

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION

SEVEN (7) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

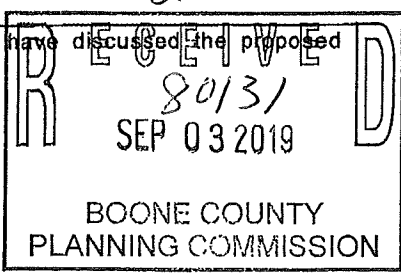
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Check One: Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
2. Name of Project: DULUTH TRAINING COMPANY
3. Location of Project: 390 MEYER DRIVE, FLORENCE, KY
4. Total Acreage of Site: 1.48 AC
5. Current Zoning: O-2, C-2, PD
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable)
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study)
8. Proposed Uses (please specify each use): DULUTH TRAINING - RETAIL STORES
9. Proposed Building Intensities (please specify): ONE STORY BRICK BUILDING 11,441 SQ FT
10. Have you submitted a Concept Development Plan?
11. Are you also applying for: Conditional Use Permit, Dimensional Variance
12. Name of Applicant(s): OPPIAN % JAY MOYCE
13. Address of Applicant(s): 400 WATER STREET, # 200 EXCELSIOR MN 55331
14. Name of Property Owner(s): STEVEN WEBER
15. Address of Property Owner(s): BOX 29425 ST. LOUIS, MO 63126
16. Are there any existing buildings on the site? NO
17. Deed Book: D945 Page No.: 367 Group No.: 2033B
18. Have you had a pre-application meeting with BCPC Staff?
19. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- Boone County Water District
Florence Public Services Dept.
Duke Energy
Sanitation District #1

(over)



EXHIBIT

“A”

STAFF REPORT

#1

Request of Oppidan c/o Jay Moore (applicant) for Synergy Development Group LLC c/o Steven Weber (owner) for a Change in an Concept Development Plan in a Office Two/Commercial Two/Planned Development/Houston Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) zones for an approximate 1.48 acre lot located on the south/east side of Meijer Drive and to the immediate east of the property at 410 Meijer Drive, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a retail store.

October 2, 2019

REQUEST

The request is for a Change in an Approved Concept Development Plan for an approximate 1.48 acre area located along the southeast side of Meijer Drive, approximately 600 feet northeast of Spiral Drive. The proposal is to construct a one-story, 11,441 square foot retail facility.

SITE HISTORY

- 1990 The Boone County Planning Commission approved a Utilization of an Underlying Zone (Concept Development Plan) request for a 101 acre area site, which included the site in question (R-33-90). As part of this request, the site in question was proposed for a hotel.
- 2006 A Change in Concept Development Plan was approved for a 5.8 acre area, which included the site in question (R-06-020). As part of this request, the site in question was proposed to be used for off-street parking for a retail building on an adjacent lot.
- 2006 A plat was approved for the Resubdivision of the remainder of Lot 10-C of the Houston Lakes Subdivision. This plat created four lots, Lots 10-G, 10-H, 10-I, and 10-J. The site in question is Lot 10-I.
- 2007 A Change in Concept Development Plan was approved for a 5.8 acre area, which included the site in question, being the newly created Lots 10-H, 10-I, and 10-J (R-07-011). As part of this request, Lot 10-H was proposed for a 3-story, 36,000 square foot office building, Lot 10-I was proposed for a 1-story, 9,000 square foot medical/retail building, and Lot 10-J was proposed for a 1-story, 24,000 square foot retail building. The City of Florence approved the Change in Concept Development Plan with the following conditions: (1) The lots shall have 15' minimum/20' average street frontage buffers along Interstate 71/75 and Meijer Drive; (2) At least 22% of the 5.8 acre area will be in the form of green space; (3) The architectural design of the buildings will be reviewed through the Houston – Donaldson Study's design review process; (4) the office building shall be permitted to have one accessory restaurant. All other tenants in the building shall be office uses; (5) Principally permitted and accessory uses shall be limited; (6) Architectural review and approval shall be made by the City of Florence Planning and Zoning Committee prior to that of the Boone County Planning Commission; (7) An open space public commons feature shall be constructed on Lot 10-I simultaneous to the first business opening on this lot; and (8) the signage package shall be submitted to the Florence Planning and Zoning Committee for architectural review and approval prior to that of the Boone County Planning Commission.
- 2014 The City of Florence adopts the 2013 Houston – Donaldson Study.

APPLICABLE REGULATIONS

- A. Section 314 of the Boone County Zoning Regulations states that major amendments to

the terms of an approved Zoning Map Amendment, including a Concept Development Plan, that involve substantial or significant changes in the development concept, uses, intensity, supplemental conditions of approval, or other plan elements of substantive effect must be submitted to the Planning Commission and shall conform to the procedure and requirements described in Sections 301-310. Minor amendments to the approved Concept Development Plan that do not involve changes in the development concept, uses, intensity, supplemental conditions of approval, or other plan elements of substantive effect may be approved by the Zoning Administrator.

- B. Section 1517 of the Boone County Zoning Regulations states that the Planning Commission shall require that a Concept Development Plan be submitted for the development or redevelopment of property located in a Planned Development zone. The Concept Development Plan may be filed to the Planning Commission by the owner(s), owner by contract (option) or lessee of property for which the planned development is proposed. If the Concept Development Plan involves a zone change, then the proposal is subject to the criteria in Section 308 as well as the provisions of this article. If the Concept Development Plan does not involve a zone change, or only involves uses that are permitted in the underlying zone (also called a "Utilization of an Underlying Zone Within a Planned Development"), then the proposal is subject only to the provisions of this article. The contents of the Concept Development Plan submittal shall include the items listed in Section 303.

EXISTING CONCEPT DEVELOPMENT PLAN

- A. The following table provides a comparison between the existing approved concept development plan, the proposed development plan, and what is allowed under the zoning regulations:

	Existing Approved Concept Plan 2007	Proposed Concept Plan	Allowed/ Maximum (C-2)
Use	Medical/Office	Retail	Permitted
Building Size	9,000 sq. ft.	11,441 sq. ft.	N/A
Building Height	1-story	1-story (30 ft.)	50 ft.
Parking Spaces	124	63	60
Intensity	6,070 sq. ft.	7,717 sq. ft.	12,000 sq. ft.

SITE CHARACTERISTICS

- A. The approximate 1.48 acre area is located along the southeast side of Meijer Drive, approximately 600 feet northeast of Spiral Drive.

- B. The site is currently vacant with the exception of off-street parking areas.
- C. Topography of the site rises from 904 MSL along Meijer Drive to 914 MSL in the center of the site. The topography then slopes down to 910 MSL along Interstate 71/75.
- D. The site is located within the 55 Day/Night Noise Levels of the Greater Cincinnati/Northern Kentucky International Airport.
- E. Through a Declaration of Easement and Maintenance Agreement, there is an "Easement Area" that exists on Lots 10-H, 10-I, and 10-J, which is defined as: (1) the undedicated portion of any roadway or street; (2) all parking lots; and (3) utility lines and facilities, sprinkler systems, and signage which shall be devoted to the mutual use and benefit of the Owners. The Agreement specifically states that each Owner does hereby grant to each of the other Owners a perpetual, non-exclusive easement and right-of-way for: (1) ingress/egress for vehicles and pedestrians; and (2) vehicular parking.

ADJACENT LAND USES AND ZONES

North: Meijer (O-2/C-2/PD/HDO)

South: Interstate 71/75 (O-2/PD/TRO)

East: Vacant (O-2/C-2/PD/HDO)

West: University of the Cumberlands (O-2/C-2/PD/HDO)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. Our Boone County – Plan 2040 "2040 Future Land Use Plan" designates the site for Commercial uses. This designation is described as "Retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
- B. The following Our Boone County – Plan 2040 Goals and Objectives apply to this application:

Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).

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).

Boone County shall seek a combination of land uses that balances revenues generated from those uses with the expenditures required to support them (Economy Goal A, Objective 8).

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).

C. The following is an excerpt from Our Boone County – Plan 2040:

1. A substantial portion of this section is located within the 2013 Houston-Donaldson Study area and has excellent development and/or redevelopment opportunity due to its high visibility from and easy access to I-75. Existing parcels should be developed/redeveloped to be aesthetically harmonious with existing surrounding land uses and cleaned up environmentally as much as is needed for new development. The property along Ted Bushelman Boulevard to Aero Parkway has developed as aviation or logistic industrial and should fill in any remaining properties in the same manner (Land Use, Description and Purpose of Land Use Maps, 14 Florence Commercial, page 125).
2. 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.

Attention must be given to the changing nature of retail and how it relates to the future of Florence Mall and other retail centers and stores. On-line retail continues to increase and the effect it is having on suburban malls, big box retailers, and other national retail chains cannot be ignored. Consideration must be given to how these stores may be able to reinvent themselves and continue as retail-based destinations that focus on experience-based shopping (Land Use, Description and Purpose of Land Use Maps, 14 Florence Commercial, page 126).

D. Meijer Drive is identified as a local street providing for two-way traffic within two driving lanes (one lane in each direction). A sidewalk is provided along the south and east sides of Meijer Drive, fronting the site in.

RELATIONSHIP TO THE HOUSTON – DONALDSON STUDY

A. The Houston – Donaldson Study identifies the site as being within Subarea Four of that study.

B. The following is an excerpt from the Houston – Donaldson Study:

1. Most of Subarea Four is built out and economically viable. The cluster of office buildings on Meijer Drive are important to the city's and the region's marketing efforts for gaining corporate or corporate support offices. It is recommended that the unfinished retail building be completed and that office space be leased. In the

alternative, the unfinished retail building could be razed and developed for office or medical office type uses.

It is recommended that future land use efforts in Subarea Four be focused on redevelopment and that, if and when such development occurs, that it aesthetically fits in with the surrounding land uses.

In summary, the Planning Commission makes the following recommendations for the future of Subarea Four:

- 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. (Chapter Three – Land Use Recommendations, Subarea Four, page 33).

STAFF COMMENTS

A. The submitted Concept Development Plan indicates the following:

1. The construction of a 11,441 square foot retail building, having a height of one-story (30 feet).
2. Provision for 63 off-street parking spaces.
3. Provision for a trash enclosure.
4. Provision for utilities.
5. Provision for 21% of the site to be landscaped.
6. Provision for a curb cut onto Meijer Drive.
7. Provision for a common access drive for the site in question and the adjacent vacant lot to the northeast.
8. Provision for vehicular driveway connections between the site in question and the adjacent property to the southwest (currently occupied by the University of the Cumberlands).

