

06-2MA-031-A

APPLICATION FORM

OCT 4 2006

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project: Park West International
2. Location of Project: 2392 Graves Rd.
3. Total Acreage of Site: 1.098 ac
4. Current Zoning of Site: RSE
5. Proposed Zoning (Classification being requested): I-1
6. Proposed Uses (please specify each use): Industrial
7. Names of Applicant(s): Industrial Developments International
8. Address of Applicant(s): 100 East Rivercenter Blvd., Ste. 550, Covington, Ky 41011
9. Name of Property Owner(s): Donald & Evelyn Holt
10. Address of Property Owner(s): 2392 Graves Rd., Hebron, Ky 41048
11. Proposed Building Intensities (please specify): Less than 75,000 SF/acre
12. Are there any existing buildings on the site? 3 to be demolished
13. Deed Book: 203, Page No.: 10, Group No.: 2006
14. Are you also applying for: NO Conditional Use Permit, NO Dimensional Variance
15. Have you submitted a Concept Development Plan? Yes
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Yes Boone County Water District
N/A Florence Public Services Dept.
Yes Duke Energy
Yes Sanitation District #1
Yes Cincinnati Bell
N/A Owen Electric Cooperative, Inc.
Yes Boone County Public Works Department
N/A Kentucky Transportation Cabinet
N/A Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)

(over)

EXHIBIT

“A”

STAFF REPORT

Request of **Industrial Developments International (applicant)** for **Donald Holt and Evelyn Holt (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre tract located at 2392 Graves Road, Boone County, Kentucky. The request is for a zone change to allow the expansion of an existing industrial park.

November 15, 2006

REQUEST

This application proposes to change the existing zoning classification from Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre site adjacent to an approximate 400 acre industrial park and "intended to be developed as a location for distribution center and office/warehouse use or other uses allowed in the current I-1 zoned site adjacent to this proposed land in Park West." Lot 16C is currently 21.36 acres and may increase to 30.82 acres with the addition of the Krebs and Holt properties. The submitted Concept Development Plan proposes alternate sizes for Buildings N1 and N2. Shown in plan form is Building N1 at 184,000 square feet and Building N2 at 404,800 square feet for a total of 588,800 square feet for a building intensity of 19,104 square feet/acre. Noted on the plan is another alternative with Building N1 at 160,000 square feet and Building N2 at 510,000 square feet for a total of 670,000 square feet for a building intensity of 21,739 square feet/acre. The Industrial One (I-1) zone permits a maximum building intensity of 25,000 square feet per acre. Potentially, 770,500 square feet of building coverage could be requested for a 30.82 acre site zoned Industrial One (I-1). The applicant is requesting the flexibility in building intensity up to the 25,000 square feet per acre permitted in the Industrial One (I-1) zone.

SITE HISTORY

The Park West International Industrial Subdivision has been through the Zoning Map Amendment process in 1989, 1998 and 2006.

A Public Hearing was held on August 16, 2006, for the request of Aloysius B. Krebs and Gwendolyn M. Krebs for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for an 8.361 acre site located at 2370 Graves Road to allow the expansion of the Park West International Industrial Subdivision. The Boone County Planning Commission recommended approval with conditions by a unanimous vote (11/0) to the Boone County Fiscal Court. A copy of the signed condition letter has been attached to this Staff Report. The Fiscal Court had first reading on October 17, 2006, with second reading scheduled for November 21, 2006.

ADJACENT LAND USES AND ZONING

- North: The 8.361 acres (currently owned by Krebs) awaiting second reading by the Fiscal Court in order to be zoned Industrial One with an approved Concept Development Plan (I-1/CD).
- East: Park West International Industrial Subdivision zoned Industrial One with an approved Concept Development Plan (I-1/CD).
- South: Properties owned by the Graves Family Trust (12.13 acres) and Qualls (3.06 acres) zoned Rural Suburban Estate (RSE).
- West: Properties across Graves Road owned by Lageman (8.58 acres) and Williams Properties LLC (3.77 acres) zoned Rural Suburban Estate (RSE).

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Industrial" (I) uses. This designation is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses." It is important to note that the Future Land Use Map is a 25 year projection, and is not intended to commit all areas to development immediately. In some areas, phasing may be used to make sure development is supported by infrastructure, and in others development may be delayed until planned infrastructure is provided.

The Land Use Element text makes the following statement that relates to this area (Hebron Area, page 154):

"Acreage next to the interstate, at Graves Road, is appropriate for high-profile office uses in order to take advantage of visibility to interstate traffic and to provide a transitional use between the business park development to the east and residential uses to the west."

The Business Activity Element (page 66) refers to this area by stating:

"Property on the north side of KY 20 and near existing and planned Airport runways should be developed with a planned combination of industrial and office uses if existing and future land uses are property buffered from adjoining uses. The area surrounding the Airport and Airport property should be closely examined to explore industrial and office development opportunities."

The Future Land Use Development Guidelines contain the following statements:

- A. 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 the County as a whole, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," pg. 140).
- B. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system ("Access Management," pp. 141 and 142).
- C. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways, and functional classifications must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets.

Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but should provide connections to adjoining uses where appropriate ("Transportation and Pedestrian Network," pg. 142).

The adopted Goals and Objectives include the following pertinent statements.

- A. Proper planning is achieved through accepted land use management tools and coordination with public infrastructure ("Overall," Goal).
- B. Boone County shall be viewed as an integral part of the Cincinnati Metropolitan Area ("Overall," Objective 1).

- C. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- D. Proper design principles shall be applied in development ("Overall," Objective 3).
- E. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed ("Overall," Objective 4).
- F. The needs of Boone County's population are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- G. Boone County's development policies shall provide equal opportunity for the establishment of a balanced population regardless of age, race, or socio-economic status ("Population," Objective).
- H. New development or redevelopment within Boone County is designed, constructed and operated in such a way that the quality of the existing physical environment and social environment are enhanced. Development within Boone County preserves and promotes a better quality of life ("Environment," Goal).
- I. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used. Residential development design in particular should minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Physical Objective 2).
- J. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).
- K. Compact, efficient development patterns shall be encouraged for business districts (e.g. industrial, commercial and office) with appropriately sized and well maintained buffer spaces between the business use and other land usages ("Business Activity," Objective).

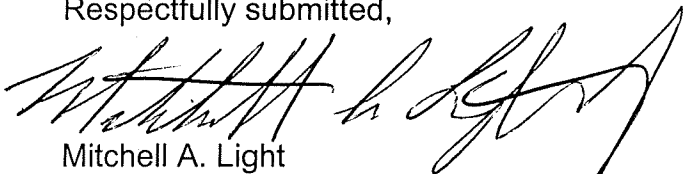
STAFF COMMENTS/CONCERNS

1. The applicant is requesting the flexibility in building intensity up to the maximum 25,000 square feet per acre permitted in the Industrial One (I-1) zone. The applicant has provided scenarios that range from 19,104 to 21,739 square feet per acre. Staff does not feel that this site can support 770,500 square feet of building coverage with the required buffering.
2. Concern about the view from Graves Road prompted a condition on the requested Zoning Map Amendment for the Krebs property. Cross sections were provided for the Committee and were attached to the Committee Report. A copy of the conditions and cross sections have also been attached to this Staff Report.

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 2001-02 Boone County Zoning Regulations and the potential impacts on the existing and planned uses in the area.

