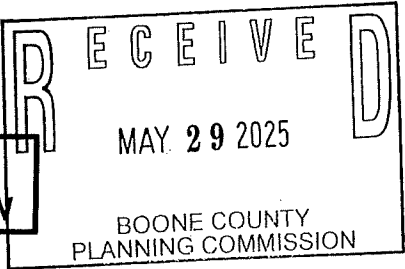


**CONCEPT DEVELOPMENT PLAN  
BOONE COUNTY PLANNING COMMISSION**



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: Union Promenade Lots 1 - 11 Parking
3. Location of Project: 9520, 9352, 9316, 9280, 9256, 9232, 9196, 9172, 9148, 9124-9136, & 9100 US 42 Hwy, Union KY 41091
4. Total Acreage of Project: 16.5 Ac
5. Current Zoning of Property: UC/UNO/UR-2/PD/CD
6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):  
Zoning Map Amendment: October 2021, Special Sign District: March 2024
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: Union Town Plan
8. Proposed Use(s) (specify each use):  
Proposed change in parking requirements for eating and drinking establishments from the required 1 space per every 2 seats to 1 space per 3 every seats.
9. Proposed Building Intensities (specify for each building):  
To Comply with the 2021 Zoning Map Amendment
  
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: N / A  
Address: \_\_\_\_\_  
\_\_\_\_\_  
City State Zip Code  
Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Email: \_\_\_\_\_
  
13. Applicant: City of Union, Kentucky per Brock MacKay

Address: 1843 Bristow Drive  
Union KY 41091  
City State Zip Code  
Phone Number: 859-384-1511 Fax Number: N/A  
Email: \_\_\_\_\_

14. Are there any existing buildings on the site:  Yes  No  
If yes, indicate how many: Approx. 6 (currently under construction)
15. 1193;1214;1217;1218;1207;1210; 533;940;940;94;847;787; 2047  
1210;1235;1217;1216;1216 794;109;952;173;403  
Deed Book Page Number Group Number

16. Have you had a pre-application meeting with the BCPC staff:  Yes  No
17. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

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

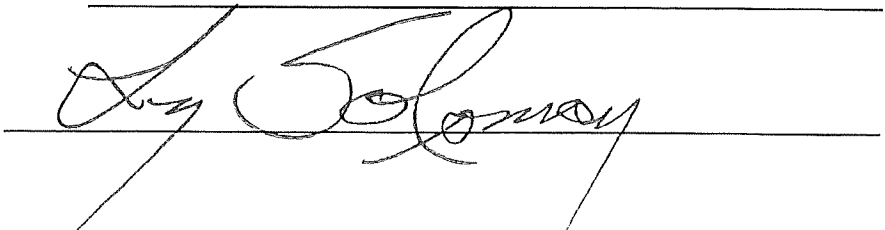
- |   |   |
|---|---|
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| <input type="checkbox"/> Boone County Public Works Department   | <input type="checkbox"/> Local School District                        |
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| <input type="checkbox"/> Duke Energy  | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input type="checkbox"/> Florence Public Services Department  | <input checked="" type="checkbox"/> Other: <u>City of Union</u>       |
| <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 (To Be Determined By Boone County Staff) August 21, 2025

Property Owner's Signature: N/A

Applicant's Signature: 

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

1. Date Received: 5/29/2025 Fee Received: \_\_\_\_\_ Receipt #: \_\_\_\_\_
2. Number of Copies Received: \_\_\_\_\_
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: S. Harper
7. Scheduled Public Hearing Date: 7/2/2025
8. Boone County Planning Commission Action: \_\_\_\_\_ Date of Action: 8/6/2025
  - \_\_\_\_\_ Approved
  - Approved with Conditions
  - \_\_\_\_\_ Denial
  - \_\_\_\_\_ Other

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

# EXHIBIT

“A”

## STAFF REPORT

#1

Request of **City of Union (applicant)** for a Change of Concept Development Plan for an approximate 21 acre area located along the west side of US 42, extending from Sweet Harmony Lane to Union Promenade, and being the commercial lots within the Union Promenade development, Union, Kentucky, which is currently zoned Union Commercial/Union Neighborhood Office/Urban Residential Two/Planned Development (UC/UNO/UR-2/PD). The submitted request is to modify the off-street parking requirements for eating and drinking establishments, from one (1) parking space for every two (2) seats to one (1) parking space for every three (3) seats.

July 2, 2025

### REQUESTS

- A. The submitted request is to modify the off-street parking requirements for eating and drinking establishments within the Union Promenade development from one (1) parking space for every two (2) seats to one (1) parking space for every three (3) seats.

### SITE HISTORY

- 2021 On November 3, 2021, Union City Commission adopted Ordinance Number 2021-18, approving a Zoning Map Amendment and adopting a Concept Development Plan for the Union Promenade development.
- 2022 On April 27, 2022, the Boone County Planning Commission staff approved a Preliminary Plat for the Union Promenade development.
- 2022 On August 25, 2022, the Boone County Planning Commission staff approved an Improvement Plan for the Union Promenade development.
- 2023-  
2025 The Boone County Planning Commission staff approved several Major Site Plans within the Union Promenade development.
- 2023-  
2025 The Boone County Planning Commission staff approved several Tenant Finish Permits within the Union Promenade development.

### 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 3325 of the Boone County Zoning Regulations requires one (1) off-street parking space to be provided for every two (2) seats within an eating and drinking establishment.

### SITE CHARACTERISTICS

- A. The approximate 21 acre site is located along the west side of US 42, immediately north of Sweet Harmony Lane.

- B. The site has been subdivided into eleven (11) commercial lots, nine (9) of which have been developed or have been approved for development.