B. Staff has reviewed the submitted Concept Development Plan against the Boone County Zoning Regulations, and offers the following (these requirements can be adjusted by the Planning Commission and City Council pursuant to the Planned Development (PD) regulations):

1. Section 1704 states that all development within the Houston – Donaldson Overlay Zone shall be reviewed for conformance with the applicable standards and requirements in Chapter 5 of the study.
 - a. Site Design Requirement 1., A. states that improvements shall be arranged so that large blank walls are not directly visible along street frontages. It will have to be determined if the proposed south building façade meets this requirement.

- b. Site Design Requirement 1., C. states that a minimum 20 foot wide landscaped area is to be provided between the right-of-way and on-site improvements. For sites with multiple street frontages, the landscape area width may be reduced to 10 feet for secondary frontages along local or subcollector roadways. Such approval shall be granted through the Design Review process. The submitted plan provides for a minimum 20 foot wide landscape area along Meijer Drive. Along I-71/75, a minimum 14.67 foot wide landscape area is provided.
 - c. Site Design Requirement 2 states that a minimum 22% of the overall site shall be devoted to landscaping as permanent open space. The submitted plan indicates that 21% of the site is to be landscaped.
 - d. Site Design Requirement 3 states that the pavement surface of any parking or vehicular area which adjoins the I-71/75 right-of-way shall be at least 3 feet lower than the highest point in the adjoining right-of-way or on-site landscaped area adjoining the right-of-way. Insufficient information has been submitted to determine compliance with this requirement.
 - e. The Houston – Donaldson Special Sign Regulations allow one building mounted sign on the building façade that faces Meijer Drive and one building mounted sign on the building façade that faces I-71/75. The submitted plan indicates the following signage:
 - (1) Building façade that faces Meijer Drive: 1 building mounted sign
2 awning signs
 - (2) Building façade that faces I-71/75: 1 building mounted sign
 - (3) Two projecting signs
2. Section 3151 provides regulations for required trash areas. Insufficient information has been submitted to determine compliance with this requirement.
3. Section 3325 requires a minimum of one (1) parking space for every 250 square feet of a retail store. This section also states that the maximum number of parking spaces which may be provided is thirty percent (30%) greater than the minimum requirement. Based on a building having 11,441 square feet, the minimum amount of required parking is 46 spaces and the maximum amount of parking allowed is 60 spaces. The submitted plan indicates the provision of 63 parking spaces.
4. Section 3327 requires two (2) bicycle parking spaces for every 25 vehicular spaces. Based on 63 vehicular spaces, five (5) bicycle spaces are required. Insufficient information has been submitted to determine compliance with this requirement.
- C. Staff sent out an Agency Memo to the City of Florence and the Florence Fire Department. The City of Florence commented that the building concept is good, the building use and

type is a good fit for the area and that there are a couple of items that will need to be addressed at the site plan stage of development. The Fire Department commented that they have a concern about the water line around the property, but that can be addressed at the site plan stage of development.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and Florence City Council in terms of Article 3 of the Boone County Zoning Regulations, Section 1514 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area.

Respectfully submitted,



Michael D. Schwartz
Planner

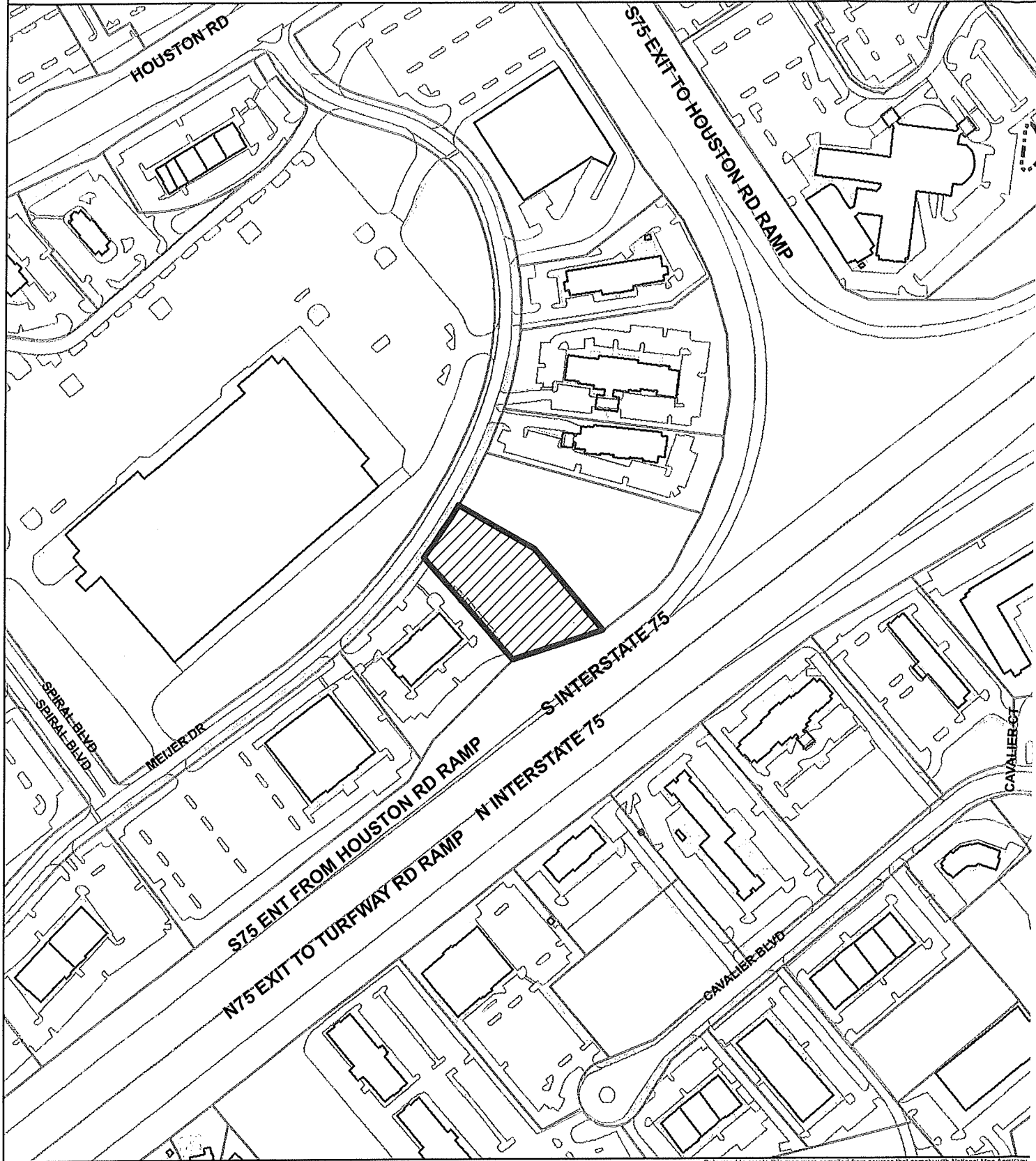
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Attachments:

- *Vicinity Map
- *2006 Resubdivision
- *2006 Concept Plan
- *2007 Concept Plan
- *Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Noise Contour Map
- *Application
- *Concept Development Plan, including building elevations

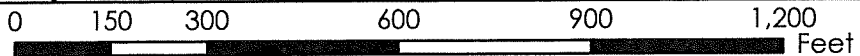
Vicinity Map

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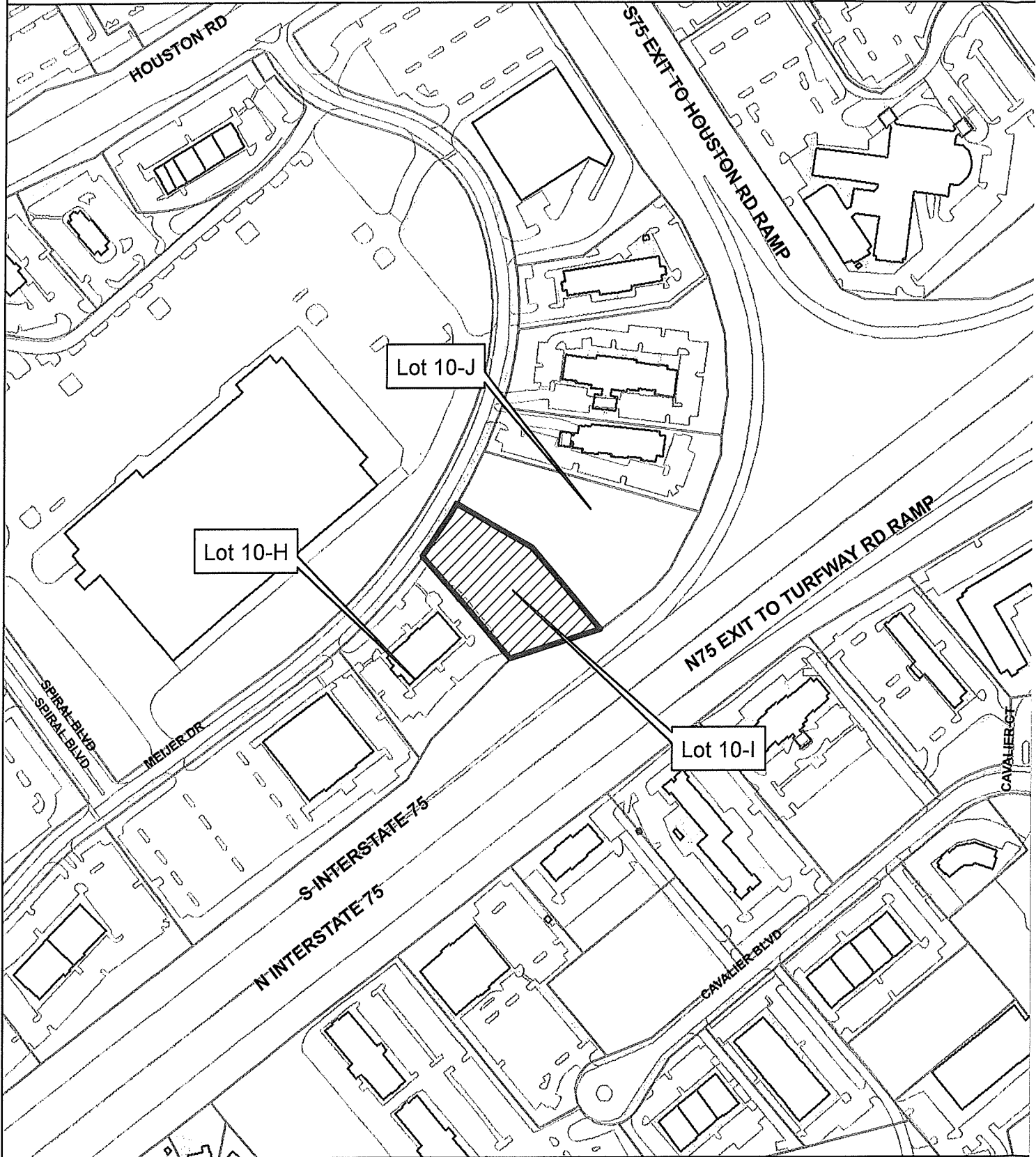
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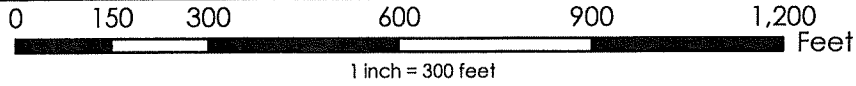
2006 Resubdivision

