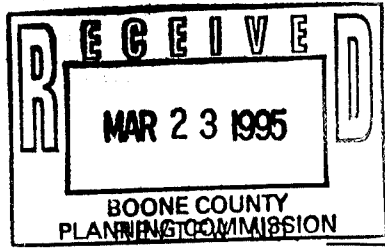


PV



APPLICATION FORM
ZONING MAP AMENDMENTS
BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Development Primary Care Associates Office Building
2. Location of Development U.S. 42 & Farmview Drive
3. Total Acreage of Site 2.274 Acres
4. Current Zoning Mixed C-3 and RS
5. Proposed Zoning (classification being requested) O-1 Office One
6. Proposed Uses (please specify each use) Office building for physicians' services. In addition to physicians' services, one suite will house an Urgent Care/Industrial Medicine Unit.
7. Name of Applicant(s) Primary Care Assocs. of Northern KY P.S.C.
Phone Number(s) Stephen Poindexter, Administrator 647-5117
8. Address of Applicant(s) 7211 US 42
Florence, KY 41042
City State Zip
9. Name of Property Owner(s) R.C. Durr (with option for applicant to
Phone Number(s) 371-0700 purchase.)
10. Address of Property Owner(s) 8100 Burlington Pike
Florence, KY 41042
City State Zip
11. Proposed Building Intensities (please specify)
Single building of 27,000 SF gross area on 3 floors --
1st Floor, 2nd Floor and Basement. Basement is 70% below grade.
12. Are there any existing buildings on the site? No
How many?
13. Deed Book 467 Page No. 53 Group No. 2038B
14. Have you had a pre-application meeting with BCPC staff? Yes**
15. Please check the following organizations/agencies which you
have discussed the proposed development with in the last
several months:

- Boone County Water and Sewer District
X Florence Water and Sewer Commission
X Union Light Heat and Power
Cincinnati Bell
Owen County Rural Electric
Boone County Road Department
Kentucky Transportation Cabinet
City of Florence Public Works Department
City of Walton Public Works Department
Northern Kentucky Health District
U.S. Soil Conservation Service
Local School District
Local Fire District
Other:

**Kevin Costello & Ehmert Hayes - 1994

(COMPLETE OTHER SIDE OF APPLICATION)

EXHIBIT "A"

STAFF REPORT

Request of Primary Care Associates of Northern Kentucky P.S.C. (applicant) for R.C. Durr (owner) for a Zoning Map Amendment from Commercial Services (C-3) and Rural Suburban (RS) to Office One (O-1) to allow a medical office building on a 2.274 acre site located at U.S. 42 near Farmview Drive, Boone County, Kentucky. A Conditional Use Permit to allow medical clinics/outpatient services and the retail sales of drugs and proprietary goods has also been requested.

May 17, 1995

REQUEST

The applicant has requested a Zoning Map Amendment for a site that is located to the west of Farmview Drive along the north side of U.S. 42. The request would change approximately 0.78 acres of the site from Commercial Services (C-3) to Office One (O-1), and the remainder of the site (approximately 1.49 acres) from Residential Suburban (RS) to Office One (O-1). The applicant has also requested a Conditional Use Permit to allow medical clinics/outpatient services and the retail sales of drugs and proprietary goods, as both of these activities are Conditional Uses within the O-1 zoning district. As an informational note, the applicant has submitted a petition to annex the site into the City of Florence.

A Concept Development Plan has been submitted with this request. The plan shows one building that is located in the southeast portion of the site and that has a 10,110 square foot footprint. The building has two full levels, with a partially exposed basement level on the north and east elevations (facing Farmview Drive proper and the vicinity of the Farmview Drive/U.S. 42 intersection). The proposed structure has three hipped roof massings and a marquee that covers a vehicular "drop off" area at the front of the building.

One vehicular access, that has one ingress lane and right and left turn egress lanes, has been proposed along U.S. 42. A raised sidewalk that begins at the curbcut and runs to the front and side of the building has been proposed. A 102 parking space lot covers the majority of the western portion of the site and a detention basin has been proposed for the southeast corner of the site. The existing tree cover has been proposed to remain as a buffer along the northern half of the west property line, along the majority of the east property line, and in the northern corner of the site. A concept landscape plan that was included with the request indicates a combination of conifer and deciduous trees, and low shrubs, around the perimeter of the site and around the proposed building.

SITE HISTORY

1980 The current zoning for the site was adopted through the Comprehensive Zoning Update.

ADJACENT LAND USES AND ZONING

The uses and zoning adjacent to the site include the following.

- A. A large vacant site immediately to the south (Durr/Kratz site, recently approved C-2 and SR-1), a largely vacant site to the southeast that contains an inhabited single family residence and an abandoned historic residence (Plantation Pointe site, SR-1), and a farmstead that includes a single family residence and several other structures to the southwest (Seltman tract, RSE).
- B. A semi-wooded lot is immediately to the west and an abandoned "roadside" motel is located further to the west (both are C-3). Several moderately low density, single family residences are located further to the west along U.S. 42 (RS).
- C. An open space area is located immediately to the east (between U.S. 42, Northfield Drive, and Farmview Drive, SR-1/PD), and a vacant site is located further to the east across Farmview Drive (the "island" portion of the Plantation Pointe proposal, SR-1).
- D. A subdivision consisting of suburban density, detached single family residences is located to the north and northwest (Farmview Subdivision, SR-1/PD), and a condominium development is located to the northeast of the subject site, northeast of the Farmview Drive/Old U.S. 42 intersection (Village at South Fork Creek, UR-1).

SITE CHARACTERISTICS

As mentioned previously, the site contains approximately 2.274 acres. The lot is basically triangular in shape and has approximately 425 feet of frontage on U.S. 42. The U.S. 42 right-of-way is notably wide along this tract (approximately 170 feet from the southeast corner of the lot to the edge of pavement), being the result of the removal of a portion of Old U.S. 42 and the construction of the current five lane U.S. 42. The site is currently wooded and has rolling topography. The site currently drains toward the open space area along Farmview Drive. Both public water and sewer exist in the immediate vicinity of the site.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 1990 Boone County Comprehensive Plan's Future Land Use Map designates the site as "Suburban Density Residential" (application was submitted prior to adoption of 1995 Comprehensive Plan). This designation is described as "residential uses that do not exceed four dwelling units per acre." For informational purposes, the 1995 Boone County Comprehensive Plan Future Land Use Map (2020 Land Use Plan) designates the site in question as "Rural Lands" (1995 Comprehensive Plan designates intermittent commercial and low density areas between the Farmview area and the center of Union along U.S. 42 to retain open space character).

