

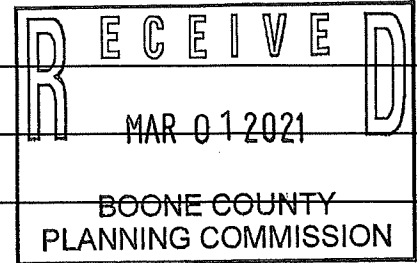
**ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION**

**Seven (7) copies of submitted drawings are required**

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

**SECTION A: (To be completed by applicant)**

1. Name of Project: 8275 Ewing Boulevard
2. Location of Project: 8275 Ewing Boulevard
3. Total Acreage of Project: 1.06 acres
4. Current Zoning of Property: PF/PD/PO
5. Proposed Zoning of Property (classification being requested): C-2/PD/PO
6. Proposed Use(s) (specify each use):



*Medical, dental, optical and veterinary clinics and professional office uses that provide medical, dental, optical and veterinary administrative services.*

**Examples of requested permitted uses are:**

A facility operated by physicians, dentists, optometrists, physical therapists, chiropractors, or veterinarians, all of which are licensed practitioners, providing treatment on an outpatient basis. This request would allow laboratories to test patient samples and/or make medical appliances for patients that are treated on site.

Professional office that provides medical, dental, optical and veterinary administrative services such as medical billing; data collection and records retention; process medical insurance claims; etc.

**Examples of uses excluded in this application are:**

Non-medical or relaxation massage parlors, drug treatment facilities, call centers and/or professional office services that are not directly related to the medical, dental, optical and veterinary practices.

7. Proposed Building Intensities (specify for each building):  
\_\_\_\_\_
8. Are you applying for any of the following (check all that apply):  
 Conditional Use Permit     Variance
9. Current Owner: City of Florence, KY

Address: 8100 Ewing Boulevard

<u>Florence</u>	<u>KY</u>	<u>41042</u>
City	State	Zip Code

Phone Number: 859-647-8177      Fax Number: 859-647-5411

Email: Joshua.Hunt@Florence-KY.gov

Zoning Map Amendment

10. Applicant: City of Florence, KY

Address: 8100 Ewing Boulevard

Florence KY 41042  
City State Zip Code

Phone Number: 859-647-8177 Fax Number: 859-647-5411

Email: Joshua.Hunt@florence-ky.gov

11. Are there any existing buildings on the site:  Yes  No  
If yes, indicate how many: 1

12. 1156 430 PIND 061.02-22-007.00  
Deed Book Page Number Group Number

13. Have you had a pre-application meeting with the BCPC staff:  Yes  No

14. Have you submitted a Concept Development Plan:  Yes  No

15. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

- |   |   |
|---|---|
| <input type="checkbox"/> Boone County Building Department   | <input type="checkbox"/> Local Fire District                          |
| <input type="checkbox"/> Boone County Public Works Department   | <input type="checkbox"/> Local School District                        |
| <input type="checkbox"/> Boone County Water District  | <input type="checkbox"/> Northern Kentucky Health Department          |
| <input checked="" type="checkbox"/> Cincinnati Bell   | <input type="checkbox"/> Owen Cooperative Electric, Inc.              |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input type="checkbox"/> Sanitation District No. 1                    |
| <input type="checkbox"/> Duke Energy  | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input checked="" type="checkbox"/> Florence Public Services Department   | <input type="checkbox"/> Other: _____                                 |
| <input type="checkbox"/> Kentucky Division of Water   |   |
| <input type="checkbox"/> Kentucky Transportation Cabinet  |   |

16. Concept Development Plan Jurisdiction/Location (check all that apply):  
 Unincorporated Boone  Florence  Walton  Union

17. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:  
  
In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on \_\_\_\_\_

ORIGINAL Property Owner's Signature: Diann E. Whalen  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Diann E. Whalen  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

Zoning Map Amendment

**SECTION B:** (To be completed by Planning Commission staff)

1. Date Received: 3/1/21 Fee Received: -0- Receipt #: N/A
2. Number of Copies Received: 7
3. Has the following been submitted (check all that apply):
  - Completed Application
  - Concept Development Plan
  - Legal Description
  - Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): \_\_\_\_\_
5. Staff Reviewer: MICHAEL SCHWARTZ
6. Committee Chairperson: Corrin Gulick
7. Scheduled Public Hearing Date: 4/7/2021
8. Boone County Planning Commission Action: \_\_\_\_\_ Date of Action: 5/5/2021
  - Approved
  - \_\_\_\_\_ Approved with Conditions
  - \_\_\_\_\_ Denial
  - \_\_\_\_\_ Other
9. Resolution Number: \_\_\_\_\_

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](mailto:plancom@boonecountyky.org)  
[www.boonecountyky.org](http://www.boonecountyky.org)

# EXHIBIT

“A”

## STAFF REPORT

#1

Request of **City of Florence (owner)** for a Zoning Map Amendment from Public Facilities/Planned Development/Parkway Corridor Study Overlay (PF/PD/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for an approximate 1.06 acre site located at 8275 Ewing Boulevard, Florence, Kentucky. The request is for a zone change to allow medical, dental, optical and veterinary clinics and professional offices that provide medical, dental, optical and veterinary administrative services in an existing building.

April 7, 2021

### REQUEST

- A. The submitted request is to rezone approximately 1.06 acres from PF/PD/PO to C-2/PD/PO.
- B. The applicant is proposing to allow licensed practitioners, providing treatment on an outpatient basis, of physicians, dentists, optometrists, physical therapists, chiropractors, or veterinarians to occupy the existing building. The submitted request would allow: (1) laboratories to test patient samples and/or make medical appliances for patients that are treated on site; and (2) professional offices that provide medical, dental, optical and veterinary administrative services such as medical billing, data collection and records retention, and the processing of medical insurance claims.
- C. The applicant is specifically prohibiting non-medical or relaxation massage parlors, drug treatment facilities, call centers and/or professional office services that are not directly related to medical, dental, optical and veterinary practices.

### SITE HISTORY - Site

1960 –

1969 Based on information contained in the Boone County GIS, the site, and the area now occupied by Ewing Boulevard, was occupied by an approximate 11,000 square foot commercial/utility use (Union Light Heat and Power).

1986 In February 1986, the City of Florence adopted the Parkway Corridor Study.

1986 Based on information contained in the Boone County GIS, the site was zoned C-2/PD.

1992 –

1994 Based on information contained in the Boone County GIS, the majority of a commercial/utility structure was demolished for the construction of Ewing Boulevard.

1998 On December 23, 1998, the Boone County Planning Commission approved a site plan for the development of the site as it currently exists (Social Security Administration).

2002 On June 30, 2002, the City of Florence adopted the 2002 zoning map, identifying the site as being zoned PF/PD.

2008 On October 14, 2008, the City of Florence adopted the Central Florence Strategic Plan – An Update of the Parkway Corridor Study.

#### APPLICABLE REGULATIONS

- A. Section 308 of the Boone County Zoning Regulations states that before any map amendment is granted, the Planning Commission and legislative body shall use the following criteria:
1. The map amendment is in agreement with the adopted comprehensive plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or
  2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or
  3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted comprehensive plan that substantially alter the area's character.
- B. Section 1200 (Public Facilities District) of the Boone County Zoning Regulations states that “the purpose of this article is to provide a specific zoning classification for a variety of public facilities to promote the proper location of these uses and insure their long-term continuity and compatibility with adjacent land uses.”
- C. Section 1500 of the Boone County Zoning Regulations states that intent of the PD district is to provide a permissive, flexible and alternative zoning district and procedure for innovative, mixed use residential, commercial, industrial or other type developments or physical design proposals capable of proving substantial benefit to the community over the conventional districting and other regulations in this order but requiring unique consideration, disposition, control and approval. Planned Development (PD) is a special overlay zoning district, which allows various types of land uses and densities in return for appropriate, flexible, creative and high quality designs consistent with the standards and criteria of this article, including the adopted Comprehensive Plan. Its purpose is to allow development of the land uses on property identified as requiring an extra layer of review or regulation. It enables development of property consistent and coordinated with infrastructure and other appropriate land use factors based upon a proper review.
- D. Section 1511 of the Boone County Zoning Regulations states that uses listed as principally permitted, accessory or conditional uses in the underlying zone are allowed within a Planned Development district as long as the requirements of this article have been met, including approval by the appropriate legislative body or Fiscal Court of a Concept Development Plan. Further, any other uses not listed in the underlying zone are permitted if found to be compatible and of benefit to the community and meet the requirements of this article, including approval for any such use or uses through a Concept Development by the appropriate legislative body or Fiscal Court.
- E. Section 1020 of the Boone County Zoning Regulations states that the purpose of the

Commercial Two district is to provide comparable shopping goods, personal and professional services, and some convenience goods required for normal living needs as well as major purchase opportunities. Districts will be located on suitable lands primarily central to regional trade areas and to some extent the community as a whole and such districts have access from expressways or arterial roads. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.

