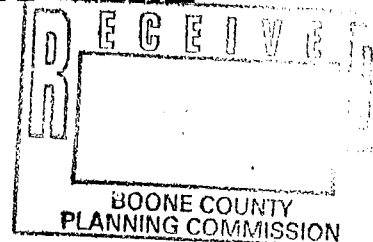


APPLICATION FORM
CHANGE IN CONCEPT DEVELOPMENT PLAN
OR
THE UTILIZATION OF AN UNDERLYING ZONE
IN PLANNED DEVELOPMENT

(Concept Development Plan)
 BOONE COUNTY PLANNING COMMISSION
 (See Boone County Zoning Regulations)



SECTION A (To be completed by applicant)

1. Check One:
 Change in Concept Development Plan
 Utilization of An Underlying Zone in Planned Development
 a) Public Hearing Submittal (Concept Dev. Plan) _____
 b) Long Range Planning Committee Review _____
 (As stated in the Houston-Donaldson Study)
2. Name of Project Simon Fisher Mitsubishi
3. Location of Project Route 18 and Greenview
4. Total Acreage of Site 1.12
5. Current Zoning E-2 C-3
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) _____
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) _____
8. Proposed Uses (please specify each use) _____
Car Dealership
9. Proposed Building Intensities (please specify) _____
1 Building "See Concept Plan"
10. Have you submitted a Concept Development Plan? Yes
11. Are you also applying for:
 Conditional Use Permit
 Dimensional Variance
12. Name of Applicant(s) Jay F. Bayer, Bayer Becker Engineers
 Phone Number 261-1113 Fax No. 261-1710
13. Address of Applicant(s) 14 E 8th St
Covington Ky 41011
 City State Zip
14. Name of Property Owner(s) SFR Properties
 Phone Number _____ Fax No. _____
15. Address of Property Owner(s) _____
Florence Ky
 City State Zip
16. Are there any existing buildings on the site? _____
 How many? _____
17. Deed Book _____ Page No. _____ Group No. _____
18. Have you had a pre-application meeting with BCPC Staff? Yes - V.A. Pham

(over)
 314, 332
 and 367, 299
 and 454, 67.

EXHIBIT "A"

STAFF REPORT

Request of Bayer Becker Engineers (applicant) for SFR Properties (owner) for a change in a previously approved Concept Development Plan on a 1.12 acre site zoned Commercial Services (C-3). The request is to allow a **Simon & Fischer Mitsubishi** dealership at the corner of Greenview Drive and KY 18, Boone County, Kentucky.

JUNE 22, 1994

This is a request for a Change in an Approved Concept Development Plan on a 1.12 acre site at the corner of KY 18 (Burlington Pike) and Greenview Drive just west of Florence (See Sheet #1).

History of Site

Around 1984

Simon & Fischer Honda dealership established at former location of Don's Garage on KY 18. The land was zoned Commercial Services (C-3).

August 1988 - Site Plan Approval

Site Plan approval for a sales lot addition to the existing Simon & Fischer Honda dealership. At this point in time the adjacent lots fronting on Greenview Drive were still part of Greenview Subdivision and zoned Suburban Residential One (SR-1).

March 1991 - Zoning Map Amendment/Concept Development Plan

The first two parcels (.45 acres) along the west side of Greenview Drive were rezoned from Suburban Residential One (SR-1) to Commercial Two to allow for expansion of the existing Simon & Fischer Honda dealership. The two parcels are shown on the Concept Development Plan as being used as additional vehicle parking.

October 1993 - Site Plan Approval

Simon & Fischer are granted Site Plan approval for the installation of a one-story sales office. The office is to be located just west of the .45 acres approved for a Zoning Map Amendment in March of 1991. The Concept Development Plan for the .45 acre tract remains as additional parking of vehicles.

June 1994 - Change in Concept Development Plan

Simon & Fischer apply for a Change in the Concept Development Plan approved in March of 1991.

Surrounding Land Uses and Zoning (See Sheet #2)

North: Greenview Subdivision zoned Suburban Residential One (SR-1).
South: Right Way Nursery zoned Suburban Residential One (SR-1) and a Shell gas station zoned Commercial Two (C-2).
East: Ameristop Food Mart zoned Commercial One (C-1) and Single Family Dwellings zoned Suburban Residential One (SR-1).
West: Simon & Fischer Honda dealership zoned Commercial Services (C-3).

Relationship to the 1990 Comprehensive Plan (See Sheet #3)

The Future Land Use Map of the 1990 Comprehensive Plan indicates this property to develop as Commercial (C). The Land Use element of the Comprehensive Plan mentions that Commercial activity along KY 18 "must be designed to be compatible with existing and proposed residential developments".

Comparison of Current Request and Approved Plan

The original Concept Development Plan submitted with the March 1991 Zoning Map Amendment (See Sheet #4) showed .45 acres to be used as parking for Simon & Fischer Honda automobiles. Approximately 37 parking stalls were shown on the Plan with no building proposed.

The revised Concept Development Plan (See Sheet #5) includes the .45 acre lot from the Zoning Map Amendment as well as an additional .67 acre portion of the existing Honda dealership lot. The Plan calls for a 7,392 square foot Simon & Fischer Mitsubishi building on the lot. The Mitsubishi dealership will utilize the .67 acre section of the Honda dealership for the display of 103 Mitsubishi cars.

Staff Concerns

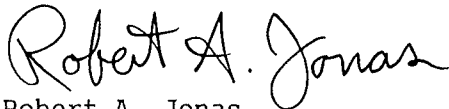
1. The Boone County Zoning Regulations call for a 25 foot buffer yard between a Commercial Services (C-3) district and residential districts. The Concept Development Plan is showing a five foot buffer yard to the north and a seven foot buffer yard to the east. In both cases, adjoining property is zoned Suburban Residential One (SR-1) and therefore the Simon & Fischer lot must provide a 25 foot buffer yard.

2. The adjacent residential dwelling units need to be properly screened from the dealership. Screening, such as the wooden fence that separates the Honda dealership from the two former dwellings on Greenview Drive, should be provided at the north property boundary. Screening, such as shrubs or bushes, should also be provided between the parking lot of the proposed Mitsubishi dealership and the residents across Greenview Drive.
3. Lighting on the site is a concern to staff since there are residential homes to the north and east. Lighting should be directed internally so as to not to create glare on the adjoining lots.
4. Staff is concerned with the possibility of a paging system on the Mitsubishi lot as exists on the Honda lot. Surrounding residences may be affected by the noise from paging speakers.
5. The proposed curbcut on Greenview Drive is located across from a residential dwelling unit and may not be compatible at that location. Access to the Mitsubishi lot is shown from that curbcut as well as internally through the Honda lot from their curbcut on KY 18.

