

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION

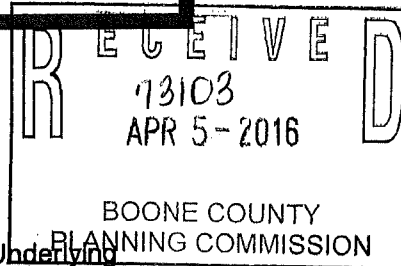
FIVE (5) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
- Change in an Approved Concept Development Plan
- Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
- Long Range Planning Committee Review (As stated in the Union Town Plan)
- Zone Change ___ 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 Fyda Freightliner
- 3. Location of Project US Hwy 25
- 4. Total Acreage of Site 14.2
- 5. Current Zoning I-1
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) _____
- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) N/A
- 8. Proposed Uses (please specify each use) TRUCK + TRAILOR SALES AND MAINTENANCE
- 9. Proposed Building Intensities (please specify) 3795 SQFT Per Acre
- 10. Have you submitted a Concept Development Plan? yes
- 11. Are you also applying for:
 - N/A Conditional Use Permit
 - N/A Dimensional Variance
- 12. Name of Applicant(s) Steve Berlin
- Phone Number 859-331-9191 Fax No. 859-344-7422 E-Mail steveberlin@fwd.net
- 13. Address of Applicant(s) 1671 Park Rd Suite one
- ET. WRIGHT KY 41011
- City State Zip
- 14. Name of Property Owner(s) WFF Investments LLC
- Phone Number 614-851-0002 Fax No. 614-851-0011 E-Mail Tfyda@fydafreightliner.com
- 15. Address of Property Owner(s) 1250 Walcott Road
- Columbus OHIO 43228
- City State Zip
- 16. Are there any existing buildings on the site? NO
- How many? _____
- 17. Deed Book 1059 Page No. 427 Group No. 2064

**ADDENDUM TO ZONING MAP AMENDMENT OR
CONCEPT DEVELOPMENT PLAN APPLICATION
CURRENTLY UNDER REVIEW BY THE BOONE COUNTY PLANNING COMMISSION**

**Waiver of 60 Day Time Requirement by Originator
for Final Planning Commission Action**

1. Name of Project Fyda Freight Liner
2. Location of Project US Hwy 25 Richmond Ky
3. Names of Applicant(s) Steve Berling
Phone No. 859-331-9191 Fax No. 859-344-7422 E-Mail steveberling@fyda.net
4. Address of Applicant(s) 1671 Park Rd suite one
FT. WRIGHT KY 41011
City State Zip
5. Name of Property Owner(s) WFF INVESTMENTS LLC
90 Tim Fyda

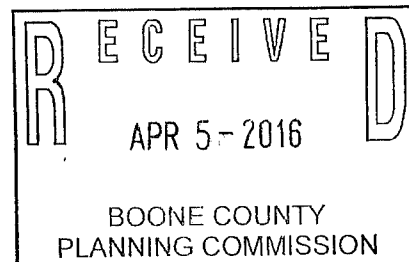
In accordance with the provisions in KRS 100.211, the applicant(s) and property owner(s) or originators above, hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment and/or Concept Development Plan* application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on _____.

6. ORIGINAL Property Owner's Signature X Tim Fyda, Pres, Fyda Freight Liner
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted) Manager WFF Investments

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

Note:

*The 60-day time limit applies to Concept Development Plan applications if the site was originally subject to a Zoning Map Amendment request as part of an individual request, county-wide Zoning Update or a land use/zoning study or plan.



EXHIBIT

“A”

STAFF REPORT

Request of **Tim Fyda (applicant)** for **WFF Investments, LLC (owner)** for a Change in an Approved Concept Plan in an Industrial One (I-1) for an approximate 14.2 acre site located on the west side of Dixie Highway across from the Dixie Highway/Shorland Drive intersection, along the east side of I-71/75, to the north of Old Richwood Road, to the north and west of the properties at 11135 Dixie Highway and 124 Old Richwood Road, and to the south of the property at 11075 Dixie Highway, Boone County, Kentucky. The request is for a Change in an Approved Concept Plan to allow modifications to the previously approved Concept Plan.

May 4, 2016

REQUEST

The applicant is requesting a Change in the Approved Concept Plan to allow modifications to the Concept Plan that was approved in 2015. The revised concept development plan shows that the building has been reoriented and the paved parking and circulation area has increased from the prior approval. The property will still allow for the sales and service of trucks and trailers.

The revised concept development plan proposes a 44,280 square foot (with an additional 9,800 square foot expansion) Freightliner sales and service facility with parking for employees as well as parking for semi tractors and trailers. A Preliminary Plat and Improvement Plan was approved in 2000 for the construction of Winning Colors Drive. The road was constructed, but never dedicated to Boone County Fiscal Court. The applicant proposes to use the road as a private driveway for this development. The applicant has also provided photos of their new facility in Zanesville, Ohio, and is proposing the same building design and materials.

SITE HISTORY

- 1989 Zoning Map Amendment Approved with Conditions to rezone a 12.71 acre site from UR-1 to C-3.
- 2003 Change in the Approved 1989 Concept Development Plan for a 2.24 acre tract on the northwest corner of the Dixie Highway/Winning Colors Drive intersection to allow a mobile home sales lot in a C-3 zone.
- 2015 Zoning Map Amendment Approved with Conditions to rezone the site from C-3 to I-1 to allow the sales and service of trucks and trailers.

ADJACENT ZONING AND LAND USES

- North: Properties owned by Richwood Office Condominiums, LLC and B & Z Development zoned Commercial Services (C-3).
- East: Properties owned by GWR Group, LLC and Hensley zoned Commercial Services (C-3). Across Dixie Highway and the Norfolk Southern Railroad, the Richwood Industrial Park zoned Industrial One (I-1).
- South: Properties owned by DLW, Pilot, Egan and Griggs zoned Commercial Services (C-3) and the Richwood Park Commercial subdivision zoned Commercial Services with an approved Concept Development Plan (C-3/CD).
- West: Across I-71/75, uses including hotel/motel, commercial sales and truck stop uses within C-3, C-3/CD and C-4/CD zones.