F. Section 4000 of the Boone County Zoning Regulations provides for the following definitions:

1. Clinic: A facility that offers care, diagnosis and treatment of sick, or injured persons. A clinic may provide out patient surgical attention but does not include accommodations.
2. Massage Parlor or Clinic: A facility in which the practice of massage by any licensed massage therapist, hospital, physician, surgeon, chiropractor or osteopath, nurse or technician working under the supervision of the above or by trainers for athletic or medical purposes. It does not include sexually oriented businesses.
3. Medical, Dental or Optical Clinics: A facility operated by one or more physicians, dentists, optometrists, physical therapists, medical massage therapists, chiropractors, acupuncturists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical, dental, or optical clinics may also include laboratories to test patient samples or make medical appliances for patients that are treated on site.
4. Veterinary Animal Hospital or Clinic: A facility that offers care, diagnosis, and treatment of sick, or injured animals. May include overnight accommodations on site for the treatment, observation and/or recuperation of animals. May include boarding facilities that are incidental and subordinate to the principal activity.

#### SITE CHARACTERISTICS

- A. The site contains approximately 1 acre and is located at the southwest corner of the intersection of Burlington Pike with Ewing Boulevard.
- B. The site has approximately 150 feet of frontage along Burlington Pike and approximately 330 feet of frontage along Ewing Boulevard.
- C. The site is currently occupied by a one-story, 11,100 square foot building (originally built for the Social Security Administration), 52 off-street parking spaces, a trash enclosure, and a curb cut onto Ewing Boulevard, approximately 270 feet south of Burlington Pike.
- D. Topographically, the site is relatively flat with an average grade of less than 2%.
- E. The site is within the 60 day/night noise level of the Cincinnati/Northern Kentucky

International Airport.

ADJACENT LAND USES AND ZONING

North: Vacant (C-3/PD/PO)  
South: City of Florence Municipal Campus (PF/PD/PO)  
East: Florence/Boone County Skate Park (PF/PD/PO)  
West: Waffle House (O-2/PD/PO)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. Our Boone County – Plan 2040 “2040 Future Land Use Plan” designates the site for Commercial uses which 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:
1. 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).
  2. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
  3. 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).
  4. Employment opportunities for a highly skilled and educated workforce shall be encouraged and promoted for the residents and businesses of Boone County (Economy Goal A, Objective 1).
  5. 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).
  6. 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. Burlington Pike is a state maintained arterial street providing for two way traffic within four driving lanes (two lanes in each direction) and a center left turn lane. Ewing Boulevard is a city owned collector street providing for two way traffic within five driving lanes (one northbound right-turn only lane, one northbound through/left-turn lane, one northbound left-turn only lane, and two southbound through lanes). Sidewalks are provided along both sides of the roadways.

RELATIONSHIP TO THE CENTRAL FLORENCE STRATEGIC PLAN – An Update of the Parkway Corridor Study

- A. The intent of the Central Florence Strategic Plan is to further develop the city's central neighborhoods and to link existing and/or planned businesses, civic, recreational, entertainment, and residential attributes of the study area together to create a vibrant, inter-related city center.

CONCEPT PLAN

- A. The applicant is proposing to allow licensed practitioners, providing treatment on an outpatient basis, of physicians, dentists, optometrists, physical therapists, chiropractors, or veterinarians to occupy the existing building.
- B. The submitted request would allow: (1) laboratories to test patient samples and/or make medical appliances for patients that are treated on site; and (2) professional offices that provide medical, dental, optical and veterinary administrative services such as medical billing, data collection and records retention, and the processing of medical insurance claims.
- C. The applicant is specifically prohibiting non-medical or relaxation massage parlors, drug treatment facilities, call centers and/or professional office services that are not directly related to medical, dental, optical and veterinary practices.

STAFF COMMENTS

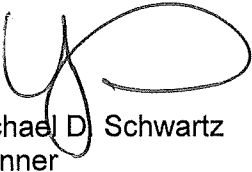
- A. Chapter 7 of the Central Florence Strategic Plan provides criteria by which the Zoning Administrator can use to determine if a change of use can utilize the administrative Tenant Finish application process or the legislative Concept Plan application process.
- B. Since the current submittal includes a concept plan, with a list of detailed permitted/prohibited uses, the provisions of the Central Florence Strategic Plan, relative to the zoning administrator's determination, become moot. As such, any change of use that is not consistent with the list of permitted uses laid out in this application, would have to go through a Change of Concept Plan process, a public hearing process which has an approximate 5 to 6 month timeframe.
- C. To provide for the most flexibility in marketing the site, it is suggested that the following conditions be included in the planning commission's action, if that action is approval:
1. Any change of use shall follow the procedures outlined in the Central Florence Strategic Plan.
  2. The following uses shall be prohibited:
    - a. Non-medical or relaxation massage parlors
    - b. Drug treatment facilities
    - c. Call centers

- d. Professional office services that are not directly related to medical, dental, optical and veterinary practices

CONCLUSION

- A. The request for the proposed zoning map amendment needs to be evaluated by the Boone County Planning Commission and Florence City Council in terms of Kentucky Revised Statute (KRS) 100.213, Articles 3 and Article 15 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

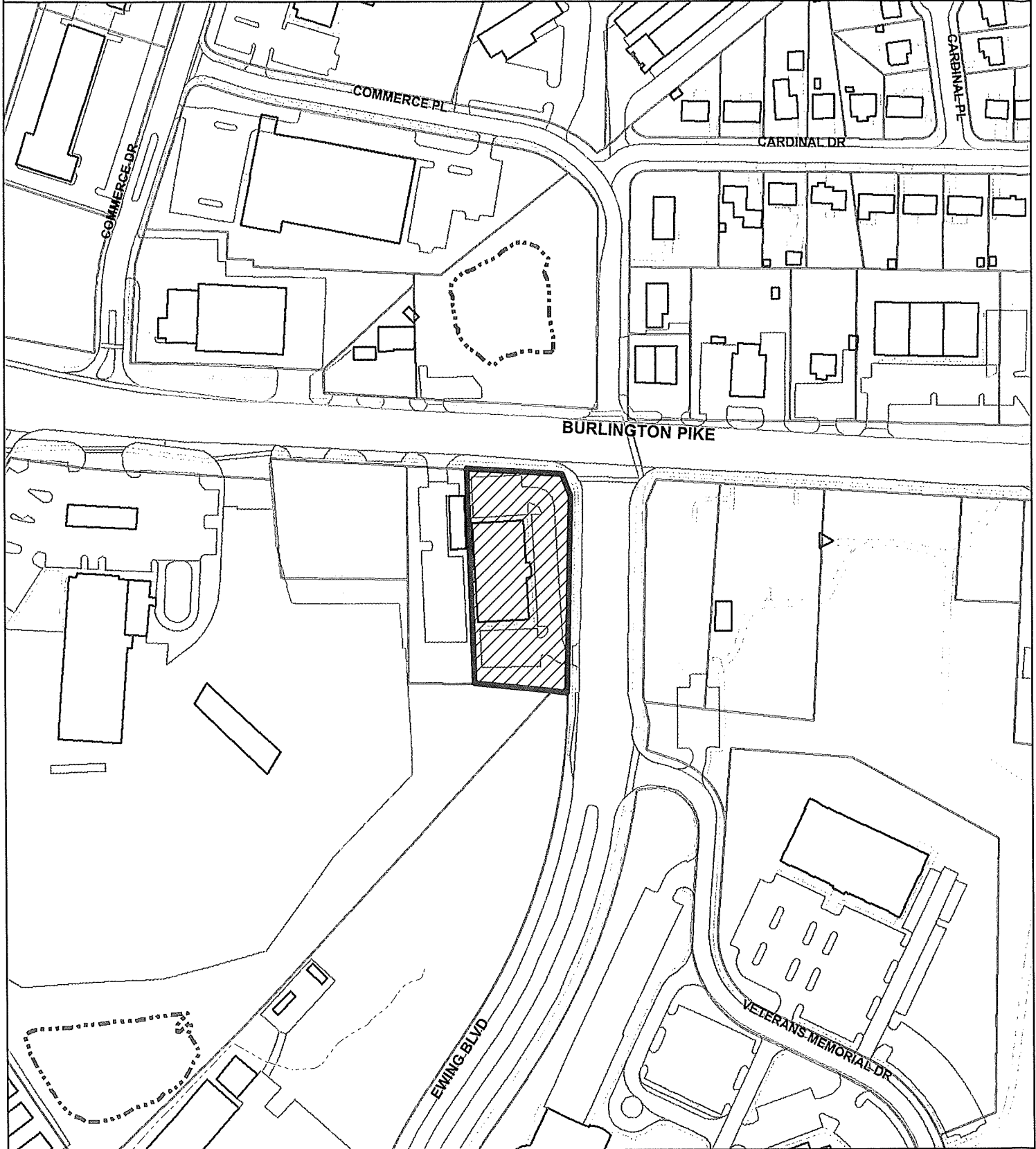
MDS/ss

Attachments:

- \*Vicinity Map
- \*Aerial Map
- \*Topographical Map
- \*Zoning Map
- \*2040 Future Land Use Map
- \*Noise Contour Map
- \*Application
- \*Concept Development Plan

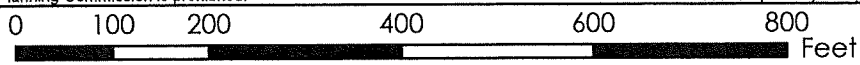
# Vicinity Map

www.boonecountygis.com



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1 inch = 200 feet

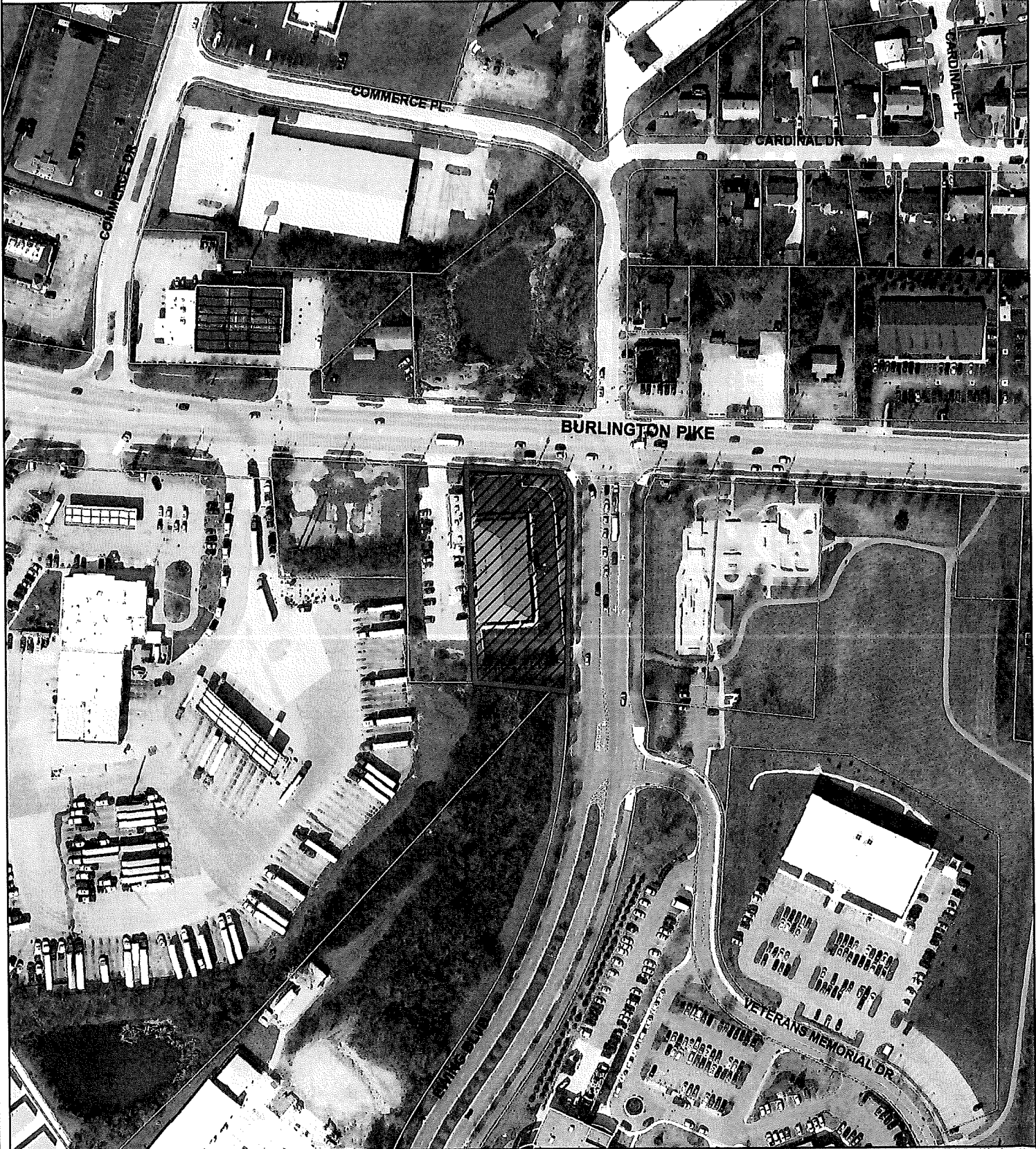


**Boone**



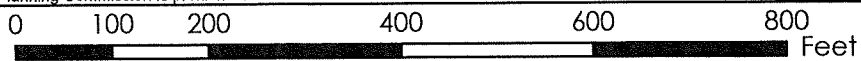
# Aerial Map

www.boonecountygis.com



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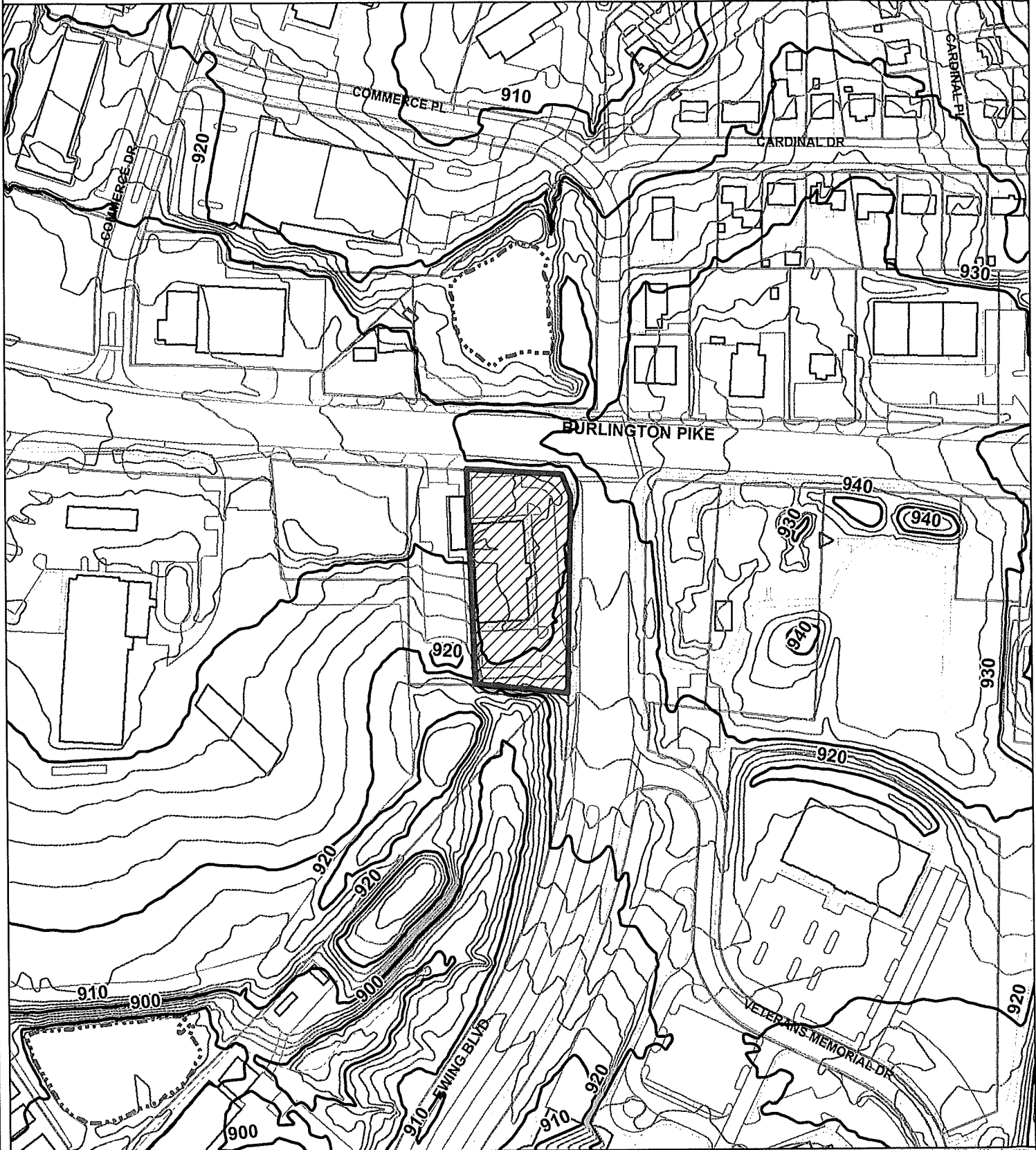
**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2018

