

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project ROLLING HILLS CROSSING
2. Location of Project SELIGMAN WAY & VANDERCAR WAY, FLORENCE
3. Total Acreage of Site 8.95
4. Current Zoning of Site O-1/PD/CD
5. Proposed Zoning (Classification being requested) O-2/PD
6. Proposed Uses (please specify each use) THOSE APPROVED WITH CHANGE IN CONCEPT DEVELOPMENT PLAN APPROVED IN DEC. 2006

- 7. Names of Applicant(s) ECE, INC.
Phone Number 859-727-4200 Fax No. 859-342-5852

- 8. Address of Applicant(s) 4205 DIXIE HIGHWAY
ELSMERE KENTUCKY 41018
City State Zip

- 9. Name of Property Owner(s) ROLLING HILLS CROSSING, LLC
Phone Number 859-360-0036 Fax No. 859-360-0134

- 10. Address of Property Owner(s) 250 GRANDVIEW DR. SUITE 260
FT. MITCHELL KENTUCKY 41017
City State Zip

- 11. Proposed Building Intensities (please specify) 30,000 SF/AC IF HOTEL, 16,000 SF/AC FOR ALL OTHER USES.

- 12. Are there any existing buildings on the site? YES
How many? 1

- 13. Deed Book 934 Page No. 501 Group No. 2033A

- 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)

EXHIBIT

“A”

STAFF REPORT

Request of ECE, Inc. (applicant) for Rolling Hills Crossing, LLC (owner) for a Zoning Map Amendment from Office One/Planned Development (O-1/PD) to Office Two/Planned Development (O-2/PD) for an 8.95 acre site located at 1090 Vandercar Way, Florence, Kentucky. The request is for a zone change to allow an additional hotel and other permitted uses.

January 5, 2011

REQUEST

This request is for a zone change from O-1/PD to O-2/PD for an 8.95 acre tract at 1090 Vandercar Way in Florence (Homewood Suites site). The current Concept Development Plan was approved on January 9, 2007 to allow the hotel and three other buildings for restaurants or other uses permitted by the O-1/PD zone (2006 Concept Development Plan, 11/1/06 Committee Report, and Ordinance #0-32-06 are attached). The 2006 approval was a change from the 1998 zone change approval for the overall 95 acre "Doering, Fuller, Durr, and Crist" site (now Florence Marketplace and Behrens Park subdivisions, or "the lawsuit area"). With a few noted exceptions, there was a stipulation on the 2006 plan that it would abide by all conditions of the original 1998 zone change approval/lawsuit settlement agreement, such as the design requirements (1997 Concept Development Plan, 10/15/97 Committee Report, and Ordinance #0-18-98 are attached).

Two Concept Development Plan options were provided with the current zone change application. Both options show a 5.38 acre lot ("lot #1") around the existing Homewood Suites hotel. No changes are proposed to the existing hotel or hotel site.

The following options are outlined for the remaining 3.57 acres ("lot #2").

1. One or two buildings for uses permitted in the O-2/PD zone, such as restaurants or offices. A maximum building intensity of 16,000 gross square feet per acre is proposed under this option (the maximum intensity permitted by the O-1 zone). The applicant has requested that fuel sales be permitted if a convenient store is developed under this option. A convenient store without fuel sales is permitted under the current approval.
2. A new hotel with a maximum building intensity of 30,000 gross square feet per acre (the maximum intensity permitted by the O-2 zone). The applicant has requested that the potential hotel be permitted to be up to 60 feet in height to allow for five stories.

Condition #4 of the 2006 Concept Development Plan approval permits a maximum building intensity of 11,000 gross square feet per acre for the overall 8.95 acre site. This was a change from condition #6 of the 1998 zone change approval which permitted a maximum building intensity of 10,000 gross square feet per acre.

The two lots would be divided in a flag lot type configuration and would share the existing driveway and sidewalk link, and the existing monument sign at the Seligman Drive/Vandercar Way intersection. Associated parking and landscape areas are shown on the plans for both options. The open space retained for the creek valley area and the cemetery combined is 41.56 percent of the overall site (3.72 acres). This figure does not include parking lot landscaping, building landscaping, or buffer yards within the active development areas.

A narrative submitted with this application states that the proposal "will abide by all other conditions from the December 17, 1998 Settlement Agreement between the Florence Marketplace developer and the City of Florence, as well as those approved with the Concept Development Plan from December 2006." These conditions deal with matters such as permitted uses, architectural and signage design, lighting, and buffering between this development and the adjoining residential subdivision.

SITE CHARACTERISTICS

The site has 8.95 acres with road frontage limited to the immediate Vandercar Way/Seligman Drive intersection. The west/northwest part of the site is developed with the existing Homewood Suites hotel. A driveway and parallel sidewalk connect the hotel parking lot to the Vandercar Way/Seligman Drive intersection. A creek valley runs along the south property line and contains a blue line stream. A cemetery (Vaughn Cemetery) that was fenced as part of the Wal Mart and Florence Marketplace Subdivision improvements is located in northeast part of the site. The vacant part of the site that is approved for active development has been graded for future construction.

ADJACENT LAND USES

- A. The Greater Cincinnati/Northern Kentucky International Airport is located to the north and west (A).
- B. The Florence Marketplace development/lawsuit settlement area (includes Wal Mart) is located to the south/southeast and east (O-1/PD) and (C-2/PD).

- C. A subdivision of detached, single family residences (Greenview Subdivision) is located to the south/southwest (SR-1).

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Commercial" (C) uses. The Commercial designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

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

- A. Any commercial development in the Houston Road area should be consistent with the recommendations of the Houston-Donaldson Study. The Study recommended an employment district to include a mix of office, commercial, and industrial uses for the existing Houston Road corridor, with a preferred emphasis on office development along I-75 and high-technology industrial uses west of Houston Road. The development of the southern portion of the corridor has been more commercial in nature, and contains less office or industrial than recommended in the Study. The northern portion has experienced office, commercial, industrial, and education development.

Commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate. The coordination of curb cuts and parking lot connections in the already developed areas must occur in order to maintain a reasonable ease of travel along these roads. Undeveloped tracts of commercial land should connect to and coordinate with any adjoining commercial, office, or industrial development in existence. Where no development has yet occurred, provisions for Access Management must be made for future development. This includes the use of frontage roads as well as parking lot connections and shared curb cuts.

Regionally-oriented commercial development should be confined to Mall Road and the Houston Road area . . . ("Florence Commercial Area," pp. 144 and 145).

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 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 . . . ("Design, Signs, and Historic Preservation," pg. 142).

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

- A. Since the immediate Florence area figures so prominently in Boone County's commercial activity, this region has the momentum to continue dominating any expansion of commercial activity. Currently, "big box" retail has been overbuilt in the county. As a result, building vacancies and tenant changes are visible along the major commercial corridors in Florence. The market and infrastructure impacts of future large scale or regional commercial uses on the existing Florence commercial districts must be considered. Furthermore, it is important to encourage the reuse of vacant commercial buildings and ongoing maintenance and rehabilitation of older business districts, instead of creating new commercial districts. Three studies, the Houston-Donaldson Study, the Main Street Study, and the Mall Road Corridor Study, have defined the scale and type of commercial uses in the City of Florence and surrounding area. The Houston Road area will mature with expansion of the retail and office base, and expansions of St. Luke West Hospital ("Recommended Areas of Commercial Activity," pg. 62).

The Population Element outlines population projects based on the Ohio-Kentucky-Indiana Regional Council of Government's (OKI) transportation analysis zones. The population for the zone in question (815) is expected to increase from 1,162 in the year 2000, to 1,218 in 2010, and to 1,275 in 2020 (pp. 24 and 25).

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 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 ("Overall," Objective 6).
- E. Innovative development design methods shall continue to be pursued ("Overall," Objective 9).
- F. The needs of Boone County's population 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. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe and effective access and ample parking spaces ("Business Activity," Commercial Objective 1).
- M. The large scale mixing of commercial and non-commercial uses shall occur in planned developments or in areas where consideration has been given to assure compatibility with surrounding land uses. The location of large scale commercial uses shall take into consideration existing or planned infrastructure conditions so as to protect the existing and future population and businesses. Small scale mixing of commercial uses within residential areas shall be carefully assessed and properly placed so as to enhance the neighborhood. Architectural Design Review and consistent sign standards shall be implemented on a corridor by corridor basis, when justified by legitimate land use planning principles ("Business Activity," Commercial Objective 2).
- N. Highway commercial uses shall be in close proximity to highway interchanges for maximum convenience and economy to the traveling public, while minimizing impact to the community in terms of traffic congestion, local commuting patterns and access ("Business Activity," Commercial Objective 3).
- O. 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).
- P. 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).

RELATIONSHIP TO HOUSTON-DONALDSON STUDY

The site in question is within an area described by the Study as "Site 6, Main Seligman Property and Foltz Property Remnant." As the Study was adopted in 1992, the current Concept Development Plan approval from 2006, which includes provisions from the 1998 zone change approval, takes precedence over the Study's specific land use recommendations.

The "Goals and Objectives" section of the document (pg. 6) states "because the Houston-Donaldson Study further defined the Comprehensive Plan for this area, the broad Goals and Objectives of the Comprehensive Plan should also be consulted in evaluating development proposals." The Study further provides the following goals and objectives which relate to the proposal.

- A. Consistent with the Boone County Comprehensive Plan's recognition of this area of the county as suitable for a large scale employment and commercial district with unique residential and recreational opportunities, proposed land uses shall be planned in order to provide a logical, realistic development pattern with a mixture of land uses (Goal I, Objective A).
- B. Commercial uses shall be designed in an innovative manner that creates prominent landscaping areas (Goal I, Objective B).
- C. Commercial outlots shall be located near major development access points (Goal I, Objective C).
- D. Sites that contain significant topography and vegetation should be considered in the Study's land use plan for land uses that could incorporate those site characteristics into design (Goal I, Objective E).
- E. Significant topography and vegetation should be retained where appropriate to address aesthetics, absorbed (sic) sunlight heat and glare, stormwater runoff, and buffering of developments (Goal I, Objective F).
- F. Each development shall have a central architectural focus (Goal I, Objective G).
- G. Submitted development requests shall be reviewed in context of Article 15 Planned Development of the Boone County Zoning Regulations and this document (Goal I, Objective I).
- H. The phasing and density of individual developments shall be correlated with appropriate road improvements described by traffic analysis (Goal II, Objective A).
- I. To ensure that the recommended land uses and the types of development occur in conjunction with appropriate exterior appearances to the general public. This goal is based upon the recognition that the Study Area has an enormous amount of visibility from major public thoroughfares. It also is based upon the idea that development should preserve, where appropriate, the natural terrain and vegetation (Goal III).
- J. To institute a design review mechanism whereby the design of any existing or new structure and site should compliment neighboring development and the surrounding landscape. This mechanism would serve as a guideline for aesthetics or amenities in a specified area (Goal III, Objective A).

- K. To provide an alternate to conventional zoning requirements for signage, which could be implemented to allow unique and imaginative signage requirements in an area that is highly visible from major public thoroughfares. This alternative would at the same time protect the public and enhance community visual appearance (Goal III, Objective B).

BOONE COUNTY TRANSPORTATION PLAN

The Transportation Plan outlines several operational improvement plan projects in the general area, although none of them are directly related to, or adjoin, this specific site. These projects are numbered as 16, 25, 26, and 32 on Exhibit 5-2 (pg. 5-4) and are described in the text of Chapter 5.

Exhibit 6-11 (pg. 6-17) which outlines year 2030 level of service for two lane local routes lists "South Airfield Road" as a proposed route between Burlington Pike and Turfway Road. This route and the extension of Woodspoint Drive westward from Houston Road to it are illustrated on Exhibit 6-14,(pg. 6-22) as controlled access connector roads. These roads are located to the north of the subject site.

RELATIONSHIP TO AIRPORT

The site is near the alignment with runway 36R, but it is not within the 65 DNL contour on either the 2006 or 2011 Noise Exposure Maps that are within the current FAR Part 150 Noise Compatibility Study. Written comments were provided from John C. Mok, CEO, Kenton County Airport Board (12/7/10 letter is attached). In addition to information regarding the noise contours, this letter advises the property owner of the proper construction notices to state and federal agencies which may be necessary.

STAFF COMMENTS

1. The Planning Commission and City Council will need to determine whether the proposal is in agreement with the Comprehensive Plan. The Future Land Use Map designates the site for "Commercial" uses. The Commercial designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Land Use Element (pp. 144 and 145) states "any commercial development in the Houston Road area should be consistent with the recommendations of the Houston-Donaldson Study. The Study recommended an employment district to include a mix of office, commercial, and industrial uses for the existing Houston Road corridor, with a preferred emphasis on office development along I-75 and high-technology industrial uses west of Houston Road." It also states (pg. 145) "commercial development in this section should remain near the arterial roads or close to the interstate. These consumer service and traffic-oriented developments must be contained to specific areas adjacent to the arterial roads and interstate." As noted above, the current Concept Development Plan approval, which includes provisions from the 1998 zone change, was approved after the adoption of the Houston-Donaldson Study, and the Study was considered in that approval.

Because various office/commercial uses are already permitted on this site including the existing hotel, and the current proposal is basically limited to a few specific issues (allowing an additional hotel, additional building intensity and height, and potential fuel sales if a convenient store is developed), the Land Use Element's Future Land Use Development Guidelines and several of the Comprehensive Plan's and Houston-Donaldson Study's Goals and Objectives are especially relevant. Pertinent excerpts listed above discuss the retention of existing vegetation and topography, open space and buffering, landscaping, overall design, and signage issues.

The governing bodies will also need to consider the alternate statutory findings of whether the current zoning is inappropriate and the proposed zoning is appropriate, and whether there have been changes of an economic, physical, or social nature not anticipated in the Comprehensive Plan that substantially alter the area's character.

2. Concept Development Plan proposals in Planned Developments are to be primarily evaluated against Section 1514 "Planned Development Criteria" of the Boone County Zoning Regulations. The applications approved in 1998 and 2006 were comprehensively reviewed against this section. Because the current application is basically limited to allowing the option of another hotel, allowing additional building intensity (16,000 sf/ac for office/commercial uses and 30,000 sf/ac for hotels versus 11,000 sf/ac currently approved), additional building height for the hotel (up to 60'), and potential fuel sales if a convenient store is developed, Staff has comments which relate to these specific issues.

The basic two dimensional arrangement for the overall development is set based on the 2006 Concept Development Plan. As stated previously, the current application commits to following the prior conditions/stipulations from the 1998 and 2006 approvals, including the architectural and signage requirements. Subsection 2 "Compatibility of Uses" states that "measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites." The following comments are provided in light of this subsection.

The 16,000 square feet per acre intensity proposed for office/commercial uses is the maximum intensity permitted for the O-1 zone, and the 30,000 square feet per acre intensity proposed for the hotel option is the maximum intensity permitted for the O-2 zone. The potential building height also needs to be considered, especially for the hotel which is proposed to be up to 60 feet in height (up to five stories). Based on how building height is measured for pitched roofs, the existing hotel is approximately 48.5 feet high (the absolute height to the highest point is 56' 4"). The final building height was lowered from the approximate 52.5 foot figure that was approved through the 2006 Concept Development Plan. The proposed underlying O-2 zone permits a maximum building height of 70 feet. Regardless of the building height figure requested through this application, it could be reduced through any required aeronautical approvals.

Facts to consider when evaluating these issues include:

- A. The site adjoins a subdivision of detached, single family subdivision across the creek valley to the south (Greenview Subdivision). A substantial buffer in this part of the site was required by condition #1 of the 2006 Concept Development Plan approval.
- B. When viewed from the adjoining Greenview Subdivision, the total height of the existing hotel is at the approximate height of the mature trees along the creek valley. If the potential hotel was constructed at the maximum 60 foot height requested, it would be taller than the existing hotel (and substantially taller than any other building in the vicinity), and would largely extend above the tree line. If the finished grade elevation of the potential hotel site was not reduced, this effect would be amplified. One solution for this issue would be to allow the absolute height of the proposed hotel (elevation above mean sea level at the highest point) to match the existing hotel.
- C. The maximum building intensity permitted by condition #6 of the 1998 zone change for the remainder of the Florence Marketplace Subdivision is 10,000 square feet per acre. This figure was increased for the subject site to 11,000 square feet per acre through the 2006 Concept Development Plan approval.

- D. The open space retained for the creek valley and cemetery combined is 41.56 percent of the overall site area. This figure does not include parking lot landscaping, building landscaping, or buffer yards within the active development areas. The open space figure would increase somewhat if these additional areas were considered. Subsection 3 "Open Space" states "useable open space(s), in an amount over and above setback and buffer yard areas and open areas required by the underlying zone, shall be provided." It also states that open space used to protect stream corridors may be proposed for the purposes of this section.
- E. Putting the building intensity and potential 60 foot building height aside, an additional hotel use would help diversify commercial uses in the immediate area, which is generally sought by Subsection 1 "Mixed Use Development and Pedestrian Orientation."

Staff has reservations about the potential fuel sales, should a convenient store be developed. The site adjoins Greenview Subdivision to the south, which is comprised of detached, single family residences. In consideration of this fact, there are impacts associated with routine outdoor activities at a fueling station that are not inherent in the current permitted uses (fueling and other customer activities which generate noise, canopy lighting that tends to be substantially brighter and more intense than parking lot lighting, etc.), not to mention that the size and location of the canopy and pumps have not been determined. Additionally, freestanding canopies are not addressed in the architectural requirements that apply to the overall subdivision, although this issue could be addressed through an agreed condition to assure compliance with Subsection 7 "Architecture." Unless a concrete plan for fueling is presented, Staff suggests that this specific use be excluded from any approval of the current application. A future application could be considered when a defined proposal is in hand.

- 3. Staff has requested written comments on the proposal from the Florence Fire Department, Florence Public Services Department, and City Administration. Such comments have not been received as of this writing. Any written comments received from these agencies will be forwarded to the Zone Change Committee for review.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and the Florence City Council 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, the requirements of Article 15 "Planned Development District" of the zoning regulations including Section 1514, the 2005 Boone County Comprehensive Plan, the Houston-Donaldson Study, 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.

Sincerely,



Kevin T. Wall, AICP
Director, Zoning Services

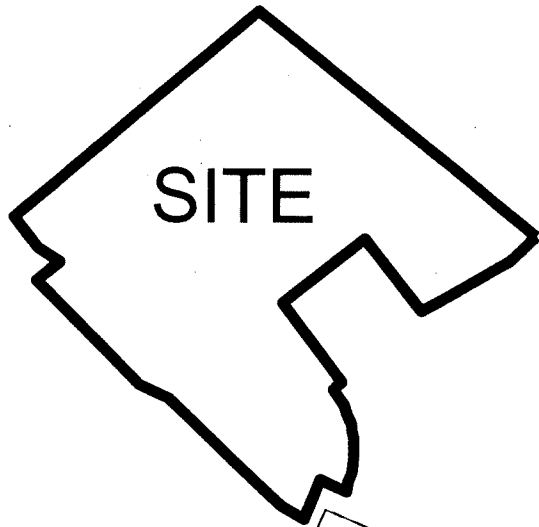
KTW/pr

attachments:

- location map
- aerial photograph w/ zoning
- Future Land Use Map excerpt
- 2006 Concept Development Plan, 11/1/06 Committee Report, and Ordinance #0-32-06
- 1997 Concept Development Plan, 10/15/97 Committee Report, and Ordinance #0-18-98
- 12/7/10 letter from John C. Mok, CEO, Kenton County Airport Board
- O-2 zone text
- application materials including Concept Development Plan

Location

www.boonecountygis.com



SITE

SELIGMAN DR

VANDERCAR WAY

DOERING DR

KILEY PL

HOUSTON RD

MERCHANTS ST

BANKERS ST

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0 175 350 700 1,050 1,400 Feet

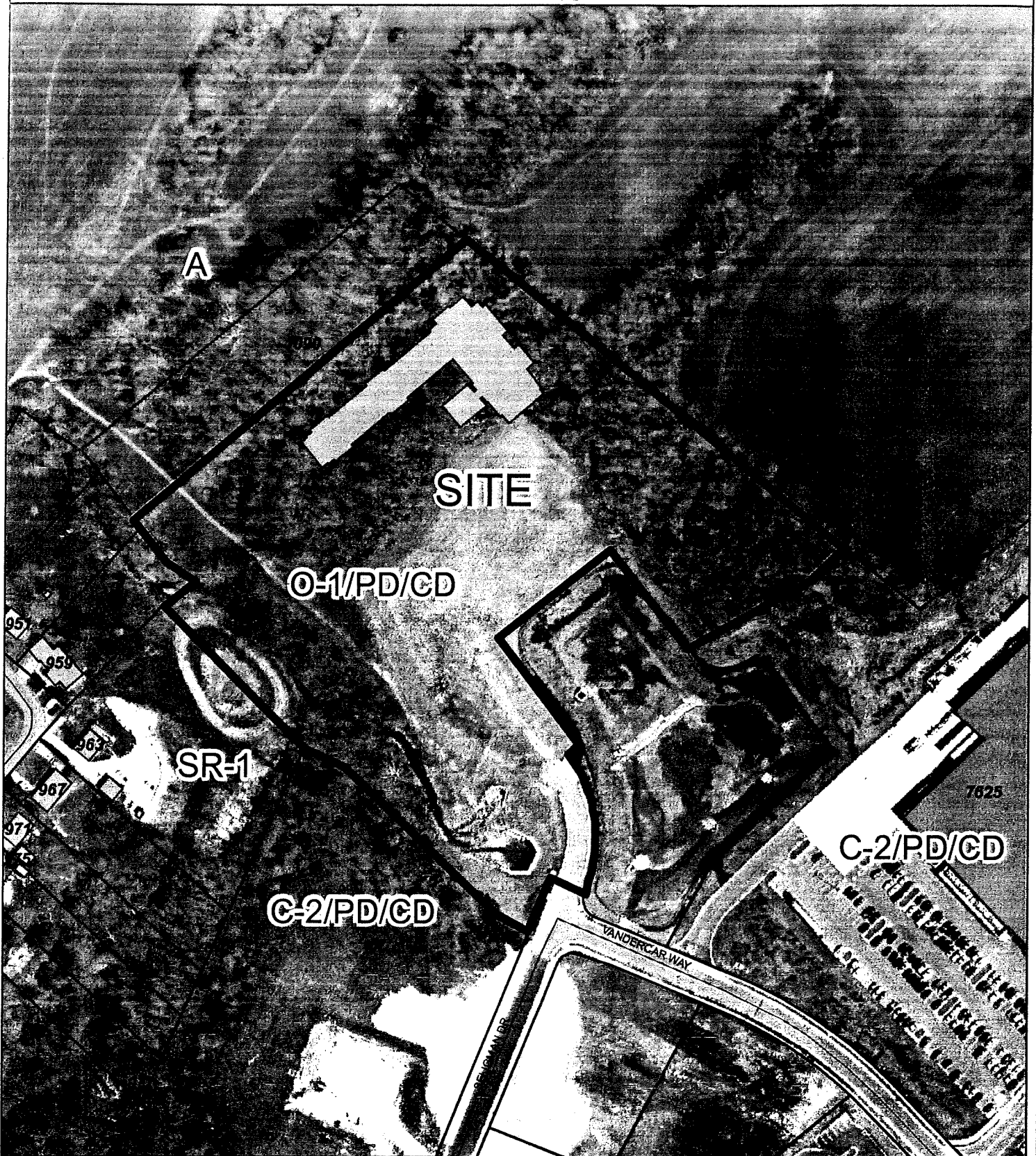
1 inch = 346 feet



Boone County GIS - Putting Northern Kentucky on the Map

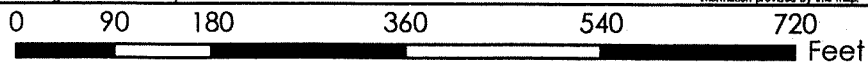
Zoning

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Boone County GIS - Putting Northern Kentucky on the Map



ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Judy Arnett, Chairwoman

DATE: November 1, 2006

RE: Request of ECE, Inc. on behalf of Rolling Hills Hospitality (applicant) for Vandercar Holdings (owner) for a Change in an Approved Concept Development Plan in an Office One/Planned Development (O-1/PD) zone for an 8.95 acre site located at the terminus of Vandercar Way and to the west of the property at 7625 Doering Drive (Wal Mart), Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to allow a hotel, restaurants, and other uses permitted by the current O-1/PD zone.

