

APPLICATION FORM

RECEIVED
NOV 16 2006
DUKE CONSTRUCTION

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

RECEIVED
DEC - 4 2006
BOONE COUNTY
PLANNING COMMISSION

(See Boone County
Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project Commonwealth Logistics Center
2. Location of Project U.S. 25 near Richwood Road
3. Total Acreage of Site 208.721 acres
4. Current Zoning of Site A2
5. Proposed Zoning (Classification being requested) I1
6. Proposed Uses (please specify each use)
Warehouse distribution
7. Names of Applicant(s) Duke Realty LTD; Attn: David Wright, P.E.
Phone Number 513-956-4464 Fax No. 513-956-4505
8. Address of Applicant(s) 4555 Lake Forest Drive, Suite 400
Cincinnati OH 45242
City State Zip
9. Name of Property Owner(s) Greenfield Farm, Inc.; Attn: Jim Dressman
Phone Number 859-341-1881 Fax No. 859-341-1469
10. Address of Property Owner(s) 2701 Turkeyfoot Road
Fort Mitchell, KY 41017
City State Zip
11. Proposed Building Intensities (please specify) 3.6 million sq. ft.
12. Are there any existing buildings on the site? barn
How many? 1
13. Deed Book 663, 726 Page No. 174, 131 Group No. 2072
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:

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

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

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

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

SECTION B (To be completed by BCPC Staff)

1. Date Received 12-4-06
2. Review Fee \$796.00 R# 51997
3. Check what has been submitted:
 - Application
 - Fee
 - Legal Description
 - Concept Development Plan
 - Address of Adjoining Property Owners
 - Number of copies of plan received**
4. Is application complete? Yes No
5. Staff Reviewer KRISTIN WALL
6. Committee Chairman SUSAN POSTON
7. Scheduled Public Hearing Date 1/17/07
8. Boone County Planning Commission Action:
 - Approval
 - Approval with Conditions
 - Denial 4/18/07
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@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page

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

EXHIBIT

“A”

STAFF REPORT

Request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

January 17, 2007

PROPOSAL

This request is for a zone change from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, approximately one quarter mile north of the Chambers Road intersection, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass in unincorporated Boone County. The site wraps around several other tracts located to the south and east that face both Dixie Highway and Chambers Road. The application form states that the development is for "warehouse distribution" uses.

A Concept Development Plan was submitted with this application. The site is organized by a road "loop" that is proposed to extend "Logistics Boulevard" from the Park South industrial park to the north, which will curve through the site and connect to Dixie Highway in the approximate midpoint of the site's Dixie Highway frontage. No access to Chambers Road is proposed.

Three buildings are shown along the Dixie Highway frontage. These buildings have 650,000 square feet (Building 1), 300,000 square feet (Building 2), and 750,000 square feet (Building 3). Buildings 1 and 2 are located on the north side of the main road and will share a common truck court between them. Building 3 is located on the south side of the main road. Vehicular areas are shown along all sides of these buildings.

Two buildings are shown along the Chambers Road frontage. These buildings have 600,000 square feet (Building 5) and 900,000 square feet (Building 6, which spans across the site's I-75 frontage). Building 5 is located approximately 220 feet from the Chambers Road right-of-way at the closest point (paved area is approximately 140' at the closest point), and Building 6 is approximately 255 feet from the right-of-way at the closest point to the Chambers right-of-way (paved area is approximately 200' at the closest point). Vehicular areas are shown along all sides of these buildings and areas labeled as "trailer

parking" are shown between Building 6 and the I-75 frontage and at the northeast corner of Building 6. A 400,000 square foot building (Building 4) is shown in the middle section of the site, and includes vehicular areas around most of the structure.

The total proposed building area is 3,600,000 square feet. Based on the overall site area, the proposed intensity is 17,248 square feet per acre (for reference purposes, the approved intensity for the adjoining Park South development ranges from 17,450 to 19,500 sf/acre due to varying approved building sizes). Landscape/yard areas are shown around each individual building site. Conceptual detention areas are shown to the west of Building 3, south of Building 4, and at the southwest corner of the site at the Chambers Road/I-75 overpass by Building 6. Public water main connections are proposed to be made from Dixie Highway to the north and at Chambers Road. Sanitary service is proposed to be connected to the future Steeplechase pump station on the west side of I-75. No architectural, landscape/buffering, or signage concepts, or a traffic impact study, have been provided to date.

SITE CHARACTERISTICS

The site contains approximately 209 acres. The site has approximately 3,240 feet of frontage along Dixie Highway, approximately 1,920 feet of frontage along Chambers Road, and approximately 2,130 feet of frontage along I-75. The areas along Dixie Highway and Chambers Road/I-75 are largely open pasture with some tree lines, and the middle area of the site is wooded. There are existing tree lines along several of the property boundaries. The western part of the site contains a farm pond and two barns. The topography of the site is a series of ridges and valleys with the high point being in the northeast corner of the site at approximately el 944 and the low point at the southwest corner of the site at approximately el 822. A small stream runs across a portion of the site's Chambers Road frontage. An overhead power line runs across the site in an east-west manner. Soil types on the site include Faywood silty clay loam (FcC, FcD), Faywood silty clay (FdD3), Nicholson silt loam (NIB, NIC), and Nolin silt loam (No).

ADJACENT LAND USES AND ZONING

The land uses and zoning in the immediate site include:

- A. A rail line is located to the east across Dixie Highway, and several residences which front on Old Lexington Pike are located further to the east (RS and I-1).

- B. A combination of single family residences and wooded areas are located to the north of the east and middle portions of the site (A-2), and the developing Park South industrial park is located further to the north (I-1). Park South is located immediately north of the west portion of the site (I-1).
- C. A combination of single family residences, pasture, and wooded areas are located to the south of the east and middle portions of the site, along both sides of Chamber Road (RS along the Dixie Highway frontage, A-2 otherwise). Pasture areas are located to the south of the west portion of the site, along the south side of Chambers Road (A-2).
- D. I-75 is located to the west.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the majority of the site for "Industrial" (I) uses. The Industrial classification is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining and terminal uses." The Map designates a band that scales between approximately 150 feet and 165 feet wide along the Chambers Road frontage for "Rural Lands" (RL). This designation is described as "wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres for the 25 year land use plan. Residential construction in Rural Lands does not occur in a formal subdivision."

The Land Use Element text makes the following statements that relate to the overall area.

- A. The growth of this section will be impacted in several ways. There are several major influences behind the anticipated growth, including the Northern Kentucky Industrial Park to the north, the Mt. Zion interchange, Weaver Road, development pressures along U.S. 25, the extension of public sanitary sewer service, and the Southern Railroad Line. Because of the development pressure all necessary types of infrastructure should increase in scale. This area is bisected by U.S. 25, a major corridor for growth, extending from urbanized Florence to Walton. The fact that it runs parallel to I-75, and is located between the interstate and the railway, makes it an ideal transportation connector. Because of the various existing and future land uses along U.S. 25, it will carry a high volume of mixed traffic types. For this reason, any traffic-intensive or truck-oriented uses shall locate near connections to the interstate, and access management shall be an important consideration on all development along U.S. 25. The Kentucky Transportation Cabinet is designing a major widening of U.S. 25 south to Richwood Road.

- B. Improvements are needed to the Richwood Interchange and to Richwood Road to increase capacity. Commercial development around the interchange area is expected to remain and expand to serve local residents, in addition to highway-related services. Intrusive highway related services should not impact the low density residential uses on the west, and be limited to the east side of I-75. The industrial development should primarily occur on the east side of U.S. 25, and south of the existing commercial area, as well as along Old Lexington Pike. Any heavy industrial uses proposed for Boone County should be directed to this area because of the distance from residential uses and the proximity to rail services. Old Lexington Pike should be upgraded as needed to serve as an access road for these industrial uses. Industrial uses fronting on U.S. 25 should be developed with attention given to adequate aesthetic design and landscaping to minimize visual impacts to the residential uses across I-75.
- C. The area east of I-75 and west of U.S. 25, from Richwood Road to Chambers Road, should develop as a Business Park. A buffer should be provided along Chambers Road to residential uses to the south, and no business park access should occur on Chambers Road. New industrial or business parks are planned in this area, and Dixie Highway will have to be improved south of KY 338. All developments should be interconnected by roadways to provide a parallel system to U.S. 25 ("8. Richwood Area," pp. 148 and 149).
- D. Suburban Residential development is occurring south of Chambers Road, between I-75 and U.S. 25. The rougher terrain, immediately adjacent to Chambers Road should include lower density residential development that minimizes traffic on this roadway, and fits into the landscape along this highly visible portion of the interstate corridor. The suitability of this area for residential use is enhanced by proximity to developing recreation areas, commercial services, and the Walton-Verona schools ("9. Walton Area," pg. 149).

The Land Use Element provides the following general comments that relate to the proposal.

- 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 upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments. . .

Typically, buffering is required and provided between unlike land uses, however, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer areas should use and supplement existing site features where possible ("Buffering," pg. 141).

- C. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways . . .

Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," pg. 141).

- D. Developments in Boone County must recognize the potential impacts of stormwater runoff. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site. One goal of local storm water programs should be to minimize the amount of storm water generated by decreasing the amount of pavement and encouraging green rooftops. Creating less runoff is a method of managing runoff ("Stormwater Management and Erosion Control," pg. 141).

- E. 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. Connections between and within commercial and industrial developments allow for more efficient provision of transit service ("Access Management," pp. 141 and 142).
- F. Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor.

This Comprehensive Plan encourages the restoration, renovation and/or adaptive re-use of historically significant structures in Boone County ("Design, Signs, and Historic Preservation," pg. 142).

The Business Activity Element provides the following comments that relate to the general area.

- A. Highway related commercial activity is appropriate at the I-75/Richwood Road Interchange. However, such growth on the west side of the interchange should be adequately buffered from existing and planned residential uses. As the residential area of Richwood grows, especially with the development of the Triple Crown Country Club, neighborhood and convenience commercial uses should develop. These new uses should be oriented toward the residents rather than the highway travelers. Most of the highway commercial growth should take place east of the interchange, although this growth should not occur to the point of blocking industrial traffic from future planned industrial development along U.S. Highway 25. Commercial development in this area should be designed to serve nearby residential growth. Over time, the truck oriented uses should be replaced with other commercial development as the interchange transforms from a travel services area to a residential area ("Recommended Areas of Commercial Activity," pp. 62 and 63).

- B. The Richwood and Walton interchanges will serve an increasing amount of industrial traffic along the U.S. 25 and I-75 corridors. Most of the industrial activity should locate near the interchanges to minimize travel on non-interstate roads. The area between U.S. 25 and the Boone/Kenton County line contains industrial potential due to interstate and rail access. Development of this area should utilize Old Lexington Pike as a frontage road to limit the number of access points onto Dixie Highway. The realignment of Old Lexington Pike with Richwood Road has made this area more accessible to the interstate . . . ("Recommended Areas of Industrial and Office Activity," pg. 65).

The site is not discussed in the Housing Element's "Geographic Housing Issues" section (pp. 78-80). Also, the site is within OKI traffic zone 884 as outlined in the Population Element, however, the zone is geographically too large for its data to provide any reasonable inferences regarding population change, housing, or traffic issues for the site in question.

The Transportation Element identifies "reconstruction of the Richwood (KY 338) interchange on I-75/71 - design year 2008" as a Kentucky Transportation Cabinet Six Year Plan project (pg. 129). The Element lists "KY 338, Richwood Rd., widening" and "US 25 improvements from Richwood to Walton as "Recommended Capacity Projects in the 2005 Transportation Plan" (pg. 130). It also lists "industrial collector system between Richwood Interchange and Chambers Road, parallel to US 25" as a planned street connection (pp. 130 and 131). Schematically, the configuration of this connector road matches the basic street layout approved to date for the industrial developments to the north.

The Goals and Objectives include the following pertinent statements.

- A. 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).
- B. Proper design principles shall be applied in development ("Overall," Objective 3).
- C. 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).
- D. Boone County shall strive to achieve both a diversity and balance in land use. Land use and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner ("Overall," Objective 6).

- E. Innovative development design methods shall continue to be pursued and supported through incentives ("Overall," Objective 9).
- F. The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- G. 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).
- H. 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).
- I. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Social Objective 4).
- 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 usage ("Business Activity," Overall Objective).
- L. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future Industrial development must be located where infrastructure exists or is planned. Future Industrial districts shall be identified in advance of residential development so that the potential impacts are known and can be addressed ("Business Activity," Industrial Objective 1).

- M. Effective site placement, architectural design and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Industrial nuisances such as smoke, dust, noise and odor shall be kept at a minimum, and site development and enforcement shall be carefully coordinated with necessary approvals of other regulatory agencies ("Business Activity," Industrial Objective 2).
- N. Provisions shall be made for proper control of industrial uses, which have processes or make products that could be hazardous to human life and property. (Examples of such products are explosives and flammable or corrosive chemicals). New and existing industrial uses shall comply with federal and state air and water pollution regulations ("Business Activity," Industrial Objective 3).
- O. Significant historic buildings, structures and sites, archeological sites and natural features in Boone County are preserved ("Preservation," Goal).
- P. Plans for new or redeveloped commercial, industrial, institutional and residential sites shall be reviewed, and reasonable measures taken, to ensure identification and protection of significant historical, archeological and architectural sites, including cemeteries ("Preservation," Objective 4).
- Q. New infrastructure systems shall be built to definite planned and balanced capacities and for definite urban and rural forms ("Public Services and Facilities," Objective 2).
- R. Priorities for growth within any individual infrastructure system shall be based on the predicted needs of specific areas as prescribed by the future land use projections of this plan. No infrastructure system shall commit the county to excessive growth by the system's expansion ("Public Services and Facilities," Objective 3).
- S. New connector streets shall be developed where needed and feasible thus lessening the total dependence on arterial, collector, and local streets. Existing connector streets shall be improved where needed ("Transportation," 2nd Goal, Objective 2).
- T. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops ("Transportation," 2nd Goal, Objective 3).

BOONE COUNTY TRANSPORTATION PLAN 2030

Exhibit 6-1 (pg. 6-2) illustrates and lists recommended project 28 which involves Dixie adjoining the subject site. This project is described as "widen to 4 lanes from KY 338 to Walton." The text on page 6-9 states that "the recommendation is to widen Dixie Highway to four lanes all the way to Walton in order to achieve a satisfactory level of service." Exhibit 6-13 (pg. 6-20) lists this as a medium priority project to be completed within 11 to 20 years. Exhibit 6-1 illustrates and lists recommended project 2 involving Richwood Road which is described as "widen to 4 lanes from Chambers Road to US 25/Dixie Highway" (the text on page 6-3 states five lanes from west of Triple Crown Boulevard to Dixie Highway and also mentions reconstruction of the interchange). Exhibit 6-13 lists this as a high priority project to be completed within 10 years.

Exhibit 6-1 also illustrates and lists recommended project 16 which is listed as "Richwood Church Road/KY 2951 Chambers Road." The project is described as "widen/improve from Hicks Pike to US 25 Dixie Highway" and the text of page 6-7 states that it will be a "four lane connection." Exhibit 6-13 lists this as a low priority project to be completed after 20 years.

Exhibit 6-14 (pg. 6-22) illustrates a "controlled access connector" which connects to Dixie Highway near the intersection with Richwood Road, runs parallel to I-75 through the Hemmer (originally Neyer) site, Park South, and through the site to the south to Chambers Road. Schematically, the configuration of this connector road matches the basic street layout approved to date for the industrial developments to the north.

STAFF COMMENTS

1. The Planning Commission and Fiscal Court will need to determine whether the proposal is in agreement with the Comprehensive Plan. Highlights of issues dealing with the Comprehensive Plan include:
 - A. The Future Land Use Map designates the majority of the site for Industrial uses, and designates a "band" along Chambers Road for "Rural Lands." This band scales between approximately 150 feet and 165 feet wide on the Map. The Future Land Use Map and the Land Use Element text both indicate residential development to the south of Chambers Road. The application form states that the development is for "warehouse distribution" uses. Because this is a general description and there are both existing and planned residential uses adjoining the site, Staff recommends that the list of uses permitted in the I-1 zone be reviewed for possible exclusions, especially those which could have routine outdoor activities. Staff also suggests that

the applicant provide a list of proposed use exclusions for the Zone Change Committee to review at the Committee meeting. The 1/3/07 Committee Report for the nearby IDI/Chipman zone change from A-2 to I-1 which includes recommended conditions is attached for comparative purposes (refer to conditions 2 and 3). Also related to use issues, the prohibition of truck idling in areas adjoining A-2 zoned and residentially used properties should be considered (condition 9).

- B. The Land Use Element states "because of the development pressure all necessary types of infrastructure should increase in scale. This area is bisected by U.S. 25, a major corridor for growth, extending from urbanized Florence to Walton. The fact that it runs parallel to I-75, and is located between the interstate and the railway, makes it an ideal transportation connector. Because of the various existing and future land uses along U.S. 25, it will carry a high volume of mixed traffic types. For this reason, any traffic-intensive or truck-oriented uses shall locate near connections to the interstate, and access management shall be an important consideration on all development along U.S. 25. The Kentucky Transportation Cabinet is designing a major widening of U.S. 25 south to Richwood Road."
- C. The Land Use Element states "improvements are needed to the Richwood Interchange and to Richwood Road to increase capacity. Commercial development around the interchange area is expected to remain and expand to serve local residents, in addition to highway-related services. Intrusive highway related services should not impact the low density residential uses on the west, and be limited to the east side of I-75. The industrial development should primarily occur on the east side of U.S. 25, and south of the existing commercial area, as well as along Old Lexington Pike." It continues by stating "industrial uses fronting on U.S. 25 should be developed with attention given to adequate aesthetic design and landscaping to minimize visual impacts to the residential uses across I-75."
- D. The Land Use Element states specifically about this area "the area east of I-75 and west of U.S. 25, from Richwood Road to Chambers Road, should develop as a Business Park. A buffer should be provided along Chambers Road to residential uses to the south, and no business park access should occur on Chambers Road. New industrial or business parks are planned in this area, and Dixie Highway will have to be improved south of KY 338. All developments should be interconnected by roadways to provide a parallel system to U.S. 25." This passage is somewhat different from the Future Land Use Map, which designates the site for Industrial uses as already mentioned versus Business Park as stated in this text.

The statement "a buffer should be provided along Chambers Road to residential uses to the south, and no business park access should occur on Chambers Road" dovetails with the Rural Lands designation on the Future Land Use Map. On the submitted Concept Development Plan, Building 5 is located approximately 220 feet from the Chambers Road right-of-way at the closest point (paved area is approximately 140' at the closest point), and Building 6 is approximately 255 feet from the right-of-way at the closest point to the Chambers right-of-way (paved area is approximately 200' at the closest point). When taking the text and the Map together, the governing bodies will need to determine whether a reasonable buffer is provided and whether this buffer has the rural and/or wooded qualities inherent in the Rural Lands designation. Because no specific design is shown for this area on the Concept Development Plan, a condition(s) which deal with the qualitative treatment of the buffer should be determined as discussed below if the application is approved. Regarding an effective buffer and the adjoining historic Ellis Farm, the Preservation Goals and Objectives advocate the protection of such resources through the development process.

The proposal extends the Logistics Boulevard connection from Park South per the general direction of the Transportation Element ("parallel system to U.S. 25") and the Boone County Transportation Plan 2030, but rather loops the road back to Dixie Highway and does not access Chambers Road per the above text.

- E. The Business Activity states "the Richwood and Walton interchanges will serve an increasing amount of industrial traffic along the U.S. 25 and I-75 corridors. Most of the industrial activity should locate near the interchanges to minimize travel on non-interstate roads."

The governing bodies will also need to determine whether the proposal fulfills either of the alternate statutory findings. If applicable, the applicant should explain the appropriateness and inappropriateness of the existing and proposed zones and/or any major changes of an economic, physical, or social nature not anticipated by the Comprehensive Plan that substantially alter the area's character.

- 2. Staff has the following comments on design related issues.

- A. Appropriate buffering around the perimeter of the site is a primary issue to Staff. Overall, existing vegetation in the perimeter areas of the site should be retained per the Comprehensive Plan's direction. The prior conditions for the Park South development to the north can be used as guides for the Dixie Highway and I-75 frontages (these conditions in some form have now been

the subject of three zone change applications). For the Dixie Highway frontage, a 50 foot wide landscape area that includes berming and trees from Buffer Yard C on the street side of the berm(s) is required. For the I-75 frontage, the conditions for the second zone change require the trees from Buffer Yard C and the installation of tall, intermittent ornamental grasses. The Duke Concept Development Plan shows the landscape area along Dixie Highway ranging from approximately 50 feet to 150 feet, and the landscaping area along I-75 at approximately 60 to 65 feet (Park South I-75 frontage is generally 100' wide w/ smaller jogged areas in the right-of-way). The current Concept Development Plan also shows "trailer parking" along almost the entire length of the site's I-75 frontage (over 1,700'). Staff's recommendation is for this trailer parking to be moved to the opposite (east) side of Building 6 and no closer to Chambers Road than the south building line of Building 5 to help reduce visual impacts along said road corridor.

As stated above, the Comprehensive Plan calls for a rural and/or wooded buffer area along Chambers Road. To accomplish this, Staff recommends that "farm" fencing and street type trees be provided along the immediate Chambers frontage, and that a forestation approach be taken for the remainder of the area facing Chambers Road and along the rear boundary of the adjoining property (historic Ellis Farm) that fronts on Chambers Road. Staff's initial recommendation is to include the trees from Buffer Yard D (15 evergreen trees and 4 large and/or medium deciduous trees per 100 linear feet), and to provide a hardwood seed/seedling mix throughout this area. In concept, the larger nursery stock should be placed on substantial berming, although no grading concept has been provided to evaluate how effective berming would be in this area. Potential building height, which is typically in the 36 to 40 foot range for the type of structures proposed, also needs to be evaluated relative to landscape buffering, berming, overall site grading, and building cosmetics.

For the "interior" boundaries that adjoin residential or agricultural properties, the previously referenced IDI conditions can be used as a model. Condition #4 for the recently reviewed "Chipman" property made reference to buffer sections which showed substantial berming, requires trees from Buffer Yard C (8 evergreen and 4 deciduous trees per 100 linear feet), and the retention of healthy existing trees along the boundary. A hard seed/seedling mix as discussed above for the Chambers Road frontage could also be provided in these "interior" buffer areas for the subject site. The effective width of the buffer under the Park South condition is approximately 60 feet at the narrowest point, and the berming averages approximately 8 to 10 feet higher than the adjoining "high" grade (adjoining industrial buildings are to be placed

notably lower on the "low" side of the grade). The buffer improvements are to be wrapped around the corner of the site onto the Dixie Highway frontage, an approach that would be appropriate for the corners of the subject site's Dixie Highway frontage as well. The buffer widths shown on the proposed Concept Development Plan either meet or exceed, or could be adjusted to meet, the approximate 60 foot minimum buffer shown on the IDI/Chipman plan. The normal requirements of Article 37 require Buffer Yard C (minimum 25' width w/ plants noted above) between an A-2 or RS zone and the I-1 zone. Of note, an overhead power line easement runs along an adjoining A-2 boundary in the center of the site, partially overlapping the proposed road alignment - the applicant should explain any planting restrictions that may be associated with this easement so that the plan can be adjusted accordingly if necessary and effective buffering will still be provided.

- C. No architectural or signage program has been provided or described. While a consistent design approach that focuses on materials and colors is typically expected for such developments, different building cosmetics between the east and west parts of the tract would be a more effective approach when considering the Comprehensive Plan's direction for the Chambers Road frontage area. The Park South development is required to provide a "consistent, integral architectural and signage scheme" for the overall development. These same basic stipulations are reasonable for the current proposal as well, but should be expanded for Buildings 4, 5, and 6 to more specifically relate the development to the Chambers Road corridor. The southern facades of these buildings should use deeper, natural colors and be embellished to help minimize the apparent scale. The addition of the three dimensional jogs in these facades, varying roof lines, and areas for screening landscaping immediately adjoining the buildings would help in this regard. A "solid" appearing material such as precast or tilt-up panels, or architectural masonry, should be considered for all structures. On a similar issue, the applicant should confirm whether or not all utilities are planned to be underground.
- D. Lighting and outside storage are both of concern to Staff relative to potential impacts on adjoining properties. Regarding lighting, Staff recommends that all site lighting be downlit, directed toward the interior of the site, and that measurable lighting be less than 1 footcandle at the interior edge of the various buffer yards versus the property lines; no measurable light (0.0 fc) at the project boundaries can also be considered. Due to the proximity of the various vehicular areas to properties used for residential purposes, Staff recommends that lighting be further restrained by limiting the height of all fixtures (wall packs and freestanding masts) to 20 feet maximum for the site

at large, and 12 feet maximum for the areas between the south facades of the Buildings 5 and 6, with the number of fixtures in these areas limited to one at both the southeast and southwest corners of each building. Limiting the output of the fixtures to 400W could also be considered, although this is not of great concern to Staff if the other recommendations were implemented and effective buffering is provided.

Based on the size of the overall development and the individual lots and buildings proposed, outside storage of inventory or materials appears to be unnecessary and potentially detrimental to residential neighbors, depending on its location. Outside storage is not permitted in the adjoining Park South development per the agreed use conditions.

3. Staff has the following comments on traffic/transportation issues.
 - A. Logistics Boulevard is proposed to be connected from the adjoining Park South development to Dixie Highway. The County's Transportation Plan and the Comprehensive Plan's Transportation Element call for a "parallel road" which conceptually connects to Chambers Road. As discussed in the Staff Comments above, the Land Use Element states "no business park access should occur on Chambers Road." When considering these various documents together, it is Staff's conclusion that the proposed configuration is an appropriate solution as it completes the southern link of the parallel road back to Dixie Highway as the major corridor versus Chambers Road, which serves mostly residential and agricultural traffic, has poor geometrics for large vehicles, and is a low priority (after twenty years) for widening in the Transportation Plan.
 - B. The conditions of approval for the initial Park South zone change require the installation of a street light at that development's intersection with Dixie Highway as a safety measure. The same condition is appropriate for this development's Dixie Highway intersection as well.
 - C. No traffic study was submitted with this request. To determine whether the traffic generated by the proposal can be reasonably accommodated by the major road system and coincide with planned improvements, particularly for the main route between this site and I-75, such a study should be provided for review by the Zone Change Committee. The study should consider development phasing and impacts generated by trucks versus passenger vehicles. Regarding planned improvements, Jim Brannon with the Kentucky Transportation Cabinet, District 6, has informed Staff that the Richwood Interchange project is in the Six Year Plan for construction in 2010, and the

Richwood Road/US 25 interchange project is anticipated for 2013. Improvements to Richwood Road between these two points will likely be combined into these projects. All of these projects are funding dependent.

- D. Comments from the Kentucky Transportation Cabinet, District 6, have been provided (1/5/07 e-mail from Robert Hans, TEEM - Planning, KTC District 6 is attached). In brief, the Cabinet will require access "to be consistent with the active highway project along US 25," will require both left and right turn lanes, and that the access must meet KTC sight distance standards (sight distance standards in the zoning regulations must also be met). The e-mail also states that the developer and engineering consultant "have submitted a traffic analysis which is currently being reviewed."
4. Information regarding the adjoining historic Ellis Farm (William Senour Farm) at 262 Chambers Road is outlined in the attached 1/12/07 e-mail from Matt Becher, Rural/Open Space Planner.
 5. The Boone County Sheriff's Office has stated that the zone change will have little effect on their services (12/7/06 e-mail from Lt. Col. Robert Reuthe of the Sheriff's Office is attached). Representatives of the Boone County Water District, Sanitation District #1, and Walton Fire District have stated that their respective agencies have no comment on this proposal. Sanitation District #1 has granted "conceptual approval" for the project (12/13/06 letter from Gary Aman, Project Manager, is attached).
 6. The Boone County Engineer and Kentucky Division of Water were requested to comment on the proposal relative to their policies and/or service abilities. No written comments have been received to date. Any comments received will be forwarded to the Zone Change Committee.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and the Boone County Fiscal Court in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3, "Amendment" of the Boone County Zoning

Regulations and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved.

Respectfully submitted,



Kevin T. Wall, AICP
Director, Zoning Services

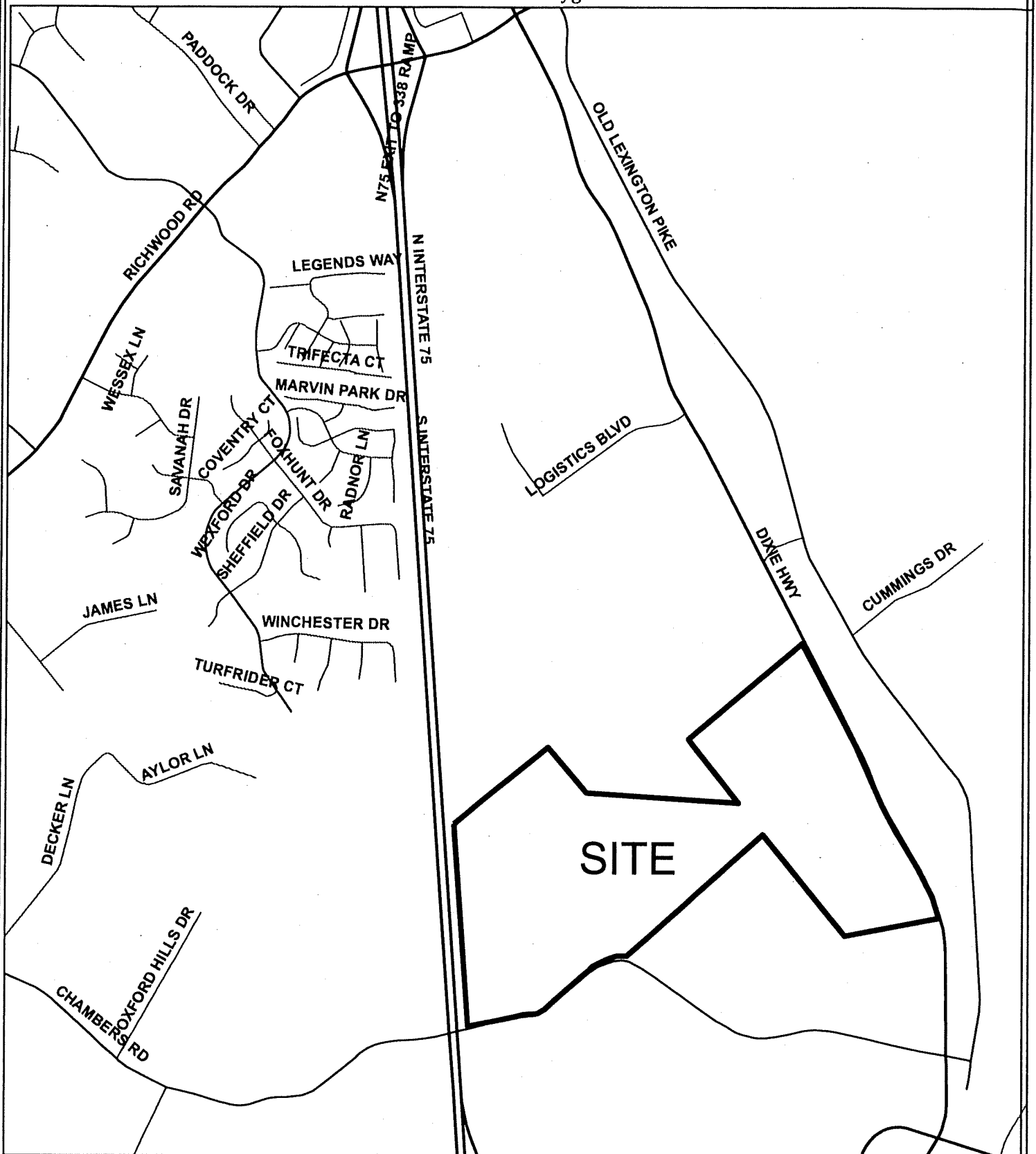
KTW/pr

attachments:

- location map
- aerial photo w/zoning
- Future Land Use Map excerpt
- topographic map
- 1/3/07 Committee Report for IDI/Chipman zone change including Concept Development Plan
- 1/5/07 e-mail from Robert Hans, TEEM - Planning, KTC District 6
- 1/12/07 e-mail from Matt Becher, Rural/Open Space Planner
- 12/7/06 e-mail from Lt. Col. Robert Reuthe, Boone County Sheriff's Office
- 12/13/06 letter from Gary Aman, Project Manager, Sanitation District #1 to David Wright, Duke Realty Corporation
- application materials including Concept Development Plan

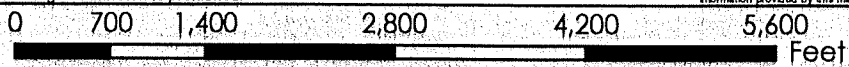
Location

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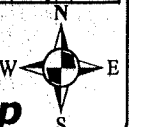
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1 inch equals 1,406 feet

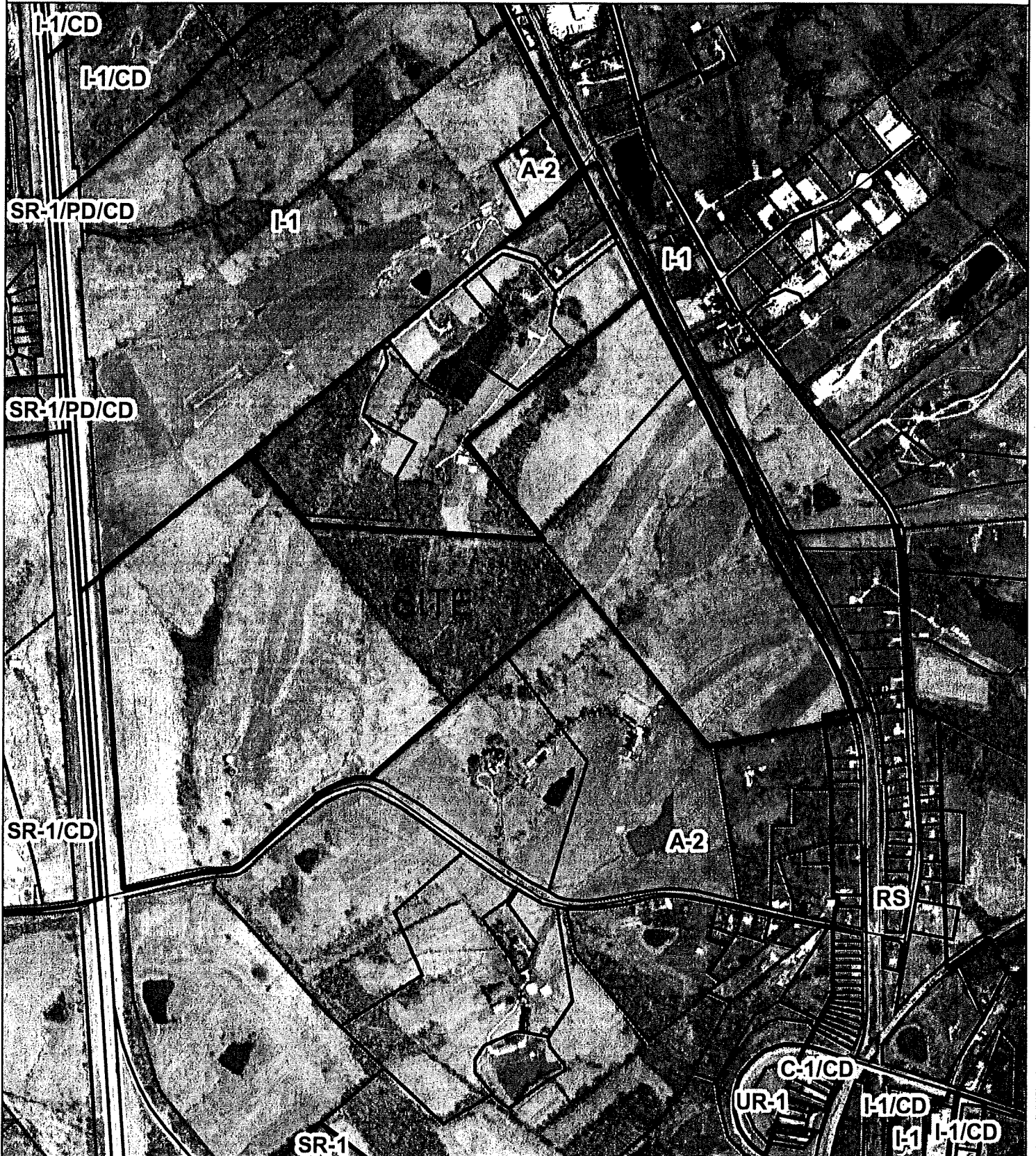


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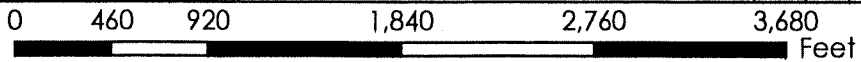
Zoning

