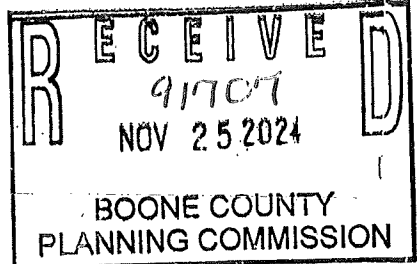


**CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION**



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: HUNTER ROAD - AIRPORT TRUCK STOP
3. Location of Project: 571-591 HUNTER ROAD
4. Total Acreage of Project: 7.92
5. Current Zoning of Property: C-3
6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):
11/23/2020
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):
Commercial Parking, C-STORE, GAS STATION, TRUCK STOP

9. Proposed Building Intensities (specify for each building):
SEE PLAN

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: ALEX + AMANI OTHMAN
Address: 2306 KENYON COURT
HEBROW KY 41048
City State Zip Code
Phone Number: 859-866-5394 Fax Number: _____
Email: alex.othman1954@gmail.com

13. Applicant: HREZO ENGINEERING INC

Address: 1025 RIDGE AVE
GREENDALE INDIANA 47025
City State Zip Code

Phone Number: 812-537-4700 Fax Number: 812-537-5054
Email: jim.bertram@chrezoengineering.com

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

15. D1022, D1129 329, 193 2021 2009
Deed Book ~~903~~ Page Number Group Number

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

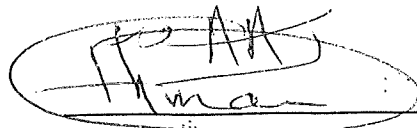
17. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

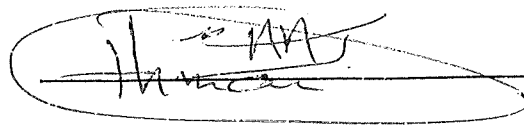
Prior to construction of improvements, the applicant is recommended to submit copies of the Site Plan to the appropriate organizations/agencies prior to approval by the Boone County Planning Commission.

- | | |
|---|---|
| <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 February 20, 2025

Property Owner's Signature: 

Applicant's Signature: 

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

1. Date Received: 11/25/24 Fee Received: 3,168.40 Receipt #: 91707
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: C. Gulick
7. Scheduled Public Hearing Date: 1/8/2025
8. Boone County Planning Commission Action: _____ Date of Action: 3/5/2025

- _____ Approved
- _____ Approved with Conditions
- _____ Denial
- _____ Other

\$ 2368.40 CUDP
\$ 800.00 CUP

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196
plancom@boonecountyky.org
www.boonecountyky.org

EXHIBIT

“A”

STAFF REPORT

#1

Request of **Alex Othman (applicant/owner)** for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional Use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3). The submitted request is to allow the conversion of an approximate 7.52 acre area of the site from commercial parking to a truck stop and to allow the expansion of the existing commercial parking facility on an approximate 2.02 acre area of the site.

January 8, 2025

REQUESTS

- A. The first part of the submitted request is for a Change of Concept Development Plan to allow the eastern 2.62 acres of the approximate 9.54-acre site to be converted from a commercial parking facility to a truck stop.
- B. The second part of the submitted request is for a Conditional Use Permit to allow a truck stop to operate on the eastern 7.52 acres of the approximate 9.54-acre site.

SITE HISTORY

- 1981-1985 Based on information contained in the Boone County GIS, a portion of the site was originally developed with a commercial parking facility.
- 1985-1990 Based on information contained in the Boone County GIS, the commercial parking facility was expanded.
- 2014 On January 17, 2014, a Major Site Plan was approved for the construction of a convenience store, restaurant, and gas station.
- 2015 On September 9, 2015, the Boone Board of Adjustment approved a variance for additional signage on three facades of a gasoline canopy for the existing commercial parking facility (BCBOA-15-009).
- 2016 On April 5, 2016, Boone Fiscal Court adopted Ordinance Number 2016-04, approving a Special Sign District for a portion of the site in question, subject to eight conditions (R-16-004-A).
- 2020 On April 14, 2020, Boone Fiscal Court adopted Ordinance Number 2020-10 changing the zoning for the eastern portion of the site in question from SR-1 to C-3 to allow the expansion of the existing commercial parking facility, subject to three conditions and the Boone County Planning Commission approved a Variance reducing the Buffer Yard width along the eastern property line from sixty (60) feet to ten (10) feet (R-20-004-A).
- 2020 On July 23, 2020, a Major Site Plan was approved for the expansion of the commercial parking facility.

2024 On August 7, 2024, the applicant, for a similar request as the one under consideration, withdrew their application for a Change of Concept Development Plan/Conditional Use Permit (R-24-WD).

APPLICABLE REGULATIONS

- A. Section 311 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 as it was originally approved.
- B. Section 1003.A of the Boone County Zoning Regulations states that the purpose of the Commercial Services district is to provide, control, and centralize those types of commercial activities which; a) depend on and generate high vehicular accessibility, visibility and traffic; and/or b) large outdoor single-purpose storage, display, and parking areas and c) which do not fit the scale, character, trade area and general objectives of the other commercial districts in this article or the employment districts defined in ARTICLE 11. Such districts will generally be organized around regional or major community trade areas. Sites will be of suitable lands which can be appropriately buffered from surrounding urban uses. Districts will be located to have direct visibility from arterial roads. District facilities and plans should be organized to accomplish as much clustering of compatible uses, sharing of parking and access, signage, lighting, and other spaces and improvements as possible.
- C. Section 505.3 and Table 5-4 of the Boone County Zoning Regulations principally permit commercial parking facilities in the C-3 zoning district.
- D. Section 505.3 and Table 5-4 of the Boone County Zoning Regulations list truck stops as a Conditional Use in the C-3 zoning district.
- E. Section 302 of the Boone County Zoning Regulations states that at the time of filing an application for a zoning map amendment (or Concept Development Plan), an applicant may also request a Conditional Use Permit for the same development.
- F. Section 205 of the Boone County Zoning Regulations indicates the Board (Planning Commission) should consider the following criteria before acting on the Conditional Use Permit to allow the truck stop use at the proposed location:
 - 1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order.
 - 2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the

general vicinity and shall not change the essential character of the same area.

3. Will be hazardous to existing or future neighboring uses.
 4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
 5. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community.
 6. Will involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare or odors.
 7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- G. Section 1003.2 of the Boone County Zoning Regulations indicates the Board (Planning Commission) should analyze the following additional criteria when a Conditional Use is proposed in the C-3 zoning district:
1. The activity is an integral and subordinate function of a permitted commercial use or service; and
 2. The arrangement of use, building, or structure will be compatible with the organization of permitted and accessory uses to be protected in the district.
- H. Article 40 of the Boone County Zoning Regulations contains the following definitions:

Commercial Parking - Facilities intended or used for the off-street parking of operable motor vehicles on a temporary basis, other than accessory to a principal use.

Truck Stop - A facility designed to provide services to the trucking industry including but not limited to dispensing of fuel, restaurants, showers, and associated retail sales. The permitted uses do not include truck repair, washes, or the sale of vehicles unless such activities are expressly listed as a permitted use for the district in question, and a conditional use permit must be obtained for any activity to be conducted at a truck stop that is listed as a conditional use for the district in question.

SITE CHARACTERISTICS

- A. The approximate 9.54 acre area has approximately 1,000 feet of frontage of Hunter Road

(improved and unimproved right-of-way), 1,157 feet of frontage on KY 212 and I-275, and 113 feet of frontage on Hetzel Drive.

- B. The site contains and approximate 5,975 square foot convenience store/restaurant, with 40 parking spaces, a 2,400 square foot fuel canopy, with four fuel islands (8 dispensers), and a gated office/canopy which provides access to 631 commercial parking spaces. The commercial parking area is secured with chain link fencing. Ingress and egress to the site is provided from a single access point on Hunter Road.
- C. The approved 2020 Site Plan shows the topography of the site ranges from 890' above sea level at Hetzel Drive frontage, to 882' above sea level at the Hunter Road access point, to 862 feet above sea level to a detention basin located in the southwest corner of the site.
- D. Public water and sanitary mains exist on Hunter Road.

ADJACENT LAND USES AND ZONES

- North: Hunter Road and ValAir Valet Airport Parking (C-3)
- South: I-275 and Kenton County Airport Board Property (A)
- East: Hetzel Drive and Vacant Parcels Owned by Kenton County Airport Board (SR-1)
- West: KY 212 and Fast Park (C-3)

RELATIONSHIP TO COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan 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.”
- B. The Land Use Plan Element of Our Boone County Plan 2040, includes the following passages, which relates to the request:
 - 1. Riverview Estates Subdivision and the residential area on Hunter Drive and Hetzel Drive should eventually redevelop into industrial uses to take advantage of the proximity to the interstate. The existing Bluebird Subdivision should remain residential and not experience piecemeal conversions to business uses. Future business uses may be appropriate if residential to business conversion is proposed on all of the subdivision area. The existing commercial parking lot facilities at KY 20 and KY 212 should eventually redevelop into office, hotel, convention, and travel related commercial uses. Commercial parking uses should be relocated onto airport property, in closer proximity to the airport terminals. Industrial development to the north of KY 20 should not locate on any portion of the Developmentally Sensitive hillsides, and a buffer area for the preservation of those hillsides may be required. Throughout these hillside areas, stands of existing trees should be retained between individual developments. (Airport Future Land Use Geographical Area, pp. 112-113).

2. "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" (Future Land Use Development Guidelines, Buffering, pp. 95-96).
3. "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 (Future Land Use Development Guidelines, Landscaping, pg. 96).
4. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and sight distance for access points, adequate spacing between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way (Future Land Use Development Guidelines, Access

Management, pg. 96).

5. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view (Future Land Use Development Guidelines, Design, Signs, and Cultural Resource Preservation, pg. 97).

C. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:

1. Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems (Overall Goal A, Objective 3).
2. 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).
3. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
4. Development shall attempt to utilize existing topography and vegetation (including mature trees where possible) and preserve the existing character of the land where practical (Environment Goal A, Objective 7).
5. Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses (Economy, Goal B).
6. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).
7. Interstate commercial uses, as well as the freight logistic industry, shall be in close proximity to interstate interchanges for maximum convenience and economy to the traveling public, while minimizing traffic congestion (Economy, Goal B, Objective 4).
8. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal A, Objective 1).
9. The local transportation system in Boone County shall be maintained and improved to enhance the overall safety and level of service (Transportation, Goal B).

10. Inefficiencies in the transportation network, including road condition, intersection improvements, and signal enhancements shall be identified and addressed (Transportation, Goal B, Objective 3).
11. Traffic impact analysis should be used as a tool to address impacts to the existing transportation system (Transportation, Goal C, Objective 3).

BOONE COUNTY TRANSPORTATION PLAN

The Boone County Transportation Plan lists the reconstruction of the I-275 interchange at KY 212 and reconstruction of KY 20 near the Cincinnati/Northern Kentucky International Airport as an unscheduled need recommendation.

STAFF COMMENTS

A. The submitted Concept Development Plan indicates the following:

1. The existing convenience store, restaurant, fuel canopy/pumps, and commercial parking canopy/office will remain.
2. Provision for a 1,825 square foot food court addition on the north side of the convenience store.
3. Expansion of the commercial airport parking lot in the western 2.02 acres of the site with the addition of forty-two (42) new parking stalls.
4. Conversion of the eastern 7.52 acres of the site from commercial parking to a truck stop to include a 132' x 30' truck fuel canopy, underground diesel tanks, passenger vehicle parking, 69 truck parking stalls, and new access points on Hunter Road and Hetzel Drive.
5. Provision for three (3) detention facilities.
6. Widening of Hunter Road to twenty-eight (28) feet and thirty (30) foot pavement widths.

B. The following table provides a comparison between the existing approved Concept Development Plan and the proposed Concept Development Plan:

	EXISTING APPROVED CONCEPT DEVELOPMENT PLAN	PROPOSED CONCEPT DEVELOPMENT PLAN
Buildings	Gas Station Convenience Store Restaurant	Gas Station Convenience Store Restaurant Food Court Diesel Refueling
Parking	966 spaces for automobiles	283 spaces for automobiles 69 spaces for trucks
Access	One (1) full access point onto Hunter Road One (1) emergency access point onto Hunter Road	Two (2) full access points onto Hunter Road One (1) full access point onto Hetzel Drive
Other Improvements	Two (2) detention ponds 4' high decorative fence in front yard 6' high chain link fence in side and rear yards	Three (3) detention ponds Widen Hunter Road to 28' and 30'

- C. The applicant has submitted a Traffic Impact Study. The analysis indicates the existing geometry and the traffic operations at all intersections in the study area will have no impact due to the traffic generated by the truck stop. No improvements are required at the intersections included in the study area.
- D. The closest truck stops Staff is aware of is TA Truck Stop on Burlington Pike in Florence, Kentucky and the Kennett Truck Stop in Greendale, Indiana. Staff has observed the TA Truck Stop in Florence causing traffic backups on KY 18 due to excessive semi-truck stacking.
- E. Regarding potential stacking concerns:
1. Semi-truck stacking could occur on Hunter Road and Hetzel Drive.

Boone County GIS shows the Hunter Road access point is approximately 420 feet from KY 20. This would allow 5 semi-trucks (based on 72' semi-truck) to stack on Hunter Road before impacting KY 20. Any stacking on this road could also impact the ValAir business operation.

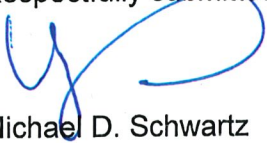
Boone County GIS shows the Hetzel Drive access point is approximately 690 feet from KY 20. This would allow 9 semi-trucks (based on 72' semi-truck) to stack on Hetzel Drive before impacting KY 20.
 2. Semi-truck parking could occur on Hunter Road and Hetzel Drive if the truck stop parking lot is full.
- F. Up until approximately 1997, houses existed along both sides of Hetzel Drive. Hetzel Drive is currently a non-maintained County residential street with an approximate twenty (20) foot pavement width.
- G. The following issues need to be clarified by the applicant:
1. How many seats are existing/proposed in the restaurant/food court? This number is needed to know how much automobile parking will be required.
 2. Other than the food court addition, are any other improvements proposed to the building interior, such as expanded bathrooms, showers, etc?
 3. Will the access point on Hetzel Drive be a full ingress/egress or egress only?
 4. What, if any, improvements will be made to Hetzel Drive?
- H. The submitted Concept Development Plan shows several areas where new improvements do not meet the minimum Buffer Yard A width of ten (10) feet.
- I. Staff would like the applicant to discuss the findings of the traffic study in light of the anticipated truck movements. Specifically, Staff would like to make sure that the intersection analyses took into account the slower acceleration rates of trucks versus passenger vehicles.

- J. Staff sent out an Agency Memo to the Boone County Building Department, Boone County Planning Commission Planning Division, Boone County Public Works, Hebron Fire District, and KYTC.
1. Andy Ifcic, Hebron Fire Protection District, replied that he had no comments.
 2. Bridget Striker, Boone County Planning Commission Planning Division, replied that she did not have any comments.
 3. Rob Franxman, County Engineer replied with the following comments:
 - a. I'm confused which truck stops were used to develop the trips per spots number. The Draft TIS says Florence and Wilder. Other information suggests a TA in Walton and a Flying J in Florence (I don't believe that is right).
 - b. Was a turn lane analysis for KY 20 @ KY 212 performed? Specifically, the left turn movement from WB KY 20 to SB 212.
 - c. I am also curious how truck traffic was considered during the capacity analysis. Again, looking at KY 20 and 212, there is virtually no change in delay between 2025 no-build and 2035 build. It's surprising to me that a significant number of trucks have no effect.
 - d. Over the past year the County has dealt with significant problems caused by a truck stop. The issues were related to truck queuing and poor circulation at the fueling center. This particular truck stop had few to zero on site parking stalls. So, I'm very hesitant that the number of spots will limit the amount of truck traffic. Based on these experiences, it's my opinion that all truck access, entering and exiting, should occur off Hetzel Drive. Even if the truck traffic generation numbers are correct, having 200+ trucks per day mixing with the other passenger car uses served by Hunter Road seems inappropriate.
 - e. In order to accommodate the trucks, Hetzel Drive should be improved to meet sub-collector dimensions and also meet the 11" pavement thickness requirement for industrial streets. The left turn movement from WB KY 20 to SB 212 should be reevaluated and considered for additional storage.
 - f. Lastly, the developer should be aware of KYTC Highway Plan project 6-8000.20 that involves reconstruction of the 275/212 interchange. The project is unfunded at this point.

CONCLUSION

- A. The Change in Concept Development Plan request needs to be evaluated by the Boone County Planning Commission and Boone Fiscal Court in terms of Kentucky Revised Statute (KRS) 100.213, Article 3 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area. The 2040 Future Land Use Map will not need to be amended if the request is approved.
- B. The Conditional Use Permit request needs to be evaluated by the Boone County Planning Commission in terms of Kentucky Revised Statute (KRS) 100.237, Article 2 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,



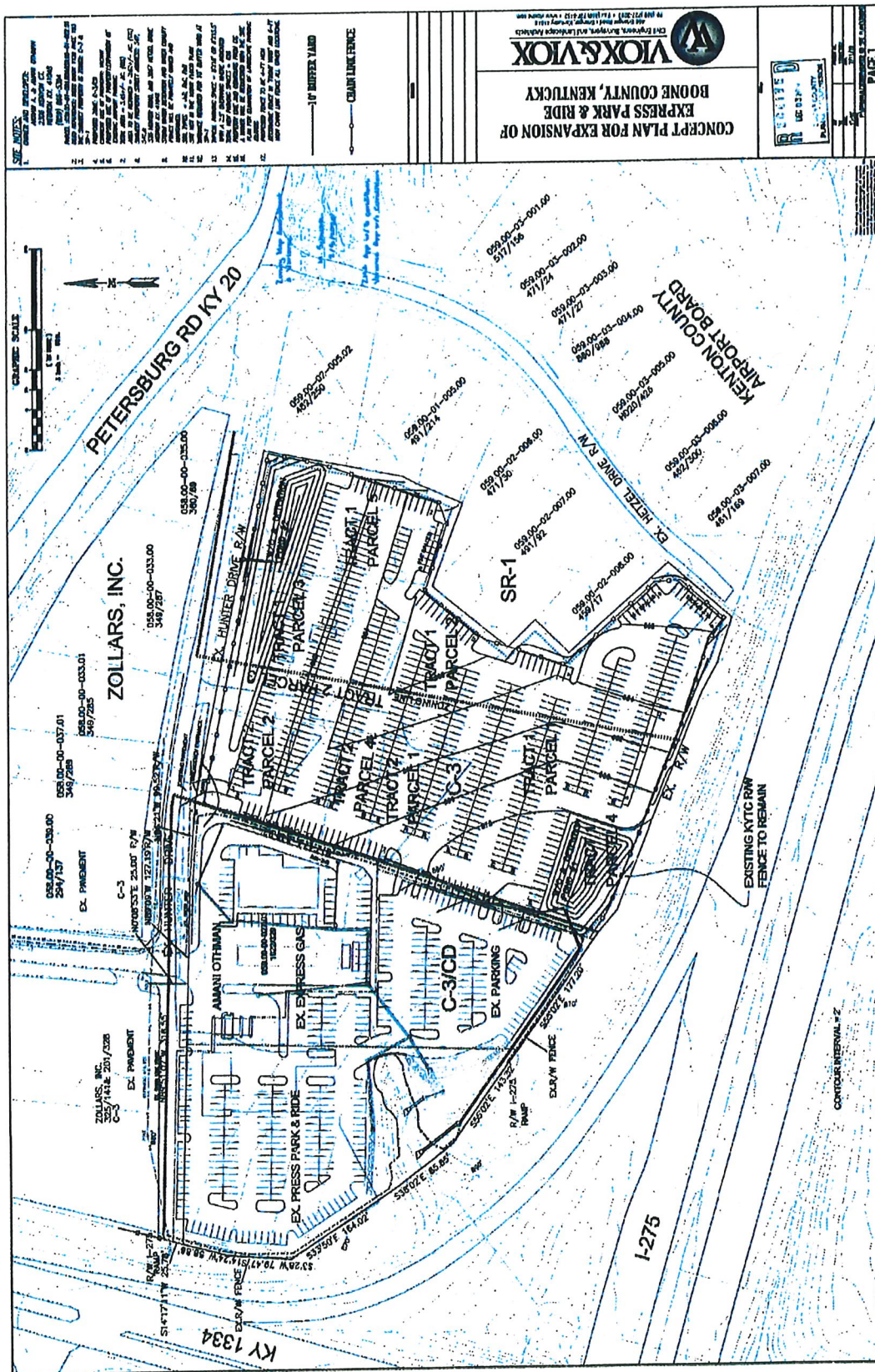
Michael D. Schwartz
Director, Zoning Services

MDS/ss

Attachments:

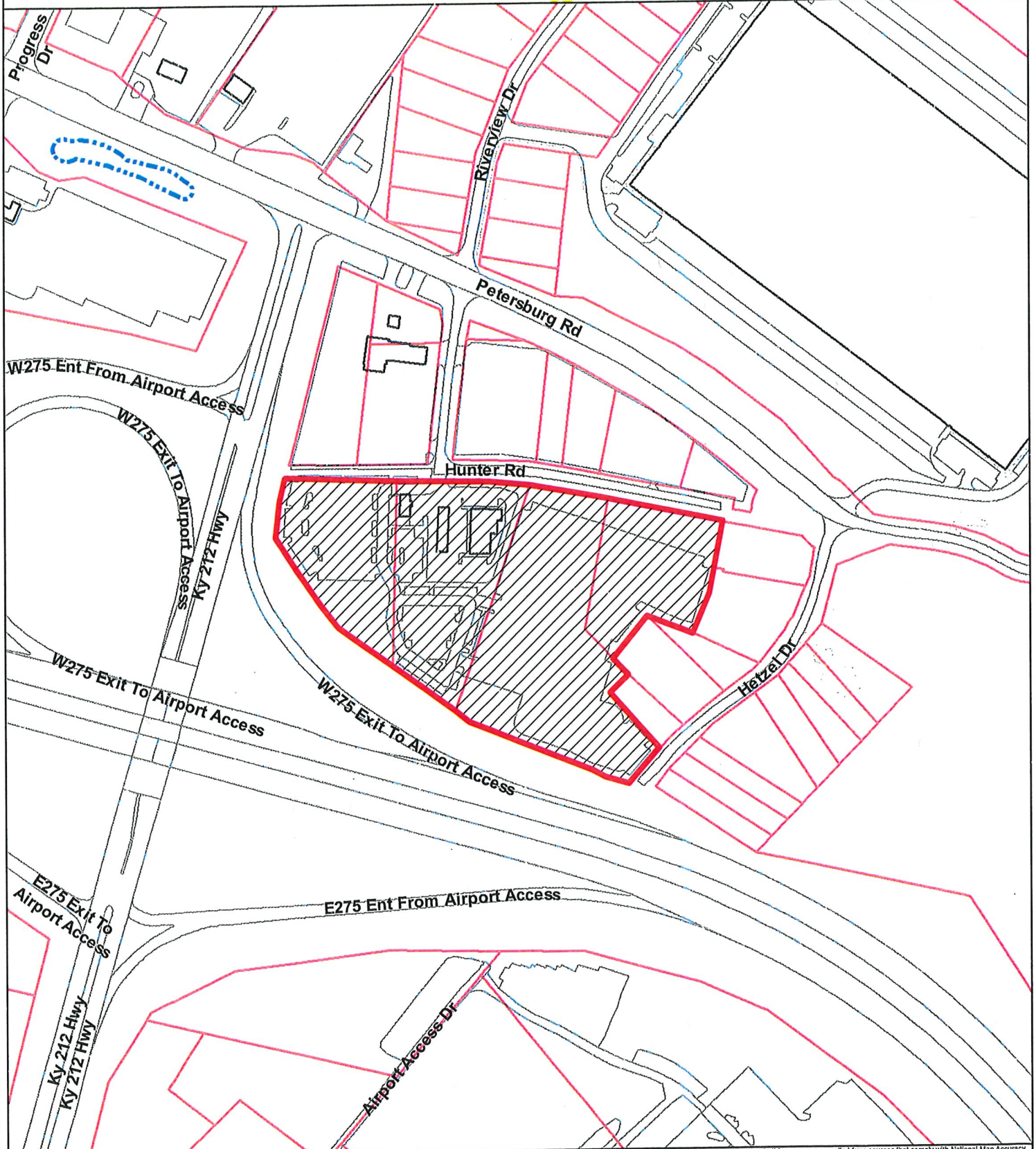
- *2020 Approved Concept Development Plan
- *Vicinity Map
- *Aerial Map
- *Topographic Map
- *Zoning Map
- *2040 Future Land Use Map
- *Noise Contour Map
- *Application
- *Traffic Impact Study
- *Concept Development Plan

EXISTING APPROVED CONCEPT DEVELOPMENT PLAN (R-20-004-A)



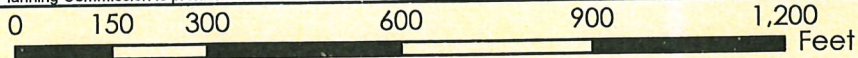
Vicinity Map

www.boonecountygis.com



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1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map

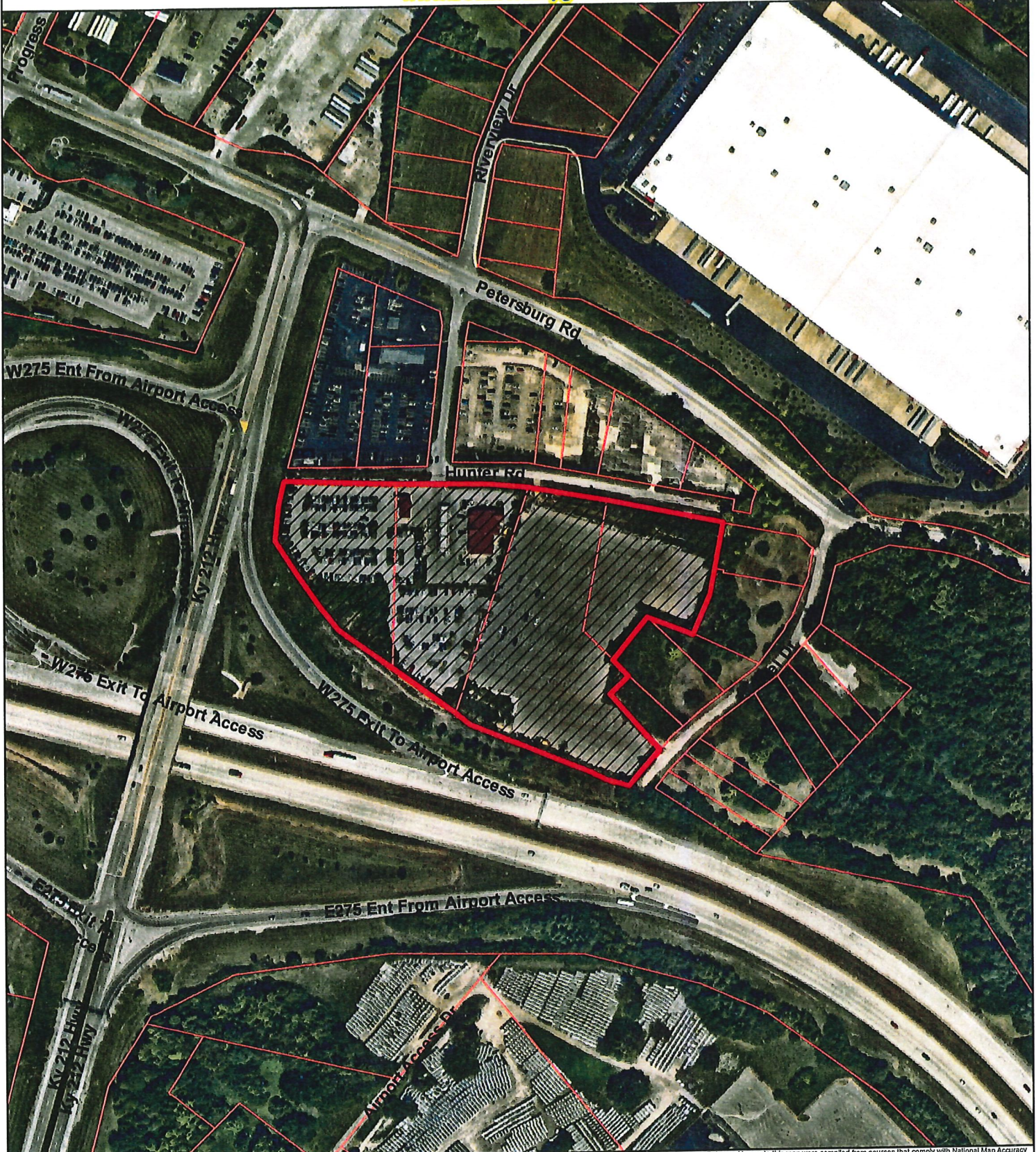


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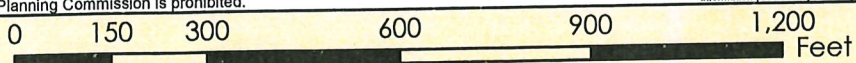
Aerial Map

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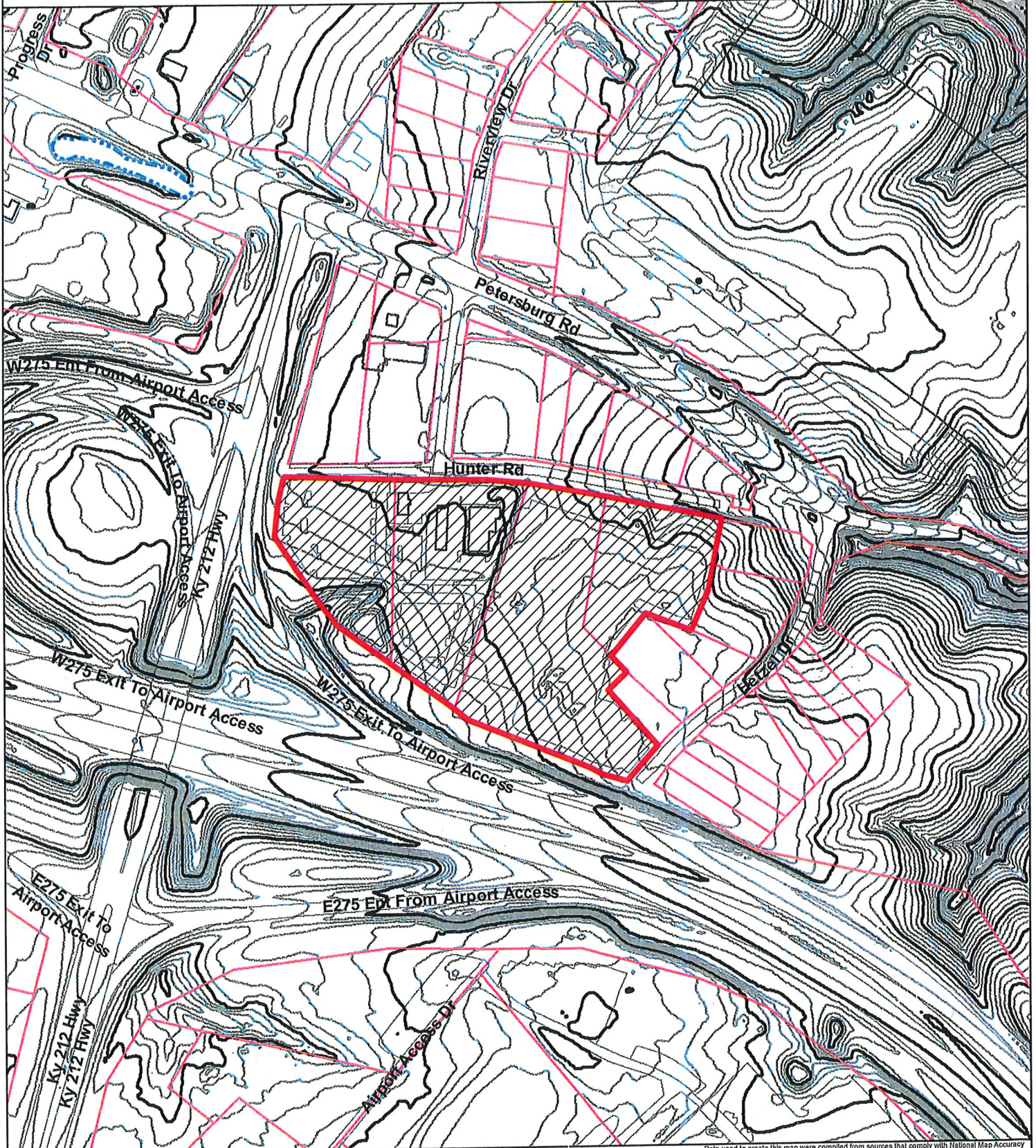


Boone County GIS - Putting Northern Kentucky on the Map



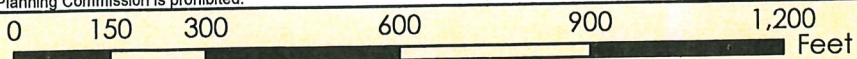
Topographic Map

www.boonecountygis.com



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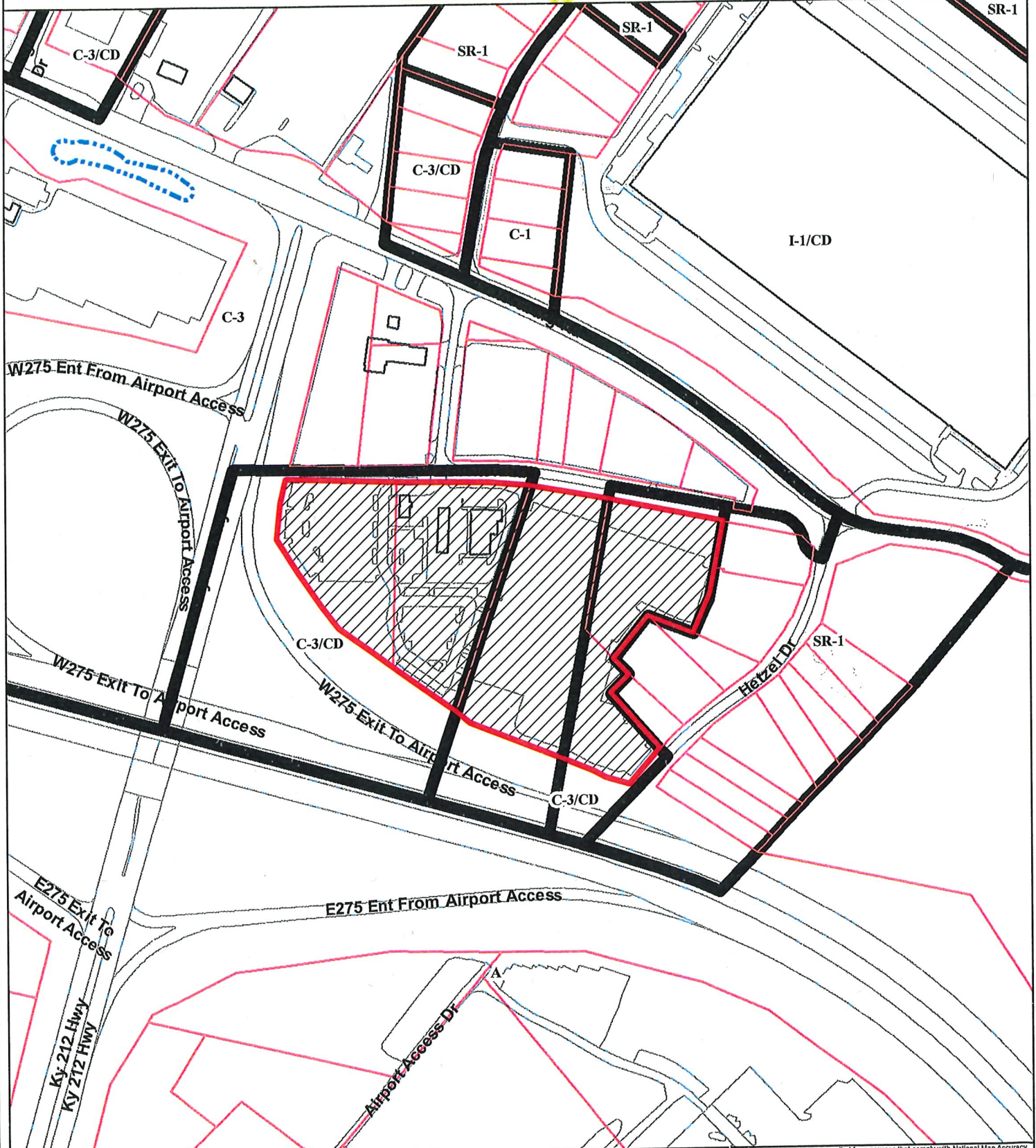


Boone County GIS - Putting Northern Kentucky on the Map



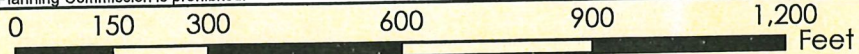
Zoning Map

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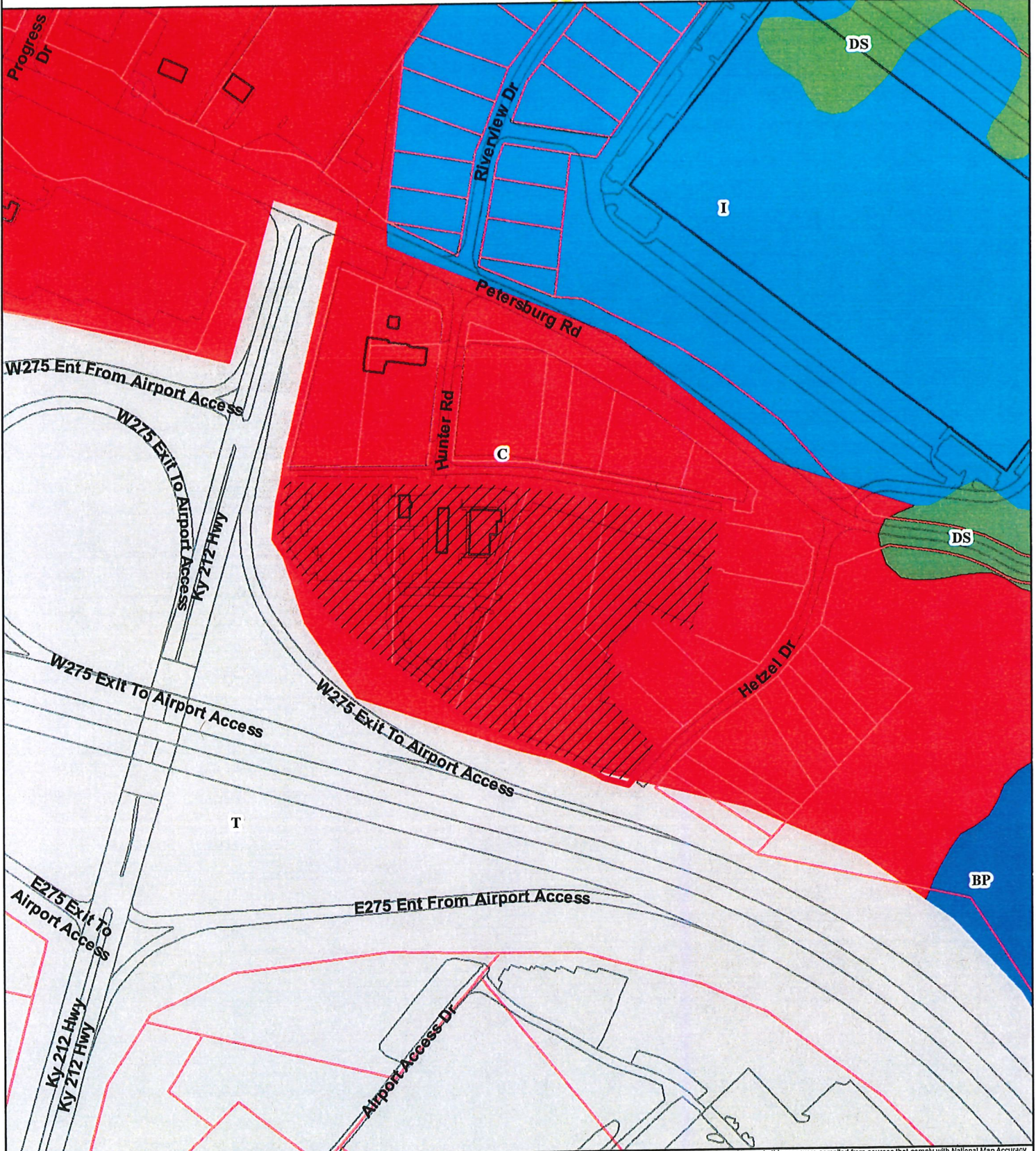


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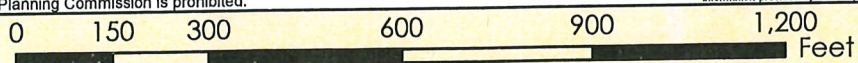
2040 Future Land Use Map

