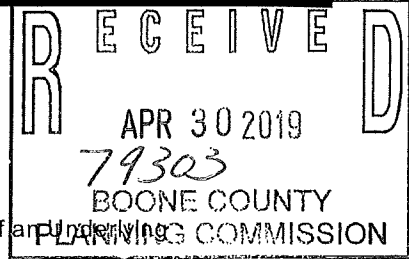


APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION

SEVEN (7) 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)
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 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 Sam's Club #8133
3. Location of Project 4949 Houston Road, Florence, KY 41042
4. Total Acreage of Site 14.85 Acres
5. Current Zoning C-2/PD/CD/HDO
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) June 6, 2000 (Ordinance No. 0-13-00)
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) Yes; Houston-Donaldson Study
8. Proposed Uses (please specify each use) Addition of a Fueling Station to the existing Sam's Club development that will remain
9. Proposed Building Intensities (please specify) Existing Sam's Club (133,384+/- SF) and proposed Fueling Station (192 SF Service Building with 4,800+/- SF canopy) = 9,318 SF / acre
10. Have you submitted a Concept Development Plan? No
11. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance
12. Name of Applicant(s) Brian Dunham, Frost Brown Todd LLC
Phone Number 859-817-5924 Fax No. 859-283-5902 E-Mail bdunham@ftblaw.com
13. Address of Applicant(s) 7310 Turfway Road
Florence KY 41042
City State Zip
14. Name of Property Owner(s) Benenson Flo, KY, LLC
Phone Number Fax No. E-Mail
15. Address of Property Owner(s)
City State Zip
16. Are there any existing buildings on the site? Yes
How many? One
17. Deed Book 793; 512234 Page No. 283; 202222 Group No. 20338
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
X Florence Public Services Dept.
X Duke Energy
Sanitation District #1

EXHIBIT

“A”

STAFF REPORT

Request of **Brian Dunham, Frost Brown Todd, LLC (applicant)** for **Benenson Flo. KY, LLC and Wal-Mart Real Estate Business Trust (owners)** for a Change in Concept Development Plan for a 14.85 acre site located at 4949 Houston Road, Florence, Kentucky (Sam's Club). The request is for a Change in Concept Development Plan to allow a gasoline fueling station and for modifications to an existing retail building in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone.

June 5, 2019

Request

A Change in Concept Development Plan application has been submitted to allow Sam's Club to make the following improvements on the 14.85 acre site referenced above:

- A. Allow a fueling station to be constructed in the northern portion of the site (note - most of the improvements are shown on a 1.63 acre parcel that is owned by Wal-Mart). The submitted concept plans shows a 41' x 120.67' (4,947 square foot) gas canopy, 8 fuel pumps (16 fueling stations), 8 stacking lanes, a 192 square foot customer service building, underground storage tanks, and new landscaping. Access to the fuel center is shown from two ingress points and two egress points that will connect to main driveway aisles in the Sam's Club parking lot. Some changes to the existing parking lot are proposed to be made to accommodate the fuel center.

The submitted elevations show the fuel canopy and customer service building will be constructed with matching split faced concrete masonry units, cultured stone, and standing seam metal roofing. Gas canopy signage is shown on the front and sides of the canopy. Each of these three canopy faces is shown with a "Sam's Club" sign and a gas price board that displays "unleaded" and "diesel" fuel prices in red and green L.E.D.

- B. Facade improvements to the existing Sam's Club building. The submitted elevations show the building will be painted three warm grey colors. A cultured stone wainscot is also being proposed near the main entrance on the front facade. A color sample board has been provided with the application.
- C. Sidewalk improvements along Spiral Drive and Thoroughbred Boulevard.

Site History

- 1986** A Concept Development Plan was approved for phase 1 of Turfway Business Park (the office/research/light industrial phase). A restaurant was approved at that time on the proposed fueling station site.
- 1987** Concept Development Plan and Zoning Map Amendment applications were approved for phase 2 of Turfway Business Park (the commercial phase), which included the Sam's Club structure (originally Price Savers)

The first version of the Houston-Donaldson Study was adopted by the Planning Commission.

1992 A Change in Concept Development Plan for a 28,990 square foot expansion of the Sam's Club structure was recommended for conditional approval by the Planning Commission, but was denied by the Florence City Council. The approved restaurant site was proposed for a parking lot expansion in that application.

The second version of the Houston-Donaldson Study was adopted.

1993 A Change in Concept Development Plan for a 10,380 square foot expansion of the Sam's Club structure was conditionally approved. A parking lot expansion was approved for the restaurant site as part of this application.

2000 A Change in Concept Development Plan for a 26,448 square foot expansion of the Sam's Club structure was conditionally approved.

2002 A Change in Concept Development Plan application for a fueling station on a 1.63 acre tract was denied. This proposal included eight pumps (sixteen total fueling stations), a 7,478 square foot canopy, an approximate 100 square foot service building, and parking lot expansions on the remainder of the lot. This application was reviewed under the 2000 Boone County Comprehensive Plan.

2008 A Change in Concept Development Plan application for a fueling station on a 1.63 acre tract was denied. The proposal included six pumps (twelve total fueling stations), a 40' x 86'-4" canopy, and an approximate 224 square foot service building, and parking lot improvements (The Planning Commission's findings for denial and City Council minutes are attached). This application was reviewed under the 2005 Boone County Comprehensive Plan.

2013 The third and current version of the Houston-Donaldson Study was adopted.

Site Characteristics

The overall site is 14.85 acres in area and has approximately 500 feet of frontage on Houston Road, 1,000 feet of frontage on Thoroughbred Boulevard, and 300 feet of frontage on Spiral Drive. The property contains a 133,384 square foot Sam's Club and 634 parking spaces per the applicant's plan. Access to the site is provided from a right-in/right-out access points on Houston Road, a full access point at the Thoroughbred Boulevard/Hansel Avenue signalized intersection, and driveway connections to adjoining properties to the southwest and west. The driveway connection to the west is located along the western property line and ties into Spiral Drive. Public sidewalks exist along Houston Road and the portion of Thoroughbred Boulevard between Houston Road and the Sam's club access point.

The proposed fuel station is shown in open grassed area at the southwest corner of the Spiral Drive/Thoroughbred Boulevard intersection and adjoins the existing Sam's Club parking lot to the east and south. The topography of this 1.63 acre area is relatively level, with down slopes from the adjoining roadways. All utilities are available in the immediate area.

Adjacent Land Uses and Zoning

North: Spiral Drive and Office/Industrial Uses at 5 and 11 Spiral Drive (I-1/PD/CD/HDO)

- South: Houston Road, Meijer Drive, Best Buy, and Meijer Supermarket (O-2/C-2/PD/CD/HDO)
- East: Thoroughbred Blvd., Hansel Ave, Steak-N-Shake, Longhorn, and Dick's (C-2/PD/CD/HDO)
- West: Multi-Tenant Commercial Shopping Center with Guitar Center and Half Price Books
(C-2/PD/CD/HDO)

Relationship to the Comprehensive Plan

The 2010 Boone County Comprehensive Plan's "2035 Land Use Plan" designates the Sam's Club building and parking lot for "Commercial" (C) uses and the proposed fueling station site for "Industrial" (I) uses. These future land use map classifications are defined as follows:

Commercial (C) - "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

Industrial (I) - "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."

The Land Use Element contains the following Future Land Use Development Guidelines that relate to the request:

- 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 (Future Land Use Development Guidelines, Utilization of Existing Vegetation and Topography, pp. 161-162).
- 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 (Future Land Use Development Guidelines, Buffering, pp. 162-163).
- C. Developments in Boone County must recognize the potential impacts of stormwater runoff. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site. One goal of local storm water programs should be to minimize the amount of storm water generated by decreasing the amount of pavement and encouraging green rooftops. Creating less runoff by increasing on-site infiltration is a method of managing runoff (Future Land Use Development Guidelines, Stormwater Management and Erosion Control, pg. 163).
- D. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and

travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way (Future Land Use Development Guidelines, Access Management, pg. 163).

- E. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways, and functional classifications must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. The traditional grid system can provide an alternative to typical suburban design. Parallel and frontage roads should be used to minimize impacts of individual sites on collector and arterial roadways. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but should provide connections to adjoining uses where appropriate (Future Land Use Development Guidelines, Transportation and Pedestrian Network, pp. 163-164).
- F. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor (Future Land Use Development Guidelines, Design, Signs, and Historic Preservation, pg. 164).

The Land Use Element Text contains the following passages which relate to the request:

- A. An Existing Land Use Map, accurate to September of 2009, and a Future Land Use Map have been produced with the use of the Boone County Geographic Information System (GIS) program. The maps are intended to be used in tandem with the accompanying text below; the future land use boundaries are approximate and subject to refinement and interpretation by the Planning Commission and county legislative bodies. The text and map should be used as a tool to aid in managing growth in Boone County. It is important to consult the Land Use Element text to learn of timing or phasing issues that may be present in a particular corridor. The Future Land Use Map may indicate future land uses for a particular area, however, the area may not be ready for development until certain infrastructure is in place or another area develops first. It is critical to note that the Future Land Use Map is a 25 year projection, and is not intended to commit all areas to development immediately. In some areas, phasing may be used to make sure development is supported by infrastructure, and in others development may be delayed until planned infrastructure is provided. This Comprehensive Plan recognizes that there is much coordination that occurs between the Planning Commission, state and local governments, utility commissions, school districts, the development community, emergency services, public works, recreation departments, transportation agencies, and numerous other public services whenever a land use or infrastructure decision is reached...(Land Use Map, pg. 164).
- B. Regionally-oriented growth should be confined to Mall Road and Houston Road, and should not expand on to U.S. 42, KY 18 or Hopeful Church Road. However, the highway-scaled, automobile

oriented appearance of this growth should be minimized through the provision of pedestrian improvements, smaller facilities within outlots in conjunction with larger strip-style centers, multiple, scattered parking areas in lieu of large central parking areas, and street trees along Mall Road. This growth should also include multi-modal transportation amenities, an idea which has been furthered by TANK's proposed transit hub at a site on the west side of Mall Rd. Any commercial development in the Houston Road area should be consistent with the recommendations of the Houston-Donaldson Study. The Study recommended an employment district to include a mix of office, commercial, and industrial uses for the existing Houston Road corridor, with a preferred emphasis on office development along I-75 and high-technology industrial uses west of Houston Road. The development of the southern portion of the corridor has been more commercial in nature, and contains less office or industrial than recommended in the Study. The northern portion has experienced office, commercial, industrial, and education development.

Commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate. The coordination of curb cuts and parking lot connections in the already developed areas must occur in order to maintain a reasonable ease of travel along these roads. Undeveloped tracts of commercial land should connect to and coordinate with any adjoining commercial, office, or industrial development in existence. Where no development has yet occurred, provisions for Access Management must be made for future development. This includes the use of frontage roads as well as parking lot connections and shared curb cuts.

Regionally-oriented commercial development should be confined to Mall Road and the Houston Road area (Houston-Donaldson/Mall Road, pg. 167).

The Business Activity Element provides the following comments that relate to the general area:

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

The following 2017 Goals and Objectives relate to the request:

- A. Currently accepted and innovative design methods, land use management tools, and coordination among agencies as well as with public infrastructure shall be pursued to produce a healthy, well-designed community that supports residents and businesses (Overall, Objective 1).

- B. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall, Objective 4).
- C. The unique characteristics of the legislative units and their different development and infrastructure needs should be recognized and accommodated (Overall, Objective 5).
- D. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics, Goal A, Objective 4).
- E. Development design shall consider natural and ecological systems, such as wildlife habitats, air, soils, and water (Environment, Objective 6).
- F. Development shall utilize existing topography and vegetation (including mature trees) and preserve the existing character of the land (Environment, Objective 7).
- G. Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses (Economy, Goal B).
- H. Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy, Goal B, Objective 1).
- I. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy, Goal B, Objective 3).
- J. Interstate commercial uses, as well as the freight logistics industry, shall be in close proximity to interstate interchanges for maximum convenience and economy to the traveling public, while minimizing traffic congestion except in the City of Florence where overlay districts exist to promote this type of industry (Economy, Goal B, Objective 4).
- K. Existing infrastructure and services such as water, stormwater, wastewater, gas, electric, communication lines, and emergency and municipal services shall be utilized efficiently. The phasing of proposed development may be one way of addressing significant impacts on existing infrastructure and services (Public Facilities, Objective 1).
- L. The local transportation system in Boone County shall be maintained and improved to enhance the overall safety and level of service (Transportation, Goal B).
- M. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops (Transportation, Goal B, Objective 6).
- N. Traffic impact analysis should be used as a tool to address impacts to the existing transportation system (Transportation, Goal C, Objective 3).

Planned Development Standards

The Concept Development Plan needs to be evaluated against the Planned Development Standards that are found in Section 1514 of the zoning regulations (see attachments). A proposed Concept Development Plan shall fulfill the criteria outlined in this section "unless a portion of the criteria do not apply or relate, in whole or part, to a specific proposal".

Relationship to the Houston-Donaldson Study

The land use recommendations chapter of the study shows the subject site is located with subarea four of the Houston-Donaldson Study (pg. 33). The northern portion of the subarea, including, the proposed gas station site, is designated for industrial uses and the southern portion of the subarea, including the Sam's Club building, is designated for commercial uses.

The study states that future land use efforts in subarea four be focused on redevelopment and that, if and when such development occurs, that it should aesthetically fit in with surrounding uses.

The following recommendations are included for subarea 4:

- Future development and/or redevelopment in Subarea Four should be of commercial or office type land uses and not of light industrial or residential uses, except for the light industrial area on Spiral Drive.
- Existing office and retail structures on Meijer Drive be either completed or occupied.
- That redevelopment in Subarea Four aesthetically fit in with the existing land uses.

The Houston-Donaldson Study's Goals and Objectives are not intended to replace Goals and Objectives of the 2010 Boone County Comprehensive Plan but to enhance them as they apply to the Study Area (Subarea Goals and Objectives, pg. 41).

The following subarea 4 Goals and Objectives are included in the Study (pg. 44):

Goal A: Maintain the successful business climate of the Subarea.

Objectives:

1. Continue to consistently apply the Design Standards for future development and/or redevelopment.
2. Continue to support the Commercial and Office uses and zoning classifications in future editions Boone County Zoning Ordinance and future editions of the Boone County Comprehensive Plan and its Future Land Use map.

Goal B: Enhance the non-motorized system in the South Entrance Subarea.

Objectives:

1. Disconnects in the sidewalk network within the Subarea should be filled in.
2. Redevelopments in the Subarea should incorporate new internal sidewalks that connect to the Subarea's sidewalk system.

Goal C: Protect the integrity of the Gunpowder Creek Watershed.

Objectives:

1. Use future development and/or redevelopment of properties in the Subarea for opportunities to apply efforts to improve quality and quantity of stormwater runoff.

The following development site design requirements from the Houston-Donaldson Study apply to the proposed application (pp. 53-54):

- A. Site Arrangement - A minimum 20' wide landscape buffer is required between the right-of-way and on-site improvements.
- B. Landscaping - Landscaping shall be provided per Article 36 of the zoning regulations.

- C. Pedestrian Facilities - Each development within the Study area shall provide pedestrian sidewalk connections to other developments. These connections are in addition to sidewalk connections between the building, parking, and street. Outdoor spaces with fixed seating, landscaping, and other pedestrian improvements shall be provided at the main building entrance of major developments that have high volumes of pedestrians. These outdoor spaces shall be surfaced with decorative pavers or concrete.
- D. Site Furniture - Site furniture includes items such as benches/seating, light fixtures and masts, waste receptacles, railings around outdoor seating areas, and street/regulatory signage. Site furniture must be architectural grade (not wood), use neutral or dark colors, and correlate to one another.
- E. Underground Utilities - All utility lines shall be placed underground.

The following architectural design review requirements from the Houston-Donaldson Study apply to the proposed application (pp. 55-56):

- A. Relationship to Neighboring Structures - Building design shall correlate to adjoining structures, and those in the same overall center or subdivision if applicable, through the use of comparable and compatible facade composition, materials, colors, roof forms, and stylistic or thematic traits.
- B. Massing and Proportions - The overall three dimensional envelope of the building shall be proportionate in terms of length, width, and height. Individual components on building facades, such as windows, doors, projections, placement of design details, and changes in footprint, rooflines and forms, materials, and colors, shall also be proportionate to one another and balanced on the overall structure. Three dimensional relief may be added with the provision of projections such as covered walkways/arcades, canopies, and simple fabric awnings, and/or by providing jogs or breaks in the building footprint.

For large scale structures such as anchor style retail buildings, parking structures, civic/institutional buildings, the amount of detailing and fenestration will need to be adjusted to match the scale and function of the building. The exterior walls of larger office/commercial buildings can be designed to appear as a collection of multiple zero lot line buildings or tenants.

- C. Facade Composition and Detailing - Facades shall be designed to have a defined base, mid section, and top or cap. This can be accomplished by differentiating the material, finish, and/or color of the lower portion of the exterior wall along the foundation (or entire ground floor for multi-story buildings) from the upper portion of the wall.
- D. Building Materials - The primary exterior wall materials shall include brick, architectural grade CMU, stone, tile, or concrete which is formed to have a highly textured, fluted, or unit masonry appearance. These materials shall have an integral color. Architectural grade metals such as Alucobond type products are also permitted. Glass curtain walls used in conjunction with these materials are also permitted. Other materials such as EIFS/stucco, wood or cement board siding, glass block, and precast concrete may be used for trim, detailing, and incidental or secondary wall areas. EIFS/stucco and precast concrete wall panels with a similar light texture finish may be used as a primary building material for industrial buildings which are larger than 100,000 square feet and not located along collector or arterial roadways, and may be used on rear facades which are not subject to public view for other structures.

Materials for any pitched roof shall be architectural grade, three dimensional shingles or tiles, slate, or standing seam metal. Other types of decorative metal roofing can be evaluated on a case-by-case basis and approved if they are integral to the overall design of the structure.

- E. Building Material Colors - Exterior walls shall primarily use colors which are reflective of rich, natural tones such as those in the red, red-brown/terra cotta, brown, clay, beige/tan/blond, mustard, and/or warm gray ranges. White or exceptionally dark colors are not permitted. Other colors may be used for trim and detailing. The color of pitched roof materials shall complement, yet contrast with the exterior wall materials. Color schemes shall use at least two colors to highlight building features and details, create contrast, and to avoid monotony and starkness in the overall building design. A consistent color scheme shall be provided on all facades so that the appearance of a rear or service side of the building is minimized.
- F. Roof Types and Shapes - Parapet design which have a defined cornice line and pitched roofs are permitted. Pitched roof forms shall appear complete and symmetrical when viewed from public vantage points. Mansard or other "stage set" designs are not permitted.
- G. Screening, Accessory Structures, and Retaining Walls:

All mechanical equipment shall be screened. Ground mounted equipment shall be screened either with landscaping or enclosed with an enclosure structure which uses the same materials, colors, and design detailing as the principal building. If roof mounted, the equipment shall be screened by a parapet wall (for flat roofed buildings) which is designed and constructed as an integral part of the overall building; applied, "stage set" style mechanical equipment screens or mansards are not permitted. Roof mounted equipment on flat roofed buildings shall be painted to match the roof surface material if it is visible from adjoining sites or roadways that are at a higher elevation. For roof mounted equipment on pitched roofed buildings, the equipment shall be wholly contained within roof structure.

Garbage storage areas and accessory structures shall be placed in the side or rear yard only, excluding corner side yards. Garbage storage areas shall be enclosed per the requirements of Section 3151 of the zoning regulations. Additionally, garbage enclosure structures and accessory structures shall be constructed with the same materials, colors, and design detailing as the principal building.

The Houston-Donaldson Study Special Sign Regulations state that proposals for infrequently changing electronic copy (such as fuel prices) can be reviewed through the Technical Design Review or Concept Development Plan application process (pg. 61). The signage request should be reviewed in terms of the Houston-Donaldson Study and Section 3413 (2) of the Boone County Zoning Regulations. The zoning regulations allow canopy signage on any three faces. Up to 25% of a fascia area may be in the form of signage. This is measured by drawing one rectangle around all proposed signs. Minor changes to the sign code can be permitted with Technical Design Review or Concept Development Plan applications.

Staff Comments

1. The Planning Commission and City of Florence need to determine if the proposed fuel center should be permitted at the subject location. The Boone County Comprehensive Plan's 2035 Future Land Use Map identifies the site for industrial uses. The Houston-Donaldson Study recommends that future development and/or redevelopment in Subarea Four should be commercial or office type land uses and not light industrial or residential uses, except for the light industrial area on Spiral Drive.

Staff would like to note that fuel sale facilities are prevalent throughout the community, including two that are located in the Houston-Donaldson Study limits. A Speedway gas station is located at the KY 18/Merchants Street intersection and a Marathon station is located at the Donaldson Highway/Cherry Tree Lane intersection. Both of these sites are located in close proximity to I-71/75 Interchanges and have a "highway commercial" character.

2. Staff recommends that the following Planned Development criteria should be looked at in more detail:

Mixed Use Development and Pedestrian Orientation - The submitted plans show that sidewalks are being proposed along Thoroughbred Boulevard and Spiral Drive to complete the perimeter sidewalk network around the site. Staff would like the applicant to address the following:

- A. Can a sidewalk connection be provided between Thoroughbred Boulevard and the main building entrance? Staff would like to note the sidewalk connection may not be feasible because of the grades and handicapped accessibility requirements.
- B. Can site furniture (decorative benches, trash can, etc.) be added by the main building entrance per the Houston-Donaldson Study design requirements?

Compatibility of Uses - The Planning Commission and City of Florence need to determine if the proposed fuel center is compatible with Turfway Business Park and adjoining properties. Staff would like to note that the fuel center will not be visible from Houston Road and that additional landscaping is being proposed to buffer the use from Thoroughbred Boulevard and Spiral Drive.

Preservation of Existing Site Features - The submitted grading plan shows that minimal grading is proposed and the existing berms in the Thoroughbred Boulevard right-of-way will be retained. The plan also shows the fuel center will have a ground elevation that is roughly 896' above sea level and will sit substantially lower than adjoining portions of Thoroughbred Boulevard and Spiral Drive.

Landscaping - The submitted landscaping plan shows that substantial deciduous and evergreen plantings are being proposed to buffer the proposed fuel center from Thoroughbred Boulevard, Spiral Drive, and the Sam's parking lot. Staff would like the applicant to address the following:

- A. Has permission been granted from Kentucky Transportation Cabinet to allow landscaping in the Thoroughbred Boulevard right-of-way?
- B. Has the adjoining property granted permission allowing landscaping to be removed or installed on their property?
- C. Can the landscape planting scheme be extended to the Sam's Club entrance on Thoroughbred Boulevard?

Architecture - The submitted elevations show the fuel center and Sam's Club building will complement one another. The fuel center columns/canopy and customer service building will be constructed with split faced CMU (painted gray), stone, and gray standing seam metal roofing. The existing Sam's Club building will be improved with a warm gray color scheme (3 different shades) and stone on the front facade. Staff would like the applicant to address the following:

- A. Can stone be added to columns on the front facade of the Sam's Club building?
- B. Are any rooftop mechanicals proposed on the fuel canopy or customer service building?

Signage - The submitted fuel center elevations show that "Sam's Club" signage and LED fuel price displays are proposed on three faces of the fuel canopy. These signs can be analyzed now or through a Design Review application at a later date.

3. Staff would like the applicant to verify that an access easement exists which gives them the legal right to use the shared driveway on the adjoining property.
4. The applicant submitted a Traffic Impact Study with the request and the entire document is part of the record. The executive summary section of the Traffic Impact Study has been attached to the Staff Report.

The 2020 projected build scenario states that "the intersections located in the study area are projected to operate at good levels of service with the one exception. Again, this exception is the major intersection at Houston Road and Thoroughbred Boulevard, which is projected to operate at an acceptable LOS D during the AM, PM, and Saturday Peak conditions."

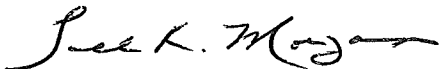
The conclusions and recommendations section indicates "that the Sam's Club Fuel Center development will not create a significant traffic impact. The proposed development can be supported by the existing roadway network and should not adversely impact the traffic operations in the area." The sidewalk and crosswalk improvements at the intersection of Thoroughbred Boulevard and the Sam's Club driveway will need to be coordinated with Kentucky Transportation Cabinet.

5. Staff sent out an agency memo for the proposed project and received comments back from Florence Fire Department and Florence Public Services.

Conclusion

The request needs to be evaluated by the Boone County Planning Commission and Florence City Council in terms of Articles 3 and 15 of the Boone County Zoning Regulations and the potential impacts on existing and planned uses in the area. The Future Land Use Map will need to be amended if the request is approved.

Respectfully Submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

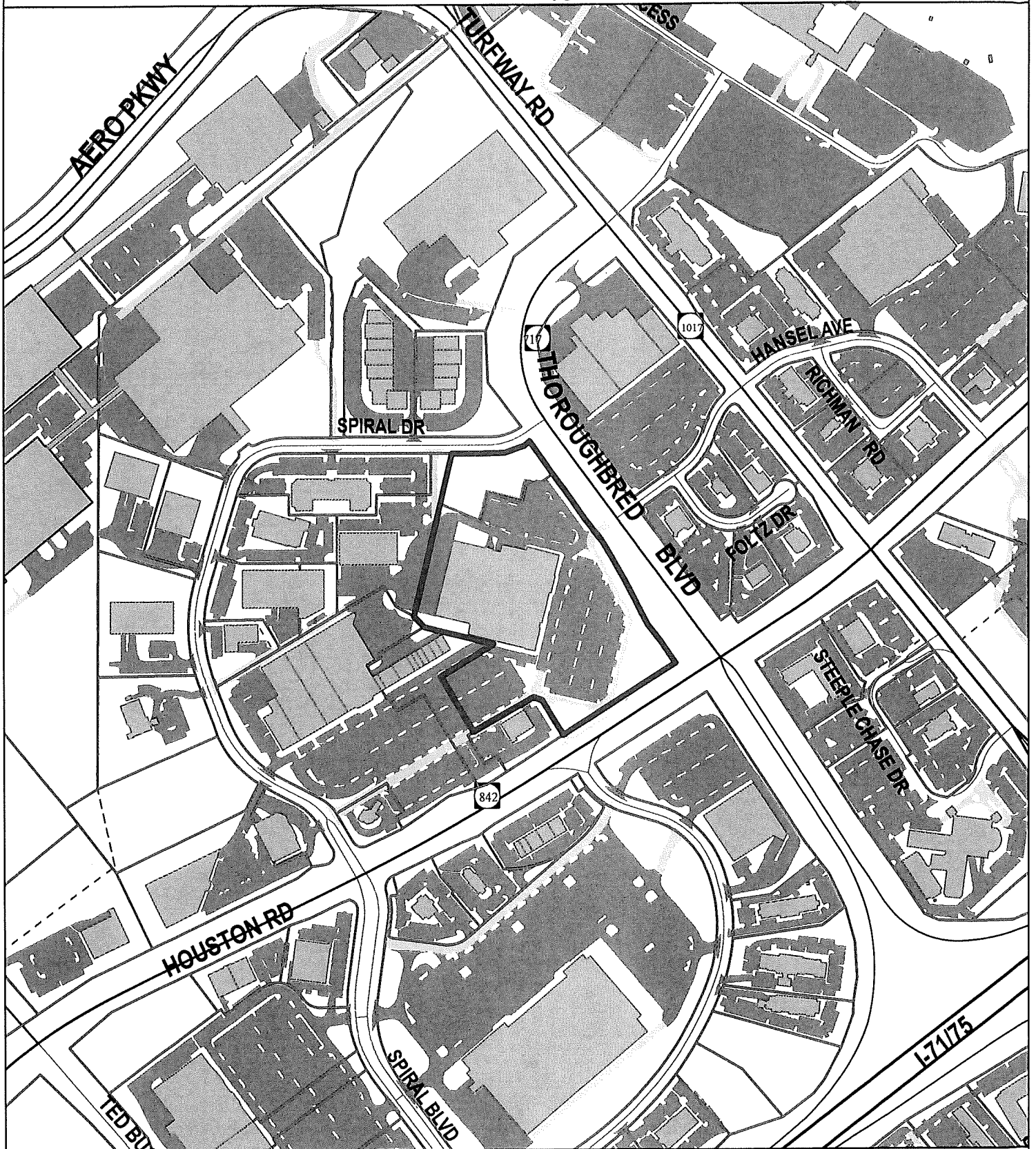
TKM/ss

Attachments:

- *Site Vicinity Map
- *4/29/19 Letter from Keith Moore Outlining the Request
- *Concept Plan (Overall Site)
- *Concept Plan (Blow Up of Proposed Fuel Center)
- *Concept Plan (Grading)
- *Concept Plan (Utility)
- *Concept Plan (Landscaping)
- *Concept Plan (Fuel Center Elevations)
- *Concept Plan (Standing Seam Metal Roofing Color)
- *Concept Plan (Fuel Center Photometric Plan)
- *Concept Plan (Color Board)
- *Concept Plan (Sam's Club Building Elevations)
- *Executive Summary from 4/19/19 Traffic Impact Study
- *Zoning Map
- *2035 Future Land Use Map
- *2016 Aerial Map
- *Topographical Map
- *Planned Development Criteria
- *5/7/19 Comments from Fire Marshal Vogelpohl, Florence Fire/EMS
- *5/7/19 Comments from Tom Gagnon, Florence Public Services
- *2002 Concept Development Plan (Site Plan)
- *2002 Concept Development Plan (Elevations)
- *2008 Concept Development Plan (Overall Site)
- *2008 Concept Development Plan (Blow Up of Fuel Center)
- *2008 Concept Development Plan (Elevations)
- *2008 Findings For Denial
- *Application

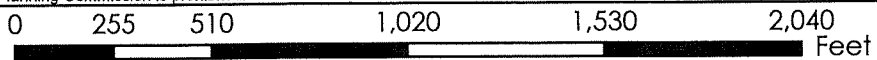
SITE VICINITY MAP

www.boonecountygis.com



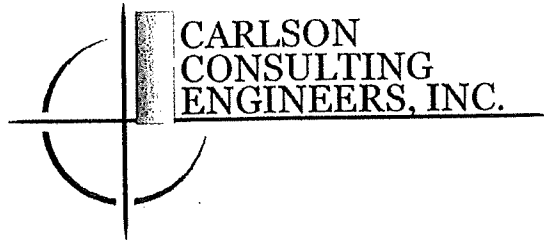
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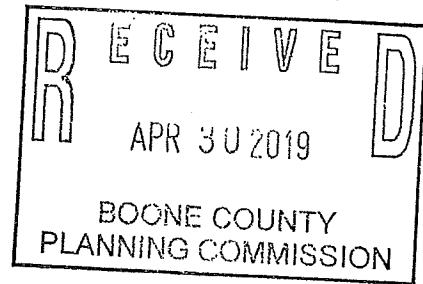
Boone County GIS - Putting Northern Kentucky on the Map





April 29, 2019

Boone County Planning Commission
3rd Floor, Administration Building
2950 Washington St, Rm 317
Burlington, KY 41005



RE: Proposed Concept Development Plan Amendment
Sam's Club #8133
4949 Houston Road, Florence, KY 41042

Dear Commissioners:

We respectfully request your consideration of our proposal to amend the currently approved Concept Development Plan for the existing Sam's Club development located on Houston Road in Florence.