Respectfully submitted,

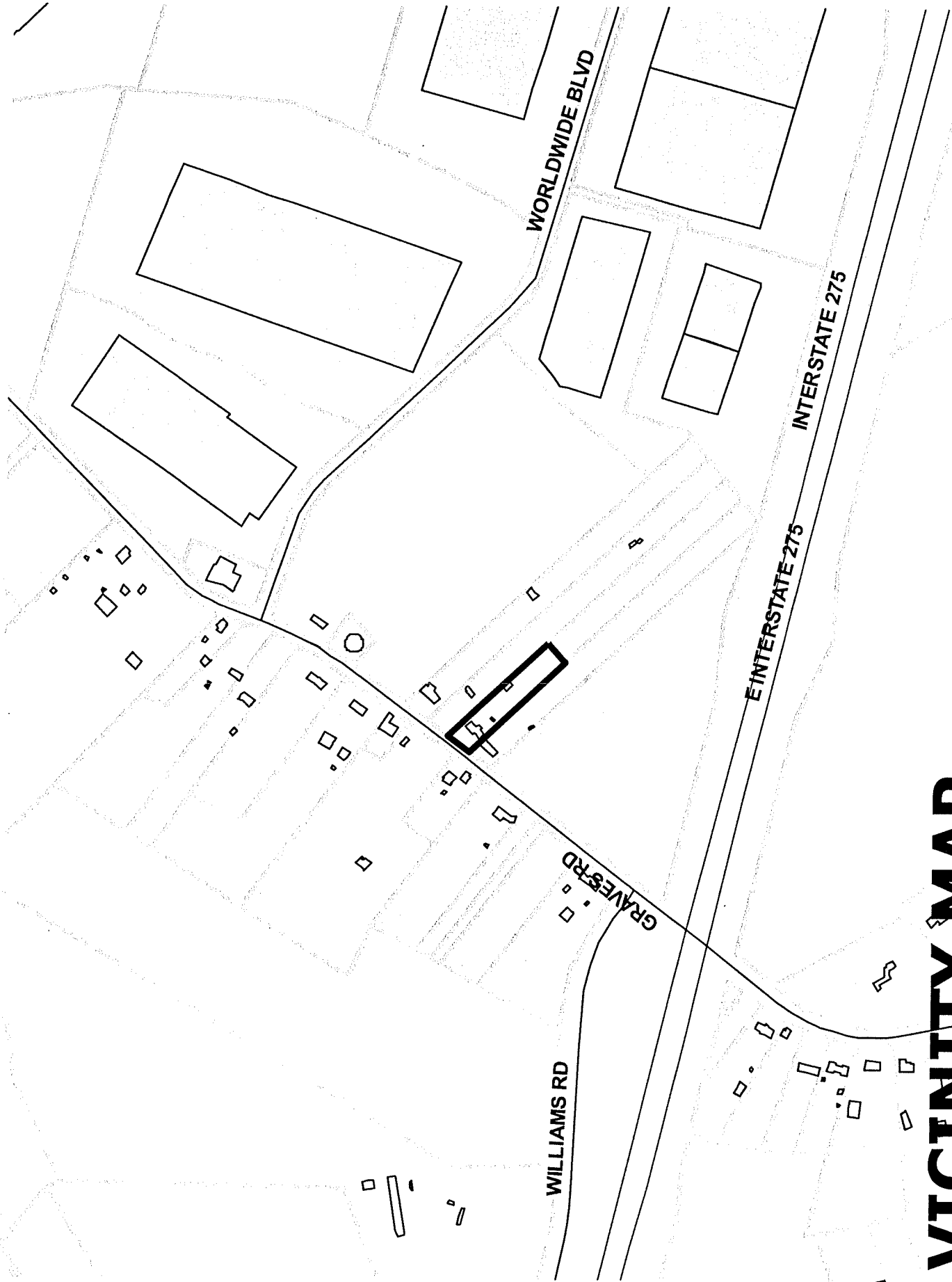


Mitchell A. Light
Asst. Zoning Administrator/Enforcement Officer

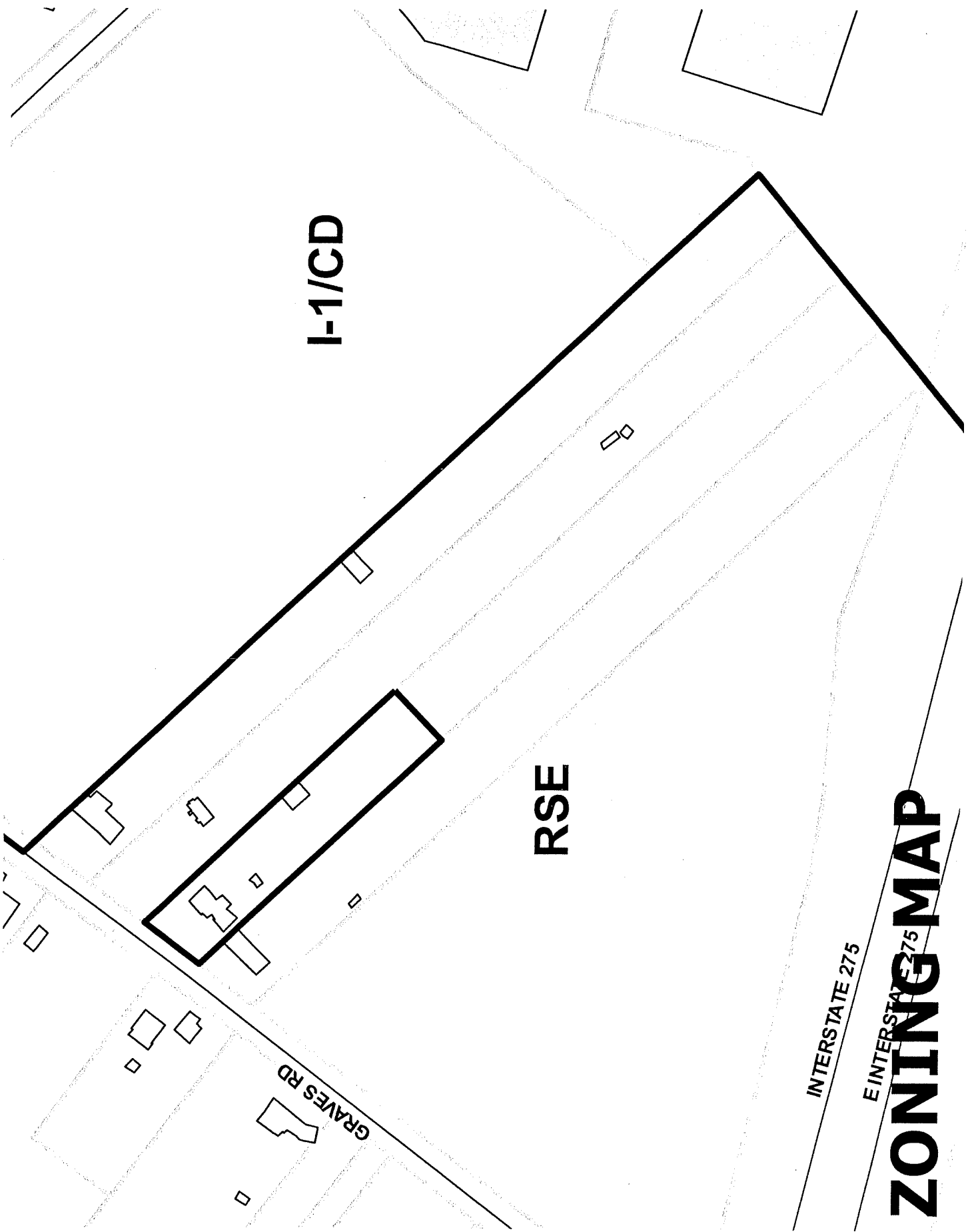
MAL/pr

attachments:

- Vicinity Map
- Zoning Map
- 2030 Future Land Use Map
- Existing Topography
- 2004 Aerial Photography
- Concept Development Plan
- Proposed Building Elevation
- Request
- Signed Condition Letter Dated September 11, 2006
- Application