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 proposal is in agreement with the 2005 Boone County Comprehensive Plan for the following reasons.
 - A. The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Commercial" (C) uses. The Commercial designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc." This request is limited to allowing the hotel, which is consistent with the Commercial designation, in addition to those uses already permitted in the current O-1/PD zone per the "lawsuit settlement agreement" that applies to the site, and certain design issues.
 - B. The Land Use Element ("2. Florence Commercial Area," pp. 144 and 145) states "any commercial development in the Houston Road area should be consistent with the recommendations of the Houston-Donaldson Study. The Study recommended an employment district to include a mix of office, commercial, and industrial uses for the existing Houston Road corridor" and that "the development of the southern portion of the corridor has been more commercial in nature." The proposal helps to diversify uses and reinforce a mixed use character in this section of the Houston-Donaldson Study area, which is especially important when considering the site's location away from the Houston Road frontage and behind a major retail building. The

Committee has determined that this proposal will not change the fundamental character of the original 95 acre zone change area that was reviewed and approved pursuant to the same version of the Houston-Donaldson Study that is currently in effect.

- C. The Committee has concluded that the proposal fulfills the Houston-Donaldson Study's Goals and Objectives. Specifically, the creek valley and accompanying vegetation along the south boundary of the site will be retained pursuant to Goal I, Objective E, the hotel building will provide a central architectural focus per Goal I, Objective G, and unique signage which will minimize visual impacts on the community at large will be provided in accordance with Goal III, Objective B.
 - D. The Committee has concluded that the proposal is in agreement with the applicable Future Land Use Development Guidelines as described in the Comprehensive Plan and its Goals and Objectives. Specific references to the guidelines and Goals and Objectives are outlined in the staff report for this request.
2. The Committee has concluded that the Change in Concept Development Plan, coupled with the agreed conditions, fulfill the applicable requirements of Article 15 "Planned Development District," including Section 1514 "Planned Development Standards," of the Boone County Zoning Regulations. Pursuant to Section 1500, the application requested an exception to the 45 foot building height limitation in the underlying O-1 zone for the hotel building. The proposed building height is approximately 52.5 feet based on how building height is determined for pitched roofs. Due to the location of the hotel in the far rear corner of the site, the Committee has concluded that the additional building height is incidental.
 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, Houston-Donaldson Study, and Article 15 "Planned Development District" of the Boone County Zoning Regulations. 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 owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The required Buffer Yard D along the south property boundary will be supplemented by sufficient evergreen trees at the top of the grade by the shared driveway adjoining the creek valley so that a continuous vegetative screen will be provided.

2. Only one freestanding sign will be permitted on the site. This will be a shared, monument style directory sign located at the Seligman Drive/Vandercar Way intersection. The sign shall be limited to 12 feet in height and 100 square feet in area, and shall have a gable/pediment design comparable to the existing monument signs in the Florence Marketplace Subdivision. Directional signage is permitted per the normal requirements of the Houston-Donaldson Study.
3. Site lighting shall be downlit and directed towards the interior of the development and away from the adjoining Greenview Subdivision to the south.
4. Building intensity shall be limited to 11,000 square feet of building area per acre for the entire 8.95 acre site.

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.

AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN AN OFFICE ONE/PLANNED DEVELOPMENT (O-1/PD) ZONE FOR AN 8.95 ACRE SITE GENERALLY LOCATED AT THE TERMINUS OF VANDERCAR WAY AND TO THE WEST OF THE PROPERTY AT 7625 DOERING DRIVE (WAL MART), FLORENCE, KENTUCKY, TO ALLOW A HOTEL, RESTAURANTS AND OTHER USES PERMITTED BY THE CURRENT ZONING. (VANDERCAR HOLDINGS PROPERTY)

WHEREAS, the City of Florence, Kentucky, is a member of the county-wide planning unit with a county-wide planning commission known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission by Resolution No. R-06-029-A recommended approval, with conditions, for a change to an approved concept development plan, and

WHEREAS, the recommendation for approval by the Boone County Planning Commission is based upon certain findings and conditions attached to the Commission's Resolution, all of which have been reviewed by the City Council for the City of Florence, Kentucky.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

That the request of ECE, Inc. on behalf of Rolling Hills Hospitality (Applicant) for Vandercar Holdings (Owner), for a change in an approved concept development plan in an Office One/Planned Development (O-1/PD) zone, for an 8.95 acre site generally located at the terminus of Vandercar Way and to the west of the property at 7625 Doering Drive (Wal Mart), shall be and is hereby approved, subject to the concept development plan, as well as agreed conditions for this site, this change in concept development plan being to allow a hotel, restaurants and other uses permitted by the current zoning. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be designated to reflect the approval of this change in the concept development plan for this subject property.

SECTION II

The approval of this change to the concept development plan is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including its Committee Report, made a part of that recommendation, and all provisions comprising the development plan herein, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "A" and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-06-029-A of the Boone County Planning Commission, including the exhibits referenced to that Resolution.

SECTION III

In addition to those conditions set forth in the recommendation of the Boone County Planning Commission, this approval of the City of Florence, Kentucky, through its City Council shall be and is hereby subject to the additional conditions that have been agreed to in writing by the property owner/applicant as shown on Exhibit "B", a copy of which is attached and incorporated herein by reference as if fully set out.

SECTION IV

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission's Resolution No. R-06-029-A, marked Exhibit "A", and attached hereto.

SECTION V

If the approval for this change in the concept development plan shall be held invalid, in whole or in part, by any Court of proper jurisdiction, that invalidity shall not affect the validity of any of the other zoning regulations, zoning map, comprehensive plan, or other portions, provisions or terms of the approved concept development plan for this property as they are severable from this Ordinance and are intended to have full force and effect regardless of any invalidity relating to this particular Ordinance.

SECTION VI

Publication of this Ordinance is hereby authorized to be by summary publication in accordance with Kentucky law.

PASSED AND APPROVED ON FIRST READING THIS 19th DAY OF December, 2006.

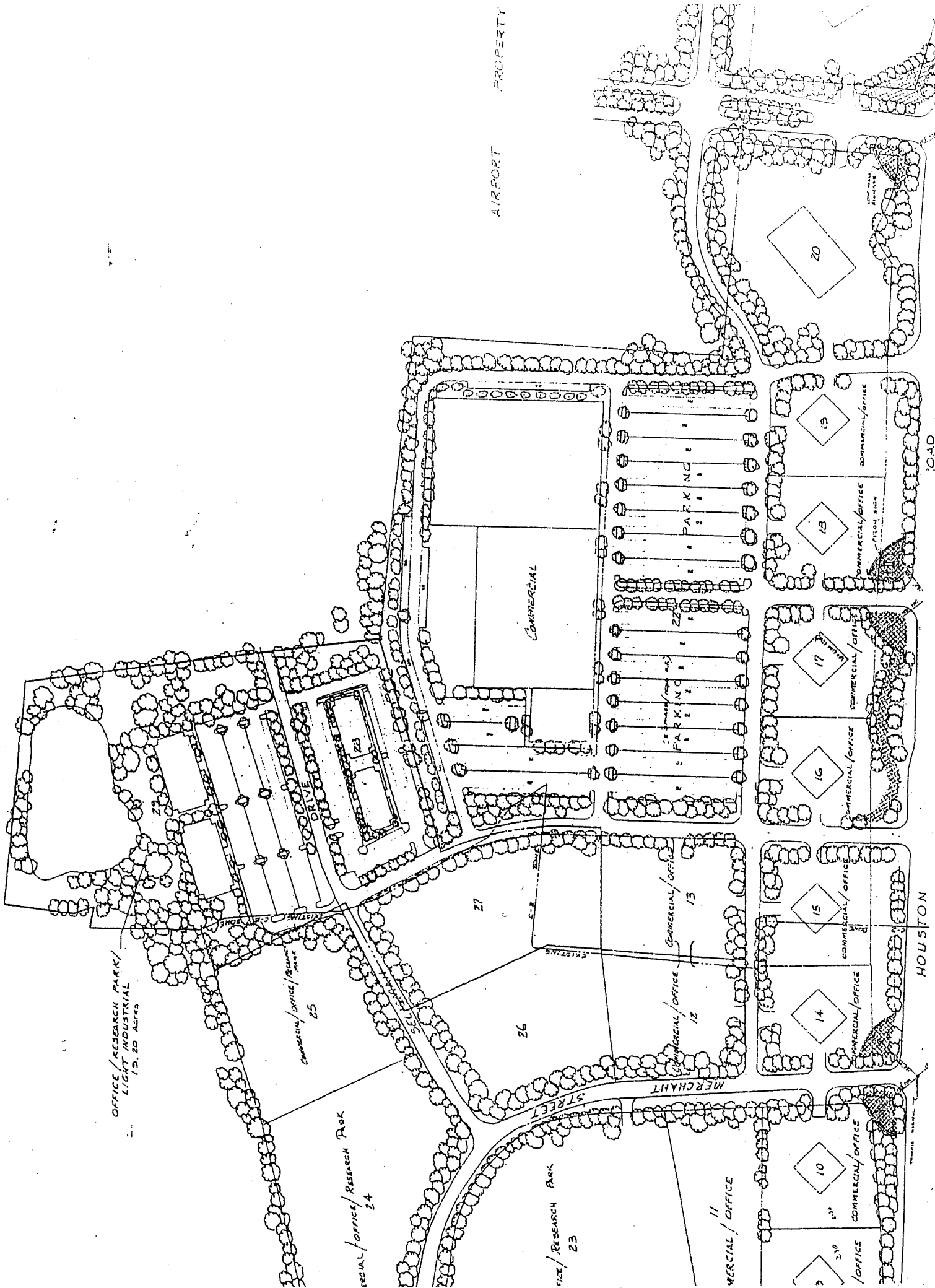
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 9th DAY OF January, 2007.

APPROVED:

Diane E. Whalen
MAYOR

ATTEST:

[Signature]
CITY CLERK



1997 CONCEPT DEVELOPMENT PLAN

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Arnold Caddell, Chairman

DATE: October 15, 1997

RE: Request of James W. Berling (applicant) for Ruth Doering, Harry Fuller, Mary Ellen Foltz, R.C. Durr and Richard Crist (owner) to consider a Zoning Map Amendment and the Utilization of an Underlying Zone in a Planned Development for 95 acres located on both sides of Houston Road generally between KY 18 and Woodspoint Drive, Florence and unincorporated Boone County, Kentucky. The request is for a zone change from Industrial One/Planned Development (I-1/PD) and Office Two/Planned Development (O-2/PD) to Commercial Two/Planned Development (C-2/PD), and the Utilization of an Underlying Zone in a Commercial Two/Planned Development (C-2/PD) zone, both to allow a retail/commercial development.

Remarks:

We, the Committee, recommend approval of the Zoning Map Amendment and Utilization of an Underlying Zone request based upon the following findings of fact and with the following conditions:

Findings of Fact:

The Committee believes that the applicant has adequately demonstrated that the restrictive site features, which include topography, geometry, and utilities, make the site unsuitable for industrial development. These site features were not foreseen in the 1995 Boone County Comprehensive Plan or the Houston Donaldson Study as possible deterrents for industrial development. As a result, the Committee has concluded that the existing Industrial One Planned Development (I-1/PD) zoning classification, which comprises a majority of the site, is not appropriate.

The applicant has demonstrated that the proposed uses within the underlying Commercial Two (C-2) zoning classification, as part of the Concept Development Plan, produce a cohesive and coordinated development of several distinct and separately-owned properties, which would otherwise be difficult to develop individually.

The Committee believes that the applicant has adequately demonstrated that the proposed Commercial Two Planned Development (C-2/PD) zoning classification is appropriate for the 95 acre site because, the submitted Concept Development Plan along with the attached conditions meets the standards required for a Planned Development within Article 15 of the Boone County Zoning Regulations. The Concept Development Plan with these conditions provides a beneficial interior circulation pattern, a comprehensive landscaping and entry feature package, a tightly controlled and consistent architectural theme and mixture of uses, all of which are consistent with the intent of a Planned Development.

The Applicant has signed a letter of agreement with these conditions and understands that the submitted Concept Development Plan along with these conditions serves as the basis for this recommendation.

Conditions

1. The development shall follow the revised Concept Development Plan which was submitted by the applicant during the review process to the Zone Change Committee. These changes reflect the issues raised at the Public Hearing on July 23, 1997. In addition to the revised Concept Development Plan, the applicant has provided supplemental design standards for the architectural treatment of all buildings, signage, and landscaping. The revised Concept Development Plan and supporting information contains the following:
 - A. The architectural development guidelines, as submitted by the applicant, outline the minimum design standards for all buildings to be constructed within the development. All proposed buildings shall be reviewed by the Design Review Committee and Planning Commission to determine if the architectural development guideline design standards are being followed. Each proposed building shall receive approval from the Committee and the Planning Commission before any construction occurs. Building types include anchor retailers (Exhibit A), attached retailers (Exhibits B & C), free standing commercial properties (Exhibits D & E), and single use buildings. The guidelines include general building design, roof treatment, building facade materials, colors, exterior lighting, window treatment, and signage. In addition, buildings shall not contain exposed heating or cooling units or other engineering devices. Roof mounted equipment shall not be seen as part of any building silhouette. See Exhibits A, B, C, D, and E of the Architectural Development Guidelines.

- B. Lot 1, which is located at the northeast corner of Houston Road and Hwy 18, will contain an architectural feature and landscaping for the purpose of identifying the southern entrance into the development. The architectural element shall be no taller than 32 feet and shall only identify the development. Advertising is prohibited. See Exhibits F, I, and J of the Architectural Development Guidelines. The existing billboard sign on Lot 1 shall be permanently removed.
- C. The proposed access road behind the Foltz property on the north end of the site shall either be relocated onto the Foltz property so that it runs parallel with the property line or constructed on the airport property as shown on the Concept Development Plan. Construction of this access road shall occur concurrently with the first phase of development of either lot. A four lane divided boulevard that extends from the airport to Houston Road is indicated on the north end of the Concept Development Plan. The applicant has agreed that if either lot on the Foltz property is ready to develop before the start of construction of the airport boulevard, the applicant shall develop the portion of the boulevard that runs the length of the Foltz property from Houston Road to the airport property.
- D. A Landscaping Master Plan has been included as part of the Concept Development Plan. The Master Plan provides uniform landscaping design and treatment along Houston Road, Merchants Street, Seligman Drive, and at all existing and proposed intersections. This landscaping shall be installed during the improvement phase of the development and is independent of, and in addition to landscaping requirements for individual lots that require a Site Plan review. See Exhibits H and J of the Architectural Development Guidelines.
- E. The development will include the following signage:

One 40' tall pylon sign, identifying the development and tenants within the commercial center, shall be located on the northwest corner of the commercial center-Houston Road signalized intersection. See Exhibit G of the Architectural Development Guidelines.

Low profile monument signs identifying only the development shall be located at the non-signalized intersection along Houston Road. The signs shall not exceed 6 feet in height.

Low profile wall mounted signs shall be located at the Seligman Street-Merchant Street and Merchant Street-Houston Road intersections, at the southeast corner of the proposed office building complex, and at the southeast and southwest corners of the Houston Road-Woodspoint Drive-

Airport Boulevard intersection. The low profile walls shall be constructed of masonry brick and/or stone and shall only identify the name of the development. The wall mounted signs shall contain only non-illuminated, polished metal, individual channel letters. See Exhibit J of the Architectural Development Guidelines.

Each out lot will be permitted one low profile monument sign. The signs shall not exceed 6 feet in height. All low profile monument signs shall be constructed of the same masonry material, and be of the same height, size, design.

All building mounted signs shall be individual channel letters and internally illuminated.

- F. The development shall contain a pedestrian access network as shown on the Concept Development Plan.
 - G. The development shall also contain a vertical architectural element at the southwest corner of Merchants Street and Houston Road. See Exhibit F of the Architectural Development Guidelines.
2. The Seligman property, which contains approximately 51 acres including the three major commercial users, storm water detention basin, and 5 out lots on the west side of Houston Road, will develop as commercial uses described within a Commercial Two (C-2) zoning district of the Boone County Zoning Regulations. The applicant has agreed to develop 25% of the remaining 45 acres with uses permitted within the Office One (O-1) zoning district and the following uses that may occur in Commercial One (C-1) or Commercial Two (C-2) zoning district:
- A. Real estate sub-dividing and developing services;
 - B. Postal services and packaging services provided the use is essential for pick-up and delivery convenience;
 - C. Nursery and day care centers;
 - D. Consumer and mercantile credit reporting, adjustment and collection services;
 - E. Travel arranging, transportation ticket and public event or promotional booking agencies;

- F. Art, music, and dancing schools, libraries, museums, art and craft galleries and similar exhibit space;
- G. Medical clinics with out-patient services;
- H. Welfare and charitable services;
- I. Aquariums, botanical gardens and other natural exhibitions;
- J. Arcades and other amusement centers;

Included as part of this 25% is a proposed office building complex on the east side of Houston Road, immediately across from the three major commercial users on lots 6 and 7. Eleven (11) acres constitutes as a minimum, 25% of the remaining 45 acres that shall be developed with the uses described above.

3. The out lots along Houston Road are to be developed as individual businesses or establishments. The lots, which are approximately 1.5 acres each in size, shall not be consolidated for the purpose of developing a strip center along Houston Road. Any consolidation of lots shall be for a individual business and any additional parking needs or requirements only.
4. The Planning Commission has been informed that grave sites or possibly a cemetery exists somewhere on the site between the proposed storm detention basin and the airport property. The applicant shall be responsible for performing an archeological survey as required in the Boone County Zoning Regulations, to determine the location of any grave sites or a cemetery.
5. The traffic intersections along Houston Road shall be spaced at a minimum of 600' intervals as indicated on the Concept Development Plan.
6. The intensity of the 95 acre development shall will not exceed 10,000 square feet per acre.
7. The applicant will maintain all existing trees on the property lines between the development, the municipal golf course, and the Greenview Subdivision. The applicant shall establish a 15' no disturb limit on the site to the property line with the golf course and a 25' no disturb limit on the site to the property line with the Greenview Subdivision.
8. The applicant shall provide a minimum of 22% greenspace for the development as a whole, including the detention area, in accordance with the open space provisions of the Houston Donaldson Study.

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.