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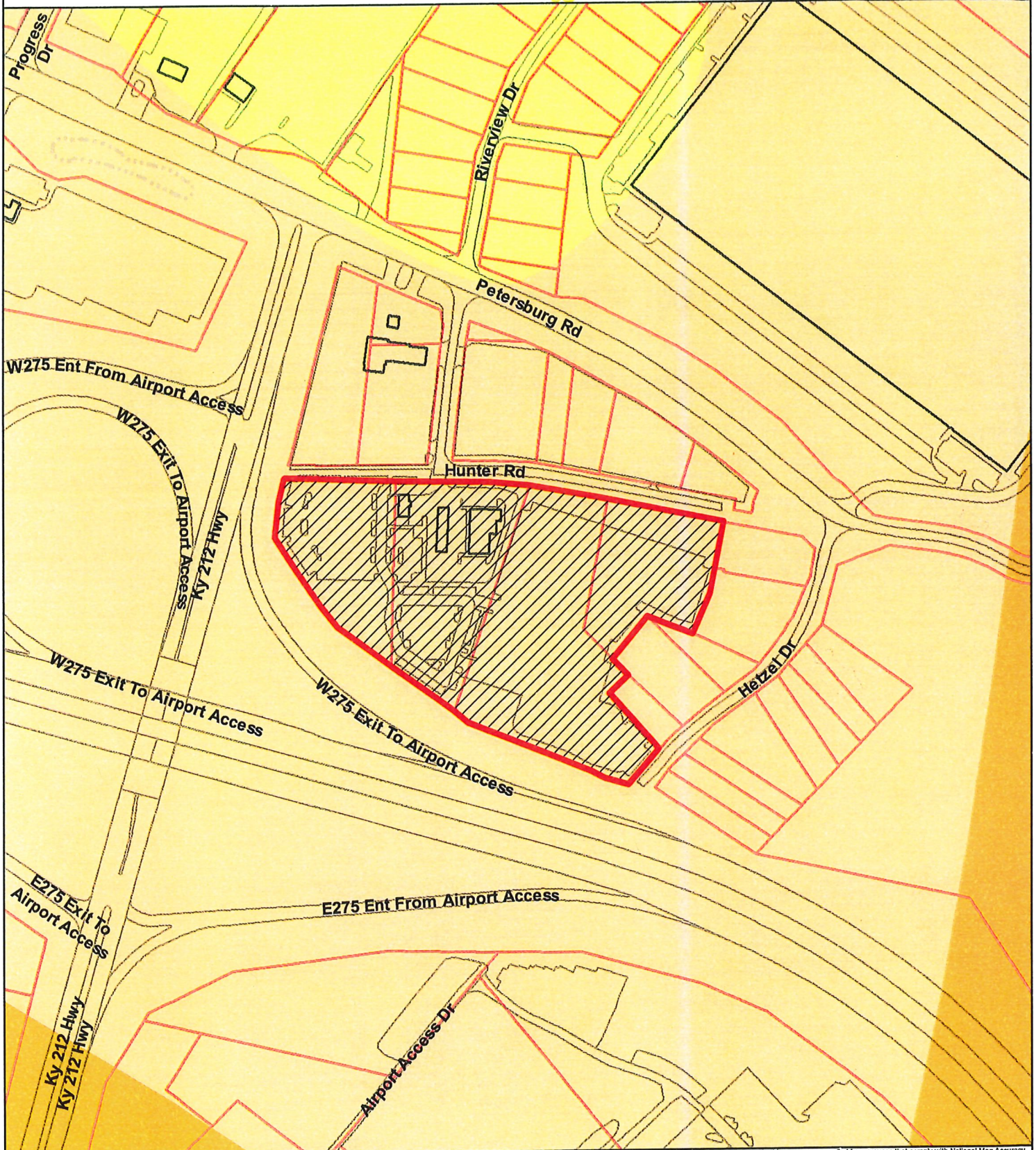


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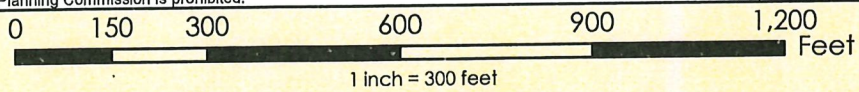
Noise Contour Map

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Boone County GIS - Putting Northern Kentucky on the Map



Map Created: xx/xx/2022

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ArcMap Document: *.mxd

**CONCEPT DEVELOPMENT PLAN
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
91707
NOV 25 2024
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: HUNTER ROAD - AIRPORT TRUCK STOP
3. Location of Project: 571-591 HUNTER ROAD
4. Total Acreage of Project: 7.92
5. Current Zoning of Property: C-3
6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):
11/23/2020
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):
Commercial Parking, C-STORE, GAS STATION, TRUCK STOP

9. Proposed Building Intensities (specify for each building):
SEE PLAN

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: ALEX + AMANI OTHMAN

- Address: 2306, KENYON COURT
HEBRON KY 41048
City State Zip Code

- Phone Number: 859-866-5394 Fax Number: _____

- Email: alex.othman1954@gmail.com

13. Applicant: HREZO ENGINEERING INC

Address: 1025 RIDGE AVE

GREENDALE
City

INDIANA
State

47025
Zip Code

Phone Number: 812-537-4700

Fax Number: 812-537-5054

Email: Jim.Bertram@chrezoengineering.com

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

15. D1022, D1129 329, 193 2021 2009
Deed Book ~~903~~ 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 February 20, 2025

Property Owner's Signature:

Applicant's Signature:

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

1. Date Received: 11/25/24 Fee Received: 3,168.40 Receipt #: 91707

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

\$ 2368.40 CUDP
\$ 800.00 CUP

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
Phone: 859-334-2196
plancom@boonecountyky.org
www.boonecountyky.org

TRAFFIC IMPACT STUDY

**FOR
PROPOSED TRUCK STOP
ON KY 20**

BOONE COUNTY, KENTUCKY

**Prepared For:
Alex Othman
591 Hunter Road
Hebron, KY 41048**

***Prepared By:
Jamal Adhami, PE, PTOE
SHA Engineering, LLC
August 19, 2024***

DRAFT

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- Appendix C - Traffic Data
- Appendix D - Trip Generation Summary
- Appendix E - Turn Lane Warrants
- Appendix E - Capacity Analysis

DRAFT

1. Introduction

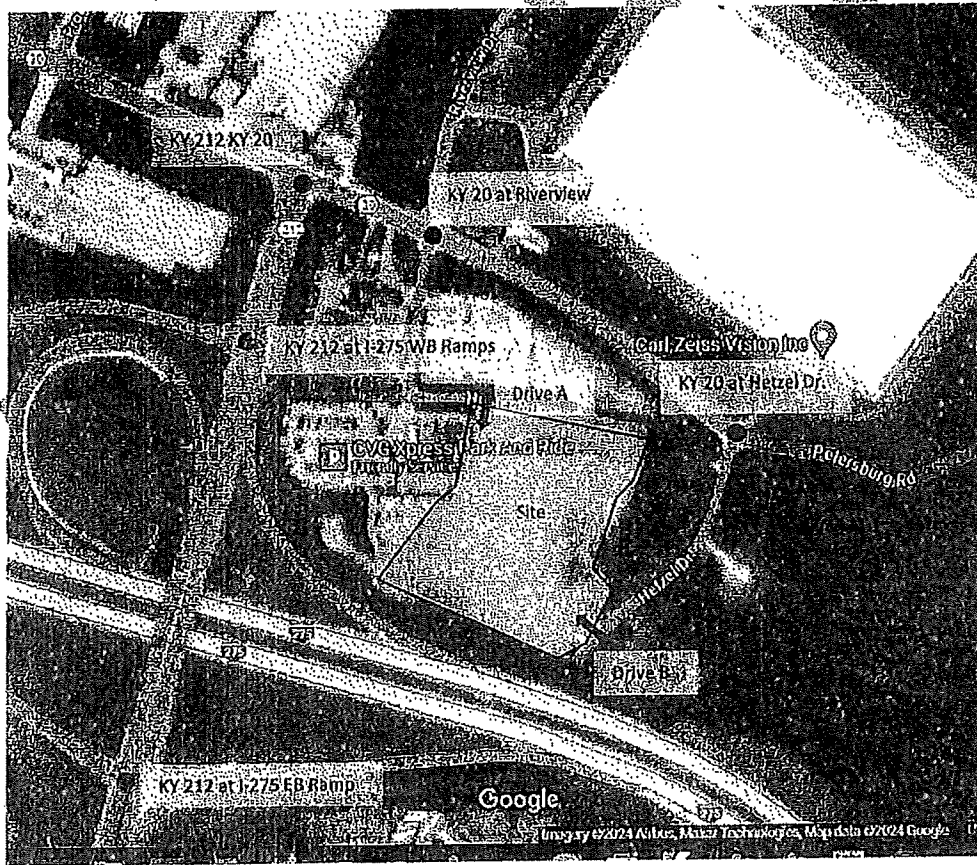
The purpose of this Traffic Impact Study (TIS) is to:

- Describe and measure the impact of traffic generated by the proposed development on the adjacent existing public street system; and
- Provide a list of conclusions and recommendations related to traffic operations and analysis for the intersections in the study area.

The study is completed for the Truck Stop proposed on KY 20 in Boone County, Kentucky. The access to the development will be through the existing intersections on KY 20 at Riverview Drive and Hetzel Drive. The truck stop will include about 85 parking spaces. The location of the site is shown in Figure 1 and the site plan is included in Appendix A

The location of the site is shown in Figure 1 and the site plan is included in Appendix A.

Figure 1 – Location Map



2. Scope of Services

SHA Engineering prepared a Memorandum of Understanding (MOU) and submitted it to KYTC on June 14, 2024. A copy of the MOU and correspondence with KYTC is attached in Appendix B.

3. Existing Conditions

KY 20 (Petersburg) in the vicinity of the site is a 2-lane highway posted at 45 mph with a lane each for the eastbound and westbound traffic. KY 20 connects with KY 8 (River Road) to the east; to the west serves predominately industrial and commercial development and connects with KY 237.

KY 212 provides access to I-275 and the Greater Cincinnati/Northern KY Airport. The intersection of KY 212 and KY 20 is operating with a traffic signal. KY 20 carries the traffic on the east and west leg of the intersections, whereas KY 212 serves the south leg. The northbound movement on KY 212 operates with exclusive lanes for the left and right turns. The eastbound approach includes a lane for the through traffic and an exclusive lane for the eastbound right turns. The westbound approach operates with a lane for the through traffic and an exclusive lane for the left turns.

I-275 westbound entrance and exit ramps are operating without a traffic signal. The traffic entering from the I-275 westbound exit ramps yield to the traffic on KY 212. The northbound approach on KY 212 at I-275 westbound entrance ramp is operating with an exclusive left turn lane.

The eastbound ramps operate with a traffic signal. I-275 eastbound exit ramp is operating with exclusive lanes for the left and right turns. The southbound movement on KY 212 operates with an exclusive lane for left turns. KY 212 at the eastbound and westbound ramps is operating with two lanes for the northbound and southbound traffic. The movement from KY 212 northbound to eastbound on I-275 uses a slip ramp and is not controlled by the traffic signal.

The intersection of KY 20 and Riverview Drive is operating with stop control on the northbound and southbound approaches on Riverview Drive. The eastbound approach on KY 20 operates with an exclusive lane for the left turns. The existing turning movement counts at the intersections in the study area were completed July 23, 2024. The counts were completed for the AM and PM Peak hours. Based on the recorded counts, the AM peak hour was established from 6:30 to 7:30 AM and PM peak hour was established from 3:30 to 4:30 PM.

The observed 2025 AM and PM Peak Hour traffic counts are shown in Figure 2. Figure 3 shows 2025 AM and PM peak hours No Build traffic volumes. Figure 4 shows 2035 AM and PM Peak Hour No Build scenarios. Please note, the future year traffic volumes were estimated using a growth rate of 0.5%/year calculated as per the procedure followed by KYTC.

The traffic data is included in Appendix C.

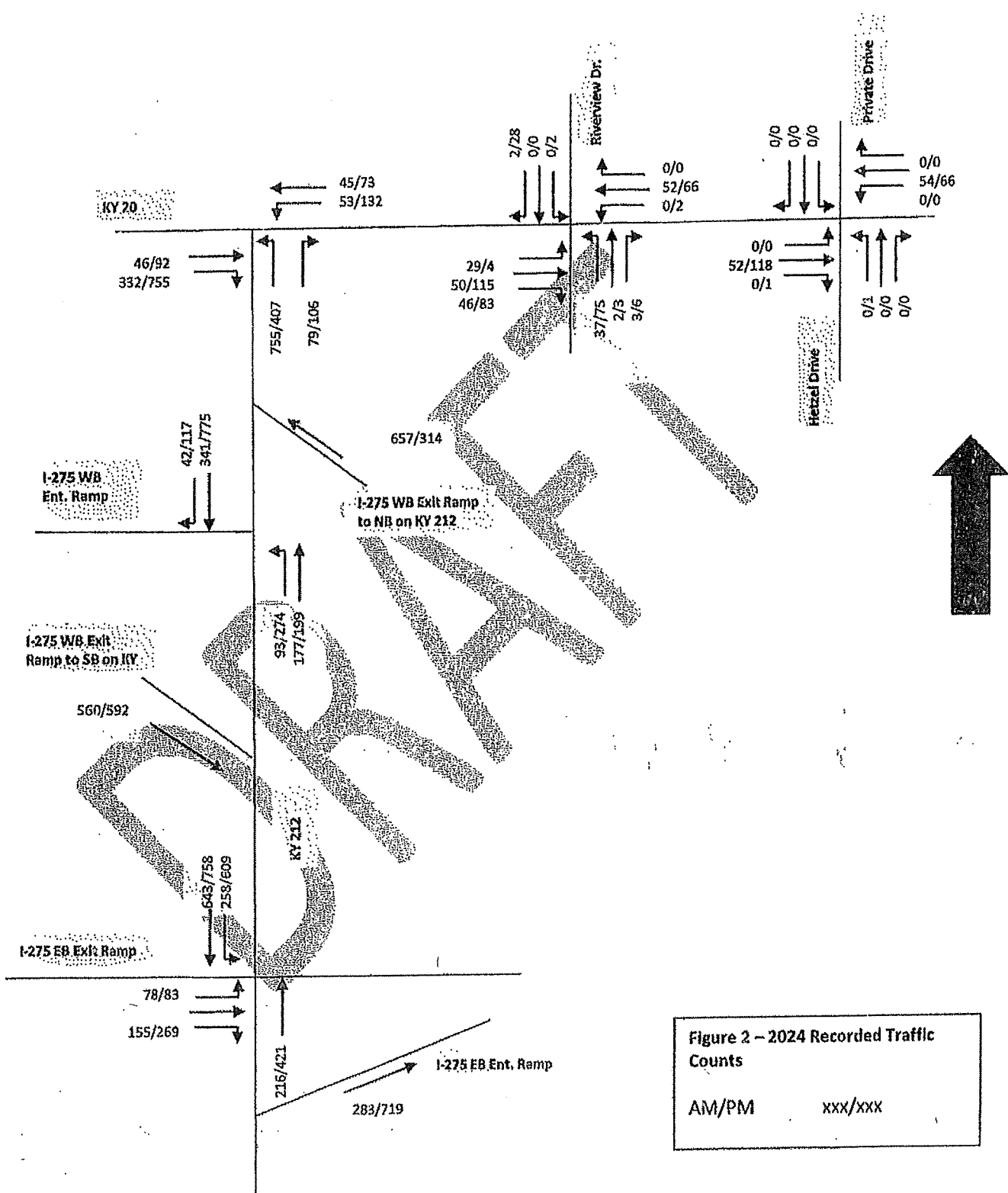
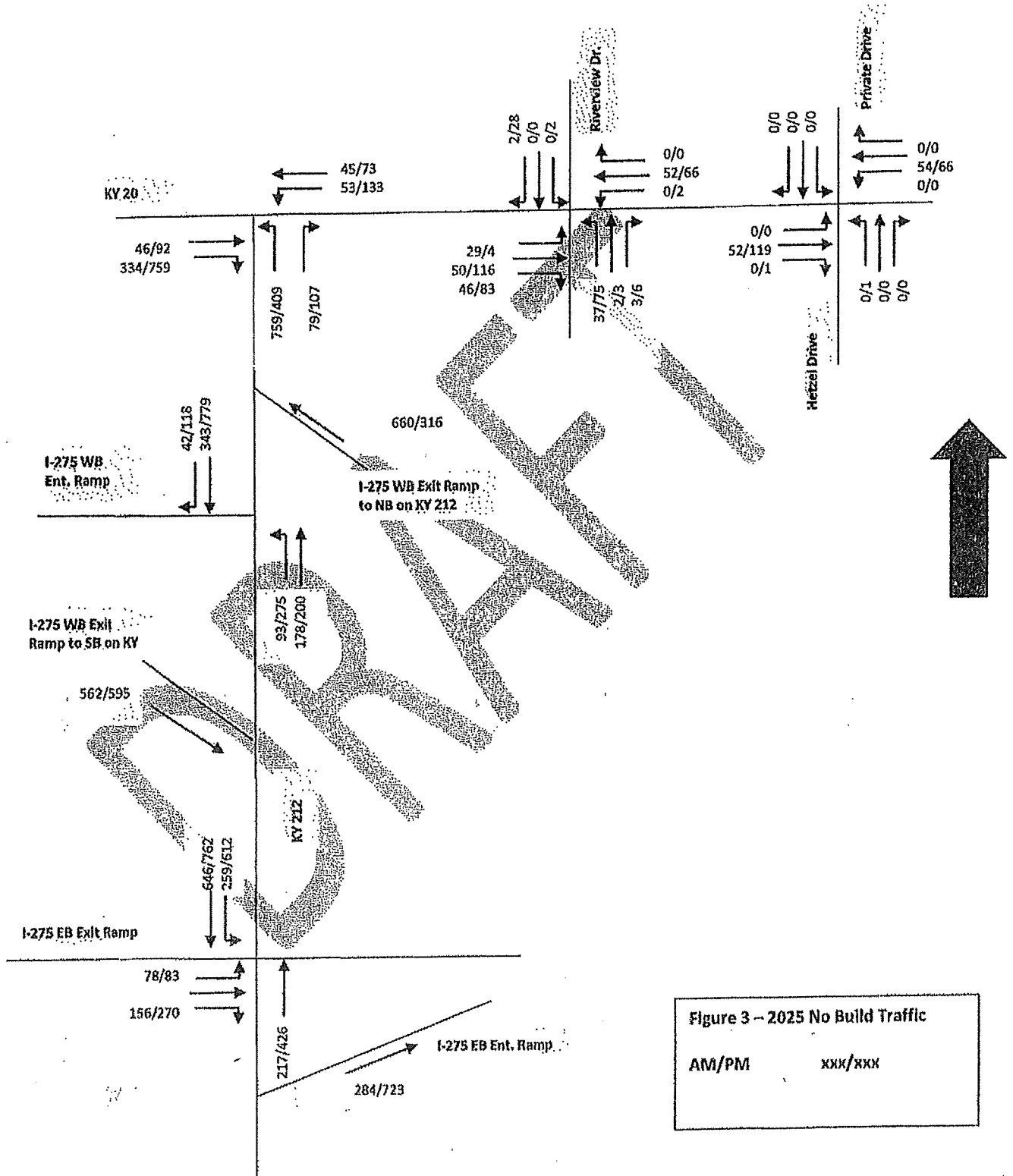


Figure 2 – 2024 Recorded Traffic Counts

AM/PM xxx/xxx



4. Proposed Development

The proposed Truck Stop is proposed in Boone County with access on KY 20 through the existing intersections at Riverview Drive and Hetzel Drive. The truck stop will include approximately 85 parking spaces. The truck stop will replace the existing parking facility used for the Long-Term Parking for the Cincinnati/Northern Kentucky airport. The existing Fuel center next to site will continue to operate.

The site plan for the proposed development is included in Appendix A.

5. Trip Generation and Distribution

SHA coordinated with KYTC for estimating trips generation rates for the Truck stops. As recommended by KYTC traffic data from two sites (one in Florence and one in Wilder) were selected to complete traffic counts at access drives. The traffic counts were completed on May 29, 2024. Based on the counts completed for the AM and PM Peak Hours the estimated rates for the AM and PM Peak Hour are shown below and the calculations are included in the appendix with raw data used. The average rate calculated from the two truck sites is included in Appendix D.

Land Use	Units	Total	AM Peak Hour			PM Peak Hour		
			Ent.	Exit	Tot.	Ent.	Exit	Tot.
Truck Stop	Parking Spaces	85	17	17	34	23	20	43

The trip distribution assumed the majority of the trips will be made to and from I-275 eastbound and westbound ramps. The trip distribution assumptions used in the report are shown below.

