before the start of construction of the airport boulevard, the applicant shall develop the portion of the boulevard that runs the length of the Foltz property from Houston Road to the airport property.
- D. A Landscaping Master Plan has been included as part of the Concept Development Plan. The Master Plan provides uniform landscaping design and treatment along Houston Road, Merchants Street, Seligman Drive, and at all existing and proposed intersections. This landscaping shall be installed during the improvement phase of the development and is independent of, and in addition to landscaping requirements for individual lots that require a Site Plan review. See Exhibits H and J of the Architectural Development Guidelines.
- E. The development will include the following signage:

One 40' tall pylon sign, identifying the development and tenants within the commercial center, shall be located on the northwest corner of the commercial center-Houston Road signalized intersection. See Exhibit G of the Architectural Development Guidelines.

Low profile monument signs identifying only the development shall be located at the non-signalized intersection along Houston Road. The signs shall not exceed 6 feet in height.

Low profile wall mounted signs shall be located at the Seligman Street-Merchant Street and Merchant Street-Houston Road intersections, at the southeast corner of the proposed office building complex, and at the southeast and southwest corners of the Houston Road-Woodpoint Drive-

Airport Boulevard intersection. The low profile walls shall be constructed of masonry brick and/or stone and shall only identify the name of the development. The wall mounted signs shall contain only non-illuminated, polished metal, individual channel letters. See Exhibit J of the Architectural Development Guidelines.

Each out lot will be permitted one low profile monument sign. The signs shall not exceed 6 feet in height. All low profile monument signs shall be constructed of the same masonry material, and be of the same height, size, design.

All building mounted signs shall be individual channel letters and internally illuminated.

- F. The development shall contain a pedestrian access network as shown on the Concept Development Plan.
- G. The development shall also contain a vertical architectural element at the southwest corner of Merchants Street and Houston Road. See Exhibit F of the Architectural Development Guidelines.

2. The Seligman property, which contains approximately 51 acres including the three major commercial users, storm water detention basin, and 5 out lots on the west side of Houston Road, will develop as commercial uses described within a Commercial Two (C-2) zoning district of the Boone County Zoning Regulations. The applicant has agreed to develop 25% of the remaining 45 acres with uses permitted within the Office One (O-1) zoning district and the following uses that may occur in Commercial One (C-1) or Commercial Two (C-2) zoning district:

- A. Real estate sub-dividing and developing services;
- B. Postal services and packaging services provided the use is essential for pick-up and delivery convenience;
- C. Nursery and day care centers;
- D. Consumer and mercantile credit reporting, adjustment and collection services;
- E. Travel arranging, transportation ticket and public event or promotional booking agencies;

- F. Art, music, and dancing schools, libraries, museums, art and craft galleries and similar exhibit space;
- G. Medical clinics with out-patient services;
- H. Welfare and charitable services;
- I. Aquariums, botanical gardens and other natural exhibitions;
- J. Arcades and other amusement centers;

Included as part of this 25% is a proposed office building complex on the east side of Houston Road, immediately across from the three major commercial users on lots 6 and 7. Eleven (11) acres constitutes as a minimum, 25% of the remaining 45 acres that shall be developed with the uses described above.

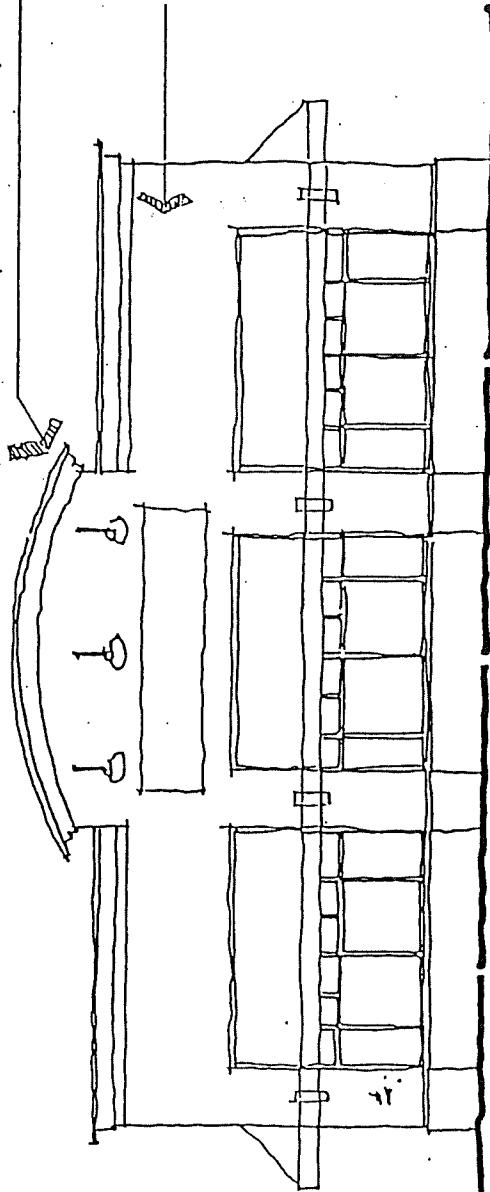
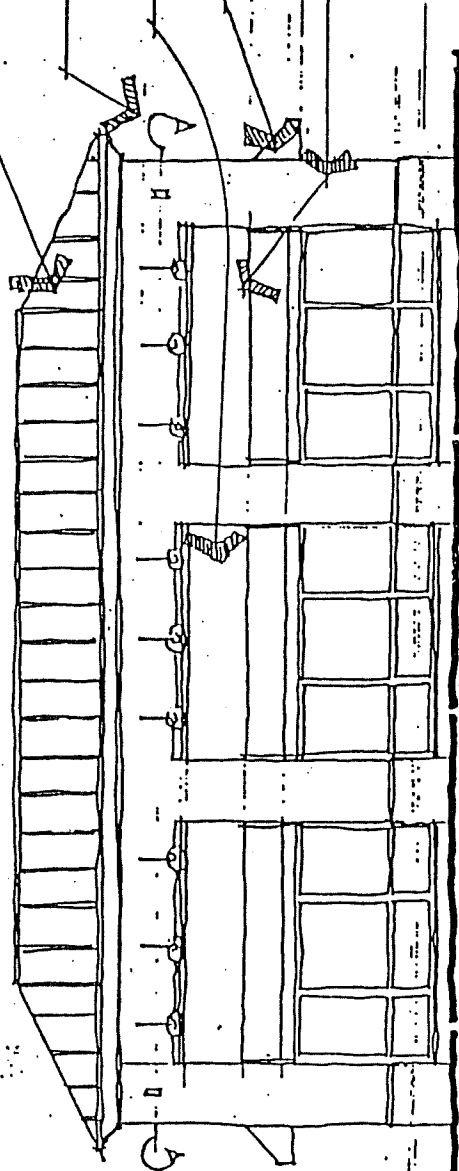
3. The out lots along Houston Road are to be developed as individual businesses or establishments. The lots, which are approximately 1.5 acres each in size, shall not be consolidated for the purpose of developing a strip center along Houston Road. Any consolidation of lots shall be for a individual business and any additional parking needs or requirements only.
4. The Planning Commission has been informed that grave sites or possibly a cemetery exists somewhere on the site between the proposed storm detention basin and the airport property. The applicant shall be responsible for performing an archeological survey as required in the Boone County Zoning Regulations, to determine the location of any grave sites or a cemetery.
5. The traffic intersections along Houston Road shall be spaced at a minimum of 600' intervals as indicated on the Concept Development Plan.
6. The intensity of the 95 acre development shall will not exceed 10,000 square feet per acre.
7. The applicant will maintain all existing trees on the property lines between the development, the municipal golf course, and the Greenview Subdivision. The applicant shall establish a 15' no disturb limit on the site to the property line with the golf course and a 25' no disturb limit on the site to the property line with the Greenview Subdivision.
8. The applicant shall provide a minimum of 22% greenspace for the development as a whole, including the detention area, in accordance with the open space provisions of the Houston Donaldson Study.

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.

STANDING SEAM METAL
ROOF CONSISTANT W/ PLAZA
LIGHTING CONSISTANT W/ BLDG.
MOUNTED SIGNAGE + IMAGE,
ACCENT LIGHTING.
SIGNAGE MUST BE INDIVIDUAL
CHANNEL LETTERS, INTERNALLY
ILLUMINATED
BLDG. MTD FABRIC CANNOT
MUST BE OF PRESCRIBED
COLOR
FULL HGT. FACE BRICK
VENEER W/ WHITE ACCENT

SIMPLY SHAPED PARAPET.

4' MASONRY VENEER
FULL HEIGHT ON OUTLOT
BUILDINGS



The Florence Marketplace
Architectural Development Guidelines NTS



D

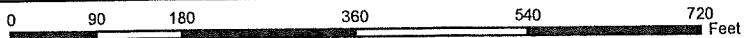
2013 AERIAL MAP

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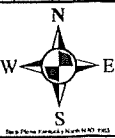
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1 inch = 200 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



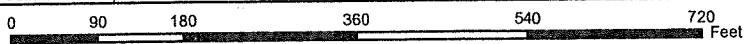
TOPOGRAPHICAL MAP

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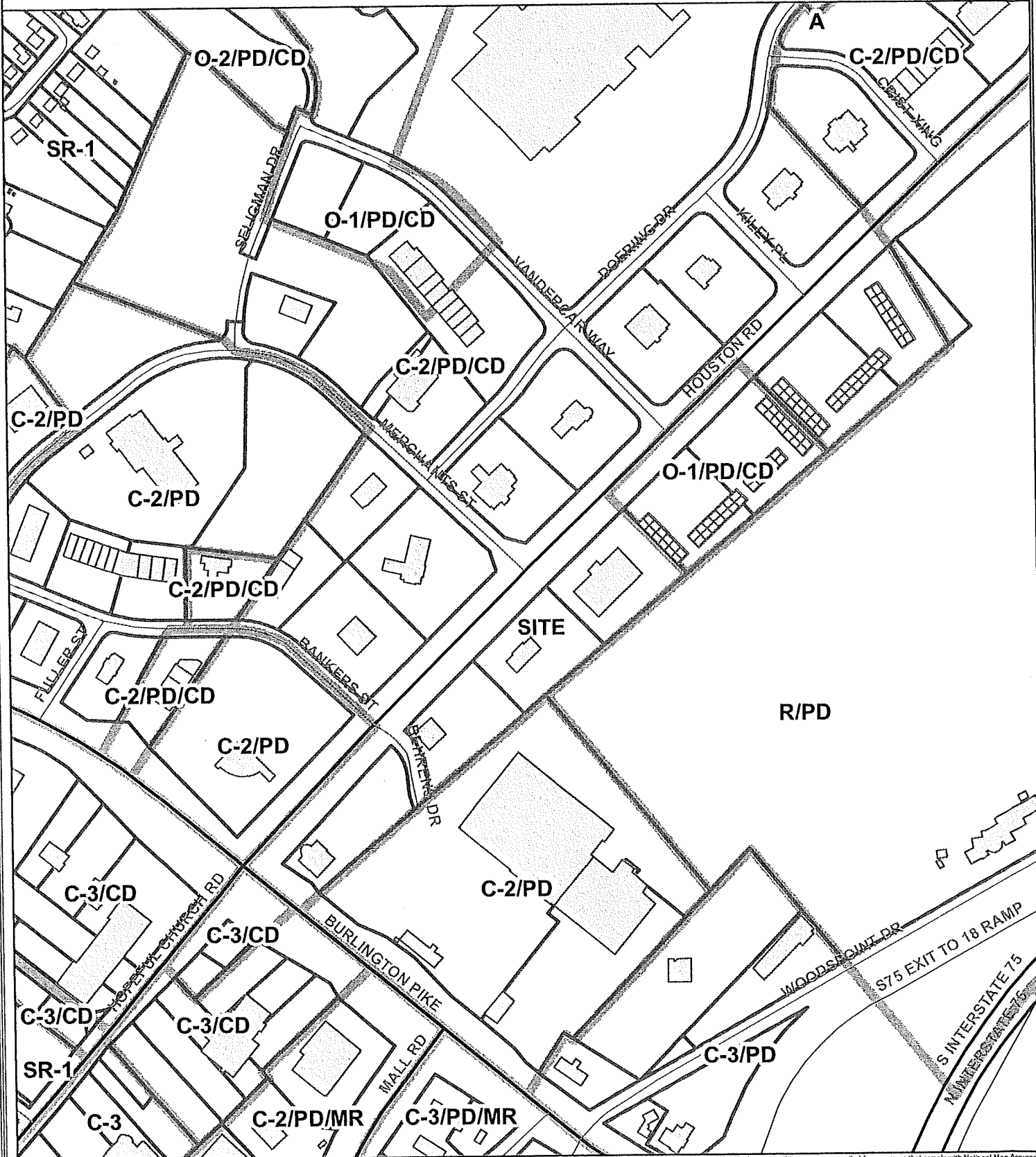
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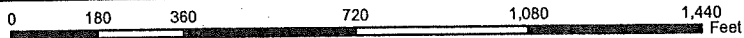
ZONING MAP

