

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 Florence Square Little Clinic
- 3. Location of Project 7619-7647 Mall Road 7685
- 4. Total Acreage of Site 11.5+/- Acres
- 5. Current Zoning "C-2"/Special Sign District
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 4/24/12 (Special Sign District)
- 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 - Mall Road Study
- 8. Proposed Uses (please specify each use) Building signage for The Little Clinic to be included within the Kroger building.
- 9. Proposed Building Intensities (please specify) 26% (130,558 SF on 11.5+/- Acres)
- 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) New Plan Property Holding Co. (Attn: Martin Liles)
 Phone Number 248-442-5902 Fax No. 248-476-9504 E-Mail martin.liles@brixmor.com
- 15. Address of Property Owner(s) P. O. Box 4900
 Scottsdale Arizona 85261
 City State Zip
- 16. Are there any existing buildings on the site? Yes
 How many? 3+/-
- 17. Deed Book 871 Page No. 412 Group No. 2040A
- 18. Have you had a pre-application meeting with BCPC Staff? Yes

(over)

Concept Development Plan

Page 2

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

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

20. Concept Development Plan Jurisdiction/Location

- Unincorporated Boone County Walton
- Florence Union

21. ORIGINAL Property Owner's Signature

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

M. G. Gird

22. ORIGINAL Applicant's Signature

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

R. M. B. O.

SECTION B (To be completed by BCPC Staff)

1. Date Received 11/23/14 Fee Received \$2,512.00 R#68216

2. Check what has been submitted:

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

3. Is application complete? YES NO

4. Staff Reviewer MIRCHUKHI

5. Committee Chairperson _____

6. Scheduled Public Hearing Date _____

7. Boone County Planning Commission Action:

- Approved
- Denied

Approved With Conditions 4/2/14

8. Other: _____

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

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

EXHIBIT

“ A ”

STAFF REPORT

Request of Anne F. McBride, FAICP - McBride Dale Clarion (applicant) for New Plan Property Holding Co. (Attn: Martin Liles) (owner) for a Change in an Approved Concept Development Plan to modify a Special Sign District for an approximate 11.5 acre site at 7619 - 7647 Mall Road, Florence, Kentucky. The request is to modify an approved Special Sign District in a Commercial Two/Planned Development/Mall Road (C-2/PD/MR) zone to allow an additional building mounted sign.

March 5, 2014

REQUEST

The applicant is requesting to modify the approved Special Sign District from 2012 to allow an additional building mounted sign for the Little Clinic which is located within the Kroger Marketplace. The 2012 Special Sign District was approved with 435.75 square feet of building mounted signage within eight (8) sign areas on the Mall Road (front) elevation. This request is to add 49.7 square feet and an additional sign area on the front elevation. If approved, the Little Clinic sign will increase the total to 485.45 square feet and nine (9) sign areas.

The sign regulations allow two (2) square feet of signage per lineal foot of the building and maximum of three (3) sign areas. The Kroger Marketplace is 499.25 lineal feet which converts to 998.50 square feet of building mounted signage within three (3) sign areas.

This site is within Area 8 of the Mall Road District Study. Copies of Area 8 and Chapter 5 (Signage) of the Mall Road District Study are attached to this report.

ADJACENT ZONING AND LAND USES

North: Businesses within the Florence Square commercial development zoned Commercial Two/Planned Development/Mall Road (C-2/PD/MR).

East: Properties across Mall Road, zoned Commercial Two/Planned Development/Mall Road (C-2/PD/MR).

South: Businesses within the Florence Square commercial development zoned Commercial Two/Planned Development/Mall Road (C-2/PD/MR).

West: Undeveloped property accessed from Cayton Road zoned Commercial Two/Planned Development/Mall Road (C-2/PD/MR).

RELATIONSHIP TO COMPREHENSIVE PLAN

The Future Land Use Map shows the subject property as Commercial (C). This classification is defined in the adopted Comprehensive Plan as:

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

The Land Use Element text within the 2010 Boone County Comprehensive Plan makes the following statements that relate to the overall area:

- A. "The Mall Road area was recommended (through the 2002 Mall Road Corridor Study) to become a new urbanism corridor. The current planning effort for the area, the Mall Road District Study, calls for a dense, well designed, urban style of development that should occur over time (2. Houston-Donaldson/Mall Road, pp. 167)."
- 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 (2. Houston-Donaldson/Mall Road, pp. 167)."

The Land Use Element does refer to signage by stating:

"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 (Design, Signs, and Historic Preservation, p.164)."

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

- A. Proper planning is achieved through accepted land use management tools and coordination with public infrastructure ("Overall," Goal).
- B. Boone County shall be viewed as an integral part of the Cincinnati Metropolitan Area ("Overall," Objective 1).
- C. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).

- D. Highway commercial uses shall be in close proximity to highway interchanges for maximum convenience and economy to the traveling public, while minimizing impact to the community in terms of traffic congestion, local commuting patterns and access ("Business Activity," Commercial Objective 3).

STAFF COMMENTS


1. The 2012 Special Sign District was approved with 435.75 square feet of building mounted signage within eight (8) sign areas on the Mall Road (front) elevation. This request is to add 49.7 square feet and an additional sign area on the front elevation. If approved, the Little Clinic sign will increase the total to 485.45 square feet and nine (9) sign areas.
2. This site is located within Area 8 of the Mall Road District Study. Copies of Area 8 and Chapter 5 (Signage) of the Mall Road District Study are attached to this report.

CONCLUSION

The Boone County Planning Commission and the City of Florence must review this request on the basis of its relationship to the Comprehensive Plan and in terms of the three (3) criteria necessary for a Zoning Map Amendment.

1. The map amendment request is in agreement with the adopted Comprehensive Plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or,
2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or,
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted Comprehensive Plan that substantially alter the area's character.

