

ZONING MAP AMENDMENT REQUEST BY
LATONIA RACE COURSE, INC. (APPLICANT)
FOR KENTUCKY JOCKEY CLUB (PRESENT OWNER)
FOR PROPERTY LOCATED IN BOONE COUNTY, KENTUCKY

This is a Zoning Map Amendment request by Latonia Race Course, Inc., (applicant) for Kentucky Jockey Club (present owner) to rezone a 128.66 acre tract of land located north of Turfway Road, west of I-75 and directly east of Latonia Race Course, Boone County, Kentucky. The property is currently zoned Recreation (R) and Public Facilities (PF). A request is being made to rezone the property to Suburban Residential Two/Planned Development Overlay (SR-2/PD Overlay), Office Two/Planned Development Overlay, (O-2/PD Overlay), and Commercial Two/Planned Development Overlay (C-2/PD Overlay).

SURROUNDING LAND USES AND ZONING

The surrounding land uses and zoning include Recreation (R) directly west of the site for Latonia Race Course and Public Facilities (PF) southeast and northeast for Booth Memorial Hospital and Marydale Retreat Center. There is a nearby Suburban Residential-One (SR-1) district northwest of the site and Interstate 75 is the eastern border of the site. The existing and proposed land use northeast of the site and across the Boone County and Kenton County border indicates highway commercial, single-family residential, industrial and recreation. The existing and proposed zoning south and southwest of the site includes Office Two/Planned Development Overlay, (O-2/PD Overlay), Commercial Two/Planned Development Overlay, (C-2/PD Overlay) and Industrial One (I-1).

RELATIONSHIP TO COMPREHENSIVE PLAN

The Boone County Comprehensive Plan Land Use map indicates a future land use for this site as commercial and public institutional. This particular tract of land and the general area are referred to in the current comprehensive plan text in a number of ways.

1. Page 3.4 states that "new high density residential development is planned in several locations throughout the County, where a high level of urban services exist or are planned to serve such development. In the existing Florence urban service area, new high density development could occur east of I-75 and north and south of Turfway Road."
2. Page 3.7 discusses the avoidance of highway commercial uses. "The planned interchange of I-75 with Turfway Road is not scheduled for highway commercial uses to avoid congestion from such uses and because ample facilities exist at the KY 18 and Donaldson Road interchanges to the north and south." This has since been modified in the Turfway Study which discussed limited and controlled commercial development.
3. Page 3.8 makes a reference to future Public/Institutional land use. "The Booth Hospital/Camp Marydale area is a large expanse of public/institutional land use north of Florence, which is expected to be maintained."

4. Page 3.12 discusses community development patterns near Houston Road. "This will include industrial development west of Houston Road and professional office development near I-75 and Booth Hospital. The office development is encouraged to take place as a Planned Business Development."
5. The 1980 Comprehensive Plan also mentions the purpose of the new Turfway interchange on Page 4.2. "This interchange would provide regional access to Booth Hospital and commercial and industrial facilities in the area. It would also provide an additional access point to I-75 for the intensely developed Florence area."
6. Page 4.3 discusses the proposed link of Houston Road from KY 18 to Donaldson Highway. "The new Houston Road from KY 18 to Booth Hospital west of I-75 is planned to be continued northeast to tie with Donaldson Highway at Erlanger. This improvement will create an I-75 parallel to the west, reducing traffic loads on the inter-regional facility."

In summary, the Comprehensive Plan suggests that the area surrounding the site is suited for high density residential, office, commercial and industrial uses. The Comprehensive Plan also recommends that the area near the Latonia Park site or namely, Booth Hospital and Camp Marydale be maintained as public/institutional use. Finally, the future use of the Latonia Race Course site is not specifically mentioned in the Comprehensive Plan.

RELATIONSHIP WITH TURFWAY STUDY

Even though the Latonia Park site is not included the Land Use Study, I-75 Turfway Road Interchange, it should be considered in order to analyze the impact of the proposed development on the future land uses in the immediate area. The development of the interchange and the surrounding area either inside or outside of the study area will greatly affect existing and future traffic patterns. The width of Turfway Road (three lanes) is a constraint, which will affect development and traffic patterns in the study area. The Turfway Study stresses that "it is important that the major generators of traffic be located so as to provide for the maximum ease of ingress and egress to the interstate." The interchange must be protected by land use, which generates less traffic and is sensitively integrated into the existing community. The Turfway Study suggested that the property directly across from Booth Hospital be developed in a manner that respects the hospital character and protects the interchange as it relates to the concerns of traffic. The parcel of land directly in front of the Latonia Park site should be developed as commercial use. This site has the potential for major trip generation, which may compete with the Latonia Park traffic, because of its immediate location directly in front of the main entrance to the Latonia Park. As development surrounding the Turfway Interchange begins to occur, it will become increasingly important to limit the intensity of development and the use, which signifies major trip generation.

LATONIA PARK CONCEPT DEVELOPMENT PLAN

The applicant would like to rezone the 128.66 acre site in order to construct a mixed-use development. Development plans consist of the following: a 275,000 square foot hotel, three 80,000 square foot office buildings, one 125,000 square foot office building, one 100,000 square foot office building, one 100,000 square foot commercial building and 496 condominiums. The residential development would include one, two, three and four-bedroom condominiums and a variety of recreational uses such as pools, tennis courts, trails, picnic shelters, basketball and volley-

ball courts and a clubhouse. The commercial development is intended to serve site users and local residents. Space will be leased to multiple tenants for specialty shops, professional services and full service food and drink restaurants. The hotel development would consist of 400 rooms. The office development would include five (5) five-story buildings.

The Planned Development (PD) District is intended to demonstrate a development pattern which preserves and utilizes natural topography, trees and other vegetation and prevent the disruption of natural drainage patterns. In general, the proposed development on the Latonia Park site is well-suited for the existing topography and vegetation. The proposed development is guided around the large groups of trees and existing swales. However, the size of development makes it difficult to pinpoint exactly where the buildings will be located on the site. Details regarding landscaping, grading and erosion control will have to be addressed in the Preliminary Development Plan and the Site Plan. Also, it is difficult to determine the exact amount of open space proposed on the site. The applicant has submitted a summary of proposed land uses and appears as follows:

<u>ZONING</u>	<u># OF ACRES</u>	<u>% OF TOTAL ACREAGE</u>	<u>SIZE OF BUILDING</u>	<u># OF UNITS</u>	<u># OF PARKING SPACES</u>
1. O-2/PD	48.29	37.5	Bldg. A 80,000 s.f.	---	320
			Bldg. B 80,000 s.f.	---	320
			Bldg. C 80,000 s.f.	---	320
			Bldg. D 125,000 s.f.	---	440
			Bldg. E 100,000 s.f.	---	400
			Hotel 275,000 s.f.	---	600
TOTAL	<u>48.29</u>	<u>37.5</u>	<u>740,000 s.f.</u>	<u>---</u>	<u>2,400</u>
2. C-2/PD	9.50	7.4	100,000 s.f.	---	330
3. SR-2/PD	62.25	48.4		496	912
4. Circulation	8.62	6.7	-----	---	-----
TOTAL	<u>128.66</u>	<u>100</u>	<u>840,000 s.f.</u>	<u>496</u>	<u>3,642</u>

The applicant did not include a projection of open space, which is an important element in the Planned Development District. Also, the applicant has been requested to have 500 parking spaces for Building D on the 125,000 square foot office building.

The Latonia Park Concept Development Plan is to be completed in six phases. The principal point of access is off of Turfway Road approximately 100 feet from the Houston Road and Turfway Road intersection. This access point will be the main entrance to the site until it is determined whether there will be a Houston Road extension to Donaldson Highway. The access point is similar to the Mall Road, KY 18 and Houston Road layout, only there is a shorter distance. It is expected that traffic will be "backed up" for those individuals exiting onto the southbound I-75 ramp and proceeding to the Houston Road and Turfway Road intersection. The traffic will then make a left-hand turn onto Turfway Road

and be required to make a quick right-hand turn to the access drive. There is also a possibility of traffic being "backed-up" on Turfway Road when making a right-hand turn into the site. Furthermore, there will be two traffic lights located with 100 feet of one another.

Another significant point is the mixture of residential, commercial and office traffic. Since the Turfway Road access point is the primary entrance to the site, all traffic will be using the boulevard-type access drive for their destinations. If the Houston Road Extension is not completed or is completed later on, this four-lane access drive will be the only entrance and exit point to the site. A potential safety problem might occur if an emergency situation arises. Fire and police vehicles may need to get to the area, while local traffic exits from the site. This could be a major problem during peak traffic hours. The site has one additional curb cut off of Turfway Road and is located west of the proposed main entrance. This curb cut will be used only for the proposed commercial development along Turfway Road.