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1 inch = 400 feet

Boone County GIS

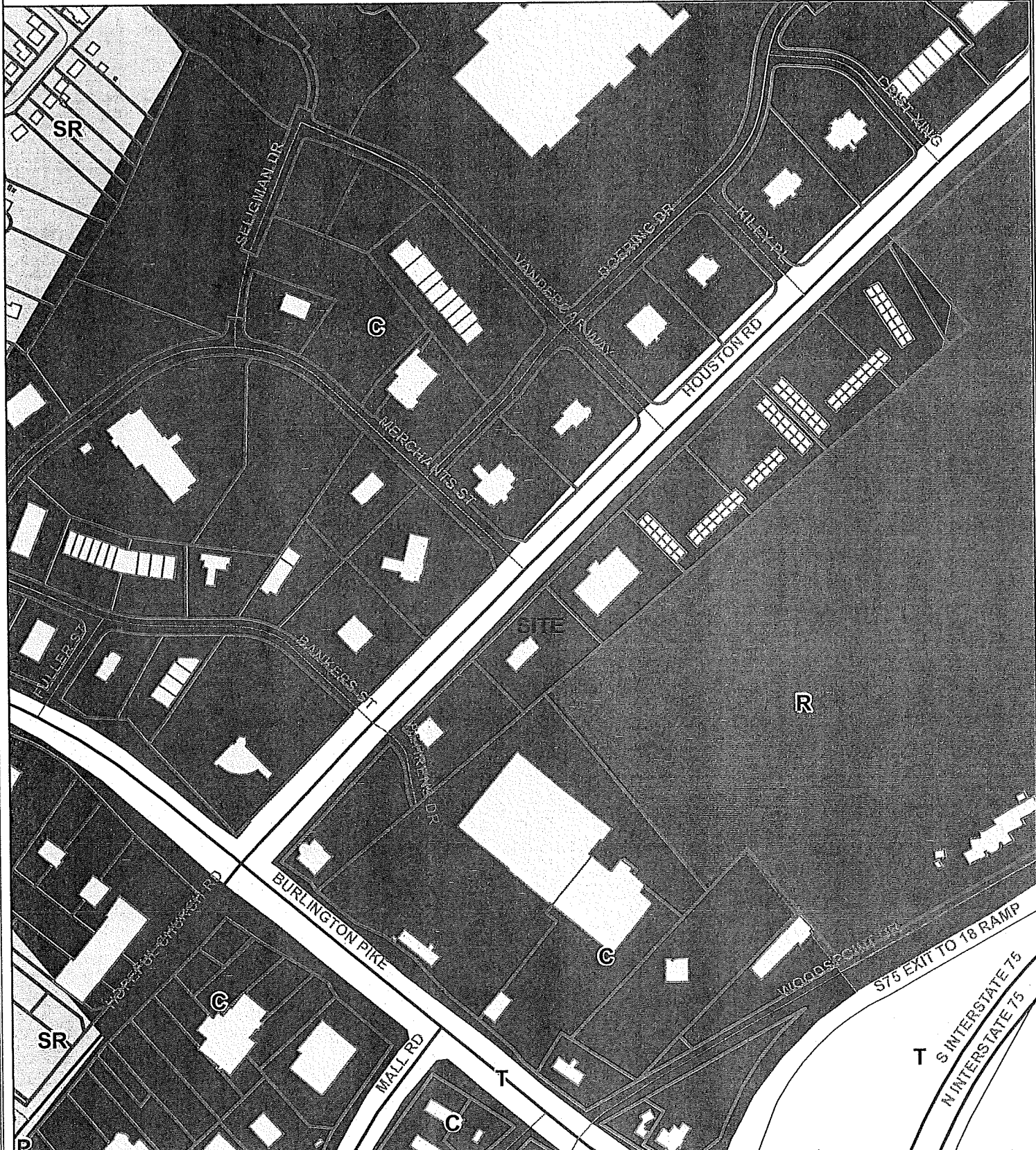
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Map File: 20120701 Map 001

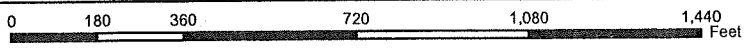
FUTURE LAND USE MAP

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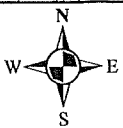
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1 inch = 400 feet

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SECTION 1514

Planned Development Criteria

Concept Development Plan proposals in a Planned Development shall be primarily evaluated against the criteria listed below. The Concept Development Plan shall fulfill the following criteria unless a portion of the criteria do not apply or relate, in whole or part, to a specific proposal. The examples listed in this section are for illustrative purposes. Specific solutions used to fulfill these criteria are contingent upon the size, scale, site conditions, design, uses and impacts of a proposed development.

1. **Mixed Use Development and Pedestrian Orientation:** Planned Developments shall generally have a mixed use orientation (combination of differing types of residential, commercial, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites. The additional intensity allowed in a Planned Development by Section 1500 shall only be permitted when a true mixed use and/or an amenity - oriented development with community and recreation facilities as described in this standard is provided.

In general, planned developments shall have a pedestrian orientation, where it is possible to live, work, shop, and play in the same immediate vicinity without a required dependence on the automobile. This may be accomplished through the use of comprehensive pedestrian circulation networks including multi-purpose paths and walks along main routes and open spaces such as stream corridors, between major destinations within the development and adjoining areas, secondary walk connections to the multi-purpose paths, the creation of a designed pedestrian environment including street trees in addition to other required landscaping, decorative street lights and other street furniture, and seating areas, and the use of integral curb walks where appropriate along streets. Disruptions in major paths due to street and drive intersections shall be minimal. Additionally in commercial areas, pedestrian orientation can be accomplished by placing buildings in close proximity to the street with parking areas to the side and rear of buildings, mixing uses within the same multi-story buildings, building entrances directly facing streets with reduced setbacks, architectural design which employs display windows, projecting signs, and awnings at street level, and designed outdoor seating and gathering spaces at the street level. Each development proposal must demonstrate in detail how the project will be made walkable throughout.

2. **Compatibility of Uses:** Measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites. Such measures may include the provisions of buffer zones, common open space areas and landscape features, transitional land uses, or a mixed-use development in which no specific type of land use is dominant. When applicable, the design methods recommended in the "Development Layout, Lot Sizes, and Setbacks" section of the Comprehensive Plan's Land Use Element shall be employed. Compatibility measures/mitigation measures shall exceed the usual minimum standards of this order when needed to address impacts of the proposed development.
3. **Open Space:** Useable open space(s), in an amount over and above setback and buffer yard areas and open areas required by the underlying zone, shall be provided. These spaces may be provided in the form of greenways, parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space. The use of single loaded streets to provide greenways with multi-purpose paths, park areas, or to protect stream corridors, may be proposed for this purpose. Open Space areas are encouraged to have street frontage and visibility. Any site proposed to be publically dedicated or donated for park or open space purposes shall comply with the appropriate legislative body's requirements for acceptance of such dedications or donations.
4. **Multi-Modal Transportation System:** Planned developments shall incorporate multi-modal transportation elements through the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, etc. Multi-modal facilities are encouraged to be combined with the pedestrian systems and open spaces described in Sections 1 and 3.

5. Preservation of Existing Site Features: Existing topography, significant tree cover, tree lines along property lines, cemeteries, and water courses and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article. The retention of such features may also fulfill portions of the requirements in Section 3 "Open Space" and Section 6 "Landscaping."
6. Landscaping: Substantial landscaping shall be provided in a planned development with emphasis given to street scape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site. The use of landscape design guidelines is required for multi-phased projects. The retention of existing healthy, substantial trees should occur wherever possible. Properly designed street tree plantings may be permitted to fulfill some landscaping requirements as part of an overall amenity package.
7. Architecture: Sites which are subject to architectural requirements through adopted overlay districts or land use studies shall follow said requirements. For all other sites, a consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it. Traditional styles such as Georgian, Federal, I-House, Cape Cod, Craftsman, Tudor, Queen Anne, Italianate, early 20th century commercial structures, and local farm structures may be used as models. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic.

For attached or multi-family residential developments and commercial or office developments, the predominant building materials shall have a solid appearance, such as could be achieved with brick, stone, and architectural grade cast concrete products designed to replicate natural materials. Roof designs shall have a finished appearance through the use of three dimensional pitched roof forms with architectural grade roofing and/or the use of defined parapets with cornice lines. Long building facades and roof planes shall be interrupted through the use of three dimensional jogs in the building footprint and secondary roof forms such as hips, dormers, and gables. Such buildings shall include architectural detailing for cosmetic enhancement, largely use natural colors, and use a consistent design treatment on all facades. The use of architectural guidelines or building prototypes is required for all multi-phased projects.

Developments should be mixed-use in character with multi-level buildings where commercial services are proposed. Walkability must be planned for when locating commercial and residential uses in proximity to each other. Office and residential uses are strongly advocated above commercial uses in business districts to decrease dependence on the automobile.

8. Historic and Prehistoric Features: Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
9. Signage: A consistent signage theme shall be provided within a planned development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects.
10. Transportation Connections and Entry Points: The provision of transportation connections (street connections, pedestrian paths, multi-purpose trails, sidewalks, and bicycle facilities) shall be provided in all planned development unless physically unfeasible or unsafe. This shall include connections to adjoining properties and developments, and inter-connectivity within the development itself, and contain minimal use of cul-de-sacs or other dead-end types of streets only when necessary. Transportation connections shall account for the County's adopted Transportation Plan and any adopted greenway, trails, bikeway, and/or pedestrian plans. In addition, the various entry points (streets, paths, etc.) into a planned development shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc. Any structures used to demarcate entry points shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors.

11. Conformance with Comprehensive Plan: All planned developments shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations of existing or planned infrastructure.

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

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

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

SECTION 1515

Procedure

After review and recommendation by the Planning Commission and upon approval by the legislative body or Fiscal Court, a planned development zoning district or classification may be applied to any other existing district in this order. The zoning of property with a Planned Development overlay district and an underlying zone can occur without approval of a Concept Development Plan, however, a Concept Development Plan must be approved before a Planned Development overlay district can be utilized. Upon approval of a Concept Development Plan, the Official Zoning Map shall be annotated for the land area involved so that the district name includes the notation, "CD", which gives notice that a development for that property has been approved pursuant to this article. Planned Development districts shall be approved by the legislative body or Fiscal Court. Planned Development districts may originate from the Planning Commission, appropriate legislative unit or a private property owner. Applications for a Concept Development Plan review and approval shall originate from the property owner.

For development plans on sites within the Houston-Donaldson Study Area, the recommended Implementation procedure in that study shall be followed. This may result in a development not following the normal Planned Development process if those development plans are consistent with the recommendations of the Houston-Donaldson Study. This shall be determined through a Long Range/Comprehensive Planning Committee (or equivalent committee) recommendation to the full Planning Commission at the next regular Business Meeting. Decision as to the review process to be followed shall be by simple majority vote.

SECTION 1516

Pre-Application Meeting

If a property owner proposes a Planned Development district, he or she shall meet with an appropriate staff person of the Planning Commission prior to the submission of a Concept Development Plan. The purpose of the meeting will be to discuss early and informally the purpose and effect of this order and the criteria and standards which may apply, and to familiarize the developer with the detailed objectives of the Comprehensive Plan and its elements, this order and this article.

For development plans within the Houston-Donaldson Study Area, a pre-application meeting of the applicant with the Long Range/Comprehensive Planning Committee (or equivalent committee) of the Planning Commission shall also be held. The purpose of this meeting is to arrive at a recommendation to the full Planning Commission as to whether or not the developer's plans are consistent with the recommendations of the Houston-Donaldson Study. The Long Range/Comprehensive Planning Committee meeting may be held immediately prior to a Business Meeting, and recommendation of the committee may be verbal.

PERMITTED SIGNAGE BY TYPE OF LAND USE

(A) Commercial Uses

Retail centers will be permitted a one hundred (100) square foot monument style free-standing sign at each major entrance for the purpose of identifying the overall development. A major entrance shall be defined as the vehicular entry point where the development contacts a public street exterior to the development or that was not approved as part of the development. A retail center may substitute one pole-mounted sign for one major entrance sign. This pole-mounted sign shall include only the name of the center or the nearest major anchor tenant. The maximum size of such a sign shall be two hundred (200) square feet in area. The maximum height of such a sign shall be proportional to the road frontage along which the sign is to be located: up to fifty (50) feet of frontage allows a twenty (20) foot high sign, fifty (50) to two hundred (200) feet of frontage allows a thirty (30) foot sign, and more than two hundred (200) feet of frontage allows a forty (40) foot maximum sign. Multi-tenant signs may be permitted with one tenant panel per 100,000 square feet of gross floor area in the retail center with a maximum of four such panels per retail center. These multi-tenant panels shall be accessory to the main development identification portion of the sign.

Individual tenant spaces within commercial centers are permitted one building mounted sign of a maximum of one hundred (100) square feet, and individual retail anchor stores of over 40,000 square feet may be permitted one building mounted sign of a maximum of two hundred and fifty (250) square feet for each public road frontage for a maximum of two such signs.

