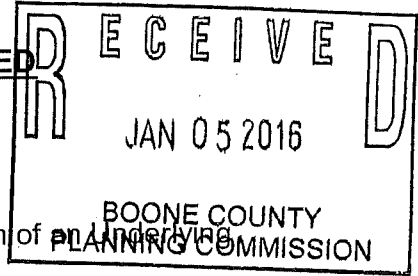


APPLICATION FORM

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... [X] Change in an Approved Concept Development Plan... [ ] Long Range Planning Committee Review... [ ] Long Range Planning Committee Review... [ ] Zone Change... [ ] Zoning Administrator Review... [ ] Zoning Administrator Review...
2. Name of Project Mastercraft Cincinnati
3. Location of Project 45 Transport Drive
4. Total Acreage of Site 10.42 Acres
5. Current Zoning Industrial One (I-1)
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) April 2001 (Neyer) / Dec 2001 (transfer to Hemmer)
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) No
8. Proposed Uses (please specify each use) 1. Change in I-1 Zoning to allow Indoor Recreational Vehicle Storage (Bldgs B & C) 2. Change in 2001 rezone conditions to allow Outside Display Areas.
9. Proposed Building Intensities (please specify) Full Build Out Intensity = 49,558sf/10.42acre = 4,756sf/acre (less than 20% of allowable intensity) Max Allowable Intensity = 25,000 sf /acre
10. Have you submitted a Concept Development Plan? Yes
11. Are you also applying for: [No] Conditional Use Permit [No] Dimensional Variance
12. Name of Applicant(s) Bayer Becker Phone Number (859)261-1113 Fax No. (859)261-1710 E-Mail robkeller@bayerbecker.com
13. Address of Applicant(s) 209 Grandview Drive Fort Mitchell KY 41017
14. Name of Property Owner(s) Fashion Air Investments, LLC Phone Number (859)525-9253 Fax No. (888)503-8728 E-Mail jason@cincymc.com
15. Address of Property Owner(s) 3293 Kruer Ct Edgewood KY 41017
16. Are there any existing buildings on the site? No
17. Deed Book 1063 Page No. 277 Group No. 2072

(over)

18. Have you had a pre-application meeting with BCPC Staff? Yes
19. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

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

20. Concept Development Plan Jurisdiction/Location
- Unincorporated Boone County
  - Florence
  - Walton Union
  - Union

21. **ORIGINAL Property Owner's Signature** \_\_\_\_\_  
 (Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)
22. **ORIGINAL Applicant's Signature** \_\_\_\_\_  
 (Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

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

1. Date Received 1/5/16 Fee Received \$ 2,490.40 R#72635
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. \_\_\_\_\_ Date Application is **Administratively Complete** as Defined in KRS 100.211
4. Staff Reviewer KEVIN WALKER
5. Committee Chairperson GREG BREITZ
6. Scheduled Public Hearing Date 2/3/16
7. Boone County Planning Commission Action:
  - Approved
  - Approved With Conditions 3/2/16
  - Denied
  - \_\_\_\_\_ Resolution #
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 **Bayer Becker (applicant)** for **Fashion Air Investment, LLC (owner)** for a Change in an Approved Concept Development Plan in a Industrial One (I-1) zone for a 10.42 acre site located to the immediate north of 55 Transport Drive, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow indoor commercial recreational vehicle parking/storage and to allow the outdoor display of recreational vehicles for sale.

February 3, 2016

### PROPOSAL

This request is for a Change in an Approved Concept Development Plan for a 10.42 acre site that is located to the immediate north of 55 Transport Drive in unincorporated Boone County. The tract is referred to as "Site J" in the Park South at Richwood industrial park. A 13,558 square foot building for recreational vehicle (boat) service and accessory boat sales (Building A), and a 12,000 square foot storage building (Building B), are proposed for the immediate term. A future 24,000 square foot storage building (Building C) is also proposed. The total building area indicated at this time is 49,558 square feet.

Site J is part of an overall 97.32 acre site that is subject to a conditional zone change approval from 2001 (Ordinance #01-06 and related exhibits are attached). This zone change was from A-2 and EPD to I-1. The conditions of approval are outlined in the attached 4/10/01 letter from James T. Neyer and Joel Tiberghien of Al Neyer, Inc. to James E. Parsons, Boone County Administrator.

The current application is to modify the following two aspects of the 2001 approval for Site J. All other conditions will still apply, and no other issue or site within the Park South at Richwood development is part of this application.

First, Condition 1 states "no outside storage or display of any kind shall be permitted within the development. All uses shall be conducted within enclosed buildings." Condition 3 also prohibits "outside storage of equipment and materials." Two outdoor pads to display boats for sale are proposed at opposing corners of the parking area near the front of the main building (Building A). One boat would be displayed on each pad (two outdoor display boats total).

Second, Condition 3 outlines uses which are normally permitted in the I-1 zone, but prohibited in this specific development. Uses which involve the storage of vehicles as an active component of the business operation are largely prohibited, and "commercial recreational vehicle parking facilities" was not added to the I-1 zone Principally Permitted Use list until 2002 (the year after the zone change approval for this tract). The applicant proposes to offer commercial recreational vehicle parking for boats within the storage buildings. No boat/recreational vehicle parking or storage would occur outdoors. (Note: boats are defined as "recreational vehicles" in Article 40 of the Boone County Zoning Regulations).

A Concept Development Plan was submitted with the application and includes a site plan, typical elevations for the storage buildings, photos of an existing boat display pad at another location, and a narrative.

### SITE HISTORY

The Zoning Map Amendment from A-2 and EPD to I-1 discussed above was conditionally approved by the Boone County Fiscal Court in 2001. Al Neyer, Inc. was the developer at the time.

A minor amendment to the approved Concept Development Plan was approved by the Zoning Administrator in 2002 (8/12/02 letter from Kevin Wall, Zoning Administrator, to Mike Hargis, Paul Hemmer Companies, is attached).

A Preliminary Plat for "Richwood Park 75" Subdivision was approved by the Planning Commission for this site in 2002. An Improvement Plan was approved in 2003. Paul Hemmer Companies was the developer at the time.

Three different zone changes from A-2 to I-1 were conditionally approved in 2004, 2005, and 2007 for three tracts to the south between Dixie Highway and I-71/75. These tracts were assembled and developed as "Park South at Richwood" Subdivision. All three of these zone changes have a condition which prohibits outside storage of equipment and materials.

A Preliminary Plat and Improvement Plan for an area which included the subject site were approved by the Planning Commission in 2013. The current approved subdivision name is "Park South at Richwood, Phase II." A Grading Plan was approved for grading work on the subject site on 12/4/15, and a Major Site Plan for the development of the site was submitted on 12/15/15.

### ADJACENT LAND USES AND ZONING

The land uses and zoning adjacent to the site include the following.

- A. A wooded area is located to the north, east/northeast, and west/northwest (EPD).
- B. The Park South at Richwood industrial park is located to the south and east (I-1).
- C. I-71/75 is located to the west.

### SITE CHARACTERISTICS

As mentioned above, the site contains 10.42 acres. The tract is a flag lot with an asymmetrically shaped panhandle. The building site portion of the tract is approximately 460 feet from Transport Drive. The approved Grading Plan and pending Major Site Plan indicate that existing wood cover is proposed to be retained along the south and west boundaries, and portions of the east/northeast and east boundaries. The elevation of the site ranges from approximately el. 882 at the site's Transport Drive frontage to approximately el. 834 at the southwest corner. The topography of the site's perimeter is relatively steep. Public water and sanitary sewer are available in the Transport Drive right-of-way.

### RELATIONSHIP TO COMPREHENSIVE PLAN

The 2010 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Industrial" uses. This designation is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."

The Land Use Element provides the following quotes that relate to the proposal and/or general area ("8. Richwood East," pp. 181 and 182).

- A. The growth of this section will be impacted in several ways. There are several major influences behind the anticipated growth, including the Northern Kentucky Industrial Park to the north, the Mt. Zion interchange, Weaver Road, development pressures along U.S. 25, the extension of public sanitary sewer service, and the Southern Railroad Line. Because of the development pressure all necessary types of infrastructure should increase in scale. This area is bisected by U.S. 25, a major corridor for growth, extending from urbanized Florence to Walton. The fact that it runs parallel to I-75, and is located between the interstate and the railway, makes it an ideal transportation connector. Because of the various existing and future land uses along U.S. 25, it will carry a high volume of mixed traffic types. For this reason, any traffic-intensive or truck-oriented uses shall locate near connections to the interstate, and access management shall be an important consideration on all development along U.S. 25. The Kentucky Transportation Cabinet is designing a major widening of U.S. 25 south to Richwood Road.
- B. The area east of I-75 and west of U.S. 25, from Richwood Road to Chambers Road, should develop as a Business Park. A buffer should be provided along Chambers Road to residential uses to the south, and no business park access should occur on Chambers Road. New industrial or business parks are planned in this area, and Dixie Highway will have to be improved south of KY 338. All developments should be interconnected by roadways to provide a parallel system to U.S. 25.

The Land Use Element's Future Land Use Development Guidelines provide the following general comments that relate to the proposal.

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined. True Open Space subdivision design should be considered to blend new subdivisions in with areas that have a rural character ("Utilization of Existing Vegetation and Topography," pp. 161 and 162).
- B. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate. Natural green space benefits the community as well as encourages developers to create innovative development designs through clustering of buildings and impermeable area. ("Buffering," pp. 162 and 163).
- C. 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.

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).

- D. 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 ("Design, Signs, and Historic Preservation," pg. 164).

The Population Element outlines population estimates based on OKI transportation analysis zone "regions." The population of the "Richwood/Walton" region where the subject site is located is estimated to change to 22,086 in 2020, and to 27,761 in 2030.

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

- A. The Richwood and Walton interchanges will serve an increasing amount of industrial traffic along the U.S. 25 and I-75 corridors. Most of the industrial activity should locate near the interchanges to minimize travel on non-interstate roads ("Recommended Areas of Industrial and Office Activity, pg. 71).

The site is not discussed in the "Geographic Housing Issues" section of the Housing Element (pg. 83-85).

The 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. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- C. Proper design principles shall be applied in development ("Overall," Objective 3).
- D. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained, and improved as needed ("Overall," Objective 4).
- E. Boone County shall strive to achieve both a diversity and balance in land use. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner ("Overall," Objective 6).
- F. The needs of Boone County's population are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- G. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. Development design should minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Objective 2).

- H. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Objective 9).
- I. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).
- J. Compact, efficient development patterns shall be encouraged for business districts (e.g. industrial, commercial and office) with appropriately sized and well maintained buffer spaces between the business use and other land usage ("Business Activity," Objective).
- K. Effective site placement, architectural design and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Industrial nuisances such as smoke, dust, noise and odor shall be kept at a minimum, and site development and enforcement shall be carefully coordinated with necessary approvals of other regulatory agencies ("Business Activity," Industrial Objective 2).

#### STAFF COMMENTS

The governing bodies need to determine whether the proposal is in agreement with the 2010 Boone County Comprehensive Plan or fulfills one of the alternate statutory findings for a zone change. The Comprehensive Plan's Future Land Use Map designates the site as "Industrial" and the text of the Land Use Element states that this particular area "should develop as a Business Park." Because this proposal deals with design and operational details for a single building site that is already zoned I-1, Staff recommends that the governing bodies focus on the Future Land Use Development Guidelines outlined in the Land Use Element and the Goals and Objectives.

As stated above, two outdoor pads to display boats for sale are proposed at opposing corners of the parking area near the front of the main building (Building A). One boat would be displayed on each pad (two outdoor display boats total). Several display models would also be kept indoors. The sales aspect of the operation is permitted as an accessory use. The "commercial recreational vehicle parking facility" component of the business is proposed to occur wholly within the storage buildings (Buildings B and C).

Site J is a flag lot whose active development area is approximately 460 feet from Transport Drive. Existing wood cover is proposed to be retained along the south and west boundaries, and portions of the east/northeast and east boundaries. Wood cover is proposed to be retained along the site's I-75 frontage, which is a smaller part of the overall west and northwest boundary. In short, the activities requested in this application would be relatively self contained and screened.

CONCLUSION

The Boone County Planning Commission and the Boone County Fiscal Court need to evaluate the application in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3 "Amendment" of the Boone County Zoning Regulations, the 2010 Boone County Comprehensive Plan, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved.

Respectfully submitted,



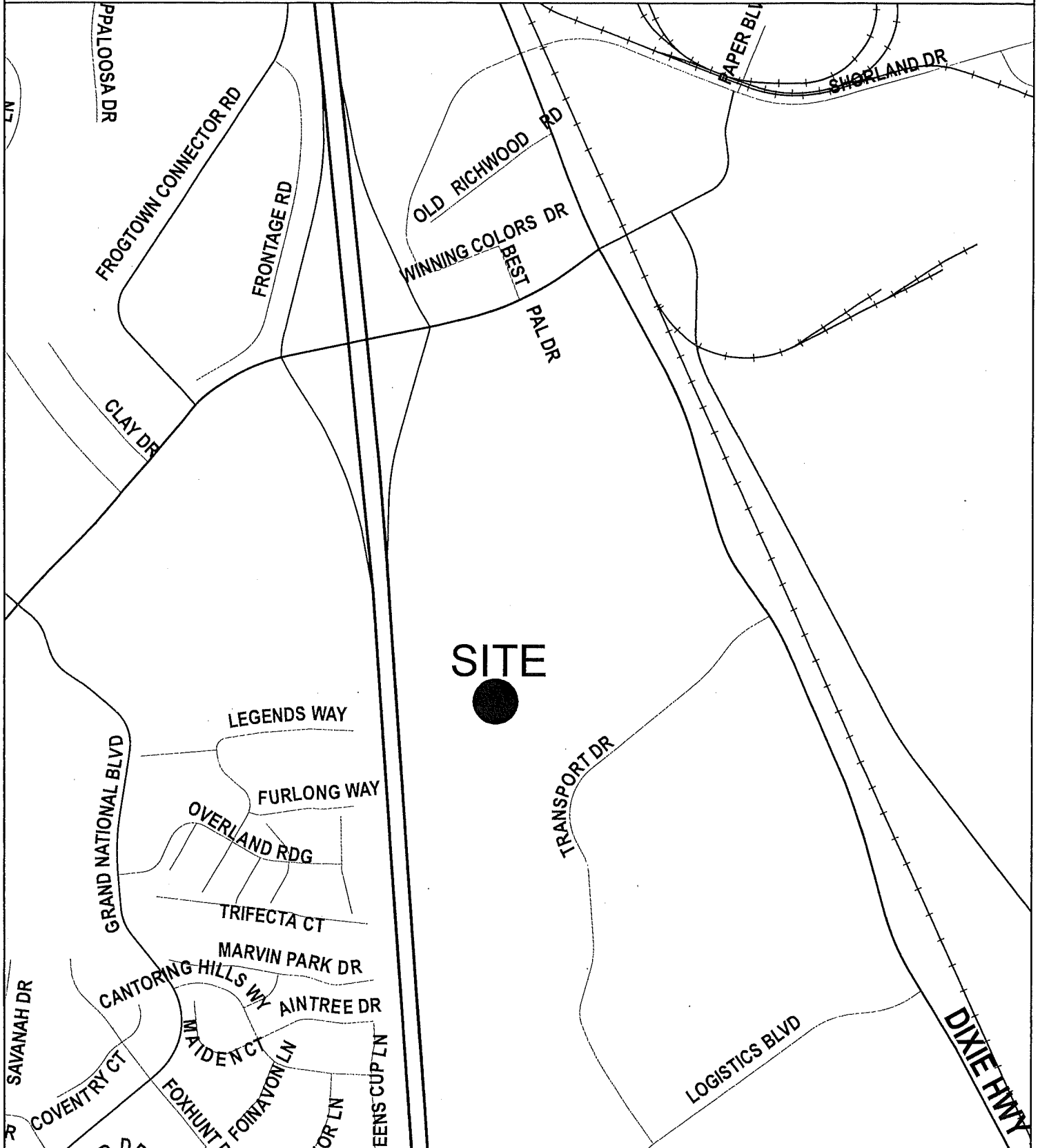
Kevin T. Wall, AICP  
Director, Zoning Services

