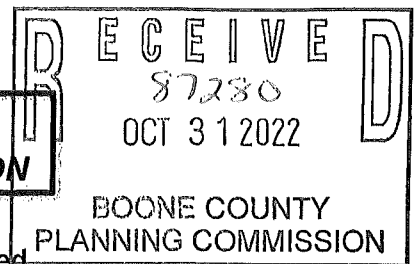


**CONCEPT DEVELOPMENT PLAN  
BOONE COUNTY PLANNING COMMISSION**



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. Type of review (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)
  - Zoning Administrator Review (as stated in the I-275/Graves Road Interchange Study)
  
2. Name of Project: New Development for Dewey's / Braxton
3. Location of Project: U.S. Highway 42 at Kroeger Marketplace PD Outlot
4. Total Acreage of Project: 5.657
5. Current Zoning of Property: C-2/PD/CD
6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):  
01/03/2018
  
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission  Yes  No  
If yes, indicate the name of the study: \_\_\_\_\_
8. Proposed Use(s) (specify each use):  
Eating and Drinking Establishments
  
9. Proposed Building Intensities (specify for each building):  
Graeters = 5,950 g.s.f. Dewey's / Braxton = 8,086 g.s.f. Acres = 5.657
  
10. Have you submitted a Concept Development Plan:  Yes  No
11. Are you applying for any of the following (check all that apply):  
 Conditional Use Permit  Variance
12. Current Owner: Graeter Properties Limited  
Address: 2245 Gilbert Ave  
Cincinnati Ohio 45206  
City State Zip Code  
Phone Number: 800-721-3323 Fax Number: -  
Email: rich@graeters.com
  
13. Applicant: Gregory P. Tilsley

Address: 1140 St. Gregory St.  
Cincinnati OH 45202  
City State Zip Code  
Phone Number: 513-651-4300 Fax Number: 513-651-1768  
Email: gpt@tilsleyarchitects.com

14. Are there any existing buildings on the site:  Yes  No  
If yes, indicate how many: \_\_\_\_\_

15. 063.00 29 003.00  
Deed Book Page Number Group Number

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

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

Prior to construction of improvements, the applicant is recommended to submit copies of the Site Plan to the appropriate organizations/agencies prior to approval by the Boone County Planning Commission.

- |   |   |
|---|---|
| <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 type="checkbox"/> Florence Public Services Department  | <input type="checkbox"/> Other: _____                                 |
| <input type="checkbox"/> Kentucky Division of Water   |   |
| <input type="checkbox"/> Kentucky Transportation Cabinet  |   |

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

19. 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 01/05/2023

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

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

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

1. Date Received: 10/31/22 Fee Received: \$ 24,291.14 Receipt #: 87280
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: M. Schwartz
6. Committee Chairperson: Steve Harper
7. Scheduled Public Hearing Date: 12/17/2022
8. Boone County Planning Commission Action: \_\_\_\_\_ Date of Action: 1/4/2023
  - \_\_\_\_\_ Approved
  - \_\_\_\_\_ Approved with Conditions
  - \_\_\_\_\_ Denial
  - \_\_\_\_\_ 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](mailto:plancom@boonecountyky.org)  
[www.boonecountyky.org](http://www.boonecountyky.org)

# EXHIBIT

“A”

## STAFF REPORT

#1

Request of **Gregory P. Tilsley (applicant)** for **Graeter's Properties Limited (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district for an approximate 5.7 acre area located at 8905 US 42, Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow two additional eating and drinking establishments, a central plaza area, and interconnected parking facilities.

December 7, 2022

### REQUEST

- A. The request is for a Change in an Approved Concept Development Plan for an approximate 5.7 acre area located along the southeast side of US 42, approximately 400 feet west of Braxton Drive. The proposal is to construct an 11,217 square foot building to be occupied by Braxton Brewing (7,566 square feet) and Dewey's Pizza (3,651 square feet), provide for a central plaza area, and have interconnected parking facilities with the previously approved Graeter's Ice Cream facility.

### SITE HISTORY

- 2014 On April 13, 2014, Union City Commission adopted Ordinance Number 2014-004 approved a Zoning Map Amendment from Rural Suburban Estates/Union Town Overlay (RSE/UTO) to Commercial Two/Planned Development (C-2/PD) for a 35.25-acre site. The approved Concept Development Plan showed the following improvements (R-14-003-D):
- 22.53-acre site with a 136,000 square foot Kroger Marketplace, 8,000 square foot liquor store, fuel center, and 730 parking stalls. Access to site is shown from a private driveway network that connects to US 42 in two locations. The first location is directly opposite Old Union Road and the second is directly opposite Fowlers Lane.
  - A 7.99-acre outlot area in the northeastern portion of the site.
  - 4.73-acre outlot area between the access points.
- 2017 On February 13, 2017, the Boone County Planning Commission approved a Final Plat for Union Marketplace, creating Lot 3. The site in question is located within this lot.
- 2018 On May 21, 2018, Union City Commission adopted Ordinance Number 2018-04 approving a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 7.853-acre site and a 4.8589-acre site which includes the area under review as part of this submittal. The request allowed modifications to the Union Kroger Marketplace outlot uses and standards relative to building materials and parking requirements (R-18-002-A).
- 2018 On November 1, 2018, the Boone County Planning Commission approved a Final Plat for Union Marketplace – Re-Plat of Lot 3, creating the lot under review.
- 2022 On September 12, 2022, Union City Council adopted Ordinance Number 2022-18 approving a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 2.78 acre portion of the site under review. The request was for an eating and drinking establishment (Graeter's) (R-22-020-A).

### 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 AUtilization 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.
- C. 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."

### EXISTING CONCEPT DEVELOPMENT PLAN

- A. The existing approved Concept Development Plan indicates the following:
1. Construction of a 5,950 square foot restaurant.
  2. Provision for 77 parking spaces.
  3. Provision for a drive through lane.
  4. Provision for a dumpster enclosure.
  5. Provision for utilities.
  6. Provision for landscaping.

7. Provision for an outdoor patio.
8. Access via the existing Kroger driveways and parking lot.
9. Building materials of predominantly brick and EIFS.
10. Provision for signage.

#### SITE CHARACTERISTICS

- A. The approximate 5.7 acre site is located along the south and west sides of US 42 Highway, north of the Wings and Rings store.
- B. The site currently vacant.
- C. Access to the site is currently provided from a private driveway as part of the Kroger parking lot.
- D. The topography of the site is relatively flat, with the exception of an existing detention facility located along the western property line.
- E. A one hundred (100) foot wide overhead utility easement bisects the proposed development area.

#### ADJACENT LAND USES AND ZONING

- North: US 42, Wendy's, Donato's, Electric Substation, and Single-Family Residential Dwellings Fronting on Old Union Road (RS/UTO)
- South: Union Kroger Marketplace and Wings & Rings(C-2/PD)
- East: Boone County Library (C-2)
- West: US 42, Old Union Road, Fowlers Lane, Villas at Fowler Creek (SR-2/UTO), and Undeveloped Property (RSE/UTO)

#### RELATIONSHIP TO COMPREHENSIVE PLAN

- A. Our Boone County Plan 2040 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. Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population (Demographics Goal

A, Objective 3).

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).
5. Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 2).
6. Local agriculture, business products, and services shall be encouraged and supported (Economy Goal A, Objective 4).
7. 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).
8. Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy Goal B, Objective 1).
9. 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. The U.S. 42 corridor should experience commercial growth on a smaller scale to mitigate any adverse impacts and to be compatible with surrounding land uses and densities. As defined by the 2000 Union Town Plan, commercial development should occur in neighborhood business district form in specified locations instead of strip type commercial (Land Use, Description and Purpose of Land Use Maps, 20 Union, page 137).

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

1. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; where appropriate, existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate. Natural green space benefits the community as well as encourages developers to create innovative development designs through clustering of buildings and impermeable area. Typically, buffering is required and

provided between both like and unlike land uses. However, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer areas should use and supplement existing site features where possible (Land Use, Future Land Use Development Guidelines, Buffering, pages 95-96).

2. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to soften the visual impacts of the development from adjoining properties and roadways. The amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping helps purify the air of harmful pollutants, thus reducing health impacts. It also helps reduce the quantity and improve the quality of storm water runoff, including temperature. The use of bioretention islands (water filtering basins) and grass swales should be used where possible in place of raised islands as described in Northern Kentucky's Storm Water Best Management Practices Manual (2012). Native species are often heartier than nursery stock and should be used wherever possible to minimize pesticides and other high impact forms of maintenance. Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses (Land Use, Future Land Use Development Guidelines, Landscaping, page 96).

- E. US 42 is identified as a state maintained arterial street providing for two-way traffic within five driving lanes (two lanes in each direction with a center left turn lane). Sidewalks are provided along both sides of the roadway.

#### STAFF COMMENTS

- A. The submitted Concept Development Plan indicates the following:
  1. Construction of a two-story building:
    - a. 8,086 square first floor
    - b. 1,688 square foot mezzanine
    - c. 1,443 square feet terrace
  2. Provision for an activity lawn area.
  3. Provision for a beer garden/plaza between the proposed building and the Graeter's building.
  4. An off street parking area, interconnected with the parking area for Graeter's.

5. Access from a shared driveway with Graeter's and Wings and Rings.
6. Provision for a free standing decorative beer silo.
7. Provision for the following signage:
  - a. An approximate 73 square foot building mounted sign on the south building façade for Dewey's Pizza.
  - b. An approximate 48 square foot building mounted sign on the south building façade for Braxton Brewery.
  - c. An approximate 25 square foot building mounted sign on the east building façade for a Dewey's Pizza logo.
  - d. An approximate 374 square foot wall mural on the west building façade for Braxton Brewery.
  - e. An approximate 125 square foot wall mural on the north building façade for Braxton Brewery.

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

1. Section 1514 of the Boone County Zoning Regulations includes a set of criteria that is to be used to evaluate the appropriateness of proposed developments. The following is an analysis of this criteria against the submitted plan:
  - a. Mixed Use Development and Pedestrian Orientation – The site is part of a larger development complex and the submitted plan provides for two eating and drinking establishments. The submitted plan also provides for a large pedestrian area between the proposed building and the Graeter's building.
  - b. Compatibility of Uses – The site, which is proposed to be developed with a pizza restaurant and a microbrewery restaurant, will complement the previously approved ice cream restaurant.
  - c. Open Space – The submitted plan provides for a large open plaza area.
  - d. Multi-Modal Transportation System – Not applicable.
  - e. Preservation of Existing Site Features – Not applicable.
  - f. Landscaping – This will be addressed at the Site Plan stage of development.
  - g. Architecture – The submitted plan indicates that the building will be predominantly brick and metal siding.
  - h. Historic and Prehistoric Features – Not applicable.
  - i. Transportation Connections and Entry Points – The submitted plan indicates that access will be from an existing shared access drive. The parking area will be interconnected with the parking area for Graeter's. There will be no interconnection to the adjacent Kroger development.
2. Section 3316 regulates on-site lighting.

Insufficient information has been submitted to determine compliance with this requirement. This will be addressed at the Site Plan stage of development.

3. Section 3413.1 states that under no circumstances shall any establishment be allowed more than three (3) elevations of building mounted signage.

The submitted plan indicates that building mounted signage will be installed on all four (4) building elevations.

4. Pursuant to Section 3413.1, the following table provides an analysis of allowed building mounted signage and proposed building mounted signage:

South Elevation	236 sq. ft.	121 sq. ft.
North Elevation	118 sq. ft.	125 sq. ft.
West Elevation	84 sq. ft.	374 sq. ft.
East Elevation	0 sq. ft.	25 sq. ft.
TOTAL	438 sq. ft.	645 sq. ft.

5. Section 3413.4.1.c states that a free standing sign shall not exceed a maximum of 200 square feet of sign area.

The submitted plan shows that a free standing decorative beer silo will be installed so that it is visible from US 42. This silo will function as a sign and meets the definition of a sign under the zoning regulations. While the area of the silo is not provided, by scale it will be greater than 200 square feet.

6. Section 3413.4.1.d states that a free standing sign shall not exceed 30 feet in height.

Insufficient information has been submitted to determine compliance with this requirement.

7. Section 3645 requires a minimum 60 foot wide buffer yard between developments in the C-2 district and areas zoned SR-1.

The southeast corner of the site is adjacent to a SR-1 district, being the back yard of the property at 9021 Braxton Drive. The submitted plan indicates that there will be a 37 foot wide buffer yard.

8. Section 3645 requires a minimum 10 foot wide buffer yard between developments in the C-2 district.

The submitted plan indicates that there will be a 7'-10" wide buffer yard between the site in question and the adjacent Wings and Rings.

- C. The applicant has provided documentation stating that they intend to install a free standing sign at the entrance to the site.

This will create the situation where the proposed entry sign will ultimately not be on the same lot as the development. Additionally, the type, height, and area of the sign is not provided.

- D. Staff has reviewed the submitted Concept Development Plan against the Design Requirements of the existing approved Concept Development Plan.
1. The design requirements state that commercial buildings shall be one story in height.  
  
The submitted plan shows that the building will be two stories in height.
  2. The design requirements state that all structures shall be oriented towards US 42.  
  
The submitted plan shows that the building will be oriented towards the interior of the site.
  3. The design requirements provide for building materials that are allowed. The list does not include metal siding.  
  
The submitted plan indicates that a significant portion of the building will have metal siding.
  4. The design requirements state that all roof mounted mechanical equipment shall be screened from public rights-of-way and from all adjoining residential properties.  
  
Insufficient information has been submitted to determine compliance with this requirement.
  5. The design requirements state that each outlot shall be allowed one (1) monument sign with a stone base, a maximum height of six (6) feet, and a maximum sign area of forty-eight (48) square feet.  
  
The submitted plan provides for a decorative beer silo that is being determined to be a sign. This silo is not a monument sign, is taller than six (6) feet, and larger than forty-eight (48) square feet.

#### STAFF CONCERNS

- A. The following list provides a summary of those requirements that are being requested to be waived/alterd using the PD district regulations:
1. Allowing building signage on all four building elevations.
  2. Allowing building mounted signage to be larger than allowed.
  3. To allow a free standing sign to be larger than allowed.
  4. To allow a free standing sign to be taller than allowed.
  5. To reduce the buffer yard width between the proposed development and the adjacent SR-1 district.
  6. To reduce the buffer yard width between the proposed development and the adjacent C-2 district.
- B. The adjoining Kroger development was designed and built to provide for a driveway connection between the Kroger development and the site in question. The submitted

plan does not utilize this connection.

The applicant should address why this connection is not being made.

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  
Director, Zoning Services

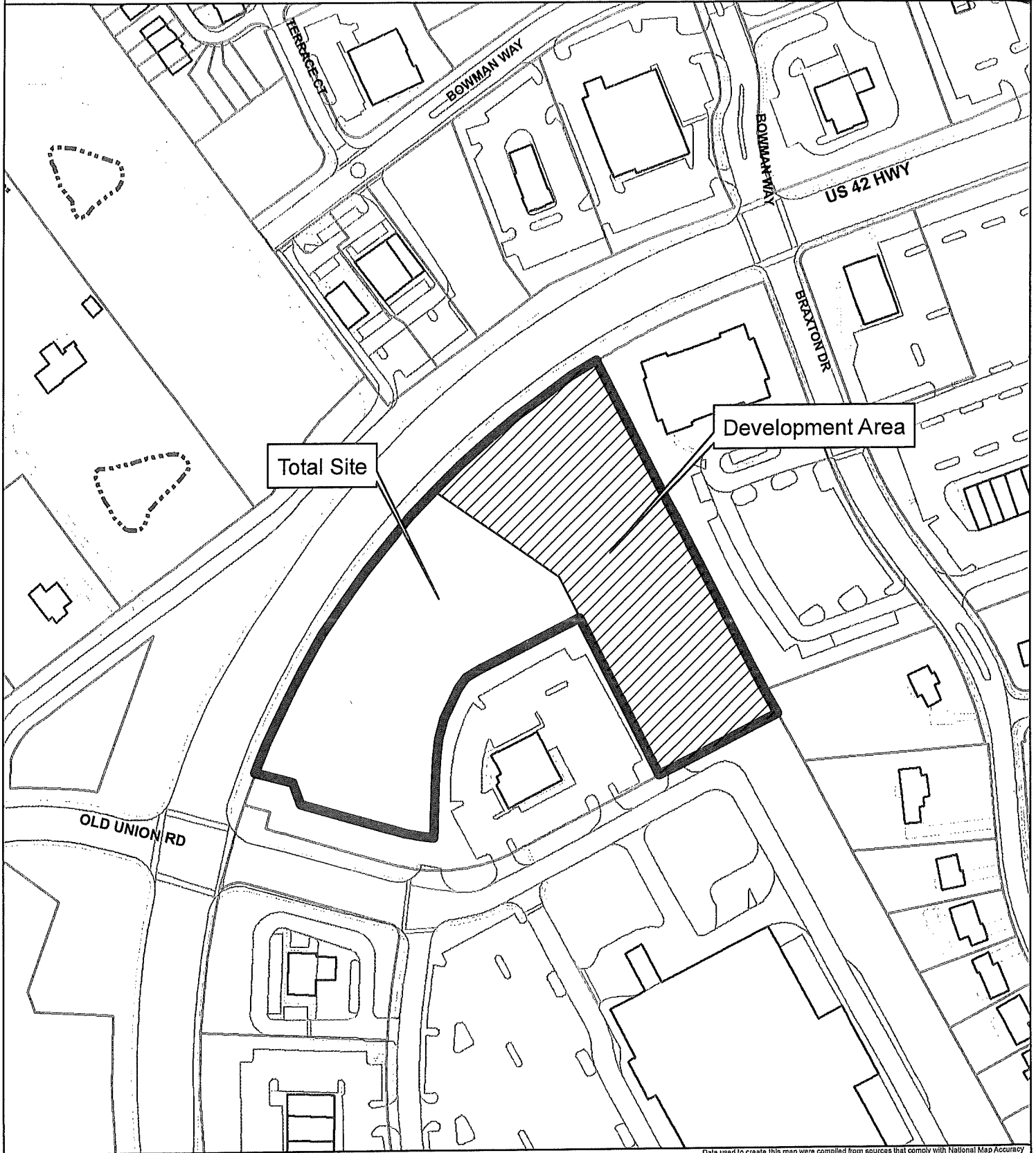
MDS/ss

Attachments:

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

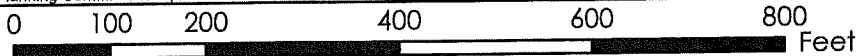
# Vicinity Map

www.boonecountygis.com



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1 inch = 200 feet



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

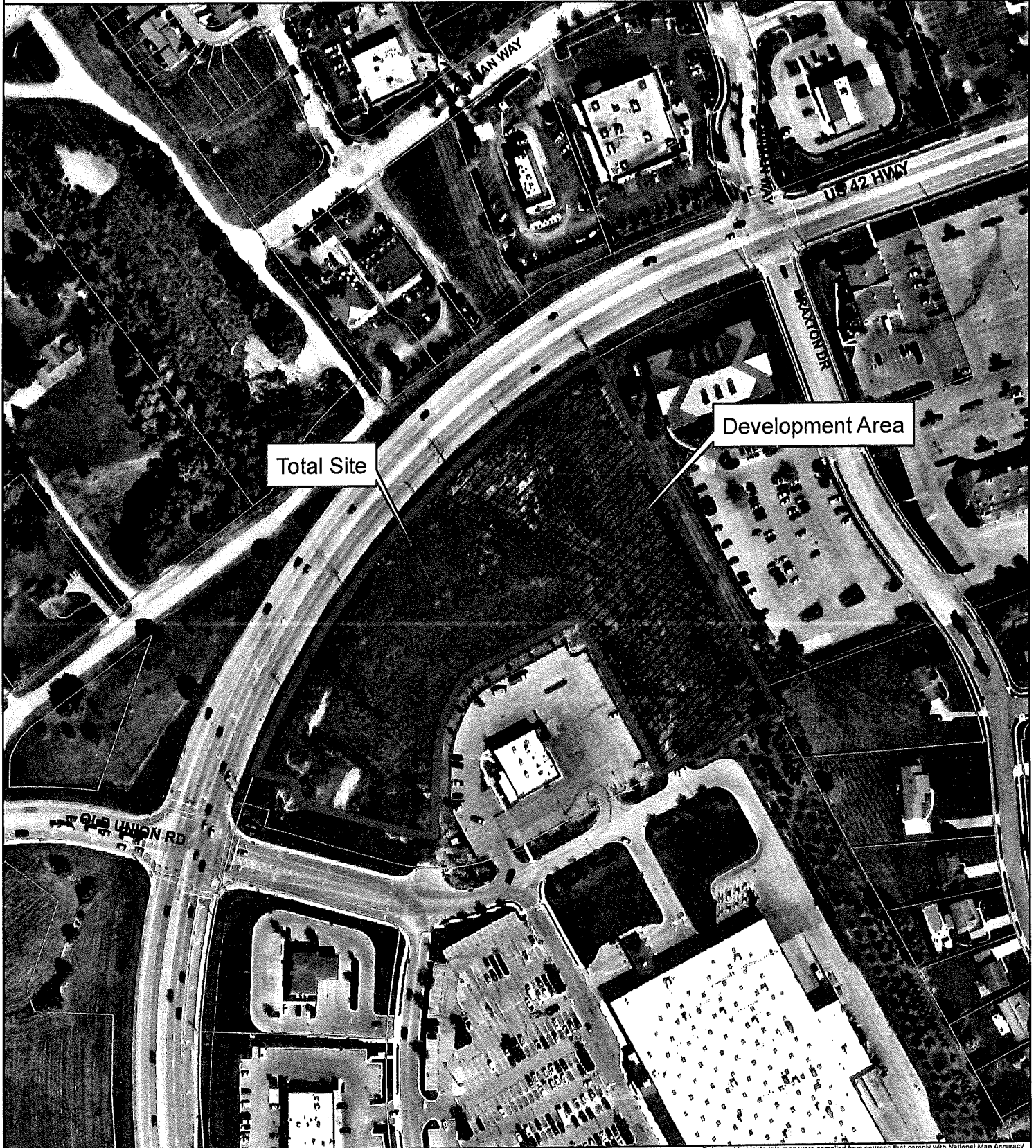


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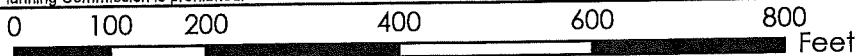
# Aerial Map

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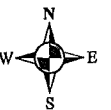
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# Topographical Map

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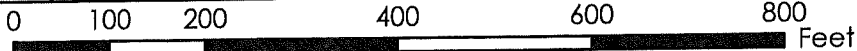


Development Area

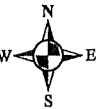
Total Site

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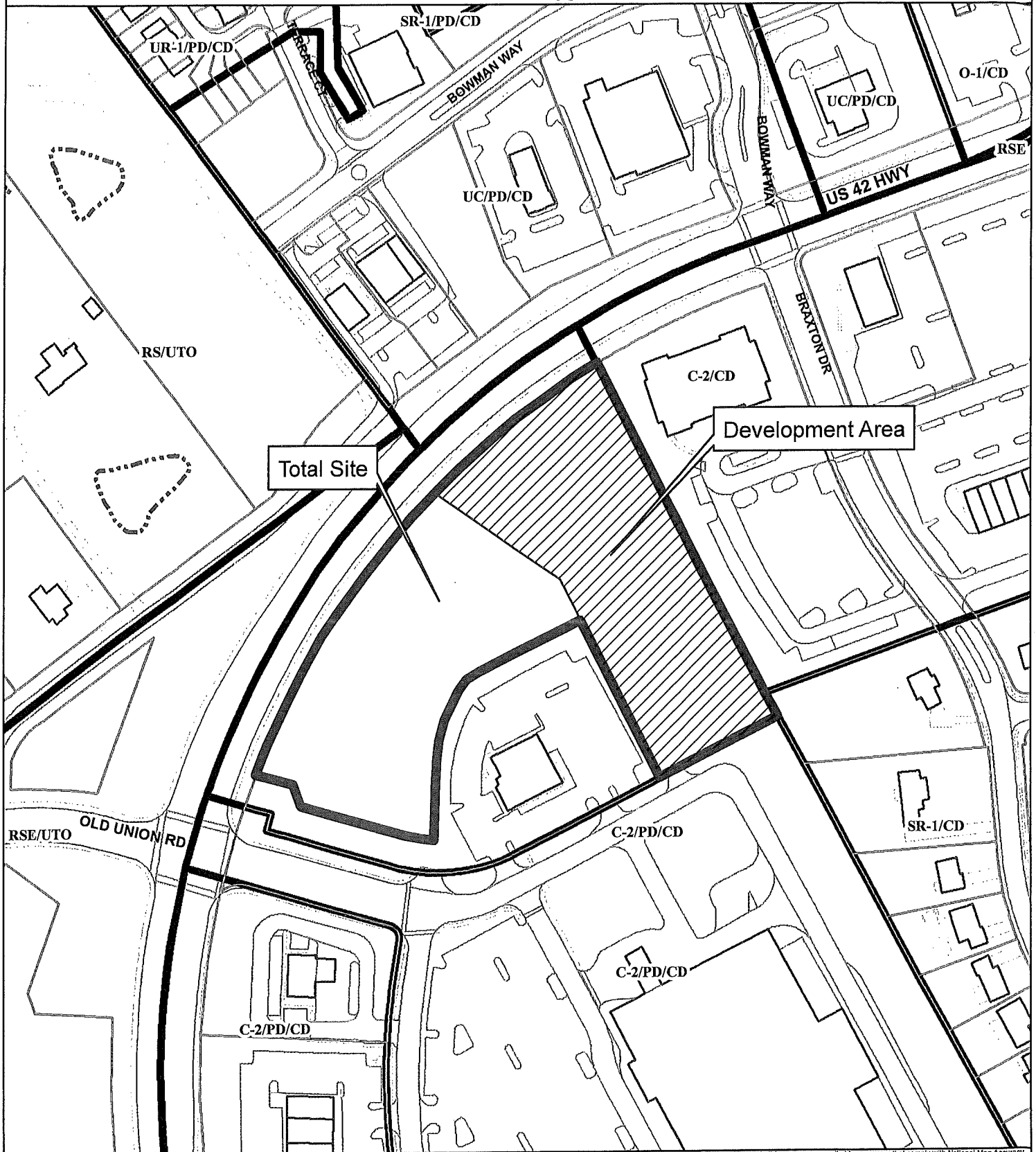
**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 10/22/2021

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ArcMap Document: \*.mxd

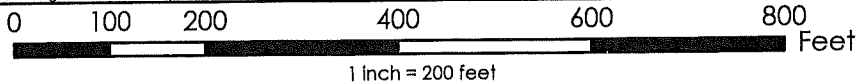
# Zoning Map

www.boonecountygis.com

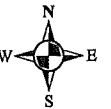


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**Boone County GIS - Putting Northern Kentucky on the Map**



Map Created: xx/xx/2021

Map Document: \*.mxd

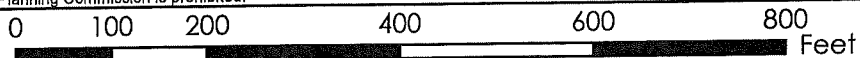
# 2040 Future Land Use Map

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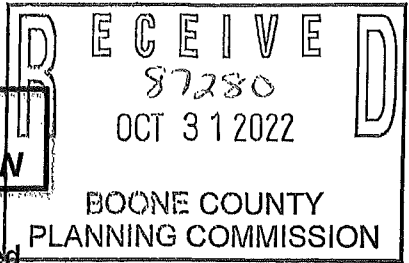
1 inch = 200 feet



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



**CONCEPT DEVELOPMENT PLAN  
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. Type of review (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)
  - Zoning Administrator Review (as stated in the I-275/Graves Road Interchange Study)
  
2. Name of Project: New Development for Dewey's / Braxton
3. Location of Project: U.S. Highway 42 at Kroeger Marketplace PD Outlot
4. Total Acreage of Project: 5.657
5. Current Zoning of Property: C-2/PD/CD
6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):  
01/03/2018
  
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission  Yes  No  
If yes, indicate the name of the study: \_\_\_\_\_
8. Proposed Use(s) (specify each use):  
Eating and Drinking Establishments
  
9. Proposed Building Intensities (specify for each building):  
Graeters = 5,950 g.s.f. Dewey's / Braxton = 8,086 g.s.f. Acres = 5.657
  
10. Have you submitted a Concept Development Plan:  Yes  No
11. Are you applying for any of the following (check all that apply):  
 Conditional Use Permit  Variance
12. Current Owner: Graeter Properties Limited  
Address: 2245 Gilbert Ave  
Cincinnati Ohio 45206  
City State Zip Code  
Phone Number: 800-721-3323 Fax Number: -  
Email: rich@graeters.com
  
13. Applicant: Gregory P. Tilsley

Address: 1140 St. Gregory St.  
Cincinnati OH 45202  
City State Zip Code  
Phone Number: 513-651-4300 Fax Number: 513-651-1768  
Email: gpt@tilsleyarchitects.com

14. Are there any existing buildings on the site:  Yes  No  
If yes, indicate how many: \_\_\_\_\_  
15. 063.00 29 003.00  
Deed Book Page Number Group Number

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

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

Prior to construction of improvements, the applicant is recommended to submit copies of the Site Plan to the appropriate organizations/agencies prior to approval by the Boone County Planning Commission.

- |   |   |
|---|---|
| <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 type="checkbox"/> Florence Public Services Department  | <input type="checkbox"/> Other: _____                                 |
| <input type="checkbox"/> Kentucky Division of Water   |   |
| <input type="checkbox"/> Kentucky Transportation Cabinet  |   |

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

19. 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 01/05/2023

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

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

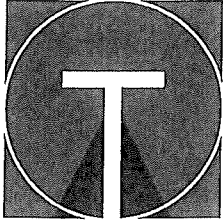
**SECTION B:** (To be completed by Planning Commission staff)

1. Date Received: 10/31/22 Fee Received: \$2429.14 Receipt #: 87280
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: \_\_\_\_\_
6. Committee Chairperson: \_\_\_\_\_
7. Scheduled Public Hearing Date: \_\_\_\_\_
8. Boone County Planning Commission Action: \_\_\_\_\_ Date of Action: \_\_\_\_\_
  - \_\_\_\_\_ Approved
  - \_\_\_\_\_ Approved with Conditions
  - \_\_\_\_\_ Denial
  - \_\_\_\_\_ 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](mailto:plancom@boonecountyky.org)  
[www.boonecountyky.org](http://www.boonecountyky.org)

October 28, 2022

Boone County Planning Commission  
Boone County Administrative Building  
2950 Washington Street, Rm. 317  
P.O. Box 958  
Burlington, KY 41005



TILSLEY  
ARCHITECTS

Attn: Michael Schwartz  
Re: Change of Concept Plan Application – Dewey's / Braxton Project  
Union Ky. 8905 US 42 Highway, Union KY. 41091

**Dear Michael,**

The following letter is a notification / cover letter for the attached Boone County Change of Concept Plan Submission for the proposed Dewey's / Braxton Building in Union Kentucky. The project is part of the Kroger Market Place PD that was previously approved and subsequently amended to accommodate new uses. Dewey's / Braxton request a modification to the previously approved 2017 Kroger Union Outlets concept plan.

Requested Modification:

- Change of concept plan from the previous approved Office Use to Restaurant use for the proposed Dewey's / Braxton Building.

The remainder of the submittal package including but not limited to parking count, landscaping, site development standards, building materials and other related items is per Dewey's / Braxton's understanding and interpretation of the Boone County zoning code. The attached submittal package has also been developed to satisfy the requirements of Boone County Zoning Ordinance 303 Item 1-7 as well as supplemental items 1-18 for projects in the PC Overlay District in conjunction with Section 1514.

Should there be any additional items or questions regarding our submittal please let us know and we will get those to you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory P. Tilsley', is written over a circular stamp. The signature is fluid and cursive.

Gregory P. Tilsley, AIA

## **PROJECT NARRATIVE**

### INTRODUCTION

Dewey's Pizza and Braxton Brewery propose to develop the property located on the 5.657 acre parcel located on the Northwest portion of the Kroger Market Place PD and as shown on the attached site plan. The project is located on the same parcel as the previously approved Graeter's project and will be split off from that parcel into its own 2.88 parcel. Both Dewey's and Braxton are well known and established brands and will play off of each other's strengths to create a new and dynamic venue for patrons to enjoy. The 5.657 acre parcel is bisected by a 100 foot wide utility easement where no structures can be built upon therefore we have taken that part of the property and will transform it into a common space that can be shared by Dewey's, Braxton and Graeter's in order to enhance the guest experience.

### MIXED USE DEVELOPMENT AND PEDESTRIAN ORIENTATION

The proposed development has been looked at holistically in order to benefit not only Dewey's and Braxton but Graeter's as well. At the center of the development, located under the utility easement, we are proposing a Beer Garden type plaza that will be populated with casual furniture for use by all of the adjoining businesses. This will be a space that fosters a social atmosphere and enhances everyone's experience. The design promotes pedestrian circulation and provides connectivity for the benefit of all of the businesses. There will be landscaping and features that will beautify the development and encourage customers to relax and enjoy themselves.

### COMPATABILITY OF USES

The proposed development is compatible with the surrounding land uses within the planned development itself and adjacent sites. The proposed development is surrounded by similar commercial properties, including a Domino's Pizza restaurant, Kroger Marketplace and Boomtown Biscuits & Whiskey restaurant.

### OPEN SPACE

The proposed development provides ample open space with outdoor seating areas for people to enjoy being outside. This green space will be connected by pathways to allow for pedestrian circulation between the businesses and provides a common amenity for social interaction. The project complies with all of the buffer yard requirements except for one located between Wings and Rings and our property. In this location the required buffer yard is 10'-0" with ours being only 7'-10", therefore we are requesting a 2'-2" variance from this buffer requirement.

### PARKING AND VEHICULAR CIRCULATION

The development complies with all of the parking standards and number of spaces required for the prescribed uses. Based on the parking ratios in the zoning code, 172 parking spaces are needed for both businesses and 181 will be provided. The parking analysis can be found on the Concept Development Site Plan. Cars will enter the site from a drive that is located on the south part of the site and will travel north into the parking lot. There is currently a curb cut in this location that we will be utilizing. This access drive will be a shared with Graeter's and their customers as well. A service area will be located on the north side of our building where deliveries will be made and trash picked up. This area has been separated from customer vehicle areas in order to provide a safer environment for people to access the businesses. Landscaping will be installed around the service area to help screen the view from public ways.

### PRESERVATION OF EXISTING SITE FEATURES

The proposed Development is located on a vacant site with no vegetation or landscaping. The subject site is adjacent to an existing Wings and Rings restaurant.

### LANDSCAPING

The proposed landscaping shows our concept for landscaping the site. We will meet or exceed the minimum requirements for landscaping the parking lot. Our primary focus for landscaping will be next to and around the buildings. In these areas we intend to provide a variety of landscaping elements in order to create a unique and attractive outdoor environment for patrons to enjoy. Detailed landscaping plans will be developed for further review.

### ARCHITECTURE

The design of the project will be contemporary and unique for its use. The goal is to design a building that stands out from other typical Retail buildings and will become identifiable as the Dewey's / Braxton Building. The building will have a mezzanine level from which patrons can gain access to a roof terrace that overlooks the Beer Garden. The design of the building is intended to promote the Brand of both businesses and to encourage a fun and lively atmosphere. The primary materials for the exterior will be Brick, Glass, wood and metal siding. They are shown in our illustrations and called out on the elevations.

### TRANSPORTATION CONNECTIONS AND ENTRY POINT

The proposed development will include connections to adjoining properties and developments and will include inter-connectivity within the development itself. The proposed development will use the transportation connection from US Highway 42 that the surrounding commercial properties use.

### STORM WATER

The parking lots and all hard / impervious surfaces will be managed through a network of Catch Basins and collection areas that will then be directed to a Detention Basin located on the west end of the property. This Basin has been previously sized for our development and has the capacity to handle our site. Calculations and details will be provided for further technical review upon approval of our design.

### UTILITIES AND INFRASTRUCTURE

The site has been pre-developed for use as a commercial building. Utilities are available to the property through the following Agencies:

- Duke Energy: Gas and Power
- Boone County Water District: Water & sewer
- Sanitary District 1: Sanitary sewer.
- Boone County Sheriff- Providing standard monitoring and services already provided to the Union Marketplace Development.
- Fire District – UFD Providing standard monitoring and services already provided to the Union Marketplace Development.