The proposed amendment primarily includes the addition of a new Sam's Club fueling station on the currently undeveloped parcel at the north end of the site. Other development improvements associated with the amendment will include a public sidewalk extension along Spiral Drive and Thoroughbred Boulevard, landscaping improvements, and elevation improvements to the Sam's Club building to give it a more modern look.

I've provided below a brief narrative of certain facets of the amendment for your consideration. This narrative highlights what we feel are key aspects of the proposal as well as how the improvements will conform to applicable governances.

Fueling Station

The proposed fueling station will consist of a small service building (192 SF) and 8 fueling pumps under an approximate 4,800 SF canopy. The fueling station design incorporates a warm gray primary color scheme with cultured stone wainscot around the service building and canopy columns. The roofs of the service building and canopy will be a standing seam metal pitched roof system painted a slightly darker shade of gray to accent the primary warm gray color of the walls and canopy columns.

No merchandise will be sold from the service building. It is primarily intended to provide shelter for the attendant. The fueling station will also only be available to Club Members

and the hours of operation will match the Sam's Club which is currently open from the hours of 7:00 AM to 8:30 PM Monday through Saturday and 10:00 AM to 6:00 PM on Sunday.

In order to minimize impacts on existing infrastructure, the design for the fueling station made use of the drives currently serving the existing developments and will not require any new curb cuts on public roadways. Additionally, a traffic analysis was performed to model potential impacts to the existing roadway infrastructure due to the proposed fueling station. The traffic analysis determined that the proposed fueling station will not create a significant impact to the existing roadways and will not result in any decreases in the Level of Service (LOS) at any of the analyzed intersections.

The traffic study also reviewed truck access and circulation impacts due to the proposed fuel station. Fuel trucks will utilize the same entrance/exit that the Sam's delivery trucks use and will not have any impact on existing internal lot circulation patterns.

The proposed layout was also reviewed to ensure congestion at the fueling station would not impact internal lot circulation. Per the traffic study, a Saturday afternoon peak trip count to the fueling station of 122 vehicles was estimated. Given an average re-fueling time per vehicle of 6 minutes with a total of 16 fueling positions, the proposed fueling station is capable of handling 160 vehicles per hour with the additional capacity for 32 vehicles queued in advance of the pump locations. Applying the above numbers to a Poisson statistical distribution, there is a 99% confidence that no more than 21 vehicles will arrive at the fueling station in any given 6 minute period.

A stated goal within the Houston-Donaldson Study for our subarea is to protect the integrity of the Gunpowder Creek Watershed. To help achieve this goal, the design incorporates new stormwater quality features that, in addition to the existing onsite stormwater retention pond, will assist in the filtering of the stormwater before it leaves the site and eventually flows into Gunpowder Creek.

Sidewalk Extension

Another stated goal of the Houston-Donaldson Study for our Subarea is that disconnects in the sidewalk network within the Subarea should be filled in to enhance the non-motorized system in the area. As such, a sidewalk extension along the site's frontage of Spiral Drive and Thoroughbred Boulevard has been incorporated into the proposed plan amendment to fill in one of the sidewalk disconnects that is specifically mentioned in the Study. In addition to the sidewalk extension, curb and gutter will also be added to Thoroughbred Boulevard where not currently installed to match the balance of the site's frontage.

Landscaping Improvements

There is an existing tree and shrub mass at the intersection of Thoroughbred Boulevard and Spiral drive that partially screens the site from the public view. As part of this amendment, this tree and shrub mass will be supplemented with additional plantings to extend the screening across the fuel parcel's entire frontage of Thoroughbred Boulevard

and Spiral Drive. Additional new plantings will also be placed around the perimeter of the fueling station development to also improve internal screening.

Sam's Club Building Elevation Improvements

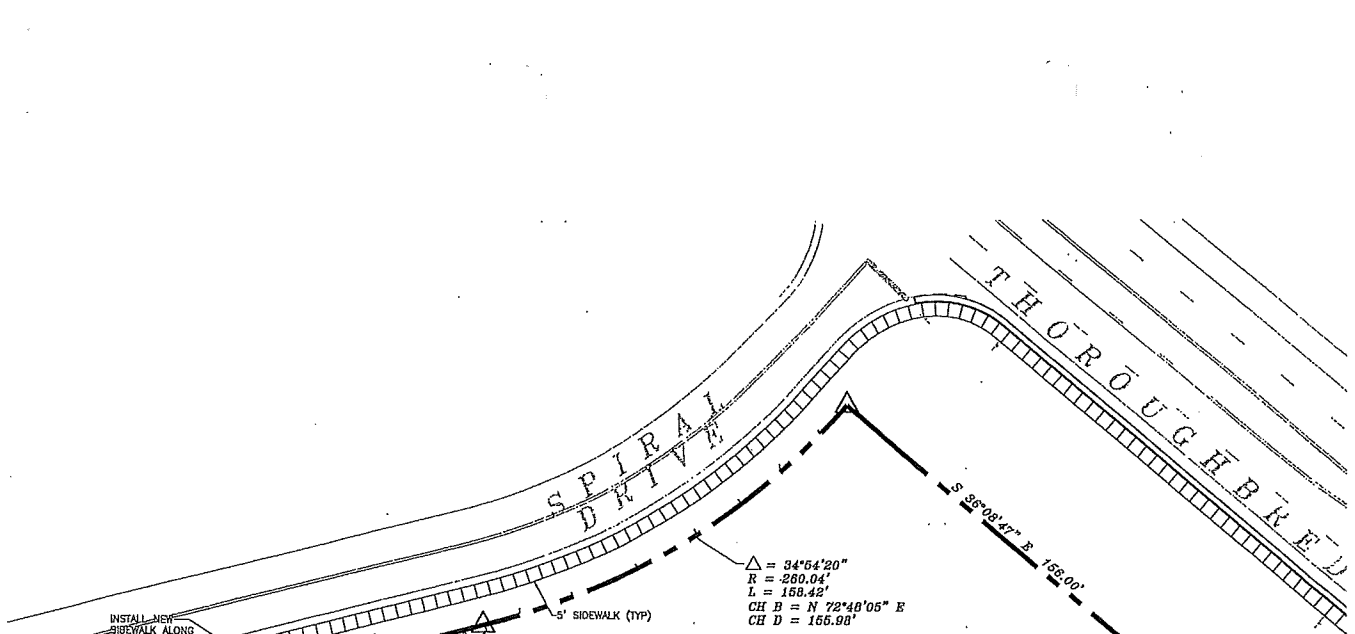
Consistent with the proposed fueling station elevations and language within the Houston-Donaldson Study, it is proposed to improve the existing Sam's Club building to a more modern warm gray look. The existing tan/beige palette will be replaced with a primarily warm gray color with some slightly darker gray accents. In addition to the color change, a cultured stone wainscot is proposed at the Club entrance on the front elevation.

We feel that this proposed amendment substantially conforms to the stated goals, intentions, and applicable requirements of the Houston-Donaldson Study, Boone County Comprehensive Plan, and the Boone County Zoning Regulations and greatly appreciate the opportunity to further present the proposal before the Commission.

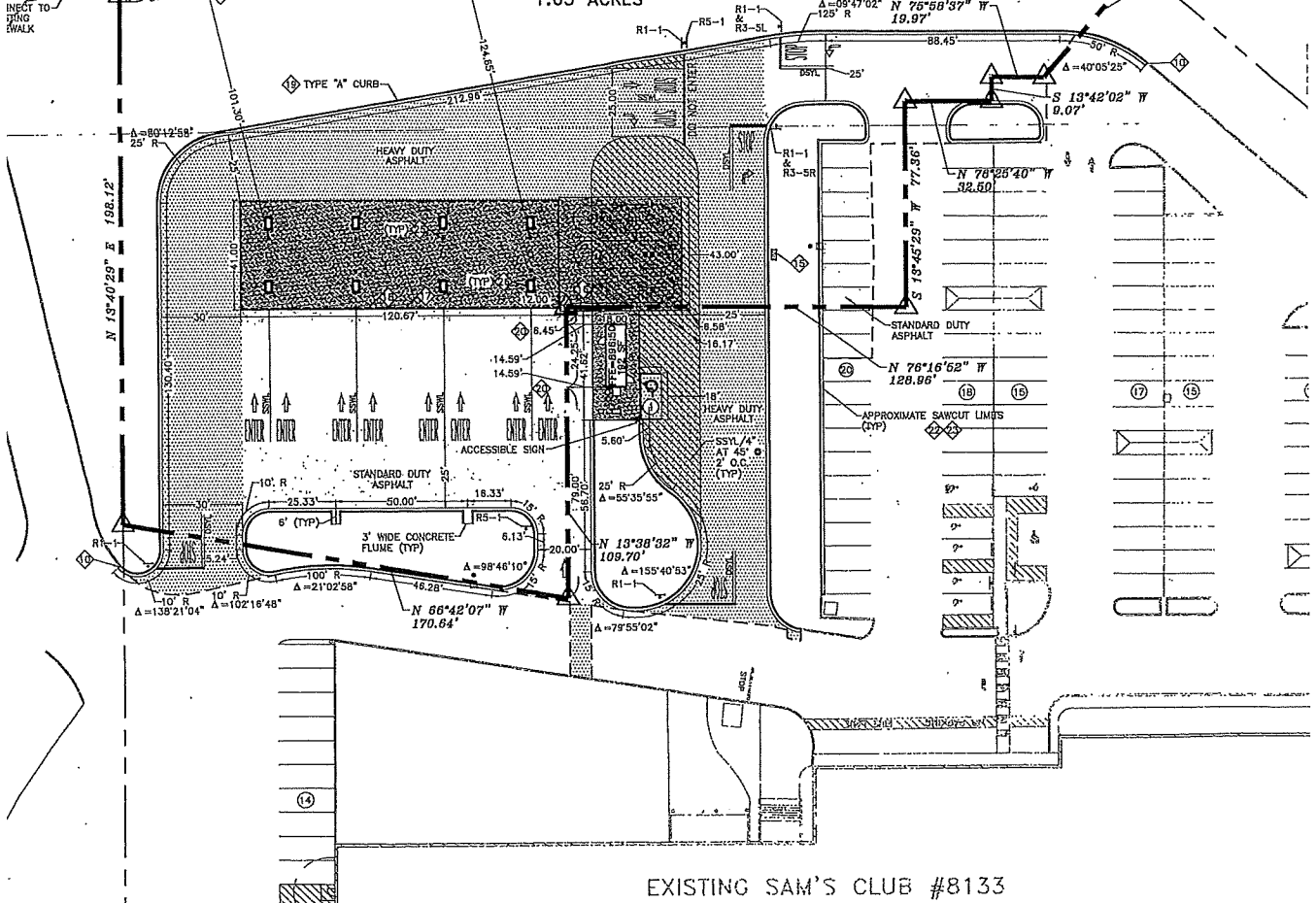
Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Moore', written in a cursive style.

Keith Moore, Lead Project Manager
Carlson Consulting Engineers, Inc.



FUEL STATION PARCEL
1.63 ACRES



EXISTING SAM'S CLUB #8133

REVISIONS BY	

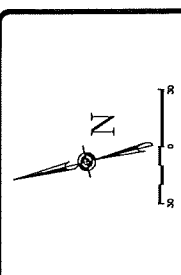
CARLSON CONSULTING ENGINEERS, INC.
 724 EAST LEXINGTON AVENUE
 SUITE 200
 COLUMBIA, SC 29201
 PHONE: 803-733-1111
 FAX: 803-733-1112



SAM'S CLUB #8133-502
 FLORENCE, KENTUCKY
 WAL-MART REAL ESTATE BUSINESS TRUST
 2101 SE SIMPLE SAVINGS DRIVE
 BENTONVILLE, AR 72716



DRAWN	CHIEF
DATE	04/29/2019
JOB No.	13-222
DATE	01/23/2019
BY	13 OF 25 SHEETS

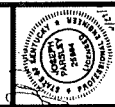


- LEGEND**
- PROPERTY LINE
 - HIGH POINT
 - TOP OF GRADE
 - EDGE OF CONCRETE
 - SPOT ELEVATION
 - STORM SEWER
 - SANITARY SEWER
 - APPROXIMATE SHORTEST LIMITS
 - APPROXIMATE SHORTEST MARK
 - CLEAN CUT

FOUNDATION SUBGRADE PREPARATION
 SHALL BE PERFORMED IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS:
 1. THE CONTRACTOR SHALL PROVIDE COMPACTED, PORTLAND CEMENT AND ALL OTHER MATERIALS REQUIRED FOR THE SUBGRADE PREPARATION.
 2. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 18" OVER THE SUBGRADE PREPARATION.
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 129. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.000000000000000000000000000000000001410593221038334703124999997171875" OVER THE SUBGRADE PREPARATION.
 130. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.000000000000000000000000000000000000705296610519167350624999994646875" OVER THE SUBGRADE PREPARATION.
 131. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.0000000000000000000000000000000000003526483052595836753124999997171875" OVER THE SUBGRADE PREPARATION.
 132. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.0000000000000000000000000000000000001763241526297918378124999994646875" OVER THE SUBGRADE PREPARATION.
 133. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.0000000000000000000000000000000000000881620763148959431628124999997171875" OVER THE SUBGRADE PREPARATION.
 134. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.000000000000000000000000000000000000044081038157497971690624999994646875" OVER THE SUBGRADE PREPARATION.
 135. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.0000000000000000000000000000000000000220405190787489884953124999997171875" OVER THE SUBGRADE PREPARATION.
 136. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.0000000000000000000000000000000000000110202595393744944999994646875" OVER THE SUBGRADE PREPARATION.
 137. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.00000000000000000000000000000000000000551012976968722474999999296875" OVER THE SUBGRADE PREPARATION.
 138. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.000000000000000000000000000000000000002755064884843623749999994646875" OVER THE SUBGRADE PREPARATION.
 139. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.0000000000000000000000000000000000000013775324424218118749999997171875" OVER THE SUBGRADE PREPARATION.
 140. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.000000000000000000000000000000000000000688766221210905939999994646875" OVER THE SUBGRADE PREPARATION.
 141. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.0000000000000000000000000000000000000003443831106054529749999997171875" OVER THE SUBGRADE PREPARATION.
 142. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.000000000000000000000000000000000000000172191555302726488749999994646875" OVER THE SUBGRADE PREPARATION.
 143. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.008609577765136324439999997171875" OVER THE SUBGRADE PREPARATION.
 144. THE CONTRACTOR SHALL MAINTAIN A MINIMUM COVER OF 0.00430478888256816

REVISIONS BY	

CARLSON CONSULTING ENGINEERS, INC.
 7014 LOGGERS CANYON
 1100 S. 1100 E. SUITE 200
 SALT LAKE CITY, UT 84143
 (801) 488-0110



SAM'S CLUB #8133-502
 FLORENCE, KENTUCKY
 WAL-MART REAL ESTATE BUSINESS TRUST
 2101 SE SIMPLE SAVINGS DRIVE
 BENNIVILLE, AR 72716



DRAWN	DATE	SCALE
CHIEF	04/29/2013	AS SHOWN
CHECKED		
DATE		
NO.		
15-300		
6133-502		
14 OF 25 SHEETS		

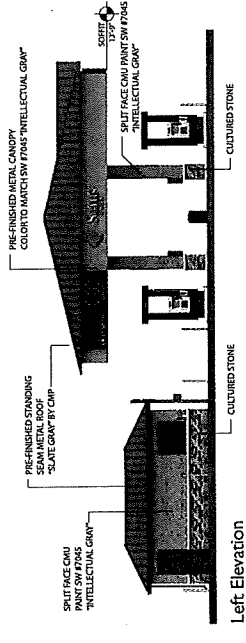
FIBER, OPTIC CABLE AND TELEPHONE LINE CONDUIT REQUIREMENTS

THE CONDUIT DIAMETER SHALL BE AS FOLLOWS:

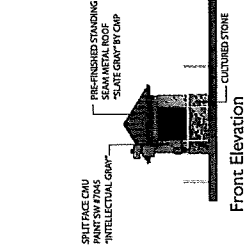
- 1. 1" CONDUIT FOR 1/2" CABLES
- 2. 1 1/2" CONDUIT FOR 3/4" CABLES
- 3. 2" CONDUIT FOR 1" CABLES
- 4. 2 1/2" CONDUIT FOR 1 1/4" CABLES
- 5. 3" CONDUIT FOR 1 3/4" CABLES
- 6. 4" CONDUIT FOR 2" CABLES
- 7. 4 1/2" CONDUIT FOR 2 1/4" CABLES
- 8. 5" CONDUIT FOR 2 3/4" CABLES
- 9. 6" CONDUIT FOR 3" CABLES
- 10. 6 1/2" CONDUIT FOR 3 1/4" CABLES
- 11. 8" CONDUIT FOR 4" CABLES
- 12. 9" CONDUIT FOR 4 1/4" CABLES
- 13. 10" CONDUIT FOR 4 3/4" CABLES
- 14. 12" CONDUIT FOR 6" CABLES
- 15. 14" CONDUIT FOR 7" CABLES
- 16. 16" CONDUIT FOR 8" CABLES
- 17. 18" CONDUIT FOR 9" CABLES
- 18. 20" CONDUIT FOR 10" CABLES
- 19. 24" CONDUIT FOR 12" CABLES
- 20. 30" CONDUIT FOR 15" CABLES
- 21. 36" CONDUIT FOR 18" CABLES
- 22. 42" CONDUIT FOR 21" CABLES
- 23. 48" CONDUIT FOR 24" CABLES
- 24. 54" CONDUIT FOR 27" CABLES
- 25. 60" CONDUIT FOR 30" CABLES
- 26. 66" CONDUIT FOR 33" CABLES
- 27. 72" CONDUIT FOR 36" CABLES
- 28. 78" CONDUIT FOR 39" CABLES
- 29. 84" CONDUIT FOR 42" CABLES
- 30. 90" CONDUIT FOR 45" CABLES
- 31. 96" CONDUIT FOR 48" CABLES
- 32. 102" CONDUIT FOR 51" CABLES
- 33. 108" CONDUIT FOR 54" CABLES
- 34. 114" CONDUIT FOR 57" CABLES
- 35. 120" CONDUIT FOR 60" CABLES
- 36. 126" CONDUIT FOR 63" CABLES
- 37. 132" CONDUIT FOR 66" CABLES
- 38. 138" CONDUIT FOR 69" CABLES
- 39. 144" CONDUIT FOR 72" CABLES
- 40. 150" CONDUIT FOR 75" CABLES
- 41. 156" CONDUIT FOR 78" CABLES
- 42. 162" CONDUIT FOR 81" CABLES
- 43. 168" CONDUIT FOR 84" CABLES
- 44. 174" CONDUIT FOR 87" CABLES
- 45. 180" CONDUIT FOR 90" CABLES
- 46. 186" CONDUIT FOR 93" CABLES
- 47. 192" CONDUIT FOR 96" CABLES
- 48. 198" CONDUIT FOR 99" CABLES
- 49. 204" CONDUIT FOR 102" CABLES
- 50. 210" CONDUIT FOR 105" CABLES
- 51. 216" CONDUIT FOR 108" CABLES
- 52. 222" CONDUIT FOR 111" CABLES
- 53. 228" CONDUIT FOR 114" CABLES
- 54. 234" CONDUIT FOR 117" CABLES
- 55. 240" CONDUIT FOR 120" CABLES
- 56. 246" CONDUIT FOR 123" CABLES
- 57. 252" CONDUIT FOR 126" CABLES
- 58. 258" CONDUIT FOR 129" CABLES
- 59. 264" CONDUIT FOR 132" CABLES
- 60. 270" CONDUIT FOR 135" CABLES
- 61. 276" CONDUIT FOR 138" CABLES
- 62. 282" CONDUIT FOR 141" CABLES
- 63. 288" CONDUIT FOR 144" CABLES
- 64. 294" CONDUIT FOR 147" CABLES
- 65. 300" CONDUIT FOR 150" CABLES
- 66. 306" CONDUIT FOR 153" CABLES
- 67. 312" CONDUIT FOR 156" CABLES
- 68. 318" CONDUIT FOR 159" CABLES
- 69. 324" CONDUIT FOR 162" CABLES
- 70. 330" CONDUIT FOR 165" CABLES
- 71. 336" CONDUIT FOR 168" CABLES
- 72. 342" CONDUIT FOR 171" CABLES
- 73. 348" CONDUIT FOR 174" CABLES
- 74. 354" CONDUIT FOR 177" CABLES
- 75. 360" CONDUIT FOR 180" CABLES
- 76. 366" CONDUIT FOR 183" CABLES
- 77. 372" CONDUIT FOR 186" CABLES
- 78. 378" CONDUIT FOR 189" CABLES
- 79. 384" CONDUIT FOR 192" CABLES
- 80. 390" CONDUIT FOR 195" CABLES
- 81. 396" CONDUIT FOR 198" CABLES
- 82. 402" CONDUIT FOR 201" CABLES
- 83. 408" CONDUIT FOR 204" CABLES
- 84. 414" CONDUIT FOR 207" CABLES
- 85. 420" CONDUIT FOR 210" CABLES
- 86. 426" CONDUIT FOR 213" CABLES
- 87. 432" CONDUIT FOR 216" CABLES
- 88. 438" CONDUIT FOR 219" CABLES
- 89. 444" CONDUIT FOR 222" CABLES
- 90. 450" CONDUIT FOR 225" CABLES
- 91. 456" CONDUIT FOR 228" CABLES
- 92. 462" CONDUIT FOR 231" CABLES
- 93. 468" CONDUIT FOR 234" CABLES
- 94. 474" CONDUIT FOR 237" CABLES
- 95. 480" CONDUIT FOR 240" CABLES
- 96. 486" CONDUIT FOR 243" CABLES
- 97. 492" CONDUIT FOR 246" CABLES
- 98. 498" CONDUIT FOR 249" CABLES
- 99. 504" CONDUIT FOR 252" CABLES
- 100. 510" CONDUIT FOR 255" CABLES
- 101. 516" CONDUIT FOR 258" CABLES
- 102. 522" CONDUIT FOR 261" CABLES
- 103. 528" CONDUIT FOR 264" CABLES
- 104. 534" CONDUIT FOR 267" CABLES
- 105. 540" CONDUIT FOR 270" CABLES
- 106. 546" CONDUIT FOR 273" CABLES
- 107. 552" CONDUIT FOR 276" CABLES
- 108. 558" CONDUIT FOR 279" CABLES
- 109. 564" CONDUIT FOR 282" CABLES
- 110. 570" CONDUIT FOR 285" CABLES
- 111. 576" CONDUIT FOR 288" CABLES
- 112. 582" CONDUIT FOR 291" CABLES
- 113. 588" CONDUIT FOR 294" CABLES
- 114. 594" CONDUIT FOR 297" CABLES
- 115. 600" CONDUIT FOR 300" CABLES
- 116. 606" CONDUIT FOR 303" CABLES
- 117. 612" CONDUIT FOR 306" CABLES
- 118. 618" CONDUIT FOR 309" CABLES
- 119. 624" CONDUIT FOR 312" CABLES
- 120. 630" CONDUIT FOR 315" CABLES
- 121. 636" CONDUIT FOR 318" CABLES
- 122. 642" CONDUIT FOR 321" CABLES
- 123. 648" CONDUIT FOR 324" CABLES
- 124. 654" CONDUIT FOR 327" CABLES
- 125. 660" CONDUIT FOR 330" CABLES
- 126. 666" CONDUIT FOR 333" CABLES
- 127. 672" CONDUIT FOR 336" CABLES
- 128. 678" CONDUIT FOR 339" CABLES
- 129. 684" CONDUIT FOR 342" CABLES
- 130. 690" CONDUIT FOR 345" CABLES
- 131. 696" CONDUIT FOR 348" CABLES
- 132. 702" CONDUIT FOR 351" CABLES
- 133. 708" CONDUIT FOR 354" CABLES
- 134. 714" CONDUIT FOR 357" CABLES
- 135. 720" CONDUIT FOR 360" CABLES
- 136. 726" CONDUIT FOR 363" CABLES
- 137. 732" CONDUIT FOR 366" CABLES
- 138. 738" CONDUIT FOR 369" CABLES
- 139. 744" CONDUIT FOR 372" CABLES
- 140. 750" CONDUIT FOR 375" CABLES
- 141. 756" CONDUIT FOR 378" CABLES
- 142. 762" CONDUIT FOR 381" CABLES
- 143. 768" CONDUIT FOR 384" CABLES
- 144. 774" CONDUIT FOR 387" CABLES
- 145. 780" CONDUIT FOR 390" CABLES
- 146. 786" CONDUIT FOR 393" CABLES
- 147. 792" CONDUIT FOR 396" CABLES
- 148. 798" CONDUIT FOR 399" CABLES
- 149. 804" CONDUIT FOR 402" CABLES
- 150. 810" CONDUIT FOR 405" CABLES
- 151. 816" CONDUIT FOR 408" CABLES
- 152. 822" CONDUIT FOR 411" CABLES
- 153. 828" CONDUIT FOR 414" CABLES
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- 156. 846" CONDUIT FOR 423" CABLES
- 157. 852" CONDUIT FOR 426" CABLES
- 158. 858" CONDUIT FOR 429" CABLES
- 159. 864" CONDUIT FOR 432" CABLES
- 160. 870" CONDUIT FOR 435" CABLES
- 161. 876" CONDUIT FOR 438" CABLES
- 162. 882" CONDUIT FOR 441" CABLES
- 163. 888" CONDUIT FOR 444" CABLES
- 164. 894" CONDUIT FOR 447" CABLES
- 165. 900" CONDUIT FOR 450" CABLES
- 166. 906" CONDUIT FOR 453" CABLES
- 167. 912" CONDUIT FOR 456" CABLES
- 168. 918" CONDUIT FOR 459" CABLES
- 169. 924" CONDUIT FOR 462" CABLES
- 170. 930" CONDUIT FOR 465" CABLES
- 171. 936" CONDUIT FOR 468" CABLES
- 172. 942" CONDUIT FOR 471" CABLES
- 173. 948" CONDUIT FOR 474" CABLES
- 174. 954" CONDUIT FOR 477" CABLES
- 175. 960" CONDUIT FOR 480" CABLES
- 176. 966" CONDUIT FOR 483" CABLES
- 177. 972" CONDUIT FOR 486" CABLES
- 178. 978" CONDUIT FOR 489" CABLES
- 179. 984" CONDUIT FOR 492" CABLES
- 180. 990" CONDUIT FOR 495" CABLES
- 181. 996" CONDUIT FOR 498" CABLES
- 182. 1002" CONDUIT FOR 501" CABLES
- 183. 1008" CONDUIT FOR 504" CABLES
- 184. 1014" CONDUIT FOR 507" CABLES
- 185. 1020" CONDUIT FOR 510" CABLES
- 186. 1026" CONDUIT FOR 513" CABLES
- 187. 1032" CONDUIT FOR 516" CABLES
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- 190. 1050" CONDUIT FOR 525" CABLES
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- 195. 1080" CONDUIT FOR 540" CABLES
- 196. 1086" CONDUIT FOR 543" CABLES
- 197. 1092" CONDUIT FOR 546" CABLES
- 198. 1098" CONDUIT FOR 549" CABLES
- 199. 1104" CONDUIT FOR 552" CABLES
- 200. 1110" CONDUIT FOR 555" CABLES
- 201. 1116" CONDUIT FOR 558" CABLES
- 202. 1122" CONDUIT FOR 561" CABLES
- 203. 1128" CONDUIT FOR 564" CABLES
- 204. 1134" CONDUIT FOR 567" CABLES
- 205. 1140" CONDUIT FOR 570" CABLES
- 206. 1146" CONDUIT FOR 573" CABLES
- 207. 1152" CONDUIT FOR 576" CABLES
- 208. 1158" CONDUIT FOR 579" CABLES
- 209. 1164" CONDUIT FOR 582" CABLES
- 210. 1170" CONDUIT FOR 585" CABLES
- 211. 1176" CONDUIT FOR 588" CABLES
- 212. 1182" CONDUIT FOR 591" CABLES
- 213. 1188" CONDUIT FOR 594" CABLES
- 214. 1194" CONDUIT FOR 597" CABLES
- 215. 1200" CONDUIT FOR 600" CABLES
- 216. 1206" CONDUIT FOR 603" CABLES
- 217. 1212" CONDUIT FOR 606" CABLES
- 218. 1218" CONDUIT FOR 609" CABLES
- 219. 1224" CONDUIT FOR 612" CABLES
- 220. 1230" CONDUIT FOR 615" CABLES
- 221. 1236" CONDUIT FOR 618" CABLES
- 222. 1242" CONDUIT FOR 621" CABLES
- 223. 1248" CONDUIT FOR 624" CABLES
- 224. 1254" CONDUIT FOR 627" CABLES
- 225. 1260" CONDUIT FOR 630" CABLES
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- 228. 1278" CONDUIT FOR 639" CABLES
- 229. 1284" CONDUIT FOR 642" CABLES
- 230. 1290" CONDUIT FOR 645" CABLES
- 231. 1296" CONDUIT FOR 648" CABLES
- 232. 1302" CONDUIT FOR 651" CABLES
- 233. 1308" CONDUIT FOR 654" CABLES
- 234. 1314" CONDUIT FOR 657" CABLES
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- 236. 1326" CONDUIT FOR 663" CABLES
- 237. 1332" CONDUIT FOR 666" CABLES
- 238. 1338" CONDUIT FOR 669" CABLES
- 239. 1344" CONDUIT FOR 672" CABLES
- 240. 1350" CONDUIT FOR 675" CABLES
- 241. 1356" CONDUIT FOR 678" CABLES
- 242. 1362" CONDUIT FOR 681" CABLES
- 243. 1368" CONDUIT FOR 684" CABLES
- 244. 1374" CONDUIT FOR 687" CABLES
- 245. 1380" CONDUIT FOR 690" CABLES
- 246. 1386" CONDUIT FOR 693" CABLES
- 247. 1392" CONDUIT FOR 696" CABLES
- 248. 1398" CONDUIT FOR 699" CABLES
- 249. 1404" CONDUIT FOR 702" CABLES
- 250. 1410" CONDUIT FOR 705" CABLES
- 251. 1416" CONDUIT FOR 708" CABLES
- 252. 1422" CONDUIT FOR 711" CABLES
- 253. 1428" CONDUIT FOR 714" CABLES
- 254. 1434" CONDUIT FOR 717" CABLES
- 255. 1440" CONDUIT FOR 720" CABLES
- 256. 1446" CONDUIT FOR 723" CABLES
- 257. 1452" CONDUIT FOR 726" CABLES
- 258. 1458" CONDUIT FOR 729" CABLES
- 259. 1464" CONDUIT FOR 732" CABLES
- 260. 1470" CONDUIT FOR 735" CABLES
- 261. 1476" CONDUIT FOR 738" CABLES
- 262. 1482" CONDUIT FOR 741" CABLES
- 263. 1488" CONDUIT FOR 744" CABLES
- 264. 1494" CONDUIT FOR 747" CABLES
- 265. 1500" CONDUIT FOR 750" CABLES
- 266. 1506" CONDUIT FOR 753" CABLES
- 267. 1512" CONDUIT FOR 756" CABLES
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- 275. 1560" CONDUIT FOR 780" CABLES
- 276. 1566" CONDUIT FOR 783" CABLES
- 277. 1572" CONDUIT FOR 786" CABLES
- 278. 1578" CONDUIT FOR 789" CABLES
- 279. 1584" CONDUIT FOR 792" CABLES
- 280. 1590" CONDUIT FOR 795" CABLES
- 281. 1596" CONDUIT FOR 798" CABLES
- 282. 1602" CONDUIT FOR 801" CABLES
- 283. 1608" CONDUIT FOR 804" CABLES
- 284. 1614" CONDUIT FOR 807" CABLES
- 285. 1620" CONDUIT FOR 810" CABLES
- 286. 1626" CONDUIT FOR 813" CABLES
- 287. 1632" CONDUIT FOR 816" CABLES
- 288. 1638" CONDUIT FOR 819" CABLES
- 289. 1644" CONDUIT FOR 822" CABLES
- 290. 1650" CONDUIT FOR 825" CABLES
- 291. 1656" CONDUIT FOR 828" CABLES
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- 314. 1794" CONDUIT FOR 897" CABLES
- 315. 1800" CONDUIT FOR 900" CABLES
- 316. 1806" CONDUIT FOR 903" CABLES
- 317. 1812" CONDUIT FOR 906" CABLES
- 318. 1818" CONDUIT FOR 909" CABLES
- 319. 1824" CONDUIT FOR 912" CABLES
- 320. 1830" CONDUIT FOR 915" CABLES
- 321. 1836" CONDUIT FOR 918" CABLES
- 322. 1842" CONDUIT FOR 921" CABLES
- 323. 1848" CONDUIT FOR 924" CABLES
- 324. 1854" CONDUIT FOR 927" CABLES
- 325. 1860" CONDUIT FOR 930" CABLES
- 326. 1866" CONDUIT FOR 933" CABLES
- 327. 1872" CONDUIT FOR 936" CABLES
- 328. 1878" CONDUIT FOR 939" CABLES
- 329. 1884" CONDUIT FOR 942" CABLES
- 330. 1890" CONDUIT FOR 945" CABLES
- 331. 1896" CONDUIT FOR 948" CABLES
- 332. 1902" CONDUIT FOR 951" CABLES
- 333. 1908" CONDUIT FOR 954" CABLES
- 334. 1914" CONDUIT FOR 957" CABLES
- 335. 1920" CONDUIT FOR 960" CABLES
- 336. 1926" CONDUIT FOR 963" CABLES
- 337. 1932" CONDUIT FOR 966" CABLES
- 338. 1938" CONDUIT FOR 969" CABLES
- 339. 1944" CONDUIT FOR 972" CABLES
- 340. 1950" CONDUIT FOR 975" CABLES
- 341. 1956" CONDUIT FOR 978" CABLES
- 342. 1962" CONDUIT FOR 981" CABLES
- 343. 1968" CONDUIT FOR 984" CABLES
- 344. 1974" CONDUIT FOR 987" CABLES
- 345. 1980" CONDUIT FOR 990" CABLES
- 346. 1986" CONDUIT FOR 993" CABLES
- 347. 1992" CONDUIT FOR 996" CABLES
- 348. 1998" CONDUIT FOR 999" CABLES
- 349. 2004" CONDUIT FOR 1002" CABLES
- 350. 2010" CONDUIT FOR 1005" CABLES
- 351. 2016" CONDUIT FOR 1008" CABLES
- 352. 2022" CONDUIT FOR 1011" CABLES
- 353. 2028" CONDUIT FOR 1014" CABLES
- 354. 2034" CONDUIT FOR 1017" CABLES
- 355. 2040" CONDUIT FOR 1020" CABLES
- 356. 2046" CONDUIT FOR 1023" CABLES
- 357. 2052" CONDUIT FOR 1026" CABLES
- 358. 2058" CONDUIT FOR 1029" CABLES
- 359. 2064" CONDUIT FOR 1032" CABLES
- 360. 2070" CONDUIT FOR 1035" CABLES
- 361. 2076" CONDUIT FOR 1038" CABLES
- 362. 2082" CONDUIT FOR 1041" CABLES
- 363. 2088" CONDUIT FOR 1044" CABLES
- 364. 2094" CONDUIT FOR 1047" CABLES
- 365. 2100" CONDUIT FOR 1050" CABLES
- 366. 2106" CONDUIT FOR 1053" CABLES
- 367. 2112" CONDUIT FOR 1056" CABLES
- 368. 2118" CONDUIT FOR 1059" CABLES
- 369. 2124" CONDUIT FOR 1062" CABLES
- 370. 2130" CONDUIT FOR 1065" CABLES
- 371. 2136" CONDUIT FOR 1068" CABLES
- 372. 2142" CONDUIT FOR 1071" CABLES
- 373. 2148" CONDUIT FOR 1074" CABLES
- 374. 2154" CONDUIT FOR 1077" CABLES
- 375. 2160" CONDUIT FOR 1080" CABLES
- 376. 2166" CONDUIT FOR 1083" CABLES
- 377. 2172" CONDUIT FOR 1086" CABLES
- 378. 2178" CONDUIT FOR 1089" CABLES
- 379. 2184" CONDUIT FOR 1092" CABLES
- 380. 2190" CONDUIT FOR 1095" CABLES
- 381. 2196" CONDUIT FOR 1098" CABLES
- 382. 2202" CONDUIT FOR 1101" CABLES
- 383. 2208" CONDUIT FOR 1104" CABLES
- 384. 2214" CONDUIT FOR 1107" CABLES
- 385. 2220" CONDUIT FOR 1110" CABLES
- 386. 2226" CONDUIT FOR 1113" CABLES
- 387. 2232" CONDUIT FOR 1116" CABLES
- 388. 2238" CONDUIT FOR 1119" CABLES
- 389. 2244" CONDUIT FOR 1122" CABLES
- 390. 2250" CONDUIT FOR 1125" CABLES
- 391. 2256" CONDUIT FOR 1128" CABLES
- 392. 2262" CONDUIT FOR 1131" CABLES
- 393. 2268" CONDUIT FOR 1134" CABLES
- 394. 2274" CONDUIT FOR 1137" CABLES
- 395. 2280" CONDUIT FOR 1140" CABLES
- 396. 2286" CONDUIT FOR 1143" CABLES
- 397. 2292" CONDUIT FOR 1146" CABLES
- 398. 2298" CONDUIT FOR 1149" CABLES
- 399. 2304" CONDUIT FOR 1152" CABLES
- 400. 2310" CONDUIT FOR 1155" CABLES
- 401. 2316" CONDUIT FOR 1158" CABLES
- 402. 2322" CONDUIT FOR 1161" CABLES
- 403. 2328" CONDUIT FOR 1164" CABLES
- 404. 2334" CONDUIT FOR 1167" CABLES
- 405. 2340" CONDUIT FOR 1170" CABLES
- 406. 2346" CONDUIT FOR 1173" CABLES
- 407. 2352" CONDUIT FOR 1176" CABLES
- 408. 2358" CONDUIT FOR 1179" CABLES
- 409. 2364" CONDUIT FOR 1182" CABLES
- 410. 2370" CONDUIT FOR 1185" CABLES
- 411. 2376" CONDUIT FOR 1188" CABLES
- 412. 2382" CONDUIT FOR 1191" CABLES
- 413. 2388" CONDUIT FOR 1194" CABLES
- 414. 2394" CONDUIT FOR 1197" CABLES
- 415. 2400" CONDUIT FOR 1200" CABLES