Respectfully Submitted,



Mitchell A. Light
Asst. Zoning Administrator/Enforcement Officer

MAL/tlb

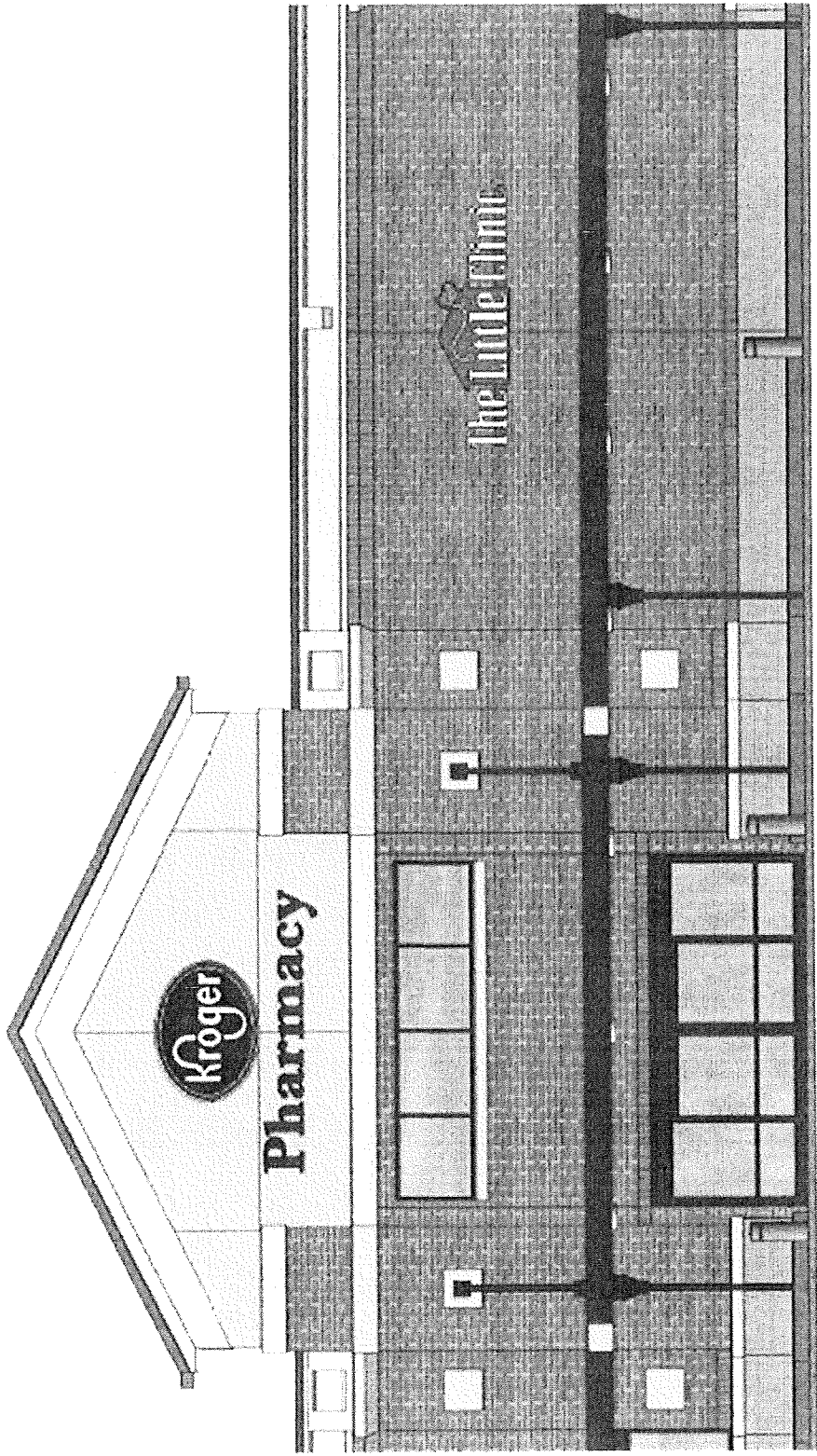
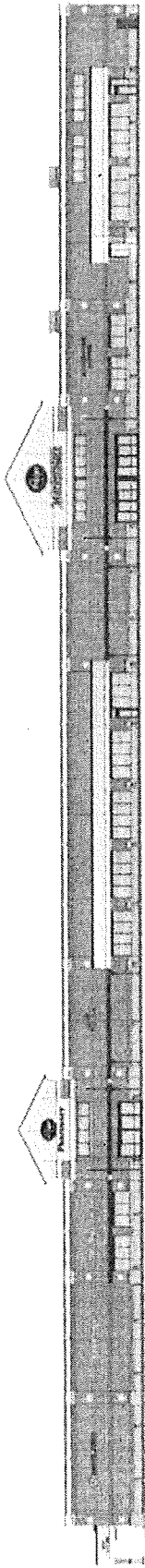
Attachments:

- Vicinity Map
- Zoning Map
- Future Land Use Map
- Elevation with Proposed Sign
- Applicants Narrative
- Mall Road District Study, Signage (Chapter 5) & Area 8
- Conditions of Approval from 2012 Special Sign District
- Application

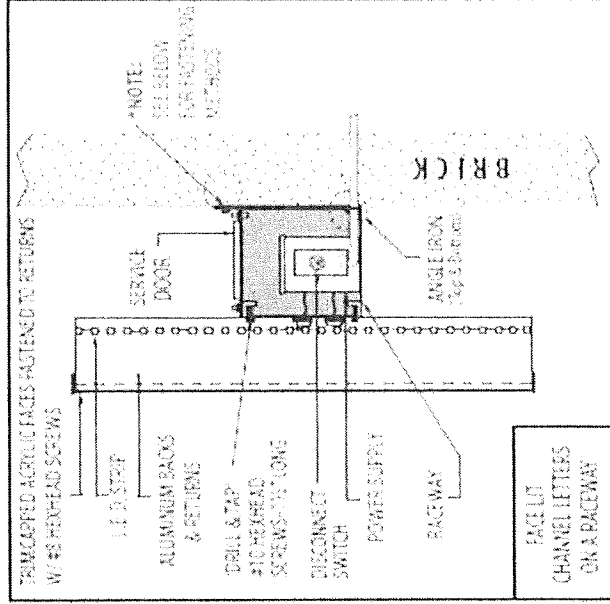
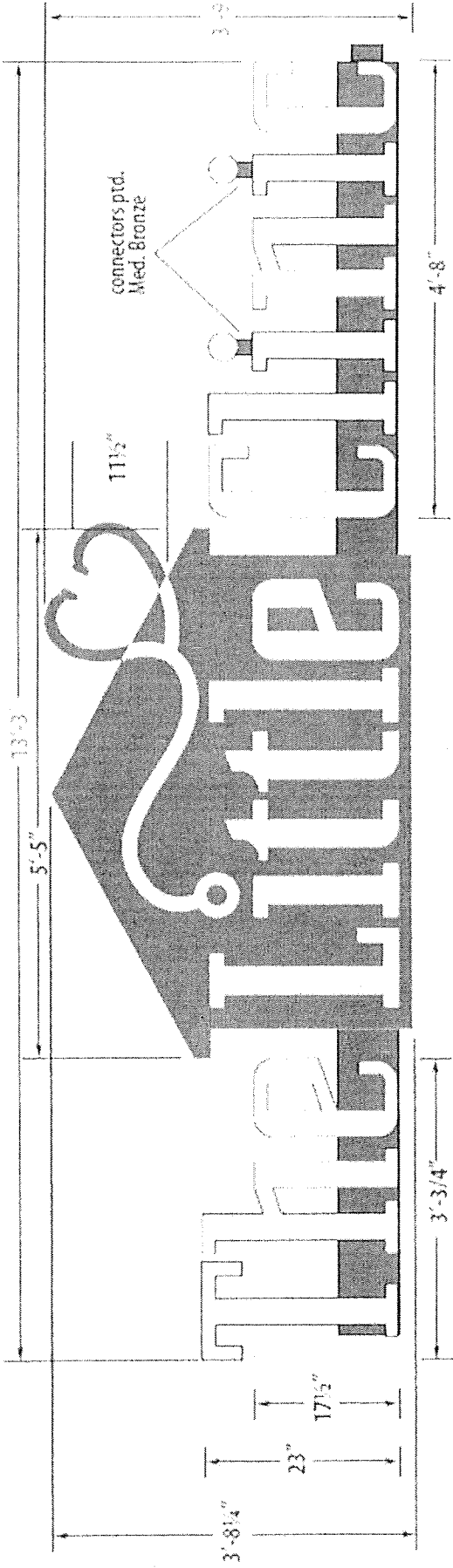
Little Clinic/Florence Square
Change in Concept Development Plan Request