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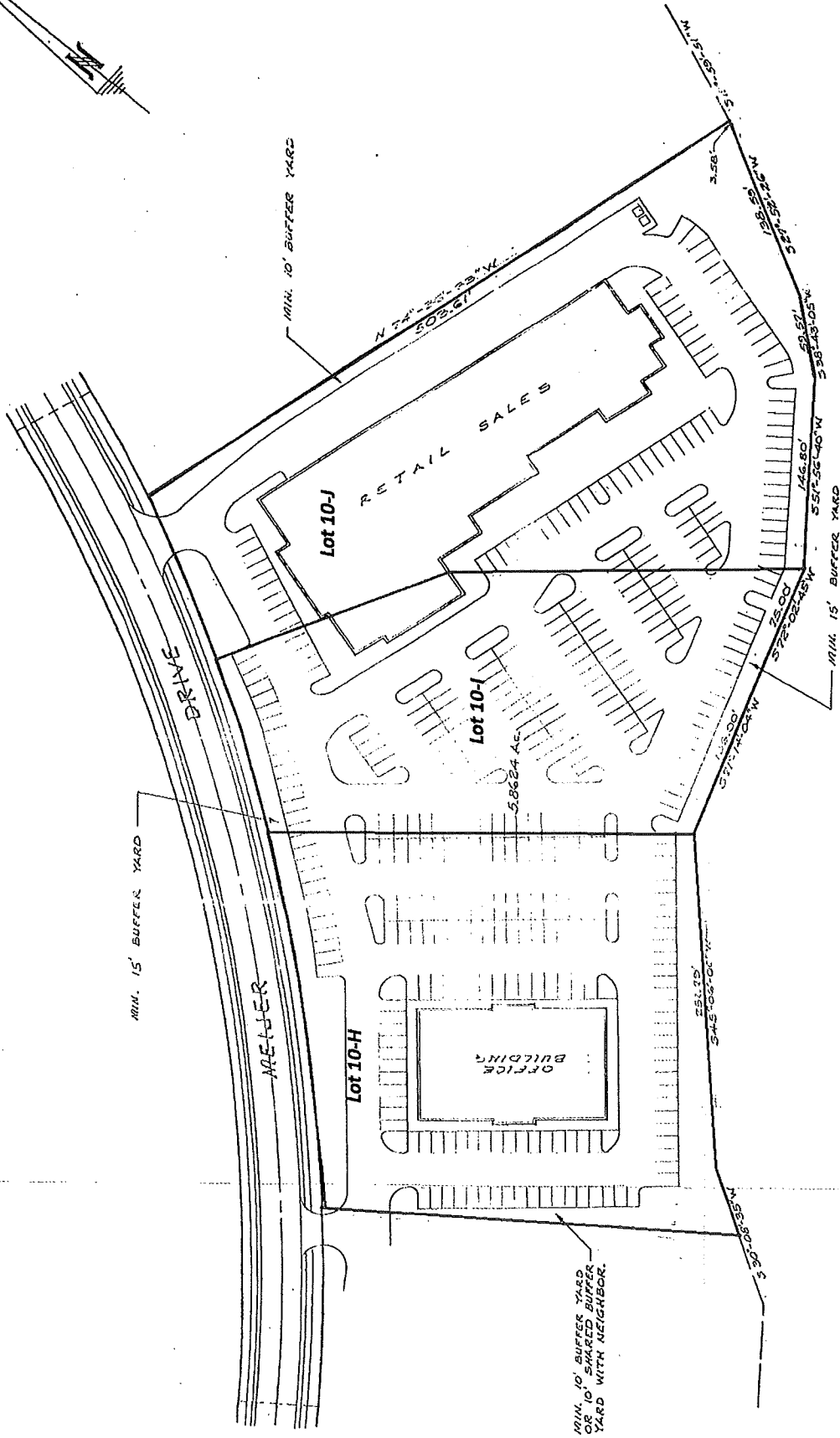
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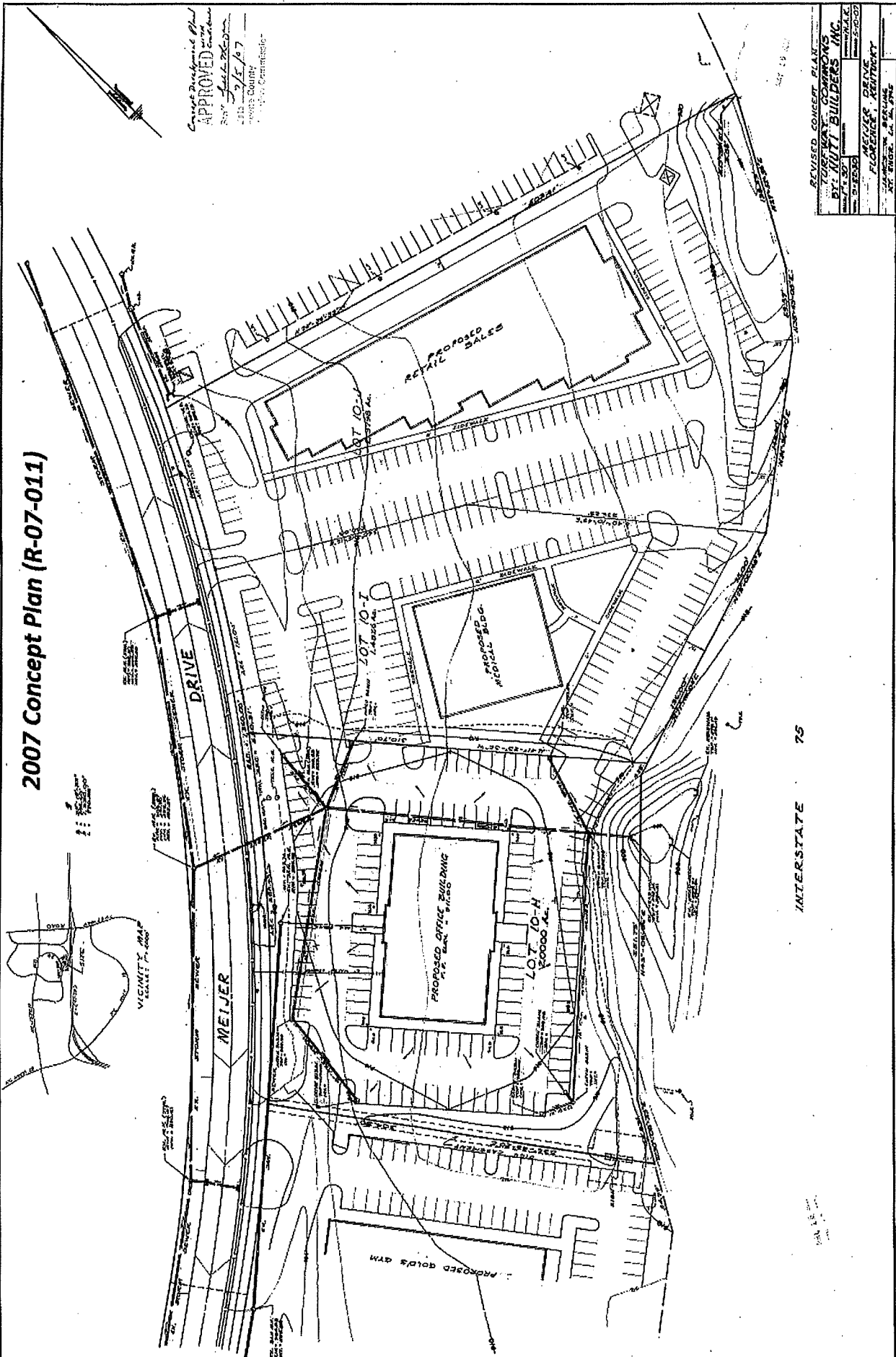
ArchMap Document: *mxd

2006 Concept Plan (R-06-020)



CONCEPT PLAN	
TURFWAY COMMONS	
BYE MULTI BUILDERS, INC.	
DESIGNED BY	BERLING
DRAWN BY	W.C.K.
DATE	5-25-06
PROJECT NUMBER	
SCALE	

2007 Concept Plan (R-07-011)



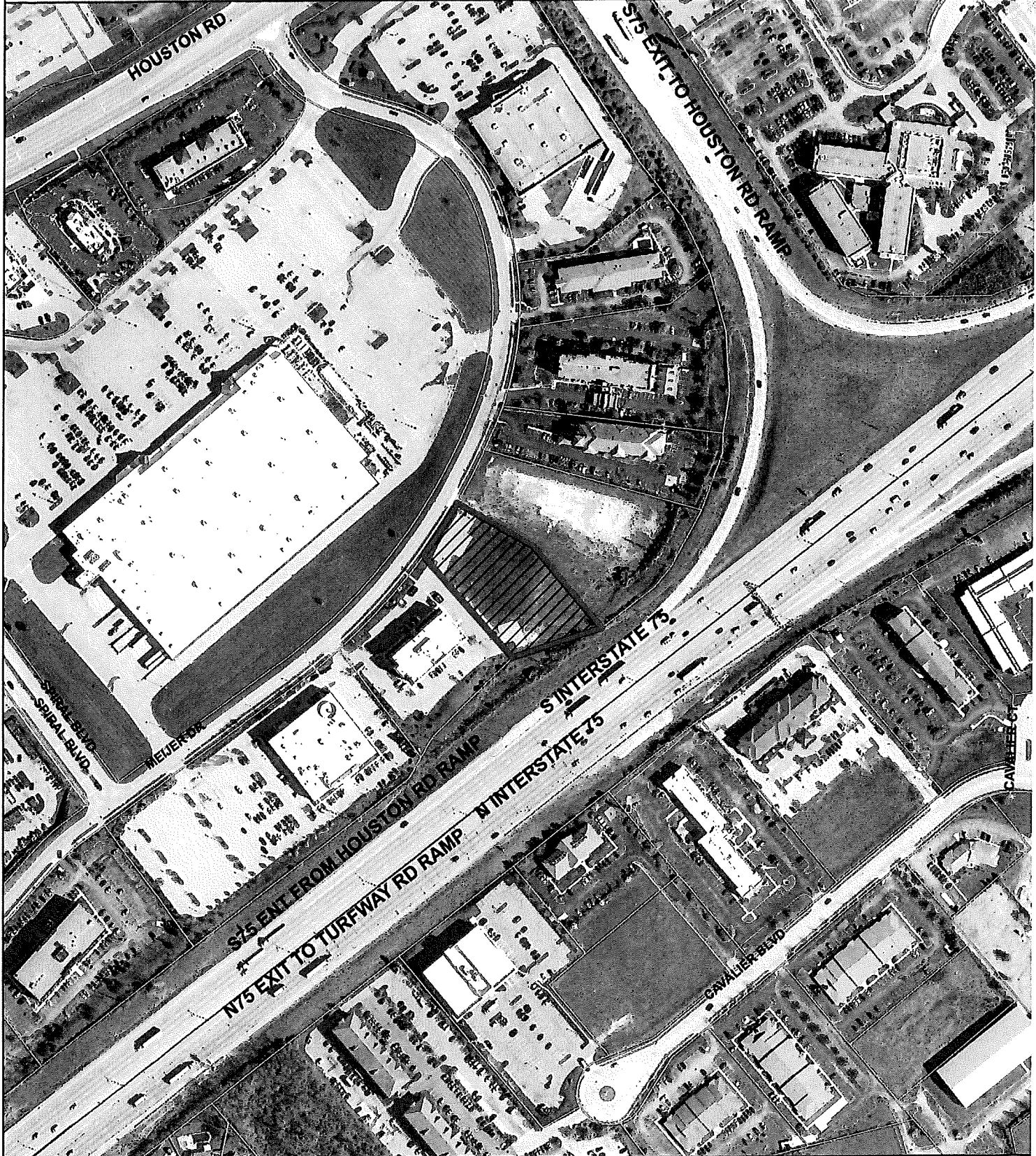
Concept Development Plan
 APPROVED
 3/5/07
 [Signature]