- LEGEND**
- UNDERGROUND ELECTRIC SERVICE
 - AIR CONDITIONING
 - WATER SERVICE
 - SANITARY SERVICE
 - TELEPHONE SERVICE
 - CABLE TV SERVICE
 - FIBER OPTIC SERVICE
 - TELEPHONE SERVICE
 - POWER CONDUIT

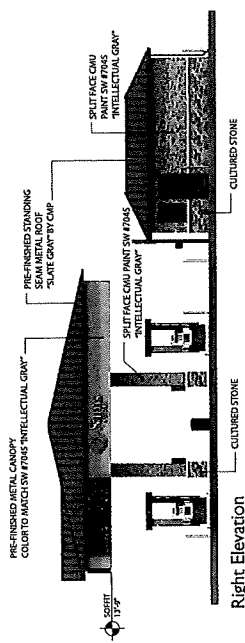
- NOTES:**
1. ALL UTILITIES SHALL BE INSTALLED IN A TRENCH CONDITION IN ACCORDANCE WITH THE UTILITY



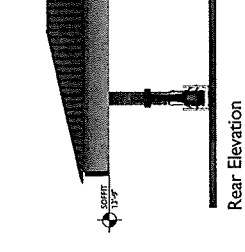
Left Elevation



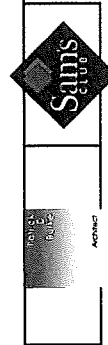
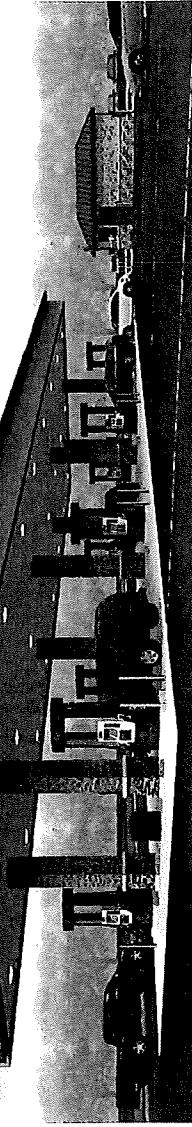
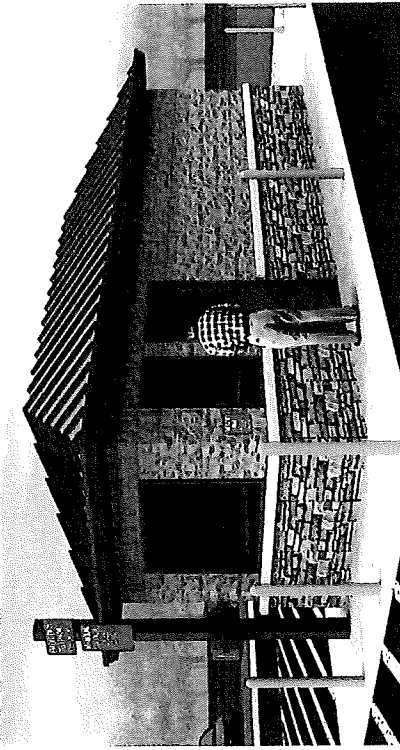
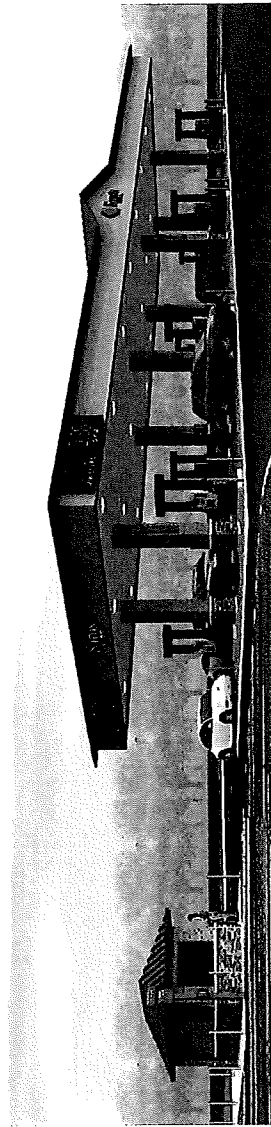
Front Elevation



Right Elevation



Rear Elevation



April 25, 2019

#8133 Florence, KY

8 Stack Fuel Station

1

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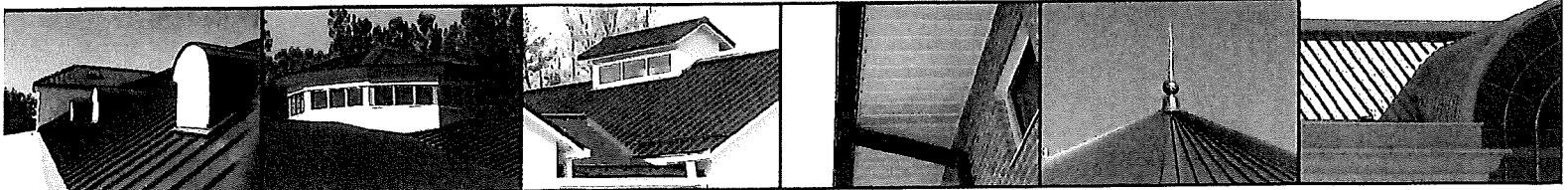
Construction Metal Products, Inc.

2204 West Front Street • Statesville, NC 28677

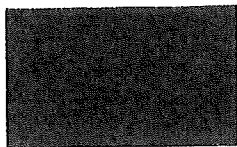
704-871-8704 or 888-750-9827

Kynar 500®

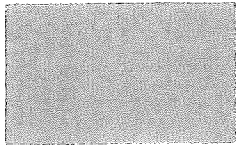
30 YEAR
FINISH
WARRANTY



Standard Cool Colors



Terra Cotta



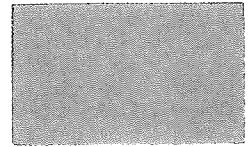
Aged Copper



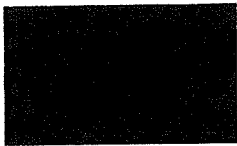
Snowdrift White



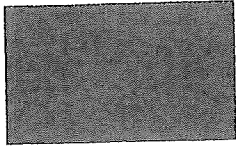
Almond



Sierra Tan



Colonial Red



Patina Green



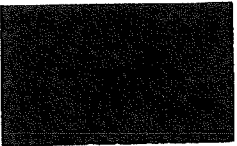
Bone White



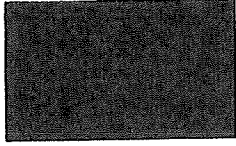
Dove Gray



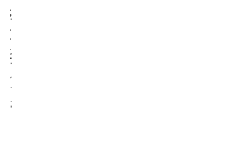
Medium Bronze



Regal Red



Seaport



Stone White



* Slate Gray *



Mansard Brown



Burgundy



Hartford Green



Slate Blue



Charcoal Gray



Dark Bronze



Matte Black



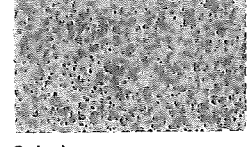
Classic Green



Regal Blue

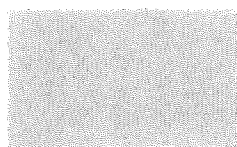


Teal

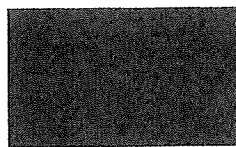


Galvalume

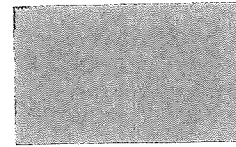
Metallic Colors



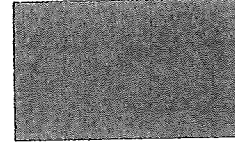
Silver*



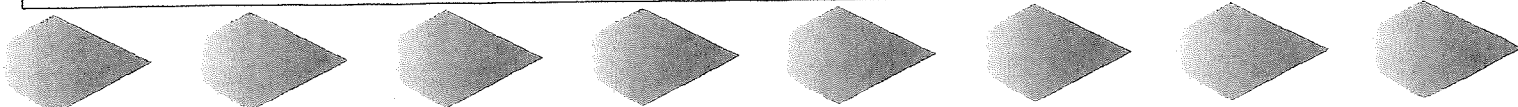
Copper Penny*



Champagne*

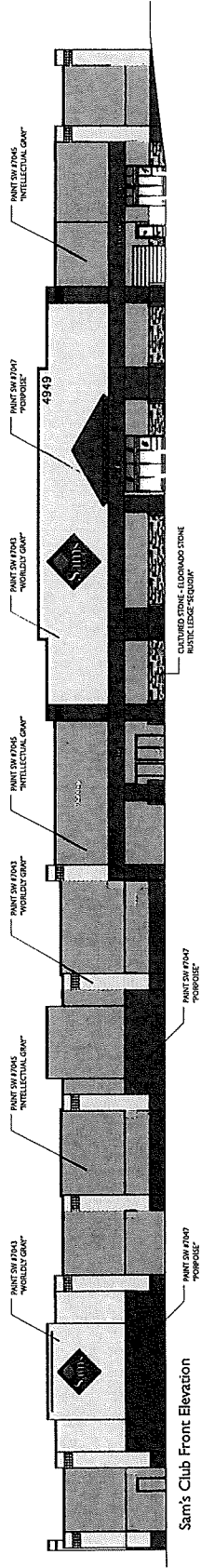


Pre-Weathered Galvalume*

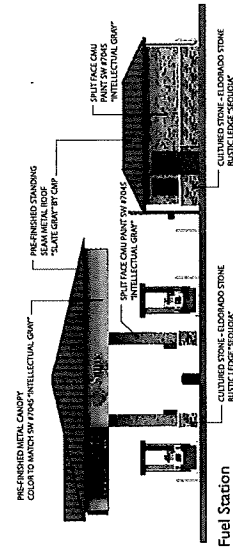


*Slight price upcharge may apply for metallic colors.

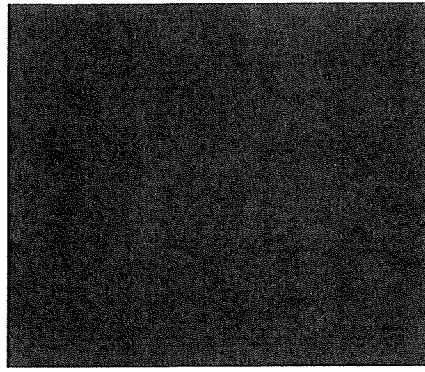
•Colors shown are matched as accurately as possible, but may vary slightly from finished product.



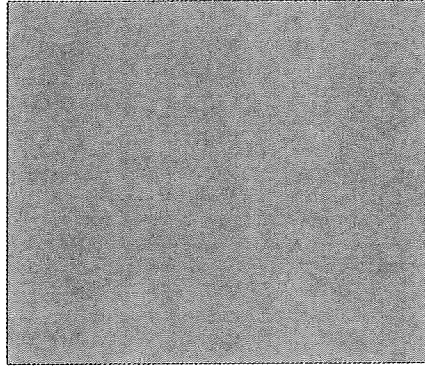
Sam's Club Front Elevation



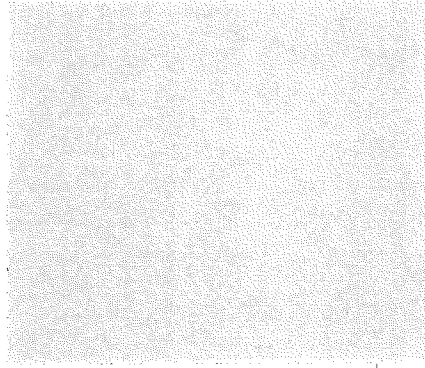
Fuel Station Right Elevation



SW #7047 "PORPOISE"



SW #7045 "INTELLECTUAL GRAY"

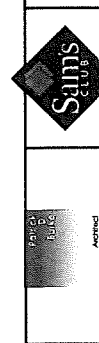


SW #7043 "WORLDLY GRAY"



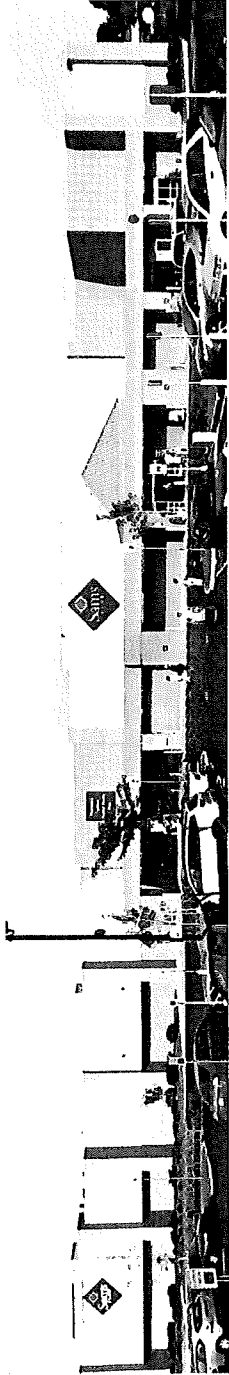
CULTURED STONE - ELDORADO STONE RUSTIC LEDGE "SEQUOIA"

PRE-FINISHED STANDING SEAM METAL ROOF "SLATE GRAY" BY CONSTRUCTION METAL PRODUCTS, INC.



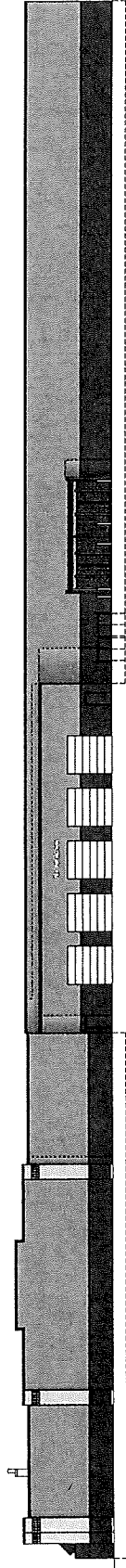
April 26, 2019

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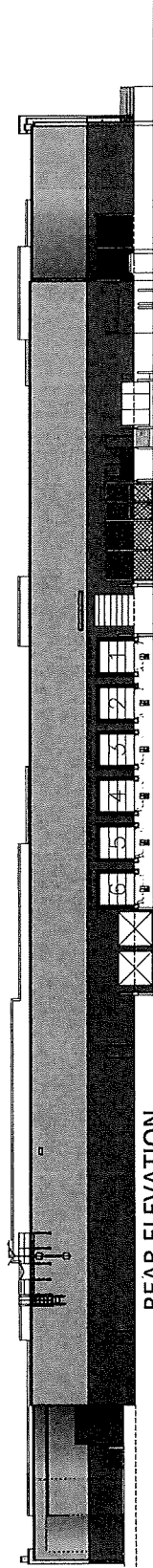


COLOR LEGEND

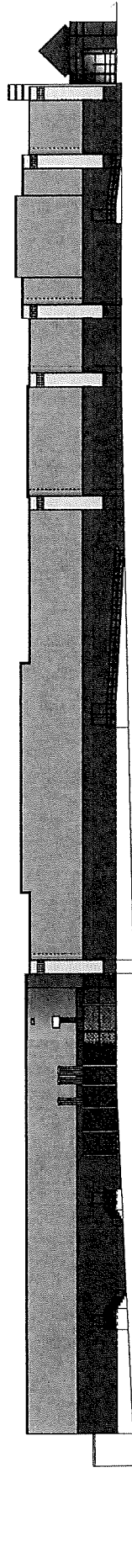
P#	COLOR NAME
P205	SW#7043 "WORLDLY GRAY"
P206	SW#7045 "INTELLECTUAL GRAY"
P207	SW#7047 "PORPOISE"
M1	CULTURED STONE



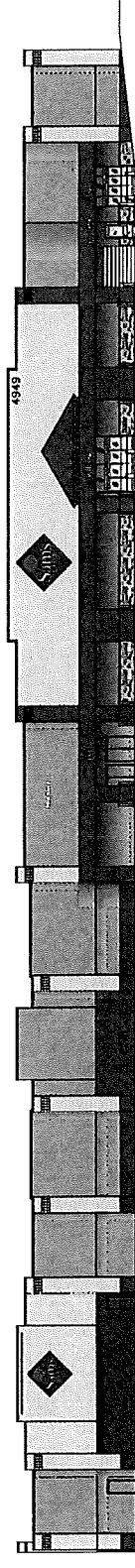
RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION



FRONT ELEVATION



April 25, 2019

Florence, KY -- Store #8133

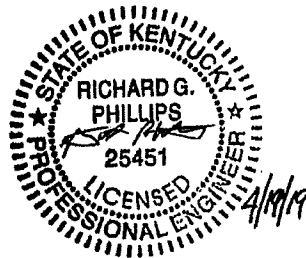
Elevations -- Not to Scale

1

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TRAFFIC IMPACT STUDY

**SAM'S CLUB FUEL CENTER
FLORENCE, KENTUCKY**



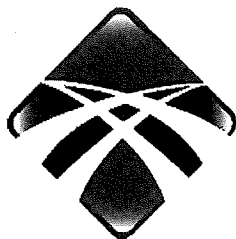
PREPARED BY:

R.G. PHILLIPS CONSULTING, LLC

RICHARD G. PHILLIPS, P.E.

106 MISSION COURT, SUITE 301

FRANKLIN, TN 37067



RGPHILLIPS
CONSULTING
TRAFFIC ENGINEERING & TRANSPORTATION PLANNING

This report is prepared for the exclusive use of Wal-Mart Stores, Inc., and Carlson Consulting Engineers

INTRODUCTION

The purpose of this study is to evaluate the traffic impacts associated with the development of a Sam's Club Fuel Center in Florence, Kentucky.

Project Scope

This report identifies potential traffic impacts to the surrounding roadway network based on the proposed development. The scenarios that were considered for analysis are as follows:

- 2019 Existing Conditions
- 2020 Background Traffic Conditions – No Build Scenario
- 2020 Future Traffic Conditions – Build Scenario

The following intersections were included in the scope of the traffic study:

1. Spiral Drive and Sam's Club Access
2. Thoroughbred Boulevard and Spiral Drive
3. Thoroughbred Boulevard and Hansel Avenue/Sam's Club Access
4. Houston Road and Thoroughbred Boulevard

2019 EXISTING TRAFFIC

To coincide with peak traffic and/or peak fuel sales, traffic counts were conducted for the following periods: Weekday (Friday) AM Peak; Weekday (Friday) PM Peak; and Weekend (Saturday) Peak. The analyses show good levels of service when considering existing (2019) traffic volumes with the exception of the intersection of Houston Road and Thoroughbred Boulevard, which operates at LOS D during the AM, PM and Saturday Peak Conditions.