Further, the text of the Land Use Element (Area C-4, pp. 216) states the following:

The uninterrupted commercial development of U.S. 42 should extend no further than the intersection of Pleasant Valley and Gunpowder Roads. This commercial development should be of a local, rather than regional scale, and should incorporate the reconstruction of Old Toll Road for use as an access road. Access Management at the intersection of U.S. 42 and Pleasant Valley should include an access road to serve commercial developments. Any commercial development on U.S. 42 south of Pleasant Valley Road should likewise be of a neighborhood scale, and should be limited to the first several hundred feet of frontage on U.S. 42. Farmview Subdivision should continue to develop in a High Suburban Density Residential fashion, with areas of local commercial uses.

The Business Activity and Land Use elements contained in the 1990 Boone County Comprehensive Plan provide the following statements that are pertinent to the proposal.

- A. Many problems with the location and arrangement of commercial enterprises have emerged, especially along KY 18 and U.S. 42. Commercial developments along KY 18 and U.S. 42 west of Mall Road should not be regionally oriented nor should they attract additional traffic.

The land surrounding the U.S. 42 area, southwest of Florence, will experience additional growth towards the City of Union.

The commercial developments that occur shall be limited in scale and clustered to serve growing residential neighborhoods. Planned Unit Developments should be encouraged so that commercial construction is incorporated within residential areas. These commercial clusters should not function as an extension of Florence and Mall Road, but as a distinct unit serving the Burlington and Union areas (Business Activity Element, "Areas of Future Commercial Activity," pg. 94).

- B. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and county as a whole, rather than levelling an entire site to meet a pre-conceived project design (Land Use Element, "Utilization of Existing Vegetation and Topography," pg. 201).
- C. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise, vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments (Land Use Element, "Buffering," pg. 201).
- D. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas as well as within open spaces and around structures.

Developments along major roadways in Boone County must include landscaping and/or the use of berms between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses (Land Use Element, "Landscaping," pg 201).

- E. Developments in Boone County should give consideration to the overall design of the project. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor (Land Use Element, "Design, Signs, and Historic Preservation," pg. 202).

The 1995 Boone County Comprehensive Plan's Goals and Objectives provides the following statements that are pertinent to the proposal.

- A. Proper design principles shall be applied in development ("Overall," Objective #3).
- B. Boone County shall strive to achieve a diversity and balance in competing land uses ("Overall," Objective #6).

- C. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment [Social]," Objective #4).
- D. Commercial uses shall be limited to strategic locations serving trade areas and neighborhood needs and shall have safe and effective access and ample parking space ("Commercial [Retail and Office]," Objective #1).

STAFF CONCERNS

- 1. Staff is concerned with the introduction of commercial uses on this site due to its close proximity to Farmview Subdivision, because it entails commercial uses moving towards Union along U.S. 42, and due to the Comprehensive Plan's land use designation (i.e., Suburban Density Residential in 1990 plan, Rural Lands in 1995 plan). However, the Commission needs to consider: that a portion of the site is currently zoned C-3, which has the potential for an array of large scale commercial uses; the use would act as a transitional use between Farmview Subdivision and the recently approved C-2 zone across U.S. 42 (a transition of uses is generally sought by the Comprehensive Plan); and, that both the 1990 and 1995 comprehensive plans seek smaller-scaled commercial activities in the general vicinity.

Further, because a Conditional Use must be "an integral and subordinate function of a permitted office use," the exact nature and extent of the medical clinic and/or outpatient services should be defined (i.e., any use of "ambulance-like" services, random "walk-in" clients, emergency room atmosphere, etc., or largely a standard office environment?). In addition, the retail component should consist of no more than a small portion of the entire facility so that this activity falls within the Comprehensive Plan's direction for the general vicinity and so that it fulfills the Conditional Use criteria.

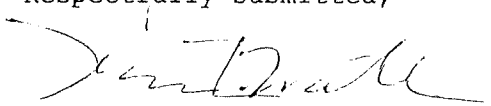
- 2. Due to the residential adjacency, and due to the Comprehensive Plan's directions, Staff is concerned with the following physical components of the proposal.
 - A. Site lighting for the proposal has not been specified. In order to avoid light pollution, all site lighting should use "cut off" shields and the height of the freestanding fixtures should be limited, preferably to no higher than 20 feet.
 - B. Because the site is currently wooded, consideration should be given to providing additional large trees within the interior of the site (additional landscaping within the parking area will be required through Site Plan review based upon current code requirements). When these trees are mature, they would help maintain the wooded character of the site from adjoining sites.

- C. Signage for the proposal has not been specifically outlined. As such, Staff purports that the freestanding sign should be monument style, architecturally compatible with the design of the building (materials, detailing, colors), and should be limited in size and height (such as 8 feet in height and 60 square feet in area). Any building mounted signage should be secondary in nature when considering the orientation of the building to U.S. 42.
- D. Due to the residential adjacency, Staff is concerned with the height of the proposed structure (46 feet at the rear, +-34 feet at the front). Relative to this concern, the Commission will need to consider that the applicant has proposed to maintain a wooded perimeter, which will help to soften the impact of the structure, and that the building has been "broken up" into several massings, which will help reduce its apparent size. In addition, the building materials and colors should be verified to assure compatibility with both the residential and commercial adjacencies.
3. Because of the size and nature of the facility, and because of the posted 45 mile per hour speed limit, the Commission will need to consider whether the installation of acceleration and deceleration lanes on U.S. 42 for the facility is warranted (peak hours for employee traffic will largely coincide with peaks for adjacent street network). Relative to the access management considerations provided in the Comprehensive Plan, the Commission will also need to consider whether a joint access with the undeveloped property immediately to the west should be provided.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and the Boone County Fiscal Court in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3, "Amendment" of the Boone County Zoning Regulations and the potential impacts on the existing and planned uses in the area. In addition, the general criteria provided in Section 262 and the specific criteria provided in Section 1113 will need to be evaluated relative to the Conditional Use Permit request. The Future Land Use Map would need to be amended if the Planning Commission and Fiscal Court approve this request.