* Outlots within commercial centers will be permitted one building mounted sign of a maximum of one hundred (100) square feet for each frontage on an adjoining public street or main development street for a maximum of two such signs and a monument sign of a maximum of 24 square feet. A building mounted sign of sixty (60) square feet may be substituted for one building mounted sign and the 24 square foot monument sign.

Freestanding restaurants, banks, retail outlets, hotels, car lots, gas stations, convenience marts, and similar uses, developed on individual parcels and not developed as part of an overall development or commercial subdivision, will be permitted a building mounted sign of a maximum of one hundred (100) square feet for each frontage on an adjoining public street with a maximum of two such signs for any one business. A monument sign of sixty (60) square feet may be substituted for one building mounted sign. Such uses that immediately adjoin I-75 may be permitted a pole mounted sign for the interstate frontage if the applicant can show to the Committee that the proposed use would depend on interstate traffic and that the proposed site contains significant visibility.



development meets a public street. The monument sign(s) shall be a maximum of eight (8) feet tall and forty-eight (48) square feet in area and shall only advertise the name of the retail center.

Construction Standards

Architectural Freestanding Signs

The sign shall meet the definition found in Section 4000 of the Zoning Regulations.

Up to 50% of the sign area may be used as manually changeable copy display. Any proposed manually changeable copy display(s) shall be located beneath fixed copy signs.

Monument Signs

The base and sides of the sign shall use construction materials and design details that match the dominant construction material of the principal building.

The top of the sign shall have an architectural feature or finish, such as a gable, arch, or pediment.

Single panel plexi-faced cabinets shall not be permitted.

2. INDIVIDUAL TENANT SPACES WITHIN COMMERCIAL/RETAIL/SHOPPING CENTERS

Anchor tenants over 40,000 square feet in area shall be permitted one building mounted sign on each facade that faces a public street or main development driveway. However, no more than two such signs shall be permitted. The permitted size of the building mounted signs shall be two square feet for each lineal foot of tenant space width on which the sign is mounted but shall not exceed two hundred and fifty (250) square feet.

Individual tenants spaces that are 40,000 square feet in area or smaller are permitted one building mounted sign. The permitted size of the building mounted sign shall be two square feet per each lineal foot of tenant space width on which the sign is mounted but shall not exceed one hundred (100) square feet in area. Corner tenant spaces can break their permitted square footage up and display it on the front and side facades if the side facade is visible from a public street or main development driveway. In such a case, the permitted signage can be broken into one sign area on the front facade and one sign area on the side facade.

Construction Standards

Building Mounted Signs

Channel letters, sandblasted redwood, individual pin mounted letters, neon copy, neon or L.E.D. accent bands, fabric awnings, and similar signs as determined by the Zoning Administrator shall be permitted. Manually changeable copy, electronically changeable copy, plexi-faced panels, internally illuminated awnings, firmly structured awnings with an "inflated" or plastic appearance, and similar signs shall not be permitted unless specifically approved through a Design Review, Concept Development Plan, or Special Sign District application.



3. FREESTANDING COMMERCIAL LOTS AND OUTLOTS WITHIN COMMERCIAL/RETAIL/SHOPPING CENTERS

One building mounted sign shall be permitted on each facade that faces a public street or main development driveway. However, no more than two such signs shall be permitted. The permitted size of the building mounted signs shall be two square feet per each lineal foot of building or tenant space



width on which the sign is mounted but shall not exceed two hundred (200) square feet in area. One monument sign shall also be permitted at maximum of eight (8) feet tall and twenty-four (24) square feet in area.

Construction Standards

Monument Signs

The base and sides of the sign shall use construction materials and design details that match the dominant construction materials of the principal building.

The top of the sign shall have an architectural feature or finish, such as a gable, arch, or pediment. Single panel plexi-faced cabinets shall not be permitted.

Building Mounted Signs

Channel letters, sandblasted redwood, individual pin mounted letters, neon copy, neon or L.E.D. accent bands, fabric awnings, and similar signs as determined by the Zoning Administrator shall be permitted. Board signs, graphics painted directly on the building, manually changeable copy, electronically changeable copy, plexi-faced panels, internally illuminated awnings, firmly structured awnings with an "inflated" or plastic appearance, and similar signs shall not be permitted unless specifically approved through a Design Review, Concept Development Plan, or Special Sign District application.

(B) OFFICE/INDUSTRIAL DEVELOPMENTS

1. OFFICE AND INDUSTRIAL PARKS

One (1) entrance monument sign that is up to ten (10) feet in height (measured from the grade of the street centerline) and one hundred (100) square feet at each entrance to the park from a public street are permitted. Such monument signs shall only announce the name of the subdivision or park.

Construction Standards

The base and sides of the sign shall be constructed with a masonry product (excluding smooth or textured concrete block).

The top of the sign shall have an architectural feature or finish, such as a gable, arch, or pediment. Single panel plexi-faced cabinets shall not be permitted.

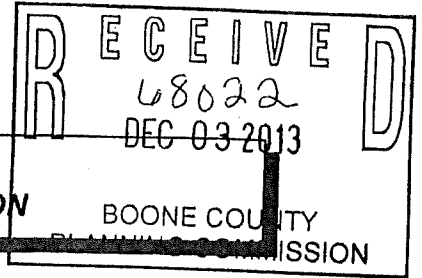
2. INDIVIDUAL LOTS WITHIN OFFICE OR INDUSTRIAL PARKS OR FREESTANDING LOTS WITHIN EMPLOYMENT ZONES

One (1) monument sign shall be permitted at maximum of eight (8) feet tall and forty-eight (48) square feet in area.

The amount of permitted building mounted signage shall be determined by the area of the building or tenant space.

Over 40,000 square feet: Individual building users or tenant spaces shall be permitted one building mounted sign on each facade that faces a public street or main development driveway. However, no more than two such signs shall be permitted. The permitted size of the building mounted signs shall be

APPLICATION FORM



CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION

FIVE (5) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

(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)
 - Zoning Administrator Review (As stated in the Mall Road District Study)
2. Name of Project Panera
3. Location of Project 7150 Houston Road, Florence, KY
4. Total Acreage of Site 1.7+/- Acres
5. Current Zoning "C-2"/"PD"/"CD"
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 1998 / 2004
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) Yes - Houston-Donaldson Study
8. Proposed Uses (please specify each use) Drive-thru window for existing building.
9. Proposed Building Intensities (please specify) 0.67
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) Anne F. McBride, FAICP - McBride Dale Clarion
Phone Number 513-561-6232 Fax No. 513-561-1615 E-Mail amcbride@mcbridedale.com
13. Address of Applicant(s) 5725 Dragon Way, Suite 220
Cincinnati Ohio 45227
City State Zip
14. Name of Property Owner(s) Houston Road Investors LLC - Attn: F. Kanter
Phone Number 513-469-6580 Fax No. _____ E-Mail fkanter@rookwoodproperties.com
15. Address of Property Owner(s) 8160 Corporate Park Drive, Suite 220
Cincinnati Ohio 45242
City State Zip
16. Are there any existing buildings on the site? Yes
How many? One - 4,983 SF
17. Deed Book 886 Page No. 282 Group No. 20338
18. Have you had a pre-application meeting with BCPC Staff? Yes

(over)

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Charlie Reynolds, Chairman

DATE: February 5, 2014

RE: Request of Anne F. McBride, FAICP (applicant) for Houston Road Investors, LLC - Attn: Fred Kanter (owner) for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 1.7 acre site located at 7150 Houston Road, Florence, Kentucky (Panera). The request is for a change in an approved Concept Development Plan to allow a drive-through facility.

REMARKS:

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

FINDINGS OF FACT

1. The Committee has concluded that the request is in agreement with the 2010 Boone County Comprehensive Plan for the following reasons:
 - A. The 2010 Boone County Comprehensive Plan's "2035 Land Use Plan" designates the site for "Commercial" uses. This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
 - B. The request is in agreement with the following passages from the Land Use Element and Houston-Donaldson Study:

"Commercial development in this section (Houston-Donaldson/Mall Road Area) should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate. The coordination of curb cuts and parking lot connections in the already developed areas must occur in order to maintain a reasonable ease of travel along these roads."
 - C. The request is in agreement with the following passage from the Business Activity Element:

"Four studies, the Houston-Donaldson Study, the Central Florence Strategic Plan, the Main Street Study, and the Mall Road District Study, have defined the scale and type of commercial uses in the City of Florence and surrounding area. The Houston Road area will mature with expansion of the retail and office base, and expansions of St. Elizabeth-Florence Hospital."

2. The request is in conformance with the following Planned Development (PD) Standards which are found in Section 1514 of the Boone County Zoning Regulations:
 - A. Compatibility of Uses: This standard states that "measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites." The Committee determined the proposed drive through facility would be compatible because the drive through lane, pick-up window, and associated signage will not be visible from Houston Road. They also concluded that the drive through will be a minor accessory component to the overall restaurant. The Concept Development Plan shows that eight (8) vehicles can be accommodated in the drive through lane.
 - B. Landscaping: This standard states that "substantial landscaping shall be provided in Planned Developments with emphasis given to street scape areas and buffer zones." The Concept Development plan shows that additional landscaping will be added in the parking lot and immediately adjoining the drive through lane. The applicant has also agreed to a condition which requires the site to be in compliance with the Houston-Donaldson Study's 22% green space requirement.
 - C. Architecture: This standard states that "sites which are subject to architectural requirements through adopted overlay districts or land use studies shall follow such requirements." The applicant has agreed to a condition requiring the drive through bump out window to be constructed with materials that match the rest of the building.
3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2010 Boone County Comprehensive Plan and Section 1514 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 the conditions.

CONDITIONS

1. The approval is based on the submitted Concept Development Plan.
2. The drive-through window bump out shall be constructed with materials that match the rest of the building. The final design of the drive-through window bump out shall be approved by Boone County Planning Commission through the Technical Design Review application process.
3. No signage additions or modifications are being approved with the application. Signage additions or modifications shall be approved by Boone County Planning Commission through the Technical Design Review application process.

4. The site shall comply with the Houston-Donaldson Study's 22% green space requirement.

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.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

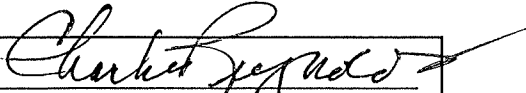
FROM: Charlie Reynolds, Chairman

DATE: January 22, 2014

RE: Request of **Anne F. McBride, FAICP (applicant)** for **Houston Road Investors, LLC - Attn: Fred Kanter (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 1.7 acre site located at 7150 Houston Road, Florence, Kentucky (Panera). The request is for a change in an approved Concept Development Plan to allow a drive-through facility

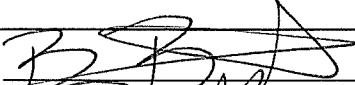
REMARKS:

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.



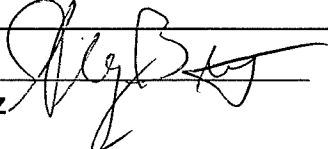
Charlie Reynolds, Chairman

For Project Absent
Against Project
Abstain Deferred



Ben Brandstetter

For Project Absent
Against Project
Abstain Deferred



Greg Breetz

For Project Absent
Against Project
Abstain Deferred

Kim Bunger

For Project Absent
Against Project
Abstain Deferred

Janet Kegley

For Project Absent
Against Project
Abstain Deferred

Susan Schultz

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

TOTAL: ___ DEFERRED 3 FOR PROJECT ___ ABSENT
___ AGAINST PROJECT ___ ABSTAIN

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
JANUARY 9, 2014
7:30 P.M.**

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Ben Brandstetter, Temporary Presiding Officer
Mr. Greg Breetz
Mr. Kim Bungler, Secretary/Treasurer
Mr. Jim Longano
Mr. Don McMillian
Ms. Lisa Reeves
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Mr. Mike Ford, Vice Chairman
Mr. Mark Hicks
Mrs. Janet Kegley
Ms. Susan Schultz
Mr. Bob Schwenke

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

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

Chairman Rolfsen called the Public Hearing to order at 7:33 P.M. and introduced the first item on the Agenda:

CHANGE IN CONCEPT DEVELOPMENT PLAN - Todd Morgan, Staff

1. Request of **Anne F. McBride, FAICP (applicant)** for **Houston Road Investors, LLC - Attn: Fred Kanter (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 1.7 acre site located at 7150 Houston Road, Florence, Kentucky (Panera). The request is for a Change in an Approved Concept Development Plan to allow a drive-through facility.

Staff Member, Todd Morgan, presented the Staff Report, which included a Power Point presentation (see Staff Report). The site in question is located next door to Watson's and Hooter's. The request is for a Change in an Approved Concept Development Plan to allow a drive-through on the back of the Panera store. Mr. Morgan displayed the Concept Development Plan, which showed stacking for 8 cars. The parking lot would be reconfigured with angled parking and a one-way drive. Four parking spaces would be removed in this area. The applicant is also requesting signage modifications. The proposed drive-through pick-up window is located in a 54.69 square foot bump out. A vehicle height clearance bar will also be installed. It will be 9 feet tall and will have a 1.08 square foot sign on it. A preview board is being requested that is 5 feet 8 inches tall and 24.5 square feet in area. The drive-thru canopy is 9 feet 4 inches tall and contains a microphone and speaker. The proposed menu board is 5'11" tall and 34.98 square feet in area. Mr. Morgan showed pictures of a Panera store in Illinois that has the exact same signage. Another part of the applicant's request is to modify their existing monument sign so it advertises the "drive-thru". The existing sign is the only sign in the "lawsuit settlement" area that doesn't have a gable feature on the top. The applicant has included this feature in their application. In addition, the applicant is requesting additional building mounted signage on the front and side elevations of the building to advertise the "drive-thru". Each sign is internally illuminated and 14.27 square feet in area. The applicant is requesting additional directional signage in the parking lot. These signs are 3.97 square feet in area. Lastly, the applicant wants to restripe the parking lot and add more landscaping between the drive-thru lane and the building and in some newly created parking lot islands.