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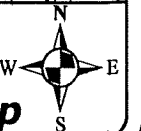


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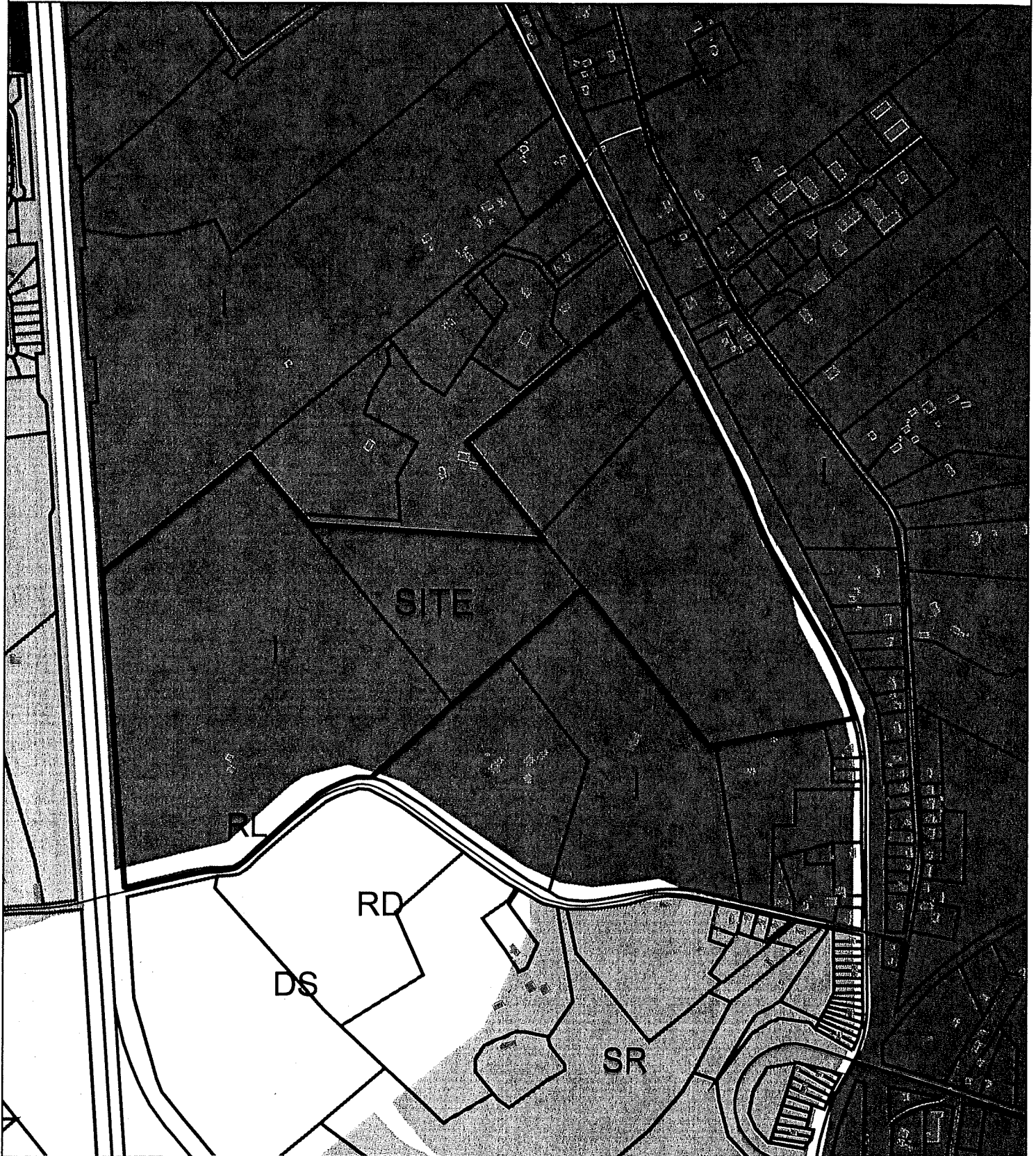


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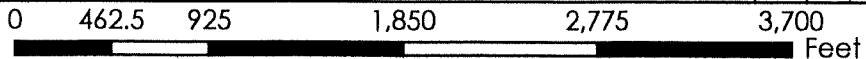
Future Land Use

www.boonecountygis.com



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1 inch equals 908 feet



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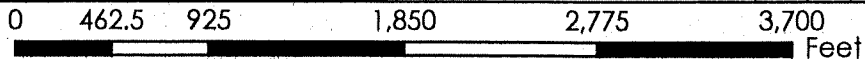
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ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: January 3, 2007

RE: Request of IDI (applicant) for William Chipman and Betty Chipman (owners) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 5 acre tract located at 11685 Dixie Highway, Boone County, Kentucky. The request is for a zone change to allow an expansion of an existing industrial park (Park South at Richwood).

REMARKS:

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

FINDINGS OF FACT

1. The Committee has concluded that the proposed Zoning Map Amendment is in agreement with the 2005 Boone County Comprehensive Plan. Specific facts that support this conclusion include the following.
 - A. The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Industrial" uses. The Industrial classification is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining and terminal uses." The Future Land Use Map is reinforced by the Land Use Element (pg. 149) which states "the area east of I-75 and west of U.S. 25, from Richwood Road to Chambers Road, should develop as a Business Park." The proposal is for a minor land area expansion for a lower traffic generating distribution/light industrial park with substantial landscape and buffer areas, which per the applicant's representations and agreed conditions, will have a consistent design scheme. The zone change does not represent an increase in the amount of building area already approved for the park, but merely allows two approved buildings to be combined into one.
 - B. The Land Use Element (pg. 148) states that "this area is bisected by U.S. 25, a major corridor for growth, extending from urbanized Florence to Walton. The fact that it runs parallel to I-75, and is located between the interstate and the railway, makes it an ideal transportation connector. Because of the various existing and future land uses along U.S. 25, it will carry a high volume of mixed traffic types. For this reason, any traffic-intensive or truck-

oriented uses shall locate near connections to the interstate, and access management shall be an important consideration on all development along U.S. 25. The Kentucky Transportation Cabinet is designing a major widening of U.S. 25 south to Richwood Road."

The site is located between U.S. 25 and I-75 within reasonable proximity of the Richwood interchange. Site access will be from a previously approved intersection on U.S. 25, "an ideal transportation connector." The development of this site as a small extension of the approved I-1 zoned development to the north and west eliminates one potential curb cut onto Dixie Highway.

- C. The Land Use Element (pg. 148) also states "industrial uses fronting on U.S. 25 should be developed with attention given to adequate aesthetic design and landscaping to minimize visual impacts to the residential uses across I-75." The applicant has committed through the submitted Concept Development Plan materials and agreed conditions to provide a 50 foot wide landscape area along Dixie Highway which contains berming and the landscaping from Buffer Yard C, versus the 10 foot wide minimum street frontage landscape area with Buffer Yard A plantings that is normally required, and a substantive buffer adjoining the residential area along the south property line that will wrap around the southeast corner of the site along the Dixie Highway frontage. The development also includes a consistent architectural and signage program.
- D. The Business Activity Element (pg. 65) states "the Richwood and Walton interchanges will serve an increasing amount of industrial traffic along the U.S. 25 and I-75 corridors. Most of the industrial activity should locate near the interchanges to minimize travel on non-interstate roads." The Element (pp. 63 and 64) also discusses "future planned industrial development along U.S. Highway 25." The site is in proximity to the interchange and as stated above, is for a minor expansion of an existing industrial park. Because no additional building area has been requested over the previously approved Concept Development Plans, additional traffic impacts should not be experienced.
- E. Based on the Concept Development Plan and the agreed conditions outlined below, the Committee has concluded that the proposal is in general agreement with the "Future Land Use Development Guidelines" on pages 140 to 142 of the Land Use Element and the Comprehensive Plan Goals and Objectives.

The Comprehensive Plan's Business Activity Goals and Objectives are of particular relevance, which include:

- I. "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 usage" ("Business Activity," Overall Objective). Substantial landscape areas in terms of size and screening materials will be provided along the south property line and the Dixie Highway frontage.
 - ii. "Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future Industrial development must be located where infrastructure exists or is planned. Future Industrial districts shall be identified in advance of residential development so that the potential impacts are known and can be addressed" ("Business Activity," Industrial Objective 1). The site's access is from the previously approved point on Dixie Highway, which is acknowledged by the Land Use Element as an "ideal transportation connector" that will serve industrial development, and the site is within reasonable proximity to the Richwood interchange.
 - iii. "Effective site placement, architectural design and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Industrial nuisances such as smoke, dust, noise and odor shall be kept at a minimum, and site development and enforcement shall be carefully coordinated with necessary approvals of other regulatory agencies " ("Business Activity," Industrial Objective 2). A range of potential impacts that could be created by the development are addressed by the agreed conditions. In consideration of the Concept Development Plan and these agreed conditions, the request is in agreement with this objective.
2. The Committee has concluded that: because the site is adjoined by I-1 zoned properties on four sides (including to the south when considering the existing flag lot panhandle); because the proposal will basically function as an infill development; and, because of it's small size and location the site is not readily conducive to other types of development that is compatible with the existing and planned industrial uses and zoning in the area, the existing A-2 zoning classification is inappropriate and the proposed I-1 zoning classification with the conditions noted herein is appropriate.
 3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions 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 development shall follow the Concept Development Plan that was presented at the December 6, 2006 Public Hearing and attached to the staff report for this request.
2. The following uses that are normally permitted in the I-1 zone shall be prohibited in this development (the same as previously approved for the initial two phases of Park South).
 - I. Principally Permitted Use #44: Truck stops;
 - ii. Principally Permitted Use #45: Recycling centers;
 - iii. Principally Permitted Use #47: Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
 - iv. Accessory Use #8: Outside storage of equipment and materials subject to appropriate screening as approved by the Zoning Administrator;
 - v. Conditional Use #1: Uses in which the primary business activity involves the following:
 - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
 - b. bag cleaning;
 - c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
 - d. creosote treatment;
 - e. distillation of bones, coal or wood;
 - f. enameling, japanning or lacquering;
 - g. radium or radioactive elements;
 - h. crushing or other reduction or waterproofing;
 - I. the storage of chemicals (this prohibition applies to bulk or non-containerized chemicals and does not apply to containerized chemicals);
 - vi. Conditional Use #2: Poultry and small game dressing and packing;
 - vii. Conditional Use #3: Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
 - viii. Conditional Use #5: Gasoline filling stations and wash services;
 - ix. Conditional Use #11: Wholesale vehicle sales or auctions;
 - x. Conditional Use #12. Churches, synagogues, temples and other places of religious assembly for worship.
3. The following use categories normally permitted in the I-1 zone shall be restricted in the manners described below (the same as previously approved for the initial two phases of Park South).
 - I. Principally Permitted Use #2: "Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut but excluding the primary manufacture of meat and fish, which includes the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage of rawhides or skins" - manufacturing and processing shall be excluded from this use category;

- ii. Principally Permitted Use #10: "Soaps and other detergents" - no manufacturing of soap or detergent shall be permitted, and no dispensing of liquid soap or detergent shall be permitted;
 - iii. Principally Permitted Use #27: "Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage" - mini warehouses shall be excluded from this use category;
 - iv. Principally Permitted Use #37: "Motor freight terminals, public warehousing, freight garaging and equipment maintenance" - motor freight terminals and mini warehousing shall be excluded from this category.
4. Buffering along the south boundary of the site and along Dixie Highway from the approximate midpoint of Building B to the southeast corner of the site, shall follow the conceptual buffer sections presented at the December 20, 2006 Zone Change Committee meeting relative to the buffer layout and building elevations (buffer plan and cross sections are attached). Vertical berms with trees per Buffer Yard C of Article 37 of the zoning regulations placed on top of said berms shall be provided in these areas; all healthy, existing trees along the south boundary shall be retained in addition to the Buffer Yard C plantings. The evergreen trees within all buffer areas shall have an eight foot (8') minimum installation size. An opening through the berming may be permitted for an emergency access drive if it is required by the Walton Fire District. Such an opening shall be angled through the berming to diffuse the view from Dixie Highway and adjoining properties.
5. The landscape area along Dixie Highway north of the approximate midpoint of Building B as discussed in condition #4, which has a noted width of fifty feet (50') on the Concept Development Plan, will contain berming which is as high as practical based on the topography and good engineering practices, and the trees from Buffer Yard C of Article 37 of the zoning regulations shall be placed on the street facing side of the berming.
6. Storm water collected from any hard surface shall not drain into the lakes on the Tagher properties. Said storm water shall be piped so that the outflow bypasses the lakes, and so that the buffering/screening qualities of the berming and landscaping required by condition #5 of the original 2004 zone change approval are maintained.
7. Storm water control for the entire development (for both the initial two zone change areas and the current zone change area combined) will adhere to the current County storm water management specifications for each building site. A storm water master plan shall be developed for the entire proposed industrial park (for both the initial two zone change areas and the current zone change area combined) to evaluate the effect of all individual storm water detention systems functioning simultaneously. The master plan shall be designed so that post-development peak flows at each stream exit from the subject property do not exceed pre-development peak flows.

8. Public water and sanitary sewer systems shall be provided by the developer to the proposed subdivision.
9. The restrictive covenants for the development shall prohibit trucks from being left idling in the vehicular area(s) on the south side of Building B as shown on the Concept Development Plan.
10. A consistent, integral architectural and signage scheme shall be used for the entire development (for both the initial two zone change areas and the current zone change area combined), and shall conform to the representations made in the zone change application materials for the initial phase.

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 Committee Vote.



PARK SOUTH AT RICHMOND INDUSTRIAL PARK
 CONCEPT PLAN - OVERSEEN BY
 RICHMOND COUNTY, GEORGIA

bocker
 ARCHITECTS
 1115 W. 10TH ST.
 WATFORD, AL 36205

C10
 SCALE: 1" = 100'
 0 100 200 300

Building A Pad
 Elevation: 1120
 (20' x 100')

Building B Pad
 Elevation: 1120
 (20' x 100')

Building D Pad
 Elevation: 1120
 (20' x 100')

Finished Floor
 Elevation: 1120

Finished Floor
 Elevation: 1120

Finished Floor
 Elevation: 1120

PAUL V. TOSNER
 11261 STATE HIGHWAY 42
 WASHINGTON, KY 40391

WAGE T. TOSNER
 333 JAMES COURT #2
 WASHINGTON, KY 40391

CONTRACTOR: E. BOYD & SONS
 11755 STATE HIGHWAY 42
 WATFORD, AL 36205

PAUL V. TOSNER
 11261 STATE HIGHWAY 42
 WASHINGTON, KY 40391

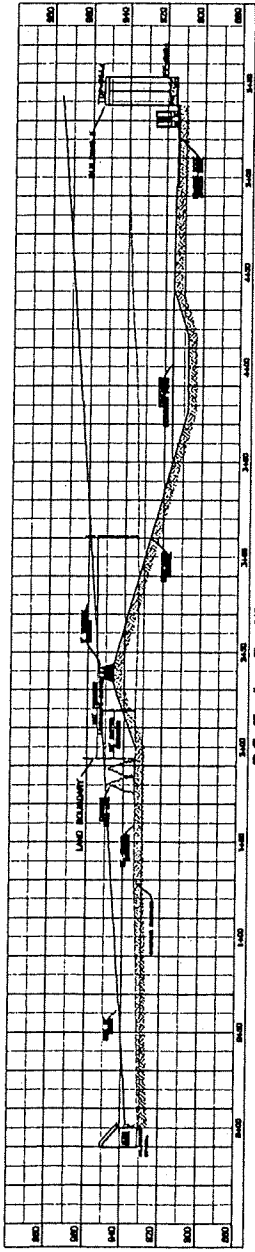
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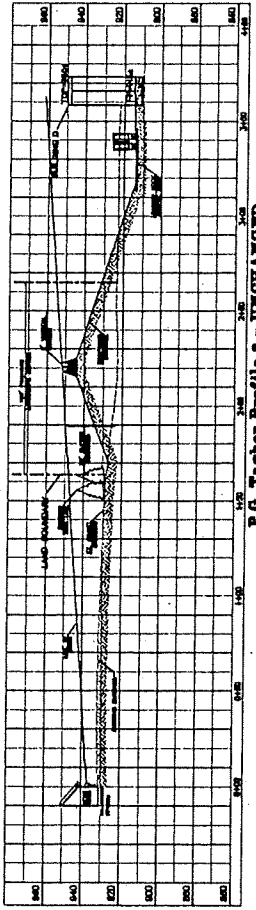
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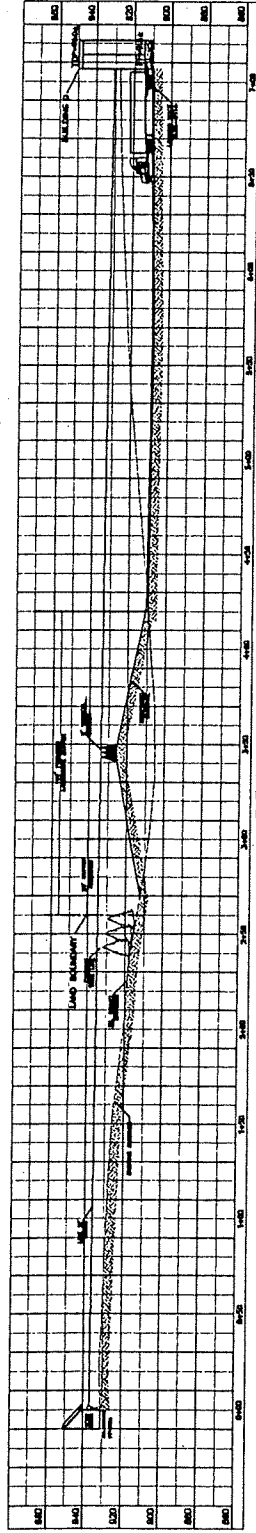
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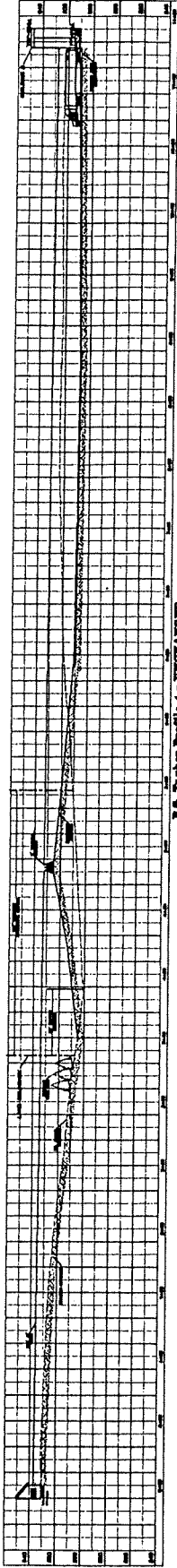
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P.G. Taggar Profile 2 - UNCHANGED



P.G. Taggar Profile 3 - UNCHANGED



P.G. Taggar Profile 4 - UNCHANGED



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PARK SOUTH AT RICHWOOD INDUSTRIAL PARK
 PHASE I IMPROVEMENT PLAN
 UNINCORPORATED RICHWOOD
 BOONE COUNTY, KENTUCKY

boyer becker
 ENGINEERS ARCHITECTS LANDSCAPE ARCHITECTS
 11 East 50th Street
 Campden, KY 40311-2523 (1113)

Kevin Wall

From: Hans, Robert (KYTC-D06) [Robert.Hans@ky.gov]
Sent: Friday, January 05, 2007 3:43 PM
To: Kevin Wall
Cc: Thompson, Ed (KYTC-D06); Madden, Bill F (KYTC-D06); Schomaker, Tom (KYTC-D06); Callan-Ramler, Carol (KYTC-D06)
Subject: Requested Zone Change - Duke Realty Industrial Park - Boone County

Kevin,

The Kentucky Department of Highways has reviewed the subject Requested Zone change at the northwest corner of Chambers Road and US 25 and makes the following comments.

Coordination of all access onto US 25 should be made with the Department to be consistent with the active highway improvement project along US 25.

Access to US 25 will need to be approved by the Department following Department Specifications.

- Developer and Engineering Consultant have been in contact with the Department and have submitted a traffic analysis which is currently being reviewed.
- Access will require both a right and left turn lane on US 25 to the proposed site, using the 55 mph standard for taper lengths.
- Both turn lane storage lengths should be 250'.
- Sight distance lengths of 484' required in both directions on US 25.
- Drainage analysis will be required.
- Pavement design of turn lanes to be determined at time of a formal Permit application submittal.

If you have any questions, please feel free to contact me.

Thanks,

Rob Hans, TEBM - Planning
KY Department of Highways, District Six
(859) 341-2707, ext. 256

Kevin Wall

From: Matt Becher
Sent: Friday, January 12, 2007 10:26 AM
To: Kevin Wall
Subject: Ellis Farm (aka William Senour Farm), Chambers Road

Kevin,

The Ellis Farm was originally recorded for the Kentucky Historic Inventory as the William Senour Farm (Site Be-211) in 1976. The inventory form was revised and updated in 1993. The 1993 inventory form notes that:

"Prior to its remodeling, this house exemplified the eclectic spirit of late Victorian-era architecture, combining elements of the Queen Anne, Richardsonian Romanesque and Neo-Classical Revival styles. Apparently constructed with the aid of an architect, its complex, rather sophisticated design, with academic pretensions, stood in marked contrast to the simple, restrained expression favored by most local builders at the turn of the century."

However, the inventory form goes on to state that the house was "remodeled extensively with a Colonial Revival intention," which included replacement of the round-arched windows in the main façade, front door, and original trimwork. A two-story colonned portico also was added to the front of the building and an addition appended to the back.

The house is surrounded by a complex of outbuildings including older structures such as a "distinctive...polygonal brick cellar with conical raised roof" and two barns that were probably originally dairy or stock barns later adapted for horses. Two other buildings apparently built when the house was remodeled and with Colonial Revival detailing include a caretaker's house and three-car garage.

The Senour House is beautifully sited and is an impressive site to behold from Chambers Road. Originally, the house was a unique example of late Victorian architecture in Boone County. It was complemented by appropriate farm outbuildings and located in a picturesque rural setting. The property retains those outbuildings and setting but the house is now one of the finest expressions of the Colonial Revival style in the county. However, the Colonial Revival remodeling dates to the early 1970s and does not meet the minimum criteria of 50 years for inclusion in the National Register of Historic Places. I believe that the complex will be a good candidate for National Register status once it reaches that 50-year threshold (i.e., c. 2020). At this time, however, it simply does not meet the criteria. That said, I also believe that construction of a complex of industrial buildings surrounding the Ellis/Senour Farm will negatively impact the setting of the property and jeopardize any future effort to list the property in the National Register.

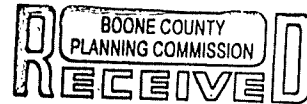
Matthew E. Becher, AICP
Rural/Open Space Planner
Boone County Historic Preservation Review Board
P.O. Box 958
Burlington, KY 41005
859-334-2111
859-334-2264 (fax)
mbecher@boonecountky.org

Kevin Wall

From: Rob Reuthe
Sent: Thursday, December 07, 2006 2:59 PM
To: Kevin Wall
Subject: Duke Realty

Kevin,
This request for zone change will have little impact on the services provided by the Sheriff's office.

Robert E. Reuthe
Lt. Colonel, Field Operations
Sheriff's Office, Boone County Kentucky
Office: 859-334-2171
Mobile: 859-393-9860
Fax: 859-334-2234



December 13, 2006

JAN 8 2007
FEB 2 2007

David V. Wright, P.E.
Duke Realty Corporation
4555 Lake Forest Drive
Suite 400
Cincinnati, OH 45242

Re: Proposed Industrial Park
Sanitary Sewer Availability

Dear Mr. Wright:

We have reviewed your letter dated November 30, 2006 and are in agreement with your summary of what occurred at the November 28, 2006 meeting. Sanitation District No. 1 grants conceptual approval to Duke for the future installation of sanitary sewer as shown on Exhibit A dated November 29, 2006.

To reserve sanitary capacity a "Reservation for Capacity" request must be submitted for approval by the Board of Directors of Sanitation District No. 1. Prior to the installation of sanitary sewers, improvement plans must be submitted for approval. If you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,

Gary W. Aman
Program Manager
Plan Review and Development Group

APPLICATION FORM

RECEIVED
NOV 16 2006
DUKE CONSTRUCTION

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

RECEIVED
DEC - 4 2006
BOONE COUNTY
PLANNING COMMISSION

(See Boone County
Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project Commonwealth Logistics Center
2. Location of Project U.S. 25, near Richwood Road
3. Total Acreage of Site 208.721 acres
4. Current Zoning of Site A2
5. Proposed Zoning (Classification being requested) I1
6. Proposed Uses (please specify each use)
Warehouse distribution
7. Names of Applicant(s) Duke Realty LTD; Attn: David Wright, P.E.
Phone Number 513-956-4464 Fax No. 513-956-4505
8. Address of Applicant(s) 4555 Lake Forest Drive, Suite 400
Cincinnati OH 45242
9. Name of Property Owner(s) Greenfield Farm, Inc.; Attn: Jim Dressman
Phone Number 859-341-1881 Fax No. 859-341-1469
10. Address of Property Owner(s) 2701 Turkeyfoot Road
Fort Mitchell, KY 41017
11. Proposed Building Intensities (please specify) 3.6 million sq. ft.
12. Are there any existing buildings on the site? barn
How many? 1
13. Deed Book 663, 726 Page No. 174, 131 Group No. 2072
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:

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

(over)

**ZONING MAP AMENDMENT
APPLICATION
PAGE 2**

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

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

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

SECTION B (To be completed by BCPC Staff)

1. Date Received 12-4-06
2. Review Fee \$796.00 RAS 1997
3. Check what has been submitted:
 - Application
 - Fee
 - Legal Description
 - Concept Development Plan
 - Address of Adjoining Property Owners
 - \$ Number of copies of plan received**
4. Is application complete? Yes No
5. Staff Reviewer KELLY WALL
6. Committee Chairman _____
7. Scheduled Public Hearing Date 1/17/07
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@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page**

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



Boone County Public Works Department

5645 Idlewild Rd.
Burlington, KY 41005

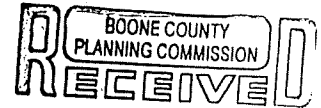
Phone: (859) 334-3600
Fax: (859) 334-3598
www.boonecountyky.org

Gary W. Moore
County Judge-Executive

Jeff Earlywine
County Administrator

Gregory V. Sketch
PE, PLS County Engineer

MEMORANDUM



TO: Kevin Wall, Director, Zoning Services
Boone County Planning Commission

FROM: Greg Sketch, PE, PLS
Boone County Engineer

RE: Proposed Zoning Map Amendment for
Duke Realty Industrial Park

DATE: January 11, 2007

JAN 16 2007

This is in response to your request for input concerning the request for the approval of a zoning map amendment Duke Realty located on the west side of Dixie Highway (US 25) and the north side of Chambers Road (KY 2951) in Unincorporated Boone County. Because both Dixie Highway and Chambers Road are KY Transportation Cabinet (KYTC) maintained roads, Boone County Public Works has no specific concern with access but would like to make comment on storm water detention.

It has been the general practice of the development community of industrial subdivisions to provide detention for individual lots as they are submitted for approval, and these calculations are reviewed at that time. When there are a significant number of detention facilities, it becomes difficult to determine the total effect of post development when the basins all are operating at the same time.

Therefore, it is my recommendation that if the Planning Commission recommends approval of this proposal, a condition be place on the applicant that the storm water plan for the entire development be submitted with the application of the first improvement plan. This plan should address all storm water detention requirements for the entire built out development. In addition, to ensure that post development runoff is not greater than pre-development runoff, the post development runoff should be no more than 85% of the pre-development.

Thank you for the opportunity for input in this matter.

c: Jeff Earlywine, Boone County Administrator

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM**

**January 17, 2007
7:30 P.M.**

PUBLIC HEARINGS

Commission Members Present: Mrs. Arnett, Mr. Bunger, Mrs. Herald, Mrs. Kegley, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Rolfsen, and Mr. Schwenke.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mrs. Susan Poston, Vice Chairwoman, called the meeting to order at 7:53 PM and introduced the first item on the Agenda:

Applicant: Duke Realty, Ltd., Attn: David Wright for
Greenfield Farm, Inc., Attn: Jim Dressman (owner)

Request: Zoning Map Amendment

The request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

Following and explanation of the Public Hearing process, Mrs. Poston asked for the Staff presentation.

Staff Member Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report). He reviewed a letter from County Engineer

Greg Sketch (attached to the Staff Report) which was received after the written Staff Report was prepared. The letter recommends that a stormwater plan for the entire development be submitted with the application for the first Improvement Plan and that post development runoff should be no more than 85% of pre-development runoff.

Mrs. Poston asked for the applicant's presentation.

Mr. Bill Viox, Viox & Viox, Erlanger, Kentucky, submitted a spiral bound booklet *Commonwealth Logistics Centers, Boone County, Kentucky* (see Exhibit 1). He stated that representatives from Duke Realty, Traffic Expert Wardell Wilcox with Edwards & Kelcey, Justin Verst with Viox & Viox, and attorney Gerry Dusing will be speaking this evening.

Mr. Dan Ruh, Senior Vice President and General Manger for Duke Realty in Cincinnati, stated that they have been in business in Cincinnati since 1977. They have an occupancy and development pipeline of roughly 14,000,000 square feet, of which 4,000,000 is in Northern Kentucky. They have approximately 700 tenants in Cincinnati and 300 acres owned for development. He is a lifelong resident of Northern Kentucky. He stated that this project will double the size of their development in Northern Kentucky. They intend to attract new business for the community via speculative development and third-party build-to-suit projects.

Mr. Justin Verst, Viox & Viox, stated that they had pre-application meetings with Staff and received comments from the County Engineer. He submitted a letter from the Boone County Water District stating that they will serve this project (see Exhibit 2). They met with the Walton Fire Chief who is agreeable to the project and likes the emergency route connecting Logistics Boulevard to Dixie Highway. He stated that the sight distance requirement at Dixie Highway is met and no improvements are required. He stated that the request meets the Goals and Objectives of the Comprehensive Plan. The Future Land Use Map shows this site as industrial land at least since 2000. He reviewed the applicant's Power Point presentation. On the conceptual plan he noted that the layout of the site is for a distribution type use. The plan shows 3.6 million square feet of development on the 2.9-acre tract, which is less than 70% of the allowable intensity. The site is directly to the south of the IDI development approved in 2005. He stated that the buildings are approximately 40 feet in height, which is a standard building height. There will not be a connection to Chambers Road. They will extend Logistics Boulevard to Dixie Highway as a public street with the same type of blacktop, curb and gutter, and sidewalk as the street built by IDI, which will provide good access to the development. They will restrict truck traffic from Logistics Boulevard to northbound only on Dixie Highway via signage and other restrictions that will be put in place to keep the trucks from going south. He stated that stormwater drainage on the site is generally north to south – from Dixie Highway to Chambers Road through this property. The detention ponds will be modeled together for the whole development and done up front as recommended

by County Engineer. They agree to the County Engineer's comment that the post development stormwater runoff should be no more than 85% of the pre-development runoff. In regard to phasing, he stated that they anticipate one building per year based on the market, which will make this a five to six year project. He presented a video of the site beginning at Dixie Highway. He noted that the power lines will restrict where they can place some of the street trees. The street trees will generally be along Logistics Boulevard and the south side. He noted that their buildings and road are below the road. He noted the line of sight and indicated that the majority of the view of the building will be blocked by landscaping. He stated that the buffering on the north side will be along the street versus along the property line due to the power lines. They cannot plant large trees in the area of the power lines. He stated that signage and controls will be in place at the intersection to keep traffic going in the right direction.

Mr. Wardell Wilcox, Transportation Planner with Edwards & Kelcey, 3 Centennial Plaza, Cincinnati, Ohio, stated that they have been in the greater Cincinnati area for over thirty-five years. They provide engineering, architectural, and planning services to the public and private sectors. The company is over sixty years old and headquartered in New York. He is a graduate of the University of Cincinnati and studied at Georgia Tech. He has nineteen years of experience. He stated that they met with the Boone County Public Works Department, the Kentucky Transportation Cabinet, and the Planning Commission Staff. He submitted a Traffic Impact Study (see Exhibit 3). He stated that comments have not come back yet from the Kentucky Transportation Cabinet. He stated that Traffic Impact Studies are normally completed in 2 to 3 weeks, but they worked 3 – 6 months on the Traffic Impact Study in order to be sure that all of the traffic and transportation issues were addressed. They also did the work for the IDI development and a lot of the report mirrors what was done for that project. The study mirrors the Six-Year Plan and current studies on Dixie Highway. He stated that an IJS will occur at the Richwood I-71/75 interchange ramp system. He stated that the long-range impact of this development is either currently addressed, or will be addressed, as part of the master planning. He stated that the OKI twenty-year forecast, which was the basis for several of the master plans, included this area as industrial warehousing. He stated that for the twenty-year forecast the traffic and the impact of this development is contained. The Traffic Impact Study includes review of the capacity at the four critical intersections identified by the Boone County Public Works Department and the Kentucky Transportation Cabinet, which are the two interchange ramps at Richwood, the intersection of U.S. 25 and Richwood Road, and the intersection of Walton-Nicholson Road and U.S. 25. He stated that the state's biggest concern was how they would get traffic in and out and service it properly. He stated that no access to the development is being provided on Chambers Road. All access is off U.S. 25. Traffic out of the development will be restricted from turning south and heading into the Walton area or coming to the site from the interstate system. They will direct all of their traffic by way of Richwood. He stated that safe sight distance is available in excess at the proposed location. He stated that the

recommendations in the Traffic Study are to construct a northbound left turn storage lane, a southbound right turn lane, and control the intersection by a stop sign.

Mr. Gerald Dusing, attorney with offices in Florence and Covington, was present representing Duke Realty. He stated that the site has been earmarked in the Comprehensive Plan for industrial for many years. Reviewing the applicant's Power Point slides, he noted the location of the proposed development, Chambers Road to the south, and the Richwood interchange to the north. He noted the locations of the approved or constructed buildings in the Hemmer and IDI developments, as well as the buildings shown on the Concept Development Plan for the proposed development. He stated that the proposed development is one part of an overall industrial development that goes all the way to the Kenton County line. He noted the locations of the Hemmer, IDI and proposed Duke developments between I-75 and U.S. 25. He stated that they do not show any buildings in the 150 – 180 foot sliver of RL along Chambers Road, which was discussed in the Staff Report. The buildings and parking lot are outside the RL area. The parking lot and closest building are 140 feet from Chambers Road. The RL area was taken into account in the design. He stated that the property has been earmarked and intended for this use. The intensity of the development mirrors what is happening to the north.