REVISED CONCEPT PLAN	
TOWNWAY COMMONS	
BY: KUTTI BUILDERS INC.	
DATE	SCALE
3/5/07	1" = 40'
DESIGNED BY: KUTTI BUILDERS INC.	
DRAWN BY: FLORENCE, ARBITRARY	
SITE NUMBER: R-07-011	

INTERSTATE 75

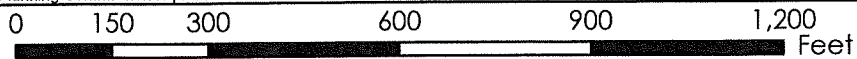
Aerial Map

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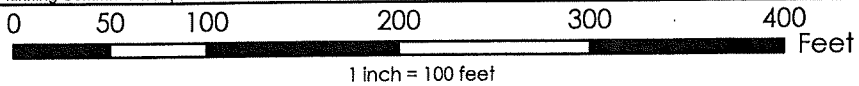
Topographical Map

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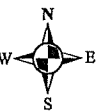


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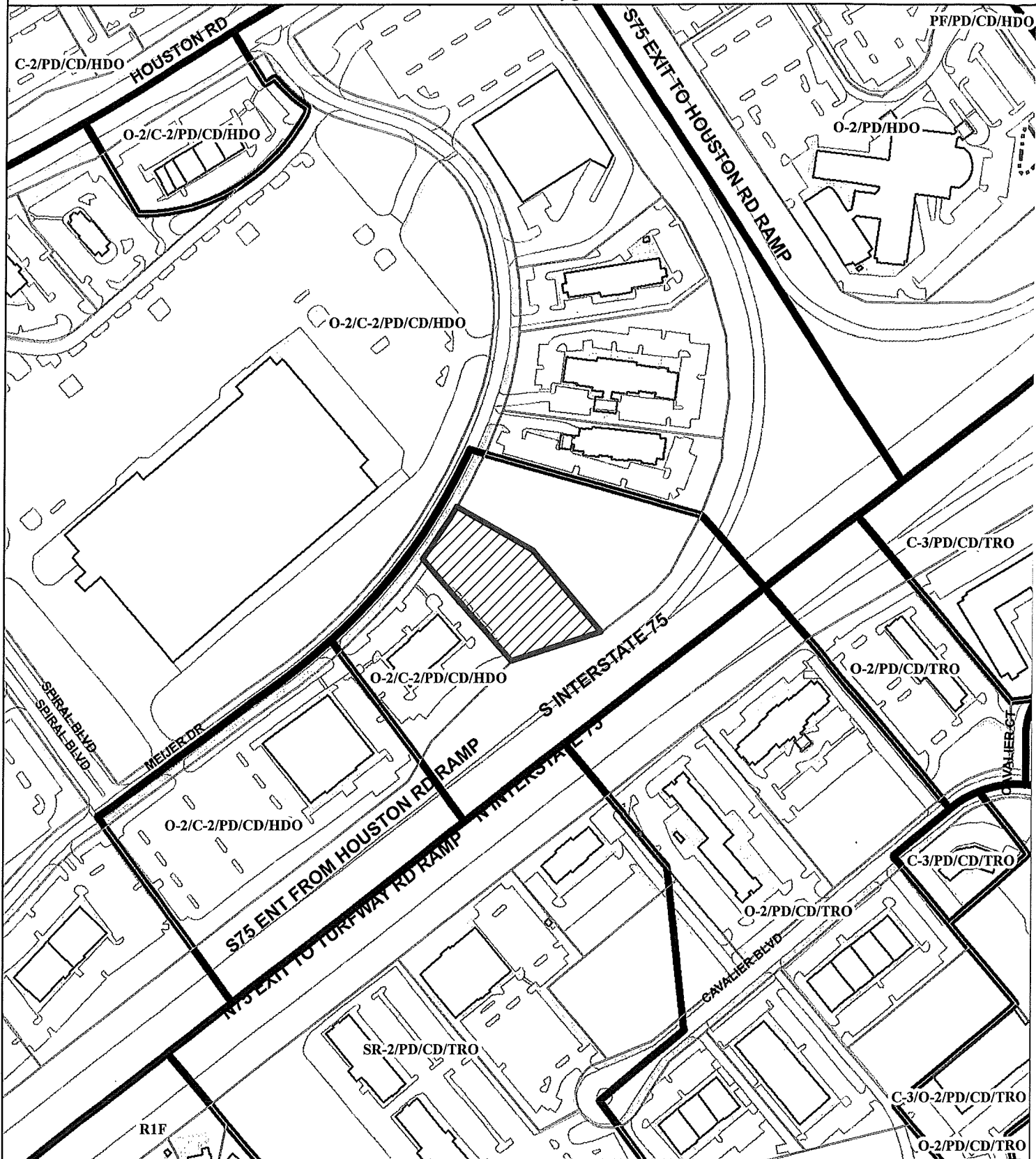


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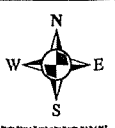
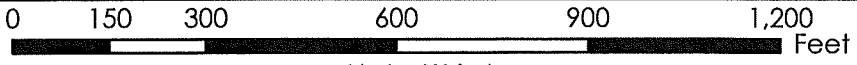
Zoning Map

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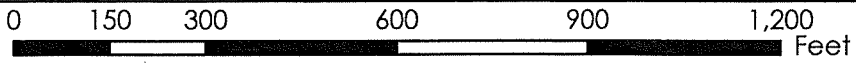
2040 Future Land Use Map

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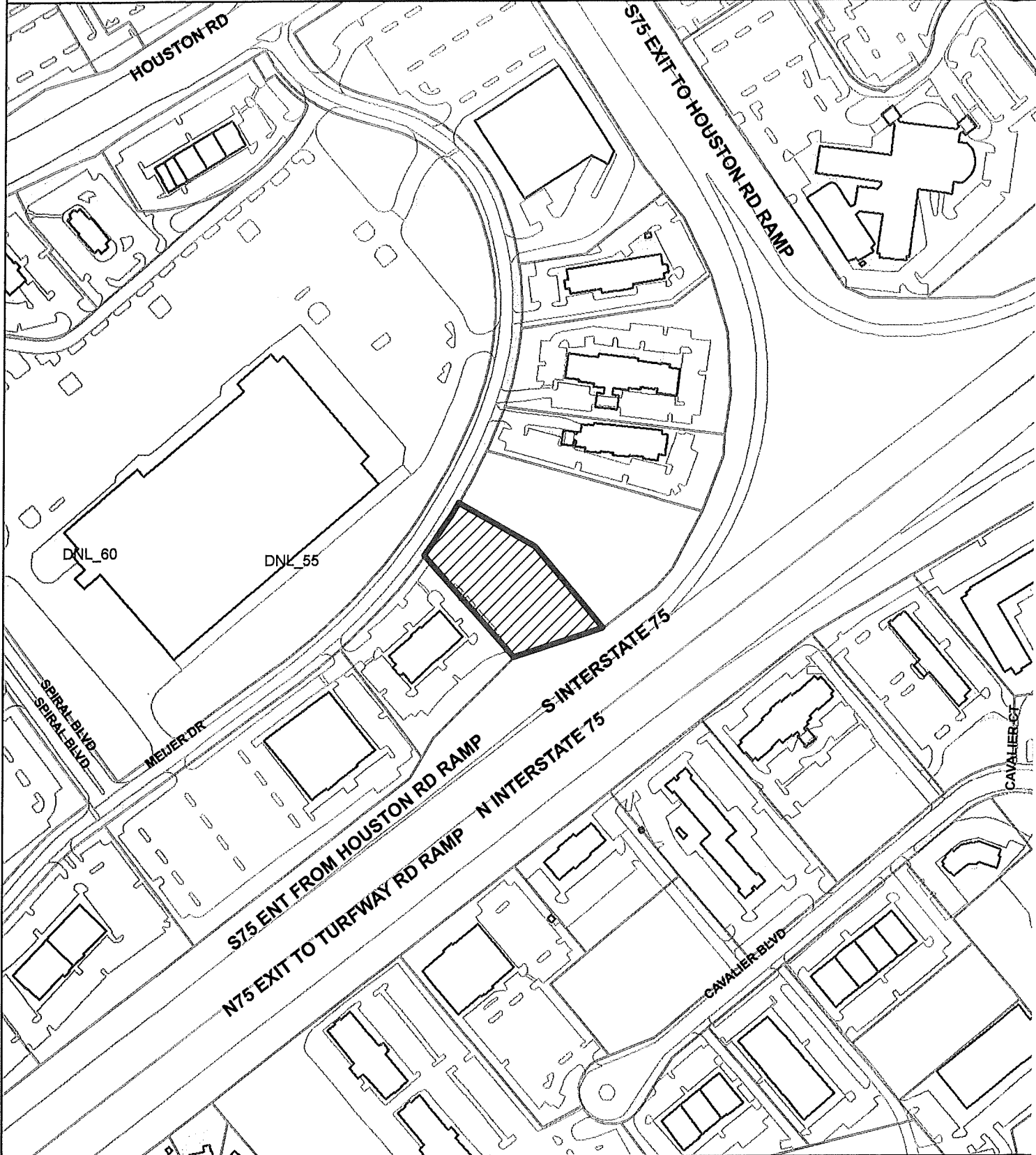


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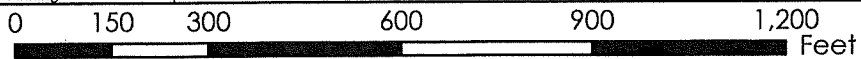
Noise Contour Map

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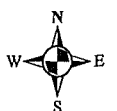


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CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION

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 DULUTH TRADING COMPANY
3. Location of Project 390 MEYER DRIVE, FLORENCE, KY
4. Total Acreage of Site 1.48 AC
5. Current Zoning O-2, C-2, PD
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (If applicable)

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10. Have you submitted a Concept Development Plan?