VICINITY MAP



I-1/CD

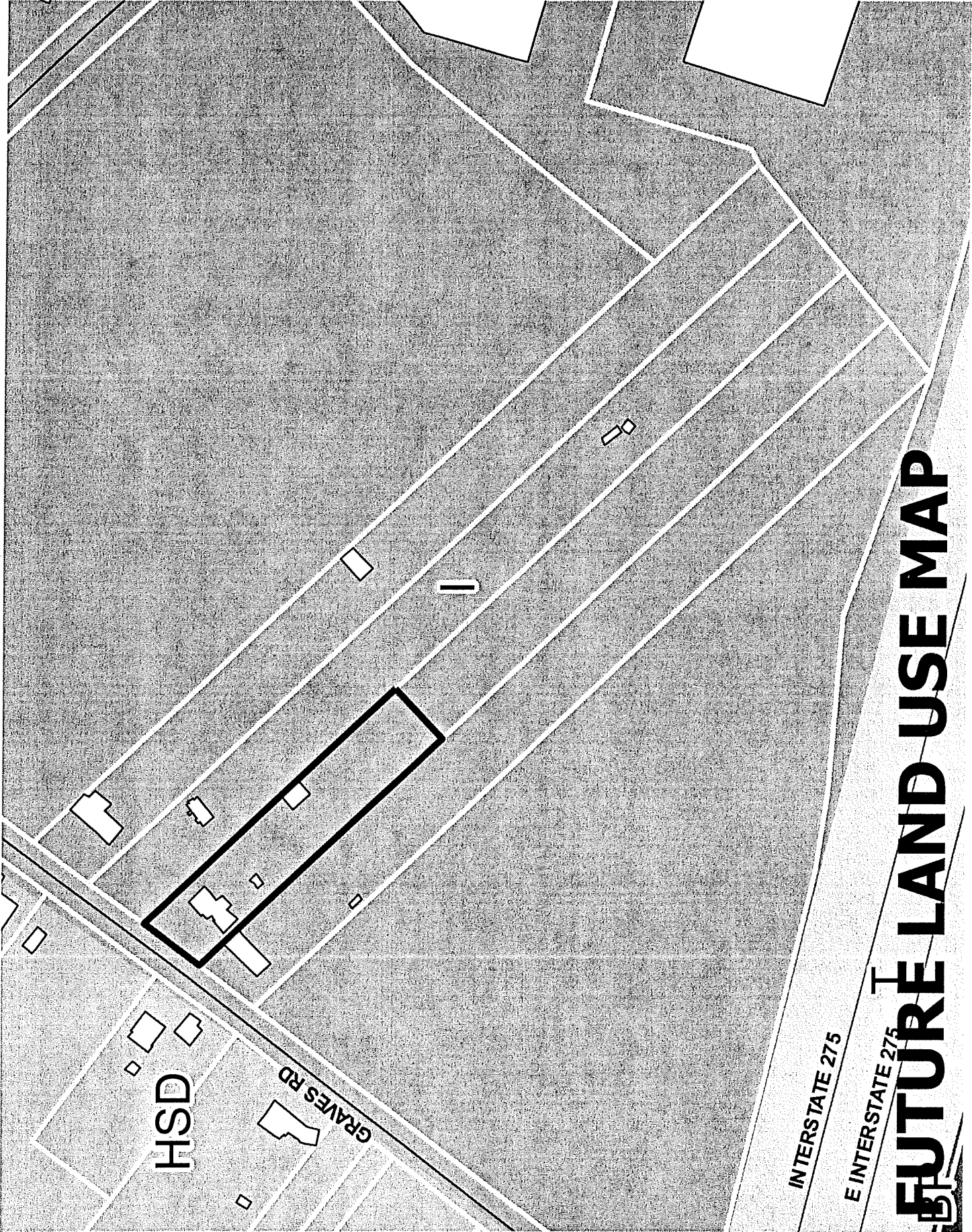
RSE

GRAVES RD

INTERSTATE 275

E INTERSTATE 275

ZONING MAP



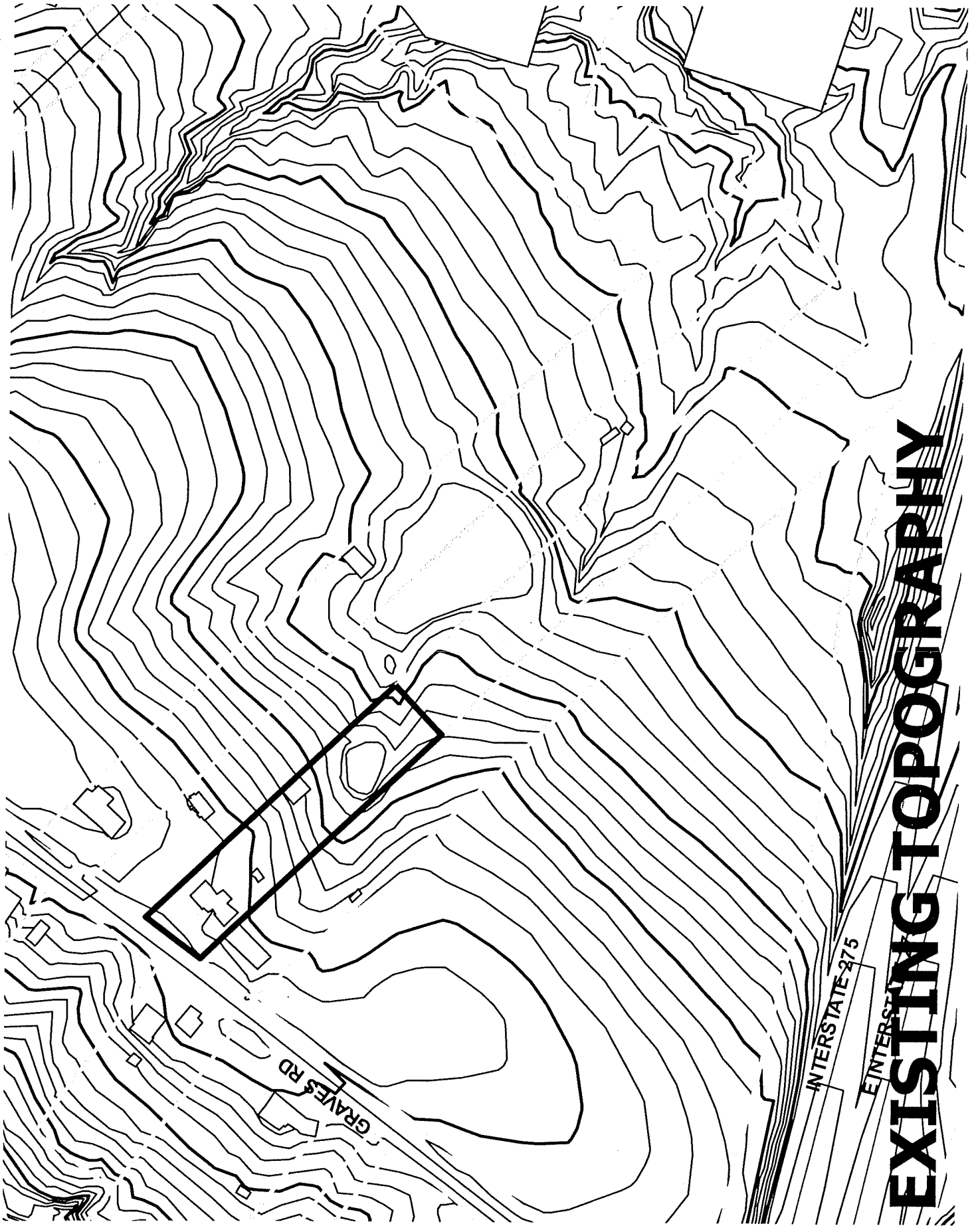
HSD

GRAVES RD

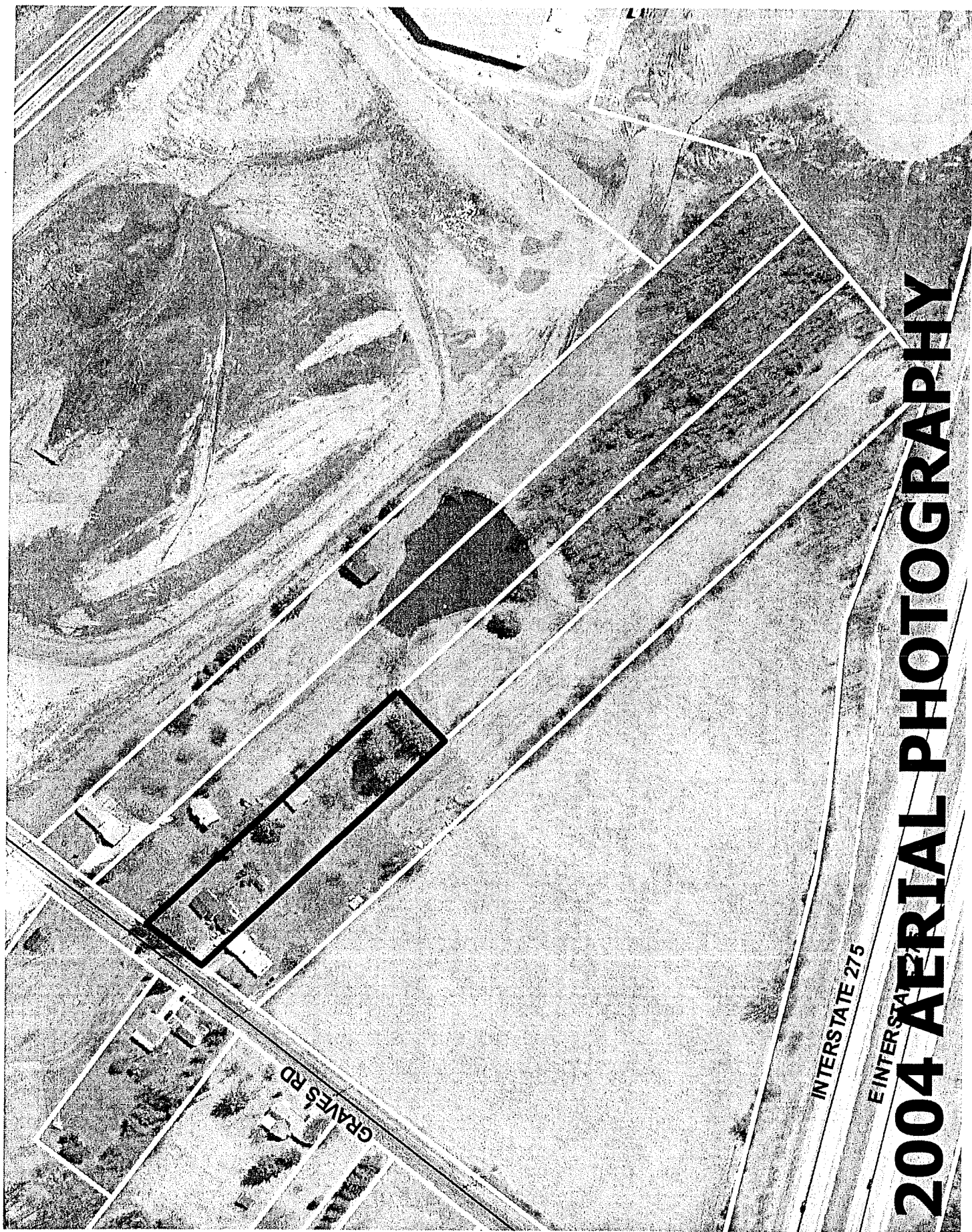
INTERSTATE 275

E INTERSTATE 275

FUTURE LAND USE MAP



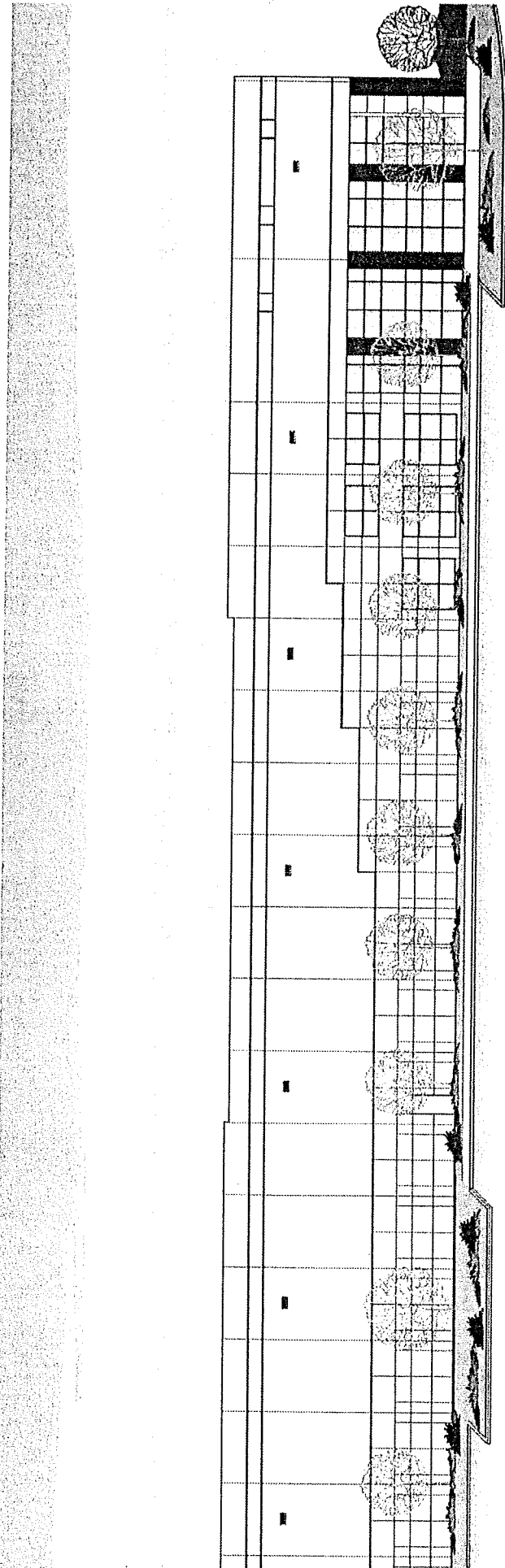
EXISTING TOPOGRAPHY




2004 AERIAL PHOTOGRAPHY

INTERSTATE 275

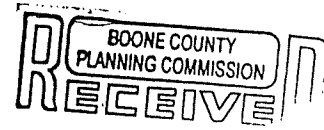
E INTERSTATE 275



PARK WEST INTERNATIONAL - Building N2
 HEBRON, BOONE COUNTY, KENTUCKY


 P
 100 East Pine Center Blvd.
 Columbia, KY 40301
 Phone: 502-233-7800
 Fax: 502-233-7800

CLARISEY•FRANK
 ARCHITECTS
 100 East Pine Center Blvd.
 Columbia, KY 40301
 Phone: 502-233-7800
 Fax: 502-233-7800



OCT 4 2006

October 3, 2006

Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005

RE: Proposed Zoning Map Amendment adjacent to Park West and Krebs Land
On Land currently owned by Ms. Evelyn Holt (Donald and Evelyn Holt per deed)

Ladies and Gentlemen:

This Request for a Zoning Map Amendment is hereby submitted on behalf of the Owner, by IDI as Applicant, for a parcel of approximately 1.11 acres located in western Boone County. The parcel lies on the east side of Graves Road at 2392 Graves Road and consists of Lot 2 of the Holzfoerster Estate Subdivision. The proposed Zoning Amendment would add this 1.11 acres to the existing I-1/CD District, which would create, along with the pending requested Krebs property rezone, a seamless zoning district with the existing 388 acre Park West and add less than 0.25% more I-1/CD land to the District.

The proposed parcel is currently zoned RSE. IDI, as Applicant, is requesting a Zoning Map Amendment to change this designation to an Employment District Category, I-1/CD. The site is intended to be developed as a location for distribution center and office/warehouse use or other uses allowed in the current I-1/CD zoned site adjacent to this proposed land in Park West.

The site meets two of the criteria that may be used to ascertain whether a parcel is eligible for a Map Amendment and will conform to the Comprehensive Plan. Those criteria are:

1. This Map Amendment is in agreement with both the past and the current Boone County Comprehensive Plan, which shows this land to be slated for industrial uses in the long range Land Use planning map.

The Plan also states that "Employment opportunities shall be encouraged for the citizens of Boone County" and indicates that industrial uses should occur in this subject area north of I-275, west of SR 237 and east of Graves Road. The Park West development, including this additional land, will approach 6.2 million square feet of high-quality buildings and tenants within them. This translates to



Boone County Planning Commission

June 28, 2006

Page 2

approximately \$250,000,000 of real estate value created by IDI alone, and a very large investment by the tenants in operations and equipment, as well. The businesses at Park West occupy facilities that have been estimated to provide as many as 2300 to 2800 jobs in Boone County. It is important that this available land north of I-275 and east of Graves Road be rezoned to allow further job producing industrial development in this well defined highway interchange industrial area within the County.

2. The existing zoning classification of RSE for this 1.11 acre tract is inappropriate and the proposed zoning classification of I-1/CD is more appropriate. The agricultural/residential use no longer befits the rather small area of land left between the I-275 Freeway, the existing 388 acre Park West I-1/CD Zone and bounded on the west by Graves Road. The Road forms a recognized natural boundary between the existing and proposed industrial land uses to the east of the road and the increasingly more dense residential uses to the west of the road. The proposed southward extension of the industrial uses already in existence in Park West is a natural evolution of land use and zoning. The Request for a Zoning Map Amendment is based on the fact that due to the existing adjacent land use and the given current boundaries of Park West, the site is more suited for the uses indicated in I-1/CD than for its current use as residential. The current Boone County Land Use Plan shows this site has long been determined to be eventually converted to industrial use. Therefore, the current zoning of RSE use is not compatible with the long range development of this sector of the I-275/SR 237/Graves Road area of the interchange.