Arnold Caddell
Arnold Caddell, Chairman

For Against
Abstain Absent

Larry Brown
Larry Brown

For Against
Abstain Absent

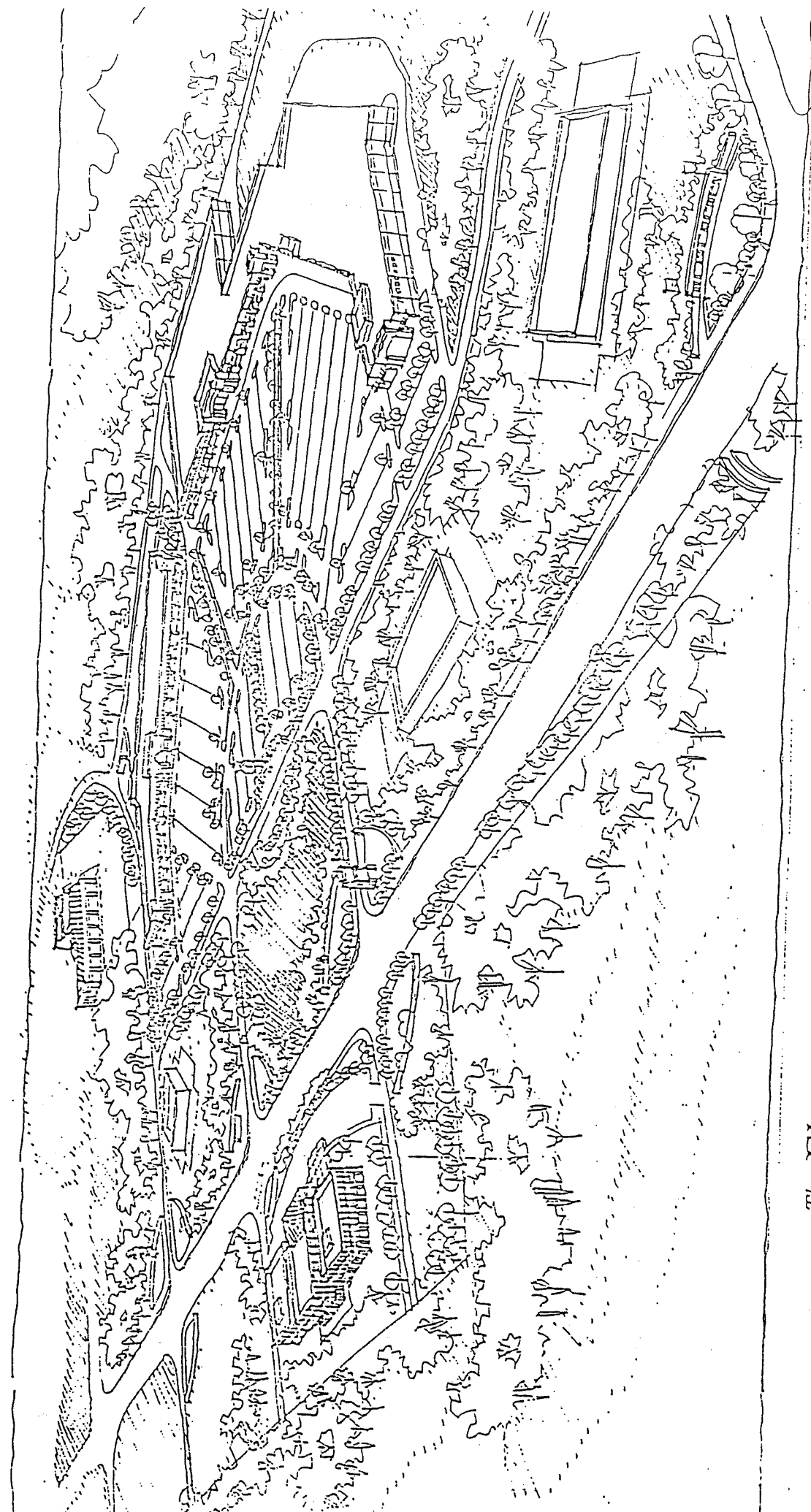
Donald McMillian
Donald McMillian

For Against
Abstain Absent

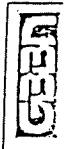
Linda Schaffer
Linda Schaffer

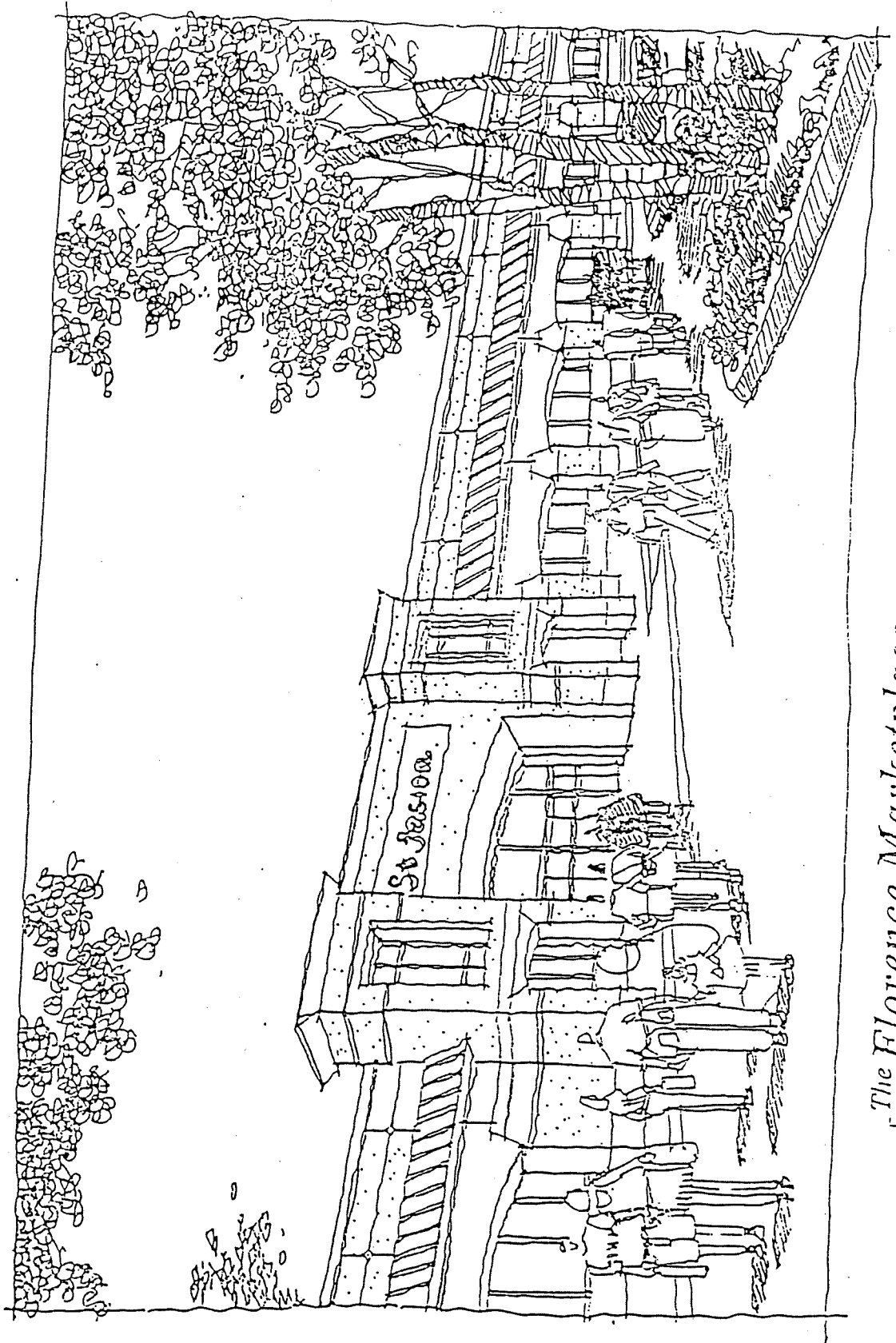
For Against
Abstain Absent

TOTAL: 2 FOR 2 AGAINST — ABSTAIN — ABSENT



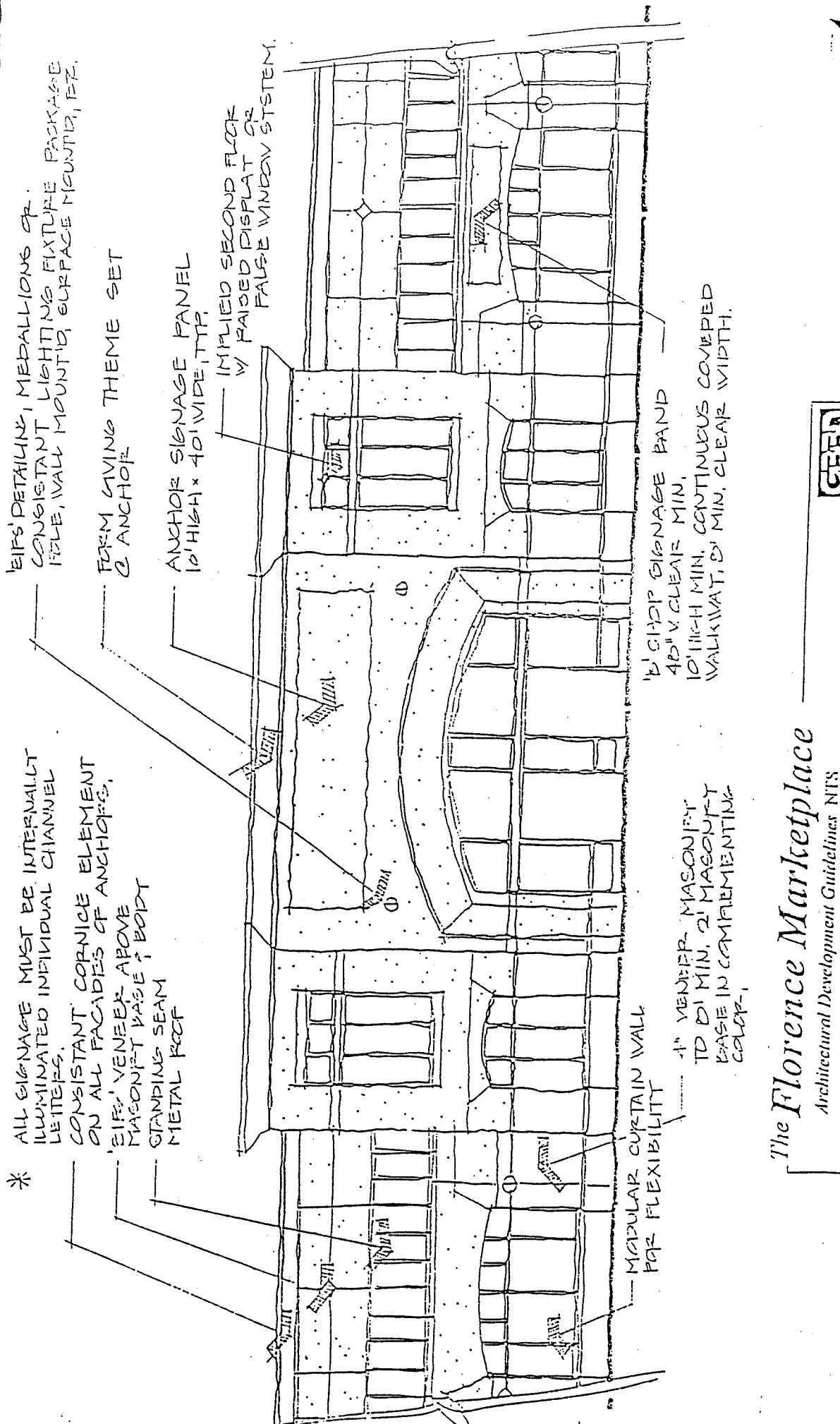
The Florence Marketplace
Architectural Development Guidelines NTS





The Florence Marketplace
Architectural Development Guidelines NTS





The Florence Marketplace

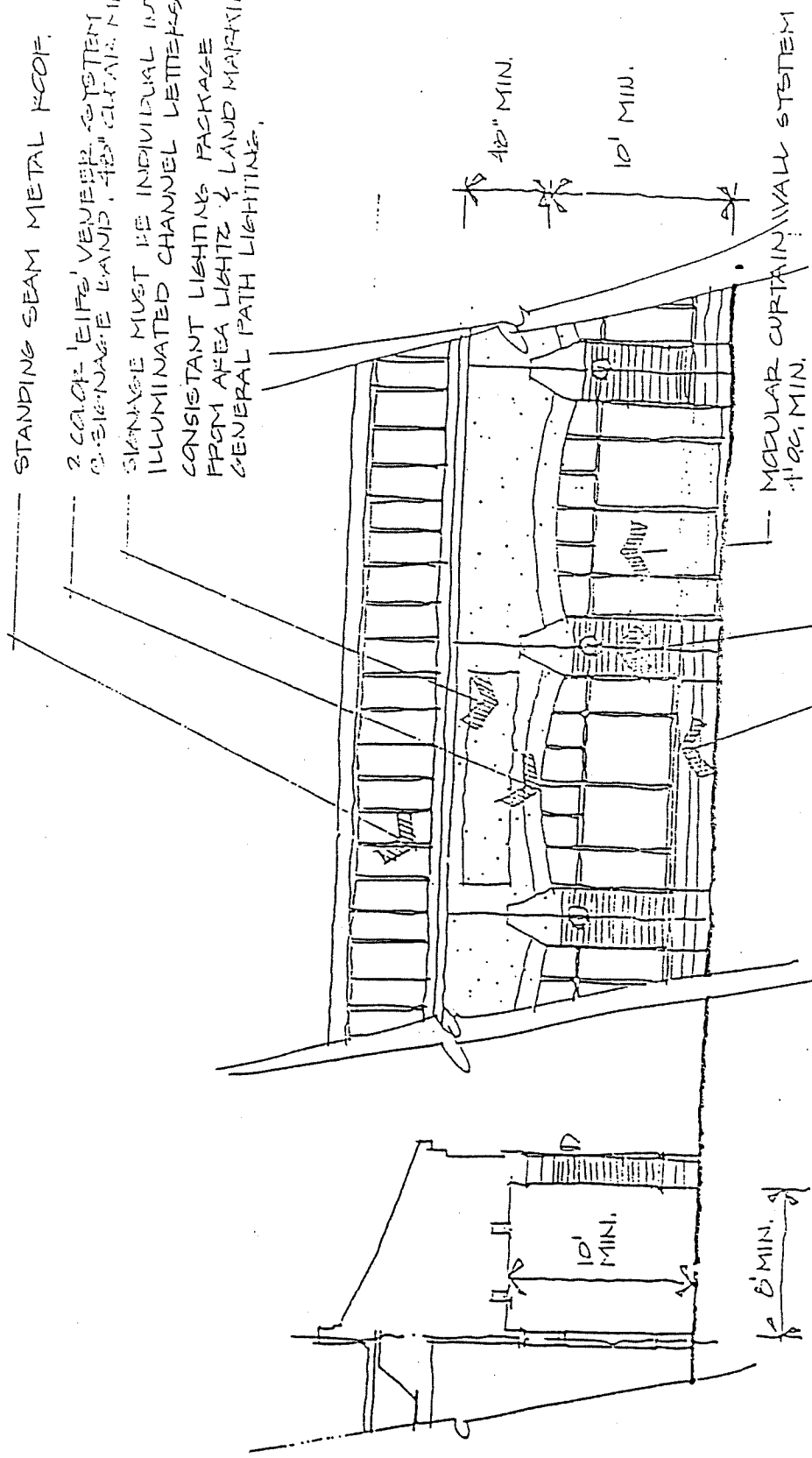
Architectural Development Guidelines NTS



STANDING SEAM METAL ROOF.

2 COACH 'EIFFE' VENEER SYSTEM
2 SIGNAGE BANDS, 42" CL. MIN.

SIGNAGE MUST BE INDIVIDUAL INTERMEDIATE
ILLUMINATED CHANNEL LETTERS,
CONSISTANT LIGHTING PACKAGE
FROM AREA LIGHTS & LAND MARKING TO
GENERAL PATH LIGHTING.



CONSISTANT CORNICE DETAILING

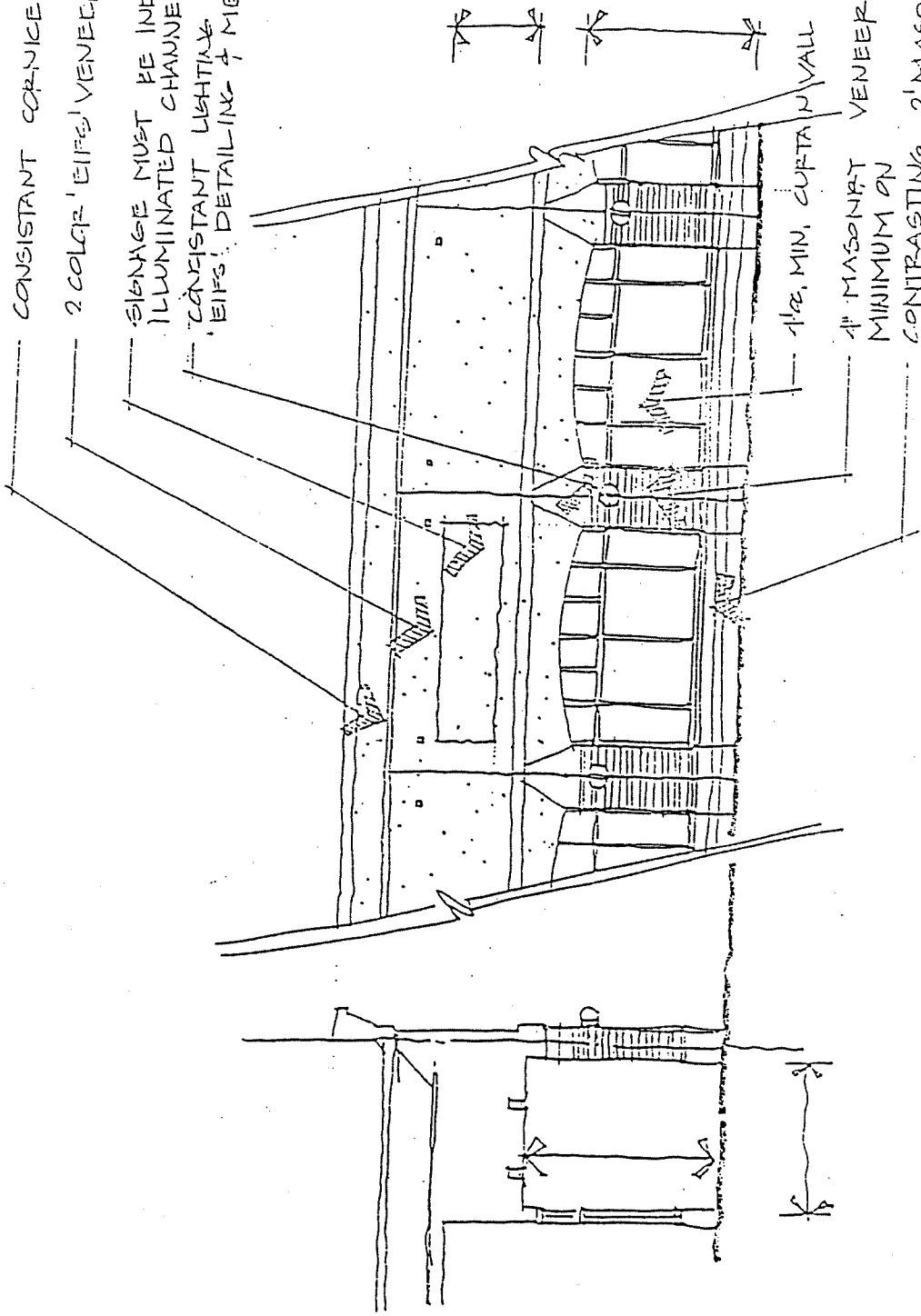
2 COLOR 'EIFS' VENEER SYSTEM

SIGNAGE MUST BE INDIVIDUAL INTERNALLY ILLUMINATED CHANNEL LETTERS, CONSISTANT LIGHTING PACKAGE OR 'EIFS' DETAILING & MEDALLIONS,

1/2" MIN. CURTAIN WALL SYSTEM

4" MASONRY VENEER TO 6" HIGH

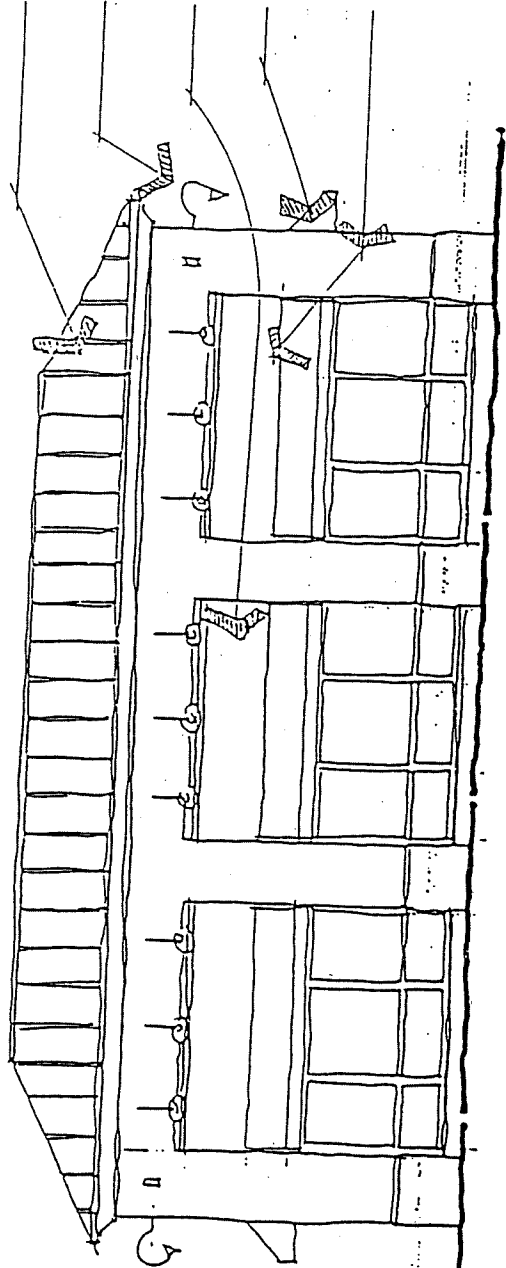
CONTRASTING 2' MASONRY BASE,



The Florence Marketplace
 Architectural Development Guidelines NIS

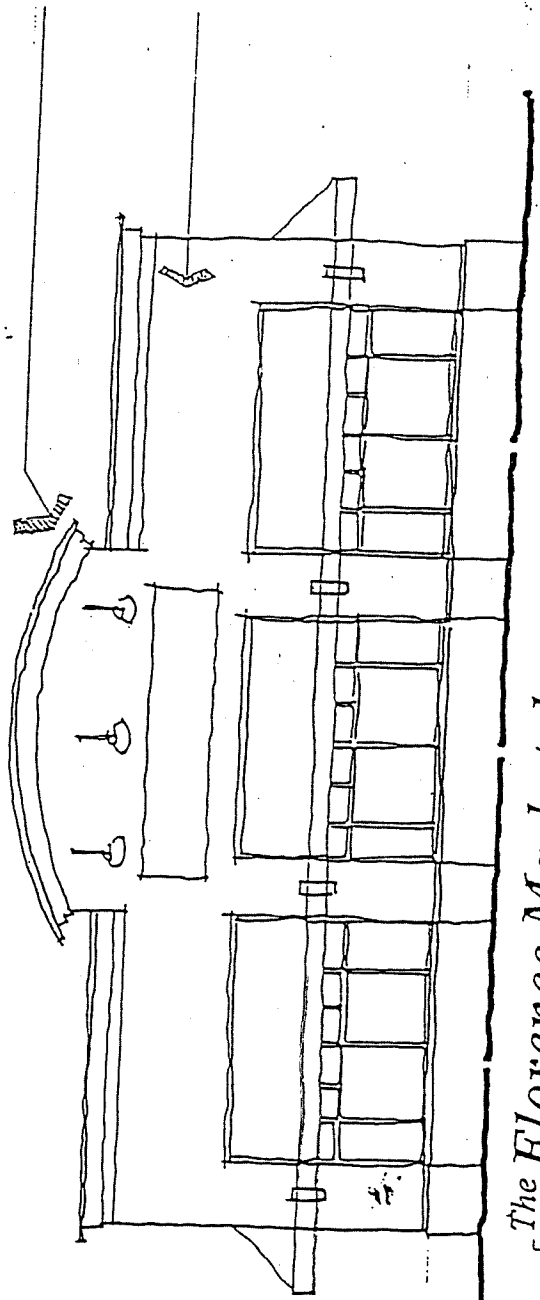


STANDING SEAM METAL
 ROOF CONSISTANT W/ FLAZA
 LIGHTING CONSISTANT V/ BLDG
 MOUNTED SIGNAGE & IMAGE
 ACCENT LIGHTING.
 SIGNAGE MUST BE INDIV AL
 CHANNEL LETTERS, INTERVAULT
 ILLUMINATED
 BLDG. MTD. FABRIC CANOPY
 MUST BE OF PRESCRIBED
 COLOR.
 FULL HGT. FACE BRICK
 VENEER W/ EIFS ACCENT.