BACKGROUND TRAFFIC GROWTH

Based on historical traffic growth, a 1% growth rate was utilized for background traffic growth to develop the 2020 Background traffic conditions.

2020 BACKGROUND - NO BUILD SCENARIO

The analyses contained in the report indicate that the intersections located in the study area are projected to operate at good levels of service with the one exception again being the major intersection Houston Road and Thoroughbred Boulevard, which is projected to continue to operate at LOS D during the AM, PM and Saturday Peak Conditions.

2020 PROJECTED TRAFFIC CONDITIONS – BUILD SCENARIO

The analyses contained in the report indicate that the intersections located in the study area are projected to operate at good levels of service with the one exception. Again, this exception is the major intersection Houston Road and Thoroughbred Boulevard, which is projected to continue to operate at an acceptable LOS D during the AM, PM and Saturday Peak Conditions.

TRUCK ACCESS AND CIRCULATION

The site plan was reviewed, and it was determined that the existing driveway on Spiral Drive will accommodate fuel truck access to the site. Fuel trucks will circle the site in a counterclockwise manner prior to using the existing loading dock area to turn around and exit the site.

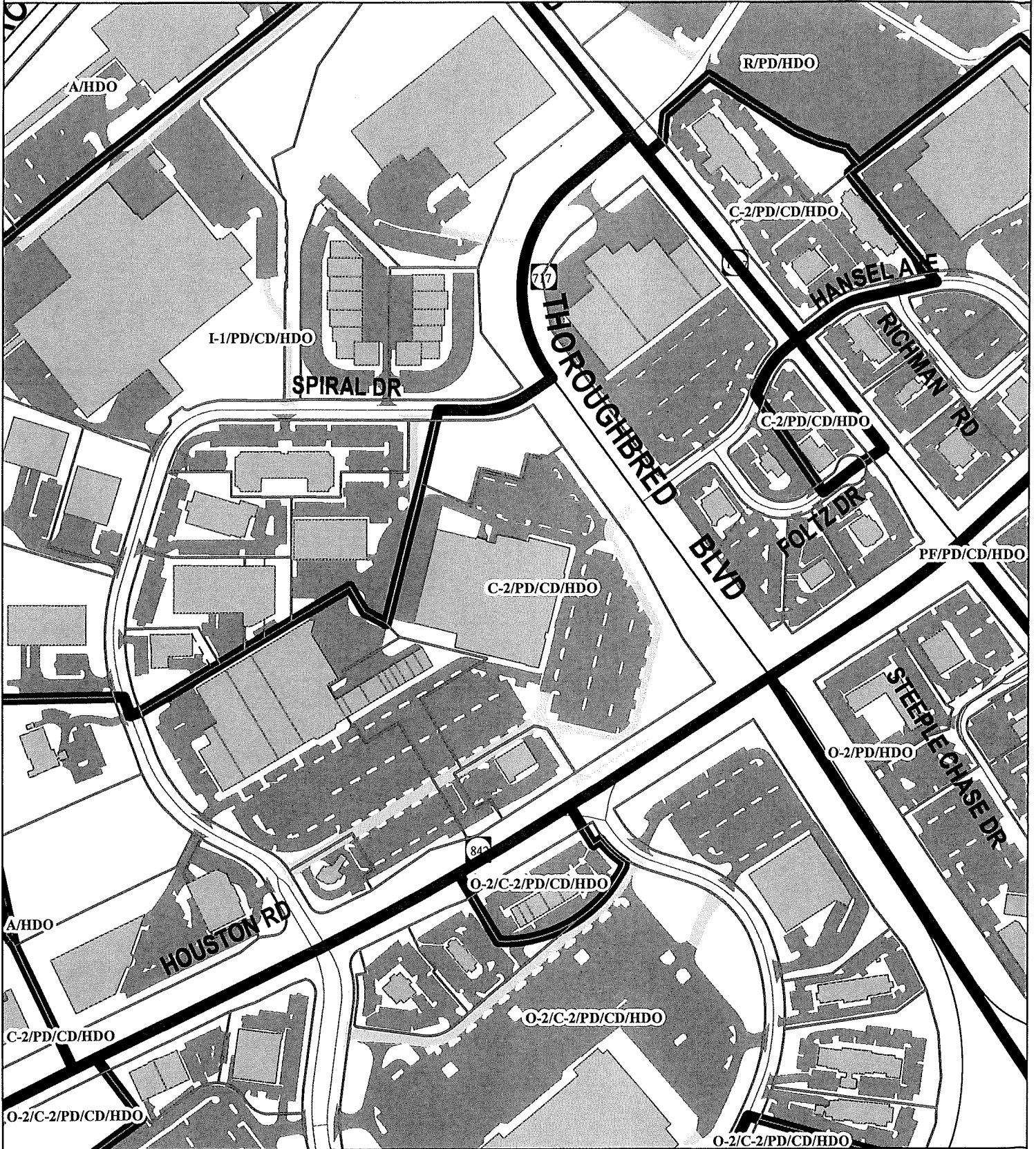
CONCLUSIONS AND RECOMMENDATIONS

The analyses included in this report indicate that the Sam's Club Fuel Center development will not create a significant traffic impact. The proposed development can be supported by the existing roadway network and should not adversely impact the traffic operations in the area.

However, the site plan shows a sidewalk and crosswalk improvement at the signalized intersection of Thoroughbred Boulevard and Sam's Club. As such, the existing traffic signal will need to be modified to accommodate this new crossing. These improvements, which will include pedestal poles, pedestrian signal heads, push button and wiring, will need to be included on plans and submitted to KYTC for review and approval.

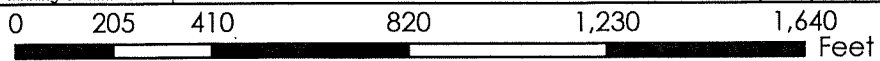
ZONING MAP

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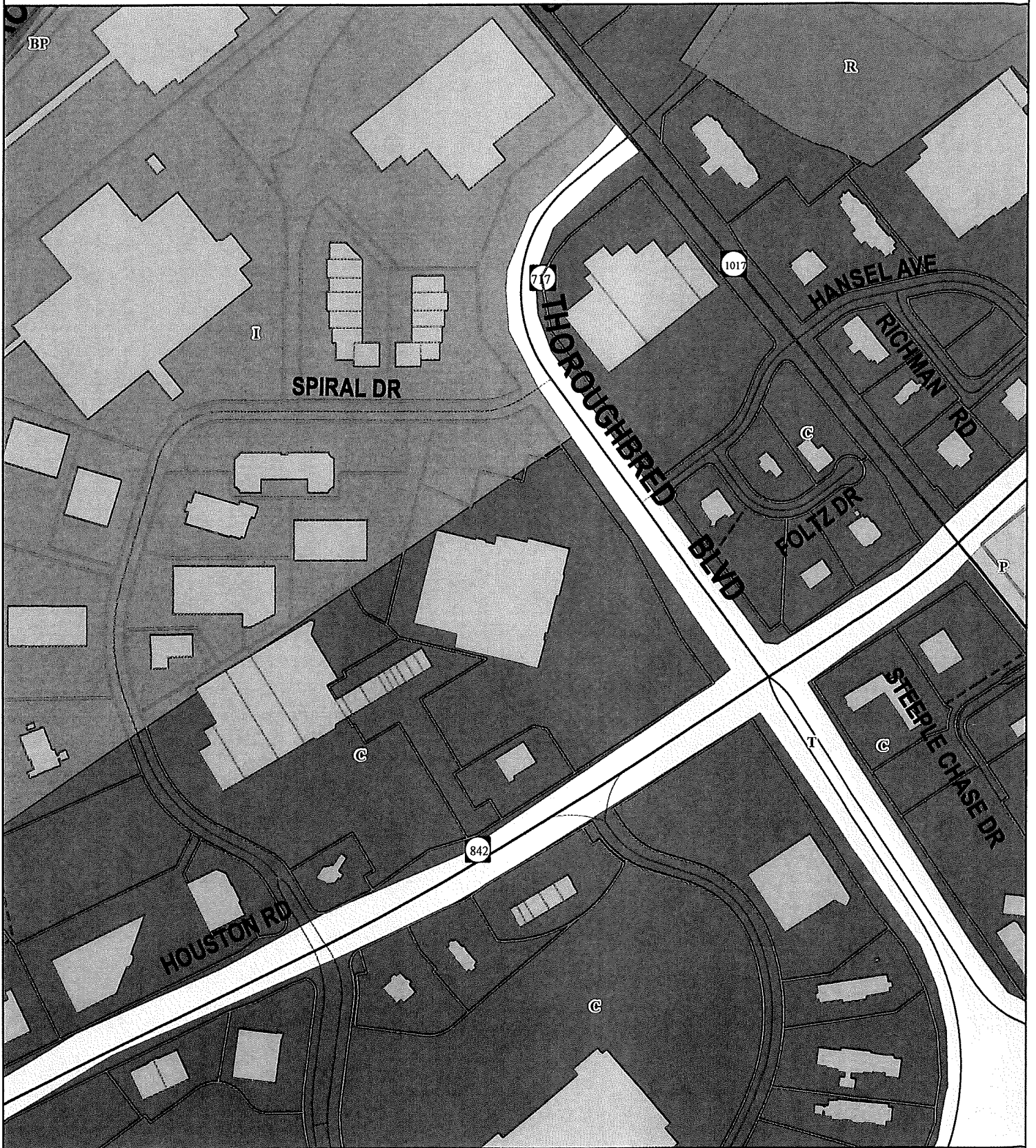
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Boone County GIS - Putting Northern Kentucky on the Map

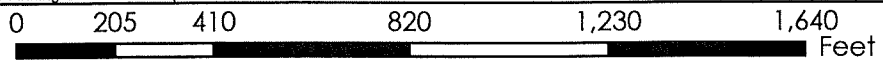
2035 FUTURE LAND USE MAP

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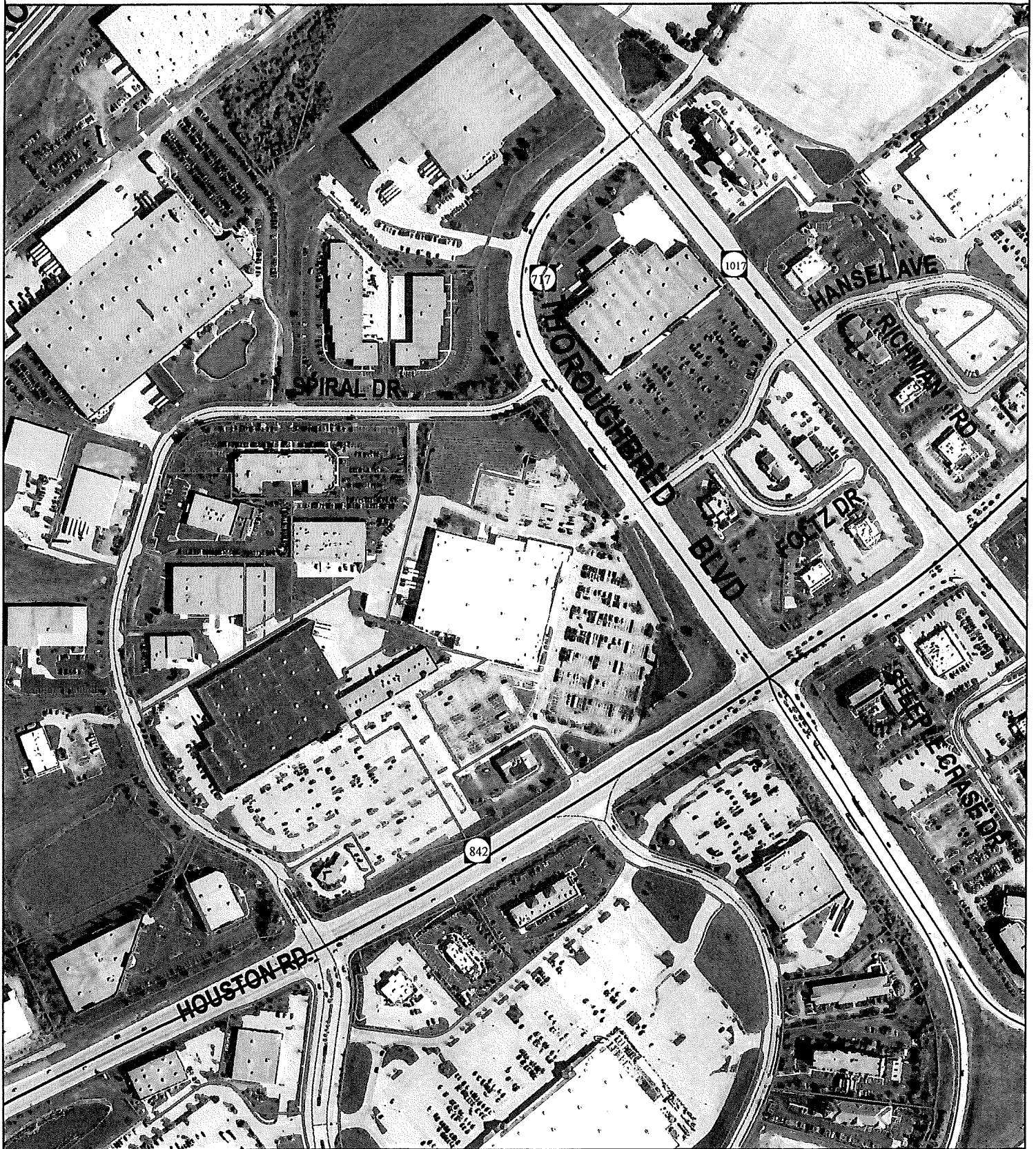


Boone County GIS - Putting Northern Kentucky on the Map



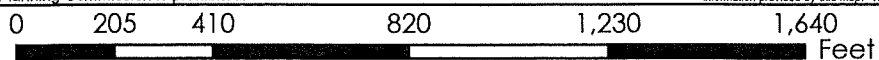
2016 AERIAL MAP

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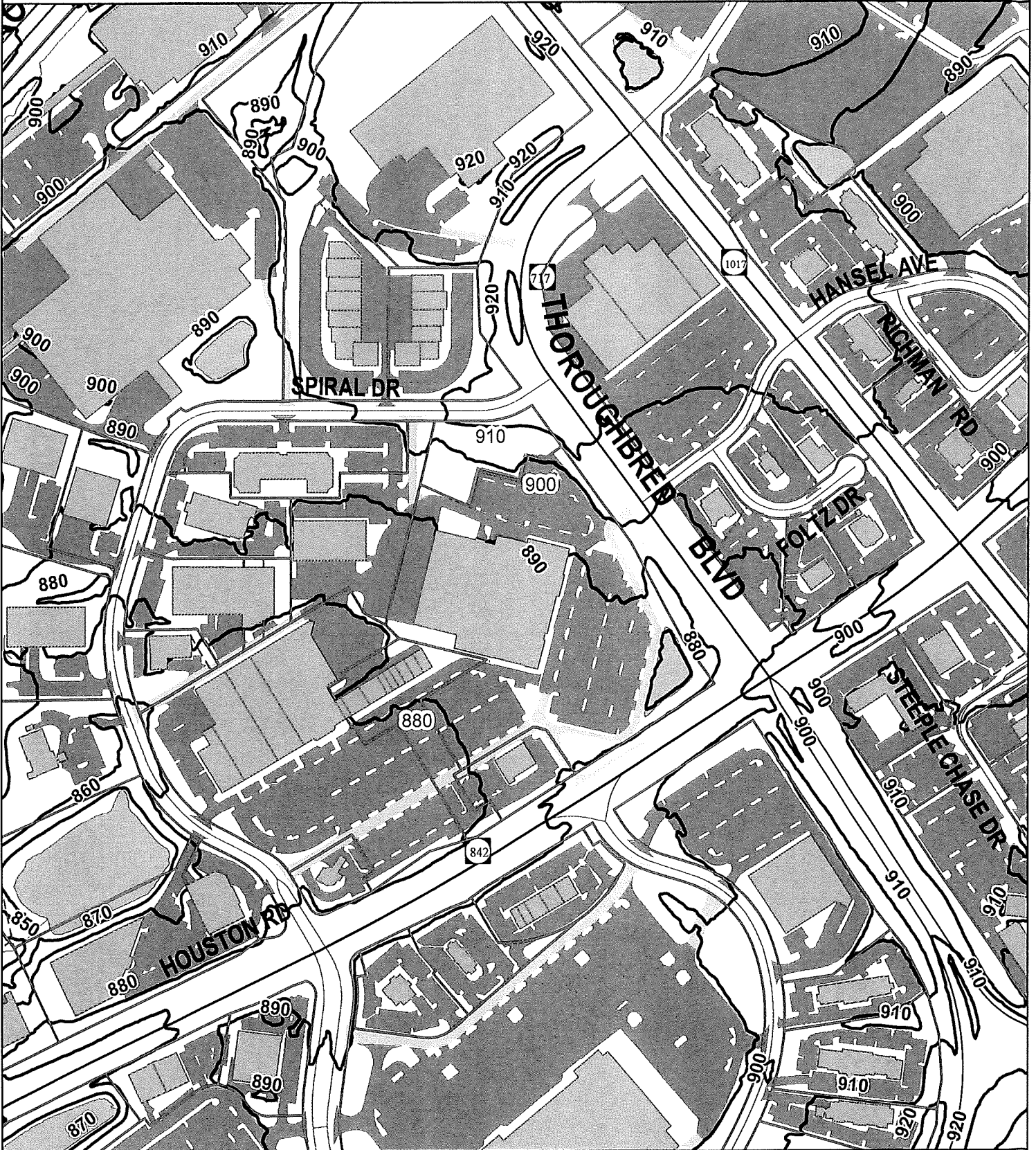
Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



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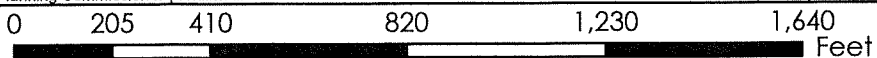
TOPOGRAPHICAL MAP

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Boone County GIS - Putting Northern Kentucky on the Map



SECTION 1514

Planned Development Criteria

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

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

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

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

encouraged to be combined with the pedestrian systems and open spaces described in Sections 1 and 3.

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

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

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

8. Historic and Prehistoric Features: Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.
9. Signage: A consistent signage theme shall be provided within a planned development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects.
10. Transportation Connections and Entry Points: The provision of transportation connections (street connections, pedestrian paths, multi-purpose trails, sidewalks, and bicycle facilities) shall be provided in all planned development unless physically unfeasible or unsafe. This shall include connections to

adjoining properties and developments, and inter-connectivity within the development itself, and contain minimal use of cul-de-sacs or other dead-end types of streets only when necessary. Transportation connections shall account for the County's adopted Transportation Plan and any adopted bikeway and/or pedestrian plans. In addition, the various entry points (streets, paths, etc.) into a planned development shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc. Any structures used to demarcate entry points shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors.

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

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

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

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

Todd Morgan

From: Kevin Vogelpohl <Kevin.Vogelpohl@Florence-KY.gov>
Sent: Tuesday, May 07, 2019 3:00 PM
To: Todd Morgan
Cc: Joshua Hunt; Tom Gagnon
Subject: RE: Change in Concept Development Plan Application for Sam's Club - Agency Memo

Todd,

In reviewing the Concept Plan for Sam's, I have no comments from the aspect of the fire department. There is adequate water supply in the vicinity of the proposed fuel island and turning radius for the entry and exit into the island is okay.

If you need anything else, please let me know.

Regards,

Kevin R. Vogelpohl

Battalion Chief/Fire Marshal

Florence Fire/EMS

1152 Weaver Rd

Florence, KY 41042

kevin.vogelpohl@florence-ky.gov

O: (859) 647-5660 F: (859)647-5670



From: Todd Morgan [<mailto:TMorgan@boonecountyky.org>]
Sent: Tuesday, May 07, 2019 9:35 AM
To: Joshua Hunt; Tom Gagnon; Kevin Vogelpohl
Subject: Change in Concept Development Plan Application for Sam's Club - Agency Memo

All,

I am attaching an agency memo, applicant's description, submitted plans, and Traffic Study for the Sam's Club Change in Concept Development Plan application. Please provide any comments to me in writing by May 24, 2019.

Thanks for your help.

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

Todd Morgan

From: Tom Gagnon <Tom.Gagnon@Florence-KY.gov>
Sent: Tuesday, May 07, 2019 3:12 PM
To: Todd Morgan
Subject: RE: Change in Concept Development Plan Application for Sam's Club - Agency Memo

Nothing from me. Thanks.

Sincerely,

Tom Gagnon
Project Manager

City of Florence
Public Services
Infrastructure Support Services
8100 Ewing Boulevard
Florence, Kentucky 41042-7588
Phone: (859) 647-5416
Fax: (859) 647-5438
tom.gagnon@florence-ky.gov

From: Todd Morgan [<mailto:TMorgan@boonecountyky.org>]
Sent: Tuesday, May 07, 2019 9:35 AM
To: Joshua Hunt <Joshua.Hunt@Florence-KY.gov>; Tom Gagnon <Tom.Gagnon@Florence-KY.gov>; Kevin Vogelpohl <Kevin.Vogelpohl@Florence-KY.gov>
Subject: Change in Concept Development Plan Application for Sam's Club - Agency Memo

All,

I am attaching an agency memo, applicant's description, submitted plans, and Traffic Study for the Sam's Club Change in Concept Development Plan application. Please provide any comments to me in writing by May 24, 2019.

Thanks for your help.

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

2002 Concept 7 Development Plan

HARRISON FRENCH
ARCHITECTURE
 500 S.W. A Street
 Beaverton, Oregon 97005
 Telephone 503/252-7782

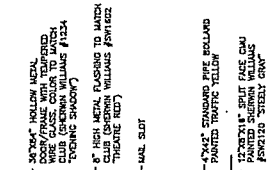
SAM'S WHOLESALE CLUB
 SAM'S CLUB FUELING STATION
CLUB # 8133
FLORENCE, KENTUCKY

SAM'S CLUB FUELING STATION
 1000 W. MARKET
 BOWLING GREEN, KY 40301

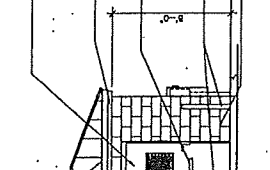
Sheet Contents
 CANOPY PLAN AND ELEVATIONS

Project Number: 10127
 Date: 06-01-03
 Scale: 1/8" = 1'-0"

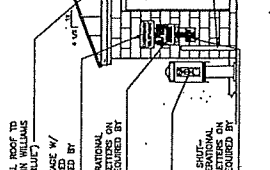
A1-SR
 Copyright ©



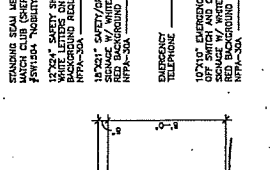
6 EAST ELEVATION
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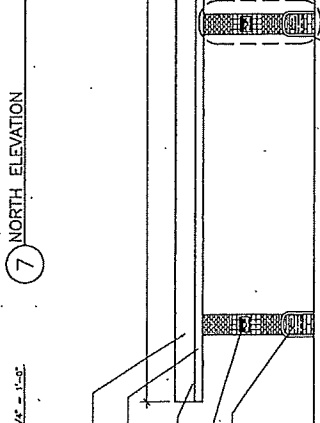
7 NORTH ELEVATION
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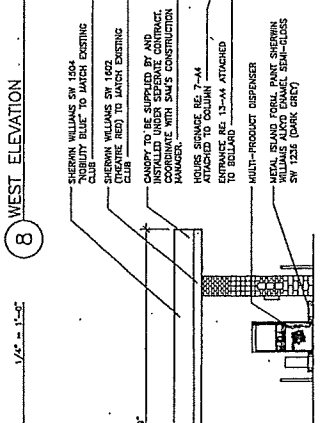
8 WEST ELEVATION
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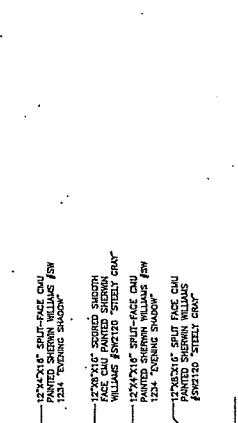
9 SOUTH ELEVATION
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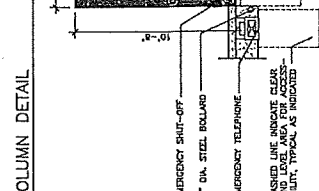
4 NORTH ELEVATION
 1/8" = 1'-0"



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



1 CANOPY PLAN
 1/8" = 1'-0"

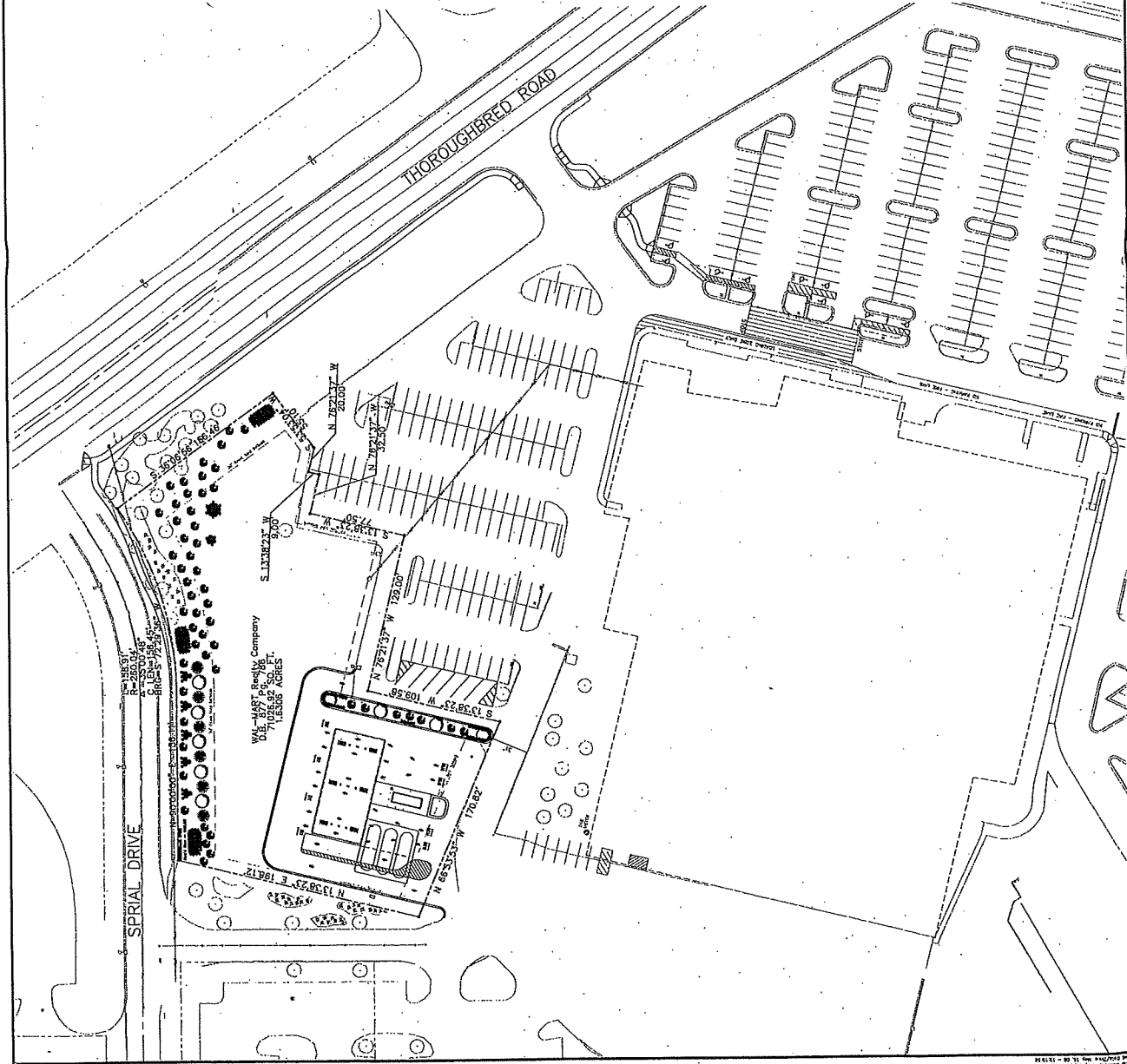


2 SERVICE BUILDING PLAN
 1/4" = 1'-0"



3 COLUMN DETAIL
 1/4" = 1'-0"

2008 Concept Development Plan



PARKING RATIO

BLDG S.F.	SPACES	RATIO	SPACES	RATIO
133,384	642	4.81	639	4.79

SAM'S CLUB SPACES LOST TO GAS = 3
 PARKING COUNT INCLUDES HANDICAP AND CART CORRAL SPACES

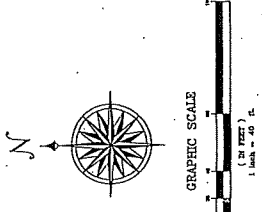
LANDSCAPE CALCULATIONS

BUFFER YARD A
 EAST SIDE OF GAS STATION
 129LF

	RECD PER 100LF	RECD#	EXISTING	NEW	TOTAL
SMALL TREES	5	7	0	7	7
LARGE/MEDIUM DECIDUOUS OR EVERGREEN TREES	3	4	0	4	4
SMALL SHRUBS	30	38	0	38	38
LARGE SHRUBS	0	0	0	0	0
TOTAL					