Attachments:

- Location Map
- Aerial Photograph with Zoning
- 2035 Future Land Use Map Excerpt
- Topographic Map
- Ordinance #01-06 and Related Exhibits for 2001 Zone Change from A-2 and EPD to I-1
- 8/12/02 Letter from Kevin Wall, Zoning Administrator, to Mike Hargis, Paul Hemmer Companies regarding Minor Change to Approved Concept Development Plan
- Application Materials

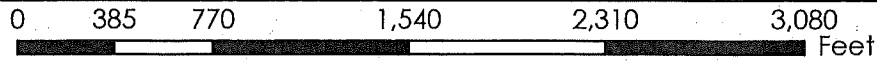
# Location

www.boonecountygis.com

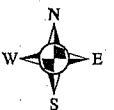


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1 inch = 754 feet



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

Map Created: 01/01/2015

Map Document: BooneMap (file).mxd

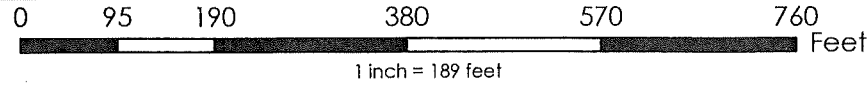
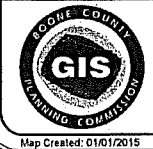
# Zoning

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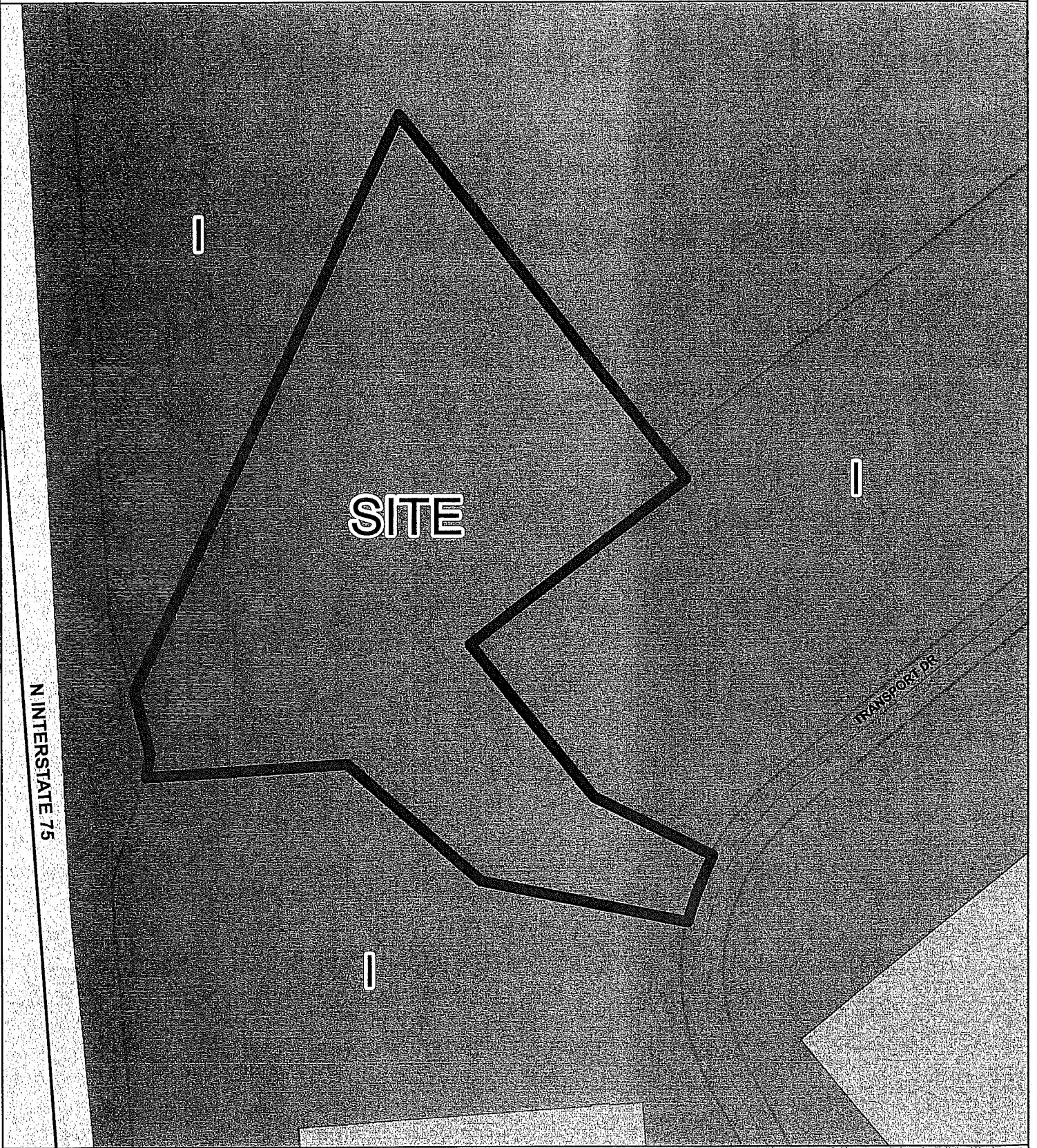
**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2015

ArcMap Document: BooneMap (file).mxd

# Future Land Use

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0 95 190 380 570 760 Feet

1 inch = 189 feet

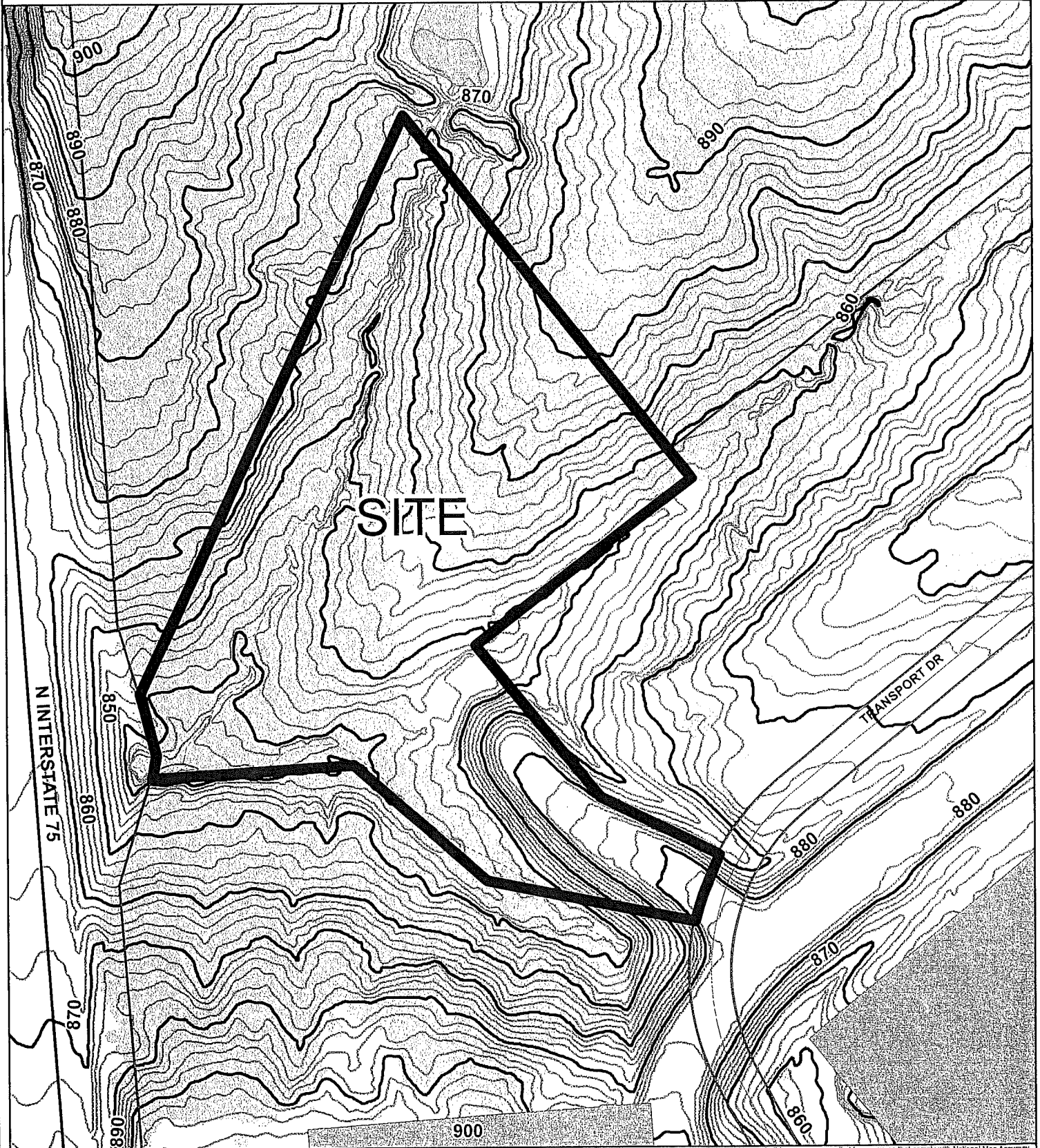


**Boone County GIS - Putting Northern Kentucky on the Map**



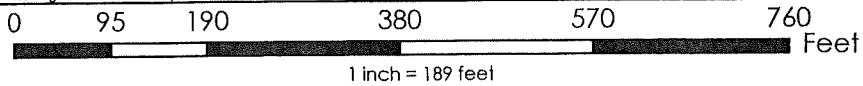
# Topography

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

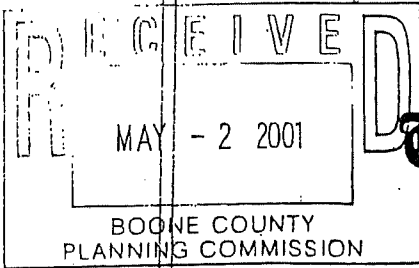


# Ordinance

Of

## The Boone County Fiscal Court

Ordinance No. 01-06



AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING A REQUEST OF LJB INC. (APPLICANT) FOR MARGARET VICKERS AND ELIZ GAINES FERGUSON (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURAL ESTATE (A-2) AND EMPLOYMENT PLANNED DEVELOPMENT (EPD) TO INDUSTRIAL ONE (I-1) ON AN APPROXIMATE 97 ACRE SITE LOCATED AT 11363 DIXIE HIGHWAY AND 11475 DIXIE HIGHWAY, BOONE COUNTY, KENTUCKY.

WHEREAS, the Boone County Fiscal Court received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Agricultural Estate (A-2) and Employment Planned Development (EPD) to Industrial One (I-1) on an approximate 97 acre site located at 11363 Dixie Highway and 11475 Dixie Highway, Boone County, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending denial for the Zoning Map Amendment.

WHEREAS, the Boone County Fiscal Court believes that the map amendment should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE BOONE COUNTY FISCAL COURT AS FOLLOWS:

### SECTION I

That the request for a Zoning Map Amendment for the real estate which is more particularly described below and is hereby approved, this Zoning Map Amendment being a zone change from Agricultural Estate (A-2) and Employment Planned Development (EPD) to Industrial One (I-1) on an approximate 97 acre site located at 11363 Dixie Highway and 11475 Dixie Highway, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in both an Agricultural Estate (A-2) and Employment Planned Development (EPD) zone is more particularly described in DEED BOOKS 477 and 486, PAGE NOS. 75 and 248, respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

**Ordinance**  
**Of**  
**The Boone County Fiscal Court**

Ordinance No. 01-06

SECTION II

That as a basis for the recommendation of approval for a Zoning Map Amendment request are the findings of fact of the Minority Committee Report which were considered by the Boone County Planning Commission, but not adopted, and which are attached hereto and are hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit A".

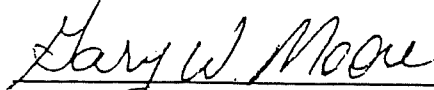
In addition to the conditions agreed to by the applicant before the Planning and Zoning Commission, this approval is subject to the additional conditions attached hereto as "Exhibit B".

SECTION III

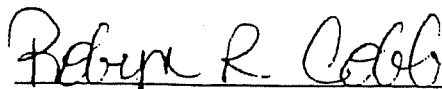
That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

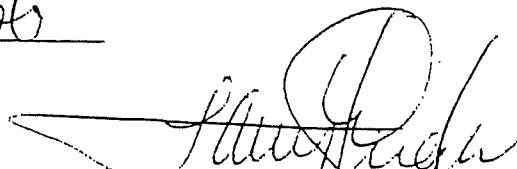
Introduced and given First Reading on the 3<sup>rd</sup> day of April, 2001.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 17<sup>th</sup> day of April, 2001, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested by the County Fiscal Court Clerk and declared to be in full force and effect.

  
\_\_\_\_\_  
GARY W. MOORE  
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:

  
\_\_\_\_\_  
ROBYN R. COBB  
FISCAL COURT CLERK

  
\_\_\_\_\_  
LARRY J. CRIGLER  
BOONE COUNTY ATTORNEY

4-26-01  
\_\_\_\_\_  
DATE PUBLISHED

**DRAFT**  
**SUBJECT TO CHANGE**

#1

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: W. Thomas Chaney, Chairman

DATE: January 17, 2001

RE: Request of LJB Inc. (applicant) for Margaret Vickers and Eliz Gaines Ferguson (owners) to consider a Zoning Map Amendment from Agricultural Estate (A-2) and Employment Planned Development (EPD) to Industrial One (I-1) for an approximate 97 acre area located 11363 Dixie Highway and 11475 Dixie Highway, Boone County, Kentucky. The request is for a zone change to permit an industrial development.