Mr. Bill Viox stated that at the OKI Regional Planning Conference in Cincinnati in October, Tim Butler (a well-known attorney and planner) spoke on planning commission strategies and used the phrase *treat similarly situated people similarly*. Mr. Viox stated that they know that they are the third quality developer in the area and they will meet that challenge. He stated that the Future Land Use Plan has become a reality in this area – it's an employment district. On the other side of the expressway is a residential district (condominiums, units for lease, and single-family residences) and to the south down Dixie Highway in Walton a nice residential community is developing up against the expressway, which allows people to work in the employment centers and live where they work. He stated that last week the City of Walton announced a proposed shopping center at the Walton exit anchored by a Kroger super store. He stated that the area is becoming self-contained – people can live, work and shop in this area. He stated that IDI was required to bring Logistics Boulevard to the Duke property line, which indicates that the Planning Commission intended for the boulevard to go on through. They will complete Logistics Boulevard. He stated that the Water District asked them, and they agreed, to take a water main through because the water district needs an extension to Chambers Road to create a loop for the residential community when it develops on the other side of the expressway. They also agree to over-detain the water. He stated that several years ago for Steeplechase they suggested that there was an opportunity with the business parks to have regulated detention in the upper part of the basin, and that is now a reality. He stated that they are sharing their sewers with a neighbor, which the Sanitation District will allow. They are showing sensitivity with the design and putting the

buildings down – when driving south on I-75/I-71, the right-of-way in front of this site goes up steeply and the site will go down steeply. The goal is to tuck the buildings in and make the landscaping come alive. He provided extra copies of the applicant's Power Point presentation (see Exhibit 4). He stated that they are proud to offer Commonwealth Logistics and bring jobs to Boone County and particularly to this neighborhood. This completed the applicant's presentation.

Mrs. Poston stated that a sign-up sheet was not available this evening and asked that all speakers clearly state their names and addresses. Mrs. Poston asked if there was anyone else present who wished to speak in favor of the request.

Mr. Jim Dressman, representing Greenfield Farm (the seller of the property), stated that he is one of the owners of the property, along with Charlie Deters, Joe Arlinghaus, Pat Busse, and others. They also own the property that has been approved for Steeplechase expansion. The group purchased the subject property in 1985 from Pat Busse with the short-term intent of continuing it profitably as a thoroughbred horse farm and long-term intent to sell or redevelop it for a return on their investment. After a couple of years, they realized that the horse farm was more of a hobby than a profitable operation, so they discontinued the operation and sold the mansion and buildings to Lanny Holbrook to operate it as a horse farm. As part of that transaction, they told Mr. Holbrook that they intend to sell the remaining property someday and would likely need to get it rezoned. They obtained his written agreement that he would not oppose those efforts. Several years later in about 1997-98, they sold Mr. Holbrook another 43 acres that wrapped around the mansion house and provided insulation from what would happen with the remaining property. Mr. Dressman submitted a letter that he wrote to Mr. Holbrook on January 16, 2007 (see Exhibit 5). He stated that when they were negotiating with Duke Realty for the sale of this property, they went to Mr. Holbrook because he had expressed an interest in getting better access onto U.S. 25. They facilitated a favorable land swap that would have given Mr. Holbrook access onto U.S. 25, but he refused any offer. He stated that they were sensitive to the Holbrook farm and the mansion and sold Mr. Holbrook an insulating parcel. The Holbrook farm is now about 70 acres that wraps around the mansion. It is a beautiful mansion and they have met their moral obligation to preserve it.

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.

Mr. Steve Dallas, an attorney with offices on Main Street in Florence, was present representing the Tagher family, including Paul Tagher, his children and others in opposition to this request who are not present. He stated that Charlie Meyers, former engineer with District Six Highway Department, will also speak. Mr. Dallas stated that they agree that the 2000 and 2005 Comprehensive Plans identify this property for industrial development. However, the sections of 1137 and 1609

of the Zoning Ordinance should apply. He quoted from the Goals and Objectives Element of the 2005 Comprehensive Plan that *future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed.* He stated that this language has been in the Comprehensive Plan for years, but seldom adequately considered – particularly in regard to roads. He stated that the philosophy has been that development should occur and then the road improvements will be forced to happen. The philosophy has been that development generates revenues to finance the improvements – but tax revenue cannot provide funding for roads because it can take decades for the funding to return to the county. There are road projects that should have been done years ago that are just now getting funded – KY 237 in particular. He stated that Fiscal Court has repeatedly identified this deficiency and this process when they reject developments. He quoted from the 2005 Comprehensive Plan Goals and Objectives that *Boone County shall strive to achieve both diversity and a balance in land use. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner.* He reviewed his letter in regard to the timing and enforcement of landscaping and buffer yards and stated that zone changes in the past have separated uses out as sort of an after-thought in the interest of getting large warehouse and distribution centers constructed, which hurts the general public. He stated that the USGS Quadrangle Map identifies four blueline streams on this property. The impact of the streams requires review and approval by the Corps of Engineers and Kentucky Division of Water. He stated that there is litigation by property owners whose properties have been flooded. He stated that the runoff runs toward the residential area. Flooding has always been a problem in the Richwood area and, if it is not addressed adequately, it will be a major issue in the future. In regard to the Goals and Objectives – Industrial he quoted *that industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future industrial development must be located where infrastructure exists or is planned.* He stated that this is one of their key objections. He stated that the Planning Commission has approved the Hemmer and IDI developments. IDI has 3 million square feet of warehousing and this development has 3.6 million square feet, which is 6.6 million square feet. He stated that the traffic study for the previous project found that there would be 1,500 truck trips during the AM peak hour period, and doubling that would be 3,000 truck trips during the AM peak hour period. The interchange is a nightmare for people living in Union, Richwood, and Triple Crown – and the Commissioners can use their imagination if this request is approved and Hemmer builds on their site. He stated that the Staff Report for the IDI/Chipman request identified the widening of U.S. 25 from KY 338 to Walton as a medium priority project to be completed in 11 to 20 years. He stated that the Highway Department has no plans to do anything to U.S. 25. He stated that potentially 3,0000 trucks will pour out onto U.S. 25 going north and right into the KY 338 interchange where Triple Crown pours out. He stated that the subject proposal is not consistent with the Goal *to ensure adequate infrastructure.* He did not hear

anything this evening about road infrastructure improvement. He stated that the Richwood area is designated in the Land Use Plan for New Industrial or Business Parks, but it also says that Dixie Highway will have to be improved south of KY 338 – and Mr. Meyers will testify that is not going to happen, which is enough to turn down this request under the Comprehensive Plan. Improvements to U.S. 25 need to be made before this plan is approved. He asked that the request be denied for the reasons stated.

Mr. Charles Meyers, 1135 Audubon Road, Park Hills, is a Civil Engineer who retired from the Highway Department three years ago. He has forty years experience with the Highway Department mainly in the Construction Division, and during his last two years there he was District Engineer. For forty years, he worked on most of the construction projects in the District Six region. In response to questions from Mr. Dallas, Mr. Meyers stated that he is familiar with the Richwood area and U.S. 25. He stated that currently on U. S. 25 the only thing happening is from the Industrial Park in Florence to KY 338, and it is in the design stage. The initial section of Industrial Road in Florence is scheduled for 2011 and 2029, the Richwood section is scheduled for 2010, and the section in the middle is scheduled for 2012 if funding becomes available. Funding is not currently available to even start right-of-way acquisition for the 4.4-mile section. He stated that there is a letting schedule for this March to do some work on the ramps from I-75 to KY 338, which is one of many projects in the area and is primarily to relieve the existing traffic congestion in the AM peak and the current PM backup on I-75. Those projects will be approved before the other projects are approved and have not taken into consideration the traffic problems that will occur. He stated that this area of U.S. 25 as it presently exists could possibly handle the traffic, depending on the Level of Service. It could not provide Level of Service A where traffic flows freely, but it could provide Level of Service D, E, or F and there will be times when it will be gridlocked – more gridlocked than it is now – which poses a dangerous situation for school buses and residents trying to go to work.

Mr. Charles Sizemore, 12097 Dixie Highway, indicated the location of his property at the bottom righthand corner of the green area on U.S. 25. He stated that he is not sure he is opposed. He doubts that they can keep the trucks from turning to south. He owns most of the row of trees behind his house and wants them to stay. If he lets them take out any of his trees, he wants them replaced. He spent several thousand dollars doing grading. There is a culvert there and a lot of runoff from U.S. 25 that comes through the back part of his one-acre property, and he does not want his property washed away. He has lived there for 41 years. A car went off the road in front of his house two weeks ago and, if the road had been widened, that car would have been in his living room. He wants to be assured that U.S. 25 will not be widened to the south. He stated that the applicant indicated that the trucks will go north and miss his property, but who does he call when they do not go north? He is concerned about the trees, the runoff, and the traffic.

Mr. Mike Larson, 12207 Gaines Way, Walton, stated that this is another project that puts the cart before the horse (the cart being this project and the horse being the infrastructure). He stated that the existing issues of traffic congestion, flooding, and overcrowded schools are long-term chronic problems. He stated that according to a newspaper article, 25% of the children are going to school in trailers. He has seen no improvements in regard to infrastructure shortcomings. He stated that Mr. Wall alluded to concerns regarding this proposal that have not been addressed and questioned how the Planning Commission can make an informed decision until they are addressed. They should have been addressed before the Public Hearing. He stated that his property taxes have gone up 76% in the last three years and his neighbor's taxes went up over 100% in one year, but services have not increased. He feels that he is subsidizing the developer's profits. The developers are not providing the infrastructure required to support their development. He stated that the developer cannot address the traffic issues unless they provide the infrastructure. He is suspect of a traffic study paid for by the developer. If the traffic study had been paid for by the developer and contracted by the Planning Commission, it might have some validity. He stated that the area will become a self-contained area with the new shopping malls – but it will be a self-contained area of inadequate infrastructure and congestion. He stated that the existing and long-term chronic problems are not being adequately addressed.

Mr. Harold Jetter, 12269 Gaines Way, Walton, stated that the watershed study for this county is 40+ years old and we cannot seem to get a real watershed study done. He stated that we use computer models and hope the detention ponds work, but many times they do not. He is concerned about the 3.5 million square feet under roof and the concrete parking lots. He stated that the property runs down hill to Mudlick Creek. He discussed the rebuilding of the Richwood interchange with Gary Reese at the Transportation Cabinet in Frankfort and he indicated that the funds for the design work have been authorized, but the funds for right-of-way acquisition, utility relocation, and construction are not authorized. He stated that we are almost \$2 billion over-requested for road and construction projects in the state for the budget year ending June 30, 2007 and they do not think the funds will come here to do this project in 2010. He stated that the project at the Turfway interchange has been going on for six or seven years and it is still a nightmare to get through there -- and it is funded. He is Chairman of Citizens for Saving Boone County LLC and their position is that the Richwood interchange is not going to happen when the Planning Commission was told it was going to happen. He asked the Commissioners to contact the Transportation Cabinet. He stated that if they do not have the money, they cannot fix the interchange. He is concerned that this area will die if 3,000 truck trips per day are added to an interchange that cannot handle the traffic.

Mr. Rob Tagher, 11767 Dixie Highway, stated that people who live in Kenton County, Walton, and Independence use the Richwood exit and they are also

severely affected by the traffic at the KY 338 interchange. He stated that in the Industrial zone, the long-term use is Business Park theme. A Business Park theme allows for integrated office campus, large amounts of green space, integrated pedestrian and recreation facilities, and wholesale and retail uses – but this plan is 95% rooftop. There is no green space and it does not adhere to the Business Park theme. He stated that several people who want the project have said that the Planning Commission approved the Hemmer and IDI developments for the zone change, but that is not true. He stated that the zone change was recommended for denial by the Planning Commission, and the recommendation was overturned by Fiscal Court. He stated that at that Committee Meeting one of the Committee members did not want to approve the zone change request because the industrial development would then continue down U.S. 25, which was not good for the county, and suggested that they go over the railroad tracks and develop with the existing zoning. Mr. Tagher agrees with those comments. He stated that six years ago the Planning Commission had the county's best interest at heart and he hopes that continues today.

Mr. Mark Tagher, 11755 Dixie Highway, stated that he will have a direct view of at least one of the buildings. He indicated a line of hardwood trees that may be removed with the construction. He would like most, if not all, of those trees to remain. He stated that the trucks are oriented along the side of the property where there are five or six houses and asked if they could be re-oriented along the other side. He asked for the berm to be constructed up front to minimize the impacts on the surrounding properties. He asked for line-of-sight studies from his house and his father's house.

Mr. Jim Weaver, 12125 Decker Lane, stated that they already have three truck stops in the area. He stated that more homes have been approved in the area, and those approvals have conditions. He stated that some of the conditions are going by the wayside and questioned who watches over the conditions. He stated that there are barns down on the subject property and there has been no attempt to beautify the land over the years. He stated that the people here this evening are concerned about Boone County. He does not want to go out his backdoor and smell plastic in the air. He would prefer a park to an industrial area. He cannot comprehend what the traffic is going to be like on KY 338 with the industrial parks that have already been approved. He stated that traffic is going to be backed up on southbound U.S. 25 for a mile and people are not going to get into the northbound lane to go onto I-75. He questioned what will happen if the state needs to add lanes to I-75. Where will that land come from? He sees deer and people on bicycles everyday, but if this request is approved it will ruin this whole area. He asked the Commissioners to listen to them. He wants to be able to go down the highway on bicycle and go for a walk. It is a beautiful area where he raised his kids. He stated that the developer's whole intent is to make money.

Mr. Chris Welsh, 12640 Huey Lane, which is close to the proposed project, stated that Boone County traffic is building every year. Driving up and down U.S. 25

between Chambers Road and Richwood Road is scary. It is a bad road that undulates and curves and projects that will bring 300 trucks every 24 hours have been approved. The trucks do not run at night, they run during the day. Boone County School buses could not get into their neighborhood three times last year because the creeks were over the road. If there is already flooding before Steeplechase is done, before B.O.L.D. homes does what they eventually want to do, and before the industrial projects – what will the flooding be like afterwards? These are not fifty-year floods, they are just rainstorms. He stated that 25% of the students in the county are in mobile classrooms. There are not enough school buses or school bus drivers to take the children back and forth. He is concerned about bringing in truck drivers by the thousands from all over the country to clog the highways. He stated that the children are going to be charged a fee to use the baseball and soccer fields. When Blue Ash upgraded their standard of living, they got rid of the bad industry and brought in high-tech jobs and highly paid employees. He does not think the TIF district is going to be the cure for the economic problems up and down Richwood Road and it is a disincentive for employers to bring in good business. He stated that GSI Commerce Inc. promised 500 full-time jobs and up to 2,000 jobs during the holiday season – which means 2,000 people are going to commute back and forth and there will be another 3,000 trucks a day – which is too much for the road. He stated that once a precedent is set, we cannot turn back and development keeps on going and going. He stated that down the road a well-done industrial park with retail and office space would be a good addition to Boone County, but it does not need to be done with 3,000 trucks a day and 2,000 people going to \$10/hour jobs with no benefits. He stated that the TIF district will tax those people an extra 1.2%. He stated that we are losing airport and high-paying jobs that come with benefits and doing nothing about it. He does not want his child on a school bus going down U.S. 25 when there are 3,000 trucks going the other way. It is a two-lane road and it is scary. With the buses and young people getting their licenses, it is a recipe for danger.

Mr. Mike Larson stated that Senator Damon Thayer, who represents Kenton County and areas to the east, told him that Senator Roeding arbitrarily directed the Transportation Cabinet to change the date in the Six Year Plan for the Mt. Zion and Richwood interchanges from 2012 to 2010. Mr. Larson stated that the change is meaningless and deceives the public and the Planning Commission about the progress to be expected at those interchanges.

Mrs. Poston asked if there was anyone else present who wished to speak against this request. There being no response, she asked if there were any comments or questions from the Commissioners.

In response to questions from Mr. McMillian, Mr. Ruh stated that the larger buildings are bulk distribution centers and the buildings in the front can be manufacturing and build-to-suit projects that would entail manufacturing. The type of manufacturing depends on the market. GSI is an example of the type of employer they would look for in this development in the initial phases. They will

put the land out for purchasers and general users on a build-to-suit basis. He does not know what type of manufacturer would come to this location. Mr. Dusing stated that in the Staff Report is a copy of the conditions imposed on the IDI development that eliminated numerous uses. He expects that the same condition will be imposed on this development to eliminate the more intense manufacturing uses.

Mrs. Kegley asked the applicant to come to the Committee Meeting prepared to address the issues raised such as the trees the neighbors want to preserve, the orientation of the trucks at the building next to the Taghers, the timing of the berm, and lines-of-sight for the Tagher properties.

Mr. Rolfsen asked how the four blueline streams will be addressed. Mr. David Wright, Development Services Manager for Duke Realty, stated that they have hired an environmental consultant and submitted a request for a permit to the Kentucky Department of Water and the Army Corps of Engineers to deal with the streams and provide mitigation.

Mr. Rolfsen asked what will be done to prevent trucks from making a right turn out of the development. Mr. Wright responded that they anticipate modifying the intersection at Dixie Highway with smaller radii and higher barrier curves so that trucks cannot make the righthand turn.

Mr. Bunger stated that the volume of truck traffic was stated as 3,000 per peak hour and also as 3,000 per day. He asked that accurate information be provided to the Committee. Mr. Wilcox responded that the information is in the Traffic Study. The numbers mirror the IDI development. The AM peak hour is 1,058 trips (868 in and 190 out) and the PM peak hour is 1,107 trips (232 in and 875 out). He stated that during the hours of operation, approximately 80% of the trips are passenger cars. There is a high of about 26% trucks in the AM or PM peak hour. AM peak hour is 7:00 AM to 9:00 AM and PM peak hour is 4:00 PM to 6:00 PM. Mrs. Poston asked if their numbers include the two other developments that are not completely developed and the Duke development at complete buildout. Mr. Wilcox responded that these figures are just for the Duke development, but in their analysis they layered their traffic on top of the traffic that included the other approved developments. He stated that the capacity results were similar and in the acceptable range of A, B, C, and D. He stated that typically E and F is when there are problems.

Mr. Poe stated that water is a major issue there. He stated that they need to go above and beyond the requirements because there will be additional water with all of the square footage. He asked Staff and the Committee to address the traffic. He stated that 3,000+ trucks were approved with the IDI development and traffic is getting unbearable in that area. He asked Staff to get clarification from Senator Thayer in regard to the timeline. He stated that the Planning Commission asked the Steeplechase developer to go to the state and work to get things done in regard

to the traffic. He stated that legitimate points were brought up this evening about Boone County needing an economic engine. He stated that a development this size should have some economic clout – we should not put things in if the state does not recognize it as an economic engine with this type of square footage. He asked that the Committee to look at the traffic already approved in the area and the backups that are occurring. He stated that 3,000 truck trips were approved last time. He asked Staff and the Committee to review the last Traffic Study in relation to the level they are talking about in this Traffic Study.

Mr. Schwenke asked to see the total trips per day with total buildout of the Hemmer, IDI and Duke projects. He stated that these are all big projects and there is a lot of water. We need to look at it harder and know the potential and what can be done in regard to retention.

Mr. Poe stated that he also wants to restrict the traffic going to Walton, but there needs to be a widening of U.S. 25 at least to Richwood. He stated that the widening of Industrial Road still has not happened. He asked Staff to provide to the Committee updated information on KY 338, the interchange, and U.S. 25.

Mrs. Kegley stated that a question was raised about who oversees the conditions. Mr. Costello stated that a lot of conditions are naturally implemented through the design phase. When Staff reviews plans they make sure the conditions are incorporated into the design and constructed. There are times when conditions are implemented over time. For example, a developer may donate or sell park or school land and there is a five-year window and it is checked. There are also conditions that involve other agencies and Staff follows up with them.

Mrs. Poston asked if the applicant wished to make a summary statement.

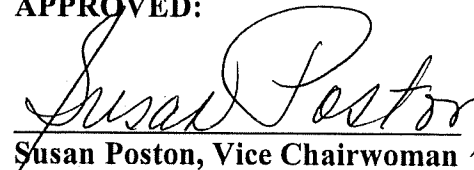
Mr. Dusing stated that they tried to leave out some of the details in the interest of time. He stated that stormwater drainage will be in accordance with the recommendations of the County Engineer, which reduces the runoff to less than it is in its natural state by 50%. He stated that this is a comprehensive Traffic Study and the Level of Service on U.S. 25 is analyzed with the entire buildout of all three developments, which will be reviewed at the Committee meeting. They will have line-of-sight studies at the Committee meeting and information regarding timing. They will talk to Duke to see what can be done to be creative with the berms for the adjacent properties.

Mr. Bill Viox stated that they are committed to doing a complete drainage study of the site, which he believes was also required for IDI by the County Engineer. He stated that they will know the routing of the upper basin. The detention they put in place will be of considerable help on the south end of the corridor. He knows that Hemmer and IDI will provide what the County Engineer required. He stated that the county could take one more look at all three developments together and some fine tuning could occur after everything is in place.

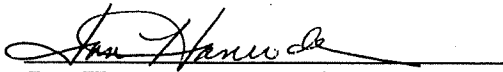
Mr. Steve Dallas stated that traffic is the main objection. He stated that there are three places in the Comprehensive Plan that support denial of the request. The Goals and Objections Section 4 says *Existing infrastructure and services shall be monitored, maintained and improved as needed*. He stated that U.S. 25 needs to be improved before this project is approved. The Goals and Objectives – Industrial section says *that industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future industrial development must be located where infrastructure exists or is planned*, but nothing will happen on U.S. 25 in the foreseeable future. He quoted from the Land Use Element that *the area east of I-75 and west of U.S 25 from Richwood Road to Chambers Road should develop as Business Park and Industrial Park. New industrial or business parks are planned in this area and Dixie Highway will have to be improved south of KY 338*. He stated that this plan needs to be turned down. He submitted his written comments (see Exhibit 6); an exhibit showing blueline streams and identifying Parcels A, B, and C (see Exhibit 7); and an exhibit showing roadways and topography (see Exhibit 8).

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on February 7, 2007 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on February 21, 2007 at 7:00 PM. Mrs. Poston closed this Public Hearing at 9:47 PM.

APPROVED:


Susan Poston, Vice Chairwoman

Attest:


Jan Hancock, Recording Secretary

Exhibits –

- 1. Commonwealth Logistics Centers, Boone County, Kentucky submitted by the applicant**
- 2. Letter from Harry Anness, Boone County Water District, to Viox & Viox dated October 17, 2006 submitted by the applicant**
- 3. Traffic Impact Study, Proposed Office/Warehouse Development – Dixie Highway (U.S. 25) south of Richwood Road (KY 338), Boone County, Kentucky, December 2006, submitted by the applicant**
- 4. Applicant's Power Point presentation**

- 5. Letter from James A. Dressman III to Lanny R. Holbrook, Esq. dated January 16, 2007 with attachment (Page 5 of the Agreement signed by Lanny and Nancy Holbrook, dated December 27, 1987).**
- 6. Memorandum from Steve Dallas, dated January 17, 2007 re: Duke Realty, LTD and Greenfield Farm, Inc., Proposed Zoning Map Amendment. Submitted by Steve Dallas.**
- 7. Exhibit showing blueline streams and identifying Parcels A, B, and C, submitted by Steve Dallas**
- 8. Exhibit showing roadways and topography, submitted by Steve Dallas**

EXHIBIT

“B”

**READ AND ADOPTED BY THE FULL PLANNING COMMISSION
AT THE APRIL 18, 2007 BUSINESS MEETING**

FINDINGS OF FACT FOR DENIAL

April 18, 2007

Request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

The above referenced application should be denied based on the fact that it does not agree with all applicable aspects of the 2005 Boone County Comprehensive Plan. The proposal does in fact agree with the Future Land Use Map's "Industrial" designation that is applied to the portion of the site that is proposed to be developed, and other provisions of the Comprehensive Plan that are discussed in the Findings Of Fact For Approval With Conditions. Although the substantial size and scale of the buildings, and extensive disturbance required for the construction of such buildings, are questionable under the Comprehensive Plan's Goals and Objectives ("Overall," Objective 3, "Environment," Goal, "Environment," Physical Objective 2, "Business Activity," Goal, and "Business Activity," Industrial Objective 2) and the Future Land Use Development Guidelines ("Design, Signs, and Historic Preservation," pg. 142), the basic objection to the application at this juncture is the timing of the development and the adequacy and appropriateness of the road system which would serve the development. The Comprehensive Plan's Land Use Element ("Land Use Maps," pp. 142 - 143) and the Goals and Objectives ("Overall," Objective 4) state that new development should be supported by adequate infrastructure and that it be improved as needed. This tenet and the Future Land Use Map both need to be considered in light of the fact that the Comprehensive Plan is a twenty five (25) year plan, with a planning horizon of the year 2030.

The Land Use Element ("8. Richwood Area," pp. 148 and 149) states "improvements are needed to the Richwood Interchange and to Richwood Road to increase capacity." The Transportation Element identifies "reconstruction of the Richwood (KY 338) interchange on I-75/71 - design year 2008" as a Kentucky Transportation Cabinet Six Year Plan project (pg. 129). The Element lists "KY 338, Richwood Rd., widening" and "US 25 improvements from Richwood to Walton" as "Recommended Capacity Projects in the 2005 Transportation Plan" (pg. 130). Comparable recommendations are stated in the Boone County Transportation Plan 2030.

Simply put, there is no commitment or guarantee to phase or correlate the construction of this development with the identified roadway improvements. The property owner has agreed to a phasing condition (#13) which is intended to ease impacts on the area's roadways, but this condition merely establishes a schedule for which occupancy permits may be obtained and is not tied to actual construction of planned road improvement projects in the area. A phasing condition for a nearby residential development that was approved in 2006 was tied to completion of the planned construction work for the I-75/Richwood interchange. While communications with the Kentucky Transportation Cabinet, District 6, have outlined some target dates for reconstruction of the Richwood/I-75 interchange, Richwood Road improvements, and the proposed Richwood Road/Dixie Highway interchange, no commitment has been provided as to the timing of the improvements, or that they would actually be constructed. There is no specific plan or decisive time frame for improving Dixie Highway south of Richwood Road as recommended in the Comprehensive Plan's Transportation Element or Boone County Transportation Plan 2030. This section of Dixie Highway, which the subject site would use for direct access, has noticeably poor geometrics when compared to other sections of the road in this general area.

Traffic data provided on behalf of the developer indicates that levels of service on the main route between this site and the I-75/Richwood interchange would still be acceptable when considering the traffic that would be generated by this development. This premise fails to acknowledge that the development would generate substantial traffic volumes that are part of the area-wide traffic impacts, and can not be viewed in isolation. The substantial construction and corresponding investment in the area's road network currently contemplated by the Commonwealth are indicative of the need for the stated improvements.

No facts which legitimately support a finding that the existing zoning classification is inappropriate and that the proposed zoning classification is appropriate have been identified. No facts which legitimately support finding that there have been major changes of an economic, physical, or social nature not anticipated in the comprehensive plan that substantially alter the area's character have been identified.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: March 21, 2007

RE: Request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

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.

Duke Realty/Greenfield Farm, Inc.

March 21, 2007

Susan Poston

Susan Poston, Chairwoman

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Judy Arnett

Judy Arnett

For Project _____ Absent _____
 Against Project
 Abstain _____ Deferred _____

Greg Breetz

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

Kim Bunger

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

Janet Kegley

Janet Kegley

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Jim Carmichael

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 _____

TOTAL: _____ DEFERRED 2 FOR PROJECT _____ ABSENT
 _____ 2 AGAINST PROJECT _____ ABSTAIN

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: February 28, 2007

RE: Request of **Duke Realty, Ltd., Attn: David Wright (applicant)** for **Greenfield Farm, Inc., Attn: Jim Dressman (owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

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.

Susan Poston

Susan Poston, Chairwoman

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred

Judy Arnett

Judy Arnett

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred

Greg Breetz

Greg Breetz

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred

Kim Bunger

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

Janet Kegley

Janet Kegley

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred

Jim Carmichael

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 ____

TOTAL: 5 DEFERRED ____ FOR PROJECT ____ ABSENT ____
____ AGAINST PROJECT ____ ABSTAIN ____

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: February 21, 2007

RE: Request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

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.

Duke Realty/Greenfield Farm, Inc.

February 21, 2007

Susan Poston

Susan Poston, Chairwoman

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Judy Arnett

Judy Arnett

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Greg Breetz

Greg Breetz

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Kim Bunger

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred ____

Janet Kegley

Janet Kegley

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Jim Carmichael

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 ____

TOTAL: 5 DEFERRED ____ FOR PROJECT ____ ABSENT
____ AGAINST PROJECT ____ ABSTAIN

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: February 7, 2007

RE: Request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

REMARKS:

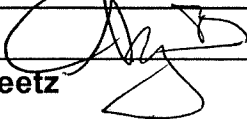
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Kim Bunger, Chairman

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

Judy Arnett

For Project ____ Absent
Against Project ____
Abstain ____ Deferred ____

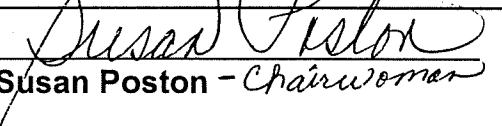


Greg Breetz

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred


Janet Kegley

For Project ____ Absent
Against Project ____
Abstain ____ Deferred ____



Susan Poston - Chairwoman

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 ____

TOTAL: 3 DEFERRED ____ FOR PROJECT 2 ABSENT
____ AGAINST PROJECT ____ ABSTAIN

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM**

**January 17, 2007
7:30 P.M.**

PUBLIC HEARINGS

Commission Members Present: Mrs. Arnett, Mr. Bunger, Mrs. Herald, Mrs. Kegley, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Rolfsen, and Mr. Schwenke.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mrs. Susan Poston, Vice Chairwoman, called the meeting to order at 7:53 PM and introduced the first item on the Agenda:

Applicant: Duke Realty, Ltd., Attn: David Wright for
Greenfield Farm, Inc., Attn: Jim Dressman (owner)

Request: Zoning Map Amendment

The request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

Following and explanation of the Public Hearing process, Mrs. Poston asked for the Staff presentation.

Staff Member Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report). He reviewed a letter from County Engineer

Greg Sketch (attached to the Staff Report) which was received after the written Staff Report was prepared. The letter recommends that a stormwater plan for the entire development be submitted with the application for the first Improvement Plan and that post development runoff should be no more than 85% of pre-development runoff.

Mrs. Poston asked for the applicant's presentation.

Mr. Bill Viox, Viox & Viox, Erlanger, Kentucky, submitted a spiral bound booklet *Commonwealth Logistics Centers, Boone County, Kentucky* (see Exhibit 1). He stated that representatives from Duke Realty, Traffic Expert Wardell Wilcox with Edwards & Kelcey, Justin Verst with Viox & Viox, and attorney Gerry Dusing will be speaking this evening.

Mr. Dan Ruh, Senior Vice President and General Manger for Duke Realty in Cincinnati, stated that they have been in business in Cincinnati since 1977. They have an occupancy and development pipeline of roughly 14,000,000 square feet, of which 4,000,000 is in Northern Kentucky. They have approximately 700 tenants in Cincinnati and 300 acres owned for development. He is a lifelong resident of Northern Kentucky. He stated that this project will double the size of their development in Northern Kentucky. They intend to attract new business for the community via speculative development and third-party build-to-suit projects.

Mr. Justin Verst, Viox & Viox, stated that they had pre-application meetings with Staff and received comments from the County Engineer. He submitted a letter from the Boone County Water District stating that they will serve this project (see Exhibit 2). They met with the Walton Fire Chief who is agreeable to the project and likes the emergency route connecting Logistics Boulevard to Dixie Highway. He stated that the sight distance requirement at Dixie Highway is met and no improvements are required. He stated that the request meets the Goals and Objectives of the Comprehensive Plan. The Future Land Use Map shows this site as industrial land at least since 2000. He reviewed the applicant's Power Point presentation. On the conceptual plan he noted that the layout of the site is for a distribution type use. The plan shows 3.6 million square feet of development on the 2.9-acre tract, which is less than 70% of the allowable intensity. The site is directly to the south of the IDI development approved in 2005. He stated that the buildings are approximately 40 feet in height, which is a standard building height. There will not be a connection to Chambers Road. They will extend Logistics Boulevard to Dixie Highway as a public street with the same type of blacktop, curb and gutter, and sidewalk as the street built by IDI, which will provide good access to the development. They will restrict truck traffic from Logistics Boulevard to northbound only on Dixie Highway via signage and other restrictions that will be put in place to keep the trucks from going south. He stated that stormwater drainage on the site is generally north to south – from Dixie Highway to Chambers Road through this property. The detention ponds will be modeled together for the whole development and done up front as recommended

by County Engineer. They agree to the County Engineer's comment that the post development stormwater runoff should be no more than 85% of the pre-development runoff. In regard to phasing, he stated that they anticipate one building per year based on the market, which will make this a five to six year project. He presented a video of the site beginning at Dixie Highway. He noted that the power lines will restrict where they can place some of the street trees. The street trees will generally be along Logistics Boulevard and the south side. He noted that their buildings and road are below the road. He noted the line of sight and indicated that the majority of the view of the building will be blocked by landscaping. He stated that the buffering on the north side will be along the street versus along the property line due to the power lines. They cannot plant large trees in the area of the power lines. He stated that signage and controls will be in place at the intersection to keep traffic going in the right direction.

Mr. Wardell Wilcox, Transportation Planner with Edwards & Kelcey, 3 Centennial Plaza, Cincinnati, Ohio, stated that they have been in the greater Cincinnati area for over thirty-five years. They provide engineering, architectural, and planning services to the public and private sectors. The company is over sixty years old and headquartered in New York. He is a graduate of the University of Cincinnati and studied at Georgia Tech. He has nineteen years of experience. He stated that they met with the Boone County Public Works Department, the Kentucky Transportation Cabinet, and the Planning Commission Staff. He submitted a Traffic Impact Study (see Exhibit 3). He stated that comments have not come back yet from the Kentucky Transportation Cabinet. He stated that Traffic Impact Studies are normally completed in 2 to 3 weeks, but they worked 3 – 6 months on the Traffic Impact Study in order to be sure that all of the traffic and transportation issues were addressed. They also did the work for the IDI development and a lot of the report mirrors what was done for that project. The study mirrors the Six-Year Plan and current studies on Dixie Highway. He stated that an IJS will occur at the Richwood I-71/75 interchange ramp system. He stated that the long-range impact of this development is either currently addressed, or will be addressed, as part of the master planning. He stated that the OKI twenty-year forecast, which was the basis for several of the master plans, included this area as industrial warehousing. He stated that for the twenty-year forecast the traffic and the impact of this development is contained. The Traffic Impact Study includes review of the capacity at the four critical intersections identified by the Boone County Public Works Department and the Kentucky Transportation Cabinet, which are the two interchange ramps at Richwood, the intersection of U.S. 25 and Richwood Road, and the intersection of Walton-Nicholson Road and U.S. 25. He stated that the state's biggest concern was how they would get traffic in and out and service it properly. He stated that no access to the development is being provided on Chambers Road. All access is off U.S. 25. Traffic out of the development will be restricted from turning south and heading into the Walton area or coming to the site from the interstate system. They will direct all of their traffic by way of Richwood. He stated that safe sight distance is available in excess at the proposed location. He stated that the

recommendations in the Traffic Study are to construct a northbound left turn storage lane, a southbound right turn lane, and control the intersection by a stop sign.

Mr. Gerald Dusing, attorney with offices in Florence and Covington, was present representing Duke Realty. He stated that the site has been earmarked in the Comprehensive Plan for industrial for many years. Reviewing the applicant's Power Point slides, he noted the location of the proposed development, Chambers Road to the south, and the Richwood interchange to the north. He noted the locations of the approved or constructed buildings in the Hemmer and IDI developments, as well as the buildings shown on the Concept Development Plan for the proposed development. He stated that the proposed development is one part of an overall industrial development that goes all the way to the Kenton County line. He noted the locations of the Hemmer, IDI and proposed Duke developments between I-75 and U.S. 25. He stated that they do not show any buildings in the 150 – 180 foot sliver of RL along Chambers Road, which was discussed in the Staff Report. The buildings and parking lot are outside the RL area. The parking lot and closest building are 140 feet from Chambers Road. The RL area was taken into account in the design. He stated that the property has been earmarked and intended for this use. The intensity of the development mirrors what is happening to the north.

