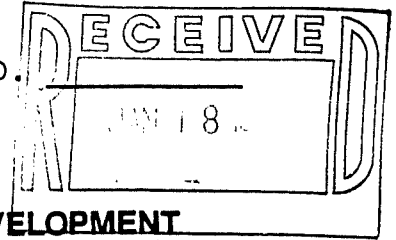


REVIEW NO.

APPLICATION FORM



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

BOONE COUNTY PLANNING COMMISSION (See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Check one: [X] Change in Concept Dev. Plan [ ] Utilization of an Underlying Zone in Planned Development
2. Name of Development Dixie Distribution Center (Formerly High Iron Farm)
3. Location of Development 8179 Dixie Highway
4. Total Acreage of Site 14.3
5. Current Zoning 1-2
6. Date of Zone Change or Approved Concept Development Plan (if applicable) September 2, 1987 (Zone Change) November 16, 1988 (Concept)
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) No
8. Proposed Uses (please specify each use) Bulk Warehousing - Distribution
9. Name of Applicant(s) Wilcon Development, Inc. Phone Number(s) 870-0033
10. Address of Applicant(s) 10172 International Blvd. Cincinnati, OH 45246
11. Name of Property Owner(s) Wilcon Development, Inc. 10172 International Blvd. Phone Number(s) 870-0033
12. Address of Property Owner(s) 10172 International Blvd. Cincinnati, OHIO 45246
13. Proposed Building Intensities (please specify) Existing Bldg. 150,000 sq. ft. Addition 40,000 sq. ft. New Bldg. 59,000 sq. ft. Total Floor Space 249,000 sq. ft. (17,413 sq.ft./acre)
14. Are there any existing buildings on the site? yes How many? 1
15. Deed Book 246 Page No. 104 Group No.
16. Have you had a pre-application meeting with BCPC staff? No

(COMPLETE OTHER SIDE OF APPLICATION)

EXHIBIT "A"

**REQUEST OF WILCON DEVELOPMENT, INC. FOR CHANGE IN  
A CONDITION PLAN FOR DIXIE DISTRIBUTION CENTER  
(FORMERLY HIGH IRON FARM)**

FEBRUARY 7, 1990

This is a request of Wilcon Development, Inc. to lift a condition placed on the property known as the Dixie Distribution Center. The property is located at 8179 Dixie Highway in Boone County, Kentucky.

**Background**

This site was granted a zone change from C-3 to I-2 by Boone County Fiscal Court on October 20, 1987. Conditions placed on the property included all development to follow the restrictive covenants and development guidelines for the Northern Kentucky Industrial Park, and that certain uses, specified by the applicant during the Public Hearings before the Planning Commission, not occur on the site. These restrictions were imposed by the Boone County Planning Commission upon the property undergoing the zone change, because a Concept Development Plan had not been submitted with the zone change request. A list of those restrictions and development guidelines, titled "Planning Standards", is attached to this report.

**Relationship to Comprehensive Plan**

**1990 Goals & Objectives "Business Activity Section"**

**Industrial**

1. Industries shall be organized in clusters or similarly grouped to permit benefits of agglomeration and reduce traffic congestion in other areas.
2. Industrial development shall be encouraged to locate near railroads, highways, and airports. New industrial park sites shall be located in close proximity to limited access highways.
3. Amenity for industrial uses and a favorable relationship with adjoining uses should be fostered by means of design. Industrial nuisances such as smoke, dust, noise, and odor shall be kept to a minimum, and site development shall be carefully coordinated with necessary approvals of other regulatory agencies.

**Proposal**

The condition in regard to the "Planning Standards", for which the applicant is requesting a change, is under #1. Land Coverage. The condition reads as follows "The minimum ratio of land outside of the building to land under roof will be 3 to 1". With this development ratio, the 14.43 acre site can sustain 157,252 square foot of buildable area. The site currently contains a 150,924 square foot warehouse building. This leaves the applicant with the possibility of adding 6320 square feet of additional space.