Conclusion

The Planning Commission and the Boone County Fiscal Court need to consider the impacts of this development on adjacent residential development. Should the request be approved, the Comprehensive Plan does not need to be changed.

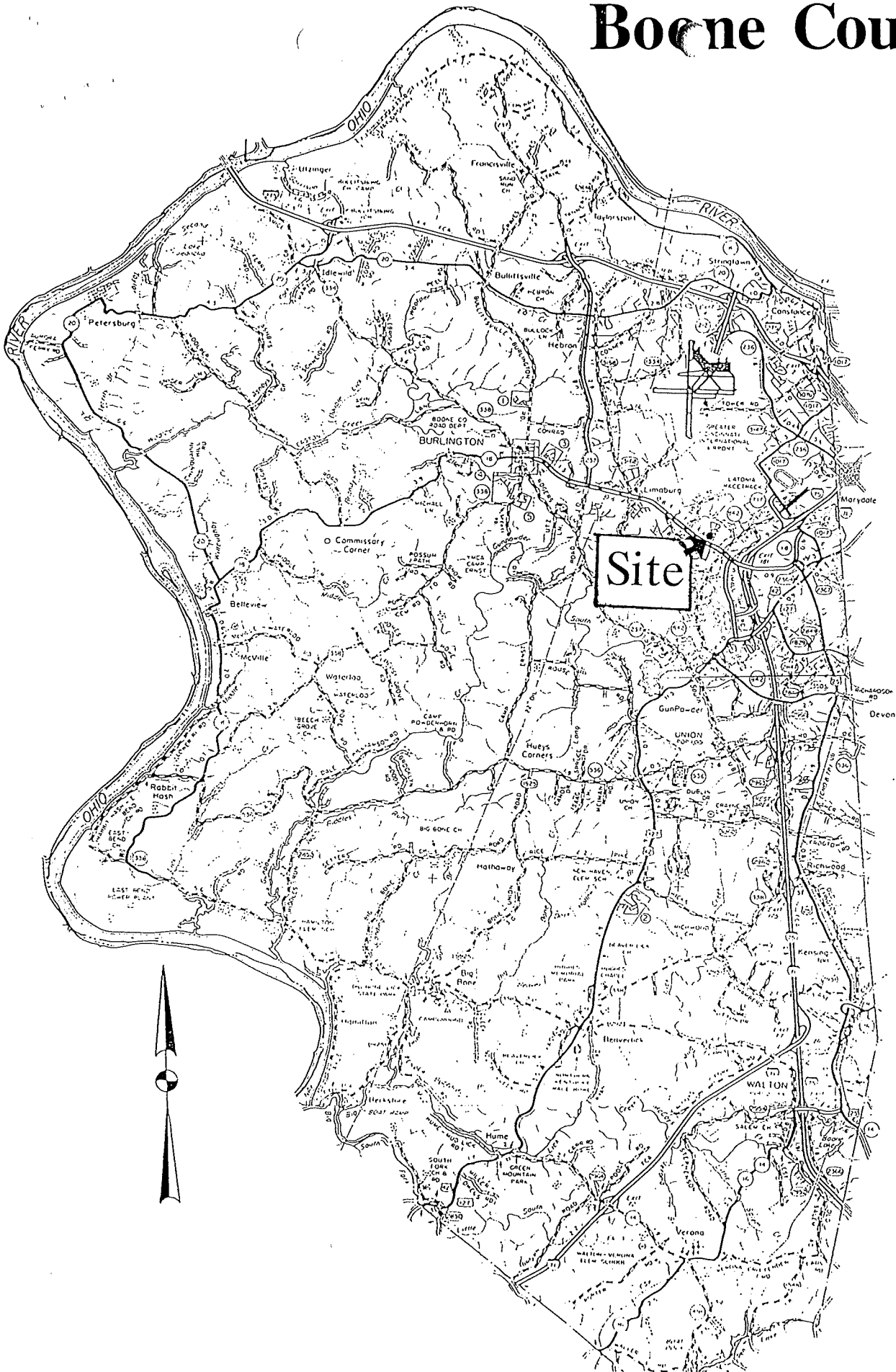
Respectfully submitted,



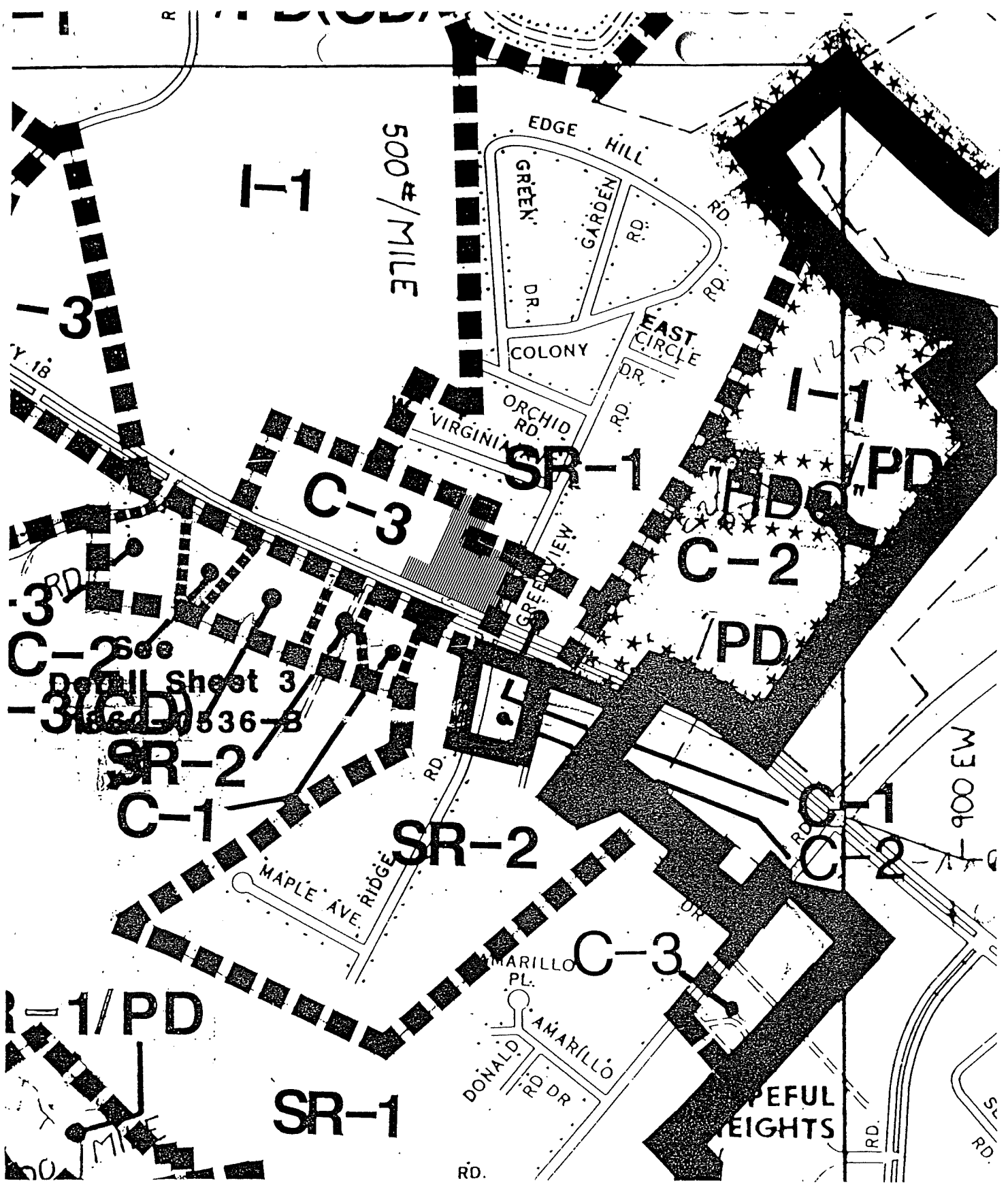