Respectfully submitted,



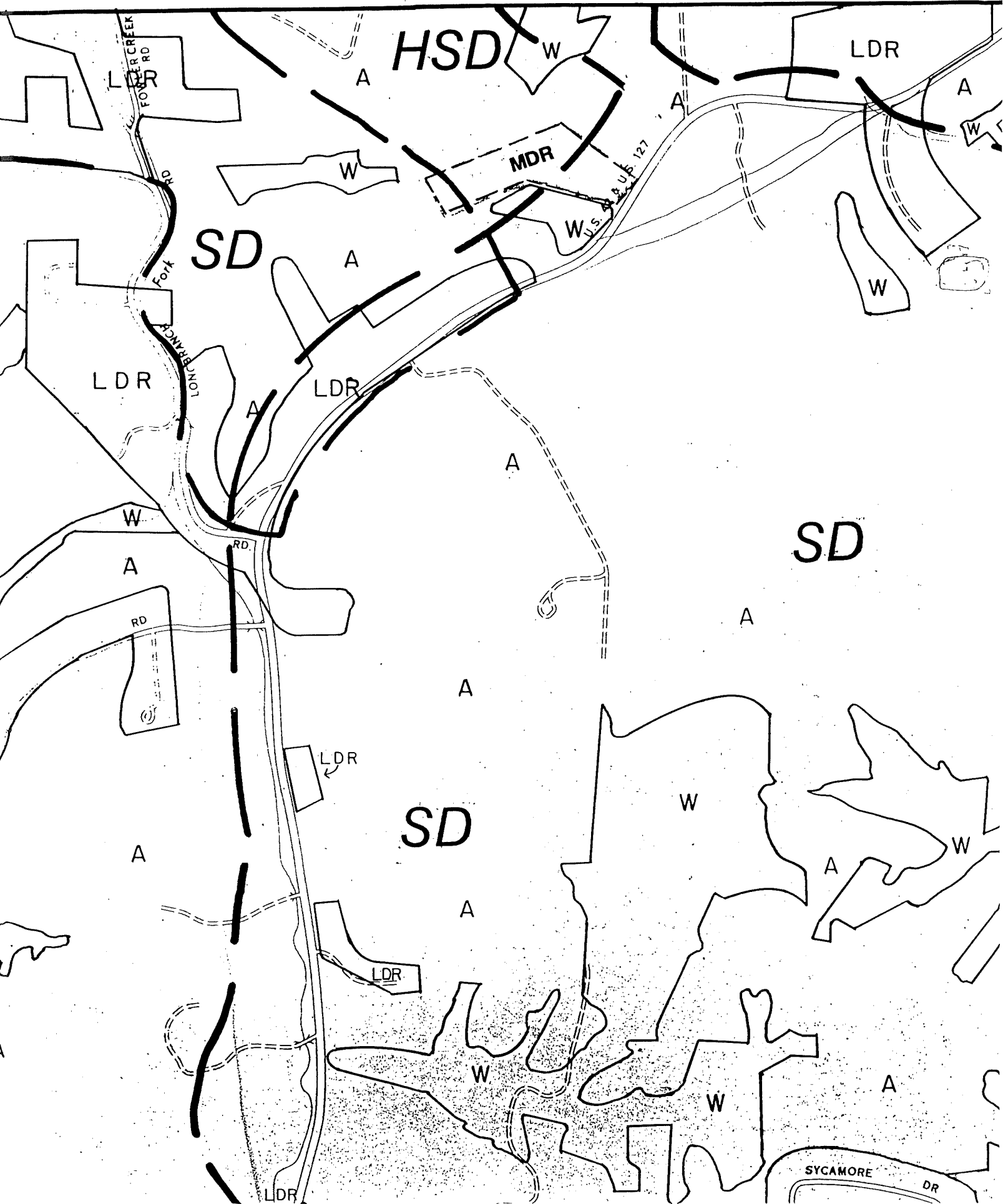
Kevin T. Wall, AICP CDT
Director, Zoning Services

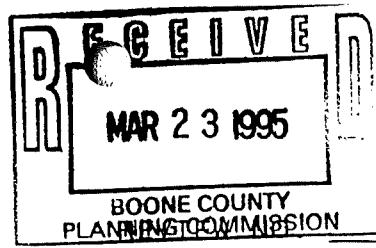
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attachments:

- air photo of area
- Future Land Use Map excerpt
- Zoning Map excerpt
- application materials







APPLICATION FORM ZONING MAP AMENDMENTS

BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Development Primary Care Associates Office Building
2. Location of Development U.S. 42 & Farmview Drive
3. Total Acreage of Site 2.274 Acres
4. Current Zoning Mixed C-3 and RS
5. Proposed Zoning (classification being requested) _____
O-1 Office One
6. Proposed Uses (please specify each use) Office building for physicians' services. In addition to physicians' services, one suite will house an Urgent Care/Industrial Medicine Unit.
7. Name of Applicant(s) Primary Care Assocs. of Northern KY P.S.C.
Phone Number(s) Stephen Poindexter, Administrator 647-5117
8. Address of Applicant(s) 7211 US 42
Florence, KY 41042
City State Zip
9. Name of Property Owner(s) R.C. Durr (with option for applicant to purchase.)
Phone Number(s) 371-0700
10. Address of Property Owner(s) 8100 Burlington Pike
Florence, KY 41042
City State Zip
11. Proposed Building Intensities (please specify) _____
Single building of 27,000 SF gross area on 3 floors --
1st Floor, 2nd Floor and Basement. Basement is 70% below grade.
12. Are there any existing buildings on the site? No
How many? _____
13. Deed Book 467 Page No. 53 Group No. 2038B
14. Have you had a pre-application meeting with BCPC staff? Yes**
15. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- Boone County Water and Sewer District
- Florence Water and Sewer Commission
- Union Light Heat and Power
- _____ Cincinnati Bell
- _____ Owen County Rural Electric
- _____ Boone County Road Department
- _____ Kentucky Transportation Cabinet
- _____ City of Florence Public Works Department
- _____ City of Walton Public Works Department
- _____ Northern Kentucky Health District
- _____ U.S. Soil Conservation Service
- _____ Local School District
- _____ Local Fire District
- _____ Other: _____

**Kevin Costello & Ehmet Hayes - 1994

(COMPLETE OTHER SIDE OF APPLICATION)

APPLICATION FORM
ZONING MAP AMENDMENTS

16. Are you also applying for: Yes Conditional Use Permit Medical Clinic/Outpatient Services
No Dimensional Variance Medicine Unit
 (one Doctor's suite in the bldg. will be an Urgent Care/Industrial Retail & sales of drugs & proprietary goods)
17. Applicant's Signature: Stephan K. ...
- X 18. Property Owner's Signature: [Signature]
19. Have you submitted a Concept Development Plan? Yes
 Concept Development Plan accompanies application.

SECTION B (To be completed by BCPC Staff)

1. Date Received 4-4-95
2. Fee Received \$954.00 RA 6334
3. Check what has been submitted:
 Application Fee Legal Description
 Concept Development Plan Addresses of Adjoining Property Owners
4. 5 No. of copies of plan received**
4. Is application complete? _____ Yes _____ No
5. Staff Reviewer WHL
6. Committee Chairman _____
7. Scheduled Public Hearing Date 5/17/95
8. Boone County Planning Commission Action:
 _____ Approval
 _____ Approval With Conditions
 _____ Disapproval
9. Other: _____

** FIVE (5) COPIES ARE REQUIRED

BCPC: 7/11/88

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
May 17, 1995
7:00 P.M.