The Little Clinic is going to be opening a 1,185 square foot health care clinic within the new Kroger store currently under construction in Florence Square on Mall Road. Little Clinic provides convenient and affordable health and wellness care for those 24 months and over. Services offered include diagnosis and treatment of common illnesses and injuries, physical examinations, and the administration of various vaccines. Currently, there are over 110 Little Clinic locations which are staffed by nurse practitioners and physician associates who are board certified and licensed.

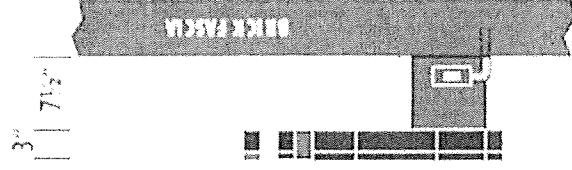
A Special Sign District was approved for the Florence Square Kroger development by the Florence City Council in April 2012. The approval allowed for a total of 8 signs on the front Kroger store elevation totaling 435.75 square feet of sign area. An amendment is being requested to the Special Sign District to allow for the inclusion of a sign for the Little Clinic. The proposed sign would contain a total of 50 square feet and would be constructed of channel cut letters which are consistent with the other signs to be located on the front of Kroger. The sign was initially omitted from the front elevation because The Little Clinic was not an original part of the new Kroger store. The proposed sign is the minimum sign necessary to identify the Little Clinic location given the proximity of the store from the traveling public. The proposed sign would bring the total sign area on the elevation (485.75 square feet) to a number which is significantly below the sign area permitted for the elevation. We do not believe that the inclusion of the Little Clinic sign in any way compromises the intent of the Special Sign District and respectfully request approval to include the additional sign.



PROPOSED ELEVATION



*BRICK FASCIA: 3'-8" x 3" Lag & Shields x minimum req'd.



PROPOSED SIGN (49.7 s.f.)

CHAPTER 5

SIGNAGE

This chapter outlines permitted signage within the limits of the Mall Road (MR) Overlay District. The Mall Road Overlay Sign District replaces the prior Mall Road Commercial Sign District outlined in Section 3440 of the Boone County Zoning Regulations. The differences between the proposed text and the version that is in the zoning regulations adopted by the City on 10/28/08 are shown in Appendix B.

Signage in the Mall Road Overlay Sign District is subject to the Sign Permit procedure outlined in Section 3405 of the zoning regulations. Signage is not subject to architectural/design review through the Site Plan procedure as discussed in Chapter 4.

Mall Road Overlay Sign District

The Mall Road Overlay Sign District applies to those properties which are within the Mall Road (MR) Overlay as part of the Mall Road District Study. The purpose of the sign district is to promote the mixed-use district that is visualized by the study with high quality construction materials and to follow the recommendations of the 2005 Boone County Comprehensive Plan. The Land Use Element found in the 2005 Comprehensive Plan states that “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” (Future Land Use Development Guidelines - Design, Signs, and Historic Preservation, pg. 142).

For the purpose of the Mall Road Overlay Sign District, the following standards shall apply:

1. All sections of Article 34 not otherwise replaced below;
2. A density of one (1) architectural freestanding sign which identifies a shopping center, mixed use commercial, commercial subdivision, planned development, or single-use commercial development and its major access point shall be permitted in accordance with the following standards:
 - A. The sign shall not exceed 20 feet in height.
 - B. The maximum size of the sign shall be no more than one (1) square foot of sign area per lineal foot of road frontage along the street frontage where the sign is to be located. No architectural freestanding sign shall exceed two

hundred (200) square feet in area.

- C. The base of the sign shall be constructed of materials, colors, and design details which match or correlate to one of the principal buildings on site. A second option is for the pole structure(s) to have sculptural or artistic characteristics. Lastly, a monument sign may be substituted as the permitted freestanding sign. The base of the monument sign shall be constructed with materials, colors, and design details which match or correlate to one of the principal buildings on site. The top of the monument sign shall have an architectural feature or finish, such as a gable, arch, or pediment.
- D. Up to 50% of the area of any permitted architectural freestanding or monument sign may be used as manually changeable copy display. Proposed manually changeable copy display(s) shall be located beneath all fixed copy signs.
- E. One (1) electronic message board or electronic display screen which is used solely to advertise infrequently changing alphanumeric and numeric messages (e.g. - fuel prices, hotel room rates, etc.) shall be permitted on the architectural freestanding or monument sign as a Conditional Use. Such message signs must conform to Article 2, Sections 260-267, inclusive, of this order, and further shall be subject to the following minimum standards and requirements:
 - (1) The application for conditional use permit shall be accompanied by the following information:
 - a. All of the information required in Section 3405 of this Article;
 - b. Identification of all thoroughfares from which the sign will be visible; and
 - (2) Infrequently changing electronic message boards or electronic display screens as conditional uses, shall conform, at a minimum to the following requirements:
 - a. Such message boards and screens will be considered a part of the architectural freestanding sign; up to twenty percent (20%) or twenty (20) square feet (whichever is less) of the permitted sign area can be in the form of an electronic message board or display screen.

- b. All such message boards and screens shall meet the minimum standards of the Kentucky Transportation Cabinet and any other controlling local, state, or federal agency.
 - c. Apparent motion of the visual message, caused by, but not limited to, the illusion of moving objects, moving patterns or boards of light, expanding contracting, or rotating shapes or other similar animation effects, shall be prohibited. Such restriction applies to "scrolling", "running", or "flashing" messages.
 - d. The message displayed on the board shall not change more than three (3) times per day.
 - e. Messages shall be displayed in one color on a black background.
 - f. The sign shall be equipped with a dimmer and the message shall dim as the sky gets darker.
 - g. Off-premise advertising shall be prohibited on the sign.
3. Any parcel or outlot which is accessible from or marketed as part of a shopping center, mixed use commercial, commercial subdivision, or planned development (except for the lot where the above referenced architectural free-standing sign is located) shall be permitted a density of one (1) on-premises monument sign for the purpose of identifying the tenant(s) on the lot based on the following standards:
- A. The sign shall not exceed eight (8) feet in height.
 - B. The maximum size of the sign shall not exceed sixty (60) square feet in area.
 - C. The base and sides of the sign shall use construction materials and design details that match the outlot building.
 - D. The top of the sign shall have an architectural feature or finish, such as a gable, arch, or pediment.
 - E. Single panel plexi-faced cabinets shall not be permitted.
 - F. Up to 50% of the area of any permitted monument sign may be used for manually changeable copy. Any proposed manually changeable copy shall be located immediately on top of the sign base.