BUFFER YARD B
 WEST SIDE OF GAS STATION
 450LF

	RECD PER 100LF	RECD#	EXISTING	NEW	TOTAL
SMALL TREES	10	45	0	45	45
LARGE/MEDIUM DECIDUOUS OR EVERGREEN TREES	5	23	19	11	30
SMALL SHRUBS	20	90	0	90	90
LARGE SHRUBS	15	68	14	55	69
TOTAL					



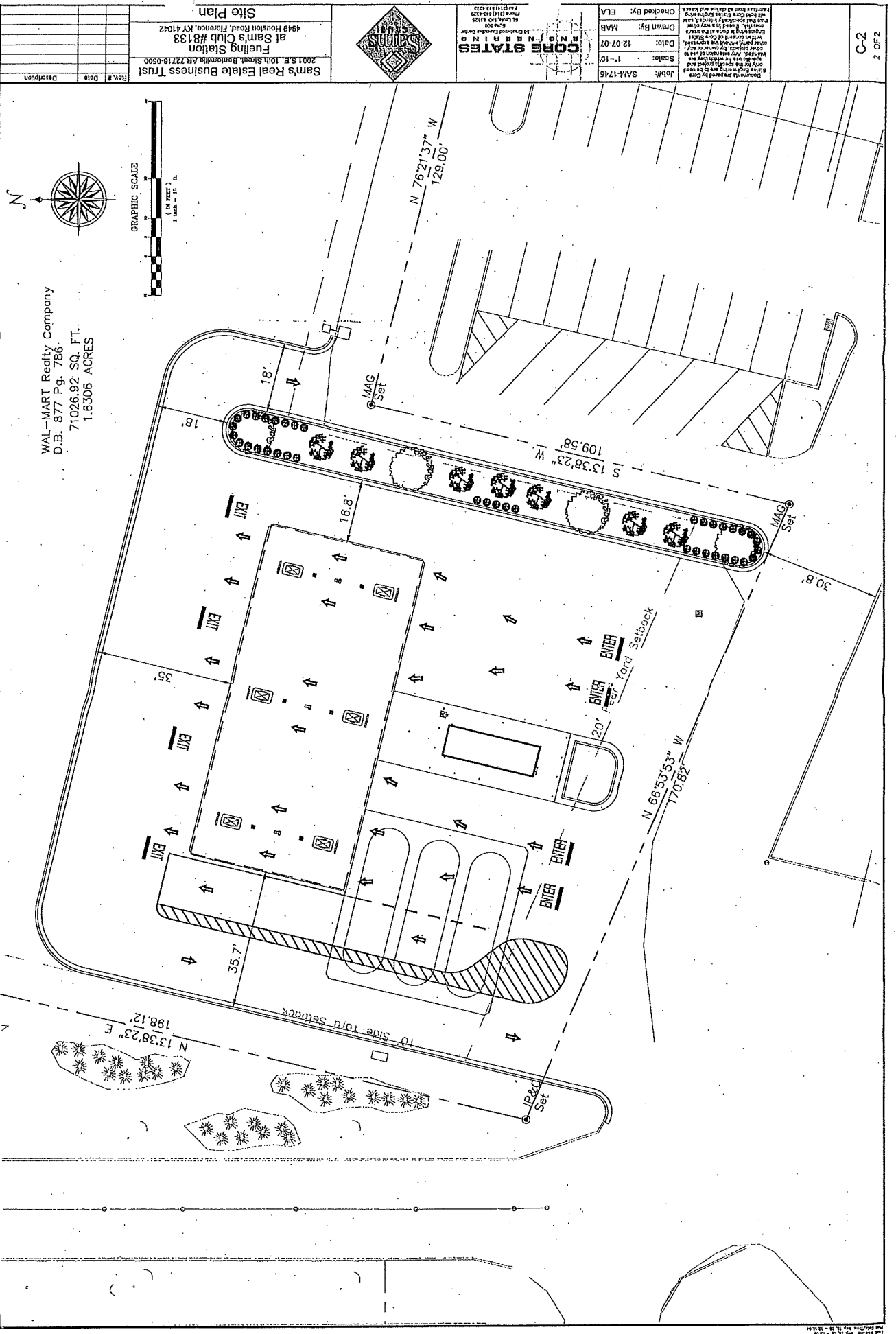
Sam's Real Estate Business Trust
 2001 S.E. 10th Street, Pompano Beach, FL 33062
 Fueling Station
 at Sam's Club #8133
 4849 Houson Road, Pompano, FL 33062
 Overall Site Plan

COMB STATES
 PROFESSIONAL ENGINEERING
 License No. 12114
 License Exp. 12/31/10
 Date of Issue 12/31/09
 State of Florida
 1207-07
 MAB
 EIA
 Checked By: EIA
 Drawn By: MAB
 Date: 12-07-07
 Scale: 1"=40'
 Job#: SAM-1745

Sam's Real Estate Business Trust
 2001 S.E. 10th Street, Pompano Beach, FL 33062
 Fueling Station
 at Sam's Club #8133
 4849 Houson Road, Pompano, FL 33062
 Overall Site Plan

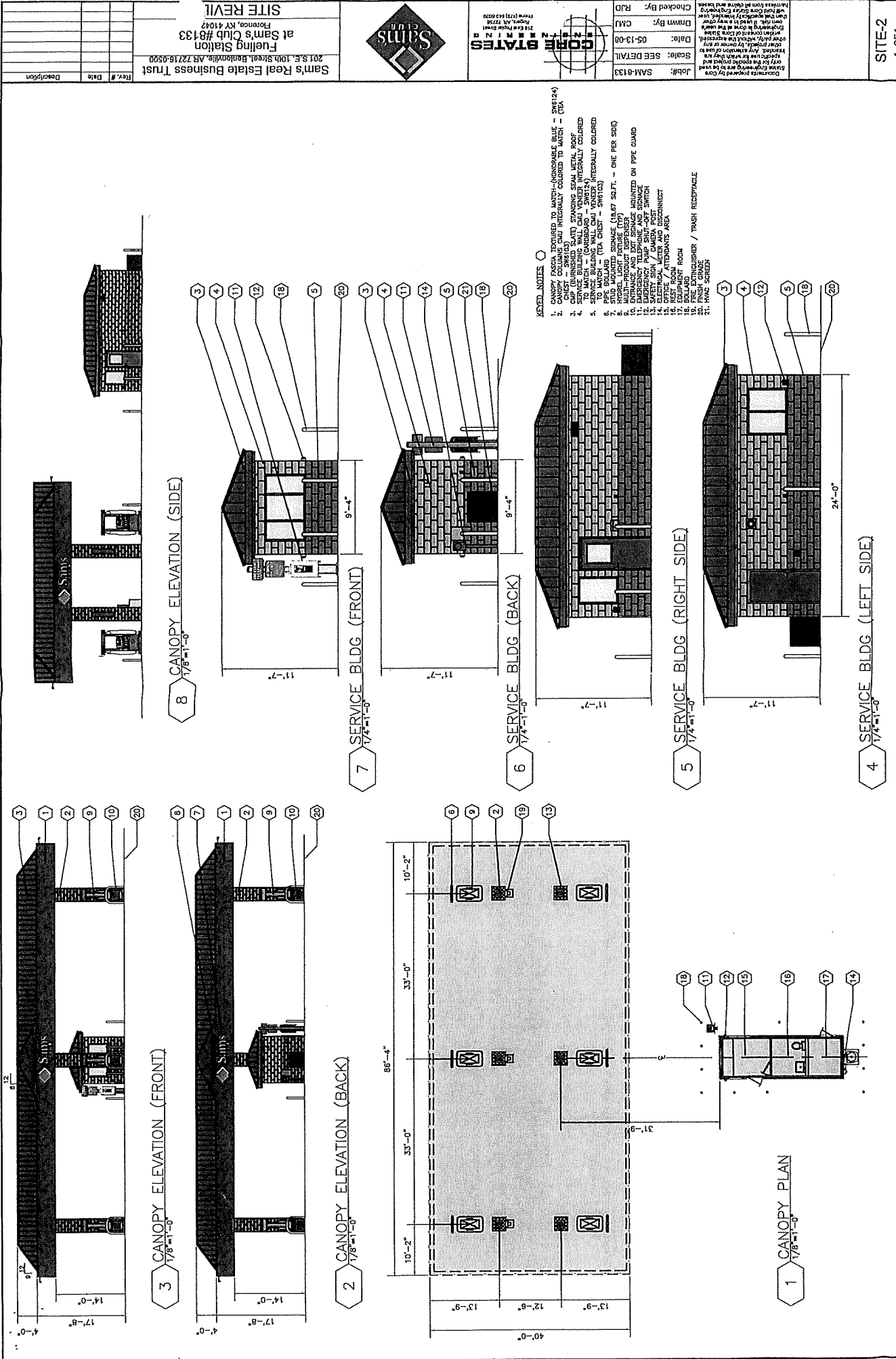
2008 Concept Development Plan

WAL-MART Realty Company
 D.B. 877 Pg. 786
 71026.92 SQ. FT.
 1.6306 ACRES



Sam's Real Estate Business Trust 2001 S.E. 10th Street, Bentonville AR 72716-0590			CORE STATES INCORPORATED 50 Corporate Center Circle Little Rock, AR 72202 Phone: (501) 443-3333 Fax: (501) 443-3333	Checked By: ELA Drawn By: MAB Date: 12-07-07 Scale: 1"=10' Job#: SAM-1746	All drawings prepared by Core States Engineering are to be used for the specific project and site only. Any reproduction or modification of these drawings without the written consent of Core States Engineering is strictly prohibited. By owner or user, the user hereby agrees to hold Core States Engineering harmless from all claims and losses that may arise from the use of these drawings.
Site Plan Fueling Station at Sam's Club #8133 4949 Houston Road, Florence, KY 41042				Ref. # Date Description	C-2 2 OF 2

2008 Concept 7 Development Plan



- KEYED NOTES**
1. CANOPY FASCIA TO MATCH/HONORABLE BLUE - SHW124
 2. CANOPY COLUMNS CHU INTERNALLY COLORED TO MATCH - (CEA)
 3. CUP (BURNEISHED SLATE) STANDING SEAM METAL ROOF
 4. SERVICE BUILDING CANOPY CHU VENER INTERNALLY COLORED TO MATCH (CANOPY CHU VENER INTERNALLY COLORED)
 5. SERVICE BUILDING WALL CHU VENER INTERNALLY COLORED TO MATCH (WALL CHU VENER INTERNALLY COLORED)
 6. PIPE BOLLARD (1/4" DIA. CRIST - SHW12)
 7. STUD MOUNTED SENSER (18.67 SOFT. - ONE PER SIDE)
 8. MULTIPRODUCT DISPENSER
 9. MULTIPRODUCT DISPENSER
 10. EMERGENCY TELEPHONE
 11. EMERGENCY TELEPHONE
 12. EMERGENCY TELEPHONE
 13. EMERGENCY TELEPHONE
 14. ELECTRICAL METER AND DISCONNECT
 15. ELECTRICAL METER AND DISCONNECT
 16. ELECTRICAL METER AND DISCONNECT
 17. EQUIPMENT ROOM
 18. EQUIPMENT ROOM
 19. EQUIPMENT ROOM
 20. FINISH GRADE
 21. FINISH GRADE
 22. FINISH GRADE
 23. FINISH GRADE
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 59. FINISH GRADE
 60. FINISH GRADE

SITE-2	Drawn by: RJD Checked by: RJD Date: 05-13-08 Scale: SEE DETAIL Job#: SAM-0133		Sam's Real Estate Business Trust 201 S.E. 10th Street, Bensenville, AR 77216-0500 at Sam's Club #8133 Florence, KY 41042 SITE REVIT	SOURCE: SEE DETAIL DATE: 05-13-08 DRAWN BY: RJD CHECKED BY: RJD SCALE: SEE DETAIL JOB#: SAM-0133	SOURCE: SEE DETAIL DATE: 05-13-08 DRAWN BY: RJD CHECKED BY: RJD SCALE: SEE DETAIL JOB#: SAM-0133
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BOONE COUNTY PLANNING COMMISSION
FINDINGS OF FACT FOR DENIAL

June 18, 2008

Core States, Inc. (applicant) for Wal Mart Stores, Inc.:

1. The proposal is not in agreement with the 2005 Boone County Comprehensive Plan for the following reasons:

- A. The Goals and Objectives (Business Activity Goal) state “Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas”. The proposed facility has a fundamental highway or interchange character and nature, whereas, the adjoining areas are more indicative of a suburban commercial and office park. This highway or interchange character and nature is characterized by a continuous, high turnover stream of customers who visit the fueling station for very short durations while never leaving the proximity of their vehicles, multiple vehicular lanes which are stacked side by side and create wide expanses of pavement, and a board, expansive canopy which “hangs” over the facility. A suburban commercial and office park character and nature is depicted by lower turnover, destination oriented businesses where the patron invests time within the facility, integral building types which cloak the specific business activity from public view, and vehicular areas which are broken by landscaping, grades, or other features within them, even parking spaces, which soften the harsh view of broad areas of open pavement. Thus, the proposal is not in agreement with this Goal.
- B. The Goals and Objectives (Business Activity Commercial [Retail and Office] Objective 3) state “highway commercial uses shall be in close proximity to highway interchanges for maximum convenience and economy to the traveling public, while minimizing impact to the community in terms of traffic congestion, local commuting patterns and access”. The proposal is not in agreement with this objective because it involves placing a highway commercial use within the Houston-Donaldson Study area at a site that is not in close proximity to a highway interchange. Rather, the site is across Houston Road from the closest interchange – Houston Road is a major urban style arterial roadway that acts as boundary between Turfway Business Park and the separate development along I-75. There are several existing fueling stations within the Houston-Donaldson Study area that are in close proximity to interchanges, and the Study expressly recommends a fueling station for an additional site within the overall Study Area (Site 22).

Core States, Inc. (applicant) for Wal Mart Stores, Inc.

- C. Both the "Florence Central" and "Florence Commercial Area" sections of the Land Use Element state that development in this area should follow the Houston-Donaldson Study. Regarding the recommended uses and zoning for "Site 10, Turfway Business Park", the Study simply states "this development is recommended to continue to develop according to approved plans". The approved plans in question, as of 1992 when this passage was written or currently, do not include any uses which have characteristics comparable to the proposed fueling station, such as the fact that it is a high turnover, exclusively auto-oriented facility, has many vehicular lanes/stations which simultaneously service a relatively large number of vehicles, and the expansive open canopy and its appurtenant lighting. Rather, the approved Concept Development Plans both of this specific site and the overall Turfway Business Park development permit destination oriented commercial development and office/research/light industrial development that are in accordance with the Goals and Objectives discussed under Paragraphs 1.A and 1.B above. Therefore, the addition of a fueling station at the location in question is not in agreement with the uses and character approved in the adopted Concept Development Plans, the Houston-Donaldson Study, and in turn, not in agreement with the Comprehensive Plan.
- D. The Goals and Objectives for the Houston-Donaldson Study (Goal 1, page 7) state "the future land uses in the Study Area are planned in relation to the overall land use pattern of Boone County, the existing and planned developments within the Study Area, and the sense of the Study Area as a distinct corridor". Because the character and operational characteristics of a retail fueling station is fundamentally different from the planned and established uses and character of the area, approval of this request would erode the sense of the Study Area as a distinct corridor, as this type of use is typical in other types of corridors with less destination oriented traffic.
- E. The application materials contend that the fueling station is an accessory use to the Sam's Club. This contention is moot when considering that the basic fueling station function at this location is not supported by the adopted advance planning documents.

Core States, Inc. (applicant) for Wal Mart Stores, Inc.

2. The proposal does not fulfill the standards in Section 1514 "Planned Development Standards" of the Boone County Zoning Regulations due to the following reasons:
 - A. Standard #2 "Compatibility of Uses" states "measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent areas". As explained under 1.A and 1.C above, the character of the proposed use is fundamentally different from the surrounding uses in the area. Because of these basic differences in the character of the use, no reasonable measures can be taken to assure compatibility of the proposed use with the surrounding uses.
 - B. Standard #7 "Architecture" notes that the architecture within Planned Developments shall use a consistent architectural theme. Due to the small stature of the proposed utility building (192 square feet in area and 11' 7" high), which bears strong resemblance to a guard shack or toll booth, the design of this utility building is inconsistent with the established architectural theme of the area due to this small stature and lack of scale. In addition, the size of the proposed canopy over the fuel pumps dominates the fuel station site and would dwarf the utility building. There are no other canopies with such a dominating scale in the immediate area. Large-scale canopies covering retail fuel pumps within the Houston-Donaldson Study area have been limited to sites with a highway commercial character, such as those along KY 18 and Donaldson Highway.
 - C. Standard #11 "Conformance with Comprehensive Plan" states "all planned developments shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitation of existing or planned infrastructure". As explained above, the proposal is not in agreement with the adopted Comprehensive Plan.

**FLORENCE CITY COUNCIL
MINUTES – TUESDAY, AUGUST 26, 2008
PAGE 2**

Mayor Whalen recognized Jordan Kelley of Florence who recently won the Cincinnati Mayor's Challenge Race. According to his mother, Martha Kelley, the City of Cincinnati held its annual soap box derby race on Gilbert Avenue in June and Jordan came in second place in the stock division. After the race the Mayor of Cincinnati challenged the Mayor of Louisville to a race of winners. The eight winners in each division of stock, super stock, and masters then competed on August 17 in Ault Park in what was called the Mayor's Challenge Race. Jordan won the race in the stock division giving Cincinnati the first annual Mayor's Challenge Cup to display. Mayor Whalen congratulated Jordan and thanked him for his participation and representing the City of Florence.

CONSIDERATION OF:

Boone County Planning & Zoning Commission's recommendation for denial of a Change in an Approved Concept Development Plan for a 1.63 acre site located at 4949 Houston Road

Mayor Whalen recognized Councilmember Conrad who, on behalf of the City's Planning & Zoning Committee (Councilmember Conrad & Vice Mayor Metzger Aubuchon), presented its report and recommendation regarding the project. Additional discussion followed.

Councilmember Conrad advised the Planning & Zoning Committee recommended City Council deny the request based on the recommendation from the Boone County Planning Commission.

Mayor Whalen advised the item was discussed during City Council's caucus last week and the decision was made then by the majority of City Council not to hold an argument-type hearing to have further discussion or accept additional information on this request. She said the City has in its possession both a motion to accept the recommendation of the Planning & Zoning Committee, to uphold the denial of the Boone County Planning Commission regarding the Change in an Approved Concept Development Plan for a 1.63 acre site located at 4949 Houston Road. She also said the City has, if it's Council's desire, an ordinance which would overturn the Boone County Planning Commission recommendation.

Councilmember Bushelman said the following: "I'm not going to make a motion. I want to make the same comments I made last week at the caucus. This, whatever you want to say, development plan, was done when gas was \$2 or less a gallon...now that it's up to \$4 a gallon and people can't get a .10 to .20 a gallon break, I just can't see how we can go along with the Planning & Zoning Commission when people can't even afford to use their cars because gas is so high, so I will be voting against going with the Planning & Zoning Committee."

Vice Mayor Metzger said the following: "I just want to add to that just so the, for the public's input...when we make planning & zoning decisions we have to base it on a code which is this thick (holds up book) and there's outlines in it as to when we are allowed to change a zone and what conditions and what reasons and we can't do it based on competition or just based on whether or not we want cheaper gas...it has to fit certain circumstances and for us to reverse a denial from the Planning Commission we would need four votes...we need a super majority of council, so we couldn't even do it with a just a simple majority we have to have at least four votes to do it so there's procedures and some things that when Betsy and I were going through this we felt that our hands were a little tied on the arguments that were made...there was no input supporting it, no issue to where we could find justification for changing the zone so there is a motion now for, so, it's because there being highly in nature in different things and there is findings of fact so there was things that we thought about it...it wasn't based on just strictly competition or that we wanted cheaper gas or not."

Mayor Whalen called for a motion to uphold the Boone County Planning Commission's recommendation for denial for a Change in an Approved Concept Development Plan for a 1.63 acre site located at 4949 Houston Road. Councilmember Conrad so moved, with second from Councilmember Osborne, to uphold the Boone County Planning Commission's recommendation for denial for a Change in an Approved Concept Development Plan for a 1.63 acre site located at 4949 Houston Road. Roll Call Vote: Councilmembers Carroll, Winn, Osborne, Conrad and Metzger Aubuchon voted yes; Councilmember Bushelman voted no. **Council approved by a 5-1 vote (Bushelman).**

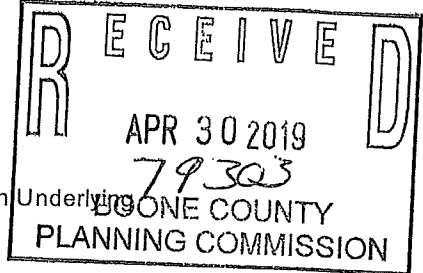
APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION

SEVEN (7) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)



1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
Change in an Approved Concept Development Plan
Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
Long Range Planning Committee Review (As stated in the Union Town Plan)
Zone Change Committee Review of previously approved Concept Development Plan Conditions or Zoning Map Amendment Conditions
Zoning Administrator Review (As stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)
Zoning Administrator Review (As stated in the Mall Road District Study)

- 2. Name of Project Sam's Club #8133
3. Location of Project 4949 Houston Road, Florence, KY 41042
4. Total Acreage of Site 14.85 Acres
5. Current Zoning C-2/PD/CD/HDO
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) June 6, 2000 (Ordinance No. 0-13-00)
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) Yes; Houston-Donaldson Study
8. Proposed Uses (please specify each use) Addition of a Fueling Station to the existing Sam's Club development that will remain
9. Proposed Building Intensities (please specify) Existing Sam's Club (133,384+/- SF) and proposed Fueling Station (192 SF Service Building with 4,800+/- SF canopy) = 9,318 SF / acre
10. Have you submitted a Concept Development Plan? No
11. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance
12. Name of Applicant(s) Brian Dunham, Frost Brown Todd LLC
Phone Number 859-817-5924 Fax No. 859-283-5902 E-Mail bdunham@ftblaw.com
13. Address of Applicant(s) 7310 Turfway Road
Florence KY 41042
City State Zip
14. Name of Property Owner(s) Wal-Mart Real Estate Business Trust
Phone Number 479-277-1351 Fax No. E-Mail ashley.may@walmart.com
15. Address of Property Owner(s) 2101 SE Simple Savings Drive
Bentonville AR 72716
City State Zip
16. Are there any existing buildings on the site? Yes
How many? One
17. Deed Book 793; 510; 834 Page No. 283; 201; 673 Group No. N/A
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
X Florence Public Services Dept.
X Duke Energy
Sanitation District #1

(over)

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: August 7, 2019

RE: Request of **Brian Dunham, Frost Brown Todd, LLC (applicant)** for **Benenson Flo. KY. LLC and Wal-Mart Real Estate Business Trust (owners)** for a Change in Concept Development Plan for a 14.85 acre site located at 4949 Houston Road, Florence, Kentucky (Sam's Club). The request is for a Change in Concept Development Plan to allow a gasoline fueling station and for modifications to an existing retail building in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone.

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 the request is in general agreement with the Boone County Comprehensive Plan and Houston-Donaldson Study for the following reasons:
 - A. The 2035 Future Land Use Map designates the majority of the 14.85 acre site for Commercial (C) uses and smaller area in the northern portion of the site for Industrial (I) uses. Although the fuel center is proposed in the industrially designated area, the Boone County Comprehensive Plan states the Future Land Use Map is intended to be used in tandem with the Land Use Element text and that the future land use boundaries are approximate and subject to refinement and interpretation by the Planning Commission and county legislative bodies' (Land Use Maps, pg. 164).
 - B. The Land Use Element contains the following passages:
 - Regionally-oriented growth should be confined to Mall Road and Houston Road, and should not expand on to U.S. 42, KY 18 or Hopeful Church Road. However, the highway-scaled, automobile oriented appearance of this growth should be minimized through the provision of pedestrian improvements, smaller facilities within outlots in conjunction with larger strip-style centers, multiple, scattered parking areas in lieu of large central parking areas, and street trees along Mall Road (Houston-Donaldson Study Area/Mall Road, pg. 167).
 - Any commercial development in the Houston Road area should be consistent with the recommendations of the Houston Donaldson Study (Houston-Donaldson Study Area/Mall Road, pg. 167).
 - Commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate (Houston-Donaldson Study Area/Mall Road, pg. 167).

- C. The proposal is in agreement with the following recommendations and Goals and Objectives of the Houston-Donaldson Study:
- Redevelopment in Subarea four should aesthetically fit in with existing land uses (Land Use Recommendations, pg 33).
 - Maintain the successful business climate of the subarea (Subarea 4, Goal A., pg 44).
 - Continue to consistently apply the Design Standards for future development and/or redevelopment (Subarea 4, Goal A., Objective 1, pg 44).
 - Enhance the non-motorized system in the Subarea (Subarea 4, Goal B., pg 44).
 - Disconnect in the sidewalk network within the Subarea should be filled in (Subarea 4, Goal B., Objective 1, pg. 44).
2. The proposal is in compliance with the following Planned Development Standards found in Section 1514 of the Boone County Zoning Regulations:
- A. Mixed Use Development and Pedestrian Orientation - The subject property is located within Turfway Business Park. The subdivision contains commercial, office, industrial, and public facility uses. The submitted Concept Development Plan shows that gaps in the sidewalk network along Spiral Drive and Thoroughbred Boulevard will be filled in with the proposed development.
- B. Architecture - The submitted Concept Development Plans show that the Sam's Club building and fuel center will correlate to one another in terms of building materials and paint colors and will be compliant with the architectural design review requirements of the Houston-Donaldson Study.
- C. Landscaping - The submitted Concept Development Plans show that substantial landscaping is being added in the parking lot and Spiral Drive and Thoroughbred Boulevard street frontages to screen the fuel center from public view. A condition was imposed which requires the street frontage landscaping to be extended from Sam's access point on Thoroughbred Boulevard to Spiral Drive/Thoroughbred Boulevard intersection.
3. The Committee's recommendation is based on the unique characteristics of the site in question, which are not generally applicable in the Houston-Donaldson Study Corridor Overlay District (HDO), and the unique characteristics of the fuel center proposal. These characteristics include the location of the project site behind the main retail building, the enhanced design of the canopy and fuel center kiosk, improvements to the main retail building, extensive landscaping, limited signage for the fuel center, and fuel sales which are limited to private members only. Additionally, the proposal excludes the sale of convenience goods and other incidentals at the fuel center.
4. The Committee has concluded that the attached conditions are necessary to achieve consistency with the 2010 Boone County Comprehensive Plan and adopted 2017 Goals and Objectives. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with the conditions.

CONDITIONS

1. Unless modified by other conditions below, the approval shall be based on the submitted Concept Development Plans and plan revisions that were received at the 6/5/19 Public Hearing.
2. Sales from the proposed fuel center shall be limited to members of the adjacent warehouse club only.
3. There shall be no rooftop mechanicals on the fuel canopy or customer service building.
4. Decorative site furniture which complies with the Houston-Donaldson Study requirements shall be installed near the main Sam's Club entrance.
5. A continuous street frontage buffer shall be required between the Sam's Club access point on Thoroughbred Boulevard and the Spiral Drive/Thoroughbred Boulevard intersection. The planting scheme shall follow the submitted landscaping plan and be extended to the access point. The required buffer yard plantings shall be required on the subject site if the Kentucky Transportation Cabinet does not grant an Encroachment Permit for planting within the right-of-way. The Zoning Administrator can permit changes to this condition if the plantings could cause sight distance issues.
6. Large shrubs from Plant List C shall be used throughout the new landscaping along the street frontages to eliminate any gaps in plantings.
7. Signage on the fuel canopy shall be limited to the two Sam's Club logos that are shown and one mechanical or LED gas pricer sign. The gas pricer sign shall only be permitted on the south elevation of the canopy (facing the existing Sam's Club auto center) and the lighting for this sign shall be turned off during non-business hours for the fuel center.
8. The main canopy lighting shall be turned off during non-business hours for the fuel center. Low level security lighting may be used under the canopy during non-business hours.

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 Development Plan Committee Vote.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Ms. Corrin Gulick
Mrs. Lori Heilman
Mr. Mark Hicks
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Ed Mentz
Mr. Kim Patton
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe

COMMISSION MEMBERS NOT PRESENT:

Mr. Steve Harper
Mrs. Janet Kegley
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Michael D. Schwartz, Planner

Chairman Rolfsen introduced the second item on the Agenda at 9:39 p.m.