PUBLIC HEARING

Commission members present: Mr. Bailey, Mr. Burch - Vice Chairman, Mr. Damstrom, Mr. Kirby, Jr., Mr. McMillian, Mr. Neltner, Mr. Ries, Mr. Rush, Mrs. Schaffer, and Mr. White.

Mr. Fred Burch, Vice Chairman, called the meeting to order at 7:10 P.M. and introduced the item on the Agenda:

1. Applicant: Primary Care Associates of Northern Kentucky P.S.C. for R. C. Durr (owner)

Request: Zoning Map Amendment

The request of Primary Care Associates of Northern Kentucky P.S.C. (applicant) for R. C. Durr (owner) for a Zoning Map Amendment from Commercial Services (C-3) and Rural Suburban (RS) to Office One (O-1) to allow a medical office building on a 2.274-acre site at U.S. 42 and Farmview Drive, Boone County, Kentucky. A Conditional Use Permit to allow medical clinics/outpatient services and retail sales of drugs and proprietary goods has also been requested.

Staff Member Kevin Wall presented the Staff Report which included a slide presentation (see Staff Report).

Mr. Ries asked if this property is in the county or in the City of Florence. Mr. Costello stated that they are going to attempt to be annexed into the city, but the property is currently in the county.

Mr. Burch asked for the applicant's comments.

Dr. Nancy Swikert introduced Mr. Stephen Poindexter, the business manager, and Mr. Ehmet Hayes, architect. Dr. Swikert stated that Primary Care Associates is a 6 or 7 office group and five of those offices are in Boone County. She stated that they have outgrown two of their offices that have been serving the county for years. Her office is on Mall Road and she has been there for 15 years. They have outgrown their facility and are having to turn away Boone County families. If they move too far from their existing practice, it will disrupt the practice and not provide constant care. She stated that this site is in a rural area and will serve their purpose well. They do not intend to build a building that would be out of character with the area. They will pay particular attention to the rural atmosphere and the adjacent subdivision. They have paid a lot of

attention to landscaping. She stated that the design is low profile and they do not intend to build a steel and glass building. They have tried to design the building to be toward the back of the lot. She stated that they are bringing community service to the area. They serve people from Indiana, Ohio, and the southern part of the state because of the interstate system. They feel that they are promoting Boone County and could possibly bring in new families and income. They intend to have a medical office building and a private practice for the most part. She stated that sometimes families cannot get to a medical facility between 8 A.M. and 5 P.M. and they may have some early evening hours, but they do not intend to be there well into the night. It will be a private office catering to Boone County families. It is not a clinic. They do not have definite plans for retail components at this time, but may have a small area for a lab for the convenience of their patients. At most, there would be a small lab there drawing blood. There may be a small pharmacy. She stated that it is more of a doctors office/professional building, attractively designed and not in conflict with the surrounding area.

Mr. Poindexter had no comments.

Mr. Ehmet Hayes with Bob Hayes Architects stated that the property is zoned C-3 on one portion and they are only applying for the eastern portion towards the expressway. He showed a model of a building and stated that the hip roof is in keeping with the surrounding environment. It would be a shingled roof to match the residential community. There may be a louvered dormer on the roof and there will be a fascia panel with a farm look. The building would be brick. There would be glass and wood paneling on the top. He stated that it is not a regional facility, it is a local facility. The landscaping is shown on the Site Plan.

Mr. Burch asked if there was anyone else present who wished to speak in favor of the request. There was no response.

Mr. Burch asked if there was anyone present in opposition to the request or having questions.

Mr. Wayne McCellan, 9209 U.S. 42, stated that it was going to stop at Pleasant Valley, but it keeps coming on. There are signs posted before this site that say "Welcome to the Scenic Corridor". He questioned how long there would be a scenic corridor. He stated that Union is the only area left -- we keep developing and developing. This area is the beginning of Union.

Mr. Burch asked if there were any questions or comments from the Commission.

Mr. McMillian questioned transportation to the building. He stated that the current location is on the public transportation and questioned how they propose to get the patients out to this site. Dr. Swikert stated that that is one of their concerns with their elderly people. They do not have many patients who take public transportation and they are relying on family and neighbors to bring them in. She does not know that this site will be on the public transportation line. Mr. McMillian noted that Dr. Swikert indicated that they want to expand the business because they are

turning people away. He stated that the patients would have to get there by some other transportation and asked if they have any sites in mind that have public transportation. Dr. Swikert stated that they thought about this, but the other sites they had in mind had a lot of drawbacks -- there were issues of sewage and water and they were not as good a location as this.

Mr. Neltner stated that the building will be 46 feet high according to the Staff Report. Mr. Wall stated that that is from the finished floor of the basement level to the highest point. Mr. Neltner stated that from looking at the model, he does not see how it will be 46 feet. Mr. Ehmet Hayes stated that there will be two main levels and a partial third level down lower. Due to the topography of the site, the lower level is exposed. The height is taken from the back side where there is the level below. He showed a drawing of the site.

Mr. Neltner asked how much of a buffer zone is being left. Mr. Ehmet Hayes stated that if the trees are disturbed, they will be reinstated. It is 25 feet from the parking lot to the property line and 44 feet from the building to the property line. Mr. Ehmet Hayes reviewed the drawing with Mr. Neltner.

Mr. Neltner questioned the total square footage of office/retail space in the development. Mr. Ehmet Hayes stated that there is 26,000 square feet of gross floor area. He indicated the drop off area on the drawing.

Mr. Damstrom stated that he knows the location well. He stated that if this request is approved, the decel turn lanes will be a must with the traffic and the amount of patients this facility would be seeing. The Committee would have to include the decel lane as a condition.

Mrs. Schaffer questioned the Conditional Use Permit to allow medical clinics and outpatient services as she thought it was a standard office practice and not a clinic. Mr. Wall stated that in the Staff Report he asked for clarification and definition as the applicant was not specific. Mrs. Schaffer stated that it may not be a private medical practice. Dr. Swikert stated that the permit was because of the "O" and having a lab or pharmaceutical area. Mrs. Schaffer stated that the principal use says "physician services including medical and dental laboratories" and under Conditional Use "retail sales of drugs and specialty medical clinics". She asked if a clinic is something in the future.

Mr. Wall stated that his understanding from Steve Geohegan in Mr. Hayes' office is that they are trying to cover their bases as to what might happen in the future.

Dr. Swikert stated that they are not intending a clinic. One of the offices that might go in does some industrial medicine and has contracted with certain companies for on the job injuries. It is not really considered a clinic -- it is not an emergency room and will not have emergency room facilities. She stated that anytime there is a doctor's office there will sometimes be an ambulance there because sometimes people have heart attacks in the office. She stated that there are several good emergency rooms right down the road.