### SIGNAGE

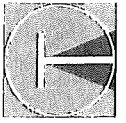
The building is unique because it can be seen from several different vantage point based on the direction you are approaching the building. Since the customer will be entering the building from the Beer Garden side ( West Elevation ) we are designating it as the primary façade. Based on our calculations we calculated the permitted signage area to be 204 s.f.. The actual proposed signage area on the primary façade is 130 s.f.

The secondary elevation facing the parking lot ( South Elevation ) has a permitted signage area of 72 s.f and we are proposing 30 s.f. of signage.

On the façade facing U.S. 42 we are proposing a wall graphic to enhance the aesthetics of the building. Because of the unique site shape and orientation we are forced to enter the site from the south which is the opposite direction of U.S. 42. As a consequence, the entrance to our building is on the west elevation with many of the back of house functions being on the northeast side of the building resulting in a portion of the building that is windowless. In an effort to add interest to this façade, we are painting the building a blue color and proposing a wall graphic. The graphic will be primarily on the US 42 side with a small portion of it wrapping around the corner of the building. The total graphic size will be 196 s.f.

We are also proposing to install a sign at the entry to our site that will identify the Businesses and provide directional information to the parking lots. This sign will comply with the allowable size requirements of the zoning code.





**TILSLEY ARCHITECTS**  
 1000 S. MAIN ST., SUITE 100  
 BRAXTON, KY 40309  
 PH: 502-333-1111  
 FAX: 502-333-1112

New Development For:  
**DEWEYS / BRAXTON**  
 UNION KENTUCKY  
 KY 41091



CONCEPT DEVELOP PLAN 1/12/20  
 DATE: 1/12/20  
 DRAWN BY: GPH  
 CHECKED BY: GPH  
 SCALE: AS SHOWN

A1.0

**INTENSITY**  
 SITE AREA: 3.67 ACRES  
 PROPOSED BUILDING FOOTPRINT: 140,000 SF (4.0 ACRES)  
 PROPOSED PARKING SPACES: 1,100  
 PROPOSED TRUCK SPACES: 100  
 PROPOSED BIKE SPACES: 100

**PROPOSED BUILDING SUMMARY**

**DEWEY'S PIZZA**  
 AREA: 10,000 SF  
 SIZE: 84' x 120'

**BRAXTON BREWING CO.**  
 AREA: 10,000 SF  
 SIZE: 100' x 100'

**OFFICE**  
 AREA: 10,000 SF  
 SIZE: 100' x 100'

**TRUCK**  
 AREA: 10,000 SF  
 SIZE: 100' x 100'

**OVERALL**  
 AREA: 140,000 SF  
 SIZE: 140' x 100'

**OFF-STREET PARKING**  
 DESIGN COMPLIANCE: 2008 IBC - OTHER AS SHOWN EXIST.  
 1. PARKING FOR EVERY 2 SQUARE FEET OF GROSS FLOOR AREA.  
 2. PARKING FOR EVERY 100 SQUARE FEET OF GROSS FLOOR AREA.  
 3. PARKING FOR EVERY 100 SQUARE FEET OF GROSS FLOOR AREA.  
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 6. PARKING FOR EVERY 100 SQUARE FEET OF GROSS FLOOR AREA.  
 7. PARKING FOR EVERY 100 SQUARE FEET OF GROSS FLOOR AREA.  
 8. PARKING FOR EVERY 100 SQUARE FEET OF GROSS FLOOR AREA.  
 9. PARKING FOR EVERY 100 SQUARE FEET OF GROSS FLOOR AREA.  
 10. PARKING FOR EVERY 100 SQUARE FEET OF GROSS FLOOR AREA.

**IMPERVIOUS SURFACES**  
 TOTAL SITE AREA: 3.67 ACRES  
 IMPERVIOUS SURFACE ALLOCATION: 100,000 SF  
 PAVED PARKING AREA: 100,000 SF  
 TOTAL IMPERVIOUS: 100,000 SF

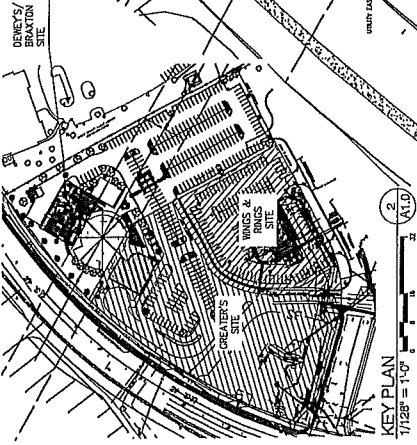
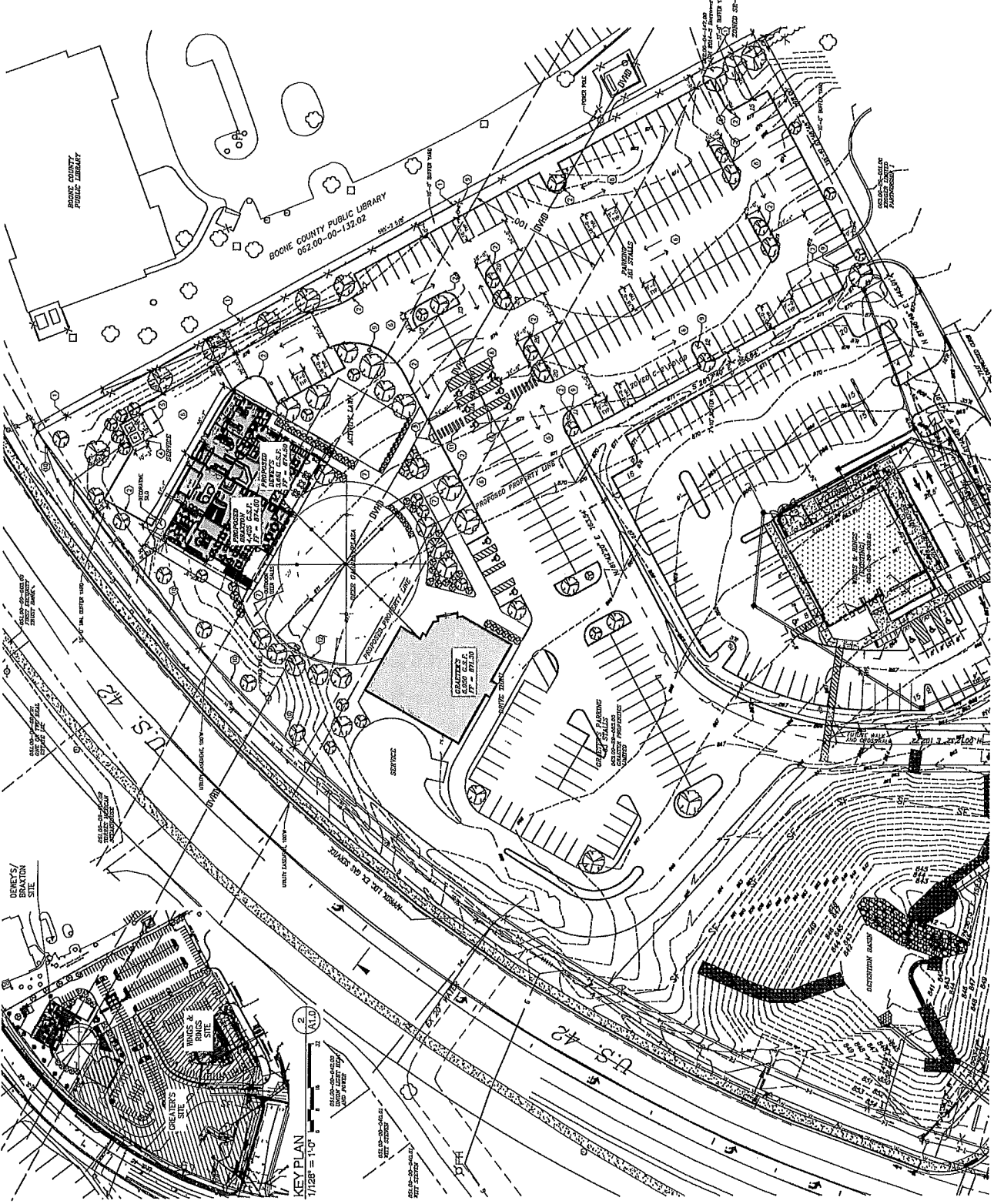
**VEHICULAR USE AREA LANDSCAPING**  
 PROPOSED VEHICLE USE AREA (VUA): 100,000 SF  
 PROPOSED LANDSCAPING AREA: 100,000 SF (BALANCE)  
 VUA LANDSCAPING ELEMENTS SHALL BE AS FOLLOWS:  
 1. ALL VUA LANDSCAPING SHALL BE 100% PERMANENT.  
 2. ALL VUA LANDSCAPING SHALL BE 100% PERMANENT.  
 3. ALL VUA LANDSCAPING SHALL BE 100% PERMANENT.

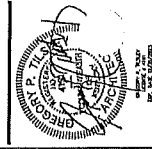
**KEY NOTES**

1. EXISTING TRUCK SPACES
2. EXISTING BIKE SPACES
3. EXISTING BIKE SPACES
4. EXISTING BIKE SPACES
5. EXISTING BIKE SPACES
6. EXISTING BIKE SPACES
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16. EXISTING BIKE SPACES
17. EXISTING BIKE SPACES
18. EXISTING BIKE SPACES
19. EXISTING BIKE SPACES
20. EXISTING BIKE SPACES

**GENERAL NOTES**

1. ALL DIMENSIONS ARE TO THE FACE OF MEMBER UNLESS NOTED OTHERWISE.
2. ALL DIMENSIONS ARE TO THE FACE OF MEMBER UNLESS NOTED OTHERWISE.
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19. ALL DIMENSIONS ARE TO THE FACE OF MEMBER UNLESS NOTED OTHERWISE.
20. ALL DIMENSIONS ARE TO THE FACE OF MEMBER UNLESS NOTED OTHERWISE.

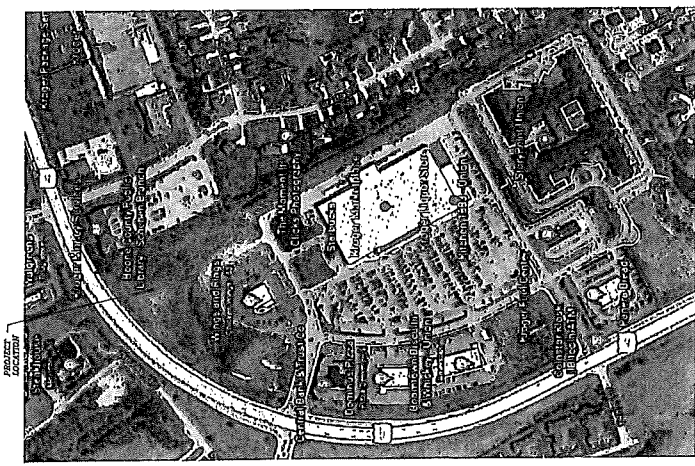




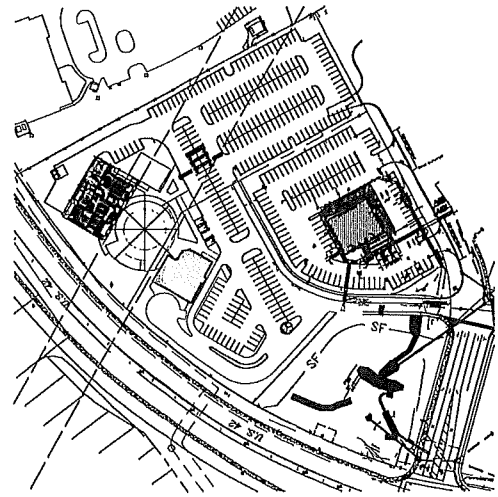
DATE OF WORK	NOV 15, 2023
DATE OF PLAN	NOV 15, 2023
PROJECT NO.	2023-001
PROJECT NAME	DEWEYS / BRAXTON
PROJECT ADDRESS	UNION KENTUCKY, KY 41091
PROJECT CITY	UNION KENTUCKY, KY
PROJECT COUNTY	UNION KENTUCKY, KY
PROJECT STATE	KY
PROJECT ZIP	41091
PROJECT TYPE	CONCEPT DEVELOPMENT
PROJECT PHASE	CONCEPT DEVELOPMENT
PROJECT STATUS	CONCEPT DEVELOPMENT
PROJECT OWNER	DEWEYS / BRAXTON
PROJECT CONTACT	DEWEYS / BRAXTON
PROJECT PHONE	DEWEYS / BRAXTON
PROJECT FAX	DEWEYS / BRAXTON
PROJECT EMAIL	DEWEYS / BRAXTON
PROJECT WEBSITE	DEWEYS / BRAXTON
PROJECT SOCIAL MEDIA	DEWEYS / BRAXTON
PROJECT NOTES	DEWEYS / BRAXTON



COLORED SITE PLAN  
1/8" = 1'-0"



SATELLITE VIEW

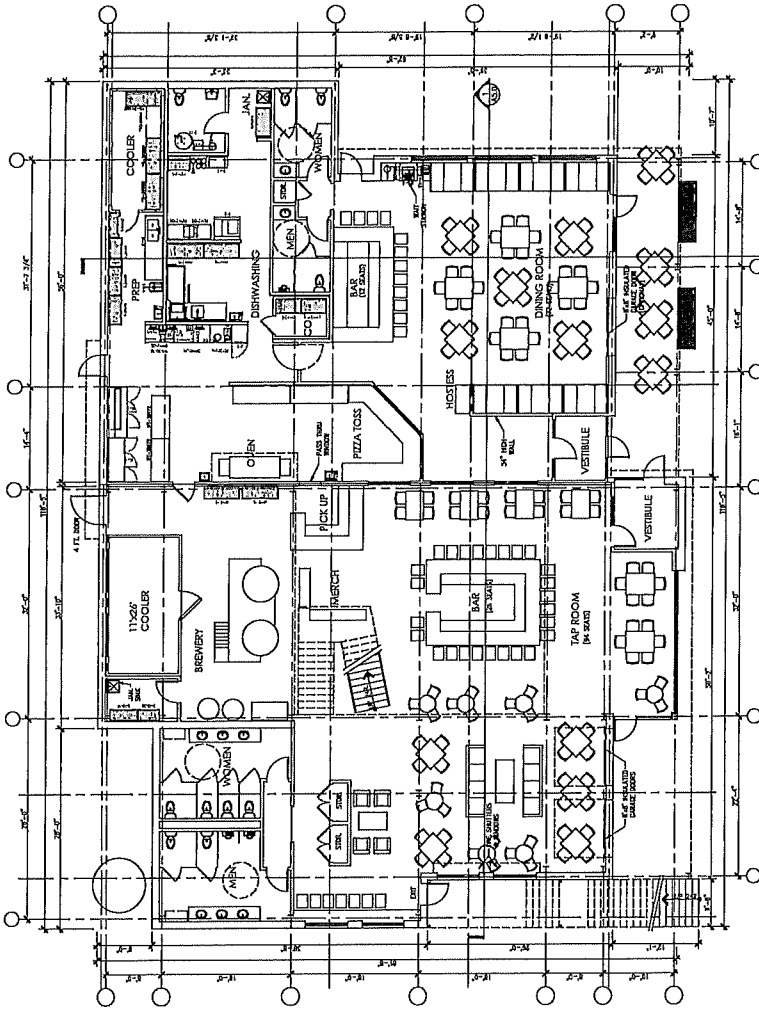


KEY PLAN  
1" = 100'-0"



CONCEPT DEVELOPMENT PLAN (REVISED)

NO.	DATE	DESCRIPTION
1	08/01/10	CONCEPT DEVELOPMENT PLAN
2	08/01/10	CONCEPT DEVELOPMENT PLAN
3	08/01/10	CONCEPT DEVELOPMENT PLAN
4	08/01/10	CONCEPT DEVELOPMENT PLAN
5	08/01/10	CONCEPT DEVELOPMENT PLAN
6	08/01/10	CONCEPT DEVELOPMENT PLAN
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49	08/01/10	CONCEPT DEVELOPMENT PLAN
50	08/01/10	CONCEPT DEVELOPMENT PLAN



**SQUARE FOOTAGE SUMMARY**

DEWEY'S	3,881 SF.
BRAXTON	4,343 SF.
TOTAL	8,224 SF.