Robert A. Jonas
Planner I

RAJ\par

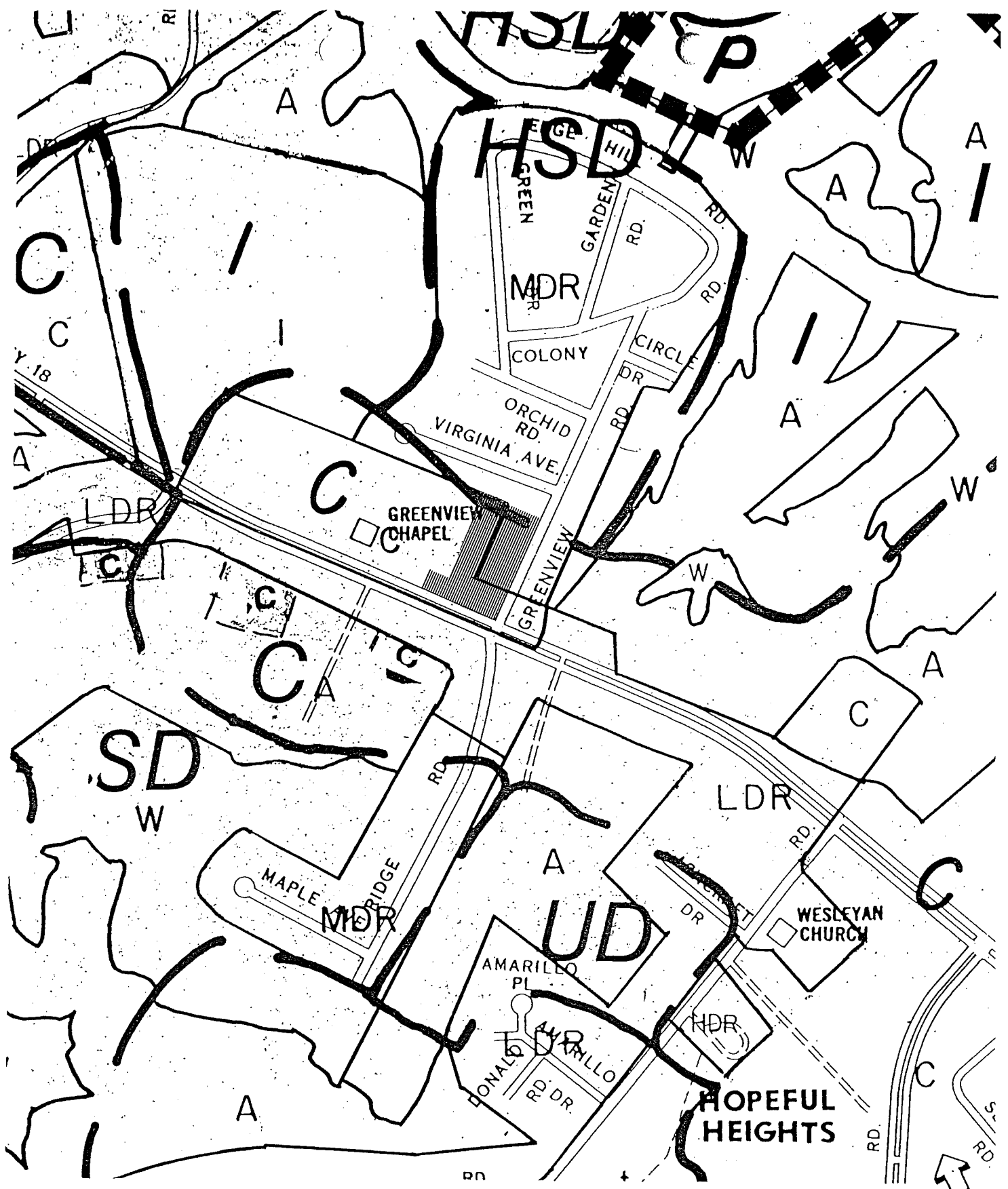
Boone County



SHEET # 1 - Location Map



SHEET # 2 - Current Zoning
 Simon & Fischer Mitsubishi



SHEET # 3 - Future Land Use Map
 Simon & Fischer Mitsubishi



EXISTING BUILDING

PROPOSED MANHOLE

PROPOSED 15" C.V.C.

STORM SEWER

7'0" HIGH (BOARD FENCE)