Mr. Bill Viox stated that at the OKI Regional Planning Conference in Cincinnati in October, Tim Butler (a well-known attorney and planner) spoke on planning commission strategies and used the phrase *treat similarly situated people similarly*. Mr. Viox stated that they know that they are the third quality developer in the area and they will meet that challenge. He stated that the Future Land Use Plan has become a reality in this area – it's an employment district. On the other side of the expressway is a residential district (condominiums, units for lease, and single-family residences) and to the south down Dixie Highway in Walton a nice residential community is developing up against the expressway, which allows people to work in the employment centers and live where they work. He stated that last week the City of Walton announced a proposed shopping center at the Walton exit anchored by a Kroger super store. He stated that the area is becoming self-contained – people can live, work and shop in this area. He stated that IDI was required to bring Logistics Boulevard to the Duke property line, which indicates that the Planning Commission intended for the boulevard to go on through. They will complete Logistics Boulevard. He stated that the Water District asked them, and they agreed, to take a water main through because the water district needs an extension to Chambers Road to create a loop for the residential community when it develops on the other side of the expressway. They also agree to over-detain the water. He stated that several years ago for Steeplechase they suggested that there was an opportunity with the business parks to have regulated detention in the upper part of the basin, and that is now a reality. He stated that they are sharing their sewers with a neighbor, which the Sanitation District will allow. They are showing sensitivity with the design and putting the

buildings down – when driving south on I-75/I-71, the right-of-way in front of this site goes up steeply and the site will go down steeply. The goal is to tuck the buildings in and make the landscaping come alive. He provided extra copies of the applicant's Power Point presentation (see Exhibit 4). He stated that they are proud to offer Commonwealth Logistics and bring jobs to Boone County and particularly to this neighborhood. This completed the applicant's presentation.

Mrs. Poston stated that a sign-up sheet was not available this evening and asked that all speakers clearly state their names and addresses. Mrs. Poston asked if there was anyone else present who wished to speak in favor of the request.

Mr. Jim Dressman, representing Greenfield Farm (the seller of the property), stated that he is one of the owners of the property, along with Charlie Deters, Joe Arlinghaus, Pat Busse, and others. They also own the property that has been approved for Steeplechase expansion. The group purchased the subject property in 1985 from Pat Busse with the short-term intent of continuing it profitably as a thoroughbred horse farm and long-term intent to sell or redevelop it for a return on their investment. After a couple of years, they realized that the horse farm was more of a hobby than a profitable operation, so they discontinued the operation and sold the mansion and buildings to Lanny Holbrook to operate it as a horse farm. As part of that transaction, they told Mr. Holbrook that they intend to sell the remaining property someday and would likely need to get it rezoned. They obtained his written agreement that he would not oppose those efforts. Several years later in about 1997-98, they sold Mr. Holbrook another 43 acres that wrapped around the mansion house and provided insulation from what would happen with the remaining property. Mr. Dressman submitted a letter that he wrote to Mr. Holbrook on January 16, 2007 (see Exhibit 5). He stated that when they were negotiating with Duke Realty for the sale of this property, they went to Mr. Holbrook because he had expressed an interest in getting better access onto U.S. 25. They facilitated a favorable land swap that would have given Mr. Holbrook access onto U.S. 25, but he refused any offer. He stated that they were sensitive to the Holbrook farm and the mansion and sold Mr. Holbrook an insulating parcel. The Holbrook farm is now about 70 acres that wraps around the mansion. It is a beautiful mansion and they have met their moral obligation to preserve it.

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.

Mr. Steve Dallas, an attorney with offices on Main Street in Florence, was present representing the Tagher family, including Paul Tagher, his children and others in opposition to this request who are not present. He stated that Charlie Meyers, former engineer with District Six Highway Department, will also speak. Mr. Dallas stated that they agree that the 2000 and 2005 Comprehensive Plans identify this property for industrial development. However, the sections of 1137 and 1609

of the Zoning Ordinance should apply. He quoted from the Goals and Objectives Element of the 2005 Comprehensive Plan that *future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed.* He stated that this language has been in the Comprehensive Plan for years, but seldom adequately considered – particularly in regard to roads. He stated that the philosophy has been that development should occur and then the road improvements will be forced to happen. The philosophy has been that development generates revenues to finance the improvements – but tax revenue cannot provide funding for roads because it can take decades for the funding to return to the county. There are road projects that should have been done years ago that are just now getting funded – KY 237 in particular. He stated that Fiscal Court has repeatedly identified this deficiency and this process when they reject developments. He quoted from the 2005 Comprehensive Plan Goals and Objectives that *Boone County shall strive to achieve both diversity and a balance in land use. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner.* He reviewed his letter in regard to the timing and enforcement of landscaping and buffer yards and stated that zone changes in the past have separated uses out as sort of an after-thought in the interest of getting large warehouse and distribution centers constructed, which hurts the general public. He stated that the USGS Quadrangle Map identifies four blueline streams on this property. The impact of the streams requires review and approval by the Corps of Engineers and Kentucky Division of Water. He stated that there is litigation by property owners whose properties have been flooded. He stated that the runoff runs toward the residential area. Flooding has always been a problem in the Richwood area and, if it is not addressed adequately, it will be a major issue in the future. In regard to the Goals and Objectives – Industrial he quoted that *industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future industrial development must be located where infrastructure exists or is planned.* He stated that this is one of their key objections. He stated that the Planning Commission has approved the Hemmer and IDI developments. IDI has 3 million square feet of warehousing and this development has 3.6 million square feet, which is 6.6 million square feet. He stated that the traffic study for the previous project found that there would be 1,500 truck trips during the AM peak hour period, and doubling that would be 3,000 truck trips during the AM peak hour period. The interchange is a nightmare for people living in Union, Richwood, and Triple Crown – and the Commissioners can use their imagination if this request is approved and Hemmer builds on their site. He stated that the Staff Report for the IDI/Chipman request identified the widening of U.S. 25 from KY 338 to Walton as a medium priority project to be completed in 11 to 20 years. He stated that the Highway Department has no plans to do anything to U.S. 25. He stated that potentially 3,000 trucks will pour out onto U.S. 25 going north and right into the KY 338 interchange where Triple Crown pours out. He stated that the subject proposal is not consistent with the Goal *to ensure adequate infrastructure.* He did not hear

anything this evening about road infrastructure improvement. He stated that the Richwood area is designated in the Land Use Plan for New Industrial or Business Parks, but it also says that Dixie Highway will have to be improved south of KY 338 – and Mr. Meyers will testify that is not going to happen, which is enough to turn down this request under the Comprehensive Plan. Improvements to U.S. 25 need to be made before this plan is approved. He asked that the request be denied for the reasons stated.

Mr. Charles Meyers, 1135 Audubon Road, Park Hills, is a Civil Engineer who retired from the Highway Department three years ago. He has forty years experience with the Highway Department mainly in the Construction Division, and during his last two years there he was District Engineer. For forty years, he worked on most of the construction projects in the District Six region. In response to questions from Mr. Dallas, Mr. Meyers stated that he is familiar with the Richwood area and U.S. 25. He stated that currently on U. S. 25 the only thing happening is from the Industrial Park in Florence to KY 338, and it is in the design stage. The initial section of Industrial Road in Florence is scheduled for 2011 and 2029, the Richwood section is scheduled for 2010, and the section in the middle is scheduled for 2012 if funding becomes available. Funding is not currently available to even start right-of-way acquisition for the 4.4-mile section. He stated that there is a letting schedule for this March to do some work on the ramps from I-75 to KY 338, which is one of many projects in the area and is primarily to relieve the existing traffic congestion in the AM peak and the current PM backup on I-75. Those projects will be approved before the other projects are approved and have not taken into consideration the traffic problems that will occur. He stated that this area of U.S. 25 as it presently exists could possibly handle the traffic, depending on the Level of Service. It could not provide Level of Service A where traffic flows freely, but it could provide Level of Service D, E, or F and there will be times when it will be gridlocked – more gridlocked than it is now – which poses a dangerous situation for school buses and residents trying to go to work.

Mr. Charles Sizemore, 12097 Dixie Highway, indicated the location of his property at the bottom righthand corner of the green area on U.S. 25. He stated that he is not sure he is opposed. He doubts that they can keep the trucks from turning to south. He owns most of the row of trees behind his house and wants them to stay. If he lets them take out any of his trees, he wants them replaced. He spent several thousand dollars doing grading. There is a culvert there and a lot of runoff from U.S. 25 that comes through the back part of his one-acre property, and he does not want his property washed away. He has lived there for 41 years. A car went off the road in front of his house two weeks ago and, if the road had been widened, that car would have been in his living room. He wants to be assured that U.S. 25 will not be widened to the south. He stated that the applicant indicated that the trucks will go north and miss his property, but who does he call when they do not go north? He is concerned about the trees, the runoff, and the traffic.

Mr. Mike Larson, 12207 Gaines Way, Walton, stated that this is another project that puts the cart before the horse (the cart being this project and the horse being the infrastructure). He stated that the existing issues of traffic congestion, flooding, and overcrowded schools are long-term chronic problems. He stated that according to a newspaper article, 25% of the children are going to school in trailers. He has seen no improvements in regard to infrastructure shortcomings. He stated that Mr. Wall alluded to concerns regarding this proposal that have not been addressed and questioned how the Planning Commission can make an informed decision until they are addressed. They should have been addressed before the Public Hearing. He stated that his property taxes have gone up 76% in the last three years and his neighbor's taxes went up over 100% in one year, but services have not increased. He feels that he is subsidizing the developer's profits. The developers are not providing the infrastructure required to support their development. He stated that the developer cannot address the traffic issues unless they provide the infrastructure. He is suspect of a traffic study paid for by the developer. If the traffic study had been paid for by the developer and contracted by the Planning Commission, it might have some validity. He stated that the area will become a self-contained area with the new shopping malls – but it will be a self-contained area of inadequate infrastructure and congestion. He stated that the existing and long-term chronic problems are not being adequately addressed.

Mr. Harold Jetter, 12269 Gaines Way, Walton, stated that the watershed study for this county is 40+ years old and we cannot seem to get a real watershed study done. He stated that we use computer models and hope the detention ponds work, but many times they do not. He is concerned about the 3.5 million square feet under roof and the concrete parking lots. He stated that the property runs down hill to Mudlick Creek. He discussed the rebuilding of the Richwood interchange with Gary Reese at the Transportation Cabinet in Frankfort and he indicated that the funds for the design work have been authorized, but the funds for right-of-way acquisition, utility relocation, and construction are not authorized. He stated that we are almost \$2 billion over-requested for road and construction projects in the state for the budget year ending June 30, 2007 and they do not think the funds will come here to do this project in 2010. He stated that the project at the Turfway interchange has been going on for six or seven years and it is still a nightmare to get through there -- and it is funded. He is Chairman of Citizens for Saving Boone County LLC and their position is that the Richwood interchange is not going to happen when the Planning Commission was told it was going to happen. He asked the Commissioners to contact the Transportation Cabinet. He stated that if they do not have the money, they cannot fix the interchange. He is concerned that this area will die if 3,000 truck trips per day are added to an interchange that cannot handle the traffic.

Mr. Rob Tagher, 11767 Dixie Highway, stated that people who live in Kenton County, Walton, and Independence use the Richwood exit and they are also

severely affected by the traffic at the KY 338 interchange. He stated that in the Industrial zone, the long-term use is Business Park theme. A Business Park theme allows for integrated office campus, large amounts of green space, integrated pedestrian and recreation facilities, and wholesale and retail uses – but this plan is 95% rooftop. There is no green space and it does not adhere to the Business Park theme. He stated that several people who want the project have said that the Planning Commission approved the Hemmer and IDI developments for the zone change, but that is not true. He stated that the zone change was recommended for denial by the Planning Commission, and the recommendation was overturned by Fiscal Court. He stated that at that Committee Meeting one of the Committee members did not want to approve the zone change request because the industrial development would then continue down U.S. 25, which was not good for the county, and suggested that they go over the railroad tracks and develop with the existing zoning. Mr. Tagher agrees with those comments. He stated that six years ago the Planning Commission had the county's best interest at heart and he hopes that continues today.

Mr. Mark Tagher, 11755 Dixie Highway, stated that he will have a direct view of at least one of the buildings. He indicated a line of hardwood trees that may be removed with the construction. He would like most, if not all, of those trees to remain. He stated that the trucks are oriented along the side of the property where there are five or six houses and asked if they could be re-oriented along the other side. He asked for the berm to be constructed up front to minimize the impacts on the surrounding properties. He asked for line-of-sight studies from his house and his father's house.

Mr. Jim Weaver, 12125 Decker Lane, stated that they already have three truck stops in the area. He stated that more homes have been approved in the area, and those approvals have conditions. He stated that some of the conditions are going by the wayside and questioned who watches over the conditions. He stated that there are barns down on the subject property and there has been no attempt to beautify the land over the years. He stated that the people here this evening are concerned about Boone County. He does not want to go out his backdoor and smell plastic in the air. He would prefer a park to an industrial area. He cannot comprehend what the traffic is going to be like on KY 338 with the industrial parks that have already been approved. He stated that traffic is going to be backed up on southbound U.S. 25 for a mile and people are not going to get into the northbound lane to go onto I-75. He questioned what will happen if the state needs to add lanes to I-75. Where will that land come from? He sees deer and people on bicycles everyday, but if this request is approved it will ruin this whole area. He asked the Commissioners to listen to them. He wants to be able to go down the highway on bicycle and go for a walk. It is a beautiful area where he raised his kids. He stated that the developer's whole intent is to make money.

Mr. Chris Welsh, 12640 Huey Lane, which is close to the proposed project, stated that Boone County traffic is building every year. Driving up and down U.S. 25

between Chambers Road and Richwood Road is scary. It is a bad road that undulates and curves and projects that will bring 300 trucks every 24 hours have been approved. The trucks do not run at night, they run during the day. Boone County School buses could not get into their neighborhood three times last year because the creeks were over the road. If there is already flooding before Steeplechase is done, before B.O.L.D. homes does what they eventually want to do, and before the industrial projects – what will the flooding be like afterwards? These are not fifty-year floods, they are just rainstorms. He stated that 25% of the students in the county are in mobile classrooms. There are not enough school buses or school bus drivers to take the children back and forth. He is concerned about bringing in truck drivers by the thousands from all over the country to clog the highways. He stated that the children are going to be charged a fee to use the baseball and soccer fields. When Blue Ash upgraded their standard of living, they got rid of the bad industry and brought in high-tech jobs and highly paid employees. He does not think the TIF district is going to be the cure for the economic problems up and down Richwood Road and it is a disincentive for employers to bring in good business. He stated that GSI Commerce Inc. promised 500 full-time jobs and up to 2,000 jobs during the holiday season – which means 2,000 people are going to commute back and forth and there will be another 3,000 trucks a day – which is too much for the road. He stated that once a precedent is set, we cannot turn back and development keeps on going and going. He stated that down the road a well-done industrial park with retail and office space would be a good addition to Boone County, but it does not need to be done with 3,000 trucks a day and 2,000 people going to \$10/hour jobs with no benefits. He stated that the TIF district will tax those people an extra 1.2%. He stated that we are losing airport and high-paying jobs that come with benefits and doing nothing about it. He does not want his child on a school bus going down U.S. 25 when there are 3,000 trucks going the other way. It is a two-lane road and it is scary. With the buses and young people getting their licenses, it is a recipe for danger.

Mr. Mike Larson stated that Senator Damon Thayer, who represents Kenton County and areas to the east, told him that Senator Roeding arbitrarily directed the Transportation Cabinet to change the date in the Six Year Plan for the Mt. Zion and Richwood interchanges from 2012 to 2010. Mr. Larson stated that the change is meaningless and deceives the public and the Planning Commission about the progress to be expected at those interchanges.

Mrs. Poston asked if there was anyone else present who wished to speak against this request. There being no response, she asked if there were any comments or questions from the Commissioners.

In response to questions from Mr. McMillian, Mr. Ruh stated that the larger buildings are bulk distribution centers and the buildings in the front can be manufacturing and build-to-suit projects that would entail manufacturing. The type of manufacturing depends on the market. GSI is an example of the type of employer they would look for in this development in the initial phases. They will

put the land out for purchasers and general users on a build-to-suit basis. He does not know what type of manufacturer would come to this location. Mr. Dusing stated that in the Staff Report is a copy of the conditions imposed on the IDI development that eliminated numerous uses. He expects that the same condition will be imposed on this development to eliminate the more intense manufacturing uses.

Mrs. Kegley asked the applicant to come to the Committee Meeting prepared to address the issues raised such as the trees the neighbors want to preserve, the orientation of the trucks at the building next to the Taghers, the timing of the berm, and lines-of-sight for the Tagher properties.

Mr. Rolfsen asked how the four blueline steams will be addressed. Mr. David Wright, Development Services Manager for Duke Realty, stated that they have hired an environmental consultant and submitted a request for a permit to the Kentucky Department of Water and the Army Corps of Engineers to deal with the streams and provide mitigation.

Mr. Rolfsen asked what will be done to prevent trucks from making a right turn out of the development. Mr. Wright responded that they anticipate modifying the intersection at Dixie Highway with smaller radii and higher barrier curves so that trucks cannot make the righthand turn.

Mr. Bunger stated that the volume of truck traffic was stated as 3,000 per peak hour and also as 3,000 per day. He asked that accurate information be provided to the Committee. Mr. Wilcox responded that the information is in the Traffic Study. The numbers mirror the IDI development. The AM peak hour is 1,058 trips (868 in and 190 out) and the PM peak hour is 1,107 trips (232 in and 875 out). He stated that during the hours of operation, approximately 80% of the trips are passenger cars. There is a high of about 26% trucks in the AM or PM peak hour. AM peak hour is 7:00 AM to 9:00 AM and PM peak hour is 4:00 PM to 6:00 PM. Mrs. Poston asked if their numbers include the two other developments that are not completely developed and the Duke development at complete buildout. Mr. Wilcox responded that these figures are just for the Duke development, but in their analysis they layered their traffic on top of the traffic that included the other approved developments. He stated that the capacity results were similar and in the acceptable range of A, B, C, and D. He stated that typically E and F is when there are problems.

Mr. Poe stated that water is a major issue there. He stated that they need to go above and beyond the requirements because there will be additional water with all of the square footage. He asked Staff and the Committee to address the traffic. He stated that 3,000+ trucks were approved with the IDI development and traffic is getting unbearable in that area. He asked Staff to get clarification from Senator Thayer in regard to the timeline. He stated that the Planning Commission asked the Steeplechase developer to go to the state and work to get things done in regard

to the traffic. He stated that legitimate points were brought up this evening about Boone County needing an economic engine. He stated that a development this size should have some economic clout – we should not put things in if the state does not recognize it as an economic engine with this type of square footage. He asked that the Committee to look at the traffic already approved in the area and the backups that are occurring. He stated that 3,000 truck trips were approved last time. He asked Staff and the Committee to review the last Traffic Study in relation to the level they are talking about in this Traffic Study.

Mr. Schwenke asked to see the total trips per day with total buildout of the Hemmer, IDI and Duke projects. He stated that these are all big projects and there is a lot of water. We need to look at it harder and know the potential and what can be done in regard to retention.

Mr. Poe stated that he also wants to restrict the traffic going to Walton, but there needs to be a widening of U.S. 25 at least to Richwood. He stated that the widening of Industrial Road still has not happened. He asked Staff to provide to the Committee updated information on KY 338, the interchange, and U.S. 25.

Mrs. Kegley stated that a question was raised about who oversees the conditions. Mr. Costello stated that a lot of conditions are naturally implemented through the design phase. When Staff reviews plans they make sure the conditions are incorporated into the design and constructed. There are times when conditions are implemented over time. For example, a developer may donate or sell park or school land and there is a five-year window and it is checked. There are also conditions that involve other agencies and Staff follows up with them.

Mrs. Poston asked if the applicant wished to make a summary statement.

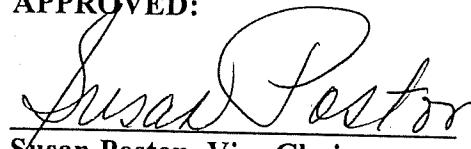
Mr. Dusing stated that they tried to leave out some of the details in the interest of time. He stated that stormwater drainage will be in accordance with the recommendations of the County Engineer, which reduces the runoff to less than it is in its natural state by 50%. He stated that this is a comprehensive Traffic Study and the Level of Service on U.S. 25 is analyzed with the entire buildout of all three developments, which will be reviewed at the Committee meeting. They will have line-of-sight studies at the Committee meeting and information regarding timing. They will talk to Duke to see what can be done to be creative with the berms for the adjacent properties.

Mr. Bill Viox stated that they are committed to doing a complete drainage study of the site, which he believes was also required for IDI by the County Engineer. He stated that they will know the routing of the upper basin. The detention they put in place will be of considerable help on the south end of the corridor. He knows that Hemmer and IDI will provide what the County Engineer required. He stated that the county could take one more look at all three developments together and some fine tuning could occur after everything is in place.

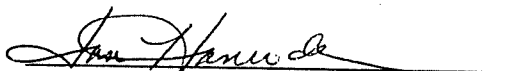
Mr. Steve Dallas stated that traffic is the main objection. He stated that there are three places in the Comprehensive Plan that support denial of the request. The Goals and Objections Section 4 says *Existing infrastructure and services shall be monitored, maintained and improved as needed*. He stated that U.S. 25 needs to be improved before this project is approved. The Goals and Objectives – Industrial section says *that industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future industrial development must be located where infrastructure exists or is planned*, but nothing will happen on U.S. 25 in the foreseeable future. He quoted from the Land Use Element that *the area east of I-75 and west of U.S. 25 from Richwood Road to Chambers Road should develop as Business Park and Industrial Park. New industrial or business parks are planned in this area and Dixie Highway will have to be improved south of KY 338*. He stated that this plan needs to be turned down. He submitted his written comments (see Exhibit 6); an exhibit showing blueline streams and identifying Parcels A, B, and C (see Exhibit 7); and an exhibit showing roadways and topography (see Exhibit 8).

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on February 7, 2007 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on February 21, 2007 at 7:00 PM. Mrs. Poston closed this Public Hearing at 9:47 PM.

APPROVED:


Susan Poston, Vice Chairwoman

Attest:


Jan Hancock, Recording Secretary

Exhibits –

1. *Commonwealth Logistics Centers, Boone County, Kentucky* submitted by the applicant
2. Letter from Harry Anness, Boone County Water District, to Viox & Viox dated October 17, 2006 submitted by the applicant
3. Traffic Impact Study, Proposed Office/Warehouse Development – Dixie Highway (U.S. 25) south of Richwood Road (KY 338), Boone County, Kentucky, December 2006, submitted by the applicant
4. Applicant's Power Point presentation

5. Letter from James A. Dressman III to Lanny R. Holbrook, Esq. dated January 16, 2007 with attachment (Page 5 of the Agreement signed by Lanny and Nancy Holbrook, dated December 27, 1987).
6. Memorandum from Steve Dallas, dated January 17, 2007 re: Duke Realty, LTD and Greenfield Farm, Inc., Proposed Zoning Map Amendment. Submitted by Steve Dallas.
7. Exhibit showing blueline streams and identifying Parcels A, B, and C, submitted by Steve Dallas
8. Exhibit showing roadways and topography, submitted by Steve Dallas

SUPPORTING INFORMATION

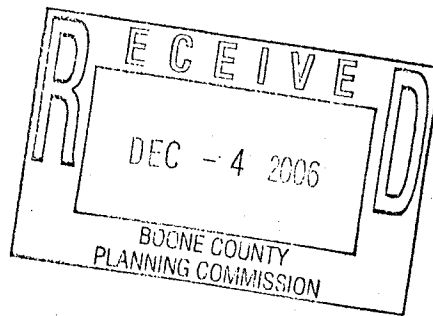


VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road
Erlanger, Kentucky 41018

Tel: 859.727.3293
Fax: 859.727.8452
www.vioxinc.com



November 28, 2006

PARCEL TO BE REZONED

Located in Boone County, Kentucky, lying on the west side of U. S. Highway 25, the north side of Chambers Road and the east side of Interstate 75/71 and is more particularly described as follows:

Beginning at a point in the west right-of-way line of U.S. Highway 25, at the most southerly corner of Paul Tagher (Deed 214, page 609); thence with said right-of-way S 27°28'04" E 1391.72 feet to; thence with a curve turning to the right with an arc length of 195.37 feet, with a radius of 1365.69 feet, with a chord bearing of S 23°22'10" E, with a chord length of 195.20 feet to a point; thence S 19°16'17" E 162.25 feet to a point; thence with a curve turning to the left with an arc length of 205.27 feet, with a radius of 1040.11 feet, with a chord bearing of S 24°55'31" E, with a chord length of 204.94 feet; thence S 30°34'45" E 709.00 feet to a point; thence with a curve turning to the right with an arc length of 573.27 feet, with a radius of 2400.41 feet, with a chord bearing of S 23°44'15" E, with a chord length of 571.91 feet to an iron pin (set) at the most northerly corner of Charles Sizemore (Deed Book 200, page 477); thence leaving said right-of-way line and with the line of Sizemore, Walter J. Cady (Deed Book 161, page 363) and another parcel owned by Cady (Deed Book 147, page 48) S 79°14'22" W 961.11 feet to an existing iron pin at the common corner of Greenfield Farm, Inc. and Ellis Farm, Ltd. (Deed Book 725, page 28); thence with the common line of Greenfield Farm, Inc. and Ellis Farm, Ltd. S 80°31'16" W 39.94 feet to an existing iron pin; thence N 39°34'58" W 425.32 feet to an existing iron pin; thence N 39°02'35" W 41.66 feet to an iron pin (set); thence N 39°12'28" W 911.24 feet to an existing iron pin; thence continuing with the common line of Greenfield Farm, Inc., Ellis Farm, Ltd. and Eastgate Village, Ltd. (Deed Book 885, page 79) S 48°16'04" W 1996.63 feet to an a MAG Nail (set) in the centerline of Chambers Road; thence with said centerline and a curve turning to the left with an arc length of 106.97 feet, with a radius of 288.35 feet, with a chord bearing of S 82°56'13" W, with a chord length of 106.36 feet to a point; thence S 72°18'32" W 79.06 feet to a point; thence with a curve turning to the left with an arc length of 197.36 feet, with a radius of 496.41 feet, with a chord bearing of S 60°55'10" W, with a chord length of 196.06 feet to point; thence S 49°31'47" W 364.89 feet to a point; thence S 47°47'15" W 252.33 feet to a point; thence with a curve turning to the right with an arc length of 144.03 feet, with a radius of 209.15 feet, with a chord bearing of S 67°30'54" W, with a chord length of 141.20 feet to a point; thence S 87°14'33" W 93.60 feet to a point; thence S 84°04'03" W 20.12 feet to a MAG Nail (set); thence leaving said centerline N 05°55'57" W 30.00 feet to an iron pin (set);



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thence S 84°04'03" W 16.82 feet to point; thence with a curve turning to the left with an arc length of 174.79 feet, with a radius of 1175.92 feet, with a chord bearing of S 79°48'34" W, with a chord length of 174.63 feet to a point; thence S 75°33'04" W 404.35 feet to an iron pin (set) in the east right-of-way line of Interstate 71/75; thence with said right-of-way line N 04°03'26" W 2123.48 feet to a point, said point being South 0.5 feet and west 0.40 feet from an existing iron pin, at the common corner of Greenfield Farm, Inc. and Industrial Development International, Inc. (Deed Book 889, page 761); thence with the common line of Greenfield Farm, Inc. and Industrial Development International, Inc. N 50°28'45" E 1279.94 feet to an iron pin (set) at the common corner of Greenfield Farm, Inc. and Marie Tagher (Deed Book 838, page 563); thence with the common line of Greenfield Farm, Inc., Marie Tagher and Paul Tagher S 39°40'11" E 633.12 feet to an iron pin (set); thence S 87°05'31" E 1621.59 feet to an iron pin (set); thence N 39°32'15" W 840.65 feet to an existing iron pin; thence N 49°46'52" E, passing an existing iron at 1590.22 feet, a total distance of 1591.22 feet to the point of beginning containing 208.721 acres.

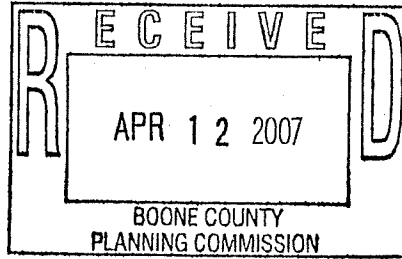


BOONE COUNTY PLANNING COMMISSION

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



March 28, 2007

Mr. James Dressman
Greenfield Farm, Inc.
c/o Mr. David Wright
Duke Realty, Ltd.
4555 Lake Forest Drive
Suite 400
Cincinnati, OH 45242

FAX: 513-956-4505

RE: Recommended Conditions of Approval for Zone Change Application from A-2 to I-1 for Approximate 209 Acre Tract Located on the West Side of Dixie Highway and North Side of Chambers Road, Boone County, Kentucky

Dear Mr. Dressman:

The following represents the conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change Committee at their 3/21/07 meeting, and further clarified with the Committee Chair. If you, as the property owner's authorized representative, agree to these conditions, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office by Monday, April 2, 2007.

CONDITIONS

1. The development shall follow the Concept Development Plan that was presented at the January 17, 2007 Public Hearing and attached to the staff report for this request, except as modified by the conditions listed herein.
2. The following uses that are normally permitted in the I-1 zone shall be prohibited in this development.
 - I. Principally Permitted Use #44: Truck stops;
 - ii. Principally Permitted Use #45: Recycling centers;
 - iii. Principally Permitted Use #47: Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
 - iv. Accessory Use #8: Outside storage of equipment and materials subject to appropriate screening as approved by the Zoning Administrator;
 - v. Conditional Use #1: Uses in which the primary business activity involves the following:

- a. the storage of explosives or fireworks according to State law, gas, or petroleum;
 - b. bag cleaning;
 - c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
 - d. creosote treatment;
 - e. distillation of bones, coal or wood;
 - f. enameling, japanning or lacquering;
 - g. radium or radioactive elements;
 - h. crushing or other reduction or waterproofing;
 - l. the storage of chemicals (this prohibition applies to bulk or non-containerized chemicals and does not apply to containerized chemicals);
 - vi. Conditional Use #2: Poultry and small game dressing and packing;
 - vii. Conditional Use #3: Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
 - viii. Conditional Use #5: Gasoline filling stations and wash services;
 - ix. Conditional Use #11: Wholesale vehicle sales or auctions;
 - x. Conditional Use #12: Churches, synagogues, temples and other places of religious assembly for worship.
3. The following use categories normally permitted in the I-1 zone shall be restricted in the manners described below.
- i. Principally Permitted Use #2: "Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut but excluding the primary manufacture of meat and fish, which includes the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage of rawhides or skins" - manufacturing and processing shall be excluded from this use category;
 - ii. Principally Permitted Use #10: "Soaps and other detergents" - no manufacturing of soap or detergent shall be permitted, and no dispensing of liquid soap or detergent shall be permitted;
 - iii. Principally Permitted Use #27: "Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage" - mini warehouses shall be excluded from this use category;
 - iv. Principally Permitted Use #37: "Motor freight terminals, public warehousing, freight garaging and equipment maintenance" - motor freight terminals and mini warehousing shall be excluded from this category.
4. Full right and left turn lanes with tapers shall be provided on Dixie Highway at the new Logistics Boulevard intersection shown on the Concept Development Plan in accordance with the requirements of the Kentucky Transportation Cabinet. These improvements shall be constructed as part of the initial subdivision improvements and shall be completed before occupancy of any structure within the development. The new intersection shall meet the sight distance requirements outlined in the Boone County Zoning Regulations. The design of the new intersection and related improvements to Dixie Highway itself shall account for the combination of maximized sight distance, merging and acceleration of traffic turning onto Dixie Highway from the development, and maintaining flow of through traffic. The specific intersection design shall be reviewed and approved through the Improvement Plan procedure.

5. The Logistics Boulevard connection to Park South shall be constructed and dedicated prior to occupancy of either Buildings 4, 5, or 6.
6. Landscaping and buffering around the perimeter of the site shall include the following.
 - A. All healthy, existing vegetation shall be retained around the overall site's perimeter. The plantings specified below shall be provided in addition to this retained vegetation.
 - B. Plantings from Buffer Yard D as outlined in Article 37 of the zoning regulations shall be provided along the common boundaries with all of the adjoining Tagher properties at the northern end of the site and the Sizemore property at the southeast corner of the site. Berming which is as high as practical based on the topography and good engineering practices shall also be provided along these boundaries. These same buffer improvements shall be extended onto the site's Dixie Highway frontage from the northeast corner of the site to a point parallel with the northeast corner of Building 1, and from the southeast corner of the site to a point parallel with the southeast corner of Building 3. The buffer areas adjoining the Tagher properties shall have a minimum width of 60 feet. Existing trees that are retained within the interior of the buffer yards along the common property lines between the Building 1 site and the Paul Tagher tract (versus the existing perimeter trees discussed in paragraph 6A above), shall be credited to the required Buffer Yard D plantings.
 - C. The buffer improvements along the 150 foot power easement in the central part of the site shall be provided on the north side of the proposed road.
 - D. The landscape areas along Dixie Highway, except for the portions outlined in Condition ~~6~~.B, will contain berming which is as high as practical based on the topography and good engineering practices, and the trees from Buffer Yard C of Article 37 of the zoning regulations which shall be placed on the street facing side of the berming. The landscape area along I-75 shall contain the trees from Buffer Yard C and shall be further enhanced with tall ornamental grasses planted intermittently between the required trees to provide greater initial screening of the buildings.
 - E. Plantings from Buffer Yard D shall be provided along the Chambers Road frontage. The required evergreen trees shall be provided at the top of the slope adjoining the buildings and vehicular areas, and the required deciduous trees shall be provided in the central and southern portions of this buffer yard. A mix of typical native species seedlings will be planted in this buffer area in addition to the Buffer Yard D plantings to encourage reforestation. A "farm-style" rail fence that is comparable in appearance to the existing fences at the adjoining properties shall be installed along the site's Chambers Road frontage. Additionally, regularly spaced street trees shall be installed along the site's Chambers Road frontage at a minimum rate of one tree per 50 feet.
 - F. Columnar trees shall be installed in landscape areas at the "non-truck dock" ends of the buildings.
 - G. Evergreen trees within the buffer areas along the overall site's perimeter shall have a minimum 8 foot installation size. Berming around the perimeter of the site shall be constructed with the initial, mass grading plan for the development.
 - H. Landscaping not specifically addressed in these conditions shall follow the normal requirements of Article 37.

7. The restrictive covenants for the development shall prohibit trucks from being left idling in areas between the buildings within this development and the common property lines of abutting tracts, except for those that are industrially zoned.
8. Trailer parking along the I-75 frontage as shown on the Concept Development Plan shall be prohibited. This trailer parking may be relocated to the east side of Building 6, but shall be no closer to Chambers Road than the south building line of Building 5.
9. A storm water master plan for the entire proposed industrial park shall be submitted with the first improvement plan application to evaluate the effect of all individual storm water detention systems functioning simultaneously. The post development runoff shall be no more than 85 percent of the pre-development rate.

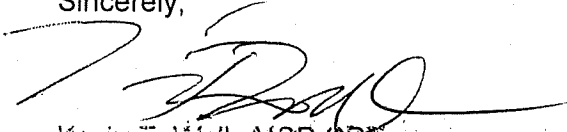
No storm water runoff will be directed towards the Sizemore property at the southeast corner of the site.