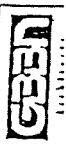


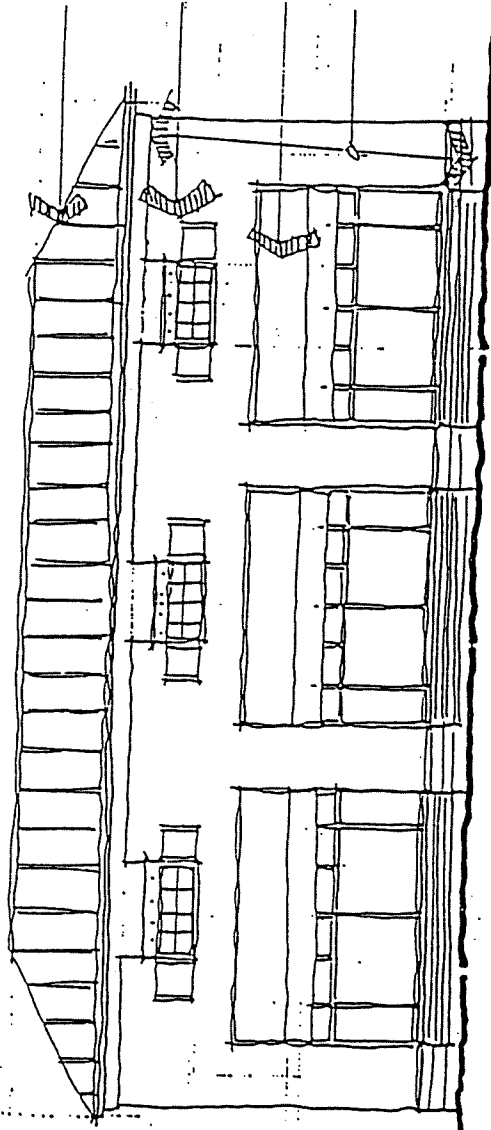
SIMPLY SHAPED PARAPET.

4' MASONRY VENEER
 FULL HEIGHT ON OUTLOT
 BUILDINGS



The Florence Marketplace
 Architectural Development Guidelines NTS

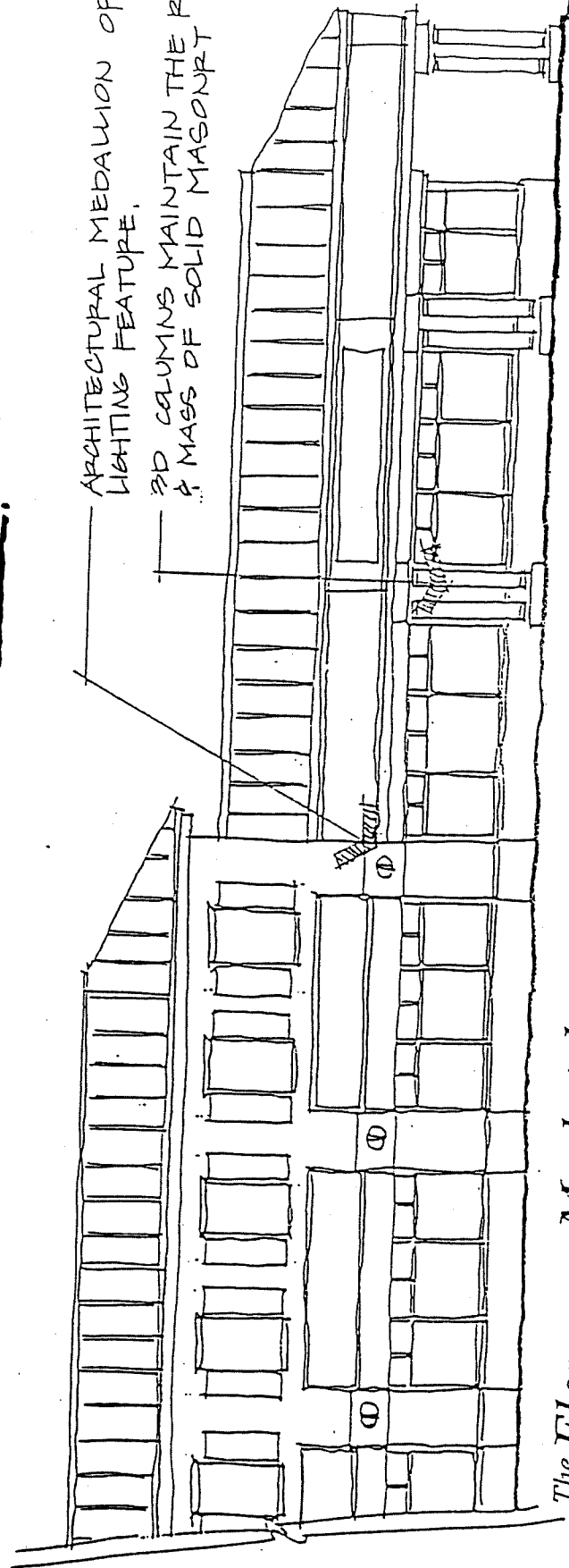




STANDING SEAM METAL ROOF
CONSTANT W/DEY COLOR PALETTE.

CLERESTORY ON SECOND FLOOR.

48" HIGH SIGNAGE BAND-INDIVIDUAL
ILLUMINATED CHANNEL LETTERS.
FULL HEIGHT MASONRY VENEER



ARCHITECTURAL MEDALLION OR
LIGHTING FEATURE.

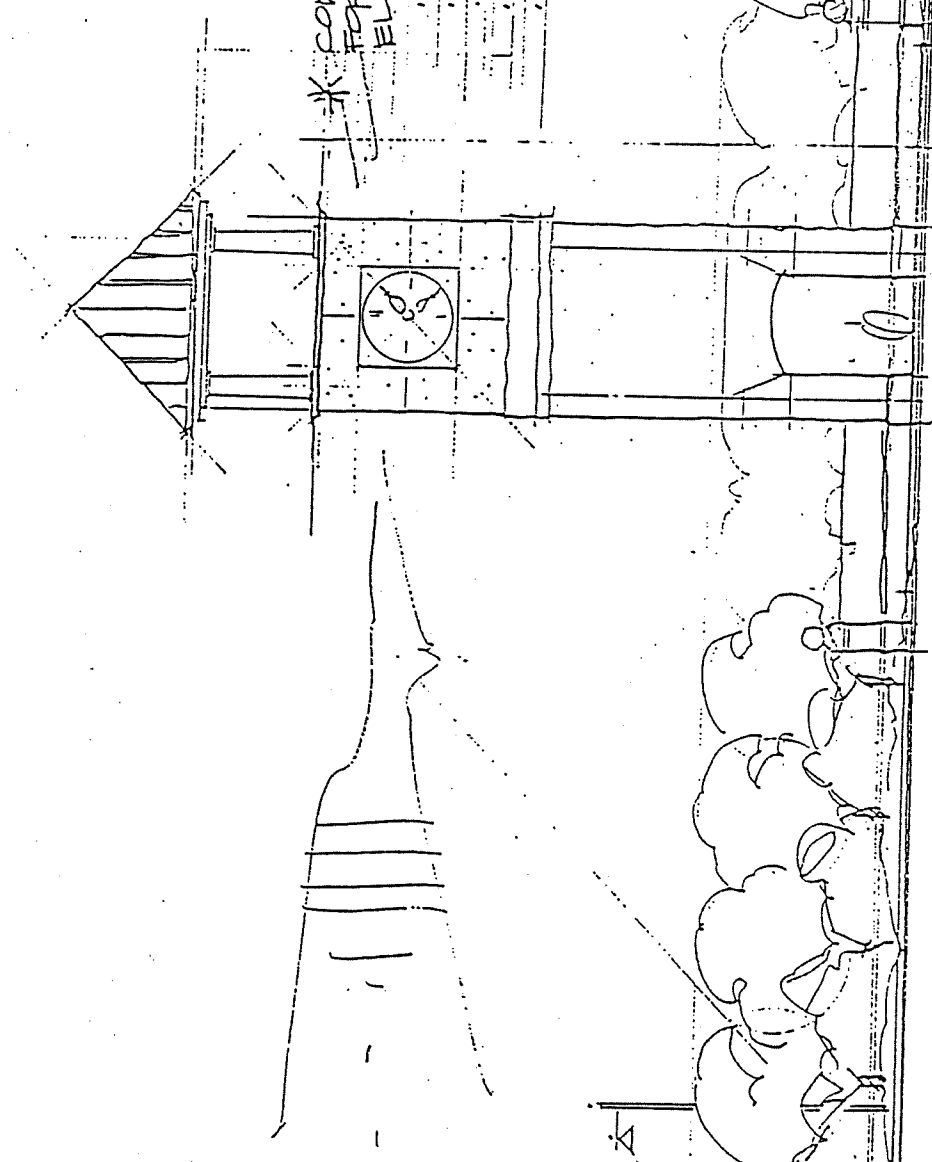
3D COLUMNS MAINTAIN THE RHYTHM
A MASS OF SOLID MASONRY PIERS

48" H.

The Florence Marketplace

Architectural Development Guidelines N.T.S

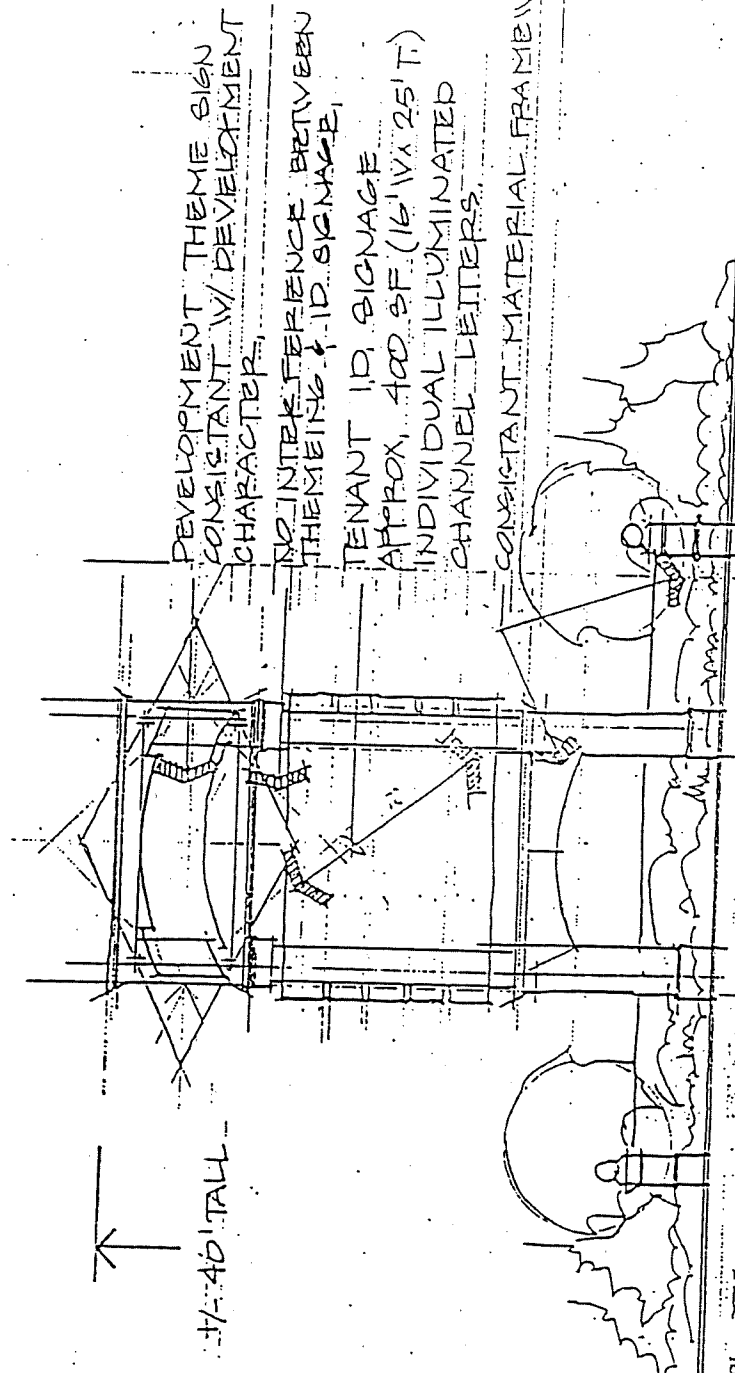




* CONSTANT USE OF MATERIALS FOR ALL ARCHITECTURAL FEATURE ELEMENTS,
 - STAIRING SEAM MTL ROOF
 - COLUMN PROPORTIONS
 - EIFS VENER
 - MASONRY VENER
 - ARCHITECTURAL MEDALLIONS

The Florence Marketplace
 Architectural Development Guidelines NTS





DEVELOPMENT THEME SIGN
CONSISTANT W/ DEVELOPMENT
CHARACTER.

NO INTERFERENCE BETWEEN
THEMEING & ID SIGNAGE.

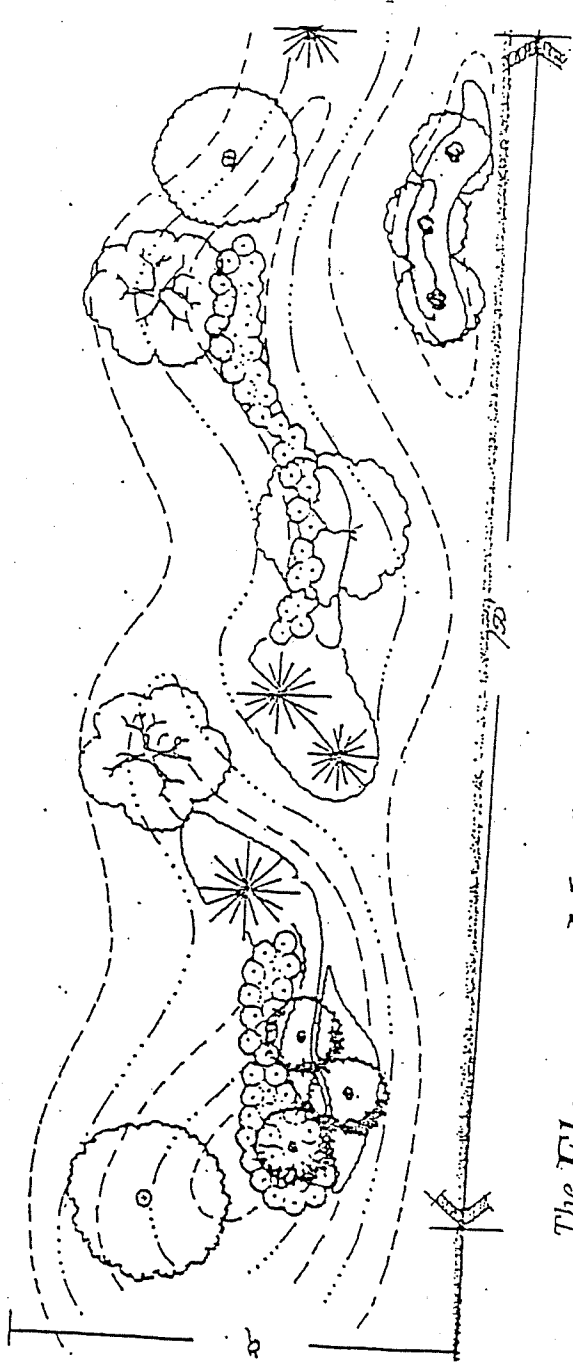
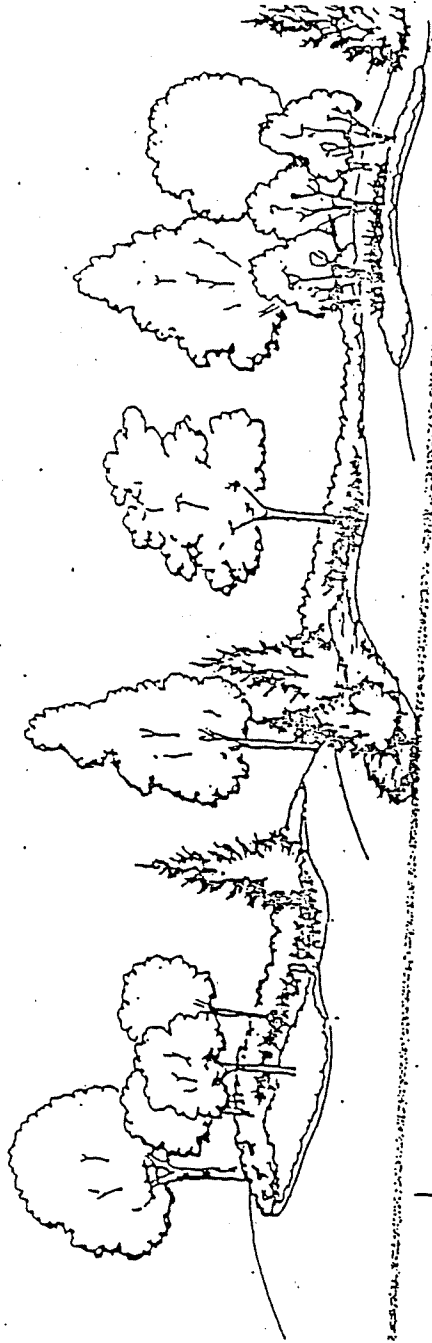
TENANT ID SIGNAGE
APPROX. 400 SF. (16' W. X 25' H.)
INDIVIDUAL ILLUMINATED
CHANNEL LETTERS.

CONSISTANT MATERIAL FRAMEWORK.

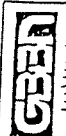
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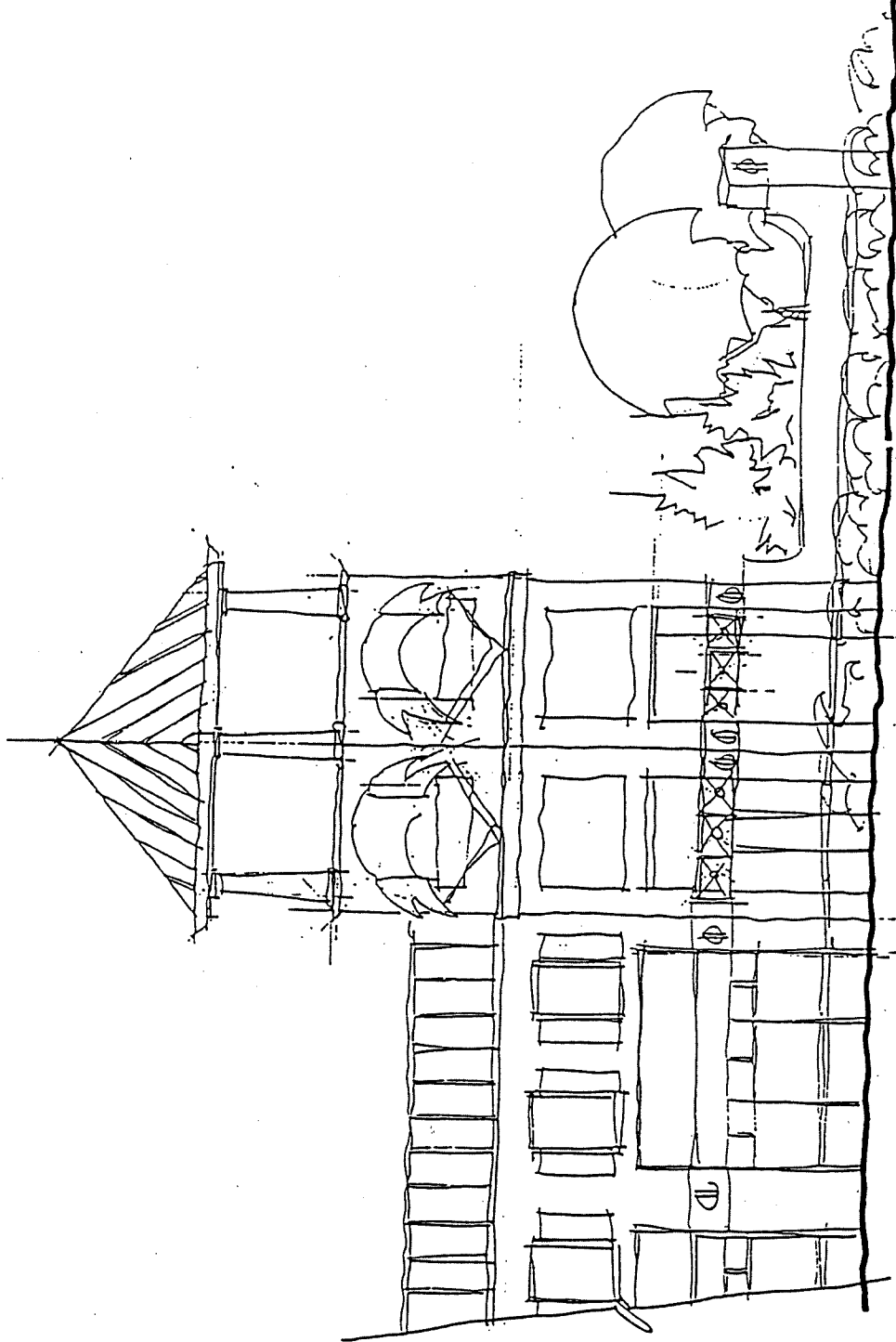


*IMAGE SHOWS
DENSITY OF
LANDSCAPING &
BERM FOR 100'
OF FRONTAGE.
SIM TO TYPICAL
OUTLOT FRONTAGE.