ADJACENT LAND USES AND ZONES

North: Villas at Fowler Creek (SR-2/UTO)  
South: Union Fire Station (PF/UTO) and detached single-family residential dwellings (RSE/UTO)  
East: Multi-tenant commercial building (C-2/PD), Storypoint Union (PF/PD), and detached and attached single-family residential dwellings (RSE/UTO)  
West: Multi-family residential dwellings, attached single-family residential dwellings, and Children’s Hospital Medical Office Building UC/UNO/UR-2/PD)

STAFF COMMENTS

- A. The Union Promenade development was designed and constructed as a walkable community providing pedestrian connections within the entire development.
- B. Sidewalks along US 42 provide pedestrian connections to the north and south of the site.
- C. There is a shared parking agreement across all eleven (11) of the commercial lots that make up the site in question.
- D. The existing approved Concept Development Plan was adopted with a modification of the parking ratio for commercial/office uses from one (1) space for every two hundred fifty (250) square feet of gross floor area to one (1) space for every three hundred (300) square feet of gross floor area.
- E. The existing approved Concept Development Plan did not have a similar modification for eating and drinking places.
- F. The proposal is to modify the parking ratio for eating and drinking places from one (1) space for every two (2) seats to one (1) space for every three (3) seats.
- G. The following table provides the approvals for the site (at the time of the application submittal), the total number of approved parking spaces, and the current required number of parking spaces:

	REQUIRED PARKING	APPROVED PARKING
9520 US 42 Retail Lot 1 - UDF (6,613 sq. ft.)	22	41
9352 US 42 Retail Lot 2		
9316 US 42 Retail Lot 3		
9280 US 42 Retail Lot 4 (7,419 sq. ft.)		63
Unit A - Schlotzsky's Deli (2,001 sq. ft.) - 30 seats	15	
Unit B - Dammel Hotworx Studio (1,620 sq. ft.)	6	
Unit C - Wing Stop (1,6,14 sq/ ft.)	0	
Remaining - 2,184 sq. ft.	7	
9256 US 42 Retail Lot 5 (11,730 sq. ft.)		92
Unit C - Retail (1,761 sq. ft.) - Club Pilates	6	
Unit D - Retail (1,739 sq. ft.) - Tropical Smoothie Café - 29 seats	15	
Unit E - Retail (1,240 sq. ft.) - Singas Pizza - 16 seats	8	
Unit F - Retail (1,725 sq. ft.) - Med Spa	6	
Unit G - Retail (1,200 sq. ft.) - Ace of Spades Barber Shop	4	
Remaining - 4,065 sq. ft.	14	
9232 US 42 Retail Lot 6 (14,246 sq. ft.)		79
Unit A1 - By Golly's Restaurant and Bar (2,912 sq. ft.) - 98 seats	49	
Unit A2 - The Works Brick Oven Pizza (3,475 sq. ft.) - 132 seats	66	
Unit B - Glamour Nails (3,775 sq. ft.)	13	
Unit D - Elite Medspa (3,479 sq. ft.)	12	
Remaining 605 sq. ft.	2	
9196 US 42 Retail Lot 7 (14,247) sq. ft.		99
Unit A - El Asadero (6,230 sq. ft.) - 318 seats	159	
Unit B - The Fairway Room (3,200 sq. ft.) - 167 seats	84	
Unit F - The Strip Quality Meats (1,580 sq. ft.)	6	
Remaining 3,237 sq. ft.	11	
9172 US 42 Retail Lot 8		76
Chick-fil-A (5,024 sq. ft.) - 94 seats	47	
9148 US 42 Retail Lot 9 (6,650 sq. ft.)		80
Unit A - McAlister's Deli (3,429 sq. ft.) - 141 seats	71	
Unit B - Body Alive Fitness (3,169 sq. ft.)	11	
9124 US 42 Retail Lot 10 (11,246 sq. ft.)		72
Unit A - Teriyaki Madness (1,581 sq. ft.) - 30 seats	15	
Remaining 9,665 sq. ft.	33	
9100 US 42 Retail Lot 11 - Fifth Third Bank (2,892 sq. ft.)	10	29
Union Promenade On-Street Parking		61
<b>TOTAL</b>	<b>692</b>	<b>692</b>

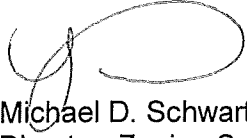
H. If approved, based on the current Tenant Finish permits, the development could accommodate an additional 525 seats.

CONCLUSION

A. The Change in Concept Development Plan request needs to be evaluated by the Boone County Planning Commission and Union City Commission 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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Schwartz", written over a large, light-colored oval shape.

Michael D. Schwartz  
Director, Zoning Services

MDS/ss

Attachments:

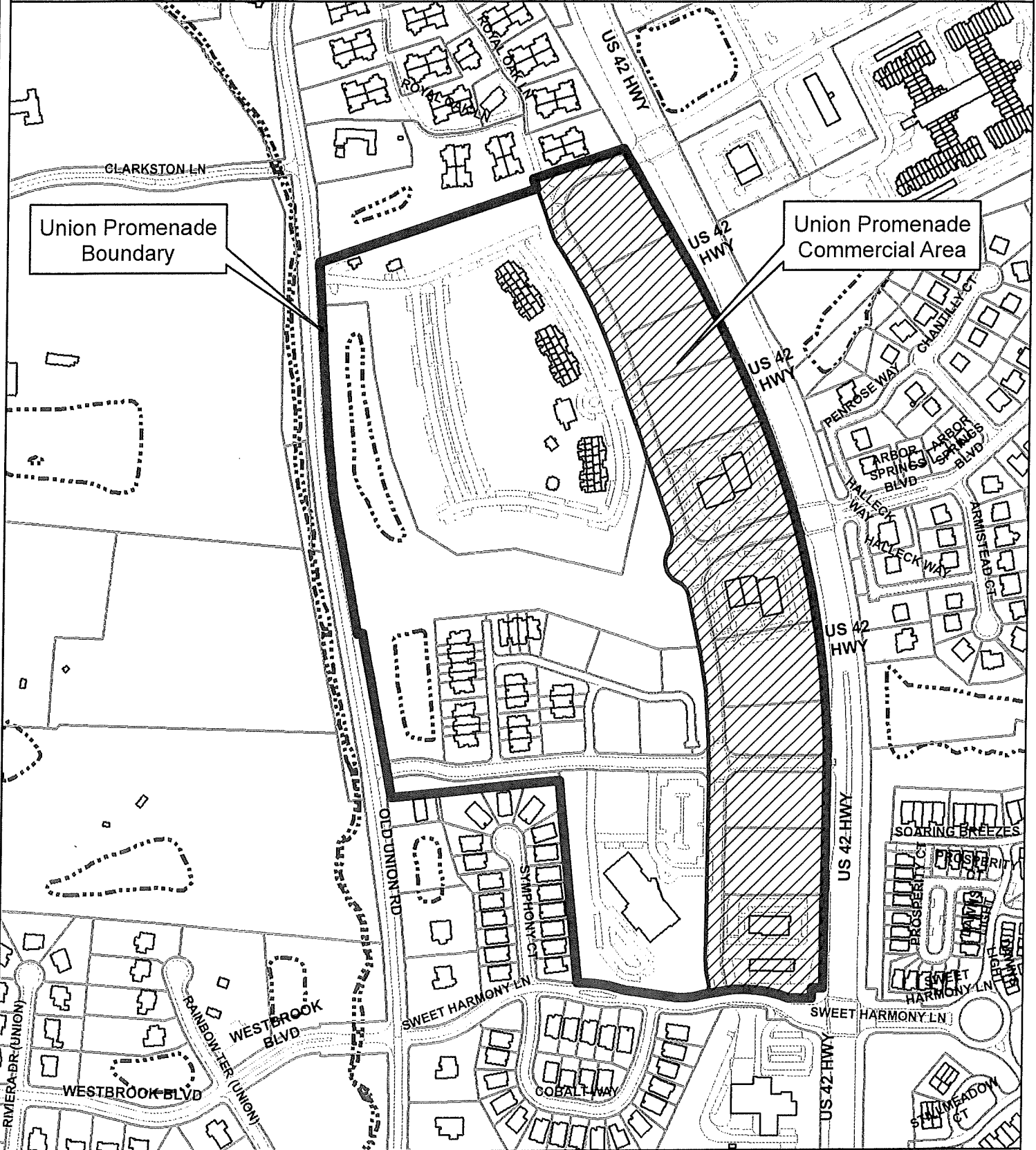
\*Vicinity Map

\*Application

\*Application Narrative

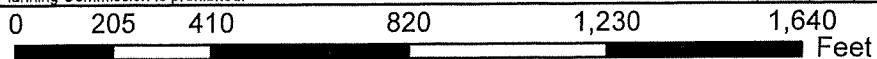
# Boone County GIS Map

www.boonecountygis.com

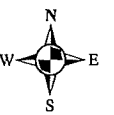


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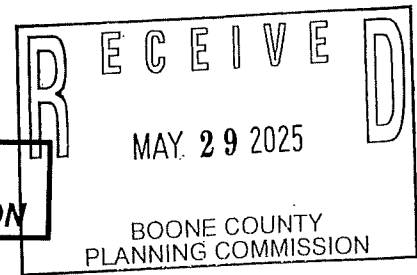
Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



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



Map File: I:\mxd\Boone County GIS.mxd  
ArcMap Document: \*.mxd



**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):
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  - Change in an Approved Concept Development Plan
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3. Location of Project: 9520, 9352, 9316, 9280, 9256, 9232, 9196, 9172, 9148, 9124-9136, & 9100 US 42 Hwy, Union KY 41091

4. Total Acreage of Project: 16.5 Ac

5. Current Zoning of Property: UC/UNO/UR-2/PD/CD

6. Date of previous zoning map amendment or Approved Concept Development Plan (if applicable):  
Zoning Map Amendment: October 2021, Special Sign District: March 2024

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If yes, indicate the name of the study: Union Town Plan

8. Proposed Use(s) (specify each use):  
Proposed change in parking requirements for eating and drinking establishments from the required 1 space per every 2 seats to 1 space per 3 every seats.

9. Proposed Building Intensities (specify for each building):  
To Comply with the 2021 Zoning Map Amendment

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: N/A

Address: \_\_\_\_\_

\_\_\_\_\_  
City State Zip Code

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

13. Applicant: City of Union, Kentucky per Brock MacKay

Address: 1843 Bristow Drive

Union KY 41091

City State Zip Code

Phone Number: 859-384-1511 Fax Number: N/A

Email: \_\_\_\_\_

14. Are there any existing buildings on the site:  Yes  No  
 If yes, indicate how many: Approx. 6 (currently under construction)

15. 1193;1214;1217;1218;1207;1210;1210;1235;1217;1216;1216 533;940;940;94;847;787;794;109;952;173;403 2047

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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.

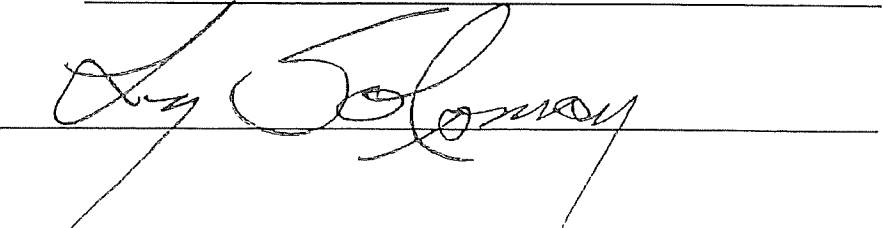
- |   |   |
|---|---|
| <input type="checkbox"/> Boone County Building Department   | <input type="checkbox"/> Local Fire District                          |
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| <input type="checkbox"/> Cincinnati Bell  | <input type="checkbox"/> Owen Cooperative Electric, Inc.              |
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| <input type="checkbox"/> Florence Public Services Department  | <input checked="" type="checkbox"/> Other: <u>City of Union</u>       |
| <input type="checkbox"/> Kentucky Division of Water   |   |
| <input type="checkbox"/> Kentucky Transportation Cabinet  |   |

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 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 \_\_\_\_\_ (To Be Determined By Boone County Staff) August 21, 2025

Property Owner's Signature: N/A

Applicant's Signature: 

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

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

Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
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[plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)  
[www.boonecountyky.org](http://www.boonecountyky.org)



**VIOX & VIOX**  
Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road | 602 Lila Avenue  
Erlanger, Kentucky 41018 | Milford, Ohio 45150

Tel: 859.727.3293 | Tel: 513.576.1000  
Fax: 859.727.8452

[www.vioxinc.com](http://www.vioxinc.com)

Additional Narrative Information For  
Union Promenade Lots 1 – 11 Parking  
Union, Boone County, Kentucky

## NARRATIVE

In 2021, a zoning map amendment occurred for approximately 61 acres within the City of Union, Kentucky to allow for the development of Union Promenade. The Union Promenade Development was designed to attract a variety of uses to the city within a combined UC/UNO/UR-2/PD/CD zone. The uses were arranged to have the high activity commercial and retail uses located along the U.S. 42 Highway corridor for higher visibility and access to storefronts. A combination of residential apartments and townhomes were proposed between the commercial uses and Old Union Road towards the “rear” of the overall development. Additionally, a medical office facility was included within the development adjoining the commercial and residential uses.

In effort to create a connected commercial and retail center, the commercial lots were designed without side buffer yard requirements to permit a continuous flow of activity. A cross-parking agreement was implemented in the commercial district to minimize large expansive parking fields on each lot and create a more inviting pedestrian environment. A promenade sidewalk feature was included to connect all the storefronts and promote walkability. A complete sidewalk system was also designed to connect adjoining uses and the development.