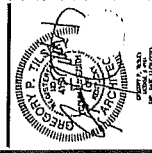
**SEATING SUMMARY**

DEWEY'S	72
BRAXTON	25
TOTAL	97

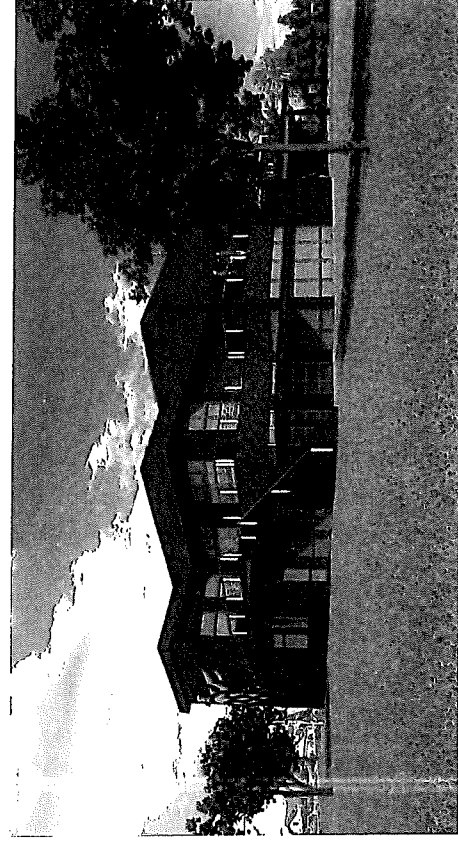
**FIRST FLOOR PLAN**  
 1/8" = 1'-0"







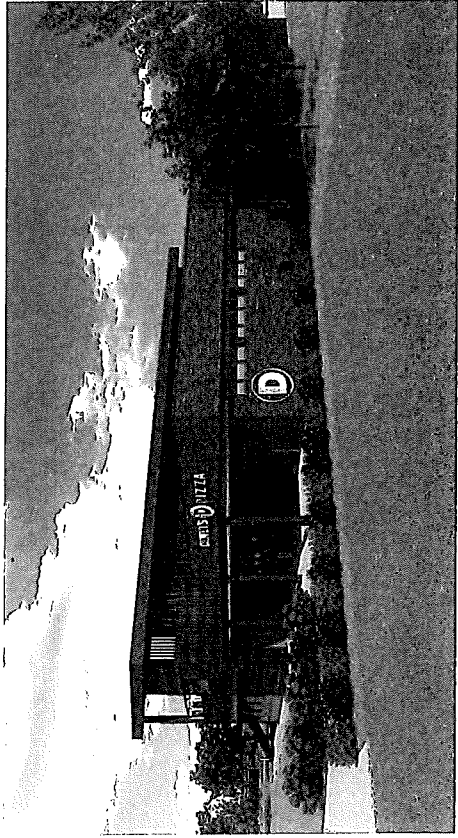
DATE: 08/20/2018  
 TIME: 10:00 AM  
 PROJECT: DEWEYS / BRAXTON  
 DRAWING: CONCEPT DEVELOP. PLAN 02/01/17  
 SHEET: 01  
 PROJECT IMAGES



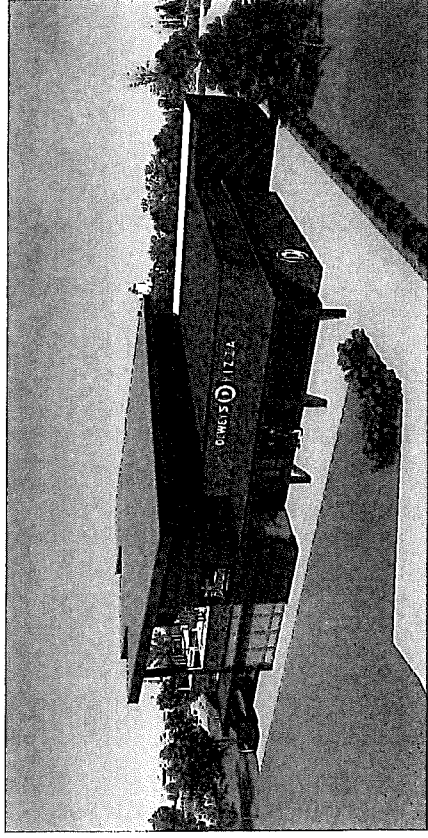
PERSPECTIVE FROM US42, LOOKING EAST



PERSPECTIVE FROM US42, LOOKING SOUTH-WEST



PERSPECTIVE FROM PROPOSED PARKING LOT



AERIAL VIEW LOOKING NORTH

**EXHIBIT**

**“B”**

**ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT**

**TO:** Boone County Planning Commission

**FROM:** Steve Harper, Chairman

**DATE:** January 4, 2023

**RE:** Request of **Gregory P. Tilsley (applicant)** for **Graeter's Properties Limited (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district for an approximate 5.7 acre area located at 8905 US 42, Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow two additional eating and drinking establishments, a central plaza area, and interconnected parking facilities.

**REMARKS:**

1. 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 finding of fact and conditions, if deemed necessary, to complete the Committee Report.
2. We, the Committee, recommend approval of the above referenced Change in an Approved Concept Development Plan based on the following findings of fact:

**FINDINGS OF FACT:**

1. The Committee concluded the request is in agreement with the Boone County Comprehensive Plan for the following reasons:
  - a. The 2040 Future Land Use Map designates the site for Commercial (C) uses. This future land use classification is defined as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc." (pg. 98).

The submitted plan indicates the development of two (2) eating and drinking establishments.

- b. The Land Use Element contains the following passage:

"The U.S. 42 corridor should experience commercial growth on a smaller scale to mitigate any adverse impacts and to be compatible with surrounding land uses and densities. As defined by the 2000 Union Town Plan, commercial development should occur in neighborhood business district form in specified locations instead of strip type commercial" (Land Use, Description and Purpose of Land Use Maps, 20 Union, page 137).

The submitted plan indicates: (1) the development of an 8,086 square foot building; (2) access via internal driveways of Kroger Marketplace; and (3) a design that is compatible with and integrated with the adjacent Graeter's

development.

2. The proposal is in agreement with the following 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. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
  - c. Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population (Demographics Goal A, Objective 3).
  - d. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
  - e. Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy (Economy Goal A, Objective 2).
  - f. Local agriculture, business products, and services shall be encouraged and supported (Economy Goal A, Objective 4).
  - g. 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).
  - h. Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (Economy Goal B, Objective 1).
  - i. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).

The submitted plan will allow for an integrated entertainment complex with coordinated access, parking, and exterior amenities.

3. The Committee concluded the requested proposal is in agreement with the mixed use/pedestrian orientation, compatibility of uses, landscaping, architecture, and signage Planned Development Standards found in Section 1514 of the Boone County Zoning Regulations.

4. The Committee concluded the attached conditions are necessary to achieve consistency with the Our Boone County Plan 2040. The Committee 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 the conditions:

CONDITIONS:

1. The developer and/or property owner shall approach the Boone County Library to determine if they are interested in constructing a pedestrian connection (sidewalk, stairs) to the Schebben branch. The owner/developer shall pay for all improvements located on the outlot property and the Library's decision shall be furnished to the Boone County Planning Commission in writing.
2. There shall be a pedestrian connection between the proposed development and the existing sidewalk along US 42.
3. The developer and/or property owner shall approach Kroger to determine if they are interested in a shared parking agreement and Kroger's decision shall be furnished to the Boone County Planning Commission in writing.
4. There shall be no message placed on the proposed silo.
5. All roof mounted mechanical equipment shall be screened from public rights-of-way and from all adjoining residential properties.
6. Building mounted signage shall not exceed the overall allowed sign area requirements for all building façades.
7. There shall be no outside storage of materials, pallets, kegs, barrels, refuse, etc.
8. The design of the dumpster enclosure shall meet the minimum requirements of the zoning regulations.
9. Vehicular use area landscaping shall meet the minimum requirements of the of the zoning regulations.
10. Perimeter landscaping plant material shall meet the minimum requirements of the zoning regulations, except as modified by the proposed variance.
11. Vehicular access shall be provided from the site in question to the Kroger development via the existing curb stub located to the north of the Kroger building.
12. Parking lot light fixtures shall be consistent in type and height as those used on the Graeter's site.

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Braxton/Dewey's

January 4, 2023

Page 4

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: Steve Harper, Chairman

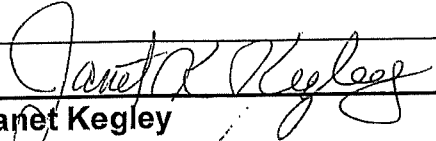
DATE: December 21, 2022

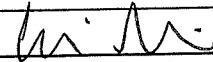
REMARKS:

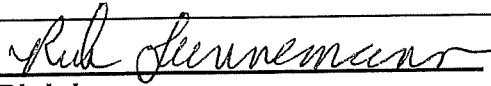
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

**CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Michael Schwartz, Staff**


2. Request of **Gregory P. Tilsley (applicant)** for **Graeters Properties Limited (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district for an approximate 5.7 acre area located at 8905 US 42, Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow two additional eating and drinking establishments, a central plaza area, and interconnected parking facilities.

  
\_\_\_\_\_  
**Janet Kegley**  
For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

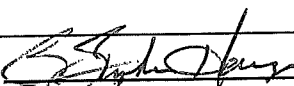
  
\_\_\_\_\_  
**Corrin Gulick**  
For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

  
\_\_\_\_\_  
**Rick Lunnemann**  
For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

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

  
\_\_\_\_\_  
**Kim Patton**  
For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Steve Turner (Alternate)**  
For Project \_\_\_\_\_ Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

  
\_\_\_\_\_  
**Steve Harper (Chairman)**  
For Project  Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
**Jackie Steele (Alternate)**  
For Project \_\_\_\_\_ Absent \_\_\_\_\_  
Against Project \_\_\_\_\_  
Abstain \_\_\_\_\_

**TOTAL:** \_\_\_\_\_ DEFERRED \_\_\_\_\_ FOR PROJECT \_\_\_\_\_ ABSENT \_\_\_\_\_  
\_\_\_\_\_ AGAINST PROJECT \_\_\_\_\_ ABSTAIN \_\_\_\_\_

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARINGS  
DECEMBER 7, 2022  
7:30 P.M.**

---

Chairman Charlie Rolfsen opened the Public Hearing at 7:41 p.m. and welcomed the audience to the Planning Commission's December 7, 2022 Public Hearings.

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mrs. Kathy Clark  
Mrs. Pamela Goetting  
Ms. Corrin Gulick  
Mr. Steve Harper  
Mr. David Hincks  
Mrs. Janet Kegley  
Mr. Rick Lunnemann  
Mr. Charlie Rolfsen, Chairman  
Mrs. Jackie Steele

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Kim Patton, Vice Chairman  
Mr. Bob Schwenke  
Mr. Tom Szurlinski  
Mr. Steve Turner, Temporary Presiding Officer  
Mr. Kenny Vaught

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Michael D. Schwartz, Director, Zoning Services  
Mr. Todd K. Morgan, AICP, Senior Planner  
Mrs. Alaina Hagenseker, Planner

Chairman Rolfsen introduced the first item on the Agenda.

**CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff**

1. Request of **Gregory P. Tilsley (applicant)** for **Graeters Properties Limited (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district for an approximate 5.7 acre area located at 8905 US 42, Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow two additional eating and drinking establishments, a central plaza area, and interconnected parking facilities.

Staff Member, Michael Schwartz, referred to his PowerPoint presentation. In April, 2014, the Union City Commission adopted a Zoning Map Amendment application for the Kroger Marketplace development. It did include the site in question. In September of this year, the Union City Commission adopted a change to the approved Concept Development Plan to allow a Graeter's store adjacent to the subject site. The site is currently vacant and located next to the Boone County Library. Mr. Schwartz described the adjoining land uses. There is a 100 foot wide utility easement that runs through the property. Access to the site is from an existing driveway serving Wings and Rings and Kroger. The site is currently zoned C-2/PD. Page 2 of the Staff Report provides those sections of the zoning regulations that are applicable to the request. The site has been graded for development. The Future Land Use Map designates the site for commercial use. Pages 3-5 of the Staff Report provide relevant sections of the Comprehensive Plan. Mr. Schwartz showed photographs of the site and adjoining properties. The submitted Concept Development Plan shows a two story building with 8,086 square feet for the first floor, a 1,688 square foot mezzanine and a 1,443 square foot terrace. The proposed use is a Dewey's Pizza restaurant and Braxton Brewery. An outside lawn area is proposed and a beer garden plaza. The applicant has submitted a set of building elevations. A decorative beer silo is being proposed. It is designed as a sign. Building mounted signage is being proposed as well as a mural. Pages 6-8 of the Staff Report includes an evaluation of the proposal in relation to the zoning regulations. Page 8 of the Staff Report identifies those requirements that are to be waived or modified under the PD regulations. It includes allowing building mounted signage on all 4 sides and allowing it to be larger than what is normally permitted. The silo is larger than what is normally allowed for a sign. The applicant is also requesting a reduction in the buffer yard width between the C-2 and SR-1 zoning districts. Page 8 of the Staff Report also identifies a number of Staff concerns. One includes the existing driveway connection built by Kroger in the past. The applicant is not going to utilize this access point. In summary, the request is for a Change in Concept Development Plan to allow a restaurant and brewery.

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

Mr. Greg Tilsley, applicant, stated that his firm is the project architect. The site will be sold to a new owner. The 100 foot wide utility easement is problematic. The building would either have to

be north or south of it. His client chose north because it lines up with the Graeter's building. The green space will be a beer garden. There will be connectivity. The sidewalks will be widened to accommodate people. It will be customer focused. The existing access will be shared with Graeter's. The parking lot will be closer to Kroger. The building is designed to accommodate people in different areas. He considers it a one story building with a mezzanine. One will be able to see people and activity on the terrace. It will be a fun place to go. The front door to both businesses are oriented towards both green spaces. The building is turned on an angle. Garage doors will open up when there is nice weather. They are still working on the landscaping plan. It will be an important feature to the space. It is a unique site since all 4 sides of the building can be seen.

Mr. Tilsley commented that the owner wants to put a mural on the building similar to the Graeter's building. The silo is not a sign but rather a piece of equipment. The main door to the building is just beyond the silo. Instead of hiding it, they would like to feature it just beyond the service area. It is out of the way. Silos are needed at all breweries. There will be no graphics on the silo. It won't be painted in the Braxton colors unless it is permitted. The other signs are fully compliant. They are allowed 438 square feet of signage. The mural is 474 square feet in size. The Braxton and Dewey's signs are a total of 271 square feet. The building will look unique with the 4 signs. He is willing to add the Kroger curb cut. It is not a deal breaker for them. It would eliminate about a half a dozen parking spaces. If the fire department feels it is necessary, they would consider adding it. They want everyone to come in and exit at the same location. It was probably put in in the event the parcel was subdivided into 3 parcels.

In regard to the buffer, their site is adjacent to about 50-60 linear feet of the residential neighborhood. There is a 37 foot wide buffer planned in that area. They felt a 10 foot buffer on the library site was more important than the 10 foot buffer on the Wings and Rings site. The library site is 20 feet lower than the subject site. If they installed a 10 foot buffer next to the Wings and Rings they would lose a whole row of parking. It will be a deal killer. It would be a 2.5 foot concession. The design is currently 60% brick and glass. The other materials are wood and metal (31%). It follows the Braxton and Dewey's brand edgier. It is more of design focus. It is not the material but how it is used.

Mr. Chuck Lipp, President of Dewey's Pizza, stated that he has 24 locations in 5 states. This is the coolest and neatest space. The common areas are fantastic. It will be a great experience.

Mr. Jake Rouse, Braxton Brewery, stated that he got his start about 100 yards from the site on Braxton Drive. They are coming home and he would have loved having this when he grew up in Union.

Chairman Rolfsen asked if anyone in the audience had any comments or questions?

Mayor Larry Soloman stated that he understands the role of the Planning Commission in assuring good design. He is supportive of the proposal and looking forward to having Graeter's, Braxton and Dewey's in Union.

Chairman Rolfsen asked if any Commissioners had any questions or comments?

Mr. Lunnemann asked if the silo was an active working silo in the beer production process? Mr. Tilsley stated that there is a brewery inside the building. Mr. Rouse replied that it will be used to store grain. It will be used within a year of when the facility is operable. Mr. Lunnemann asked the applicant to show a preliminary landscaping plan at the Committee Meeting. Mr. Tilsley replied yes as they have hired Kleingers to do the site plan – the same firm that did the Graeter's plan. Mr. Lunnemann also requested to see more detail of the building materials on all 4 sides. Where will the materials be located on the building and perhaps the applicant can bring samples of the building materials? Who owns the detention basin adjacent to the site? Mr. Tilsley explained that it will be owned by Graeter's but be maintained by Kroger. Mr. Lunnemann expressed a concern about maintenance. It is unsightly, at times, especially as it is at the front door of their development.

Mayor Solomon noted that Graeter's will sell it back to Kroger for a dollar to maintain it.

Mr. Costello asked who will be owner of the subject site? He recommended a shared parking agreement with Kroger for overflow parking and using the second curb cut for 2 ways in and out of the site. Mr. Lipp replied that Dewey's will purchase the property and Braxton's Brewery will be the tenant.

Chairman Rolfsen asked the applicant to have pedestrian access to the library site and adjoining residential neighborhood. Mr. Tilsley repeated that there is a 20 foot drop to the library site. Mr. Costello told the applicant to contact Ms. Carrie Herman, the Library Director. There was a condition to make a connection from the previous approval. There could also be some shared parking between the sites. It would have to benefit both parties.

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**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on December 21, 2022 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on January 4, 2023 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8.35 p.m.**

APPROVED:



Charlie Rolfsen  
Chairman

Attest:

A handwritten signature in black ink, appearing to read "Kevin P. Costello", written over a horizontal line.

Kevin P. Costello, AICP  
Executive Director

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARINGS  
DECEMBER 7, 2022  
7:30 P.M.**

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Mrs. Pamela Goetting  
Ms. Corrin Gulick  
Mr. Steve Harper  
Mr. David Hincks  
Mrs. Janet Kegley  
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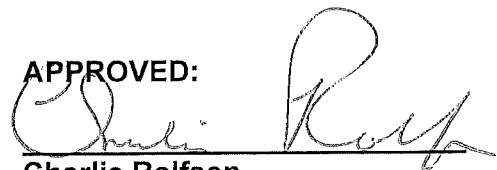
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APPROVED:



**Charlie Rolfsen**  
Chairman

Attest:



Kevin P. Costello, AICP  
Executive Director

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY FISCAL COURTROOM  
BURLINGTON, KENTUCKY  
BUSINESS MEETING  
JANUARY 4, 2023  
7:00 P.M.**

---

Chairman Charlie Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's January 4, 2023 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

**COMMISSION MEMBERS PRESENT:**

Mrs. Kathy Clark  
Mrs. Pamela Goetting  
Ms. Corrin Gulick  
Mr. Steve Harper  
Mr. David Hincks  
Mrs. Janet Kegley  
Mr. Rick Lunnemann  
Mr. Eric Richardson  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mrs. Jackie Steele, Secretary/Treasurer  
Mr. Tom Szurlinski  
Mr. Steve Turner, Temporary Presiding Officer  
Mr. Kenny Vaught

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Randy Bessler

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

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

**APPROVAL OF THE MINUTES:**

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the December 21, 2022 Business Meeting and Public Hearings. Chairman Rolfsen asked if there were any other comments or corrections?

**Mrs. Kegley moved to approve the Minutes as presented. Mr. Harper 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 December 8, 2022 and January 4, 2023.