10. The development shall be subject to the following lighting requirements.
 - A. Measurable light will be limited to 0 footcandle at adjoining property lines.
 - B. Measurable light will be limited to 1 footcandle at the interior edge of the required buffer yards.
 - C. Building mounted lights will be limited to 30 feet in height.
 - D. Building mounted lights will be downward-facing shoebox style fixtures with flat lenses.
 - E. Lighting on the south sides of Buildings 5 and 6 will be limited to 30 feet in height and will be installed with the minimum number of fixtures necessary to provide for security for employee parking.
 - F. Light fixture output will be limited to 400W for areas that adjoin properties which contain residences.
 - G. A street light will be installed at the intersection of Logistics Boulevard and Dixie Highway.
11. A consistent, integral architectural and signage scheme shall be used for the entire development. Exterior walls shall be constructed of a "solid" appearing material(s) such as precast or tilt-up panels, or architectural masonry, and shall use a combination of deeper, natural colors such as deep beige, warm grey, terra cotta, and red-brown (exceptionally light or bright colors shall not be used).
12. The overall building square footage permitted in the development shall be reduced from the 3.6 million square foot figure shown on the Concept Development Plan to 3.42 million square feet (5% reduction). This reduced figure is for the total square footage permitted in the overall development and does not require a reduction in the size of any particular building shown on the Concept Development Plan.
13. Occupancy of buildings within the development shall be limited to two buildings in 2008, two buildings in 2010, and two buildings in 2012. These figures may be applied in a cumulative

Mr. James Dressman
March 28, 2007
Page 5

fashion provided the total number of occupancy permits allowed at any point in time is not exceeded.

Sincerely,

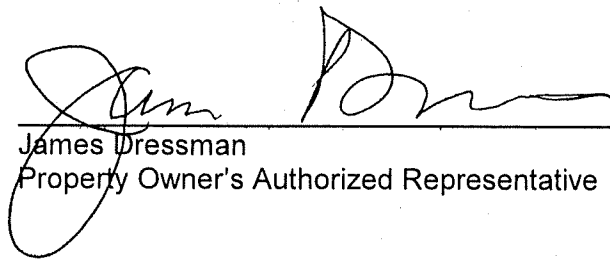


Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

AGREEMENT

I, the property owner's authorized representative of the real estate located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky, agree to the conditions listed herein for the above referenced Zoning Map Amendment application.



James Dressman
Property Owner's Authorized Representative

4-12-07
Date

FINDINGS OF FACT FOR APPROVAL WITH CONDITIONS

April 18, 2007

Request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

The above referenced application should be approved based on the following findings of fact and with the following conditions.

1. The application is in agreement with the 2005 Boone County Comprehensive Plan for the following reasons.
 - A. The Comprehensive Plan's Future Land Use Map designates the majority of the site for "Industrial" (I) uses. The Industrial classification is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining and terminal uses." The application is for a light industrial park which could potentially include distribution, warehousing, light manufacturing, and office uses. The developer has agreed to the same use limitations which apply to the neighboring Park South industrial development to mitigate negative effects that could be created by uses in the development.

The Future Land Use Map designates a band that scales between approximately 150 feet and 165 feet wide along the Chambers Road frontage for "Rural Lands" (RL). This designation is described as "wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres for the 25 year land use plan. Residential construction in Rural Lands does not occur in a formal subdivision." This area of the site, through the Concept Development Plan and agreed conditions, is proposed to be maintained as an open space buffer for the agricultural/residential corridor along Chambers Road and would include substantial landscape buffering, including reforestation, and street trees and board fencing to correlate the site's road frontage to the area's existing agricultural character and planned low density residential character as outlined in the Land Use Element ("9. Walton Area," pg. 149). This green space buffer area is approximately 140 feet wide at the narrowest point.

- B. The Land Use Element ("8. Richwood Area," pp. 148 and 149) states "the area east of I-75 and west of U.S. 25, from Richwood Road to Chambers Road, should develop as a Business Park. A buffer should be provided along Chambers Road to residential uses to the south, and no business park access should occur on Chambers Road. New industrial or business parks are planned in this area, and Dixie Highway will have to be improved south of KY 338. All developments should be interconnected by roadways to provide a parallel system to U.S. 25." Industrial development in this general area is also recognized by the Business Activity Element ("Recommended Areas of Commercial Activity," pp. 62 and 63 and "Recommended Areas of Industrial and Office Activity," pg. 65).

The site is within the area described in the paragraph quoted above for Business Park development. To help insure that a Business Park type development is created, the Concept Development Plan provides substantial green space (approximately 31% of the site's area per the applicant's representations), and the property owner has agreed to a wide range of conditions that pertain to qualitative issues, including landscaping and buffering, architectural and signage design, lighting, and trailer parking requirements. As described in section A above, a reforested buffer area that is designed to correlate to the character of the Chambers Road corridor is proposed along said road. These aspects of the proposal also fulfill several of the Comprehensive Plan's Future Land Use Development Guidelines (pp. 140 - 142) and Goals and Objectives ("Overall," Objective 3, "Environment," Physical Objective 2, and "Environment," Social Objective 4).

The development will extend the southern leg of Logistics Boulevard to the Park South development to the north, thereby providing an I-75/Dixie Highway parallel road as advocated by the Comprehensive Plan's Transportation Element and the Boone County Transportation Plan 2030, yet this road will connect back to Dixie Highway versus Chambers Road in accordance with the Land Use Element's directive as discussed above. The "Richwood Area" section of the Land Use Element describes Dixie Highway, where the only access points into this site are located, as "an ideal transportation connector."

- C. The proposal, with the agreed conditions, is in agreement with the following Business Activity Goals and Objectives regarding the placement, design, and operation of business and industrial uses.

- i. "Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas" ("Business Activity," Goal). As noted above, the site is within an area planned and anticipated for light industrial development. This is essentially the southern end phase of a much larger industrial district which includes two previously approved developments. Appropriate compatibility measures are included in the Concept Development Plan and agreed conditions.
 - ii. "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 usage" ("Business Activity," Overall Objective). Buffer areas which are substantial in width and in terms of landscape improvements are included in the Concept Development Plan and agreed conditions.
 - iii. "Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future Industrial development must be located where infrastructure exists or is planned. Future Industrial districts shall be identified in advance of residential development so that the potential impacts are known and can be addressed" ("Business Activity," Industrial Objective 1). The site's access is on Dixie Highway, which is acknowledged by the Land Use Element as an "ideal transportation connector" that will serve industrial development, and the site is within reasonable proximity to the Richwood interchange.
 - iv. "Effective site placement, architectural design and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Industrial nuisances such as smoke, dust, noise and odor shall be kept at a minimum, and site development and enforcement shall be carefully coordinated with necessary approvals of other regulatory agencies" ("Business Activity," Industrial Objective 2). A range of potential impacts that could be created by the development are addressed by the agreed conditions. In consideration of the Concept Development Plan and these agreed conditions, the request is in agreement with this objective.
- D. The Comprehensive Plan acknowledges that the Richwood/I-75 interchange and Dixie Highway will serve industrial traffic. It is also recognized in various documents (Comprehensive Plan's Transportation and Land Use Elements, Boone County Transportation Plan 2030, and various communications from the Kentucky Transportation Cabinet, District 6) that improvements are

needed to the Richwood/I-75 interchange, Richwood Road, and Dixie Highway. The subject of traffic and adequacy of the area's road system was a central topic in the four Zone Change Committee meetings held on this request, during which the Committee reviewed a traffic impact study, explanations from the developer, developer's traffic expert, several members of the public and their traffic experts, and communications from District 6. Based on these concerns and the planned timing of major transportation improvements in the area, the property owner has agreed to a phasing condition (#13) which regulates the pace at which certificates of occupancy can be obtained within the development. The schedule outlined in this condition correspond with the planned beginning and completion dates for the reconstruction of the Richwood/I-75 interchange. A similar condition was agreed by the owner of a nearby site in 2006 for residential development that would affect the Richwood/I-75 interchange.

2. Although the Zone Change Committee vote on this application was tied, the Committee did agree that the following conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan, should the application be ultimately approved. The Committee also agreed that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The development shall follow the Concept Development Plan that was presented at the January 17, 2007 Public Hearing and attached to the staff report for this request, except as modified by the conditions listed herein.
2. The following uses that are normally permitted in the I-1 zone shall be prohibited in this development.
 - i. Principally Permitted Use #44: Truck stops;
 - ii. Principally Permitted Use #45: Recycling centers;
 - iii. Principally Permitted Use #47: Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
 - iv. Accessory Use #8: Outside storage of equipment and materials subject to appropriate screening as approved by the Zoning Administrator;

- v. Conditional Use #1: Uses in which the primary business activity involves the following:
 - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
 - b. bag cleaning;
 - c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
 - d. creosote treatment;
 - e. distillation of bones, coal or wood;
 - f. enameling, japanning or lacquering;
 - g. radium or radioactive elements;
 - h. crushing or other reduction or waterproofing;
 - i. the storage of chemicals (this prohibition applies to bulk or non-containerized chemicals and does not apply to containerized chemicals);
 - vi. Conditional Use #2: Poultry and small game dressing and packing;
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 - viii. Conditional Use #5: Gasoline filling stations and wash services;
 - ix. Conditional Use #11: Wholesale vehicle sales or auctions;
 - x. Conditional Use #12. Churches, synagogues, temples and other places of religious assembly for worship.
3. The following use categories normally permitted in the I-1 zone shall be restricted in the manners described below.
- i. Principally Permitted Use #2: "Food and kindred products, including the manufacture or processing of grain, sugar, oil, fat, glues, grease, tallow, lard, gelatin, vinegar, yeast, starch, dextrin, glucose and sauerkraut but excluding the primary manufacture of meat and fish, which includes the stocking and storing of live animals or garbage, offal or dead animal reduction or dumping of any tanning, curing or storage of rawhides or skins" - manufacturing and processing shall be excluded from this use category;
 - ii. Principally Permitted Use #10: "Soaps and other detergents" - no manufacturing of soap or detergent shall be permitted, and no dispensing of liquid soap or detergent shall be permitted;
 - iii. Principally Permitted Use #27: "Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage" - mini-warehouses shall be excluded from this use category;
 - iv. Principally Permitted Use #37: "Motor freight terminals, public warehousing, freight garaging and equipment maintenance" - motor freight terminals and mini-warehousing shall be excluded from this category.

4. Full right and left turn lanes with tapers shall be provided on Dixie Highway at the new Logistics Boulevard intersection shown on the Concept Development Plan in accordance with the requirements of the Kentucky Transportation Cabinet. These improvements shall be constructed as part of the initial subdivision improvements and shall be completed before occupancy of any structure within the development. The new intersection shall meet the sight distance requirements outlined in the Boone County Zoning Regulations. The design of the new intersection and related improvements to Dixie Highway itself shall account for the combination of maximized sight distance, merging and acceleration of traffic turning onto Dixie Highway from the development, and maintaining flow of through traffic. The specific intersection design shall be reviewed and approved through the Improvement Plan procedure.
5. The Logistics Boulevard connection to Park South shall be constructed and dedicated prior to occupancy of either Buildings 4, 5, or 6.
6. Landscaping and buffering around the perimeter of the site shall include the following.
 - A. All healthy, existing vegetation shall be retained around the overall site's perimeter. The plantings specified below shall be provided in addition to this retained vegetation.
 - B. Plantings from Buffer Yard D as outlined in Article 37 of the zoning regulations shall be provided along the common boundaries with all of the adjoining Tagher properties at the northern end of the site and the Sizemore property at the southeast corner of the site. Berming which is as high as practical based on the topography and good engineering practices shall also be provided along these boundaries. These same buffer improvements shall be extended onto the site's Dixie Highway frontage from the northeast corner of the site to a point parallel with the northeast corner of Building 1, and from the southeast corner of the site to a point parallel with the southeast corner of Building 3. The buffer areas adjoining the Tagher properties shall have a minimum width of 60 feet. Existing trees that are retained within the interior of the buffer yards along the common property lines between the Building 1 site and the Paul Tagher tract (versus the existing perimeter trees discussed in paragraph 6A above), shall be credited to the required Buffer Yard D plantings.
 - C. The buffer improvements along the 150 foot power easement in the central part of the site shall be provided on the north side of the proposed road.

- D. The landscape areas along Dixie Highway, except for the portions outlined in condition 5.B, will contain berming which is as high as practical based on the topography and good engineering practices, and the trees from Buffer Yard C of Article 37 of the zoning regulations which shall be placed on the street facing side of the berming. The landscape area along I-75 shall contain the trees from Buffer Yard C and shall be further enhanced with tall ornamental grasses planted intermittently between the required trees to provide greater initial screening of the buildings.
 - E. Plantings from Buffer Yard D shall be provided along the Chambers Road frontage. The required evergreen trees shall be provided at the top of the slope adjoining the buildings and vehicular areas, and the required deciduous trees shall be provided in the central and southern portions of this buffer yard. A mix of typical native species seedlings will be planted in this buffer area in addition to the Buffer Yard D plantings to encourage reforestation. A "farm-style" rail fence that is comparable in appearance to the existing fences at the adjoining properties shall be installed along the site's Chambers Road frontage. Additionally, regularly spaced street trees shall be installed along the site's Chambers Road frontage at a minimum rate of one tree per 50 feet.
 - F. Columnar trees shall be installed in landscape areas at the "non-truck dock" ends of the buildings.
 - G. Evergreen trees within the buffer areas along the overall site's perimeter shall have a minimum 8 foot installation size. Berming around the perimeter of the site shall be constructed with the initial, mass grading plan for the development.
 - H. Landscaping not specifically addressed in these conditions shall follow the normal requirements of Article 37.
7. The restrictive covenants for the development shall prohibit trucks from being left idling in areas between the buildings within this development and the common property lines of abutting tracts, except for those that are industrially zoned.
8. Trailer parking along the I-75 frontage as shown on the Concept Development Plan shall be prohibited. This trailer parking may be relocated to the east side of Building 6, but shall be no closer to Chambers Road than the south building line of Building 5.
9. A storm water master plan for the entire proposed industrial park shall be submitted with the first improvement plan application to evaluate the effect of all individual storm water detention systems functioning simultaneously. The post development runoff shall be no more than 85 percent of the pre-development rate.

No storm water runoff will be directed towards the Sizemore property at the southeast corner of the site.

10. The development shall be subject to the following lighting requirements.
 - A. Measurable light will be limited to 0 footcandle at adjoining property lines.
 - B. Measurable light will be limited to 1 footcandle at the interior edge of the required buffer yards.
 - C. Building mounted lights will be limited to 30 feet in height.
 - D. Building mounted lights will be downward-facing shoebox style fixtures with flat lenses.
 - E. Lighting on the south sides of Buildings 5 and 6 will be limited to 30 feet in height and will be installed with the minimum number of fixtures necessary to provide for security for employee parking.
 - F. Light fixture output will be limited to 400W for areas that adjoin properties which contain residences.
 - G. A street light will be installed at the intersection of Logistics Boulevard and Dixie Highway.
11. A consistent, integral architectural and signage scheme shall be used for the entire development. Exterior walls shall be constructed of a "solid" appearing material(s) such as precast or tilt-up panels, or architectural masonry, and shall use a combination of deeper, natural colors such as deep beige, warm grey, terra cotta, and red-brown (exceptionally light or bright colors shall not be used).
12. The overall building square footage permitted in the development shall be reduced from the 3.6 million square foot figure shown on the Concept Development Plan to 3.42 million square feet (5% reduction). This reduced figure is for the total square footage permitted in the overall development and does not require a reduction in the size of any particular building shown on the Concept Development Plan.
13. Occupancy of buildings within the development shall be limited to two buildings in 2008, two buildings in 2010, and two buildings in 2012. These figures may be applied in a cumulative fashion provided the total number of occupancy permits allowed at any point in time is not exceeded.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: March 21, 2007

RE: Request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

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.

Susan Poston

Susan Poston, Chairwoman
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Judy Arnatt

Judy Arnatt
For Project _____ Absent _____
Against Project Abstain _____
Abstain _____ Deferred _____

Greg Breetz
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Kim Bunger
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Janet Kegley

Janet Kegley
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Jim Carmichael

Jim Carmichael (Alternate)
For Project _____ Absent _____
Against Project Abstain _____
Abstain _____ Deferred _____

Charlie Reynolds (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Bob Schwenke (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

TOTAL: _____ DEFERRED 2 FOR PROJECT _____ ABSENT
2 AGAINST PROJECT _____ ABSTAIN

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: February 28, 2007

RE: Request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

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.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

Duke Realty/Greenfield Farm, Inc.

February 28, 2007

Susan Poston

Susan Poston, Chairwoman

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred

Judy Arnett

Judy Arnett

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred

Greg Breetz

Greg Breetz

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred

Kim Bunger

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

Janet Kegley

Janet Kegley

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred

Jim Carmichael

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 _____

TOTAL: 5 DEFERRED _____ FOR PROJECT _____ ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: February 21, 2007

RE: Request of **Duke Realty, Ltd., Attn: David Wright (applicant)** for **Greenfield Farm, Inc., Attn: Jim Dressman (owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

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.

Duke Realty/Greenfield Farm, Inc.

February 21, 2007

Susan Poston

Susan Poston, Chairwoman

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Judy Arnett

Judy Arnett

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Greg Breetz

Greg Breetz

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Kim Bunger

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred ____

Janet Kegley

Janet Kegley

For Project ____ Absent ____
 Against Project ____
 Abstain ____ Deferred

Jim Carmichael

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 ____

TOTAL: 5 DEFERRED ____ FOR PROJECT ____ ABSENT
____ AGAINST PROJECT ____ ABSTAIN

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: February 7, 2007

RE: Request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

REMARKS:

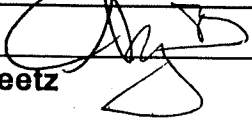
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Kim Bunger, Chairman

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

Judy Arnett

For Project ____ Absent
Against Project ____
Abstain ____ Deferred ____

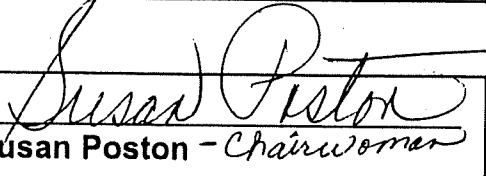


Greg Breetz

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred

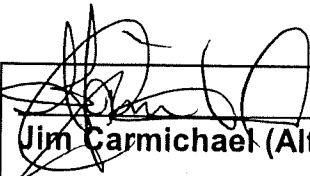
Janet Kegley

For Project ____ Absent
Against Project ____
Abstain ____ Deferred ____



Susan Poston - Chairwoman

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 ____

TOTAL: 3 DEFERRED ____ FOR PROJECT 2 ABSENT
____ AGAINST PROJECT ____ ABSTAIN

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM**

January 17, 2007

7:30 P.M.

PUBLIC HEARINGS

Commission Members Present: Mrs. Arnett, Mr. Bunger, Mrs. Herald, Mrs. Kegley, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Rolfsen, and Mr. Schwenke.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mrs. Susan Poston, Vice Chairwoman, called the meeting to order at 7:53 PM and introduced the first item on the Agenda:

Applicant: Duke Realty, Ltd., Attn: David Wright for
Greenfield Farm, Inc., Attn: Jim Dressman (owner)

Request: Zoning Map Amendment

The request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

Following and explanation of the Public Hearing process, Mrs. Poston asked for the Staff presentation.

Staff Member Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report). He reviewed a letter from County Engineer

Greg Sketch (attached to the Staff Report) which was received after the written Staff Report was prepared. The letter recommends that a stormwater plan for the entire development be submitted with the application for the first Improvement Plan and that post development runoff should be no more than 85% of pre-development runoff.

Mrs. Poston asked for the applicant's presentation.

Mr. Bill Viox, Viox & Viox, Erlanger, Kentucky, submitted a spiral bound booklet *Commonwealth Logistics Centers, Boone County, Kentucky* (see Exhibit 1). He stated that representatives from Duke Realty, Traffic Expert Wardell Wilcox with Edwards & Kelcey, Justin Verst with Viox & Viox, and attorney Gerry Dusing will be speaking this evening.

Mr. Dan Ruh, Senior Vice President and General Manger for Duke Realty in Cincinnati, stated that they have been in business in Cincinnati since 1977. They have an occupancy and development pipeline of roughly 14,000,000 square feet, of which 4,000,000 is in Northern Kentucky. They have approximately 700 tenants in Cincinnati and 300 acres owned for development. He is a lifelong resident of Northern Kentucky. He stated that this project will double the size of their development in Northern Kentucky. They intend to attract new business for the community via speculative development and third-party build-to-suit projects.

Mr. Justin Verst, Viox & Viox, stated that they had pre-application meetings with Staff and received comments from the County Engineer. He submitted a letter from the Boone County Water District stating that they will serve this project (see Exhibit 2). They met with the Walton Fire Chief who is agreeable to the project and likes the emergency route connecting Logistics Boulevard to Dixie Highway. He stated that the sight distance requirement at Dixie Highway is met and no improvements are required. He stated that the request meets the Goals and Objectives of the Comprehensive Plan. The Future Land Use Map shows this site as industrial land at least since 2000. He reviewed the applicant's Power Point presentation. On the conceptual plan he noted that the layout of the site is for a distribution type use. The plan shows 3.6 million square feet of development on the 2.9-acre tract, which is less than 70% of the allowable intensity. The site is directly to the south of the IDI development approved in 2005. He stated that the buildings are approximately 40 feet in height, which is a standard building height. There will not be a connection to Chambers Road. They will extend Logistics Boulevard to Dixie Highway as a public street with the same type of blacktop, curb and gutter, and sidewalk as the street built by IDI, which will provide good access to the development. They will restrict truck traffic from Logistics Boulevard to northbound only on Dixie Highway via signage and other restrictions that will be put in place to keep the trucks from going south. He stated that stormwater drainage on the site is generally north to south – from Dixie Highway to Chambers Road through this property. The detention ponds will be modeled together for the whole development and done up front as recommended

by County Engineer. They agree to the County Engineer's comment that the post development stormwater runoff should be no more than 85% of the pre-development runoff. In regard to phasing, he stated that they anticipate one building per year based on the market, which will make this a five to six year project. He presented a video of the site beginning at Dixie Highway. He noted that the power lines will restrict where they can place some of the street trees. The street trees will generally be along Logistics Boulevard and the south side. He noted that their buildings and road are below the road. He noted the line of sight and indicated that the majority of the view of the building will be blocked by landscaping. He stated that the buffering on the north side will be along the street versus along the property line due to the power lines. They cannot plant large trees in the area of the power lines. He stated that signage and controls will be in place at the intersection to keep traffic going in the right direction.

Mr. Wardell Wilcox, Transportation Planner with Edwards & Kelcey, 3 Centennial Plaza, Cincinnati, Ohio, stated that they have been in the greater Cincinnati area for over thirty-five years. They provide engineering, architectural, and planning services to the public and private sectors. The company is over sixty years old and headquartered in New York. He is a graduate of the University of Cincinnati and studied at Georgia Tech. He has nineteen years of experience. He stated that they met with the Boone County Public Works Department, the Kentucky Transportation Cabinet, and the Planning Commission Staff. He submitted a Traffic Impact Study (see Exhibit 3). He stated that comments have not come back yet from the Kentucky Transportation Cabinet. He stated that Traffic Impact Studies are normally completed in 2 to 3 weeks, but they worked 3 – 6 months on the Traffic Impact Study in order to be sure that all of the traffic and transportation issues were addressed. They also did the work for the IDI development and a lot of the report mirrors what was done for that project. The study mirrors the Six-Year Plan and current studies on Dixie Highway. He stated that an IIS will occur at the Richwood I-71/75 interchange ramp system. He stated that the long-range impact of this development is either currently addressed, or will be addressed, as part of the master planning. He stated that the OKI twenty-year forecast, which was the basis for several of the master plans, included this area as industrial warehousing. He stated that for the twenty-year forecast the traffic and the impact of this development is contained. The Traffic Impact Study includes review of the capacity at the four critical intersections identified by the Boone County Public Works Department and the Kentucky Transportation Cabinet, which are the two interchange ramps at Richwood, the intersection of U.S. 25 and Richwood Road, and the intersection of Walton-Nicholson Road and U.S. 25. He stated that the state's biggest concern was how they would get traffic in and out and service it properly. He stated that no access to the development is being provided on Chambers Road. All access is off U.S. 25. Traffic out of the development will be restricted from turning south and heading into the Walton area or coming to the site from the interstate system. They will direct all of their traffic by way of Richwood. He stated that safe sight distance is available in excess at the proposed location. He stated that the

recommendations in the Traffic Study are to construct a northbound left turn storage lane, a southbound right turn lane, and control the intersection by a stop sign.

Mr. Gerald Dusing, attorney with offices in Florence and Covington, was present representing Duke Realty. He stated that the site has been earmarked in the Comprehensive Plan for industrial for many years. Reviewing the applicant's Power Point slides, he noted the location of the proposed development, Chambers Road to the south, and the Richwood interchange to the north. He noted the locations of the approved or constructed buildings in the Hemmer and IDI developments, as well as the buildings shown on the Concept Development Plan for the proposed development. He stated that the proposed development is one part of an overall industrial development that goes all the way to the Kenton County line. He noted the locations of the Hemmer, IDI and proposed Duke developments between I-75 and U.S. 25. He stated that they do not show any buildings in the 150 – 180 foot sliver of RL along Chambers Road, which was discussed in the Staff Report. The buildings and parking lot are outside the RL area. The parking lot and closest building are 140 feet from Chambers Road. The RL area was taken into account in the design. He stated that the property has been earmarked and intended for this use. The intensity of the development mirrors what is happening to the north.

Mr. Bill Viox stated that at the OKI Regional Planning Conference in Cincinnati in October, Tim Butler (a well-known attorney and planner) spoke on planning commission strategies and used the phrase *treat similarly situated people similarly*. Mr. Viox stated that they know that they are the third quality developer in the area and they will meet that challenge. He stated that the Future Land Use Plan has become a reality in this area – it's an employment district. On the other side of the expressway is a residential district (condominiums, units for lease, and single-family residences) and to the south down Dixie Highway in Walton a nice residential community is developing up against the expressway, which allows people to work in the employment centers and live where they work. He stated that last week the City of Walton announced a proposed shopping center at the Walton exit anchored by a Kroger super store. He stated that the area is becoming self-contained – people can live, work and shop in this area. He stated that IDI was required to bring Logistics Boulevard to the Duke property line, which indicates that the Planning Commission intended for the boulevard to go on through. They will complete Logistics Boulevard. He stated that the Water District asked them, and they agreed, to take a water main through because the water district needs an extension to Chambers Road to create a loop for the residential community when it develops on the other side of the expressway. They also agree to over-detain the water. He stated that several years ago for Steeplechase they suggested that there was an opportunity with the business parks to have regulated detention in the upper part of the basin, and that is now a reality. He stated that they are sharing their sewers with a neighbor, which the Sanitation District will allow. They are showing sensitivity with the design and putting the

buildings down – when driving south on I-75/I-71, the right-of-way in front of this site goes up steeply and the site will go down steeply. The goal is to tuck the buildings in and make the landscaping come alive. He provided extra copies of the applicant's Power Point presentation (see Exhibit 4). He stated that they are proud to offer Commonwealth Logistics and bring jobs to Boone County and particularly to this neighborhood. This completed the applicant's presentation.

Mrs. Poston stated that a sign-up sheet was not available this evening and asked that all speakers clearly state their names and addresses. Mrs. Poston asked if there was anyone else present who wished to speak in favor of the request.

Mr. Jim Dressman, representing Greenfield Farm (the seller of the property), stated that he is one of the owners of the property, along with Charlie Deters, Joe Arlinghaus, Pat Busse, and others. They also own the property that has been approved for Steeplechase expansion. The group purchased the subject property in 1985 from Pat Busse with the short-term intent of continuing it profitably as a thoroughbred horse farm and long-term intent to sell or redevelop it for a return on their investment. After a couple of years, they realized that the horse farm was more of a hobby than a profitable operation, so they discontinued the operation and sold the mansion and buildings to Lanny Holbrook to operate it as a horse farm. As part of that transaction, they told Mr. Holbrook that they intend to sell the remaining property someday and would likely need to get it rezoned. They obtained his written agreement that he would not oppose those efforts. Several years later in about 1997-98, they sold Mr. Holbrook another 43 acres that wrapped around the mansion house and provided insulation from what would happen with the remaining property. Mr. Dressman submitted a letter that he wrote to Mr. Holbrook on January 16, 2007 (see Exhibit 5). He stated that when they were negotiating with Duke Realty for the sale of this property, they went to Mr. Holbrook because he had expressed an interest in getting better access onto U.S. 25. They facilitated a favorable land swap that would have given Mr. Holbrook access onto U.S. 25, but he refused any offer. He stated that they were sensitive to the Holbrook farm and the mansion and sold Mr. Holbrook an insulating parcel. The Holbrook farm is now about 70 acres that wraps around the mansion. It is a beautiful mansion and they have met their moral obligation to preserve it.

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.

Mr. Steve Dallas, an attorney with offices on Main Street in Florence, was present representing the Tagher family, including Paul Tagher, his children and others in opposition to this request who are not present. He stated that Charlie Meyers, former engineer with District Six Highway Department, will also speak. Mr. Dallas stated that they agree that the 2000 and 2005 Comprehensive Plans identify this property for industrial development. However, the sections of 1137 and 1609

of the Zoning Ordinance should apply. He quoted from the Goals and Objectives Element of the 2005 Comprehensive Plan that *future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed.* He stated that this language has been in the Comprehensive Plan for years, but seldom adequately considered – particularly in regard to roads. He stated that the philosophy has been that development should occur and then the road improvements will be forced to happen. The philosophy has been that development generates revenues to finance the improvements – but tax revenue cannot provide funding for roads because it can take decades for the funding to return to the county. There are road projects that should have been done years ago that are just now getting funded – KY 237 in particular. He stated that Fiscal Court has repeatedly identified this deficiency and this process when they reject developments. He quoted from the 2005 Comprehensive Plan Goals and Objectives that *Boone County shall strive to achieve both diversity and a balance in land use. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner.* He reviewed his letter in regard to the timing and enforcement of landscaping and buffer yards and stated that zone changes in the past have separated uses out as sort of an after-thought in the interest of getting large warehouse and distribution centers constructed, which hurts the general public. He stated that the USGS Quadrangle Map identifies four blueline streams on this property. The impact of the streams requires review and approval by the Corps of Engineers and Kentucky Division of Water. He stated that there is litigation by property owners whose properties have been flooded. He stated that the runoff runs toward the residential area. Flooding has always been a problem in the Richwood area and, if it is not addressed adequately, it will be a major issue in the future. In regard to the Goals and Objectives – Industrial he quoted *that industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future industrial development must be located where infrastructure exists or is planned.* He stated that this is one of their key objections. He stated that the Planning Commission has approved the Hemmer and IDI developments. IDI has 3 million square feet of warehousing and this development has 3.6 million square feet, which is 6.6 million square feet. He stated that the traffic study for the previous project found that there would be 1,500 truck trips during the AM peak hour period, and doubling that would be 3,000 truck trips during the AM peak hour period. The interchange is a nightmare for people living in Union, Richwood, and Triple Crown – and the Commissioners can use their imagination if this request is approved and Hemmer builds on their site. He stated that the Staff Report for the IDI/Chipman request identified the widening of U.S. 25 from KY 338 to Walton as a medium priority project to be completed in 11 to 20 years. He stated that the Highway Department has no plans to do anything to U.S. 25. He stated that potentially 3,000 trucks will pour out onto U.S. 25 going north and right into the KY 338 interchange where Triple Crown pours out. He stated that the subject proposal is not consistent with the Goal *to ensure adequate infrastructure.* He did not hear

anything this evening about road infrastructure improvement. He stated that the Richwood area is designated in the Land Use Plan for New Industrial or Business Parks, but it also says that Dixie Highway will have to be improved south of KY 338 – and Mr. Meyers will testify that is not going to happen, which is enough to turn down this request under the Comprehensive Plan. Improvements to U.S. 25 need to be made before this plan is approved. He asked that the request be denied for the reasons stated.

Mr. Charles Meyers, 1135 Audubon Road, Park Hills, is a Civil Engineer who retired from the Highway Department three years ago. He has forty years experience with the Highway Department mainly in the Construction Division, and during his last two years there he was District Engineer. For forty years, he worked on most of the construction projects in the District Six region. In response to questions from Mr. Dallas, Mr. Meyers stated that he is familiar with the Richwood area and U.S. 25. He stated that currently on U. S. 25 the only thing happening is from the Industrial Park in Florence to KY 338, and it is in the design stage. The initial section of Industrial Road in Florence is scheduled for 2011 and 2029, the Richwood section is scheduled for 2010, and the section in the middle is scheduled for 2012 if funding becomes available. Funding is not currently available to even start right-of-way acquisition for the 4.4-mile section. He stated that there is a letting schedule for this March to do some work on the ramps from I-75 to KY 338, which is one of many projects in the area and is primarily to relieve the existing traffic congestion in the AM peak and the current PM backup on I-75. Those projects will be approved before the other projects are approved and have not taken into consideration the traffic problems that will occur. He stated that this area of U.S. 25 as it presently exists could possibly handle the traffic, depending on the Level of Service. It could not provide Level of Service A where traffic flows freely, but it could provide Level of Service D, E, or F and there will be times when it will be gridlocked – more gridlocked than it is now – which poses a dangerous situation for school buses and residents trying to go to work.

Mr. Charles Sizemore, 12097 Dixie Highway, indicated the location of his property at the bottom righthand corner of the green area on U.S. 25. He stated that he is not sure he is opposed. He doubts that they can keep the trucks from turning to south. He owns most of the row of trees behind his house and wants them to stay. If he lets them take out any of his trees, he wants them replaced. He spent several thousand dollars doing grading. There is a culvert there and a lot of runoff from U.S. 25 that comes through the back part of his one-acre property, and he does not want his property washed away. He has lived there for 41 years. A car went off the road in front of his house two weeks ago and, if the road had been widened, that car would have been in his living room. He wants to be assured that U.S. 25 will not be widened to the south. He stated that the applicant indicated that the trucks will go north and miss his property, but who does he call when they do not go north? He is concerned about the trees, the runoff, and the traffic.

Mr. Mike Larson, 12207 Gaines Way, Walton, stated that this is another project that puts the cart before the horse (the cart being this project and the horse being the infrastructure). He stated that the existing issues of traffic congestion, flooding, and overcrowded schools are long-term chronic problems. He stated that according to a newspaper article, 25% of the children are going to school in trailers. He has seen no improvements in regard to infrastructure shortcomings. He stated that Mr. Wall alluded to concerns regarding this proposal that have not been addressed and questioned how the Planning Commission can make an informed decision until they are addressed. They should have been addressed before the Public Hearing. He stated that his property taxes have gone up 76% in the last three years and his neighbor's taxes went up over 100% in one year, but services have not increased. He feels that he is subsidizing the developer's profits. The developers are not providing the infrastructure required to support their development. He stated that the developer cannot address the traffic issues unless they provide the infrastructure. He is suspect of a traffic study paid for by the developer. If the traffic study had been paid for by the developer and contracted by the Planning Commission, it might have some validity. He stated that the area will become a self-contained area with the new shopping malls – but it will be a self-contained area of inadequate infrastructure and congestion. He stated that the existing and long-term chronic problems are not being adequately addressed.

Mr. Harold Jetter, 12269 Gaines Way, Walton, stated that the watershed study for this county is 40+ years old and we cannot seem to get a real watershed study done. He stated that we use computer models and hope the detention ponds work, but many times they do not. He is concerned about the 3.5 million square feet under roof and the concrete parking lots. He stated that the property runs down hill to Mudlick Creek. He discussed the rebuilding of the Richwood interchange with Gary Reese at the Transportation Cabinet in Frankfort and he indicated that the funds for the design work have been authorized, but the funds for right-of-way acquisition, utility relocation, and construction are not authorized. He stated that we are almost \$2 billion over-requested for road and construction projects in the state for the budget year ending June 30, 2007 and they do not think the funds will come here to do this project in 2010. He stated that the project at the Turfway interchange has been going on for six or seven years and it is still a nightmare to get through there -- and it is funded. He is Chairman of Citizens for Saving Boone County LLC and their position is that the Richwood interchange is not going to happen when the Planning Commission was told it was going to happen. He asked the Commissioners to contact the Transportation Cabinet. He stated that if they do not have the money, they cannot fix the interchange. He is concerned that this area will die if 3,000 truck trips per day are added to an interchange that cannot handle the traffic.