Park West has been highly lauded nationally as a Commonwealth of Kentucky industrial development of the highest quality and success. This proposed extension to the Park West development by IDI will be planned and executed with the same high-quality of design and construction as the existing Park West. This site, along with the Krebs site, would become part of the current Lot N, as shown on the Park West Concept Plan, and would be developed with aesthetically pleasing industrial buildings in a business-park-like setting characterized by landscaped entrances, boulevard-width main street, large green spaces, landscaped buffers along the perimeter with other current land uses and consistent architectural and signage themes. The proposed building density on this land will average approximately 16-20% less than the 25,000 SF/acre allowed by the zoning code in an I-1 District in Boone County.

The design standards for the proposed development will be substantially in-line with the Section 1609 Design Standards utilized by the County for Employment Planned Development Districts.



Boone County Planning Commission

June 28, 2006

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Height and placement of the buildings will continue to be well thought out on this parcel. Architectural style and building design will be unified and of high-quality industrial construction similar to the rest of Park West. Elevations of buildings have been studied and planned in an attempt to balance the cut/fill work on this site and to be presentable from public ways. Paved areas will meet all Boone County standards and have landscaped islands, trees and shrubs around the buildings and especially near their entrances. Landscaped areas will be created on the north and west perimeters to soften the impact of offsite viewing from the existing public roads. A Buffer C planting area is proposed along Graves Road and the adjoining property to the south, per the requirements of the current zoning code. Landscaping throughout will be of high-quality and will be reflective of Park West themes. The use of street trees, irrigation and street lighting will be extended along Worldwide Boulevard at no cost to the County. The existing park signage theme will be continued to preserve the visual order of the park and allow this site to integrate well with adjacent similar uses. Utilities will be fed as physically and economically as possible from existing underground lines from Park West. Storm water protection will be designed per current storm water regulations of the County for both individual sites and the overall Park West master storm water plan. Transportation and vehicular access will be designed to encourage smooth traffic flow and connections to Worldwide Boulevard. The proposed added land will add an extremely small percentage of existing traffic to the area and no truck traffic to Graves Road. The other existing roadways will have no problem absorbing this very minor traffic addition.

In conclusion, IDI requests that this proposed Zoning Map Amendment be granted on the basis that it meets the criteria for such an amendment. The use is a compatible addition to the existing Park West International development zoning. This additional I-1/CD land will provide further desirable development to meet Boone County needs and will add to the overall financial well-being of the County and its residents.

Yours truly,

Applicant

IDI

A handwritten signature in black ink, appearing to read "KW Smith", written in a cursive style.

Kenneth W. Smith

VP/Regional Development Officer



BOONE COUNTY PLANNING COMMISSION

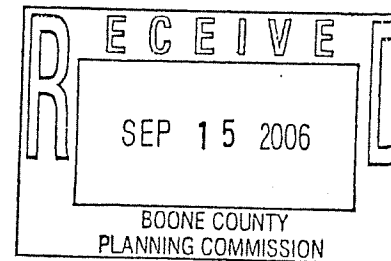
www.boonecountyky.org/pc
www.boonecountygis.com

Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264
plancom@boonecountyky.org

September 11, 2006

Mr. Kenneth W. Smith
Industrial Developments International
100 East RiverCenter Boulevard
Suite 550
Covington, KY 41011



RE: Request of **Industrial Developments International, Inc. (applicant)** for **Aloysius B. Krebs and Gwendolyn M. Krebs (owners)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for an 8.361 acre site located at 2370 Graves Road, Boone County, Kentucky. The request is for a zone change to allow an expansion of an existing industrial park (Park West International).

Dear Mr. Smith:

The following represents the conditions of approval for the above referenced application as recommended by the Planning Commission's Zone Change Committee at their September 6, 2006 meeting. If you, as the applicant, agree with these conditions, please indicate by providing the signatures of the property owners, as well as your own, in the spaces provided at the end of this letter, and return the original letter to the Planning Commission office by Friday, September 15, 2006.

CONDITIONS

1. The property owner agrees that the perimeter buffering shall follow the conceptual buffer sections presented at the September 6, 2006, Zone Change Committee meeting relative to the buffer layout and building elevations (buffer plans and cross sections are attached). The landscape area along Graves Road, which has a noted width of eighty feet (80') on the Concept Development Plan, will contain berming which is as high as practical based on the topography and good engineering practices while maintaining a 3:1 maximum slope. This buffer will consist of plantings per the Buffer Yard C from Article 37 of the zoning regulations. The evergreen trees will be concentrated to the south along Graves Road and along the top of the berm. This berm will run the entire length of the property along Graves Road except where broken by the Boone-Florence Water Commission property and will be reviewed as part of the required Major Site Plan conducted by the Planning Commission staff.

Mr. Kenneth W. Smith
September 11, 2006
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2. The property owner agrees that the lighting fixtures will be located below the view line from Graves Road. A photometric plan shall be submitted with the Major Site Plan application to show that the lighting fixtures will be shielded and cast downward to prevent light pollution and light spilling onto the neighboring properties. Measurable light shall be less than 1 foot candle at all property lines. The applicant will submit at least two (2) lighting plan options to insure that this condition is met.
3. The property owner agrees that there will be no overnight truck "idling" permitted in the area between Graves Road and the west side of proposed Building N2.

Sincerely,

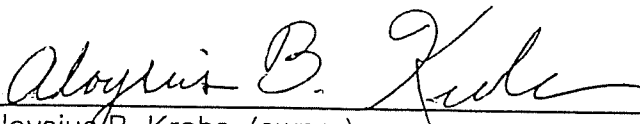


Mitchell A. Light
Assistant Zoning Admin/Enforcement Officer

MAL/pr

AGREEMENT

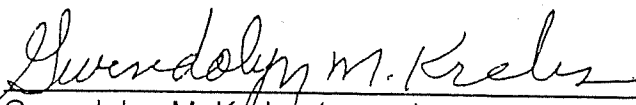
We, the property owners and applicant, do hereby agree to the recommended conditions of approval stated above for a Zoning Map Amendment Rural Suburban Estates (RSE) to Industrial One (I-1) for an 8.361 acre site located at 2370 Graves Road, Boone County, Kentucky. The request is for a zone change to allow an expansion of an existing industrial park (Park West International).



Aloysius B. Krebs (owner)

9/14/06

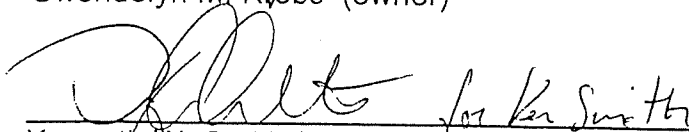
Date



Gwendolyn M. Krebs (owner)

9/14/06

Date



Kenneth W. Smith (applicant)

9/14/06

Date

ARLINGHAUS, LLC
D.B. 908, PG. 571
59.66 AC.
TREETOP ESTATES

HEBRON FIRE
PROTECTION DISTRICT
D.B. 816, PG. 73

MARC W. LA MAR &
MARIANNE
D.B. 687, PG. 104
0.88 AC.

FAY WHALEY
D.B. 234, PG. 112
4.32 AC.

ROY A. SMITH
D.B. 678, PG. 749
2.26 AC.

JESSE J. & MARIAN I. MOBLEY
D.B. 366, PG. 18
3.18 AC.

LAWRENCE BARNES, JR.
D.B. 486, PG. 207
6.32 AC.

KING & SONS, INC.
D.B. 803, PG. 97
0.35 AC.

PAUL & SANDRA LAGEMAN
D.B. 908, PG. 714
7.58 AC.

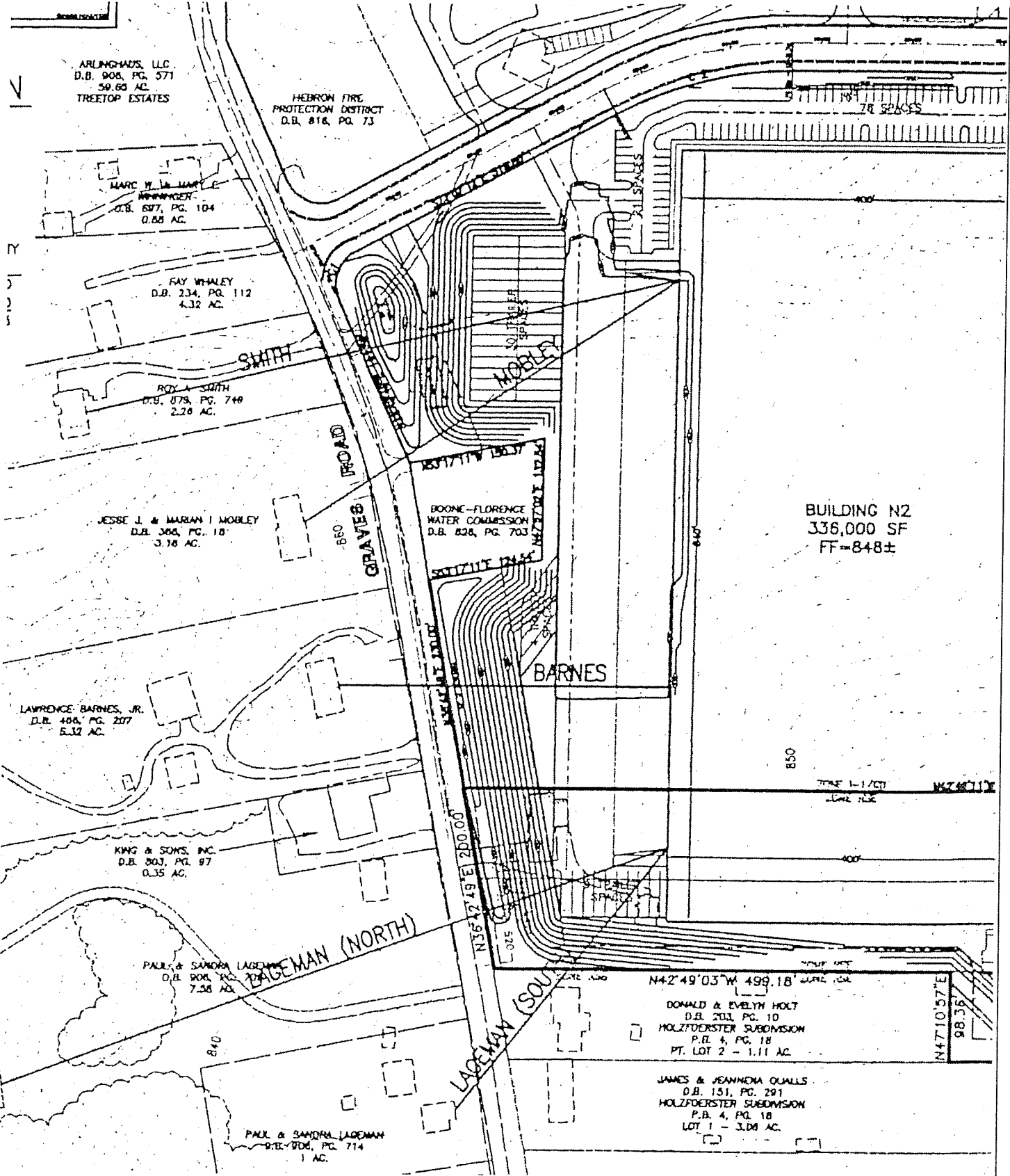
PAUL & SANDRA LAGEMAN
D.B. 908, PG. 714
1 AC.