N 67° 30' 30" W

1" CONC. CURB

4" CONC. CURB

1" CONC. CURB

1" CONC. CURB

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ROAD

GREEN VIEW

KY

HIGHWAY

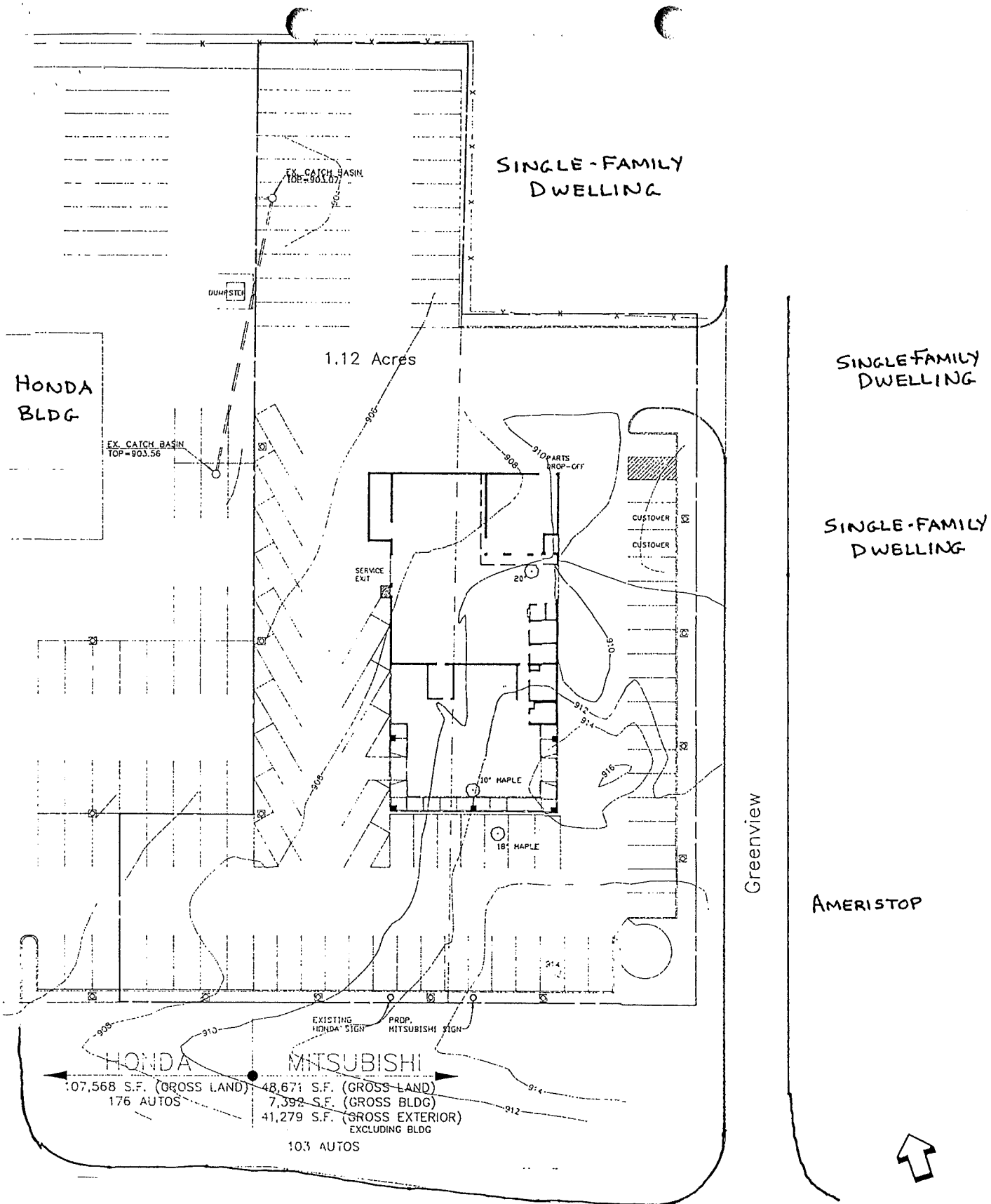
No. 18



SHEET # 4

1991 Concept Development Plan

Simon & Fischer



Highway 18



SHEET # 5

1994 Concept Development Plan

Simon & Fischer Mitsubishi

HONDA 107,568 S.F. (GROSS LAND) 176 AUTOS	mitsubishi 48,671 S.F. (GROSS LAND) 7,392 S.F. (GROSS BLDG) 41,279 S.F. (GROSS EXTERIOR) EXCLUDING BLDG 103 AUTOS
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PUBLIC HEARING ITEM NO. 2:

Commission members present: Mr. Bailey, Mr. Damstrom, Mr. Kirby, Jr., Mr. McElroy, Mr. McMillian, Mr. Owens, Mr. Ries, Mrs. Smith - Secretary/Treasurer, and Mr. White.

Mrs. Smith introduced the second item on the Agenda:

2. Applicant: Bayer Becker Engineers for
SFR Properties (owner)

Request: Change in Concept Development Plan

The request of Bayer Becker Engineers (applicant) for SFR Properties (owner) for a change in a previously approved Concept Development Plan on a 1.12-acre site zone Commercial Services (C-3). The request is to allow a Simon & Fischer Mitsubishi dealership at the corner of Greenview Drive and KY 18, Boone County, Kentucky.

Staff Member Bob Jonas presented the Staff Report which included a slide presentation (see Staff Report).

Mrs. Smith asked for the applicant's presentation.

Mr. Jay Bayer, Bayer Becker Engineering, introduced Mr. Jim Simon representing the owners; Mr. John Wells, the site architect; and Mr. Sean Anderson. Mr. Bayer stated that the Staff had covered the site. He stated that they are asking for a use of the underlying zone to complete the project. The use is a car dealership. There is currently a trailer and two dilapidated homes, which will be removed, and there will be a beautiful building with parking and landscaping. They are not asking for additional curb cuts. In regard to Staff's concerns, he stated that the plan was approved previously with a seven-foot fence and buffering, and they ask that the previously approved plan be continued in that regard. Screening and a 25-foot buffer on the other side is using valuable space. They do not have a problem with the screening outlined by Staff. They would prefer to put landscaping along Greenview Drive, which would be safer for incoming and exiting traffic, instead of fencing. The lighting will be directed internally. He stated that they will be sensitive to the neighbors. The paging system will be similar to what they have now and there will not be a separate paging system for the new building. He stated that the curb cut was placed to move their semis onto Greenview Drive instead of onto KY 18. If they move the curb cut further to the west it will hurt the stacking distance at the light and cause maneuvering problems for the semis. He stated that they are not asking to change the zoning.

Mr. Bayer asked that this request be on the agenda for the next Business Meeting and on the agenda for the next review meeting.

Mrs. Smith asked if there was anyone else present who wished to speak in favor of the request. There being no response, she asked if there was anyone present in opposition to the request.

Mr. Arthur Brozmore stated that he lives in the first house adjacent to the first house on the left of the two that will be torn down. He stated that the fences will box him in. There is a fence behind his house and there will be one on the east side and one on the west side. He has changed his bedroom because the light was shining in and he now sleep on the other side of his house. The PA system wakes him up at night. There are cars parked right up against the fence now. Mr. Brozmore stated that he has tried to see Mr. Fischer four times and they say that he is not in when Mr. Brozmore says that he has a complaint. He has never been able to speak to Mr. Fischer.

Mr. Ronald Frummel, a resident of West Virginia Avenue, agreed with Mr. Brozmore in regard to the lighting and PA system. He questioned if there would be a road off Greenview Drive to get into the dealership. He stated that it is a madhouse there now and all they need is another road.

Mr. Richard Dennis, a resident of Greenview subdivision, stated that he understands that the tractor trailers will be coming out on Greenview Drive because it is more accessible for them. He stated that they tried for years to get a light there because of the traffic on KY 18. He stated that with another dealership there, and tractor trailers coming in and out loading and unloading vehicles, it will be worse.

Mrs. Smith asked for comments from the Commission.