Mr. Rob Tagher, 11767 Dixie Highway, stated that people who live in Kenton County, Walton, and Independence use the Richwood exit and they are also

severely affected by the traffic at the KY 338 interchange. He stated that in the Industrial zone, the long-term use is Business Park theme. A Business Park theme allows for integrated office campus, large amounts of green space, integrated pedestrian and recreation facilities, and wholesale and retail uses – but this plan is 95% rooftop. There is no green space and it does not adhere to the Business Park theme. He stated that several people who want the project have said that the Planning Commission approved the Hemmer and IDI developments for the zone change, but that is not true. He stated that the zone change was recommended for denial by the Planning Commission, and the recommendation was overturned by Fiscal Court. He stated that at that Committee Meeting one of the Committee members did not want to approve the zone change request because the industrial development would then continue down U.S. 25, which was not good for the county, and suggested that they go over the railroad tracks and develop with the existing zoning. Mr. Tagher agrees with those comments. He stated that six years ago the Planning Commission had the county's best interest at heart and he hopes that continues today.

Mr. Mark Tagher, 11755 Dixie Highway, stated that he will have a direct view of at least one of the buildings. He indicated a line of hardwood trees that may be removed with the construction. He would like most, if not all, of those trees to remain. He stated that the trucks are oriented along the side of the property where there are five or six houses and asked if they could be re-oriented along the other side. He asked for the berm to be constructed up front to minimize the impacts on the surrounding properties. He asked for line-of-sight studies from his house and his father's house.

Mr. Jim Weaver, 12125 Decker Lane, stated that they already have three truck stops in the area. He stated that more homes have been approved in the area, and those approvals have conditions. He stated that some of the conditions are going by the wayside and questioned who watches over the conditions. He stated that there are barns down on the subject property and there has been no attempt to beautify the land over the years. He stated that the people here this evening are concerned about Boone County. He does not want to go out his backdoor and smell plastic in the air. He would prefer a park to an industrial area. He cannot comprehend what the traffic is going to be like on KY 338 with the industrial parks that have already been approved. He stated that traffic is going to be backed up on southbound U.S. 25 for a mile and people are not going to get into the northbound lane to go onto I-75. He questioned what will happen if the state needs to add lanes to I-75. Where will that land come from? He sees deer and people on bicycles everyday, but if this request is approved it will ruin this whole area. He asked the Commissioners to listen to them. He wants to be able to go down the highway on bicycle and go for a walk. It is a beautiful area where he raised his kids. He stated that the developer's whole intent is to make money.

Mr. Chris Welsh, 12640 Huey Lane, which is close to the proposed project, stated that Boone County traffic is building every year. Driving up and down U.S. 25

between Chambers Road and Richwood Road is scary. It is a bad road that undulates and curves and projects that will bring 300 trucks every 24 hours have been approved. The trucks do not run at night, they run during the day. Boone County School buses could not get into their neighborhood three times last year because the creeks were over the road. If there is already flooding before Steeplechase is done, before B.O.L.D. homes does what they eventually want to do, and before the industrial projects – what will the flooding be like afterwards? These are not fifty-year floods, they are just rainstorms. He stated that 25% of the students in the county are in mobile classrooms. There are not enough school buses or school bus drivers to take the children back and forth. He is concerned about bringing in truck drivers by the thousands from all over the country to clog the highways. He stated that the children are going to be charged a fee to use the baseball and soccer fields. When Blue Ash upgraded their standard of living, they got rid of the bad industry and brought in high-tech jobs and highly paid employees. He does not think the TIF district is going to be the cure for the economic problems up and down Richwood Road and it is a disincentive for employers to bring in good business. He stated that GSI Commerce Inc. promised 500 full-time jobs and up to 2,000 jobs during the holiday season – which means 2,000 people are going to commute back and forth and there will be another 3,000 trucks a day – which is too much for the road. He stated that once a precedent is set, we cannot turn back and development keeps on going and going. He stated that down the road a well-done industrial park with retail and office space would be a good addition to Boone County, but it does not need to be done with 3,000 trucks a day and 2,000 people going to \$10/hour jobs with no benefits. He stated that the TIF district will tax those people an extra 1.2%. He stated that we are losing airport and high-paying jobs that come with benefits and doing nothing about it. He does not want his child on a school bus going down U.S. 25 when there are 3,000 trucks going the other way. It is a two-lane road and it is scary. With the buses and young people getting their licenses, it is a recipe for danger.

Mr. Mike Larson stated that Senator Damon Thayer, who represents Kenton County and areas to the east, told him that Senator Roeding arbitrarily directed the Transportation Cabinet to change the date in the Six Year Plan for the Mt. Zion and Richwood interchanges from 2012 to 2010. Mr. Larson stated that the change is meaningless and deceives the public and the Planning Commission about the progress to be expected at those interchanges.

Mrs. Poston asked if there was anyone else present who wished to speak against this request. There being no response, she asked if there were any comments or questions from the Commissioners.

In response to questions from Mr. McMillian, Mr. Ruh stated that the larger buildings are bulk distribution centers and the buildings in the front can be manufacturing and build-to-suit projects that would entail manufacturing. The type of manufacturing depends on the market. GSI is an example of the type of employer they would look for in this development in the initial phases. They will

put the land out for purchasers and general users on a build-to-suit basis. He does not know what type of manufacturer would come to this location. Mr. Dusing stated that in the Staff Report is a copy of the conditions imposed on the IDI development that eliminated numerous uses. He expects that the same condition will be imposed on this development to eliminate the more intense manufacturing uses.

Mrs. Kegley asked the applicant to come to the Committee Meeting prepared to address the issues raised such as the trees the neighbors want to preserve, the orientation of the trucks at the building next to the Taghers, the timing of the berm, and lines-of-sight for the Tagher properties.

Mr. Rolfsen asked how the four blueline streams will be addressed. Mr. David Wright, Development Services Manager for Duke Realty, stated that they have hired an environmental consultant and submitted a request for a permit to the Kentucky Department of Water and the Army Corps of Engineers to deal with the streams and provide mitigation.

Mr. Rolfsen asked what will be done to prevent trucks from making a right turn out of the development. Mr. Wright responded that they anticipate modifying the intersection at Dixie Highway with smaller radii and higher barrier curves so that trucks cannot make the righthand turn.

Mr. Bunger stated that the volume of truck traffic was stated as 3,000 per peak hour and also as 3,000 per day. He asked that accurate information be provided to the Committee. Mr. Wilcox responded that the information is in the Traffic Study. The numbers mirror the IDI development. The AM peak hour is 1,058 trips (868 in and 190 out) and the PM peak hour is 1,107 trips (232 in and 875 out). He stated that during the hours of operation, approximately 80% of the trips are passenger cars. There is a high of about 26% trucks in the AM or PM peak hour. AM peak hour is 7:00 AM to 9:00 AM and PM peak hour is 4:00 PM to 6:00 PM. Mrs. Poston asked if their numbers include the two other developments that are not completely developed and the Duke development at complete buildout. Mr. Wilcox responded that these figures are just for the Duke development, but in their analysis they layered their traffic on top of the traffic that included the other approved developments. He stated that the capacity results were similar and in the acceptable range of A, B, C, and D. He stated that typically E and F is when there are problems.

Mr. Poe stated that water is a major issue there. He stated that they need to go above and beyond the requirements because there will be additional water with all of the square footage. He asked Staff and the Committee to address the traffic. He stated that 3,000+ trucks were approved with the IDI development and traffic is getting unbearable in that area. He asked Staff to get clarification from Senator Thayer in regard to the timeline. He stated that the Planning Commission asked the Steeplechase developer to go to the state and work to get things done in regard

to the traffic. He stated that legitimate points were brought up this evening about Boone County needing an economic engine. He stated that a development this size should have some economic clout – we should not put things in if the state does not recognize it as an economic engine with this type of square footage. He asked that the Committee to look at the traffic already approved in the area and the backups that are occurring. He stated that 3,000 truck trips were approved last time. He asked Staff and the Committee to review the last Traffic Study in relation to the level they are talking about in this Traffic Study.

Mr. Schwenke asked to see the total trips per day with total buildout of the Hemmer, IDI and Duke projects. He stated that these are all big projects and there is a lot of water. We need to look at it harder and know the potential and what can be done in regard to retention.

Mr. Poe stated that he also wants to restrict the traffic going to Walton, but there needs to be a widening of U.S. 25 at least to Richwood. He stated that the widening of Industrial Road still has not happened. He asked Staff to provide to the Committee updated information on KY 338, the interchange, and U.S. 25.

Mrs. Kegley stated that a question was raised about who oversees the conditions. Mr. Costello stated that a lot of conditions are naturally implemented through the design phase. When Staff reviews plans they make sure the conditions are incorporated into the design and constructed. There are times when conditions are implemented over time. For example, a developer may donate or sell park or school land and there is a five-year window and it is checked. There are also conditions that involve other agencies and Staff follows up with them.

Mrs. Poston asked if the applicant wished to make a summary statement.

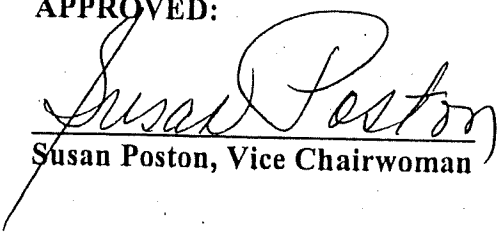
Mr. Dusing stated that they tried to leave out some of the details in the interest of time. He stated that stormwater drainage will be in accordance with the recommendations of the County Engineer, which reduces the runoff to less than it is in its natural state by 50%. He stated that this is a comprehensive Traffic Study and the Level of Service on U.S. 25 is analyzed with the entire buildout of all three developments, which will be reviewed at the Committee meeting. They will have line-of-sight studies at the Committee meeting and information regarding timing. They will talk to Duke to see what can be done to be creative with the berms for the adjacent properties.

Mr. Bill Viox stated that they are committed to doing a complete drainage study of the site, which he believes was also required for IDI by the County Engineer. He stated that they will know the routing of the upper basin. The detention they put in place will be of considerable help on the south end of the corridor. He knows that Hemmer and IDI will provide what the County Engineer required. He stated that the county could take one more look at all three developments together and some fine tuning could occur after everything is in place.

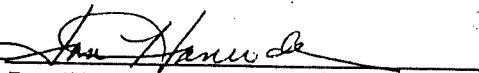
Mr. Steve Dallas stated that traffic is the main objection. He stated that there are three places in the Comprehensive Plan that support denial of the request. The Goals and Objections Section 4 says *Existing infrastructure and services shall be monitored, maintained and improved as needed*. He stated that U.S. 25 needs to be improved before this project is approved. The Goals and Objectives – Industrial section says *that industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future industrial development must be located where infrastructure exists or is planned*, but nothing will happen on U.S. 25 in the foreseeable future. He quoted from the Land Use Element that *the area east of I-75 and west of U.S 25 from Richwood Road to Chambers Road should develop as Business Park and Industrial Park. New industrial or business parks are planned in this area and Dixie Highway will have to be improved south of KY 338*. He stated that this plan needs to be turned down. He submitted his written comments (see Exhibit 6); an exhibit showing blueline streams and identifying Parcels A, B, and C (see Exhibit 7); and an exhibit showing roadways and topography (see Exhibit 8).

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on February 7, 2007 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on February 21, 2007 at 7:00 PM. Mrs. Poston closed this Public Hearing at 9:47 PM.

APPROVED:


Susan Poston, Vice Chairwoman

Attest:


Jan Hancock, Recording Secretary

Exhibits –

1. *Commonwealth Logistics Centers, Boone County, Kentucky* submitted by the applicant
2. Letter from Harry Anness, Boone County Water District, to Viox & Viox dated October 17, 2006 submitted by the applicant
3. Traffic Impact Study, Proposed Office/Warehouse Development – Dixie Highway (U.S. 25) south of Richwood Road (KY 338), Boone County, Kentucky, December 2006, submitted by the applicant
4. Applicant's Power Point presentation

5. Letter from James A. Dressman III to Lanny R. Holbrook, Esq. dated January 16, 2007 with attachment (Page 5 of the Agreement signed by Lanny and Nancy Holbrook, dated December 27, 1987).
6. Memorandum from Steve Dallas, dated January 17, 2007 re: Duke Realty, LTD and Greenfield Farm, Inc., Proposed Zoning Map Amendment. Submitted by Steve Dallas.
7. Exhibit showing blueline streams and identifying Parcels A, B, and C, submitted by Steve Dallas
8. Exhibit showing roadways and topography, submitted by Steve Dallas

Type: 400w Wallmount Shoebox

Job: Richwood Project

Catalog Number:

AL3M400 4F 480 WB

DB

SERIES	DISTRIBUTION	VOLTAGE	MOUNTING	OPTIONS	FINISH
See Page 2				(FACTORY INSTALLED)	
				See Pages 3 and 4	

Note: X and Y components of order sequence to be manually entered in part number **after** Option / Accessory is selected.

Certain configurations or combinations of options and/or accessories may not be compatible.

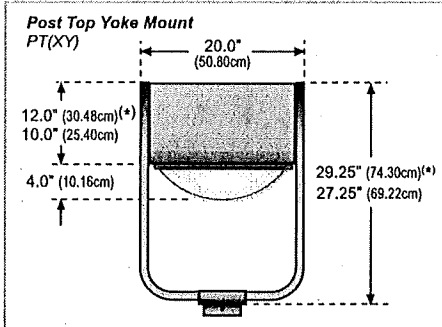
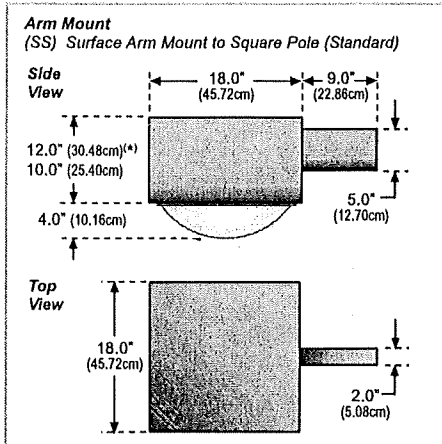
ACCESSORIES (SHIPPED SEPARATELY)
See page 5

Approvals:

Date: 02/01/2006

Page 1 of 6

Overall Dimensions For reference only



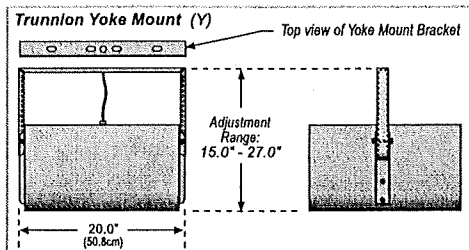
(*) 450-1000W and BI-Levelled AL3 luminaires require deeper 12" housing. 10" deep housing is suitable for 400W and below.

EPA data (Effective Projected Area in Ft²)

Consult Mounting Configuration chart on page 3 and contact factory for additional EPA data.

Arm Mount (SS / SR)		Number of Fixtures			
		1	2	3	4
10" Deep Housing	Flat Glass	1.9	3.8	4.8	5.0
	Sag Glass	2.1	4.2	5.6	5.9
12" Deep Housing	Flat Glass	2.2	4.3	5.6	5.9
	Sag Glass	2.3	4.7	6.1	6.4

Post Top Mount (PT)		12" Deep Housing	
10" Deep Housing		Flat Glass	2.5
		Sag Glass	2.7



Specifications

Housing

Formed aluminum sheet metal housing and top. The sides and top shall be mechanically and chemically sealed to ensure a rain-tight seal. Standard unit constructed to IP54.

Optical Module

Rotatable multi-faceted segmented reflectors shall be made of high purity, anodized "Super Sheet" aluminum with an inorganic dielectric coating, producing a minimum reflectivity of 94% for optimum efficiency. Optical assemblies shall be field rotatable at 90° increments and exchangeable. Lamp orientation and lens flexibility allow the AL3 Series (Spectra III Area Luminaire) to provide optics meeting the IES definitions of Full Cutoff, Cutoff, and Semi-Cutoff. Unique "F" optics (available for 400W Metal Halide and below only) combine standard flat glass lens with desirable vertical lamp orientation to achieve Full Cutoff. The resulting luminaire is Dark Sky Ordinance compliant (Flat Glass) with the advantage of precision uniformity (Vertical Lamp), delivering superior performance over conventional horizontally lamped optics.

Lamp Access

Door frame shall be mitered anodized aluminum extrusion, gasketed to ensure a positive seal to the housing.

Lens

Lens shall be tempered glass to withstand thermal and physical shock. (Flat glass or sag glass determined by wattage and optics specified.)

Socket

A porcelain, 4KV (5KV for 1000W PS) pulse-rated, grip-type, mogul based socket shall be used to prevent lamp loosening and to maintain proper lamp positioning. Optional Stabilux™ lamp socket is available for horizontal lamps to provide added protection to reduce lamp breakage due to mechanical shock and vibration.

Ballast

Ballast shall be high power factor with reliable starting at temperatures as low as -29°C (-20°F) for Metal Halide, -34°C (-30°F) for Pulse Start Metal Halide, and -40°C (-40°F) for High Pressure Sodium. Crest factor does not exceed 1.8. Ballast has Class H, 180°C (356°F) rated insulation system.

Mounting

Surface arm mount (field installed) shall be of heavy gauge extruded aluminum. Threaded tension rods shall be used to bolt to square (standard) or round poles. Optional post top mount shall allow fixture to be mounted to square or round poles or tenons. Additional mounting options include direct mount to square pole, an adjustable arm mount, an adjustable mast/fitter, a wall mount bracket (with or without arm), a trunnion yoke mount, and pole top tenon adapters with arm mount for square and round poles.

Finish

Standard finish shall be Dark Bronze UltraClad™ polyester powder coating, 2.5 mil nominal thickness, electrostatically applied and oven cured to ensure extreme durability. Other colors may be specified. A decorative striping option is also available.

Listings

UL/cUL Listed luminaire, UL 1598, suitable for Wet Locations. The quality systems of this facility have been registered by UL to the ISO 9001 Series Standards.

Warranty / Terms and Conditions

Mechanical, finish and electrical shall be covered by a limited 3-year warranty. Warranty is 1-year when purchased with the ASL (acrylic sag lens) option. Wide-Lite's current Warranty may be found at www.wide-lite.com (keyword: warranty) as well as Wide-Lite's current Standard Terms and Conditions of Sale (keyword: terms). All sales of items in this catalogue shall be subject to Wide-Lite's Standard Terms and Conditions of Sale current at the time of shipment. If you do not have a copy of Wide-Lite's Warranty and Standard Terms, please contact the factory for same prior to ordering.

Fluorescent and HID lamps contain mercury. Dispose of these lamps according to local, state or federal laws. For further information on local, state or other requirements for disposal of mercury-containing lamps, see www.nema.org/lamprecycle/.



www.wide-lite.com
CATALOG KEYWORD: AL3



Wide-Lite
a GENLYTE company

P.O. Box 606 • San Marcos TX 78667-0606
(512) 392-5821 • Fax (512) 753-1122

Specifications and dimensions are subject to change without notice.



Type: 400w Wallmount Shoebox
Job: Richwood Project

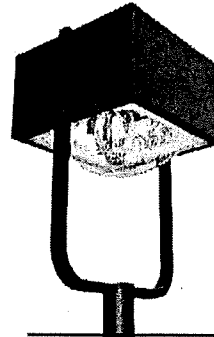
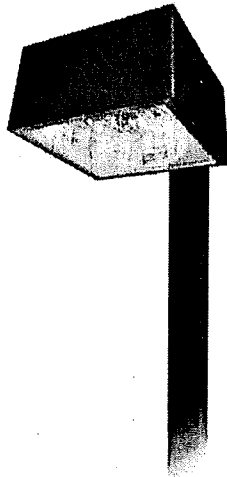
Page 2 of 6

AL3 (Spectra III, 18" Housing)

Spectra Series

Arm Mount

Shown with Flat Glass Lens



Post Top Yoke Mount

Shown with Sag Glass Lens

Series⁽¹⁾

Metal Halide

- AL3M-1000⁽²⁾
- AL3M-400
- AL3M-250
- AL3M-175

Pulse Start Metal Halide

- AL3P-1000⁽²⁾
- AL3P-875⁽²⁾
- AL3P-750⁽²⁾
- AL3P-450^(2,3)
- AL3P-400
- AL3P-350
- AL3P-250
- AL3P-175
- AL3P-150

High Pressure Sodium

- AL3S-750
- AL3S-400
- AL3S-250
- AL3S-150

Distribution

Vertical Lamp Optics

Full Cutoff, Flat Glass Lens

Available for Metal Halide and Pulse Start Metal Halide only.

Limited to 400W and below.

- 2F = Type II
- 3F = Type III
- 4F = Type IV
- 5F = Type V

Cutoff/Semi-Cutoff Sag Glass Lens

Lower wattage (175-400W) achieve Cutoff distribution. Higher wattage (450-1000W) achieve Semi-Cutoff distribution.

- 2V = Type II
- 3V = Type III
- 4V = Type IV
- 5V = Type V

Horizontal Lamp Optics

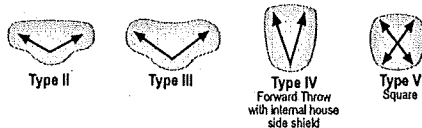
Full Cutoff, Flat Glass Lens

- 2H = Type II
- 3H = Type III
- 4H = Type IV
- 5H = Type V

Distribution Patterns

Complete photometric data available at www.wide-lite.com.

Basic Roadway Distribution Patterns as follows:

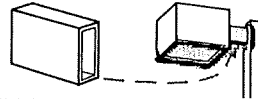


Voltage

- 120
- 208
- 240
- 277
- 480
- QV⁽⁴⁾

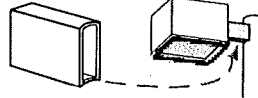
Mounting⁽⁵⁾

- SS** = Surface Arm Mount to Square Pole (Standard)



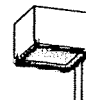
- SR(X)** = Surface Arm Mount to Round Pole⁽⁶⁾

Mounting edge of arm is contoured to match pole radius.



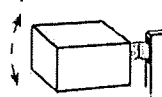
- DM** = Direct Mount to Square Pole

Luminaire housing mounts flush to pole without the use of mounting arm(s). For use with the following mounting configurations only: 1@90° or 2@180°.



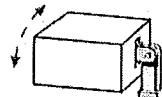
- SA2** = Adjustable Arm Mount to Square Pole

(Includes transition plate)



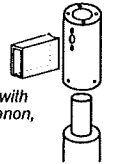
- MA2** = Adjustable Mastfitter Mount to 2-3/8" OD tenon

(Includes transition plate)



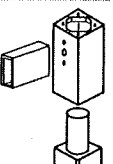
- RTA-(X)-(Y)** = Round Pole Tenon Adapter^(7,8)

(Slipfilter for Round Pole with 2.375" O.D. x 4" vertical tenon, 9" arm included)

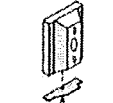


- SPTA-(X)-2.375** = Square Pole Tenon Adapter⁽⁷⁾

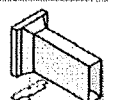
(Slipfilter for Square Pole with 2.375" O.D. x 4" vertical tenon, 9" arm included)



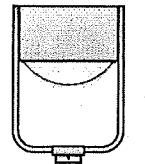
- WB** = Wall Mount Bracket



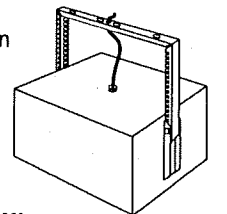
- WBA** = Wall Mount Bracket with 9" arm



- PT(XY)** = Post Top Yoke Mount⁽⁹⁾



- Y** = Trunnion Yoke Mount



(5) Refer to page 5 for Drill Templates.

(6) X = Specify pole size: (3.5 / 4)" OD; (4 / 5)" OD.

(7) X = Specify configuration: 1 @ 90°; 2 @ 90°; 3 @ 90°; 4 @ 90°; 2 @ 180°; 2 @ 120°; 3 @ 120°.

(8) Y = Specify tenon size: 2.375" OD x 4" tall; 3 / 3.5" OD x 6" tall; 3.5 / 4" OD x 6" tall.

(9) XY = Specify pole size and type: 4S, 5S, 2.375R, 3R, or 4R.

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Specifications and dimensions are subject to change without notice.



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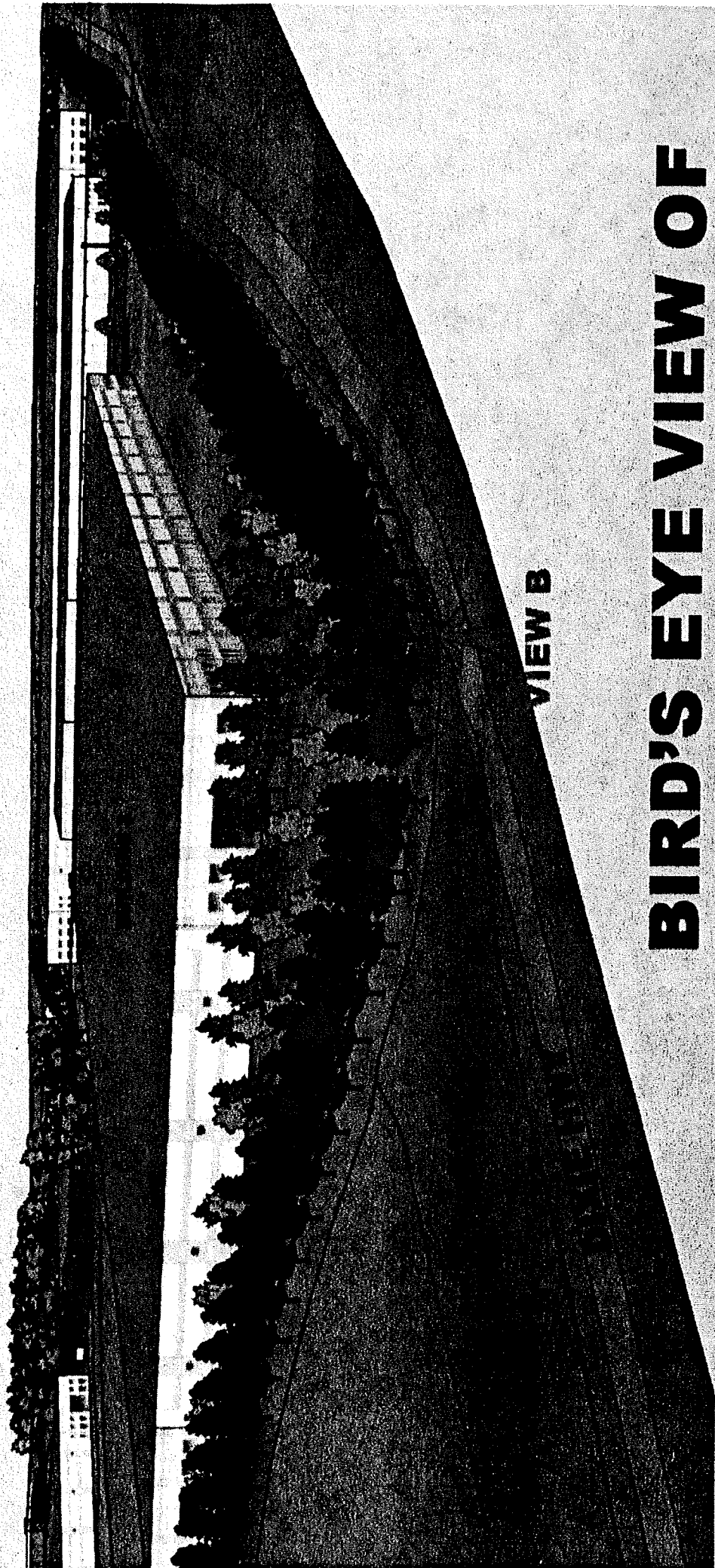
BIRD'S EYE VIEW OF NORTH EASTERN CORNER



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Civil Engineers, Surveyors, and Landscapers
10000 Old Country Road, Suite 100
New York, NY 11435

VIEW A





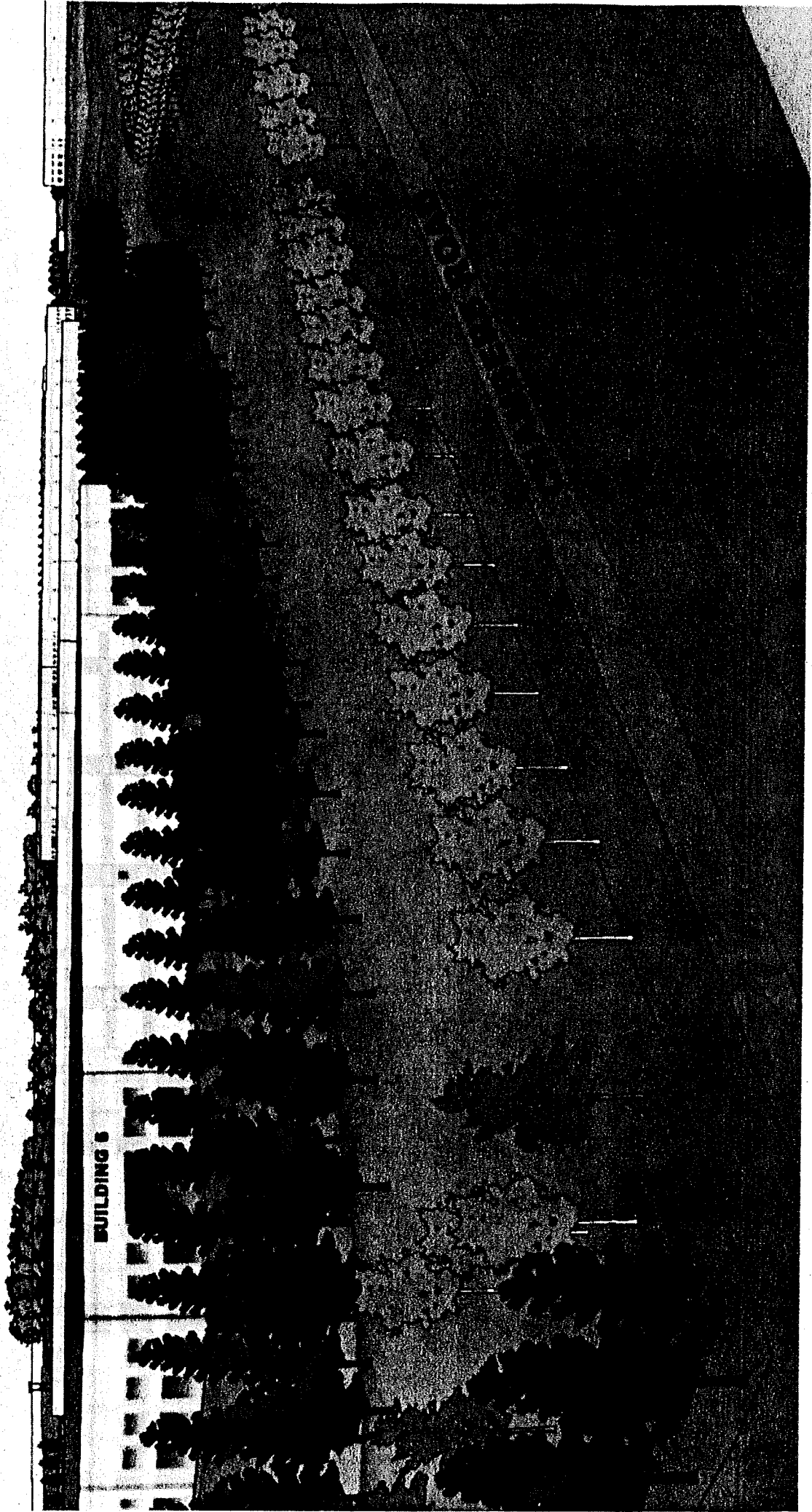
VIEW B

BIRD'S EYE VIEW OF SOUTH EASTERN CORNER

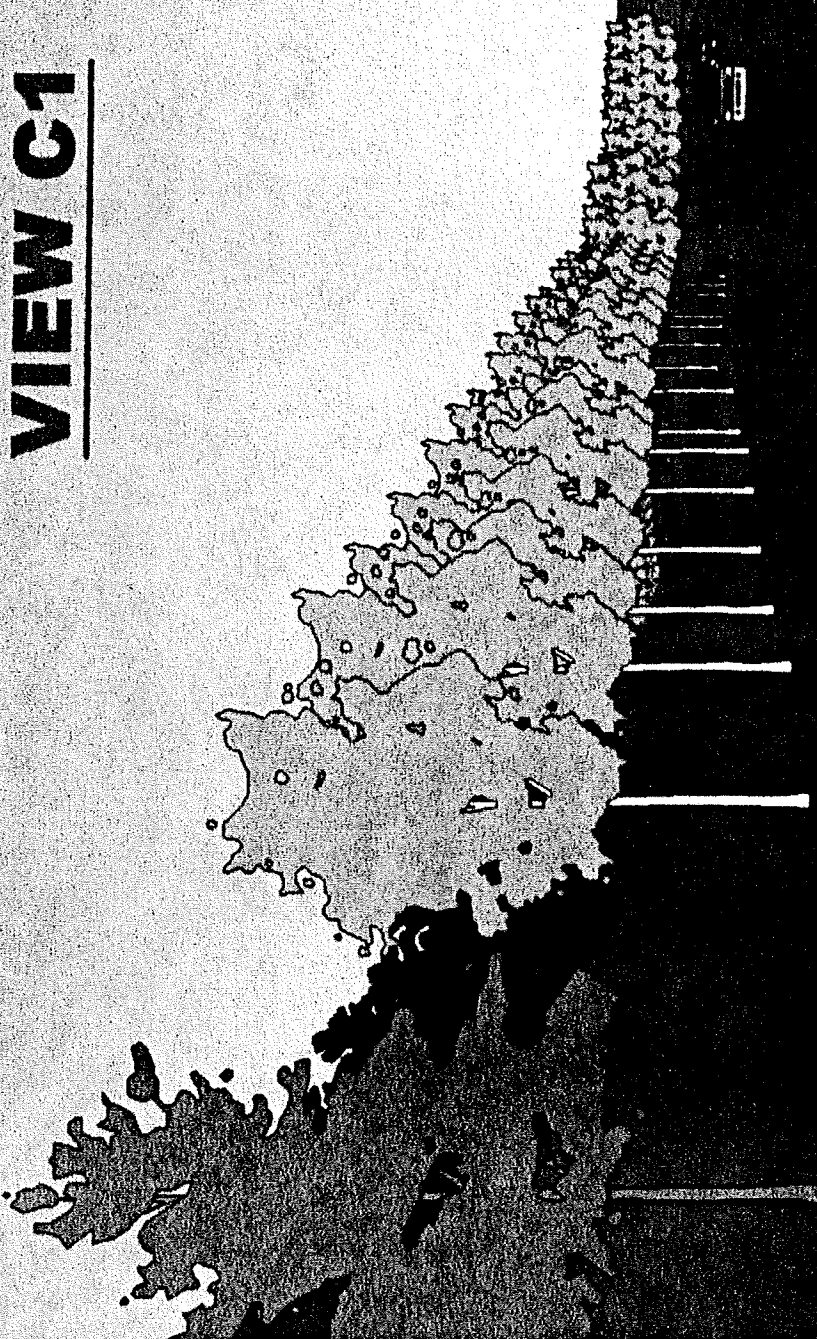
VIEW B

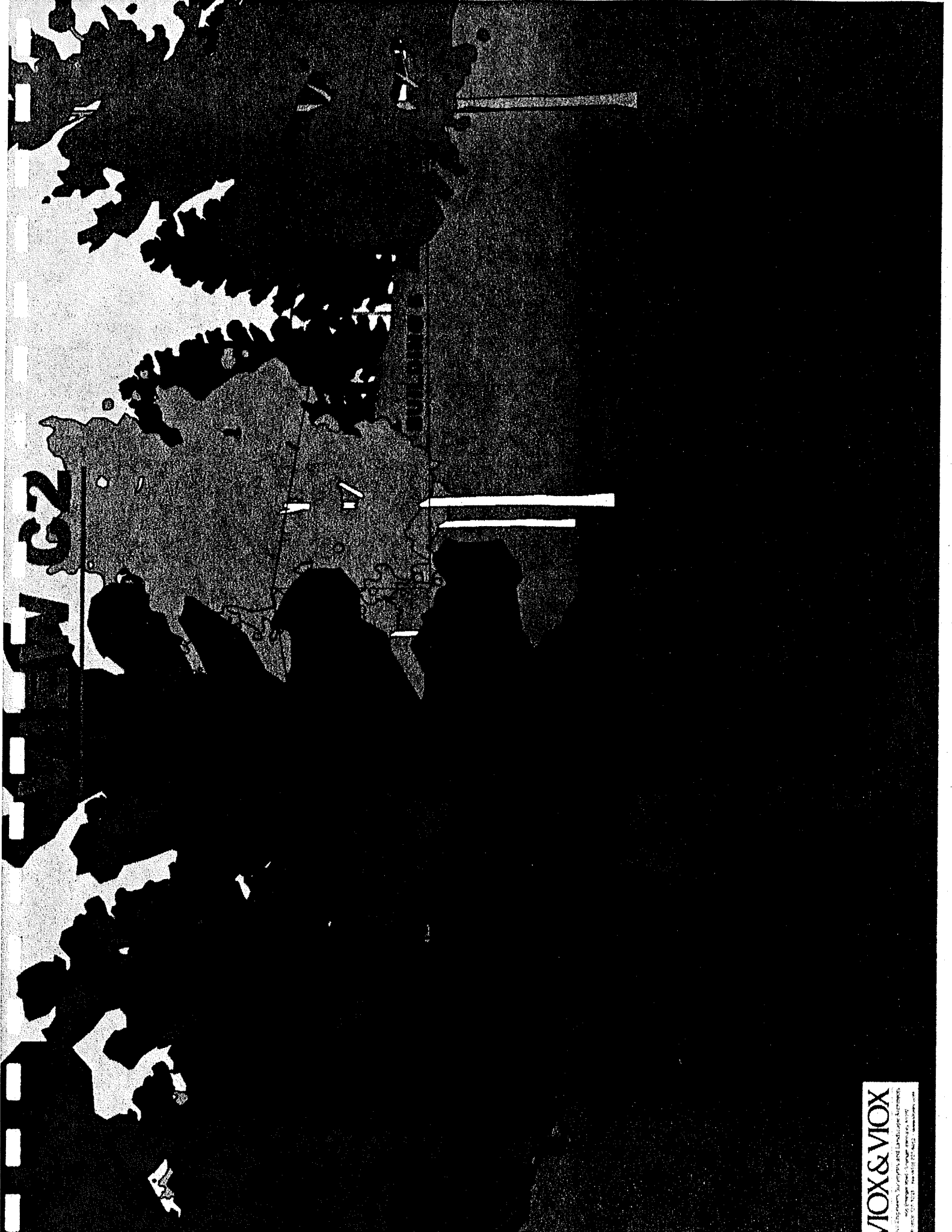


BIRD'S EYE VIEW OF SOUTH WESTERN CORNER



VIEW C1





G2

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1000 University Avenue, Suite 1000, Berkeley, CA 94702
Tel: 415.863.1234 Fax: 415.863.1235 www.viox.com