11. Are you also applying for:
Conditional Use Permit
Dimensional Variance

12. Name of Applicant(s) OPPIDAN % JAY MOYER
Phone Number 952 2941246 Fax No. E-Mail JAY@OPPIDAN.COM

13. Address of Applicant(s) 400 WATER STREET, # 200
EXCELSIOR MN 55331
City State Zip

14. Name of Property Owner(s) STEVEN WEBER
Phone Number 314 550 5505 Fax No. E-Mail SWEBBER411@YAHOO.COM

15. Address of Property Owner(s) BOX 29425
ST. LOUIS, MO 63126
City State Zip

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

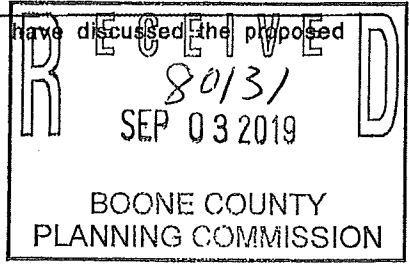
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Florence Public Services Dept.
Duke Energy
Sanitation District #1

(over)



- Cincinnati Bell
- Owen Electric Cooperative, Inc.
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- Boone County Building Department
- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other: _____

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

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

Check if Applicable

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

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

23. ORIGINAL Applicant's Signature ON FILE
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

SECTION B (To be completed by BCPC Staff)

1. Date Received _____ Fee Received _____
2. Check what has been submitted:
 - Application Fee Legal Description
 - Concept Development Plan Addresses of Adjoining Property Owners
 - No. of copies of plan received **
3. Date Application is **Administratively Complete** as Defined in KRS 100.211
4. Staff Reviewer MICHAEL SCHWARTZ
5. Committee Chairperson _____
6. Scheduled Public Hearing Date _____
7. Boone County Planning Commission Action:
 - Approved Approved With Conditions
 - Denied
8. Other: _____

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

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

APPLICATION FORM

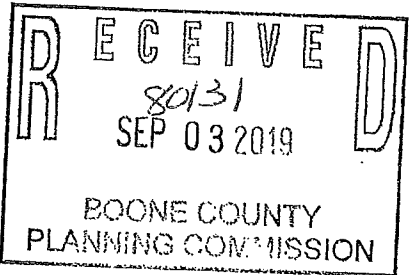
ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

SEVEN (7) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project Duluth Trading Company
2. Location of Project 390 Meijer Drive, Florence KY
3. Total Acreage of Site 1.48 AC
4. Current Zoning of Site O-2, C-2, PD
5. Proposed Zoning (Classification being requested) O-2, C-2, PD - CHANGE IN CONCEPT
6. Proposed Uses (please specify each use) PROPOSED RETAIL STORE PROVIDING MEN'S AND WOMEN'S CLOTHING AND ACCESSORIES, OUT DOOR GEAR
7. Names of Applicant(s) Oppidan Jay Moore
8. Address of Applicant(s) 400 Water Street, Suite #200 Excelsior MN 55331
9. Name of Property Owner(s) STEVEN WEBER
10. Address of Property Owner(s) PO BOX 29425 ST. LOUIS, MO 63126
11. Proposed Building Intensities (please specify) ONE STORY BRICK BUILDING 11,441 SQUARE FEET
12. Are there any existing buildings on the site? No
13. Deed Book D943 Page No. 367
14. Are you also applying for: X Conditional Use Permit
15. Have you submitted a Concept Development Plan? Yes
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water District
Florence Public Services Dept.
Duke Energy
Sanitation District #1
Cincinnati Bell
Owen Electric Cooperative, Inc.
Boone County Public Works Department
Kentucky Transportation Cabinet
Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)
X Boone County Building Department
Northern Kentucky Health District
USDA NRCS/Boone County Conservation District
KY Division of Water
Local School District
Local Fire District
X Other: City of Florence



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

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

Check if Applicable

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

20. ORIGINAL Property Owner's Signature Steven Weber (member) Synergy Development Group
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature Steven Weber (member) Synergy Development Group
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

Jay Moore (COPPIOAN)

SECTION B (To be completed by BCPC Staff)

- 1. Date Received 9-3-19
- 2. Review Fee \$2,311.00 (L# 80131)
- 3. Check what has been submitted:
 - Application
 - Fee
 - Legal Description
 - Concept Development Plan
 - Address of Adjoining Property Owners
 - Number of Copies of Plan Received**
- 4. Date Application is Administratively Complete as Defined in KRS 100.211
- 5. Staff Reviewer _____
- 6. Committee Chairman _____
- 7. Scheduled Public Hearing Date _____
- 8. Boone County Planning Commission Action:
 - Approval
 - Approval with Conditions
 - Denial
- 9. Other: _____ Resolution # _____

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

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



DULUTH TRADING COMPANY

PROJECT BY

DATE

Project No.	1448.000.000
Sheet No.	
Scale	
Author	
Checker	
Reviewer	
Plotter	

ELEVATIONS

Quantity
A-3.0

SECTION AND ELEVATION SYMBOLS

TAG	LINE	SIZE & STYLE	COLOR
1	SOLID	1/8" = 1'-0"	BLACK
2	DASHED	1/8" = 1'-0"	BLACK
3	DOTTED	1/8" = 1'-0"	BLACK
4	DASHED	1/8" = 1'-0"	RED
5	DOTTED	1/8" = 1'-0"	RED
6	SOLID	1/8" = 1'-0"	GREEN
7	SOLID	1/8" = 1'-0"	BLUE
8	SOLID	1/8" = 1'-0"	MAGENTA
9	SOLID	1/8" = 1'-0"	CYAN
10	SOLID	1/8" = 1'-0"	BROWN
11	SOLID	1/8" = 1'-0"	PINK
12	SOLID	1/8" = 1'-0"	GRAY
13	SOLID	1/8" = 1'-0"	YELLOW
14	SOLID	1/8" = 1'-0"	ORANGE
15	SOLID	1/8" = 1'-0"	TEAL
16	SOLID	1/8" = 1'-0"	SLATE
17	SOLID	1/8" = 1'-0"	NAVY
18	SOLID	1/8" = 1'-0"	INDIGO
19	SOLID	1/8" = 1'-0"	VIOLET
20	SOLID	1/8" = 1'-0"	PURPLE

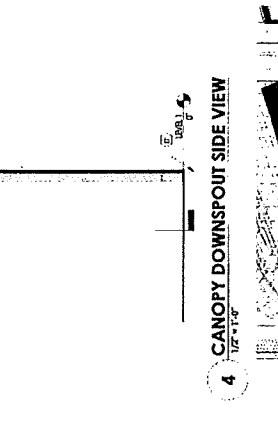
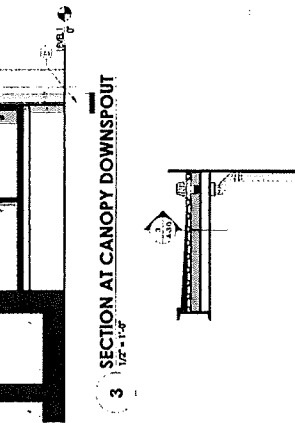
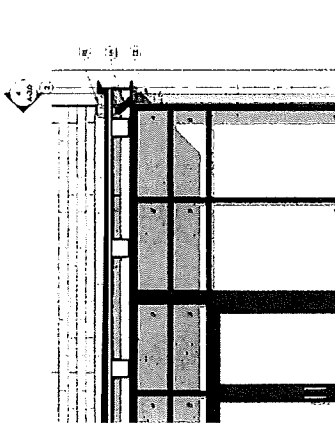
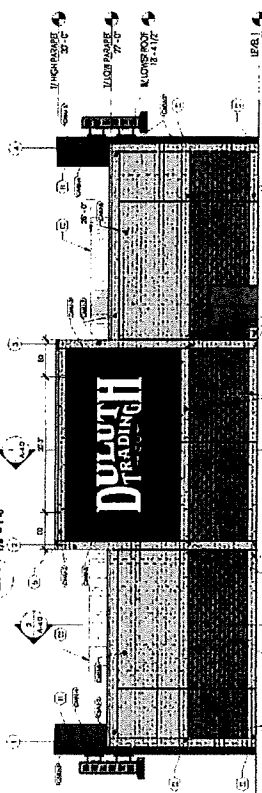
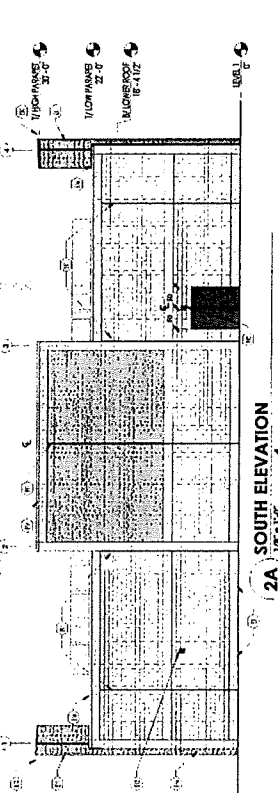
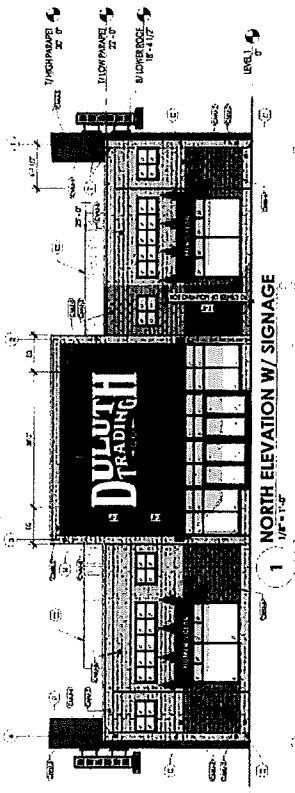
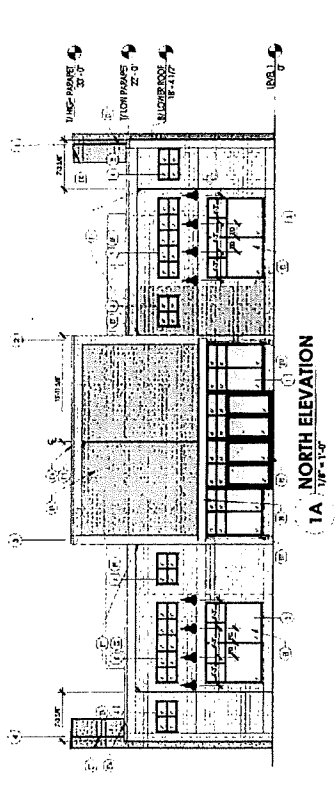
ELEVATION GENERAL NOTES

1. REFER TO THE GENERAL NOTES AND SPECIFICATIONS FOR THE PROJECT.
2. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
3. ALL MATERIALS TO BE INSTALLED PER APPROVED SPECIFICATIONS.