In regard to traffic in the area, the applicant has submitted a trip generation report (see enclosed report). The report estimates the number of trips generated from potential development on property directly across the Latonia Park site and Booth Memorial Hospital and near the site. The results indicate a maximum of 15,775 trip origins per day in the immediate area. This figure is questionable due to the unknown plans for a portion of abovementioned site. With regard to the Latonia Park site, it is estimated that the proposed development will consist of 6,438 trip origins per day. The report suggests that trip capacity in the area will be expanded and ease traffic flow only if the Houston Road Extension and Turfway Road is widened. Additional traffic from the Turfway Ridge Office Complex and from Turfway Commercial Park will likely mix with the Latonia Park development either from the southbound or northbound I-75 exit/entrance.

The Latonia Park site is located near the Greater Cincinnati International Airport. A letter was received by the Boone County Commission with regard to noise levels and the height of proposed structures (see enclosed letter). The letter, dated November 11, 1985 was submitted by Greater Cincinnati International Airport officials. The letter states that "Latonia Park will be located outside the forecast 65 Ldn noise contour (see enclosed map). The Ldn is the Federal Aviation Administration's standard metric for determining the cumulative exposure of individuals to noise. Typically, according to Airport officials, "all land uses are considered normally compatible with noise levels less than 65 Ldn." Also, it was noted that the Latonia Park site lies within the jurisdiction of the Kentucky Airport Zoning Commission and the maximum height of any structure is limited to an elevation of 1,041 feet above mean sea-level. Under normal conditions, the Planned Development Overlay District allows the Planning Commission the discretion of granting permission to build to a certain height not to exceed an additional 50 percent of the underlying zoning district. The applicant has not pinpointed the exact height of the hotel. The permitted height will be based upon the exact location of hotel, elevation of the area and the height restrictions of the O-2/PD zone in order to comply with the Kentucky Airport Zoning Commission and the Boone County Planning Commission's requirements.

Parking to the proposed development will consist of garages and off-street parking for the residential community. The number of permitted spaces was dis-


cussed earlier in this report. Utilities to the site would involve the extension of existing service. A new 36 inch county sanitary sewer line runs parallel along the west side of I-75. A 12 inch city water line runs along Turfway Road in front of Booth Memorial Hospital. Overhead electric service and underground cable off Turfway is being planned for the site.

According to the 1973 Soil Survey of Boone, Campbell, and Kenton Counties, Kentucky, the soils located on the Latonia Park site are as follows: Jessup silt loam (JeD), Rossmoyne silt loam (RsB), and Rossmoyne silt loam (RsC). These soil types require erosion controls to slow surface runoff and reduce soil loss. In general, they also appear in sloping areas and have a moderate to severe shrink-swell potential.

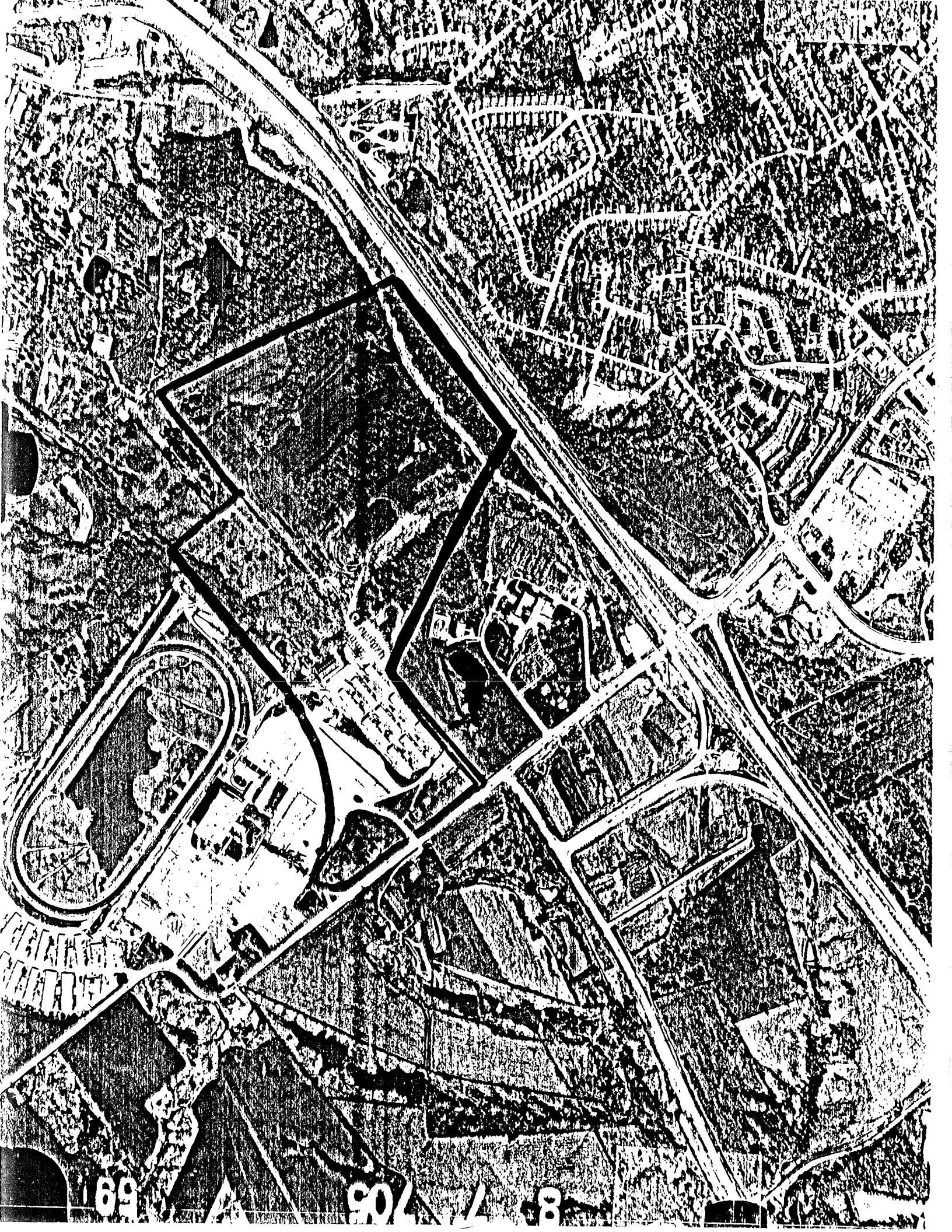
CONCLUSION

In conclusion, the Latonia Park Concept Development Plan indicates a diverse development scheme on an irregularly-shaped parcel of land. Careful site planning, preservation of existing vegetation and proper landscaping among the variety of land uses will make this type of development unique to the Florence area. This large-scaled and intense development should be examined by the Planning Commission in terms of meeting the objectives of the Planned Development District. The Houston Road Extension to Donaldson Highway and the widening of the Turfway Road and I-75 bridge are critical to alleviating future transportation problems in the area. The proposed zone change request would require a change in the Boone County Comprehensive Land Use map from Recreation and Public Facilities to Suburban Residential Two/Planned Development Overlay, Office Two/Planned Development Overlay and Commercial Two/Planned Development Overlay, should the request be eventually granted by the Boone County Fiscal Court. The Comprehensive Plan text would also need to be adjusted on pages 3.4, 3.7, 3.8, 3.12, 4.2, and 4.3.