Mr. Morgan reviewed the site history identified on page 2 of the Staff Report. In 1997, the Planning Commission recommended approval of a Zone Change request and Concept Development Plan. The City of Florence overturned this recommendation and denied the project. A lawsuit was filed and a settlement agreement was made in 1998. The agreement didn't allow restaurant uses with drive-throughs because they were considered Conditional Uses at the time. There is not a drive-through restaurant in the "lawsuit settlement" area. In 2004, the Planning Commission approved a Site Plan for a 4,986 square foot Panera store with 93 parking spaces. The zoning of the site is Commercial Two/Planned Development (C-2/PD). Mr. Morgan showed a series of aerials and photographs of the site and surrounding properties. The Comprehensive Plan recommends a Commercial use for the property and to be consistent with the Houston-Donaldson Study. Mr. Morgan referred to pages 5 and 6 of the Staff Report in regard to the Boone County Comprehensive Plan and the Houston-Donaldson Study.

In terms of Staff comments, Staff recommends that the following Planned Development (PD) Standards should be analyzed by the Planning Commission and the City of Florence in terms of compatibility of uses. First, the "lawsuit settlement" agreement zone

change area currently does not allow drive-through restaurants because they were Conditional Uses in the 1996 Zoning Regulations. As a result, no drive-through restaurants currently exist in this area. The Boone County Planning Commission and the City of Florence should closely analyze the request because it could set a precedent for similar requests in the future. Second, the Zoning Regulations do not contain drive-through stacking standards. Staff would like the applicant to address how much vehicle stacking is typical in Panera drive-throughs during breakfast and lunch hour peaks. Staff is concerned that only eight cars can stack in the drive through before other customer parking areas are blocked.

In terms of architecture, the "lawsuit settlement agreement" area contains architectural guidelines which require "full height face brick veneer with EIFS accents". Staff would like the applicant to address the building materials of the proposed drive through bump-out. The elevation drawings don't show the rear facade. Staff would like the applicant to indicate if any architectural changes are being proposed to the northeast side of the building. The submitted elevation drawing does not match the existing building in the field.

In regard to signage, Staff asked the applicant if Panera could add a gable top to their monument sign and they did comply. Staff also recommends that the "drive thru" signs that are being proposed on the front and sides of the building should be denied or substituted for existing signs. The Houston-Donaldson Study currently permits outlot buildings to have one building mounted sign of a maximum of one hundred square feet for each frontage on an adjoining public street or main development street for a maximum of two such signs. Panera currently has a 62 square foot sign on the front facade, 47.25 square foot signs on the side facades, and fabric awnings that contain signage. They are over signed already for building mounted signage. The Planning Commission and the City of Florence needs to analyze the proposed drive-through signage. Staff would like the applicant to clarify how many directional signs are proposed. Staff noted two such signs on the Concept Development Plan.

In terms of landscaping, the applicant needs to show that the site complies with the 22% green space requirement. Finally, the site shares an access point with Watson's. Staff questions if the drive-through will increase the popularity of the restaurant and will make it more difficult for Watson's employees and customers to exit the site in a timely manner. Staff would also like to point out that Architectural Design Review is still required for the building and sign package if the Change in Concept Development Plan application is approved. Architectural Design Review is required for any property that is located within the limits of the Houston-Donaldson Study. Mr. Morgan noted that he received a letter and photo from Laura Glaser and Jennifer Liebich (see Exhibit 1). It is part of the record. In conclusion, the Change in Approved Concept Development Plan request needs to be evaluated by the Planning Commission and Florence City Council in terms Articles 3 and 15 of the Boone County Zoning Regulations.

At this time, Chairman Rolfsen asked if the applicant would like to proceed with their presentation?

Ms. Anne F. McBride of McBride Dale Clarion (applicant) stated that she was representing Panera and the property owners. Panera constructed a 5,000 square foot restaurant on the site in 2005. The site is zoned C-2/PD/CD and was part of the lawsuit area. As part of the settlement of the lawsuit, it allowed for those uses permitted at that time in 1998 in the C-2 zoning district. At that time drive-throughs were a Conditional Use so they were not permitted as a principally permitted use by right. The request is to amend the original Concept Development Plan and to add the drive-through use at this location. Since that time, the C-2 district has been amended to allow drive-throughs as an accessory use to a principally permitted use. If the agreed judgement had been worded as today, they would have been permitted by right. Panera is incorporating drive-throughs at all of their locations. They are retrofitting older stores whenever it is possible. The I-75/Austin Landing interchange has a new Panera store with a drive-through. The Colerain Avenue store and the Union Center Boulevard store in West Chester Township have drive-through facilities. The proposed drive-through is located on the north elevation of the building adjacent to the city owned golf course. Because of the topography, the drive-through won't be visible from Houston Road. She stated that she had photographs of the site that she would share with the Zone Change Committee at a later date. The proposed menu, preview board and height clearance pole will be located behind the building. There will be no evidence of the drive-through from Houston Road except for some limited signage. The bump out for the proposed drive-thru is only 4 foot 7 inches by 11 foot 7 inches. The materials used will match the existing building. The drive-through will accommodate 8 stacking spaces with a 10 foot lane. There is no requirement for the number of stacking spaces. She stated that she would share information with the Zone Change Committee about what other communities require in terms of vehicle stacking. In terms of the number of spaces, Panera usually has 4-5 cars waiting during peak hours. It is self-regulating as people will park their vehicle and go inside the store if the drive-through facility has 20 cars waiting. Corporate Panera requires at least 6 stacking places.

In terms of signage, Panera is proposing to add the words "drive-thru" to the existing monument sign. There will be no change in square footage. A gable top will also be installed on the existing sign. With regard to proposed building mounted signage, Ms. McBride offered a modification of what was proposed based upon the Staff concerns. She offered to provide this information to the Zone Change Committee members at a later date. Two directional signs are proposed to be installed along with two "Do Not Enter" signs to keep people from going behind the building in the wrong direction. Panera will be doing interior remodeling of the store to accommodate their catering business and drive-through, but they can still meet the parking requirements - 88 spaces are required and that is what they are providing. Ms. McBride stated that they will be increasing the amount of open space by 50 square feet. They are adding landscaping to the back of the building by removing a concrete sidewalk. In terms of precedent, there are other locations on Houston Road with drive-through facilities, such as Chick-fil-a. It won't set a precedent because anyone who wants to have a drive-through will have to undertake the same 6 month process. The Planning Commission and the City of Florence would have to consider each individual site on its own merits in terms of the drive-through being visible, etc. Panera has a long-term interest in the site and has a long-term lease. Some of the owners of the franchise are partners in the ownership of the property. The drive-through is a convenience that their customers are demanding.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Seeing no one, Chairman Rolfsen asked if the Planning Commission members had any questions or comments?

Mr. Longano asked whether the applicant was changing the amount of parking? Mr. Morgan responded that the amount of parking was going down. The current number of spaces is 93 and it will be reduced to 88 if the drive-through is built. Mr. Longano stated if there are more than 7-8 cars stacked, then the additional cars will block the loading area and parking spaces. It will make it difficult for people to get in and out. Mr. Longano asked if the request is approved, will it open up by default other restaurants with drive-throughs in the "lawsuit settlement" area?

Mr. Wilson replied that it would not be a mandatory precedent. He agreed with Ms. McBride's comment with a PD overlay. Anyone wanting a drive-through would have to come back through this process and the application would rise and fall on its own merits. It is not a legal precedent setting effect.

Chairman Rolfsen asked how people driving along Houston Road will know about the store drive-through? Mr. Morgan replied that it would be advertised on the existing monument sign and the 3 facades of the building. Chairman Rolfsen stated these signs would not help you find the drive-through once you enter the lot. Mr. Morgan concurred. Chairman Rolfsen asked if Panera had a contingency plan if there is more than 8 stacked vehicles? Ms. McBride stated that Panera has not experienced that type of excessive stacking, more like 4-5 vehicles during am/pm peak periods. It takes 4.2 minutes from placing the order to picking up the order. It is less than the Starbucks. Ms. McBride also stated they are proposing 2 directional signs once you enter the site to direct traffic to the drive-thru.

There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on January 22, 2014 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on February 5, 2014 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 7:57 P.M.

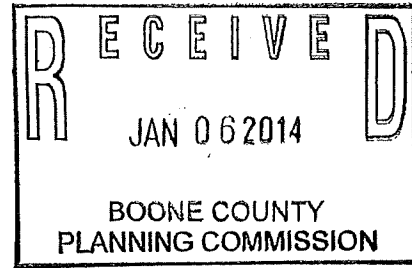
APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

Laura Griffin Glaser
Griffin Grandchildren Properties, LLC
6845 Highway 90 STE 105
Daphne, Alabama 36526



December 29, 2013

Dear Mr. Todd K. Morgan and Members of the Zoning Commission. Thank you for sending me Panera's proposal plans.

Some of our concerns and questions include:

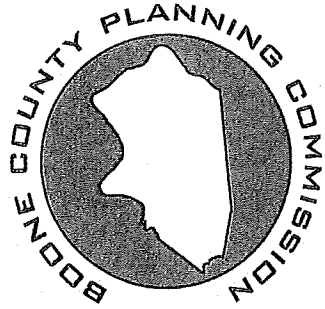
- The exit from the drive-thru is not illustrated clearly. This part of the plan concerns our property located next door at 7100 Houston Road. Currently, most of Panera customers are exiting from the parking lot from the front lot or side lots closest to the building. The proposed exit, cutting through two existing parking spaces to the far lane, seems to run into traffic entering from Houston Road. It appears much of the entering traffic would come head to head with exiting traffic. Is a painted "stop" warning in the plans? Our customers will be turning left to enter Watson's and may be impeded.
- How long is Panera's lease agreement with Houston Road Investors? This is important to know before any zoning change occurs, as the next tenant on the property could be a fast food chain like McDonalds.
- Will extra signage be placed on our shared easement?
- Wear and tear to the easement and landscaping we share is a concern that may cause us additional expenses.
- Excess trash from drive-thru customers scattering and accumulating onto our property is a concern.
- Alternative suggestion: Curb-side service could be proposed to Panera as restaurants like O'Charley's use to increase food sales for take-out meals.
- While one may argue, increased income will result in a drive-thru, this may not necessarily be the case with a company that sells whole loaves of bread and desserts that are often purchased as the customer walk inside.
- When the land was developed and our property was built, it was done so with the understanding that no drive-thru businesses would be permitted and this potential change likely affects our property value.

Until we have a better understanding of how the above concerns will be addressed, we are asking that the zoning not be changed.

Respectfully submitted,
Laura G. Glaser and Jennifer Liebich, representing the Griffin Grandchildren Properties, LLC



SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

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

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

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

January 23, 2014

Mr. Fred Kanter
Houston Road Investors, LLC
8160 Corporate Park Drive, Suite 220
Cincinnati, OH 45242

RE: Request of **Anne F. McBride, FAICP (applicant)** for **Houston Road Investors, LLC - Attn: Fred Kanter (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 1.7 acre site located at 7150 Houston Road, Florence, Kentucky (Panera). The request is for a change in an approved Concept Development Plan to allow a drive-through facility.

Dear Mr. Kanter:

The following represents the conditions of approval for the above referenced application as agreed to by the applicant and Boone County Planning Commission's Zone Change/Concept Development Plan Committee. Please sign the appropriate line on the last page of this letter if you are in agreement with the conditions. Please return this letter to the Boone County Planning Commission office by February 3, 2014.

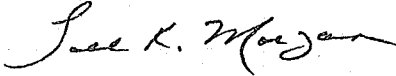
CONDITIONS

1. The approval is based on the submitted Concept Development Plan.
2. The drive-through window bump out shall be constructed with materials that match the rest of the building. The final design of the drive-through window bump out shall be approved by Boone County Planning Commission through the Technical Design Review application process.
3. No signage additions or modifications are being approved with the application. Signage additions or modifications shall be approved by Boone County Planning Commission through the Technical Design Review application process.

Mr. Fred Kanter
January 23, 2014
Page 2

4. The site shall comply with the Houston-Donaldson Study's 22% green space requirement.

Sincerely,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

TKM/vlm

cc: Anne F. McBride, FAICP
McBride Dale Clarion
5725 Dragon Way, Suite 220
Cincinnati, OH 45227

AGREEMENT

I, Fred Kanter, do hereby agree to the listed conditions of approval for the Change in an Approved Concept Development is application which is described on the first page of this letter.