SECTION AND ELEVATION SYMBOLS

1. SECTION AT CANOPY DOWNSPOUT
2. SECTION AT CANOPY DOWNSPOUT
3. SECTION AT CANOPY DOWNSPOUT
4. CANOPY DOWNSPOUT SIDE VIEW
5. AT ENTRANCE

RECEIVED
SEP 03 2019
BOONE COUNTY
PLANNING COMMISSION



EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

#2

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairman

DATE: November 6, 2019

RE: Request of Oppidan c/o Jay Moore (applicant) for Synergy Development Group LLC c/o Steven Weber (owner) for a Change in an Approved Concept Development Plan in a Office Two/Commercial Two/Planned Development/Houston Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) zones for an approximate 1.48 acre lot located on the south/east side of Meijer Drive and to the immediate east of the property at 410 Meijer Drive, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a retail store.

REMARKS:

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

FINDINGS OF FACT:

1. The Committee has concluded that the proposed Concept Development Plan is in agreement with the Our Boone County – Plan 2040 “2040 Future Land Use Plan” which designates the site in question for Commercial uses. This designation is described as “retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.” The proposed Concept Development Plan indicates the construction of a retail store on the site.
2. The Committee has concluded that the proposed Concept Development Plan is in agreement with the comprehensive plan due to its agreement with the following Our Boone County – Plan 2040 Goals and Objectives:
 - a. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).
 - b. 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).
 - c. Boone County shall seek a combination of land uses that balances revenues generated from those uses with the expenditures required to support them (Economy Goal A, Objective 8).

- d. 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).
3. The Committee has concluded that the Proposed Concept Development Plan is consistent with the specific land use recommendations for Area 14 Florence Commercial, as contained in the Land Use Chapter of Our Boone County – Plan 2040, which is summarized as follows: (a) the area has excellent development opportunity due to its high visibility from and easy access to I-75; (b) development should be aesthetically harmonious with existing surroundings; (c) commercial development should remain near arterial roads or close to the interstate; and (d) curb cuts and parking lots should be coordinated and interconnected.

The site in question has frontage along I-71/75 and is located approximately 1,400 feet from Houston Road and approximately 4,200 feet from the Turfway Road interchange with I-71/75. Given the proposed building materials and colors, the site will be developed in a manner which is compatible with the adjoining area. The proposed concept plan provides for a shared access point onto Meijer Drive and interconnected parking with the adjacent lots to the east and west.

4. The Committee has concluded that the proposed Concept Development Plan is consistent with the Houston-Donaldson Study which recommends that this general area be developed with commercial or office uses and not light industrial or residential uses.
5. The Committee has concluded that the proposed building design and building materials are consistent with the applicable standards and requirements of the Houston-Donaldson Study, except for the south building façade.
 - a. The use of concrete masonry unit (CMU) as the prime building material is specifically provided for in Chapter 5, Design Review Process, Building Materials (page 56).
 - b. While the use of multiple colors, patterns, and concrete masonry unit (CMU) sizes provides for a variation, additional articulation and detailing is needed so as not to create a large blank wall on the south building façade.
6. The Committee has concluded that the proposed signage is consistent with the applicable standards and requirements of the Houston-Donaldson Study, except for the amount of signage area.
 - a. The Houston-Donaldson Special Sign District allows each building façade which faces a public roadway (up to two facades), to each have a building mounted sign having an area of two square feet of sign area per each linear foot of building wall. Based on the proposed building width of 89 feet, the front and rear facades of the proposed building could each have a 178 square foot sign. The revised plan provides for the following signage:

	Front Façade	Rear Façade
Large Duluth Trading Sign	137 sq. ft.	137 sq. ft.
Men's Gear/Women's Gear Canopy Signs	59 sq. ft.	
Projecting Sign 1	33 sq. ft.	33 sq. ft.
Projecting Sign 2	33 sq. ft.	33 sq. ft.
Total Sign Area	262 sq. ft.	203 sq. ft.

With the exception of the canopy and projecting signs, the proposed signage does not exceed the maximum allowed sign area. The Committee finds that the proposed canopy signs, being approximately 150 feet from Meijer Drive, will not be advertising signs as much as they are directional signs for the interior layout of the building.

To bring the proposed sign area into compliance, the Committee recommends that the proposed projecting signs be eliminated.

7. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of Our Boone County – Plan 2040, Article 3 “Amendment” of the Boone County Zoning Regulations, and Article 15 “Planned Development District (PD)” of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.
8. The applicant has submitted a revised Concept Development Plan, dated October 10, 2019, which addresses most of the staff comments contained in the Staff Report.
9. The Committee has concluded that the revised Concept Development Plan meets the requirements of the Boone County Zoning Regulations, except for the following, which are hereby recommended for approval through the Planned Development District (PD) regulations:
 - a. The revised plan has increased the minimum landscape buffer to 16.23 feet between a paved surface and the property line along I-71/75. While this does not meet the minimum twenty (20) foot requirement, the average landscape buffer along I-71/75 will be over thirty (30) feet. Additionally, the remainder of the I-71/75 right-of-way provides for a sufficient visual open space area.
 - b. While the revised plan provides for more off-street parking than the maximum allowed, the Committee finds that the increase is appropriate in light of the fact that: (1) the adjacent University of the Cumberlands is currently using the site in question for their off-street parking needs; and (2) all off-street parking areas on Lots 10-H, 10-I, and 10-J are shared. Additionally, the increased number of

spaces will accommodate larger trucks which are typically used by Duluth customers.

CONDITIONS:

1. That the site be developed in a manner consistent with the Revised Concept Development Plan, Elevations, and Materials Board (dated 10/10/19), that were submitted at the Committee's October 16, 2019 meeting.
2. Additional articulation and detailing shall be provided on the south building façade, facing Interstate 71/75.
3. The two proposed projecting signs shall be prohibited.

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.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman


DATE: October 16, 2019

CHANGE IN CONCEPT DEVELOPMENT PLAN - Janet Kegley, Chairwoman, Michael Schwartz, Staff

1. Request of **Oppidan c/o Jay Moore (applicant) for Synergy Development Group LLC c/o Steven Weber (owner)** for a Change in Concept Development Plan in a Office Two/Commercial Two/Planned Development/Houston Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) zone for an approximate 1.48 acre lot located on the south/east side of Meijer Drive and to the immediate east of the property at 410 Meijer Drive, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a retail store.

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 _____

Mark Hicks (Alternate)

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



Janet Kegley (Chairwoman)

For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Lori Heilman (Alternate)


For Project _____ Absent _____
Against Project _____

Rick Lunnemann

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

Steve Turner (Alternate)

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



Kim Patton

For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Randy Bessler (Alternate)

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

Brad Shipe

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

TOTAL: - DEFERRED 3 FOR PROJECT 2 ABSENT
 - AGAINST PROJECT - ABSTAIN

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
OCTOBER 2, 2019
7:00 P.M.**

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
Mr. Mark Hicks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Charlie Rolfsen, Chairman
Mr. Brad Shipe

COMMISSION MEMBERS NOT PRESENT:

Mr. Kim Patton
Mr. Bob Schwenke
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Michael D. Schwartz, Planner

Chairman Rolfsen introduced the first item on the Agenda at 7:30 p.m.

CHANGE IN CONCEPT DEVELOPMENT PLAN - Michael Schwartz, Staff

1. Request of **Oppidan c/o Jay Moore (applicant)** for **Synergy Development Group LLC c/o Steven Weber (owner)** for a Change in Concept Development Plan in a Office Two/Commercial Two/Planned Development/Houston Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) zone for an approximate 1.48 acre lot located on the south/east side of Meijer Drive and to the immediate east of the property at 410 Meijer Drive, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a retail store.

Staff Member, Michael Schwartz, presented the Staff Report, which included a PowerPoint presentation. The site has frontage on Meijer Drive and Interstate I-71/I-75 to the rear of the site. Mr. Schwartz presented some resubdivision information. In 2006, 3 lots were created. Lot 10-H is currently the University of the Cumberlands. Lot 10-I is the subject site and Lot 10-J is currently vacant. Through a Declaration of Easement, the 3 lots all share a common access and common parking. The Declaration of Easement states that anything that is not a public right-of-way and not a building is technically shared by all 3 lots and the users of the 3 lots. In 2006, there was a Concept Development Plan approved. Lot 10-H was approved for a 3 story 36,000 square foot office building (now the University of the Cumberlands building). Lot 10-I was approved for a proposed parking lot. Lot 10-J was approved for a retail building. In 2007, a Concept Development Plan was approved showing Lot 10-I for a one-story, 9,000 square foot medical building with a coffee shop and Lot 10-J for a one-story 24,000 square foot retail building. Again, common cross access and parking were approved with the uses. A curb cut was approved for the entire site. The request is to change the Concept Development Plan from a medical office building to a retail building. The site is currently vacant with the exception of some off-street parking that is currently used by the University of the Cumberlands. Mr. Schwartz described the adjoining land uses and zoning. The subject site is zoned O-2/C-2/PD/HDO. The HDO zone was approved in 2014 and Page 2 of the Staff Report includes a table comparing the existing Approved Concept Development Plan with the proposed Concept Development Plan. Mr. Schwartz showed a topographic map. The topography of the site rises from 904 above sea level at Meijer Drive to 914 at the center of the site to 910 at the right-of-way of I-71/I-75. The 2040 Future Land Use Map designates the site as Commercial (C). References to the Comprehensive Plan are noted on Pages 3 and 4 of the Staff Report. The site is located in the 55 decibel range of the day-night noise level of the Airport. He showed photographs of the site and adjoining properties.