Counselor Wilson stated that the sale of pharmaceutical drugs might prompt a Conditional Use requirement. If that use was dropped out, it may be that it would not be a Conditional Use. He stated that this can be resolved at the Committee level.

Mrs. Schaffer stated that what she is hearing is that they are not really planning on a clinic or emergency room.

Dr. Swikert stated that when they applied, no one could define for them what a clinic was.

Counselor Wilson stated that if it is agreed that a medical clinic is not involved, Item 3 is retail sales of drugs, which may trigger the Conditional Use requirement. He stated that the term "clinic" is defined on Page 229 under Article 40. The Committee and Staff can review that definition.

Mr. Bailey stated that drug sales will be part of the office building. It will not be a separate entrance or a store. Dr. Swikert agreed.

Mr. Bailey stated that this site is across the road from the Durr development and asked if this access point will be in line with that access. Mr. Wall advised that it is not feasible and the access points would be difficult to line up.

Mr. Bailey stated that the model is white, but it was said that the building would be brick. Mr. Ehmet Hayes stated that the brick would be up to the bottom of the second floor and then there is wood trim and shingles. There would be wood in between the glass.

Mr. Bailey questioned the size of the commercial on U.S. 42. He asked how big the lot is. Mr. Wall stated that it is 425 feet and the commercial is a sliver along the western one-half of the site.

Anna Sharpe showed a picture to Mr. Bailey. The picture was not submitted. Mr. Ehmet Hayes reviewed the zoning with Mr. Bailey.

Mr. Ries asked if there had been any feedback from the residents of Farmview in regard to this development. Mr. Wall replied "none at all". Mr. Ries stated that the residents of Farmview were opposed to the commercial and the density across the highway and this site is closer to them. He stated that he was surprised that there were not more people present from Farmview. He has gotten feedback from them that they are opposed to anything in this area.

Mr. Costello advised that there have been a few phone calls -- one of the people was a patient at this practice and would be able to walk there as it would be closer. There were a few phone calls, but nothing extraordinary.

Mr. Kirby stated that in order to have a decel lane, there also has to be a turn lane. The Transportation Cabinet only approves one length of decel lane of 300 feet, plus a turning lane, which is 450 feet. He stated that

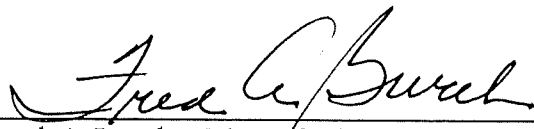
the speed limit is 45 MPH and it tapers down to two lanes, even though it will continue in the future as four lanes. He stated that the Commission would be requiring the applicant to put in 450 feet of additional lane on this highway, which is absurd. Unless the Transportation Cabinet would require it, the Commission would be overburdening the applicant by requiring this.

Mr. Damstrom stated that he believes the speed limit is 55 MPH in that area and, if not, the cars travel much faster than 55 MPH. He stated that without the lane, it would be suicidal -- regardless of the dimensions of the road. Mr. Poindexter stated that the expense would be more than the project can bear.

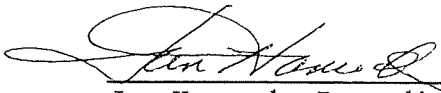
There being no further comments, Mr. Burch stated that the Committee Meeting for this item will be on May 22, 1995 at 4 P.M. on the second floor of the Administration Building. This item will be on the Agenda for the Business Meeting on June 7, 1995 at 8 P.M. .

Mr. Burch closed this Public Hearing.

APPROVED:


Fred A Burch, Vice Chairman

Attest:


Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BUSINESS MEETING
June 7, 1995

Mr. Fred Burch, Vice 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. Mike McKinney
Mr. Don McMillian
Mr. Bob Millay
Mr. Barry Neltner
Mr. Robert Ries
Mr. Ralph Rush
Mrs. Linda Schaffer
Mrs. Carol Smith, Secretary/Treasurer
Mr. William Viox, Chairman
Mr. Earl White

COMMISSION MEMBERS NOT PRESENT:

Mr. Robert Kirby, Jr.

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

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

Mr. Rush moved that the salaries, benefits, and bills due be approved and paid as presented; and indicated approval of those items which have been paid. Mr. McMillian seconded the motion and it carried unanimously.

UNFINISHED BUSINESS:

1. Zoning Map Amendment

The request of Primary Care Associates of Northern Kentucky P.S.C. (applicant) for R. C. Durr (owner) for a Zoning Map Amendment from Commercial Services (C-3) and Rural Suburban (RS) to Office One (O-1) to allow a medical office building on a 2.274-acre site at U.S. 42 and Farmview Drive, Boone County, Kentucky. A Conditional Use Permit to allow medical clinics/outpatient services and retail sales of drugs and proprietary goods has also been requested.

Staff Member Kevin Wall 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 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 Committee Report. Mr. Damstrom seconded the motion.

Mrs. Schaffer stated that the Committee Report refers to a letter dated May 19, 1995, which is after the Public Hearing. She asked if the letter is part of the record. Mr. Wall advised that the is in response to issues brought up at the Public Hearing and is part of the record. The letter clarifies their intent relative to the Conditional Use aspect of the request.

Counselor Wilson advised that this is a two-part request, which can be handled in one motion. It is a request for a zone change and also a Conditional Use Permit. He asked if the motion is recommending approval of the zone change and approval of the Conditional Use upon the zone change being finalized. Mr. Neltner advised that that is the motion. Mr. Damstrom agreed.

Mr. Burch asked for a vote on the motion which found all 13 voting members in favor. Chairman Viox was not yet present. The motion carried.

Chairman Viox arrived at this time and chaired the meeting. He introduced the second item on the Agenda:

2. Change in Concept Development Plan

The request of James W. Berling (applicant) for Waco Oil Company (owner) for a Change in Concept Development Plan for Lot 3, Centennial Plaza, Boone County, Kentucky. The request is to allow the retail sales of farm equipment and supplies in a Commercial Two/Planned Development (C-2/PD) District.

EXHIBIT "B"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Barry Neltner, Chairman

DATE: June 7, 1995

RE: Request of Primary Care Associates of Northern Kentucky P.S.C. (applicant) for R.C. Durr (owner) for a Zoning Map Amendment from Commercial Services (C-3) and Rural Suburban (RS) to Office One (O-1) to allow a medical office building, and a Conditional Use Permit to allow medical clinics/outpatient services and the retail sales of drugs and proprietary goods, on a 2.274 acre site located at U.S. 42 near Farmview Drive, Boone County, Kentucky.