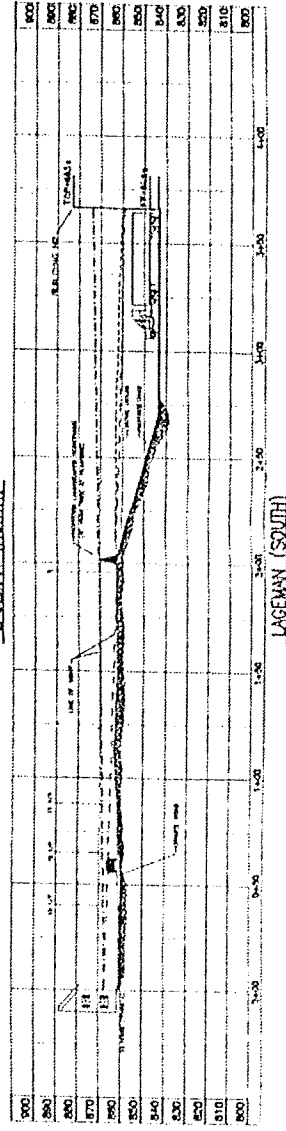
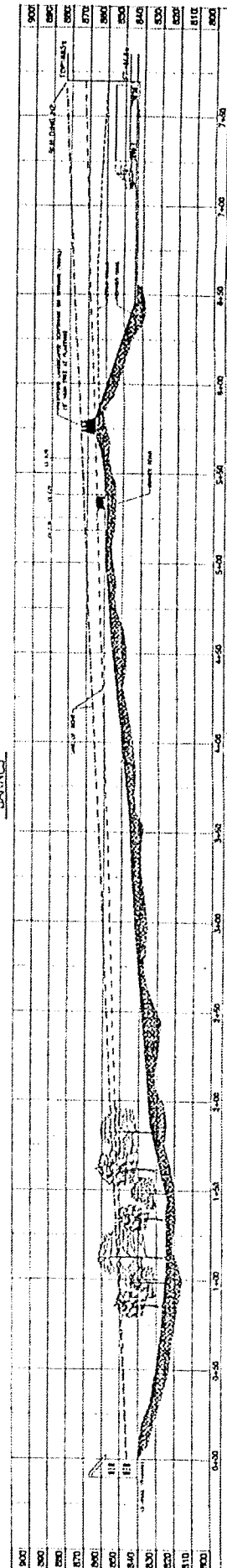
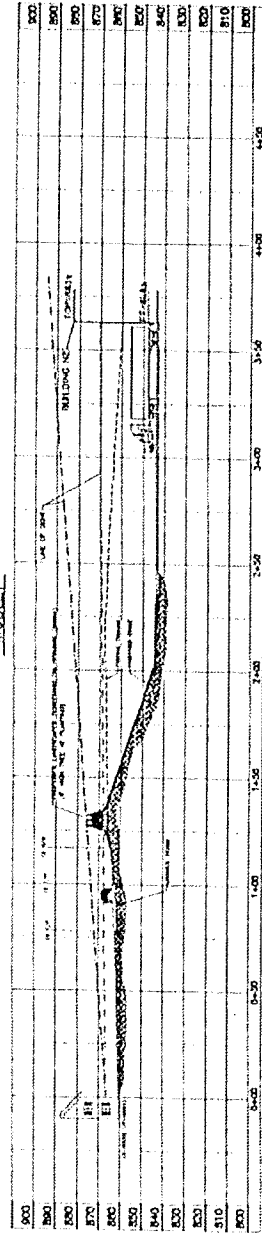
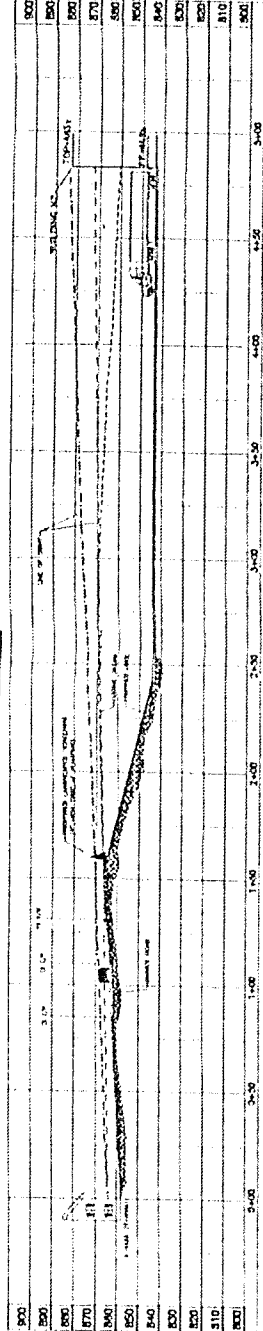
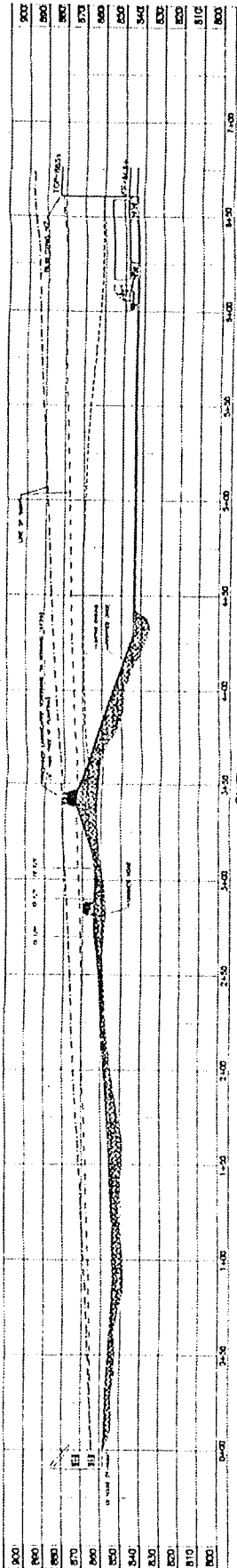
BOONE-FLORENCE
WATER COMMISSION
D.B. 828, PG. 703

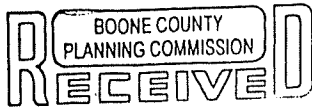
BUILDING N2
336,000 SF
FF=848±

N42°49'03"W 499.18'
DONALD & EVELYN HOLT
D.B. 203, PG. 10
HOLZFOERSTER SUBDIVISION
P.B. 4, PG. 18
PT. LOT 2 - 1.11 AC.

JAMES & JEANNINA OUALLS
D.B. 151, PG. 291
HOLZFOERSTER SUBDIVISION
P.B. 4, PG. 18
LOT 1 - 3.08 AC.







APPLICATION FORM

OCT 4 2006

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

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N/A Kentucky Transportation Cabinet
N/A Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)

ZONING MAP AMENDMENT
APPLICATION
PAGE 2

~~Yes~~ Boone County Building Department
~~N/A~~ Northern Kentucky Health District
~~N/A~~ USDA NRCS/Boone County Conservation District
~~N/A~~ KY Division of Water
~~N/A~~ Local School District
~~Yes~~ Local Fire District
Other: _____

18. Project Jurisdiction/Location
 Unincorporated Boone County
_____ Florence
_____ Walton Union

19. Applicant's Signature [Signature] VP IDI
Property Owner's Signature [Signature]

SECTION B (To be completed by BCPC Staff)

1. Date Received 10-4-06
2. Review Fee \$1642.96 R# 51525
3. Check what has been submitted:
 Application
 Fee
 Legal Description
 Concept Development Plan
 Address of Adjoining Property Owners
5 Number of copies of plan received**
4. Is application complete? Yes _____ No
5. Staff Reviewer KITCH LIGHT
6. Committee Chairman _____
7. Scheduled Public Hearing Date _____
8. Boone County Planning Commission Action:
_____ Approval
_____ Approval with Conditions
_____ Denial
9. Other: _____

** Five (5) Copies Are Required

Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountky.org - E-mail
www.boonecountky.org - Web Page

NOTE: An application consists of all fees paid in full, submitted drawings and a completed application form.

Public Hearing Item No. 2:

Commission Members Present: Mr. Barlow, Mr. Breetz, Mr. Bungler, Mr. Carmichael, Mrs. Kegley, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen, and Mr. Schwenke.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Mitch Light, Assistant Zoning Administrator/ZEO.

Legal Counsel Present: Mr. Dale Wilson

2. **Applicant:** **Industrial Developments International for Donald Holt and Evelyn Holt (owner)**

Request: **Zoning Map Amendment**

The request of **Industrial Development International (applicant) for Donald Holt and Evelyn Holt (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre tract located at 2392 Graves Road, Boone County, Kentucky. The request is for a zone change to allow the expansion of an existing industrial park.

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, Mrs. Poston asked for the applicant's presentation.

Mr. Gerald Dusing, attorney with offices in Florence and Covington, introduced Mr. Ken Smith with Industrial Developments International (IDI). Mr. Dusing stated that the Staff Report was excellent and addressed the pertinent points. He stated that this site is a one-acre addition to an existing 388-acre industrial development. They expect to discuss in Committee the same restrictions and conditions that they negotiated last time in regard to buffer, lighting, and line-of-sight issues from Graves Road.

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will present the information in Committee. They will meet the same criteria as they met for the Krebs site. They worked with the person across the street last time to resolve their concerns, and they will do the same this time. He stated that the Site Plan shows about 588,000 square feet, but they will ask for 16% - 20% less than the amount allowed by the zoning, which would be 20,000 – 21,000 square feet. They will discuss the square footage at the Committee Meeting. He stated that they are basically looking for the same thing as they asked for last time and will comply with the same requirements. He offered to answer any questions.

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

Mr. Paul Lageman, 2401 Graves Road (immediately to the west of the subject property) stated that he was present for the zone change request in August for the Krebs property and is reiterating the same concerns -- noise, light, and buffering of Graves Road. He asked that the concerns be dealt with in the same manner as the last request. He stated that the applicant is asking for the flexibility of going up to 25,000 square feet per acre, but he requests that it be left at the smaller number (20,000 – 21,000 square feet).