RELATIONSHIP TO COMPREHENSIVE PLAN

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

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

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

"Improvements are needed to the Richwood Interchange and to Richwood Road to increase capacity. The I-75/Richwood Road interchange is slated for reconstruction in 2016. Commercial development around the interchange area is expected to remain and expand to serve local residents in addition to highway-related services. Intrusive highway related services should not impact the low density residential uses on the west, and be limited to the east side of I-75 (8. Richwood East, pg. 171)."

"Commercial uses should develop in the northeast quadrant of the Richwood interchange, but further truck-oriented commercial uses in this area should be discouraged because of the existing traffic congestion and topographical constraints of the interchange (8. Richwood East, pg. 172)."

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

- A. Proper planning is achieved through accepted land use management tools and coordination with public infrastructure ("Overall," Goal).
- B. Boone County shall be viewed as an integral part of the Cincinnati Metropolitan Area ("Overall," Objective 1).
- C. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).
- D. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe and effective access and ample parking spaces (Business Activity, Commercial Objectives).
- E. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Further industrial development must be located where infrastructure exists or is planned. Future industrial districts shall be identified in advance of residential development so that potential impacts are known and can be addressed (Business Activity, Industrial Objectives).

STAFF COMMENTS

- 1. Comments from the Kentucky Transportation Cabinet state that "It is still possible that construction activities for the I-75 /KY 338 / US 25 improvement may result in temporary impacts on this parcel.
- 2. Digital photos of the new Fyda Freightliner facility in Zanesville are in the Staff PowerPoint presentation. The applicant is proposing the same building design and materials.

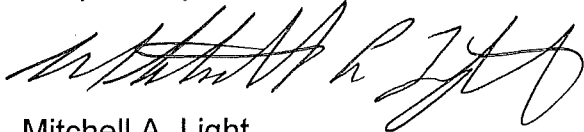
CONCLUSION

The Boone County Planning Commission and the Boone County Fiscal Court must review this request on the basis of its relationship to the Comprehensive Plan and in terms of the three (3) criteria necessary for a Zoning Map Amendment. If approved, the Future Land Use Map will need to be amended.

- 1. The map amendment request is in agreement with the adopted Comprehensive Plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or,

2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or,
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted Comprehensive Plan that substantially alter the area's character.