	AM/PM Peak
To and from west on I-275	= 40%
To and from east I-275	= 50%
To and from west on KY 20	= 10%

Figures 5 show the new trip distribution percent, and the estimated new trips are shown in Figure 6. The years 2025 and 2035 Build traffic volumes are shown in Figures 7 and 8

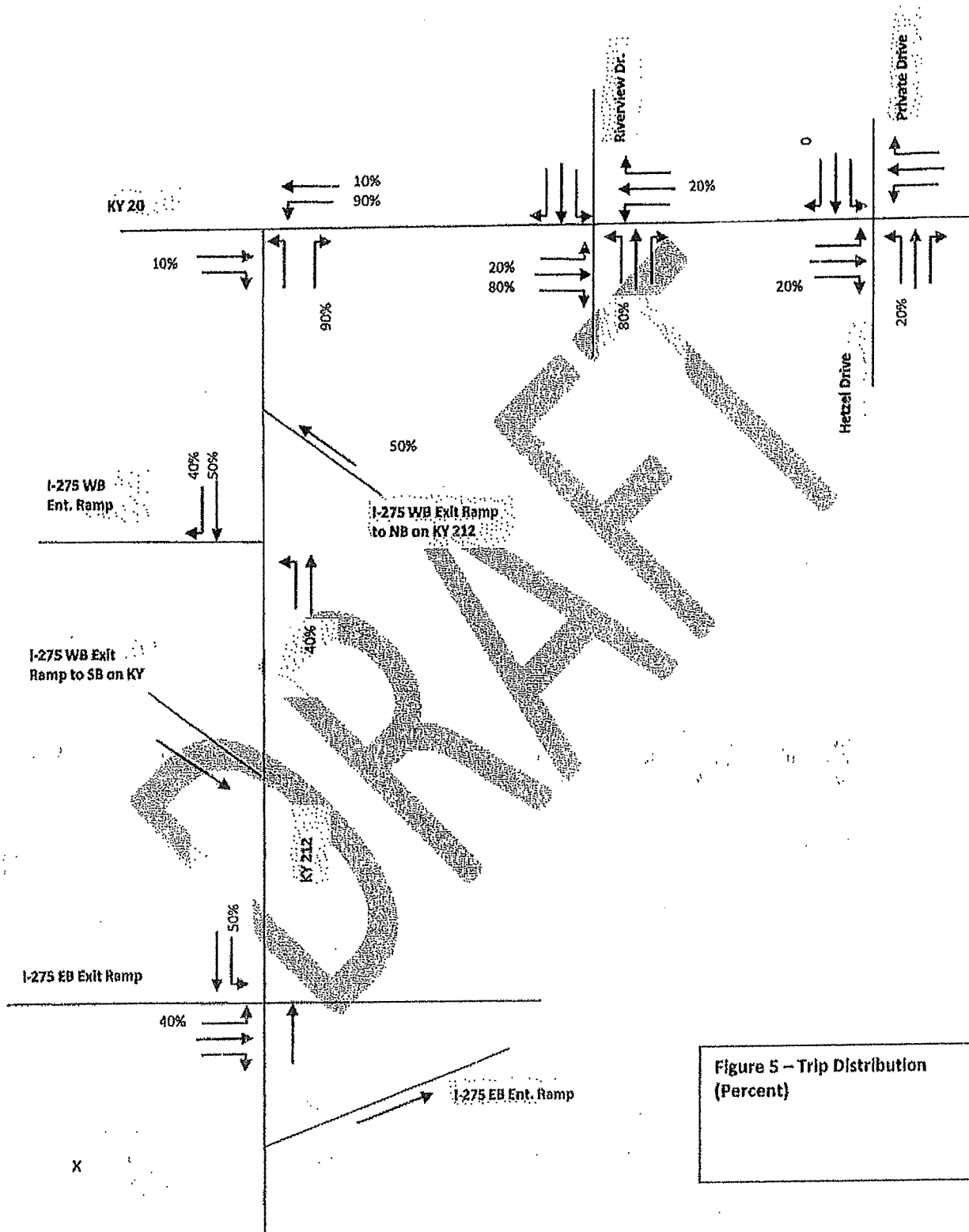
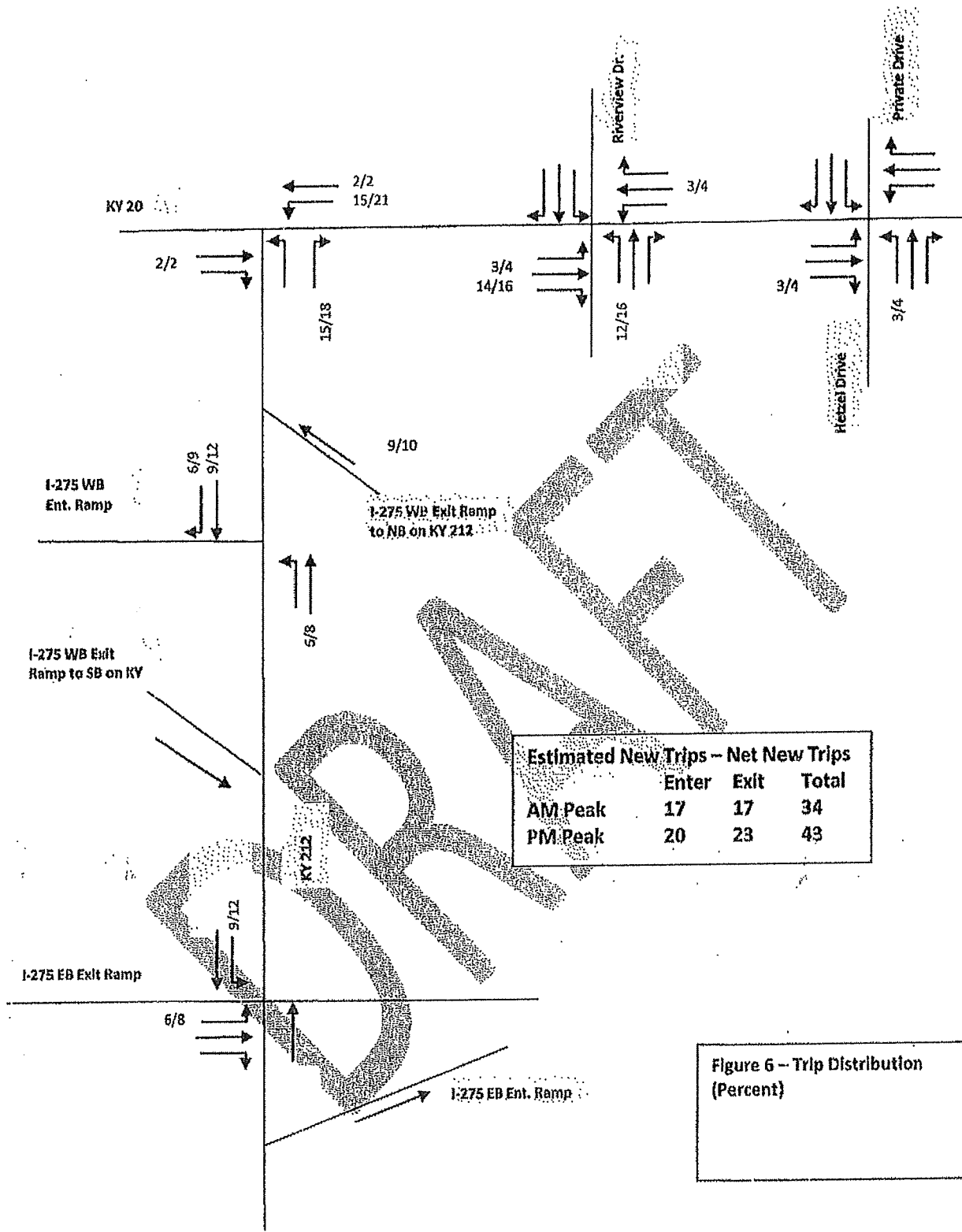


Figure 5 – Trip Distribution (Percent)



Estimated New Trips – Net New Trips			
	Enter	Exit	Total
AM Peak	17	17	34
PM Peak	20	23	43

Figure 6 – Trip Distribution (Percent)



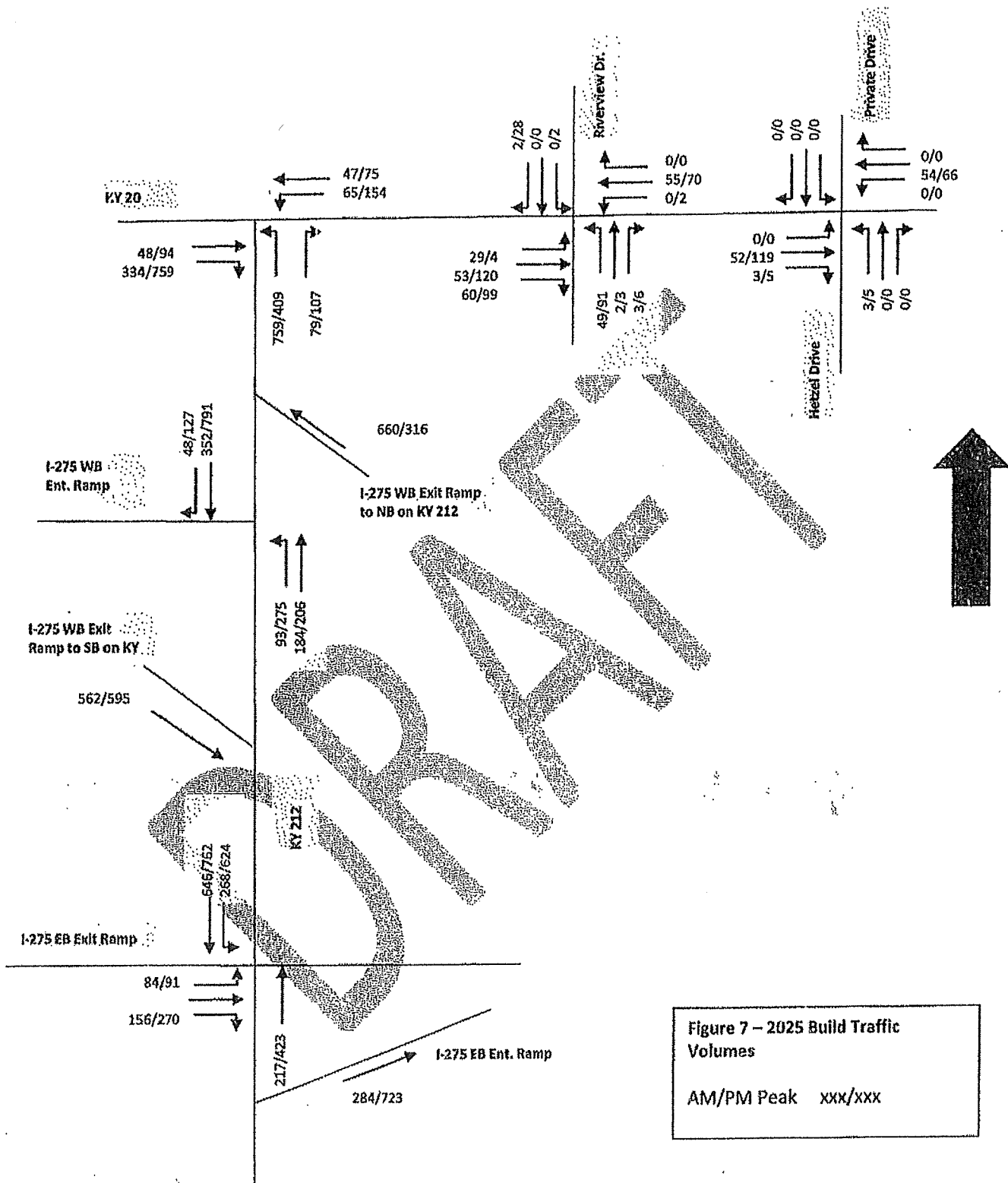
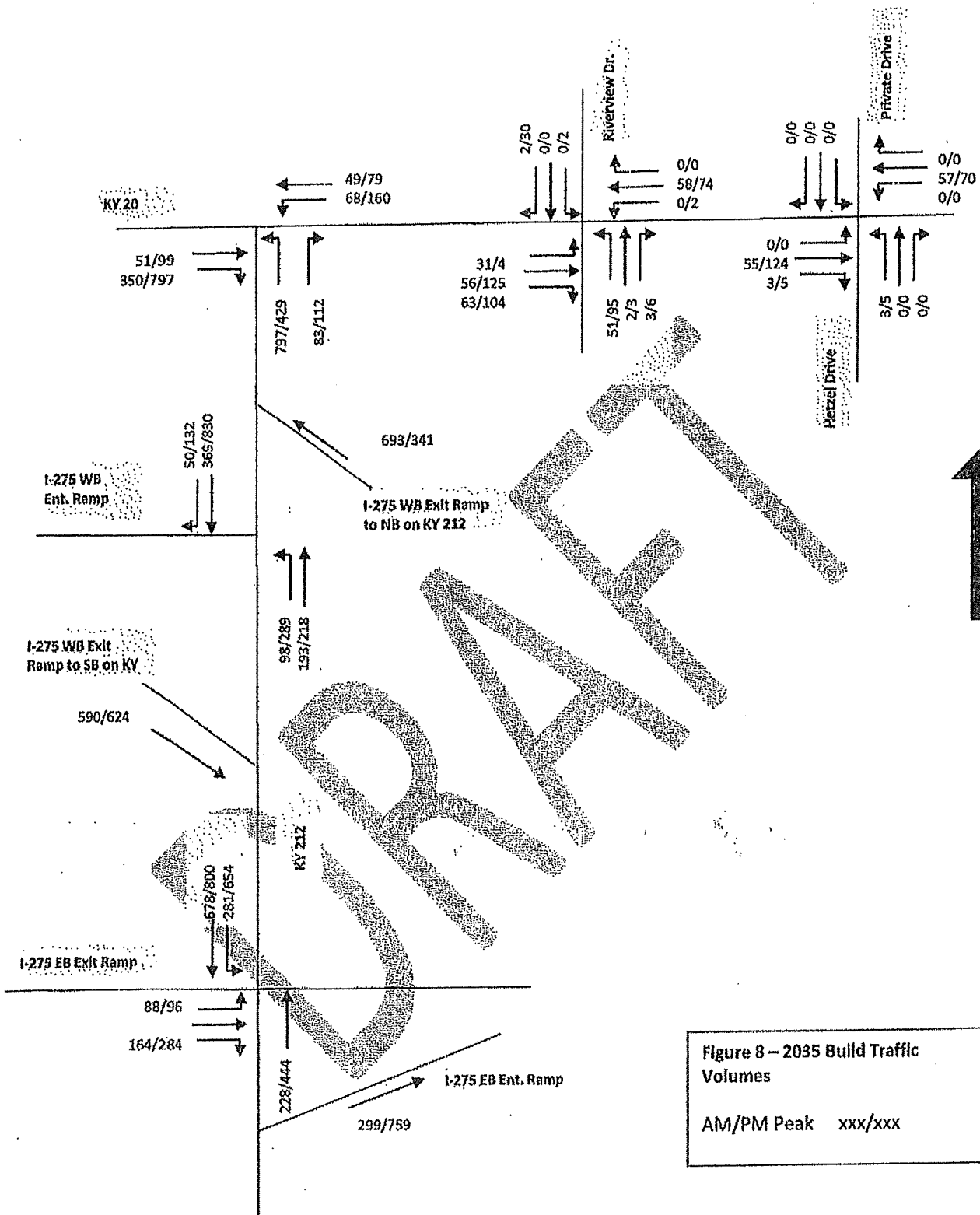


Figure 7 – 2025 Build Traffic Volumes
AM/PM Peak xxx/xxx



6. Analysis

Turn Lane Warrants

The turn lane warrants at the two access drives were evaluated using the information followed by KYTC. The summary of the turn lane warrants is provided below, and the turn lanes warrants analysis is attached in Appendix E.

KY 20 at Riverview Drive

- The eastbound right turn lane from KY 20 to southbound on Riverview Drive is not warranted.

Please note that the volumes on the westbound approach are lower than 100, therefore the turn lane warrants for the westbound left turns at the intersection are not completed.

KY 20 at Hetzel Drive

The eastbound and the westbound through traffic on KY 20 are low (less than 100 per hour), therefore the turn lane warrants at the intersection are not completed.

Capacity Analysis

Capacity analyses were performed for the intersections as indicated in the previous sections of this report. All the analyses were completed for No and Build traffic using Highway Capacity Software (HCS). Capacity of an intersection is quantified by the Level of Service (LOS) which is based upon the amount of delay a vehicle experience while at an intersection. The criterion for both signalized and unsignalized intersections (including roundabouts) are listed below as defined in Chapter 19, 20 and 22 of the Highway Capacity Manual (6th edition) Volume 3.

Level of Service	Control Delay - Signalized Intersections (seconds/vehicle)	*Control Delay - Unsignalized Intersections (seconds/vehicles)
A	0-10	< 10
B	>10 - 20	>10 - 15
C	>20 - 35	>15 - 25
D	>35 - 55	>25 - 35
E	>55 - 80	>35 - 50
F	>80	>50

*If v/c ratio exceed 1, LOS F

The following is a list of code definitions that are used in the capacity analysis results:

- EB/WB/NB/SB – Eastbound/Westbound/Northbound/Southbound
- L – Left Turn Movement (exclusive left-turn lane or lanes)
- T – Through Movement (exclusive through lane or lanes)

- R – Right Turn Movement (exclusive right turn lane or lanes)
- LT– Shared left turn and through movement lane
- LTR – This provides movements in all directions.
- TR – Shared through and right turn movement lane.

The summary of the capacity analysis completed for the intersections in the study area is provided below and the results of the capacity analysis are included in Appendix.

KY 212 at I-275 EB Ramps

The intersection is operating with a traffic signal. It appears the traffic signal is operating with variable cycle lengths. The analysis for the AM Peak Hours is completed using 100 seconds cycle length and the PM Peak Hour analysis is completed using 150 seconds cycle length. Also, the northbound right turns are channelized and are not controlled by the traffic signal. Therefore, capacity analysis is completed with only through lanes on the northbound approach. The summary of capacity analysis completed at the intersection is summarized in Tables 2 and 3.

The analysis completed for the AM Peak Hour No Build and Build scenarios show LOS B for the intersection. All movements operate with a LOS C or better. No significant increase in the average delay is observed with additional traffic generated by the proposed development.

Table 2 – KY 212 at I-275 EB Ramps - Level of Service/Delay (Seconds/Vehicle)/95th Percentile Queue (ft.)

AM Peak Hour – Signalized Conditions

Ex. Lane Use	EB (I-275 EB Exit Ramp)			WB (Entrance Ramp)			NB (KY 212)			SB (KY 212)			Intersection
	L	R	App.				2T	App.	L	2T	App.		
2025 – No Build	C	C	C				C	C	B	B	B	B	
	23.0	24.6	24.1				24.0	24.0	16.0	13.8	14.4	17.6	
	69	121					97		167	170			
2035 – No Build	C	C	C				C	C	B	B	B	B	
	23.1	24.8	24.2				24.1	24.1	16.4	14.0	14.7	17.9	
	73	144					107		211	214			
2025 Build	C	C	C				C	C	B	B	B	B	
	23.2	24.4	24.1				24.0	24.0	16.2	13.8	14.5	17.7	
	75	137					101		206	204			
2035 Build	C	C	C				C	C	B	B	B	B	
	23.2	24.8	24.2				24.1	24.1	16.7	14.0	14.8	17.9	
	78	144					107		221	214			

The analysis completed for the PM Peak Hour No Build and Build scenarios show LOS C for the intersection except for 2035 Build traffic showing LOS D with an average delay of 35.1 seconds/vehicle. All movements show LOS D or better. A comparison of 2025 PM Peak Hour No Build and Build scenarios show an increase of 0.5 seconds/vehicles at the intersection (From 31.0 seconds/vehicles to 31.5 seconds/vehicles). A comparison of 2035 AM Peak Hour scenarios shows an increase of 0.8 seconds/vehicles at the intersection (From 34.3 seconds/vehicles to 35.1 seconds/vehicles).

**Table 3 – KY 212 at I-275 EB Ramps - Level of Service/Delay (Seconds/Vehicle)/95th Percentile Queue (Ft.) -
PM Peak Hour – Signalized Conditions**

Ex. Lane Use	EB (I-275 EB Exit Ramp)			WB (Entrance Ramp)			NB (KY 212)			SB (KY 212)			Intersection
	L	R	App				2T	App	L	2T	App		
2025 - No Build	D	D	D				D	D	C	B	B	C	
	43.1	54.1	51.6				50.6	50.6	28.7	12.2	19.6	31.0	
	142	406					324		561	268			
2035 - No Build	D	D	D				D	D	D	B	C	C	
	42.5	54.6	51.7				52.4	52.4	38.2	12.9	24.2	34.3	
	150	427					343		642	288			
2025 Build	D	D	D				D	D	C	B	C	C	
	43.4	54.3	51.5				50.6	50.6	30.6	12.2	20.5	31.5	
	157	406					324		584	268			
2035 Build	D	D	D				D	D	D	B	C	D	
	42.8	54.6	51.6				52.4	52.4	41.0	12.9	25.6	35.1	
	158	396					316		630	263			

Ky 212 at KY 20

The intersection is operating with a traffic signal. The intersection is operating without a fixed cycle length. The capacity analysis is completed using 70 seconds cycle length for the AM and PM Peak Hours. The summary of capacity analysis is included in Tables 4 and 5.

The analysis completed for the AM Peak Hour for all scenarios shows LOS B for the intersection. All movements show LOS C or better.

**Table 4 – KY 212 at KY 20 - Level of Service/Delay (Seconds/Vehicle)/95th Percentile Queue (Ft.) -
AM Peak Hour – Signalized Conditions**

Ex. Lane Use	EB (KY 20)			WB (KY 20)			NB (KY 212)			SB (N/A)			Intersection
	T	R	App.	L	T	App.	L	R	App.				
2025 - No Build	B	A	A	C	A	C	C	A	C				B
	19.6	2.1	4.2	21.3	19.5	20.4	22.0	7.3	20.7				15.9
	17	9		21	16		295	14					
2035 - No Build	C	A	A	C	B	C	C	A	C				B
	20.4	2.2	4.4	22.3	20.3	21.4	23.5	6.9	21.9				16.8
	19	10		22	17		320	14					
2025 Build	B	A	A	C	B	C	C	A	C				B
	19.6	2.1	4.3	21.7	19.5	20.8	22.0	7.4	20.4				15.9
	18	9		25	16		295	16					
2035 Build	B	A	A	C	B	C	C	A					B
	19.7	2.2	4.4	21.9	19.5	20.9	27.1	7.4	25.0				18.8
	19	10		27	17		350	17					

The analysis completed for the PM Peak Hour shows LOS B for the intersection with all scenarios analyzed. All movements show LOS B or A.