Mr. Fred Kanter
Houston Road Investors, LLC

Date

1/27/14

Group 4519

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into this 17th day of November, 2004, by and among: (i)(a) THE DOERING FAMILY LIMITED PARTNERSHIP, a Kentucky limited partnership, (b) SELIGMAN-STAAT, LLC, a Kentucky limited liability company, and (c) AKA CHAD, LLC, a Kentucky limited liability company, all having an address of 2700 Erlanger-Crescent Springs Road, Crescent Springs, Kentucky 41017 (collectively "Grantors"), and (ii) HOUSTON ROAD INVESTORS, LLC, an Ohio limited liability company, whose address is 8044 Montgomery Road, Suite 710, Cincinnati, Ohio 45236 ("Grantee").

WITNESSETH:

That for and in consideration of the sum of Seven Hundred Sixty-Four Thousand Nine Hundred Ten and No/100 Dollars (\$764,910.00), the receipt and sufficiency of which is hereby acknowledged, Grantors have bargained and sold and do hereby grant and convey unto Grantee, in fee simple, with covenant of SPECIAL WARRANTY, certain real property located in Boone County, Kentucky (the "Property"), and more particularly described as follows, together with all and singular any and all rights and appurtenances pertaining thereto, including all right, title and interest of Grantors in and to adjacent streets, alleys and rights-of-way:

GROUP NO. 4519

Being all of Lot No. 3 of Behrens Park, Section 4, as shown and more particularly described on plat of record in Plat Cabinet 4, Slide 398, in the Boone County Clerk's Office at Burlington, Kentucky.

Being part of the same property in which an undivided fifty percent (50%) interest was conveyed to THE DOERING FAMILY LIMITED PARTNERSHIP by deed dated March 30, 2000 and recorded in Deed Book 778, Page 136 in the Boone County Clerk's Office, and in which an undivided twenty-five percent (25%) interest was conveyed to SELIGMAN-STAAT, LLC by deed dated July 7, 2000 and recorded in Deed Book 784, Page 437 in the Boone County Clerk's Office, and in which an undivided twenty-five percent (25%) interest was conveyed to AKA CHAD, LLC by deed dated May 8, 2000 and recorded in Deed Book 784, Page 450 in the Boone County Clerk's Office.

TO HAVE AND TO HOLD the Property, together with all appurtenances and privileges thereunto belonging, unto Grantee, its successors and assigns, forever.

Grantors hereby specially covenant with Grantee, its successors and assigns, that Grantors will forever warrant and defend all of the Property so granted to Grantee, its successors and assigns, against every person lawfully claiming the same or any part thereof by, through or under Grantors, but not otherwise; and that the Property is free and clear of all taxes, liens and encumbrances, except (a) governmental laws, rules, regulations and restrictions affecting the Property, (b) the lien of current ad valorem taxes is not yet due and payable, which Grantee assumes and agrees to pay, and (c) all restrictions, covenants, easements and stipulations of record affecting the Property.

First Brown Todd
2200 PNC Center
CIN OH 45202

RETURN TO:

AKA CHAD, LLC, a Kentucky limited liability company

By: Charles L. Seligman
Charles L. Seligman, Sole Member

COMMONWEALTH OF KENTUCKY)
) SS
COUNTY OF BOONE)

The foregoing instrument was acknowledged, subscribed and sworn to before me on the 12th day of November, 2004, by Charles L. Seligman, as the Sole Member of **AKA CHAD, LLC**, a Kentucky limited liability company, for and on behalf of the limited liability company.

My Commission expires: 9/29/07

Sandra L. Robinson
Notary Public

(SEAL)

SANDRA L. ROBINSON
Notary Public, Kentucky State at Large
My Commission Expires Sept. 29, 2007

ORDINANCE NO. 0-9-14

AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 1.7 ACRE SITE LOCATED AT 7150 HOUSTON ROAD, FLORENCE, KENTUCKY (PANERA BREAD), TO ALLOW A DRIVE-THROUGH FACILITY. (ANNE F. MCBRIDE, FAICP/HOUSTON ROAD INVESTORS, LLC)

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

WHEREAS, the Boone County Planning Commission by Resolution No. R-14-004-A recommended approval for a change to an approved concept development plan, and

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

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

SECTION I

That the request of Anne F. MCBRIDE, FAICP (Applicant) for Houston Road Investors, LLC - Attn: Fred Kanter (Owner), for a change in an approved concept development plan in a Commercial Two/Planned Development (C-2/PD) zone, for a 1.7 acre site located at 7150 Houston Road, Florence, Kentucky, shall be and is hereby approved, this change in concept development plan being to allow a drive through facility. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be designated to reflect the approval of this change in the concept development plan for this subject property.

SECTION II

The approval of this change to the concept development plan is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including its Committee Report, made a part of that recommendation and all provisions comprising the development plan herein, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "A" and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-14-004-A of the Boone County Planning Commission, including the exhibits referenced to that Resolution.

SECTION III

In addition those conditions set forth in the recommendation of the Boone County Planning Commission, this approval of the City of Florence, Kentucky, through its City Council shall be and is hereby subject to the additional conditions that has been agreed to in writing by the property owner/applicant as shown on Exhibit "B", a copy of which is attached and incorporated herein by reference as if fully set out.

SECTION IV

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission's Resolution No. R-14-004-A, marked Exhibit "A", and attached hereto.

SECTION V

If the approval for this change in the concept development plan shall be held invalid, in whole or in part, by any Court of proper jurisdiction, that invalidity shall not affect the validity of any of the other zoning regulations, zoning map, comprehensive plan, or other portions, provisions or terms of the approved concept development plan for this property as they are severable from this Ordinance and are intended to have full force and effect regardless of any invalidity relating to this particular Ordinance.

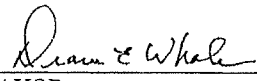
SECTION V

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

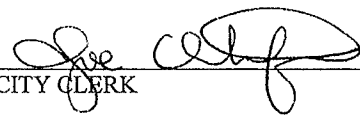
PASSED AND APPROVED ON FIRST READING THIS 25th DAY OF March, 2014.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 8th DAY OF April, 2014.

APPROVED:


MAYOR

ATTEST:


CITY CLERK

CITY OF FLORENCE, KENTUCKY
PLANNING AND ZONING COMMITTEE

IN RE: REPORT AND RECOMMENDATION - REQUEST OF ANNE F. MCBRIDE, FAICP (APPLICANT) FOR HOUSTON ROAD INVESTORS, LLC - ATTN: FRED KANTER (OWNER) A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATELY 1.7 ACRE SITE LOCATED AT 7150 HOUSTON ROAD, FLORENCE, KENTUCKY, CURRENTLY ZONED COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) TO ALLOW A DRIVE-THROUGH FACILITY.

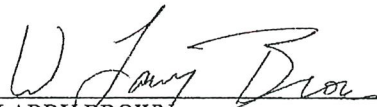
The Committee met in a regular meeting on March 11, 2014, at the Florence Government Center Building to consider Resolution No. R-14-004-A of the Boone County Planning Commission which recommended approval of the request described above. The Committee reviewed the record of proceedings before the Boone County Planning Commission, including said Resolution and the exhibits thereto, and the approved Minutes of the public hearing. The Committee determined that the record from the Boone County Planning Commission contains adequate information for consideration of the recommendation and that no need exists for an additional hearing before the City Council.

Further, the Committee determined, and the applicant has agreed, that the recommendation for approval should be confirmed, subject to the additional condition which is attached hereto and incorporated herein marked as Exhibit "A".

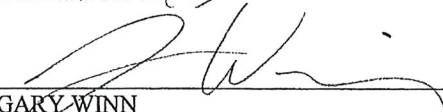
NOW, THEREFORE, the Planning and Zoning Committee recommends to the City Council of the City of Florence, Kentucky, as follows:

- a. That this matter be considered solely on the record before the Boone County Planning Commission and that no additional hearings be held; and
- b. That the recommendation of approval from the Boone County Planning Commission be affirmed, and the request described above be approved, subject to the additional condition attached hereto and incorporated herein.

MEMBERS OF THE COMMITTEE:



LARRY BROWN



GARY WINN

EXHIBIT "A"

CITY OF FLORENCE, KENTUCKY
PLANNING AND ZONING COMMITTEE

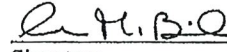
IN RE: **AGREED ADDITIONAL CONDITION – REQUEST OF ANNE F. MCBRIDE, FAICP (APPLICANT) FOR HOUSTON ROAD INVESTORS, LLC – ATTN: FRED KANTER (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR AN APPROXIMATE 1.7 ACRE SITE LOCATED AT 7150 HOUSTON ROAD, FLORENCE, KENTUCKY.**

The Planning and Zoning Committee has recommended and the Applicant has agreed that the following additional condition will apply to the request described above:

1. One building-mounted sign to publicize the "drive thru" may be added that is approximately 11.27 square feet in size and is limited to the front façade.

Agreed to this 11th day of March, 2014.

BY:


Signature

ANNE MCBRIDE
Printed Name

CEO / MCBRIDE DALE LUMIN FIRM
Title & Company HOUSTON ROAD INVESTORS LLC

CITY OF FLORENCE, KENTUCKY
SUMMARY OF ORDINANCE NO. 0-9-14

The City of Florence, Kentucky, enacted on second reading Ordinance No. 0-9-14 on April 8, 2014. The title of this Ordinance is as follows:
ORDINANCE NO. 0-9-14

AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 1.7 ACRE SITE LOCATED AT 7150 HOUSTON ROAD, FLORENCE, KENTUCKY (PANERA BREAD), TO ALLOW A DRIVE-THROUGH FACILITY. (ANNE F. MCBRIDE, FAICP/HOUSTON ROAD INVESTORS, LLC)

The effect of this Ordinance is to allow a drive through facility in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 1.7 acre site located at 7150 Houston Road (Panera Bread).

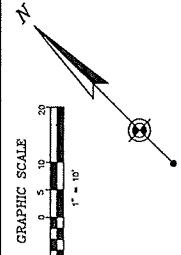
The full text of Ordinance No. 0-9-14, including its exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Blvd., Florence, Kentucky, during regular office hours.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of Ordinance No. 0-9-14 and that it has been prepared by me on the 21st day of March, 2014, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



HUGH O. SKEES
SKEES, WILSON & NIENABER, PLLC
7699 Ewing Blvd., P.O. Box 756
Florence, KY 41022-0756
Phone: (859) 371-7407
Fax: (859) 371-7407

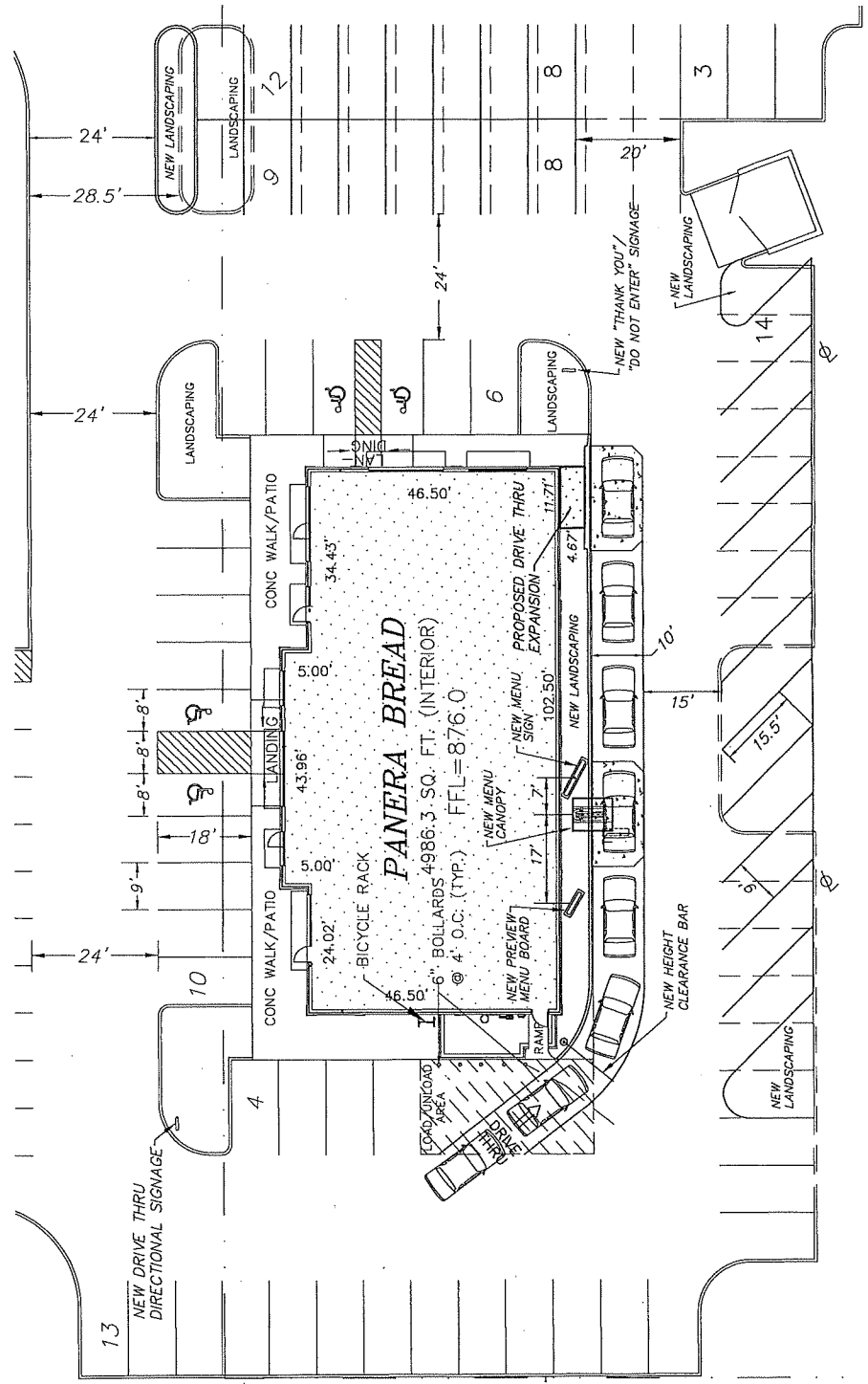


tga
 THOMAS
 GRAHAM
 ASSOCIATES, INC.
 • Engineers
 • Surveyors
 803 Compton Road
 Louisville, KY 40231
 513-521-4700
 Fax: 513-521-2439