Respectfully Submitted,

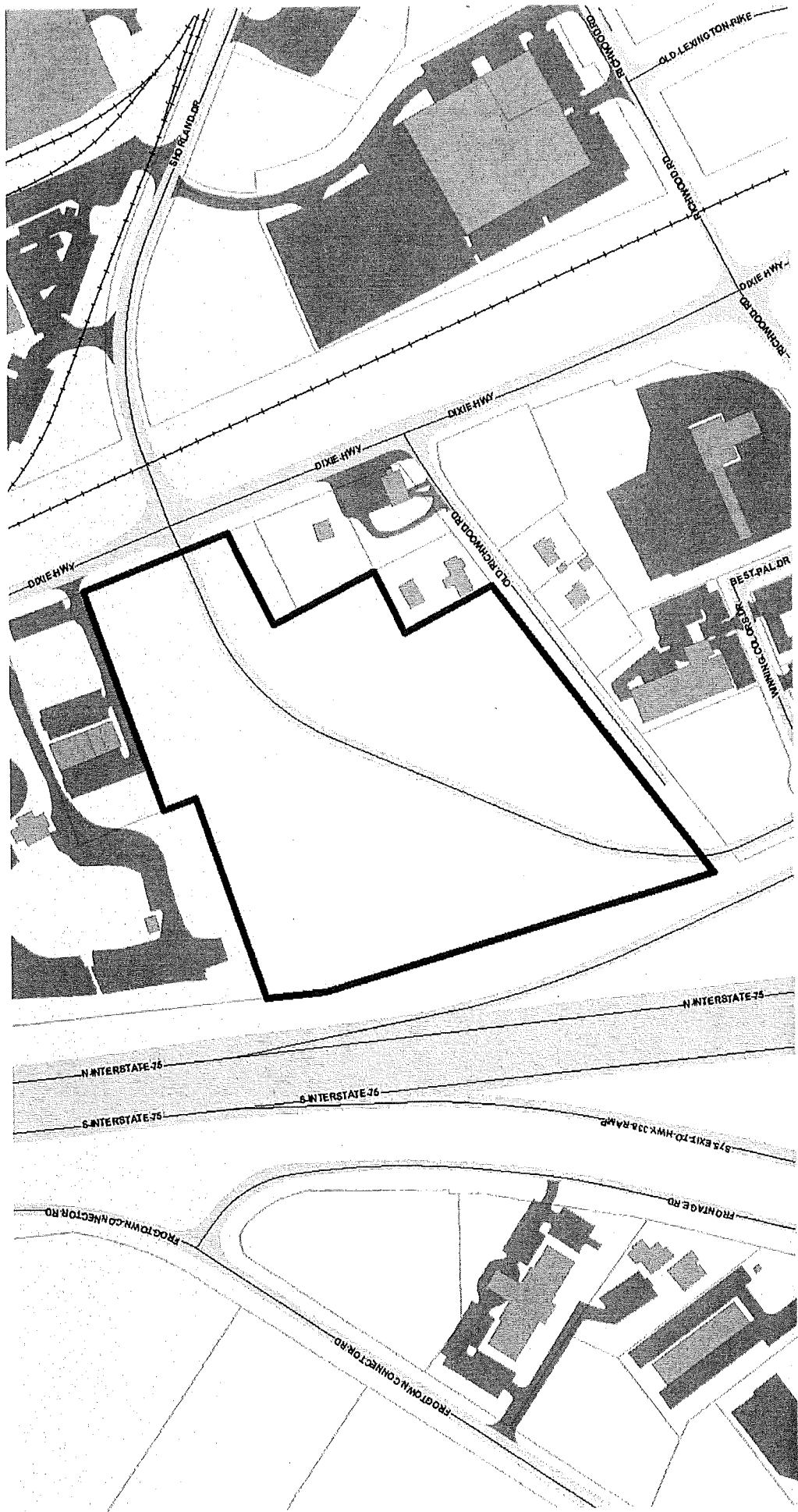


Mitchell A. Light
Asst. Zoning Administrator/Enforcement Officer

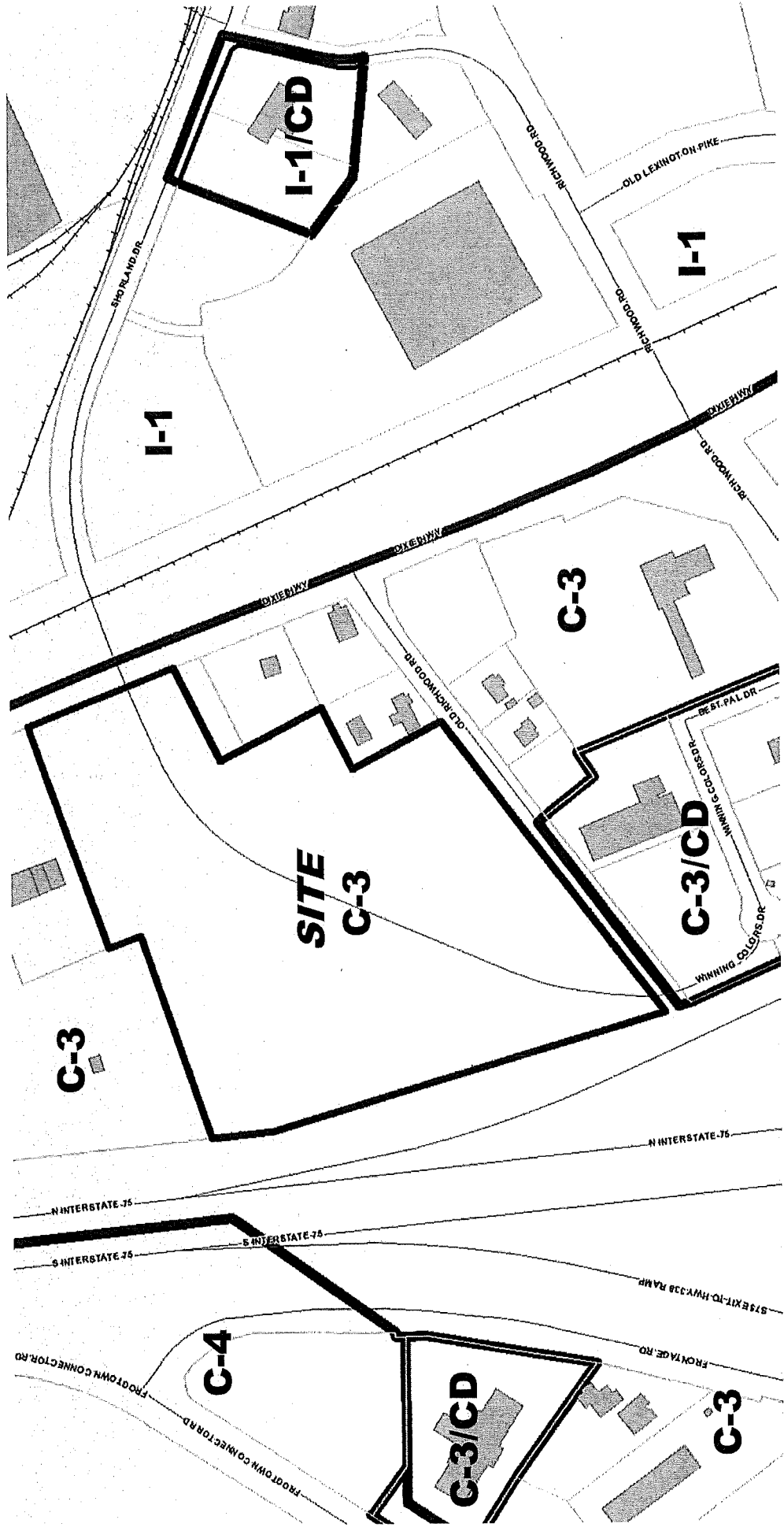
MAL/tlb

Attachments:

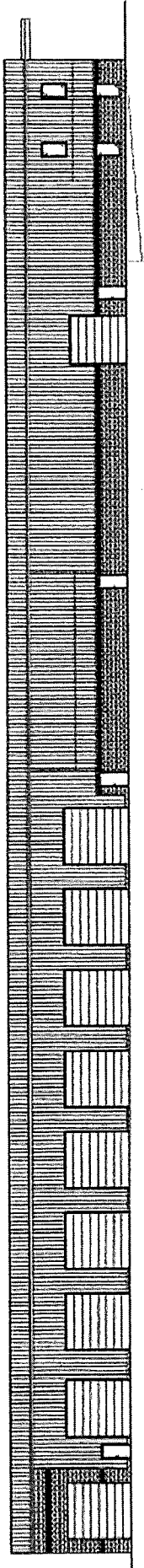
- Vicinity Map
- Zoning Map
- 2015 Concept Development Plan
- 2016 Concept Development Plan
- 2016 Conceptual Landscape Plan
- Proposed Elevations
- Proposed Rendering
- 2015 Committee Report
- KYTC Comments
- Application



VICINITY MAP

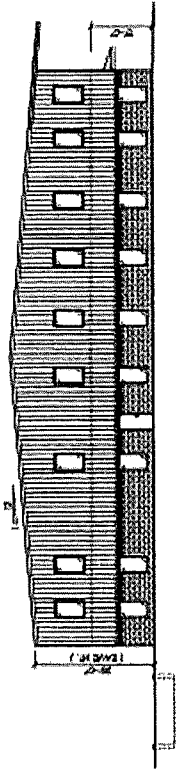


ZONING MAP



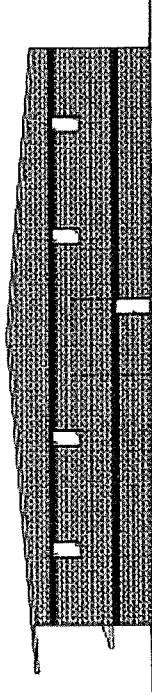
NORTH ELEVATION

18' 7 1/2"



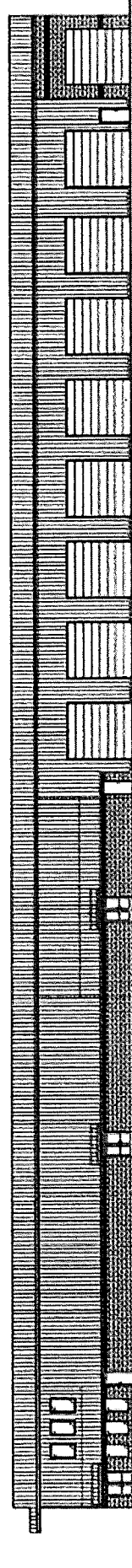
WEST ELEVATION

18' 7 1/2"