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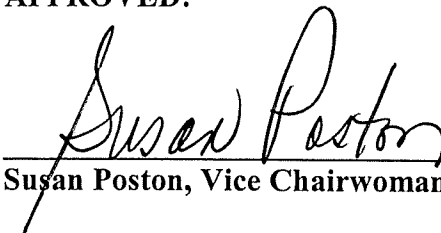
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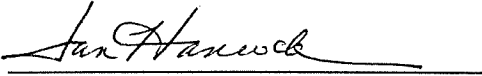
There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on December 6, 2006 at 5:00 PM. This item will be on the Agenda for the Business Meeting on December 20, 2006 at 7:00 PM. Mrs. Poston closed this Public Hearing at 9:12 PM.

APPROVED:



Susan Poston, Vice Chairwoman

Attest:



Jan Hancock, Recording Secretary

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
December 20, 2006
7:00 P.M.**

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:02 PM.

COMMISSION MEMBERS PRESENT:

Mr. Randy Barlow
Mr. Greg Breetz
Mr. Kim Bunger
Mr. Arnold Caddell, Chairman
Mr. Jim Carmichael
Mr. Richard Knock, Temporary Presiding Officer
Mr. Don McMillian
Mrs. Susan Poston, Vice Chairwoman
Mr. Charlie Reynolds
Mr. Charlie Rolfsen
Mr. Bob Schwenke
Mrs. Lisa Wilson, Secretary/Treasurer

COMMISSION MEMBERS NOT PRESENT:

Mrs. Judy Arnett
Mrs. Janet Kegley
Mr. Randy Poe

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Jan Hancock, Recording Secretary
Mr. Mitch Light, Assistant Zoning Administrator/ZEO
Mr. Todd Morgan, AICP, Senior Planner
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

Approval of the Minutes:

Chairman Caddell stated that the Commissioners received copies of the minutes of the December 6, 2006 Business Meeting. He asked if there were any comments or corrections. There being no changes to the minutes, Mrs. Wilson moved that they be approved as mailed. Mr. Reynolds seconded the motion and it carried unanimously.

Chairman Caddell stated that the Commissioners received copies of the minutes of the December 6, 2006 Public Hearings. He asked if there were any comments or corrections. There being no changes to the minutes, Mrs. Wilson moved that they be approved as mailed. Mr. Bunger seconded the motion and it carried unanimously.

ACTION ON PLAN REVIEWS:

1. **Change in Approved Concept Development Plan and Zoning Map Amendment**

The request of **Mike Ziegler (applicant)** for **John David (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone and Office Two (O-2) zone for a 6.28 acre site located at 2279, 2325, and 2355 Burlington Pike, and immediately east of the property at 6159 First Financial Drive, Boone County, Kentucky; and the request of **Mike Ziegler (applicant)** for **John David (owner)** for a Zoning Map Amendment from Office Two (O-2) to Commercial Two (C-2) for an approximate 0.5 acre area within the 6.28 acre site located at 2279, 2325, and 2355 Burlington Pike, and immediately east of the property at 6159 First Financial Drive, Boone County, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow mixed retail, restaurant, and office uses and a zone change to realign an existing zoning boundary in conjunction with the proposed development.

Chairman Caddell stated that Agenda Item #1 is recommended for deferral to the January 17, 2007 Business Meeting at 7:00 PM. Mr. McMillian so moved. Mr. Reynolds seconded the motion. A vote on the motion found all voting members in favor. Mr. Knock abstained from voting. The motion carried.

2. **Zoning Map Amendment**

The request of **Industrial Development International (applicant)** for **Donald Holt and Evelyn Holt (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre tract located at 2392 Graves Road, Boone County, Kentucky. The request is for a zone change to allow the expansion of an existing industrial park.

Staff Member Mitch Light presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see

Committee Report). The property owner and the applicant have signed the letter agreeing to the conditions.

The Chairman asked if the applicant wished to make a summary statement in regard to items raised at the Public Hearing or discussed at the Committee Meeting before the Planning Commission takes action on this request.

Mr. Ken Smith with IDI stated that they have described what they propose to do. He offered to answer any questions.

The Chairman asked if there was anyone present who wished to make a summary statement on behalf of the opposition. There was no response.

There being no discussion, **Mr. Bunger moved by resolution to Boone County Fiscal Court that the request be approved based on the Committee Report with the conditions. Mrs. Poston seconded the motion and it carried unanimously.**

**3. Technical Design Review - Union Point Centre
U.S. 42 & Frogtown Road**

Staff Member Todd Morgan presented the Design Review request for Lot #4 of Union Point Centre, which is located in the Union Town Plan area. Reviewing the packet, he stated that two buildings are shown on the Site Plan (Page 7 of the packet). Building A, which is located further away from U.S. 42, is a 9,145 square foot two-story office building. Building B, which contains dental office space and has other office space available, is a 10,430 square foot two-story building with a partial basement. The gables and dormers on the street elevation have been approved. The buildings are basically all brick construction. The Committee recommends approval of the elevation drawings as shown in the packets.

There being no discussion, **Mr. Schwenke moved that the request be approved based on the Committee Report. Mrs. Wilson seconded the motion and it carried unanimously.**

**4. Technical Design Review - Gold's Gym
430 Meijer Drive**

Staff Member Todd Morgan presented the Design Review request for a Gold's Gym to be located on Meijer Drive, immediately behind Meijer's and adjacent to I-75/I-71. The elevation drawings were submitted during the Public Hearing and there was concern about the elevation facing Meijer Drive. A condition was imposed by the Planning Commission that required Design Review so that the building could be looked at in terms of the Houston-Donaldson Study and the Planned Development Standards. The City of Florence imposed a condition

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: December 20, 2006

RE: Request of Industrial Developments International (applicant) for Donald Holt and Evelyn Holt (owner) for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre tract located at 2392 Graves Road, Boone County, Kentucky. The request is for a zone change to allow the expansion of an existing industrial park.

REMARKS:

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

Findings of Fact

1. The Committee has concluded that the existing zoning classification of Rural Suburban Estates (RSE) is inappropriate and that the proposed zoning classification of Industrial One (I-1) is appropriate.
2. The Committee has concluded that the proposed Zoning Map Amendment and accompanying Concept Development Plan are in agreement with the Comprehensive Plan due to the following reasons.
 - A. The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Industrial" (I) uses. This designation is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."
 - B. The Goals and Objectives state that "future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed ("Overall," Objective 4)." All public utilities necessary for the development are either in place or will be extended by the developer.
 - C. The Business Activity Element (page 66) states that "Property on the north side of KY 20 and near existing and planned Airport runways should be developed with a planned combination of industrial and office uses if existing and future land uses are property buffered from adjoining uses. The area surrounding the Airport and Airport property should be closely examined to explore industrial and office development opportunities."

3. The Committee has concluded that the proposal is in agreement with the applicable Future Land Use Development Guidelines as described in the Comprehensive Plan and the Goals and Objectives. Specific references to the guidelines and Goals and Objectives are outlined in the staff report for this request.
4. The Committee has concluded that the following conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan. The conditions listed below are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The property owner agrees that the perimeter buffering shall follow the conceptual buffer sections presented at the December 6, 2006, Zone Change Committee meeting relative to the buffer layout and building elevations (buffer plans and cross sections are attached). The landscape area along Graves Road, which has a noted width of eighty feet (80') on the Concept Development Plan, will contain berming which is as high as practical based on the topography and good engineering practices while maintaining a 3:1 maximum slope. This buffer will consist of plantings per the Buffer Yard C from Article 37 of the zoning regulations. The evergreen trees will be concentrated to the south along Graves Road and along the top of the berm. This berm will run the entire length of the property along Graves Road except where broken by the Boone-Florence Water Commission property and will be reviewed as part of the required Major Site Plan conducted by the Planning Commission staff.
2. The property owner agrees that the lighting fixtures will be located below the view line from Graves Road. A photometric plan shall be submitted with the Major Site Plan application to show that the lighting fixtures will be shielded and cast downward to prevent light pollution and light spilling onto the neighboring properties. Measurable light shall be less than 1 foot candle at all property lines. The applicant will submit at least two (2) lighting plan options to insure that this condition is met.
3. The property owner agrees that there will be no overnight truck "idling" permitted in the area between Graves Road and the west side of proposed Building N2.
4. The property owner agrees that there will be no sound activated overhead doors or gates permitted in the area between Graves Road and the west side of proposed Building N2.
5. The property owner agrees to a 22,000 square foot per acre maximum building intensity for all of lot 16C (approximately 30.82 acres).

6. With regard to the storm water detention, the property owner agrees that the post-development discharge will be 85% of the pre-development discharge for the 2, 5 and 10, year storm events for this 1.098 acre tract.

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

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: December 6, 2006

RE: Request of **Industrial Developments International (applicant)** for **Donald Holt and Evelyn Holt (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre tract located at 2392 Graves Road, Boone County, Kentucky. The request is for a zone change to allow the expansion of an existing industrial park.

REMARKS:

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

IDI/Holt

December 6, 2006

Kim Bunger

Kim Bunger, Chairman

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Judy Arnett

For Project _____ Absent
 Against Project _____
 Abstain _____ Deferred _____

Greg Breetz

Greg Breetz

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Janet Kegley

Janet Kegley

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Susan Poston

Susan Poston

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Jim Carmichael (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Charlie Reynolds (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Bob Schwenke (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Lisa Wilson (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

TOTAL: _____ DEFERRED 4 FOR PROJECT 1 ABSENT
 _____ AGAINST PROJECT _____ ABSTAIN

Public Hearing Item No. 2:

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Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Mitch Light, Assistant Zoning Administrator/ZEO.

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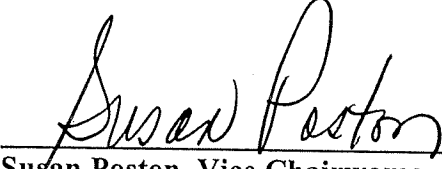
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APPROVED:



Susan Poston, Vice Chairwoman

Attest:



Jan Hancock, Recording Secretary

SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

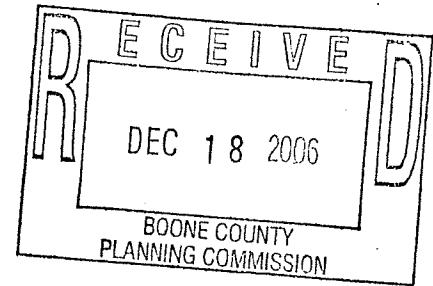
www.boonecountyky.org/pc
www.boonecountygis.com

Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264
plancom@boonecountyky.org

December 8, 2006

Mr. Kenneth W. Smith
Industrial Developments International
100 East RiverCenter Boulevard
Suite 550
Covington, KY 41011



RE: Request of **Industrial Developments International (applicant)** for **Donald Holt and Evelyn Holt (owner)** for a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre tract located at 2392 Graves Road, Boone County, Kentucky. The request is for a zone change to allow the expansion of an existing industrial park.