Respectfully submitted,



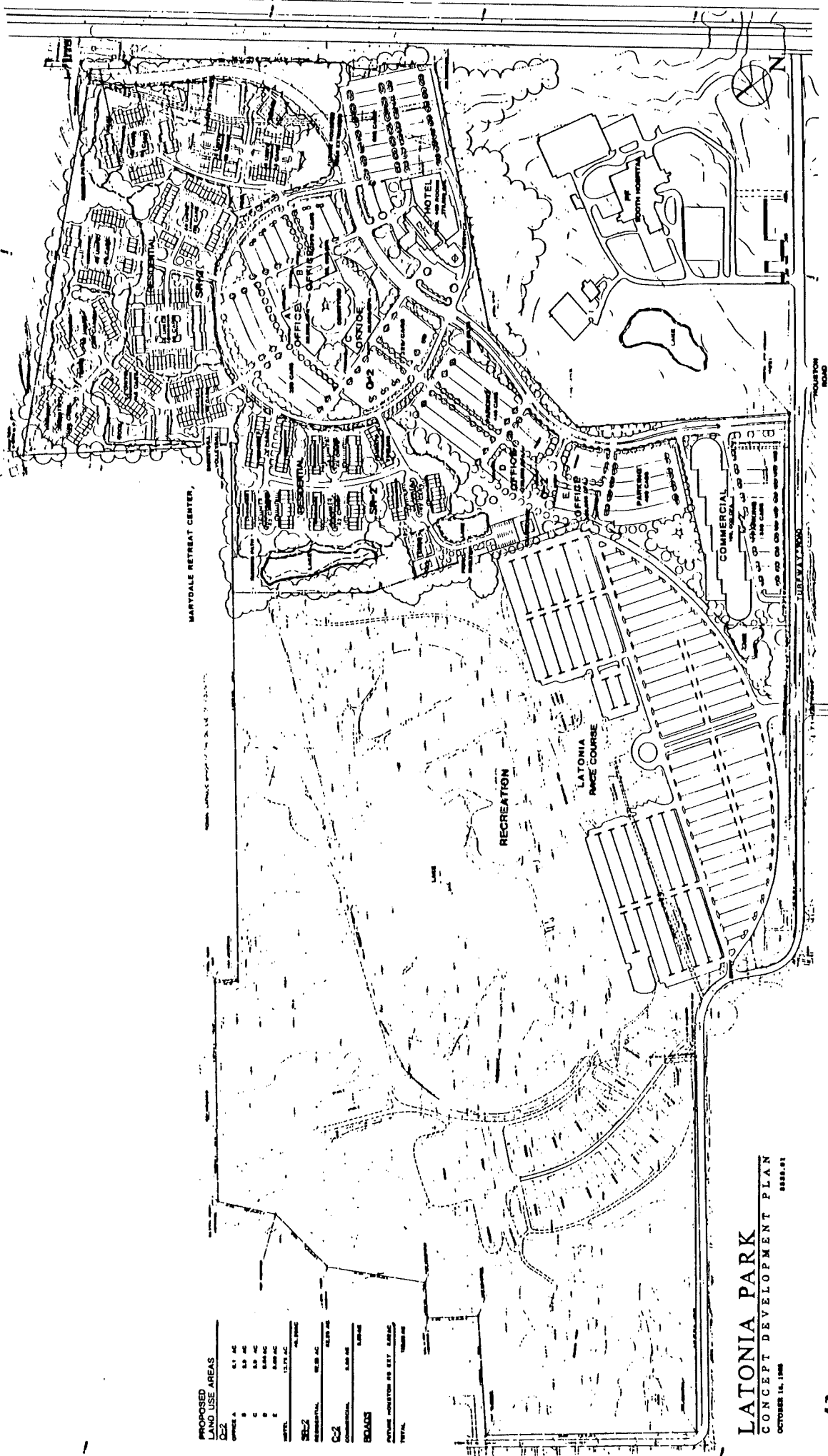
Kevin P. Costello
Senior Planner



169

705

8



PROPOSED LAND USE AREAS

OFFICE	61 AC
OFFICE	58 AC
OFFICE	58 AC
OFFICE	58 AC
OFFICE	58 AC
HOTEL	12.77 AC
RECREATION	88.8 AC
COMMERCIAL	5.88 AC
ROADS	1.88 AC
TOTAL	332.61 AC

LATONIA PARK
 CONCEPT DEVELOPMENT PLAN
 OCTOBER 14, 1988
 8888.81

EVALUATION OF TRAFFIC
FOR
PROPOSED DEVELOPMENT
ON 128.66 ACRE SITE NORTH OF
TURFWAY ROAD AND WEST OF 175

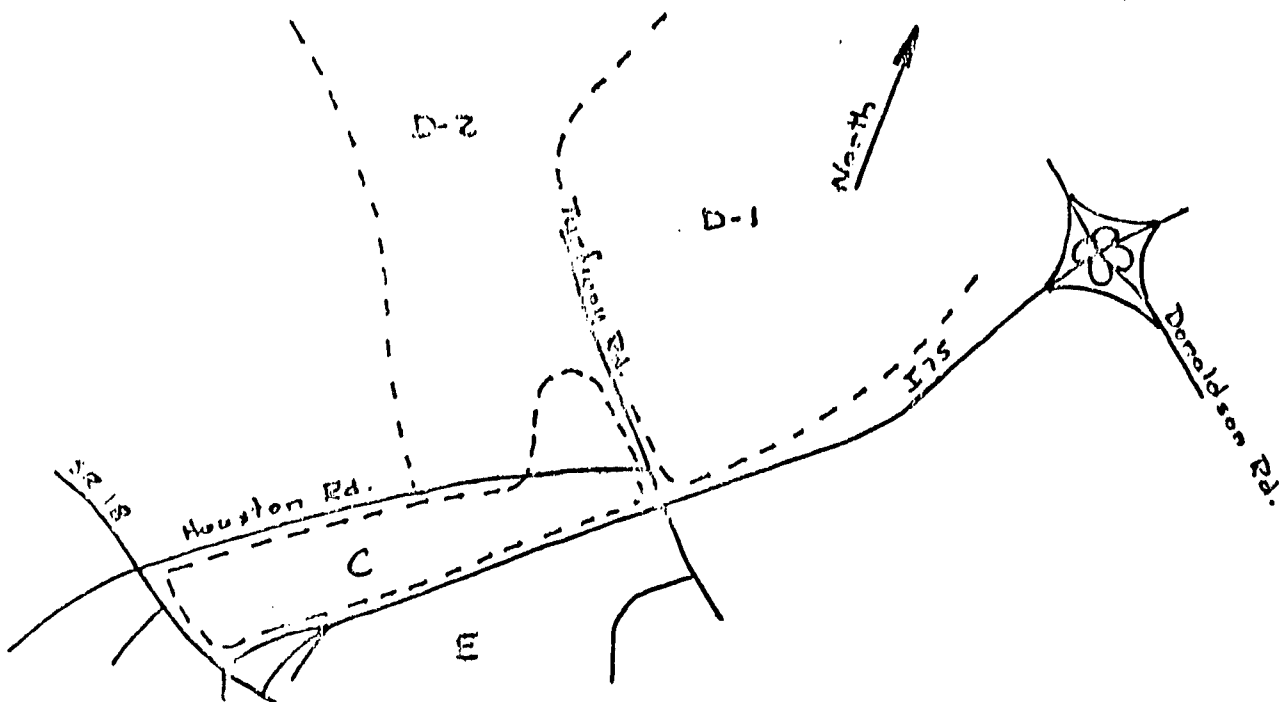
PREPARED FOR:
LATONIA RACE COURSE, INC.

PREPARED BY:
ROBERT S. VOGT AND PARTNERS, INC.
1150 WEST EIGHTH STREET, SUITE 259
CINCINNATI, OHIO 45023

NOVEMBER, 1985

This paper has been written at the request of Mr. Gene Archbold of Carroll Properties for the purpose of evaluating the proposed development of Latonia Race Course, Inc., on a 128.66 acre site that lies just north of the Booth Memorial hospital and immediately west of 175.

To develop the report entitled Land Use Study - 175/Turfway Road Interchange, the entire area along 175 between U.S. 42 and Turfway Road was zoned. The principal zones west of 175 and near to Turfway Road are shown below:



Existing trip origins per day for each zone were estimated and then factored to reflect future trips which could be accommodated at the new Turfway Road interchange and on the existing three lane Turfway Road under the I75 bridges. Existing and future trip origins for the critical zones are summarized below:

<u>ZONE</u>	<u>EXISTING TRIP ORIGINS/DAY</u>	<u>FUTURE TRIP ORIGINS/DAY</u>	
C (North Half)	400	1) Existing Trip Origins	= 400
		2) C-2 Origins = 50 Ac. (275 trip origins/acre) (50% dev.)	= 6,875
		3) O-2 Origins = 16 Ac. (30 trip origins/acre)	= 500
		4) I-1 Origins = 80 Ac. (50 trip origins/acre) (50% dev.)	= 2,000
		TOTAL TRIP ORIGINS	9,775
D-1	3,000	1) 1.2 (3,000 trip origins)	= 3,600
D-2	1,200	1) 2.0 (1,200 trip origins)	= 2,400
		TOTAL TRIP ORIGINS/DAY	15,775

The development proposed by Latonia Race Course, Inc., on the 128.66 acre site is estimated to generate the trip origins per day shown below:

• 500 condo units @ 3.5 trip origins/du.	= 1,750 trip origins
• 500,000 sq. ft. of office - 34.5 acres @ 30 trips per acre	= 1,035 trip origins
• 400 room motel with 400 parking spaces @ 1.5 trip origins/parking space	= 600 trip origins
and restaurant with 200 parking spaces @ 2.2 trip origins/parking space	= 440 trip origins
• 100,000 sq. ft. of commercial on 9.5 acres @ 275 trip origins per acre	= 2,613 trip origins
TOTAL TRIP ORIGINS/DAY	= 6,438

These estimates of trip origins generated by full development of the subject property represent 6,438/15,775 or 40.8 percent of the trip origins which were estimated in the Land Use Study - 175/Turfway Road Interchange to be the maximum number which could be accommodated by Turfway Road under the 175 bridges. Existing development in zones which contribute to the traffic on Turfway Road under the 175 bridges add 4,200 trip origins to the total, and the proposal for a new motel on about seven (7) acres of property, east of Houston Road between the new ramp and Turfway Road, add another 670 trip origins. These existing and proposed uses aggregate to a total of 11,308 trip origins per day which leaves 4,467 unallocated trip origins/day of the maximum total of 15,775 trip origins/day previously estimated.