BUILDING 9

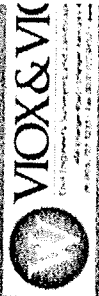
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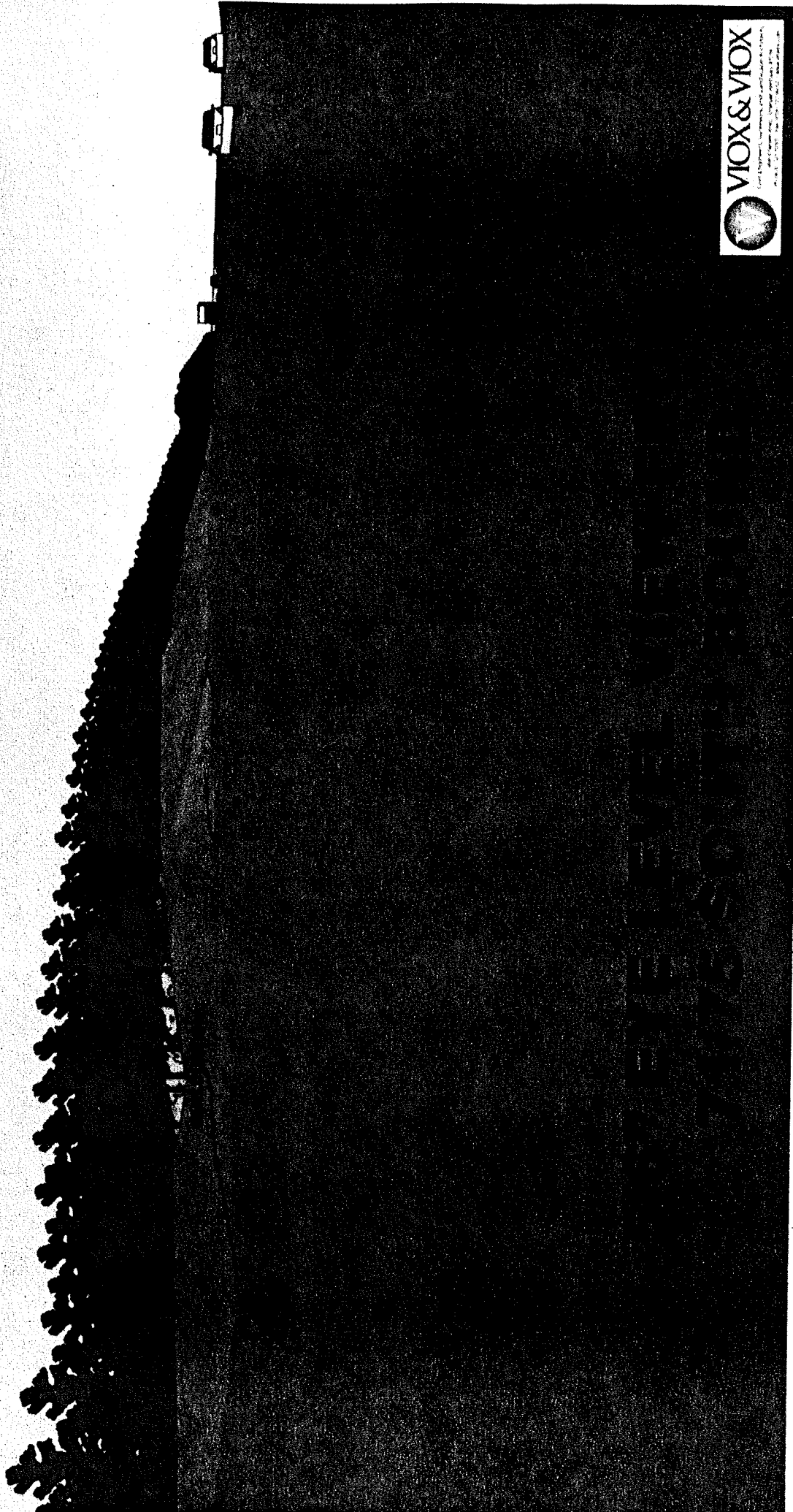
VIEW D

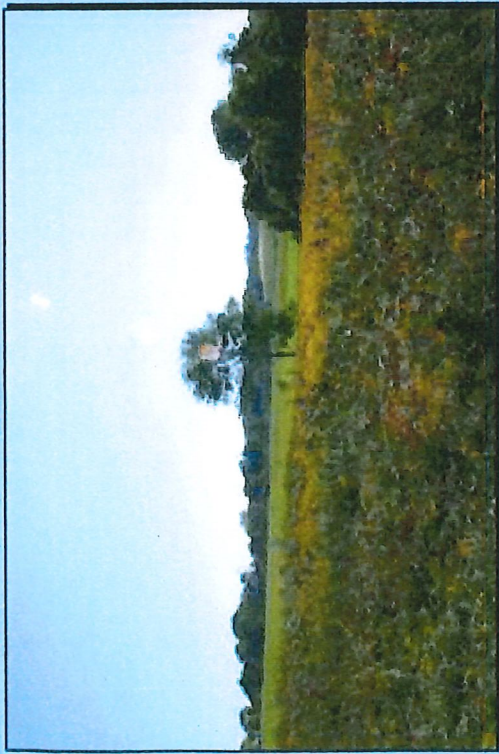


BIRD'S EYE VIEW OF NORTH WESTERN CORNER



VIEW D





COMMONWEALTH LOGISTICS CENTER BOONE COUNTY, KENTUCKY

Civil Engineers:

Viox & Viox
466 Erlanger Road
Erlanger, KY 41018



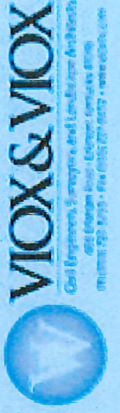
Developer:

Duke Realty
4555 Lake Forest Drive
Suite 400
Cincinnati, OH 45242

Traffic Engineer:

Edwards & Kelcey
3 Centennial Plaza Suite 800
859 Central Avenue
Cincinnati, OH 45202

January 17, 2007



VIOX & VIOX
Civil Engineers, Surveyors, and Landscape Architects
466 Erlanger Road, Erlanger, Kentucky 41018
Phone: 502-837-7070 Fax: 502-837-8877 www.viox.com



Civil Engineers, Surveyors, and Landscape Architects



- Viox & Viox was founded in Erlanger, Kentucky in 1945
- Engineered many sites in the vicinity
- Maintains a positive track record of designing quality industrial parks and commercial centers

PICTURES OF PROPOSED SITE:





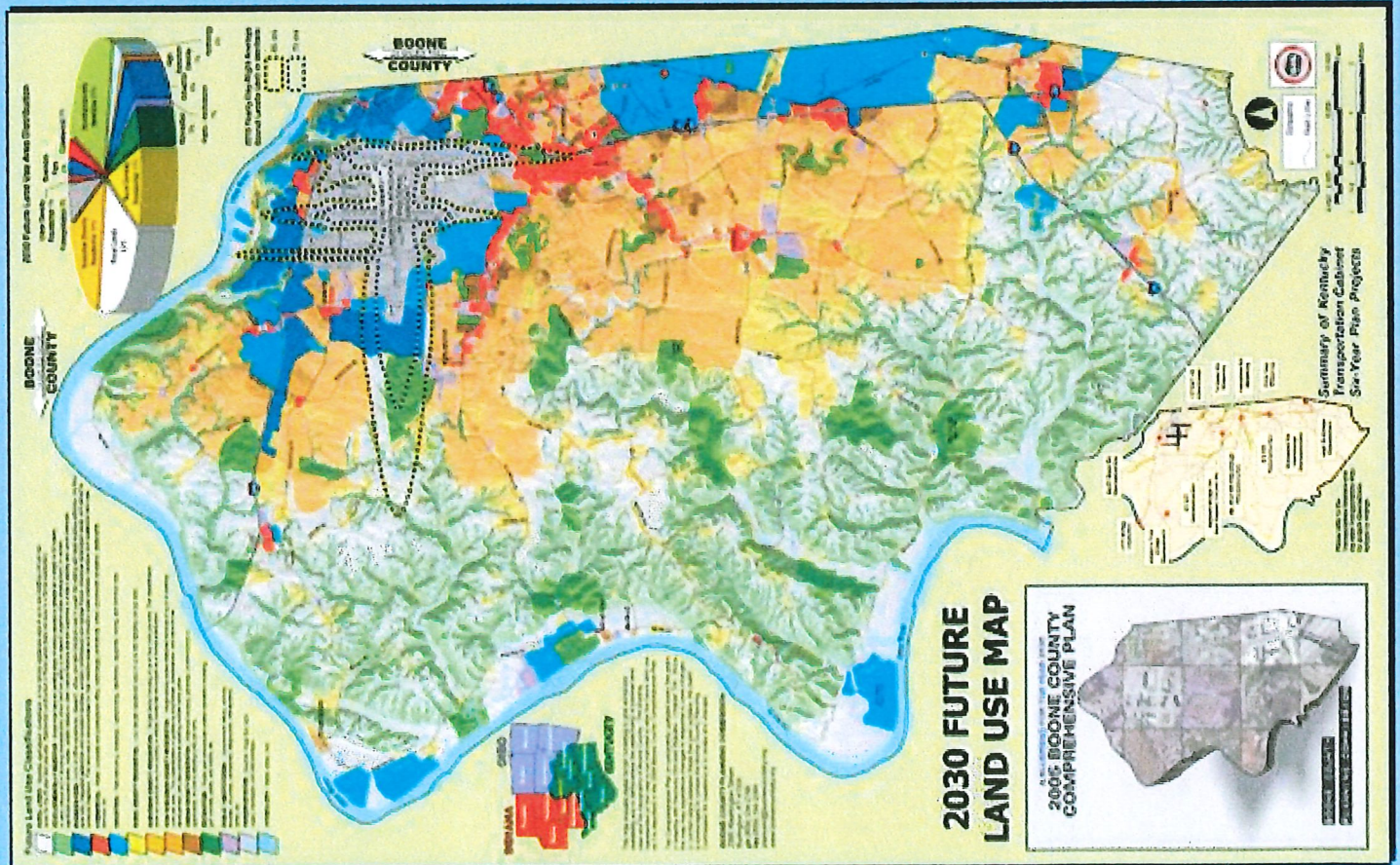
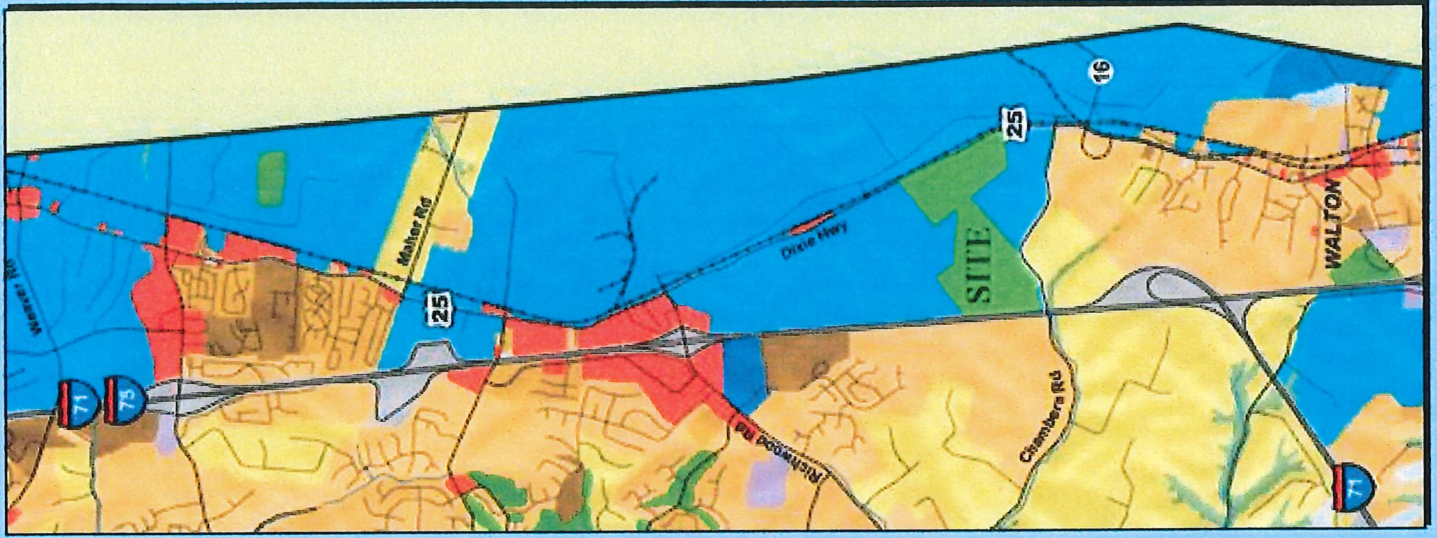
DUKE REALTY COMPANY PROFILE



- Duke Realty was founded in Indianapolis, Indiana in 1972
- Entered the Cincinnati market in 1977 and currently owns, manages, and has under development more than 14.1 million square feet of industrial, office, and retail property. Duke Realty Corporation is the premier commercial real estate company in Greater Cincinnati and is sincerely committed to the continued growth, development, and success of the region
- Serves more than 700 tenants and owns over 279 acres of land for sale or future development
- Duke Construction has constructed more than 93 million square feet since its inception



VICINITY MAP



B.C.P.C. FUTURE LAND USE MAP



COMMONWEALTH LOGISTICS CENTER
BOONE COUNTY, KENTUCKY

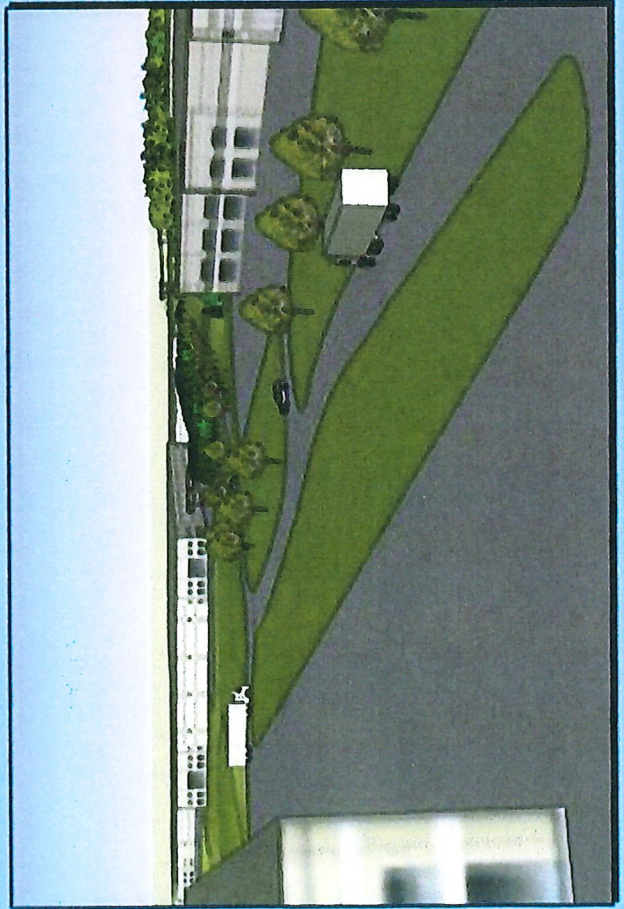
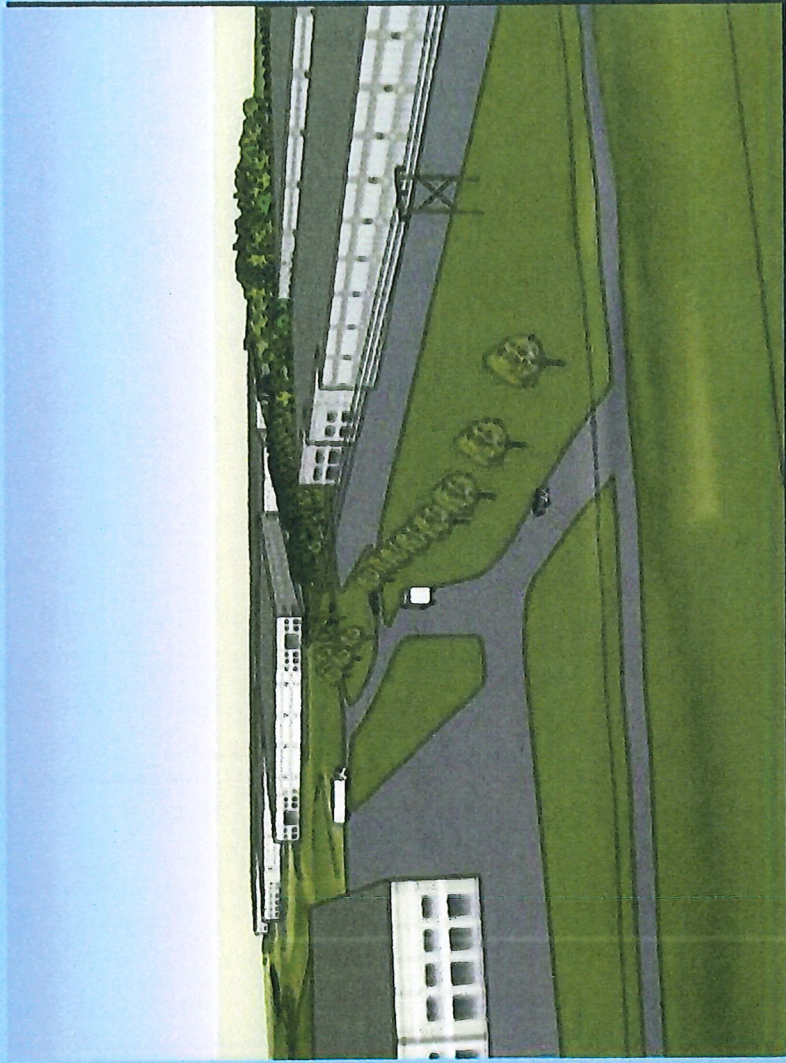
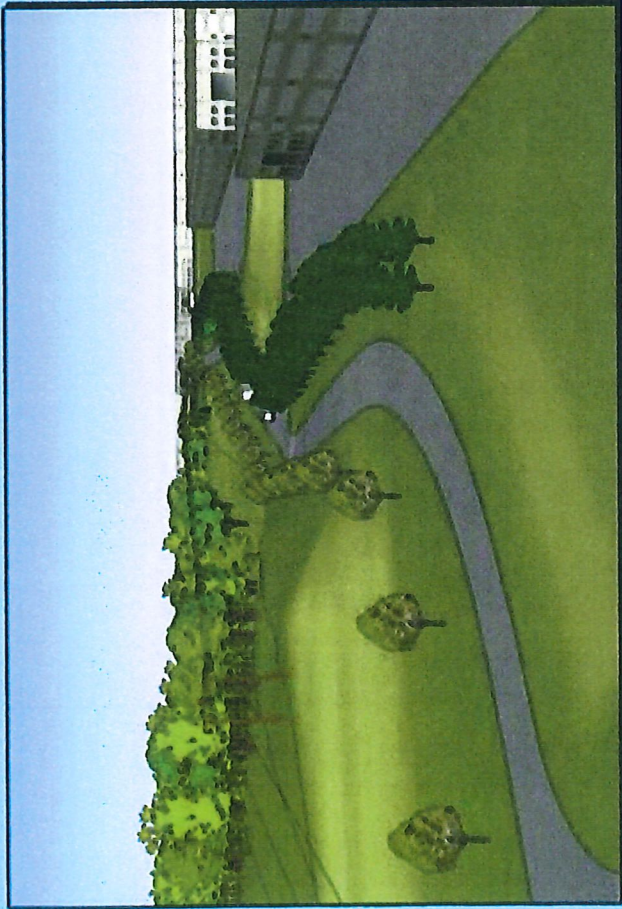


NORTH



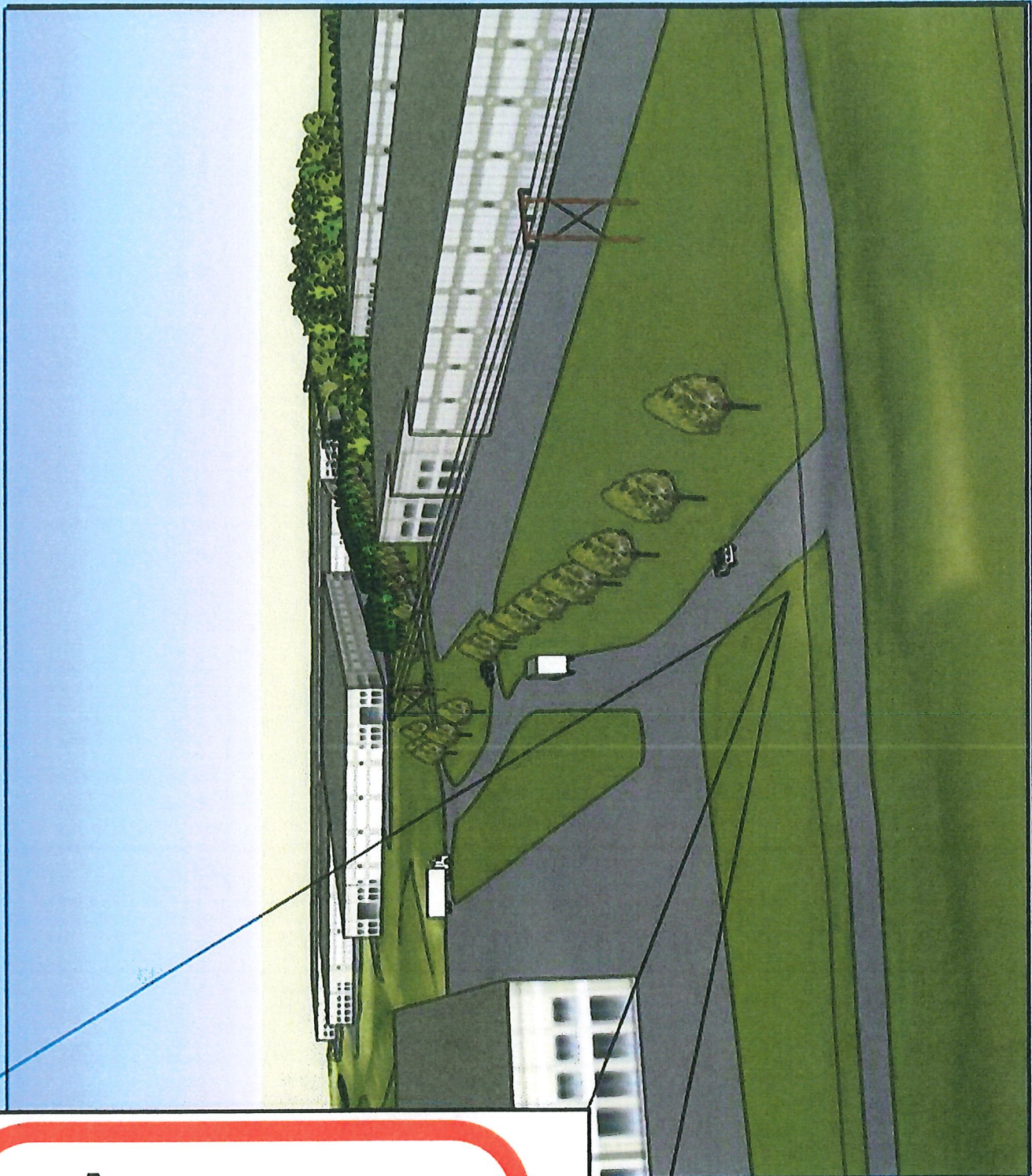
CONCEPTUAL MASTER PLAN

3-DIMENSIONAL COMPUTER MODEL OF COMMONWEALTH LOGISTICS CENTER



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**TRUCKS
NO RIGHT
TURN**



TRAFFIC ENGINEERING

EDWARDS & KELCEY – CINCINNATI, OH

**Edwards
AND Kelcey**

ENGINEERS
ARCHITECTS
PLANNERS
CONSTRUCTORS

Wardell Wilcox – Senior Transportation Planner

- Edwards and Kelcey (EK) is a nationally recognized engineering, design and planning firm with over 60 years of traffic engineering experience.
- EK employs over 900 staff in 23 offices throughout the United States and Puerto Rico.
- The local Cincinnati office, established in 1967, has over 35 years of experience serving both the public sector and private developments.
- EK met with KYTC and Boone County Planning and Engineering representative.
- Forecasted trips were based on the rates utilized for the ID/Hemmer development.
- Forecasted trips were assigned to the adjacent road network based on existing traffic operation. 100 percent of truck traffic to/from the north on US 25.
- Level of service capacity analysis was conducted and the result were acceptable and similar to the existing experience.
- Traffic study was submitted to KYTC and Boone County Engineers and both offices were satisfied with the results.



VIOX & VIOX

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4845 Beechway East, Eugene, Oregon 97408
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TRAFFIC ENGINEERING

CONCLUSIONS:

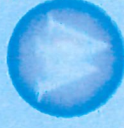
- KYTC 6-yr Plan and Boone County Transportation Plan 2030 identify future roadway improvements on Richwood Road and Dixie Highway;
- The OKI 20 year forecast process identified the Greenfield Farm property to develop as Industrial/Warehousing;
- KYTC representative stated that all capacity deficiencies (current and future) will be addressed as part of the Interchange Justification Study (IJS) for I-71/75 and Richwood Road;
- KYTC representative stated that all capacity deficiencies will be addressed as part of current master planning for Dixie Highway;
- NO access to the development will be provided on Chambers Road;
- NO truck traffic will be oriented to/from the south on Dixie Highway; and
- Safe Sight Distance is provided on Dixie Highway at the proposed site driveway;

RECOMMENDATIONS:

- Provide a new driveway on Dixie Highway approximately 1,530 feet north of Chamber Road.
 - Construct a northbound left-turn storage lane;
 - Construct a southbound right-turn storage; and
 - Install a stop sign control device.

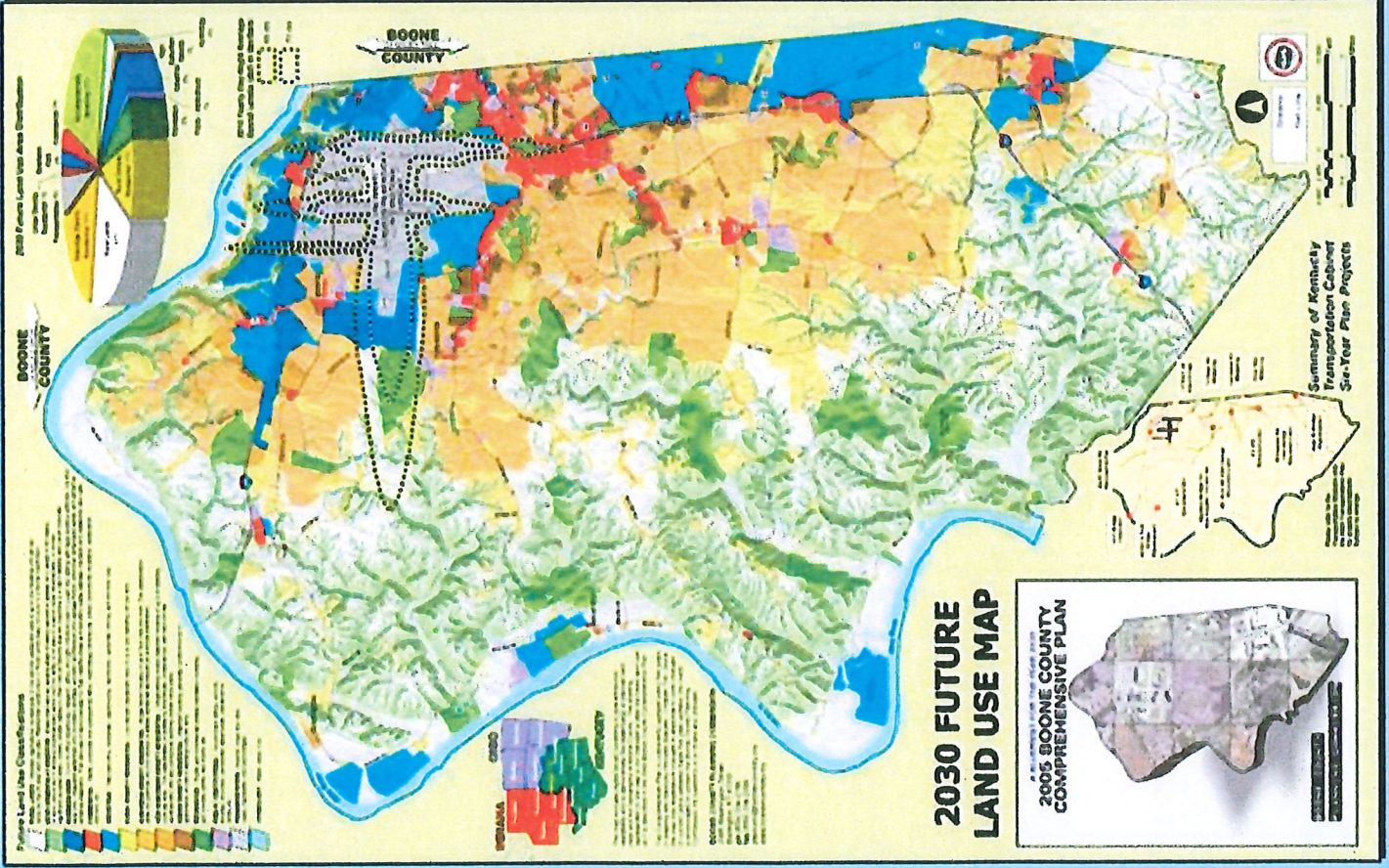
**Edwards
AND Kelcey**

ENGINEERS
ARCHITECTS
PLANNERS
CONSTRUCTORS



VIOX & VIOX

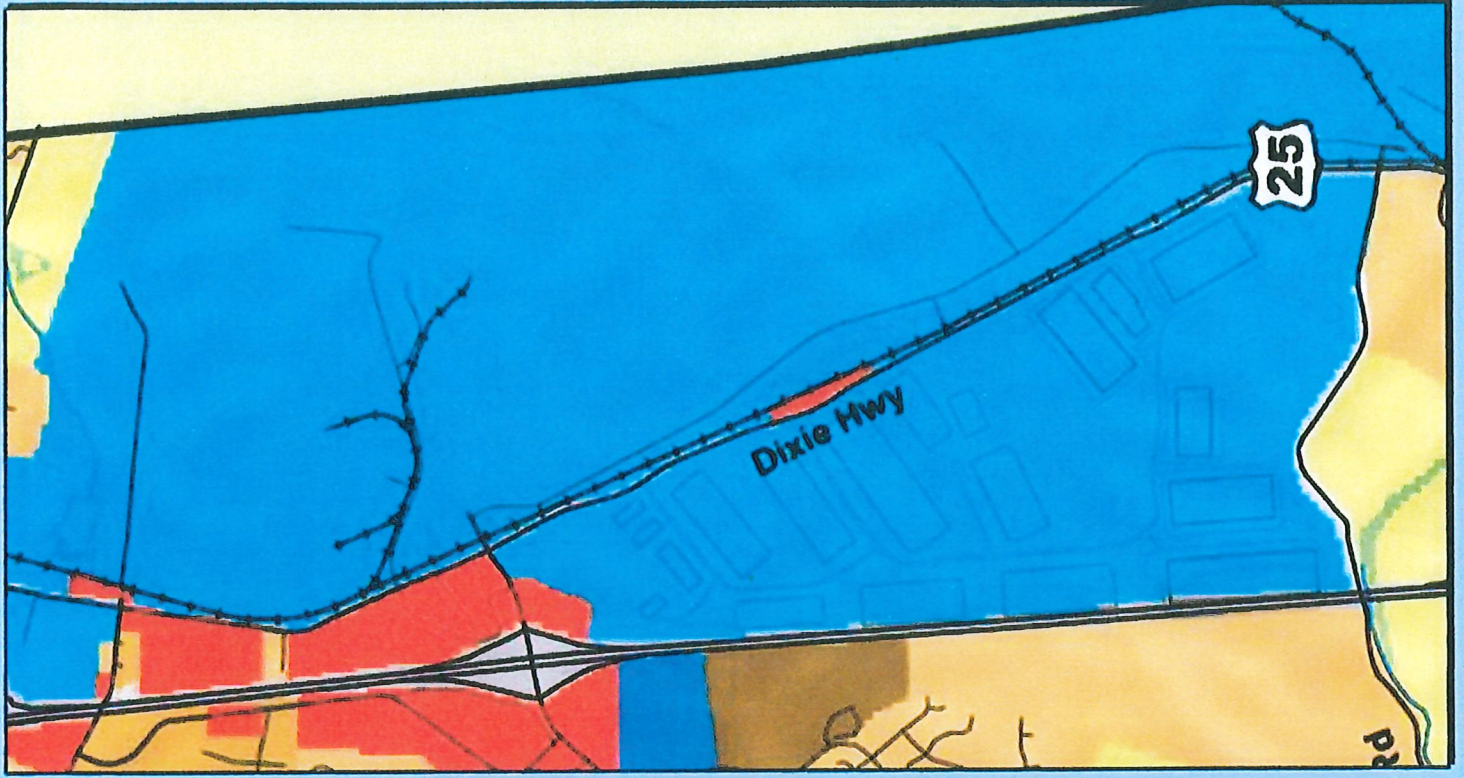
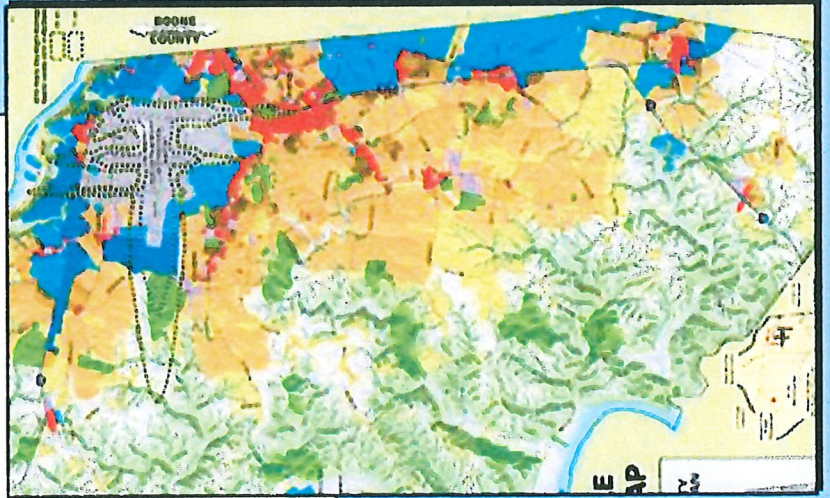
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4641 Monroe Road - Eugene, Oregon, 97401
PH: (503) 727-1215 - FAX: (503) 727-1652 - www.viox.com