The applicant is requesting to lift the 3 to 1 development condition and follow the development intensity standards of the Boone County Zoning Code. Under the Industrial Two (I-2) classification, development maximum intensity is 22,000 square feet per acre. The applicant is requesting to build an addition of 39,934 square feet as well as a new building of 59,225 square feet. This additional square footage will be used as office/warehouse space.

STAFF REPORT - WILCON DEVELOPMENT, INC.  
PAGE TWO  
FEBRUARY 7, 1990

Total development for the site would increase to 250,082 square feet. This will bring the development intensity to 17,331 square feet per acre which is within the guidelines of the Boone County Zoning Regulations. Maximum development of the site at 22,000 square feet per acre would yield 316,800 square feet.

This is the only condition of the "Planning Standards" that the applicant is requesting to be lifted. All of the other standards will continue to be imposed on the property.

Respectfully submitted,



J. Gregory Tulley  
Plans Examiner / Planner I

JGT:kat

BOONE COUNTY PLANNING COMMISSION

SPECIAL PUBLIC HEARING

February 7, 1990  
7:00 P.M.

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Mr. William Viox, Chairman, called the meeting to order at 7:10 P.M.. Following an explanation of the Public Hearing process, the Chairman introduced the item on the Agenda:

1. Applicant: Wilcon Development, Inc. (owner)  
Request: Change in a Condition for a Zoning Map Amendment

The request of Wilcon Development, Inc. (owner) for the former High Iron Farm located at 8179 Dixie Highway, to change one of the conditions of approval of the previous Zoning Map Amendment request. The 14.3-acre site is currently zoned Industrial Two (I-2) and is called the Dixie Distribution Center.

Staff Member, Greg Tulley, presented the Staff Report which included a slide presentation (see Staff Report).

Chairman Viox asked if the applicant was present.

Mr. Tom Burger of Wilcon Development stated that they understood that there were conditions placed on the zone change, but they failed to ask for the Minutes of the Planning Commission meeting that identified those conditions. They received a list of the conditions from the previous owner, but it did not include the condition regarding density. Using an enlarged drawing, Mr. Burger stated that they were going to build three buildings on the site and they showed their plan to the previous owner. They have constructed one of the buildings. They believed they had the 1 to 1 ratio that is in the planning standards, as they were not aware of the condition. The uses on the site would be Celanese as a storage facility for their manufacturing plant across the street and a storage facility for Gibson Greetings for their material and equipment. Gibson requested a 40,000 sq. ft. addition. They propose to build a 59,000 sq. ft. building and have 11,000 feet in the front as glass or spandel depending on the elevation in order to maintain a higher image than the usual bulk space. They want to maintain a green space area. He stated that the current two tenants are using the site for storage and they do not see a distribution-type activity. The buildings are 24 feet high and designed for storage facilities. They are requesting that the 3 to 1 ratio be taken back to the 1 to 1 ratio. He stated that the reason for the 3 to 1 ratio was that they did not have a Concept Development Plan

at the time the zone change request was made. The 3 to 1 ratio leaves a lot of green space. He stated that they want to maintain visibility from U.S. 25. Their addition will be 100 feet from the road. Using an aerial photograph of the site taken before they built on it, Mr. Burger indicated the boundaries of the site and the locations of the uses. He stated that the only neighbors that could have an objection would be on the north side where there is a small motel and a house being used for business. There is also one house used for residential. He stated that new construction would be 100 feet back from the road and 25 feet back from the property line. There will be a tree line to shield the adjacent uses from the buildings. The construction of the new building would be basically identical to the existing building. He presented a sketch of what the addition would look like and a photograph of the existing building. The site has been cut down 11 feet to allow for rail accessibility. They will be adding more landscaping next spring around the parking lot to help shield the building mass from U.S. 25. He stated that Gibson has a three-year lease with renewal options and an option to purchase. They have 60 employees and Celanese has three. He stated that this is not a distribution facility and there are not trucks coming in and out all the time. There are a maximum of eight to ten trucks per day. He stated that the buildings will be deeded together as there is not enough room for two curb cuts.

Chairman Viox stated that there was no one else present in the audience.

Chairman Viox advised that the applicant had to meet the guidelines of the Northern Kentucky Industrial Park in order not to change the neighborhood. He questioned if what was being requested met those requirements.