Map File: 1.8.mxd by S. Smith 01/01/2018  
ArcMap Document: \*.mxd

# Topographical Map

www.boonecountygis.com

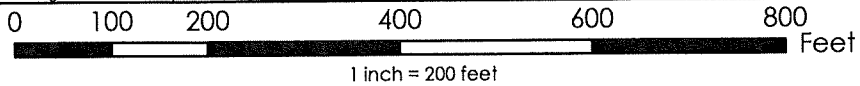


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**Boone**



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Map Created: 01/01/2018

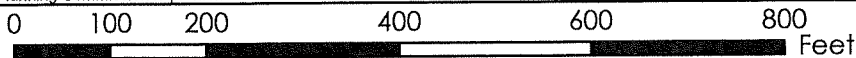
# Zoning Map

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



Map Created: 01/01/2018

With Photo Enrichment Service 04/23/11/11  
ArcMap Document: \*.mxd

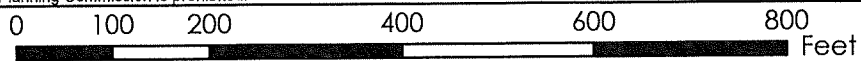
# 2040 Future Land Use Map

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Boone

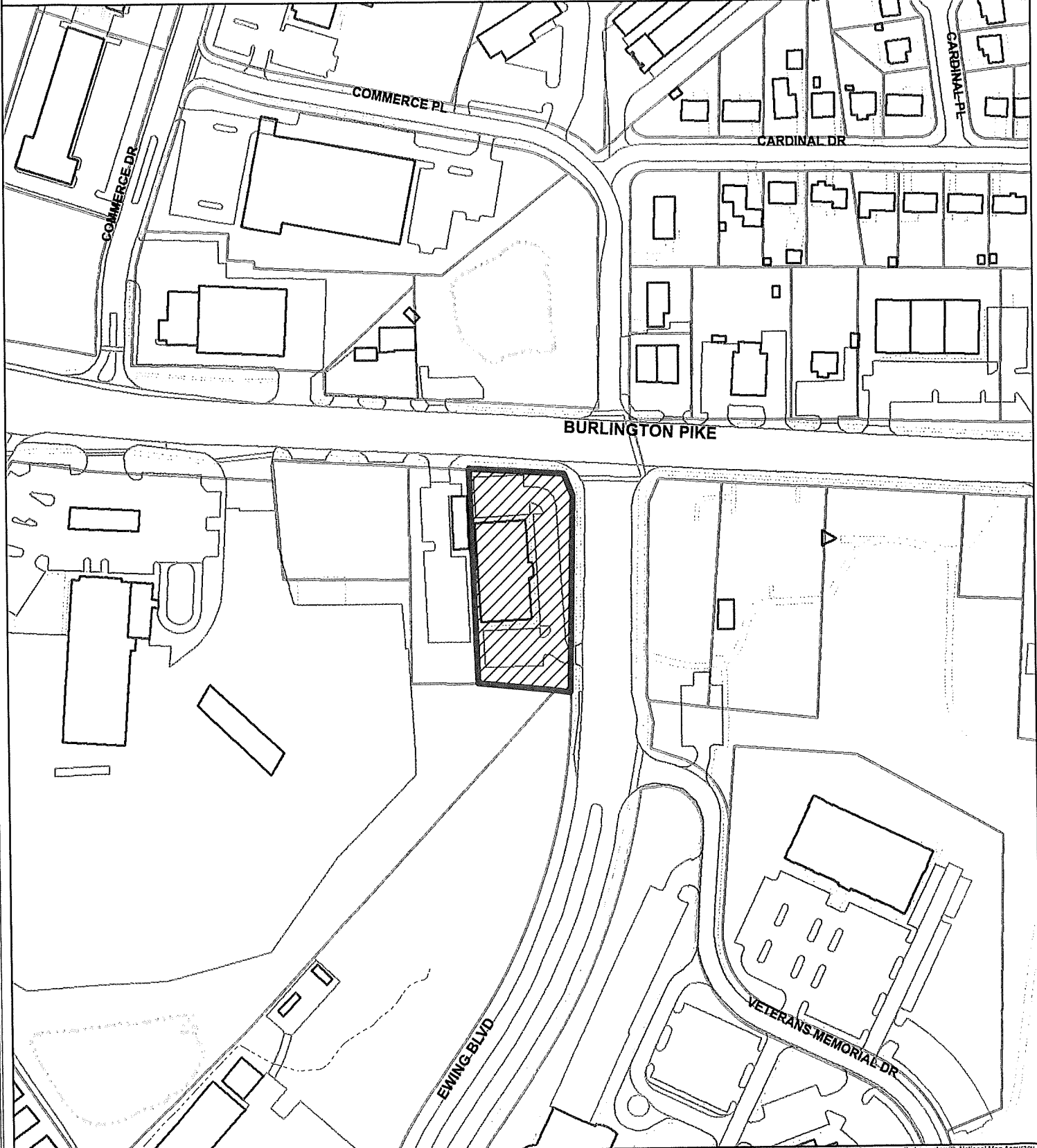


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Map Document: \*.mxd

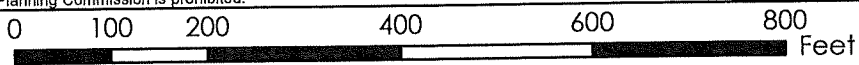
# Noise Contour Map

www.boonecountygis.com



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1 inch = 200 feet



Map Created: 01/01/2018

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



Map File: 11/15/17 by Tom M...  
ArcMap Document: \*.mxd

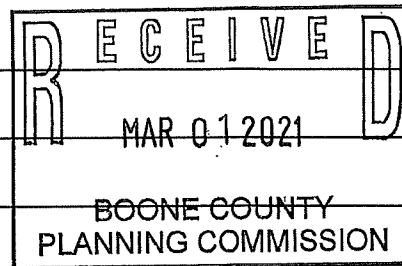
**ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION**

**Seven (7) copies of submitted drawings are required**

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

**SECTION A: (To be completed by applicant)**

1. Name of Project: 8275 Ewing Boulevard
2. Location of Project: 8275 Ewing Boulevard
3. Total Acreage of Project: 1.06 acres
4. Current Zoning of Property: PF/PD/PO
5. Proposed Zoning of Property (classification being requested): C-2/PD/PO
6. Proposed Use(s) (specify each use):



*Medical, dental, optical and veterinary clinics and professional office uses that provide medical, dental, optical and veterinary administrative services.*

**Examples of requested permitted uses are:**

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7. Proposed Building Intensities (specify for each building):  
\_\_\_\_\_
8. Are you applying for any of the following (check all that apply):  
 Conditional Use Permit     Variance
9. Current Owner: City of Florence, KY

Address: 8100 Ewing Boulevard

<u>Florence</u> City	<u>KY</u> State	<u>41042</u> Zip Code
-------------------------	--------------------	--------------------------