### REMARKS:

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

### FINDINGS OF FACT

1. The Committee has concluded that the proposed Zoning Map Amendment is in agreement with the 1995 Boone County Comprehensive Plan and the 2000 Boone County Comprehensive Plan Goals and Objectives. Specific facts that support this conclusion include the following.
  - A. The 2020 Land Use Plan (Future Land Use Map) designates the site for "Business Park" uses. This designation is described by the Comprehensive Plan as "a mix of office warehouse, research, office, and light industrial uses in a park like setting with large building setbacks, low floor area ratio, integrated pedestrian and recreation facilities, constant architectural and signage theme, extensive landscaped areas, and attractive entrance treatment." The Committee has concluded that the request, with the accompanying Concept Development Plan options and agreed conditions outlined below, fulfill both the land use and qualitative expectations of the Business Park designations.
  - B. The Land Use Element (D-6: Richwood Area, pp. 229-230) states "the Richwood area should experience continued development pressure due to the extended and improved infrastructure." This same section of the Land Use Element states "the area east of I-75 and west of US 25, from Richwood Road to Chambers Road, should develop as a Business Park similar to the

COMMITTEE REPORT - LJB/Vickers/Ferguson  
January 17, 2001

Page 2

opposite side of the interstate. This Business Park designation should continue to the ridge line north of Chambers Road, at which point the land use designation should be Rural Lands." This Business Park area includes the site in question. As stated above, the Committee has concluded that the proposal in question, with the agreed conditions of approval, complies with the Business Park designation.

The Land Use Element also states that "industrial uses fronting on US 25 should be developed with attention given to adequate aesthetic design and natural vegetation to minimize visual impacts to the residential uses across the highway." The Committee has concluded that the proposal, along with the agreed conditions that relate to landscape areas, buffering, and architectural review, fulfill this policy.

- B. The Business Activity Element states "the Richwood and Walton interchanges will serve an increasing amount of industrial traffic along the US 25 and I-75 corridor. Most of the industrial activity should locate near the interchanges to minimize travel on non-interstate roads." The site is within reasonably close proximity to the Richwood interchange, and when considering the agreed conditions which restrict the permitted uses, the proposal involves industrial uses appropriate for the location. In addition, the site is indicated for industrial development on the Future Industrial and Commercial Development map (Figure 5.3) on page 87 of the Business Activity Element.
- C. Based on the statements outlined in paragraphs A, B, and C above, the Committee has concluded that the type of development proposed, along with the Concept Development Plan options and agreed conditions, was specifically contemplated by the Comprehensive Plan for this site.
- D. The Committee has concluded that the proposal, with the agreed conditions, fulfill the applicable Future Land Use Development Guidelines in the Land Use Element and the applicable 2000 Boone County Comprehensive Plan Goals and Objectives. Specific references the Guidelines and Goals and Objectives are outlined in the staff report for this application. The conditions in question pertain to landscape buffering, retention of existing tree cover, the provision of a street connection to adjoining property, architectural requirements, and access limitations.

COMMITTEE REPORT - LJB/Vickers/Ferguson  
January 17, 2001

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2. The Committee has concluded that the attached conditions are necessary to achieve consistency with the Business Park designation, the specific goals, objectives and policies of the 1995 Boone County Comprehensive Plan and the 2000 Boone County Comprehensive Plan Goals and Objectives. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The applicant has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. No outside storage or display of any kind shall be permitted within the development. All uses shall be conducted within enclosed buildings.
2. The property owner agrees to the following use restrictions.
  - E. The following uses that are normally permitted in the I-1 zone shall be prohibited in this development.
    - I. Principally Permitted Use #44: Truck stops;
    - II. Principally Permitted Use #45: Recycling centers;
    - III. Accessory Use #8: Outside storage of equipment and materials subject to appropriate screening as approved by the Zoning Administrator;
    - IV. Conditional Use #1: Uses in which the primary business activity involves the following:
      - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
      - b. bag cleaning;
      - c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
      - d. creosote treatment;
      - e. distillation of bones, coal or wood;
      - f. enameling, japanning or lacquering;
      - g. radium or radioactive elements;
      - h. crushing or other reduction or waterproofing;
      - i. the storage of chemicals;
    - V. Conditional Use #2: Poultry and small game dressing and packing;
    - VI. Conditional Use #3: Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
    - VII. Conditional Use #5: Gasoline filling stations and auto repair facilities;
    - VIII. Conditional Use #12: Wholesale vehicle sales or auctions;
    - IX. Conditional Use #13: Churches, synagogues, temples and other places of religious assembly for worship.

COMMITTEE REPORT - LJB/Vickers/Ferguson  
January 17, 2001

Page 4

- B. The following uses categories normally permitted in the I-1 zone shall be restricted in the manners described below.
- I. Principally Permitted Use #2: "Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard, gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut but excluding the primary manufacture of meat and fish, which includes the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage or rawhides or skins" - manufacturing and processing shall be excluded from this use category;
  - II. Principally Permitted Use #10: "Soaps and detergents" - no manufacturing of soap or detergent shall be permitted, and no dispensing of liquid soap or detergent shall be permitted;
  - III. Principally Permitted Use #27: "Refrigerated, household goods (mini warehouses) and other general refrigerated warehousing and storage" - mini warehouses shall be excluded from this use category;
  - IV. Principally Permitted Use #37: "Motor freight terminals, public warehousing, freight garaging and equipment maintenance" - motor freight terminals and mini warehousing shall be excluded from this use category;
3. One access point is permitted onto Dixie Highway for the entire development. Deceleration/right turn and acceleration lanes shall be constructed as part of this access point.
4. The following shall be provided regarding landscaping and buffering in addition to the normal landscaping requirements outlined in the Zoning Regulations.
- A. A 50 foot wide landscape area shall be provided across the entire Dixie Highway frontage.
  - B. A 100 foot wide landscape area shall be provided across the entire I-75/71 frontage. The initial 50 feet of the existing hardwood tree clusters shown within lines on Attachment 1 (within the first 50 feet from the I-75/71 right-of-way line eastward - exhibit is attached) shall be retained. The remaining portions of this landscape area shall be planted with the trees required in Buffer Yard C per Article 37 of the Zoning Regulations.
  - C. The existing trees along the north and south boundary/fence lines shall be retained (includes all individual property lines which comprise the overall north and south boundaries of the site). The buffer yard width and the amount of existing and new trees combined shall be commensurate with Buffer Yard C per Article 37 of the Zoning Regulations.

COMMITTEE REPORT - LJB/Vickers/Ferguson  
January 17, 2001

Page 5

5. The project shall be developed as a formal subdivision with lots and public streets.
6. All structures shall be subject to architectural design review as part of the site plan procedure. All buildings shall have consistent, finished design treatments on all facades and all mechanical equipment shall be screened. All exterior walls of any building or other structure must be finished with architectural masonry units, natural stone, precast concrete, aluminum (lucabond or equivalent) or glass materials or their equivalent. Colors of such exterior walls shall be harmonious and compatible with colors of the natural surroundings and adjacent buildings. Signage shall be evaluated as part of the architectural design review, and all signs must architecturally correlate to the buildings they serve.
7. All loading docks/areas shall be screened so that they are not visible from I-75/71 or Dixie Highway.
8. A public street connection shall be provided to the adjoining property to the south. The location of this street connection shall be determined at the Preliminary Plat stage. This connection may be constructed as part of the final phase of public subdivision improvements.

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 Committee Vote.



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D E V E L O P E R S   A N D   C O N T R A C T O R S

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April 10, 2001

Mr. James E. Parsons  
Boone County Administrator  
Boone County Administration Building  
P.O. Box 900  
2950 Washington Square  
Burlington, KY 41005

Re: Zone Change Request from A-2 and EPD to I-1 for 97 acre tract at 11363  
Dixie Highway and 11475 Dixie Highway, Boone County, Kentucky

Dear Mr. Parsons:

For consideration and approval of our Zone Change Request, we agree to the following conditions:

1. No outside storage or display of any kind shall be permitted within the development. All uses shall be conducted within enclosed buildings.
2. The property owner agrees to the following use restrictions.
3. The following uses that are normally permitted in the I-1 zone shall be prohibited in this development.
  - I. Principally Permitted Use #44: Truck stops;
  - II. Principally Permitted Use #45: Recycling centers;
  - III. Accessory Use #8: Outside storage of equipment and materials.  
subject to appropriate screening as approved by the Zoning Administrator.
  - IV. Conditional Use #1: Uses in which the primary business activity involves the following:
    - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
    - b. bag cleaning;
    - c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
    - d. creosote treatment;
    - e. distillation of bones, coal or wood;
    - f. enameling, japanning or lacquering;
    - g. radium or radioactive elements;
    - h. crushing or other reduction or waterproofing;
    - i. the storage of chemicals;
  - V. Conditional Use #2: Poultry and small game dressing and packing;
  - VI. Conditional Use #3: Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;



- VII. Conditional Use #5: Gasoline filling stations and auto repair facilities;
  - VIII. Conditional Use #12: Wholesale vehicle sales or auctions;
  - IX. Conditional Use #13: Churches, synagogues, temples and other places of religious assembly for worship.
4. The following uses categories normally permitted in the I-1 zone shall be restricted in the manners described below:
- I. Principally Permitted Use #2: "Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard, gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut but excluding the primary manufacture of meat and fish, which includes the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage or rawhides or skins" - manufacturing and processing shall be excluded from this use category;
  - II. Principally Permitted Use #10: "Soaps and detergents" - no manufacturing of soap or detergent shall be permitted, and no dispensing of liquid soap or detergent shall be permitted;
  - III. Principally Permitted Use #27: "Refrigerated, household goods (mini warehouses) and other general refrigerated warehousing and storage" - mini warehouses shall be excluded from this use category;
  - IV. Principally Permitted Use #37: "Motor freight terminals, public warehousing, freight garaging and equipment maintenance" - motor freight terminals and mini warehousing shall be excluded from this use category;
5. One access point is permitted onto Dixie Highway for the entire development. Deceleration/right turn and acceleration lanes shall be constructed as part of this access point
6. The following shall be provided regarding landscaping and buffering in addition to the normal landscaping requirements outlined in the Zoning Regulations.
- A. A 50 foot wide landscape area shall be provided across the, entire Dixie Highway frontage.
  - B. A 100 foot wide landscape area shall be provided across the entire I-75/71 frontage. The initial 50 feet of the existing hardwood tree clusters shown within lines on Attachment 1 (within the first 50 feet from the I-75/71 right-of-way line eastward - exhibit is attached) shall be retained. The remaining portions of this landscape area shall be planted with the trees required in Buffer Yard C per Article 37 of the Zoning Regulations.



- C. The existing trees along the north and south boundary/fence lines shall be retained (includes all individual property lines which comprise the overall north and south boundaries of the site). The buffer yard width and the amount of existing and new trees combined shall be commensurate with Buffer Yard C per Article 37 of the Zoning Regulations.
7. The project shall be developed as a formal subdivision with lots and public streets.
8. All structures shall be subject to architectural design review as part of the site plan procedure. All buildings shall have consistent, finished design treatments on all facades and all mechanical equipment shall be screened. All exterior walls of any building or other structure must be finished with architectural masonry units, natural stone, precast concrete, aluminum (lucabond or equivalent) or glass materials or their equivalent. Colors of such exterior walls shall be harmonious and compatible with colors of the natural surroundings and adjacent buildings. Signage shall be evaluated as part of the architectural design review, and all signs must architecturally correlate to the buildings they serve.
9. All loading docks/areas shall be screened so that they are not visible from I-75/71 or Dixie Highway.
10. A public street connection shall be provided to the adjoining property to the south. The location of this street connection shall be determined at the Preliminary Plat stage. This connection may be constructed as part of the final phase of public subdivision improvements.
11. The vegetation in the stream valley will be left intact where the stream valley is left undisturbed as shown on the Crossroads Business Park Site Plan dated April 10, 2001.
12. A uniform Streetscape Theme will be maintained along Public Right-of Ways common to the property in addition to normal street frontage landscaping.
13. Automobile parking will be separated as practical around the building or interrupted with landscaped islands so as to avoid one large expanse of parking. Parking areas will be topographically depressed or screened with low "berming" in order to limit visibility.
14. A small park/outdoor gathering space will be provided for the user's employees along the stream or lake.
15. Upgraded architectural facades will be provided for those buildings facing Dixie Highway (i.e. decorative masonry or painted concrete with no metal siding and at least 10% of that elevation will be glass).



16. The project will be developed in general accordance with the Crossroads Business Park Site plan dated April 10, 2001 attached hereto. Site grading will be minimized by staggering the buildings' floor elevations to best balance with the existing topography as shown on said plan. The property will be subdivided in general accordance with said plan as follows:

Lot 1	5.17 acres +/- with up to 51,500 square feet
Lot 2	4.23 acres +/- with up to 56,500 square feet
Lot 3	5.56 acres +/- with up to 64,000 square feet
Lot 4	5.68 acres +/- with up to 58,500 square feet
Lot 5	32.14 acres +/- with one or more buildings up to 410,500 square feet
Lot 6	42.34 acres +/- with one or more buildings up to 830,000 square feet
Street	2.23 +/- acres

Total Development: 97.35 acres

Respectfully submitted,

AL. NEYER, INC.

Handwritten signature of James T. Neyer in black ink.

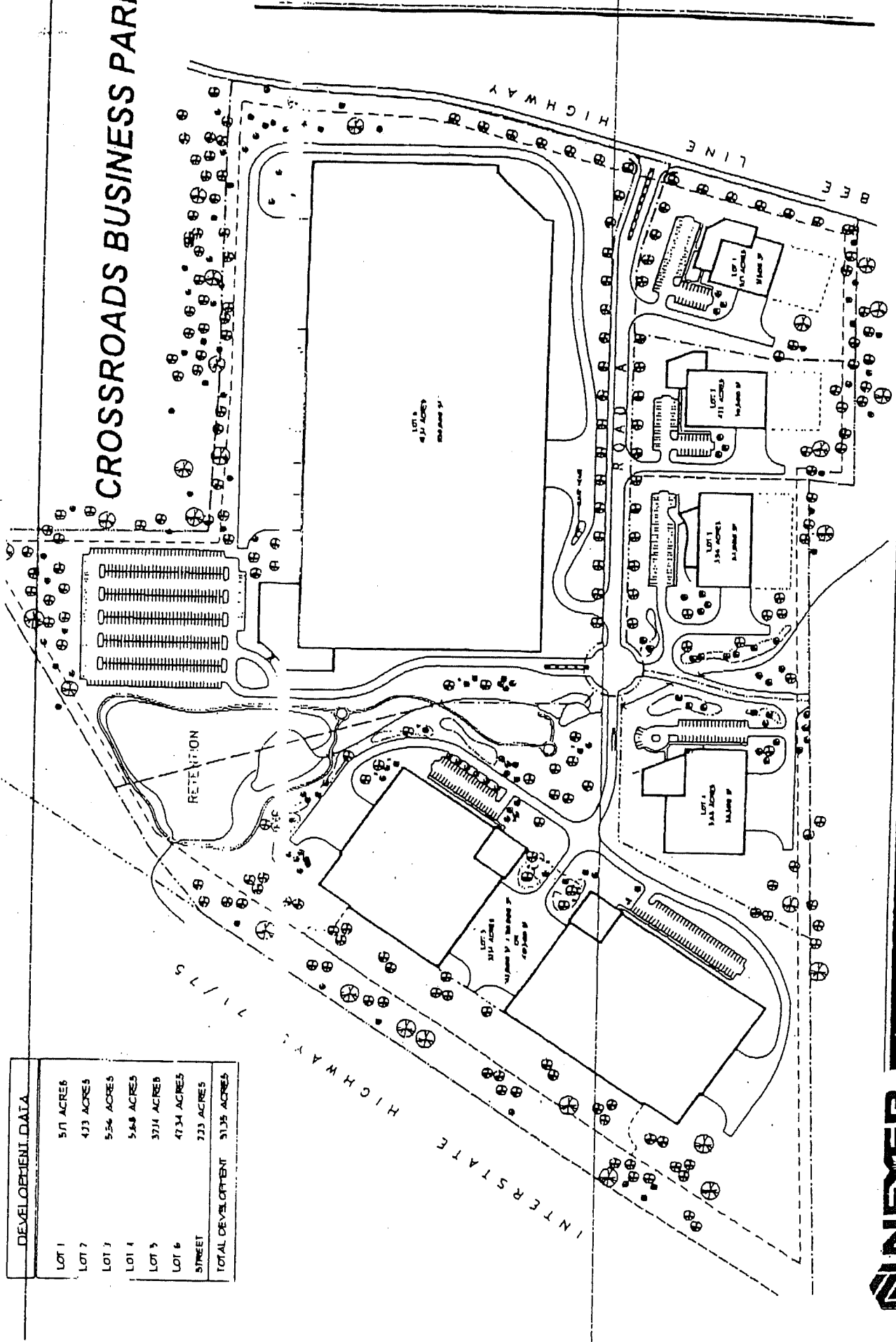
James T. Neyer  
Vice President - Real Estate

Handwritten signature of Joel Tiberghien in black ink.