CHANGE IN CONCEPT DEVELOPMENT PLAN - Todd Morgan, Staff

Request of **Brian Dunham, Frost Brown Todd, LLC (applicant)** for **Benenson Flo. KY. LLC and Wal-Mart Real Estate Business Trust (owners)** for a Change in Concept Development Plan for a 14.85 acre site located at 4949 Houston Road, Florence, Kentucky (Sam's Club). The request is for a Change in Concept Development Plan to allow a gasoline fueling station and for modifications to an existing retail building in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation. Mr. Morgan stated that a fuel center is proposed in the northern portion of the 14.85 acre site. Access to it would be provided through the Sam's Club parking lot. The fuel center is shown with 8 fuel pumps (16 fueling locations), a 41' x 120.67' (4,947 square foot) canopy, and a 192 square foot customer service building. The submitted elevations show the fuel center and customer service building would be constructed with matching split faced CMU, cultured stone, and grey standing seam metal roofing. LED fuel pricers are shown on three elevations of the canopy. Another plan shows that substantial landscaping would be added along Spiral Drive, Thoroughbred Boulevard, and the parking lot. This plan also shows where sidewalks are being proposed on Spiral Drive and Thoroughbred Boulevard to finish off the perimeter sidewalk network. The photometric plan shows a maximum footcandle reading of 55 under the canopy and the readings quickly fall off to zeros in all directions. Two simulations were also provided showing the fuel center, Spiral Drive, and Thoroughbred Boulevard. The second part of the proposal includes making exterior improvements to the Sam's Club building so all the facades correlate to the new fuel center. Mr. Morgan reviewed the elevations and indicated that three warm grey colors would be used on the building and some stone is shown on the front facade near the main entrance.

Sam's Club has submitted two previous applications to allow a fuel center in the northern portion of the lot and both were denied. The 2002 plan showed eight pumps (16 fueling locations), a 7,478 square foot canopy, and an 96 square foot service building. The 2008 plan showed 6 pumps (12 fueling locations), an approximate 3,450 square foot canopy, and 224 square foot customer service building.

The topographical map shows the topography falls from about 910 feet above sea level at the Thoroughbred Boulevard/Spiral Drive intersection to 890 above sea level at the back of the building. The zoning of the property is Commercial Two/Planned Development/Concept Development/Houston-Donaldson Study Overlay (C-2/PD/CD/HDO). Mr. Morgan reviewed pictures of the site and adjoining properties.

The 2035 Future Land Use Map shows the site is forecasted for Commercial (C) and Industrial (I) uses. The Sam's Club building is in the commercial area and the proposed fuel center is located in the industrial area. Mr. Morgan indicated that all the passages from the Comprehensive Plan and Houston-Donaldson Study found in the Staff Report are pertinent but that he was only going to hit a couple highlights. On page 5, the Future Land Use Element text contains a passage stating that "any commercial development in the Houston road area should be consistent with the recommendations of the Houston-Donaldson Study". Page 7 includes recommendations for Subarea 4 of the Houston-Donaldson Study. One recommendation is that "future development

and/or redevelopment in subarea four should be of commercial or office type land uses and not of light industrial or residential uses, except for the light industrial area on Spiral Drive". Another recommendation is "that redevelopment in subarea four aesthetically fit in with the existing land uses."

Mr. Morgan reviewed the Staff comments that start on page 9 of the Staff Report.

1. The Planning Commission and City of Florence need to determine if the proposed fuel center should be permitted at the subject location. The Boone County Comprehensive Plan's 2035 Future Land Use Map identifies the site for industrial uses. The Houston-

Donaldson Study recommends that future development and/or redevelopment in Subarea Four should be commercial or office type land uses and not light industrial or residential uses, except for the light industrial area on Spiral Drive.

Staff would like to note that fuel sale facilities are prevalent throughout the community, including two that are located in the Houston-Donaldson Study limits. A Speedway gas station is located at the KY 18/Merchants Street intersection and a Marathon station is located at the Donaldson Highway/Cherry Tree Lane intersection. Both of these sites are located in close proximity to I-71/75 Interchanges and have a "highway commercial" character.

2. Staff recommends that the following Planned Development criteria should be looked at in more detail:

Mixed Use Development and Pedestrian Orientation - The submitted plans show that sidewalks are being proposed along Thoroughbred Boulevard and Spiral Drive to complete the perimeter sidewalk network around the site. Staff would like the applicant to address the following:

- A. Can a sidewalk connection be provided between Thoroughbred Boulevard and the main building entrance? Staff would like to note the sidewalk connection may not be feasible because of the grades and handicapped accessibility requirements.
- B. Can site furniture (decorative benches, trash can, etc.) be added by the main building entrance per the Houston-Donaldson Study design requirements?

Compatibility of Uses - The Planning Commission and City of Florence need to determine if the proposed fuel center is compatible with Turfway Business Park and adjoining properties. Staff would like to note that the fuel center will not be visible from Houston Road and that additional landscaping is being proposed to buffer the use from Thoroughbred Boulevard and Spiral Drive.

Preservation of Existing Site Features - The submitted grading plan shows that minimal grading is proposed and the existing berms in the Thoroughbred Boulevard right-of-way will be retained. The plan also shows the fuel center will have a ground elevation that is

roughly 896' above sea level and will sit substantially lower than adjoining portions of Thoroughbred Boulevard and Spiral Drive.

Landscaping - The submitted landscaping plan shows that substantial deciduous and evergreen plantings are being proposed to buffer the proposed fuel center from Thoroughbred Boulevard, Spiral Drive, and the Sam's parking lot. Staff would like the applicant to address the following:

- A. Has permission been granted from Kentucky Transportation Cabinet to allow landscaping in the Thoroughbred Boulevard right-of-way?
- B. Has the adjoining property granted permission allowing landscaping to be removed or installed on their property?
- C. Can the landscape planting scheme be extended to the Sam's Club entrance on Thoroughbred Boulevard?

Architecture - The submitted elevations show the fuel center and Sam's Club building will complement one another. The fuel center columns/canopy and customer service building will be constructed with split faced CMU (painted gray), stone, and gray standing seam metal roofing. The existing Sam's Club building will be improved with a warm gray color scheme (3 different shades) and stone on the front facade. Staff would like the applicant to address the following:

- A. Can stone be added to columns on the front facade of the Sam's Club building?
- B. Are any rooftop mechanicals proposed on the fuel canopy or customer service building?

Signage - The submitted fuel center elevations show that "Sam's Club" signage and LED fuel price displays are proposed on three faces of the fuel canopy. These signs can be analyzed now or through a Design Review application at a later date.

3. Staff would like the applicant to verify that an access easement exists which gives them the legal right to use the shared driveway on the adjoining property.
4. The applicant submitted a Traffic Impact Study with the request and the entire document is part of the record (**see Exhibit 1**). The executive summary section of the Traffic Impact Study has been attached to the Staff Report.
5. Staff sent out an agency memo for the proposed project and received comments back from Florence Fire Department and Florence Public Services. These comments are attached to Staff Report. Another email, from Joshua Hunt, was received today and it is part of the record (**see Exhibit 2**).

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation? Mr. Brian Dunham stated that he was an attorney with Frost Brown Todd in Florence, Kentucky. He is joined by Kevin Thompson, with Sam's Club Public Affairs, Keith Moore, with Carlson Consulting Engineers, Doug Beasley, the project architect, Dan Gross, with Sam's Club Fuel Operations, Robert Wright, Sam's Club Manager, and Richard Phillips, the traffic engineer.

Mr. Kevin Thompson said he was the Director of Public Affairs and Government Relations for Wal-Mart and works out of Indianapolis, Indiana. Sam's Club has been in Florence for 30 years and in the last 11 years (since the last request was denied) shopping patterns have changed a lot. They have new competition and they need fuel to stay competitive. Their customers pay to shop with them and they will shop somewhere else if they do not offer the same array of services. They believe they have put together a good plan after working with Staff and the City of Florence.

Mr. Dunham said he would start by addressing the 2035 Future Land Use Map. The text found in the Comprehensive Plan states the future land use boundaries are approximate and subject to refinement and interpretation by the Planning Commission and county legislative bodies. This would allow the Planning Commission and City to refine the boundaries and permit the commercial use. He also wanted to highlight the 2008 request came out the Planning Commission's Zone Change Committee with a recommendation for approval by a 5-0 vote. He reviewed the overall Sam's Club and adjoining area and noted the areas that were zoned commercial. The driveway, landscaping, and elevation change should create a natural divider between the commercial and industrial area. In addition, Beckfield College isn't your typical light industrial user. They are an educational use and they would be present tonight if they had any concerns about the proposed use.

The Houston-Donaldson Study contains some inconsistent passages in term of the Sam's Club site in terms of it being commercial or industrial. The existing conditions chapter states that the commercial in the Turfway Business Park is anchored by Sam's Club. "Although there is some redevelopment opportunity, there is very little new development opportunity in the Subarea. At this time, there is only vacant parcel in the Subarea, located at the northeast corner of Ted Bushelman Boulevard and Houston Road." This passage doesn't address Sam's Club's vacant lot. The other thing he would like to highlight is the Study goes so far as to say that the current zoning map helps to implement the Study's recommendations. "The zoning on the northern side of Houston Road turns to a C-2 underlying zone (C-2/PD/CD). Finally, the northern third of the Subarea is zoned industrial (I-1/PD/CD). The current zoning implements the Study's recommendations. Therefore, no changes are recommended for Subarea 4." They believe that commercial uses are a natural extension and that industrial uses are not feasible on the site. The site is zoned commercial, immediately adjacent to commercial, and isn't located on the other side of Spiral Drive. Most of the Subarea is commercially zoned. Industrial users are looking for large rectangular pieces of land. He can't imagine that an industrial user would want to try to squeeze in on this lot. They would have the choice of facing the Sam's Club or being hidden behind the grade change that exists on Thoroughbred Boulevard. An industrial user is not going to want to go through the Sam's Club parking lot to access the site. They have also improved the fuel canopy elevations since they first met with Planning Commission and City Staff. The original plans had a bold blue canopy and plain columns. They have redesigned it to better fit into the area. The proposed design isn't something

that Sam's typically does but is willing to do it because of the overlay zone. They have added stone veneer to the service building and canopy columns. They would like to submit their PowerPoint as an exhibit because it contains a few plan changes from the Staff presentation (**see Exhibit 3**). They have eliminated all signage on the right elevation of the fuel canopy and reduced the number of LED pricers and Sam's Club signs from 3 to 2. The other change they have made is adding more stone to the columns on the front facade of the Sam's Club building. For these reasons, they believe the fuel station and store will be compatible with the area.

There are several things that make this site unique. They include: (1) It sits to the side and behind Sam's Club and next to an automotive service entrance; (2) It's completely screened from Houston Road; (3) It has very limited visibility from Thoroughbred Blvd. and Spiral Drive because of the grade change; (4) It's physically split by driveways and the next door neighbor is an educational use versus a traditional light industrial use; and (5) There will be no convenience store. All customers will be Sam's Club members and hours of operation, signage, and traffic will be minimal. They are not asking for the fuel center to front on Houston Road because that would change the whole feel of the corridor. They believe they have the perfect site to minimize impacts.

The other thing he wants to highlight is that approving the application would satisfy a major goal of the Houston-Donaldson Study. Goal A is to maintain the successful business climate of the Subarea and one of the objectives is to continue to support the commercial and office uses and zoning classifications..." As Mr. Thompson indicated retail has changed and the lack of a fuel component is a significant negative financial detriment for Sam's. Their competitors have constructed fuel centers in Florence the last several years. They also believe the success of the Sam's Club is important for the Houston-Donaldson Study area. The store is an anchor tenant and is located at the corner of Houston road and Thoroughbred Boulevard. The application will update the building, tie in a matching fuel center that has minimal impacts, and increase the long term viability of the Sam's Club operation.

Mr. Dunham said he wanted to address the Staff questions found in the Staff Report. The sidewalk connection between the main building entrance and Thoroughbred Boulevard isn't viable because it would require several switchbacks. Site furniture can be added by the main building entrance. They have talked with Kentucky Transportation Cabinet about landscaping in the right-of-way and the initial response was favorable. The only concern is sight lines if they extend the landscaping all the way to the Sam's Club entrance on Thoroughbred Boulevard. They are agreeable to adding additional landscaping if the state is agreeable. The property was developed as part of Turfway Business Park and there were several declarations for common driveways, landscaping, and parking. As a result, they are permitted to make changes to the landscaping on the Beckfield College property. Additional stone has been added to the front facade of the Sam's Club building. Their initial hesitation on adding the stone is shopping carts can damage it and it can become a maintenance issue. There will be no rooftop mechanicals on the gas canopy or maintenance building. An access easement is in place on the Beckfield College driveway.

He received the email from Joshua Hunt this evening and would like to respond to it. With the original application in 2002 they asked for 8 fuel pumps and in 2008 they reduced that number to 6. They are asking for 8 pumps again with this request. The canopy in 2002 was about 7,500 square feet and the canopy with the current request is significantly smaller at 4,900 square feet.

The reason they are asking for 8 pumps again is that it will help vehicle stacking. The current application also has better material finishes than the previous applications because the building and fuel center will complement one another. They are also in a different retail environment as previously mentioned. The Houston-Donaldson Study has also been updated and they are complying with one of the major goals.

Mr. Lunnemann asked why the need LED pricers on the gas canopy when it is a members only club? Mr. Dunham responded that the members want to know the price of fuel and it's an easy way to do it. Mr. Lunnemann responded the other member warehouse competitor was not permitted LED pricers on their fuel canopy. He believes the LED pricers make the facility more conspicuous. Mr. Dunham responded they can look into other alternatives.

Mr. Dan Gross said he runs all the fuel facilities for Wal-Mart and Sam's Club. They have run into some problems with manually changeable signs. Adding automated signs is a way to make sure they comply with weights and measures standards and avoid fines. Mr. Lunnemann asked why it's necessary to display the prices on the canopy? Mr. Gross said that fuel is an emotional purchase because 80% of people buy it based on the price. They can look at manual signs or eliminating the signs if this is something that's causing concern. Mr. Lunnemann said eliminating the canopy pricers would make things more palatable to him. They could put small A frame signs by the fuel center and main entrance to Sam's.

Chairman Rolfsen asked if the fuel center would be open the same hours as the store? Mr. Gross responded the fuel center would be open from 6 AM - 9 PM and the Sam's Club building would open at 7 AM.

Mr. Hicks asked if the Planning Commission recommended approval on the Meijer's fueling facility and the City of Florence overturned the recommendation? Mr. Costello said Staff can look into that. Mr. Hicks asked if that information could be made part of the record? He feels for Sam's because Kroger and Costco both have fuel centers on Mall Road. He hopes Sam's doesn't have to build a new facility to have a fuel center.

Mr. Gross said that Sam's Club and Costco are unique because you have to pay to shop at these stores.

Mr. Costello asked if they would be agreeable to a condition that requires the sale of fuel be limited to members only and not be open to the general public? Mr. Gross responded that is how Sam's operates and they would be willing to accept that as a condition.

Mr. McMillian asked what fuel they sell? They haven't allowed any new fuel stations in the Houston-Donaldson Study but did allow Wal-Mart to have electric charging. He asked if Sam's would have electric charging stations? Mr. Gross responded they would not have electric charging stations at the fuel center because it takes 20 minutes to charge a vehicle. They can get with their energy team and see if they would be willing to add it elsewhere on site.

Mr. McMillian asked if they will be selling diesel fuel? Mr. Gross responded they would have unleaded, premium, and diesel fuel. They can look at adding electric charging elsewhere if that

is something they want to see. He would have to contact their energy team. Mr. McMillian said he still believes a new fuel station should not be permitted in the Houston-Donaldson Study limits. He believes other applications for fuel centers on Houston Road will come in if they approve this application. He could support electric charging.

Mr. Wilson asked for confirmation that Mr. Hicks wanted the Meijer's record to be part of this record? Mr. Hicks said he would like to see any Findings for Approval if they exist. If so, he would like to see them made part of the record (**see Exhibit 4**).

Mr. Shipe said he knows the City of Florence has some concerns about electronic signs. He asked if the electronic signs could be turned off when the fuel center closes? Mr. Gross said they could look into that. He would image they could install timers and turn them off.

Mrs. Heilman said she would also like the record to include the City Council meeting minutes for the Meijer's application (**see Exhibit 5**). She also asked what criteria were being used to evaluate this request? Mr. Morgan replied Articles 3 and 15 of the Zoning Regulations and the Houston-Donaldson Study.

Mr. Costello stated that the building was originally approved as a Price Savers. Price Savers went out of business.

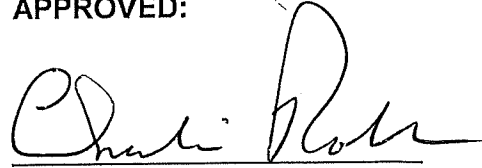
Mr. Morgan said the Staff Report includes the pertinent 2008 Sam's Club Concept Plans, Findings for Denial, and City Council meeting minutes. The report does not include the 2002 Findings or City Council meeting minutes. He asked if the Planning Commission wanted those included in the record? Mr. Rolfsen asked that those items be included in the record (**see Exhibit 6 and 7**).

Mr. Dunham asked that the Sam's Committee Report for approval from 2008 also be included (**see Exhibit 8**). This report was read off at the Planning Commission Meeting and then the alternate findings were read off and approved.

At this time, Chairman Rolfsen asked if any Board members had any comments or questions?

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on June 19, 2019, 2019 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on July 3, 2019 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 10:29 P.M.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

- Exhibit 1 - Traffic Impact Study
- Exhibit 2 - 6/5/18 Email from Joshua Hunt
- Exhibit 3 - Applicant's PowerPoint (Includes Revised Concept Plans)
- Exhibit 4 - 11/18/98 Findings of Approval For Meijer's Application & BCPC Meeting Minutes
- Exhibit 5 - 1998 and 2001 City Council Minutes For Meijer's Applications (see 6/12/19 Email from Nancy Zeilman, City Clerk)
- Exhibit 6 - 9/4/02 Committee Report Sam's Club Application
- Exhibit 7 - 10/1/02 and 10/8/02 Florence City Council Minutes for 2002 Sam's Club Application
- Exhibit 8 - Committee Report for Approval for 2008 Sam's Club Application

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairman


DATE: June 19, 2019

CHANGE IN CONCEPT DEVELOPMENT PLAN - Janet Kegley, Chairwoman, Todd Morgan, Staff

2. Request of **Brian Dunham, Frost Brown Todd, LLC (applicant) for Benenson Flo. KY. LLC and Wal-Mart Real Estate Business Trust (owners)** for a Change in Concept Development Plan for a 14.85 acre site located at 4949 Houston Road, Florence, Kentucky (Sam's Club). The request is for a Change in Concept Development Plan to allow a gasoline fueling station and for modifications to an existing retail building in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone.

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.




Kim Bunger

For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Randy Bessler (Alternate)

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____



Janet Kegley (Chairwoman)

For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Mark Hicks (Alternate)

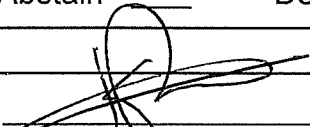
For Project _____ Absent _____
Against Project _____

Rick Lunnemann

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

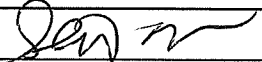
Lisa Heilman (Alternate)

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____



Kim Patton

For Project Absent _____
Against Project _____
Abstain _____ Deferred _____



Steve Turner (Alternate)

For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Brad Shipe

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

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

SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

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

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

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

July 9, 2019

Mr. Brian Dunham
Frost Brown Todd, LLC
7310 Turfway Road, Suite 210
Florence, KY 41042

RE: Request of **Brian Dunham, Frost Brown Todd, LLC (applicant)** for **Benenson Flo. KY, LLC and Wal-Mart Real Estate Business Trust (owners)** for a Change in Concept Development Plan for a 14.85 acre site located at 4949 Houston Road, Florence, Kentucky (Sam's Club). The request is for a Change in Concept Development Plan to allow a gasoline fueling station and for modifications to an existing retail building in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone.

Dear Mr. Dunham,

The following represents the conditions of approval for the above referenced Change in Concept Development Plan application as agreed to by you and the Boone County Planning Commission's Zone Change/Concept Development Plan Committee. Please have the property owners sign the last page letter if they are agreement with the conditions. Please return this letter to the Boone County Planning Commission office by August 5, 2019.

CONDITIONS

1. Unless modified by other conditions below, the approval shall be based on the submitted Concept Development Plans and plan revisions that were received at the 6/5/19 Public Hearing.
2. Sales from the proposed fuel center shall be limited to members of the adjacent warehouse club only.
3. There shall be no rooftop mechanicals on the fuel canopy or customer service building.
4. Decorative site furniture which complies with the Houston-Donaldson Study requirements shall be installed near the main Sam's Club entrance.
5. A continuous street frontage buffer shall be required between the Sam's Club access point on Thoroughbred Boulevard and the Spiral Drive/Thoroughbred Boulevard intersection. The planting scheme shall follow the submitted landscaping plan and be extended to the access point. The required buffer yard plantings shall be required on the subject site if the

Mr. Brian Dunham
July 9, 2019
Page 2

Kentucky Transportation Cabinet does not grant an Encroachment Permit for planting within the right-of-way. The Zoning Administrator can permit changes to this condition if the plantings could cause sight distance issues.

6. Large shrubs from Plant List C shall be used throughout the new landscaping along the street frontages to eliminate any gaps in plantings.
7. Signage on the fuel canopy shall be limited to the two Sam's Club logos that are shown and one mechanical or LED gas pricer sign. The gas pricer sign shall only be permitted on the south elevation of the canopy (facing the existing Sam's Club auto center) and the lighting for this sign shall be turned off during non-business hours for the fuel center.
8. The main canopy lighting shall be turned off during non-business hours for the fuel center. Low level security lighting may be used under the canopy during non-business hours.

Sincerely,

Todd K. Morgan, AICP
Senior Planner, Zoning Services

TKM\ss

AGREEMENT

I, Gary F. Sedoruk, as Managing Director of Benenson Flo. KY LLC, do hereby agree to the listed conditions of approval for the Change in Concept Development Plan application, which is referenced on the first page of this letter.

Mr. Gary F. Sedoruk, Managing Director
Benenson Flo. KY. LLC

Date

I, Chelsea Penn, as Senior Manager for Wal-Mart Real Estate Business Trust, do hereby agree to the listed conditions of approval for the Change in Concept Development Plan application, which is referenced on the first page of this letter.


Ms. Chelsea Penn, Senior Manager
Wal-Mart Real Estate Business Trust

7/9/19
Date

Mr. Brian Dunham
July 9, 2019
Page 2

Kentucky Transportation Cabinet does not grant an Encroachment Permit for planting within the right-of-way. The Zoning Administrator can permit changes to this condition if the plantings could cause sight distance issues.

- 6. Large shrubs from Plant List C shall be used throughout the new landscaping along the street frontages to eliminate any gaps in plantings.
- 7. Signage on the fuel canopy shall be limited to the two Sam's Club logos that are shown and one mechanical or LED gas pricer sign. The gas pricer sign shall only be permitted on the south elevation of the canopy (facing the existing Sam's Club auto center) and the lighting for this sign shall be turned off during non-business hours for the fuel center.
- 8. The main canopy lighting shall be turned off during non-business hours for the fuel center. Low level security lighting may be used under the canopy during non-business hours.

Sincerely,

Todd K. Morgan, AICP
Senior Planner, Zoning Services

TKM/ss

AGREEMENT

*as Authorized Signatory
Benenson Capital Partners, LLC
agent for*

I, Gary F. Sedoruk, as ~~Managing Director of Benenson Flo. KY LLC~~, do hereby agree to the listed conditions of approval for the Change in Concept Development Plan application, which is referenced on the first page of this letter.

Gary F. Sedoruk

7/9/2019

Mr. Gary F. Sedoruk, ~~Managing Director~~ *Authorized Signatory* Date
Benenson Flo. KY. LLC

By: Benenson Capital Partners, LLC, agent

I, Chelsea Penn, as Senior Manager for Wal-Mart Real Estate Business Trust, do hereby agree to the listed conditions of approval for the Change in Concept Development Plan application, which is referenced on the first page of this letter.

Ms. Chelsea Penn, Senior Manager Date
Wal-Mart Real Estate Business Trust

6

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That THE BENENSON CAPITAL COMPANY, a New York general partnership, for and in consideration of Ten and 00/100 (\$10.00) Dollars to them paid by the Grantee herein, the receipt of which is acknowledged, do quitclaim to: BENENSON FLO KY, LLC, a Delaware limited liability company, its successors, heirs and assigns forever, all of Grantors' right, title and/or interest in and to the Real Estate described on Exhibit A annexed hereto and made a part hereof, in the County of Boone and Commonwealth of Kentucky, to wit:

Present Street Address: 4949 Houston Road, Florence, Kentucky
Grantee's Mailing Address: 708 Third Avenue, 28th Floor, New York, New York 10017
Grantor's Mailing Address: 708 Third Avenue, 28th Floor, New York, New York 10017

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging.

THE FOREGOING TRANSFER IS EXEMPT FROM REAL ESTATE TRANSFER TAX PURSUANT TO K.R.S. 142.050(7)(c).

TO HAVE AND TO HOLD the same to BENENSON FLO KY, LLC, a Delaware limited liability company, its successors, heirs and assigns, forever, in the fashion and manner stated in the conveying clause.

BEING the same property conveyed to the grantor (x) as to a 98% undivided interest by Tineb Associates by deed dated December 21, 1992 and recorded in the office of the Boone County Clerk in Deed Book 502, Page 274 and (y) as to a 2% undivided interest by deed dated as of January 1, 1999 to be recorded in the office of the Boone County Clerk immediately prior to the recording of this Deed.

* For Source of Title See last Page
Any trustee executing this Deed in a trust capacity shall be liable in such capacity and not otherwise.

WITNESS the signature of said Grantor, THE BENENSON CAPITAL COMPANY, a New York general partnership, as of the 16th day of November, 2000.

THE BENENSON CAPITAL COMPANY, a New York general partnership
By: The Charles B. Benenson Family Trust, a partner

By: Charles B. Benenson
Charles B. Benenson, Trustee

This instrument was prepared by:

Lisa Siegel
Lisa Siegel, Esq.
Goldfarb & Fleece
345 Park Avenue
New York, New York 10154
Tel: 212-891-9135

128066_2
11-9-00 4:38PM

RETURN TO Chicago Title & Ins Co.
1550 Citizens Plaza attn: Kayle Perry
Annville, Ky 40002

STATE OF *New York*)
COUNTY OF *New York*)

ss.:

The foregoing instrument was signed and acknowledged before me this *13th* day of November, 2000 by Charles B. Benenson, trustee of The Charles B. Benenson Family Trust, partner on behalf of THE BENENSON CAPITAL COMPANY, a New York general partnership.

Carmen S. Peterson

Notary Public

CARMEN S. PETERSON
Notary Public, State of New York
No. 01PE4866281
Qualified in New York County
Commission Expires May 7, 2002

128066_2
11-9-00 4:38PM

BOONE COUNTY
D793 PG 284

DEED CERTIFICATION

The undersigned hereby swears and affirms, under penalty of perjury, that the foregoing transfer of real property was made for nominal consideration and, further, that the estimated fair cash value for the property hereby transferred is: \$7,125,000.00.

Any trustee executing this Certification in a trustee capacity, shall be liable in such capacity and not otherwise.

GRANTOR:

THE BENENSON CAPITAL COMPANY, a New York general partnership

By: The Charles B. Benenson Family Trust, a partner

By: Charles B. Benenson
Charles B. Benenson, Trustee

GRANTEE:

BENENSON FLO KY, LLC, a Delaware limited liability company

By: BENENSON FLO KY MANAGER, LLC, a Delaware limited liability company, its Member Manager

By: THE BENENSON CAPITAL COMPANY, a New York general partnership, its sole member

By: The Charles B. Benenson Family Trust, a partner

By: Charles B. Benenson
Charles B. Benenson, Trustee

Property Description

Being a parcel of land in the City of Florence, Boone County, Kentucky lying at the southwest corner of the intersection of Houston Road and Thoroughbred Boulevard and being more particularly described as:

Beginning at a KDOH concrete right-of-way marker located at the intersection of the south right-of-way of Thoroughbred Boulevard and the west right-of-way of Houston Road; thence with the west right-of-way of Houston Road, South $57^{\circ}03'27''$ West a distance of 496.87 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set in a paved entrance, said point being the northeast corner of Lot 17 (OutParcel F) of Turfway Business Park (Plat Slide 147B); thence leaving the Houston Road right-of-way and with the north line of said Lot 17, North $32^{\circ}56'33''$ West a distance of 156.00 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence continuing with the line of Lot 17, North $76^{\circ}56'33''$ West a distance of 40.28 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence with the north line of said Lot 17, South $59^{\circ}03'27''$ West a distance of 251.50 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence leaving the line of said Lot 17 and with the north line of Lot 16 of Turfway Business Park (Plat Slide 155B), North $30^{\circ}56'33''$ West a distance of 245.42 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence continuing with the line of said Lot 16, North $59^{\circ}03'27''$ East a distance of 234.60 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence continuing with the line of Lot 16, North $76^{\circ}31'27''$ West a distance of 271.93 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence leaving the line of Lot 16 and with an northerly line of Lot 15 of Turfway Business Park (Plat Slide 155B), North $45^{\circ}53'42''$ West a distance of 58.00 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence leaving the line of said Lot 15 and with a northeasterly line of TRP Associates (Deed Book 359, Page 1), North $13^{\circ}38'23''$ East a distance of 432.59 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence leaving the line of TRP Associates and with the south line of Wal-Mart Stores, Inc. (Deed Book 510, Page 201), South $66^{\circ}53'53''$ East a distance of 170.82 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence continuing with the line of Wal-Mart Stores, Inc., North $13^{\circ}38'23''$ East a distance of 109.58 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence continuing with the line of Wal-Mart Stores, Inc., South $76^{\circ}21'37''$ East a distance of 129.00 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence continuing with the line of Wal-Mart Stores, Inc., North $13^{\circ}38'23''$ East a distance of 77.50 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence continuing with the line of Wal-Mart Stores, Inc., South $76^{\circ}21'37''$ East a distance of 32.50 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence continuing with the line of Wal-Mart Stores, Inc., North $13^{\circ}38'23''$ East a distance of 9.00 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence continuing with the line of Wal-Mart Stores, Inc., South $76^{\circ}21'37''$ East a distance of 20.00 feet to a

24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set; thence continuing with the line of Wal-Mart Stores, Inc., North 53°53'04" East a distance of 55.10 feet to a 24"-long, 5/8" diameter rebar with surveyor's cap (PLS 3350) set in the south right-of-way of Thoroughbred Boulevard; thence with said Thoroughbred Boulevard right-of-way, South 36°06'56" East a distance of 352.65 feet to a KDOH concrete right-of-way marker; thence continuing with the Thoroughbred Boulevard right-of-way, South 28°13'57" East a distance of 328.10 feet to a KDOH concrete right-of-way marker; thence continuing with the Thoroughbred Boulevard right-of-way, South 36°06'56" East a distance of 167.12 feet to a KDOH concrete right-of-way marker; which is the Point of Beginning, having an area of 575759.1 square feet, or 13.2176 acres.