**EXPENSES:**

Accounting Fees	\$	367.20
Attorney Fees		4,525.00
Auto Expense		421.56
Consultant/Professional Svcs Fees		4,536.27
Filing Fees (CLURS)		1,350.00
GIS Operations		125.00
Legal Ads/Recruitment		574.36
Miscellaneous Expense		1,432.35
Office & Board Meeting Supplies		1,495.17
Office / Equipment Maintenance		173.70
Office Equipment / Expense		627.58
Postage Expense		1,510.00
Professional Development		1,775.00
Refunds		<u>416.00</u>

**TOTAL: \$ 19,329.19**

**SALARIES AND BENEFITS:**

FICA-BCPC Portion	\$	6,691.38
Health/Dental/Life/LTD		13,818.77
Retirement – BCPC Portion		30,475.61
Salaries – Staff Expenses		91,766.74
Salaries – BCPC & BOA		<u>1,365.00</u>

**TOTAL: \$144,117.50**

**GRAND TOTAL: \$163,466.69**

**Ms. Gulick 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. Hincks seconded the motion and it carried unanimously.**

**CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Michael Schwartz, Staff**

1. Request of **Gregory P. Tilsley (applicant)** for **Graeters Properties Limited (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district for an approximate 5.7 acre area located at 8905 US 42, Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow two additional eating and drinking establishments, a central plaza area, and interconnected parking facilities.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions for the Change in Concept Development Plan and Variance (see Committee Report). The Committee Members present at the Committee Meeting voted unanimously to approve the request which found Mrs. Kegley, Mr. Lunnemann, Mr. Patton, Mr. Harper and Ms. Gulick voting in favor of the requests. The applicant has signed the condition letter.

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

Mr. Chuck Lipp, Dewey's Pizza, expressed that he was in agreement with the conditions. He is excited to get started. Chairman Rolfsen asked if the applicant spoke to the Library about the pedestrian connection? It was stated that Jake Rouse spoke to the Library about the connection and they have funds budgeted for the connection. Mr. Lipp also met with representatives from Kroger about a possible shared parking agreement. He is in the process of following up with Kroger.

Seeing no further comment, **Mr. Harper moved to approve both requests (including the Variance) by Resolution to the City of Union based upon the Committee Report and subject to the Findings of Fact and Conditions. Mrs. Kegley seconded the motion.**

Mr. Szurlinski inquired about the building mounted signage. Mr. Schwartz explained that the Union Town Plan only allows building mounted signs on 3 sides. The Committee felt that due to the location of the building along a curve of U.S. 42 and due to the fact that it can be seen by all 4 sides, then it should be allowed on all four sides. The sign on each façade or side cannot exceed what is normally allowed on each façade. Mr. Szurlinski inquired if the Union Town Plan does not allow it, then how can it be permitted. Mr. Schwartz replied because it was zoned C-2/PD. It would allow one of those exceptions.

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

**ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Rick Lunnemann, Chairman, Todd Morgan, Staff**

2. Request of **Vision Engineering, LLC, per Jihad Hillany (applicant)** for **City of Florence (owner)** for a Zoning Map Amendment for a Special Sign District for an approximate 196.5 acre area located at 7500 Turfway Road, Florence, Kentucky.

The request is for an amendment to an existing Special Sign District in a Recreation/Planned Development/Houston-Donaldson Study Corridor Overlay (R/PD/GDO) district to allow for an electronic message board/screen.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Facts and Conditions (see Committee Report). The Committee Members present at the Committee Meeting voted unanimously to approve the request with Mrs. Kegley, Mr. Lunnemann, Mr. Patton, Mr. Harper and Ms. Gulick voting in favor of the request. The applicant has signed the condition letter.

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

Seeing no further comment, **Mr. Lunnemann moved to approve the request by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and Conditions. Mrs. Clark seconded the motion and it passed unanimously.**

**TECHNICAL/DESIGN REVIEW, Rick Lunnemann, Chairman, Michael Schwartz, Staff**

**6. Gateway Rehabilitation Center – 5940 Merchants Street**

Staff Member, Michael Schwartz, referred to a PowerPoint presentation. The original Design Review application for the existing building occurred in 1999 based on the criteria in the original Design Review requirements. Since then, the Houston-Donaldson Study has been updated in 2013. The request is to build another building. It has EIFs, metal panels and CMU.

The Technical/Design Review Committee met prior to the Business Meeting and recommended approval of the request subject to the two conditions. (1) The color of the building materials shall better correlate with the existing building. Secondly, additional CMU or split face block shall be utilized on the first floor of the proposed addition. It would be on all 4 sides. Mr. Robert Young, representing Gateway, stated that he would make the changes as a result of Mr. Schwartz's comments. The colors will match to the existing building.

**Mr. Lunnemann moved to approve the request based upon the Technical/Design Review Committee recommendation as presented by Mr. Morgan and subject to the two conditions. Mrs. Goetting seconded the motion and it passed unanimously.**

**NEW BUSINESS**

**ZONING MAP AMENDMENT, Alaina Hagenseker, Staff**

4. Request of **Jack Wells (applicant/owner)** for a Zoning Map Amendment from Rural Suburban Estate (RSE) to Recreation (R) for an approximate 1.2 acre area located along the west side of Ryle Road, approximately 0.9 miles southwest of Beaver Road, having a Parcel Identification Number (PIDN) of 031.00-05-010.00. The request is for a zone change to allow a campground.

**CONCEPT DEVELOPMENT PLAN AND ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Michael Schwartz, Staff**

5. Request of **7841 Mall Road LLC, per Jerry Atkins (applicant/owner)** for a Concept Development Plan and Zoning Map Amendment for a Special Sign District for an approximate 0.99 acre area located at 7841 Mall Road, Florence, Kentucky, which is zoned Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR). The request is for the redevelopment of the site, utilizing a portion of the right-of-way of Mall Road, and a Special Sign District to modify the requirements of building mounted and free standing signage.

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

6. Request of **Erpenbeck Consulting Engineers Inc., per Kevin Boerger (applicant) for Robert J. Lightner (owner)** for a Zoning Map Amendment from Agricultural Estate/Union Town Overlay (A-2/UTO) and Rural Suburban Estates/Union Town Overlay (RSE/UTO) to Public Facilities/Planned Development/Union Town Overlay (PF/PD/UTO) for an approximate 26 acre area located at 9486 Old Union Road, Union and Boone County,

**ZONING MAP AMENDMENT, Todd Morgan, Staff**

7. Request of **DMG Rentals 14 LLC, per Dan Greene (applicant/owner)** for a Zoning Map Amendment from Office One (O-1) to Urban Residential One (UR-1) for an approximate 1.44 acre area located along the north side of Boone Aire Road, between Burlington Pike and Glen Arbor Drive, approximately 550 feet west of Burlington Pike, between 1130 and 1166 Boone Aire Road, and being part of the property with a Parcel Identification Number (PIDN) of 061.00-00-039.01. The request is for the development of a 150 unit multi-family residential development on an overall 12.5 acre area located along the north side of Boone Aire Road, across from Glen Arbor Drive.

**ZONING MAP AMENDMENT, Todd Morgan, Staff**

8. Request of **Answers In Genesis, per LeRoy LaMontagne (applicant/owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Public Facilities (PF) for the southern approximate 2.5 acre area of the property located at 2960 Bullittsburg Church Road, Boone County, Kentucky. The request is to utilize the existing dwelling for housing of volunteers and/or employees of the Creation Museum.

**Mrs. Goetting moved to schedule the Public Hearing for Items #4, #5, and #6 on February 1, 2023 at 7:30 p.m. and Items #7 and #8 on February 15, 2023 at 7:30 p.m. in the Fiscal Courtroom. Mrs. Steele seconded the motion and it passed unanimously.**

- H. **Executive Director's Report:**  
No Report

I. **Committee Reports:**

- Airport  
No Report
- Administrative/Personnel (Tom Szurlinski)  
No Report
- Enforcement (Tom Szurlinski)  
No Report
- Long-Range Planning/Comprehensive Plan (Bob Schwenke)  
No Report
- Technical/Design Review (Rick Lunnemann)  
No Report
- Executive  
No Report

J. **Chairman's Report:**

Chairman Rolfsen introduced Mr. Eric Richardson as the Planning Commission's newest Board member. He replaces Kim Patton, whose term ended last month. Chairman Rolfsen welcomed him.

K. **OKI Report:**

Mr. Costello noted that at the last Business Meeting, the Planning Commission appointed him to be the Board representative to OKI. Since then, Randy Bessler expressed interest in serving.

**Mr. Schwenke moved to appoint Randy Bessler to the OKI Board of Directors. Mrs. Kegley seconded the motion and it passed unanimously.**

L. **Other:**

**2023 Election of Officers:**

Mrs. Kegley stated that she and Bob Schwenke served on the Nominating Committee for the Election of Officers for the year, 2023. She appreciated the response from those people who wanted to run for office. She announced the nominees:

Charlie Rolfsen – Chairman  
Corrin Gulick & Rick Lunnemann – Vice-Chairwoman/Vice Chairman  
Jackie Steele – Secretary/Treasurer  
Steve Turner & Steve Harper – Temporary Presiding Officer

She asked if anyone wanted to nominate someone else? Seeing no one, **Mrs. Kegley moved to close the nominations. Mr. Schwenke seconded the motion and it passed unanimously.**

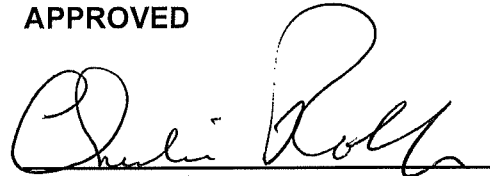
Mrs. Kegley asked Staff to distribute ballots. Mr. Costello distributed and collected the ballots and gave them to Mr. Wilson to tally. Mr. Wilson announced the winners of the Election of Officers for 2023:

Charlie Rolfsen – Chairman  
Corrin Gulick – Vice-Chairwoman  
Jackie Steele – Secretary/Treasurer  
Steve Harper – Temporary Presiding Officer

**M. Adjournment:**

There being no further business to come before the Planning Commission, **Mr. Szurlinski moved to adjourn the meeting. Mrs. Goetting seconded the motion and it passed unanimously. The meeting was adjourned at 7:35 P.M.**

**APPROVED**



**Charlie Rolfsen**  
**Chairman**

**Attest:**



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

# **SUPPORTING INFORMATION**



# BOONE COUNTY PLANNING COMMISSION

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

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

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

December 22, 2022

Gregory P. Tilsley  
1140 St. Gregory Street  
Cincinnati, Ohio 45202

**RE: Request of Gregory P. Tilsley (applicant) for Graeter's Properties Limited (owner) for a Change in an Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district for an approximate 5.7 acre area located at 8905 US 42, Union, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow two additional eating and drinking establishments, a central plaza area, and interconnected parking facilities.**

Dear Mr. Tilsley:

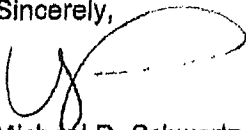
The following represents the recommended conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change/Concept Plan Committee at their December 21, 2022 meeting. If the property owner and developer agrees to the conditions, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office by Tuesday, January 3, 2023.

## CONDITIONS

1. The developer and/or property owner shall approach the Boone County Library to determine if they are interested in constructing a pedestrian connection (sidewalk, stairs) to the Schebben branch. The owner/developer shall pay for all improvements located on the outlot property and the Library's decision shall be furnished to the Boone County Planning Commission in writing.
2. There shall be a pedestrian connection between the proposed development and the existing sidewalk along US 42.
3. The developer and/or property owner shall approach Kroger to determine if they are interested in a shared parking agreement and Kroger's decision shall be furnished to the Boone County Planning Commission in writing.
4. There shall be no message placed on the proposed silo.
5. All roof mounted mechanical equipment shall be screened from public rights-of-way and from all adjoining residential properties.
6. Building mounted signage shall not exceed the overall allowed sign area requirements for all building façades.

7. There shall be no outside storage of materials, pallets, kegs, barrels, refuse, etc.
8. The design of the dumpster enclosure shall meet the minimum requirements of the zoning regulations.
9. Vehicular use area landscaping shall meet the minimum requirements of the zoning regulations.
10. Perimeter landscaping plant material shall meet the minimum requirements of the zoning regulations, except as modified by the proposed variance.
11. Vehicular access shall be provided from the site in question to the Kroger development via the existing curb stub located to the north of the Kroger building.
12. Parking lot light fixtures shall be consistent in type and height as those used on the Graeter's site.

Sincerely,




Michael D. Schwartz  
Director, Zoning Services


MDS/ss

AGREEMENT

We, the property owner and developer of the approximate 5.7 acre area located at 8905 US 42, Union, Kentucky, agree to the conditions listed herein for the above referenced Change of Concept Development Plan.

  
\_\_\_\_\_  
Graeter Properties Limited (Owner)

12-22-22  
Date

  
\_\_\_\_\_  
Braxton (Developer)

12/26/2022  
Date

23-001

**CITY OF UNION, KENTUCKY  
ORDINANCE NO. 2023-05**

**AN ORDINANCE OF THE CITY OF UNION, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF GREGORY P. TILSLEY (APPLICANT) FOR GRAETER'S PROPERTIES LIMITED (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) DISTRICT FOR AN APPROXIMATE 5.7 ACRE AREA LOCATED AT 8905 US 42, UNION, KENTUCKY. THE REQUEST IS FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN TO ALLOW TWO ADDITIONAL EATING AND DRINKING ESTABLISHMENTS, A CENTRAL PLAZA AREA, AND INTERCONNECTED PARKING FACILITIES.**

*WHEREAS*, the City of Union, Kentucky is a member of the county-wide planning unit, having a county-wide planning commission known as the Boone County Planning Commission; and

*WHEREAS*, the Boone County Planning Commission received a request for a A Change In An Approved Concept Development Plan In A Commercial Two/Planned Development (C-2/PD) District For An Approximate 5.7 Acre Area Located At 8905 Us 42, Union, Kentucky. The Request Is For A Change In An Approved Concept Development Plan To Allow Two Additional Eating And Drinking Establishments, A Central Plaza Area, And Interconnected Parking Facilities; and

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

*WHEREAS*, the Boone County Planning Commission by Resolution No. R-23-001-A recommended approval of the rezoning described above, with conditions; and

*WHEREAS*, the recommendation of the Boone County Planning Commission is based upon certain findings and conditions attached to its Resolution, all of which have been reviewed by the City Commission for the City of Union, Kentucky; and

*WHEREAS*, the Union City Commission desires to affirm and approve the recommendation of

the Boone County Planning Commission pursuant to K.R.S. 100.211 within ninety (90) days of the Planning Commission's final action and grant the application of the Change in an Approved Concept Development Plan with conditions.

***NOW THEREFORE, BE IT ORDAINED BY THE CITY OF UNION, KENTUCKY*** as follows:

#### **SECTION I**

That the request for a A Change In An Approved Concept Development Plan In A Commercial Two/Planned Development (C-2/PD) District For An Approximate 5.7 Acre Area Located At 8905 Us 42, Union, Kentucky. The Request Is For A Change In An Approved Concept Development Plan To Allow Two Additional Eating And Drinking Establishments, A Central Plaza Area, And Interconnected Parking Facilities; shall be and is hereby approved, with conditions, as set forth in the Boone County Planning Commission's Resolution R-23-001-A, which includes, but is not limited to, their Findings of Fact and Description of the real estate which is the subject of this Ordinance and is attached hereto and marked Exhibit "A" and incorporated herein by reference.

#### **SECTION II**

If approval for A Change In An Approved Concept Development Plan shall be held invalid, in whole or in part, such validity 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 they are intended to have effect regardless of any invalidity relating to this particular Ordinance.

**SECTION III**

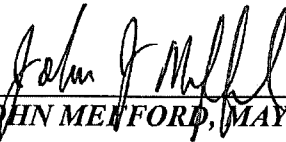
Publication of this Ordinance is hereby authorized to be by summary publication in accordance with Kentucky Law.

***PASSED AND APPROVED BY 5 MEMBERS OF THE UNION, CITY COMMISSION, UNION, KENTUCKY, ON THE 22<sup>nd</sup> DAY OF FEBRUARY, 2023.***


***FIRST READING this the 6th day of February, 2023***

***SECOND READING this the 22<sup>nd</sup> day of February, 2023***

***APPROVED:***

  
\_\_\_\_\_  
***JOHN M. FORD, MAYOR PRO TEM***

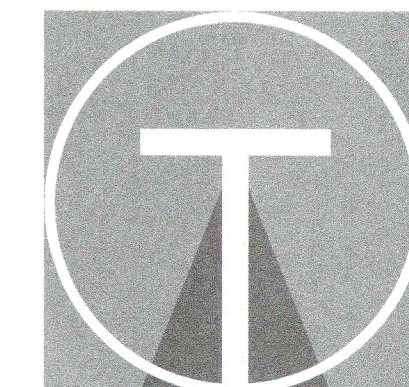
**ATTEST:**

  
\_\_\_\_\_  
**TAMMY WILHOITE, CITY CLERK**

**Published: \_\_\_\_\_**

# New Development for: Dewey's/Braxton Union Kentucky KY, 41091

CHANGE OF CONCEPT  
DEVELOPMENT PLAN  
APPROVED with Conditions  
Staff M. Schwartz  
Date 1/4/2023  
Boone County  
Planning Commission



**TILSLEY**  
ARCHITECTS  
1140 SAINT GREGORY ST. CINCINNATI,  
OH 45202  
TEL: 513.651.4300  
WWW.TILSLEYARCHITECTS.COM

## GENERAL NOTES

THIS IS A PROPRIETARY DESIGN OF TILSLEY AND ASSOCIATES ARCHITECTS. THE DESIGN DATA AND INFORMATION RELATING THERETO IS NOT TO BE USED, DISSEMINATED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF TILSLEY AND ASSOCIATES ARCHITECTS, INC.