Joel Tiberghien  
Director of Design/Build Services

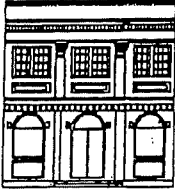
JTN/vmc

# CROSSROADS BUSINESS PARK



DEVELOPMENT DATA	
LOT 1	5.71 ACRES
LOT 2	4.73 ACRES
LOT 3	5.54 ACRES
LOT 4	5.48 ACRES
LOT 5	3.71 ACRES
LOT 6	4.34 ACRES
STREET	7.23 ACRES
TOTAL DEVELOPMENT	51.95 ACRES

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street • Burlington, KY 41005

[www.bocnecountyky.org](http://www.bocnecountyky.org)

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: [plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)

August 12, 2002

Mr. Mike Hargis  
Paul Hemmer Companies  
P.O. Box 17310  
250 Grandview Drive  
Ft. Mitchell, KY 41017

FAX: 341-6817

RE: 8/7/02 Concept for Richwood Park 75 Development, 11363 Dixie Highway and  
11475 Dixie Highway (Vickers and Ferguson Properties), Boone County, Kentucky

Dear Mr. Hargis:

As we discussed on the telephone, I reviewed your revised concept for Richwood Park 75 this afternoon with Jim Parsons, Boone County Administrator. It is our conclusion that the plan (received by the Planning Commission on 8/7/02) is generally consistent with the approved Concept Development Plan and conditions of approval. Therefore, the proposed changes in the lots and building placements and sizes qualify as a minor amendment to the approved Concept Development Plan (the changes are necessary due to sight vision issues which caused the KTC to require the intersection at Dixie Highway to be moved approximately 200 feet). It needs to be noted that all conditions of approval must be followed (the specifics of Condition #16 in the 4/10/01 Neyer letter will be modified somewhat in order to implement in the revised plan), and that any parking lots which face Dixie Highway must be for automobile parking only (no truck parking or courts, loading docks, etc., may be located along Dixie Highway). Please call me if you have any questions or need any clarifications.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin T. Wall', written in a cursive style.

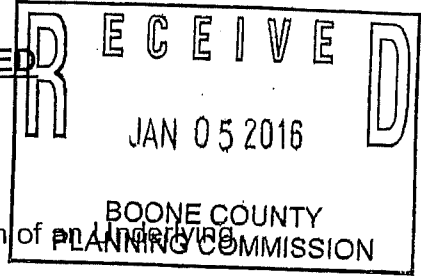
Kevin T. Wall  
Zoning Administrator  
Boone County Fiscal Court

KTW/vlm

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 Zone in a Planned Development)
X Change in an Approved Concept Development Plan
Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
Long Range Planning Committee Review (As stated in the Union Town Plan)
Zone Change Technical Design 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 Mastercraft Cincinnati

3. Location of Project 45 Transport Drive

4. Total Acreage of Site 10.42 Acres

5. Current Zoning Industrial One (I-1)

6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) April 2001 (Neyer) / Dec 2001 (transfer to Hemmer)

7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) No

8. Proposed Uses (please specify each use) 1. Change in I-1 Zoning to allow Indoor Recreational Vehicle Storage (Bldgs B & C) 2. Change in 2001 rezone conditions to allow Outside Display Areas.

9. Proposed Building Intensities (please specify)
Full Build Out Intensity = 49,558sf/10.42acre = 4,756sf/acre (less than 20% of allowable intensity)
Max Allowable Intensity = 25,000 sf /acre

10. Have you submitted a Concept Development Plan? Yes

11. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance

12. Name of Applicant(s) Bayer Becker

Phone Number (859)261-1113 Fax No. (859)261-1710 E-Mail robkeller@bayerbecker.com

13. Address of Applicant(s) 209 Grandview Drive
Fort Mitchell KY 41017
City State Zip

14. Name of Property Owner(s) Fashion Air Investments, LLC

Phone Number (859)525-9253 Fax No. (888)503-8728 E-Mail jason@cincymc.com

15. Address of Property Owner(s) 3293 Kruer Ct
Edgewood KY 41017
City State Zip

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

17. Deed Book 1063 Page No. 277 Group No.

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

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

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

20. Concept Development Plan Jurisdiction/Location  
 Unincorporated Boone County  Walton Union  
 Florence

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

22. ORIGINAL Applicant's Signature [Signature]  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

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

1. Date Received 1/5/16 Fee Received \$ 2,490.40 R#72635

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. Date Application is **Administratively Complete** as Defined in KRS 100.211

4. Staff Reviewer Karin W...

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

6. Scheduled Public Hearing Date 2/3/16

7. Boone County Planning Commission Action:

Approved  Approved With Conditions  
 Denied  Resolution #

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](http://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.



January 5, 2016

Mr. Kevin Wall, AICP  
Boone County Planning Commission  
Zoning Administrator  
2950 Washington Street, Room 317  
Burlington, KY 41005

**RE: Park South at Richwood Phase 2  
Building 'J' Mastercraft – Request for Modifications to Zoning Conditions  
Text in an Approved Concept Development Plan**

Dear Mr. Wall,

This letter is being sent in connection with the zoning conditions related to the Park South at Richwood Phase 2 property. The Phase 2 industrial park development property, located on Transport Drive, consists of approximately 97 acres of land that was rezoned to I-1/CD in 2001 and is located in the northern part of IDI's overall Park South at Richwood Industrial Park. The subject property located at 45 Transport Drive, being Lot J of the Industrial Park, consists of approximately 10.42 acres and was recently purchased by Fashion Air Investments, LLC from IDI for construction of a facility for Cincinnati MasterCraft of which its main Building 'A' and accessory Building 'B' are currently under review by the BCPC for site plan approval. We hereby request the following modifications to the zoning conditions at the Park South Development:

1. I-1 Zoning Code – Indoor Recreational Vehicle Storage to be permitted in Buildings B & C as indicated on the attached Cincinnati MasterCraft at PS J Site plan,
2. Condition #1 - Outside displays to be permitted on the site at locations as indicated on the attached Cincinnati MasterCraft at PS J Site plan,

The proposed modifications by Fashion Air/Mastercraft would be planned and executed with the same high-quality of design and construction that exists at Buildings H & I of the Park South at Richwood Phase 2 Park just south and east of the Building J site. The J site will be developed in a business-park-like setting with large green and preserved forested areas; a consistent architectural and landscape theme, a landscape entrance and also a proposed building density that averages approximately 80% less than the 25,000 SF/acre allowed by code in an I-1 District in Boone County.

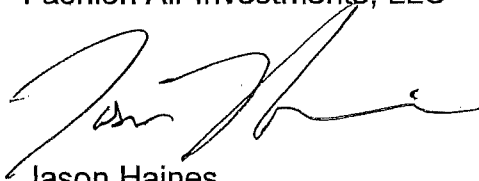
The elevation of the building has been studied and planned to optimize cut/fill earthwork while also being presentable from public ways. Paved areas will have landscaped islands with trees and shrubs around the building and near the entrances. Perimeter and buffer plantings will be provided to supplement the existing forested areas to lessen

the impact from offsite viewing. Landscaping will be of high-quality and reflective of Park South themes.

In conclusion, we request that our proposed modifications be presented at the Boone County Planning Commission's Business meeting on Wednesday, January 6<sup>th</sup> to schedule a public hearing at the Planning Commission on February 3<sup>rd</sup>.

Respectfully Submitted,

Fashion Air Investments, LLC – Cincinnati MasterCraft

A handwritten signature in black ink, appearing to read "Jason Haines", written in a cursive style.

Jason Haines  
Owner



Hub + Weber Architects, PLLC  
 280 West 7th Street  
 Louisville, KY 40202  
 Phone: 502-582-3844  
 Fax: 502-582-3843  
 hwe@hubweber.com

NEW FACILITY  
 CINCINNATI  
 MASTERCRAFT  
 PARK SOUTH AT RICHWOOD  
 RICHWOOD, KENTUCKY



Hub + Weber  
 Architects, PLLC

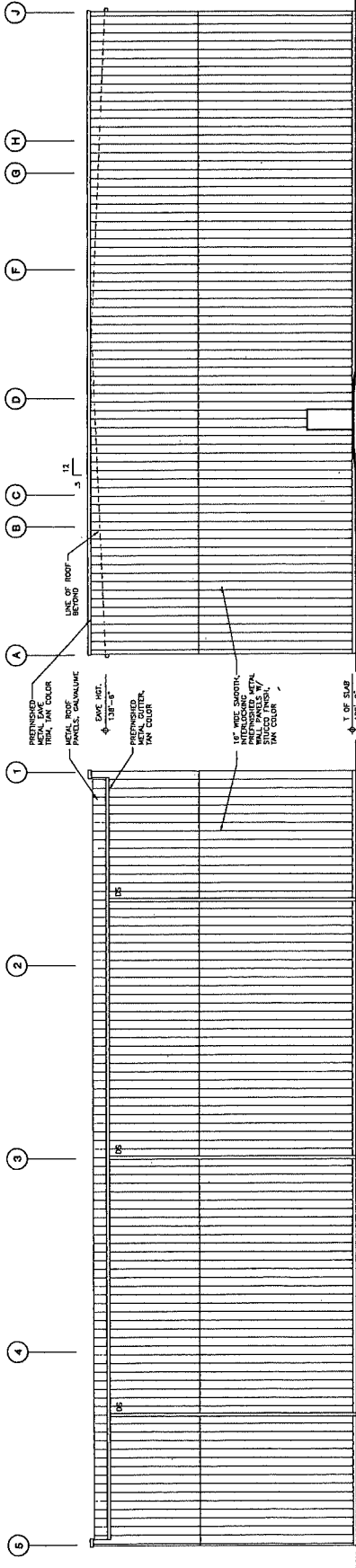
280 West 7th Street  
 Louisville, KY 40202  
 Phone: 502-582-3844  
 Fax: 502-582-3843  
 hwe@hubweber.com

Issued: 01.05.16  
 Revised:

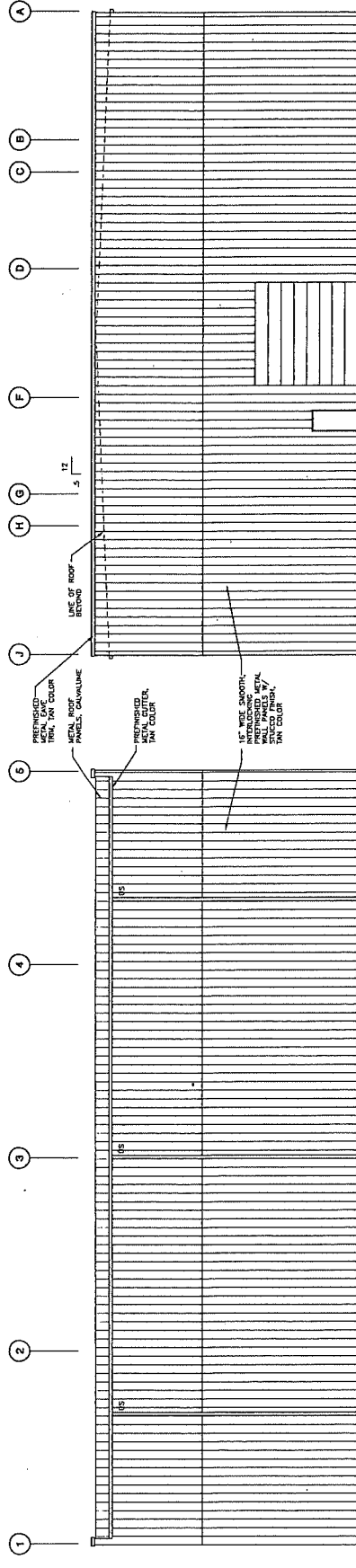
EXTERIOR  
 ELEVATIONS

A202

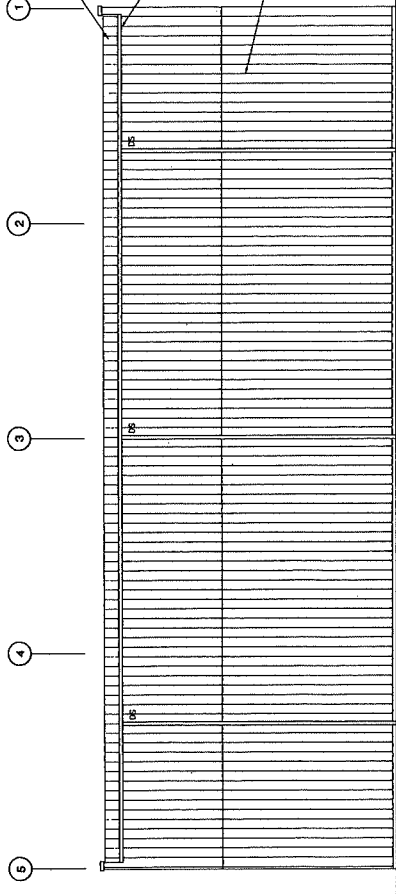
JOB NUMBER



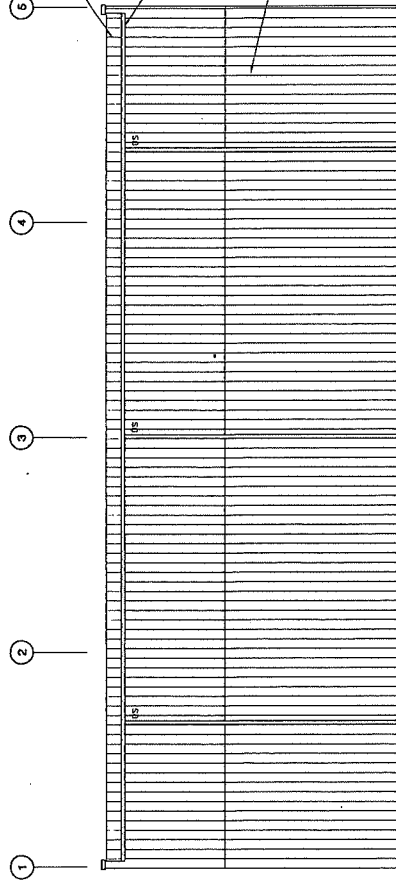
NORTH ELEVATION  
 1/8" = 1'-0"