Table 5 – KY 212 at KY 20 - Level of Service/Delay (Seconds/Vehicle)/95th Percentile Queue (Ft.) - PM Peak Hour – Un-Signalized Conditions

Ex. Lane Use	EB (KY 20)			WB (KY 20)			NB (KY 212)			SB (N/A)			Intersection
	T	R	App.	L	T	App.	L	R	App.				
2025 - No Build	B	A	A	B	B	B	B	B	B				B
	14.4	5.2	6.2	17.9	14.2	16.6	17.2	11.8	16.1				10.8
	26	38		46	21		151	27					
2035 - No Build	B	A	A	B	B	B	B	B	B				B
	14.4	5.9	6.8	18.2	14.2	16.8	18.1	11.9	16.8				11.4
	27	44		48	22		164	27					
2025 Build	B	A	A	B	B	B	B	B	B				B
	13.7	5.2	6.2	17.7	13.5	16.3	18.5	12.6	17.1				11.2
	25	38		53	21		159	33					
2035 Build	B	A	A	B	B	B	B	B	B				B
	14.5	5.9	6.8	18.9	14.2	17.4	18.1	12.1	16.7				11.6
	28	44		58	23		164	39					

KY 212 at I-275 WB Entrance Ramp

The intersection is operating without a traffic signal. The northbound left turns from KY 212 to westbound on I-275 yields to the southbound through traffic on KY 212. The summary of capacity analysis is included in Tables 6 and 7.

The analysis completed for the AM Peak Hour shows LOS A for the northbound left turns from KY 212 to westbound on I-275.

Table 6 – KY 212 at I-275 WB Entrance Ramp - Level of Service/Delay (Seconds/Vehicle)/95th Percentile Queue (Ft.) - AM Peak Hour – Un-Signalized Conditions

Ex. Lane Use	EB (N/A)			WB (N/A)			NB (KY 212)			SB (KY 212)			Intersection
							L						
2025 - No Build							A						
							8.5						
							8						
2035 - No Build							A						
							8.6						
							8						
2025 Build							A						
							8.5						
							8						
2035 Build							A						
							8.6						
							8						

The analysis completed for the PM Peak Hour shows LOS B for the northbound left turns from KY 212 to westbound on I-275.

Table 7 – KY 212 at I-275 WB Entrance Ramp - Level of Service/Delay (Seconds/Vehicle)/95th Percentile Queue (Ft.) - AM Peak Hour – Un-Signalized Conditions

Ex. Lane Use	EB (N/A)			WB (N/A)			NB (KY 212)			SB (KY 212)			Intersection
	L	TR	App.	L	TR	App.	L	TR	App.	L	TR	App.	
2025 - No Build							B						
							13.1						
							50						
2035 - No Build							B						
							13.9						
							55						
2025 Build							B						
							13.2						
							50						
2035 Build							B						
							14.1						
							58						

KY 20 at Riverview Drive

The intersection operates with stop control on the northbound and southbound approaches on Riverview Drive. Capacity analysis at the intersection is completed using HCS software for the unsignalized intersection. The summary of capacity analysis is included in Tables 8 and 9.

The analysis completed for the AM Peak Hour scenarios show LOS B and A on the northbound and southbound approaches on Riverview Drive. The lefts turn on KY 20 show LOS A.

Table 8 – KY 20 at Riverview Drive - Level of Service/Delay (Seconds/Vehicle)/95th Percentile Queue (Ft.) - AM Peak Hour – Un-Signalized Conditions

Ex. Lane Use	EB (KY 20)			WB (KY 20)			NB (Riverview Drive)			SB (Riverview Drive)			Intersection
	L	TR	App.	L	TR	App.	LTR	App.	LTR	App.			
2025 - No Build	A			A			B	B	A	A			
	7.4			7.4			10.2	10.2	9.2	9.2			
	3			0			5		0				
2035 - No Build	A			A			B	B	A	A			
	7.5			7.4			10.3	10.3	9.2	9.2			
	3			0			5		0				
2025 Build	A			A			B	B	A	A			
	7.5			7.5			10.4	10.4	9.2	9.2			
	3			0			8		0				
2035 Build	A			A			B	B	A	A			
	7.5			7.5			10.5	10.5	9.2	9.2			
	3			0			8						

The analysis completed for the PM Peak Hour scenarios show LOS B and A on the northbound and southbound approaches on Riverview Drive. The lefts turn on KY 20 show LOS A.

Ex. Lane Use	EB (KY 20)			WB (KY)			NB (Riverview Drive)			SB (Riverview Drive)			Intersection
	L			L			LTR	App.		LTR	App.		
2025 - No Build	A			A			B	B		A	A		
	7.9			7.7			11.3	11.3		9.0	9.0		
	0			0			13			3			
2035 - No Build	A			A			B	B		A	A		
	8.0			7.7			11.5	11.5		9.0	9.0		
	0			0			13			3			
2025 Build	A			A			B	B		A	A		
	8.0			7.7			11.7	11.7		9.0	9.0		
	0			0			15			3			
2035 Build	A			A			B	B		A	A		
	8.0			7.8			11.9	11.9		9.1	9.1		
	0			0			15			3			

KY 20 at Hetzel Drive

The intersection operates with stop control on the northbound and southbound approaches on Hetzel Drive and Private Access Drive serving the private development on the north side of KY 20.

The intersection shows low volumes on the eastbound and westbound approaches on KY 20 and no traffic on the side streets (Hetzel Drive and Private Access Drive). Since the traffic volumes are low and only a few vehicles are added on Hetzel Drive to the new development. Capacity analysis at the intersection due to the low volumes (less than 100 on the main street). The intersection is expected to operate with LOS A on the northbound approach on Hetzel Drive.

7. Findings

The preceding analysis and recommendations listed below are based on the typical procedure used for evaluating the impact of the proposed development on the adjacent roadway infrastructure and usual customary traffic engineering standards.

The results of the analysis completed at each intersection in the study area are summarized below.

KY 212 at I-275 EB Ramps

Capacity analysis completed for the intersection shows satisfactory flow of traffic at the intersection for the No Build and Build traffic volumes. The additional traffic generated by the proposed development will have no impact on the flow of traffic at the intersection. The existing geometry and traffic signal operations are adequate to handle the additional traffic generated by the proposed Truck Stop.

KY 212 at I-275 WB Entrance Ramp KY 20

Capacity analysis completed for the intersection shows satisfactory flow of traffic at the intersection for the No Build and Build traffic volumes. The additional traffic generated by the proposed development will have no impact on the flow of traffic at the intersection. The existing geometry and traffic signal operations are adequate to handle the additional traffic generated by the proposed Truck Stop.

KY 212 at I-275 WB Entrance Ramp

Capacity analysis completed for the intersection shows satisfactory flow of traffic at the intersection for the No Build and Build traffic volumes. The additional traffic generated by the proposed development will have no impact on the flow of traffic at the intersection. The existing geometry and traffic control are adequate to handle the additional traffic generated by the proposed Truck Stop.

KY 20 at Riverview Drive

Capacity analysis completed for the intersection shows satisfactory flow of traffic at the intersection for the No Build and Build traffic volumes. The additional traffic generated by the proposed development will have no impact on the flow of traffic at the intersection. The existing geometry and traffic control are adequate to handle the additional traffic generated by the proposed Truck Stop.

The turn lane warrant completed indicates an exclusive lane for the eastbound right turn lane on KY 20 is not warranted.

KY 20 at Hetzel Drive

The intersection shows low volumes on the eastbound and westbound approaches on KY 20. The proposed Truck Stop is only adding 3 and 5 vehicles during the AM and PM Peak Hours. The volumes are low, and it is anticipated the intersection will operate with LOS A on the northbound approach on Hetzel Drive.

Recommendations

The analysis indicates the existing geometry and the traffic operations at all intersections in the study area will have no impact due to the traffic generated by the Truck Stop. No improvements are required at the intersections included in the study area.

DRAFT

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
JANUARY 8, 2025
7:30 P.M.**

Chairman Rolfsen opened the Public Hearings at 7:39 p.m. and welcomed the audience to the Planning Commission's January 8, 2025 Public Hearings.

COMMISSION MEMBERS PRESENT:

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

COMMISSION MEMBERS NOT PRESENT:

Mr. Eric Richardson
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. Steve Lilly, PLS, GISP, Planner
Ms. Lauren Elliott, Planner

Chairman Rolfsen introduced the first item on the Agenda:

CHANGE OF CONCEPT DEVELOPMENT PLAN/CONDITIONAL USE PERMIT, Michael Schwartz, Staff

1. Request of **Alex Othman (applicant/owner)** for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3). The submitted request is to allow the conversion of an approximate 7.52 acre area of the site from commercial parking to a truck stop and to allow the expansion of the existing commercial parking facility on an approximate 2.02 acre area of the site.

Staff member, Michael Schwartz, referred to his PowerPoint presentation (see Staff Report). The request involves a Change in Concept Development Plan and a Conditional Use Permit application. The 9.54 acre area has approximately 1,000 feet of road frontage along Hunter Road. It has approximately 1,157 feet of road frontage on KY 212/I-275 and 113 feet on Hetzel Drive. Pages 1-2 of the Staff Report provides the history of the site. In 2020, a Concept Development Plan was approved showing the expansion of a commercial parking facility for passenger vehicles and a Variance to reduce the eastern buffer yard to 10 feet. The site contains a 5,975 square foot convenience store with a restaurant. It has 40 parking spaces with gas facilities. It also holds 631 commercial parking spaces. The site is accessed from Hunter Road. The site is currently zoned C-3 and a truck stop is a Conditional Use in that zone. Mr. Schwartz described the surrounding zoning and land uses. Pages 2-3 of the Staff Report includes the applicable regulations to the project. The site is located in the 60 DNL noise contour. The entire site is recommended for Commercial (C) use according to the 2040 Comprehensive Plan. Hunter Road and Hetzel Drive are County streets. Hetzel Drive is currently not maintained as no one uses it. There are no sidewalks along both roadways. Pages 4-7 of the Staff Report includes references to the Comprehensive Plan.

Mr. Schwartz showed photographs of the site and adjoining properties. The submitted Concept Development Plan shows the retention of the existing convenient store, fuel canopy, restaurant and commercial parking and a provision for a 1,025 square foot food court. The commercial Airport parking lot will be expanded by 42 additional stalls. The eastern 7.5 acre area will be a truck stop with a fuel canopy, some passenger vehicle parking, 69 truck parking stalls, a new access to Hetzel Drive and a new access to Hunter Road. Hunter Road is planned to be widened to 28 feet and 30 feet paved widths. Staff comments can be found on Pages 7 & 8 of the Staff Report. A table is included in the Staff Report comparing the existing plan with the proposed plan. A Traffic Impact Study has been submitted by the applicant. The analysis indicates that the existing geometry and the traffic operations at all intersections of the study area will have no impact due to the traffic generated by the truck stop. No improvements are required at the intersections that were studied. The closest truck stop is the TA in Florence on Burlington Pike and the Kennett Truck Stop in Greendale, Indiana. Staff has observed that the TA Truck Stop in

Florence causes traffic back ups on KY 18 due to excessive semi-truck stacking. Staff has stacking concerns on Hunter Road and Hetzel Drive. Up until 1997, houses existed along both sides of Hetzel Drive but the County doesn't currently maintain the road. The submitted Concept Development Plan shows several areas where new improvements don't meet the minimum Buffer Yard A width of ten (10) feet. Staff would like the applicant to discuss the findings of the Traffic Study in light of the anticipated truck movements. Specifically, Staff would like to make sure that the intersection analyses took into account the slower acceleration rate of trucks versus personal vehicles.

Comments from outside entities can be found on Page 9 of the Staff Report. Several comments were made by County Engineer, Rob Franxman. They relate specifically to the Traffic Impact Study and experience dealing with truck parking.

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

Mr. Jim Bertram, Engineer for the applicant, stated that he appeared before the Planning Commission a few months ago with the same project. This time, they did a Traffic Impact Study but the person who did the study is not at the Public Hearing tonight. The food court is proposed. It is not existing. He will provide the number of seats. He felt that he provided the adequate number of parking spaces. There will be no showers or bathrooms. The truck stop is a fueling station and a parking lot. The proposed access off Hetzel Drive will be exit only for security reasons. They will modify the access point. They are willing to make improvements to Hetzel Drive. They will adjust the buffer yard to meet the 10 foot requirement. The truck movements were counted in the truck study. The Kentucky Transportation Cabinet made the applicant study the truck stops in Florence (TA) and Walton (Flying J) and apply it to their project. Mr. Bertrum reviewed the County Engineer's comments. He corrected the two locations of existing truck stops. The turning lane analysis was covered – turning from KY 20 to KY 212. Capacity was looked at as part of the study. The proposed truck stop will not be at peak hours. It is an off-set truck stop – before the peak a.m. and p.m. peak hours. There are 7 spaces to stack trucks while they are fueling. It won't affect Val-Air Parking. The intersections will be improved to have proper turning movements. They will monitor KTC's road improvement plans as well as coordinate their plan with the State as part of the review of the encroachment permit application process.

Chairman Rolfsen asked if anyone in the audience would like to speak in favor or against the request or had any questions?

Ms. Cathy Matchinga, owner of Val Air Parking, stated that during peak times there is a backup on the interstate – 4:00, 5:00 and 6:00 a.m. These hours were left out of the traffic study. She submitted a copy of the parking volume from her Val Air Parking facility (see Exhibit A). The exit ramp is very short. The other truck stops in their study have more than one ramp lane. The ramp's condition is due to cars and not a lot of trucks. The "Parks" are people going out of town and "Pulls" are people returning home. There have been so many accidents at the interchange. There are trucks in the area with Amazon and ones from Standard Textile. There needs to be another exit. Hunter Road is not designed for trucks and she has people who cross the road back and forth to both parking lots. If trucks are stacked on Hunter Road, it will create problems for her vans and clients. It is not safe to mix truck and automobile traffic. Maybe it makes more sense to have

truck traffic use Hetzel Drive only. The exit ramp is the shortest in the area and it encourages stacking. The traffic study didn't address the length of the ramp or the number of lanes. It is 90% cars and 10% trucks backing up on the ramp.

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

Ms. Gulick stated that she may not be able to attend the Zone Change Committee meeting scheduled for January 22. She expressed a concern about the traffic flow. The interchange is designed in a way that pushes traffic to and from the Airport and not necessarily to the subject site. The left turns to get to the site only have enough storage for one truck. There are similar issues on the westbound exit ramp. To fix those issues, there is a problem with the bridge supporting these changes. Also, one will have to deal with FHWA and their review and approval. Another concern is the westbound traffic on KY 20. There is about 300 feet between KY 212 and Hunter Road. It can only handle one truck and one car. It doesn't support more trucks generated by the proposed project. It can't be extended because it would block Hunter Road. The only way it would work would be to make Hunter Road right in and out and for existing traffic to use Hetzel Drive. It really could affect all the businesses in the area. With the additional traffic at Hunter Road, it could meet the requirements for a traffic signal. It is exactly the same problem we have at Flying J in Walton. There is a need for truck stops but not at this location. It is not feasible without completely reconstructing the interchange and rerouting the adjacent businesses. The problem is the limited storage available at KY 212/KY 20 intersection.

Chairman Rolfsen agrees with the idea that trucks are finding it difficult to park safely. But this site has problems with the ramp being full of stacked vehicles. At 6:30 a.m., that ramp is a nightmare with just cars. The truck stop will hinder the businesses that need to get to the airport because it is introducing trucks. This does not make sense.

Mr. Harper asked the applicant if the traffic will come in off Hunter Road and cross through the existing business when getting fuel? What happens if they don't fuel? Will they go back to Hunter Road and Hetzel Drive. Mr. Bertrum answered yes. There is some dispute in the figures. It is 17 trucks in the a.m. peak and the afternoon peak. It is based on studying Flying J and the TA. He would like his traffic engineer to back up what he found. They are willing to look at alternatives in routing traffic if necessary.

Chairman Rolfsen stated that the applicant needs to increase the stacking so it makes sense to have everyone use Hetzel Drive for in and out. He asked for an accident report at the KY 212 and Ky 20 intersection for the past 3 years.

Mr. Harper noted that he saw a sign on the applicant's property that said "No Semis" and the applicant wants to allow them to fuel trucks. Isn't that a concern? The applicant responded he designed it that way.

Mrs. Kegley would recommend that the applicant defer to the February Committee meeting so that the traffic consultant and Ms. Gulick can both be present. Currently, the traffic consultant isn't present and Ms. Gulick won't be available to attend the January 22, 2025 Committee meeting. It makes sense to have both present. Mr. Schwartz noted that the next Committee meeting would

be on February 19, 2025 and action by the full Board could be held on March 5, 2025. The 60 day time limit would have to be waived.

Ms. Gulick stated that traditionally, traffic engineers will look at capacity analysis and level of service. The real issue is queuing and storage. Where is the traffic being stored plus your traffic? If it is not working now, there is no room for anything else. Mr. Bertram said the numbers on KY 212 going west and turning south on KY 20 are not that high because there isn't much traffic coming up KY 212. Chairman Rolfsen asked what about the trucks parked on the ramp at Mineola Pike and North Bend Road? They may like to park at such a facility instead. It is a different area than the TA and Flying J locations.

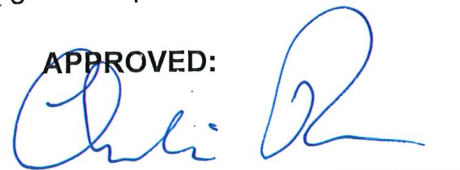
Mr. Costello noted there is a big difference comparing the TA and Flying J truck stops with the proposed truck stop. The main difference is the Airport at this interchange and timing is important to get people in and out of the Airport. He asked if Staff heard from the Airport or the Kentucky Transportation Cabinet regarding the application? The Airport did not respond. Mr. Costello asked what the applicant submitted to the State for review? Mr. Bertram replied that they submitted a MOU and a Traffic Report. There is no official response from the State. That information is needed. Most of the traffic at the interchange is going to and from the Airport. The interchange is the entrance to the Airport. The volume of cars is increasing and trucks could be a gamebreaker. Mr. Costello mentioned that perhaps a meeting with the State, County Engineer and the applicant. Chairman Rolfsen asked why the Airport didn't comment on the project? We will find out why the State hasn't responded.

Mr. Alex Othman, applicant, stated there is a sign about no trucks. There is also parking for 500 semis across the street. They have no permit for it. He doesn't see any problems there with 500. The project is only 60 spaces. He explained that with this project, the traffic flow will be better for the trucks to navigate more safely on the site. There have been no traffic problems for the 500 truck parking for 5-6 years. Chairman Rolfsen asserted that it was mostly trailers and a truck may pick up a trailer one at a time. Mr. Othman stated that 200 trucks come from the Standard Textile site.

Ms. Matchinga noted that the Traffic Study should have started at 4:00 a.m. instead of 7:00 a.m. There is traffic to the Airport and to other area businesses on KY 20.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 19, 2025 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on March 5, 2025 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:34 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

Exhibit A – ValAir Parking Volume Report

Parking Volume Retrieval Report - ValAjr Parking, Hebron, KY - Wednesday, January 8, 2025

Date/Time: 01/01/2024 12:00:00 AM to 12/31/2024 11:59:59 PM - Guest Type: Econo Ser Park, Transient Valet - Days of Week: Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, Saturday - Volume: Total Volume -

Hour	Parks	Pulls	Productivity	Time	Labor Hours	Prod / Hour
12:00 AM	36	716	752	18:44	7611.00	0.10
1:00 AM	14	213	227	18:13	7611.00	0.03
2:00 AM	22	62	84	14:36	7611.00	0.01
3:00 AM	304	38	342	19:16	7611.00	0.04
4:00 AM	1228	39	1267	19:14	7611.00	0.17
5:00 AM	1613	125	1738	36:32	7611.00	0.23
6:00 AM	1687	123	1810	33:11	7611.00	0.24
7:00 AM	1009	138	1147	18:33	7611.00	0.15
8:00 AM	776	150	926	4:27	7611.00	0.12
9:00 AM	1015	296	1311	10:26	7611.00	0.17
10:00 AM	852	508	1360	9:43	7611.33	0.18
11:00 AM	793	556	1349	-2:-29	7611.77	0.18
12:00 PM	1111	753	1864	3:42	7612.00	0.24
1:00 PM	872	805	1677	-3:-53	7611.68	0.22
2:00 PM	680	1055	1735	2:35	7609.90	0.23
3:00 PM	815	1077	1892	11:01	7607.03	0.25
4:00 PM	767	957	1724	6:28	7607.60	0.23
5:00 PM	447	1128	1575	7:00	7610.27	0.21
6:00 PM	283	836	1119	6:00	7610.85	0.15
7:00 PM	153	895	1048	11:51	7609.00	0.14
8:00 PM	113	969	1082	-2:-12	7610.62	0.14
9:00 PM	55	867	922	29:05	7612.00	0.12
10:00 PM	49	1039	1088	15:19	7612.00	0.14
11:00 PM	43	1203	1246	79:46	7612.00	0.16
Totals:	14737	14548	29285	15:05	182658.00	0.16

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY FISCAL COURTROOM
BURLINGTON, KENTUCKY
BUSINESS MEETING
MARCH 5, 2025
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's March 5, 2025 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mrs. Kathy Clark
Ms. Corrin Gulick, Vice Chairwoman
Mr. Steve Harper, Temporary Presiding Officer
Mr. David Hincks
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele, Secretary/Treasurer
Mr. Tom Szurlinski
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Mrs. Pamela Goetting
Mr. Eric Richardson
Mr. Kenny Vaught

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Michael Schwartz, Director, Zoning Services
Mr. Steve Lilly, GISP, Planner
Ms. Lauren Elliott, Planner

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the February 19, 2025 Business Meeting. He asked if there were any comments or corrections?