The remaining capacity for development in Zones C (North Half) D-1, and D-2 (4,467 trip origins/day) could accommodate about 90 additional acres of development similar to that proposed by Latonia Race Course, Inc., or 16 acres of all retail commercial development, or 160 acres of SR-2 residential development or combinations of these various uses before any changes to the existing circulation system would be required. Changes which would increase the capacity for development include:

1. Extension of Houston Road through the subject property to Donaldson Road - this improvement is estimated to divert as much as 40% of the trip origins from the subject site and 25 percent of other existing and proposed development traffic from Turfway Road to Donaldson Road. This would increase the remaining capacity for development from 4,467 trip origins per day to about 8,260 trip origins per day, and the total capacity for development to approximately 19,000 trip origins per day.
2. Reconstruction of the 175 bridges over Turfway Road to increase the width of Turfway Road from its existing three lanes to five or six lanes - this improvement is estimated to increase the remaining capacity for development of the area in Zones C (North Half), D-1, and D-2 from the estimated 4,467 trip origins per day to at least 15,000 trip origins per day and the total capacity for development to approximately 26,000 trip origins per day.
3. Implementation of both the Houston Road extension and the Turfway widening - the combination of these two improvements is estimated to increase the remaining capacity for development from 4,467 trip origins per day to approximately 18,500 trip origins per day, and the total capacity for development to approximately 30,000 trip origins per day. For comparison, full development of Zones C (North Half), D-1, and D-2 was estimated in the Land Use Study - 175/Turfway Road Interchange report to generate approximately 25,000 trip origins per day.

The results of this analysis leads to the conclusion that development of the subject site, as proposed by Latonia Race Course, Inc., could be accommodated today without exceeding the existing capacity for development and will be adequately accommodated in the future as a part of the full development of the area along Turfway Road west of I75, if Turfway Road is widened, and would be accommodated very well if both the Houston Road extension to Donaldson Road and the Turfway widening are implemented.

ESTIMATED TRIP GENERATION
LATONIA PARK
BOONE COUNTY PLANNING COMMISSION

AVERAGE WEEKDAY
VEHICLE TRIP ENDS

LAND USE/BUILDING TYPE

<u>OFFICE</u>	General Office 1,000 gross square feet -465,000 gross square feet (465 x 12.30)=5,720 trips generated	12.30
<u>COMMERCIAL</u>	Specialty Retail Center 1,000 gross square feet -100,000 gross square feet (100 x 40.70)=4,070 trips generated	40.70
<u>RESIDENTIAL</u>	Condominium per occupied unit -496 units (496 x 5.20)=2,250 trips generated (includes 10-15 % vacancy rate)	5.20
<u>HOTEL</u>	Lodging per room -400 rooms (400 x 10.5)=4,200 trips generated	10.50

ESTIMATED TOTAL TRIP GENERATION
16,240

Source: Institute of Transportation Engineers Trip Generation Summary (1983)

RECEIVED

NOV 13 1985

Robert F. Holscher
Director of Aviation
John L. Brockett
Director of Finance
Ted J. Bushelman
Director of Communications
Robert A. Keefe
Director of Planning and Development
Dale M. Keith
Director of Operations

November 11, 1985

Mr. Paul E. Kroger
Chairman
Boone County Planning Commission
P. O. Box 697
Burlington, Kentucky 41005

Dear Mr. Kroger:

The Kenton County Airport Board, which administers the Greater Cincinnati International Airport, wishes to provide comments to the Boone County Planning Commission with respect to the proposed development of Latonia Park.

In 1984, a Master Plan was completed for Greater Cincinnati International Airport. This Master Plan recommended development designed to enable the Airport to handle forecast air traffic levels through the year 2005. One of the recommendations of the Master Plan is the construction of a new Runway 18L/36R to be developed to the east of the existing airfield. This runway was originally in the 1973 Master Plan prepared for the Airport, and is also included as a proposed development on the current Boone County Zoning Map. As a result of the construction and use of this runway, aircraft noise will be generated in the area around the runway. In order to preliminarily determine possible impacts of this proposed runway, aircraft noise contours were prepared. A noise contour is a continuous line on a map of the airport vicinity that connects all points that would be exposed to the same aircraft-generated noise levels. Noise contours for the proposed development were computer-generated, using Version 3.8 of the FAA's Integrated Noise Model for the 65, 70 and 75 Ldn. Ldn represents the 24-hour average sound level in decibels as averaged over a span of one year with an additional 10 decibels added to aircraft sound levels for the periods between 10:00 p.m. and 7:00 a.m. since such sounds are considered more disruptive at night. The Ldn is the FAA standard metric for determining the cumulative exposure of individuals to noise. Typically, all land uses are considered normally compatible with noise levels less than 65 Ldn.

As illustrated on the year 2005 65 Ldn noise contour presented in the Off-Airport Land Use Plan included in the Master Plan Study, the proposed Latonia Park will be located outside the forecast 65 Ldn noise contour. Therefore, the average annual 24-hour aircraft noise levels are projected to be less than 65 Ldn and should be considered compatible.

Mr. Paul E. Kroger
November 11, 1985

Page Two

The site of the Latonia Park Development lies within the jurisdiction of the Kentucky Airport Zoning Commission and the maximum height of any structure is limited to an elevation of 1,041 feet above mean sea level.

Thank you for your cooperation.

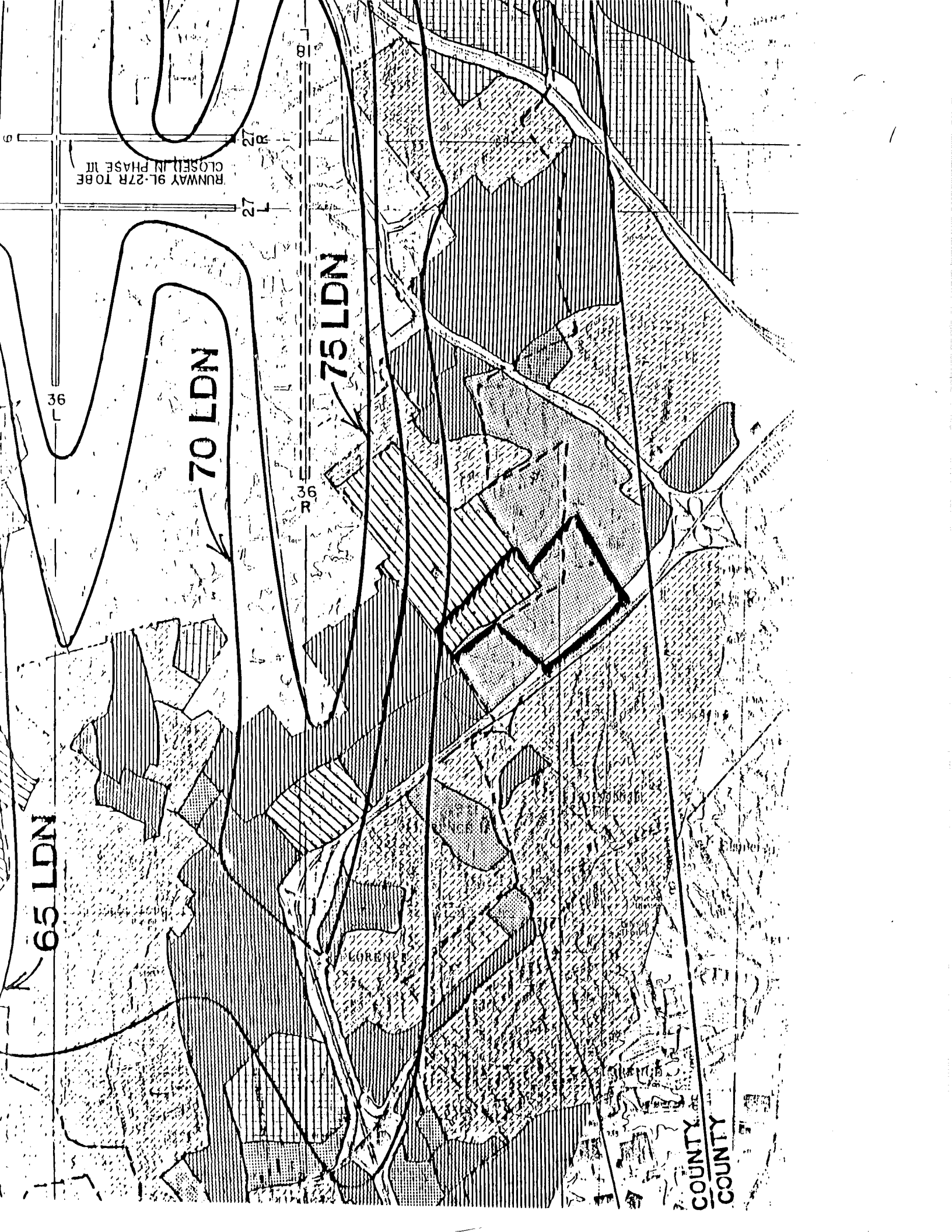
Very truly yours,



Robert A. Keefe
Director of
Planning and Development

RAK/dr

cc: Robert F. Holscher



RUNWAY 9L-27R TO BE
CLOSED IN PHASE III

65 LDN

70 LDN

75 LDN

27

36

36

18

COUNTY OF
COUNTY

CORE

BOONE COUNTY PLANNING & ZONING

PUBLIC HEARING

NOVEMBER 20, 1985 7:00 P.M.