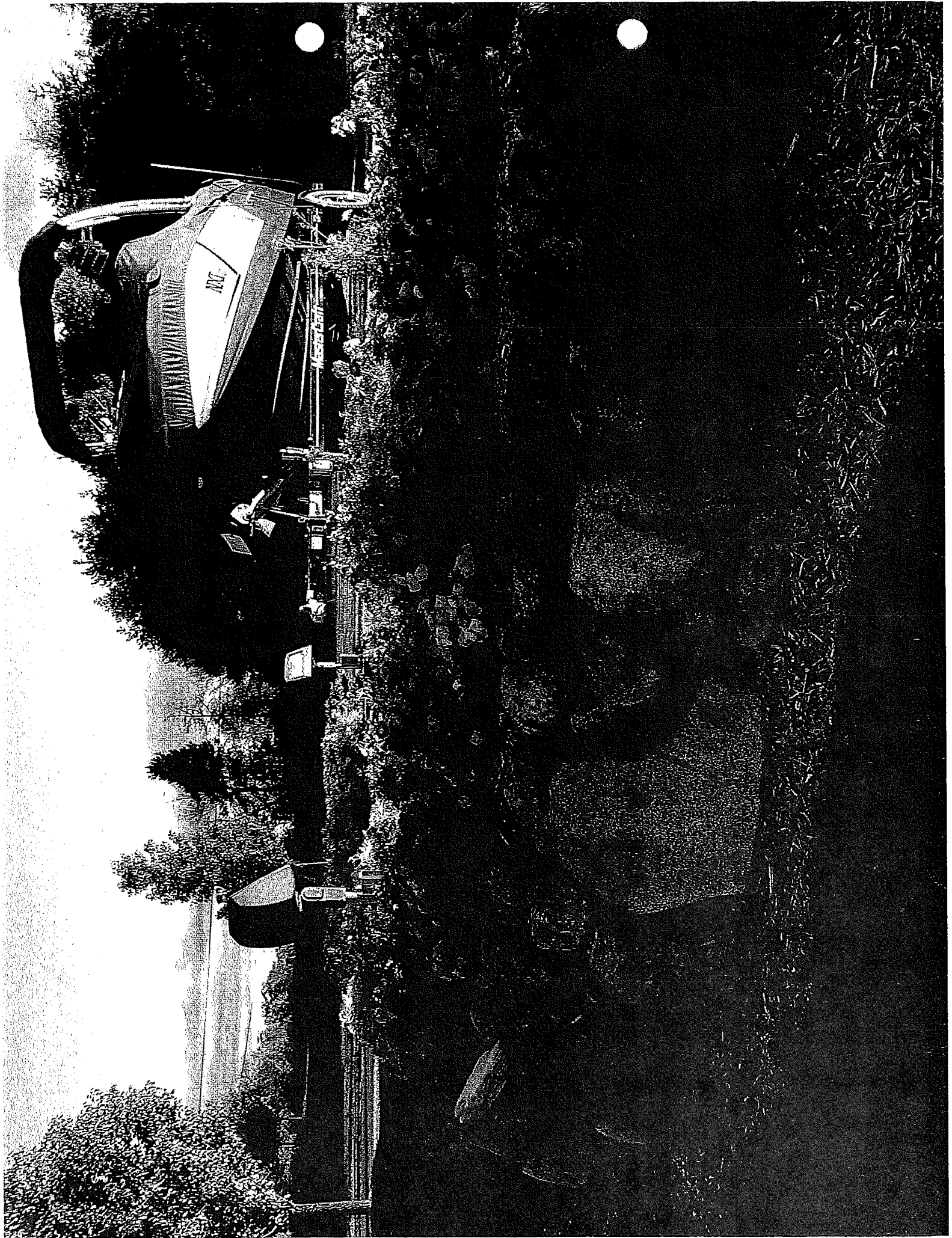
SOUTH ELEVATION  
 1/8" = 1'-0"

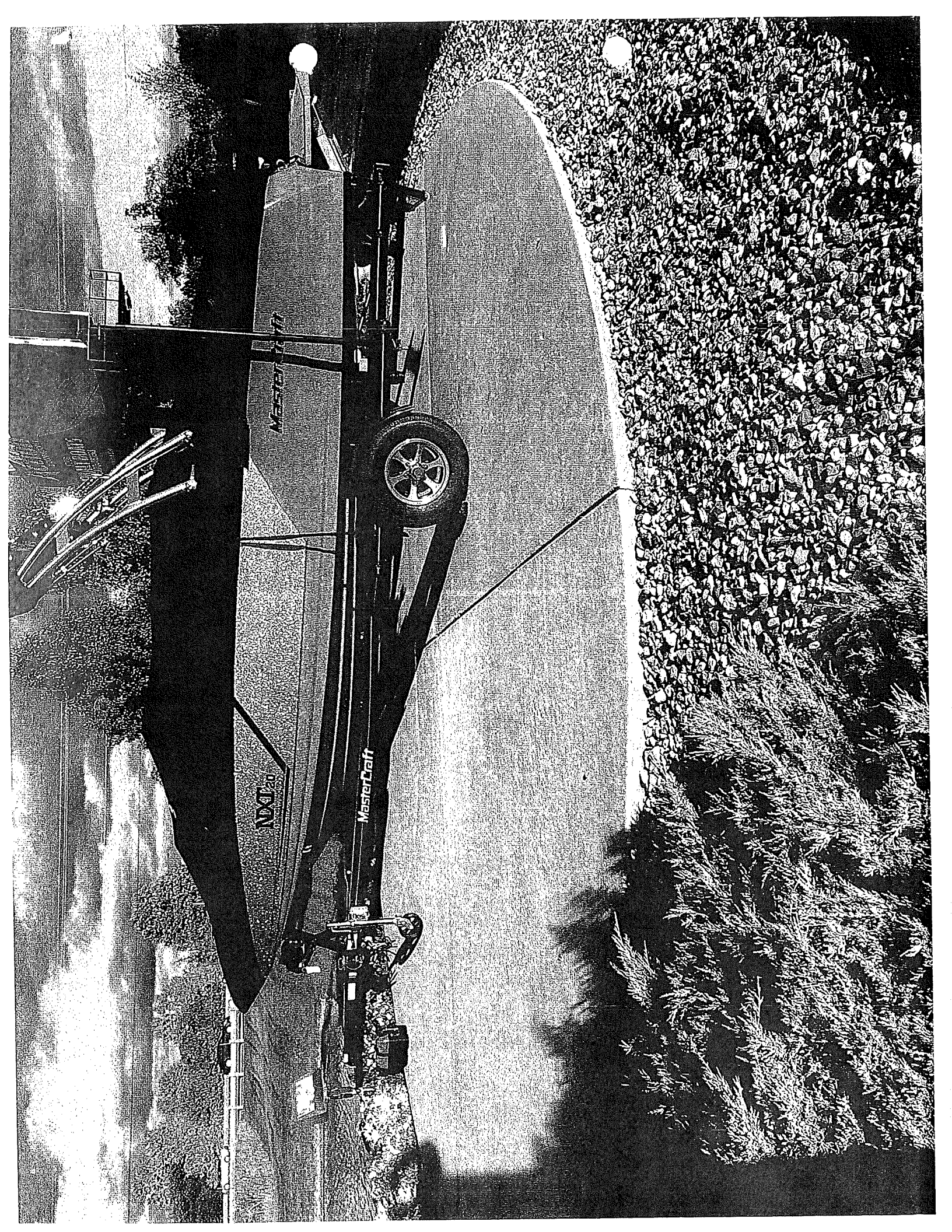


EAST ELEVATION  
 1/8" = 1'-0"



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





**EXHIBIT**

**“B”**

**ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT**

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: March 2, 2016

RE: Request of **Bayer Becker (applicant)** for **Fashion Air Investment, LLC (owner)** for a Change in an Approved Concept Development Plan in a Industrial One (I-1) zone for a 10.42 acre site located to the immediate north of 55 Transport Drive, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow indoor commercial recreational vehicle parking/storage and to allow the outdoor display of recreational vehicles for sale.

**REMARKS:**

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

**FINDINGS OF FACT**

1. The Committee has concluded that the proposed Change in an Approved Concept Development Plan application is in agreement with the 2010 Boone County Comprehensive Plan due to the following reasons.
  - A. The 2010 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Industrial" uses. This designation is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses." The proposal is to change the terms of the previous Concept Development Plan approval to allow incidental outdoor display pads for two boats, and to allow indoor commercial recreational vehicle parking or storage, for this specific site only. These activities would occur in conjunction with a permitted boat repair/service facility.

The Land Use Element ("8. Richwood East," pg. 172) states "the area east of I-75 and west of U.S. 25, from Richwood Road to Chambers Road, should develop as a Business Park. A buffer should be provided along Chambers Road to residential uses to the south, and no business park access should occur on Chambers Road. New industrial or business parks are planned in this area, and Dixie Highway will have to be improved south of KY 338. All developments should be interconnected by roadways to provide a parallel system to U.S. 25." When considering the limited scope of this application, and the fact that this site is proposed to be developed with three industrial buildings which total approximately 50,000 square feet in conformance with all other previous

conditions, and the additional agreed conditions outlined below, the application is in agreement with the Future Land Use Map and the Land Use Element.

B. The subject site is a flag lot whose active development area is approximately 460 feet from Transport Drive and approximately 270 feet from I-71/75. Existing wood cover is proposed to be retained along the south and west boundaries, and portions of the east/northeast and east boundaries. Wood cover is proposed to be retained along the site's freeway frontage, which is a smaller part of the overall west boundary. In short, the activities requested in this application will be relatively self contained and screened. Based on these facts, the Committee has concluded that the proposal, with the additional agreed conditions, is in agreement with the following Future Land Use Development Guidelines and the Goals and Objectives.

i. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact (Future Land Use Development Guidelines, "Buffering," pp. 162 and 163).

ii. 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.

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 (Future Land Use Development Guidelines, "Landscaping," pg. 163).

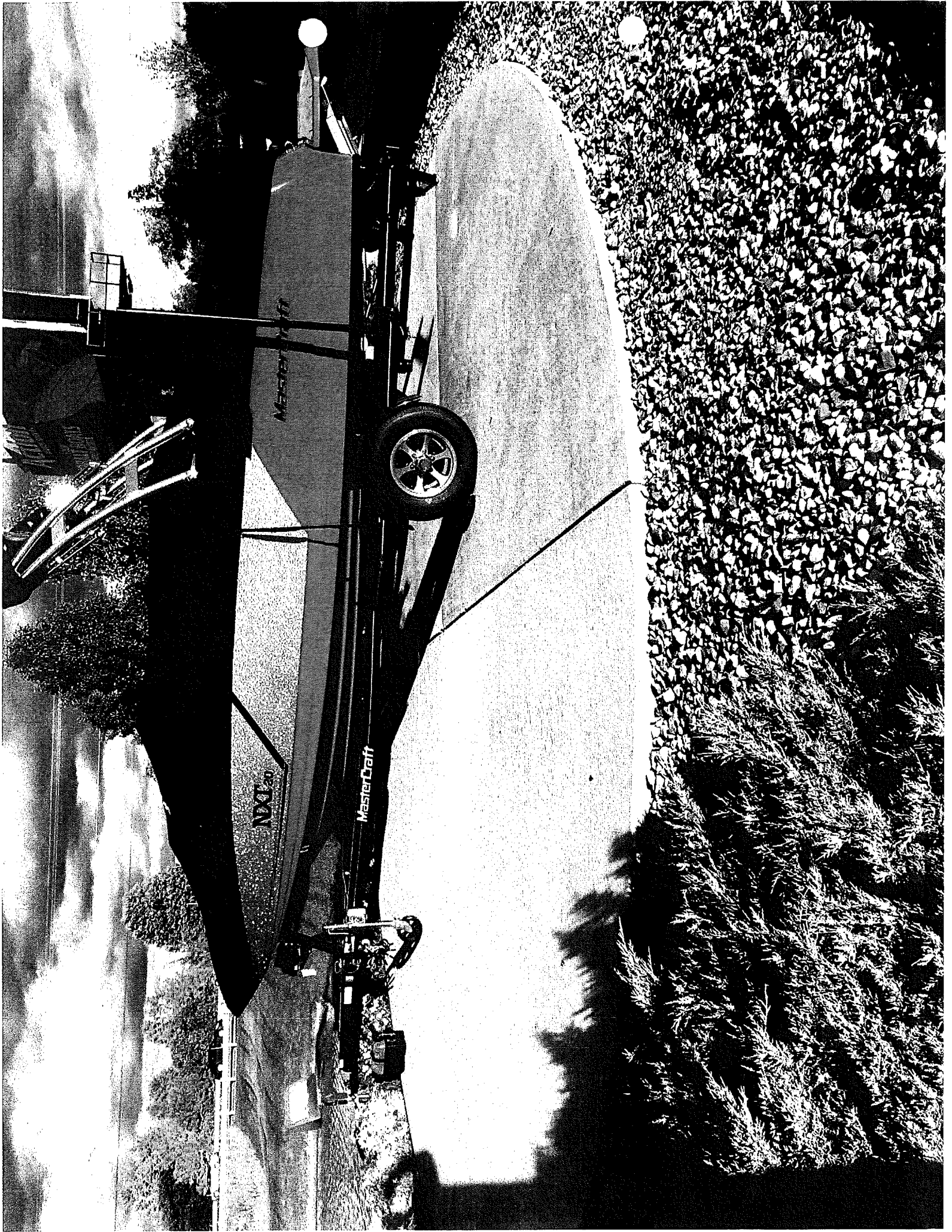
iii. Proper design principles shall be applied in development ("Overall," Objective 3).