- G. One (1) electronic message board or electronic display screen which is used solely to advertise infrequently changing alphanumeric and numeric messages (e.g. - fuel prices, hotel room rates, etc.) shall be permitted on the monument sign as a Conditional Use. Such message signs must conform to Article 2, Sections 260-267, inclusive, of this order, and further shall be subject to the following minimum standards and requirements:
- (1) The application for conditional use permit shall be accompanied by the following information:
 - a. All of the information required in Section 3405 of this Article;
 - b. Identification of all thoroughfares from which the sign will be visible; and
 - (2) Infrequently changing electronic message boards or electronic display screens as conditional uses, shall conform, at a minimum to the following requirements:
 - a. Such message boards and screens will be considered a part of the monument sign; up to twenty percent (20%) of the permitted sign area can be in the form of an electronic message board or display screen.
 - b. All such message boards and screens shall meet the minimum standards of the Kentucky Transportation Cabinet and any other controlling local, state, or federal agency.
 - c. Apparent motion of the visual message, caused by, but not limited to, the illusion of moving objects, moving patterns or boards of light, expanding contracting, or rotating shapes or other similar animation effects, shall be prohibited. Such restriction applies to "scrolling", "running", or "flashing" messages.
 - d. The message displayed on the board shall not change more than three (3) times per day.
 - e. Messages shall be displayed in one color on a black background.
 - f. The sign shall be equipped with a dimmer and the message shall dim as the sky gets darker.
 - g. Off-premise advertising shall be prohibited on the sign.

4. Sections 3402 and 3413 of the Boone County Zoning Regulations shall be used in determining permitted locations and the amount of building mounted signage that is permitted on a business. Permitted exceptions to Section 3413 are noted in Subsection 2 below.
 - (1) The following standards shall apply to building mounted signage in the Mall Road (MR) Overlay Sign District:
 - A. 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.
 - B. Manually changeable copy, electronically changeable copy, board signs, plexi-faced panels, internally illuminated awnings, firmly structured awnings with an "inflated" or plastic appearance, and similar signs shall not be permitted unless they are replacing an existing sign of like kind that is the same size or smaller.
 - C. Building mounted signage shall not be permitted in residential developments. Exceptions are professional name plates, addresses, and building numbers.
 - (2) Permitted Exceptions to the building mounted signage regulations found in Section 3413 of the Boone County Zoning Regulations are as follows:
 - A. Projecting, shingle, or blade signs shall be permitted when a main building entrance is in close proximity to a street, private access drive, or shared private development street. Projecting signs will not be treated as one of the three permitted sign areas on a primary or secondary facade but the sign area shall be factored into the total square footage that is permitted on that given facade. The maximum size of a projecting sign shall not be more than 32 square feet in size. Projecting signs shall have a minimum clearance of 10 feet over sidewalks and shall not be permitted to project over vehicular ways.
 - B. Restaurants and entertainment uses (limited to night clubs and live performance venues) shall be allowed to have neon or L.E.D. accent banding along cornice lines and main entrances. The accent banding shall not be treated as one of the three permitted sign areas on a primary or secondary facade but the sign area shall be factored into the total square footage that is permitted on a given facade. The neon or L.E.D. banding shall be limited to 2 inches in height.

5. Section 3410 of the Boone County Zoning Regulations shall be used in determining the location, height, area, and number of entrance signs that are permitted for a residential development. The following standards shall apply to residential entrance signs:
 - A. The base and sides of the sign shall use construction materials and design details that match or correlate to the residential structures on the lot.
 - B. The top of the sign shall have an architectural feature or finish, such as a gable, arch, or pediment.
 - C. Single panel plexi-faced cabinets shall not be permitted.
 - D. Electronically changeable message boards, electronic display screens, and manually changeable reader boards shall not be permitted.

6. Seasonal non-commercial banners for the advertising of holidays and special community events shall be permitted without the issuance of a Temporary Advertising Display Permit but are subject to the following standards:
 - A. The banner shall be located on permanent brackets on a light standard.
 - B. The light standard shall be located in close proximity to Mall Road or a shared development private street.
 - C. The banner shall be no larger than sixteen (16) square feet in area and shall not obstruct sight distance.

recommended vehicular and pedestrian connection to Area 5, provided it is feasible as discussed in the Area 5 text. This scope of work may also include reconfiguring the current southern-most alignment of Connector Drive between Florence Center and the Mall Road/Heights Boulevard intersection from a radial curve to a T intersection.

Area 7

The existing Paddock Club Apartment complex is anticipated to remain. The undeveloped section of the Area should be configured in a grid pattern which extends from Area 6 as discussed above. The eastern part of this undeveloped section is recommended to contain a transitional combination of multi-use or mixed-use buildings that house office, commercial, and potentially residential uses.

The western part of this undeveloped section is recommended for any type(s) of freestanding residential structures within a close knit traditional neighborhood setting, provided multi-story structures are provided. The physical layout of both sections should front buildings close to the internal streets/drives and include integral curb walks and street trees. Parking and vehicular areas should largely be placed to the side and rear of buildings.

A gated emergency access drive between this Area and Utterback Creek Road is recommended. A street connection for routine public use is not recommended at this point. A hard surfaced pedestrian connection with substantial lighting should be provided between this Area and the Yealey Elementary School campus to the west. At least one hard surfaced pedestrian connection with substantial lighting should be provided between this Area or Area 6 and Achatas Avenue. Existing tree cover along the common boundaries between this Area and the adjoining properties outside of the overall Study Area should be maintained as part of the required buffering.

Area 8

Substantial new development and/or redevelopment is recommended to occur in the Area, particularly from north to south between the Mall Access road at the north end of Florence Marketplace in Area 1 and Cayton Road. The Florence Square portion of this Area, combined with Area 2 across Mall Road, should be reinforced as the main activity center in the overall Study Area.

A combination of office and commercial uses that are Principally Permitted in the underlying C-2 zone are recommended, provided they do not include outside storage or display and all business functions occur indoors. Residential uses are also appropriate in these office/commercial buildings, except for on ground floors. These office and commercial uses should transition westward through a tier of multi-use or mixed-use buildings and to attached and/or multi-family residential structures in the west part of this

Area, with a combination vehicular/pedestrian connection to Cayton Road. If this area is developed in conjunction with the existing retail development to the east, it may be appropriate to allow for the continuation of retail in this area. Public facility/institutional/civic uses are also appropriate in the west part of this Area. This section should include at least one formal public gathering space which can be used for outdoor events and which can provide a viewshed into the site from Mall Road (a "civic space plaza" per Chapter 4). Existing tree cover along the common boundaries between the western part of this Area and the adjoining properties outside of the overall Study Area should be maintained as part of the required buffering. Also, landscaping along Cayton Road should include informal clusters of evergreen trees, hardwood trees, and berming versus a rigid street tree scheme.