The Florence Marketplace
Architectural Development Guidelines NTS

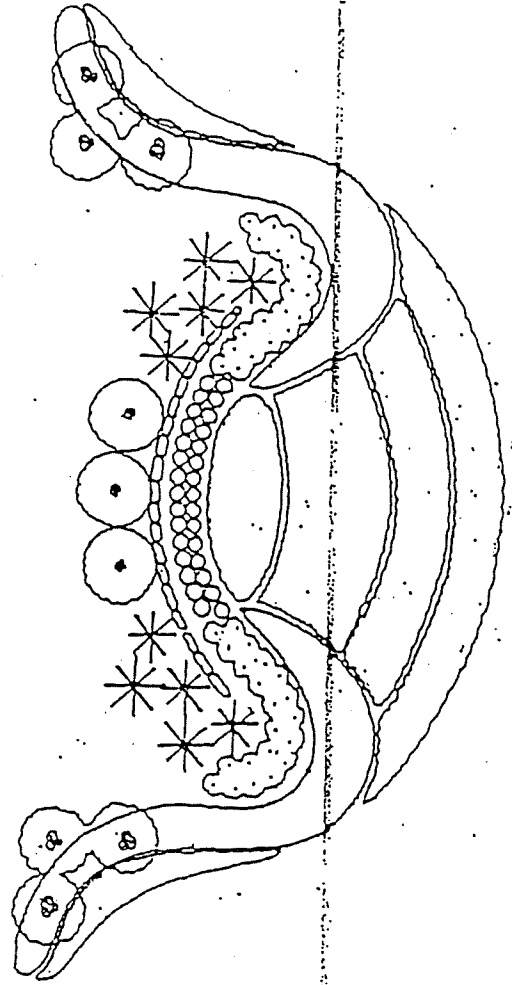
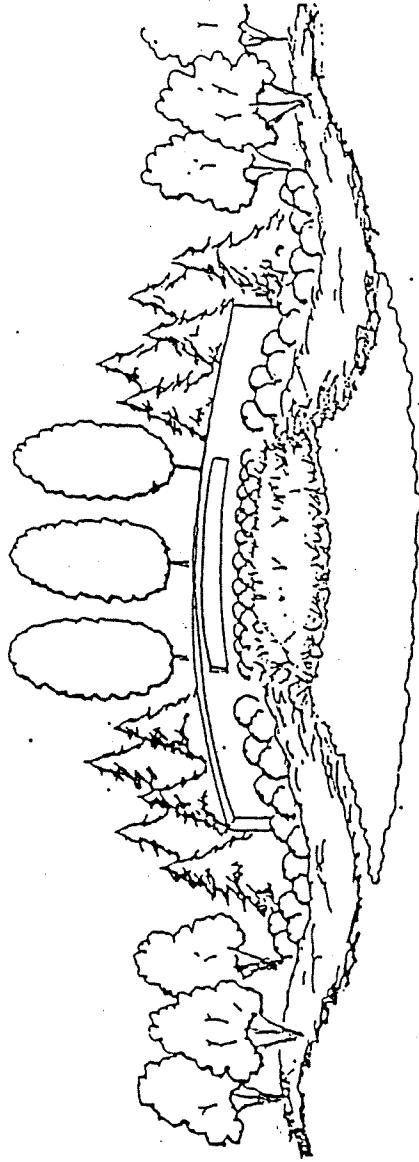




The Florence Marketplace

Architectural Development Guidelines NTS





The Florence Marketplace
Architectural Development Guidelines NTS

ORDINANCE NO. 0-18-98

AN ORDINANCE ADOPTING AND APPROVING A REZONING ON AN APPROXIMATE 95 ACRE SITE GENERALLY LOCATED ON BOTH SIDES OF HOUSTON ROAD BETWEEN KENTUCKY 18 AND WOODSPOINT DRIVE FOR THAT PORTION OF THE SITE WITHIN THE CITY OF FLORENCE, KENTUCKY, AND APPROVING THE UTILIZATION OF THE UNDERLYING ZONE IN ACCORDANCE WITH A CONCEPT DEVELOPMENT PLAN AGREED TO BY THE CITY AND THE OWNERS OF THE SITE PURSUANT TO THE SETTLEMENT OF A PENDING APPEAL IN THE BOONE CIRCUIT COURT. (DOERING, FULLER, FOLTZ, DURR AND CRIST PROPERTY)

WHEREAS, the City of Florence, Kentucky is a member of the county-wide planning unit and the county-wide planning commission known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission by Resolution R-97-020A recommended that a request for a zone change for an approximate 95 acre site located on both sides of Houston Road, generally between Kentucky 18 and Woodspoint, being part of the complete tract as recorded in Deed Book 446, Page 301, Deed Book 136, Page 74, and Deed Book 635, Page 68, of the Boone County Clerk's records (the "Site") to Commercial Two/Planned Development (C-2/PD) from Industrial One/Planned Development (I-1/PD) and Office Two/Planned Development (O-2/PD) be approved and utilization of the underlying zone be granted, and

WHEREAS, On January 6, 1998, City Council voted to override the recommendation of the Boone County Planning Commission and deny the zone change request, and

WHEREAS, the zone change applicant and owners of the site filed an action in the Boone Circuit Court being James W. Berling, et al v. City of Florence, et al, Case No. 98-CI-00145 (the "Lawsuit") as an appeal from such denial; and

WHEREAS, settlement negotiations between the parties to that action resulted in agreement on a revised concept development plan which was acceptable to all parties, and

WHEREAS, because the revised concept development plan results in a decrease in the intensity of uses recommended by the Boone County Planning Commission and, on advice of the staff of said Commission, the City and the applicant/owner have determined that, in settlement of the lawsuit, the zone change and utilization of the underlying zone represented by the revised concept development plan can be approved without the necessity of additional Planning Commission review and recommendation, and

WHEREAS, the parties have agreed to settle the lawsuit by granting the requested zone change in accordance with the revised concept development plan and subject to the terms and conditions hereinafter set out.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

That a zone change for the Site is hereby approved as shown on the concept development plan titled: "June 16, 1998, Second Amendment Concept Development Plan, Seligman/Durr/Cris/Foltz Properties, Houston Road, Florence, Kentucky" (the "Development Plan"), a copy of which is attached hereto as Exhibit "I", subject to the conditions hereinafter set out. The zoning map of Boone County, Kentucky as it applies to the City of Florence, Kentucky shall be amended or changed to reflect the rezoning of that portion of the Site located within the City of Florence, Kentucky, as so approved.

SECTION II

That utilization of the underlying zone for that portion of the Site located in the City of Florence, Kentucky, in accordance with the Development Plan is hereby approved, subject to the conditions hereinafter set out.

SECTION III

The zone change and utilization of underlying zone are subject to all of the terms and conditions of the Committee Report of the Boone County Planning Commission dated October 15, 1997, (the "Committee Report"), a copy of which is attached hereto and incorporated herein as Exhibit "II", except as modified by the following:

A. Condition 1 is modified to provide that the development shall follow the Development Plan attached hereto as Exhibit "I".

B. Condition 1E is modified to provide that signage for the site shall be permitted in the areas designated on the Concept Development Plan and in compliance with the following criteria:

1. Building Mounted Signage shall be limited to the number and size as permitted by the Zoning Ordinance but must be internally illuminated individual channel letters, mounting raceway optional, and generally of the dimensions and criteria as depicted on Exhibits "A" through "E" to this Ordinance.

2. Project Identification Signage shall consist of a pylon sign maximum 28 feet in height and of materials and architectural details as depicted on Exhibit "F", hereto and of low wall signage not to exceed six (6) feet in height and constructed of masonry, brick or stone identifying only the development and containing only polished metal individual channel letters which may be backlighted as depicted on Exhibit "G" to this Ordinance. The developer shall construct an architectural feature at the northeast corner of Houston Road and Kentucky Highway 18 identifying the south entrance to the development. This feature shall be architecturally compatible with the other landscaping and building construction.

3. Low Ground Monument Signage is permitted one per out-lot not to exceed six (6) feet in height and seven (7) feet in width and generally as depicted on Exhibit "H" to this Ordinance.

C. Condition 2 is deleted and the following substituted:

Zoning of the entire tract shall be in accordance with the land use designations on the Development Plan. The 19.20 acre parcel designated Office/Research Park/Light Industrial and the 3.80 acre parcel designated Office shall be zoned O1/PD. The remainder of the Site shall be zoned C2/PD. The following additional uses shall be permitted in the O1/PD and C2/PD areas.

1. Real estate sub-dividing and developing services.
2. Postal services and packaging services provided the use is essential for pick-up and delivery convenience.
3. Nursery and day care centers.
4. Consumer and mercantile credit reporting, adjustment and collection services.
5. Travel arranging, transportation ticket and public event or promotional booking agencies.
6. Art, music, and dancing schools, libraries, museums, art and craft galleries and similar exhibit space.
7. Medical clinics with outpatient services.
8. Welfare and charitable services.
9. Aquariums, botanical gardens and other natural exhibitions.

10. Rehabilitation hospital facilities.
11. Micro-brewery.
12. Professional scientific and controlling instruments, photographic and optical goods, watches and clocks.
13. Electric and electronic equipment.
14. Technology and research centers including medical and hospital research establishments.
15. Educational and governmental institutions.
16. Wholesale trade of drugs, drug proprietaries and sundries.
17. Wholesale trade of electrical and electronic parts.
18. Research, development and testing services.
19. Photo finishing and other photographic laboratories.
20. Postal services and related storage, distribution and transfer activities.
21. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services.
22. Fire stations or fire related protective services including rescue services.
23. Warehouse and distribution center-warehouse facilities.

D. The retail commercial center located on parcel no. 22 shall not exceed 296,000 square feet under total roof and the square footage of any single user in the retail commercial center shall not be more than 150,000 square feet.

E. Not less than 22% of the total acreage of the Site shall be green space which may be integrated throughout the other approved uses, provided that green space of 18% of the total acreage shall be contained in the privately owned areas.

F. Neither the owners of the Site nor their successors or assigns shall apply for a land use change within the area zoned Q1/PD to any commercial use for a period of 5 years from the date of final passage of this Ordinance.

SECTION IV

If these approvals for a zone change and utilization of the subject property should be held invalid by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map, or comprehensive plan provisions as they are severable from these approvals herein and are intended to continue to have effect regardless of any invalidity regarding these particular approvals.

SECTION V

This Ordinance shall be effective upon final passage, publication by summary, and approval by Judgment of the Boone Circuit Court in the Lawsuit.

PASSED AND APPROVED ON FIRST READING THIS 21th DAY OF September, 1998.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 22nd DAY OF September, 1998.

APPROVED:

Ervin M. Hall
MAYOR

ATTEST:

Betsy R. Conrad
CITY CLERK

3

I, Betsy R. Conrad, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 0-18-98 as same appears in the official records of my office. Dated this 23rd day of September, 1998.

Betsy R. Conrad
Betsy R. Conrad, City Clerk

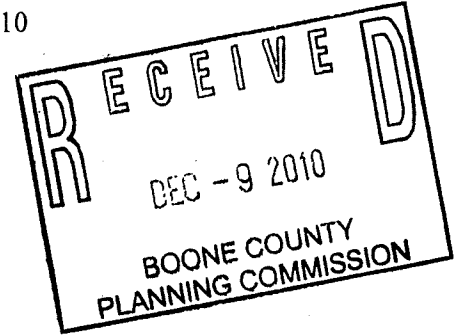


CINCINNATI/NORTHERN KENTUCKY INTERNATIONAL AIRPORT

P.O. BOX 752000 CINCINNATI, OH 45275-2000 (859) 767-3151 FAX (859) 767-3080

December 7, 2010

Mr. Kevin Wall
Director, Zoning Services
Boone County Planning Commission
2950 Washington Street, Room 317
PO Box 958
Burlington, KY 41005



RE: Rolling Hills Crossings, LLC Zone Change Application

Dear Mr. Wall:

This letter is in response to your correspondence regarding the zone change request submitted by Rolling Hills Crossings, LLC for 8.95 acres at 1090 Vandercar Way, Florence, Kentucky adjacent to Kenton County Airport Board property.

Attached are copies of the current (2006) and future (2011) noise exposure maps from the Cincinnati/Northern Kentucky International Airport's (CVG) approved FAR Part 150 Noise Compatibility Study Update. To determine the extent of noise impacts around an airport, the FAR Part 150 process requires continuous contours to be developed for yearly average day/night sound levels (DNL) of 65, 70, and 75 dB. In those areas where the yearly DNL values are 65 dB or greater, the land uses are identified to determine compatibility. For the purpose of compliance with FAR Part 150, all land uses are considered to be compatible with noise levels less than 65 DNL. The property at 1090 Vandercar Way is outside the 65 DNL and therefore, is considered compatible with airport operations.

However, since Vandercar Way experiences arrival and departure activity to/from CVG, and since noise is subjective, we encourage the owners to listen to the aircraft activity in that area to determine if the level of aircraft noise is acceptable.

Additionally, due to the proximity of Vandercar Way to the arrival and departure paths at CVG, the property owner should be made aware of the requirements to complete applicable construction notice forms, depending on the location and height of the proposed structure, as required by CFR Part 77 and the Kentucky Airport Commission.

If you have any questions regarding the enclosed, please feel free to contact Barbara Schempf at (859)767-7800.

Sincerely,

John C. Mok, CEO
Kenton County Airport Board

Enclosures: 2006 & 2011 NEMs

cc: Barb Schempf, KCAB

**Existing (2006)
 Noise Exposure Map**

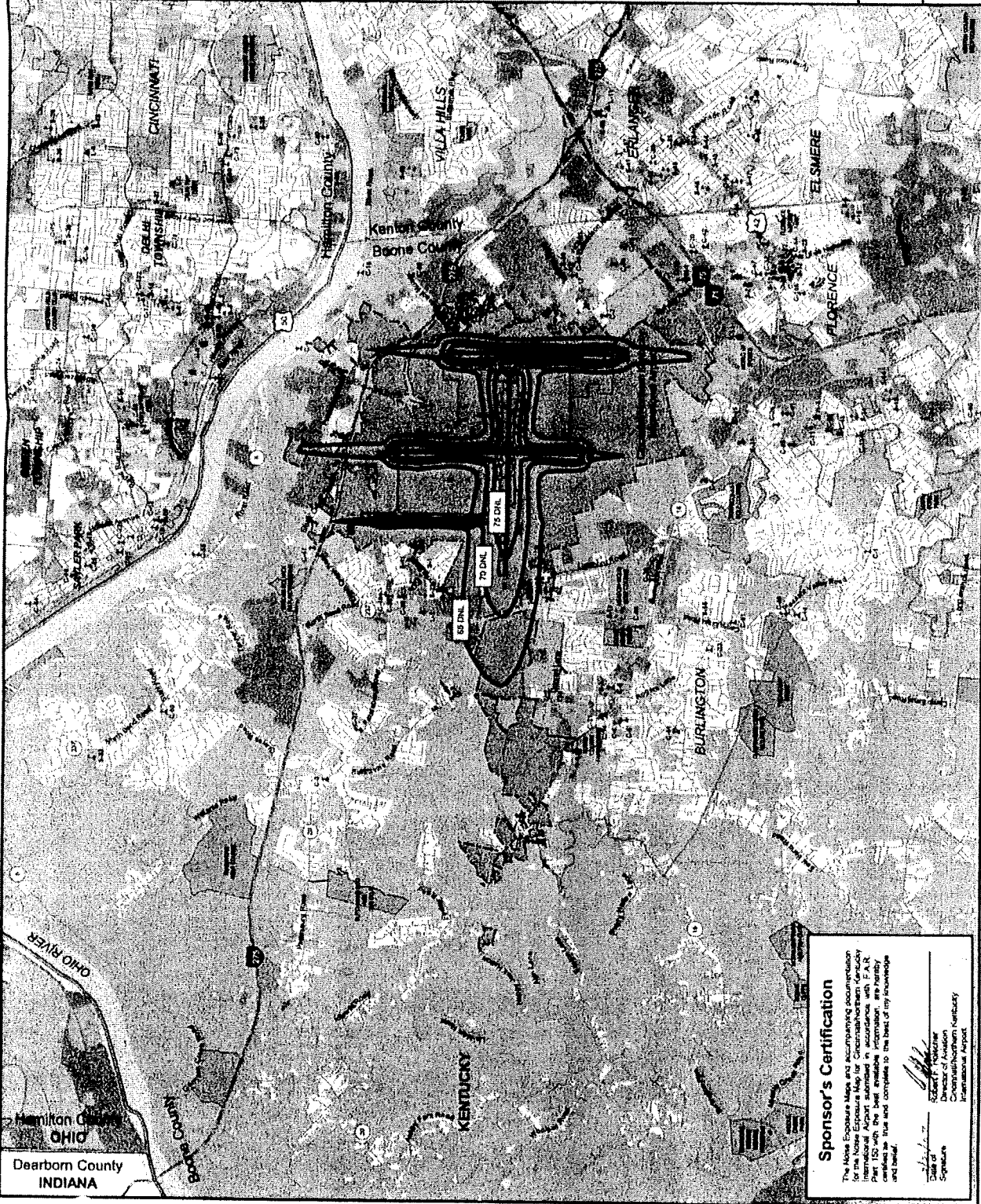
LEGEND

- 2006 NEM Noise Exposure Contour
- Church
- School
- Nursing Home
- Hospital
- Library
- Runway Centerlines
- Airport Property
- Park
- Jurisdictional Boundary
- County Boundary
- State Line
- Generalized Existing Land Use
 Hamilton, Boone, Kenton Counties
- Single-Family
- Multi-Family/Mobile Home Park
- Commercial/Industrial
- Institutional
- Agricultural/Open Space
- Transportation

See Table E-2 in Appendix E for the List of Existing Noise-Sensitive Facilities.



**EXHIBIT
 NEM-1**



Sponsor's Certification

The Noise Exposure Maps and accompanying documentation for the Noise Exposure Map for Cincinnati-Northern Kentucky International Airport submitted in accordance with FAR Part 150 with the best available information are hereby certified to be true and complete to the best of my knowledge and belief.

[Signature]
 Title of _____
 Director of Aviation
 Cincinnati-Northern Kentucky
 International Airport

Hamilton County
 OHIO
 Dearborn County
 INDIANA

Future (2011) Noise Exposure Map/ Noise Compatibility Program

LEGEND

(2011) NEMINCP Noise Exposure Contour

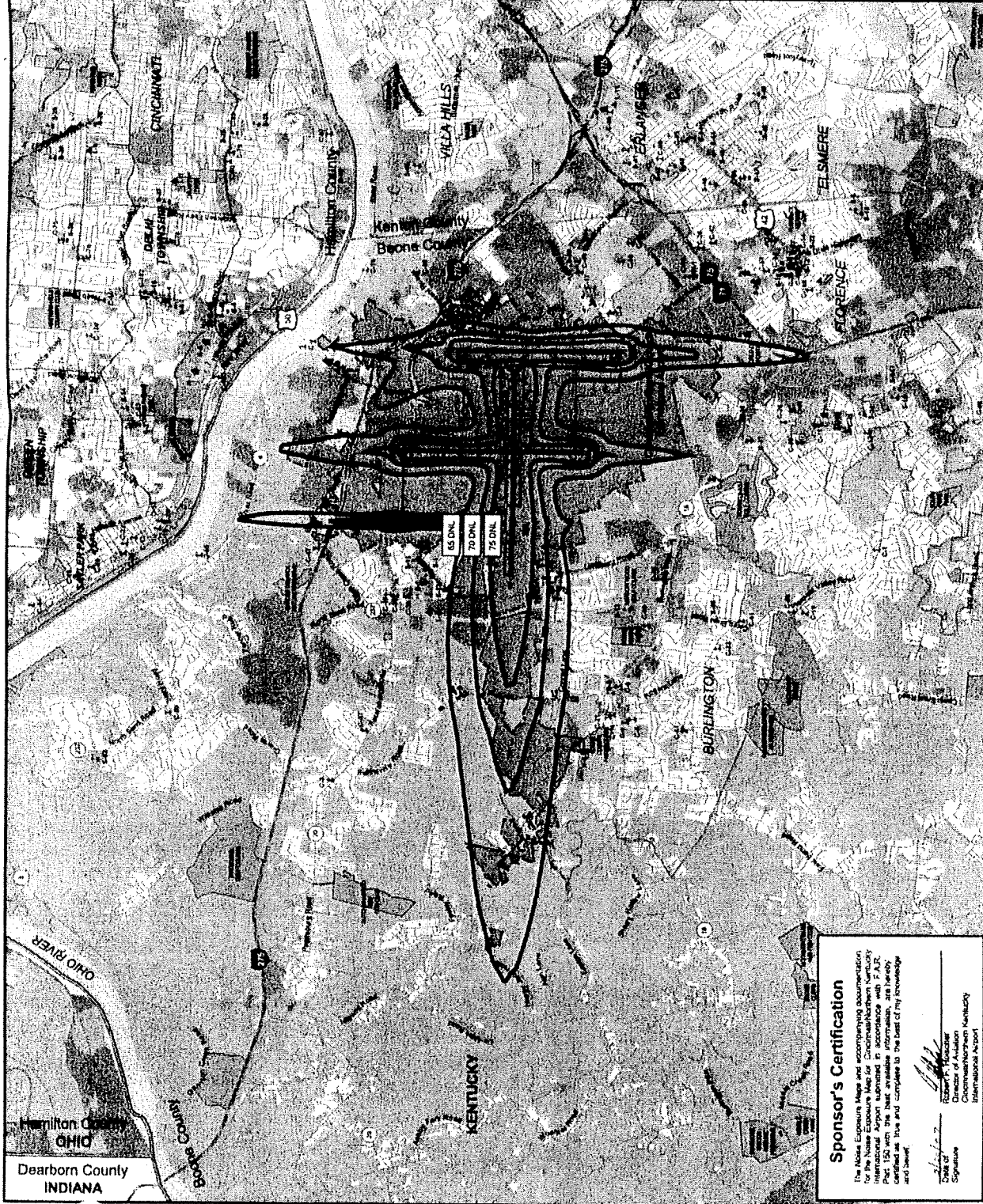
- Church
- School
- Nursing Home
- Hospital
- Library

See Table E-2 in Appendix E for the list of Existing Noise-Sensitive Facilities

- Runway Centerlines
- Airport Property
- Park
- Jurisdictional Boundary
- County Boundary
- State Line

Generalized Existing Land Use
 Hamilton, Boone, Kenton Counties

- Single-Family
- Multi-Family/Mobile Home Park
- Commercial/Industrial
- Institutional
- Agricultural/Open Space
- Transportation



Sponsor's Certification
 The Noise Exposure Maps and accompanying documentation for the Noise Exposure Map for Cincinnati-Northern Kentucky International Airport submitted in accordance with FAR Part 150.70 are true and accurate to the best of my knowledge and belief.