Mr. Damstrom stated that he is concerned about the access to Greenview. With the addition of these two lots, the development is moving back further into the subdivision. He questioned if the road is able to handle the traffic. He has a problem with increased commercial traffic being mixed with residential -- and it is strictly residential on Greenview. He stated that the development is too far back into the residential subdivision.

Mr. Jonas stated that in reviewing the 1991 Zoning Map Amendment file, he did not find any concern or mention about the curb cut. He stated that he was at a loss to know why it was granted, but it does exist on the plan approved in 1991.

Mr. Costello stated that there was not an actual dealership there and it was an overflow lot in 1991. He stated that most of the traffic would use the curb cut on KY 18. He noted that a building going on that lot would attract more people to it.

Counselor Wilson stated that there may be a concern for the Committee to review in that, even though the curb cut was there before, possibly its intended use was for less traffic than what this plan would involve.

Mr. Ries stated that the Committee needs to look at the previous plan showing the 5-foot and 7-foot buffer. He stated that there should be a 25-foot buffer. The residential and commercial need to be buffered from

each other by more than five or seven feet. He questioned why this was allowed in the last plan. He stated that 25 feet would be a minimum and there should be heavy buffering between the residential and the business. He has heard complaints from people he knows about the lighting and paging now. He agreed with Mr. Damstrom about the access on Greenview Drive. He stated that he does not want tractor trailer traffic going into the residential area.

Mr. Kirby asked if the two lots will be open so that the traffic from one lot can freely move to the other lot. He stated that in the 1991 plan versus the 1994 plan there is a difference in the design of the access point onto Greenview Drive. The 1991 plan shows a wider entrance and a more relaxed turn compared to the 1994 plan. He stated that if semi traffic was approved onto Greenview Drive, the 1991 plan appears to be an easier turn and trucks would not have to swing so wide to make the turn. Trucks swinging wide to make the turn may interfere with the yards across from the site.

Mr. Jonas advised that the lots will be connected internally.

Mr. Damstrom stated that he believes he was on the Committee for the 1991 request. He does not see any building being done in the 1991 Development Plan. The current request is a different Development Plan which shows a new building -- which will increase traffic. He stated that these are two different plans and the Committee needs to consider that.

Mr. Bailey stated that there could be a mound with shrubs in the wider buffer area as opposed to fencing. He noted that the neighbor is opposed to the fencing.

Mr. Bayer agreed with Mr. Kirby about the turning radius and stated that they would be interested in widening it to make the turning easier. In regard to the traffic on Greenview Drive, he stated that there is an Ameristop across the street that does not go back as far as their site, but there are tractor trailers coming into that site. There are tractor trailers on Greenview Drive now. He stated that there is concern about tractor trailers turning right and left on KY 18 from their entrance and it is safer to go out at the light. He stated that they are not increasing the lighting any more than the previously approved Concept Plan.

Mrs. Smith asked if there were any further comments from Staff. There being none, she asked if there was anything further from the Commission.

Mr. Damstrom stated that Mr. Bayer is correct about the Ameristop tractor trailer traffic, but it is up at the intersection. This project goes back into the subdivision more than two full lots. He questioned if they would be responsible for the maintenance and upkeep of the road caused by the tractor trailers. Mr. Costello stated that he will check into the condition of the road from the proposed entrance to the light.

Mr. McMillian questioned how the Honda site is currently served by tractor trailers. Mr. Fischer stated that they enter the dealership from the decel lane on KY 18. Because of the number of vehicles currently on the

lot, they are at their wits end as far as parking internally and need the expansion. The tractor trailers are maneuvering around the building in some cases. Some of the haulers have been unloading in the driveway or at the road. Typically, the tractor trailers are maneuvering their way around the building and entering and exiting on KY 18. Most of the tractor trailers leave and go east on KY 18 to go back to I-75. Most of the time they turn left on KY 18 and find that to be a problem.

Mr. McMillian noted that some tractor trailers along KY 18 unload in front of the lots and do not pull into the lots. Mr. Fischer advised that different carriers have different rules as to where their drivers can unload.

Mr. Bailey asked if there will be a connection between the showroom through the lot and onto Greenview Drive. When the site is completed, would vehicles be able to come into the Honda dealership from Greenview Drive? Mr. Fischer replied "yes". Mr. Bailey stated that that would add more traffic to the Greenview area.

Mr. Fischer stated that because of the topography and the way the hill crests, most of the people will continue to use the decel lane when turning right into the dealership. They anticipate people heading east towards the mall will prefer to use the light rather than crossing the lanes of traffic.

Mr. Damstrom stated that the traffic that wants to go back to I-75 is going to come out from Greenview Drive and use the traffic light, but that is not fair to the residents who would have to put up with additional commercial traffic that has not been there before -- so that the dealership can have easy access from their site.

Mr. Ries stated that possibly the project should be engineered differently so that the trucks can turn around and come out. Mr. Fischer stated that in 1991 safety was a considerable issue in regard to getting people away from exiting across KY 18 and crossing the lanes of traffic. There have been accidents there involving customers and employees turning left across the lanes of traffic. He stated that the first house was originally Kelly's Antiques and had a semi parking there. It is most in line with the Ameristop parking lot. The adjacent house is more closely aligned with the house right across the street. He stated that traffic on KY 18 will not diminish, and will likely increase, and not having the access to Greenview is a long-term problem in regard to safety issues. Truck traffic is a minor portion of their business compared to the vehicles. The vehicles are dropped off by tractor trailers and they expect they will continue to enter from KY 18, but they want a more convenient place for them to exit the lot. He stated that there is no additional lighting planned versus what was submitted. The paging system would be a common paging system. He stated that he was not apprised of Mr. Brozmore's calls and would like to meet with him.

Mr. Fischer stated that he had Staff address lighting concerns in the mid-1980's, including having people adjust them at night. The lights go off at 9:30 P.M., but in the summer it is a little bit different because of how light it stays in the evening. They have a minimal amount of

security. In regard to fencing versus mounds with trees, he stated that part of the point of the fencing is security. They have had their share of break-ins and thefts and feel that the fencing may have minimized some of that.

Mr. Dennis stated that the tractor trailers coming out of Ameristop making a left hand turn make a small turn. If a tractor trailer comes out of the subject site onto Greenview, it will not be in the proper lane and will be all the way across the road and possibly into Ameristop to make the swing.

Mr. John Wells, EGC Construction, stated that the 1991 radius turning out of the site solves the problem. What is shown on this plan does have a tighter radius that probably should be changed back to what was approved in 1991 based on safety and turning out of there. He stated that Honda and Mitsubishi are being sold on the property today. The trailer would come down and the same cars would be sold, but out of a more permanent, better looking building. He stated that the project is being completed versus a temporary basis.