The Florence Square portion of this Area should be arranged in a grid or grid-like configuration which extends into the undeveloped portion to the west near Cayton Road. This extension would involve at least some level of demolition of existing structures. The vacant movie theater is assumed to be a reasonable candidate for demolition due to its apparent functional obsolescence, although a direct alignment from one of the existing Mall Road access points is preferred. If public streets are not used, shared private development streets/driveways should be provided for the main internal access corridors and include integral curb walks and street trees.

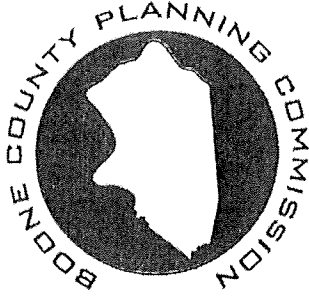
Buildings are recommended to be provided immediately along the main east-west vehicular corridors, especially those which extend from the intersections of Mall Road with Mall Circle Road and the Mall connector drive at the approximate midpoint of the Mall property in Area 2. Buildings may face each other across the intervening spaces in the grid, and buildings will need to be arranged so that direct viewsheds from Mall Road are provided for commercial building frontages that are not located immediately along the road. A common architectural theme for either the overall Area or recognizable phases within it should be provided.

Should the area between the Mall Access road at the north end of Florence Marketplace in Area 1 and Mall Circle Road be redeveloped, the grid configuration and the same basic development concepts recommended for office/commercial structures in Florence Square should be followed. Should the area between the Mall Access road at the north end of the Village at the Mall center in Area 1 and KY 18 be redeveloped, the individual sites should be reconfigured to have recognizable, continuous vehicular and pedestrian interconnections which extend from the basic grid configuration recommended for the remainder of this Area. A hard surfaced pedestrian connection with substantial lighting should be provided between the northern portion of this Area and Hopeful Church Road in the proximity of Chancellor Drive. A vehicular connection in this same area which aligns with Chancellor Drive at Hopeful Church Road is recommended if the car dealership at this point along Hopeful Church Road should redevelop.

Development or redevelopment immediately along Mall Road should site the buildings in close proximity to said road to create a "street wall" effect with the primary facades facing Mall Road, with parking placed substantially to the side and rear of the lots. Pedestrian improvements such as gathering spaces, seating, low-scaled lighting, and street trees are recommended along public sidewalks. No direct lot access should occur on Mall Road. Shared access points should be provided, as well as vehicular and separate, defined pedestrian connections between adjoining lots and buildings.

The lots on the southwest corner of the Mall Road/KY 18 intersection, the northwest and southwest corners of the Mall Road/Mall Circle Road intersection, and the northwest and southwest corners of the Mall Road/Mall connector drive intersection at the approximate midpoint of the Mall property in Area 2, are "Impact Sites" per the Impact Site Map on page 2.16. Any redevelopment of these sites should: place the building immediately at the road intersection without any intervening vehicular areas; include a multiple story building (or high parapet or other means to provide additional height to a single level building) to create a larger scale and to anchor the building to the intersection; include broad storefronts or other form of substantial fenestration on both street frontages; and include unique, high quality signature architectural design which uses visually substantive building materials. The buildings at the Mall Road/Mall Circle Road and Mall Road/Mall connector drive intersections would establish the approximate building lines for additional building development along the main east-west vehicular corridors recommended for this Area.

There are two main north-south shared vehicular drives which run through this Area. The first alignment acts as a frontage road to Mall Road and runs between the site on the southwest corner of the Mall Road/KY 18 intersection and Cayton Road (includes individual parking lot connections), and aligns with Connector Drive at the intersection with Cayton Road. The second alignment runs across the strip center building frontages between HH Gregg and Cayton Road. These two routes should be improved as single identifiable alignments with one standard street section design throughout the Area, sidewalks on both sides of the street, and the elimination or drastic reduction in the amount of minor parking lot driveways that intersect with them. The shared private development street/driveway approach outlined in Chapter 3 may be used for these routes. Minimizing the number of minor intersections is particularly important for the first alignment which most closely parallels Mall Road (Connector Drive extension). Separate turn lanes need to be provided at the main intersections within this Area. Additionally, the section of the north-south frontage road that parallels Mall Road (Connector Drive extension), will need to be moved to the west at the HH Gregg entrance drive from Mall Road, with the appurtenant intersection at the northwest corner of the Taco Bell lot being reconfigured into a T fashion.



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

February 22, 2012

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

RE: Request of Anne F. McBride, FAICP - McBride Dale Clarion (applicant) for New Plan Property Holding Co. (Attn: Martin Liles) (owner) for a Zoning Map Amendment for a Special Sign District for an approximate 11.5 acre site located at 7619 - 7647 Mall Road, Florence, Kentucky. The request is for a Special Sign District in a Commercial Two (C-2) zone to allow alternative signage.

Dear Ms. McBride:

The following represents the conditions of approval for the above referenced application as recommended by the Boone County Planning Commission at their February 15, 2012, Zone Change Committee Meeting. Please provide the property owner's signature in the space provided at the end of this letter, and return to the Planning Commission office by Wednesday, February 29, 2012.

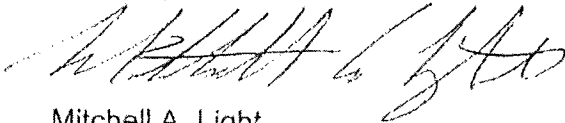
CONDITIONS

1. The Property Owner agrees to follow the proposed building mounted signage as was presented at the February 1, 2012 Public Hearing. The front elevation will have no more than eight (8) sign areas for a total not to exceed 435.75 square feet. The rear elevation will have no more than two (2) sign areas with a total not to exceed 165.80 square feet.
2. The Property Owner agrees to follow the revised design for the free standing sign as presented at the February 15, 2012 Zone Change Committee meeting. The revised design shows a monument style sign with a solid masonry base and an overall height of 30 feet with no more than four tenant panels (excluding the Kroger Marketplace and fuel prices).
3. The Property Owner agrees to follow the revised design for the fuel canopy signage as presented at the February 15, 2012 Zone Change Committee meeting. The revised design shows signage on all four fascias of the fuel canopy with fuel prices only being displayed on the east and west fascias.

Anne F. McBride, FAICP
February 22, 2012
Page 2

4. The Property Owner agrees that there will be no advertising on the existing Florence Square free standing sign for Kroger or any of its tenants.

Sincerely,

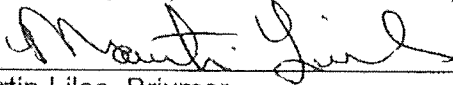


Mitchell A. Light
Assistant Zoning Admin/Enforcement Officer

MAL/dw

AGREEMENT

I, Martin Liles, do hereby agree to the recommended conditions of approval stated above for a Zoning Map Amendment for a Special Sign District to allow alternative signage.