Chairman Kroger opened the Public Hearing on a request of Latonia Race Course, Inc., (applicant) for Kentucky Jockey Club (present owner) for a Zoning Map Amendment to rezone a 128.66 acre tract of land located north of Turfway Road, west of I-75 and directly east of Latonia Race Course, Boone County, Kentucky. The property is currently zoned Recreation (R) and Public Facilities (PF). A request is being made to rezone the property to Suburban Residential Two/Planned Development Overlay (SR-2/PD Overlay), Office Two/Planned Development Overlay, (O-2/PD Overlay), and Commercial Two/Planned Development Overlay, (C-2/PD Overlay).

Staff member Kevin Costello presented a slide presentation of the subject and surrounding area.

Mr. Gene Archbold, Vice-President with Carroll Properties made presentation of the Latonia Race Course request. Mr. Archbold stated the Latonia Park Concept Development Plan had met the requirements set forth in Article 15 of the Boone County Zoning Regulations. Mr. Archbold introduced the staff representing the Latonia Race Course request as followed: Mr. Howard Bruning and Ms. Helen Hatch from the architectural firm of Cooper Carry & Associates, Inc., from Atlanta, GA.; Mr. Steve Baker, Vice-President/General Manager of Latonia Race Course; Atty's. Mike McKinney and Dave Schneider, legal counsel; Mr. Jerry Carroll, Owner; Mr. Jim Viox, Engineer; and Mr. Bob Vogt, traffic expert.

Mr. Steve Baker, representing the current Board of Directors of Latonia Race Course noted his presence and availability for questions.

Ms. Helen Hatch presented the architectural layout of the Concept Development Plan. Ms. Hatch stated the site is divided into areas of development appropriate for the area and is a compatible use of the land in relation to what is around it. Ms. Hatch indicated the areas proposed for office development, recreational development and residential development. Ms. Hatch noted this is a low density development and all units are clustered around landscaped courts with an extensive amount of open space between the

clusters. Ms. Hatch stated parking is provided as required for each unit and a number of recreational facilities are proposed. Ms. Hatch stated the recreational area will be a buffer between the housing and the interstate. Ms. Hatch noted the area backs up to the Marydale Retreat Center which is the most appropriate area for residential use. Ms. Hatch stated a buffer is also provided between the housing and the race track such as lakes and recreational facilities. Ms. Hatch stated within the development will be an office development, hotel development and commercial development. Ms. Hatch indicated the hotel will be located closer to the Booth Hospital side to allow visibility and access from the interstate. Ms. Hatch explained the office development should be clustered so there is a confined area that creates courtyards and people spaces. Ms. Hatch noted the parking is related to each office building as per zoning requirements. Ms. Hatch stated the commercial area is located off Turfway Road where it is appropriate for use by the residents, office, community and race course patrons. Ms. Hatch noted the office use will be day activity, the race track will be evenings and week-ends. Ms. Hatch described the phases of the development: Phase I - Hotel; Phase II - Commercial Development; Phase III - Residential; Phase IV - Office Development; and Phase V - continued housing and two office buildings. Ms. Hatch described the existing topography. Ms. Hatch stated there will be 9 acres of open space within the development.

Mr. Jim Viox noted the major sewer transmission line (the City of Florence built) flows through the site. Mr. Viox noted that connection to the Florence sewer line is available and can be reached by gravity from the entire site. Mr. Viox noted a lift station may be needed on the site but the developers are to sewer the entire site by gravity. Mr. Viox stated water to the property and sewer through the property will be available. Mr. Viox stated the entire water shed flows down to the Dry Creek area and provisions have been made for two lakes to be used for storm water detention. Mr. Viox noted the storm water detention provisions will be detailed at the site plan review stage. Mr. Viox elaborated on future water extension. Mr. Viox stated the water and sewer systems were adequate to support the proposed development.

Mr. Bob Vogt informed the Commission of his involvement with the GBBN traffic study and related he felt the Latonia Race Course development was consistent with the GBBN study. Mr. Vogt stated at the time of the study a series of uses were identified that determined the trip origins out of the area, to the north of Turfway and west of I-75, would generate in the neighborhood of 15,500 trip origins per day. Mr. Vogt noted the GBBN study stated that

15,500 trip origins could be handled by the Turfway Interchange as it existed. Mr. Vogt stated the existing amount of trip origins in the area was 4,800 per day. Mr. Vogt stated the Latonia project in full development would generate approximately 6,600 trip origins per day, so with the development and the existing trip origins per day, the total would be approximately 11,200 trip origins per day. Mr. Vogt elaborated on possible road extensions and future traffic accommodations.

Atty. Dave Schneider requested the comprehensive plan and the zoning regulations be part of the record. Mr. Schneider noted the applicant had met the Boone County zoning requirements. Mr. Schneider requested the right of cross-examination and rebuttal in the event supplemental information was required. Mr. Schneider stated the application was also in agreement with the comprehensive plan.

Mr. Jerry Carroll, Owner, noted the race course's need for improvement. Mr. Carroll described improvement plans for the race course. Mr. Carroll elaborated on the reasons for his purchase of Latonia Race Course. Mr. Carroll explained the need for the hotel development and the quality of the hotel development.

Chairman Kroger requested the staff report be presented.

Staff member Kevin Costello presented a condensed version of the staff report on the proposed development. Mr. Costello explained the relationship between the proposed zoning map amendment and the comprehensive plan. Mr. Costello stated the number of ways the particular tract of land and the general area are referred to in the current comprehensive plan text. Mr. Costello stated the comprehensive plan suggest the area surrounding the site is suited for high density residential, office, commercial and industrial uses. Mr. Costello stated the comprehensive plan recommends the area near the Latonia Park site, Booth Hospital and Camp Marydale be maintained as Public/Institutional use. Mr. Costello noted the future use of the Latonia Race Course site is not specifically mentioned in the Comprehensive Plan. Mr. Costello stated even though Latonia Park site is not located in the Turfway Study it is related in terms of the overall impact per traffic generation in the area. Mr. Costello stated as the development surrounding the Turfway Interchange begins to occur, it will become increasingly important to limit the intensity of development and the use, which signifies major trip generation. Mr. Costello noted the size of the

development makes it difficult to pin point exact building locations and exact amount of open space on the site. Mr. Costello expressed the staff's concerns of the principle point of access off of Turfway Road. Mr. Costello stated the alignment is not direct and most people exiting from the southbound lane of I-75 will make a right-hand turn to Houston Road and then make a quick left-hand turn from Turfway and then an immediate right-hand turn. Mr. Costello stated the pattern is very similar to the Mall Road, KY. 18 and Houston Road pattern. Mr. Costello stated since Turfway Road access point is the primary entrance to the site all traffic will be using the boulevard type access drive for their destinations. Mr. Costello noted there will be peak hours where the residential, commercial, office and hotel traffic will be using the same 4-lane boulevard especially if the Houston Road extension is not completed or completed later on in the proposed development. Mr. Costello stated that with only one point of entrance and exit, in case of an emergency, evacuation becomes a problem since there is no alternative route. Mr. Costello stated the staff had discussed and reviewed the trip generation report as filed by the applicant which stated there will be 6,438 trip origins per day. Mr. Costello noted the staff had done their own independent study and came up with 16,240 trips generated from the development but staff feels there is no standard number. Mr. Costello stated the development is just outside the 65 Ldn noise contour level. Mr. Costello stated the site is within the jurisdiction of the Kenton County Airport Board and the maximum height is 1,041 feet above sea level. Mr. Costello noted the Latonia Park Concept Development Plan indicates a diverse development scheme on an irregularly-shaped parcel of land. Mr. Costello explained preservation of the existing vegetation and proper landscaping will make the development unique to the Florence area. Mr. Costello closed by stating the proposed zone change request would require a change in the Boone County Comprehensive Land Use map from Recreation and Public Facilities to Suburban Residential Two/Planned Development Overlay, Office Two/Planned Development Overlay and Commercial Two/Planned Development Overlay if granted by the Boone County Fiscal Court and the Comprehensive Plan text would also need to be adjusted on pages 3.4, 3.7, 3.8, 3.12, 4.2, and 4.3.