Mr. Szurlinski moved to approve the Minutes as presented. Mr. Hincks 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 February 6, 2025 and March 5, 2025.

EXPENSES:

Accounting Fees	1,361.95
Attorney Fees	4,800.00
Auto Expense	32.30
Consultant/Profess Svcs Fees	1,195.00
Filing Fees (CLURS)	600.00
Legal Ads/Recruitment	591.33
Office & Board Meeting Supplies	655.05
Office / Equipment Maintenance	692.40
Office Equipment / Expense	331.48
Postage Expense	502.25
Printing/Pub/Dues/Subscriptions	1,459.00
Professional Development	<u>240.00</u>

TOTAL: \$ 12,460.76

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 7,004.15
Health/Dental/Life/LTD	17,693.76
Retirement – BCPC Portion	18,726.66
Salaries – Staff Expenses	96,341.84
Salaries – BCPC & BOA	<u>1,375.00</u>

TOTAL: \$ 141,436.67

GRAND TOTAL: \$ 153,897.43

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. Dr. Clark seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

**ZONING MAP AMENDMENT/CONDITIONAL USE PERMIT/VARIANCE, David Hincks,
Chairman, Michael Schwartz, Staff**

1. Request of **Arnold Consulting Engineering Services Inc (applicant)** for **Shree Laxmi Vishnu LLC (owner)** for a Zoning Map Amendment from Commercial Four (C-4) to Office Two (O-2), a Conditional Use Permit for a hotel, and a Variance for an approximate 3.7 acre area located along the east side of Frogtown Connector Road, between Richwood Road and Frontage Road, approximately six hundred (600) feet north of Richwood Road, and having Parcel Identification Numbers (PIDN's) of 075.00-00-102.00 and 075.00-00-102.13, Boone County, Kentucky. The request is for: (1) a Zoning Map Amendment to allow the development of a 73,275 square foot, four story, 109 room hotel and a future development area; (2) a Conditional Use Permit to allow a hotel in an O-2 district; and (3) a Variance reducing the Buffer Yard A width along a portion of Frogtown Connector Road from ten (10) feet to four (4) feet.

Staff Member, Michael Schwartz read the Committee Report, which recommended approval of the Zoning Map Amendment, Conditional Use Permit and Variance based upon Findings of Facts and Conditions. The Condition Letter has been signed by the applicant and property owner and submitted to the Planning Commission. All Committee Members present voted in favor of the request with Mr. Lunnemann, Mr. Hincks and Ms. Gulick voting in favor.

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

Mr. Danny Whitley, applicant, stated that he was in agreement with the Conditions and was available to answer any questions.

Ms. Michelle Kelly, Gaines Way, inquired about the other existing hotels in the area. Mr. Schwartz showed a slide of the Holiday Inn Express and Hampton Inn. Both are located on the Frogtown Connector Road.

Seeing no further comment, **Mr. Hincks moved, by Resolution to the Boone County Fiscal Court to recommend approval of the Zoning Map Amendment, Conditional Use Permit and Variance based on the Committee Report, Findings of Fact and Conditions. Mr. Lunnemann seconded the motion.**

Mr. Hincks asked if there were any restrictions concerning the height of the other two hotels in the area as he noted that they were 3 stories in height. Mr. Schwartz responded no, since the other two hotels were built under the existing zoning of C-4.

Chairman Rolfsen asked for a vote on the original motion made by Mr. Hincks and seconded by Mr. Lunnemann. The motion passed unanimously.

**ZONING MAP AMENDMENT/CONDITIONAL USE PERMIT, Janet Kegley, Chairwoman,
Michael Schwartz, Staff**

2. Request of **Bluegrass Cannacare LLC (applicant)** for **NKH Investment LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Services (C-3) and a Conditional Use Permit for an approximate 0.35 acre area located at 6809 Burlington Pike, Florence, Kentucky. The request is for a Zoning Map Amendment and Conditional Use Permit to allow the existing building to be occupied by a medical cannabis dispensary business.

Staff Member, Michael Schwartz read the Committee Report, which recommended approval of the Zoning Map Amendment and Conditional Use Permit based upon Findings of Facts and Conditions. The Condition Letter has been signed and submitted to the Planning Commission. .

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

Mr. Jason Culter, contractor for the project, stated that he was available to answer any questions.

Seeing no further comment, **Mrs. Kegley moved, by Resolution to the City of Florence (as noted) to recommend approval of the Zoning Map Amendment and Conditional Use Permit based on the Committee Report, Findings of Fact and Conditions. Ms. Gulick seconded the motion and it passed unanimously.**

**CHANGE OF CONCEPT DEVELOPMENT PLAN/VARIANCES, Corrin Gulick, Chairwoman
Lauren Elliott, Staff**

3. Request of **Brew Team KY, LLC (applicant)** for **Massive 2.0, LLC (owner)** for a Change of Concept Development Plan and Variances in a Commercial Services (C-3) district, for an approximate 0.56 acre area lot located at 7303 Turfway Road, Florence, Kentucky. The request is for a Change of Concept Development Plan to allow the development of a 543 square foot drive-through only coffee shop and a 277 square foot remote storage/cooler accessory structure. The Variances are to: (1) reduce the front yard setback from fifty (50) feet to thirty-seven (37) feet; and (2) reduce the Buffer Yard width from ten (10) feet to seven (7) feet along the west property line, five (5) feet along the south property line, and eight (8) feet along the east property line.

Staff Member, Lauren Elliott, read the Committee Report, which recommended approval of the Change in Concept Development Plan and Variances based upon the Committee Report, Findings of Fact and Conditions . The Condition Letter has been signed by the applicant and property owner and submitted to the Planning Commission. The Committee voted 3-0 in favor of the request.

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

Mr. Brian Evans, applicant, stated that he was available to answer any questions by the Board.

Seeing no further comment, **Ms. Gulick moved, by Resolution to the City of Florence to recommend approval of the Change in Concept Development Plan and Variances, based on the Committee Report, Findings of Fact and Conditions. Mrs. Steele seconded the motion and it passed unanimously.**

CHANGE OF CONCEPT DEVELOPMENT PLAN/VARIANCE, Steve Harper, Chairman, Steve Lilly, Staff

4. Request of **Viox and Viox Inc, per Brock MacKay (applicant)** for **CCM LLC (owner)** for a Change of Concept Development Plan and Variance in a Commercial Services (C-3) district, for an approximate 6.7 acre area lot located at 10855 Dixie Highway, Boone County, Kentucky. The request is for a Change of Concept Development Plan to allow the construction of an approximate 6,400 square foot building addition and the construction of an approximate 28,500 square foot commercial building and an approximate 11,000 square foot commercial building. The Variance is to reduce the Buffer Yard A width along the south property line from ten (10) feet to zero (0) feet.

Staff Member, Steve Lilly read the Committee Report, which recommended approval of the Change in Concept Development Plan based upon Findings of Facts and Conditions. The Condition Letter has been signed by the applicant and property owner and submitted to the Planning Commission. All Committee Members present voted in favor of the request with a 3-0 vote.

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

Mr. Mackay, applicant, stated that he was present to answer any questions from the Board.

Seeing no further comment, **Ms. Gulick moved, by Resolution to the Boone County Fiscal Court to recommend approval of the Change in Concept Development Plan and Variance based on the Committee Report, Findings of Fact and Conditions. Mr. Turner seconded the motion and it passed unanimously.**

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

5. Request of **Steve Berling (applicant)** for **Corporex Parks of Kentucky LLC (owner)** for a Zoning Map Amendment from Rural Suburban (RS) to Commercial Two (C-2) for an approximate 2.8 acre area located at 1681 Erlanger Road, Boone County, Kentucky, and including those properties with the following Parcel Identification Numbers (PIDN's): 071.00-01-020.00, 071.00-01-021.00, 071.00-01-022.00, and 071.00-01-024.00. The request is for a zone change to allow for the construction of a 6,000 square foot restaurant and a 2,800 square foot restaurant with drive-through service.

Staff Member, Michael Schwartz read the Committee Report, which recommended approval of the Zoning Map Amendment based upon Findings of Facts and Conditions. The Condition Letter has been signed by the applicant and property owner and submitted to the Planning Commission.

All Committee Members present voted in favor of the request with a 3-0 vote.

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

Mr. Corey Guess stated that he lives two plots from the proposed development. He asked where does the need for this use arise? He moved into his house over a year ago and there was no mention of it. He will lose his privacy. There will be a noisy lift station next to him. There will be truck traffic delivering to both restaurants. He doesn't want it or need it because he is the community. There are four houses on this road. He wasn't aware of the meeting. Mr. Costello asked if Mr. Guess's wife attended the Public Hearing. Mr. Guess replied yes.

Mr. Schwartz stated that there was a legal ad in the newspaper, a sign posted on the property and all adjoining property owners were notified via a letter. He pointed to the property owners that were notified. Mr. Guess stated that he didn't get a letter.

Mr. Wilson noted that Mr. Guess's wife attended the Public Hearing and had an opportunity to speak. Questions were asked and answers were provided at the Committee Meeting.

Mr. Berling, applicant, stated that Corporex has owned the property for a while. He noted that Mr. Guess's back yard does touch the property in question. It is not immediately adjacent. He is the second property owner. The road will be widened to the third entrance. Water will be provided by the Northern Kentucky Water District because there is a 12 inch water main in the area. The lift station is a private one without a big generator. One will not be able to hear it go on and off. It will be away from the neighbor's property. A 30 foot buffer is required. Mr. Schwenke asked if the berm and fence could be installed? Mr. Berling responded yes if they could limit it to towards the back and not the side. Mr. Berling agreed to do it. Mr. Schwartz stated that the minutes could reflect this change and new condition.

Seeing no further comment, **Ms. Gulick moved, by Resolution to the Boone County Fiscal Court to recommend approval of the Zoning Map Amendment based on the Committee Report, Findings of Fact and Conditions and to include a fence as recorded in the minutes. Mr. Hincks seconded the motion and it passed unanimously.**

CHANGE OF CONCEPT DEVELOPMENT PLAN/CONDITIONAL USE PERMIT, Corrin Gulick, Chairwoman, Michael Schwartz, Staff

6. Request of **Alex Othman (applicant/owner)** for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3). The submitted request is to allow the conversion of an approximate 7.52 acre area of the site from commercial parking to a truck stop and to allow the expansion of the existing commercial parking facility on an approximate 2.02 acre area of the site.

Staff Member, Michael Schwartz read the Committee Report, which recommended approval of the Change in Concept Development Plan and Conditional Use Permit based upon Findings of

Facts and Conditions. He referred to updated drawings showing Hetzel Drive and Hunter Drive. The Condition Letter has been signed by the applicant and property owner and submitted to the Planning Commission.

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

Mr. Jim Bertrum, engineer, stated that he was present to answer any questions about the project.

Seeing no further comment, **Ms. Gulick moved, by Resolution to the Boone County Fiscal Court to recommend approval of the Change in Concept Development Plan and Conditional Use Permit based on the Committee Report, Findings of Fact and Conditions. Mr. Szurlinski seconded the motion.**

Ms. Gulick stated that she was motivated to make it work. In both the Boone County Transportation Plan and the Boone County Comprehensive Plan, truck traffic is discussed in depth because of our location near the interstate and river. We are going to have trucks because of our location with the transportation network. She suggests the County Engineer and the applicant look at the following: the westbound left had turn from KY 20 to KY 212 as well as the right turn onto Hetzel Drive. Finally, the sight distance at Hetzel Drive for vehicles coming up the hill. With all of this, it could work. Chairman Rolfsen thought that the use of Hetzel Drive for truck traffic was the only way it could work. Ms. Gulick replied that both entrances would be evaluated for right turning movements during the permitting process. The left turn lane has 75 feet of storage. That is the minimum. It might have to be 200 feet based upon the 45 mph speed limit.

Mr. Bertrum responded that they are studying it and agreed to it as the next step. Hetzel Drive will continue to be a public road. In response to a question from Mrs. Steele, Mr. Bertrum stated that signs will be posted that trucks are not allowed on Hunter Road similar to what is there now.

Chairman Rolfsen asked for a vote on the original motion made by Ms. Gulick and seconded by Mr. Szurlinski. The motion passes unanimously.

NEW BUSINESS

ZONING MAP AMENDMENT/CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff

7. Request of **The Northern Kentucky Development Alliance, LLC, per Dale McPherson and Patrick Rector (applicant) for Arlinghaus I LLC, per Robert Schroeder (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential One/Planned Development (SR-1/PD) for an approximate 18.8 acre area located along the north side of Hathaway Road, between Old Union Road and Spruce Lane, approximately 2,400 feet east of Spruce Lane, being directly across from Meiman Road and having a Parcel Identification Number (PIDN) of 052.00-00-028.03, Union, Kentucky and a request of **Arlinghaus I LLC, per Robert Schroeder (applicant and owner)** for a Change in an Approved Concept Development Plan in a Suburban Residential One (SR-1) district for an approximate 81 acre area located along the north side of Hathaway Road, between Old Union Road and Spruce Lane, approximately

2,400 feet east of Spruce Lane, being directly across from Meiman Road and having a Parcel Identification Number (PIDN) of 052.00-00-028.03. The request is for a zone change/change of concept development plan to allow the development of an approximate 13,000 square foot event center, with associated functions and structures, and to amend the design and layout of a previously approved single-family residential subdivision.

Mrs. Steele moved to schedule the Public Hearing for Item #7 on April 2, 2025 at 7:30 p.m. in the Fiscal Courtroom. Mr. Schwenke seconded the motion and it passed unanimously.

H. EXECUTIVE DIRECTOR'S REPORT:

- No Report

I. COMMITTEE REPORTS:

- Airport (Randy Bessler)
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 (Charlie Rolfsen)

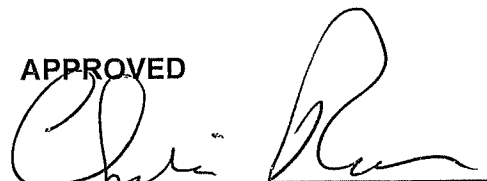
J. CHAIRMAN'S REPORT: (Charlie Rolfsen)

**K. OKI REPORT: (Randy Bessler)
No Report**

L. ADJOURNMENT:

There being no further business to come before the Planning Commission, **Mr. Bessler moved to adjourn the meeting. Mr. Turner seconded the motion and it passed unanimously. The meeting was adjourned at 7:52 p.m.**

APPROVED



Charlie Rolfsen
Chairman

Attest:



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

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Corrin Gulick, Chair

DATE: March 5, 2025

RE: Request of **Alex Othman (applicant/owner)** for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional Use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3). The submitted request is to allow the conversion of an approximate 7.52 acre area of the site from commercial parking to a truck stop and to allow the expansion of the existing commercial parking facility on an approximate 2.02 acre area of the site.

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 of Concept Development Plan/Conditional Use Permit based on the following findings of fact:

FINDINGS OF FACT (Change of Concept Development Plan):

1. The proposed Change of Concept Development Plan is generally consistent with the 2040 Future Land Use Map of the Comprehensive Plan, Our Boone County - Plan 2040, which identifies the site for Commercial uses.

The proposed truck stop is an appropriate use within that Commercial designation.
2. The proposed Change of Concept Development Plan is appropriate and reasonable in that the proposed truck stop is similar in character to other uses within the vicinity of the site in question. The area north of I-275 is characterized by commercial parking facilities and industrial uses.
3. The following condition is necessary to achieve consistency with the Our Boone County - Plan 2040 and to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions:

CONDITION:

1. Development of the site in question shall be consistent with the approved Conditional Use Permit

FINDINGS OF FACT (Conditional Use Permit):

1. The proposed Conditional Use meets the following requirements of Section 205.H of the zoning regulations.
 - a. The proposed truck stop will be harmonious with and in accord with the Comprehensive Plan. The site in question is located within an area currently characterized by commercial and industrial activity. The development of a truck stop on the site in question would be consistent with this character. Additionally, the Comprehensive Plan identifies the site for commercial uses.
 - b. The proposed truck stop will be designed, constructed, operated, and maintained in a manner that will not change the essential character of the area.

The site in question, along with the area to the north of the site in question, is currently characterized by large open paved parking areas. The proposed truck stop will not be any different in character than what is already present.
 - c. The proposed truck stop will be served by public facilities, such as highways.

The site in question is located at the I-275/Petersburg Road interchange. The proposed truck stop will provide a much needed facility without having to utilize the county's collector or local street network,
2. The following conditions are necessary to achieve consistency with the Our Boone County - Plan 2040 and to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions:

CONDITIONS:

1. The Conditional Use Permit shall only be approved if the Boone Fiscal Court takes action to approve the proposed Change of Concept Development Plan.
2. All truck traffic shall utilize Hetzel Drive, exclusively.
3. Truck traffic shall be prohibited on Hunter Drive.
4. Hetzel Drive shall be improved, along with any off-site improvements, which shall be as approved by Boone County and/or KYTC through their respective encroachment permit processes, at the expense of the property owner.
5. The parking/storing of individual trailers shall be prohibited.

6. No improvements to Hunter Road will be required.

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

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission
FROM: Corrin Gulick, Chairwoman
DATE: February 19, 2025

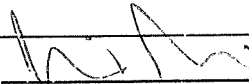
REMARKS:

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.

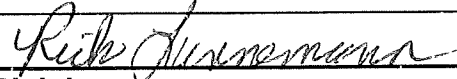
CHANGE OF CONCEPT DEVELOPMENT PLAN/CONDITIONAL USE PERMIT, Corrin Gulick, Chairwoman, Michael Schwartz, Staff

6. Request of **Alex Othman (applicant/owner)** for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3). The submitted request is to allow the conversion of an approximate 7.52 acre area of the site from commercial parking to a truck stop and to allow the expansion of the existing commercial parking facility on an approximate 2.02 acre area of the site.

Janet Kegley
For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____



Corrin Gulick (Chairwoman)
For Project Absent ____
Against Project ____
Abstain ____ Deferred ____

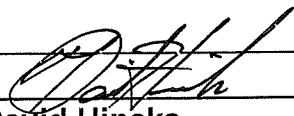


Rick Lunnemann
For Project Absent ____
Against Project ____
Abstain ____ Deferred ____

Kathy Clark (Alternate)
For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

Steve Harper
For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

Steve Turner (Alternate)
For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____



David Hincks
For Project Absent ____
Against Project ____
Abstain ____ Deferred ____

Jackie Steele (Alternate)
For Project ____ Absent ____
Against Project ____
Abstain ____

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

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
JANUARY 8, 2025
7:30 P.M.**

Chairman Rolfsen opened the Public Hearings at 7:39 p.m. and welcomed the audience to the Planning Commission's January 8, 2025 Public Hearings.

COMMISSION MEMBERS PRESENT:

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

COMMISSION MEMBERS NOT PRESENT:

Mr. Eric Richardson
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. Steve Lilly, PLS, GISP, Planner
Ms. Lauren Elliott, Planner

Chairman Rolfsen introduced the first item on the Agenda:

CHANGE OF CONCEPT DEVELOPMENT PLAN/CONDITIONAL USE PERMIT, Michael Schwartz, Staff

1. Request of **Alex Othman (applicant/owner)** for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3). The submitted request is to allow the conversion of an approximate 7.52 acre area of the site from commercial parking to a truck stop and to allow the expansion of the existing commercial parking facility on an approximate 2.02 acre area of the site.

Staff member, Michael Schwartz, referred to his PowerPoint presentation (see Staff Report). The request involves a Change in Concept Development Plan and a Conditional Use Permit application. The 9.54 acre area has approximately 1,000 feet of road frontage along Hunter Road. It has approximately 1,157 feet of road frontage on KY 212/I-275 and 113 feet on Hetzel Drive. Pages 1-2 of the Staff Report provides the history of the site. In 2020, a Concept Development Plan was approved showing the expansion of a commercial parking facility for passenger vehicles and a Variance to reduce the eastern buffer yard to 10 feet. The site contains a 5,975 square foot convenience store with a restaurant. It has 40 parking spaces with gas facilities. It also holds 631 commercial parking spaces. The site is accessed from Hunter Road. The site is currently zoned C-3 and a truck stop is a Conditional Use in that zone. Mr. Schwartz described the surrounding zoning and land uses. Pages 2-3 of the Staff Report includes the applicable regulations to the project. The site is located in the 60 DNL noise contour. The entire site is recommended for Commercial (C) use according to the 2040 Comprehensive Plan. Hunter Road and Hetzel Drive are County streets. Hetzel Drive is currently not maintained as no one uses it. There are no sidewalks along both roadways. Pages 4-7 of the Staff Report includes references to the Comprehensive Plan.