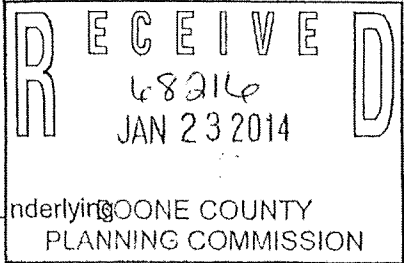
Martin Liles, Brixmor
(owner)

2-27-12
Date

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 Florence Square Little Clinic
3. Location of Project 7619-7647 Mall Road
4. Total Acreage of Site 11.5+/- Acres
5. Current Zoning "C-2"/Special Sign District
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 4/24/12 (Special Sign District)
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 - Mall Road Study
8. Proposed Uses (please specify each use) Building signage for The Little Clinic to be included within the Kroger building.
9. Proposed Building Intensities (please specify) 26% (130,558 SF on 11.5+/- Acres)
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) New Plan Property Holding Co. (Attn: Martin Liles)
Phone Number 248-442-5902 Fax No. 248-476-9504 E-Mail martin.liles@brixmor.com
15. Address of Property Owner(s) P. O. Box 4900
Scottsdale Arizona 85261
City State Zip
16. Are there any existing buildings on the site? Yes
How many? 3+/-
17. Deed Book 871 Page No. 412 Group No. _____
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: Janet Kegley, Chairwoman

DATE: April 2, 2014

RE: Request of **Anne F. McBride, FAICP - McBride Dale Clarion (applicant)** for **New Plan Property Holding Co. (Attn: Martin Liles) (owner)** for a Change in an Approved Concept Development Plan to modify a Special Sign District for an approximate 11.5 acre site at 7619 - 7647 Mall Road, Florence, Kentucky. The request is to modify an approved Special Sign District in a Commercial Two/Planned Development/Mall Road (C-2/PD/MR) zone to allow an additional building mounted sign.

REMARKS:

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

Findings of Fact

1. The Committee has concluded that the request is in agreement with the 2010 Boone County Comprehensive Plan for the following reasons:

The Land Use Element ("2. Houston-Donaldson/Mall Road," pp. 167) states "The Mall Road area was recommended (through the 2002 Mall Road Corridor Study) to become a new urbanism corridor. The current planning effort for the area, the Mall Road District Study, calls for a dense, well designed, urban style of development that should occur over time."

The Land Use Element ("2. Houston-Donaldson/Mall Road," pp. 167) states "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 Land Use Element ("Design, Signs, and Historic Preservation," pg. 164) also states "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.”

2. The Committee has concluded that the request is in agreement with the 2010 Goals and Objectives of the Boone County Comprehensive Plan for the following reasons:

The Business Activity, Goal, states “Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas.”

3. The Committee has concluded that the attached condition is necessary to achieve consistency with the specific goals, objectives, and policies of the 2010 Boone County Comprehensive Plan. The Committee has also concluded that the attached condition is necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with this condition.

CONDITIONS

1. The Property Owner agrees that the proposed Little Clinic building mounted sign will be as presented at the March 5, 2014 Public Hearing. The Little Clinic sign (49.7 s.f.) will increase the total to 485.45 square feet and nine (9) sign areas on the front elevation.

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

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwomen

DATE: March 19, 2014

RE: **CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN - Janet Kegley, Chairwoman, Mitch Light, Staff**

Request of **Anne F. McBride, FAICP - McBride Dale Clarion (applicant) for New Plan Property Holding Co. (Attn: Martin Liles) (owner)** for a Change in an Approved Concept Development Plan to modify a Special Sign District for an approximate 11.5 acre site at 7619 - 7647 Mall Road, Florence, Kentucky. The request is to modify an approved Special Sign District in a Commercial Two/Planned Development/Mall Road (C-2/PD/MR) zone to allow an additional building mounted sign.

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.

Anne McBride/New Plan Property

March 19, 2014

Ben Brandstetter

For Project ___ Absent ___

Against Project ___

Abstain ___ Deferred ___

Greg Breetz

Greg Breetz

For Project Absent ___

Against Project ___

Abstain ___ Deferred ___

Kim Bunger, Chairman

For Project ___ Absent ___

Against Project ___

Abstain ___ Deferred ___

Janet Kegley

Janet Kegley

For Project Absent ___

Against Project ___

Abstain ___ Deferred ___

Susan h. Schultz

Susan Schultz

For Project Absent ___

Against Project ___

Abstain ___ Deferred ___

Charlie Reynolds (Alternate)

For Project ___ Absent ___

Against Project ___

Abstain ___ Deferred ___

M. Hicks

Mark Hicks (Alternate)

For Project Absent ___

Against Project ___

Abstain ___ Deferred ___

Jim Longano (Alternate)

For Project ___ Absent ___

Against Project ___

Abstain ___ Deferred ___

TOTAL: ___ DEFERRED ___ FOR PROJECT ___ ABSENT

___ AGAINST PROJECT ___ ABSTAIN

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Greg Breetz
Mr. Kim Bunger, Secretary/Treasurer
Mr. Mike Ford, Vice Chairman
Mr. Mark Hicks
Mrs. Janet Kegley
Mr. Jim Longano
Mr. Don McMillian
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke

COMMISSION MEMBERS NOT PRESENT:

Mr. Ben Brandstetter
Ms Lisa Reeves
Ms. Susan Schultz
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr Kevin T. Wall, AICP, Director, Zoning Services
Mr. Mitchell A. Light, Asst. Zoning Administrator/ZEO
Mr. Todd Morgan, AICP, Senior Planner

Chairman Rolfsen called the Public Hearing to order at 8:30 P.M. and introduced the next item on the Agenda:

CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN - Mitch Light, Staff

2. Request of **Anne F. McBride, FAICP - McBride Dale Clarion (applicant)** for **New Plan Property Holding Co. (Attn: Martin Liles) (owner)** for a Change in an Approved Concept Development Plan to modify a Special Sign District for an approximate 11.5 acre site at 7619 - 7647 Mall Road, Florence, Kentucky. The request is to modify an approved Special Sign District in a Commercial Two/Planned Development/Mall Road (C-2/PD/MR) zone to allow an additional building mounted sign.

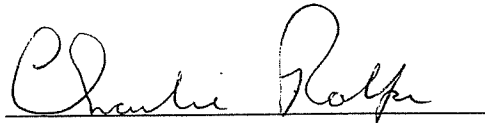
Staff member, Mitch Light presented the Staff Report, which included a Powerpoint presentation (see Staff Report). Mr. Light stated that the applicant is requesting a modification of the approved Special Sign District approved in 2012 to allow an additional building mounted sign for the Little Clinic, which is located in the Kroger Marketplace store. The 2012 Special Sign District was approved with 435.75 square footage of building mounted signage within 8 sign areas on the Mall Road elevation. This request would add 49.7 square feet in an additional sign area on the front elevation. If approved, the Little Clinic sign would increase the total to 485.45 square feet in 9 sign areas. Mr. Light showed photographs of the site and surrounding property. The Future Land Use map designates the site as Commercial. The proposed Little Clinic sign would be located to the right of the Kroger Pharmacy sign. The proposed sign is just under 50 feet. The current sign regulations allow 2 square feet per linear foot of building width at a maximum of 3 sign areas. The Marketplace store is approximately 500 feet long so the applicant can have up to 1,000 square feet of building signage if it was located in 3 sign areas. The site is located in Area 8 of the Mall Road District Study and references to it are noted in the Staff Report.