Mr. Robert Keefe, Director of Planning and Development for the Kenton County Airport stated the proposed site lies outside the 65 Ldn and stated the structure height should be limited to 1,040 feet above sea level.

There was no other support, opposition or questions expressed from the audience.

Mr. Hemmer inquired of the existing elevation of the hotel location and what the elevation of the hotel will be.

Mr. Archbold stated since this is still a concept plan exact hotel location is not known at present. Mr. Archbold stated the height of the hotel is approximately 900 feet elevation above sea level.

Mr. Barnett inquired if the request agreed with the Comprehensive Plan.

Mr. Costello responded affirmatively.

Mr. Barnett inquired about surrounding areas of the Booth Hospital/Camp Marydale being Public or Institutional use.

Mr. Costello stated he was referring to Booth Hospital and Camp Marydale as being adjacent to the site.

Mr. Barnett expressed concern of a driveway being placed directly across from Houston Road.

Mr. Gene Archbold responded extensive discussion had been had with the Salvation Army and they had expressed their preference of the driveway being placed directly across from Houston Road.

Mr. Barnett stated Turfway Road is only three lanes. Mr. Barnett inquired if there was future plans to widen Turfway Road.

Mr. Gene Archbold stated not to his knowledge.

Mr. Vogt explained what he meant by actual trip origins and trip destinations. Mr. Vogt stated the actual number of trips in the area was double the amount he had given. Mr. Vogt stated approximately 13,200 volume count in contrast to the 16,000 done by the staff's independent study.

Discussion followed on the sensitivity of the Turfway Overpass.

Mr. Jim Viox elaborated on the plans to extend Houston Road through to Donaldson.

Mr. McMillian inquired if there was a proposed route to extend Houston Road through the proposed development.

Ms. Hatch pointed out on the original drawing the

extension of Houston Road would run through an undeveloped area that had been reserved for the extension.

Mr. Davis noted that in an emergency situation, using the 13,000 figure, approximately 500+ vehicles an hour, would result in one-fourth of that number of vehicles backed up by the time an emergency vehicle could get there. Mr. Davis inquired how anyone would get out from either direction with only one access to the project.

Mr. Jim Viox responded there were several driveways throughout the site that are immediately adjacent to the road around the Latonia Race Course. Mr. Viox pointed out several alternative routes through the interior inter-connecting road system. Mr. Viox stated they would commit to provide an emergency access through the site.

Mr. Davis stated people staying in the hotel, visiting the offices or the condominiums would not have any idea there would be alternative routes.

Mr. Jim Viox noted in the case of an emergency there would be someone directing traffic who had knowledge of the alternative access points.

Mr. Neltner inquired into the probability of the Kentucky Department of Highway financially backing the extension of Houston Road through the site within a reasonable amount of time.

Mr. Jim Viox stated it happens to be part of the Kentucky Department of Highway's plan for future improvement to the area.

Chairman Kroger inquired of how much traffic the site's area can stand at present without any improvements.

Mr. Vogt stated at 15,000 trip origins per day and still have the Turfway Interchange working satisfactorily.

Chairman Kroger inquired if minor improvements were made to the bridge abutment or the Turfway Underpass and if Houston Road were extended to Donaldson what would the figure then be.

Mr. Vogt stated if the extension was made to the north the total capacity would be 19,000 trip origins per day.

Chairman Kroger inquired of the distance of the access road from the current Houston Road, west.

Mr. Vogt responded approximately 200 feet.

Mr. Bauman, Director of Marydale stated Marydale was not very happy with the possibility of a road going through the property.

Mr. Collins inquired of the saturation point of the bridge on Turfway.

Mr. Vogt stated the amount of trips to the west was 15,500. Mr. Vogt noted the Latonia project will generate 6,500 trip origins per day.

Mr. Delong inquired if the commercial development would consist of quick-food shops, etc., generating more high volume traffic.

Mr. Archbold stated they are after quality tenants and noted the zoning ordinance does not allow drive-thru or take-out food through the window.

Mr. Delong expressed concern of SR-2 housing being too close to the neighbors to the north and requested more concern be given to that particular area.

Mrs. Smith inquired if the proposed property lies within the City limits of Florence.

Mr. Archbold responded it did not, it is unincorporated Boone County.

Mr. Neltner inquired if the dark green area on the plan by I-75 is treed and if Houston Road is extended will the treed buffer be wiped out.

Mr. Archbold stated yes and there will be fewer trees as it presently stands.

Chairman Kroger inquired if Phase II is the construction of the hotel.

Mr. Archbold responded the first phase is the hotel and Phase II will be the commercial development.

Chairman Kroger stated the type of hotel is the key to the quality of the development and the Commission will make a recommendation to the Fiscal Court on the project. Chairman Kroger inquired if the quality of the hotel is not available immediately what then are the intentions.

Mr. Jerry Carroll responded they have been working on the hotel deal for the past three and a half months. Mr.

Carroll stated the hotel chain had spent numerous days in Northern Kentucky making sure Northern Kentucky can prove to them it is a location for a quality hotel. Mr. Carroll elaborated on what type of area the hotel chain is looking for. Mr. Carroll stated the hotel they are wanting for the site is a Marriott.

Mr. Johnny Demuzzio, Manager of Camp Marydale stated there is a natural flow in a creek coming directly from the race track property that runs into a lake on their property which recently cost approximately \$50,000.00 in improvements. Mr. Demuzzio inquired if there would be a detention lake built above the area to stop all the erosion and debris flowing into the lake and destroying recent improvements.

Mr. Jim Viox stated a sedimentation pond will be made part of the site plan review on the particular watershed.

Atty. Dave Schneider stated this is a Concept Development Plan and they have followed the Boone County Zoning Regulations. Mr. Schneider stated there will be an additional site plan review submitted which is in agreement with the Comprehensive Plan.

Chairman Kroger stated the December 4, 1985 meeting will be the Commission's review on the request.

Chairman Kroger hearing no further questions or comments closed the Public Hearing.

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING MINUTES

DECEMBER 18, 1985 8:00 P.M.

Chairman Paul Kroger called the meeting to order.

Roll call was taken by staff member Dee Ann Brewer. 15 members present. All staff members present. Atty. Dale Wilson was also present.

The Minutes of the Business Meeting and Public Hearing of December 4, 1985 were considered.

Mr. Barnett moved the Minutes be approved as reviewed. The motion was seconded by Mr. Viox. After discussion, the motion carried unanimously.

Administration

Chairman Kroger inquired if there were staff salaries for the previous two-week period to be paid. Staff member Dee Ann Brewer stated staff salaries for the previous two-week period of \$3,531.90 were to be paid.

Mr. Jones moved staff salaries for the previous two-week period be paid as presented. The motion was seconded by Mr. McMillian.

Chairman Kroger noted correspondence had been received from C.W. Henne; Mr. James Schaffer; O.K.I.; and the Greater Cincinnati Airport. Chairman Kroger stated the correspondence would be discussed at the end of the meeting.

Reports

Chairman Kroger noted the Planning Commission's Budget Comparative for the month ending November 30, 1985. Chairman Kroger noted there would be no Zoning Enforcement Officer's report. Chairman Kroger stated the Director's Report would also be discussed at the end of the meeting.

Hearing no comments or questions on the abovementioned report Chairman Kroger proceeded to the items on the Agenda.

UNFINISHED BUSINESS:

Zoning Map Amendment

The request of Latonia Race Course, Inc., for a zone change to property located on Turfway Road, Boone County, Kentucky. The 128.66 acre tract is currently zoned Recreational, R and Public Facilities, PF. The request is to change the zoning to Suburban Residential Two/Planned Development Overlay, SR-2/PD Overlay, Office Two/Planned Development Overlay, O-2/PD Overlay and Commercial Two/Planned Development Overlay, C-2/PD Overlay.