- ALL CONTRACTORS SHALL GUARANTEE ALL WORK EXECUTED UNDER THIS CONTRACT, BOTH AS TO MATERIAL AND WORKMANSHIP, FOR A PERIOD OF TWELVE (12) MONTHS AFTER THE DATE OF WRITTEN ACCEPTANCE, UNLESS OTHERWISE SPECIFICALLY PROVIDED IN THE CONTRACT. HE SHALL REPLACE WITH NEW MATERIALS, INCLUDING THE INSTALLATION THEREOF, ANY OR ALL PARTS GIVING INDICATION OF DEFECTIVE MATERIAL, OR FAULTY WORKMANSHIP DURING SUCH TIME. ANY REPLACING REPAIRING DURING THE GUARANTEE PERIOD SHALL BE DONE AT NO ADDITIONAL COST TO THE OWNER AND AT SUCH TIME AS WILL OCCUR ON THE LEAST INCONVENIENCE. IN ADDITION, ANY DAMAGE TO ADJACENT AREAS/SURFACES SHALL ALSO BE REPAIRED TO THE OWNER'S SATISFACTION AT NO ADDITIONAL COST TO THE OWNER.
- ARCHITECTURAL DRAWINGS ARE TYPICALLY DRAWN TO A REPRESENTATIVE SCALE WHICH IS NOTED ON EACH INDIVIDUAL DRAWING. THIS SCALING CAUSES THE DRAWING TO BE PROPORTIONAL IN ITS REPRESENTATION OF THE WORK. DRAWING REPRODUCTION METHODS ARE NOT CONSIDERED PERFECT, HOWEVER, EACH SUCCESSIVE PLOT, COPY OR DIGITAL REPRODUCTION MAY INTRODUCE A SLIGHT ERROR TO THE DRAWINGS. FOR THIS REASON, NO PERSON SHOULD EVER USE A RULER, ARCHITECT'S SCALE OR ENGINEER'S SCALE AND ATTEMPT TO MEASURE ANY PORTION OF ANY DRAWING IN ORDER TO DETERMINE AN EXACT DIMENSION. NUMERICAL DIMENSIONS ARE GIVEN, IF THESE PROVE TO BE INSUFFICIENT OR CONTRADICTORY, THE CONTRACTOR MUST CONTACT THE ARCHITECT FOR FINAL VERIFICATION. WORK BASED UPON SCALED DIMENSIONS MAY BE SUBJECT TO REPAIR OR REPLACEMENT AT THE SOLE FINANCIAL RESPONSIBILITY OF THE CONTRACTOR.
- WHERE APPROXIMATE DIMENSIONS ARE INDICATED (+/-), THEY SHALL BE CONSIDERED VARIABLE TO ALLOW FOR EXISTING CONDITIONS. ALL OTHER DIMENSIONS SHALL BE CONSIDERED FIXED UNLESS MODIFIED BY CHANGE ORDER OR SPECIFIC WRITTEN INSTRUCTION FROM THE ARCHITECT.
- THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. THE CONTRACTOR MUST NOTIFY THE ARCHITECT OF ANY VARIATIONS AND/OR DISCREPANCIES FROM THE DIMENSIONS AND DETAILS SHOWN ON THESE DRAWINGS.
- PROPOSED SUBSTITUTIONS OR CHANGES TO ITEMS SPECIFIED IN THESE DOCUMENTS ARE SUBJECT TO ARCHITECT APPROVAL. FINAL FINISHES AND PAINT COLOR SELECTIONS NOT EXPLICITLY STATED HEREIN ARE BY OWNER.
- PROVIDE TEMPORARY PROTECTION FOR INSTALLED PRODUCTS AND FINISHES TO PREVENT DAMAGE. ALL ITEMS DAMAGED DURING CONSTRUCTION SHALL BE REPLACED AT NO COST TO THE OWNER.
- HVAC, PLUMBING AND ELECTRICAL SYSTEMS ARE BY SEPARATE DESIGN-BUILD CONTRACT. IT IS THE GENERAL CONTRACTOR'S RESPONSIBILITY TO COORDINATE THE WORK OF MEP SUBCONTRACTORS WITH THE ARCHITECTURAL DRAWINGS AND TO ENSURE THAT ALL WORK DONE ON THE PREMISES SATISFIES ALL GOVERNING AGENCIES.
- WORK DESIGNATED AS "BY GC" OR "BY GENERAL CONTRACTOR" MAY BE DELEGATED BY GC TO SUBCONTRACTORS BY CONTRACT.
- THE CONTRACTOR REMAINS RESPONSIBLE FOR DETAILS AND ACCURACY, FOR CONFIRMING AND CORRELATING ALL QUANTITIES AND DIMENSIONS, FOR SELECTING FABRICATION PROCESS, AND FOR TECHNIQUES OF ASSEMBLY NOT EXPLICITLY DETAILED OR DESCRIBED IN THE CONSTRUCTION DOCUMENTS.
- CONTRACTORS SHALL VISIT THE SITE OF THE PROPOSED WORK AND FULLY ACQUAINT THEMSELVES WITH CONDITIONS AS THEY CURRENTLY EXIST SO THAT THEY MAY FULLY UNDERSTAND THE FACILITIES, DIFFICULTIES AND RESTRICTIONS RELATED TO THE EXECUTION OF THE WORK. ACCESS TO THE SPACE SHALL COORDINATE WITH THE BUILDING OWNER.
- CONTRACTOR SHALL COORDINATE WITH LOCAL AUTHORITIES AND OBTAIN ALL APPLICABLE PERMITS FOR ANY TEMPORARY CLOSING OF PUBLIC SIDEWALKS OR ROADWAYS REQUIRED FOR THE COMPLETION OF THE WORK.
- ALL CONSTRUCTION METHODS AND MATERIALS SHALL COMPLY WITH ANY AND ALL APPLICABLE CODES, REGULATIONS AND LAWS.
- CONTRACTOR SHALL FURNISH ALL ITEMS SHOWN ON THE DRAWINGS UNLESS SPECIFICALLY NOTED OTHERWISE, EITHER ON THE DRAWINGS OR IN THE SPECIFICATIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING FLOOR FINISH MATERIALS TO ENSURE THAT TRANSITIONS BETWEEN FLOORING MATERIALS WILL BE SMOOTH AND IN ACCORDANCE WITH THE DRAWINGS, UNLESS OTHERWISE STATED. CHANGES IN FLOORING MATERIAL SHALL OCCUR AT THE CENTERLINE OF DOORS.
- ALL STUDS, CEILING FURRING AND FRAMING MEMBERS SHALL BE PLACED SO AS TO AVOID INTERFERENCE WITH LOCATIONS OF CASEWORK, RECESSED LIGHTING FIXTURES, PIPING, DUCTWORK, AND THE LIKE.
- PARTITIONS AT ALL WALL-MOUNTED MILLWORK, EQUIPMENT AND ACCESSORIES SHALL HAVE HORIZONTAL BRACING.
- PROJECT (INTERIOR / EXTERIOR AND ENTIRE SITE IF APPLICABLE) MUST BE CLEANED PRIOR TO PUNCH-LIST INSPECTION AND MUST BE LEFT IN OR RESTORED TO CLEAN CONDITION UPON PROJECT COMPLETION. CONTRACTORS SHALL BE RESPONSIBLE FOR CLEANING ALL GLASS SURFACES AND FLOOR SURFACES PRIOR TO OCCUPANCY OF THE SPACE BY OWNER. ALL TRASH, CONSTRUCTION DEBRIS, TOOLS, ETC. SHALL BE REMOVED BY CONTRACTORS PRIOR TO OCCUPANCY. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR CLEANING UP ALL PUBLIC AREAS AND REMOVING ALL TRASH, CONSTRUCTION DEBRIS, TOOLS, ETC. UPON COMPLETION OF THE PROJECT.
- THE CONTRACTOR SHALL PROVIDE ALL TEMPORARY BRACING, SHORING AND / OR REINFORCING OF THE EXISTING STRUCTURES AS REQUIRED TO PROPERLY AND SAFELY INSTALL ALL NEW BEAMS, COLUMNS AND FOUNDATIONS AND TO PRESERVE THE STRUCTURAL INTEGRITY OF ANY ADJACENT BUILDING(S) DURING THE ENTIRE CONSTRUCTION PROCESS.

## PROJECT DESCRIPTION

NEW DEVELOPMENT, INCLUDING:  
- A NEW BUILDING WITH TWO SEPARATE SPACES FOR A RESTAURANT AND A BAR, SPECIFICALLY FOR DEWEY'S PIZZA AND BRAXTON BREWING COMPANY  
- OUTDOOR GREEN SPACES  
- PARKING AREA

## CODE DATA

### BUILDING CODES:

2018 KENTUCKY BUILDING CODE

### JURISDICTION:

BOONE COUNTY BUILDING DEPARTMENT  
2950 WASHINGTON STREET  
BURLINGTON, KY 41005

PROJECT LOCATED IN THE CITY OF UNION, 41091

### CHAPTER 3 - USE OR OCCUPANCY:

C-2/CD/PO  
COMMERCIAL USE - EATING & DRINKING ESTABLISHMENT

### CHAPTER 5 - BUILDING HEIGHT & AREA:

FIRST LEVEL - 8,086 S.F.  
MEZZANINE - 1,688 S.F.  
TERACE - 1,443 S.F.  
TOTAL - 11,217 S.F.

### CHAPTER 6 - TYPES OF CONSTRUCTION:

STEEL STRUCTURE & WOOD STRUCTURE ROOF

### CHAPTER 7 - FIRE RESISTANCE RATED CONSTRUCTION:

TYPE 2-B

### CHAPTER 8 - INTERIOR WALL & CEILING FINISHES:

A. INTERIOR FLOOR FINISHES SHALL BE CLASS II FOR COMMERCIAL APPLICATION. FIRE RATING SHALL BE CLASS II / ASTM E 84, COMPLYING W/ DOC-FF-1.

B. DECORATIVE MATERIALS WHERE REQUIRED TO BE FLAME RESISTANT SHALL COMPLY W/ NFPA 701 AND SHALL BE LIMITED TO 10% OF THE AGGREGATE AREA OF WALLS AND CEILINGS.

### CHAPTER 9 - FIRE PROTECTION SYSTEMS:

THE BUILDING WILL HAVE AN AUTOMATIC SPRINKLER SYSTEM

### CHAPTER 11 - ACCESSIBILITY:

THIS BUILDING IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED - COMPLY WITH REQUIREMENTS OF THIS SECTION AND ADAAG.

## DRAWING INDEX

SHEET #	SHEET TITLE	ISSUED FOR CONCEPT PLAN	MM.DD.YY
A0.0	COVER SHEET AND PROJECT INFORMATION	10.31.22	
A1.0	CONCEPT DEVELOPMENT SITE PLAN	10.31.22	
A1.1	COLORED SITE PLAN	10.31.22	
A3.0	FIRST LEVEL FLOOR PLAN	10.31.22	
A3.1	SECOND LEVEL FLOOR PLAN	10.31.22	
A4.0	ELEVATIONS	10.31.22	
A4.1	BUILDING IMAGES	10.31.22	

## ABBREVIATIONS

& or &	And	Dbl.	Double	Co.	Course	Mss.	Masonry	S	South
∠	Angle	Dmpt.	Diameter	G.O.	Grab Bar	Max.	Maximum	Sched.	Schedule
Al	Aluminum	Di.	Diameter	G.O.	Grab Bar	M.C.	Medicine Cabinet	Seal	Section
Al	Aluminum	Di.	Diameter	G.O.	Grab Bar	M.C.	Medicine Cabinet	Seal	Section
Al	Aluminum	Di.	Diameter	G.O.	Grab Bar	M.C.	Medicine Cabinet	Seal	Section

Al	Aluminum	Di.	Diameter	G.O.	Grab Bar	M.C.	Medicine Cabinet	Sched.	Schedule
Al	Aluminum	Di.	Diameter	G.O.	Grab Bar	M.C.	Medicine Cabinet	Seal	Section
Al	Aluminum	Di.	Diameter	G.O.	Grab Bar	M.C.	Medicine Cabinet	Seal	Section
Al	Aluminum	Di.	Diameter	G.O.	Grab Bar	M.C.	Medicine Cabinet	Seal	Section

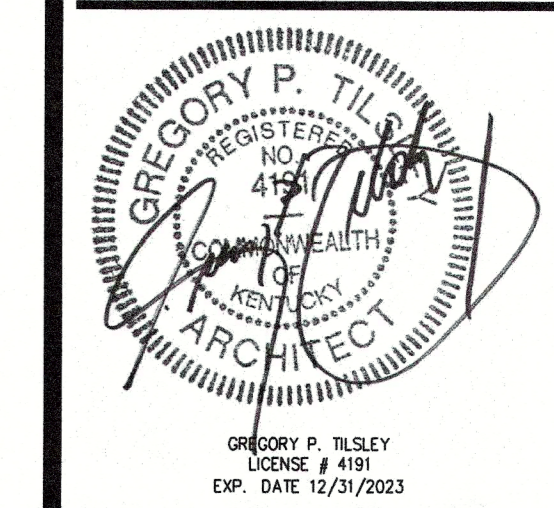
## DRAWING SYMBOLS

	ELEVATION	ELEVATION, WORK POINT, DATUM		BREAK LINE
	MATCH LINE			DOOR REFERENCE
	SECTION REFERENCE			PARTITION TYPE REFERENCE
	ELEVATION REFERENCE			ROOM REFERENCE
	INTERIOR ELEVATION REFERENCE			KEY NOTE REFERENCE
	DETAIL BUBBLE WITH TAGS			REVISION CLOUD & NUMBER
	COLUMN LINES			

## VICINITY MAP

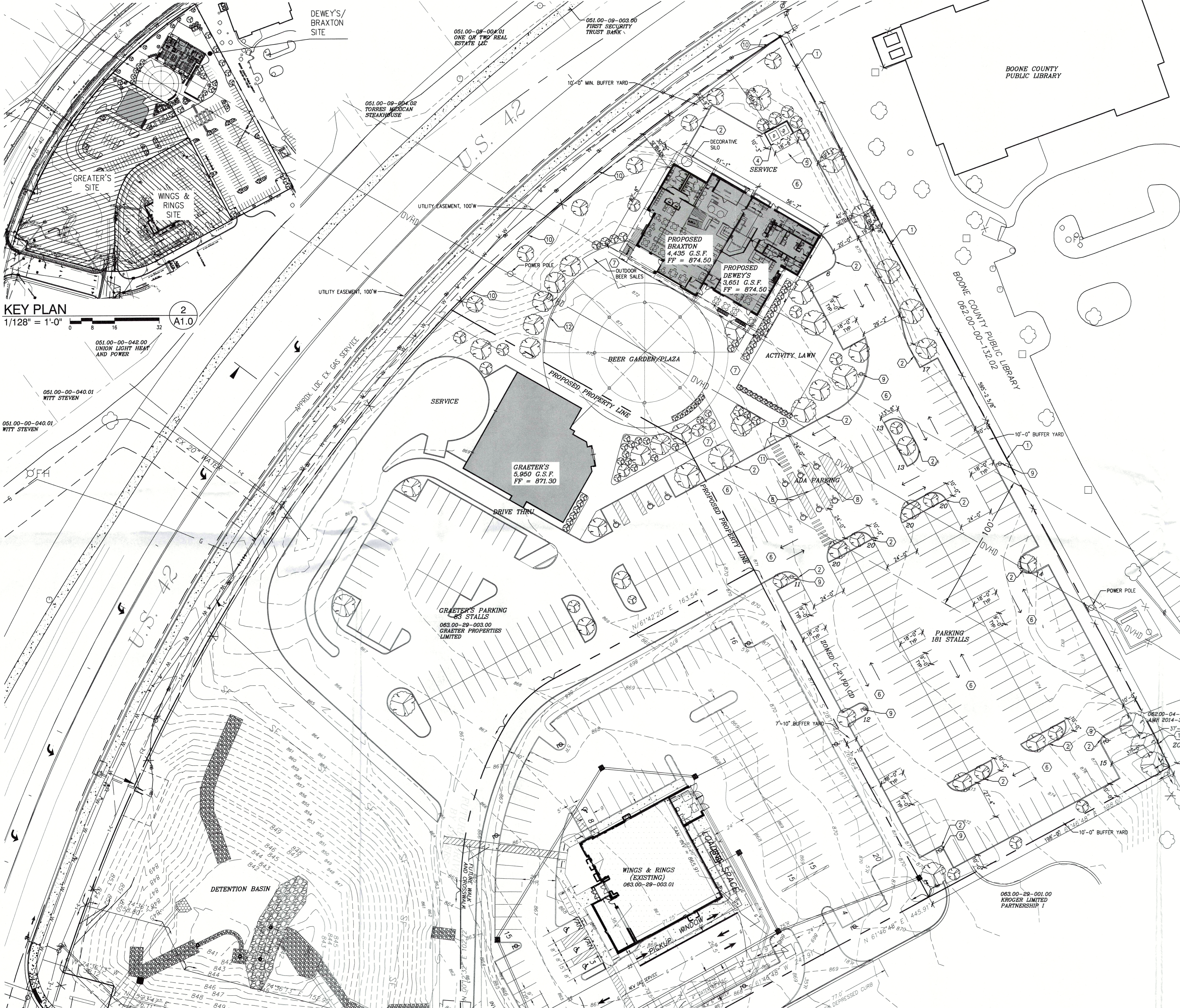


New Development For:  
**DEWEY'S / BRAXTON**  
UNION KENTUCKY  
KY 41091



NO.	ISSUE DESCRIPTION	DATE
	CONCEPT DEVELOP. PLAN	10/31/22

Sheet Title \_\_\_\_\_  
Issued For Permit Date \_\_\_\_\_  
Scale \_\_\_\_\_ Drawn By \_\_\_\_\_



**KEY PLAN**  
1/128" = 1'-0"

**SITE PLAN**  
1/32" = 1'-0"

**INTENSITY**

SITE AREA	5,657 ACRES
PROPOSED INTENSITY (MAX. 15,000 S.F. PER ACRE)	
DEWEY'S + BRAXTON	8,086 s.f.
GREATER'S	5,950 s.f.
TOTAL	14,036 s.f.

**PROPOSED BUILDING SUMMARY**

**DEWEY'S PIZZA**

AREA	FIRST FLOOR	3,651 S.F.
	(WAIT AREA)	164 S.F.
SEATS	84 SEATS	

**BRAXTON BREWING CO.**

AREA	FIRST FLOOR	4,435 S.F.
	(RETAIL)	69 S.F.
	MEZZANINE	1,688 S.F.
	TOTAL	6,123 S.F.
TERRACE	1,443 S.F.	