At this time, Chairman Rolfsen asked if the applicant wanted to proceed with her presentation. Ms. Anne McBride, McBride Dale Clarion, stated that she was representing Little Clinic and Brixmor. She explained that the Kroger store was under construction and would open on April 17, 2014. When the initial Special Sign District was approved, Little Clinic was not going into the Marketplace store. But they changed their minds as they are leasing 1,185 square feet as a health care clinic. The sign will be channel cut letters. Even with the added square feet of signage, Kroger is still only at about 50% if what is permitted.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Seeing no one, he asked if the Commissioners had any comments or questions?

There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on March 19, 2014 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on April 2, 2014 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:36 P.M.

APPROVED:



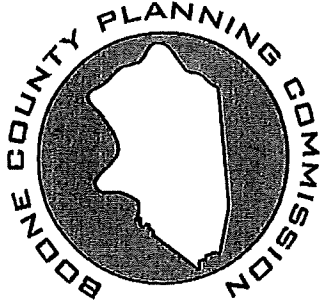
Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

www.boonecountky.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@boonecountky.org

March 21, 2014

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

RE: Request of **Anne F. McBride, FAICP - McBride Dale Clarion (applicant)** for **New Plan Property Holding Co. (Attn: Martin Liles) (owner)** for a Change in an Approved Concept Development Plan to modify a Special Sign District for an approximate 11.5 acre site at 7619 - 7647 Mall Road, Florence, Kentucky. The request is to modify an approved Special Sign District in a Commercial Two/Planned Development/Mall Road (C-2/PD/MR) zone to allow an additional building mounted sign.

Dear Ms. McBride:

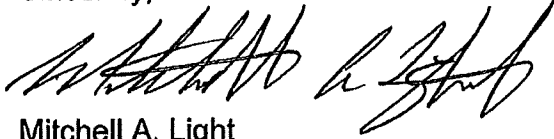
The following represents the condition of approval for the above referenced application as recommended by the Boone County Planning Commission at their March 19, 2014, Zone Change Committee Meeting. Please provide the property owner's signature in the space provided at the end of this letter, and return to the Planning Commission office by Friday, March 28, 2014.

CONDITION

1. The Property Owner agrees that the proposed Little Clinic building mounted sign will be as presented at the March 5, 2014 Public Hearing. The Little Clinic sign (49.7 s.f.) will increase the total to 485.45 square feet and nine (9) sign areas on the front elevation.

Anne F. McBride, FAICP
March 21, 2014
Page 2

Sincerely,

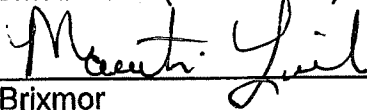


Mitchell A. Light
Assistant Zoning Admin/Enforcement Officer

MAL/tlb

AGREEMENT

I, Martin Liles, do hereby agree to the recommended condition of approval stated above to modify an approved Special Sign District in a Commercial Two/Planned Development/Mall Road (C-2/PD/MR) zone to allow an additional building mounted sign.



3-25-14

Martin Liles, Brixmor
(owner)

Date

CITY OF FLORENCE, KENTUCKY
SUMMARY OF ORDINANCE NO. 0-12-14

The City of Florence, Kentucky, enacted on second reading Ordinance No. 0-12-14 on June 10, 2014. The title of this Ordinance is as follows:

ORDINANCE NO. 0-12-14

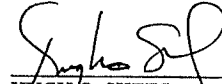
AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT/MALL ROAD (C-2/PD/MR) ZONE FOR AN APPROXIMATE 11.5 ACRE SITE LOCATED AT 7619-7647 MALL ROAD, FLORENCE, KENTUCKY, TO ALLOW AN ADDITIONAL BUILDING MOUNTED SIGN.

The effect of this Ordinance is to allow an additional building mounted sign in a Commercial Two/Planned Development/Mall Road (C-2/PD/MR) zone for an approximate 11.5 acre site located at 7619-7647 Mall Road, Florence, Kentucky.

The full text of Ordinance No. 0-12-14, 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. 0-12-14 and that it has been prepared by me on the 10th day of MAY, 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

ORDINANCE NO. 0-12-14

AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT/MALL ROAD (C-2/PD/MR) ZONE FOR AN APPROXIMATE 11.5 ACRE SITE LOCATED AT 7619-7647 MALL ROAD, FLORENCE, KENTUCKY, TO ALLOW AN ADDITIONAL BUILDING MOUNTED SIGN.

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

⁰⁰⁸
~~009~~ WHEREAS, the Boone County Planning Commission by Resolution No. R-14-009-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 New Plan Property Holding Co. (Owner), for a change in an approved concept development plan in a Commercial Two/Planned Development/Mall Road (C-2/PD/MR) zone, for a 11.5 acre site located at 7619-7647 Mall Road, Florence, Kentucky, shall be and is hereby approved, this change in concept development plan being to allow an additional building mounted sign. 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-14-009-A of the Boone County Planning Commission, including the exhibits referenced to that Resolution.

⁰⁰⁸
SECTION III

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission's Resolution No. R-14-009-A, marked Exhibit "A", and attached hereto.

⁰⁰⁸
SECTION IV

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

SECTION V

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

PASSED AND APPROVED ON FIRST READING THIS 20th DAY OF MAY, 2014.

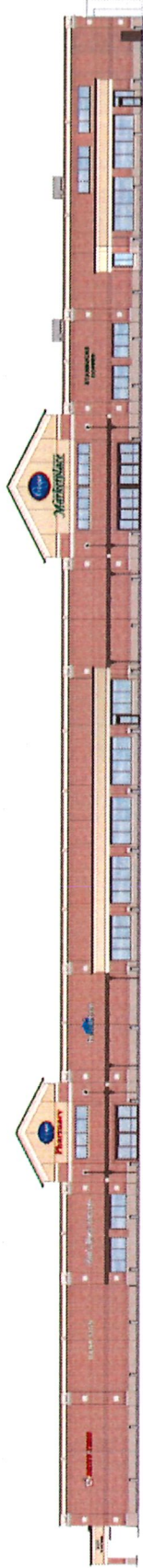
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 16th DAY OF June, 2014.