Staff member Kevin Costello briefly described the location of the request. Mr. Costello stated the plan proposal was to provide a variety of land uses. Mr. Costello noted the proposed project would include five office buildings, a motel, 494 condominiums and a 100,000 square foot commercial building. Mr. Costello described the location of the office buildings. Mr. Costello stated the commercial building would be located off of Turfway Road adjacent to the existing Latonia Race Track. Mr. Costello stated I-75 runs parallel to the property and Booth Hospital is located adjacent to the property and Marydale Retreat Center is located just above the race track. Mr. Costello noted was concerns pertaining to the access off of Turfway Road as well as providing some type of emergency exiting from the proposed site. Mr. Costello stated there was some concern of mixing residential, commercial and office traffic within the development. Mr. Costello noted at the last meeting the applicant had requested to defer action on the request based upon addressing concerns addressed at the Public Hearing and Mr. Costello noted that as a result the applicant had rendered a new drawing which showed the 4-lane boulevard was moved approximately 100 feet from the original submitted Concept Development Plan. Mr. Costello explained instead of the distance being 200 feet from the center of Houston Road to the 4-lane boulevard it would now be 300 feet. Mr. Costello explained the access drive that was only to serve the commercial building was kept in its exact location, but stated, however, the building was moved slightly to the right and the access drive was proposed to go around the Latonia Race Track's parking lot and to serve as an emergency access incase an emergency happened on the site. Mr. Costello noted another change because of the secondary access going up to the development, namely the offices, the arrangement of the two offices were different, originally they were located pointing toward Booth Hospital and now the arrangement is more people oriented, it now has a courtyard and the parking arrangement is somewhat different. Mr. Costello stated the Zone Change Committee had met with the applicant and the Committee had submitted a Committee Report.

Assistant Director, Gerald Newton read the Committee Report which stated the Committee recommended approval of the zone change request from Recreational, R and Public Facilities, PF to Suburban Residential Two/Planned Development Overlay, SR-2/PD Overlay, Office Two/Planned Development Overlay, O-2/PD Overlay and Commercial Two/Planned Development Overlay, C-2/PD Overlay for the 128.66 acre site. Mr. Newton stated Committee also recommended approval in

principle of the Concept Development Plan as amended as discussed below. Mr. Newton stated approval was based on the following findings of fact and subject to the following reservations and conditions: The Boone County Comprehensive Plan suggests that the area surrounding the site was suited for high density residential, office, commercial, and industrial uses. Page 3.12 more specifically states that "office development is encouraged to take place as a Planned Business Development". The Committee believes that this planned development is in agreement with the plan's text; Although the Latonia Park site is not included in the Land Uses Study, I-75 Turfway Road Interchange, the Committee recognizes that this proposed development will impact that interchange in terms of land development, employment and traffic. Therefore, the Committee recommends that the condominium units be reduced from 494 to no more than 400 dwelling units. This will lessen traffic congestion and provide an increase in open space on the site; Further, the Committee recommends that the applicant construct the entire four-lane boulevard indicated on their concept development plan from Turfway Road to the Marydale/Latonia Park property line. A commitment to construct the entire boulevard will ultimately lessen traffic both within the site by allowing additional access to the residential development and through the area; The Committee agrees in principle with the concept of a boulevard to service the entire development but has reservations as to its connection with Turfway Road and a secondary drive. The Committee agrees with the modified location of the boulevard but would ultimately prefer a direct alignment with Houston Road. If an arrangement can be made with the property owner of that parcel of land, the committee recommends that the change in the concept development plan be made to reflect the new alignment and it be treated as a minor change as long as no changes occur with regard to the intensity and general location of either structures or parking and land use of the approved concept development plan; The Committee also wishes to emphasize that the secondary drive into the site be constructed as identified in the amended concept development plan along the side of this parcel to provide an alternative entrance/exit for residents in this area; The Committee recommends that the applicant submit a final revised concept development plan reflecting the items and conditions stated above on the most recent concept development plan shown to this committee on December 12, 1985. Mr. Newton stated the Committee wishes to point out that any change in the concept development plan would need to be brought before the Technical Committee to determine whether it is a minor or major change to the plan. Mr. Newton closed by stating any alteration deemed to be a major change would require a new application and public hearing.

Chairman Kroger inquired who would be speaking in behalf of the request.

Atty. Dave Schneider with the law firm of Ziegler & Schneider noted he would speak in behalf of the request.

Mr. Davis moved the request of Latonia Race Course, Inc., for a zone change to property located on Turfway Road, Boone County,

Kentucky from Recreational and Public Facilities to Suburban Residential Two/Planned Development Overlay, Office Two/Planned Development Overlay and Commercial Two/Planned Development Overlay be approved based upon the staff and engineer's reports. The motion was seconded by Mr. Barnett.

Mr. Delong stated reservations in dealing with Turfway Road and the interchange. Mr. Delong stated he felt it would be very dangerous and felt a longer delay on the request may result in having the two parties agree on a solid entryway connecting Houston Road to the proposed development. Mr. Delong noted it may be a major problem with the proposed plan.

Mr. Greene expressed concern of the density of the proposed development and noted he would like to see something different developed on the site instead. Mr. Greene stated he does not see how the traffic would get through the proposed area. Mr. Greene stated he felt the Commission should really look at the proposed plan before committing to a project of such size.

Mr. Collins stated the Commission's concern in the Turfway Study had always been the traffic through the bridge on Turfway. Mr. Collins stated if a development of monumental nature such as the one being proposed goes through then the subject of traffic on Turfway never be brought up again on any other project that comes up because he felt the Commission would have destroyed the whole purpose.

Mr. Neltner requested the section of the Committee Report on the boulevard be read again.

Mr. Newton read: "Further the Committee recommends that the applicant construct the entire four-lane boulevard indicated on their concept development plan from Turfway Road to the Marydale/ Latonia Park property line. A commitment to construct the entire boulevard will ultimately lessen traffic both within the site by allowing additional access to the residential development and through the area".

Mr. Neltner noted the Committee Report indicated the applicant should continue to try to acquire the parcel of ground that would allow a direct hook-up with Houston Road. Mr. Neltner inquired if the applicant began their project and began construction of the entry road as it is on the map and the property becomes available and it becomes possible for the applicant to purchase the property, would the committee report obligate the applicant at that point to tear up the road presently there and realign it.

Chairman Kroger inquired how the Committee Report read in terms of availability of that access.

Mr. Newton read: "The committee agrees with the modified location of the boulevard but would ultimately prefer a direct alignment with Houston Road. If an arrangement could be made with the

property owner of that parcel of land, the committee recommends the change in the concept development plan be made to reflect the new alignment and it be treated as a minor change as long as no changes occur with regard to the intensity and general location of either structures or parking and land use of the approved concept development plan."

Mr. Neltner inquired if the applicant had agreed to what was written within the committee report.

Atty. Schneider stated yes the applicant agreed to the report if the applicant came back before the Commission with actual development plans which would be a concept development plan and if the applicant is at that stage of development when the parcel of land becomes available.

Mr. Major Lyons stated there had been discussion in regards to the parcel of land and noted Booth Memorial Hospital would also be developing a project on their property at Houston and Turfway section. Mr. Lyons noted it was agreed in principle to the best interest of everyone that Turfway does the extension.

Mr. Delong inquired if Mr. Lyons meant he was favorable to the project and believed the project would go through Booth Memorial Hospital's property.

Mr. Lyons stated the Board in New York would have to make all final decision. Mr. Lyons explained even with the existing traffic problems the hospital does have problems with the entrance being located at the particular proposed site but the hospital was intending to build a medical office. Mr. Lyons stated it would be to everyone's advantage for Houston Road to be extended into the proposed project.

Mr. Neltner inquired since the applicant had agreed to reduce the number of condominium units whether the applicant would reduce the number of buildings or whether keep them spaced the way they are but put fewer units within the buildings.

Mr. Jim Viox, engineer representing the proposed development stated the plan is a concept development plan. Mr. Viox explained he was not sure if the Commission could count the number of units on the plan but the number would be the number represented on the descriptive concept. Mr. Viox stated the applicant would be coming back with a final plan of the area that was intended for development and the applicant would conform to the 400 units indicated in the committee report.

Mr. William Viox stated he would abstain on the issue for reasons of professional affiliation with the request.

A roll call vote was taken on the motion.

Ayes: Messrs: Barnett, Burch, Collins, Davis, Greene, Hemmer, Jones,

Martin, McMillian, Neltner, Slusher, Mrs. Smith and Chairman Kroger.

Nays: Mr. Delong.

Abstain: Mr. Viox.

After further discussion, the motion carried.

Chairman Kroger noted the request had been approved for recommendation to the Boone County Fiscal Court for final action. Chairman Kroger informed the applicant to keep in touch with Fiscal Court for the date and time when the request would be heard.

Mr. Jerry Carroll, Principal owner of the proposed development informed the Commission there would be a Marriott on the site.

Zoning Map Amendment

The request of Gartner, Burdick, Bauer-Nilsen (GBBN) for Turfway Development Company (owner) to construct a mixed use development just south of the northbound I-75 exit ramp and west of KY 18. The site is divided into two parcels of land. The 4.33 more or less acre parcel is currently zoned Commercial Services, C-3 with an attached, approved Concept Development Plan. A request is being made to rezone the 4.33 more or less acre parcel from Commercial Services, C-3 to Commercial Services/Planned Development Overlay, C-3/PD Overlay. The remaining 50.57 more or less acre parcel is zoned Commercial Services/Planned Development Overlay, C-3/PD Overlay, Office Two/Planned Development Overlay, O-2/PD Overlay and Suburban Residential Two/Planned Development Overlay, SR-2/PD Overlay, all with an approved Concept Development Plan. A change in the approved Concept Development is being requested.