Mr. Schwartz showed photographs of the site and adjoining properties. The submitted Concept Development Plan shows the retention of the existing convenient store, fuel canopy, restaurant and commercial parking and a provision for a 1,025 square foot food court. The commercial Airport parking lot will be expanded by 42 additional stalls. The eastern 7.5 acre area will be a truck stop with a fuel canopy, some passenger vehicle parking, 69 truck parking stalls, a new access to Hetzel Drive and a new access to Hunter Road. Hunter Road is planned to be widened to 28 feet and 30 feet paved widths. Staff comments can be found on Pages 7 & 8 of the Staff Report. A table is included in the Staff Report comparing the existing plan with the proposed plan. A Traffic Impact Study has been submitted by the applicant. The analysis indicates that the existing geometry and the traffic operations at all intersections of the study area will have no impact due to the traffic generated by the truck stop. No improvements are required at the intersections that were studied. The closest truck stop is the TA in Florence on Burlington Pike and the Kennett Truck Stop in Greendale, Indiana. Staff has observed that the TA Truck Stop in

Florence causes traffic back ups on KY 18 due to excessive semi-truck stacking. Staff has stacking concerns on Hunter Road and Hetzel Drive. Up until 1997, houses existed along both sides of Hetzel Drive but the County doesn't currently maintain the road. The submitted Concept Development Plan shows several areas where new improvements don't meet the minimum Buffer Yard A width of ten (10) feet. Staff would like the applicant to discuss the findings of the Traffic Study in light of the anticipated truck movements. Specifically, Staff would like to make sure that the intersection analyses took into account the slower acceleration rate of trucks versus personal vehicles.

Comments from outside entities can be found on Page 9 of the Staff Report. Several comments were made by County Engineer, Rob Franxman. They relate specifically to the Traffic Impact Study and experience dealing with truck parking.

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

Mr. Jim Bertram, Engineer for the applicant, stated that he appeared before the Planning Commission a few months ago with the same project. This time, they did a Traffic Impact Study but the person who did the study is not at the Public Hearing tonight. The food court is proposed. It is not existing. He will provide the number of seats. He felt that he provided the adequate number of parking spaces. There will be no showers or bathrooms. The truck stop is a fueling station and a parking lot. The proposed access off Hetzel Drive will be exit only for security reasons. They will modify the access point. They are willing to make improvements to Hetzel Drive. They will adjust the buffer yard to meet the 10 foot requirement. The truck movements were counted in the truck study. The Kentucky Transportation Cabinet made the applicant study the truck stops in Florence (TA) and Walton (Flying J) and apply it to their project. Mr. Bertram reviewed the County Engineer's comments. He corrected the two locations of existing truck stops. The turning lane analysis was covered – turning from KY 20 to KY 212. Capacity was looked at as part of the study. The proposed truck stop will not be at peak hours. It is an off-set truck stop – before the peak a.m. and p.m. peak hours. There are 7 spaces to stack trucks while they are fueling. It won't affect Val-Air Parking. The intersections will be improved to have proper turning movements. They will monitor KTC's road improvement plans as well as coordinate their plan with the State as part of the review of the encroachment permit application process.

Chairman Rolfsen asked if anyone in the audience would like to speak in favor or against the request or had any questions?

Ms. Cathy Matchinga, owner of Val Air Parking, stated that during peak times there is a backup on the interstate – 4:00, 5:00 and 6:00 a.m. These hours were left out of the traffic study. She submitted a copy of the parking volume from her Val Air Parking facility (see Exhibit A). The exit ramp is very short. The other truck stops in their study have more than one ramp lane. The ramp's condition is due to cars and not a lot of trucks. The "Parks" are people going out of town and "Pulls" are people returning home. There have been so many accidents at the interchange. There are trucks in the area with Amazon and ones from Standard Textile. There needs to be another exit. Hunter Road is not designed for trucks and she has people who cross the road back and forth to both parking lots. If trucks are stacked on Hunter Road, it will create problems for her vans and clients. It is not safe to mix truck and automobile traffic. Maybe it makes more sense to have

truck traffic use Hetzel Drive only. The exit ramp is the shortest in the area and it encourages stacking. The traffic study didn't address the length of the ramp or the number of lanes. It is 90% cars and 10% trucks backing up on the ramp.

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

Ms. Gulick stated that she may not be able to attend the Zone Change Committee meeting scheduled for January 22. She expressed a concern about the traffic flow. The interchange is designed in a way that pushes traffic to and from the Airport and not necessarily to the subject site. The left turns to get to the site only have enough storage for one truck. There are similar issues on the westbound exit ramp. To fix those issues, there is a problem with the bridge supporting these changes. Also, one will have to deal with FHWA and their review and approval. Another concern is the westbound traffic on KY 20. There is about 300 feet between KY 212 and Hunter Road. It can only handle one truck and one car. It doesn't support more trucks generated by the proposed project. It can't be extended because it would block Hunter Road. The only way it would work would be to make Hunter Road right in and out and for existing traffic to use Hetzel Drive. It really could affect all the businesses in the area. With the additional traffic at Hunter Road, it could meet the requirements for a traffic signal. It is exactly the same problem we have at Flying J in Walton. There is a need for truck stops but not at this location. It is not feasible without completely reconstructing the interchange and rerouting the adjacent businesses. The problem is the limited storage available at KY 212/KY 20 intersection.

Chairman Rolfsen agrees with the idea that trucks are finding it difficult to park safely. But this site has problems with the ramp being full of stacked vehicles. At 6:30 a.m., that ramp is a nightmare with just cars. The truck stop will hinder the businesses that need to get to the airport because it is introducing trucks. This does not make sense.

Mr. Harper asked the applicant if the traffic will come in off Hunter Road and cross through the existing business when getting fuel? What happens if they don't fuel? Will they go back to Hunter Road and Hetzel Drive. Mr. Bertrum answered yes. There is some dispute in the figures. It is 17 trucks in the a.m. peak and the afternoon peak. It is based on studying Flying J and the TA. He would like his traffic engineer to back up what he found. They are willing to look at alternatives in routing traffic if necessary.

Chairman Rolfsen stated that the applicant needs to increase the stacking so it makes sense to have everyone use Hetzel Drive for in and out. He asked for an accident report at the KY 212 and Ky 20 intersection for the past 3 years.

Mr. Harper noted that he saw a sign on the applicant's property that said "No Semis" and the applicant wants to allow them to fuel trucks. Isn't that a concern? The applicant responded he designed it that way.

Mrs. Kegley would recommend that the applicant defer to the February Committee meeting so that the traffic consultant and Ms. Gulick can both be present. Currently, the traffic consultant isn't present and Ms. Gulick won't be available to attend the January 22, 2025 Committee meeting. It makes sense to have both present. Mr. Schwartz noted that the next Committee meeting would

be on February 19, 2025 and action by the full Board could be held on March 5, 2025. The 60 day time limit would have to be waived.

Ms. Gulick stated that traditionally, traffic engineers will look at capacity analysis and level of service. The real issue is queuing and storage. Where is the traffic being stored plus your traffic? If it is not working now, there is no room for anything else. Mr. Bertram said the numbers on KY 212 going west and turning south on KY 20 are not that high because there isn't much traffic coming up KY 212. Chairman Rolfsen asked what about the trucks parked on the ramp at Mineola Pike and North Bend Road? They may like to park at such a facility instead. It is a different area than the TA and Flying J locations.

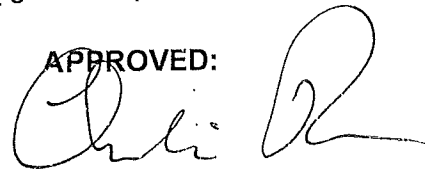
Mr. Costello noted there is a big difference comparing the TA and Flying J truck stops with the proposed truck stop. The main difference is the Airport at this interchange and timing is important to get people in and out of the Airport. He asked if Staff heard from the Airport or the Kentucky Transportation Cabinet regarding the application? The Airport did not respond. Mr. Costello asked what the applicant submitted to the State for review? Mr. Bertram replied that they submitted a MOU and a Traffic Report. There is no official response from the State. That information is needed. Most of the traffic at the interchange is going to and from the Airport. The interchange is the entrance to the Airport. The volume of cars is increasing and trucks could be a gamebreaker. Mr. Costello mentioned that perhaps a meeting with the State, County Engineer and the applicant. Chairman Rolfsen asked why the Airport didn't comment on the project? We will find out why the State hasn't responded.

Mr. Alex Othman, applicant, stated there is a sign about no trucks. There is also parking for 500 semis across the street. They have no permit for it. He doesn't see any problems there with 500. The project is only 60 spaces. He explained that with this project, the traffic flow will be better for the trucks to navigate more safely on the site. There have been no traffic problems for the 500 truck parking for 5-6 years. Chairman Rolfsen asserted that it was mostly trailers and a truck may pick up a trailer one at a time. Mr. Othman stated that 200 trucks come from the Standard Textile site.

Ms. Matchinga noted that the Traffic Study should have started at 4:00 a.m. instead of 7:00 a.m. There is traffic to the Airport and to other area businesses on KY 20.


Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 19, 2025 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on March 5, 2025 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 8:34 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

Exhibit A – ValAir Parking Volume Report

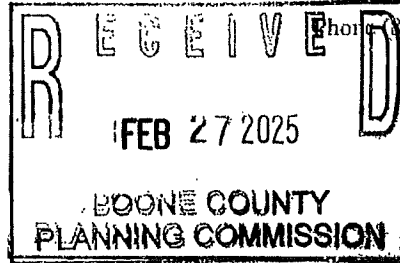
SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

www.bcpcyky.org
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

February 20, 2025

Alex Othman
2306 Kenyon Court
Hebron, Kentucky 41048

RE: Request of **Alex Othman (applicant/owner)** for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional Use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3). The submitted request is to allow the conversion of an approximate 7.52 acre area of the site from commercial parking to a truck stop and to allow the expansion of the existing commercial parking facility on an approximate 2.02 acre area of the site.

Dear Mr. Othman:

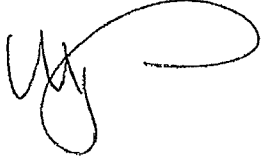
The following represents the recommended conditions of approval for the above referenced application as discussed by the Planning Commission at their February 19, 2025 meeting. As you verbally agreed to these conditions at that meeting, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office no later than February 27, 2025.

CONDITIONS

1. Development of the site in question shall be consistent with the approved Conditional Use Permit.
2. The conditional use permit shall only be approved if the Boone Fiscal Court takes action to approve the proposed Change of Concept Development Plan.
3. All truck traffic shall utilize Hetzel Drive, exclusively.
4. Truck traffic shall be prohibited on Hunter Drive.
5. Hetzel Drive shall be improved, along with any off-site improvements, which shall be as approved by Boone County and/or KYTC through their respective encroachment permit processes, at the expense of the property owner.
6. The parking/storing of individual trailers shall be prohibited.
7. No improvements to Hunter Road will be required.

Hunter Road Airport Truck Stop
February 20, 2025
Page 2

Sincerely,

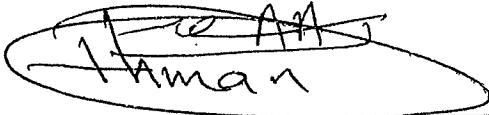


Michael D. Schwartz
Director, Zoning Services

MDS/ss

AGREEMENT

I, the property owner of the approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, agree to the conditions listed herein for the above referenced Change of Concept Development Plan/Conditional Use Permit.



Alex Othman (Owner)

02.27.2025
Date

10
20
Transfer Year Taxes Addressed in Care of:
Akram A. Othman
199 Meadow Creek Drive
Florence KY 41042

SPECIAL WARRANTY DEED

This Deed is made and entered into as of the 17 day of June, 2013, by and between Ann P. Winegardner and Michael A. Rolf, CPA, as Co-Trustees of the Roy E. Winegardner Living Trust under Second Amended and Restated Declaration dated September 29, 2005, having a mailing address of 4243 Hunt Road, Cincinnati, Ohio 45242, as to an undivided one-half interest, and Jacqueline A. Dowdy and John J. Slaboch, as Co-Trustees of the Revocable Trust of John Q. Hammons dated December 29, 1989, as amended as restated, having a mailing address of 4243 Hunt Road, Cincinnati, Ohio 45242, as to an undivided one-half interest (each a "Grantor" and collectively referred to as "Grantor"); and Akram A. Othman, having a mailing address of 199 Meadow Creek Drive, Florence, Kentucky 41042("Grantee").

WITNESSETH:

Grantor does hereby grant and convey unto Grantee, its successors and assigns forever, with covenant of SPECIAL WARRANTY, the certain real estate described on the attached Exhibit A (the "Property"). Grantor shall be liable upon the foregoing covenants and warranties of title only in his/her fiduciary capacity as Trustee of the applicable trust as set out above, and then only to the extent of the assets of such trust in the hands of Grantor at the time of notice to him/her of a breach of any of the foregoing covenants and warranties of title.

Being all of the same Property conveyed to the Grantor by deeds recorded in Deed Book 983, page 438 and Deed Book 983, page 442, Boone County Kentucky Clerk's records.

A Memorandum of Trust for the Second Amended and Restated Declaration of the Roy E. Winegardner Living Trust appears of record in Miscellaneous Book 1156, page 70. The provisions of said trust have not been changed subsequent to the recording of such Memorandum and its provisions, including the power of the Co-Trustees to convey real estate, remain in full force and effect.

A Memorandum of Trust for the Revocable Trust of John Q. Hammons dated December 28, 1989 as Amended and Restated appears of record in Miscellaneous Book 1156, page 76. The named Trustee, John Q. Hammons, is now deceased and one of the trustees named in said Memorandum of Trust, namely Dan Earley, has declined to serve as successor trustee. Pursuant to the provisions of said trust, John J. Slaboch was duly appointed as successor trustee in lieu of Dan Earley and is presently acting as such. Jacqueline A. Dowdy, the other successor trustee named in said trust, has accepted such appointment as successor trustee and is presently acting as such. The terms of said trust provide that the successor trustees shall have full power to convey real estate.

Parcel III of the Property, as described on Exhibit A hereof, was conveyed by Boone County, Kentucky pursuant to Resolution No. R-08-27-96-01 by deed recorded in Volume 643,

Boone County
D1022 PG 329

RETURN TO: PG. 4

page 93. Copies of said Resolution and of the Minutes of Boone County Fiscal Court Volume 185, page 213 are attached hereto in order to provide record evidence of the authorization for said deed.

To have and to hold the Property, together with all appurtenances and privileges thereto belonging, to the Grantee, in fee simple, its successors and assigns forever.

Grantor covenants (a) lawful seisin of the Property (b) full right and power to convey same, and (c) that the Property is free and clear of all liens and encumbrances during Grantor's ownership, except liens for real property taxes and assessments due and payable in 2013 and thereafter, which Grantee assumes and agrees to pay. This conveyance is made subject to all (i) easements, restrictions and stipulations of record, (ii) governmental laws, ordinances and regulations affecting the Property, and (iii) matters that would be disclosed by a survey and inspection of the Property.

As part consideration for this conveyance and pursuant to the provisions of the Agreement of Purchase and Sale, Grantee agrees that the Property is subject to the following use restriction:

For a period commencing upon the date of recording of this deed, and continuing for sixty (60) consecutive full calendar months from and following such date, the owner of the Property will not sell, lease, commence construction or otherwise enter into any transaction which would include the development, construction, operation and/or use of all or any portion of the Property for Hotel Use. "Hotel Use," as that term is used herein, shall mean the development, construction, and/or operation of any business as a hotel, motel, or temporary overnight lodging facility (collectively, a "Hotel"). In the event of any violation or breach of the foregoing use restriction, the owner of the Property shall be subject to the remedies set out in the unrecorded Agreement of Purchase and Sale between Grantor and Grantee and executed to be effective as of May 24, 2013, the terms of which are incorporated herein by reference and survive the delivery of this deed.

Pursuant to KRS 382.135, Grantor and Grantee certify under oath that the monetary consideration being paid for the Property is \$550,000.00. Grantee executes this Deed for the sole purpose of (i) making this statement as to the consideration, and (ii) accepting and imposing the foregoing use restriction upon the Property.

IN WITNESS WHEREOF, Grantor has hereunto set its hand as of the day and year first written above.

EXHIBIT A

PARCEL I:

Located on the south side of Old Kentucky #20 and bounded on the west by Interstate 275 and Kentucky #1334 Interchange, Boone County, State of Kentucky, and more particularly described as follows:

Beginning at the intersection of the southerly right of way line of Old Kentucky #20, 20.0 feet from the center line of said highway, and the easterly right of way line of Ramp Y of the I-275 and Kentucky #1334 Interchange; thence from said place of beginning along the right of way line of said ramp, South 14 deg. 24' West, 58.86 feet to a point; thence South 3 deg. 28' West, 79.47 feet to a point; thence South 33 deg. 50' East, 164.02 feet to a point; thence South 38 deg. 02' East, 85.85 feet to a point; thence South 55 deg. 02' East, 143.32 feet to a point; thence departing from said ramp along a new division line, North 1 deg. 01' East, 418.14 feet to a point in the southerly right of way line of said Old Kentucky #20; thence along said right of way line, North 89 deg. 09' West, 250.00 feet to a point, the place of beginning. Containing 1.83549 acres.

FOR INFORMATION: GROUP NO. 2021; PIDN # 059.00-00-027.00

PARCEL II:

Located on the south side of Old Kentucky #20 at Riverview Drive, Boone County, State of Kentucky, and more particularly described as follows:

Beginning at a point in the south line of Old Kentucky #20, 25.0 feet south of the center line of said highway, said point being South 89 deg. 09' East, 250 feet from the intersection of said south line of said highway with the easterly right of way line of Ramp Y of the I-275 and Kentucky #1334 interchange; thence from said place of beginning along the southerly line of Old Kentucky #20, South 89 deg. 09' East, 202.14 feet to a point; thence continuing along said right of way line, South 86 deg. 21' East, 99.52 feet to a point; thence departing from said highway along the easterly boundary line of the grantor's property, South 17 deg. 47' West, 535.92 feet to a point in the northerly line of said Ramp Y; thence along said right of way line of said ramp, North 55 deg. 02' West, 177.20 feet to a point; thence departing from said ramp along a new division line, North 1 deg. 01' East, 418.14 feet to a point, the place of beginning. Containing 2.49995 acres.

FOR INFORMATION: GROUP NO. 2021; PIDN: 059.00-00-027.01

PARCEL III:

Located in Boone County, Kentucky, lying west of the intersection of Old Kentucky 20 and Hunter Road and being a portion of Old Kentucky 20 to be closed by the Boone County Fiscal Court is more particularly described as follows:

Boone County
D1022 PG 331

Beginning at an iron pin (set) at the northwest right-of-way intersection of Old Kentucky 20 and Hunter Road, and being the southeast corner of Zollars, Inc. (Deed Book 201, page 328); thence S. 00-08-53 W 25.00 feet to the centerline of Old Kentucky 20 and the TRUE POINT OF BEGINNING; thence S 00-08-53 W 25.00 feet to an iron pin (set) in the south right-of-way line of Old Kentucky 20 and the north line of Roy E. Winegardner et al (Deed Book 205, page 125); thence with said right-of-way line and the north line of Winegardner and another parcel owned by Roy E. Winegardner, et al (Deed Book 206, page 53) N 89-51-07 W 324.95 feet to an iron pin (set) in the east right-of-way line of Kentucky Highway 1334; thence with said right-of-way line N 14-17-11 E 25.78 feet to an iron pin (set) in the centerline of Old Kentucky 20; thence with said centerline S 89-51-07 E 318.55 feet to the TRUE POINT OF BEGINNING. Containing 0.1846 acre.

FOR INFORMATION: GROUP NO. 2021; PIDN # 059.00-00-027.01

Return to: *K. MULBERRY*
Multi-State Title Agency
3300 Great American Tower
301 East Fourth St.
Cincinnati, Ohio 45202
(513) 631-6170

RETURN TO:

Boone County
D1022 PG 332

MINUTES
BOONE COUNTY FISCAL COURT
August 27, 1996
5:30 P.M.

ITEM VIII. ORDINANCES & RESOLUTIONS

RESOLUTION NO R-08-27-96-01 - OLD KY ROUTE 20/QUIT-CLAIM DEED

Commissioner Campbell moved, seconded by Commissioner Patrick, to approve Resolution No R-08-27-96-01, a resolution authorizing the Boone County Judge/Executive to execute a Quitclaim Deed to Roy E. Winegardner, Trustee, and John Q. Hammons, Trustee, on behalf of the Boone County Fiscal Court. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "D"

BOND ORDINANCE B-08-27-96-01 - MARUGA, INC. PROJECT

Judge Lucas presented for First Reading Bond Ordinance B-08-27-96-01, an ordinance authorizing the issuance by the County of Boone, Kentucky, of its Industrial Building Revenue Bonds, Series 1996 (Maruga, Inc. Project) in the amount of \$3,000,000 in order to assist Maruga, Inc. in the financing of an industrial building facility; authorizing the issuance of additional bonds; providing for the pledge of revenues for the payment of said bond; authorizing a Loan Agreement with respect to the proceeds derived from the sale of said bonds; authorizing a Trust Indenture appropriate for the protection and disposition of such revenues and further to secure the payment of said bond; authorizing a Bond Purchase Agreement and Tax Regulatory Agreement; and authorizing the assignment by the County of Boone, Kentucky, of a note from Maruga, Inc.