SEATS	FIRST FLOOR & MEZZANINE	178 SEATS
	TERRACE	66 SEATS
	TOTAL	244 SEATS

**OVERALL**

AREA	9,774 S.F. INDOOR
	1,443 S.F. OUTDOOR
SEATS	328

**OFF-STREET PARKING**

ZONING REQUIREMENTS (SECTION 3325 - EATING AND DRINKING EST.):  
 1 SPACE FOR EVERY 2 SEATS  
 1 SPACE FOR EACH 20 S.F. OF OPEN WAIT AREA  
 1 SPACE PER 250 sq ft OF RETAIL AREA  
 8 ADA SPACES (AT LEAST 1 VAN ACCESSIBLE SPACE)

**PARKING PROPOSAL:**

DEWEY'S PIZZA (84 SEATS)	42 SPACES
(WAIT AREA) 8 SPACES	8 SPACES
TOTAL	50 SPACES
BRAXTON BREWING CO. (244 SEATS)	122 SPACES
TOTAL	172 SPACES
MIN. PARKING SPACES REQUIRED PER CODE	168
GENERAL SPACES	6
ADA SPACES	172
TOTAL	178
PROPOSED PARKING SPACES	175
GENERAL SPACES	6
ADA SPACES	169
TOTAL	175

**IMPERVIOUS SURFACES**

TOTAL SITE AREA	125,669 S.F. (MAX. ALLOWANCE: 100,535 S.F.)
BUILDING AREA	
FIRST FLOOR	8,086 S.F.
PAVED PARKING AREA	65,782 S.F.
TOTAL PROPOSED	73,868 S.F. (73.47%)

**VEHICULAR USE AREA LANDSCAPING**

PROPOSED VEHICULAR USE AREA (VUA)	73,374 S.F.
PROPOSED LANDSCAPING AREA	7,592 S.F. (10.34%)

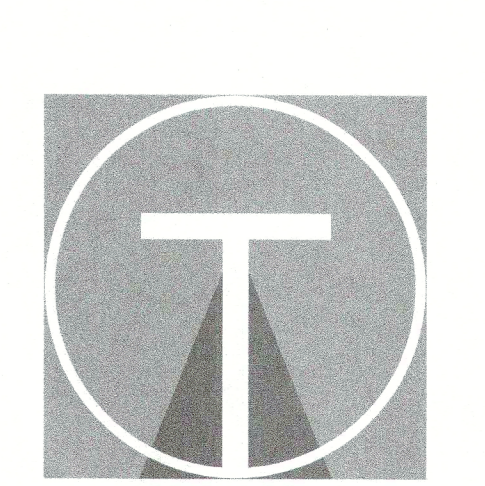
NOTE: LANDSCAPING ELEMENTS SHOWN FOR REFERENCE ONLY. FINAL PLANT SPECIES TO BE DECIDED BY OWNER.

**KEY NOTES**

- EXISTING FENCE
- 6" BARRIER CURB
- CURB RAMP w/ DETECTABLE WARNING
- 8'-0" HIGH CMU MASONRY DUMPSTER ENCLOSURE w/ BRICK VENEER TO MATCH MAIN BUILDING
- HEAVY DUTY CONCRETE
- ASPHALT PAVEMENT
- CONCRETE WALK
- ACCESSIBLE PARKING SIGN
- PARKING LIGHTING. MEASURABLE LIGHT TO BE LESS THAN ONE (1) FOOT-CANDLE AT ALL PROPERTY LINES. EXTERIOR FIXTURES MOUNTED ON FREESTANDING MASTS TO BE DOWNLIT, AND THE LIGHT FROM EXTERIOR FLOODLIGHTS AND WALL PACKS MOUNTED ON BUILDINGS AND SIMILAR STRUCTURES TO BE DIRECTED AT 45 DEGREES OR MORE BELOW HORIZONTAL.
- 3 BOARD FENCE (WHITE) ALONG PROPERTY FRONTAGE
- PEDESTRIAN CROSSWALKS TO BE 6' LONG x 1' WIDE "PIANO KEY" TYPE SPACED @ 3' O.C.
- SCREEN FENCE

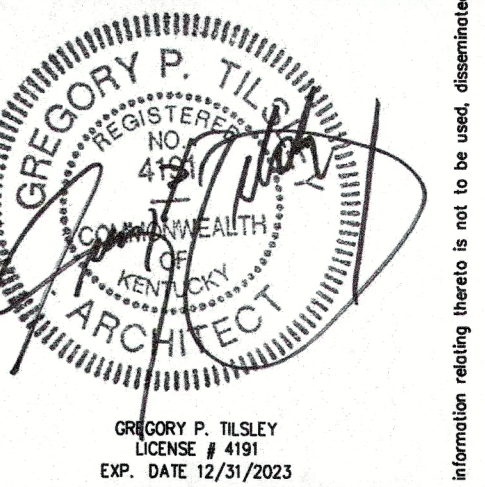
**GENERAL NOTES**

- ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT AND/OR BACK OF CURB, UNLESS NOTED OTHERWISE.
- ALL STANDARD PARKING STALLS SHALL BE 9'x18' UNLESS NOTED OTHERWISE.
- ALL ADA ACCESSIBLE PARKING STALLS SHALL BE 8'x18' UNLESS NOTED OTHERWISE.

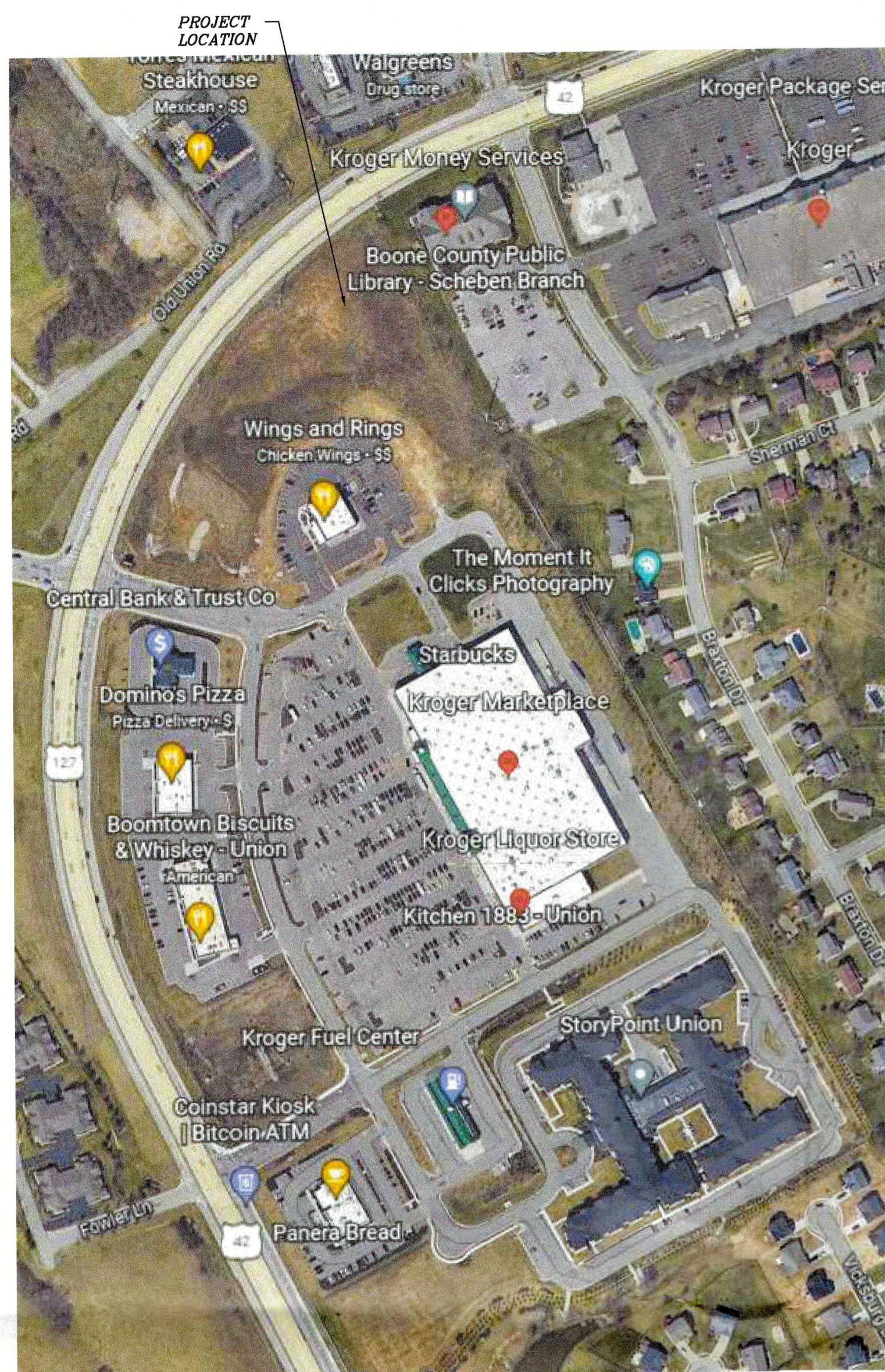


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 KY 41091

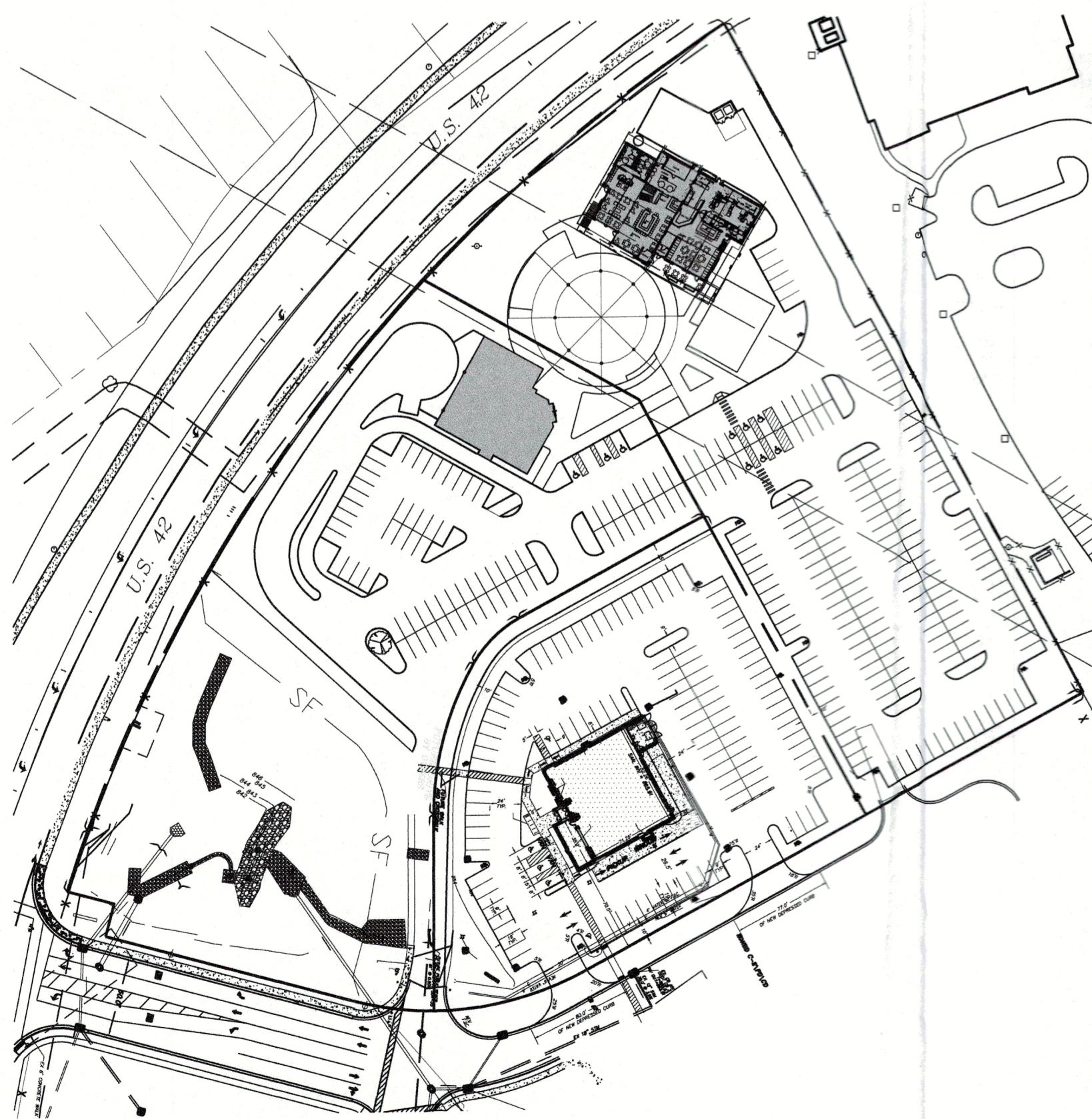


NO.	ISSUE DESCRIPTION	DATE
	CONCEPT DEVELOP. PLAN	10/31/22
Sheet Title		
CONCEPT DEVELOPMENT		
SITE PLAN		
Issued For Permit Use		
Scale	AS NOTED	Drawn By
		DVM
Checked by GPT		
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SATELITE VIEW

2  
A1.1



KEY PLAN

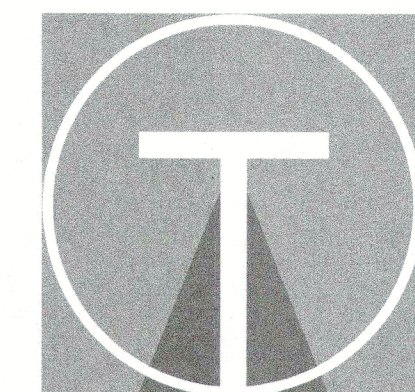
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A1.1



COLORED SITE PLAN

1/32" = 1'-0"

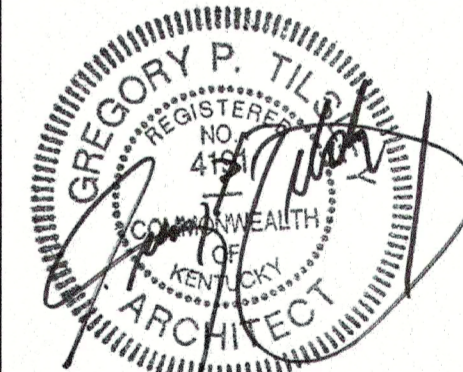
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KY 41091



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LICENSE # 4191  
EXP. DATE: 12/31/2023

NO. ISSUE DESCRIPTION DATE

CONCEPT DEVELOP. PLAN 10/31/22

NO.	ISSUE DESCRIPTION	DATE

Sheet Title  
CONCEPT DEVELOPMENT

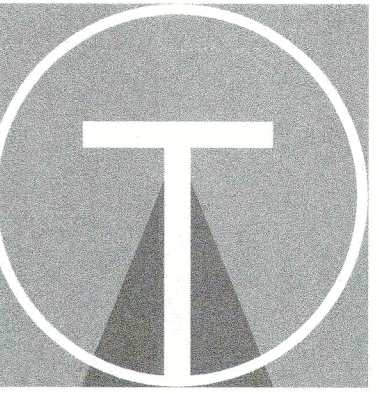
COLORED SITE PLAN  
Issued For Permit Date

Scale Drawn By  
AS NOTED DVM

21032 DEWEY'S / BRAXTON

A1.1

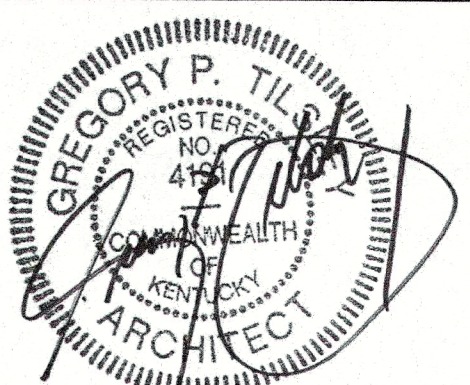
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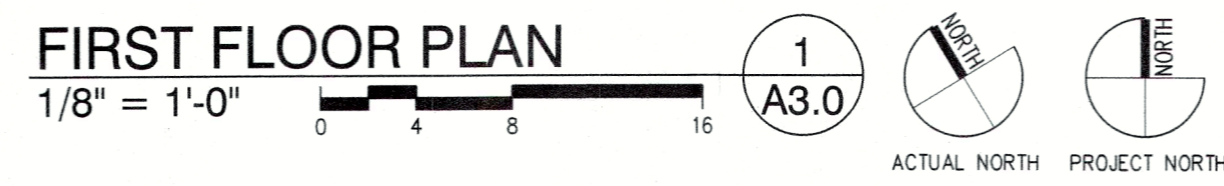
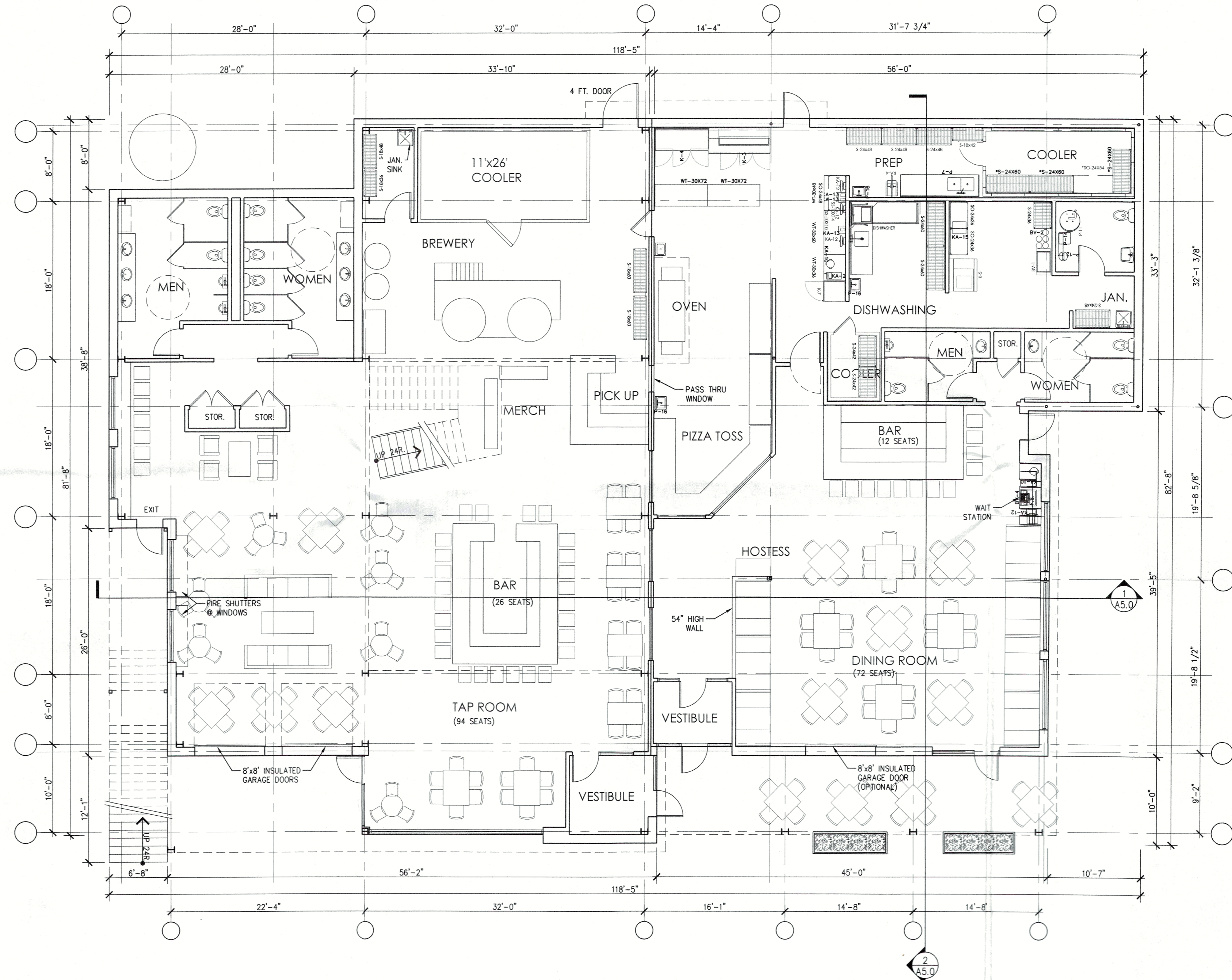
Sheet Title  
FIRST LEVEL

FOOR PLAN  
Issued For Permit Date

Scale Drawn By  
1/8" = 1'-0" DVM

Checked by  
21032

DEWEY'S / BRAXTON  
A3.0



**FIRST FLOOR PLAN**  
1/8" = 1'-0"

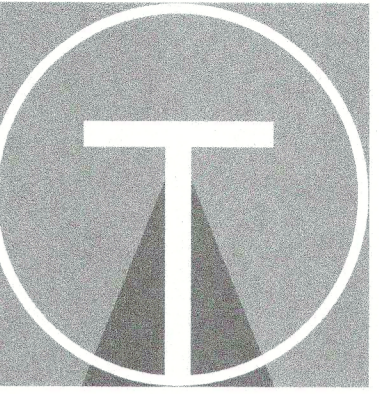
**SQUARE FOOTAGE SUMMARY**

DEWEY'S	3,651 S.F.
BRAXTON	
FIRST FLOOR	4,435 S.F.
SECOND FLOOR	1,688 S.F.
TOTAL	6,123 S.F.
TERRACE	1,443 S.F.
TOTAL S.F. FOR BUILDING	11,217 S.F.