EAST ELEVATION

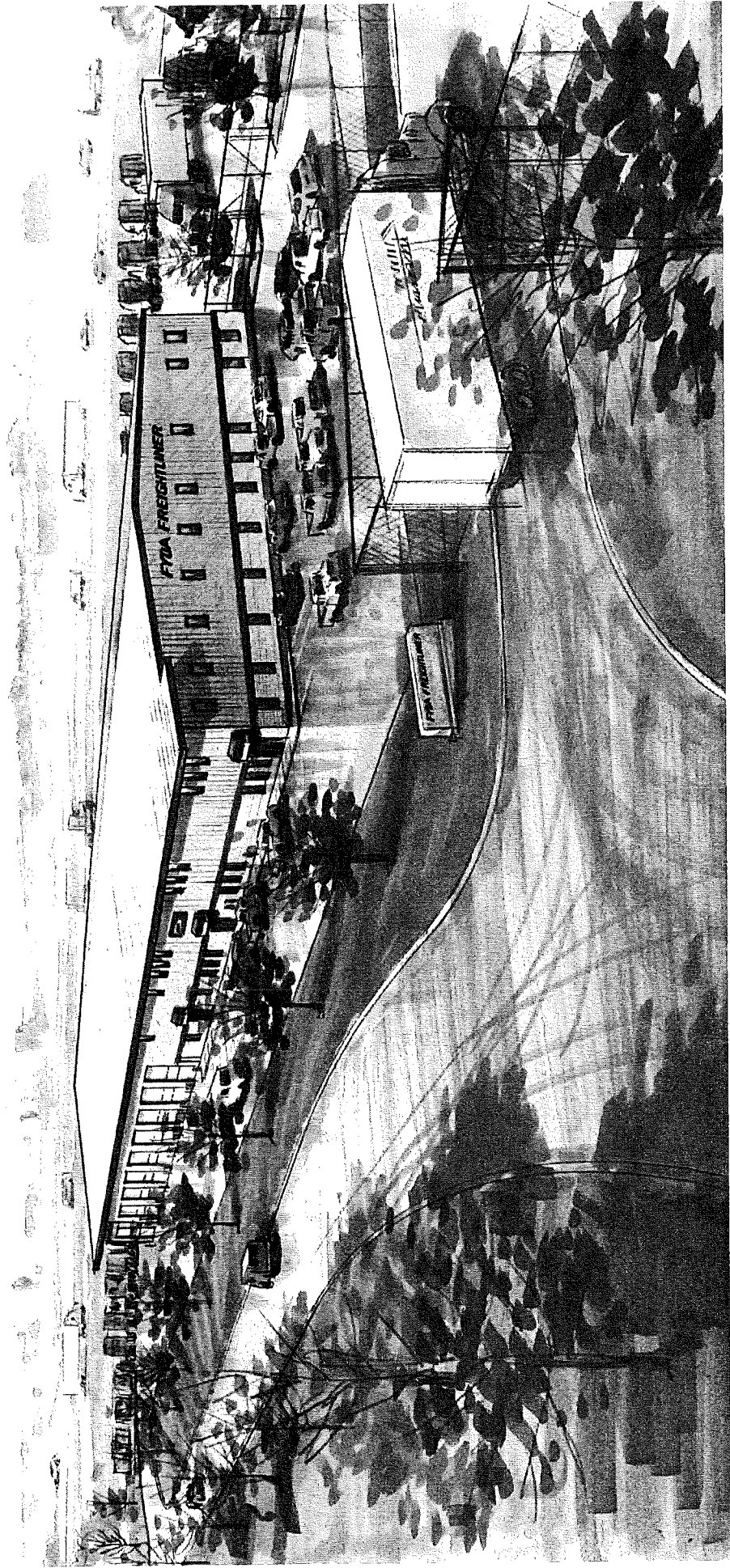
18' 7 1/2"



SOUTH ELEVATION

18' 7 1/2"

PROPOSED ELEVATIONS



PROPOSED RENDERING

Mitch Light

From: Callan-Ramler, Carol (KYTC-D06) <Carol.Callan-Ramler@ky.gov>
Sent: Tuesday, April 12, 2016 2:34 PM
To: Bogen, Matthew (KYTC-D06); Mitch Light
Subject: RE: Winning Colors Drive & US 25 Again | 6-18

Mitch,

It is still possible that construction activities for the I-75 / KY 338 / US 25 improvement may result in temporary impacts on this parcel. Please let me know if you need greater clarification.

Thanks,

Carol

From: Bogen, Matthew (KYTC-D06)
Sent: Tuesday, April 12, 2016 2:32 PM
To: Mitch Light <MLight@boonecountyky.org>; Callan-Ramler, Carol (KYTC-D06) <Carol.Callan-Ramler@ky.gov>
Subject: RE: Winning Colors Drive & US 25 Again

D6 Permits has no comments on the revised concept plan.

Thanks,

Matt Bogen, PE
KYTC District 6
Permits Section Supervisor
Phone: (859) 341-2700 x307
Cell: (859) 462-8718

From: Mitch Light [<mailto:MLight@boonecountyky.org>]
Sent: Friday, April 08, 2016 2:10 PM
To: Callan-Ramler, Carol (KYTC-D06) <Carol.Callan-Ramler@ky.gov>; Bogen, Matthew (KYTC-D06) <Matthew.Bogen@ky.gov>
Subject: Winning Colors Drive & US 25 Again

Hard copy in the mail, but here it is a few days early.

Need comments on this site again please.

Mitchell A. Light
Assistant Zoning Administrator
Boone County Planning Commission

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Randy Bessler, Chairman

DATE: October 7, 2015

RE: Request of **Tim Fyda (applicant)** for **DLW Associates (owner)** for a Zoning Map Amendment from Commercial Services (C-3) to Industrial One (I-1) for an approximate 14.2 acre site located on the west side of Dixie Highway across from the Dixie Highway/Shorland Drive intersection, along the east side of I-71/75, to the north of Old Richwood Road, to the north and west of the properties at 11135 Dixie Highway and 124 Old Richwood Road, and to the south of the property at 11075 Dixie Highway, Boone County, Kentucky. The request is for a zone change to allow the sales and service of trucks and trailers.