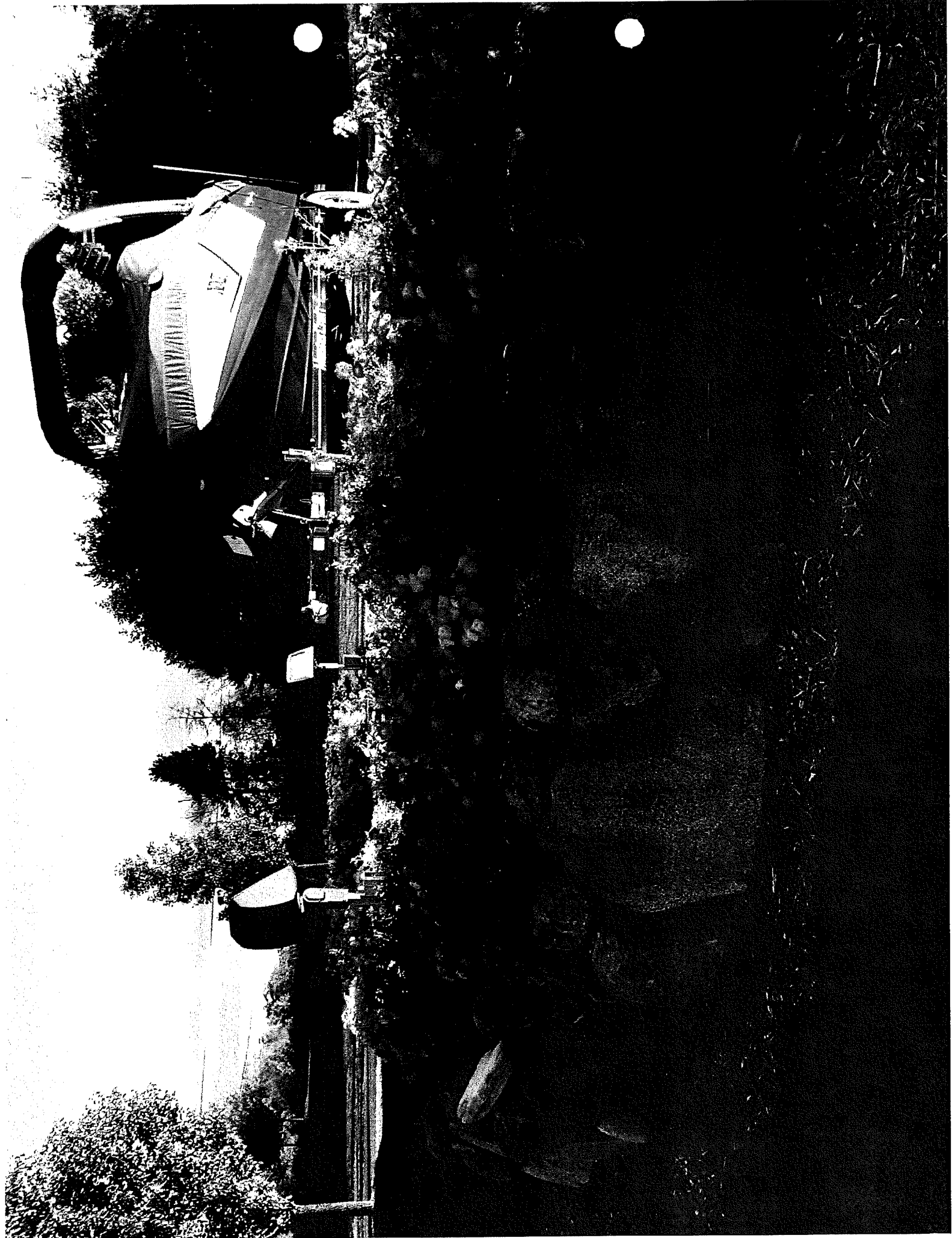
- iv. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. Development design should minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Objective 2).
  - v. Effective site placement, architectural design and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Industrial nuisances such as smoke, dust, noise and odor shall be kept at a minimum, and site development and enforcement shall be carefully coordinated with necessary approvals of other regulatory agencies ("Business Activity," Industrial Objective 2).
2. 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. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

### CONDITIONS

1. The two outdoor boat display pads shall be configured as shown on the Concept Development Plan. A maximum of one boat may be displayed on each pad. Each boat display pad shall be landscaped in a manner commensurate with the examples shown in the photographs provided by the applicant (attached). Lighting for each pad shall consist of two accent fixtures which use white, non-flashing light.
2. The commercial recreational vehicle parking/storage services shall be for boats only, and shall only occur within the buildings.

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 Committee Vote.





**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARINGS  
FEBRUARY 3, 2016  
7:30 P.M.**

---

**COMMISSION MEMBERS PRESENT:**

Mr. Matt Apke  
Mr. Randy Bessler  
Mr. Greg Breetz  
Mr. Kim Bunger, Secretary/Treasurer  
Mrs. Lori Heilman  
Mr. Don McMillian  
Mr. Kim Patton  
Ms. Lisa Reeves  
Mr. Charlie Reynolds  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mr. Steve Turner, Temporary Presiding Officer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Mike Ford, Vice Chairman  
Mr. Mark Hicks  
Mrs. Janet Kegley

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

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

Chairman Rolfsen called the Public Hearing to order at 8:40 P.M. and introduced the first item on the Agenda:

**CHANGE IN CONCEPT DEVELOPMENT PLAN - Kevin Wall, Staff**

1. Request of **Bayer Becker (applicant)** for **Fashion Air Investment, LLC (owner)** for a Change in an Approved Concept Development Plan in a Industrial One (I-1) zone for a 10.42 acre site located to the immediate north of 55 Transport Drive, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow indoor commercial recreational vehicle parking/storage and to allow the outdoor display of recreational vehicles for sale.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The site is located in Park South Subdivision in Richwood. The lot is located between I-75 and Transport Drive. It is also located next to Building I, the site that the Planning Commission recently reviewed in terms of outside storage. Building I is currently under construction. The Future Land Use Map of the Boone County Comprehensive Plan suggests industrial for the site. The proposed business involves Mastercraft boats. The request is to change the approved Concept Development Plan to allow indoor commercial recreational vehicle parking/storage and to allow the outdoor display of recreational vehicles for sale. Under the zoning code, boats are considered recreational vehicles. The applicant would like to change two conditions of the original 2001 approval. The first conditions does not allow outdoor storage or display. The proposed business services boats - winterize, customize and repair them. Sales is a smaller part of the business. The applicant would like the outdoor display of two boats. Mr. Wall showed the location of the two boat displays. Another aspect the applicant would like to pursue is vehicle storage. Uses which involve the storage of vehicles as an active component of the business operation are largely prohibited. "Commercial recreational vehicle parking facilities" was not added to the I-1 zone Principally Permitted list until 2002 (the year after the original zone change approval) for this tract. The applicant proposes to offer commercial recreational vehicle parking for boats within the storage buildings. No boat/recreational vehicle parking or storage would occur outdoors. Mr. Wall showed photographs of the site and surrounding land uses and zoning.

In terms of Staff Comments, Mr. Wall stated they are only proposing two outdoor pads to display boats for sale. The site is a flag lot of which the active development area is approximately 460 feet from Transport Drive. They are proposing to keep the existing wood cover around the perimeter of the site. The activities requested by the applicant will be relatively self contained and screened.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

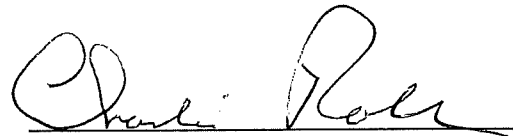
Mr. Jason Haines, Cincinnati Mastercraft, stated that he is a partner in the small business that has been in Boone County for the past five years. They are going to make a significant investment in the property and will create jobs. He submitted a letter from Mr. Doug Armbruster from IDI Gazeley (see Exhibit A), which supported the project because it complements the subdivision and allows for smaller size development.

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 any of the Planning Commission Members had any questions or comments? Seeing none, Mr. Wall announced that he received a letter from Mr. Glen Panoushek of Nexus PM, LLC (Legends at Steeplechase) supporting the request (see Exhibit B).

**There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 17, 2016 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on March 2, 2016 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:48 P.M.**

**APPROVED:**



**Charlie Rolfsen**  
**Chairman**

**Attest:**



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

**Exhibit: A - February 2, 2016 letter from Doug Armbruster, IDI Gazeley**  
**Exhibit: B - February 1, 2016 letter from Glen Panoushek, Nexus PM, LLC**

**ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE**

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: February 17, 2016

**CHANGE IN CONCEPT DEVELOPMENT PLAN - Greg Breetz, Chairman, Kevin Wall, Staff**

1. Request of **Bayer Becker (applicant)** for **Fashion Air Investment, LLC (owner)** for a Change in an Approved Concept Development Plan in a Industrial One (I-1) zone for a 10.42 acre site located to the immediate north of 55 Transport Drive, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow indoor commercial recreational vehicle parking/storage and to allow the outdoor display of recreational vehicles for sale.

**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.



# SUPPORTING INFORMATION



# **BOONE COUNTY PLANNING COMMISSION**

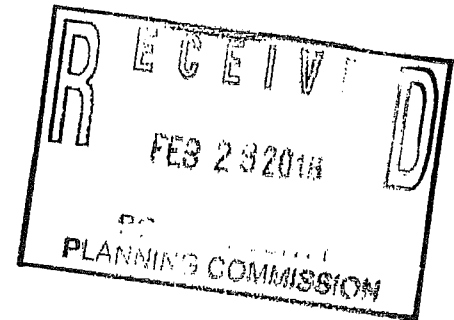
[www.boonecountyky.org/pc](http://www.boonecountyky.org/pc)  
[www.boonecountygis.com](http://www.boonecountygis.com)

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

Phone (859) 334-2196; Fax (859) 334-2264  
[plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)

February 19, 2016

Mr. Jason Haines  
Fashion Air Investments, LLC  
3293 Kruer Court  
Edgewood, KY 41017



FAX: 888-503-8728

RE: Recommended Conditions of Approval for Fashion Air Investments, LLC/Cincinnati Mastercraft Change in Concept Development Plan Application, 45 Transport Drive, Boone County, Kentucky

Dear Mr. Haines:

The following represents the conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change Committee at their February 17, 2016 meeting. If you, as the property owner, agree to these conditions, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office by Friday, February 26, 2016.

## **CONDITIONS**

1. The two outdoor boat display pads shall be configured as shown on the Concept Development Plan. A maximum of one boat may be displayed on each pad. Each boat display pad shall be landscaped in a manner commensurate with the examples shown in the photographs provided by the applicant (attached). Lighting for each pad shall consist of two accent fixtures which use white, non-flashing light.
2. The commercial recreational vehicle parking/storage services shall be for boats only, and shall only occur within the buildings.

Mr. Jason Haines  
February 19, 2016  
Page 2

Sincerely,



Kevin T. Wall, AICP  
Director, Zoning Services

KTW/tlb

enclosures

AGREEMENT

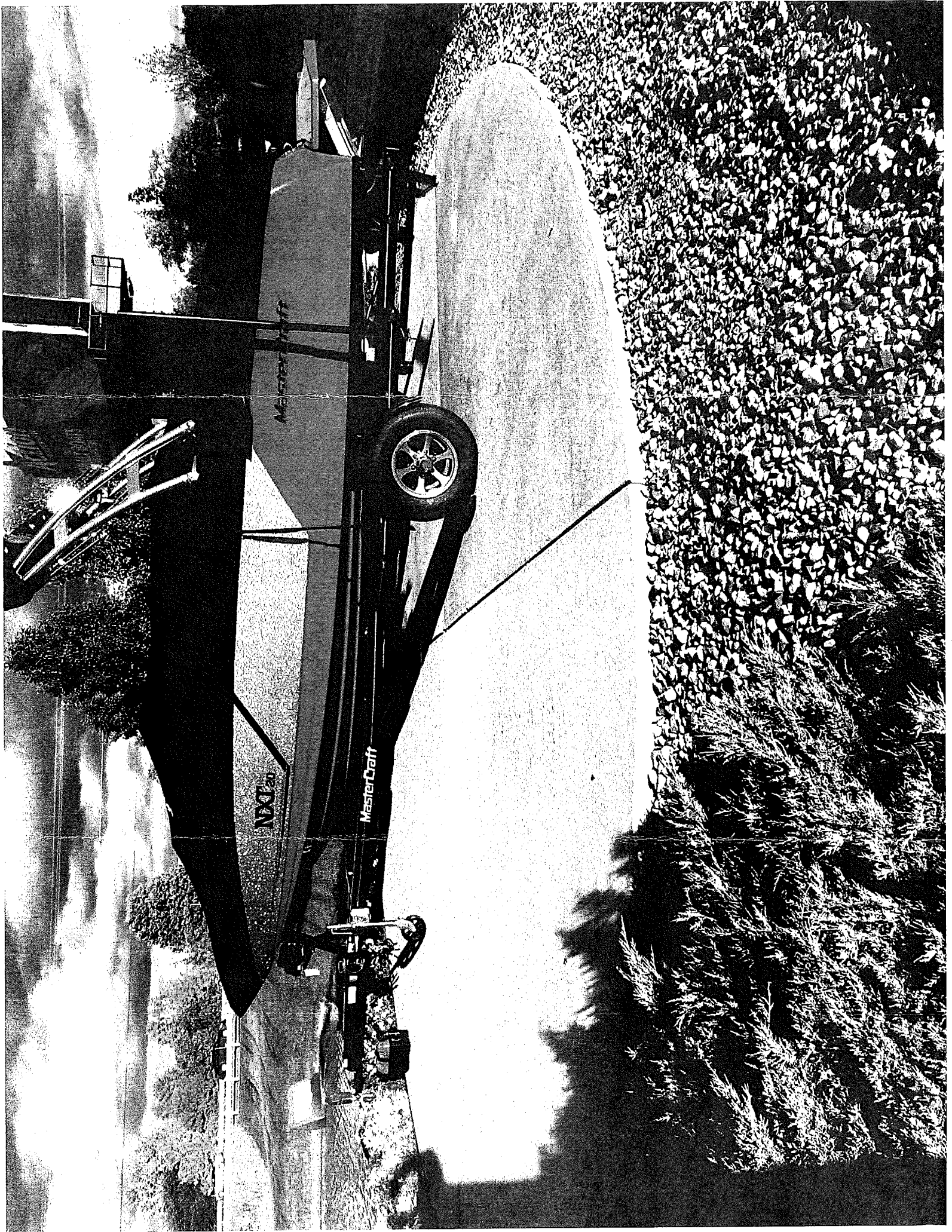
I, the property owner of the 10.42 acre site at 45 Transport Drive, Boone County, Kentucky, agree to the conditions listed herein for the above referenced Change in Concept Development Plan application.