Dear Mr. Smith:

The following represents the conditions of approval for the above referenced application as recommended by the Planning Commission's Zone Change Committee at their December 6, 2006 meeting. If you, as the applicant, agree with these conditions, please indicate by providing the signatures of the property owners, as well as your own, in the spaces provided at the end of this letter, and return the original letter to the Planning Commission office by Friday, December 15, 2006.

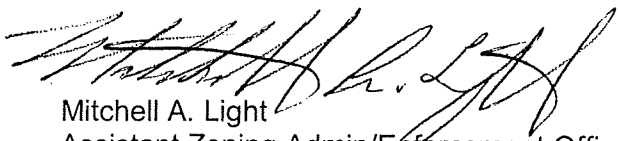
CONDITIONS

1. The property owner agrees that the perimeter buffering shall follow the conceptual buffer sections presented at the December 6, 2006, Zone Change Committee meeting relative to the buffer layout and building elevations (buffer plans and cross sections are attached). The landscape area along Graves Road, which has a noted width of eighty feet (80') on the Concept Development Plan, will contain berming which is as high as practical based on the topography and good engineering practices while maintaining a 3:1 maximum slope. This buffer will consist of plantings per the Buffer Yard C from Article 37 of the zoning regulations. The evergreen trees will be concentrated to the south along Graves Road and along the top of the berm. This berm will run the entire length of the property along Graves Road except where broken by the Boone-Florence Water Commission property and will be reviewed as part of the required Major Site Plan conducted by the Planning Commission staff.
2. The property owner agrees that the lighting fixtures will be located below the view line from Graves Road. A photometric plan shall be submitted with the Major Site Plan application to show that the lighting fixtures will be shielded and cast downward to prevent light pollution and light spilling onto the neighboring properties. Measurable light shall be less than 1 foot candle at all property lines. The applicant will submit at least two (2) lighting plan options to insure that this condition is met.

Mr. Kenneth W. Smith
Industrial Developments International
December 8, 2006
Page 2

3. The property owner agrees that there will be no overnight truck "idling" permitted in the area between Graves Road and the west side of proposed Building N2.
4. The property owner agrees that there will be no sound activated overhead doors or gates permitted in the area between Graves Road and the west side of proposed Building N2.
5. The property owner agrees to a 22,000 square foot per acre maximum building intensity for all of lot 16C (approximately 30.82 acres).
6. With regard to the storm water detention, the property owner agrees that the post-development discharge will be 85% of the pre-development discharge for the 2, 5 and 10, year storm events for this 1.098 acre tract.

Sincerely,



Mitchell A. Light
Assistant Zoning Admin/Enforcement Officer

MAL/pr

AGREEMENT

We, the property owners and applicant, do hereby agree to the recommended conditions of approval stated above for a Zoning Map Amendment Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre tract located at 2392 Graves Road, Boone County, Kentucky. The request is for a zone change to allow the expansion of an existing industrial park.

Donald Holt (owner)

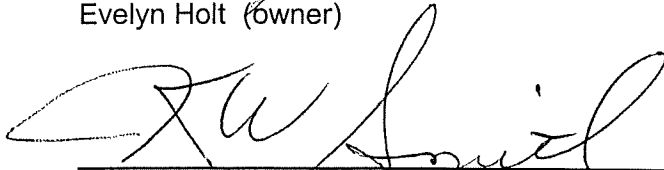
Date



Evelyn Holt (owner)

12-18-06

Date



Kenneth W. Smith (applicant)

11/18/06

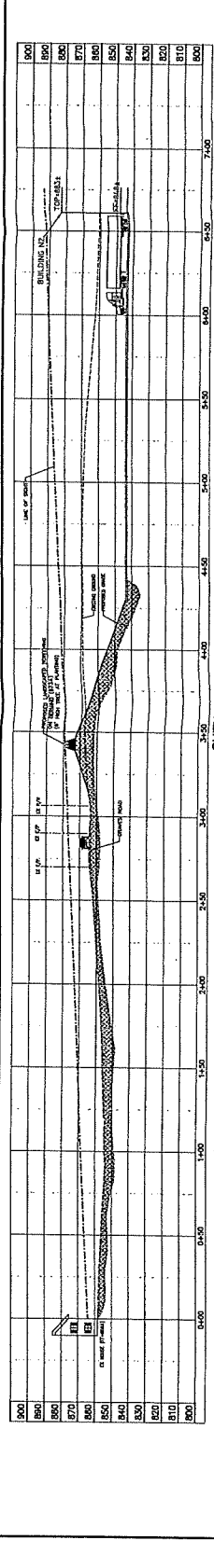
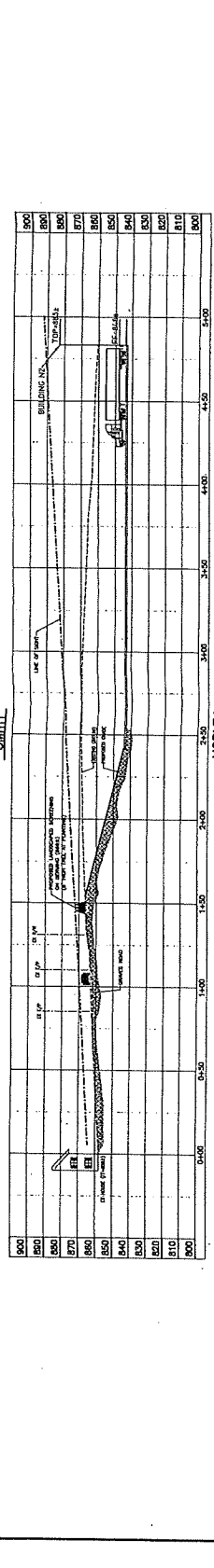
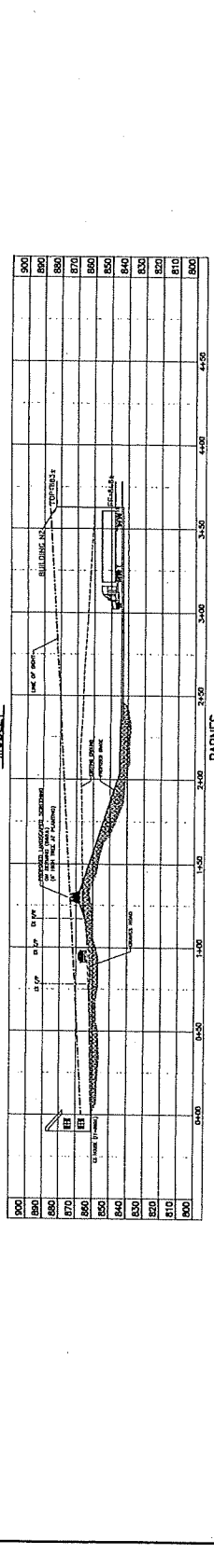
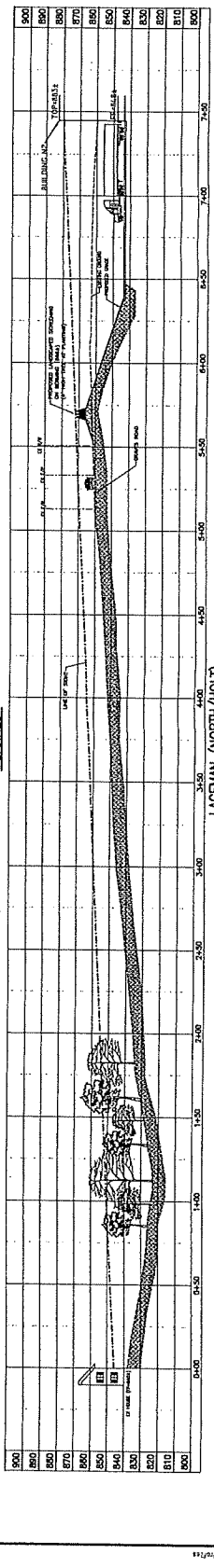
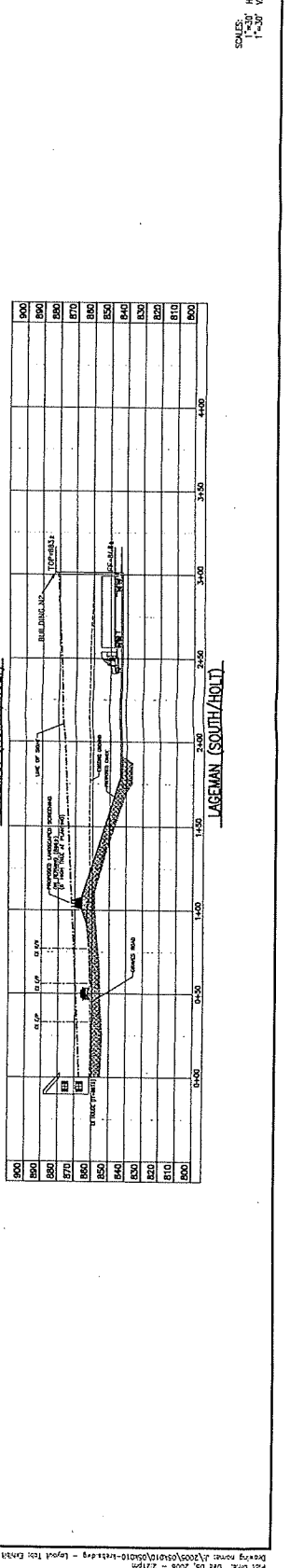
Date