## REQUEST

The existing 2020 Boone County Zoning Regulations requirements per Article 33, Section 3325 for eating and drinking establishments are as follows:

*“1.00 space for every 2 seats including wait area seating, plus 1.00 space for each 20 sf of open wait area, plus 1.00 space per 250 gfa of any retail area, plus 4.00 spaces per billiard table, plus 1.00 space per 100 gfa of dance floor area; any drive-in service spaces shall not be credited towards required spaces.”*



The proposed change in concept application seeks to reduce the parking requirements for eating and drinking establishments from 1.00 space per every 2 seats to requiring 1.00 space per every 3 seats in commercial lots 1 through 11. The concept plan and intent of the Union Promenade development are to remain intact from its original proposal and zone change in 2021.

The Union Promenade development was designed within the guidance of the 2000 Union Town Plan. The Union Town Plan includes character language and codes to discourage large parking lots and overparked developments to create a “town” feel. These codes also have the intention to combat the issue of suburban sprawl with higher residential density and a live-work community. Within Union Promenade, there are approximately 343 residential units which are within close proximity for residents to walk to the commercial uses on the provided sidewalk system. Additionally, the neighborhoods surrounding Union Promenade consists of many single-family homes with multiple bedrooms. These households are more likely to have four to five people carpooling to destinations, such as restaurants, in one car. Additionally, on-street parking was provided as part of the Union Promenade roadway cross section.

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARINGS  
JULY 2, 2025  
7:30 P.M.**

---

Chairman Rolfsen opened the Public Hearings at 7:30 p.m. and welcomed the audience to the Planning Commission's July 2, 2025 Public Hearings.

**COMMISSION MEMBERS PRESENT:**

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

**COMMISSION MEMBERS NOT PRESENT:**

Mrs. Pamela Goetting

**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, PLS, GISP, Planner

Chairman Rolfsen introduced the first item on the Agenda:

**CHANGE OF CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff**

1. Request of **City of Union (applicant)** for a Change of Concept Development Plan for an approximate 21 acre area located along the west side of US 42, extending from Sweet Harmony Lane to Union Promenade, and being the commercial lots within the Union Promenade development, Union, Kentucky, which is currently zoned Union Commercial/Union Neighborhood Office/Urban Residential Two/Planned Development (UC/UNO/UR-2/PD). The submitted request is to modify the off-street parking requirements for eating and drinking establishments, from one (1) parking space for every two (2) seats to one (1) parking space for every three (3) seats.

Staff member, Michael Schwartz, referred to his PowerPoint presentation (see Staff Report). The Union Promenade project dates back to 2021. Since that time, several Site Plans and Tenant Finish permits have been approved. There are 11 commercial lots on the site. Site Plans have been approved on 9 of the 11 lots. All but lots 2 & 3 have been approved. The Children's Medical Office Building has been approved and built. There is room for expansion. The Reserve at Union Promenade has been approved for 44 units as well as 299 units at the Union Club Apartments. Originally, the project was designed to be a walkable community with pedestrian connections. There is a shared parking agreement with all 11 commercial lots. The Concept Development Plan was originally approved with a modification of a parking ratio from one parking space per 250 square feet to 1 space per 300 square feet of gross floor area for retail, service and office uses. However, there was no accommodation or variation made to the off-street parking requirements for eating and drinking establishments (restaurants). Currently, the requirement is 1 parking space per 2 seats for a restaurant. The applicant would like to change that requirement to 1 parking space for every 3 seats. On Page 3 of the Staff Report, there is a table of approved plans and permits for the 9 commercial lots. It also provides the total number of parking spaces on the site and the total number of required parking spaces. Up until a month ago, the Union Promenade was at its maximum number of parking spaces for restaurants. In the short term, the developer has secured a shared parking agreement with Children's Medical Center. If the new formula is approved, the shared parking agreement can go away as the developer will meet the parking requirements.

Chairman Rolfsen asked if there was a restaurant that is really out of whack? Mr. Schwartz replied no. There are only 2 large restaurants. There are also over 350 dwelling units located within the development and within walking distance. There are other residential communities nearby. Mr. Schwartz noted that Staff is reviewing a Site Plan for Lot 2 and it will provide more parking than it will use.

Mrs. Kegley inquired how the development is doing with parking now? Mr. Schwartz replied that it is hard to gauge now since there is a lot of construction and space is not completed and opened yet. Staff cannot accurately judge whether there is excess or adequate parking yet. The key question is whether the 1 to 2 or the 1 to 3 ratio is more appropriate considering the number of people who live immediately adjacent to the project? There is immediate walkability.

Mr. Lunnemann asked if approved, would the new ratio apply to what has been previously approved? Mr. Schwartz responded yes to what is there now and into the future including lots 2 and 3.

Mrs. Steele asked what was the ratio of the parking at the Blind Squirrel restaurant? Mr. Schwartz replied probably 1 to 2 seats. There was shared parking at that location. It is still busy. The proposed shared parking is 24/7.

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

Mr. T.J. Ackermann, developer, stated he was present to answer any questions. He is confident that the 1 to 3 ratio will work. Lot 2 will be a coffee user and a small use restaurant. Lot 3 will be an office building. Those uses will help the issue.

Ms. Gulick asked the developer if he had an example of using this same ratio at a different site? How successful was it? Ms. Tanya Zengerling, Viox & Viox, replied that she would have to ask her team to see if it has been used before at other sites. Mr. Ackermann explained that it is unique because of the units produced on site and the walkability of the site.

Ms. Gulick asked if there was a percentage figure used for the walkability of people who live on the site? Can that figure be compared with the proposed ratio? Chairman Rolfsen referenced Rookwood Commons near Hyde Park as an example.

Mr. Lunnemann inquired if the new ratio is used and the Promenade is thriving and there are still problems, what will happen? Mr. Ackermann suggested going back to Children's Medical Center for shared parking. They would have to switch from a temporary to a more permanent arrangement. What about parking on residential streets? Mr. Ackermann replied that they already have some on-street parking in the Promenade now.

Mr. Costello noted that the City of Union owns 22 acres nearby and it will have some parking. Cities build public parking spaces in retail areas and for events. He suggested keeping a closer eye on the types of uses in the future as space becomes available. It is important to have the right mix. The first lease is sometimes the toughest to get that mix.