Mr. Burger stated that they meet all of the criteria except for the density.

Mr. Neltner noted that the parking proposed at the rear of the building seemed to be an inefficient use of the area. He asked if they had considered having the building back further.

Mr. Burger stated that the architect did not show the building exactly the way it will be. He stated that there will be access into the building from the parking lot, and there will also be access with a drive-in door on that side of the building. The parking would depend on the type of tenant that they have. He stated that Gibson did not use that parking. They want to keep the parking where it is on the northern portion because they anticipate a wholesale type use.

Mr. Neltner stated that he would like to see the building further back with more green space.

Mr. Burger stated that there is a severe drop at that point and he does not want the building to go down the hill. He reviewed the Site Plan with Mr. Neltner in regard to the parking. Mr. Burger stated that if they

put the building further back, they will have to increase the elevation and use a retaining wall due to the severe drop. The pond there would be ideal for a retention pond. He stated that they intend to have a campus-type atmosphere.

Mr. DeLong stated that the use could become a warehouse with a lot of traffic and questioned if a turn lane in and out would be needed. He noted that there is often a traffic backup at the light.

Mr. Burger stated that if a deceleration lane was necessary, they would consider it reasonable. He agreed that it could become necessary and added that they would have a hard time leasing to someone with a high traffic use without a deceleration lane.


Mr. DeLong noted that Gibson did not ask for as much building as they want to construct and asked if it was possible to reduce the size of the building.

Mr. Burger stated that the existing building has a good image and they were worried about putting in another bulk building. He stated that the buildings are very plain to look at and they want to dress up the bulk image. The 11,000 feet could be taken off, but it gives more leasable space and makes the building more attractive.


Mr. Burger stated that they are sensitive to the requirements in regard to density and the need to be identified with the Industrial Park, but they are attempting to meet their needs and the needs of Boone County at the same time. They made eleven proposals for leases before they leased out the business and nine of the proposals went to people already in the Industrial Park. He stated that they serve the Industrial Park well and it is beginning to fill up. He stated that there is only one other facility in the area that can serve their needs.

Chairman Viox asked if there were any further comments or questions. There being none, he stated that this item will be on the Agenda for the Business Meeting on February 21, 1990 at 8 P.M. and closed this Public Hearing.

APPROVED:

  
\_\_\_\_\_  
William R. Viox, Chairman

Attest:

  
\_\_\_\_\_  
Jan Hancock, Recording Clerk

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

February 21, 1990 8:00 P.M.

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Mr. William Viox, Chairman, called the meeting to order at 8:05 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Larry Barnett  
Mr. Fred Burch, Vice Chairman  
Mr. Lawrence Collins  
Mr. Phil Damstrom  
Mr. Melvin DeLong  
Mr. Rector Jones  
Mr. Robert Kirby, Jr.  
Mr. Don McMillian  
Mr. Barry Neltner  
Mr. Ralph Rush  
Mr. Floyd Sharp  
Mrs. Carol Smith  
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. R. N. Greene  
Mr. Thurman Owens

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received a copy of the Minutes of the Special Public Hearing and the Business Meeting of February 7, 1990 and asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mr. Jones seconded the motion and it carried unanimously.

REPORTS:

Chairman Viox noted that the Zoning Enforcement Officer's Report, the Report of Zoning Permits, and the Statements of Revenues & Expenses for the Periods Ended December 31, 1989 and January 31, 1990 had been distributed for the Commission members to review.

There being no discussion of the Reports, Chairman Viox proceeded to the items on the Agenda:

BUSINESS MEETING AGENDA

UNFINISHED BUSINESS:

1. Zoning Map Amendment

The request of Evelyn Sizemore (owner) for a Zoning Map Amendment on a 0.491-acre parcel located on the east side of U.S. 25, approximately 3 miles north of Walton, and in Unincorporated Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Commercial One (C-1) to allow a sporting goods store.

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to a condition (see Committee Report). Mr. Newton advised that the applicant had agreed to the condition and a copy of the signed agreement was included in the packet.