 Director of Aviation
 Cincinnati-Northern Kentucky International Airport

SECTION 1120
OFFICE TWO (O-2)

The purpose of the Office Two District is to consolidate those types of professional, research, business, service and similar uses which are based in office structures and which require and desire high levels of personal interaction. Such districts will be organized to provide employment labor markets. Districts will be located on suitable lands with convenient access from expressways, arterials or collectors. District plans will be organized to provide direct, central, convenient and safe collection of vehicles and pedestrian circulation.

SECTION 1121

Principally Permitted Uses

The following uses are permitted:

1. All principally permitted uses of an Office One (O-1) District;
2. Retail sales of newspapers and magazines, drugs, and proprietary goods;
3. Banking and credit union services, including drive-through teller services.
4. Convenient stores;
5. Beauty and barber services and tanning salons;
6. Laundering, dry cleaning and dyeing services, including self-service;
7. Shoe repair, shoe shining and hat cleaning services;
8. Florists, excluding greenhouses.
9. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.

SECTION 1122

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to the purposes of the district including:

1. Recreation uses or spaces of integral relation to the purpose of the district defined to be:
 - a. Museum, art and craft galleries, conservatories and other cultural exhibits;
 - b. Aquariums, botanical gardens and arboretums, nature preserves, wildlife sanctuaries and other natural exhibitions;
 - c. Historic sites, structures, monuments and other exhibits available for public viewing;
 - d. Amphitheaters, motion picture theaters, legitimate theaters, playhouses and other entertainment assemblies;
 - e. Auditoriums, exhibition halls and other public or miscellaneous assembly;
 - f. Golf courses, tennis courts, ice and roller skating, bowling and other sports activities;
 - g. Play lots or tot lots, playfields or athletic fields, recreation centers, gymnasiums, clubs and other athletic uses and structures;
 - h. Swimming beaches and swimming pools;
 - i. Picnicking, hiking areas, exercise trails and other recreational uses;
 - j. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;

2. Public transit stations and terminals;
3. Postal, travel and transportation ticket or forwarding services;
4. Detective, protective and other police services;
5. Signage (See Article 34);
6. Parking (See Article 33);
7. Automatic teller machines;
8. Retail defined as:
 - a. Books and stationery;
 - b. Florists excluding greenhouse or outdoor storage or growing areas;
 - c. Cigars and cigarettes;
 - d. Beauty and barber services;
9. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
10. Recycling collection containers.

SECTION 1123

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustments and Zoning Appeals provided: a) the activity is provided primarily and obtains the bulk of its trade from the use and support of the public employed in the district; or b) the activity is of integral relation to the purposes of the district; c) the use, building or structure is subservient to and not of scale, nature, trade or other character which will compete, detract or conflict with the purpose and permitted uses of the district; and d) provided the arrangement of uses, buildings or structures is mutually compatible with the organization of permitted accessory uses to be protected in the district:

1. Hotels, tourist courts and motels only where the primary trade is of direct relation or support of the uses and purposes of the district;
2. The writing, publishing of newspapers, periodicals and books provided any printing operation is subservient to the writing and publishing activity and does not conflict with the purposes of permitted uses of the district;
3. Telephone, telegraph, radio and television relay, transmitting and receiving equipment provided the equipment is in direct support of the defined accessory use and does not physically or visually overpower, detract or conflict with the building design, scale or character proposed in this district;
4. Gasoline filling stations and auto repair facilities provided the use is in direct support of and primarily trades from the employees of the district;
5. Blueprinting and photocopying services;
6. Window cleaning, disinfecting and exterminating, dwelling and building services;
7. Automobile leasing or rental agencies (maximum storage of 50 vehicles);

8. Adult and child care centers;
9. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(C).

SECTION 1124

Intensity

The maximum total intensity of all uses in an Office Two district shall not exceed 30,000 square feet of gross floor area per acre.

SECTION 1125

Minimum Size

The minimum size or extent required of an Office Two district is three (3) acres.

SECTION 1126

Minimum Standards

See Article 31 for dimensional standards. (Site Plan Review required for all permitted uses) (See Article 30)

SECTION 1130

INDUSTRIAL ONE (I-1)

The purpose of the Industrial One district is to allow different types of small to large scale light manufacturing, warehouse, distribution and related service uses, which require direct accessibility to a regional transportation system. Manufacturing operations in this district will generally not utilize unrefined raw materials, whose processing may potentially create undesirable noise, odors, dust, smoke, hazardous materials or waste or be delivered in large bulk transportation forms. Such districts are located in areas which provide employment opportunities for community and regional labor markets. Districts will be located on suitable lands accessible from expressways and/or arterials. In addition, this zoning district allows for integrated office campus and/or industrial/warehouse developments with a business park setting, characterized by landscaped entrances, boulevard streets, large amounts of green space and low building coverage ratio, multi-level buildings, constant architectural and signage theme, parking structures, and integrated pedestrian and recreation facilities. This district is also to provide for appropriate public facilities and/or services to the permitted uses identified in the district.

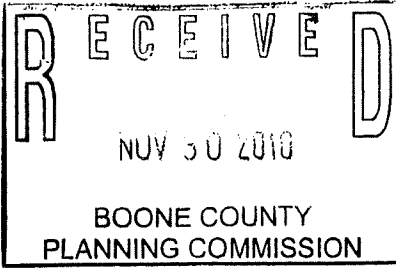
This zoning classification can range from a compact multi-level office development on several acres to an extensive mixed office/warehouse/distribution development that is located on many acres. This zoning classification often includes some limited commercial wholesale and retail uses intended to serve the district and constructed to blend in visually with the character of the area.

SECTION 1131

Principally Permitted Uses

Permitted are the wholesale distribution, storage, manufacturing and assembly of industrial products:

1. All principally permitted uses in an Office Two (O-2) zone;
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 or any tanning, curing or storage of rawhides or skins;
3. Textile mill products except primary manufacture of dyes, fibers, felt, rubber goods;
4. Apparel and other finished products made from fabrics, leather and similar materials except primary manufacture of rubber;



APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project ROLLING HILLS CROSSING
2. Location of Project SELIGMAN WAY & VANDERCAR WAY, FLORENCE
3. Total Acreage of Site 8.95
4. Current Zoning of Site O-1/PD/CD
5. Proposed Zoning (Classification being requested) O-2/PD
6. Proposed Uses (please specify each use) THOSE APPROVED WITH CHANGE IN CONCEPT DEVELOPMENT PLAN APPROVED IN DEC. 2006

7. Names of Applicant(s) ECE, INC.
Phone Number 859-727-4200 Fax No. 859-342-5852
8. Address of Applicant(s) 4205 DIXIE HIGHWAY

<u>ELSMERE</u>	<u>KENTUCKY</u>	<u>41018</u>
City	State	Zip
9. Name of Property Owner(s) ROLLING HILLS CROSSING, LLC
Phone Number 859-360-0036 Fax No. 859-360-0134
10. Address of Property Owner(s) 250 GRANDVIEW DR. SUITE 260

<u>FT. MITCHELL</u>	<u>KENTUCKY</u>	<u>41017</u>
City	State	Zip
11. Proposed Building Intensities (please specify) 30,000 SF/AC IF HOTEL, 16,000 SF/AC FOR ALL OTHER USES.

12. Are there any existing buildings on the site? YES
How many? 1
13. Deed Book 934 Page No. 501 Group No. _____
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: CITY OF FLORENCE DEVELOPMENT DIRECTOR

18. Project Jurisdiction/Location
 Unincorporated Boone County Walton
 Florence Union
19. ORIGINAL Property Owner's Signature [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)
- ORIGINAL Applicant's Signature [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

SECTION B (To be completed by BCPC Staff)

1. Date Received 11/30/10
2. Review Fee \$2,620 RA61957
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 KEVIN WALL
6. Committee Chairman _____
7. Scheduled Public Hearing Date 1/5/11
8. Boone County Planning Commission Action:
 Approval
 Approval with Conditions
 Denial
9. Other: _____

**** Five (5) Copies Are Required**

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

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

SUMMARY

Zoning Map Amendment Application Rolling Hills Crossing

As President of Rolling Hills Crossing, LLC, I would like to summarize the proposed Zoning Map Amendment as well as the basis behind this application.

Proposed Change:

- Zone changed to O-2/PD with an intensity of 16,000 SF/AC, or 30,000 SF/AC for hotel
 - Condition #4 of Concept Development Plan approved in December 2006 limited building intensity to 11,000 SF/AC for entire 8.95-acre property.

Basis:

- We would like the option of subdividing the property to sell the second building site next to the Homewood Suites.
 - To do this, the property would have to be subdivided into 2 flag lots with a shared access drive, as shown on the proposed Concept Development Plan.
 - With the current intensity, at 83,000 SF the Homewood Suites would have to sit on a lot of at least 7.55 acres. This leaves only 1.40 acres for the second lot. Of this, the existing cemetery accounts for about 1 acre and the "stem" of the flag lot would account for about 0.3 acres. This only leaves about 0.1 acres to be built on, which essentially makes the lot unbuildable.
- The proposed property line splitting the lots would create a 5.4-acre lot for the existing Homewood Suites and leave about 3.5 acres for Lot #2, which would allow it to be practically marketed for sale as office, restaurants, and/or medical development.
- If we cannot sell Lot #2 for office, restaurants, and/or medical development, we ask for the O-2 intensity of 30,000 SF/AC to allow for development of a hotel.

We will abide by all other conditions from the December 17, 1998 Settlement Agreement between the Florence Marketplace developer and City of Florence, as well as those approved with the Concept Development Plan from December 2006.

Respectfully Submitted,

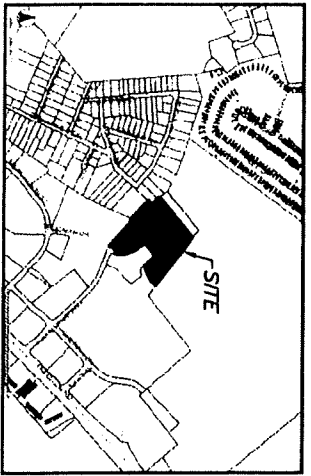


Bimal Patel, President
Rolling Hills Hospitality

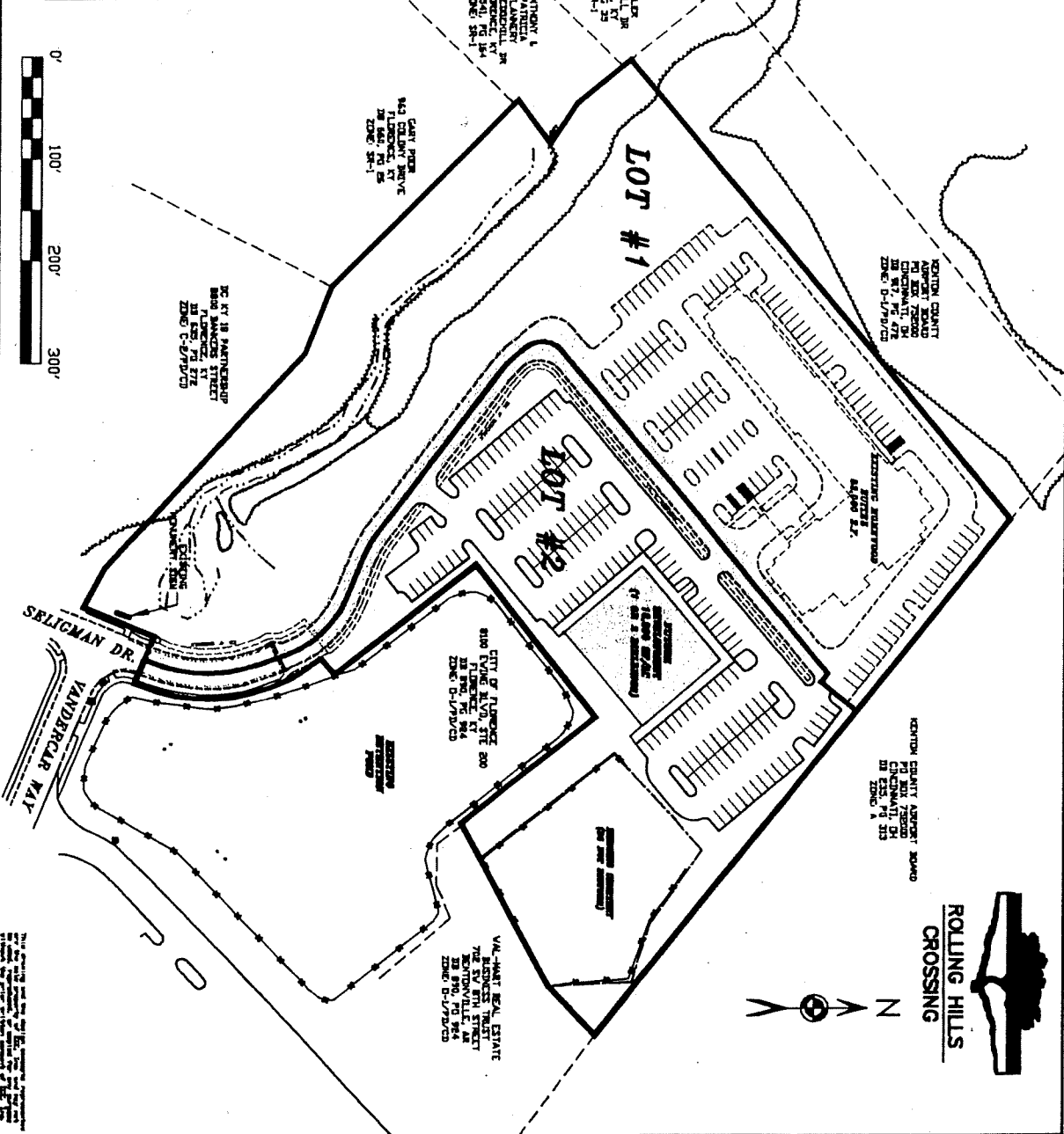
- TOTAL AREA 8.95 ACRES
- LOT #1 (PREVIOUS SUITES) 3.98 AC
- LOT #2 3.97 AC
- CURRENT ZONING D-1/PD/CD
- OTHER ROLLING HILLS CROSSING, LLC
- PLAN IS TO BE FILED WITH THE DEVELOPMENT
- MEET ALL BOONE COUNTY ZONING REGULATIONS
- ZONING MAP AMENDMENT
- DEVELOPMENT SHALL ABIDE BY ALL CONDITIONS
- SET FORTH IN CHANGE IN CONCEPT DEVELOPMENT
- PLAN APPROVED IN DEC 2006, WITH THE
- FOLLOWING EXCEPTION:
- REQUESTED MODIFICATIONS FROM APPROVED
- CONCEPT DEVELOPMENT PLAN:
- REQUESTED TO ALLOW BUILDING
- INTENSITY OF 30,000 SF/AC FOR HOTEL
- OR 16,000 SF/AC FOR ALL OTHER USES

PROPOSED SWAGED
ACCESS EASEMENT
DRIVE EXISTING

PROPOSED LOT LINE



VICINITY MAP



THIS PLAN AND THE INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF ECE ENGINEERS CONSULTING ENGINEERS, INC. AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ECE ENGINEERS CONSULTING ENGINEERS, INC.

REVISIONS			
NO.	DATE	BY	DESCRIPTION

CONCEPT DEVELOPMENT PLAN
ZONING MAP AMENDMENT
ROLLING HILLS CROSSING
FLORENCE, BOONE CO, KY

ROLLING HILLS CROSSING, LLC
250 GRANDVIEW DR, SUITE 260
FT. MITCHELL, KY 41017

ECE Engineers
Consulting
Engineers, Inc.

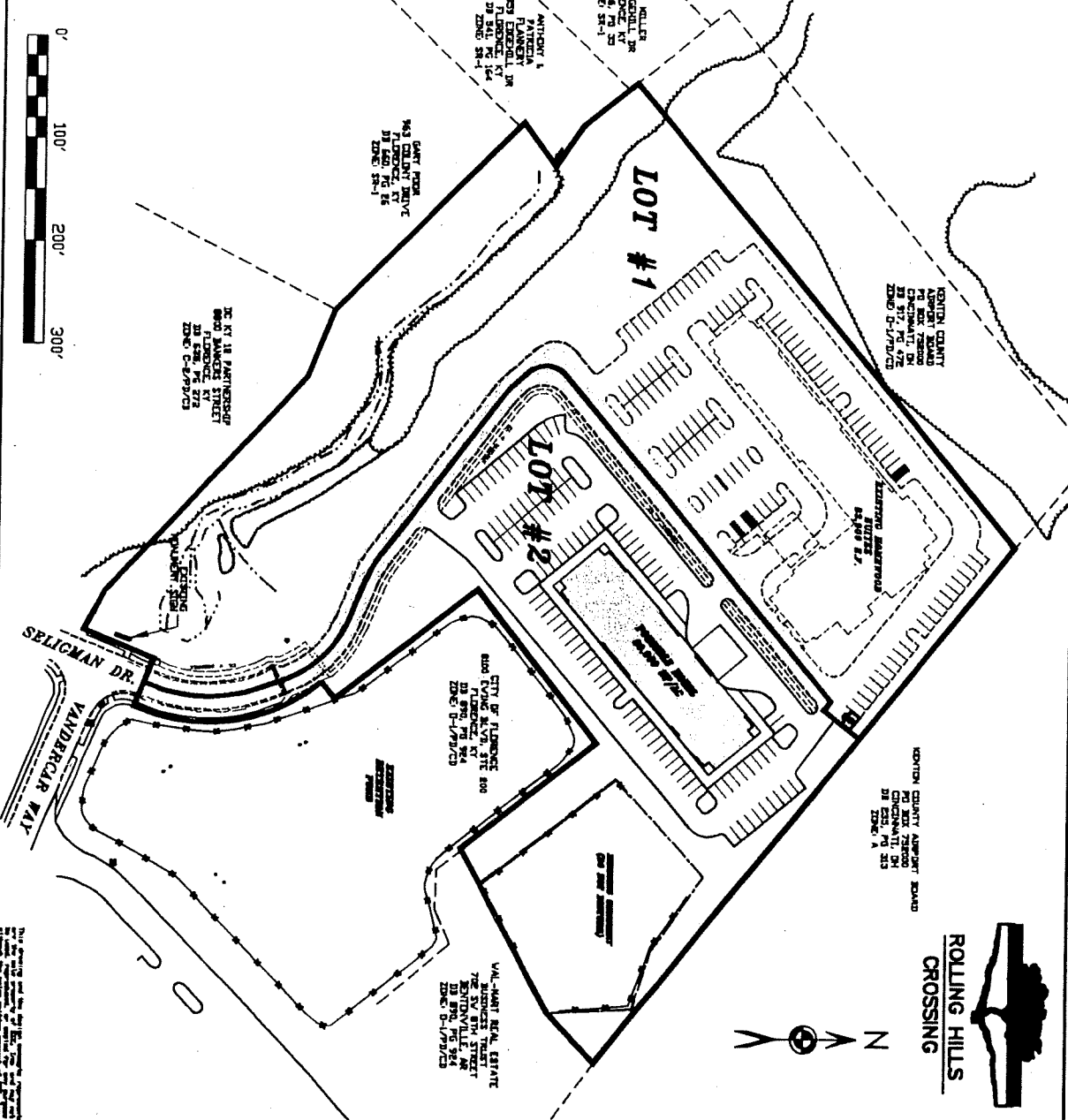
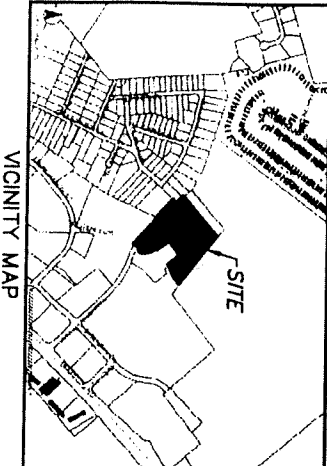
4205 Dixie Hwy • Florence, KY 41018

- TOTAL AREA 8.95 ACRES
- LOT #1 OBTAINED SUITESH 538 AC
- LOT #2 3.57 AC
- CURRENT ZONING O/P/D/C/D
- OWNER ROLLING HILLS CROSSING, LLC
- LOT #1 WILL HAVE NO ADDITIONAL DEVELOPMENT
- PLAN IS CONCEPTUAL. DETAILED SITE PLAN TO MEET ALL BOONE COUNTY ZONING REGULATIONS

ZONING MAP AMENDMENT
 DEVELOPMENT SHALL ABIDE BY ALL CONDITIONS SET FORTH IN CHARTER IN CONCEPT DEVELOPMENT PLAN APPROVED IN DEC 2006, WITH THE FOLLOWING EXCEPTED PROVISIONS, WITH THE REQUESTED MODIFICATIONS FROM APPROVED CONCEPT DEVELOPMENT PLAN BUILDING INTENSITY OF 20,000 SF/AC FOR HOTEL OR 16,000 SF/AC FOR ALL OTHER USES

PROPOSED SHARED ACCESS EASEMENT DRIVE EXISTING

PROPOSED LOT LINE



The drawing and the data thereon are the property of the undersigned and are not to be used, copied, or reproduced in any form without the written consent of the undersigned.