Mr. Hincks asked if each business can put up signs for their own parking areas? Mr. Ackerman responded that the business can install a sign for pick-up only. Those pick-up spaces are counted as parking spaces.

Mr. Judd inquired about built out parking spaces and buildings. Mr. Ackermann replied that all the parking spaces have been built. There is no extra room to put more parking with the exception of Lots 2 & 3. The parking will be maximized to what is required to accommodate all uses.

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

**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on July 16, 2025 at 5:00 P.M. This item will be on**

the Agenda for the Business Meeting on August 6, 2025 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 7:52 p.m.

APPROVED:



Charlie Rolfsen  
Chairman

Attest:



Kevin P. Costello, AICP  
Executive Director

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY FISCAL COURTROOM  
BURLINGTON, KENTUCKY  
BUSINESS MEETING  
AUGUST 6, 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 August 6, 2025 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Ms. Corrin Gulick, Vice Chairwoman  
Mr. Steve Harper, Temporary Presiding Officer  
Mr. David Hincks  
Mr. Thomas Judd  
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. Kathy Clark  
Mrs. Pamela Goetting  
Mrs. Janet Kegley  
Mr. Eric Richardson

**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 July 2, 2025 Business Meeting and Public Hearing. He asked if there were any comments or corrections?

**Mr. Hincks moved to approve the Minutes as presented and amended. Mr. Judd 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 July 3, 2025 and August 6, 2025.

**EXPENSES:**

Accounting Fees	1,815.92
Attorney Fees	5,000.00
Auto Expense	65.22
Consultant/Profess Svcs Fees	1,810.20
Filing Fees (CLURS)	600.00
GIS Operations	1,750.00
Legal Ads/Recruitment	498.19
Miscellaneous Expense	2,728.45
Office & Board Meeting Supplies	1,147.90
Office Equipment / Expense	1,161.66
Printing/Pub/Dues/Subscriptions	<u>1,211.27</u>

**TOTAL: \$ 17,788.81**

**SALARIES AND BENEFITS:**

FICA-BCPC Portion	\$ 9,002.00
Health/Dental/Life/LTD	17,470.17
Retirement – BCPC Portion	18,246.49
Salaries – Staff Expenses	123,427.84
Salaries – BCPC & BOA	<u>945.00</u>

**TOTAL: \$ 169,091.50**

**GRAND TOTAL: \$ 186,880.31**

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. Mrs. Steele seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

CHANGE OF CONCEPT DEVELOPMENT PLAN, Corrin Gulick, Chairwoman, Steve Lilly, Staff

1. Request of **Longbranch Development (applicant)** for **Longbranch Development Inc. and AF Investments (owners)** for a Change of Concept Development Plan in a Rural Suburban Estates (RSE), Suburban Residential One (SR-1), and Suburban Residential Two (SR-2) districts for an approximate 185 acre area located along the north side of Hathaway Road, between Big Bone Road and Enclave Drive, approximately six hundred (600) feet east of Big Bone Road, Boone County, Kentucky. The request is for a Change of Concept Development Plan to reduce the number of detached single-family residential lots and to eliminate the street access to Hathaway Road for the Woodvale Subdivision.

*This item or application has been withdrawn by the applicant.*

CHANGE OF CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Michael Schwartz, Staff

2. Request of **City of Union (applicant)** for a Change of Concept Development Plan for an approximate 21 acre area located along the west side of US 42, extending from Sweet Harmony Lane to Union Promenade, and being the commercial lots within the Union Promenade development, Union, Kentucky, which is currently zoned Union Commercial/Union Neighborhood Office/Urban Residential Two/Planned Development (UC/UNO/UR-2/PD). The submitted request is to modify the off-street parking requirements for eating and drinking establishments, from one (1) parking space for every two (2) seats to one (1) parking space for every three (3) seats.

Staff Member, Michael Schwartz, read the Committee Report, which recommended approval of the Change in Concept Development Plan based upon Findings of Facts and a Condition.

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

Mr. T.J. Ackerman, developer, stated that he did some research on their existing leases and there are already some parking spaces allocated to certain restaurants. If the condition is adopted as proposed, it may pose a problem on some of the existing leases and the two remaining lots have purchase contracts.

Mr. Harper noted that the condition refers to a maximum number of 3 parking spaces per lot. He thought the intent was 3 parking spaces per restaurant. There could be more than one restaurant per lot. Mr. Schwartz suggested changing the conditions to eating and drinking establishments. Mr. Ackerman agreed. The rest of the Zone Change Committee members agreed with the proposed change in wording.

Seeing no further comment, **Mr. Harper moved, by Resolution to the City of Union to recommend approval of the Change in Concept Development Plan based on the Committee Report, Findings of Fact and the revised Condition as presented by Staff. Ms. Gulick seconded the motion and it passed unanimously.**

**CHANGE OF CONCEPT DEVELOPMENT PLAN, Rick Lunnemann, Chairman, Steve Lilly, Staff**

3. Request of **Bank of America (applicant)** for **Farmview Commons LLC (owner)** for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 1.0 acre area located at 8748 US 42 and being located at the northeast corner of the intersection of US 42 with Farmview Drive, Florence, Kentucky. The submitted request is to modify conditions imposed with the previous Concept Development Plan.

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. Mr. Lilly stated that the revised drawing shows a full red brick façade. The building will have a metal roof. The lighting plan was revised to utilize the same style as Publix.

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

Mr. Yemo Koo, Nelson, stated that the bottom was a limestone veneer. The closest Bank of America building is in Louisville.

Seeing no further comment, **Mr. Lunnemann moved, by Resolution to the City of Florence to recommend approval of the Change in Concept Development Plan based on the Committee Report, Findings of Fact and Conditions. Mr. Hincks seconded the motion. The motion passed unanimously.**

**CHANGE OF CONCEPT DEVELOPMENT PLAN, Janet Kegley, Chairwoman, Michael Schwartz, Staff**

4. Request of **CESO Inc. (applicant)** for **The Deters Company (owner) and Vuong Xuan Nguyen (Owner)** for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) district, for an approximate 3.8 acre area located at 8450 US 42 and including the property having a Parcel Identification Number (PIDN) of 062.00-00-039.00, and being located at the northeast corner of the intersection of US 42 with Hopeful Church Road, Florence, Kentucky. The request is to demolish the existing gas station, convenience store, and restaurant and construct a 6,372 square foot convenience store with gasoline pumps.