REMARKS:

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

Findings of Fact:

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

The Land Use Element (8. Richwood East, pg. 171) states "Improvements are needed to the Richwood Interchange and to Richwood Road to increase capacity. The I-75/Richwood Road interchange is slated for reconstruction in 2016. Commercial development around the interchange area is expected to remain and expand to serve local residents in addition to highway-related services. Intrusive highway related services should not impact the low density residential uses on the west, and be limited to the east side of I-75."

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

Environment, Objective 2, states "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.”

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

CONDITIONS:

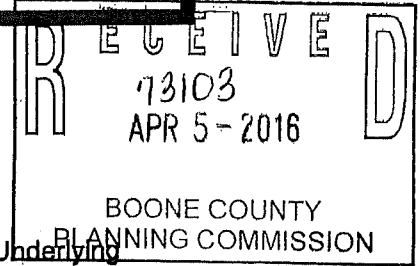
1. The Property owner agrees that there will be no gas pumps or body shop (including paint) operations located on this property.
2. The Property owner agrees that the following Principally Permitted I-1 uses shall be excluded from the development:
 18. Wholesale trade of drugs, drug proprietaries and sundries;
 25. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
 26. Window cleaning, disinfecting, exterminating, grounds keeping, and other dwelling and building services;
 31. Reupholstery and furniture repairing and refinishing services;
 33. Postal services and related storage, distribution and transfer activities;
 42. Truck stops;
 43. Recycling centers;
 48. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.
 49. Crematoriums;

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

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION

FIVE (5) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
- Change in an Approved Concept Development Plan
- Long Range Planning **Committee Review** (As stated in the Houston-Donaldson Study)
- Long Range Planning **Committee Review** (As stated in the Union Town Plan)
- Zone Change ___ 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 Fyda Freightliner
- 3. Location of Project US Hwy 25
- 4. Total Acreage of Site 14.2
- 5. Current Zoning I-1
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) _____
- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) N/A
- 8. Proposed Uses (please specify each use) truck + trailer sales and maintenance
- 9. Proposed Building Intensities (please specify) 3795 SQFT Per Acre
- 10. Have you submitted a Concept Development Plan? yes
- 11. Are you also applying for:
 - N/A Conditional Use Permit
 - N/A Dimensional Variance
- 12. Name of Applicant(s) Steve Berlin
- Phone Number 859-331-9191 Fax No. 859-344-7422 E-Mail steveberlin@fyda.net
- 13. Address of Applicant(s) 1671 Park Rd Suite One
- Et. Wright City Et State 41011 Zip
- 14. Name of Property Owner(s) WFF Investments LLC
- Phone Number 614-851-0002 Fax No. 614-851-0011 E-Mail Tfyda@fydafreightliner.com
- 15. Address of Property Owner(s) 1250 Walcott Road
- Columbus City Ohio State 43228 Zip
- 16. Are there any existing buildings on the site? NO
- How many? _____
- 17. Deed Book 1059 Page No. 427 Group No. 2064

(over)

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: June 1, 2016

RE: Request of **Tim Fyda (applicant)** for **WFF Investments, LLC (owner)** for a Change in an Approved Concept Plan in an Industrial One (I-1) for an approximate 14.2 acre site located on the west side of Dixie Highway across from the Dixie Highway/Shorland Drive intersection, along the east side of I-71/75, to the north of Old Richwood Road, to the north and west of the properties at 11135 Dixie Highway and 124 Old Richwood Road, and to the south of the property at 11075 Dixie Highway, Boone County, Kentucky. The request is for a Change in an Approved Concept Plan to allow modifications to the previously approved Concept Plan.

REMARKS:

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

Findings of Fact:

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

The Land Use Element (8. Richwood East, pg. 171) states "Improvements are needed to the Richwood Interchange and to Richwood Road to increase capacity. The I-75/Richwood Road interchange is slated for reconstruction in 2016. Commercial development around the interchange area is expected to remain and expand to serve local residents in addition to highway-related services. Intrusive highway related services should not impact the low density residential uses on the west, and be limited to the east side of I-75."
2. The Committee has concluded that the request is in agreement with the 2010 Goals and Objectives of the Boone County Comprehensive Plan for the following reason:
 - A. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal)

- B. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe and effective access and ample parking spaces (Business Activity, Commercial Objectives).
- C. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Further industrial development must be located where infrastructure exists or is planned. Future industrial districts shall be identified in advance of residential development so that potential impacts are known and can be addressed (Business Activity, Industrial Objectives).

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

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
MAY 4, 2016
7:30 P.M.**

COMMISSION MEMBERS PRESENT:

Mr. Matt Apke
Mr. Randy Bessler
Mr. Greg Breetz
Mr. Mike Ford, Vice Chairman
Mrs. Lori Heilman
Mr. Don McMillian
Ms. Lisa Reeves
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Kim Bunger, Secretary/Treasurer
Mr. Mark Hicks
Mrs. Janet Kegley
Mr. Kim Patton
Mr. Charlie Reynolds

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 7:30 P.M. and introduced the first item on the Agenda:

CHANGE IN AN APPROVED CONCEPT PLAN - Mitch Light, Staff

1. Request of **Tim Fyda (applicant)** for **WFF Investments, LLC (owner)** for a Change in an Approved Concept Plan in an Industrial One (I-1) for an approximate 14.2 acre site located on the west side of Dixie Highway across from the Dixie Highway/Shorland Drive intersection, along the east side of I-71/75, to the north of Old Richwood Road, to the north and west of the properties at 11135 Dixie Highway and 124 Old Richwood Road, and to the south of the property at 11075 Dixie Highway, Boone County, Kentucky. The request is for a Change in an Approved Concept Plan to allow modifications to the previously approved Concept Plan.