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 4000 Westborough, MA
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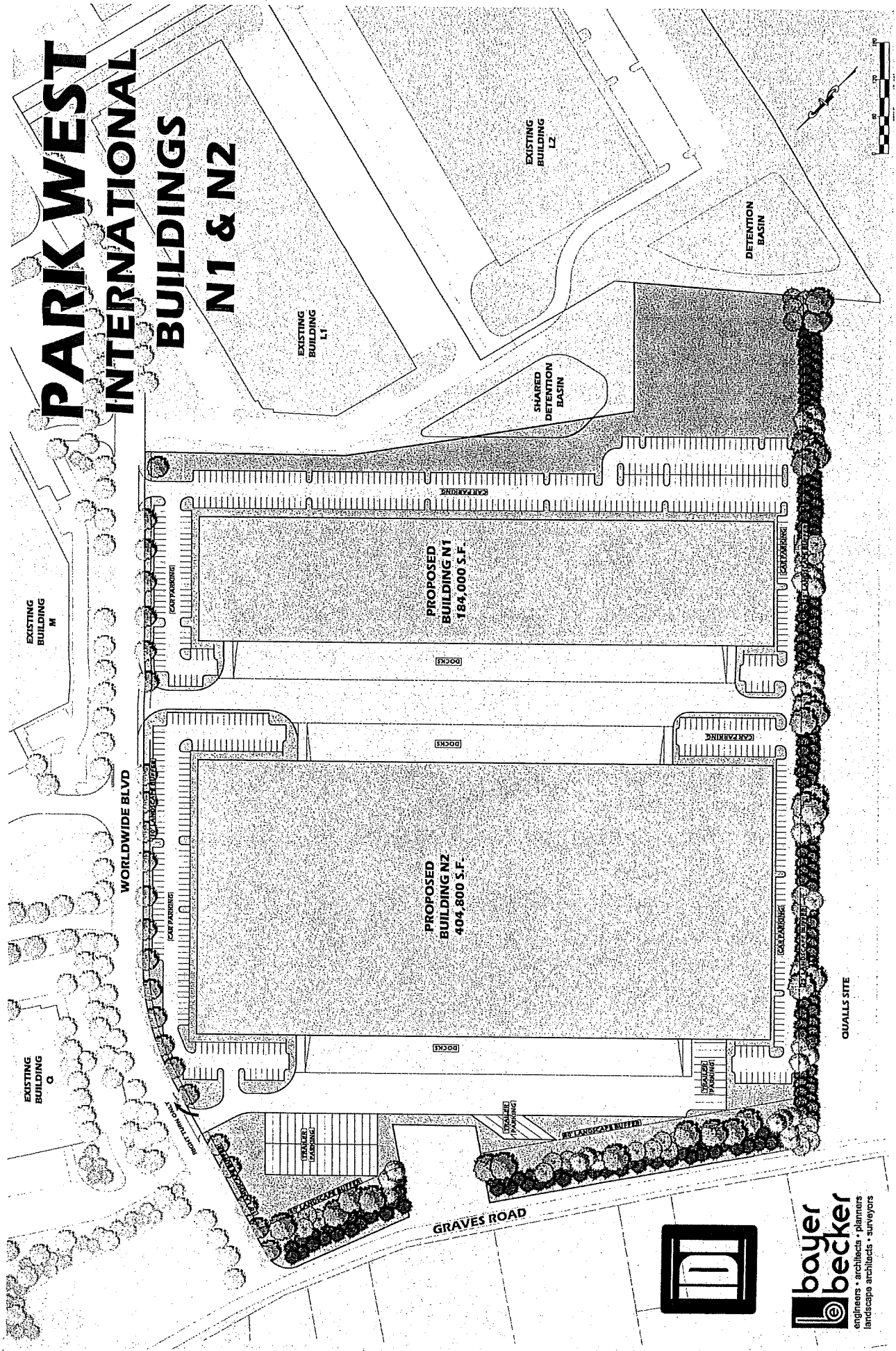
PARK WEST INTERNATIONAL
 ADDITION BLDGS. N1 & N2
 KESWICK TOWNSHIP, WISCONSIN
 2370 GRAVES ROAD & WOODLIFE BOULEVARD
 BOONE COUNTY, KENTUCKY

SIGHT LINE PROFILES

LINE	DATE	BY	CHECKED
1	10/20/09	JK	JK
2	10/20/09	JK	JK
3	10/20/09	JK	JK
4	10/20/09	JK	JK
5	10/20/09	JK	JK
6	10/20/09	JK	JK
7	10/20/09	JK	JK
8	10/20/09	JK	JK
9	10/20/09	JK	JK
10	10/20/09	JK	JK



PARK WEST INTERNATIONAL BUILDINGS N1 & N2



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<i>INTEGRITY</i>	<i>QUALITY</i>	<i>SERVICE</i>	<i>CONTINUOUS IMPROVEMENT</i>
DESCRIPTION:		Holt – 1.098 Acres	
LOCATION:		Graves Road	
DATE:		September 25, 2006	

Situated in the County of Boone, Commonwealth of Kentucky, and being part of Lot 2 of Holzfoerster Estate Subdivision as recorded in Plat Book 4, Page 18 of the Boone County Clerk's Records at Burlington and more particularly described as follows:

Begin at the Northeast corner of Lot 4 of Holzfoerster Estate Subdivision (a found 5/8" iron pin bears S82°19'24"E, 1.23'), said point being in the existing Southeast right-of-way line of Graves Road 610 feet Southwest of the centerline intersection of Graves Road and Worldwide Boulevard; thence with the existing Southeast right-of-way line of Graves Road South 36°42'49" West, 198.44 feet to a set iron pin at the Northwest corner of Lot 3 of said Holzfoerster Estate Subdivision and the TRUE POINT OF BEGINNING.

thence from the TRUE POINT OF BEGINNING, leaving the existing Southeast right-of-way line of Graves Road, and with the Southwest line of said Lot 3 South 42°49'11" East, 495.57 feet to a set iron pin at the Northeast corner of a 2.0 acre portion of Lot 2 as conveyed to Aloysius B. and Gwendolyn M. Krebs in Deed Book 314, Page 45;

thence with the North line of the 2.0 acre portion of Lot 2 South 47°10'49" West, 98.33 feet to a set iron pin on the Northeast line of Lot 1 of Holzfoerster Estate Subdivision;

thence with the Northeast line of said Lot 1 North 42°49'11" West, 477.40 to a set iron pin at the Northeast corner of Lot 1, the same being in the existing Southeast right-of-way line of Graves Road;

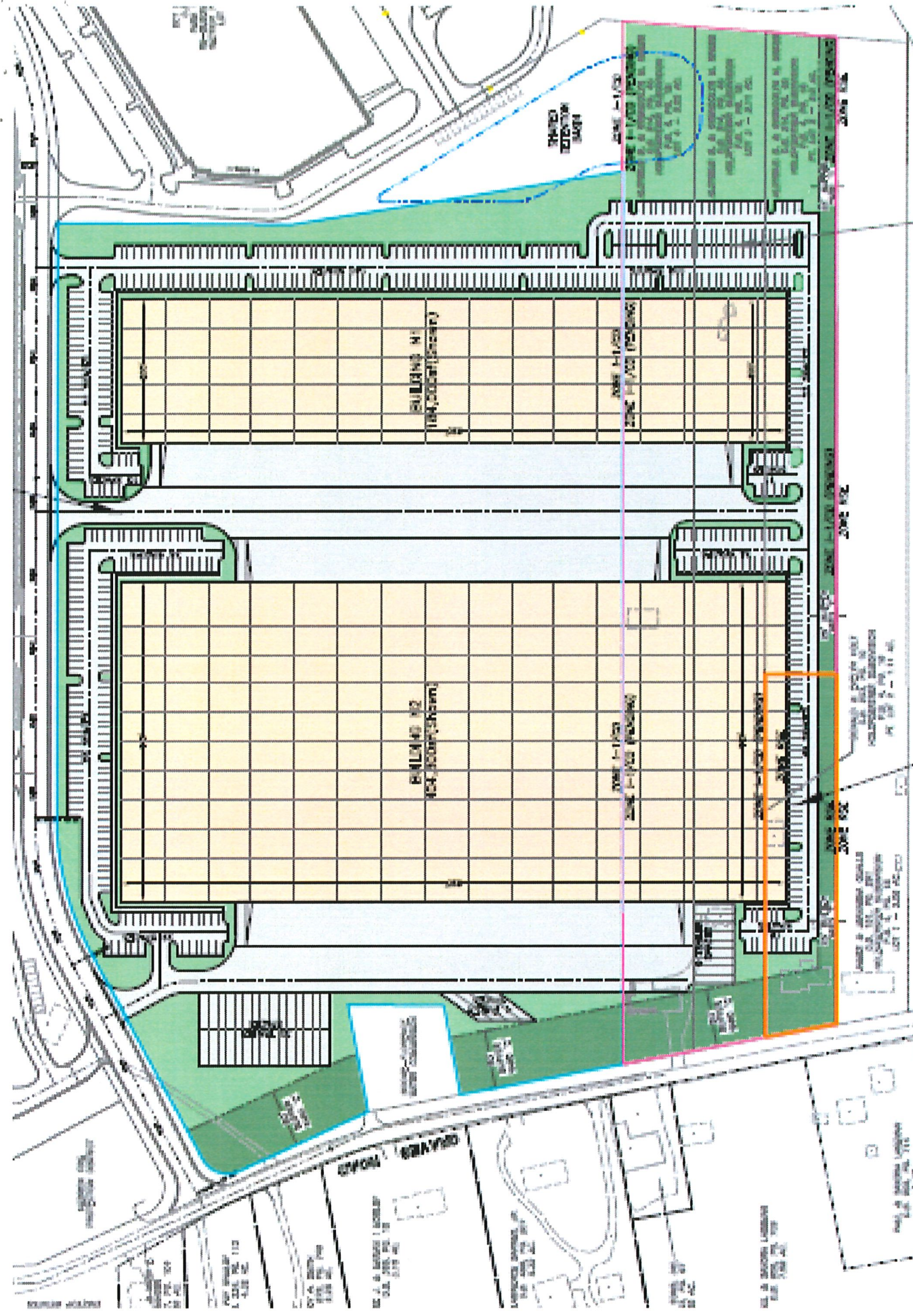
thence with the existing Southeast right-of-way line of Graves Road North 36°42'49" East, 100.00 feet to the TRUE POINT OF BEGINNING;

Containing 1.098 acres of land and subject to all easements and rights-of-way of record.

All set iron pins are 5/8" x 30" with plastic cap stamped 3275, 3292, 2916, 3638 unless otherwise noted. The reference meridian of record is Plat Cabinet 5, Page 155.

The above description was prepared from a survey made on August 2, 2006 under the direction of Chris R. Gephart, Licensed Professional Land Surveyor #3292 in the Commonwealth of Kentucky.

Prior Instrument Reference: Deed Book 203, Page 10.



CONCEPT DEVELOPMENT PLAN

2025 DESIGN CONCEPT STUDY

2025 DESIGN CONCEPT STUDY

2025 DESIGN CONCEPT STUDY

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2025 DESIGN CONCEPT STUDY

ORDINANCE 07-04

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, FOR A REQUEST OF INDUSTRIAL DEVELOPMENTS INTERNATIONAL (APPLICANT) FOR DONALD AND EVELYN HOLT (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE) TO INDUSTRIAL ONE (I-1) FOR A 1.098 ACRE SITE LOCATED AT 2392 GRAVES ROAD, BOONE COUNTY, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre site located at 2392 Graves Road, Boone County, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the Zoning Map Amendment.

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

SECTION I

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby approved, with conditions, this Zoning Map Amendment being a zone change from Rural Suburban Estates (RSE) to Industrial One (I-1) for a 1.098 acre site located at 2392 Graves Road, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Rural Suburban Estates (RSE) zone is more particularly described in DEED BOOK 203, PAGE NO. 10 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

SECTION II

That as a basis for approval for a Zoning Map Amendment request are the findings of fact and conditions of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit A."

The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and the Boone County Planning Commission Business Meeting minutes and marked as "Exhibit B."

SECTION III


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

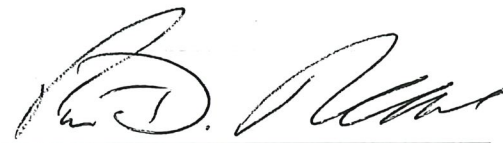
Introduced and given First Reading on the ^{16th} 17th day of January, 2007.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 13th day of February 2007, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the County Fiscal Court Clerk and declared to be in full force and effect.


GARY W. MOORE
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:


LOUIS KELLY
FISCAL COURT CLERK


ROBERT D. NEACE
BOONE COUNTY ATTORNEY

2-22-07
DATE PUBLISHED