The submitted Concept Development Plan indicates a 11,441 square foot, one-story retail building. It will be a Duluth Trading Store. It will include 63 off-street parking spaces, a trash enclosure to the rear of the property, a provision for 21% of the site to be landscaped, a provision to use the existing curb cut along with the common access drive for the site and adjacent vacant lot (10-J). The applicant is proposing to connect the new parking areas to the existing parking areas of Lot 10-H. There are 3 points of cross access. Mr. Schwartz showed elevations of the proposed building. Pages 5 & 6 of the Staff Report identifies a list of issues where the submitted plan does not meet the minimum requirements of the zoning regulations. Staff has received 3 letters in favor of the proposal. Copies of the letters have been distributed to the Board Members (See Exhibits A, B & C). The request is to amend the existing Concept Development Plan and Mr. Schwartz stated that he is available to answer any questions.

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

Ms. Margaret Jordan, Oppidan, stated that her company is the preferred developer for the Duluth Trading Company. The proposed store would be the twelfth in the United States. Oppidan built the West Chester store. Duluth Trading likes to be near an interstate with high visibility. The building is like a billboard. A typical customer drives between 60-100 miles to one of their stores. The company started as a catalogue business 30 years ago and then started building stores 5-6 years ago.

Ms. Jordan stated that the building itself is part of the brand. The prototype is new but it is modeled after an old steel factory. The building has windows and chimneys on the side. The chimneys are part of the brand as signage is placed on them. The building has different colors (shades) of black. It is a modern look to an old type building. In the vestibule, there will be a tractor or truck. The signage on the awnings direct you to the entrance of the store and to the women's and men's areas of the store. It helps with wayfinding before you walk through the front door. Duluth is thrilled to be coming to this part of the market. The West Chester store has done well and there is a need for a store on the south side of the Ohio River.

Chairman Rolfsen asked if the proposed store is like the West Chester store? Ms. Jordan replied no since the West Chester site is designed after a big red feed barn and has a height of 42 feet. Chairman Rolfsen asked if the signage was a game changer? Ms. Jordan responded that the game changer would be the awnings. Duluth is willing to work with the Planning Commission regarding the chimneys. She reviewed the Staff Comments and replied that they should be able to comply with the requirements.

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

Seeing no one, Chairman Rolfsen asked if any Board members had any comments or questions?

Mr. Bunker inquired whether the color and lettering on the building would be considered as a sign? Mr. Schwartz responded that the sign would include the lettering. The lettering on the canopies and chimneys would be considered signs. It would be evaluated as part of the PD overlay. The wording on the canopies or awnings says Men's Gear and Women's Gear. They are more directional. The lettering on the chimneys say Duluth. Ms. Jordan stated how visible are they really to the customer? She identified other stores in Wichita, Kansas and South Portland, Maine that would be similar to the one proposed for this site. Mr. Lunnemann asked about building materials. Ms. Jordan replied that the building has CMU block (red and tan) and bronze windows. The windows are real and let light in the building.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on October 16, 2019 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on November 6, 2019 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 7:47 P.M.

APPROVED:



FOR CHARLIE ROLFSEN

Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

- Exhibit A - 9/27/19 Letter from Weber/Synergy Development
- Exhibit B - 9/26/19 Letter from Joseph Gilligan
- Exhibit C - 10/2/19 Letter from Matthew Levitt - Meijer

Synergy Development Group, LLC
P.O. Box 29425, Saint Louis, MO 63126
(314) 550-5505 & sweber411@yahoo.com

September 27, 2019

Mr. Michael D. Schwartz, Planner
Boone County Planning Commission
2950 Washington Street, Room 317
Burlington, KY 41005

Re: Proposed Deluth Trading Company 390 Meijer Drive Florence KY

Mr. Michael Schwartz,

In 2007 I was approached by Go Fig, a body shaping company who wanted to build and open a new location in Florence, Kentucky and, so I purchased the land known as Lot 10-I 390 Meijer Drive. Unfortunately, after all parties reached a satisfactory agreement, the company went bankrupt. I have received an offer to purchase this land and am very interested in getting this to work out for all parties involved. I would imagine you have heard of Deluth Trading Company, a clothing retail and on line store that specializes in quality, craftsmanship and durability of their products. I believe Duluth Trading Company will be a refreshing and ideal influence, positive to the expansion and growth of the Florence community.

This land was previously approved for a Medical/Office. I am requesting an approval for this land to be modified into retail. I understand there is a Public Hearing that will be held on Wednesday, October 2, 2019 at 7:30 p.m. I will not be able to make travel arrangements to attend, but I will be available via phone, text or email should you have any questions.

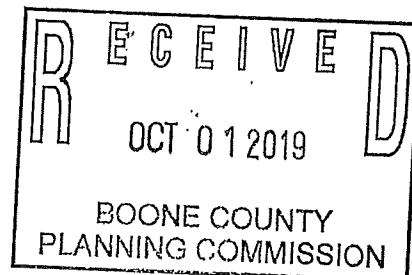
Duluth Trading Co will keep with the PD and add a positive mix to the already existing businesses on Meijer Drive such as LA Fitness, the University of the Cumberlands, La Quinta Hotel, Best Buy, and many other retailers along Spiral Drive and Houston Road.

I look forward to seeing The Duluth Trading Co store on this site.

Sincerely,



Steven Weber





LEE & ASSOCIATES
COMMERCIAL REAL ESTATE SERVICES

September 26, 2019

Mr. Michael D. Schwartz, Planner
Boone County Planning Commission
2950 Washington St., Room 317
Burlington KY 41005
mschwartz@boonecountyky.org

Re: Proposed Duluth Trading Company
390 Meijer Dr.
Florence KY

Dear Mr. Schwartz,

We are the property management company that oversees the neighboring office building owned by the University of the Cumberlands and want to share with you that we wholeheartedly support the "Change in Concept Plan" for Lot 10-I at 390 Meijer Dr., Florence KY.

It is our understanding that this lot was previously approved for Medical/Office. We support the change to Retail with a **Duluth Trading Co** store. Retail seems to be in keeping with the PD, and the added dynamic of this retailer on Meijer Dr. will support the surrounding uses of Meijer, LA Fitness, the University of the Cumberlands, the hotels, Best Buy, along with all the retail on Spiral Drive and Houston Rd.

It would be great to see something positive done on that site.

Sincerely,

J. Joseph Gilligan
Sr. VP Managing Director Brokerage
Lee & Associates Cincinnati
10123 Alliance Road, Suite 300
Cincinnati, OH 45242
(513) 899-1312
jgilligan@Lee-Associates.com

c: Kim Stachler



Meijer Real Estate

Matthew Levitt
Real Estate Manager
2350 3 Mile Rd NW
Grand Rapids, MI 49544
Telephone: (616) 791-3909
matt.levitt@meijer.com

October 2, 2019

Mr. Michael D. Schwartz, Planner
Boone County Planning Commission
2950 Washington St., Room 317
Burlington KY 41005
mschwartz@boonecountky.org

Re: Proposed Duluth Trading Company
390 Meijer Dr.
Florence KY

Dear Mr. Schwartz:

This letter is to show support in favor of the Change in Concept Plan for Lot 10-I at 390 Meijer Dr. in Florence. It is our understanding that the lot was previously approved for medical/office use, however, we feel that additional retail would better suit the trade area and would continue concentrating strong retailers in this geographic area. Along with Meijer, LA Fitness, Best Buy, The Home Depot and Kohl's, this development continues to show strong performance with large national retailers, of which Duluth Trading would be another.

Thank you,

Matthew Levitt
Real Estate Manager
Meijer, Inc.

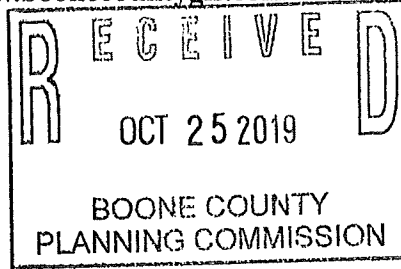
SUPPORTING INFORMATION



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

October 17, 2019

Mr. Jay Moore
Oppidan
400 Water Street, Suite #200
Excelsior, MN 55331

RE: Recommended Conditions of Approval for Oppidan c/o Jay Moore (applicant) for Synergy Development Group LLC c/o Steven Weber (owner) for a Change in a Concept Development Plan in a Office Two/Commercial Two/Planned Development/Houston Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) zones for an approximate 1.48 acre lot located on the south/east side of Meijer Drive and to the immediate east of the property at 410 Meijer Drive, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a retail store.

Dear Mr. Moore:

The following represents the recommended conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change Committee at their October 16, 2019 meeting. If you, as the authorized representative of the applicant and property owner agree to these conditions, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office by Wednesday, October 30, 2019.

CONDITIONS

1. That the site be developed in a manner consistent with the Revised Concept Development Plan, Elevations, and Materials Board (dated 10/10/19), that were submitted at the Committee's October 16, 2019 meeting.
2. Additional articulation and detailing shall be provided on the south building façade, facing Interstate 71/75.
3. The two proposed projecting signs shall be prohibited.

Sincerely,

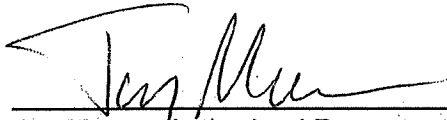
Michael D. Schwartz
Planner

MDS/ss

Mr. Jay Moore
October 17, 2019
Page 2

AGREEMENT

I, the authorized representative of the property owner of the approximate 1.48 acre lot located on the south/east side of Meijer Drive and to the immediate east of the property at 410 Meijer Drive, Florence, Kentucky, agree to the conditions listed herein for the above referenced Change in Concept Development Plan.



Jay Moore, Authorized Representative for
Oppidan (Applicant)

10/24/2019

Date

ORDINANCE NO. O-24-19

AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN A CONCEPT DEVELOPMENT PLAN IN AN OFFICE TWO/COMMERCIAL TWO/PLANNED DEVELOPMENT/HOUSTON DONALDSON STUDY CORRIDOR OVERLAY (O-2/C-2/PD/HDO) ZONE FOR AN APPROXIMATE 1.48 ACRE SITE LOCATED ON THE SOUTH/EAST SIDE OF MEIJER DRIVE AND TO THE IMMEDIATE EAST OF THE PROPERTY AT 410 MEIJER DRIVE, FLORENCE, KENTUCKY, TO ALLOW A RETAIL STORE. (DULUTH TRADING COMPANY)

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-19-023-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 Jay Moore (Applicant) for Synergy Development Group, LLC c/o Steven Weber (Owner), for a change in a concept development plan in an Office Two/Commercial Two/Planned Development/Houston Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) zone, for an approximate 1.48 acre site generally located on the south/east side of Meijer Drive and to the immediate east of the property at 410 Meijer Drive, Florence, Kentucky, to allow a retail store, shall be and is hereby approved. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be designated to reflect the approval of this change in the concept development plan for this subject property.