Staff Member, Mitch Light, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The applicant's original request was approved in 2015. The revised Concept Development Plan shows that the building has been reoriented and the parking and circulation areas has increased from the prior approval. This involves the sales and service of trucks and trailers. The revised Concept Development Plan proposes a 44,280 square foot (with an additional 9,800 square foot expansion) Freightliner sales and service facility with parking for employees as well as parking for semi tractors and trailers. A Preliminary Plat and Improvement Plan was approved in 2000 for the construction of Winning Colors Drive. The road was constructed, but never dedicated to the Boone County Fiscal Court. The applicant proposes to use the road as a private driveway for this development. The applicant has also provided photos of their new facility in Zanesville, Ohio, and is proposing the same building design and materials. Mr. Light described the adjoining land uses and zoning. The Comprehensive Plan's Land Use Element recommends commercial for the site. The proposed use is permitted in an Industrial One (I-1) zoning district. Mr. Light described the 2015 Concept Development Plan and the revised Concept Development Plan. The proposed changes include moving the building parallel to I-75 and relocating trailer parking areas to the southern and eastern property lines. Some of the green space areas will be moved from the site to accommodate more parking and traffic circulation. The applicant has submitted a landscaping plan. Mr. Light presented elevations of the proposed building as well as an artist rendering. He showed photos of the existing Zanesville facility. It will be a masonry and metal building.

In terms of Staff Comments, the Kentucky Transportation Cabinet has indicated that it is still possible that construction activities for the I-75/KY338/U.S. 25 improvements may result in temporary impacts on the subject site. There is no imminent date of when this will occur, but it will happen. The applicant has been made aware of it. The applicant wants to construct a building similar to the one in Zanesville, Ohio in terms of design and materials. Mr. Light mentioned that he did attach a copy of a letter to the Staff Report from the Kentucky Transportation Cabinet. Finally, the Planning Commission needs to evaluate the request in terms of the three criteria necessary for granting a Zoning Map Amendment.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with his presentation? Mr. Tim Fyda (applicant) stated that he had two reasons for the change request. First, the revised plan shows more opportunity for future growth - a potential 9,800 square foot building addition on the south side. Second, the original layout didn't address the change in elevation making it hard for trucks to maneuver into the building from the parking lot. Mr. Dusing (attorney) stated that Winning Colors will not be a through street. It will be a shorter street. Mr.

Dusing noted that the original conditions are listed in the Staff Report and his client is again agreeable to them.

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

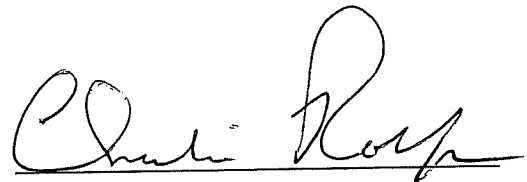
Seeing no one, Chairman Rolfsen asked if any of the Planning Commission Members had any questions or comments?

Mrs. Heilman inquired on whether Ms. Hensley, the adjoining property owner, was impacted by the proposed changes? Mr. Light responded that the original concern was buffering. The Hensleys should have received a notice letter. They are not present at the Public Hearing. Mr. Light explained the differences between the previously approved plan and the proposed plan. The proposed plan shows the use is closer to the residential uses and not just the Hensley property. Mrs. Heilman asked about parking lot lighting. Mr. Light replied that the Planning Commission requires a photometric plan. She asked how much can be seen from the residential properties? How effective will the landscaping be? Mr. Light noted that the houses sit higher. More information is needed about the elevations of the houses, the lighting from the parking lot, the view of the trailers and noise.

Chairman Rolfsen asked if all of the proposed parking spaces are for sales and service? Mr. Fyda replied that the new and used sales vehicles will be on the north sides of the site. The south side will be used for customers or service parking.

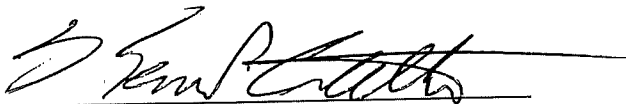
There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on May 18, 2016 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on June 1, 2016 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 7:45 P.M.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: May 18, 2016

CHANGE IN AN APPROVED CONCEPT PLAN - Kim Bunger, Chairman, Mitch Light, Staff

2. Request of **Tim Fyda (applicant)** for **WFF Investments, LLC (owner)** for a Change in an Approved Concept Plan in an Industrial One (I-1) for an approximate 14.2 acre site located on the west side of Dixie Highway across from the Dixie Highway/Shorland Drive intersection, along the east side of I-71/75, to the north of Old Richwood Road, to the north and west of the properties at 11135 Dixie Highway and 124 Old Richwood Road, and to the south of the property at 11075 Dixie Highway, Boone County, Kentucky. The request is for a Change in an Approved Concept Plan to allow modifications to the previously approved Concept Plan.

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.

Fyda/WWF
May 18, 2016

Greg Breetz

For Project ___ Absent ___
 Against Project ___
 Abstain ___ Deferred ___

Steve Turner

Steve Turner

For Project Absent ___
 Against Project ___
 Abstain ___ Deferred ___

Kim Bunger

Kim Bunger, Chairman

For Project Absent ___
 Against Project ___
 Abstain ___ Deferred ___

Randy Bessler (Alternate)

For Project ___ Absent ___
 Against Project ___

Janet Kegley

Janet Kegley

For Project Absent ___
 Against Project ___
 Abstain ___ Deferred ___

Mark Hicks, (Alternate)

For Project ___ Absent ___
 Against Project ___
 Abstain ___ Deferred ___

Kim Patton

Kim Patton

For Project Absent ___
 Against Project ___
 Abstain ___ Deferred ___

Lori Heilman

Lori Heilman (Alternate)

For Project Absent ___
 Against Project ___
 Abstain ___ Deferred ___

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

SUPPORTING INFORMATION

LEGAL DESCRIPTION

Beginning at a point in the east right of way line of Highway I-75, said point being the northwest corner of the DLW property, and the southwest corner of the B&Z Development, INC. property as described in deed book 686 at page 54 of the Boone County Clerk's Records; thence along the easterly right of way line of Highway I-75, S 6° 29' 40" E 120.84 feet, S 17° 01' 00" E 783.96 feet to a point; thence leaving highway I-75, N 52° 15' 00" E 701.79 feet to a point; thence continuing along the DLW property line N 28° 38' 30" W 192.36 feet, N 63° 24' 30" E 132.82 feet, N 27° 43' 20" W 219.92 feet and N 63° 12' 00" E 183.78 but to a point in the west right of way of the Dixie Highway (US HWY 25); thence along the west right of way line of the Dixie Highway N 22° 12' 22" W 301.98 feet to a point; thence leaving the Dixie Highway and following along the north line of DLW Property S 70° 01' 20" W 423.00 feet, S 19° 58' 40" E 60.00 feet, and S 70° 01' 20" W 420.85 feet to the place of beginning containing 14.20 Ac.