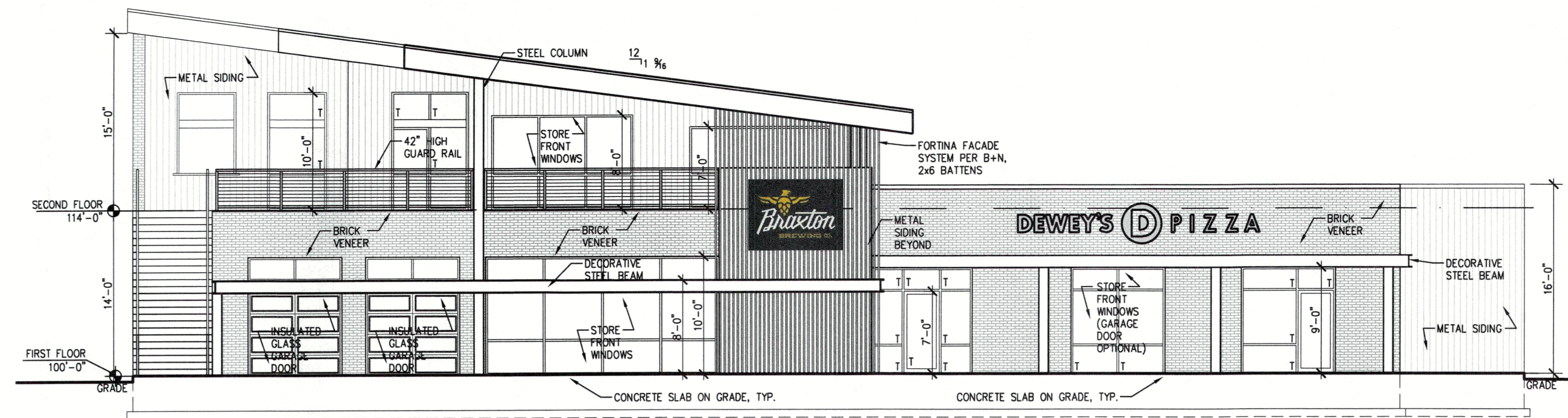
**SEATING SUMMARY**

DEWEY'S	
DINING ROOM	72
BAR	12
TOTAL	84
BRAXTON	
FIRST FLOOR	
TAP ROOM	88
BAR	26
TOTAL	114
SECOND FLOOR	
MEZZANINE	64
TOTAL	178
SECOND FLOOR OUTDOOR TERRACE	66

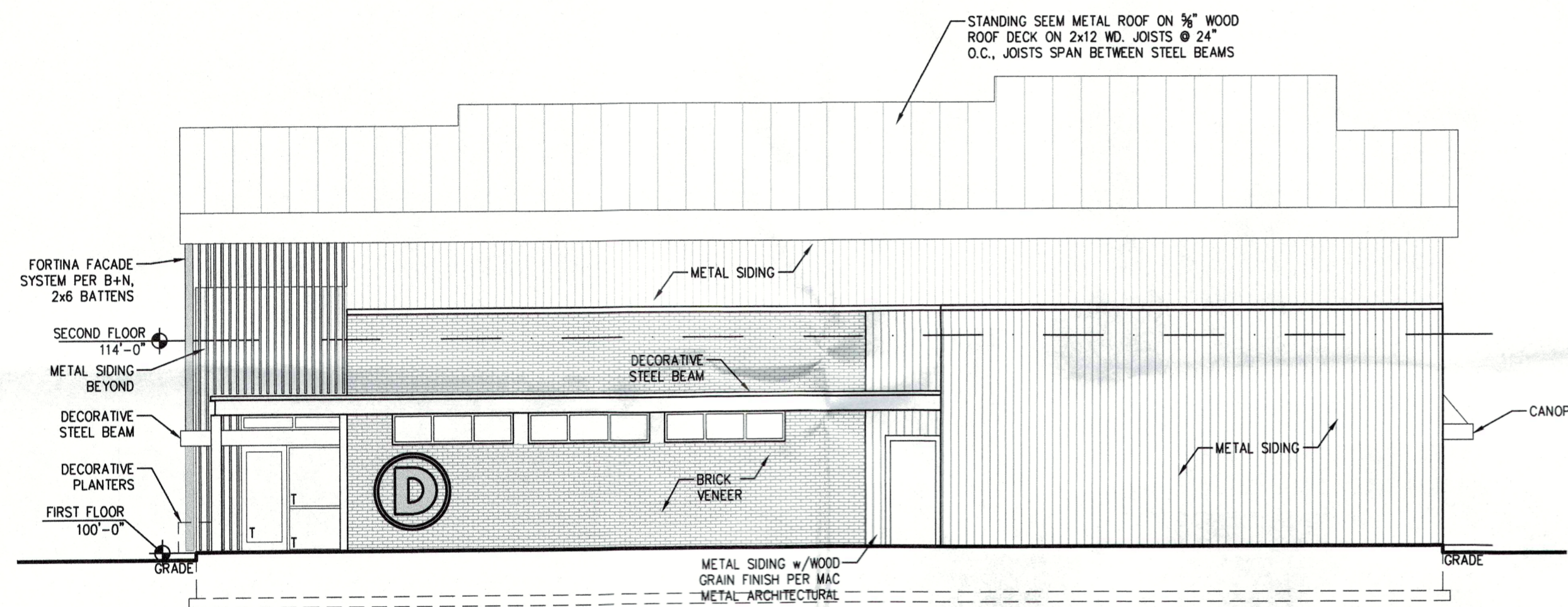




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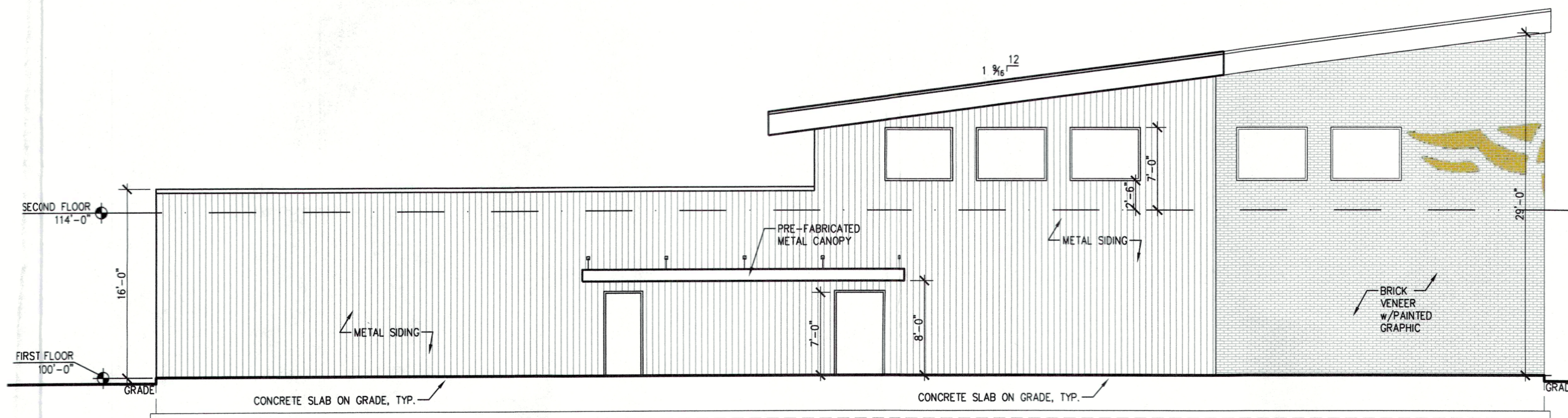
**SOUTH ELEVATION**  
1/8" = 1'-0" 1 A5.0



**EAST ELEVATION**  
1/8" = 1'-0" 2 A4.0

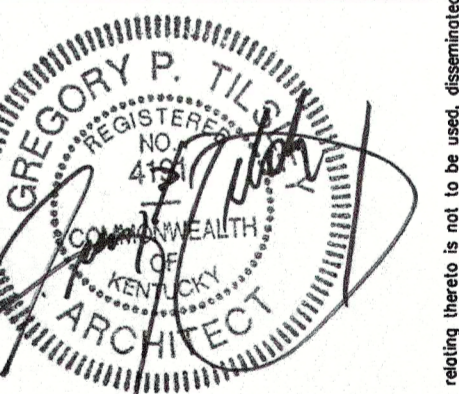


**WEST ELEVATION**  
1/8" = 1'-0" 2 A4.0



**NORTH ELEVATION**  
1/8" = 1'-0" 3 A5.0

New Development For:  
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UNION KENTUCKY  
KY 41091



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NO.	ISSUE DESCRIPTION	DATE

Sheet Title  
**ELEVATIONS**

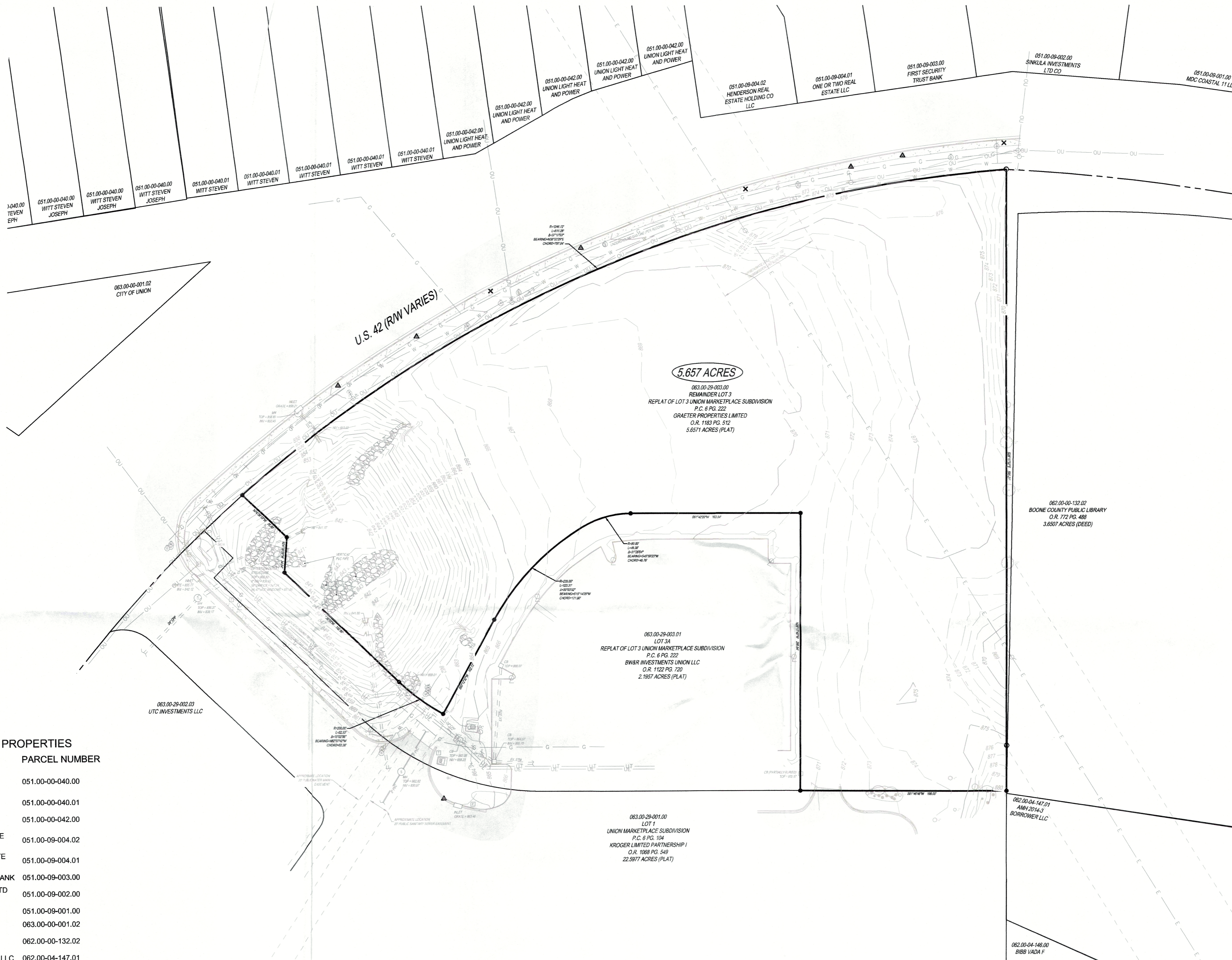
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1/8" = 1'-0" DVM

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21032 DEWEY'S / BRAXTON

**A4.0**





VICINITY MAP  
N.T.S

**LEGEND**

- IRON PIN FOUND (SIZE AS NOTED)
- × CROSS NOTCH FOUND
- ▲ MAG NAIL FOUND
- 5/8" IRON PIN SET (HABEDANK KY 4041)
- CATCH BASIN
- INLET
- STORM MANHOLE
- SANITARY MANHOLE
- ELECTRIC BOX
- GUY WIRE
- LIGHT POLE
- UTILITY POLE
- TRANSFORMER
- FIRE DEPARTMENT CONNECTION
- IRRIGATION CONTROL VALVE
- POST INDICATOR VALVE
- WATER VALVE
- GAS VALVE
- TELEPHONE BOX
- BUSH
- CONIFEROUS TREE
- DECIDUOUS TREE
- SIGN (SINGLE POST)
- TRAFFIC SIGNAL POLE
- BUSH LINE
- FENCE LINE
- OVER HEAD UTILITY
- OVERHEAD ELECTRIC
- UNDERGROUND ELECTRIC
- WATER LINE
- SANITARY SEWER
- STORM SEWER
- ASPHALT
- CONCRETE
- LANDSCAPING
- RIP RAP

**NOTES:**

1. SOURCE DOCUMENTS AS NOTED.
2. OCCUPATION IN GENERAL FITS SURVEY.
3. MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
4. HORIZONTAL AND VERTICAL DATUM ARE BASED ON THE KENTUCKY STATE PLANE COORDINATE SYSTEM NORTH ZONE (1801) AS DERIVED FROM KYTCS (VIRTUAL REFERENCE STATION) SYSTEM (NAD '83) (NAVD '88). THE GEIOD USED WAS GEIOD 18.
5. SITE BENCHMARK AS SHOWN HEREON.
6. ALL IRON PINS SET ARE 5/8" DIAMETER X 30" IRON REBAR WITH ID CAP STAMPED "HABEDANK KY 4041".

**ADJACENT PROPERTIES**

PROPERTY OWNER	PARCEL NUMBER
WITT STEVEN JOSEPH	051.00-00-040.00
WITT STEVEN	051.00-00-040.01
UNION LIGHT HEAT AND POWER	051.00-00-042.00
HENDERSON REAL ESTATE HOLDING CO LLC	051.00-09-004.02
ONE OR TWO REAL ESTATE LLC	051.00-09-004.01
FIRST SECURITY TRUST BANK	051.00-09-003.00
SINKULA INVESTMENTS LTD CO	051.00-09-002.00
MDC COASTAL 11 LLC	051.00-09-001.00
CITY OF UNION	063.00-00-001.02
BOONE COUNTY PUBLIC LIBRARY	062.00-00-132.02
AMH 2014-3 BORROWERS LLC	062.00-04-147.01
BIBB VADA F	062.00-04-146.00
BW&R INVESTMENTS UNION LLC	063.00-29-003.01
UTC INVESTMENTS LLC	063.00-29-002.03
KROGER LIMITED PARTNERSHIP 1	063.00-29-001.00



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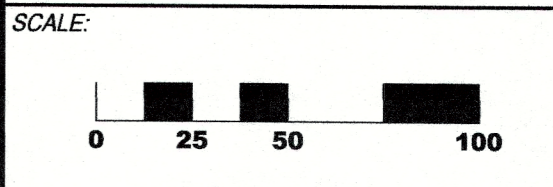
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613.779.7851

SEAL:

NO.	DATE	DESCRIPTION
05/31/22	ZONING SET	

**GRAETER'S ICE CREAM**  
CITY OF UNION  
BOONE COUNTY, KENTUCKY

PROJECT NO: **220229.000**  
DATE: **05/31/2022**



SHEET NAME:  
**SURVEY BASEMAP**

SHEET NO.  
**C110**