Mrs. Smith stated that the Committee Meeting for this item will be on June 27, 1994 at 1 P.M. at the Ellis Extension Building at Camp Ernst Road and KY 18 in the Claxton Room. This item will be on the Agenda for the Business Meeting on July 6, 1994 at 8 P.M..

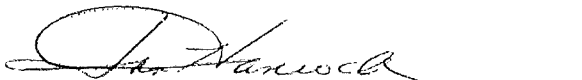
Mrs. Smith closed this Public Hearing.

APPROVED:



Carol Smith, Secretary/Treasurer

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING

July 6, 1994
8:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 8:15 P.M..

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett
Mr. William Bailey
Mr. Fred Burch, Vice Chairman
Mr. Phil Damstrom
Mr. Gayle McElroy
Mr. Don McMillian
Mr. Barry Neltner
Mr. Thurman Owens
Mr. Robert Ries
Mrs. Linda Schaffer
Mrs. Carol Smith, Secretary/Treasurer
Mr. William Viox, Chairman
Mr. Earl White

COMMISSION MEMBERS NOT PRESENT:

Mr. Robert Kirby, Jr.
Mr. Ralph Rush

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Director
Mr. Dave Geohegan, AICP
Mr. Jeff Hayes
Ms. Jan Hancock, Secretary
Mr. Robert Jonas
Mr. Mitch Light
Mr. Dean Niemeyer

impacted by the expansion to KOI is significantly increased. Because of the impact this development represents to the residential neighborhood, it is not in agreement with the Land Use Element as referenced in the Staff Report; and (5) The proposed Concept Development Plan indicates a distribution center based on the Minutes of the May 25, 1994 Public Hearing, and not as a warehouse for the existing retail operation which is permitted within a Commercial Two (C-2) Zone. As the applicant presented at the Public Hearing, the operation of the facility would be approximately 70 percent wholesale and 30 percent retail. This identifies clearly that the proposed use would not be permitted within a Commercial Two (C-2) Zone because of the predominant wholesale function of the building. The use would be permitted within an Industrial One (I-1) Zone which allows the wholesale trade of automobile parts and accessories. In addition, the use of this facility as a distribution center will generate additional traffic beyond that of a retail use. Mr. Ries seconded the motion.

Chairman Viox asked for a roll call vote on the motion which found Mrs. Arnett, Mr. Bailey, Mr. McMillian, Mr. Ries, Mrs. Schaffer, Mr. White, and Chairman Viox in favor. Mr. Burch, Mr. Damstrom, Mr. McElroy, Mr. Owens, and Mrs. Smith were opposed. Mr. Neltner abstained. There were 7 votes in favor, 5 opposed, and 1 abstention. The motion carried.

Counselor Wilson advised that the Commission's action is a recommendation to the City of Florence. The City may go along with the recommendation or override it. The city has the final say.

3. Change in Concept Development Plan

The request of Tire Discounters (applicant) for R. C. Durr and Richard Crist (owners) for a change in a previously approved Concept Development Plan on an approximate one-acre site located at Fuller Street and KY 18, Boone County, Kentucky. The request is to allow a tire store in the Commercial Two/Planned Development (C-2/PD) Zone.

Staff Member Dave Geohegan presented the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The applicant/agent for the owner has signed the letter agreeing to the conditions.

There being no discussion, Mr. Ries moved by resolution to the Boone County Fiscal Court that the request be approved based on the Staff and Committee Reports. Mr. McElroy seconded the motion and it carried unanimously.

4. Change in Concept Development Plan

The request of Bayer Becker Engineers (applicant) for SFR Properties (owner) for a change in a previously approved Concept Development Plan on a 1.12-acre site zoned Commercial Services (C-3). The request is to allow a Simon & Fischer Mitsubishi dealership at the corner of Greenview Drive and KY 18, Boone County, Kentucky.

Staff Member Bob Jonas presented the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The applicant has signed the letter agreeing to the conditions.

Mr. Neltner moved by resolution to the Boone County Fiscal Court that the request be approved based on the Staff and Committee Reports. Mr. Owens seconded the motion.

Mr. Ries stated that he is against the curb cut on Greenview. He is against tractor trailers pulling out there for the reasons stated at the Public Hearing.

Mrs. Schaffer asked for clarification of Condition #1. Mr. Jonas advised that at the Committee Meeting the applicants stated that they had talked with the resident next to their property and had come to agreement with him. They have a rendering of the buffer, which would be on one side. The Honda dealership wooden fence on the rear of the lot would remain.

Mrs. Schaffer noted that at the meeting Mr. Damstrom questioned who would be responsible for the maintenance of the road. Mr. Jonas stated that the road is in fine condition. There are no plans to widen that portion of the road. Tractor trailers currently use that section of the road when coming out of the Ameristop across the street. He noted that a condition was placed on the curb cut for the radius to accommodate the turns so that the trucks will not cross beyond the centerline of Greenview. Mr. Ries asked for clarification. Mr. Jonas stated that the radius of the southernmost curb cut will be larger and will take up more of the Mitsubishi lot so that trucks will stay on that side.

Mrs. Schaffer noted that there was concern about the possibility of a paging system and noise. Mr. Jonas advised that there were no conditions in that regard as the applicant indicated that they would use the same system they have and not expand it.

Mr. Ries stated that Condition #2 does not clear up the problem and there should not be access into the residential area. The access goes down two houses into the residential area. Mr. White stated that he would be in favor of the request if they can go without a curb cut on Greenview. He noted that at the Public Hearing Mr. Damstrom was concerned with the lots going back into the subdivision.

Mr. Damstrom stated that there was discussion about his concern at the Committee Meeting and he changed his mind based on the fact that the residential lots immediately adjacent to the site are zoned Commercial and shown as Commercial in the Comprehensive Plan for future use. He stated that they worked out the turning radius with the applicant to be taken into account on his property so that trucks would not cross the center line coming onto Greenview. He stated that the applicant indicated that the tractor trailer traffic would be only 1 or 2 trucks per week. Mr. Burch noted that the alternative is to have tractor trailer traffic come out the main entrance to the dealership and try to turn left across the median -- which is more dangerous.

Mrs. Arnett asked how many homes there are on Greenview. Mr. Owens estimated that there are 45 to 50 homes. Mr. Jonas advised that the estimate at the Zone Change Committee meeting was 85 to 100 homes. Mrs. Arnett questioned how far back the Commercial zoning goes. Mr. Jonas advised that the Commercial zoning is existing and was changed in 1991.

Mr. Burch stated that this is not a zone change request, it is a change in a Concept Plan.

Chairman Viox asked for a roll call vote on the motion made by Mr. Neltner which found Mr. Bailey, Mr. Burch, Mr. Damstrom, Mr. McElroy, Mr. McMillian, Mr. Owens, Mr. Neltner, Mrs. Schaffer, Mrs. Smith, and Chairman Viox in favor. Mrs. Arnett, Mr. Ries, and Mr. White were opposed. The motion carried by a vote of 10 to 3.