Staff Member, Michael Schwartz, 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 property owners and submitted to the Planning Commission. All Committee Members present voted 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. Patrick Warnement, Wawa, stated that they are agreeable to all the Conditions. They did take the two art panels on both sides of the building and replaced them with glass. The fence issue was resolved with the adjoining neighbor.

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

**TECHNICAL/DESIGN REVIEW – Rick Lunnemann, Chairman, Lauren Elliott, Staff**

5. Hilton Hotel Generator Enclosure - 7373 Turfway Road

Ms. Lauren Elliott presented the request. The Technical/Design Review Committee met prior to the Business Meeting to review a Design Review application for the Hilton Hotel Generator Enclosure in Florence. The hotel installed two generators along the south side of the existing building that are visible along the I-71/I-75 on ramp. The Houston-Donaldson Study requires mechanicals to be screened. A vinyl privacy fence will be installed. The Committee recommended approval subject to one condition that the fence be as tall as the generator – 7-8 feet in height.

**Mr. Lunnemann moved to approve the request with the condition. Mr. Turner seconded the motion and it passed unanimously.**

**NEW BUSINESS**

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

6. Request of **Charter Commercial, per Pat Manger (applicant) for Robert E. Reeves Estate, per Amy Parmen (owner)** for a Zoning Map Amendment from Suburban Residential One/Planned Development (SR-1/PD) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 39.5 acre area located at 2063 Hathaway Road, Boone County and Union, Kentucky. The request is for a zone change to allow the development of 382 dwelling units.

**Mr. Szurlinski moved to schedule the Public Hearing for Item #6 on September 3, 2025 at 7:30 p.m. in the Fiscal Courtroom. Mr. Schwenke seconded the motion and it passed unanimously.**

EXECUTIVE DIRECTOR'S REPORT – Kevin P. Costello, AICP

No Report

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)  
No Report

CHAIRMAN'S REPORT: (Charlie Rolfsen)

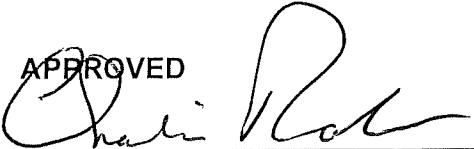
No Report

OKI REPORT: (Randy Bessler)

No Report

ADJOURNMENT:

There being no further business to come before the Planning Commission, **Mr. Bessler moved to adjourn the meeting. Mr. Lunnemann seconded the motion and it passed unanimously. The meeting was adjourned at 7:25 p.m.**

APPROVED  
  
Charlie Rolfsen

Attest:

  
Kevin P. Costello, AICP  
Executive Director

**EXHIBIT**

**“B”**

**ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT**

**TO:** Boone County Planning Commission

**FROM:** Steve Harper, Chair

**DATE:** August 6, 2025

**RE:** Request of **City of Union (applicant)** for a Change of Concept Development Plan for an approximate 21 acre area located along the west side of US 42, extending from Sweet Harmony Lane to Union Promenade, and being the commercial lots within the Union Promenade development, Union, Kentucky, which is currently zoned Union Commercial/Union Neighborhood Office/Urban Residential Two/Planned Development (UC/UNO/UR-2/PD). The submitted request is to modify the off-street parking requirements for eating and drinking establishments, from one (1) parking space for every two (2) seats to one (1) parking space for every three (3) seats.

**APPROVAL**

## 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 findings 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 based on the following findings of fact:

## FINDINGS OF FACT:

1. The proposed reduction of the off-street parking requirements for eating and drinking establishments is reasonable and appropriate.

The Union Promenade development was designed and constructed as a walkable community providing pedestrian connections within the entire development. There are/will be approximately 340 dwelling units within walking distance from the commercial lots within the development, allowing for a reduction in the number of cars needing to be parked.

2. When the Union Promenade development was originally approved, the off-street parking requirements for retail and office uses were reduced. It seems reasonable that the same accommodation should be made for eating and drinking establishments.
3. The proposed reduction of the off-street parking requirements for eating and drinking establishments is within the range of the national average.
4. 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 this condition:

CONDITION:

1. As it applies to eating and drinking establishments only, no more than three (3) parking spaces per eating and drinking establishment can be designated as a reserved space.

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

**ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE**

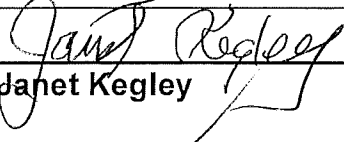
TO: Boone County Planning Commission  
FROM: Steve Harper, Chairman  
DATE: July 16, 2025

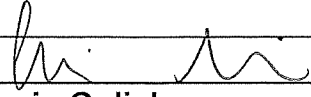
REMARKS:

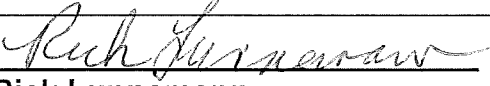
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

**CHANGE OF CONCEPT DEVELOPMENT PLAN, Steve Harper, Chairman, Michael Schwartz, Staff**

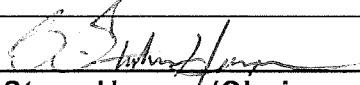
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\_\_\_\_\_  
**Janet Kegley**  
For Project \_\_\_\_ Absent \_\_\_\_  
Against Project \_\_\_\_  
Abstain \_\_\_\_ Deferred \_\_\_\_

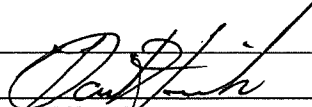
  
\_\_\_\_\_  
**Corrin Gulick**  
For Project X Absent \_\_\_\_  
Against Project \_\_\_\_  
Abstain \_\_\_\_ Deferred \_\_\_\_

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

\_\_\_\_\_  
**Kathy Clark (Alternate)**  
For Project \_\_\_\_ Absent \_\_\_\_  
Against Project \_\_\_\_  
Abstain \_\_\_\_ Deferred \_\_\_\_

  
\_\_\_\_\_  
**Steve Harper (Chairman)**  
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    5   FOR PROJECT    -   ABSENT  
             -   AGAINST PROJECT    -   ABSTAIN

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARINGS  
JULY 2, 2025  
7:30 P.M.**

---

Chairman Rolfsen opened the Public Hearings at 7:30 p.m. and welcomed the audience to the Planning Commission's July 2, 2025 Public Hearings.