Phone Number: 859-647-8177      Fax Number: 859-647-5411

Email: Joshua.Hunt@Florence-KY.gov

Zoning Map Amendment

10. Applicant: City of Florence, KY

Address: 8100 Ewing Boulevard

Florence KY 41042  
City State Zip Code

Phone Number: 859-647-8177 Fax Number: 859-647-5411

Email: Joshua.Hunt@florence-ky.gov

11. Are there any existing buildings on the site:  Yes  No  
If yes, indicate how many: 1

12. 1156 430 PIND 061.02-22-007.00  
Deed Book Page Number Group Number

13. Have you had a pre-application meeting with the BCPC staff:  Yes  No

14. Have you submitted a Concept Development Plan:  Yes  No

15. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

- |   |   |
|---|---|
| <input type="checkbox"/> Boone County Building Department   | <input type="checkbox"/> Local Fire District                          |
| <input type="checkbox"/> Boone County Public Works Department   | <input type="checkbox"/> Local School District                        |
| <input type="checkbox"/> Boone County Water District  | <input type="checkbox"/> Northern Kentucky Health Department          |
| <input type="checkbox"/> Cincinnati Bell  | <input type="checkbox"/> Owen Cooperative Electric, Inc.              |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input type="checkbox"/> Sanitation District No. 1                    |
| <input type="checkbox"/> Duke Energy  | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input checked="" type="checkbox"/> Florence Public Services Department   | <input type="checkbox"/> Other: _____                                 |
| <input type="checkbox"/> Kentucky Division of Water   |   |
| <input type="checkbox"/> Kentucky Transportation Cabinet  |   |

16. Concept Development Plan Jurisdiction/Location (check all that apply):  
 Unincorporated Boone  Florence  Walton  Union

17. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

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

ORIGINAL Property Owner's Signature: Drain & Whalen  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: Drain & Whalen  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**SECTION B:** (To be completed by Planning Commission staff)

1. Date Received: 3/1/21 Fee Received: -0- Receipt #: N/A
2. Number of Copies Received: 7
3. Has the following been submitted (check all that apply):
  - Completed Application
  - Concept Development Plan
  - Legal Description
  - Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): \_\_\_\_\_
5. Staff Reviewer: MICHAEL SCHWARTZ
6. Committee Chairperson: \_\_\_\_\_
7. Scheduled Public Hearing Date: \_\_\_\_\_
8. Boone County Planning Commission Action: \_\_\_\_\_ Date of Action: \_\_\_\_\_
  - \_\_\_\_\_ Approved
  - \_\_\_\_\_ Approved with Conditions
  - \_\_\_\_\_ Denial
  - \_\_\_\_\_ Other
9. Resolution Number: \_\_\_\_\_

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](mailto:plancom@boonecountyky.org)  
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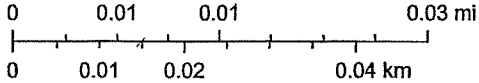
# City of Florence, Kentucky



2/25/2021, 10:41:02 AM

1:1,128

- |                     |                    |                               |
|---------------------|--------------------|-------------------------------|
| Major Streets       | Parcel Tract Lines | Exterior Features             |
| Arterial            | Paved Areas        | Sidewalk                      |
| Collector           | Crosswalk          | Walking Trail                 |
| Residential Streets | Roadway            | Recreation Features           |
| Building Footprints | Parking Lot        | Skate Park                    |
| Tax Parcels         |                    | Building Site Number (Labels) |



**EXHIBIT**

**“B”**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

#1

**TO:** Boone County Planning Commission

**FROM:** Corrin Gulick, Chairwoman

**DATE:** May 5, 2021

**RE:** Request of City of Florence (owner) for a Zoning Map Amendment from Public Facilities/Planned Development/Parkway Corridor Study Overlay (PF/PD/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for an approximate 1.06 acre site located at 8275 Ewing Boulevard, Florence, Kentucky. The request is for a zone change to allow medical, dental, optical and veterinary clinics and professional offices that provide medical, dental, optical and veterinary administrative services in an existing building.

### REMARKS:

1. We, the Committee Members were present via live teleconference 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 in order to complete the Committee Report.

### FINDINGS OF FACT:

- a. The proposed request is in agreement with the 2040 Future Land Use Map of Our Boone County – Plan 2040 which designates the site for Commercial uses. The proposed underlying zoning district of C-2 permits a variety of office, retail, and service uses.
- b. The proposed request is in agreement with the Comprehensive Plan due to its agreement with the following Our Boone County – Plan 2040 Goals and Objectives:
  - (1) 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).
  - (2) Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
  - (3) 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).
  - (4) Employment opportunities for a highly skilled and educated workforce shall be encouraged and promoted for the residents and businesses of Boone County (Economy Goal A, Objective 1).

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

City of Florence

May 5, 2021

Page 2

- (5) 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).
  - (6) 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. As identified in the submitted Concept Plan, the proposed uses for the site, and the specific prohibited uses, are in general conformity with the recommendations of the Central Florence Strategic Plan, which call for office uses along the south side of Burlington Pike. Additionally, the proposed restrictions will provide the city with sufficient safeguards as to what use is located at the entry to the city's government complex, should the site be acquired by a private entity.

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: Corrin Gulick, Chairwoman

DATE: April 21, 2021

**ZONING MAP AMENDMENT – Corrin Gulick, Chairwoman, Michael Schwartz, Staff**

1. Request of **City of Florence (owner)** for a Zoning Map Amendment from Public Facilities/Planned Development/Parkway Corridor Study Overlay (PF/PD/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for the approximate 1.06 acre site located at 8275 Ewing Boulevard, Florence, Kentucky. The request is for a zone change to allow medical, dental, optical and veterinary clinics and professional office uses that provide medical, dental, optical and veterinary administrative services in an existing building.

**REMARKS:**

We, the Committee Members were present via live video teleconference 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.

Via Live Teleconference  
**Kim Bunger** *Second*  
For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

Via Live Teleconference  
**Corrin Gulick (Chairwoman)**  
For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

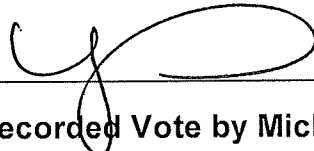
Via Live Teleconference  
**Janet Kegley** *Moved*  
For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Randy Bessler (Alternate)**  
For Project \_\_\_\_\_ Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

Via Live Teleconference  
**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 \_\_\_\_\_

  
\_\_\_\_\_  
**Recorded Vote by Michael  
Schwartz, Planner**

**TOTAL:**      -   DEFERRED      4   FOR PROJECT      1   ABSENT  
                    -   AGAINST PROJECT      -   ABSTAIN

**BOONE COUNTY PLANNING COMMISSION  
VIA LIVE VIDEO TELECONFERENCE  
BURLINGTON, KENTUCKY  
PUBLIC HEARINGS  
APRIL 7, 2021  
7:30 P.M.**

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Chairman Rolfsen opened the Public Hearing at 8:20 p.m. and welcomed everyone to the Planning Commission's April 7, 2021 Public Hearing via Live Video Teleconference.

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mr. Kim Bungler, Secretary/Treasurer  
Ms. Corrin Gulick  
Mr. Steve Harper  
Mrs. Lori Heilman  
Mrs. Janet Kegley  
Mr. Kim Patton, Vice Chairman  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mrs. Jackie Steele  
Mr. Tom Szurlinski

**COMMISSION MEMBERS NOT PRESENT:**

Ms. Olivia Amlung  
Mr. Rick Lunnemann  
Mr. Don McMillian  
Mr. Steve Turner, Temporary Presiding Officer

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

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

Chairman Rolfsen introduced the first item on the Agenda at 8:20 p.m.

**ZONING MAP AMENDMENT – Michael Schwartz, Staff**

Request of **City of Florence (owner)** for a Zoning Map Amendment from Public Facilities/Planned Development/Parkway Corridor Study Overlay (PF/PD/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for the approximate 1.06 acre site located at 8275 Ewing Boulevard, Florence, Kentucky. The request is for a zone change to allow medical, dental, optical and veterinary clinics and professional office uses that provide medical, dental, optical and veterinary administrative services in an existing building.