At this time, the Chairman changed the Agenda to hear Item No. 6:

6. Change in Concept Development Plan

The request of James W. Berling (applicant) for Waco Oil Company (owner) for a change in an approved Concept Development Plan to allow mini-warehouses. The 5.7-acre site is zoned Commercial Services/Planned Development (C-3/PD) and is located on Centennial Circle in Heritage Hill Subdivision, Boone County, Kentucky.

Staff Member Jeff Hayes presented the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). He advised that the applicant signed the condition letter, but now wants to make changes to Condition #2.

Mr. Berling asked to change the first two sentences of Condition #2 as follows: "2. The building shall be designed to incorporate architectural variations ~~in-the-height-and-materials~~ along the perimeter located along KY 18 and Centennial Circle. The architectural variations ~~in-height~~ should create a visual break in the long continuous linear ~~height~~ shape of the proposed building." (Note: dashed words deleted and bold/underlined word added). He stated that they realize the long linear shape of the building needs to be addressed, but he is not sure there needs to be a variation in height. If it is determined in the meetings that it needs to be done, they will yield to that. They may be able to accomplish it in another manner.

Mr. Neltner asked if the request would go through architectural review. Mr. Costello advised that it would not. He stated that it is not part of the Houston-Donaldson Study, but there is a condition that refers to review by the Plan Review Committee. He stated that there is some justification, but not specific standards like the Houston-Donaldson Study.

Mr. Berling stated that they will do some modifications. They will make a colored rendering and propose it -- if the Committee does not like it, they will do it again and again. They want to cooperate -- but a

EXHIBIT "B"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Barry Neltner, Chairman

DATE: July 6, 1994

RE: Request of Bayer Becker Engineers (applicant) for SFR Properties (owner) for a change in a previously approved Concept Development Plan on a 1.12 acre site zoned Commercial Services (C-3). The request is to allow a Simon & Fischer Mitsubishi dealership at the corner of Greenview Drive and KY 18, Boone County, Kentucky.

Remarks:

We, the Committee, recommend approval based upon the following findings of fact and conditions:

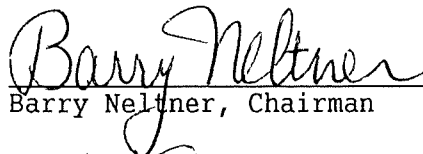
Findings of Fact

1. This request is in conformance with the 1990 Boone County Comprehensive Plan Future Land Use Map which indicates the area of the requested Change In Concept Development Plan to develop as Commercial (C).
2. The Committee believes that the conditions contained in this report will make the dealership compatible with the existing residential development to the north and to the northeast of the site. The applicant and owner have signed a condition letter demonstrating their agreement with the conditions.
3. The Committee also believes that the conditions will be more sensitive to traffic patterns along KY 18 by allowing truck traffic exiting the site to turn left onto KY 18 at the Greenview Road traffic signal.

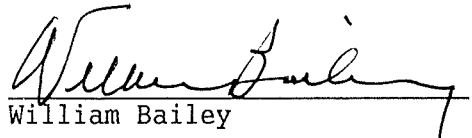
Conditions

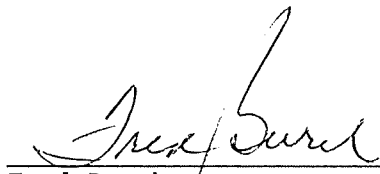
1. The revised Concept Development Plan is to include a 10' buffer between the Greenview Road curbcut and the adjoining resident to the north. The buffer is to be composed of a 2' high block wall with landscaping on the top so as to effectively screen the development from the adjoining single family dwelling.
2. The curbcut on Greenview Road is to be constructed, to the satisfaction of the Planning Commission, so as to accommodate exit traffic and to discourage vehicles from entering. Furthermore, the radius of the curbcut must allow delivery trucks to exit without crossing into the opposite lane on Greenview Road.
3. Formal lighting plans shall be submitted as part of the Site Plan Review. Lights will be located so as to avoid placing glare on adjacent residential properties.

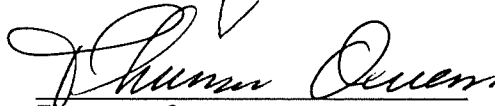
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