Mr. Collins moved by resolution to the Fiscal Court that the request be approved based on the Staff and Committee Reports, including the condition. Mr. McMillian seconded the motion and it carried unanimously.

2. Change in a Condition of a Zoning Map Amendment

The request of Wilcon Development, Inc. (owner) for the former High Iron Farm located at 8179 Dixie Highway, Boone County County. The request is to change one of the conditions of approval of the previous Zoning Map Amendment request. The 14.3-acre site is currently zoned Industrial Two (I-2) and is called the Dixie Distribution Center.

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the findings of fact. He noted that the Chairman of the Committee, Mr. Neltner, did not sign the Committee Report (see Committee Report).

Mr. Barnett moved by resolution to the legislative body that the request be approved based on the Staff and Committee Reports. Mr. Neltner seconded the motion.

Mr. Neltner stated that his questions in regard to this request had been addressed and he is now agreeable to signing the Committee Report.

Mr. Collins questioned the ratio of land to area under roof and the applicant advised that it is 1.5 to 1.

There being no further comments, the Chairman asked for a roll call vote on the motion made by Mr. Barnett which found Mr. Barnett, Mr. Burch, Mr. Damstrom, Mr. Jones, Mr. McMillian, Mr. Neltner, Mr. Rush, and Mrs. Smith in favor. Mr. Collins, Mr. DeLong, Mr. Sharp, and Chairman Viox were opposed. Mr. Kirby passed his vote. The motion carried.

### 3. Site Plan Review

The request of Duke Associates No. 61 (owner) for Site Plan Review to construct a 192,000 sq. ft. industrial building on Lots #18 and #19 of South Park Subdivision, Boone County, Kentucky. The 10.63-acre site is zoned Industrial One (I-1).

Staff Member, Greg Tulley, presented the Staff Report (see Staff Report).

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the Staff Report (see Committee Report).

Mr. McMillian moved that the request be approved based on the Staff and Committee Reports. Mr. Burch seconded the motion.

Mr. Sharp asked if the applicant is agreeable to putting in more landscaping. Mr. Fonner stated that they are agreeable and will work with the Staff to come up with a satisfactory level of landscaping.

In response to questions from Mr. Collins and Mr. Kirby regarding water detention and fire protection, Mr. Fonner advised that there will be a 12" main to the detention pond. There will be public fire hydrants and the detention pond will be used to supplement them.

Chairman Viox noted that there was a letter from the Hillside Trust in regard to this request and copies are included in the packet.

Mr. Fonner stated that he received a copy of the letter from The Hillside Trust from Mr. Newton prior to the meeting. Mr. Fonner stated that Robin Corathers' concern was in regard to the submittal of a Revised Master Plan. He stated that they have been trying to submit their plans to them for review with each building. Their Master Plan will develop as they understand the market conditions better. He stated that they will continue to submit their plans to The Hillside Trust for their comments. Mr. Fonner stated that her second concern was in regard to erosion control. He stated that it is their practice to control siltation on the site during construction. They will meet the county regulations and minimize the outflow velocity from the pond.

EXHIBIT "B"

COMMITTEE REPORT

#2

TO: Boone County Planning Commission

FROM: Barry Neltner, Chairman

DATE: February 21, 1990

RE: Request of Wilson Development, Inc. (owner) for the former High Iron Farm located at 8179 Dixie Highway, to change one of the conditions of approval of the previous Zoning Map Amendment request. The 14.3 acre site is currently zoned Industrial Two (I-2) and is called the Dixie Distribution Center.

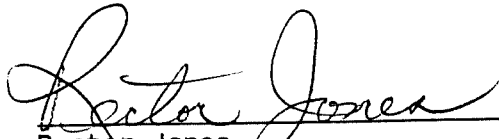
REMARKS:

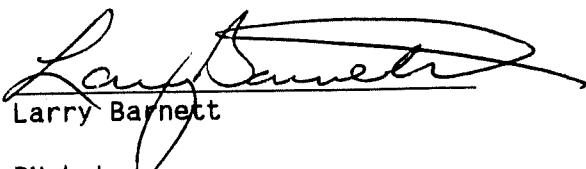
We, the Committee, recommend approval of the request based upon the following findings of fact.