Mr. Michael Schwartz, Staff, referred to his PowerPoint presentation. The site is approximately 1 acre in size, located at the corner of Ewing Boulevard and Burlington Pike. It has approximately 150 feet of road frontage on Burlington Pike and approximately 330 feet of road frontage on Ewing Boulevard. Pages 1 and 2 of the Staff Report provide a summary of the site history. The site is currently occupied by a one story, 11,100 square foot office building. Fifty-two parking spaces are provided. Access is currently provided off Ewing Boulevard, approximately 270 feet south of Burlington Pike. Mr. Schwartz showed photographs of the site and adjoining properties. The current zoning of the site is PF/PD/PO. The proposed C-2/PD/PO zoning provides for a variety of retail, service and office uses. Pages 2 and 3 of the Staff Report offer a more thorough description of the current and proposed zoning districts. The site is located in the Central Florence Strategic Plan. Page 5 of the Staff Report provides the intent of the Study. The site is relatively flat with an average grade of less than 2%. The site is located in 60 DNL (Day and Night Noise Level) from aircraft noise. The Future Land Use Map from the Plan 2040 designates the site as Commercial (C). Mr. Schwartz mentioned that the submitted Concept Development Plan shows the existing conditions of the site. The City of Florence has identified uses that they prefer on the site and uses they would like to prohibit. The City is proposing to allow licensed practitioners, providing treatment on an outpatient basis, of physicians, dentists, optometrists, physical therapists, chiropractors, or veterinarians to occupy the existing building. The submitted request would allow: (1) laboratories to test patient samples and/or make medical appliances for patients that are treated on site; and (2) professional offices that provide medical, dental, optical and veterinary administrative services such as medical billing, data collection and records retention, and the processing of medical insurance claims. The applicant is specifically prohibiting non-medical or relaxation massage parlors, drug treatment facilities, call centers and/or professional office services that are not directly related to medical, dental, optical and veterinary practices. On Page 7 of the Staff Report, there are Staff Comments pertaining to the amendment procedure and timing should an alternate use be proposed for the site. The request needs to be evaluated based upon the necessary findings for a Zoning Map Amendment as noted in KRS 100.

Ms. Amlung stated that she just confirmed that she had a conflict with the request due to her relationship with the City of Florence as her firm is currently representing the City in legal matters. She recused herself from the Public Hearing.

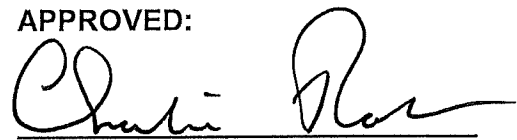
Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Josh Hunt, Director, Business & Community Development, City of Florence, stated that Staff did a good job in presenting the request and that he was available to answer any questions.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the Zoning Map Amendment request? Seeing none, he asked if any of the Board Members had any questions?

**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on April 21, 2021 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on May 5, 2021 at 7:00 p.m.** If someone wants to observe the Committee Meeting, please contact the office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 8:29 p.m.

**APPROVED:**



**Charlie Rolfsen**  
**Chairman**

**Attest:**



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

**BOONE COUNTY PLANNING COMMISSION  
VIA LIVE VIDEO TELECONFERENCE  
BURLINGTON, KENTUCKY  
PUBLIC HEARINGS  
APRIL 7, 2021  
7:30 P.M.**

---

Chairman Rolfsen opened the Public Hearing at 8:20 p.m. and welcomed everyone to the Planning Commission's April 7, 2021 Public Hearing via Live Video Teleconference.

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mr. Kim Bunger, Secretary/Treasurer  
Ms. Corrin Gulick  
Mr. Steve Harper  
Mrs. Lori Heilman  
Mrs. Janet Kegley  
Mr. Kim Patton, Vice Chairman  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mrs. Jackie Steele  
Mr. Tom Szurlinski

**COMMISSION MEMBERS NOT PRESENT:**

Ms. Olivia Amlung  
Mr. Rick Lunnemann  
Mr. Don McMillian  
Mr. Steve Turner, Temporary Presiding Officer

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

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

Chairman Rolfsen introduced the first item on the Agenda at 8:20 p.m.

**ZONING MAP AMENDMENT – Michael Schwartz, Staff**

Request of **City of Florence (owner)** for a Zoning Map Amendment from Public Facilities/Planned Development/Parkway Corridor Study Overlay (PF/PD/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for the approximate 1.06 acre site located at 8275 Ewing Boulevard, Florence, Kentucky. The request is for a zone change to allow medical, dental, optical and veterinary clinics and professional office uses that provide medical, dental, optical and veterinary administrative services in an existing building.

Mr. Michael Schwartz, Staff, referred to his PowerPoint presentation. The site is approximately 1 acre in size, located at the corner of Ewing Boulevard and Burlington Pike. It has approximately 150 feet of road frontage on Burlington Pike and approximately 330 feet of road frontage on Ewing Boulevard. Pages 1 and 2 of the Staff Report provide a summary of the site history. The site is currently occupied by a one story, 11,100 square foot office building. Fifty-two parking spaces are provided. Access is currently provided off Ewing Boulevard, approximately 270 feet south of Burlington Pike. Mr. Schwartz showed photographs of the site and adjoining properties. The current zoning of the site is PF/PD/PO. The proposed C-2/PD/PO zoning provides for a variety of retail, service and office uses. Pages 2 and 3 of the Staff Report offer a more thorough description of the current and proposed zoning districts. The site is located in the Central Florence Strategic Plan. Page 5 of the Staff Report provides the intent of the Study. The site is relatively flat with an average grade of less than 2%. The site is located in 60 DNL (Day and Night Noise Level) from aircraft noise. The Future Land Use Map from the Plan 2040 designates the site as Commercial (C). Mr. Schwartz mentioned that the submitted Concept Development Plan shows the existing conditions of the site. The City of Florence has identified uses that they prefer on the site and uses they would like to prohibit. The City is proposing to allow licensed practitioners, providing treatment on an outpatient basis, of physicians, dentists, optometrists, physical therapists, chiropractors, or veterinarians to occupy the existing building. The submitted request would allow: (1) laboratories to test patient samples and/or make medical appliances for patients that are treated on site; and (2) professional offices that provide medical, dental, optical and veterinary administrative services such as medical billing, data collection and records retention, and the processing of medical insurance claims. The applicant is specifically prohibiting non-medical or relaxation massage parlors, drug treatment facilities, call centers and/or professional office services that are not directly related to medical, dental, optical and veterinary practices. On Page 7 of the Staff Report, there are Staff Comments pertaining to the amendment procedure and timing should an alternate use be proposed for the site. The request needs to be evaluated based upon the necessary findings for a Zoning Map Amendment as noted in KRS 100.

Ms. Amlung stated that she just confirmed that she had a conflict with the request due to her relationship with the City of Florence as her firm is currently representing the City in legal matters. She recused herself from the Public Hearing.

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

Mr. Josh Hunt, Director, Business & Community Development, City of Florence, stated that Staff did a good job in presenting the request and that he was available to answer any questions.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the Zoning Map Amendment request? Seeing none, he asked if any of the Board Members had any questions?

**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on April 21, 2021 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on May 5, 2021 at 7:00 p.m.** If someone wants to observe the Committee Meeting, please contact the office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 8:29 p.m.

**APPROVED:**



**Charlie Rolfsen**  
**Chairman**

**Attest:**



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

**BOONE COUNTY PLANNING COMMISSION  
VIA LIVE VIDEO TELECONFERENCE  
BURLINGTON, KENTUCKY  
BUSINESS MEETING  
MAY 5, 2021  
7:00 P.M.**

---

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed everyone to the Planning Commission's May 5, 2021 Business Meeting. The Boone County Planning Commission, pursuant to KRS 61.826, Kentucky Senate Bill 150 and OAG 20-05, is conducting its regularly scheduled meeting on Wednesday, May 5, 2021 at 7:00 p.m. via live video teleconference. This meeting format has been necessitated due to the state of emergency regarding the threats to public health presented by the novel Coronavirus (COVID-19) pandemic.

**COMMISSION MEMBERS PRESENT:**

Ms. Olivia Amlung  
Mr. Kim Bunger, Secretary/Treasurer  
Ms. Corrin Gulick  
Mr. Steve Harper  
Mrs. Lori Heilman  
Mrs. Janet Kegley  
Mr. Rick Lunnemann  
Mr. Don McMillian  
Mr. Kim Patton, Vice Chairman  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mrs. Jackie Steele  
Mr. Tom Szurlinski

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Randy Bessler  
Mr. Steve Turner, Temporary Presiding Officer

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

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

**APPROVAL OF THE MINUTES:**

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the April 21, 2021 Business Meeting. Chairman Rolfsen asked if there were any other comments or corrections?

**Mr. Patton moved to approve the Minutes. Mr. Lunnemann seconded the motion and it carried unanimously.**

**BILLS:**

Mr. Kevin P. Costello, AICP, Executive Director, advised the Commissioners of the **Bills to be Paid**, which included a list of **Expenses** and **Salaries and Benefits** for a time period between April 8, 2021 and May 5, 2021.