And being all of Lot 13-A of Turfway Business Park as it is shown on plat recorded in Plat Slide 91A in the office of the Boone County Clerk.

TOGETHER WITH all rights and benefits accruing under that certain Reciprocal Easement Agreement and Declaration of Covenants and Restrictions recorded in Easement Book 22, Page 311, as amended by Amendment recorded in Misc. Book 267, Page 1, in the Office of the Clerk of Court of Boone County, Kentucky; and

TOGETHER WITH an easement of ingress and egress to and from Houston Road for pedestrian and vehicular traffic, as granted in Deed Book 502, Page 274, in the Office of the Clerk of Court of Boone County, Kentucky, over a parcel of land described as follows:

BEGINNING at a point in the northwesterly right-of-way line of Houston Road, said point also being S 57-03-27 W, 496.87 feet from the southwesterly right-of-way line of Thoroughbred Boulevard and running thence:

S 57-03-27 W, along the northwesterly right-of-way line of Houston Road, 16 feet to a point;

THENCE N 32-58-33 W, 127.85 feet to a point;

THENCE northwesterly along a curve to the west, a chord bearing of N 77-57-14 W, a chord distance of 63.65 feet, an arc distance of 70.70 feet (radius of 45 feet) to a point;

THENCE S 57-02-05 W, 219.04 feet to a point;

THENCE N 30-56-33 W, 21 feet to a point;

THENCE N 59-03-27 W, 251.50 feet to a point;

THENCE S 76-56-33 W, 40.28 feet to a point;

THENCE S 32-56-33 W, 156 feet to the place of BEGINNING, and containing 0.17 acre.

BEING THE SAME PROPERTY ACQUIRED BY BENENSON FLO KY, LLC BY DEED DATED NOVEMBER 22, 2000, OF RECORD IN THE OFFICE OF THE CLERK OF BOONE COUNTY, KENTUCKY, IN DEED BOOK D 793, PAGE 277.

Exhibit "A" - Page 2 of 2

Group # 2033B

DOCUMENT NO: 39654
RECORDED ON: NOVEMBER 22, 2000 01:26:46PM
TOTAL FEES: \$18.00
GROUP : 2033B
COUNTY CLERK: MARILYN K ROUSE
COUNTY: BOONE
DEPUTY CLERK: RENAE PING
BOOK D793 PAGES 283 - 288

BOONE COUNTY
D793 PG 288

51
Wal-Mart Store Inc
PO Box Bentonville AR 72712-9984

THIS CONVEYANCE IS AN ADJUSTMENT OF PROPERTY INTEREST BETWEEN PARTIES AND IS EXEMPT FROM CONVEYANCE TAX PURSUANT TO T.C.A. CODE 67-4-409(A)(3)(a)(b) (used with straw deeds or abolition of an estate by the entireties / or Partition deeds—deeds that convey a 1/2 or whatever kind of interest to other parties that already have an interest).

WARRANTY DEED

WARRANTY DEED made the 21st day of January, 2004, between H. LEE SCOTT, JR., AS MANAGING TRUSTEE FOR WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust with offices in the county of Benton, State of Arkansas, and a mailing address of 702 S.W. 8th Street, Bentonville, Arkansas 72716 (hereinafter referred to as "Grantor"), and WAL-MART REALTY COMPANY, an Arkansas corporation with a mailing address of 702 S.W. 8th Street, Bentonville, Arkansas 72716 (hereinafter referred to as "Grantee"),

WITNESSETH:

That Grantor, for good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby forever bargain, sell, convey and confirm to Grantee, and its successors and assigns, a certain tract of land situated, lying, and being in the City of Florence, County of Boone, State of Kentucky, as more particularly described on the Exhibit A attached hereto and made a part hereof;

TO HAVE AND TO HOLD said land unto Grantee, and its successors and assigns, forever;

And said Grantor does hereby warrant the title to said land, and will defend the same against the lawful claims of all persons claiming under Grantor, but none other, subject to the easements, encumbrances, restrictions, and other matters of record and the conditions and restrictions as stated herein.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed in its name by its Director, Wal-Mart Realty, and caused its corporate seal attested by its Assistant Secretary to be hereto affixed.

(TRUST SEAL)

WAL-MART REAL ESTATE BUSINESS TRUST

ATTEST:

By: Romona L. West
Romona L. West
Assistant Secretary

BY: Latriece Watkins
Latriece Watkins,
Its: Director, Wal-Mart Realty

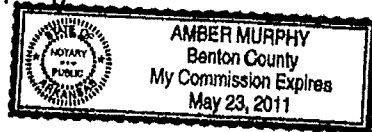
RETURN TO:

STATE OF ARKANSAS)
) ss
COUNTY OF BENTON)

In the State of Arkansas, County of Benton, on this 21st day of January, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Latriece Watkins, to me personally known, who being by me duly sworn did say that she is the Director, Wal-Mart Realty of the Grantor trust in the foregoing deed, and that the seal thereto affixed is the trust seal of said trust and that said deed was signed and sealed in behalf of said trust by authority of its managing trustee and said Latriece Watkins acknowledged said deed to be the free act and deed of said trust.

WITNESS my hand and notarial seal subscribed and affixed in said county and state, the day and year in this certificate above written.

Amber Murphy
Notary Public



Please Mail Recorded Deed To: Amber Murphy, Store #1510
Wal-Mart Stores, Inc., Dept. 9385
2001 S.E. 10th Street
Bentonville, AR 72716-0550

Prepared by: Amber Murphy
Amber Murphy
Wal-Mart Stores, Inc., Dept. 9385
2001 S.E. 10th Street
Bentonville, AR 72716-0550

Source of Title: Deed Book 834 Page 673 ✓

Parcel Identification Number: 061-00-11-015.00

BOONE COUNTY
D877 PG 787

CERTIFICATE OF CONSIDERATION

Being first duly sworn, the undersigned Grantor and Grantee state that consideration exchanged hands in this transaction in the amount of \$4,600,000. and the fair market value of said property is \$4,600,000.

GRANTOR:



Latriece Watkins, Director, Wal-Mart Realty
Wal-Mart Real Estate Business Trust

GRANTEE:



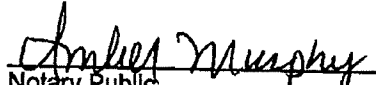
Latriece Watkins, Director, Wal-Mart Realty
Wal-Mart Realty Company

STATE OF ARKANSAS)

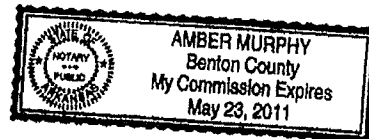
COUNTY OF BENTON)

) ss

The foregoing Certificate of Consideration and Fair Market Value was subscribed and sworn before me this 01st day of January, 2004, by Latriece Watkins, Director, Wal-Mart Realty, of Wal-Mart Real Estate Business Trust and Wal-Mart Realty Company, agent for grantor and grantee.


Notary Public,
State of Arkansas, County of Benton

My commission expires: May 23, 2011



BOONE COUNTY
D877 Pg 788

Exhibit A

Store #1510 Florence, KY

Property Address: 4999 Houston Road, Florence, KY. 41042

Group # 2033B

A parcel of land lying on the northwesterly side of Houston Road and the northeasterly side of Spiral Drive in Florence, Boone County, Kentucky and being more particularly described as follows:

BEGINNING at a point in the northwesterly right-of-way line of Houston Road, said point also being S 57-03-27 W - 348.49 feet and S 73-03-59 W - 30.72 feet from the common front corner of Lots 17 and 13-A of Turfway Business Park, and running thence:

S 73-03-59 W, along the northwesterly right-of-way line of Houston Road, a distance of 120.35 feet, to a point, thence S 55-08-13 W, continuing along the aforementioned northeasterly right-of-way line, a distance of 209.55 feet, to a point, thence N 30-56-33 W, a distance of 46.88 feet, to a point, thence N 59-03-27 E, a distance of 35.00 feet, to a point, thence N 30-56-33 W, a distance of 130 feet, to a point, thence S 59-03-27 W, a distance of 220 feet, to a point in the northeasterly right-of-way line of Spiral Drive, thence N 30-56-33 W, along the northeasterly right-of-way line of Spiral Drive, a distance of 5 feet, to a point, thence Northwestwardly, continuing along the northeasterly right-of-way line of Spiral Drive as it curves toward the west, a chord bearing of N 46-37-32 W, a chord distance of 80.91 feet, an arc distance of 81.93 feet (radius of 149.66 feet), to a point, thence N 62-18-30 W, a distance of 173.62 feet, to a point, thence Northwestwardly, continuing along the northeasterly right-of-way line of Spiral Drive as it curves toward the north, a chord bearing of N 41-27-00 W, a chord distance of 287.01 feet, an arc distance of 293.45 feet (radius of 403.04 feet), to a point, thence

BOONE COUNTY

D877 PG 789

N 20-35-30 W, a distance of 134.77 feet, to a point, thence
N 59-03-27 E, a distance of 731.19 feet, to a point, thence
S 30-56-33 E, a distance of 88.49 feet, to a point, thence
S 59-36-20 E, a distance of 78.32 feet, to a point, thence
S 45-53-42 E, a distance of 58 feet, to a point, thence
S 59-03-27 W, a distance of 198.53 feet, to a point, thence
S 30-56-33 E, a distance of 16.75 feet, to a point, thence
S 59-03-27 W, a distance of 60 feet, to a point, thence
S 30-56-33 E, a distance of 140 feet, to a point, thence
N 59-03-27 E, a distance of 8 feet, to a point, thence
S 30-56-33 E, a distance of 62 feet, to a point, thence
N 59-03-27 E, a distance of 118 feet, to a point, thence
S 30-56-33 E, a distance of 405.60 feet, to the place of
beginning, and containing 10.359 acres more or less.

Group# 2033B

AND:

A parcel of land lying on the southwesterly side of
Thoroughbred Boulevard and the southeasterly side of Spiral
Drive in Florence, Boone County, Kentucky and being more
particularly described as follows:

BEGINNING at a point in the southwesterly right-of-way line
of Thoroughbred Boulevard at its intersection with the
southeasterly right-of-way line of Spiral Drive and running
thence:

S 36-06-56 E, a distance of 156.46 feet, to a point, thence
S 53-53-04 W, a distance of 55.10 feet, to a point, thence
N 76-21-37 W, a distance of 20 feet, to a point, thence
S 13-38-23 W, a distance of 9 feet, to a point, thence
N 76-21-37 W, a distance of 32.50 feet, to a point, thence
S 13-38-23 W, a distance of 77.50 feet, to a point, thence
N 76-21-37 W, a distance of 129 feet, to a point, thence
S 13-38-23 W, a distance of 109.58 feet, to a point, thence
N 58-53-53 W, a distance of 170.82 feet, to a point, thence
N 13-38-23 E, a distance of 198.12 feet, to a point, thence
S 90-00 E, a distance of 136.11 feet, to a point, thence
Southeastwardly, along the southeasterly right-of-way line of
Spiral Drive, a chord bearing of S 72-29-35 E, a chord
distance of 156.45 feet, an arc distance of 158.91 feet
(radius of 260.04 feet), to the place of beginning, and
containing 1.63 acres more or less.

DOCUMENT NO: 233652
RECORDED ON: JUNE 29, 2004 02:26:53PM
TOTAL FEES: \$16.00
GROUP : 2033B
COUNTY CLERK: MARILYN K ROUSE
COUNTY: BOONE COUNTY CLERK
DEPUTY CLERK: DONNA COLLINS

BOONE COUNTY

D877 PG 790

BOOK D877 PAGES 786 - 790

ORDINANCE NO. O-18-19

AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT/HOUSTON-DONALDSON STUDY CORRIDOR OVERLAY (C-2/PD/HDO) ZONE FOR A 14.85 ACRE SITE LOCATED AT 4949 HOUSTON ROAD, FLORENCE, KENTUCKY (SAM'S CLUB) TO ALLOW A GASOLINE FUELING STATION AND FOR MODIFICATIONS TO AN EXISTING RETAIL BUILDING.

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

WHEREAS, the Boone County Planning Commission by Resolution No. R-19-018-A recommended approval for a change in a concept development plan, and

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

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

SECTION I

That the request of Brian Dunham, Frost Brown Todd, LLC(Applicant) for Benenson Flo. Ky, LLC (Owners) for a Change in Concept Development Plan in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) Zone for a 14.85 acre site located at 4949 Houston Road, Florence, Kentucky (Sam's Club) to allow a gasoline fueling station and for modifications to an existing retail building (Sam's Club), shall be and is hereby approved. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be updated to reflect the approval of this change in the concept development plan for this subject property. The real estate which is the subject of this Ordinance is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION II

The approval of this change to the concept development plan is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including its Committee Report, made a part of that recommendation, and all provisions comprising the development plan herein, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "B" and

incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-19-018-A of the Boone County Planning Commission, including the exhibits referenced to that Resolution.

SECTION III

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission's Resolution No. R-19-018-A, marked Exhibit "B", and attached hereto.

SECTION IV

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

SECTION V

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

SECTION VI

This Ordinance shall be published by posting on the City's internet website.

PASSED AND APPROVED ON FIRST READING THIS 1 DAY OF OCTOBER, 2019.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 8 DAY OF OCTOBER, 2019.

APPROVED:

Deane E. Whalen
MAYOR

ATTEST:

Nancy Geilman
CITY CLERK

CITY OF FLORENCE, KENTUCKY
READING SUMMARY

ORDINANCE NO. O-18-19


AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT/ HOUSTON-DONALDSON STUDY CORRIDOR OVERLAY (C-2/PD/HDO) ZONE FOR A 14.85 ACRE SITE LOCATED AT 4949 HOUSTON ROAD, FLORENCE, KENTUCKY (SAM'S CLUB) TO ALLOW A GASOLINE FUELING STATION AND FOR MODIFICATIONS TO AN EXISTING RETAIL BUILDING.

The purpose of this Ordinance is to approve a change in Concept Development Plan for property located at 4949 Houston Road, Florence, Kentucky, to allow a gasoline fueling station and for modifications to an existing retail building (Sam's Club).

The full text of Ordinance No. O-18-19 including its exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Blvd., Florence, Kentucky, during regular office hours.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of Ordinance No. O-18-19 and that it has been prepared by me on the 1 day of October, 2019, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



HUGH D. SKEES
SKEES, WILSON & NIENABER, PLLC
7699 Ewing Blvd., P.O. Box 756
Florence, KY 41022-0756
Phone: (859) 371-7407
Fax: (859) 371-9872

Additional
conditions from
City of Florence.

EXHIBIT

"C"

CITY OF FLORENCE, KENTUCKY
PLANNING AND ZONING COMMITTEE

IN RE: **AGREED ADDITIONAL CONDITIONS - Request of Brian Dunham, Frost Brown Todd, LLC (applicant) for Benenson Flo. KY. LLC and Wal-Mart Real Estate Business Trust (owners) for a Change in Concept Development Plan for a 14.85 acre site located at 4949 Houston Road, Florence, Kentucky (Sam's Club). The request is for a Change in Concept Development Plan to allow a gasoline fueling station and for modifications to an existing retail building in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone.**

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

1. There shall be no fuel price related signage (digital, manual, or otherwise) affixed to the fueling station canopy.
2. One digital fuel sign or two adjacent fuel signs may be permitted on the small service building provided that in either event the total fuel price signage area shall not exceed 25" high by 72" wide. The sign shall not be illuminated during non-business hours.
3. The size and design shall be as shown on the plans submitted 9/12/19 or as otherwise approved by City of Florence staff during the plan review process.

Agreed to this 12th day of September, 2019.

Benenson Flo. KY. LLC

BY: _____
(Title)

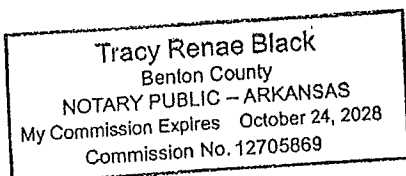
Wal-Mart Real Estate Business Trust

BY: Chelsea Penn, Senior Manager
(Title)

STATE OF ARKANSAS
~~COMMONWEALTH OF KENTUCKY~~

COUNTY OF BENTON

The foregoing instrument was acknowledged before me this 12 day of September, 2019, by Chelsea Penn, the Sr Manager Sam's Real Estate



Tracy Renae Black
NOTARY PUBLIC, State at Large
My Commission Expires: 10-24-28

CITY OF FLORENCE, KENTUCKY
PLANNING AND ZONING COMMITTEE

IN RE: **AGREED ADDITIONAL CONDITIONS - Request of Brian Dunham, Frost Brown Todd, LLC (applicant) for Benenson Flo. KY. LLC and Wal-Mart Real Estate Business Trust (owners) for a Change in Concept Development Plan for a 14.85 acre site located at 4949 Houston Road, Florence, Kentucky (Sam's Club). The request is for a Change in Concept Development Plan to allow a gasoline fueling station and for modifications to an existing retail building in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone.**

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2. One digital fuel sign or two adjacent fuel signs may be permitted on the small service building provided that in either event the total fuel price signage area shall not exceed 25" high by 72" wide. The sign shall not be illuminated during non-business hours.
3. The size and design shall be as shown on the plans submitted 9/12/19 or as otherwise approved by City of Florence staff during the plan review process.

Agreed to this 12th day of SEPTEMBER, 2019.

Benenson Flo. KY. LLC
By: Benenson Capital Partners, LLC, Agent
BY: Gary F. Sedoruk
Gary F. Sedoruk, Authorized Signatory (Title)
Wal-Mart Real Estate Business Trust

BY: _____ (Title)

COMMONWEALTH OF KENTUCKY STATE OF NY

COUNTY OF NY

The foregoing instrument was acknowledged before me this 12 day of September, 2019, by Gary F. Sedoruk, the Authorized Signatory for Benenson Capital Partners, LLC, the agent for Benenson Flo. KY. LLC.

Janet Moore
NOTARY PUBLIC, State at Large
My Commission Expires: JANET MOORE
Notary Public, State of New York
No. 01MO5039302
Qualified in Bronx County
Commission Expires Feb. 13, 2023

Todd Morgan

From: Keith Moore <KeithMoore@carlsonconsulting.net>
Sent: Thursday, September 12, 2019 10:20 AM
To: Dan Gross - Fuel Ops; Joshua Hunt; Dunham, Brian C.
Cc: Kevin Thompson; Grayson, Trey; Maurice Musy
Subject: RE: Sam's Conditions
Attachments: 8133 Florence, KY Fuel Station 09-12-19-reduced.pdf

Josh,

Here is the updated rendering for your review.

Keith Moore, PE

Lead Project Manager | Carlson Consulting Engineers, Inc

7068 LedgeStone Commons | Bartlett, TN 38133

Ph. 901.384.0404 (Ext 108) | Fax 901.384.0710 | www.CarlsonConsulting.net

From: Dan Gross - Fuel Ops [mailto:Daniel.Gross@walmart.com]

Sent: Thursday, September 12, 2019 8:01 AM

To: Joshua Hunt; Dunham, Brian C.

Cc: Keith Moore; Kevin Thompson; Grayson, Trey

Subject: RE: Sam's Conditions

Josh,

Keith is working on the actual rendering showing UNLEAD & DIESEL. Think will look the same with dual mounted flush or single cabinet on scale.

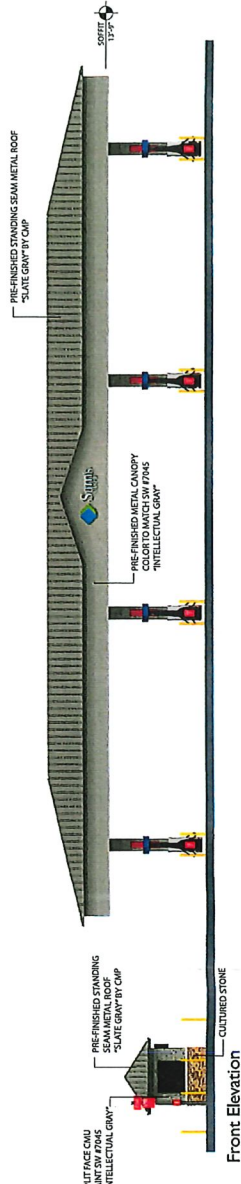
Believe the below location will be even more discrete than the back of the service building and be more appropriate for scaling.

Of course open to your opinion and feedback regarding.

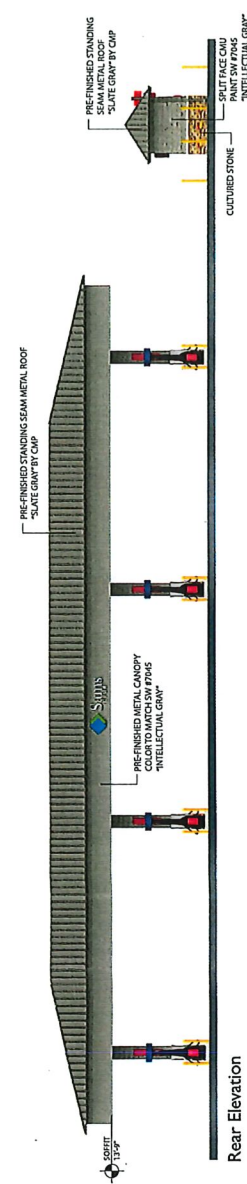
Thanks,

Dan

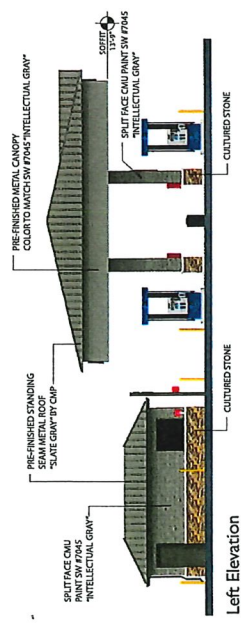




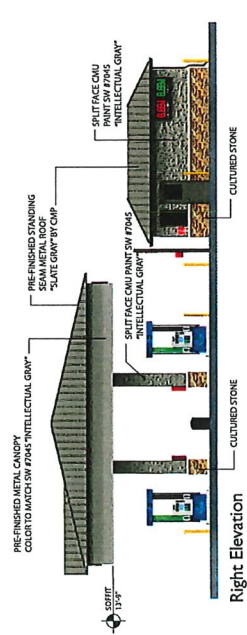
Front Elevation



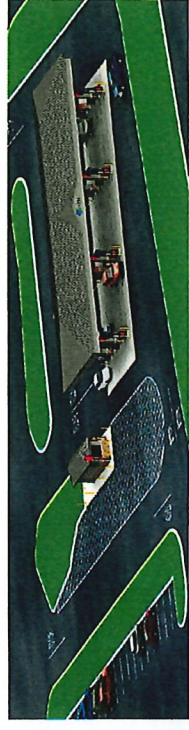
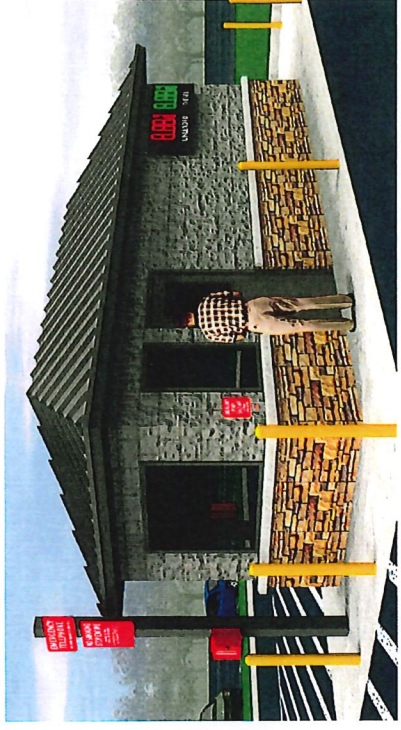
Rear Elevation



Left Elevation



Right Elevation



September 12, 2019 #8133 Florence, KY

8 Stack Fuel Station

1

REVISIONS BY	DATE	DESCRIPTION

CARLSON CONSULTING, INC.
 708 KENTUCKY AVENUE
 FLORENCE, KY 40302
 (502) 344-2222
 FAX (502) 344-0110

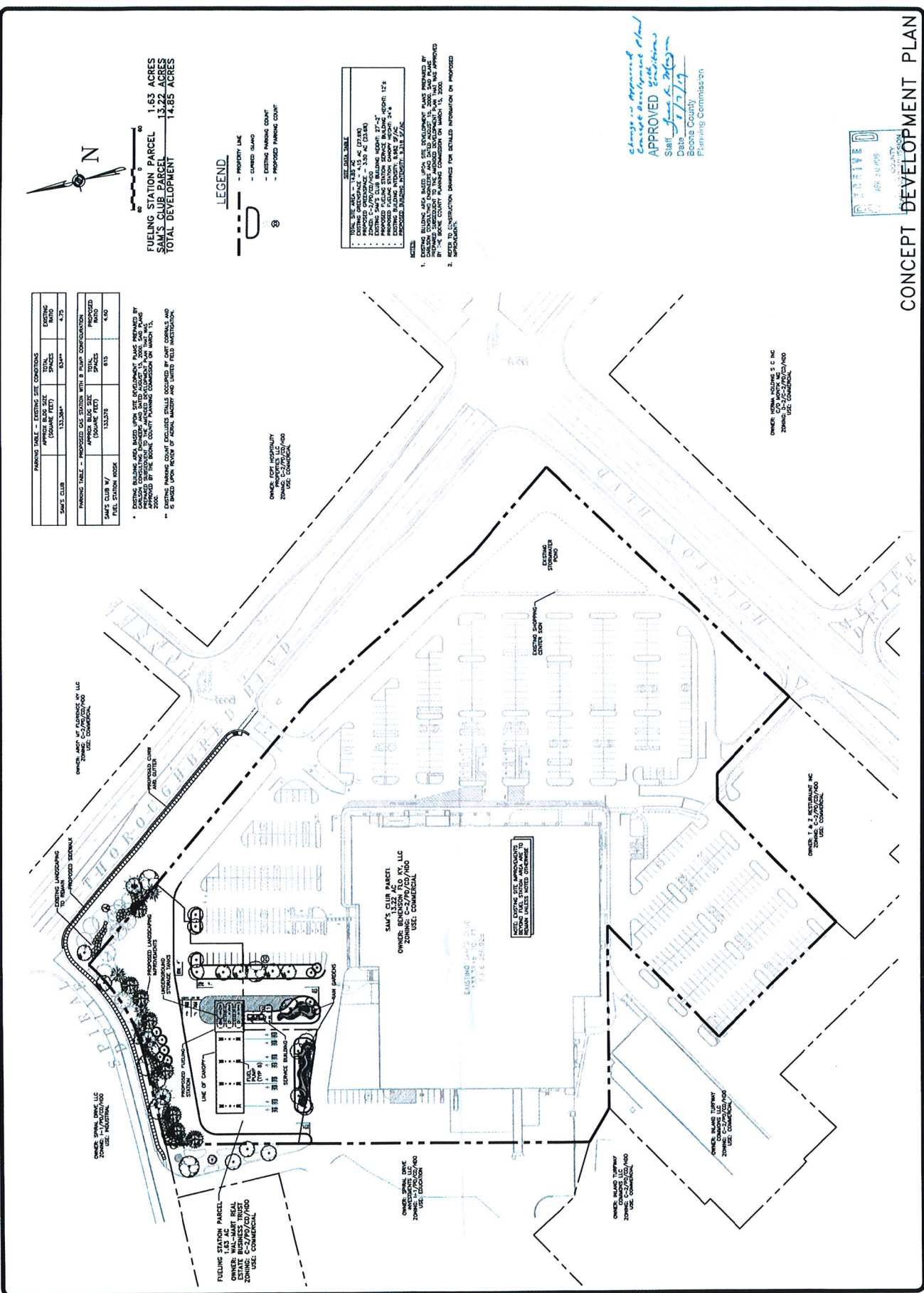


SAM'S CLUB #8133-502
 2101 SE SIMPLE SAVINGS DRIVE
 BENTONVILLE, AR 72716

WAL-MART REAL ESTATE BUSINESS TRUST
 FLORENCE, KENTUCKY



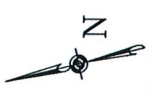
DRAWN	DATE
CHECKED	DATE
04/29/2019	DATE
1"=40'	SCALE
1"=40'	SCALE
8133-502	PROJECT NO.
2	SHEETS



PARKING TABLE - EXISTING SITE CONDITIONS		
SAM'S CLUB	EXISTING PARKING SPACES	EXISTING PARKING SPACES
	133,338*	813*

PARKING TABLE - PROPOSED GAS STATION WITH 8 TRUMP CONFIGURATION		
SAM'S CLUB #8133-502	PROPOSED PARKING SPACES	PROPOSED PARKING SPACES
	133,338*	813*

FUELING STATION PARCEL 1.63 ACRES
SAM'S CLUB PARCEL 13.22 ACRES
TOTAL DEVELOPMENT 14.85 ACRES



NOTES:

- EXISTING BUILDING AND BASED UPON THE DEVELOPMENT PLANS PROVIDED BY CARLSON CONSULTING PARTNER AND DATED AUGUST 15, 2008. THE PLANS WERE APPROVED BY THE BOONE COUNTY PLANNING COMMISSION ON MARCH 15, 2009.
- EXISTING PARKING COURT EXISTING SHALL OCCUPY BY EXISTING CORNERS AND 6 BASED UPON REVIEW OF AERIAL PHOTO AND LIMITED FIELD INVESTIGATION.