SECTION II

The approval of this change to the concept development plan is granted subject to the conditions (except for Condition 3), terms and provisions of the Boone County Planning Commission recommendation, including its Committee Report, made a part of that recommendation, and all provisions comprising the development plan herein, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "A" and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-19-023-A of the Boone County Planning Commission, including the exhibits referenced to that Resolution.

SECTION III

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 the additional condition that has been agreed to in writing by the property owner/applicant which modifies and replaces Condition 3 of the Boone County Planning Commission Recommendation, as set out in Exhibit "B", a copy of which is attached and incorporated herein by reference.

SECTION IV

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission's Resolution No. R-19-023-A, marked Exhibit "A", and attached hereto.

SECTION V

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

SECTION VI

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

PASSED AND APPROVED ON FIRST READING THIS 17 DAY OF December, 2019.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS

14 DAY OF January, 2020.

APPROVED:

Dean E. Whalen
MAYOR

ATTEST:

Dan Zilman
CITY CLERK

EXHIBIT "A"

CITY OF FLORENCE, KENTUCKY
PLANNING AND ZONING COMMITTEE

IN RE: AGREED ADDITIONAL CONDITIONS -- REQUEST OF OPPIDAN C/O JAY MOORE (APPLICANT) FOR SYNERGY DEVELOPMENT GROUP, LLC C/O STEVEN WEBER (OWNER) FOR A CHANGE IN A CONCEPT DEVELOPMENT PLAN IN AN OFFICE TWO/COMMERCIAL TWO/ PLANNED DEVELOPMENT/HOUSTON DONALDSON STUDY CORRIDOR OVERLAY (O-2/C-2/PD/HDO) ZONE FOR AN APPROXIMATE 1.48 ACRE LOT LOCATED ON THE SOUTH/EAST SIDE OF MEIJER DRIVE AND TO THE IMMEDIATE EAST OF THE PROPERTY AT 410 MEIJER DRIVE, FLORENCE, KENTUCKY, TO ALLOW A RETAIL STORE. (DULUTH TRADING COMPANY)

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. Condition #3 from the Boone County Planning Commission Zone Change/Concept Plan Committee report of November 6, 2019, shall be amended as follows:

~~"The two proposed projecting signs shall be prohibited. The two proposed projecting signs shall be permitted, with the condition that if the tenant (Duluth Trading Company) vacates the building, the projecting signs be removed."~~

Agreed to this 10th day of December, 2019.

APPLICANT:

Jay Moore
Signature

Jay Moore
Printed Name

SVP Development / OPPIDAN, INC.
Title & Company

12/12/19
Date



interwork architects
 1000 SHERWOOD BLVD, SUITE 200, FLORENCE, KY 40002
 P: 502.259.4001 F: 502.259.5006 I: info@interwork.com

DULUTH TRADING
 COMPANY

FLORENCE, KY

INTERWORK
 PROJECT CONTACT:

EXTERIOR FINISH MATERIAL SCHEDULE

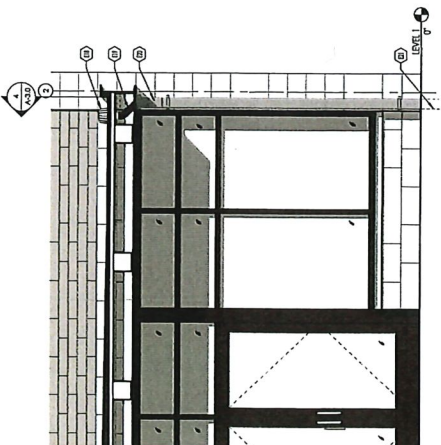
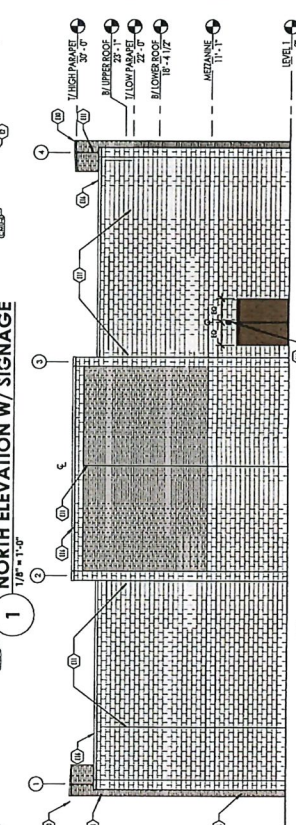
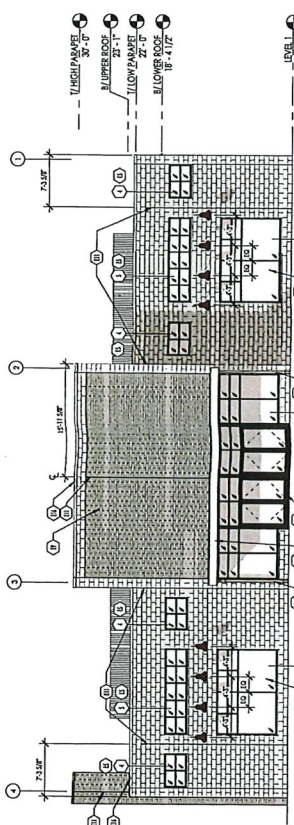
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CH02	INDUSTRIAL	3/4" x 3/4" x 1/2" SQUARE	BRICK
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ELEVATION GENERAL NOTES

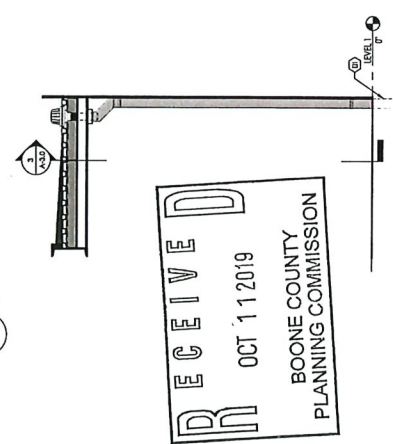
1. REFER TO THE PROJECT MANUAL AND MANUFACTURER LITERATURE FOR MATERIAL SPECIFICATIONS.
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EXTERIOR FINISH NOTES

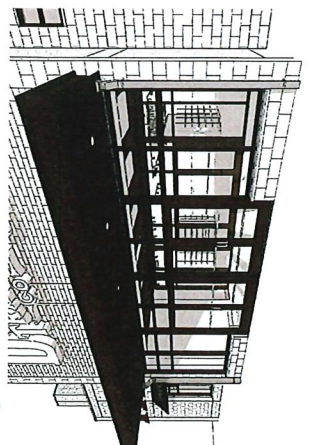
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4 CANOPY DOWNSPOUT SIDE VIEW 1/2" = 1'-0"



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Project No: 1448.071.000

Sheet No:

ELEVATIONS

Sheet No:

A-30



interwork architects

1000 STEPHENSON ROAD, SUITE 100, WESTPORT, MO, 65082
P: 647.259.4001 F: 647.259.9004 I: www.interwork.com

DULUTH TRADING
COMPANY

FLORENCE, KY

INTERWORK

PROJECT CONTACT:

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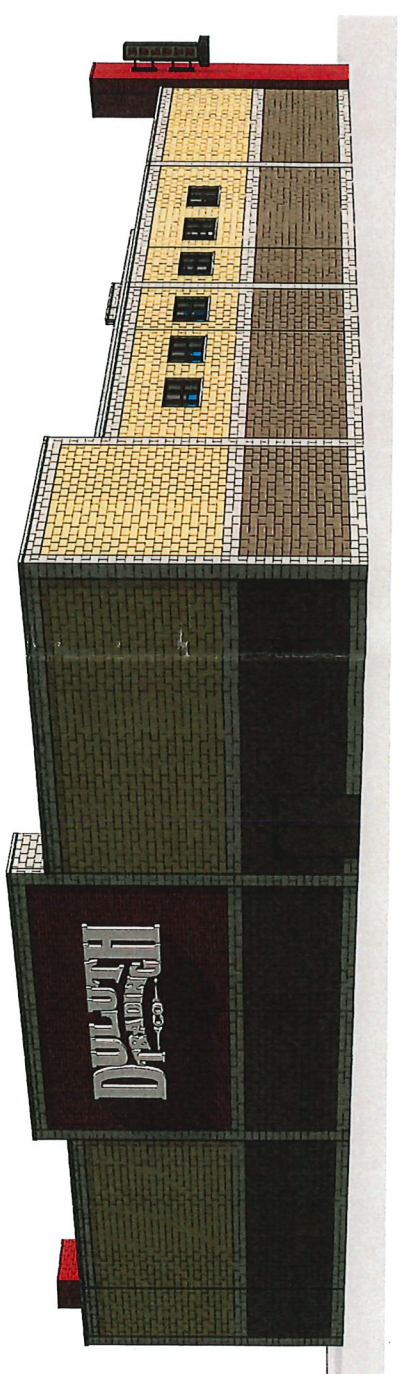
ADDITIONAL VIEWS

Sheet No:

A-37



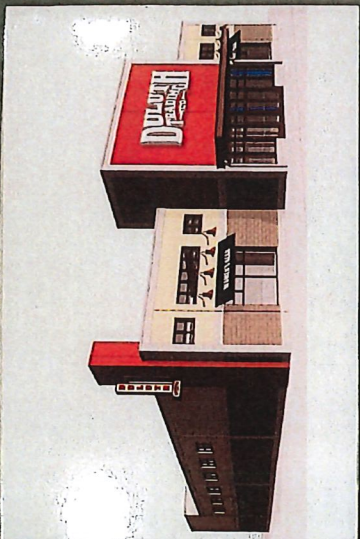
1 3D View 1



2 3D View 2



CMU-2
Tapestry Finish



"OLD FACTORY"
Florence, KY Concept



CMU-3 / CMU-4
Smooth Face



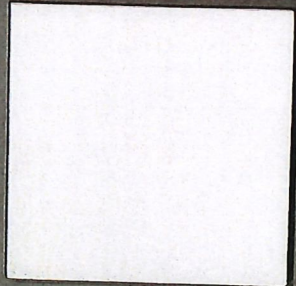
CMU-5
Split Face (Smooth Face Shown)



CMU-6
Split Face (Smooth Face Shown)



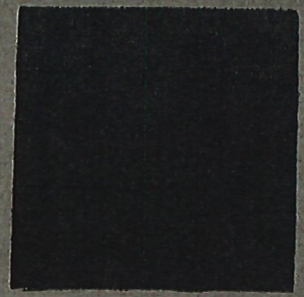
STOREFRONT & CANOPY METAL
Classic Bronze



LOGO LETTER FACE
Day = White Night = Brand Red



LOGO LETTER FACE
Day = White Night = Brand Red



AWNING FABRIC
Slate