**COMMISSION MEMBERS PRESENT:**

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

**COMMISSION MEMBERS NOT PRESENT:**

Mrs. Pamela Goetting

**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, PLS, GISP, Planner

Chairman Rolfsen introduced the first item on the Agenda:

**CHANGE OF CONCEPT DEVELOPMENT PLAN, Michael Schwartz, Staff**

1. Request of **City of Union (applicant)** for a Change of Concept Development Plan for an approximate 21 acre area located along the west side of US 42, extending from Sweet Harmony Lane to Union Promenade, and being the commercial lots within the Union Promenade development, Union, Kentucky, which is currently zoned Union Commercial/Union Neighborhood Office/Urban Residential Two/Planned Development (UC/UNO/UR-2/PD). The submitted request is to modify the off-street parking requirements for eating and drinking establishments, from one (1) parking space for every two (2) seats to one (1) parking space for every three (3) seats.

Staff member, Michael Schwartz, referred to his PowerPoint presentation (see Staff Report). The Union Promenade project dates back to 2021. Since that time, several Site Plans and Tenant Finish permits have been approved. There are 11 commercial lots on the site. Site Plans have been approved on 9 of the 11 lots. All but lots 2 & 3 have been approved. The Children's Medical Office Building has been approved and built. There is room for expansion. The Reserve at Union Promenade has been approved for 44 units as well as 299 units at the Union Club Apartments. Originally, the project was designed to be a walkable community with pedestrian connections. There is a shared parking agreement with all 11 commercial lots. The Concept Development Plan was originally approved with a modification of a parking ratio from one parking space per 250 square feet to 1 space per 300 square feet of gross floor area for retail, service and office uses. However, there was no accommodation or variation made to the off-street parking requirements for eating and drinking establishments (restaurants). Currently, the requirement is 1 parking space per 2 seats for a restaurant. The applicant would like to change that requirement to 1 parking space for every 3 seats. On Page 3 of the Staff Report, there is a table of approved plans and permits for the 9 commercial lots. It also provides the total number of parking spaces on the site and the total number of required parking spaces. Up until a month ago, the Union Promenade was at its maximum number of parking spaces for restaurants. In the short term, the developer has secured a shared parking agreement with Children's Medical Center. If the new formula is approved, the shared parking agreement can go away as the developer will meet the parking requirements.

Chairman Rolfsen asked if there was a restaurant that is really out of whack? Mr. Schwartz replied no. There are only 2 large restaurants. There are also over 350 dwelling units located within the development and within walking distance. There are other residential communities nearby. Mr. Schwartz noted that Staff is reviewing a Site Plan for Lot 2 and it will provide more parking than it will use.

Mrs. Kegley inquired how the development is doing with parking now? Mr. Schwartz replied that it is hard to gauge now since there is a lot of construction and space is not completed and opened yet. Staff cannot accurately judge whether there is excess or adequate parking yet. The key question is whether the 1 to 2 or the 1 to 3 ratio is more appropriate considering the number of people who live immediately adjacent to the project? There is immediate walkability.

Mr. Lunnemann asked if approved, would the new ratio apply to what has been previously approved? Mr. Schwartz responded yes to what is there now and into the future including lots 2 and 3.

Mrs. Steele asked what was the ratio of the parking at the Blind Squirrel restaurant? Mr. Schwartz replied probably 1 to 2 seats. There was shared parking at that location. It is still busy. The proposed shared parking is 24/7.

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

Mr. T.J. Ackermann, developer, stated he was present to answer any questions. He is confident that the 1 to 3 ratio will work. Lot 2 will be a coffee user and a small use restaurant. Lot 3 will be an office building. Those uses will help the issue.

Ms. Gulick asked the developer if he had an example of using this same ratio at a different site? How successful was it? Ms. Tanya Zengerling, Viox & Viox, replied that she would have to ask her team to see if it has been used before at other sites. Mr. Ackermann explained that it is unique because of the units produced on site and the walkability of the site.

Ms. Gulick asked if there was a percentage figure used for the walkability of people who live on the site? Can that figure be compared with the proposed ratio? Chairman Rolfsen referenced Rookwood Commons near Hyde Park as an example.

Mr. Lunnemann inquired if the new ratio is used and the Promenade is thriving and there are still problems, what will happen? Mr. Ackermann suggested going back to Children's Medical Center for shared parking. They would have to switch from a temporary to a more permanent arrangement. What about parking on residential streets? Mr. Ackermann replied that they already have some on-street parking in the Promenade now.

Mr. Costello noted that the City of Union owns 22 acres nearby and it will have some parking. Cities build public parking spaces in retail areas and for events. He suggested keeping a closer eye on the types of uses in the future as space becomes available. It is important to have the right mix. The first lease is sometimes the toughest to get that mix.

Mr. Hincks asked if each business can put up signs for their own parking areas? Mr. Ackerman responded that the business can install a sign for pick-up only. Those pick-up spaces are counted as parking spaces.

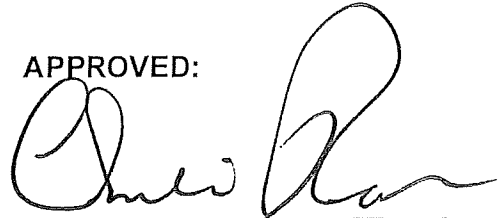
Mr. Judd inquired about built out parking spaces and buildings. Mr. Ackermann replied that all the parking spaces have been built. There is no extra room to put more parking with the exception of Lots 2 & 3. The parking will be maximized to what is required to accommodate all uses.

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

**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on July 16, 2025 at 5:00 P.M. This item will be on**

the Agenda for the Business Meeting on August 6, 2025 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 7:52 p.m.