REVISIONS			
NO.	DATE	BY	DESCRIPTION

Scale: 1" = 100'

DATE: 1/5/11

DESIGNER: RHE

CONCEPT DEV. PLAN OPTION #2

DRAWING NUMBER: 2 OF 2

CONCEPT DEVELOPMENT PLAN

ZONING MAP AMENDMENT

ROLLING HILLS CROSSING

FLORENCE, BOONE CO, KY

ROLLING HILLS CROSSING, LLC

250 GRANDVIEW DR, SUITE 260

FT. MITCHELL, KY 41017

ECE *Engineering Consulting Engineers Inc.*

4205 Dixie Hwy • Elizabethtown, KY 41018

COMMISSION MEMBERS PRESENT:

Mr. Ben Brandstetter
Mr. Greg Breetz
Mr. Kim Bunger, Secretary/Treasurer
Mr. Mike Ford, Vice Chairman
Mrs. Janet Kegley
Mr. Jim Longano
Mr. Don McMillian
Mrs. Susan Poston, Temporary Presiding Officer
Ms. Lisa Reeves
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke

COMMISSION MEMBERS NOT PRESENT:

Mrs. Linda Herald
Mr. Mark Hicks
Mr. Charlie Reynolds
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Mitchell A. Light, Asst. Zoning Administrator/Enf. Officer

Mr. Rolfsen, Chairman, called the meeting to order at 8:29 P.M. and introduced the second item on the Agenda:

ZONING MAP AMENDMENT - Kevin Wall, Staff

2. **Request of ECE, Inc. (applicant) for Rolling Hills Crossing, LLC (owner) for a Zoning Map Amendment from Office One/Planned Development (O-1/PD) to Office Two/Planned Development (O-2/PD) for an 8.95 acre site located at 1090 Vandercar Way, Florence, Kentucky. The request is for a zone change to allow an additional hotel and other permitted uses.**

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The request is a zone change and the site is located in the lawsuit area around Walmart in Florence Marketplace Subdivision. About 4 years ago the Planning Commission reviewed a Concept Development Plan for a hotel behind Walmart. The site is designated as "Commercial" according to the Boone County Comprehensive Plan. The request has 2 options. The first option includes one or two buildings for uses permitted in the O-2/PD zone with a maximum building intensity of 16,000 gross square feet per acre. The second option includes a maximum 30,000 square foot per acre hotel up to 60 feet in height (or up to 5 stories). The Applicant has requested that fuel sales be permitted if a convenient store is developed. A convenient store without fuel sales is currently permitted. Condition #4 of the Approved Concept Development permits a maximum building intensity of 11,000 square feet per acre. Mr. Wall showed photographs of the site and adjoining properties. Mr. Wall then outlined the Staff Concerns. First, the Planning Commission needs to evaluate the request in relation to the Comprehensive Plan and the Houston-Donaldson Study. Second, the Planning Commission needs to consider Section 1514 or the Planned Development standards. The applications approved in 1998 and 2006 were comprehensively reviewed relative to Section 1514. Because the current application is limited to allowing the option of another hotel, allowing additional building intensity (16,000 sf/ac for office/commercial uses and 30,000 sf/ac for hotels versus 11,000 sf/ac currently approved), additional building height for the hotel (up to 60') and potential fuel sales if a convenient store is developed, Staff has additional comments. The basic two dimensional arrangement for the overall development is set based on the 2006 Concept Development Plan. The current application commits to following the prior conditions/stipulations from the 1998 and 2006 approvals, including the architectural and signage requirements. Subsection 1 "Compatibility of Uses" states that "measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites." The 16,000 square feet per acre intensity proposed for office/commercial uses is the maximum intensity permitted for the O-1 zone, and the 30,000 square feet per acre intensity proposed for the hotel option is the maximum intensity permitted for the O-2 zone. Building height also needs to be considered, especially for the hotel which is proposed to be up to 60 feet in height (up to five stories). Based on how building height is measured for pitched roofs, the existing hotel is approximately 48.5 feet high (the absolute height to the highest point is 56'4"). The final building height was actually lowered by about 4 feet from the approximate 52.5 foot figure that was approved through the 2006 Concept Development Plan. The proposed underlying O-2 zone allows a maximum building height of 70 feet. Regardless of the building height figure requested through this application, it could be reduced through any required aeronautical approvals.

Mr. Wall stated other facts to consider for the application. First, the site adjoins a subdivision of detached, single family residences across the creek valley to the south (Greenview Subdivision). A substantial buffer in this part of the site was required by Condition #1 of the 2006 Concept Development Plan approval. Second, when viewed from the adjoining Greenview Subdivision, the total height of the existing hotel is at the approximate height of the mature trees along the creek valley. If the potential hotel was constructed at the maximum 60 foot height requested, it would be taller than the existing hotel (and substantially taller than any other building in the vicinity), and it would largely extend above the tree line. If the finished grade elevation of the potential hotel site was not reduced, this effect would be amplified. One solution of the issue would be to allow the absolute height of the proposed hotel (elevation above mean sea level at the highest point) to match the existing hotel. Third, the maximum building intensity permitted by Condition #6 of the 1998 zone change for the remainder of the Florence Marketplace Subdivision is 10,000 square feet per acre. This figure was increased for the subject site to 11,000 square feet per acre through the 2006 approval. Fourth, the open space retained for the creek valley and cemetery combined is 41.56 percent of the overall site area. The figure does not include parking lot landscaping, building landscaping, or buffer yards within the active development sites. Subsection 3 of Section 1514 "Open Space" states "useable open space(s), in an amount over and above setback and buffer yard areas and open areas required by the underlying zone, shall be provided." It also states that open space used to protect stream corridors may be proposed for the purposes of this section.

Fifth, putting the building intensity and potential 60 foot building height aside, an additional hotel use just on its face would help diversify commercial uses in the immediate area, which is generally sought by Subsection 1 of Section 1514 "Mixed Use Development and Pedestrian Orientation."

Regarding the potential fuel sales, Staff has reservations because there is no specific proposal for the use. There are impacts associated with outdoor activities at a fueling station that affect adjoining residential uses not to mention that the size and location of the canopy and pumps have not been determined. Unless a concrete plan for fueling is presented, Staff suggests that this specific use be excluded from any approval of the current application. A future application could be considered when a defined proposal is in hand.

Mr. Wall concluded that the Planning Commission needs to evaluate the request in relation to the statutory criteria for a zone change and Section 1514 of the Planned Development requirements.

At this time, Chairman Rolfsen asked if the Applicant wanted to make a presentation.

Mr. Brandon Raybourne, ECE, Inc., stated that he is representing Mr. Bimal Patel and Victor Patel, owners of Rolling Hills Crossing, LLC. They operate the Homewood Suites adjacent to the site, Holiday Inn Express in Richwood and LaQuinta in Florence. Mr. Raybourne referred to a summary sheet of the request included in the Staff Report. He offered to scratch gas sales from their application. In 2006, there was no intention to subdivide the property. At the time, they were thinking about leasing the property for restaurants or medical offices. Since then, things have changed. It is difficult to get

projects funded. The owner wants flexibility to subdivide the property for a restaurant, medical office building or other permitted uses. With the current intensity of 11,000 square feet per acre, the existing hotel would have to sit on nearly the entire site. Less than 1.5 acres would be left over. After removing the cemetery acreage and stem from the flag lot, there is not much land left to develop. That is the reason why they are asking for 16,000 square feet per acre for uses other than a hotel and 30,000 square feet per acre for a hotel. Even with the increased building intensities, the amount of greenspace will still be doubled compared to what is required. The previously approved building height is 52.5 feet. The proposed height of the building is 60 feet or 5 stories if the use is a hotel. Mr. Raybourne stated that the owner will abide by the lawsuit settlement agreements conditions, Zoning Regulations and previously approved conditions from the original Concept Development Plan. Mr. Raybourne stated that the request is still consistent with the same Comprehensive Plan that was in place when the original Concept Development Plan was approved. They are not changing any of the uses. They are asking for an increased building intensity and height. The height request is still less (60 feet) than what is permitted in an Office Two (O-2) zoning district which is 70 feet.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request.

Mr. Anthony Flannery, 959 Edgehill Road, stated that the proposed development is located behind him. It showed the location of his residence and buffer relative to the existing hotel. There is not much of a tree line or buffer area left because of storm water runoff from the neighboring development. The existing creek has doubled its width and the buffer area is thinning because of the runoff. The trees continue to die because of the excessive overflow of water. Mr. Flannery said that his land has washed away. The storm water doesn't follow the plan or the rip rap area. It goes across his property. There is no buffer now and there is noise from people visiting the hotel and loading trucks at Walmart all night long. This used to be country years ago - now it is a city. Pollution is coming from the parking lots and draining into the creek. There used to be ducks. Their landscaping is small pine trees that will take forever to grow. Mr. Flannery expressed a concern about more storm water coming from the proposed development since there is an existing problem. Mr. Flannery noted that he has a video and pictures of the flooding. He has notified the City of Florence of this problem. Chairman Rolfsen told Mr. Flannery to bring the video and photographs to the Committee meeting.

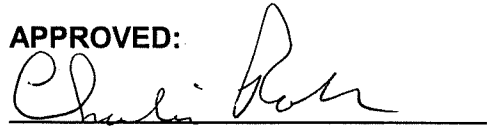
Mr. Costello explained that the Planning Commission must review the plans for the development of Lot #1 to determine the cause of the problem and how the stormwater is designed for Lot #2.

Chairman Rolfsen asked if there was anyone else in the audience who had comments or questions? See no one else, Chairman Rolfsen inquired on whether the Board members had any comments or questions?

Mr. Bunger asked how the water flow is relative to the existing Florence detention basin? Mr. Raybourne showed the location of the overflow outlet structure relative to Mr. Flannery's property. Mr. Raybourne stated that the Homewood Suites site has its own detention basin and it outlets over the hill and into the creek directly. He said he was not aware of any stormwater issue. He stated he would check with the City of Florence. At the time, the Homewood Suites hotel was not allowed to direct their stormwater runoff to the existing detention basin. It is the intention to direct stormwater runoff from the proposed lot to the existing Florence detention basin. Lot #1 would continue to use the existing detention basin for Homewood Suites hotel assuming the outlet structure can be corrected.

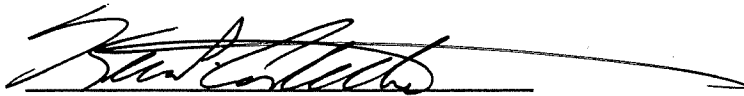
There being no further comments, Chairman Rolfsen stated that the Committee Meeting for this item will be on January 19, 2011 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on February 2, 2011 at 7:00 P.M. Chairman Rolfsen closed this Public Hearing at 8:57 P.M.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
BUSINESS MEETING
FEBRUARY 2, 2011
7:00 P.M.**

Mr. Charlie Rolfsen, Chairman, called the meeting to order at 7:00 P.M.

COMMISSION MEMBERS PRESENT:

Mr. Ben Brandstetter
Mr. Greg Breetz
Mr. Kim Bunger, Secretary/Treasurer
Mr. Mike Ford, Vice Chairman
Mr. Mark Hicks
Mr. Jim Longano
Mr. Don McMillian
Mrs. Susan Poston, Temporary Presiding Officer
Ms. Lisa Reeves
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Ms. Janet Kegley
Ms. Susan Schultz

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director of Zoning Services
Mr. Mitchell A. Light, Assistant Zoning Administrator/Zoning Enf. Officer
Mr. Todd K. Morgan, AICP, Senior Planner

Approval of the Minutes:

Chairman Rolfsen, stated that the Commissioners received copies of the Minutes of the January 5, 2011 Business Meeting. He asked if there were any comments or corrections. There being no changes to the Minutes, Mr. Reynolds moved that the Minutes be approved as written. Ms. Reeves seconded the motion and it carried unanimously. Mr. Hicks and Mr. McMillian were not yet present.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval subject to conditions (see Committee Report). Mr. Morgan noted that the Committee voted unanimously in favor of the request.

At this time, Chairman Rolfsen asked if there was anyone in the audience, who wanted to speak in favor or against the request for a 5 minute time limit.

Mr. David Wallace, attorney for the buyer, responded that he had no further comments except that he was in agreement with the Committee conditions. Chairman Rolfsen asked if there was anyone in the audience who wanted to speak against the request. Seeing no one, **Mr. McMillian moved that the request be approved with conditions by Resolution to the City of Florence based upon the Committee Report. Mr. Breetz seconded the motion and it passed unanimously.** Mr. Hicks was not present in the meeting room.

ZONING MAP AMENDMENT

3. **Request of ECE, Inc. (applicant) for Rolling Hills Crossing, LLC (owner) for a Zoning Map Amendment from Office One/Planned Development (O-1/PD) to Office Two/Planned Development (O-2/PD) for an 8.95 acre site located at 1090 Vandercar Way, Florence, Kentucky. The request is for a zone change to allow an additional hotel and other permitted uses.**

At this time, Mr. Hicks returned to the meeting room.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval subject to conditions (see Committee Report). Mr. Wall noted that the Committee voted 4-1 to approve the project with Mr. Bunger, Mrs. Poston, Mrs. Kegley and Mr. Brandstetter voting in favor of the request and Mr. Breetz voting against the request.

At this time Chairman Rolfsen asked if there was anyone in the audience, who wanted to speak in favor or against the request for a 5 minute time limit.

Mr. Brandon Raybourne, ECE (applicant), stated that he had no further comments and that he was in agreement with the conditions. He felt the first condition adequately addressed the comments, which arose at the Public Hearing and at the Zone Change Committee meeting. In fact, Mr. Raybourne noted that he has already met with the adjoining property owner, Mr. Flannery to address the first condition.

Chairman Rolfsen asked if there was anyone in the audience against the request who wanted to speak. Seeing no one, Mr. Bunger moved that the request be approved by Resolution to the City of Florence based upon the Committee Report. Mrs. Poston seconded the motion.

Mr. Breetz explained that he voted against the proposal for two reasons. The first reason dealt with the neighbor's erosion problem that seemed to go on and on. There was a concern about flooding, erosion and buffer degradation as a result of a construction detention pond and its outlet. It didn't seem like things were working like they should have been. There was no due diligence to resolve the problem. This is an issue with the existing development of not being a good neighbor and fixing potential problems rather than leaving it up to the appropriate agencies to solve the problem. The second reason is the fact that the site is very small. A second hotel will involve squeezing in the building where it isn't appropriate.

Mr. Bunger stated that the Committee did hear the concerns from the residents. Everyone on the Committee understood the concerns and felt the conditions addressed the concerns. He also felt that the condition regarding the size of the lot, related parking area and restriction of height, actually will have a controlling limitation on the size and building footprint, which would keep it within scale. It would adjoin a similar existing use (hotel) rather than a convenience store. It allows for a hotel in addition to the other approved uses. The conditions will be met before work begins on site.

Chairman Rolfsen asked about the first condition and how the applicant addressed the neighbor's complaint. Mr. Raybourne responded that it will be necessary to get Florence representatives and the Boone County Engineer involved in addressing the issue because of the boundary. There are a couple of options, where a solution will work and will have to be cost effective. He stated that he hasn't spoken to any contractors yet. There has to be some survey and topo work to be undertaken. They don't have all of the information yet. He wasn't aware of any problem until he was informed at the Public Hearing.

Chairman Rolfsen asked Mr. Flannery if he was happy with the response to date. Mr. Flannery stated he was going to wait to see what they were going to do. He noted that work won't be done until April because of the weather. Mr. Flannery wanted to know where the stormwater from the new hotel was going to go. Mr. Raybourne stated that one of the conditions they agreed to was that the stormwater from the new lot would go into the existing large detention basin owned by the City of Florence and not the same pond causing the problem now. Mr. Flannery indicated another concern about an easement separating the homeowners from the Airport. A mound was created when the developer moved a lot of dirt to elevate the hotel site. Water runs around the hotel site as there are 2 routes that flood his property.

Mr. Bunger stated that an important element of the condition is that the correction of this problem be designed and built to the satisfaction of all agencies involved and must occur before work begins on the adjoining site. Mr. Costello stated that the Staff would share the plans with the adjoining property owner should the applicant not do so. The Planning Commission must review the plans.

Mr. Wilson stated that the applicant must convince the Staff that they have met Condition #1 as they review the development of Lot #2. It would include all appropriate agencies like SD#1 and/or the City of Florence.

Mr. McMillian asked how would the Planning Commission know if the stormwater problem has been solved? Mr. Costello responded that we do not hear anymore complaints from the neighbor and we would monitor it along with the City of Florence. Chairman Rolfsen said it would be up to the neighbor to provide information about the effectiveness of the work.

Mr. Bunger asked if it would be appropriate to amend Condition #1 to include written confirmation of the work to be completed. Mr. Costello replied it wasn't necessary.

Mr. McMillian agreed with Mr. Bunger that he would like to see something in writing before he votes on the matter.

Mr. McMillian moved to amend Condition #1 to require that written confirmation be submitted to the Planning Commission records so that the provisions of Condition #1 have been met. Mr. Reynolds seconded the motion and it passed unanimously. Mr. Costello asked Mr. Raybourne whether he agreed to the amendment to Condition #1. Mr. Raybourne stated that he agreed to the amendment of Condition #1.

At this time, Chairman Rolfsen asked for a vote on the motion made by Mr. Bunger and seconded by Mrs. Poston as amended previously. The vote found Mr. Brandstetter, Mr. Bunger, Mr. Ford, Mr. Hicks, Mr. Longano, Mr. McMillian, Mrs. Poston, Mr. Reynolds, Chairman Rolfsen, Mr. Schwenke and Mr. Turner in favor of the request and Mr. Breetz and Ms. Reeves against the request. The motion passed by a vote of 11-2.

CONCEPT DEVELOPMENT PLAN

4. **Request of KEH Enterprises c/o Gregory W. McDowell (applicant) for Griffith Holdings, LLC (owner) for a Concept Development Plan in an Office Two/Urban Residential One/Planned Development (O-2/UR-1/PD) zone for an approximate 2 acre site located at 7718, 7724, 7730, and 7736 US 42, Florence, Kentucky. The request is for a Concept Development Plan approval to allow a pawn shop within an existing building.**

Staff Member, Mitch Light read the Committee Report, which recommended approval subject to conditions (see Committee Report). Mr. Light noted that the Committee voted unanimously for the project with Mrs. Kegley, Mr. Brandstetter, Mr. Bunger, Mr. Breetz and Mrs. Poston voting in favor of the request.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request for a 5 minute time limit.

Mr. Greg McDowell, representing Jim and Wanda Griffith and Griffith Holdings, stated that he agreed with the Committee Report and the conditions.

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: February 2, 2011

RE: Request of **ECE, Inc. (applicant)** for **Rolling Hills Crossing, LLC (owner)** for a Zoning Map Amendment from Office One/Planned Development (O-1/PD) to Office Two/Planned Development (O-2/PD) for an 8.95 acre site located at 1090 Vandercar Way, Florence, Kentucky. The request is for a zone change to allow an additional hotel and other permitted uses.

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 and accompanying Concept Development Plan are in agreement with the 2005 Boone County Comprehensive Plan due to the following reasons.
 - A. The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Commercial" (C) uses. The Commercial designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc." The request at this juncture is basically limited to allowing an additional hotel, which is consistent with the Commercial designation and the uses already permitted on the site per the prior Concept Development Plan approvals, and allowing additional building intensity.
 - B. The Land Use Element ("2. Florence Commercial Area," pp. 144 and 145) states "any commercial development in the Houston Road area should be consistent with the recommendations of the Houston-Donaldson Study. The Study recommended an employment district to include a mix of office, commercial, and industrial uses for the existing Houston Road corridor" and that "the development of the southern portion of the corridor has been more commercial in nature." The proposal helps to diversify uses and reinforce a mixed use character in this section of the Houston-Donaldson Study area, which is especially important when considering the site's location away from

the Houston Road frontage and behind a major retail building. The Committee has determined that this proposal will not change the fundamental character of the original 95 acre zone change area that was reviewed and approved pursuant to the same version of the Houston-Donaldson Study that is currently in effect. The proposal is designed and located to coordinate with the surrounding land uses as sought by the Goals and Objectives ("Business Activity," Commercial Objective 1).

- C. The Committee has concluded that the proposal fulfills the Houston-Donaldson Study's Goals and Objectives. Specifically, the proposal will "provide a logical, realistic development pattern with a mixture of land uses" per Goal I, Objective A, and continue to retain the creek valley and accompanying vegetation along the south boundary of the site per Goal I, Objectives E and F.
 - D. The Committee has concluded that the proposal is in agreement with the applicable Future Land Use Development Guidelines as described in the Comprehensive Plan and its Goals and Objectives. Specific references to the guidelines and Goals and Objectives are outlined in the staff report for this request.
2. The Committee has concluded that the Zoning Map Amendment and accompanying Concept Development Plan, coupled with the agreed conditions, fulfill the applicable requirements of Article 15 "Planned Development District," including Section 1514 "Planned Development Criteria," of the Boone County Zoning Regulations. The current application commits to following the prior conditions/stipulations from the 1998 and 2006 approvals, including the architectural and signage requirements. These prior approvals were comprehensively reviewed against Section 1514.
 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, Houston-Donaldson Study, and Article 15 "Planned Development District" of the Boone County Zoning Regulations. 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 owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The applicant shall evaluate the detention outlet and outflow drainage route for Lot 1 (existing hotel site) and shall modify either as necessary to minimize impacts on the neighboring properties. This shall be accomplished and accepted by the appropriate agencies prior to any development commencing on Lot 2 (future development site). Written confirmation from the appropriate agencies which verifies that they have accepted the modifications shall be provided to the Planning Commission.
2. Lot 2 shall use the City's regional basin by the cemetery for storm water detention.
3. No fuel sales shall occur on this site.
4. The building height on Lot 2 shall not exceed the height of the existing hotel on Lot 1 as measured by both the definition of "building height" in Article 40 of the zoning regulations, and the absolute height in terms of elevation above mean sea level.
5. For clarifications purposes, the requested 30,000 gross square feet per acre building intensity is only permitted for a hotel on Lot 2.

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.