Date: DEC. 17, 2013
 Scale: 1" = 10'
 Job No.: 7815
 Revisions:
 No. _____ Date _____

STUDY PLAT
DRIVE THRU COMPONENTS
PANERA BREAD
 HOUSTON ROAD,
 CITY OF FLORENCE,
 BOONE COUNTY,
 KENTUCKY

ACAD FILENAME: 7815_STUDY-4.DWG
 Drawn By: S.M. TREMKA
 Job No: 7815_12



NOTE: Public Service is a part of the Underground Utilities in this area. The utility information shown on this plan, however, must be verified separately. The utility information shown on this plan was obtained from existing records. It is the responsibility of the user to verify the existence and location, and to contact the appropriate utility company for field locations.





BREAD
 7150 HOUSTON RD
 FLORENCE, KY 41042

CONSULTANT:
 N. WASSERSTROM
 DESIGNER:
 DANIELLE ANGLIN
 CHECKED:
 NOT FOR PRODUCTION

THIS DRAWING SUPERCEDES ALL OTHER DOCUMENTS PROVIDED BY OTHERS CONCERNING THE FABRICATION AND INSTALLATION OF THIS DESIGN.
 CLIENT APPROVED

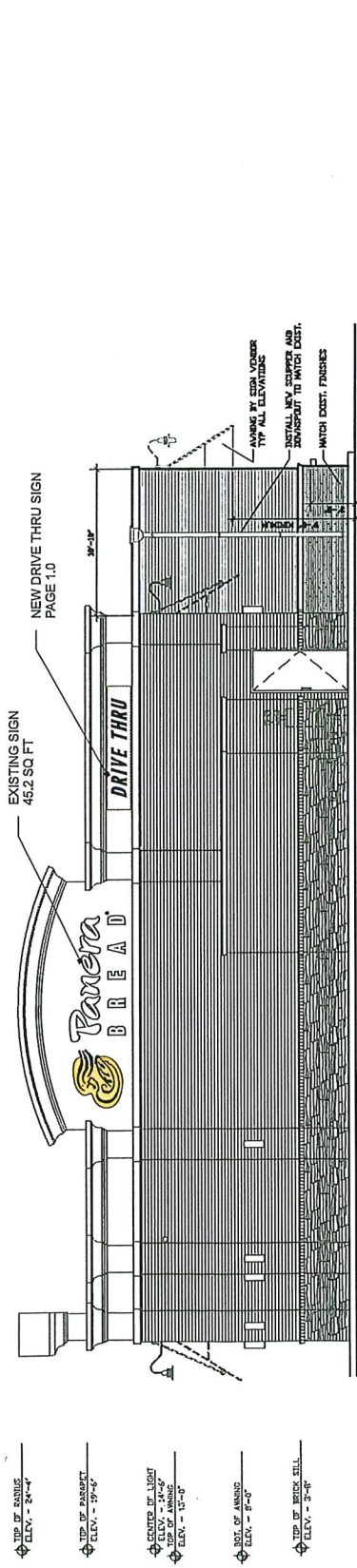
***THIS IS AN ORIGINAL DESIGN, CREATED FOR OUR PROPRIETARY USE IN CONNECTION WITH A PROJECT BEING PLANNED FOR YOU BY ADVANCE SIGN GROUP. IT IS TO BE SHOWN TO ANYONE OUTSIDE OF YOUR ORGANIZATION, NOR IS IT TO BE REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION. ADVANCE SIGN GROUP RESERVES THE RIGHT TO CHANGE FOR CREATIVE TIME INVOLVED IN THE PRODUCTION OF THIS DESIGN.**
 ONE DEDICATED (1) 120VAC CIRCUIT BY OTHERS REQUIRED WITHIN 5' OF CENTER OF SIGN

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE CODES. THIS INCLUDES PROPER GROUNDING AND BONDING.

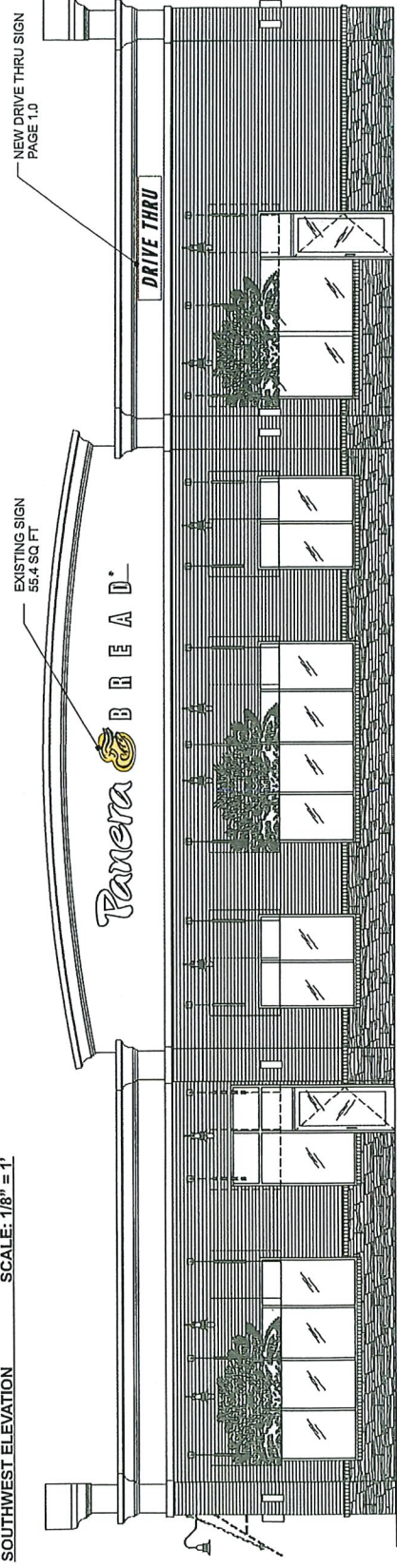
REVISIONS

- 1: CHANGE TO BIW DRIVE THRU SIGNS
- 2: UPDATE ELEVATIONS
- 3: ADD ELEVATION
- 4:
- 5:
- 6:
- 7:
- 8:
- 9:

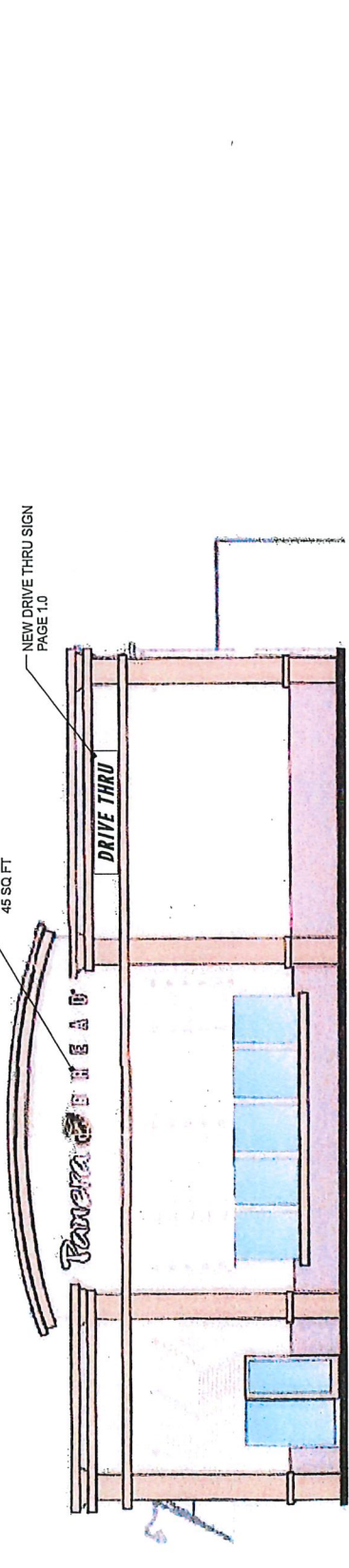
DATE: 3/7/13
 DRAWING # 34351
 REVISION # 4
ELEV



SOUTHWEST ELEVATION SCALE: 1/8" = 1'



NORTHWEST ELEVATION SCALE: 1/8" = 1'



NORTH EAST ELEVATION SCALE: 1/8" = 1'



BREAD
 7150 HOUSTON RD
 FLORENCE, KY 41042

CONSULTANT:
 N. WASSERSTROM
 DESIGNER:
 DANIELLE ANGLIN
 CHECKER:
 NOT FOR PRODUCTION

THIS DRAWING SUPERCEDES ALL OTHER DOCUMENTS PROVIDED BY OTHERS CONCERNING THE FABRICATION AND INSTALLATION OF THIS DESIGN.
 CONTRACT NO. 13-0000000000000000

TITLE: _____
 DATE: _____

THIS IS AN ORIGINAL DESIGN, CREATED FOR OUR PROPRIETARY USE IN CONNECTION WITH THE SIGNAGE FOR THE BUSINESS OF ADVANCE SIGN GROUP. THIS PRINT IS NOT TO BE SHOWN TO ANYONE OUTSIDE OF YOUR ORGANIZATION, NOR IS IT TO BE REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION. ADVANCE SIGN GROUP RESERVES THE RIGHT TO MAKE ANY CHANGES OR AMENDMENTS INVOLVED IN THE PRODUCTION OF THIS DESIGN.

NOTES:
 1. DEDICATED (1) 120VAC CIRCUIT BY OTHERS REQUIRED WITHIN 5' OF CENTER OF SIGN
 THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE CODES. THIS INCLUDES PROPER GROUNDING AND BONDING

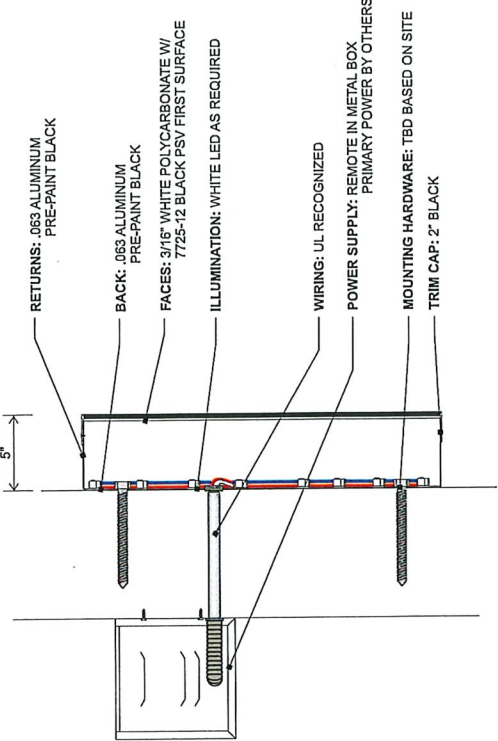
| REVISIONS | |
|-----------|--------------------|
| 1: | CHANGE TO B/W |
| 2: | UPDATE SIZE & COPY |
| 3: | |
| 4: | |
| 5: | |
| 6: | |
| 7: | |
| 8: | |
| 9: | |
| 10: | |

DATE: 2/22/13
 DRAWING # 34351
 REVISION # 4
 SCALE: 1.0



DRIVE THRU

SF ILLUMINATED CABINET SCALE: 3/4" = 1'
 QUANTITY TBD
 14.27 SQ. FT. EACH
 SURVEY REQUIRED PRIOR TO FABRICATION



SECTION DETAIL SCALE: 1 1/2" = 1'

RETURNS: .063 ALUMINUM PRE-PAINT BLACK
 BACK: .063 ALUMINUM PRE-PAINT BLACK
 FACES: 3/16" WHITE POLYCARBONATE, W/ 7725-12 BLACK PSV FIRST SURFACE
 ILLUMINATION: WHITE LED AS REQUIRED
 WIRING: UL RECOGNIZED
 POWER SUPPLY: REMOTE IN METAL BOX PRIMARY POWER BY OTHERS
 MOUNTING HARDWARE: TBD BASED ON SITE
 TRIM CAP: 2" BLACK