**EXPENSES:**

Accounting Fees	\$ 528.42
Attorney Fees	4,000.00
Auto Expense	34.97
Consultant/Professional Svcs Fees	1,610.00
Filing Fees (CLURS)	900.00
Legal Ads/Recruitment	134.76
Miscellaneous Expense	73.95
Office & Board Meeting Supplies	696.15
Office Equipment/Expense	1,605.16
Postage Expense	1,005.00
Printing/Pub/Dues/Subscriptions	460.00
Professional Development	2,600.00
Refunds	<u>45.00</u>

**TOTAL: \$ 13,693.41**

**SALARIES AND BENEFITS:**

FICA-BCPC Portion	\$ 5,923.93
Health/Dental/Life/LTD	13,199.72
Retirement – BCPC Portion	23,533.08
Salaries – Staff Expenses	81,244.20
Salaries – BCPC & BOA	<u>1,525.00</u>

**TOTAL: \$125,425.96**

**GRAND TOTAL: \$139,119.37**

**Mr. McMillian moved that the bills (expenses and salaries and benefits) be approved and paid as presented and indicated approval of those items, which have been previously paid. Mr. Harper seconded the motion and it carried unanimously.**

**ZONING MAP AMENDMENT – Corrin Gulick, Chairwoman, Michael Schwartz, Staff**

1. Request of **City of Florence (owner)** for a Zoning Map Amendment from Public Facilities/Planned Development/Parkway Corridor Study Overlay (PF/PD/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for the approximate 1.06 acre site located at 8275 Ewing Boulevard, Florence, Kentucky. The request is for a zone change to allow medical, dental, optical and veterinary clinics and professional office uses that provide medical, dental, optical and veterinary administrative services in an existing building.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Fact (see Committee Report). He noted the Committee voted unanimously to approve the request with Ms. Gulick, Mrs. Kegley, Mr. Bunger and Mr. Lunnemann voting in favor of the request.

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

At this time, Ms. Heilman entered the virtual Business Meeting.

Seeing no further comments, Chairman Rolfsen asked if there was a motion to take action? **Ms. Gulick moved to approve the Zoning Map Amendment by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact. Mr. Szurlinski seconded the motion and it passed unanimously.**

**CHANGE IN CONCEPT DEVELOPMENT PLAN – Kim Bunger, Chairman, Kevin Wall, Staff**

2. Request of **Farmview Commons LLC (applicant)** for **ERPS, Inc. (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 11.82 acre site located on the northeast corner of the US 42/Farmview Drive intersection and the southeast corner of the Old US 42/Farmview Drive intersection, Florence and Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit eating and drinking establishments and commercial uses, including drive-through facilities, elderly housing facility, multi-family housing, medical offices, and a car wash, and to modify previous conditions of approval concerning architectural design and to permit a 50 foot maximum building height on the entire site.

Mrs. Kegley and Mr. Patton announced that they were recusing themselves from voting on the request due to a potential conflict of interest. Both left the meeting virtually by leaving their cameras and muting their microphones.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval based upon Findings of Fact and subject to Conditions (see Committee Report). Mr. Wall noted the Committee voted unanimously to approve the request with Mr. Bunger, Mr. Lunnemann and Ms. Gulick voting in favor of the request.

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

Mr. Sean Suder, attorney for the applicant, thanked the Committee for their thoughtful review of the project. His client has agreed to all seventeen of the conditions. He looks forward to moving ahead with the project.

Seeing no further comments, Chairman Rolfsen asked if there was a motion to take action? **Mr. Bunger moved to approve the Change in Concept Development Plan by Resolution to the City of Florence and to the City of Union based upon the Committee Report and subject to the Findings of Fact and Conditions. Mrs. Steele seconded the motion and it passed unanimously (11-0) with Mrs. Kegley and Mr. Patton not voting on the request.**

**Mrs. Kegley and Mr. Patton returned to the meeting at this time.**

**ZONING MAP AMENDMENT – Janet Kegley, Chairwoman, Kevin Wall, Staff**

3. Request of **NorthPoint Development (applicant)** for **Greenfield Farm, Inc (owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for an approximate 208.73 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass, and to the north, northeast, and west of the property at 262 Chambers Road, and south of the property at 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow a subdivision for warehousing, distribution, and light manufacturing uses.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval based upon Findings of Fact and subject to Conditions (see Committee Report). Mr. Wall noted the Committee voted unanimously to approve the request with Mrs. Kegley, Mr. Bunger, Mr. Lunnemann, Mr. Patton and Ms. Gulick voting in favor of the request.

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

Mr. Marc Gloyeske, NorthPoint Development, noted that the Committee meeting was over 2 hours long. The request is in agreement with the Future Land Use Map and several sections of the Comprehensive Plan. The site has been planned for industrial since 2000. The improvements made at the interchange will help support the project. He is available to answer any questions.

Chairman Rolfsen asked if there was a motion to take action? **Mrs. Kegley moved to approve the Zoning Map Amendment by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Patton seconded the motion.**

Mr. Rolfsen asked if any of the Board members had any questions?

Mr. Szurlinski commented that he originally had some concerns about the project but he thought that the work the Committee did in terms of the conditions, especially the buffering and traffic, was good. He felt more comfortable about it and stated that he will vote in favor of it.

Mr. Patton acknowledged that the project has been a challenge for a couple of decades. Mr.

Patton suggested that Staff research the impact of smells on adjoining properties. We have a lot of information about noise and lighting but not a lot about smells. It may smell okay to one person and not to another. He is not sure where the science is with this issue. He asked if a sub-committee could be formed to look into this issue further as we may face it more into the future. Perhaps we need more standards.

Mr. Costello responded that smell is one topic that is being looked at as part of the Zoning Update.

Chairman Rolfsen inquired about the street connection to Dixie Highway? Mr. Wall reviewed Condition #10. The road widening is not scheduled at this time. Funds have been allocated for design only. There is an option of contributing funds or making the improvements after one million square feet of warehouse is built and occupied. The maximum square footage for the site is 3 million.

Mr. Bunger stated that he agreed with the Committee members, the Staff and applicant on the recommended conditions.

**Chairman Rolfsen asked for a vote on the original motion made by Mrs. Kegley and seconded by Mr. Patton. The motion passed unanimously.**

**TECHINAL/DESIGN REVIEW – Lori Heilman, Chairwoman, Todd Morgan, Staff**

4. Twin Peaks – 6835 Houston Road

Staff Member, Todd Morgan, referred to a Power Point presentation. The site is located in front of Wal-Mart on Houston Road. The applicant originally went through the Design Review process in December, 2020. The request is LED tube lighting (accents) on the top of the building's 4 sides. However, the Committee only recommended 3 sides. The rear façade will not have the LED lighting accent. This will be the same as approved for the new Texas Roadhouse restaurant and Chuy's restaurant on Houston Road.

Mr. Morgan noted that the Technical/Design Review Committee met prior to the Business Meeting and voted unanimously to approve the request showing the LED lighting accent only on 3 facades.

**Chairman Rolfsen asked if there was a motion to act on the request? Mrs. Heilman moved to approve the request based upon the Technical/Design Review Committee recommendation as presented and with the stated condition. Mr. Harper seconded the motion and it passed unanimously.**

**NEW BUSINESS:**

**ZONING TEXT AMENDMENT – Kevin Wall, Staff**

5. Request of the City of Union to consider Zoning Text Amendments to Section 3149 "Parking and Storage of Certain Vehicles" of the Boone County Zoning Regulations to: (1) add the provisions regarding parking and storage of certain vehicles which currently apply to unincorporated Boone County and the cities of Florence and Walton; and (2) repeal the provisions regarding parking and storage of certain vehicles which currently apply to the City of Union. The request is to hear and evaluate comments on proposed Zoning Text Amendments and how

they affect the current Boone County Comprehensive Plan and Boone County Zoning Regulations.

**ZONING TEXT AMENDMENT – Michael Schwartz, Staff**

6. Request of the Boone County Fiscal Court to consider a series of Zoning Text Amendments to Articles 6, 7, 8, 9, 16, 20, 23, 25, 31, and 40 of the Boone County Zoning Regulations to: (1) define "short term rental"; (2) allow "short term rentals" in agriculture, recreation, conservation, residential, Employment Planned Development/Residential Planned Development (EPD/RPD), Union Commercial (UC) and Small Community Overlay (SC) zones; and (3) add supplementary performance standards for "short term rentals". The request is to hear and evaluate comments on proposed Zoning Text Amendments and how they affect the current Boone County Comprehensive Plan and Boone County Zoning Regulations.