Chairman Kroger noted correspondence received from C. W. Henne in relation to the Turfway Development Company and also correspondence from Mr. Bruce Crutcher, Sr. Vice-President of Henne Development Company stating more time would be necessary for the concept review committee and the Planning & Zoning Commission as a whole to gain a full understanding of the proposed concept development plan. Mr. Crutcher noted Henne Development Company could better benefit with additional time to better understand staff and committee's comments regarding the proposed plan. Mr. Crutcher requested deferral of the concept development plan at the meeting of December 18, 1985 and also waived the established time frame of 60 days for receiving a decision from the Commission.

Assistant Director, Gerald Newton read the Committee Report which stated the Committee recommended deferral based upon staff and engineer's reports.

Mr. Jones moved the request of GBBN, applicant for Turfway Development Company, owner, to construct a mixed use development just south of the northbound I-75 exit ramp and west of KY. 18 be deferred

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Don Davis, Chairman

DATE: December 18, 1985

RE: Request of Latonia Race Course, Inc., for a zone change to property located on Turfway Road, Boone County, Kentucky. The 128.66 acre tract is currently zoned Recreational, (R) and Public Facilities, (PF). The request is to change the zoning to Suburban Residential Two/Planned Development Overlay, (SR-2/PD Overlay), Office Two/Planned Development Overlay, (O-2/PD Overlay), and Commercial Two/Planned Development Overlay, (C-2/PD Overlay).

We, the committee, recommend approval of the zone change request from Recreation (R) and Public Facilities (PF) to Suburban Residential Two/Planned Development Overlay (SR-2/PD Overlay), Office Two/Planned Development Overlay (O-2/PD Overlay), and Commercial Two/Planned Development Overlay (C-2/PD Overlay) for the 128.66 acre site. Committee also recommends approval in principle of the Concept Development Plan as amended as discussed below. Approval is based on the following findings of fact and subject to the following reservations and conditions:

The Boone County Comprehensive Plan suggests that the area surrounding the site is suited for high density residential, office, commercial, and industrial uses. Page 3.12 more specifically states that "office development is encouraged to take place as a Planned Business Development". The committee believes that this planned development is in agreement with the plan's text.

Although the Latonia Park site is not included in the Land Uses Study, I-75 Turfway Road Interchange, the Committee recognizes that this proposed development will impact that interchange in terms of land development, employment and traffic. Therefore, the Committee recommends that the condominium units be reduced from 494 to no more than 400 dwelling units. This will lessen traffic congestion and provide an increase in open space on the site.

Further, the Committee recommends that the applicant construct the entire four-lane boulevard indicated on their concept development plan from Turfway Road to the Marydale/Latonia Park property line. A commitment to construct the entire boulevard will ultimately lessen traffic both within the site by allowing additional access to the residential development and through the area.

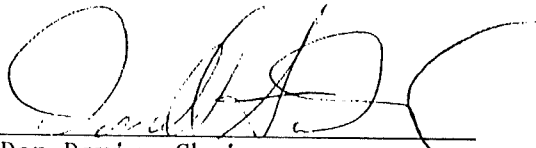
The committee agrees in principle with the concept of a boulevard to service the entire development but has reservations as to its connection with Turfway Road and a secondary drive. The Committee agrees with the modified location of the boulevard but would ultimately prefer a direct alignment with Houston Road. If

an arrangement can be made with the property owner of that parcel of land, the committee recommends that the change in the concept development plan be made to reflect the new alignment and it be treated as a minor change as long as no changes occur with regard to the intensity and general location of either structures or parking and land use of the approved concept development plan.

The Committee also wishes to emphasize that the secondary drive into the site be constructed as identified in the amended concept development plan along the side of this parcel to provide an alternative entrance/exit for residents in this site.

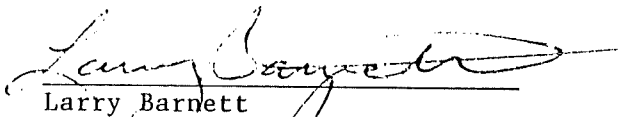
The Committee recommends that the applicant submit a final revised concept development plan reflecting the items and conditions stated above on the most recent concept development plan shown to this committee on December 12, 1985.

Finally, the Committee wishes to point out that any change in the concept development plan will need to be brought before the Technical Committee to determine whether it is a minor or major change to the plan. Any alteration deemed to be a major change will require a new application and public hearing.

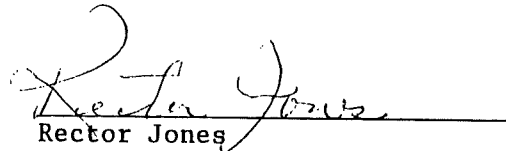


Don Davis, Chairman

Melvin Delong



Larry Barnett



Rector Jones



Fred Burch

~~William V. Cox~~

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM RECREATIONAL AND PUBLIC FACILITIES TO SUBURBAN RESIDENTIAL TWO/OFFICE TWO AND COMMERCIAL TWO - PLANNED DEVELOPMENT OVERLAY FOR PROPERTY LOCATED ON TURFWAY ROAD - A 135.25 ACRE TRACT AS REQUESTED BY LATONIA RACE COURSE, INC. AND AS RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING & ZONING COMMISSION VIA RESOLUTION NO. (R-1-86) WITH STIPULATION (CONDITION) RE: EGRESS/INGRESS TO BE INCLUDED AND ATTACHED.

WHEREAS, the Boone County Fiscal Court received a request from the Boone County Planning & Zoning Commission for a Map Amendment for a zone change from Recreational and Public Facilities to Suburban Residential Two/Office Two and Commercial Two/Planned Development Overlay for certain real estate which is more particularly described below, and;

WHEREAS, the Boone County Fiscal Court has recognized the conducted Public Hearing by the Boone County Planning Commission, serving as a due process trial-type hearing, and its findings of fact recommending approval of the zone change request, and;

WHEREAS, the Fiscal Court of Boone County, Kentucky, deems it necessary to enact this Ordinance, to preserve and protect the health, safety and convenience of the inhabitants of Boone County pursuant to the Fiscal Court's authority under KRS 67.083 and Chapter 100 of the Kentucky Revised Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE BOONE COUNTY FISCAL COURT AS FOLLOWS:

SECTION I

That the zone change for the real estate which is more particularly described below shall be and is hereby approved and adopted, this map amendment being a zone change from Recreational and Public Facilities to Suburban Residential Two/Office Two and Commercial Two/Planned Development Overlay. The real estate which is the subject of this zone change recommendation is more particularly described as follows, to wit:

See attached legal description which is incorporated by reference as if fully set out herein.

(ATTACHMENT - EXHIBIT "A")

SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning & Zoning Commission, as set forth in its Minutes and official records for this zone change request, shall be and are hereby incorporated by reference if fully set out in this Ordinance except as amended by the Fiscal Court relative to egress/ingress as appears on the attached exhibit which is incorporated by reference as if fully set out herein.

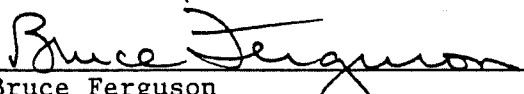
(ATTACHMENT - EXHIBIT "B")

(ATTACHMENT - EXHIBIT "C")

THAT, this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

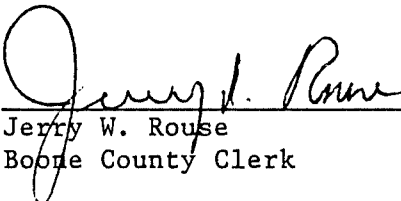
Introduced, seconded and given first reading on the 21st day of Jan., 1986.

Adopted by the Fiscal Court of Boone County after second reading at a regular meeting on the 18th day of Feb., 1986, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Boone County Fiscal Court Clerk and declared to be in full force and effect.



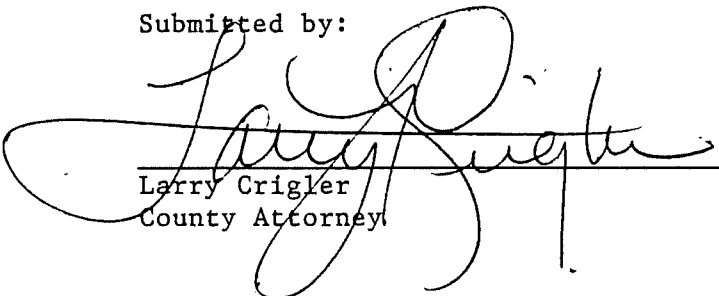
Bruce Ferguson
Boone County Judge/Executive

ATTEST:



Jerry W. Rouse
Boone County Clerk

Submitted by:



Larry Crigler
County Attorney

03/13/86
(DATE PUBLISHED)