OWNER: WAL-MART REAL ESTATE BUSINESS TRUST
OWNER: WAL-MART REAL ESTATE BUSINESS TRUST
OWNER: WAL-MART REAL ESTATE BUSINESS TRUST

Change in Approved Plan
APPROVED
 Date: 4/17/19
 Boone County
 Planning Commission



CONCEPT DEVELOPMENT PLAN

OWNER: WAL-MART REAL ESTATE BUSINESS TRUST
 OWNER: WAL-MART REAL ESTATE BUSINESS TRUST
 OWNER: WAL-MART REAL ESTATE BUSINESS TRUST

REVISIONS BY	DATE	DESCRIPTION

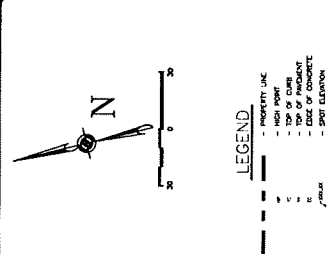
CARLSON CONSULTING ENGINEERS, INC.
 1225 S. CENTRAL AVENUE
 SUITE 100
 MEMPHIS, TN 38104
 (901) 544-0118



Sam's Club #813-502
 FLORENCE, KENTUCKY
 WAL-MART REAL ESTATE BUSINESS TRUST
 2101 SE SIMPLE SAVINGS DRIVE
 BENTONVILLE, AR 72716

DRAWN BY	
CHECKED BY	
DATE	07/24/2018
SCALE	1"=30'
SHEET	8302
TOTAL SHEETS	13 OF 25 SHEETS

Kentucky811
 800-752-8007
 Call before you dig
GRADING PLAN



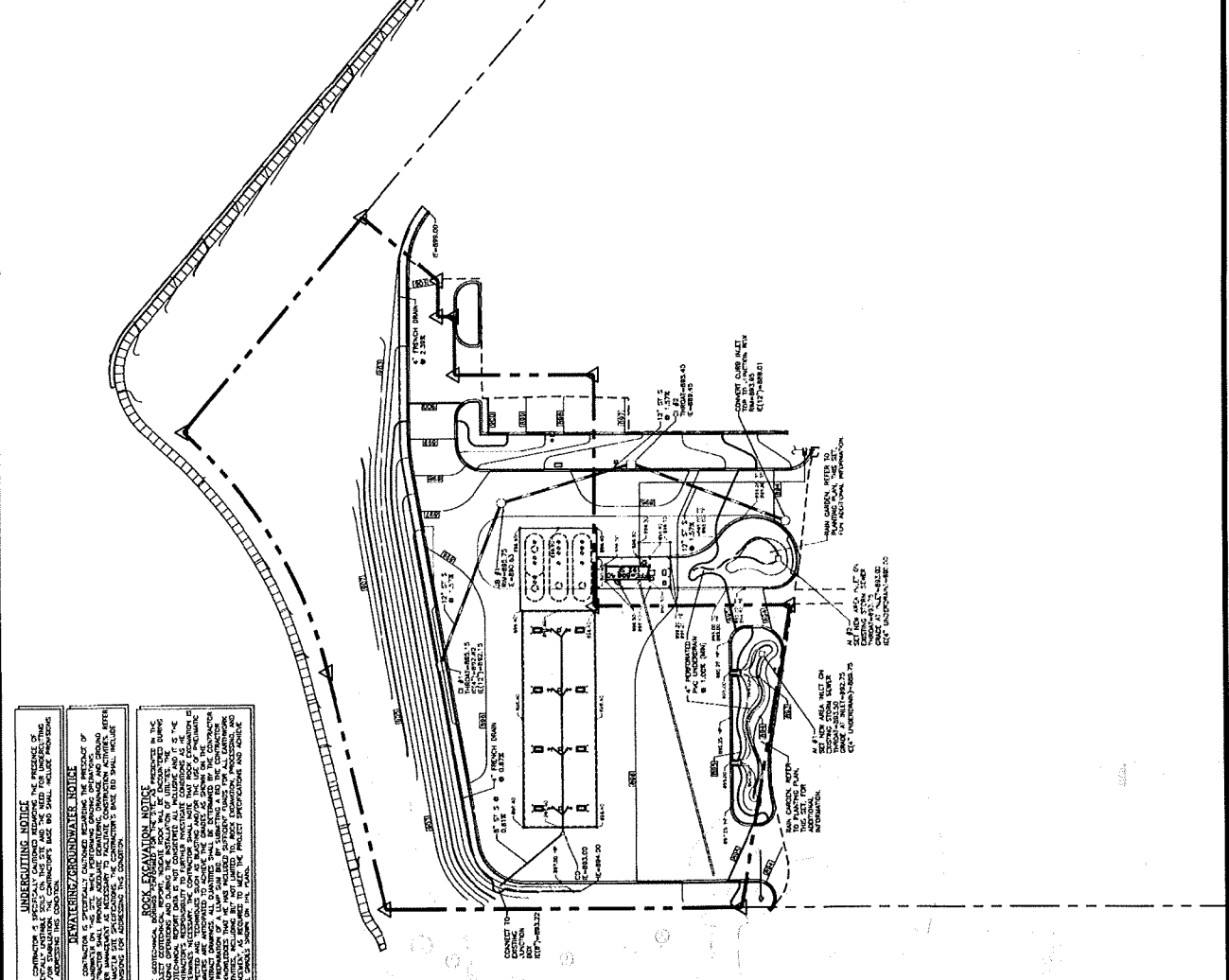
- LEGEND**
- HIGH POINT
 - TOP OF FINISH
 - EDGE OF CONCRETE
 - SPOT ELEVATION
 - APPROXIMATE SPACED LIMITS
 - CURB
 - CURB-TO-CURB BOUND
 - CLEAN CUT

FOUNDATION SUBSURFACE PREPARATION
 FULL SECTION FOUNDATION SUBSURFACE PREPARATION
 SAM'S CLUB #813-502, FLORENCE, KENTUCKY

AT THE SERVICE BUILDING AND LANDSCAPE CLIMATE, EVALUATE THE FINAL SUBSURFACE ELEVATION TO ALLOW FOR THE CONCRETE FOUNDATION. THE SUBSURFACE ELEVATION SHALL BE DETERMINED BY THE CONTRACTOR IN CONJUNCTION WITH THE GEOTECHNICAL ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.

CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.

- NOTES:**
- THE GEOTECHNICAL ENGINEER SHALL PROVIDE ALL NECESSARY INFORMATION TO THE CONTRACTOR REGARDING THE SUBSURFACE CONDITIONS AND THE RECOMMENDED FOUNDATION DESIGN.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.
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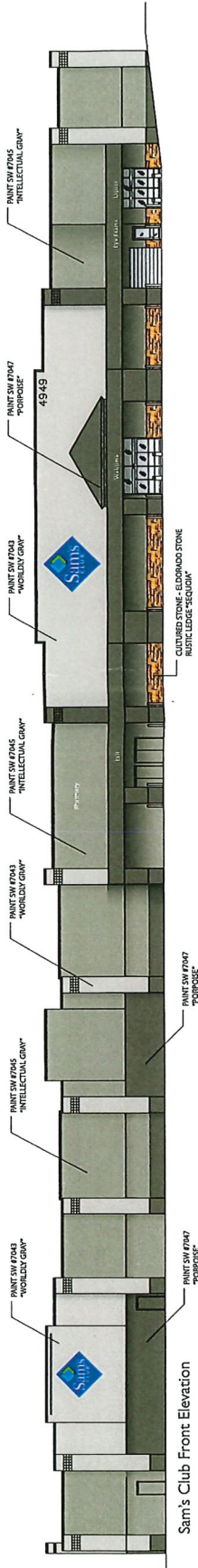


UNDERCUTTING NOTICE
 THE CONTRACTOR IS SPECIFICALLY ADVISED THAT THE UNDERCUTTING OF EXISTING FOUNDATION WALLS SHALL BE DONE IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.

ROCK EXCAVATION NOTICE
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.

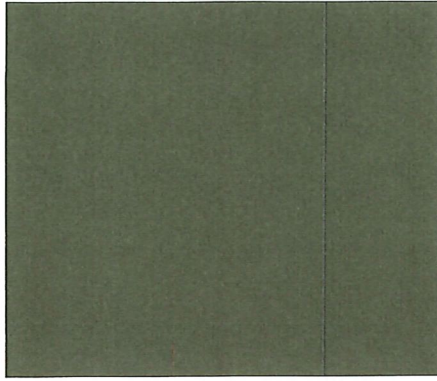
FLORENCE, KY #8133

COLOR BOARD

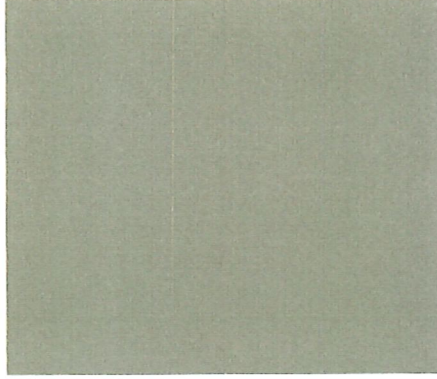


Sam's Club Front Elevation

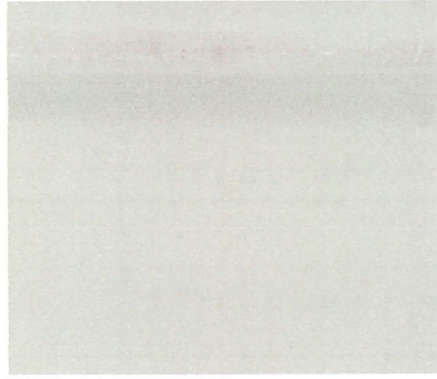
Fuel Station Right Elevation



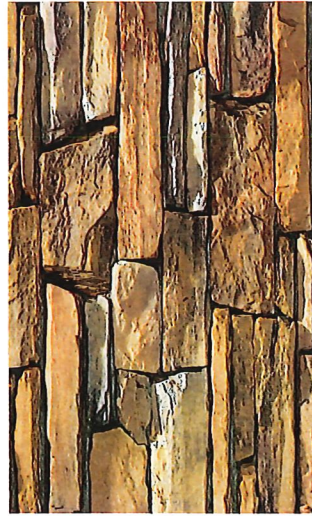
SW #7047 "PORPOISE"



SW #7045 "INTELLECTUAL GRAY"



SW #7043 "WORLDLY GRAY"

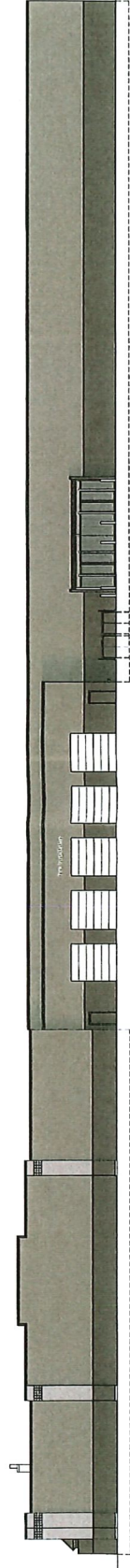


CULTURED STONE - ELDERADO STONE
RUSTIC LEDGE "SEQUOIA"

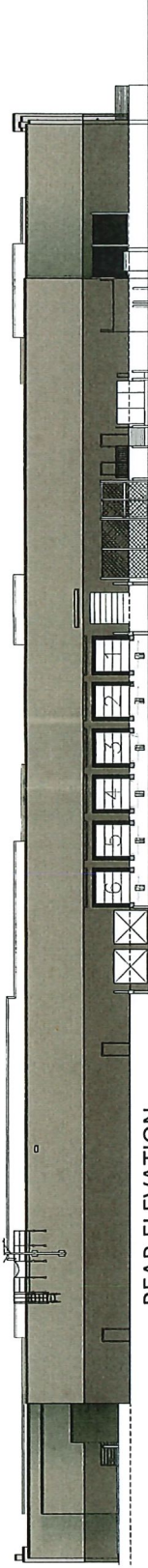
PRE-FINISHED STANDING SEAM METAL ROOF
"SLATE GRAY" BY CONSTRUCTION METAL PRODUCTS, INC.



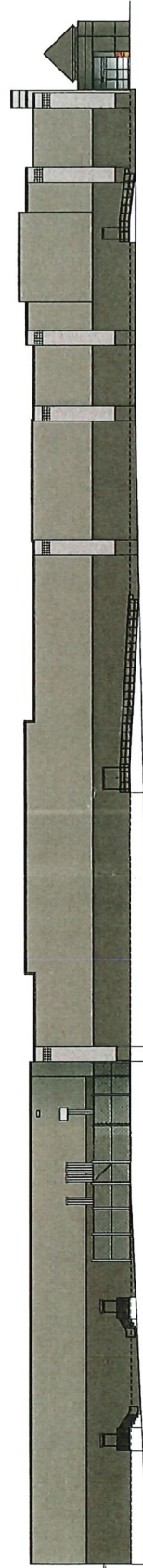
COLOR LEGEND	
P#	COLOR NAME
P205	SW#7043 "WORLDLY GRAY"
P206	SW#7045 "INTELLECTUAL GRAY"
P207	SW#7047 "PORPOISE"
M1	CULTURED STONE



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION



FRONT ELEVATION

RECEIVED
 JUN 05 2019
 BOONE COUNTY
 PLANNING COMMISSION



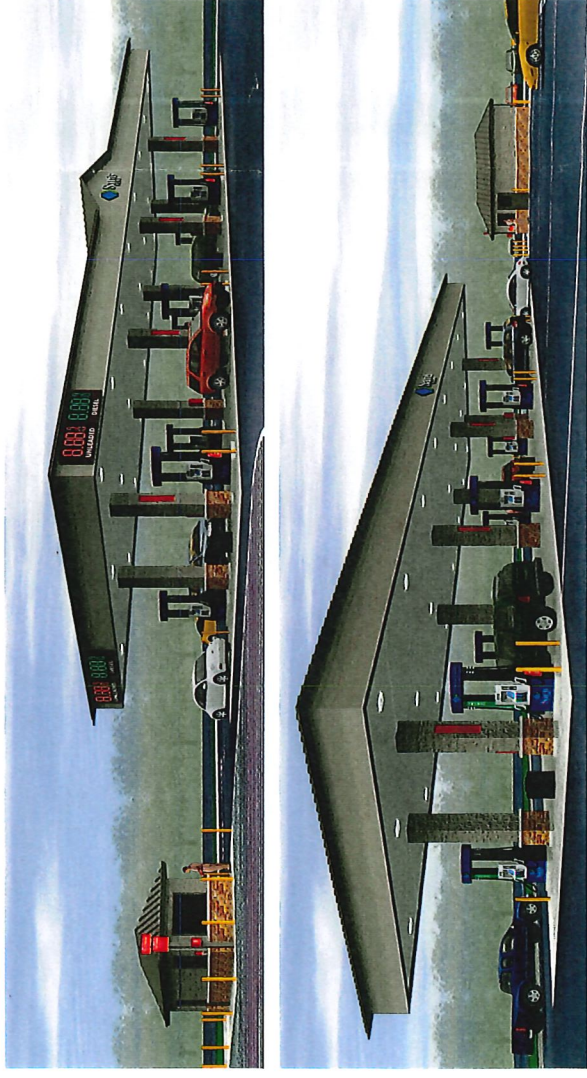
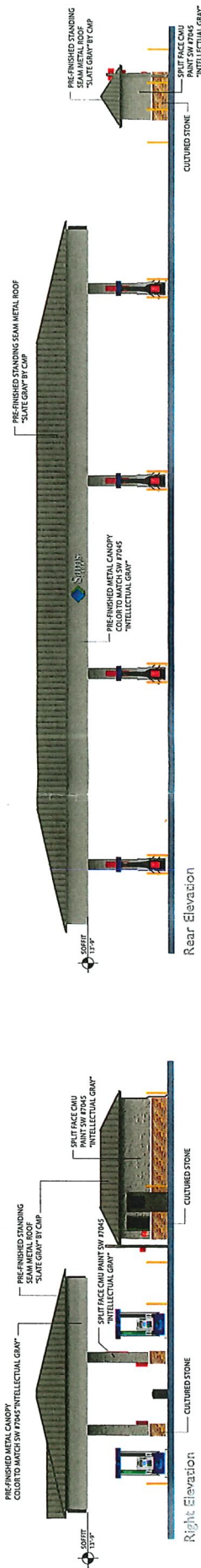
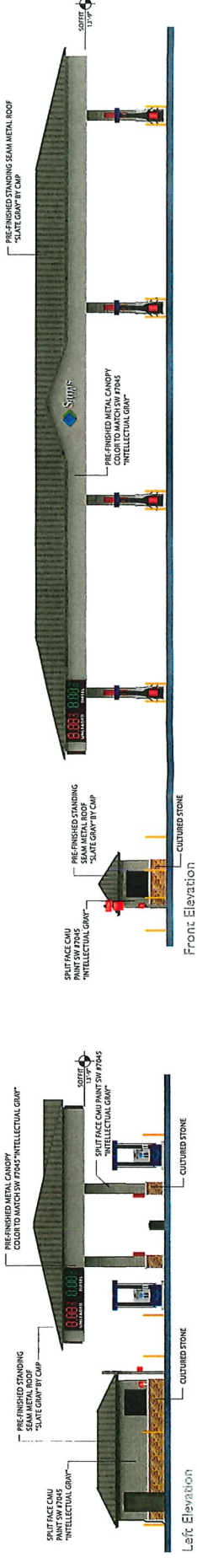
Patrick
 Boyle
 Architect

June 4, 2019

Florence, KY -- Store #8133

Elevations - Not to Scale

1



May 30, 2019

#8 133 Florence, KY

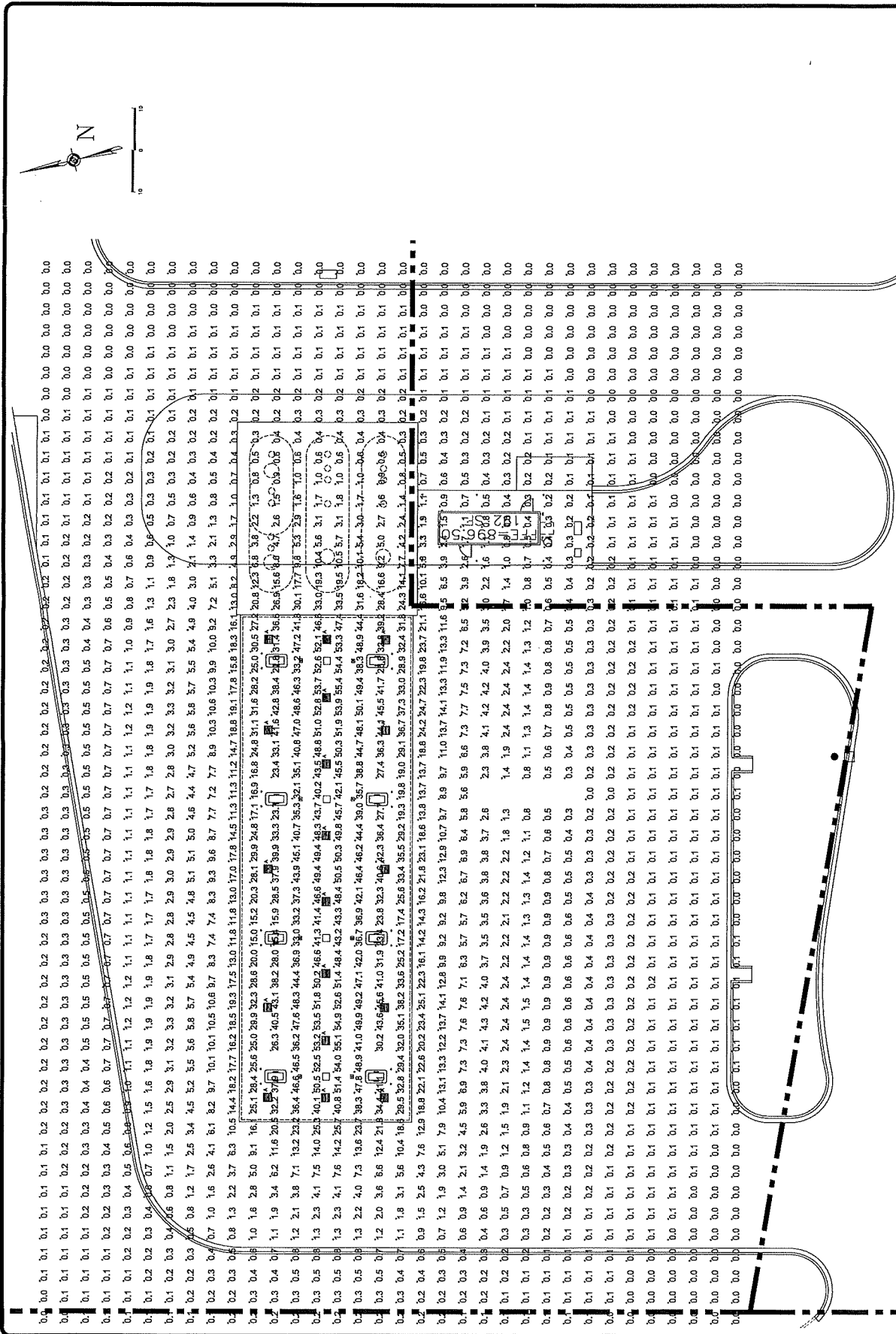
RECEIVED
 JUN 05 2019
 BOONE COUNTY
 PLANNING COMMISSION

8 Stack Fuel Station

1

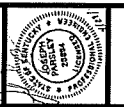
FUEL STATION PHOTOMETRICS

Luminaire Schedule	Qty	Label	Arrangement	Description	LLD	UDF	LLF	Arr. Lum.	Lumens	Arr. Watts
SCV-LED-15L-SC-50-MTD@14'	18	A	SINGLE	SCV-LED-15L-SC-50-MTD@14'	1.000	1.000	1.000	15410	15410	103



DRAWN	DATE	BY
CHKD	DATE	BY
DATE	DATE	BY
SCALE	SCALE	SCALE
1"=10'	1"=10'	1"=10'
A133-502	A133-502	A133-502
1 OF 1 SHEET		

SAM'S CLUB #8133-502
 FLORENCE, KENTUCKY
 WAL-MART REAL ESTATE BUSINESS TRUST
 2101 SE SIMPLE SAVINGS DRIVE
 BENTONVILLE, AR 72716



CARLSSON ENGINEERING, INC.
 4350 W. CENTRAL EXPRESSWAY
 SUITE 100
 BENTONVILLE, AR 72716
 (501) 271-1111

REVISIONS BY	DATE	DESCRIPTION



SAM'S CLUB #8133-502
FLORENCE, KENTUCKY



SAM'S CLUB #8133-502
FLORENCE, KENTUCKY



© 2014 CARLSON



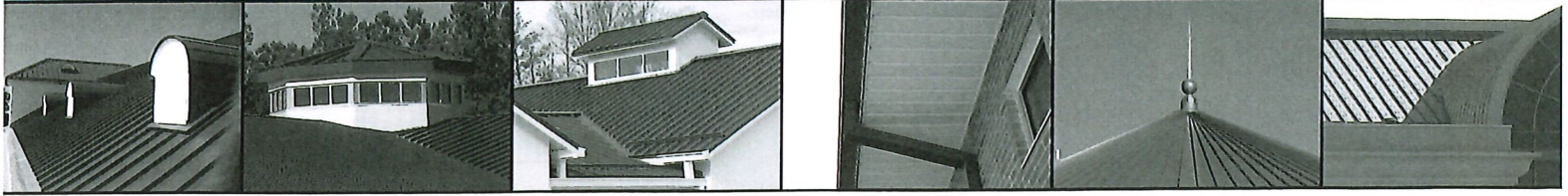
Construction Metal Products, Inc.

2204 West Front Street • Statesville, NC 28677

704-871-8704 or 888-750-9827

Kynar 500®

30 YEAR
FINISH
WARRANTY



Standard Cool Colors



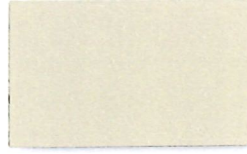
Terra Cotta



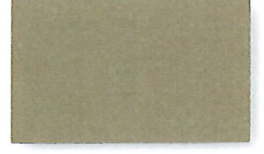
Aged Copper



Snowdrift White



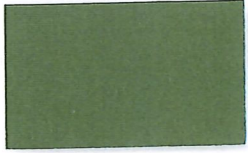
Almond



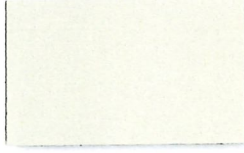
Sierra Tan



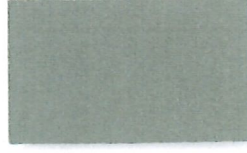
Colonial Red



Patina Green



Bone White



Dove Gray



Medium Bronze



Regal Red



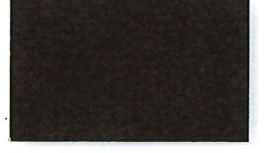
Seaport



Stone White



✦ Slate Gray ✦



Mansard Brown



Burgundy



Hartford Green



Slate Blue



Charcoal Gray



Dark Bronze



Matte Black



Classic Green



Regal Blue



Teal



Galvalume

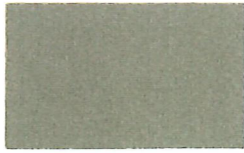
Metallic Colors



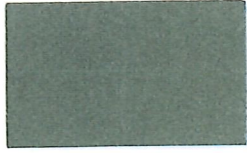
Silver*



Copper Penny*



Champagne*



Pre-Weathered Galvalume*



*Slight price upcharge may apply for metallic colors.

•Colors shown are matched as accurately as possible, but may vary slightly from finished product.

Test Performance

TEST	ASTM TEST	PERFORMANCE
Physical Properties and Durability		
Film Thickness	D-1005	0.15 - 0.30 mil primer 0.7 - 0.9 mil topcoat
60° Specular Gloss	D-523	25 - 35
IR Reflectivity	C-1549 (Standard test method using portable Reflectometer)	0.25 (25%) minimum
Emissivity	C-1371 E-408	0.80 (80%) minimum
Pencil Hardness	D-3363	HB - H
Flexibility, T-Bend	D-4145	1 - T aluminum 2 - T coated steel*
Adhesion	D-3359	No adhesion loss
Reverse Impact	D-2794	No cracking or loss of adhesion
Abrasion, Falling Sand	D-968	65 - 85 l/mil
Mortar Resistance	C-267	No effect
Detergent Resistance 3% Detergent, 100°F (72 hrs.)	D-2248	No effect
Atmospheric and Pollutant Resistance		
Acid Pollutants	D-1308 10% Muriatic Acid, (15 min.) 20% Muriatic Acid, (15 min.) AAMA 621	No effect No effect < 5 units color change
Acid Rain Test	Kesternich	10 cycles minimum, no objectionable color change
Alkali Resistance 5% @ (72 hrs.)	20% Sodium Hydroxide (1 hr.)	No effect
Salt Spray Resistance 5% @ 95°F	B-117	Passes 3,000 hrs. - aluminum Passes 1,000 hrs. - coated steel*
Humidity Resistance 100% @ 100°F	D-2247	Passes 3,000 hrs. - aluminum Passes 1,000 hrs. - coated steel*
Weathering		
South Florida exposure	D-2244	Less than 5 units color change at 10 yrs.
UVA (340 Bulbs)	G-154	Passes, 3,000 hrs.
Chalk Resistance	D-4214	Rating of 8 min.

Based on a minimum of 70% PVDF resin technology.

Kynar 500® is a registered trademark of Arkema, Inc.

*All tests performed to the latest ASTM revision.

*Performance on G-90, Zinalume, Galvalume, and other approved zinc/aluminum coated steel.

Reflectance values measured using a D&S Solar Reflectometer, values may vary between instruments and method.



Construction Metal Products, Inc

2204 West Front Street • Statesville, NC 28677
704-871-8704 or 888-750-9827