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

7. Request of William Martin (applicant) for Hebron Land Company, LLC (owner) for a Change in Approved Concept Development Plan in a Commercial Four (C-4) zone for a 1.29 acre site located at 2575 North Bend Road, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit retail, office, commercial service, and eating and drinking establishment uses.

**CHANGE IN CONCEPT DEVELOPMENT PLAN – Todd Morgan, Staff**

8. Request of Ken Butler (owner) for a Change in Approved Concept Development Plan in Commercial Two/Planned Development (C-2/PD) and Office One/Planned Development (O-1/PD) zones for a .9703 acre site located at 8747 US 42, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to modify a previous condition of approval regarding the location of a drive-through menu board sign.

**CHANGE IN CONCEPT DEVELOPMENT PLAN – Todd Morgan, Staff**

9. Request of Viox & Viox (applicant) for ERHAL Holdings LLC (owner) for a Change in Approved Concept Development Plan in a Urban Residential Two/Commercial Two/Planned Development (UR-2/C-2/PD) zone for an approximate 3.5 acre site located at 1200 Bill Wentz Drive, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow an alternate buffer yard planting scheme in the north/northeast most part of the site.

**ZONING MAP AMENDMENT AND CONCEPT DEVELOPMENT PLAN – Michael Schwartz,  
Staff**

10. Request of **Lee Richard Cahill (applicant)** for **Marshall Land Management LLC (owner)** for a Zoning Map Amendment from Suburban Residential Two/Parkway Corridor Study Overlay (SR-2/PO) zone to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) zone for the northern, approximate 1.3 acres of the property located at 7544 Burlington Pike, Florence, Kentucky; and the request of **Lee Richard Cahill (applicant)** for **Marshall Land Management LLC (owner)** for a Concept Development Plan in a Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) zone for the southern, approximate 1.23 acres of the property located at 7544 Burlington Pike, Florence, Kentucky. Both applications are for a total, approximate 2.53 acre site to allow an eating and drinking establishment, dog park, and food truck parking.

**Mr. Patton moved to schedule the Public Hearings for Items #5 through #10 on June 2, 2021 at 7:30 p.m. Mr. Lunnemann seconded the motion and it passed unanimously.**

**EXECUTIVE DIRECTOR'S REPORT:** Mr. Costello  
No Report

**COMMITTEE REPORTS:**

**AIRPORT:** Mr. Bessler  
No Report

**ADMINISTRATIVE/PERSONNEL:** Mr. Lunnemann  
No Report

**ENFORCEMENT:** Mr. Bungler  
No Report

**LONG RANGE PLANNING/COMPREHENSIVE PLAN:** Mr. Schwenke  
No Report

**TECHNICAL/DESIGN REVIEW:** Mrs. Heilman  
No Report

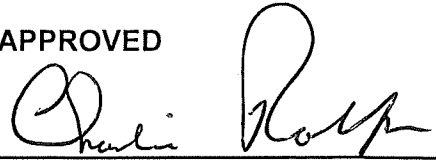
**EXECUTIVE:** Chairman Rolfsen  
No Report

**CHAIRMAN:** Chairman Rolfsen  
No Report

**OTHER:**

There being no further business to come before the Planning Commission, **Mr. Patton moved to adjourn the meeting. Mr. Schwenke seconded the motion and it passed unanimously. The meeting was adjourned at 7:48 P.M.**

APPROVED



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Charlie Rolfsen  
Chairman

Attest:



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Kevin P. Costello, AICP  
Executive Director

010

**CITY OF FLORENCE, KENTUCKY  
ORDINANCE O-10-21**

**AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FROM PUBLIC FACILITIES/PLANNED DEVELOPMENT/PARKWAY CORRIDOR STUDY OVERLAY (PF/PD/PO) TO COMMERCIAL TWO/PLANNED DEVELOPMENT/PARKWAY CORRIDOR STUDY OVERLAY (C-2/PD/PO) FOR THE APPROXIMATE 1.06 ACRE SITE LOCATED AT 8275 EWING BOULEVARD, FLORENCE, KENTUCKY, TO ALLOW MEDICAL, DENTAL, OPTICAL AND VETERINARY CLINICS AND PROFESSIONAL OFFICE USES THAT PROVIDE MEDICAL, DENTAL, OPTICAL AND VETERINARY ADMINISTRATIVE SERVICES IN AN EXISTING 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-21-010-A recommended approval for a zoning map amendment, 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 City of Florence (Applicant/Owner) for a zoning map amendment from Public Facilities/Planned Development/Parkway Corridor Study Overlay (PF/PD/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for the approximate 1.06 acre site located at 8275 Ewing Boulevard, Florence, Kentucky, to allow medical, dental, optical and veterinary clinics and professional office uses that provide medical, dental, optical and veterinary administrative services in an existing building, shall be and is hereby approved.

The real estate which is the subject of this request is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be amended or changed to reflect the zoning map amendment for this subject property.

**SECTION II**

The approval of this zoning map amendment 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, 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-21-010-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-21-010-A, marked Exhibit "B", and attached hereto.

**SECTION IV**

If the approval for this zoning map amendment 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, or comprehensive plan provisions as they are severable from this Ordinance and are intended to have full force and effect regardless of any invalidity relating to this particular Ordinance.

**SECTION V**

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

PASSED AND APPROVED ON FIRST READING THIS 8<sup>th</sup> DAY OF June, 2021.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 22<sup>nd</sup> DAY OF June, 2021.

APPROVED:

Diane E. Whalen  
Diane E. Whalen, Mayor

ATTEST:

Melissa Kramer  
Melissa Kramer, City Clerk

**CITY OF FLORENCE, KENTUCKY  
READING SUMMARY**

**ORDINANCE O-10-21**

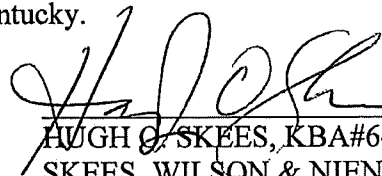
**AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FROM PUBLIC FACILITIES/PLANNED DEVELOPMENT/PARKWAY CORRIDOR STUDY OVERLAY (PF/PD/PO) TO COMMERCIAL TWO/PLANNED DEVELOPMENT/PARKWAY CORRIDOR STUDY OVERLAY (C-2/PD/PO) FOR THE APPROXIMATE 1.06 ACRE SITE LOCATED AT 8275 EWING BOULEVARD, FLORENCE, KENTUCKY, TO ALLOW MEDICAL, DENTAL, OPTICAL AND VETERINARY CLINICS AND PROFESSIONAL OFFICE USES THAT PROVIDE MEDICAL, DENTAL, OPTICAL AND VETERINARY ADMINISTRATIVE SERVICES IN AN EXISTING BUILDING.**

**SUMMARY**

This Ordinance adopts and approves a zoning map amendment from Public Facilities/Planned Development/Parkway Corridor Study Overlay (PF/PD/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for the approximate 1.06 acre site located at 8275 Ewing Boulevard, Florence, Kentucky, to allow medical, dental, optical and veterinary clinics and professional office uses that provide medical, dental, optical and veterinary administrative services in an existing building.

**CERTIFICATION**

I hereby certify that the foregoing is a summary of the contents of the Ordinance titled above and that it was prepared by me this 8<sup>th</sup> day of June, 2021, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.

  
\_\_\_\_\_  
HUGH O. SKEES, KBA#64730  
SKEES, WILSON & NIENABER, PLLC

7699 Ewing Blvd., P.O. Box 756

Florence, KY 41022-0756

Phone: (859) 371-7407

Fax: (859) 371-9872

**R E C E I V E D**  
 MAR 01 2021  
 BOONE COUNTY 7600  
 PLANNING COMMISSION



2/25/2021, 10:41:02 AM

- |                       |                    |                               |
|-----------------------|--------------------|-------------------------------|
| Major Streets         | Parcel Tract Lines | Exterior Features             |
| — Arterial            | Paved Areas        | — Sidewalk                    |
| — Collector           | — Crosswalk        | — Walking Trail               |
| — Residential Streets | Roadway            | Recreation Features           |
| — Building Footprints | Parking Lot        | — Skate Park                  |
| — Tax Parcels         |                    | Building Site Number (Labels) |

ZONING MAP AMENDMENT  
**APPROVED** 1:1,128

Staff M. Schmitt 02/20/21  
 Date 5/5/2021

Boone County  
 GIS Services, Division, Boone County Planning Commission  
 Planning Commission