APPROVED:



Charlie Rolfsen  
Chairman

Attest:



Kevin P. Costello, AICP  
Executive Director

**CITY OF UNION, KENTUCKY  
ORDINANCE NO. 2025-12**

**AN ORDINANCE OF THE CITY OF UNION, KENTUCKY GRANTING THE REQUEST OF KENTUCKY 42, LLC, PER CITY OF UNION (APPLICANT) FOR A CHANGE OF CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATE 21.00 ACRE AREA LOCATED ALONG WEST SIDE OF US 42 EXTENDING FROM SWEET HARMONY LANE TO UNION PROMENADE AND BEING THE COMMERCIAL LOTS WITHIN THE UNION PROMENADE DEVELOPMENT, UNION KENTUCKY, CURRENTLY ZONED UNION COMMERCIAL/URBAN RESIDENTIA TWO/PLANNED DEVELOPMENT (UC/UNO/UR-2PD)**

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

*WHEREAS*, the Boone County Planning Commission received a request for A Change Of Concept Development Plan For An Approximate 21.00 Acre Area Located **ALONG WEST SIDE OF US 42 EXTENDING FROM SWEET HARMONY LANE TO UNION PROMENADE AND BEING THE COMMERCIAL LOTS WITHIN THE UNION PROMENADE DEVELOPMENT, UNION KENTUCKY** is recorded in Deed Book / PAGE NOS 1193 / 53, 1214 / 940, 1217 / 940, 1218 / 94, 1207 / 847, 1210 / 787, 1210 / 794, 1235 / 109, 1217 / 952, 1216 / 173 AND 1216 / 403 recorded in the Boone County Clerk's office, currently zoned commercial two / planned development (C-2PD); and

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

*WHEREAS*, the Boone County Planning Commission by Resolution No. R-25-019-A recommended approval of the Change of Concept Development Plan described above; and

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

*WHEREAS*, a majority of the Union City Commission desires to adopt the recommendation of the Boone County Planning Commission pursuant to K.R.S. 100.211 within ninety (90) days of the

Planning Commission's final action;

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

**SECTION I**

That the request for a Change in an Approved Concept Development Plan in the Union Commercial (UC) Zone for the 21.00 acre site located **ALONG WEST SIDE OF US 42 EXTENDING FROM SWEET HARMONY LANE TO UNION PROMENADE AND BEING THE COMMERCIAL LOTS WITHIN THE UNION PROMENADE DEVELOPMENT, UNION KENTUCKY** and more particularly described below shall be and is hereby approved, with conditions. The subject property involved in the request is generally located at the **ALONG WEST SIDE OF US 42 EXTENDING FROM SWEET HARMONY LANE TO UNION PROMENADE AND BEING THE COMMERCIAL LOTS WITHIN THE UNION PROMENADE DEVELOPMENT, UNION KENTUCKY**. The real estate which is the subject of this Ordinance is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

**SECTION II**

That as a basis for adopting the recommendation of the Planning Commission, the Union City Commission sets forth the following findings of fact:

1. The change in an Approved Concept Development Plan is in agreement with the adopted Comprehension Plan, is supplied by the findings of the Boone County Planning Committee as satisfied in R-25-019-A incorporated herein as fully supported and attached here in and marked as Exhibit "B". The proposed Change in an Approved Concept Development Plan is a minor change and is small in scale and shall be in Neighborhood Business District form.
2. That the Union City Commission finds that the citizens and residents of Union, Kentucky will benefit from approving the change in an Approved Concept Development Plan and hereby incorporates by reference those conditions into the Change in an Approved Concept Development Plan.

**SECTION III**

If this approval for a Change in an Approved Concept Development Plan shall be held invalid, in whole or in part, by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map, or comprehensive plan provisions as they are severable from this Ordinance and they are intended to have effect regardless of any invalidity relating to this particular Ordinance.

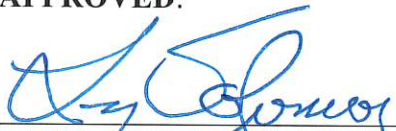
**SECTION IV**

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

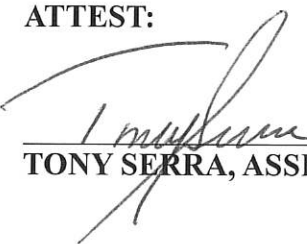
**FIRST READING this the 3<sup>rd</sup> day of September 2025.**

**PASSED AND APPROVED ON SECOND READING this 15<sup>th</sup> day of September 2025.**

**APPROVED:**

  
**LARRY SOLOMON, MAYOR**

**ATTEST:**

  
**TONY SERRA, ASSISTANT CITY CLERK**

**PUBLISHED: \_\_\_\_\_**

# SUPPORTING INFORMATION



**VIOX & VIOX**  
Civil Engineers, Surveyors, and Landscape Architects

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Additional Narrative Information For  
Union Promenade Lots 1 – 11 Parking  
Union, Boone County, Kentucky

## **NARRATIVE**

In 2021, a zoning map amendment occurred for approximately 61 acres within the City of Union, Kentucky to allow for the development of Union Promenade. The Union Promenade Development was designed to attract a variety of uses to the city within a combined UC/UNO/UR-2/PD/CD zone. The uses were arranged to have the high activity commercial and retail uses located along the U.S. 42 Highway corridor for higher visibility and access to storefronts. A combination of residential apartments and townhomes were proposed between the commercial uses and Old Union Road towards the “rear” of the overall development. Additionally, a medical office facility was included within the development adjoining the commercial and residential uses.

In effort to create a connected commercial and retail center, the commercial lots were designed without side buffer yard requirements to permit a continuous flow of activity. A cross-parking agreement was implemented in the commercial district to minimize large expansive parking fields on each lot and create a more inviting pedestrian environment. A promenade sidewalk feature was included to connect all the storefronts and promote walkability. A complete sidewalk system was also designed to connect adjoining uses and the development.

## **REQUEST**

The existing 2020 Boone County Zoning Regulations requirements per Article 33, Section 3325 for eating and drinking establishments are as follows:

*“1.00 space for every 2 seats including wait area seating, plus 1.00 space for each 20 sf of open wait area, plus 1.00 space per 250 gfa of any retail area, plus 4.00 spaces per billiard table, plus 1.00 space per 100 gfa of dance floor area; any drive-in service spaces shall not be credited towards required spaces.”*



**VIOX & VIOX**

Civil Engineers, Surveyors, and Landscape Architects

The proposed change in concept application seeks to reduce the parking requirements for eating and drinking establishments from 1.00 space per every 2 seats to requiring 1.00 space per every 3 seats in commercial lots 1 through 11. The concept plan and intent of the Union Promenade development are to remain intact from its original proposal and zone change in 2021.

The Union Promenade development was designed within the guidance of the 2000 Union Town Plan. The Union Town Plan includes character language and codes to discourage large parking lots and overparked developments to create a “town” feel. These codes also have the intention to combat the issue of suburban sprawl with higher residential density and a live-work community. Within Union Promenade, there are approximately 343 residential units which are within close proximity for residents to walk to the commercial uses on the provided sidewalk system. Additionally, the neighborhoods surrounding Union Promenade consists of many single-family homes with multiple bedrooms. These households are more likely to have four to five people carpooling to destinations, such as restaurants, in one car. Additionally, on-street parking was provided as part of the Union Promenade roadway cross section.