REMARKS:

We, the Committee, recommend approval of the above referenced request based upon the following findings of fact and with the following conditions:

FINDINGS OF FACT

1. The Committee has concluded that due to the fact that the site was zoned R-S and C-3 in 1980, coupled with the fact that Farmview Subdivision, a substantial suburban density residential subdivision with SR-1/PD zoning, and the Durr/Kratz tract directly across U.S. 42, a mixed commercial and residential subdivision with both C-2 and SR-1 zoning, have been approved and/or developed since the current zoning of the subject tract has been adopted, the existing zoning classification is inappropriate and that the proposed zoning classification is appropriate.
2. The Committee has concluded that the direction of the 1990 Boone County Comprehensive Plan and the 1995 Boone County Comprehensive Plan Goals and Objectives is more adequately fulfilled through the proposed zoning rather than the current zoning. In particular, the Comprehensive Plan seeks transitional uses between higher and lesser intense uses, and the proposed O-1 zoning district provides a transition between the C-2 zone across U.S. 42 to the south, the C-3 zone to the west, and the SR-1/PD zone immediately to the north and northwest. In addition, the physical development and design of the proposal is an appropriate transition between the adjacent commercial uses and residential uses. Further, the Comprehensive Plan seeks smaller-scaled commercial uses in the vicinity of Farmview Subdivision.


3. The Committee has found that the proposed medical clinic/outpatient services, and the proposed retail sale of drugs and proprietary goods, as explained in the applicant's letter dated 5/19/95, fulfills the Conditional Use Permit criteria provided in Section 262 and Section 1113 of the Boone County Zoning Regulations.
4. The Committee has concluded that the attached conditions are necessary to mitigate the foreseeable community impacts that would be created by the development of the site and to help the proposal conform to the specific provisions of the Comprehensive Plan and the Conditional Use Permit criteria. The applicant has signed a letter agreeing to the recommended conditions.


CONDITIONS

1. The proposed buffer around the non-street frontage boundaries of the site that consists largely of existing trees shall be supplemented with evergreen trees, that are at least 6 feet high at planting, so that a continuous landscape buffer is created.
2. The proposed freestanding sign shall be monument style, architecturally compatible with the building by way of materials, colors, and detailing, and shall not exceed 8 feet in height or 60 square feet in area.

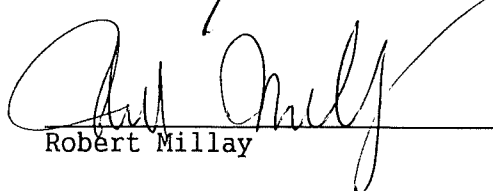
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

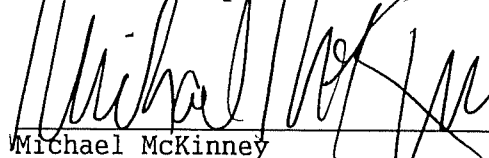

Barry Neltner, Chairman


Phil Damstrom


Fred Burch


William Bailey


Robert Millay


Michael McKinney

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
May 17, 1995
7:00 P.M.

PUBLIC HEARING

Commission members present: Mr. Bailey, Mr. Burch - Vice Chairman, Mr. Damstrom, Mr. Kirby, Jr., Mr. McMillian, Mr. Neltner, Mr. Ries, Mr. Rush, Mrs. Schaffer, and Mr. White.

Mr. Fred Burch, Vice Chairman, called the meeting to order at 7:10 P.M. and introduced the item on the Agenda:

1. Applicant: Primary Care Associates of Northern Kentucky P.S.C. for R. C. Durr (owner)

Request: Zoning Map Amendment

The request of Primary Care Associates of Northern Kentucky P.S.C. (applicant) for R. C. Durr (owner) for a Zoning Map Amendment from Commercial Services (C-3) and Rural Suburban (RS) to Office One (O-1) to allow a medical office building on a 2.274-acre site at U.S. 42 and Farmview Drive, Boone County, Kentucky. A Conditional Use Permit to allow medical clinics/outpatient services and retail sales of drugs and proprietary goods has also been requested.

Staff Member Kevin Wall presented the Staff Report which included a slide presentation (see Staff Report).

Mr. Ries asked if this property is in the county or in the City of Florence. Mr. Costello stated that they are going to attempt to be annexed into the city, but the property is currently in the county.

Mr. Burch asked for the applicant's comments.

Dr. Nancy Swikert introduced Mr. Stephen Poindexter, the business manager, and Mr. Ehmet Hayes, architect. Dr. Swikert stated that Primary Care Associates is a 6 or 7 office group and five of those offices are in Boone County. She stated that they have outgrown two of their offices that have been serving the county for years. Her office is on Mall Road and she has been there for 15 years. They have outgrown their facility and are having to turn away Boone County families. If they move too far from their existing practice, it will disrupt the practice and not provide constant care. She stated that this site is in a rural area and will serve their purpose well. They do not intend to build a building that would be out of character with the area. They will pay particular attention to the rural atmosphere and the adjacent subdivision. They have paid a lot of

attention to landscaping. She stated that the design is low profile and they do not intend to build a steel and glass building. They have tried to design the building to be toward the back of the lot. She stated that they are bringing community service to the area. They serve people from Indiana, Ohio, and the southern part of the state because of the interstate system. They feel that they are promoting Boone County and could possibly bring in new families and income. They intend to have a medical office building and a private practice for the most part. She stated that sometimes families cannot get to a medical facility between 8 A.M. and 5 P.M. and they may have some early evening hours, but they do not intend to be there well into the night. It will be a private office catering to Boone County families. It is not a clinic. They do not have definite plans for retail components at this time, but may have a small area for a lab for the convenience of their patients. At most, there would be a small lab there drawing blood. There may be a small pharmacy. She stated that it is more of a doctors office/professional building, attractively designed and not in conflict with the surrounding area.

Mr. Poindexter had no comments.

Mr. Ehmet Hayes with Bob Hayes Architects stated that the property is zoned C-3 on one portion and they are only applying for the eastern portion towards the expressway. He showed a model of a building and stated that the hip roof is in keeping with the surrounding environment. It would be a shingled roof to match the residential community. There may be a louvered dormer on the roof and there will be a fascia panel with a farm look. The building would be brick. There would be glass and wood paneling on the top. He stated that it is not a regional facility, it is a local facility. The landscaping is shown on the Site Plan.

Mr. Burch asked if there was anyone else present who wished to speak in favor of the request. There was no response.

Mr. Burch asked if there was anyone present in opposition to the request or having questions.

Mr. Wayne McCellan, 9209 U.S. 42, stated that it was going to stop at Pleasant Valley, but it keeps coming on. There are signs posted before this site that say "Welcome to the Scenic Corridor". He questioned how long there would be a scenic corridor. He stated that Union is the only area left -- we keep developing and developing. This area is the beginning of Union.