Panera Bread
7150 HOUSTON RD
FLORENCE, KY 41042

CONTRACT NO.: N. WASSERSTROM

DESIGNER: DANIELLE ANGLIN

CHECKER: NOT FOR PRODUCTION

DATE: 12/19/13

SCALE: 1 1/2" = 1'

PROJECT: MONUMENT RENOVATION

DESCRIPTION: REMOVE EXISTING POLE CAPS, INSTALL NEW GABLED ROOF TOP

NOTES: 2" ALUMINUM ANGLE W/ JOIST ALUMINUM PAINT TO MATCH EXISTING YELLOW TRIM

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

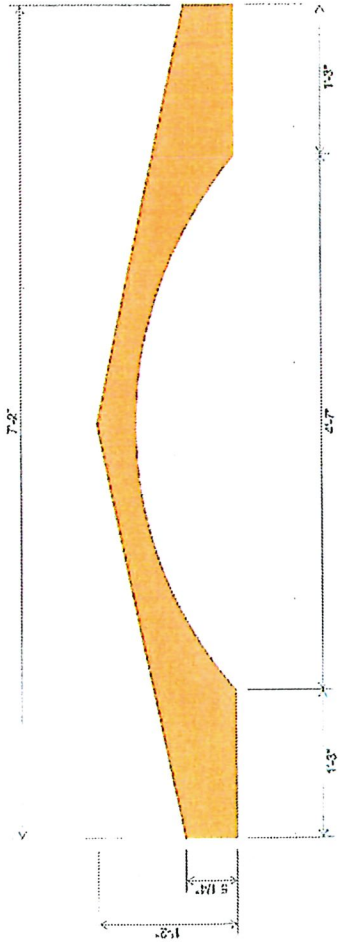
BY: [Signature]

DATE: 12/19/13

BY: [Signature]

DATE: 12/19/13

BY: [Signature]



MONUMENT RENOVATION SCALE: 1 1/2" = 1'

REMOVE EXISTING POLE CAPS
INSTALL NEW GABLED ROOF TOP

2" ALUMINUM ANGLE W/
JOIST ALUMINUM
PAINT TO MATCH EXISTING YELLOW TRIM

SURVEY REQUIRED PRIOR TO FABRICATION



PROPOSED SIGNS SCALE: NTS'

| REVISIONS | |
|-----------|----------------------|
| 1: | CHANGE SIZE & COLOR |
| 2: | |
| 3: | CHANGE SIZE & COLOR |
| 4: | |
| 5: | CHANGE SCORE OF WORK |
| 6: | BE-AD GABLED ROOF |
| 7: | |
| 8: | |
| 9: | |
| 10: | |

| | | | |
|------------|----------|-----------|-------|
| DATE: | 12/19/13 | DRAWING # | 34351 |
| REVISION # | 6 | SCALE | 4.0 |



BREAD
 7150 HOUSTON RD
 FLORENCE, KY 41042

CONSULTANT:
 N. WASSERSTROM

DESIGNER:
 DANIELLE ANGLIN

CHECKED:
 NOT FOR PRODUCTION

THIS DRAWING SUPERCEDES ALL OTHER DOCUMENTS PROVIDED BY OTHERS CONCERNING THE FABRICATION AND INSTALLATION OF THIS DESIGN. ANY CHANGES TO THIS DESIGN SHALL BE APPROVED BY ADVANCE SIGN GROUP.

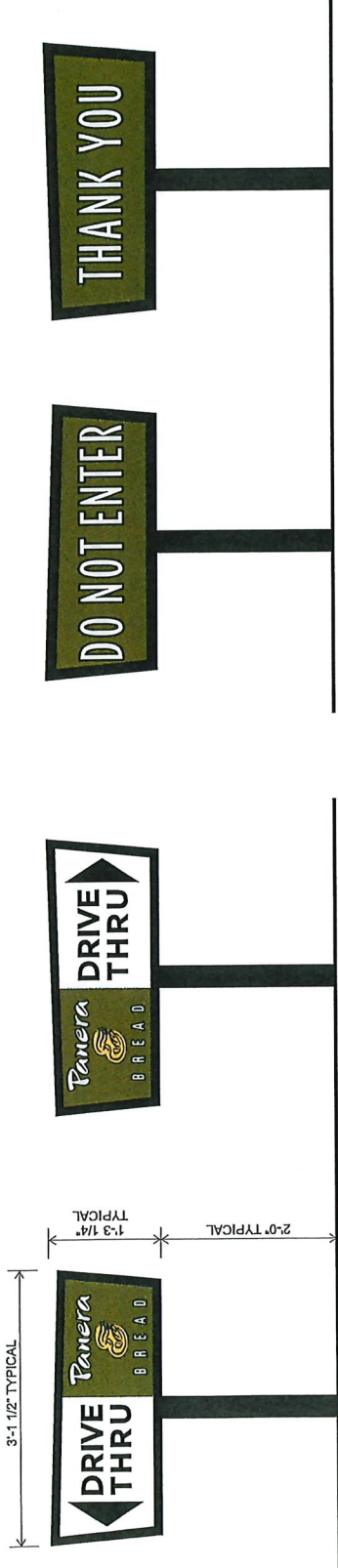
DATE: 11/26/13
 DRAWING # 34351
 REVISION # 5
 SCALE 3/4" = 1'

THIS IS AN ORIGINAL DESIGN, CREATED FOR THE PROJECT. IT IS THE PROPERTY OF ADVANCE SIGN GROUP. THIS PRINT IS NOT TO BE SHOWN TO ANYONE OUTSIDE OF YOUR ORGANIZATION, NOR IS IT TO BE REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION. ADVANCE SIGN GROUP RESERVES THE RIGHT TO REPRODUCE OR MODIFY THIS DESIGN AT ANY TIME WITHOUT NOTICE.

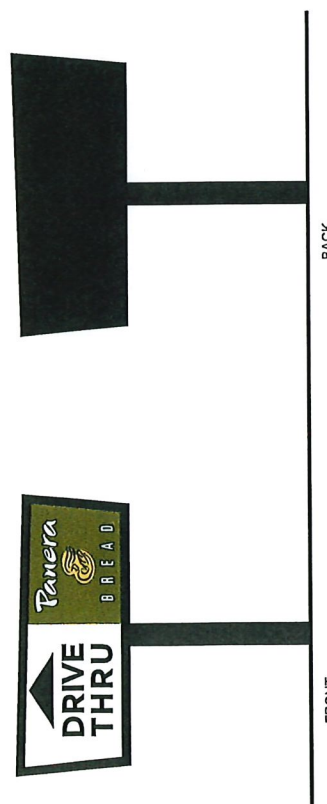
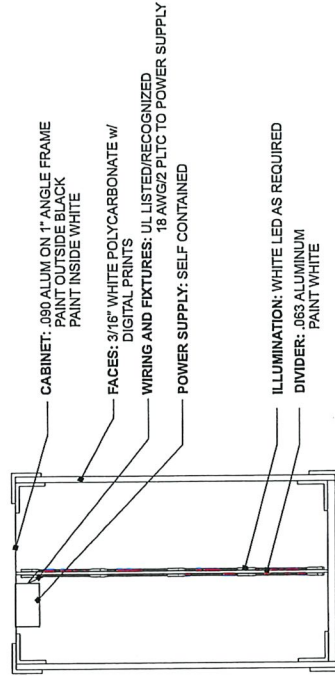
NOTES:
 1. 120VAC CIRCUIT BY OTHERS REQUIRED WITHIN 5' OF CENTER OF SIGN

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE CODES. THIS INCLUDES PROPER GROUNDING AND BONDING.

| REVISIONS | |
|-----------|-----------------------|
| 1: | |
| 2: | |
| 3: | |
| 4: | |
| 5: | CHANGE TO ILLUMINATED |
| 6: | |
| 7: | |
| 8: | |
| 9: | |
| 10: | |



FRONT BACK



FRONT BACK

D/F & S/F ILLUMINATED SIGNS SCALE 3/4" = 1'
 QUANTITY REQUIRED TBD
 3.97 SQ. FT. EACH

COPY & GRAPHICS TBD BASED ON SITE REQUIREMENTS PRIOR TO FABRICATION

APPROVALS
Signature Required Below For each Production

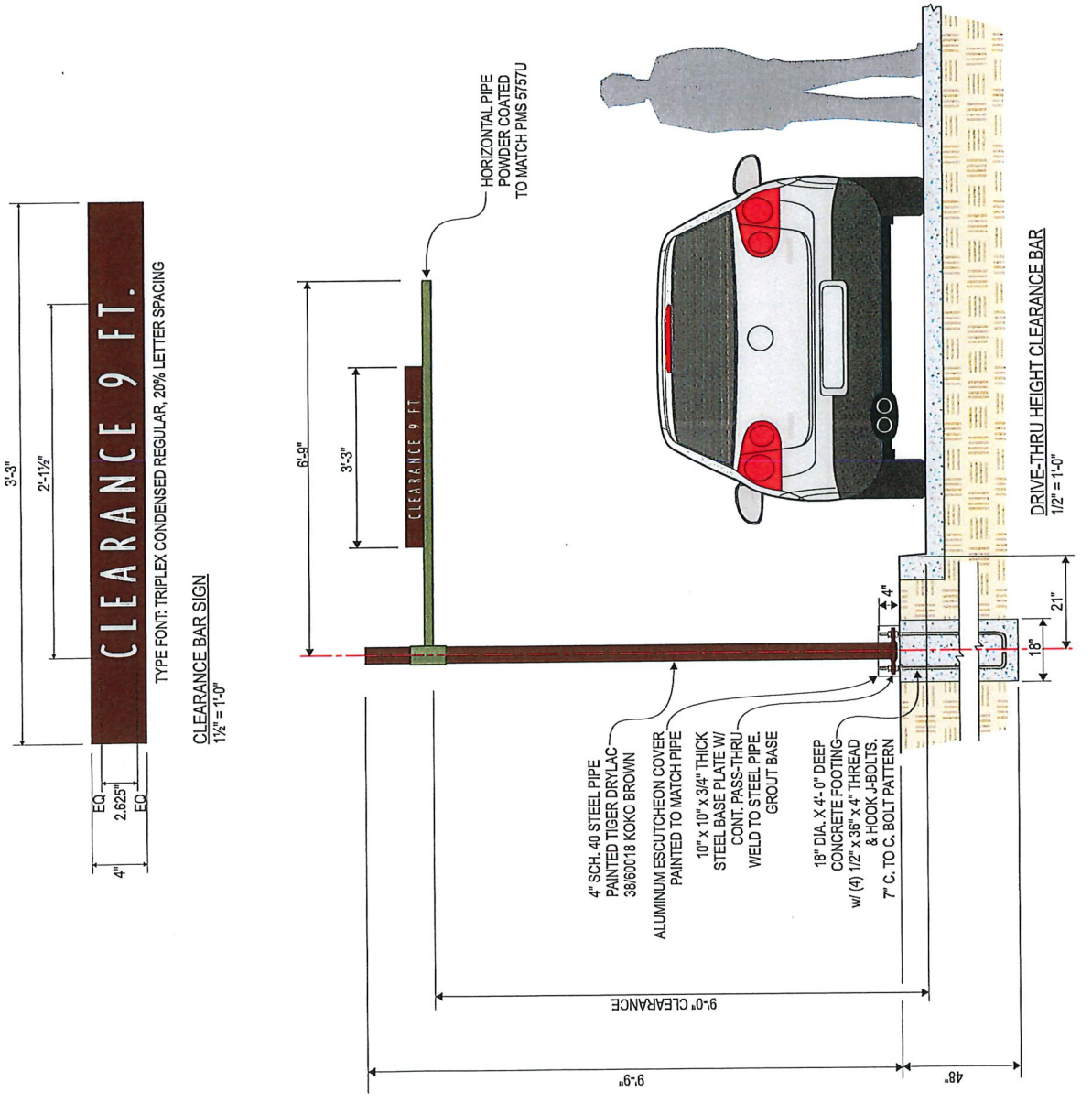
| | | |
|-----------------|----|------|
| Engineering | BY | DATE |
| Sales | BY | DATE |
| Estimating | BY | DATE |
| Production | BY | DATE |
| Quality Control | BY | DATE |

VP PRODUCT MGR 5/23
 WORK ORDER 1248623

REVISIONS

| NO. | BY | DESCRIPTION | DATE |
|-----|------|------------------------------------|----------|
| 1 | J.M. | Added clearance sign details | 8/22/05 |
| 2 | J.M. | Revised color details | 9/9/06 |
| 3 | W.D. | Update | 08/02/11 |
| 4 | J.M. | Update description from 9" to 9 FT | 10/05/12 |
| 5 | | | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |

Client: **Saint Louis**
BREAD CO.
 SCOPE NUMBER: CLEARANCE BAR
 LOCATION: JIM MANDEVILLE
 PROJECT MANAGER: JIM MANDEVILLE
 NOTED: JM 08/03/05
 SCALE: AS SHOWN
DT-CLEARANCEBAR
Drawing Date