---

Jason Haines  
Fashion Air Investments, LLC  
Property Owner

2/20/16  
Date







Where Creativity  
Meets Functionality

Civil Engineers | Transportation Engineers | Landscape Architects | Planners | Land Surveyors

DESCRIPTION: Park South at Richwood Phase II  
Building J – 10.420 Acres

LOCATION: Transport Drive & I-71/75

DATE: August 13, 2014

Situated in the County of Boone, Commonwealth of Kentucky, located on the West side of Transport Drive (60' R/W - to be dedicated) and East side of Interstate 71/75 and being part of a 56.099 acre tract conveyed to Industrial Developments International, LLC in D.B. 1033, Pg. 464 of the Boone County Clerk's Records at Burlington and more particularly described as follows:

Begin at the Northeast corner of Lot 2A of Park South at Richwood Subdivision, Section Two, as recorded in Plat Cabinet 5, Page 429, said point also being on the existing West right-of-way of line Transport Drive at its Northern terminus; thence with the North line of Lots 2A and 2 of Park South at Richwood Subdivision, Section Two, South 50° 17' 38" West, 940.71 feet to a found 1/2" iron pin (LS#2030, 3357) at the Northwest corner of said Lot 2 and also on the exiting East limited access right-of-way line of Interstate 71/75; thence leaving the above mentioned Lot 2 and with the existing East limited access right-of-way line of I-71/75, North 04° 03' 43" West, 1880.72 feet to a set iron pin; thence continuing with the East limited access right-of-way line of I-71/75 North 21° 34' 44" East, 138.65 feet to a set iron pin and the TRUE POINT OF BEGINNING:

thence, from the TRUE POINT OF BEGINNING, and with the East limited access right-of-way line of I-71/75 the following three courses: North 04° 03' 44" West, 50.00 feet to a set iron pin;

thence, North 15° 22' 20" West, 50.99 feet to a set iron pin;

thence, North 25° 51' 49" West, 26.00 feet to a found 1/2 iron pin (LS#2030, 3357);

thence, leaving the existing East limited access right-of-way line of I-71/75 and with the South line of a 51.2070 acre tract conveyed to Hemberger Richwood LLC, et al in D.B. 945, Pg. 899 the following two courses: North 25° 18' 30" East, 905.01 feet to a found 1/2" iron pin (LS#2709, 3046);

thence, South 37° 40' 15" East, 607.47 feet to a found 1/2" iron pin (LS#2709, 3046);

thence, leaving the South line of the 51.2070 acre tract and with a new division line through the 56.099 acre tract the following four courses: South 37° 42' 45" East, 50.00 feet to a set iron pin;

thence, South 52° 17' 15" West, 380.54 feet to a set iron pin;

thence, South 39° 34' 53" East, 271.01 feet to a set iron pin;

6900 Tylersville Road, Suite A  
Mason, OH 45040  
513-336-6600

318 South College Avenue  
Oxford, OH 45056  
513-523-4270

1404 Race Street, Suite 204  
Cincinnati, OH 45202  
513-834-6151

209 Grandview Drive  
Fort Mitchell, KY 41017  
859-261-1113

<http://www.bayerbecker.com>

thence, South 62° 42' 54" East, 188.76 feet to a set iron pin on the West line of a 3.730 acre remainder tract described in D.B. 1033, Pg. 464, the same being the proposed West right-of-way line of Transport Drive (to be dedicated);

thence, with the 3.730 acre tract and proposed West right-of-way line of Transport Drive along a curve to the left, having a radius of 355.00 feet, an arc length of 101.33 feet, a chord bearing South 19° 17' 01" West and chord length of 100.98 feet to a set iron pin;

thence, leaving the 3.730 acre tract and proposed West right-of-way line of Transport Drive and with a new division line through the 56.099 acre tract the following three courses: North 78° 53' 35" West, 300.79 feet to a set iron pin;

thence, North 48° 27' 21" West, 249.49 feet to a set iron pin;

thence, South 85° 57' 31" West, 285.18 feet to the TRUE POINT OF BEGINNING.

Containing 10.420 acres of land and subject to all easements and rights-of-way of record.

All set iron pins are 5/8" x 30" with a plastic cap stamped "Chris Gephart PLS 3292" unless otherwise noted. The reference meridian is NAD83 (CORS96) Kentucky State Plane Coordinates, North Zone (1601).

The above description was prepared from a survey completed on July 29, 2014 under the direction of Chris R. Gephart, Licensed Professional Land Surveyor #3292 in the Commonwealth of Kentucky.

Prior Instrument Reference: Deed Book 1033, Page 464

5588

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That **IDI SERVICES GROUP, LLC**, a Georgia limited liability company, for and in consideration of Fifty Thousand Dollars (\$50,000.00) to it paid by the Grantee herein, the receipt of which is hereby acknowledged, does bargain, sell and convey to:

**FASHION AIR INVESTMENTS, LLC**, a Kentucky limited liability company, its

Successors and assigns forever, in fee simple with covenant of SPECIAL WARRANTY the following described real estate, in the County of Boone and Commonwealth of Kentucky, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

Being part of the Property and all of Parcel Two conveyed to Grantor herein by Special Warranty Deed dated February 12, 2015, and recorded in Deed Book 1052, Page ~~572~~ 571 of the Boone County Clerk's records at Burlington, Kentucky. ✓

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging. TO HAVE AND TO HOLD the same to the said

**FASHION AIR INVESTMENTS, LLC**, a Kentucky limited liability company, its

successors and assigns forever, the Grantor, its successors and assigns forever, HEREBY COVENANTING with the Grantee, its successors and assigns, that the TITLE so conveyed is CLEAR, FREE AND UNENCUMBERED, except for (i) applicable ordinance, municipal regulation, and public law, (ii) all easements, restrictions, conditions, limitations, and covenants of record, including, without limitation, those matters contained in Exhibit "B" attached hereto and made a part hereof, (iii) legal highways and public streets, (iv) all matters that would be shown on a current and accurate survey, and (v) taxes and assessments due and payable in 2016 and thereafter, all of which Grantee, its successors and assigns, assumes and covenants to timely satisfy, and that Grantor will WARRANT WITH SPECIAL WARRANTY AND DEFEND the title, subject to the foregoing limitations, against all legal claims of all persons claiming by, through or under Grantor.

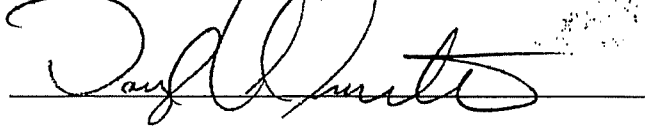
For purposes of KRS 382.135, the in-care-of tax mailing address to which the 2015 and subsequent years' property tax bills may be sent is c/o Jason Haines, 3293 Kruer Court, Edgewood, Kentucky 41017

Boone County  
D1063 PG 277

RETURN TO: prepares pg 2

IN WITNESS WHEREOF, the said Grantor, **IDI SERVICES GROUP, LLC**, a Georgia limited liability company, by and through Douglas A. Armbruster, its duly authorized Senior Vice President and Regional Director, hereunto sets its hand, this 13<sup>th</sup> day of November, 2015.

**IDI SERVICES GROUP, LLC**, a Georgia limited liability company



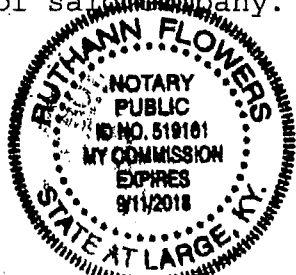
By: Douglas A. Armbruster

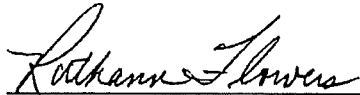
Title: Senior Vice President and Regional Director

STATE OF KENTUCKY

COUNTY OF KENTON

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of November, 2015, by **IDI SERVICES GROUP, LLC**, a Georgia limited liability company, by and through Douglas A. Armbruster, its duly authorized Senior Vice President and Regional Director, on behalf of said company.

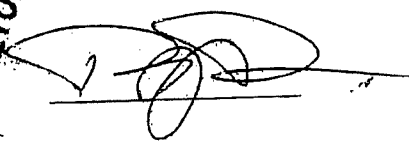


  
\_\_\_\_\_  
NOTARY PUBLIC  
COMM. EXPIRES: 9-11-2018

This Instrument Prepared By:

PAUL J. DARPEL  
Attorney-at-Law  
25 Town Center Blvd., Suite 104  
Prestview Hills, Kentucky 41017  
(859) 578-6606

RETURN TO

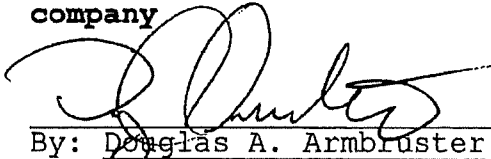


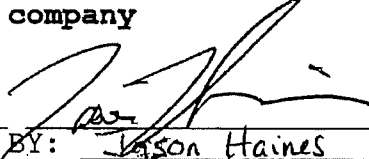
**CERTIFICATION**

We **IDI SERVICES GROUP, LLC**, a Georgia limited liability company, whose mailing address is c/o 740 Centre View Boulevard, Floor 3, Crestview Hills, Kentucky 41017, Grantor herein, and **FASHION AIR INVESTMENTS, LLC**, a Kentucky limited liability company, whose mailing address is 3293 Kruer Ct. Edgewood, Ky 41017, Grantee herein, do hereby certify, pursuant to KRS Chapter 382, that consideration in the amount of \$50,000.00 is the true, correct and full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration or sale price of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00

**GRANTOR:**  
**IDI SERVICES GROUP, LLC**  
a Georgia limited liability company

**GRANTEE:**  
**FASHION AIR INVESTMENTS, LLC**  
a Kentucky limited liability company



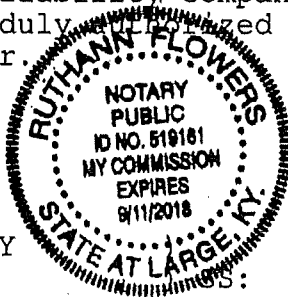


By: Douglas A. Armbruster  
Title: Sr. Vice Pres. & Reg. Dir.

By: Jason Haines  
Title: Member

STATE OF KENTUCKY )  
 ) SS:  
COUNTY OF KENTON )

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me, a Notary Public, this 13<sup>th</sup> day of November, 2015, by **IDI SERVICES GROUP, LLC**, a Georgia limited liability company, by and through, Douglas A. Armbruster, its duly authorized Senior Vice President and Regional Director.



  
NOTARY PUBLIC  
COMM. EXPIRES:

STATE OF KENTUCKY )  
 )  
COUNTY OF KENTON )

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me, a Notary Public, this 13<sup>th</sup> day of November, 2015, by **FASHION AIR INVESTMENTS, LLC**, a Kentucky limited liability company, by and through, Jason Haines, its member.


  
NOTARY PUBLIC  
COMM. EXPIRES: Nov. 13, 2017  
500728

EXHIBIT "A"  
Legal Description

Group Number: 2072  
PIDN: 076.00-00-010.03

Situated in the County of Boone, Commonwealth of Kentucky, located on the west side of Transport Drive (60' R/W - to be dedicated) and the East side of Interstate 71/75 and being part of a 56.099 acre tract conveyed to Industrial Developments International, LLC in D.B. 1033, Pg. 464 of the Boone County Clerk's records at Burlington and more particularly described as follows:

Begin at the Northeast corner of Lot Two-A (2-A) of Park South at Richwood Subdivision, Section Two, as recorded in Plat Cabinet 5, Page 429, said point also being on the existing West right-of-way line of Transport Drive at its Northern terminus; thence with the North line of Lots Two-A (2-A) and Two (2) of Park South at Richwood Subdivision, Section Two, South 50° 17' 38" West, 940.71 feet to a found ½" iron pin (LS #2030, 3357) at the Northwest corner of said Lot Two (2) and also on the existing East limited access right-of-way line of Interstate 71/75; thence leaving the above mentioned Lot Two (2) and with the existing East limited access right-of-way line of I-71/75, North 04° 03' 43" West, 1880.72 feet to a set iron pin; thence continuing with the East limited access right-of-way line of I-71/75 North 21° 34' 44" East, 138.65 feet to a set iron pin and the True Point of Beginning:

Thence, from the True Point of Beginning, and with the East limited access right-of-way line of I-71/75 the following three courses: N 04° 03' 44" West, 50.00 feet to a set iron pin; thence North 15° 22' 20" West, 50.99 feet to a set iron pin; thence, North 25° 51' 49" West, 26.00 feet to a found ½" iron pin (LS # 2030, 3357); thence, leaving the existing East limited access right-of-way line of I-71/75 and with the South line of a 51.2070 acre tract conveyed to Hemberger Richwood LLC, et al in D.B. 945, pg. 899 the following two courses: North 25° 18' 30" East, 905.01 feet to a found ½" iron pin (LS #2709, 3046); thence, South 37° 40' 15" East, 607.47 feet to a found ½" iron pin (LS #2709, 3046); thence, leaving the South line of the 51.2070 acre tract and with a new division line through the 56.099 acre tract the following four courses: South 37° 42' 45" East, 50.00 feet to a set iron pin; thence South 52° 17' 15" West, 380.54 feet to a set iron pin; thence, South 39° 34' 53" East, 271.01 feet to a set iron pin; thence, South 62° 42' 54" East, 188.76 feet to a set iron pin on the West line of a 3.730 acre remainder tract described in D.B. 1033, pg. 464, the same being the proposed West right-of-way line of Transport Drive (to be dedicated); thence, with the 3.730 acre tract and proposed West right-of-way line of Transport Drive along a curve to the left, having a radius of 355.00 feet, an arc length of 101.33 feet, a chord bearing of South 19° 17' 01" West and chord length of 100.98 feet to a set iron pin; thence, leaving the 3.730 acre tract and proposed West right-of-way line of Transport Drive and with a new division line through the 56.099 acre tract the following three courses: North 78° 53' 35" West, 300.79 feet to a set iron pin; thence, North 48° 27' 21" West, 249.49 feet to a set iron pin; thence, South 85° 57' 31" West, 285.18 feet to the True Point of Beginning.

Containing 10.420 acres of land and subject to all easements and rights-of-way of record.

All set iron pins are 5/8" x 30" with a plastic cap stamped "Chris Gephart PLS 3292" unless otherwise noted. The reference meridian is NAD83 (CORS96) Kentucky State Plane Coordinates, North Zone (1601).

The above description was prepared from a survey completed on July 29, 2014 under the direction of Chris R. Gephart, Licensed Professional Land Surveyor #3292 in the Commonwealth of Kentucky.

EXHIBIT "B"  
Exceptions

Restrictive covenants appearing of record in Misc. Book 1062, page 328 as amended at Book 1084, page 148 of the Boone County Clerk's records at Burlington, Kentucky, which do not contain a reversionary clause and which do not contain a race clause.

Easement for utilities to Duke Energy shown in Easement Book 77, page 604.

Easement for pond, grading, access, etc.. as shown in Easement Book 77, page 59.

Easement for ULH&P s shown in Misc. Book 25, page 252.

Land use restrictions in Misc. Book 856, page 595; Misc. Book 911, page 445; Misc. Book 1226, page 258; Misc. Book 1265, page 749 and Misc. Book 1263, page 897.

The 2014 Boone County real estate tax bill was paid. The 2015 Boone County real estate tax bill will be paid at or before the closing in the approximate amount of \$28,692.41.

SD1 Post-Construction storm water facility maintenance agreement in Misc. Book 1246, page 799

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Note: All of the foregoing recording references are to the Boone County Clerk's records at Burlington, Kentucky.

Boone County  
D1063 PG 281

DOCUMENT NO: 689940  
RECORDED ON: NOVEMBER 25, 2015 02:58:12PM  
TOTAL FEES: 123.00  
TRANSFER TAX: 150.00  
GROUP : 2072  
COUNTY CLERK: KENNY BROWN  
COUNTY: BOONE COUNTY CLERK  
DEPUTY CLERK: STACY HARKINS  
BOOK 01063 PAGES 277 - 281

February 2, 2016

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

RE: Fashion Air Investments – Change in Concept Development Application Letter of Support

Dear Commissioners:

Our company, IDI, LLC, created the development and owns ground adjoining the parcel for which there has been an application for a change of the Concept Development Plan submitted to you. This letter is in support for approval of the Concept Development Plan offered by Fashion Air Investments as part of their application.

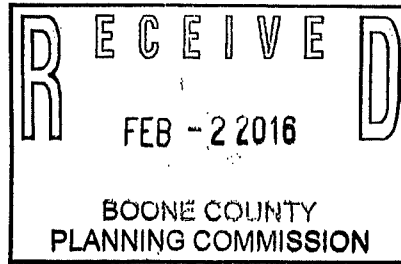
We have reviewed the plan and understand that they are planning to add storage facilities for indoor storage for boats as well as two pads for the outdoor display of boats on the site. We do not have any objections to these changes for their use and development of the property. In fact, we believe it will create a visually pleasing aspect to our development and is a good use for the smaller sites we have been marketing.

The use of the property is complementary to our development. We respectfully request that you approve Fashion Air's plan.