APPROVED:

Dian E. Whalen
MAYOR

ATTEST:

[Signature]
CITY CLERK

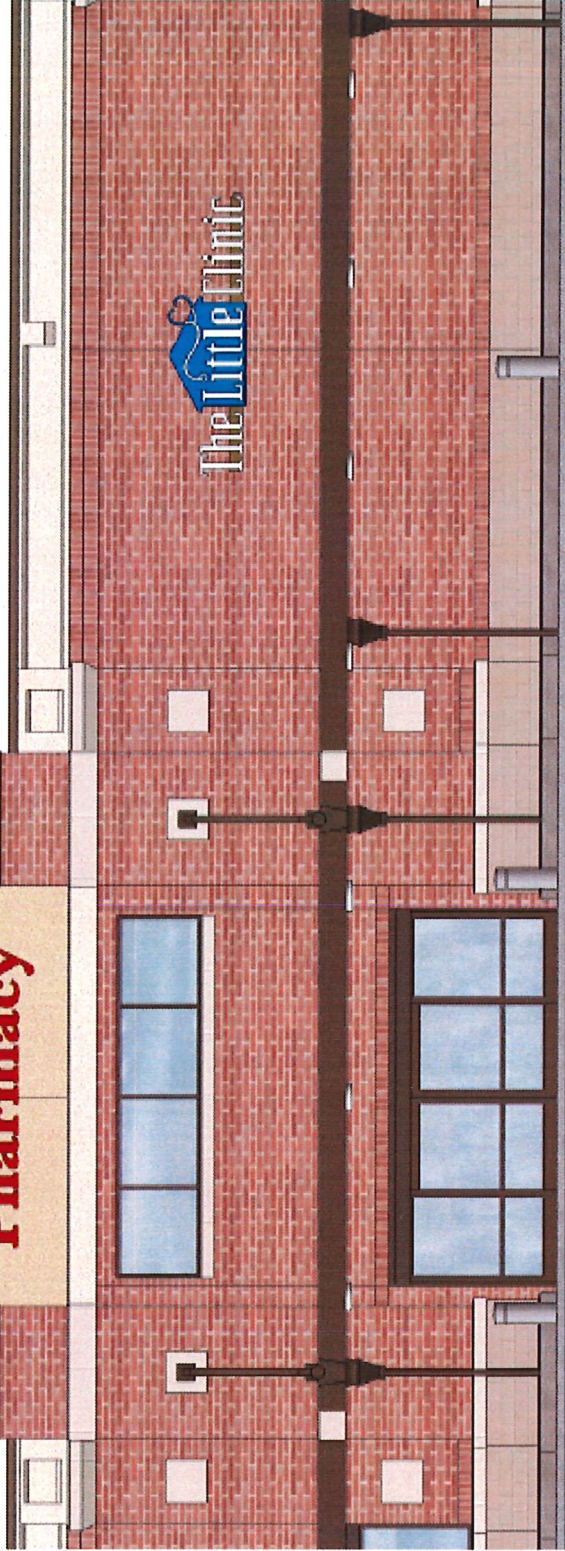


APPROVED w/ Conditions

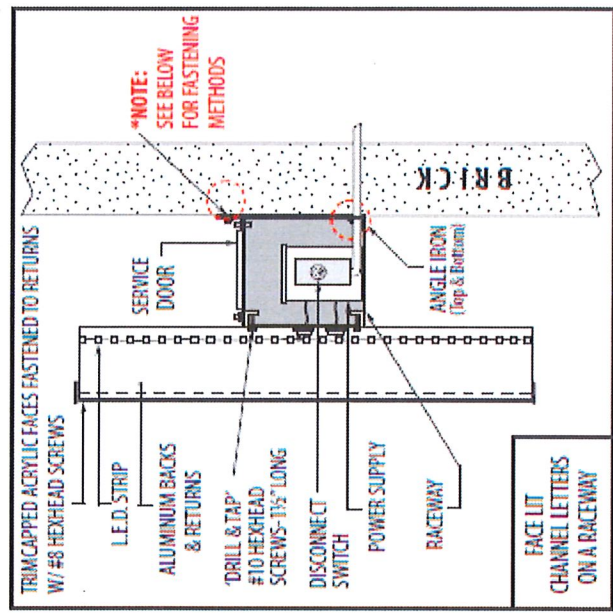
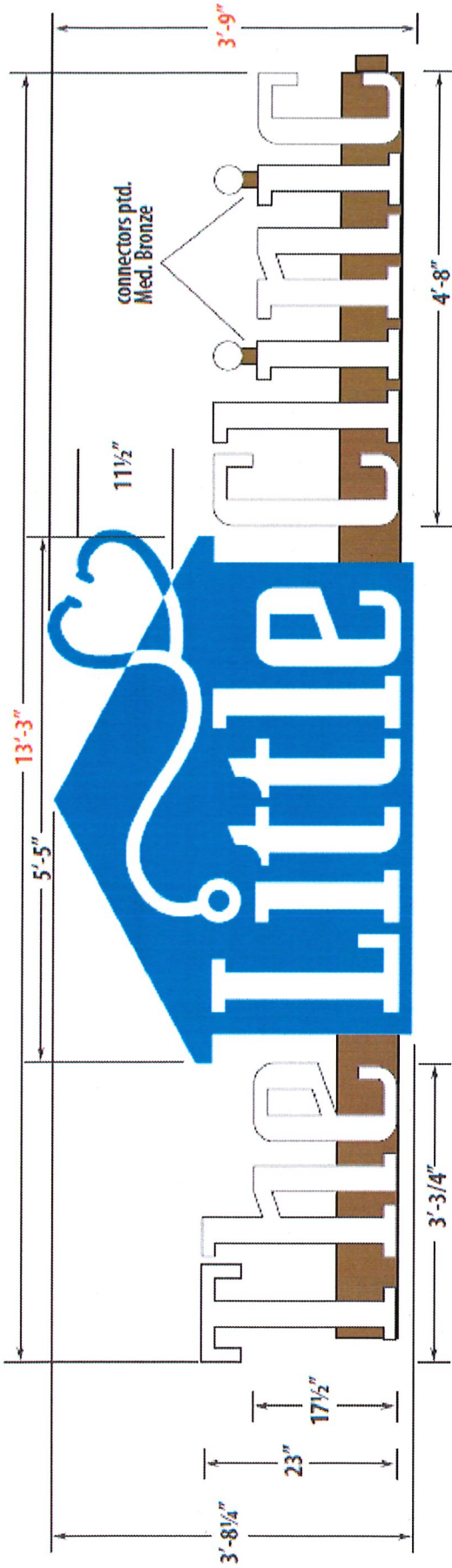
Staff *[Signature]*

Date **4/2/2014**

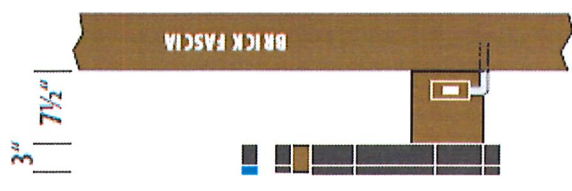
Boone County
Planning Commission



PROPOSED ELEVATION



*BRICK FASCIA: 3/8" x 3" Lag & Shields x _____ minimum req'd.



PROPOSED SIGN (49.7 s.f.)