Findings of Fact

1. The elimination of the condition mentioned below is in agreement with the Boone County Comprehensive Plan and is based upon the existing and the future industrial uses on the site. The Comprehensive Plan suggests that "amenity for industrial uses and a favorable relationship with adjoining uses should be fostered by means of design". The existing layout and future building intensity of the industrial uses are compatible with the adjoining industrial properties in the area.
2. The development ratio condition of 3:1 restricts the amount of development that can occur on the above mentioned property. The request is to follow the development ratio restrictions only, adopted in the 1986 Boone County Zoning Regulations. Additionally, references to the 1986 Boone County Comprehensive Plan are made in the February 7, 1989 Staff Report. The applicant is to adhere to the remaining "planning standards" placed on this property during the previous approval of the Zoning Map Amendment request.

\_\_\_\_\_  
Barry Neltner, Chairman


  
\_\_\_\_\_  
Rector Jones

  
\_\_\_\_\_  
Larry Barnett

BN:kat

  
\_\_\_\_\_  
Fred Burch

\_\_\_\_\_  
Carol Smith

  
\_\_\_\_\_  
Phil Damstrom

MINUTES  
BOONE COUNTY FISCAL COURT  
APRIL 3, 1991  
10:00 A.M.

STEEPLE CHASE

Commissioner Meihaus questioned if Mr. Hoyle knew why St. Luke had not been included this year as a recipient for a portion of the proceeds from Steeple Chase and Mr. Hoyle said he could not shed any light on the situation.

After some discussion, Commissioner Meihaus moved, seconded by Commissioner Patrick, that a letter be sent to Mr. Jack Barber, Chairman of the Steeple Chase Board, asking for an explanation as to why St. Luke West was not included and encourage that they be included in the Steeple Chase proceeds. Judge Ferguson called for a vote on the motion, ALL VOTED AYE.

PUBLIC HEARING - CLOSING OF PRICE PIKE

Judge Ferguson declared a Public Hearing in session at 11:02 A.M. relative to the closing of Price Pike.

Mr. Martin explained that when this matter had been acted on at the meeting of March 20th, no advertisement had been placed in the newspaper.

Judge Ferguson inquired if there was anyone present who opposed the closing and no one came forward.

Commissioner Patrick moved, seconded by Commissioner Meihaus to rescind the previous motion due to the lack of a formal public hearing and based on this Public Hearing after due consideration moved to close Price Pike. Judge Ferguson called for a vote on the motion, ALL VOTED AYE.

Judge Ferguson declared the Public Hearing closed at 11:05 A.M.

ITEM V.            RETURN TO ORDINANCES & RESOLUTIONS

ORDINANCE 920.195 - SIZEMORE

Commissioner Davis moved, seconded by Commissioner Patrick, to approve on second reading Ordinance 920.195, an ordinance of the Boone County Fiscal Court recommending approval for a zoning map amendment to the Boone County, Kentucky Zoning Map, such map amendment being requested by Evelyn Sizemore (Owner) and such map amendment being a zone change from Agricultural Estates (A-2) to Commercial One (C-1) for a 0.491 acre parcel generally located on the east side of U.S. 25, approximately three miles north of Walton, Boone County, Kentucky, as recommended by the Boone County Planning Commission via Resolution R-05-90. Judge Ferguson called for a vote on the motion, ALL VOTED AYE. Exhibit "D"

ORDINANCE 920.196 - WILCON DEVELOPMENT

Commissioner Davis moved, seconded by Commissioner Meihaus, to approve on second reading Ordinance 920.196, an ordinance of the Boone County Fiscal Court recommending approval for a change in a condition to a previously approved zoning map amendment (High Iron Farms; Boone County Ordinance 920.130), such change being requested by Wilcon Development (owner) for property known as Dixie Distribution Center, located at 8179 Dixie Highway, Boone County, Kentucky, and such request being to remove Condition #1, Land Coverage, and to follow the development intensity standards of the Boone County Zoning Regulations as recommended by the Boone County Planning Commission via Resolution R-06-90. Judge Ferguson called for a vote on the motion, ALL VOTED AYE. Exhibit "E"