B.C.P.C. FUTURE LAND USE MAP

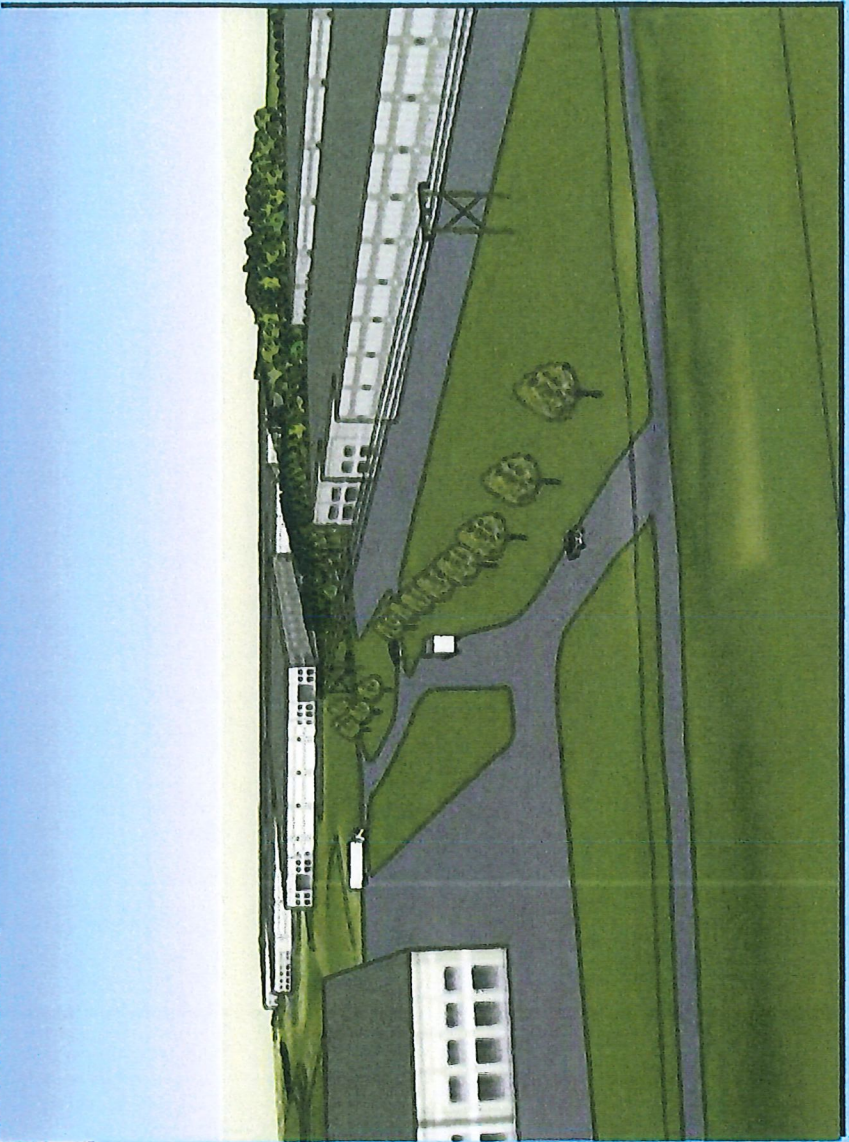
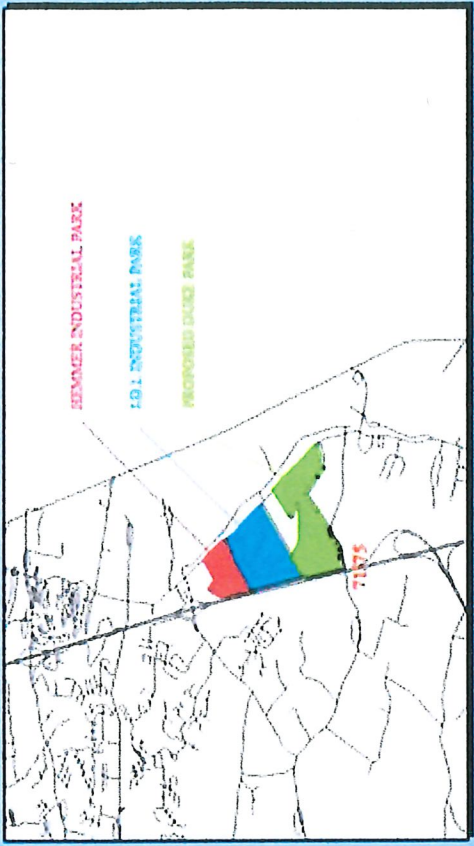


HEMMER INDUSTRIAL PARK
101 INDUSTRIAL PARK
PROPOSED DUKE PARK



REGIONAL DEVELOPMENT MAPS





OVERALL MASTER PLAN



SITE TOUR

VIEW A

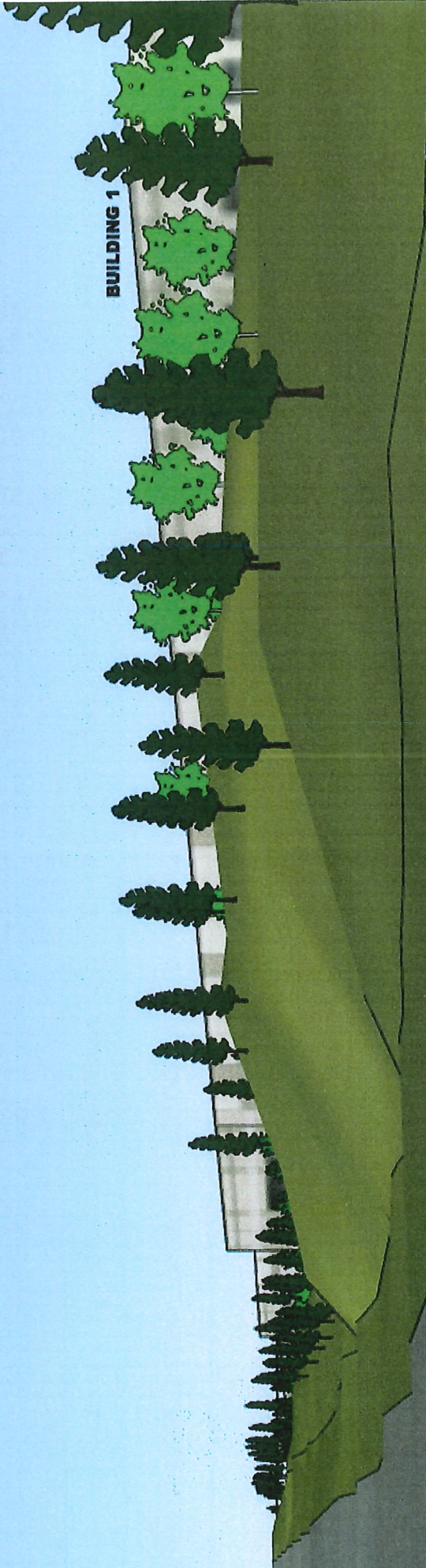


5'6" EYE LEVEL VIEW FROM NORTH EASTERN CORNER



VIEW A

EVERGREEN TREES SHOWN AT ~8'
DECIDUOUS TREES SHOWN AT ~ 10'



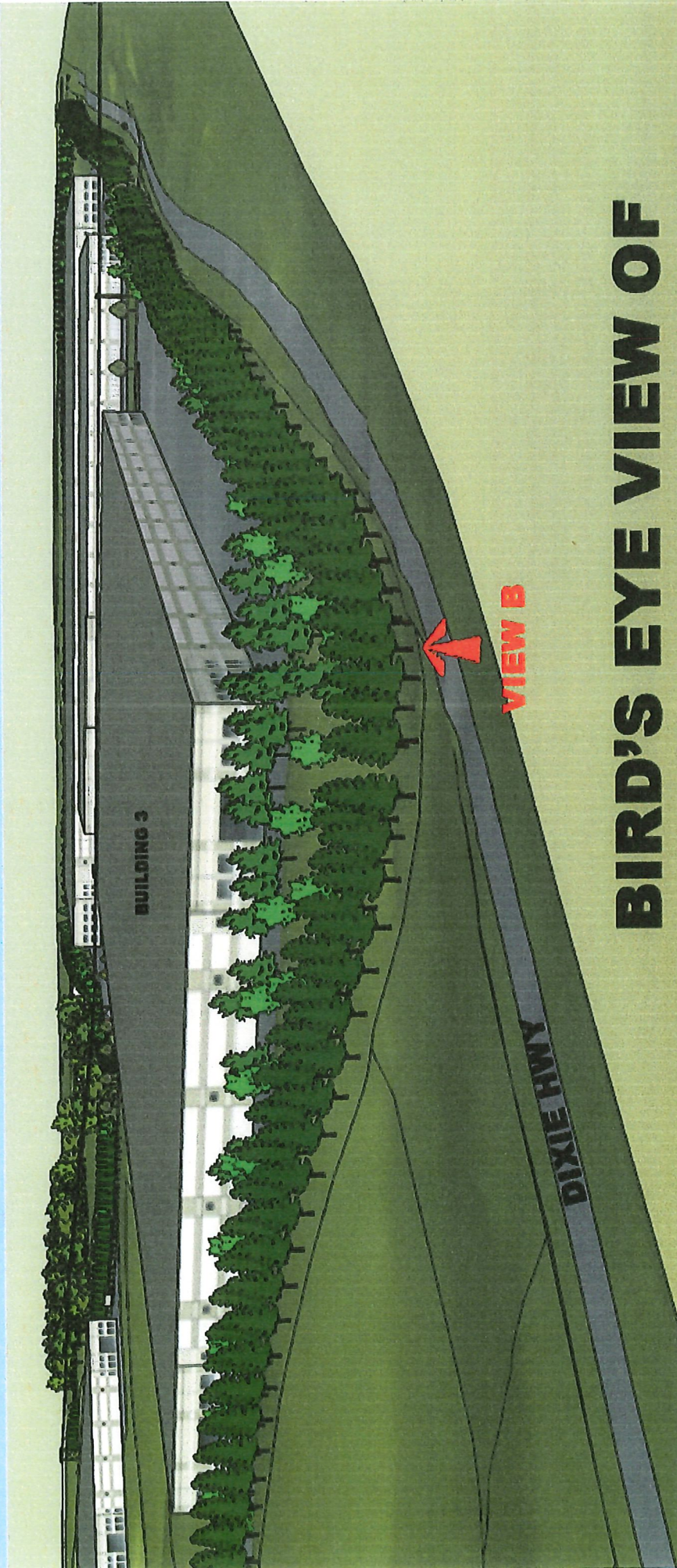
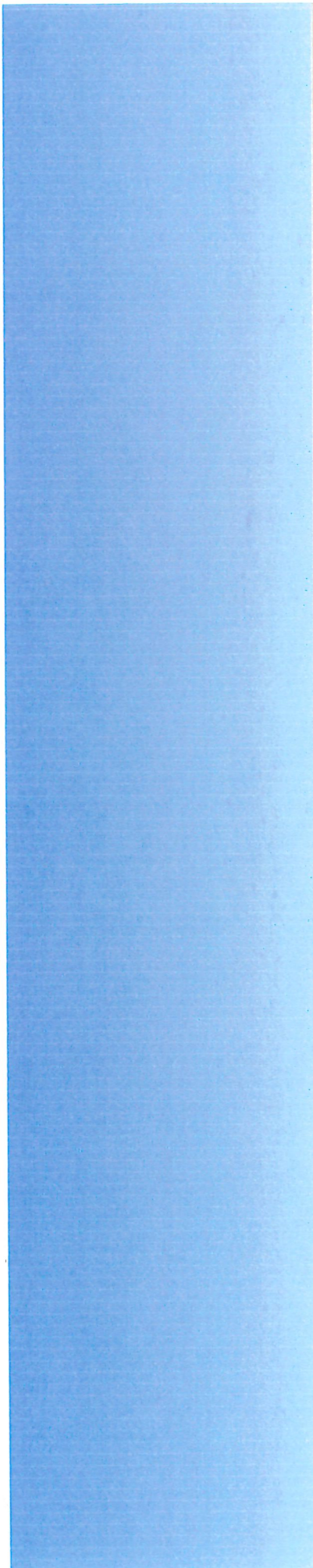
BUILDING 1

DIXIE HWY

5'6" EYE LEVEL VIEW FROM NORTH EASTERN CORNER

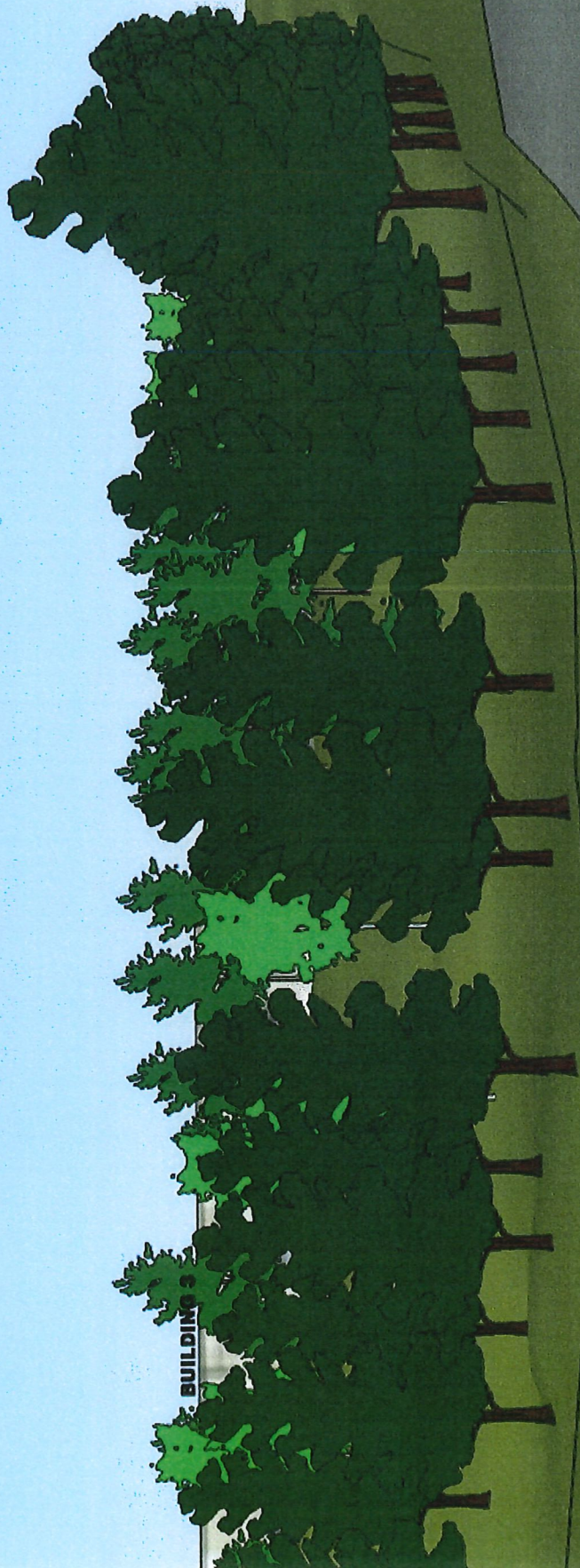


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Phone: 703.521.1400 Fax: 703.521.1400 www.viox.com



BIRD'S EYE VIEW OF SOUTH EASTERN CORNER

VIEW B



BUILDING 3

DIXIE HWY

5'6" EYE LEVEL VIEW FROM SOUTH EASTERN CORNER



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PH: 518-537-1325 | FAX: 518-537-1322 | www.viox.com

EVERGREEN TREES SHOWN AT ~8'
DECIDUOUS TREES SHOWN AT ~ 10'

VIEW B

BUILDING 3

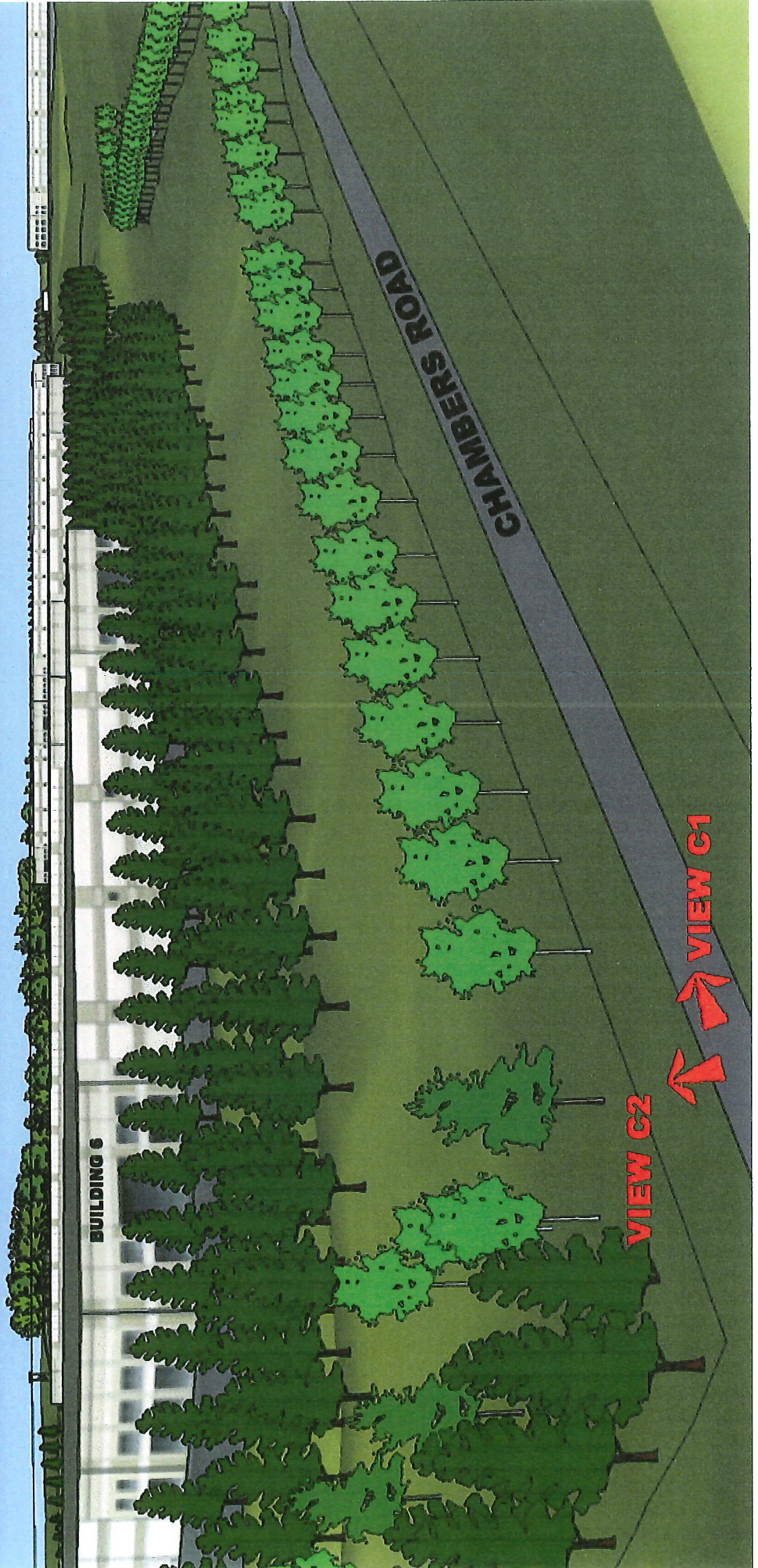


DIXIE HWY

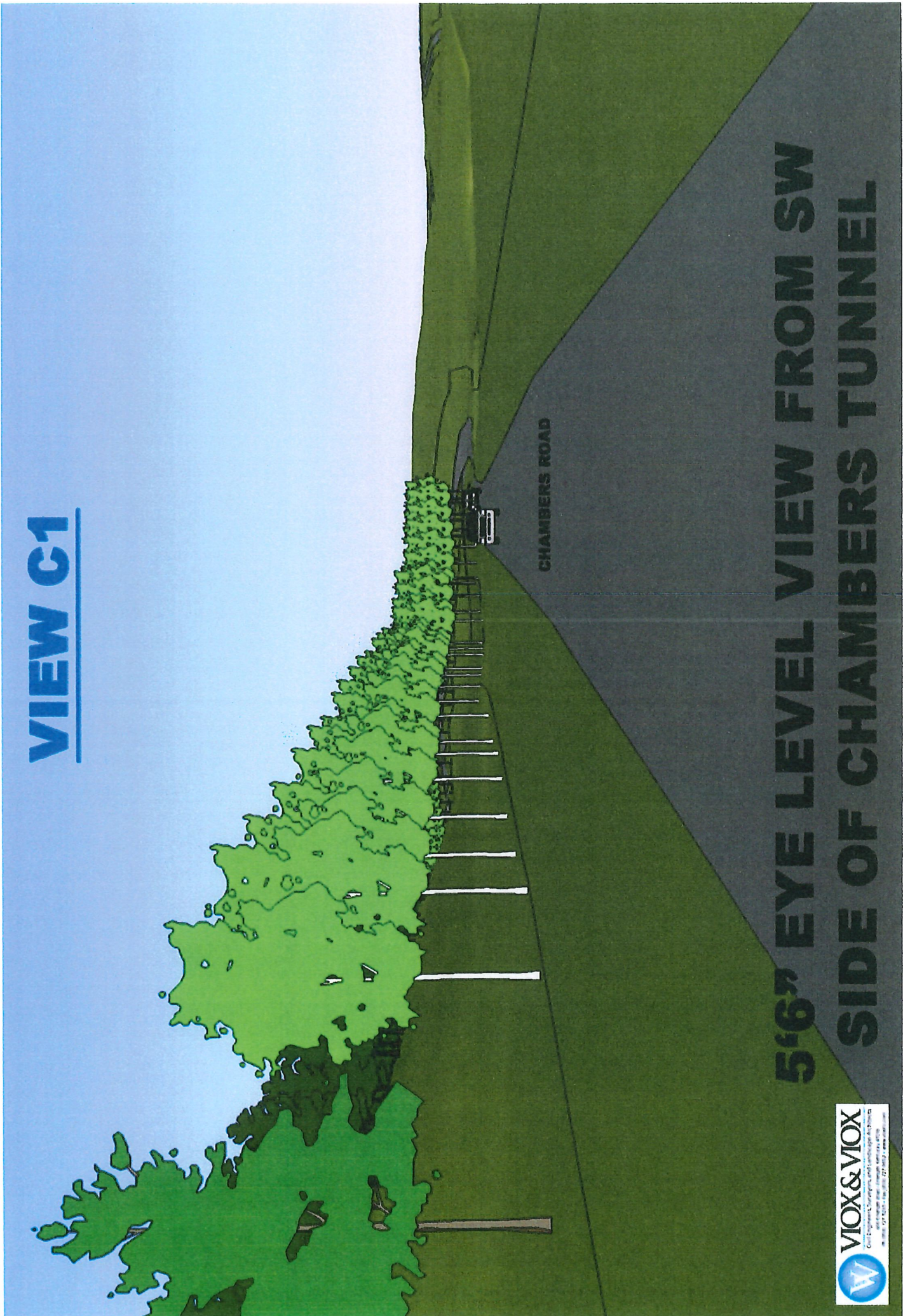
5'6" EYE LEVEL VIEW FROM SOUTH EASTERN CORNER



BIRD'S EYE VIEW OF SOUTH WESTERN CORNER



VIEW C1



CHAMBERS ROAD

**5'6" EYE LEVEL VIEW FROM SW
SIDE OF CHAMBERS TUNNEL**

VIEW C1

EVERGREEN TREES SHOWN AT ~8'
DECIDUOUS TREES SHOWN AT ~ 10'

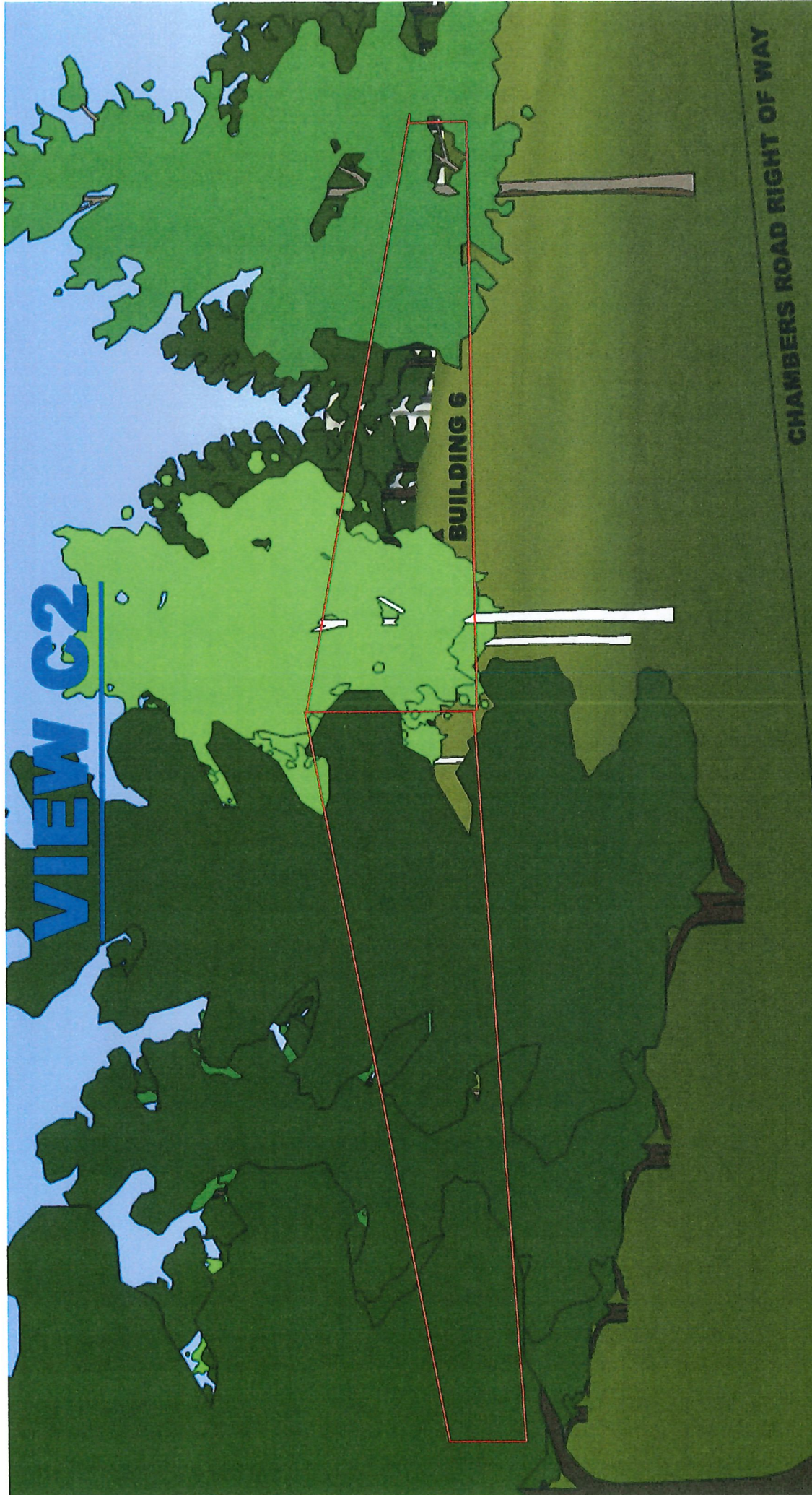
BUILDING 6

CHAMBERS ROAD

5'6" EYE LEVEL VIEW FROM SW SIDE OF CHAMBERS



VIEW C2



BUILDING 6

CHAMBERS ROAD RIGHT OF WAY

5'6" EYE LEVEL VIEW FROM CHAMBERS ROAD

EVERGREEN TREES SHOWN AT ~8'
DECIDUOUS TREES SHOWN AT ~ 10'

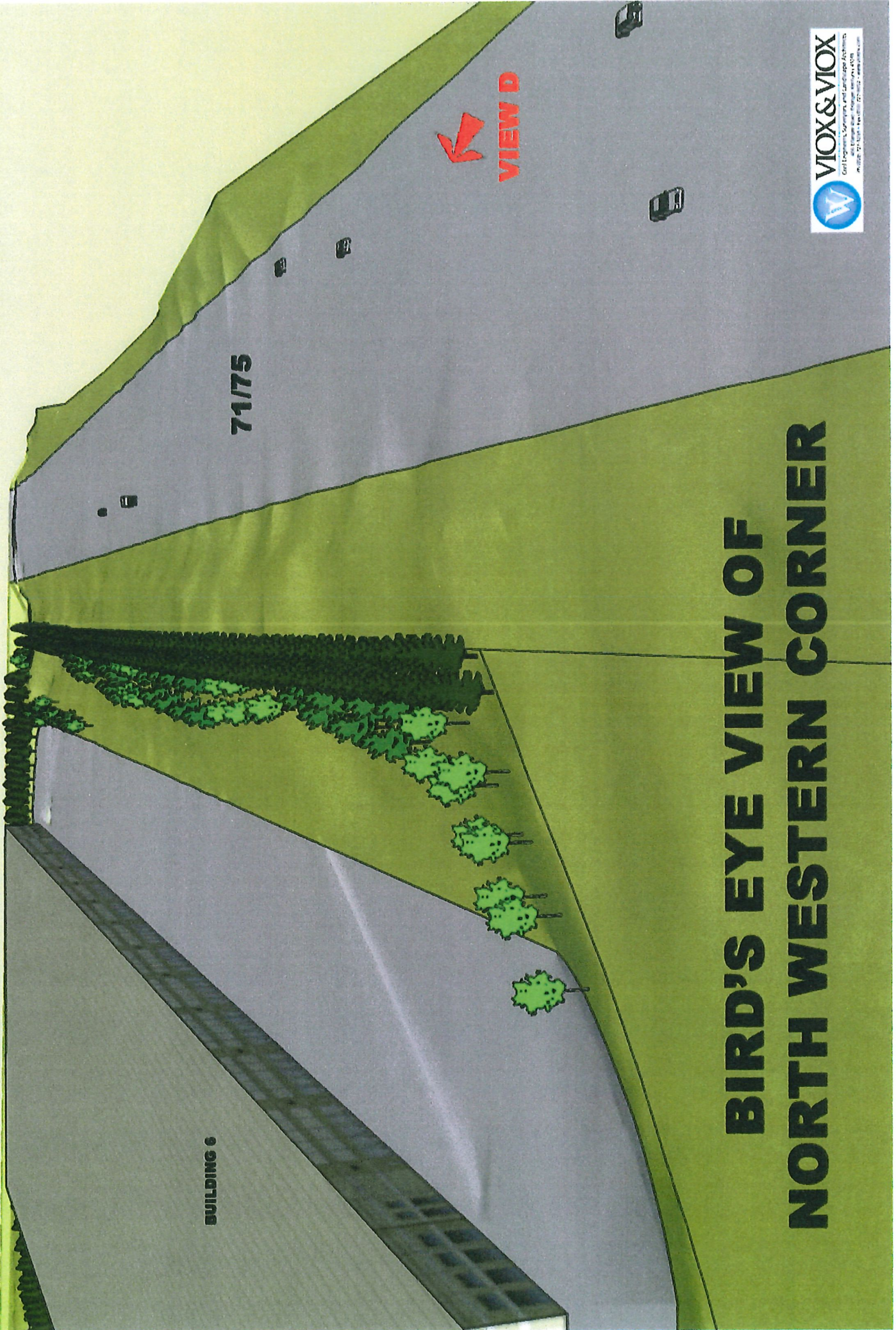
VIEW C2

BUILDING 6

CHAMBERS ROAD RIGHT OF WAY

5'6" EYE LEVEL VIEW FROM CHAMBERS ROAD





BUILDING C

71175

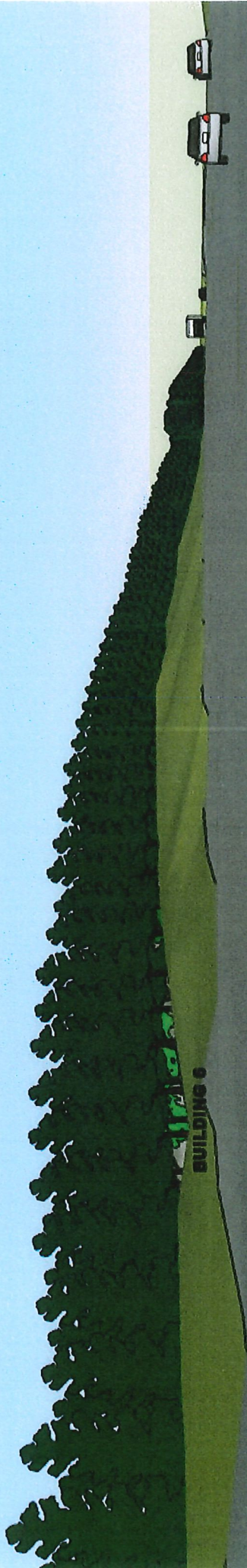
VIEW D

BIRD'S EYE VIEW OF NORTH WESTERN CORNER



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1000 West 10th Street, Suite 1000
Wichita, KS 67202-1000
Phone: 316-261-1111 Fax: 316-261-1112

VIEW D



71/75

5'6" EYE LEVEL VIEW FROM 71/75 SOUTH BOUND



VIEW D

EVERGREEN TREES SHOWN AT ~8'
DECIDUOUS TREES SHOWN AT ~ 10'



BUILDING 6

71175



5'6" EYE LEVEL VIEW FROM NORTH WESTERN CORNER



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