ORDINANCE NO. 07-96-04 - TELECOMMUNICATIONS BOARD OF NORTHERN KENTUCKY

Judge Lucas read a summary of Ordinance No. 07-96-04 and declared a Public Hearing open at 5:50 p.m. Hearing no objection, Judge Lucas declared the Public Hearing closed at 5:53 p.m.

Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve on Second Reading Ordinance No. 07-96-04, an ordinance of the Boone County Fiscal Court, authorizing the execution of an amendment to The Interlocal Cooperation Agreement establishing the Telecommunications Board of Northern Kentucky, which amendment extends a 90-day time limit to 180 days respecting participation rights in the telecommunications board and provides for broader participation by smaller units of local government. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "E"

RESOLUTION NO. R-08-27-96-02 - TELECOMMUNICATIONS BOARD OF NORTHERN KENTUCKY

Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve Resolution No. R-08-28-96-02, relative to the Telecommunications Board of Northern Kentucky as presented. Judge Lucas called for a vote of the motion, Commissioner Campbell ABSTAINED due to a possible conflict of interest, ALL OTHERS PRESENT VOTING AYE. Exhibit "F"

BOONE COUNTY FISCAL COURT
RESOLUTION NO. R-08-27-96-01

A RESOLUTION AUTHORIZING THE BOONE COUNTY JUDGE/EXECUTIVE, KENNETH R. LUCAS, TO EXECUTE A QUITCLAIM DEED TO ROY E. WINEGARDNER, TRUSTEE, and JOHN Q. HAMMONS, TRUSTEE, ON BEHALF OF THE BOONE COUNTY FISCAL COURT.

WHEREAS, Boone County, by and through the Boone Fiscal Court, pursuant to Kentucky Revised Statutes, Chapter 178, initiated various proceedings for the purpose of vacating a right-of-way, being a portion of Old Kentucky State Route 20; and

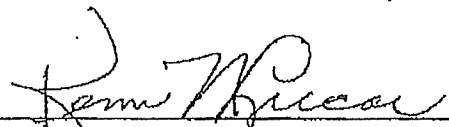
WHEREAS, a Public Hearing was held on April 25, 1995 with the Viewers Committee Report favorable recommending the vacating of the portion of Old Kentucky State Route 20; and

WHEREAS, at the conclusion of the Public Hearing, the Boone County Fiscal Court voted to approve the motion before it to vacate a portion of Old Kentucky Route 20 and to convey same to adjoining property owners by quitclaim deed.

NOW, THEREFORE, BE IT RESOLVED that the Boone County Fiscal Court authorizes its Judge/Executive, Kenneth R. Lucas, to execute the quitclaim deed on behalf of Boone County.

Approved this 27th day of August, 1996, in open session of the Boone County Fiscal Court.

SIGNED:



KENNETH R. LUCAS
COUNTY JUDGE/EXECUTIVE

ATTEST:



CAROLYN A. RUDICILL
FISCAL COURT CLERK

IN WITNESS WHEREOF, the Grantee, Akram A. Othman, has hereunto set its hand as of the day and year first written above on behalf of the company.

GRANTEE:

~~AKRAM~~
Othman 06.17.2013
Akram A. Othman

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

Sworn to and acknowledged before me this 17 day of June, 2013 by Akram A. Othman.

Mary Ann Schenk
Notary Public
My Commission Expires:

This Instrument Prepared By and return to:

P. Reid Lemasters
P. Reid Lemasters, Esq. (mas)
Frost Brown Todd LLC
301 East Fourth Street
Cincinnati, Ohio 45202
513-651-6800



Mary Ann Schenk, Attorney at Law
Notary Public • State of Ohio
My Commission Has No Expiration
Date, Section 147.03 O. R. C.

Boone County
D1022 PG 338

DOCUMENT NO: 630719
RECORDED ON: JUNE 18, 2013 08:39:09AM
TOTAL FEES: \$38.00
TRANSFER TAX: \$550.00
GROUP : 2021
COUNTY CLERK: KENNY BROWN
COUNTY: BOONE COUNTY CLERK
DEPUTY CLERK: STACY AOKINS
BOOK 01022 PAGES 329 - 338

4 seen

RETURN TO: Return to:
KENTUCKY LAND TITLE AGENCY
2362 GRANDVIEW DRIVE
FT. MITCHELL, KY 41017

FILE: 72721/OTHMAN

SPECIAL WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS:

That Brankay Properties, LLC, a Kentucky limited liability company, for and in consideration of One Million Eight Thousand Eight Hundred and 00/100 Dollars (\$1,008,800.00) to them paid by the Grantees, herein, the receipt of which is acknowledged, does bargain, sell and convey to Akram A. Othman and Amani A. Othman, husband and wife, for and during their joint and natural lives, with the remainder in fee simple title to the survivor, her or his heirs and assigns forever, the following described real estate, County of Boone and Commonwealth of Kentucky, to-wit:

Property Address: 527-535 Hunter Road and 541-547 Hunter Road, Hebron, Kentucky 41048
Grantee Mailing Address: X 2306 Kenyon Court Hebron, KY. 41048
Tax Mailing Address: X 2306 Kenyon Ct. Hebron, KY. 41048
Grantor Mailing Address: X 127 Brittany Ct Lakeside Park, KY 41017

PIDN: 059.00-01-001.00
059.00-01-002.00
Group: 2021

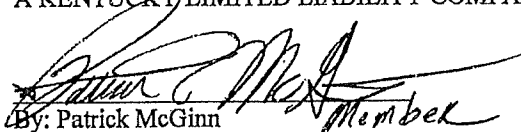
See attached Exhibit "A" for legal description which is incorporated by reference herein.

Being the same property conveyed to the Grantor herein by deed recorded in Deed Book 1077, page 301 of the Boone County Clerk's records at Burlington, Kentucky. ✓

Together with all the privileges and appurtenances to the same belonging. To have and to hold the same to the said Akram A. Othman and Amani A. Othman, husband and wife, for and during their joint and natural lives, with the remainder in fee simple title to the survivor, her or his heirs and assigns, forever, the Grantor, its successors and assigns, hereby covenanting with the Grantees, with covenants of special warranty.


IN WITNESS WHEREOF, the said Grantor, Brankay Properties, LLC, a Kentucky limited liability company, acting by and through Patrick McGinn, its Sole Member, duly authorized pursuant to its operating agreement, hereunto set its hand, this 10th day of July, 2019.

GRANTOR:
BRANKAY PROPERTIES, LLC,
A KENTUCKY LIMITED LIABILITY COMPANY.


By: Patrick McGinn
Its: Sole Member

STATE OF KENTUCKY
COUNTY OF KENTON

The foregoing instrument was acknowledged before me this 10th day of July, 2019 by the Grantor, Brankay Properties, LLC, a Kentucky limited liability company, acting by and through Patrick McGinn, its Sole Member, duly authorized pursuant to its operating agreement, to be its voluntary act and deed.


NOTARY PUBLIC

My commission expires:
9-24-20

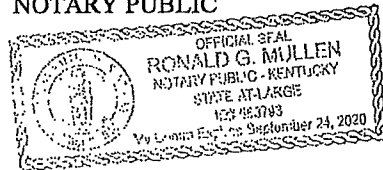


EXHIBIT "A"

PIDN: 059.00-01-001.00
059.00-01-002.00
Group: 2021

Tract I

Parcel 1

Located generally in Boone County, Group #2021, on the northwest side of old Youell Road directly north of interstate Highway #275 and described thus: BEGINNING at a stake in the northwest line (20 feet from centerline) of Youell Road or Rural Highway which said point is the common corner of a 60 foot front parcel described in D.B. 88 at page 199 and also further identified as tract #3 in D.B. 84 at page 286 with a landlocked parcel now or formerly owned by Rodamer; thence with a line 20 feet northwest at right angles and parallel to the centerline of the existing (1976) surface of Youell Road N. 43-15 E., 60.0 feet, N. 43-53-40 E., 60.0 feet to a spike in said line at the most easterly corner of another 60' lot which is described in D.B. 210 at page 549; thence leaving said road and running with the northeast line of said latter lot N. 41-31-45 W., 166.67 feet to a spike a corner thereof with a parcel identified as Tract #1 in D.B. 88 at page 199 and D.B. 84 at page 286; thence with lines of said latter parcel N. 43-53-40 E., 60.0 feet to a 1" by 2" stake by a post, N. 44-6-23 W., 212.15 feet to a spike, S. 12-49-50 W., 81.35 feet to a 2" by 2" stake; thence with a line of a parcel described as 120' by 300' in D.B. 88 at page 199, N. 47-33-15 W., 176.60 feet to a tack in the top of a railroad tie corner post, S. 19-35-10 W., 118.14 feet to a 1" by 2" stake by a post; thence with the southwest line of said 120' by 300' lot and with a line of property now or formerly owned by Rodamer S. 44-51-10 E., 465.35 feet to the place of beginning. Containing 1.5942 acres more or less.

Parcel 2

Beginning at an iron pin in the south line of Kentucky Highway No. 20, now Hunter Road, said point being the northeast corner of the grantor's property; thence leaving said highway and following along the east line of the Grantor S 9°-00'-00" W 146.00 feet to an iron pin, S 12°-42'-24" W 103.20 feet at an existing post, and S 40°-30'-43" W 122.13 feet to an iron pipe at the south corner of the grantor's property; thence along the grantor's southwest line N 42°-11'-51" W 93.07 feet to an iron pin; thence along the grantor's west line N 14°-08'-54" E 92.60 feet to an iron pin; thence along the common line between the grantor and Powell S 64°-06'-36" E 82.00 feet, N 18°-08'-48" E 92.09 feet, S 75°-40'-12" E 31.80 feet, and N 9°-00'-00" E 139.30 feet to a point in the south line of Kentucky Highway No. 20; thence along same S 75°-54'-13" E 10.00 feet to the place of beginning. Containing 0.4168 acre more or less. The legal description contained herein, and the identification plat were prepared by James W. Berling, L.S. Ky. Reg. No. 206.

Parcel 3

Beginning at an iron pin in the south line of Kentucky Highway No. 20, now Hunter Road, said pin being the northwest corner of the Grantor's property as described in Deed Book 300, at Page 26 of the Boone County Records; thence S 75°-54'-13" E along the south line of Kentucky Highway No. 20, a distance of 104.95 feet to an iron pin; thence leaving said highway and following along the easterly line of the grantor S 9°-00'-00" W 139.30 feet to an iron axle; thence N 75°-40'-12" W 31.80 feet to an iron axle; thence S 18°-08'-48" W 92.09 feet to an iron pin; thence N 64°-06'-36" E 82.00 feet to an iron pin in the west line of the grantor; thence along same N 14°-25'-49" E 213.73 feet to the place of beginning. Containing 0.5152 acre more or less. The legal description contained herein, and the identification plat were prepared by James W. Berling, L.S. Ky. Reg. No. 206.

Parcel 4

Situated along the north side of I-275 and along the northwest side of old Youell Road in Boone County, Kentucky, and being more particularly described as follows: beginning at a large wooden fence post in the northwest line of Youell Road at the southeast corner of Parcel No. 1 in deed book 140, at page 365 of Milton E. Rodamer's land, said post also being in the north right of way line of I-275; thence with the northeast line of said Parcel No. 1 and parcel No. 3, N 46°-56' W 467.14 feet to a pin at the most northerly corner of said Rodamer's land; thence with the west line of Parcel Nos. 3 and 4, S 17°-28' W 159.93 feet to a pin in the north right of way of I-275; thence with said right of way S 56°-00' E 38.55 feet to a pin, S 69°-28' E 230.00 feet to a notch, S 62°-56' E 105.19 feet to a notch 160 feet left of Station 594+00 of I-275;

thence with said right of way S 71°-20' E 51.00 feet to the place of beginning, containing 0.790 acre more or less.

Parcel 5

Located about two miles east of Hebron on the south side of State Highway #20 near its intersection with Youell Lane and is described particularly thus: beginning at a point in the south line of Highway 20, said point being 232 feet west of the centerline of Youell Lane; thence S 8-45 W 177.5 feet; thence S 25-35 W 85.5 feet to a stake; thence N 68-2 W 127 feet to a stake; thence N 10 E 99 feet to a point; thence N 2 W 146 feet to a point; thence S 79-0 E 163.5 feet to the beginning.

Tract 2

Parcel 1

Located about 2 miles east of Hebron, Kentucky, and just off State Road #20; beginning at a point a corner of lot now owned by Estella Hempfling and line or Roscoe Newland; thence in a southerly direction sixty-three (63) feet along said Newland's line to a point a corner with Carl Dunn; thence in a easterly direction One Hundred and Seventy-Seven (177) feet along said Dunn's line to a point a corner with Musetta Hunter; thence in a northerly direction One Hundred and Fifty-Two (152) feet along said Hunter's line to a point a corner with Estella Hempfling; thence in a westerly direction One Hundred Forty-Five (145) feet along the back of the lot of Estella Hempfling to the place of beginning.

Parcel 2

A certain lot or parcel of land lying and being in Boone County, State of Kentucky, on State Road #20 about two miles west of Anderson's Ferry, Constance, Kentucky, bounded thus: beginning at the E. line of Roscoe Newland, at 120 feet, with the south line of State Road No. 20, thence south 166 feet by the land of the grantor, thence west 120 feet by the lands of said grantor, thence 166 feet by the land of Roscoe Newland to the place of beginning, containing two fifths (2/5) of an acre more or less, being a small portion of the 10 acres and 4.45 perches conveyed to A.D. Hunter and Musetta Hunter by deed from George Hetzel and Sarah Hetzel, his wife, dated April 11, 1938, and recorded in Deed Book 75, page 313, Boone County Court Records at Burlington, Kentucky.

Parcel 3

Located on the south side of State Road #20 and about 300 yards southwest of Hunters Store and described thus:

Beginning at a point in the right-of-way line of State Road #20, a corner with Estella Hempfling; thence in a Southerly direction along a line with Estella Hempfling 263 feet to a point a corner with M. Greenwood; thence in a Eastwardly direction along said Greenwoods line 70 feet to a point a corner with said Turners remaining tract; thence in a Northwardly direction along said Turners remaining tract 301 feet to a point in the right-of-way line of State Road #20; thence in a Westwardly direction along the right-of-way line of State Road #20 60 feet to the place of beginning.

Parcel 4

About two miles west of Constance, Kentucky, and adjoining the lands conveyed from A.D. Hunter and wife to Estella Hempfling by deed dated August 20, 1941, recorded in Deed Book N. 78, page 405, and described as follows:

Beginning at the line of right-of-way of state Highway No. 20 a corner with Estella Hempfling; thence in a southwesterly direction with the line of A.D. Hunter, 220 feet to a stake, a corner with Hunter; thence in a northwesterly direction with the line of A.D. Hunter, 145 feet to a stake in a line with Roscoe Newland; thence in a northeasterly direction with a line of Roscoe Newland; 60 feet to a stake a corner with Estella Hempfling and Roscoe Newland; thence in a southeasterly direction with the line of Estella Hempfling, 136 feet and 7 inches to a stake; thence with the line of Estella Hempfling northeasterly 166 feet to the place of beginning.


Subject to easements and restrictions of record and/or in existence.

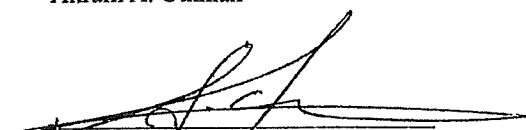
CONSIDERATION CERTIFICATE

We, the undersigned, being the Grantor, Brankay Properties, LLC, a Kentucky limited liability company, and the Grantees, Akram A. Othman and Amani A. Othman, husband and wife, in a certain deed dated July 10th, 2019, to which this Certificate is attached, or the Sole Members thereof, do hereby certify, pursuant to K.R.S. Chapter 382, that the consideration reflected in this Deed is either the full consideration paid or the estimated value of the property interest conveyed therein for said property.

Sales Price - \$1,008,800.00

GRANTEES:


Akram A. Othman


Amani A. Othman

GRANTOR:

BRANKAY PROPERTIES, LLC,
A KENTUCKY LIMITED LIABILITY COMPANY


By: Patrick McGinn
Its: Sole Member

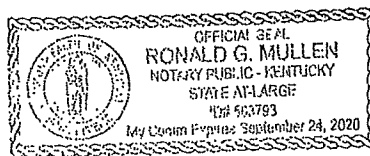
STATE OF KENTUCKY
COUNTY OF KENTON

The foregoing Consideration Certificate was acknowledged, subscribed and sworn to before me this 10th day of July, 2019 by the Grantor, Brankay Properties, LLC, a Kentucky limited liability company, acting by and through Patrick McGinn, its Sole Member, duly authorized pursuant to its operating agreement, to be its voluntary act and deed.


NOTARY PUBLIC

My commission expires: 9-24-20

STATE OF KENTUCKY
COUNTY OF KENTON




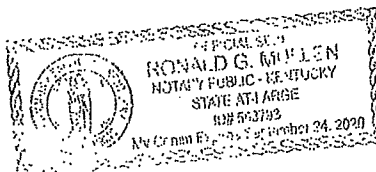
The foregoing Consideration Certificate was acknowledged, subscribed and sworn to before me this 10th day of July, 2019 by the by the Grantees, Akram A. Othman and Amani A. Othman, husband and wife, to be their voluntary act and deed.


NOTARY PUBLIC

My commission expires: 9-24-20

THIS INSTRUMENT PREPARED BY:


RONALD G. MULLEN, ATTORNEY
KENTUCKY LAND TITLE AGENCY, INC.
2362 Grandview Drive
Fort Mitchell, Kentucky 41017
(859) 344-1919



Boone County
D1129 PG 196

DOCUMENT NO: 778451
RECORDED ON: JULY 15, 2019 10:15:58AM
TOTAL FEES: \$20.00
TRANSFER TAX: \$1009.00
GROUP : 2021
COUNTY CLERK: JUSTIN CRIGLER
COUNTY: BOONE COUNTY CLERK
DEPUTY CLERK: MICHELLE E
BOOK D1129 PAGES 193 - 196

03

ORDINANCE 2025-12

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING A REQUEST WITH CONDITIONS OF ALEX OTHMAN (APPLICANT/OWNER) FOR A CHANGE OF CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATE 2.62 ACRE AREA OF THE 9.54 ACRE SITE AND EXPANSION OF AN EXISTING COMMERCIAL PARKING FACILITY FOR AN APPROXIMATE 2.02 ACRE AREA OF THE 9.54 ACRE SITE LOCATED AT 527-535 HUNTER ROAD AND 571-591 HUNTER ROAD, BOONE COUNTY, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for: (1) a Change of Concept Development Plan for an approximate 2.62 acre area of the site; (2) a Conditional use Permit for an approximate 7.52 acre area of the site; and (3) expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3), Boone County, Kentucky, which is more particularly described below; and

WHEREAS, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with Conditions, for the Change of Concept Development Plan and Conditional Use Permit.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:

Section One

That the request for a Change of Concept Development Plan and Conditional Use Permit, such Conditional Use Permit having been finally approved by the Boone County Planning Commission subject to approval of the Change in Concept Development Plan by the Boone County Fiscal Court, for the real estate which is more particularly described below shall be and is hereby approved, with Conditions, for a Change of Concept Development Plan for an approximate 2.62 acre area of the site and expansion of an existing commercial parking facility for an approximate 2.02 acre area of the site. The site is an approximate 9.54 acre area located at 527-535 Hunter Road and 571-591 Hunter Road, Boone County, Kentucky, which is currently zoned Commercial Services (C-3), Boone County, Kentucky. The real estate, which is the subject of this request for a Change of Concept Development Plan and Conditional Use Permit is more particularly described in DEED BOOKS/PAGE NOS: 1022/329 and 1129/193 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for approval, with Conditions, for a Change of Concept Development Plan and Conditional Use Permit, such Conditional Use Permit having been finally approved by the Boone County Planning commission subject to approval of the Change in Concept Development Plan by the Boone County Fiscal Court, are the Findings of Fact and Conditions of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit 1."

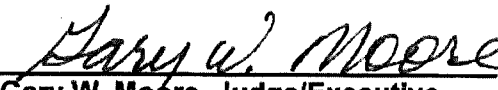
Section Three

This Ordinance shall be in effect and in full force from and after its passage, publication and adoption, according to law.

First Reading the 8th day of April 2025.

Second Reading the 22nd day of April 2025.

Adopted this 22nd day of April 2025. Yes 4 No 0



Gary W. Moore, Judge/Executive
Boone County Fiscal Court

ATTEST:



Shona Schulkers,
Fiscal Court Clerk