Mr. Burch asked if there were any questions or comments from the Commission.

Mr. McMillian questioned transportation to the building. He stated that the current location is on the public transportation and questioned how they propose to get the patients out to this site. Dr. Swikert stated that that is one of their concerns with their elderly people. They do not have many patients who take public transportation and they are relying on family and neighbors to bring them in. She does not know that this site will be on the public transportation line. Mr. McMillian noted that Dr. Swikert indicated that they want to expand the business because they are

turning people away. He stated that the patients would have to get there by some other transportation and asked if they have any sites in mind that have public transportation. Dr. Swikert stated that they thought about this, but the other sites they had in mind had a lot of drawbacks -- there were issues of sewage and water and they were not as good a location as this.

Mr. Neltner stated that the building will be 46 feet high according to the Staff Report. Mr. Wall stated that that is from the finished floor of the basement level to the highest point. Mr. Neltner stated that from looking at the model, he does not see how it will be 46 feet. Mr. Ehmet Hayes stated that there will be two main levels and a partial third level down lower. Due to the topography of the site, the lower level is exposed. The height is taken from the back side where there is the level below. He showed a drawing of the site.

Mr. Neltner asked how much of a buffer zone is being left. Mr. Ehmet Hayes stated that if the trees are disturbed, they will be reinstated. It is 25 feet from the parking lot to the property line and 44 feet from the building to the property line. Mr. Ehmet Hayes reviewed the drawing with Mr. Neltner.

Mr. Neltner questioned the total square footage of office/retail space in the development. Mr. Ehmet Hayes stated that there is 26,000 square feet of gross floor area. He indicated the drop off area on the drawing.

Mr. Damstrom stated that he knows the location well. He stated that if this request is approved, the decel turn lanes will be a must with the traffic and the amount of patients this facility would be seeing. The Committee would have to include the decel lane as a condition.

Mrs. Schaffer questioned the Conditional Use Permit to allow medical clinics and outpatient services as she thought it was a standard office practice and not a clinic. Mr. Wall stated that in the Staff Report he asked for clarification and definition as the applicant was not specific. Mrs. Schaffer stated that it may not be a private medical practice. Dr. Swikert stated that the permit was because of the "O" and having a lab or pharmaceutical area. Mrs. Schaffer stated that the principal use says "physician services including medical and dental laboratories" and under Conditional Use "retail sales of drugs and specialty medical clinics". She asked if a clinic is something in the future.

Mr. Wall stated that his understanding from Steve Geohegan in Mr. Hayes' office is that they are trying to cover their bases as to what might happen in the future.

Dr. Swikert stated that they are not intending a clinic. One of the offices that might go in does some industrial medicine and has contracted with certain companies for on the job injuries. It is not really considered a clinic -- it is not an emergency room and will not have emergency room facilities. She stated that anytime there is a doctor's office there will sometimes be an ambulance there because sometimes people have heart attacks in the office. She stated that there are several good emergency rooms right down the road.

Counselor Wilson stated that the sale of pharmaceutical drugs might prompt a Conditional Use requirement. If that use was dropped out, it may be that it would not be a Conditional Use. He stated that this can be resolved at the Committee level.

Mrs. Schaffer stated that what she is hearing is that they are not really planning on a clinic or emergency room.

Dr. Swikert stated that when they applied, no one could define for them what a clinic was.

Counselor Wilson stated that if it is agreed that a medical clinic is not involved, Item 3 is retail sales of drugs, which may trigger the Conditional Use requirement. He stated that the term "clinic" is defined on Page 229 under Article 40. The Committee and Staff can review that definition.

Mr. Bailey stated that drug sales will be part of the office building. It will not be a separate entrance or a store. Dr. Swikert agreed.

Mr. Bailey stated that this site is across the road from the Durr development and asked if this access point will be in line with that access. Mr. Wall advised that it is not feasible and the access points would be difficult to line up.

Mr. Bailey stated that the model is white, but it was said that the building would be brick. Mr. Ehmet Hayes stated that the brick would be up to the bottom of the second floor and then there is wood trim and shingles. There would be wood in between the glass.

Mr. Bailey questioned the size of the commercial on U.S. 42. He asked how big the lot is. Mr. Wall stated that it is 425 feet and the commercial is a sliver along the western one-half of the site.

Anna Sharpe showed a picture to Mr. Bailey. The picture was not submitted. Mr. Ehmet Hayes reviewed the zoning with Mr. Bailey.

Mr. Ries asked if there had been any feedback from the residents of Farmview in regard to this development. Mr. Wall replied "none at all". Mr. Ries stated that the residents of Farmview were opposed to the commercial and the density across the highway and this site is closer to them. He stated that he was surprised that there were not more people present from Farmview. He has gotten feedback from them that they are opposed to anything in this area.

Mr. Costello advised that there have been a few phone calls -- one of the people was a patient at this practice and would be able to walk there as it would be closer. There were a few phone calls, but nothing extraordinary.

Mr. Kirby stated that in order to have a decel lane, there also has to be a turn lane. The Transportation Cabinet only approves one length of decel lane of 300 feet, plus a turning lane, which is 450 feet. He stated that

the speed limit is 45 MPH and it tapers down to two lanes, even though it will continue in the future as four lanes. He stated that the Commission would be requiring the applicant to put in 450 feet of additional lane on this highway, which is absurd. Unless the Transportation Cabinet would require it, the Commission would be overburdening the applicant by requiring this.

Mr. Damstrom stated that he believes the speed limit is 55 MPH in that area and, if not, the cars travel much faster than 55 MPH. He stated that without the lane, it would be suicidal -- regardless of the dimensions of the road. Mr. Poindexter stated that the expense would be more than the project can bear.

There being no further comments, Mr. Burch stated that the Committee Meeting for this item will be on May 22, 1995 at 4 P.M. on the second floor of the Administration Building. This item will be on the Agenda for the Business Meeting on June 7, 1995 at 8 P.M. .

Mr. Burch closed this Public Hearing.