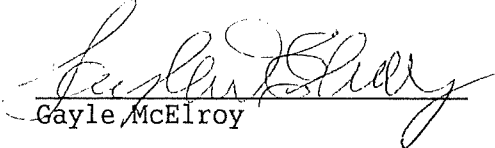

Barry Neltner, Chairman




Phil Damstrom

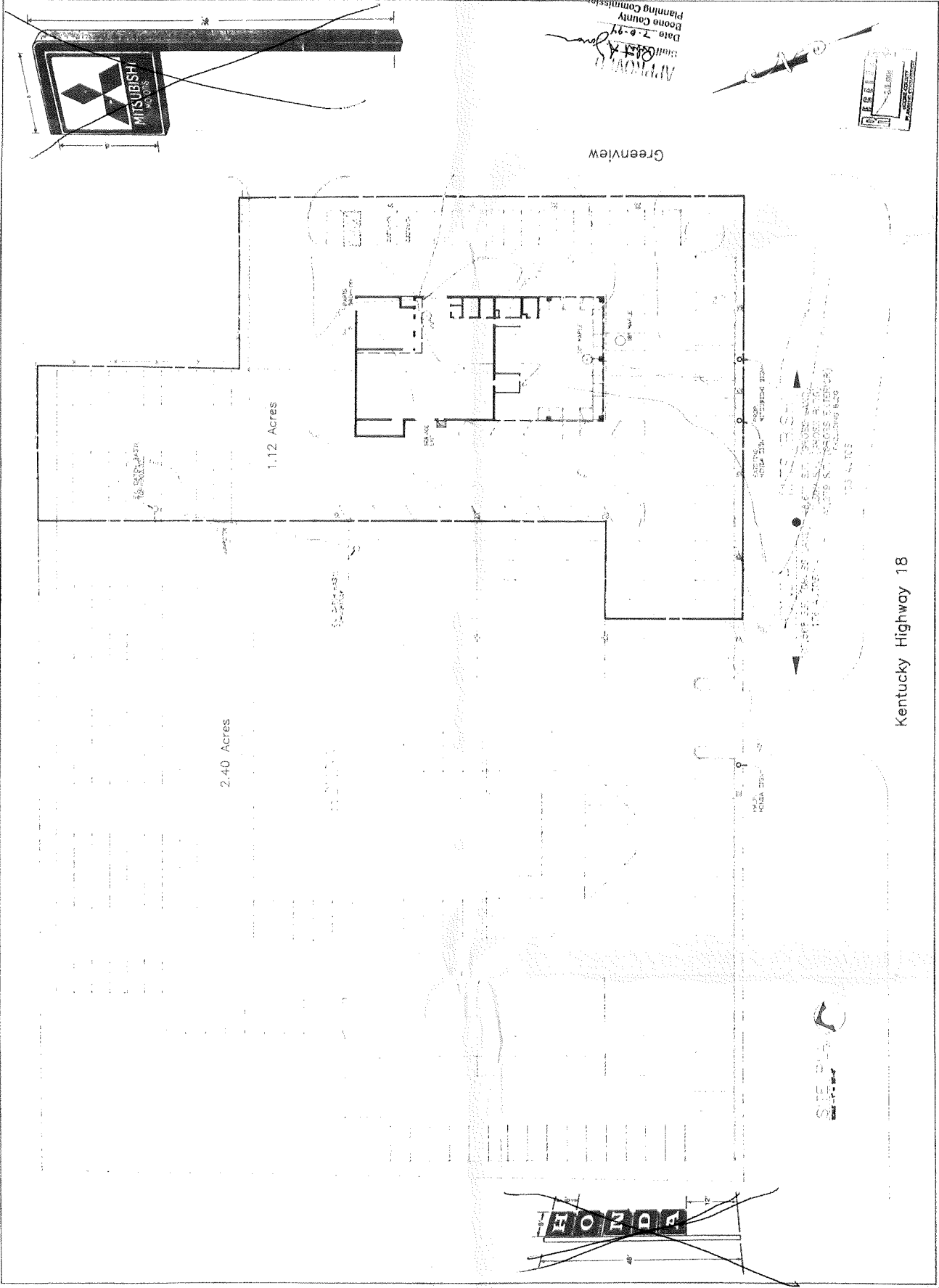

William Bailey


Fred Burch


Thurman Owens


Gayle McElroy

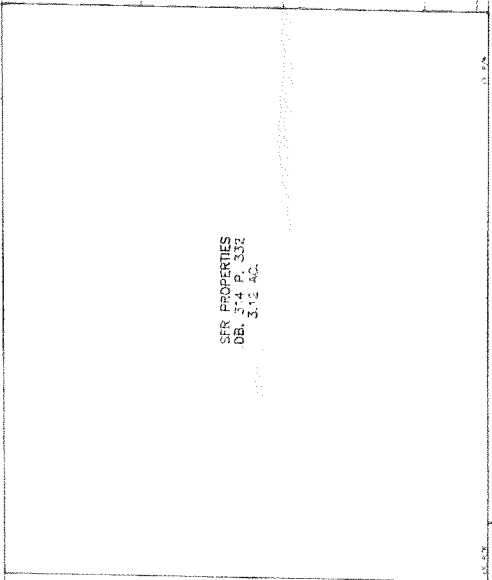
		KENTUCKY HIGHWAY 18 BOONE COUNTY, KENTUCKY SIMON & FISCHER MITSUBISHI FOR AMENDMENT CONCEPT DEVELOPMENT PLAN	SHEET NO.	
			1	OF 1
PROJECT NO.			DRAWING NO.	
DATE			SCALE	
DRAWN BY			CHECKED BY	
APPROVED BY			DATE	



Kentucky Highway 18

WEST VIRGINIA AVENUE

GREENVIEW SUBDIVISION
PLAT 2 P. 31



SFR PROPERTIES
DB. 3.4 P. 332
3.12 AC.

SFR PROPERTIES
DB 307 P. 288

SFR PROPERTIES
DB 304 P. 277

GREENVIEW ROAD

RIDGE ROAD

KY. STATE RT. 18
(BURLINGTON PIKE)

ADJACENT PROPERTY OWNERS

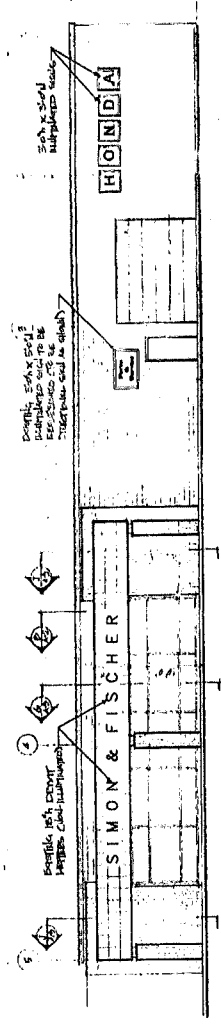
1. ROBERT FISK & DORON BEL...
2. CHARLES & ELLEN...
3. JAMES & BARBARA...
4. ROBERT & EVELYN...
5. ROBERT & MARY...
6. ROBERT & MARY...
7. ROBERT & MARY...
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17. ROBERT & MARY...
18. ROBERT & MARY...
19. ROBERT & MARY...
20. ROBERT & MARY...



It was eight feet deep, twenty feet...

CONSTRUCTION
ECC
P.O. BOX 308 • NEWPORT, KENTUCKY 41077
1010 MONMOUTH ST. • NEWPORT, KENTUCKY 41077
PHONE (606) 441-2947 • BUILDINGS • RESIDENTS • DEVELOPERS • CONTRACTORS • REMEDIATION

JOB NO.: 999505-02.00886
FILE NAME: 999505-02.00886
DATE: 02/08/99
SCALE: AS SHOWN
DRAWN BY: JBA
CHECKED BY: JBA
DATE: MAY 11, 1994
REVISIONS:



Front Elevation
DATE: 02/08/99

Boone County Recorder

SEPTEMBER 7, 1994

**LEGAL SUMMARY
ORDINANCE NO. 920.285**

The Boone County Fiscal Court at its meeting held Tuesday, August 30, 1994, at 5:30 P.M., Second Floor Courtroom, Administration Building, Burlington, Kentucky, gave Second Reading and adopted the following ordinance.

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RECOMMENDING APPROVAL FOR A REQUEST OF BAYER BECKER ENGINEERS (APPLICANT) FOR SFR PROPERTIES (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL SERVICES (C-3) ZONE ON A 1.12 ACRE SITE GENERALLY LOCATED AT THE CORNER OF GREENVIEW DRIVE AND KY 18, BOONE COUNTY, KENTUCKY, AS RECOMMENDED BY THE BOONE COUNTY PLANNING COMMISSION 10-3, VIA RESOLUTION NO. R-94-025-A.

I hereby certify that the above summary of said Ordinance has been written in such a manner as to inform the public of the context of same. A copy of said Ordinance is on file in the office of the Fiscal Court Clerk and may be reviewed between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, at the Administration Building, second floor, Burlington, Kentucky.

CAROLYN A. RUDICILL
FISCAL COURT CLERK
P.O. #P9502025