Sincerely,



Douglas A. Armbruster SIOR, CRE  
Senior Vice President & Regional Director



February 1, 2016

Mr. Kevin Wall  
Director, Zoning Services  
Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
PO Box 958  
Burlington KY, 41005

Re: Fashion Air Investments Change in an  
Approved Concept Development Plan

Dear Mr. Wall:

We are in receipt of the proposed change as referenced above. Our review suggests there will be no effect on our property therefore we are in favor of the change.

Sincerely,

Glen Panoushek  
Timberlake Family LLC  
Managing Member

Address:

The Legends at Steeplechase, LLC  
c/o Nexus PM, LLC  
495 Erlanger Road, Ste 202  
Erlanger, KY 41018

cc: Bill Hemmer, Jr  
William Hemmer Construction LLC  
786 Crescent Pointe Drive  
Crescent Springs, KY 41017



The Legends at Steeplechase • 225 Overland Ridge • Walton, Kentucky 41094

P (859) 493-0888 • www.nexuspm.com







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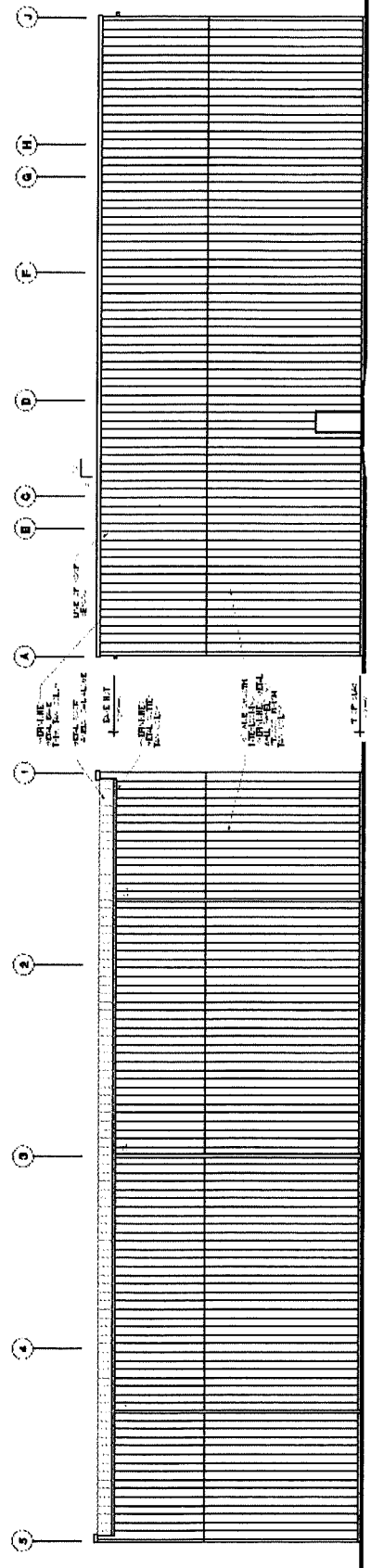


**Hub + Weber**  
 Architects, PLLC  
 220 West Park Street  
 Cincinnati, OH 45219  
 PH 513-263-1111  
 FAX 513-263-1122  
 www.hubweber.com

DATE: 01/20/18  
 REVISION:

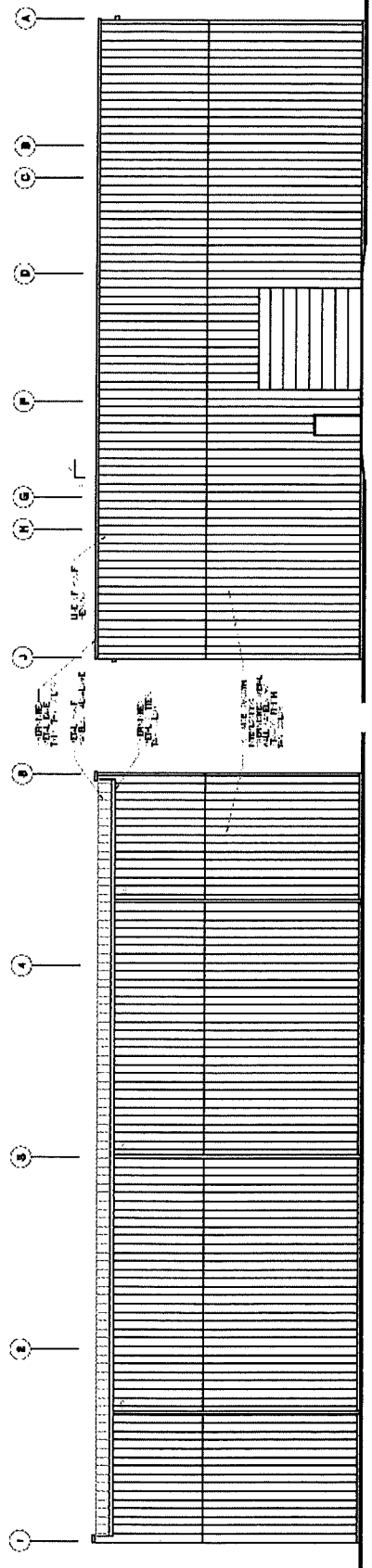
EXTERIOR  
 ELEVATIONS

**A202**  
 PROJECT NUMBER



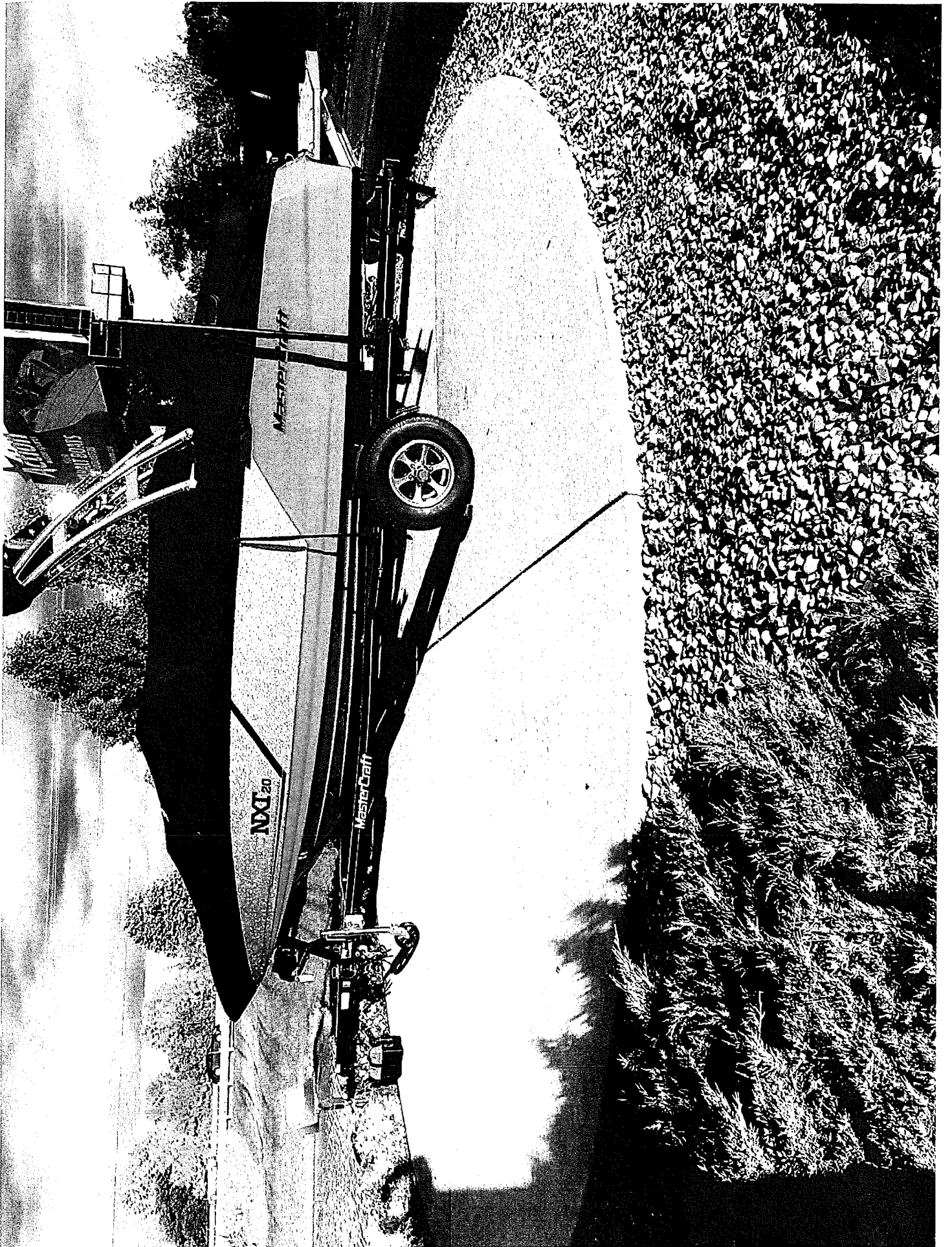
**NORTH ELEVATION**  
 1/2" = 1'-0"

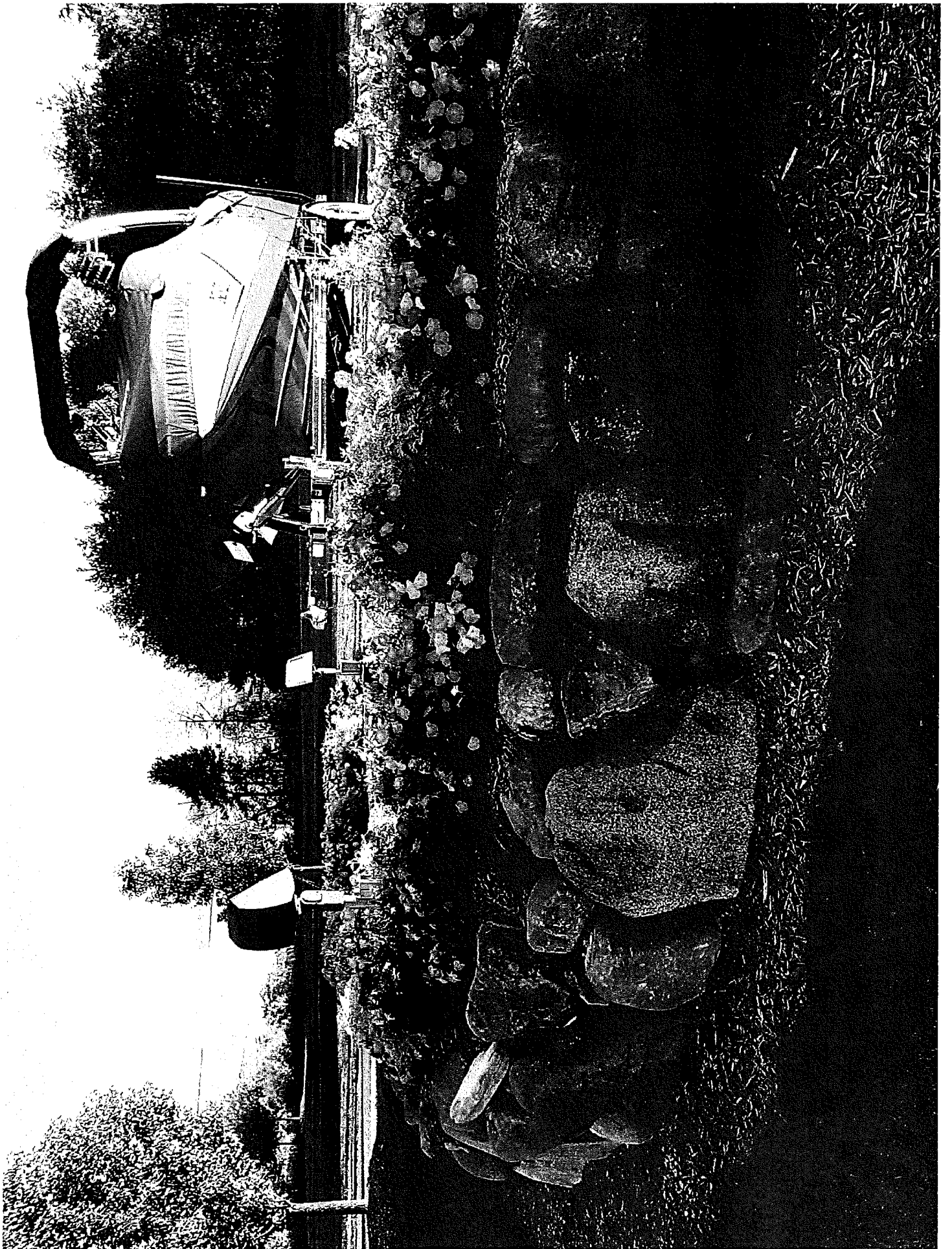
**EAST ELEVATION**  
 1/2" = 1'-0"



**SOUTH ELEVATION**  
 1/2" = 1'-0"

**WEST ELEVATION**  
 1/2" = 1'-0"





## ORDINANCE 2016 - 09

**AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, APPROVING, WITH CONDITIONS, A REQUEST OF BAYER BECKER (APPLICANT) FOR FASHION AIR INVESTMENT, LLC (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN AN INDUSTRIAL ONE (1-1) ZONE FOR A 10.42 ACRE SITE GENERALLY LOCATED TO THE IMMEDIATE NORTH OF 55 TRANSPORT DRIVE, BOONE COUNTY, KENTUCKY.**

**WHEREAS**, the Boone County Planning Commission received a request for a Change in an Approved Concept Development Plan in an Industrial One (1-1) zone for a 10.42 acre site generally located to the immediate north of 55 Transport Drive, Boone County, Kentucky, which is more particularly described below; and

**WHEREAS**, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the Change in an Approved Concept Development Plan.

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

### Section One

The Boone County Fiscal Court hereby approves the request for a Change in an Approved Concept Development Plan for the real estate which is more particularly described below, with conditions, in an Industrial One (1-1) zone for a 10.42 acre site generally located to the immediate north of 55 Transport Drive, Boone County, Kentucky. The real estate which is the subject of this request for a Change in an Approved Concept Development Plan in an Industrial One (1-1) zone is more particularly described in DEED BOOK 1063, PAGE NO. 277 as recorded in the Boone County Clerk's office.

### Section Two

That as a basis for the approval of a Change in an Approved Concept Development Plan in an Industrial One (1-1) zone for a 10.42 acre site generally located to the immediate north of 55 Transport Drive, Boone County, Kentucky, the findings of fact of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Ordinance and are marked as Exhibit "1".

The Boone County Planning Commission Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and same are marked as "Exhibit 2."

**Section Three**

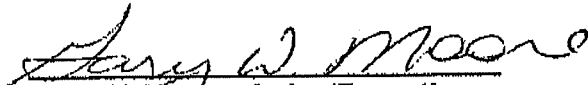
This Ordinance shall be in effect and in full force from and after its passage, publication and recording, according to law.

Adopted this 17th day of May, 2016.


First Reading - the 19<sup>th</sup> day of April, 2016

Second Reading - the 17th day of May, 2016 Yes 4 No 0

BOONE COUNTY FISCAL COURT

  
Gary W. Moore, Judge/Executive  
Boone County Fiscal Court

Attest:

  
Sharon Burcham,  
Fiscal Court Clerk