ORDINANCE NO. 2016 - 15

AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A REQUEST OF TIM FYDA (APPLICANT) FOR WFF INVESTMENTS, LLC (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN AN INDUSTRIAL ONE (I-1) ZONE FOR AN APPROXIMATE 14.2 ACRE SITE GENERALLY LOCATED ON THE WEST SIDE OF DIXIE HIGHWAY ACROSS FROM THE DIXIE HIGHWAY/SHORLAND DRIVE INTERSECTION, ALONG THE EAST SIDE OF I-71/I-75, TO THE NORTH OF OLD RICHWOOD ROAD, TO THE NORTH AND WEST OF THE PROPERTIES AT 11135 DIXIE HIGHWAY AND 124 OLD RICHWOOD ROAD, AND TO THE SOUTH OF THE PROPERTY AT 11075 DIXIE HIGHWAY, 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 (I-1) zone for an approximate 14.2 acre site generally located on the west side of Dixie Highway across from the Dixie Highway/Shorland Drive intersection, along the east side of I-71/I-75, to the north of Old Richwood Road, to the north and west of the properties at 11135 Dixie Highway and 124 Old Richwood Road, and to the south of the property at 11075 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 approval 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

That the request for a Change in an Approved Concept Development Plan for the real estate which is more particularly described below shall be and is hereby approved in an Industrial One (I-1) zone for an approximate 14.2 acre site generally located on the west side of Dixie Highway across from the Dixie Highway/Shorland Drive intersection, along the east side of I-71/I-75, to the north of Old Richwood Road, to the north and west of the properties at 11135 Dixie Highway and 124 Old Richwood Road, and to the south of the property at 11075 Dixie Highway, 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 (I-1) zone is more particularly described in Deed Book 1059, Page No. 427 as recorded in the Boone County Clerk's office.

Section Two

That a basis for this approval for a Change in an Approved Concept Development Plan in an Industrial One (I-1) zone for an approximate 14.2 acre site generally located on the west side of Dixie Highway across from the Dixie Highway/Shorland Drive intersection, along the east side of I-71/I-75, to the north of Old Richwood Road, to the north and west of the properties at 11135 Dixie Highway and 124 Old Richwood Road, and to the south of the property at 11075 Dixie Highway, Boone County, Kentucky, are the findings of fact of the Boone County Planning Commission as set forth in its minutes and official records for this request and same 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 as set forth in the Committee Report and same are marked as "Exhibit B."

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 16th day of August, 2016.

First Reading – the 19th day of July, 2016.

Second Reading – the 16th day of August, 2016 Yes 4 No 0

BOONE COUNTY FISCAL COURT

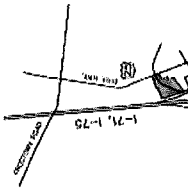


GARY W. MOORE, Judge/Executive
Boone County Fiscal Court

ATTEST:



Sharon Burcham,
Fiscal Court Clerk



APPROVED

Staff *[Signature]*

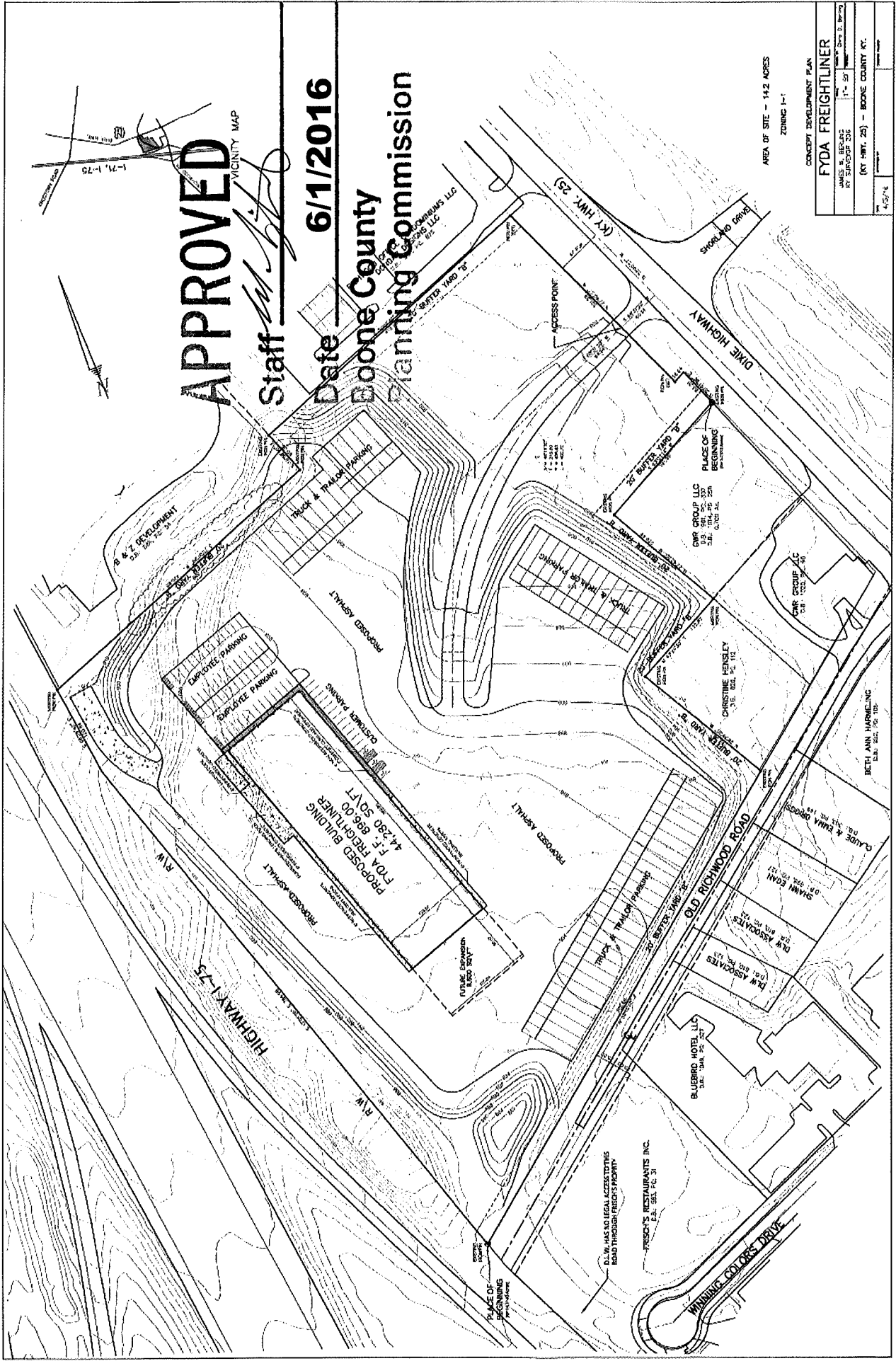
Date **6/1/2016**

Boone County
Planning Commission

VICINITY MAP

AREA OF SITE - 14.2 ACRES
ZONING I-1

CONCEPT DEVELOPMENT PLAN	
FYDA FREIGHTLINER	
JAMES B. BEULAC PLANNING COMMISSION	1" = 50'
(KY HMT. 25) - BOONE COUNTY KY.	DATE: 6/1/2016
4/5/16	



2016 REVISED CONCEPT DEVELOPMENT PLAN

NORTH



NORTH BOUND RAMP TO I-75	
1.00	PLANTING SPECIFICATIONS
1.01	PLANTING SPECIFICATIONS
1.02	PLANTING SPECIFICATIONS
1.03	PLANTING SPECIFICATIONS
1.04	PLANTING SPECIFICATIONS
1.05	PLANTING SPECIFICATIONS
1.06	PLANTING SPECIFICATIONS
1.07	PLANTING SPECIFICATIONS
1.08	PLANTING SPECIFICATIONS
1.09	PLANTING SPECIFICATIONS
1.10	PLANTING SPECIFICATIONS
1.11	PLANTING SPECIFICATIONS
1.12	PLANTING SPECIFICATIONS
1.13	PLANTING SPECIFICATIONS
1.14	PLANTING SPECIFICATIONS
1.15	PLANTING SPECIFICATIONS
1.16	PLANTING SPECIFICATIONS
1.17	PLANTING SPECIFICATIONS
1.18	PLANTING SPECIFICATIONS
1.19	PLANTING SPECIFICATIONS
1.20	PLANTING SPECIFICATIONS
1.21	PLANTING SPECIFICATIONS
1.22	PLANTING SPECIFICATIONS
1.23	PLANTING SPECIFICATIONS
1.24	PLANTING SPECIFICATIONS
1.25	PLANTING SPECIFICATIONS
1.26	PLANTING SPECIFICATIONS
1.27	PLANTING SPECIFICATIONS
1.28	PLANTING SPECIFICATIONS
1.29	PLANTING SPECIFICATIONS
1.30	PLANTING SPECIFICATIONS
1.31	PLANTING SPECIFICATIONS
1.32	PLANTING SPECIFICATIONS
1.33	PLANTING SPECIFICATIONS
1.34	PLANTING SPECIFICATIONS
1.35	PLANTING SPECIFICATIONS
1.36	PLANTING SPECIFICATIONS
1.37	PLANTING SPECIFICATIONS
1.38	PLANTING SPECIFICATIONS
1.39	PLANTING SPECIFICATIONS
1.40	PLANTING SPECIFICATIONS
1.41	PLANTING SPECIFICATIONS
1.42	PLANTING SPECIFICATIONS
1.43	PLANTING SPECIFICATIONS
1.44	PLANTING SPECIFICATIONS
1.45	PLANTING SPECIFICATIONS
1.46	PLANTING SPECIFICATIONS
1.47	PLANTING SPECIFICATIONS
1.48	PLANTING SPECIFICATIONS
1.49	PLANTING SPECIFICATIONS
1.50	PLANTING SPECIFICATIONS
1.51	PLANTING SPECIFICATIONS
1.52	PLANTING SPECIFICATIONS
1.53	PLANTING SPECIFICATIONS
1.54	PLANTING SPECIFICATIONS
1.55	PLANTING SPECIFICATIONS
1.56	PLANTING SPECIFICATIONS
1.57	PLANTING SPECIFICATIONS
1.58	PLANTING SPECIFICATIONS
1.59	PLANTING SPECIFICATIONS
1.60	PLANTING SPECIFICATIONS
1.61	PLANTING SPECIFICATIONS
1.62	PLANTING SPECIFICATIONS
1.63	PLANTING SPECIFICATIONS
1.64	PLANTING SPECIFICATIONS
1.65	PLANTING SPECIFICATIONS
1.66	PLANTING SPECIFICATIONS
1.67	PLANTING SPECIFICATIONS
1.68	PLANTING SPECIFICATIONS
1.69	PLANTING SPECIFICATIONS
1.70	PLANTING SPECIFICATIONS
1.71	PLANTING SPECIFICATIONS
1.72	PLANTING SPECIFICATIONS
1.73	PLANTING SPECIFICATIONS
1.74	PLANTING SPECIFICATIONS
1.75	PLANTING SPECIFICATIONS
1.76	PLANTING SPECIFICATIONS
1.77	PLANTING SPECIFICATIONS
1.78	PLANTING SPECIFICATIONS
1.79	PLANTING SPECIFICATIONS
1.80	PLANTING SPECIFICATIONS
1.81	PLANTING SPECIFICATIONS
1.82	PLANTING SPECIFICATIONS
1.83	PLANTING SPECIFICATIONS
1.84	PLANTING SPECIFICATIONS
1.85	PLANTING SPECIFICATIONS
1.86	PLANTING SPECIFICATIONS
1.87	PLANTING SPECIFICATIONS
1.88	PLANTING SPECIFICATIONS
1.89	PLANTING SPECIFICATIONS
1.90	PLANTING SPECIFICATIONS
1.91	PLANTING SPECIFICATIONS
1.92	PLANTING SPECIFICATIONS
1.93	PLANTING SPECIFICATIONS
1.94	PLANTING SPECIFICATIONS
1.95	PLANTING SPECIFICATIONS
1.96	PLANTING SPECIFICATIONS
1.97	PLANTING SPECIFICATIONS
1.98	PLANTING SPECIFICATIONS
1.99	PLANTING SPECIFICATIONS
2.00	PLANTING SPECIFICATIONS

2016 CONCEPTUAL LANDSCAPE PLAN

AREA III, LAND BY BUFFER YARD 'E'