SINCE 1917



MANDEVILLE SIGN
676 GEORGE WASHINGTON HIGHWAY
LINCOLN, RI 02885-4225
401-334-9100 401-334-7789
www.mandevillesign.com

APPROVALS
Signature Required Every 90 Days in Production

| | | |
|-----------------|----|------|
| Engineering | BY | DATE |
| Sales | BY | DATE |
| Estimating | BY | DATE |
| Production | BY | DATE |
| Quality Control | BY | DATE |
| ET | BY | DATE |

IN PRODUCT NUMBER

WORK ORDER NUMBER

REVISIONS

| NO | BY | DESCRIPTION | DATE |
|----|-----|---|----------|
| 1 | JJM | Revised previous sheet for | 08/27/06 |
| 2 | JJM | Changed sign to match actual changed page of background | 08/21/06 |
| 3 | JJM | Updated Panera logo | 01/03/12 |

CLIENT
Panera BREAD

STAKE NUMBER N/A
VARIOUS
LOCATION
PROJECT MANAGER
SCALE NOTED
GL
DATE
DT-PREVIEW SIGN-a.0



1 PREVIEW BOARD ELEVATION
SCALE - 1" = 1'-0"

APPROVALS
Signature: [Blank] Name: [Blank] Title: [Blank]

| | | |
|-----------------|----|------|
| Engineering | BY | DATE |
| Sales | BY | DATE |
| Estimating | BY | DATE |
| Production | BY | DATE |
| Quality Control | BY | DATE |

PROJECT ADDRESS

WORK ORDER NUMBER

REVISIONS

| NO | BY | DESCRIPTION | DATE |
|----|------|--------------------------|----------|
| 1 | J.M. | Final menu board | 3/11/06 |
| 2 | J.M. | Revised background style | 8/21/06 |
| 3 | J.M. | Updated Panera logo | 01/31/12 |

CLIENT



STORE NUMBER N/A

VARIOUS

LOCATION

PAGE 2

PROJECT NAME: DT

SCALE: NOTED

J.M. 8/17/06

DATE: [Blank]

DT MENU SIGN-a.0



1 MENU SIGN ELEVATION
 SCALE - 3/4" = 1'-0"

APPROVALS
 Signatures Required Below Release to Production

| | |
|-----------------|------|
| Engineering | DATE |
| By | DATE |
| Sales | DATE |
| By | DATE |
| Estimating | DATE |
| By | DATE |
| Production | DATE |
| By | DATE |
| Quality Control | DATE |
| By | DATE |

NO PRODUCT NUMBERS

WORK ORDER NUMBERS

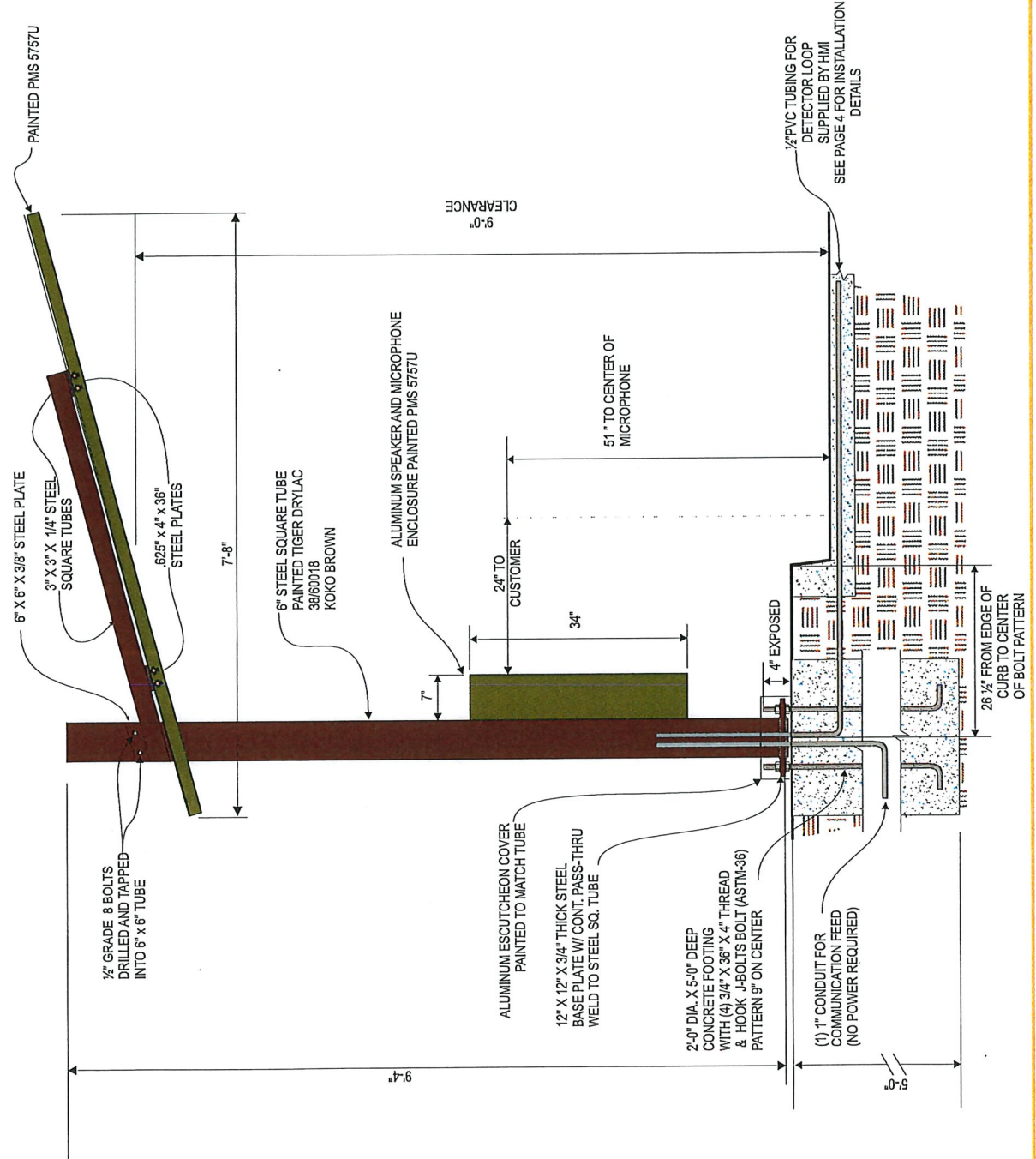
REVISIONS

| NO. | BY | DESCRIPTION | DATE |
|-----|----|---|----------|
| 1 | GL | add flange, pin rivet | 10/17/05 |
| 2 | JM | Revised energy design, relocated spring foot, added speaker to foot | 2/27/06 |
| 3 | JM | Revised energy design and colors | 3/9/06 |
| 4 | JM | Added custom speaker enclosure | 5/1/06 |
| 5 | JM | Revised dimensions of speaker enclosure, added microphone, added custom loop for to accommodate 2" center to center microphone spacing, added custom loop conductor | 5/8/06 |
| 6 | JM | Revised speaker enclosure 8" | 9/25/07 |
| 7 | JM | Updated paint color to KOKO BROWN | 03/05/12 |



CLIENT
 STORE NUMBER
PANERA MENU SHELTER
 LOCATION
 PROJECT MANAGER
 JIM MANDEVILLE
 SCALE
 NOTED
 JIM 10/19/05
 JAMES LOTS
PAGE 7

DT-MENU CANOPY-a
 DRAWING TITLE



DRIVE-THRU CANOPY END VIEW
 3/4" = 1'-0"

CABINET:
ALUMINUM CONSTRUCTION WITH 1" BEZELS ALL FINISHED BLACK (MATT). FACES TO BE WHITE ACRYLIC WITH 1ST SURFACE FILM OVERLAYS. GREEN COLOR IS A CUSTOM PRINT TO MATCH PMS 5757. ILLUMINATE WITH WHITE LED'S AS REQUIRED.

SUPPORT:
3" S.Q.T. FINISHED BLACK (MATT).

Customer Approval: _____
Date: _____
 Without Changes As Shown
 Electrical hookup by others.
Additional requirements: 120V or as indicated.
All hand-drawing by others.

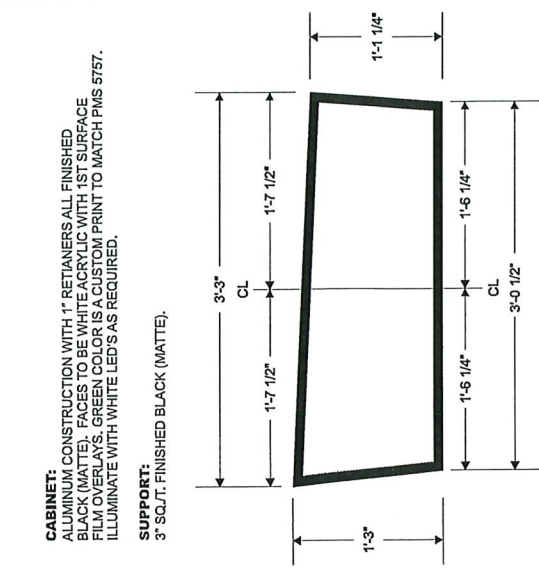
Sales Approval: _____
Date: _____

Production Approval: _____
Date: _____

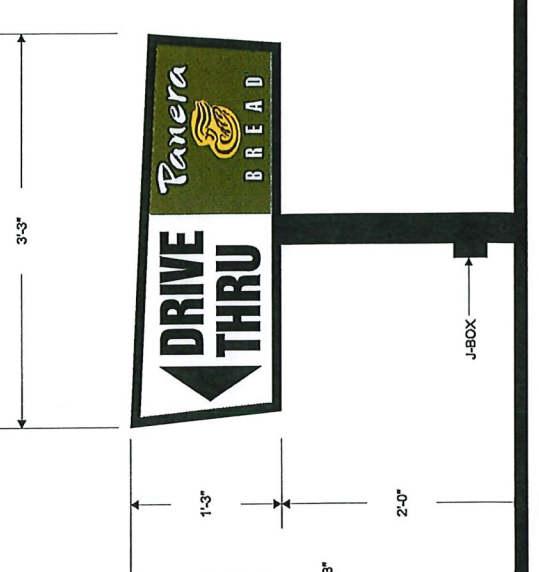
Design # **12-410R3**
Page: **4** of **4**

6 DIF ILLUMINATED DIRECTIONAL SIGN DISPLAY
QUANTITY: 1 MANUFACTURE AND INSTALL
SCALE: 1"=1'-0"

7 DIF ILLUMINATED DIRECTIONAL SIGN DISPLAY
QUANTITY: 1 MANUFACTURE AND INSTALL
SCALE: 1"=1'-0"



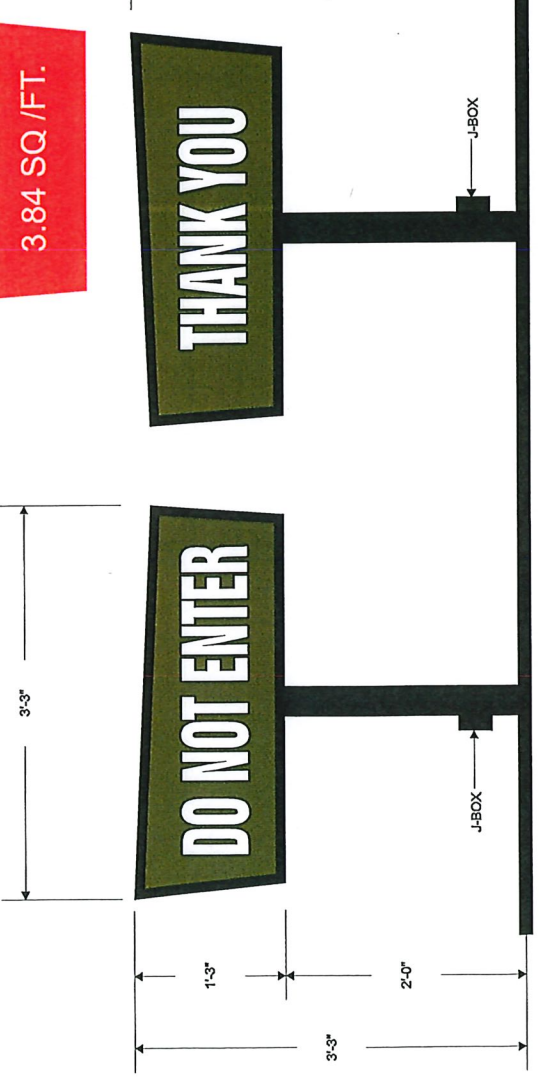
CABINET SIZE SCALE: 1"=1'-0"



8 SIF ILLUMINATED DIRECTIONAL SIGN DISPLAY
QUANTITY: 1 MANUFACTURE AND INSTALL
SCALE: 1"=1'-0"



6 DIF ILLUMINATED DIRECTIONAL SIGN DISPLAY
QUANTITY: 1 MANUFACTURE AND INSTALL
SCALE: 1"=1'-0"



7 DIF ILLUMINATED DIRECTIONAL SIGN DISPLAY
QUANTITY: 1 MANUFACTURE AND INSTALL
SCALE: 1"=1'-0"

3.84 SQ./FT.