APPROVED:

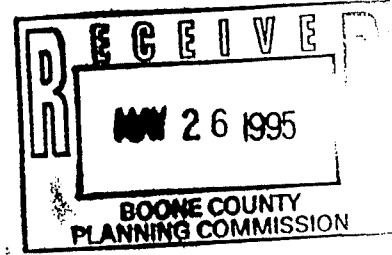
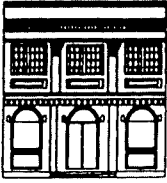
Fred A Burch, Vice Chairman

Attest:

Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

2995 Washington Street, Burlington, KY 41005
606-334-2196 FAX 606-334-2264



May 23, 1995

Mr. Steve Poindexter, Administrator
Primary Care Associates
7211 U.S. 42
Florence, KY 41042

RE: Recommended Conditions of Approval for Zone Change from RS and C-3 to O-1, and Conditional Use Permit to Allow Medical Clinics/Outpatient Services and Retail Sales of Drugs and Proprietary Goods - 2.274 Acre Site on U.S. 42 near Farmview Drive, Boone County, Kentucky

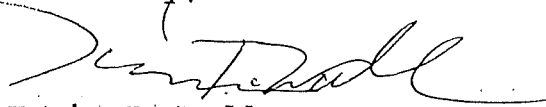
Dear Mr. Poindexter:

The following represents the conditions of approval as agreed by the Boone County Planning Commission's Zone Change Committee. If you, as the applicant agree to the following conditions, please indicate so by signing at the space provided at the end of this letter and returning it to the Planning Commission office by 4:00 p.m., Tuesday, June 6, 1995.

Conditions of Approval

1. The proposed buffer around the non-street frontage boundaries of the site that consists largely of existing trees shall be supplemented with evergreen trees, that are at least 6 feet high at planting, so that a continuous landscape buffer is created.
2. The proposed freestanding sign shall be monument style, architecturally compatible with the building by way of materials, colors, and detailing, and shall not exceed 8 feet in height or 60 square feet in area.

Sincerely,


Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

Mr. Steve Poindexter, Administrator
May 23, 1995
Page 2

Agreement

I, the applicant, agree to the above listed conditions of approval for the requested Zoning Map Amendment from RS and C-3 to O-1, and Conditional Use Permit to Allow Medical Clinics/Outpatient Services and Retail Sales of Drugs and Proprietary Goods - 2.274 Acre Site on U.S. 42 near Farmview Drive, Boone County, Kentucky



Steve Poindexter, Applicant
Primary Care Associates

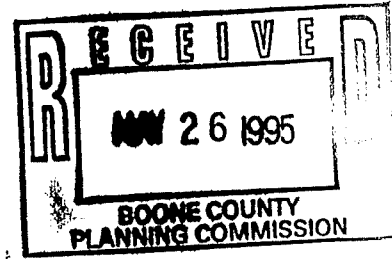
5-25-95
Date

SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005
606-334-2196 FAX 606-334-2264



May 23, 1995

Mr. Steve Poindexter, Administrator
Primary Care Associates
7211 U.S. 42
Florence, KY 41042

RE: Recommended Conditions of Approval for Zone Change from RS and C-3 to O-1, and Conditional Use Permit to Allow Medical Clinics/Outpatient Services and Retail Sales of Drugs and Proprietary Goods - 2.274 Acre Site on U.S. 42 near Farmview Drive, Boone County, Kentucky

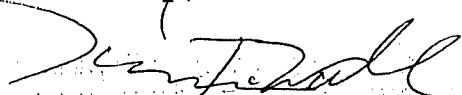
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KTW/vlm

Mr. Steve Poindexter, Administrator
May 23, 1995
Page 2

Agreement

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Steve Poindexter, Applicant
Primary Care Associates

5-25-95

Date

MINUTES
BOONE COUNTY FISCAL COURT
July 18, 1995
5:30 P.M.

Boone County Planning Commission via Resolution No. R-95-026-A. Judge Lucas called for a vote of the motion, Commissioner Patrick voted AYE, Commissioner Meihaus voted AYE, Commissioner Campbell voted AYE, and Judge Lucas ABSTAINED. Exhibit "A"

RESOLUTION NO. R-07-18-95-01 - NORTHERN KENTUCKY ELECTRIC AUTHORITY

Commissioner Meihaus moved, to approve Resolution No. R-07-18-95-01, a resolution of the Boone County Fiscal Court appointing members of the Northern Kentucky Electric Authority. Commissioner Campbell requested this matter be deferred to the next meeting. Commissioner Meihaus withdrew her motion. It was the consensus of the court to defer the matter to the meeting of August 8th.

**ORDINANCE NO. 920.314 - PRIMARY CARE ASSOCIATES OF NORTHERN KENTUCKY
P.S.C./DURR**

Judge Lucas read a summary of Ordinance No. 920.314 and declared a Public Hearing open at 5:54 p.m. Judge Lucas declared the Public Hearing closed at 5:55 p.m. Commissioner Campbell move, seconded by Commissioner Patrick, to approve on Second Reading Ordinance No. 920.314, an ordinance of the Boone County Fiscal Court approving the request of Primary Care Associates of Northern Kentucky P.S.C. (Applicant) for R. C. Durr (Owner) for a Zoning Map Amendment and Conditional Use Permit, such Zoning Map Amendment being a zone change from Commercial Services (C-3) and Rural Suburban (RS) to Office One (O-1) for an approximate 2.274 acre site generally located at U.S. 42 and Farmview Drive, Boone County, Kentucky, as recommended unanimously by the Boone County Planning Commission via Resolution R-95-024-A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "B"

ORDINANCE NO. 920.315 - BERLING/WACO OIL COMPANY

Judge Lucas read a summary of Ordinance No. 920.315 and declared a Public Hearing open at 5:57 p.m. Judge Lucas declared the Public Hearing closed at 6:01 p.m. Commissioner Patrick moved, seconded by Commissioner Campbell, to approve on Second Reading Ordinance No. 920.315, an ordinance of the Boone County Fiscal Court approving the request of James W. Berling (Applicant) for Waco Oil Company (Owner) for a change in an approved Concept Development Plan, with conditions, in a Commercial Two/Planned Development (C-2/PD) zone for lot 3, Centennial Plaza, Boone County, Kentucky, as recommended unanimously by the Boone County Planning Commission via Resolution No. R-95-025-A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "C"

ORDINANCE NO. 710.5 - BOONE COUNTY PARKS

Judge Lucas read a summary of Ordinance No. 710.5 and declared a Public Hearing open at 6:02 p.m. Judge Lucas declared the Public Hearing closed at 6:03 p.m. Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve on Second Reading Ordinance No. 920.315, an ordinance relating to the use of the Boone County Parks and repealing Ordinance No. 710.4. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "D"

ORDINANCE NO. 100.3 - CODE OF ETHICS

Judge Lucas read a summary of Ordinance No. 920.315 and declared a Public Hearing open at 6:04 p.m. Judge Lucas declared the Public Hearing closed at 6:05 p.m. Commissioner Campbell moved, seconded by Commissioner Patrick, to approve on Second Reading Ordinance No. 100.3 an ordinance relating to the establishment of a Code Of Ethics for county officials and employees in Boone County, Kentucky and repealing Ordinance No. 100.2. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "E"