COMMISSION MEMBERS PRESENT:

Mr. Ben Brandstetter
Mr. Greg Breetz
Mr. Kim Bunger, Secretary/Treasurer
Mr. Mike Ford, Vice Chairman
Mrs. Janet Kegley
Mr. Jim Longano
Mr. Don McMillian
Mrs. Susan Poston, Temporary Presiding Officer
Ms. Lisa Reeves
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke

COMMISSION MEMBERS NOT PRESENT:

Mrs. Linda Herald
Mr. Mark Hicks
Mr. Charlie Reynolds
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Mitchell A. Light, Asst. Zoning Administrator/Enf. Officer

Mr. Rolfsen, Chairman, called the meeting to order at 8:29 P.M. and introduced the second item on the Agenda:

ZONING MAP AMENDMENT - Kevin Wall, Staff

2. **Request of ECE, Inc. (applicant) for Rolling Hills Crossing, LLC (owner) for a Zoning Map Amendment from Office One/Planned Development (O-1/PD) to Office Two/Planned Development (O-2/PD) for an 8.95 acre site located at 1090 Vandercar Way, Florence, Kentucky. The request is for a zone change to allow an additional hotel and other permitted uses.**

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The request is a zone change and the site is located in the lawsuit area around Walmart in Florence Marketplace Subdivision. About 4 years ago the Planning Commission reviewed a Concept Development Plan for a hotel behind Walmart. The site is designated as "Commercial" according to the Boone County Comprehensive Plan. The request has 2 options. The first option includes one or two buildings for uses permitted in the O-2/PD zone with a maximum building intensity of 16,000 gross square feet per acre. The second option includes a maximum 30,000 square foot per acre hotel up to 60 feet in height (or up to 5 stories). The Applicant has requested that fuel sales be permitted if a convenient store is developed. A convenient store without fuel sales is currently permitted. Condition #4 of the Approved Concept Development permits a maximum building intensity of 11,000 square feet per acre. Mr. Wall showed photographs of the site and adjoining properties. Mr. Wall then outlined the Staff Concerns. First, the Planning Commission needs to evaluate the request in relation to the Comprehensive Plan and the Houston-Donaldson Study. Second, the Planning Commission needs to consider Section 1514 or the Planned Development standards. The applications approved in 1998 and 2006 were comprehensively reviewed relative to Section 1514. Because the current application is limited to allowing the option of another hotel, allowing additional building intensity (16,000 sf/ac for office/commercial uses and 30,000 sf/ac for hotels versus 11,000 sf/ac currently approved), additional building height for the hotel (up to 60') and potential fuel sales if a convenient store is developed, Staff has additional comments. The basic two dimensional arrangement for the overall development is set based on the 2006 Concept Development Plan. The current application commits to following the prior conditions/stipulations from the 1998 and 2006 approvals, including the architectural and signage requirements. Subsection 1 "Compatibility of Uses" states that "measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites." The 16,000 square feet per acre intensity proposed for office/commercial uses is the maximum intensity permitted for the O-1 zone, and the 30,000 square feet per acre intensity proposed for the hotel option is the maximum intensity permitted for the O-2 zone. Building height also needs to be considered, especially for the hotel which is proposed to be up to 60 feet in height (up to five stories). Based on how building height is measured for pitched roofs, the existing hotel is approximately 48.5 feet high (the absolute height to the highest point is 56'4"). The final building height was actually lowered by about 4 feet from the approximate 52.5 foot figure that was approved through the 2006 Concept Development Plan. The proposed underlying O-2 zone allows a maximum building height of 70 feet. Regardless of the building height figure requested through this application, it could be reduced through any required aeronautical approvals.

Mr. Wall stated other facts to consider for the application. First, the site adjoins a subdivision of detached, single family residences across the creek valley to the south (Greenview Subdivision). A substantial buffer in this part of the site was required by Condition #1 of the 2006 Concept Development Plan approval. Second, when viewed from the adjoining Greenview Subdivision, the total height of the existing hotel is at the approximate height of the mature trees along the creek valley. If the potential hotel was constructed at the maximum 60 foot height requested, it would be taller than the existing hotel (and substantially taller than any other building in the vicinity), and it would largely extend above the tree line. If the finished grade elevation of the potential hotel site was not reduced, this effect would be amplified. One solution of the issue would be to allow the absolute height of the proposed hotel (elevation above mean sea level at the highest point) to match the existing hotel. Third, the maximum building intensity permitted by Condition #6 of the 1998 zone change for the remainder of the Florence Marketplace Subdivision is 10,000 square feet per acre. This figure was increased for the subject site to 11,000 square feet per acre through the 2006 approval. Fourth, the open space retained for the creek valley and cemetery combined is 41.56 percent of the overall site area. The figure does not include parking lot landscaping, building landscaping, or buffer yards within the active development sites. Subsection 3 of Section 1514 "Open Space" states "useable open space(s), in an amount over and above setback and buffer yard areas and open areas required by the underlying zone, shall be provided." It also states that open space used to protect stream corridors may be proposed for the purposes of this section.

Fifth, putting the building intensity and potential 60 foot building height aside, an additional hotel use just on its face would help diversify commercial uses in the immediate area, which is generally sought by Subsection 1 of Section 1514 "Mixed Use Development and Pedestrian Orientation."

Regarding the potential fuel sales, Staff has reservations because there is no specific proposal for the use. There are impacts associated with outdoor activities at a fueling station that affect adjoining residential uses not to mention that the size and location of the canopy and pumps have not been determined. Unless a concrete plan for fueling is presented, Staff suggests that this specific use be excluded from any approval of the current application. A future application could be considered when a defined proposal is in hand.

Mr. Wall concluded that the Planning Commission needs to evaluate the request in relation to the statutory criteria for a zone change and Section 1514 of the Planned Development requirements.

At this time, Chairman Rolfsen asked if the Applicant wanted to make a presentation.

Mr. Brandon Raybourne, ECE, Inc., stated that he is representing Mr. Bimal Patel and Victor Patel, owners of Rolling Hills Crossing, LLC. They operate the Homewood Suites adjacent to the site, Holiday Inn Express in Richwood and LaQuinta in Florence. Mr. Raybourne referred to a summary sheet of the request included in the Staff Report. He offered to scratch gas sales from their application. In 2006, there was no intention to subdivide the property. At the time, they were thinking about leasing the property for restaurants or medical offices. Since then, things have changed. It is difficult to get

projects funded. The owner wants flexibility to subdivide the property for a restaurant, medical office building or other permitted uses. With the current intensity of 11,000 square feet per acre, the existing hotel would have to sit on nearly the entire site. Less than 1.5 acres would be left over. After removing the cemetery acreage and stem from the flag lot, there is not much land left to develop. That is the reason why they are asking for 16,000 square feet per acre for uses other than a hotel and 30,000 square feet per acre for a hotel. Even with the increased building intensities, the amount of greenspace will still be doubled compared to what is required. The previously approved building height is 52.5 feet. The proposed height of the building is 60 feet or 5 stories if the use is a hotel. Mr. Raybourne stated that the owner will abide by the lawsuit settlement agreements conditions, Zoning Regulations and previously approved conditions from the original Concept Development Plan. Mr. Raybourne stated that the request is still consistent with the same Comprehensive Plan that was in place when the original Concept Development Plan was approved. They are not changing any of the uses. They are asking for an increased building intensity and height. The height request is still less (60 feet) than what is permitted in an Office Two (O-2) zoning district which is 70 feet.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request.

Mr. Anthony Flannery, 959 Edgehill Road, stated that the proposed development is located behind him. It showed the location of his residence and buffer relative to the existing hotel. There is not much of a tree line or buffer area left because of storm water runoff from the neighboring development. The existing creek has doubled its width and the buffer area is thinning because of the runoff. The trees continue to die because of the excessive overflow of water. Mr. Flannery said that his land has washed away. The storm water doesn't follow the plan or the rip rap area. It goes across his property. There is no buffer now and there is noise from people visiting the hotel and loading trucks at Walmart all night long. This used to be country years ago - now it is a city. Pollution is coming from the parking lots and draining into the creek. There used to be ducks. Their landscaping is small pine trees that will take forever to grow. Mr. Flannery expressed a concern about more storm water coming from the proposed development since there is an existing problem. Mr. Flannery noted that he has a video and pictures of the flooding. He has notified the City of Florence of this problem. Chairman Rolfsen told Mr. Flannery to bring the video and photographs to the Committee meeting.

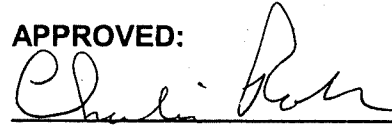
Mr. Costello explained that the Planning Commission must review the plans for the development of Lot #1 to determine the cause of the problem and how the stormwater is designed for Lot #2.

Chairman Rolfsen asked if there was anyone else in the audience who had comments or questions? See no one else, Chairman Rolfsen inquired on whether the Board members had any comments or questions?

Mr. Bunger asked how the water flow is relative to the existing Florence detention basin? Mr. Raybourne showed the location of the overflow outlet structure relative to Mr. Flannery's property. Mr. Raybourne stated that the Homewood Suites site has its own detention basin and it outlets over the hill and into the creek directly. He said he was not aware of any stormwater issue. He stated he would check with the City of Florence. At the time, the Homewood Suites hotel was not allowed to direct their stormwater runoff to the existing detention basin. It is the intention to direct stormwater runoff from the proposed lot to the existing Florence detention basin. Lot #1 would continue to use the existing detention basin for Homewood Suites hotel assuming the outlet structure can be corrected.

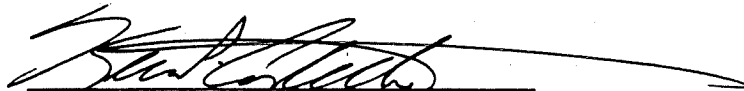
There being no further comments, Chairman Rolfsen stated that the Committee Meeting for this item will be on January 19, 2011 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on February 2, 2011 at 7:00 P.M. Chairman Rolfsen closed this Public Hearing at 8:57 P.M.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: January 19, 2011

RE: Request of **ECE, Inc. (applicant)** for **Rolling Hills Crossing, LLC (owner)** for a Zoning Map Amendment from Office One/Planned Development (O-1/PD) to Office Two/Planned Development (O-2/PD) for an 8.95 acre site located at 1090 Vandercar Way, Florence, Kentucky. The request is for a zone change to allow an additional hotel and other permitted uses.

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.

ECE, Inc./Rolling Hills Crossing, LLC

January 19, 2011

Kim Bunger

Kim Bunger, Chairman

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Ben Brandstetter

Ben Brandstetter

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Greg Breetz

Greg Breetz

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

Janet Kegley

Janet Kegley

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Susan Poston

Susan Poston

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Linda Herald (Alternate)

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

Charlie Reynolds (Alternate)

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

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

SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

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

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

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

February 3, 2011

Mr. Bimal Patel, President
 Rolling Hills Hospitality
 c/o Mr. Brandon Raybourne
 ECE, Inc.
 4205 Dixie Highway
 Elsmere, KY 41018

FAX: 342-5852

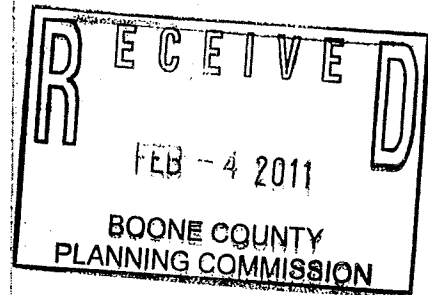
RE: Recommended Conditions of Approval for Rolling Hills Zone Change Application
 from O-1/PD to O-2/PD, 1090 Vanderkar Way, Florence, Kentucky

Dear Mr. Patel:

The following represents the conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change Committee at their 1/19/11 meeting, and as amended by the full Planning Commission at the 2/2/11 Business Meeting. 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 Friday, February 11, 2011.

CONDITIONS

1. The applicant shall evaluate the detention outlet and outflow drainage route for Lot 1 (existing hotel site) and shall modify either as necessary to minimize impacts on the neighboring properties. This shall be accomplished and accepted by the appropriate agencies prior to any development commencing on Lot 2 (future development site). Written confirmation from the appropriate agencies which verifies that they have accepted the modifications shall be provided to the Planning Commission.
2. Lot 2 shall use the City's regional basin by the cemetery for storm water detention.
3. No fuel sales shall occur on this site.



Mr. Brandon Raybourne
February 3, 2011
Page:2

- 4. The building height on Lot 2 shall not exceed the height of the existing hotel on Lot 1 as measured by both the definition of "building height" in Article 40 of the zoning regulations, and the absolute height in terms of elevation above mean sea level.
- 5. For clarifications purposes, the requested 30,000 gross square feet per acre building intensity is only permitted for a hotel on Lot 2.

Sincerely,



Kevin T. Wall, AICP
Director, Zoning Services

KTW/pr

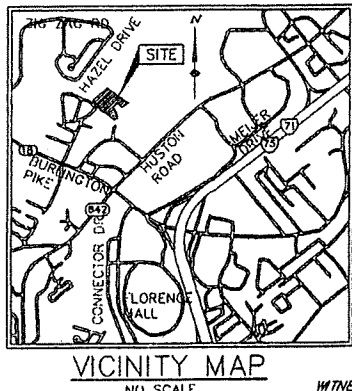
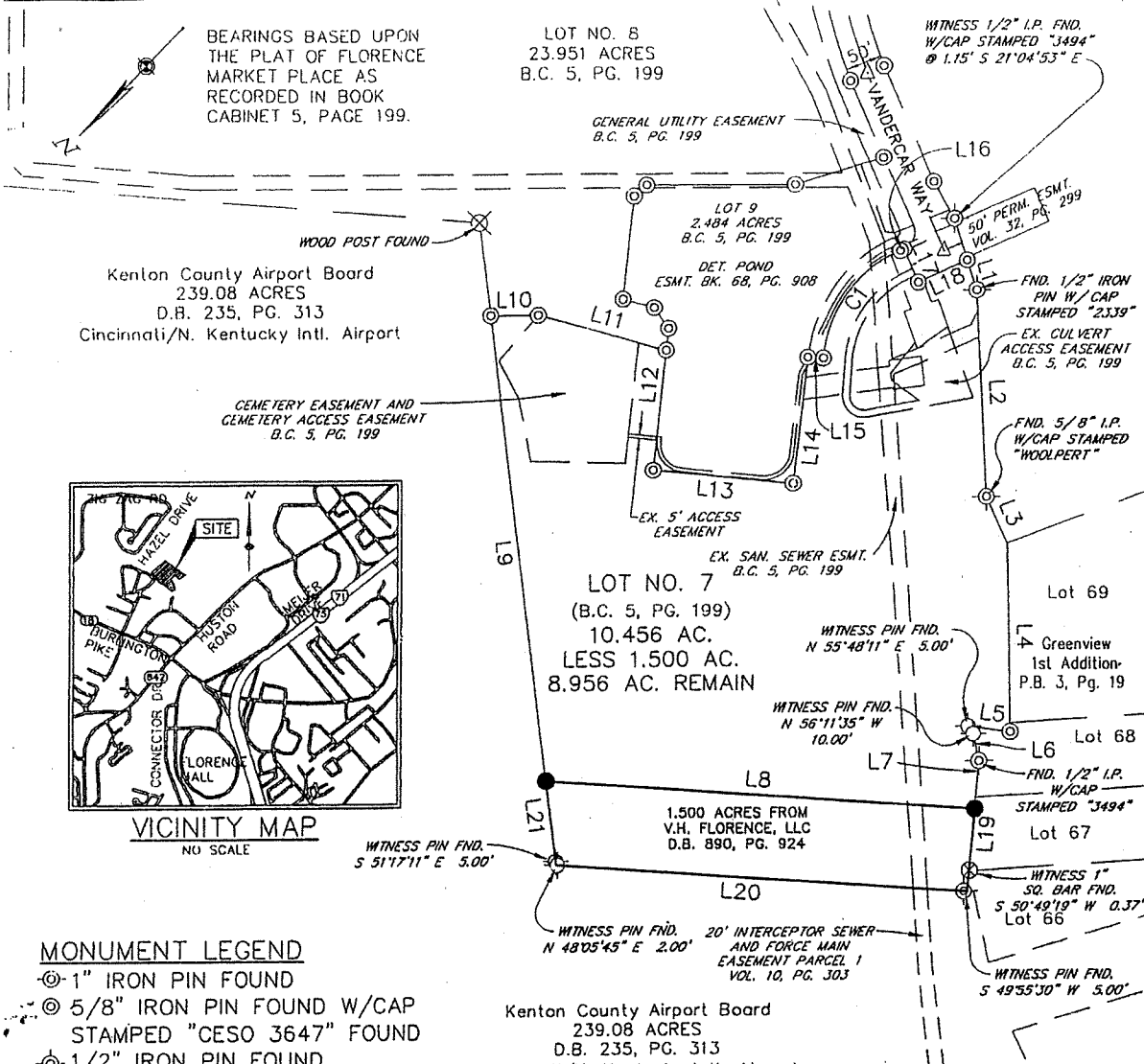
AGREEMENT

I, the property owner's authorized representative for the 8.95 acre site located at 1090 Vandercar Way, Florence, Kentucky, agree to the conditions listed herein for the above referenced Zoning Map Amendment application.

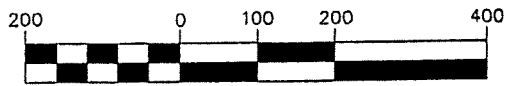


Bimal Patel
President

2/3/11
Date



- MONUMENT LEGEND**
- ⊙-1" IRON PIN FOUND
 - ⊙ 5/8" IRON PIN FOUND W/CAP STAMPED "CESO 3647" FOUND
 - ⊙ 1/2" IRON PIN FOUND
 - △ RR SPIKE FOUND
 - 5/8" IRON PIN W/CAP STAMPED "CESO 3647" SET
 - ⊗ 1" SQUARE BAR FOUND
 - ⊗ WOOD POST FOUND



P & Z Code No. 4478

STATE of KENTUCKY
 DAVID R. BARNHART
 3647
 LICENSED PROFESSIONAL LAND SURVEYOR

NOTE
 THIS 1.500 ACRE TRACT OF ITSELF DOES NOT MEET THE CURRENT ZONING REGULATIONS. IT IS BEING TRANSFERRED FOR NON-BUILDING PURPOSES AND IS TO BE CONSOLIDATED WITH THE ADJOINING PROPERTY TO THE NORTH.

This parcel, in and of itself, does not meet CURVE 1 (C) of the existing Boone County zoning regulations for use as a buildable site.
 L=190.01' R=176.00' Δ=61°51'28" CHORD=S 08°33'35" E 180.92'
 Date 4-5-06 Current Zoning D-1/PD/C

LINE	BEARING	DISTANCE
L1	N 61°59'24" W	43.04'
L2	N 46°59'25" W	286.00'
L3	N 68°10'53" W	70.58'
L4	N 45°17'35" W	258.29'
L5	N 53°42'27" E	53.30'
L6	N 56°23'39" W	47.87'
L7	N 39°10'41" W	65.76'
L8	N 49°55'30" E	586.12'
L9	S 51°12'42" E	645.51'
L10	S 45°57'13" W	66.34'
L11	S 61°23'06" W	180.97'
L12	N 38°13'15" W	166.70'
L13	S 51°46'07" W	190.08'
L14	S 37°48'41" E	175.42'
L15	S 49°12'22" W	21.07'
L16	S 22°22'09" W	4.92'
L17	N 67°37'51" W	50.00'
L18	S 22°22'09" W	74.60'
L19	N 39°10'41" W	113.82'
L20	N 49°55'30" E	561.94'
L21	S 51°12'42" E	115.99'

SUBDIVISION OF LOT 7 OF FLORENCE MARKETPLACE
V.H. FLORENCE, LLC

BY OF FLORENCE BOONE COUNTY, KENTUCKY
 A.S.F. 1"=200' DATE: MARCH 30, 2006
 SIGN DRB CESO JOB NO. 3496
 AWI PROFESSIONAL ENGINEERS REGISTERED LAND SURVEYORS SHEET NO.
 1700 LONES ROAD, DAYTON, OHIO 45424-1864
 (937) 233-8284 FAX (937) 435-1302
 1 of 2

CITY OF FLORENCE, KENTUCKY
SUMMARY OF ORDINANCE NO. 0-5-11

The City of Florence, Kentucky, enacted on second reading Ordinance No. 0-5-11 on April 19, 2011. The title of this Ordinance is as follows:

ORDINANCE NO. 0-5-11

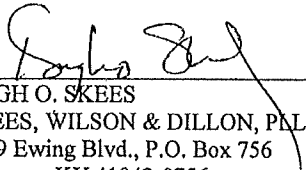
AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT, THIS ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM OFFICE ONE/PLANNED DEVELOPMENT (0-1/PD) TO OFFICE TWO/PLANNED DEVELOPMENT (0-2/PD), FOR AN 8.95 ACRE SITE LOCATED AT 1090 VANDERCAR WAY, FLORENCE, KENTUCKY. (ECE, INC./ROLLING HILLS CROSSING, LLC PROPERTY)

The effect of this Ordinance is to allow a zone change from Office One/Planned Development (0-1/PD) to Office Two/Planned Development (0-2/PD), for an 8.95 acre site located at 1090 Vandercar Way, Florence, Kentucky, to allow an additional hotel and other permitted uses.

The full text of Ordinance No. 0-5-11, including its exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Blvd., Florence, Kentucky, during regular office hours.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of Ordinance No. 0-5-11 and that it has been prepared by me on the 30th day of March, 2011, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



HUGH O. SKEES
SKEES, WILSON & DILLON, PLLC
7699 Ewing Blvd., P.O. Box 756
Florence, KY 41042-0756
Phone: (859) 371-7407
Fax: (859) 371-9872

ORDINANCE NO. 0-5-11

AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT, THIS ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM OFFICE ONE/PLANNED DEVELOPMENT (0-1/PD) TO OFFICE TWO/PLANNED DEVELOPMENT (0-2/PD), FOR AN 8.95 ACRE SITE LOCATED AT 1090 VANDERCAR WAY, FLORENCE, KENTUCKY. (ECE, INC./ROLLING HILLS CROSSING, LLC PROPERTY)

WHEREAS, the City of Florence, Kentucky, is a member of the county-wide planning unit with a county-wide planning commission known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission by Resolution No. R-11-004-A recommended approval for a zoning map amendment, and

WHEREAS, the recommendation for approval by the Boone County Planning Commission is based upon certain findings and conditions attached to the Commission's Resolution, all of which have been reviewed by the City Council for the City of Florence, Kentucky.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

That the request of ECE, Inc. (Applicant) for Rolling Hills Crossing, LLC (Owner), for a zoning map amendment, this zoning map amendment being a zone change from Office One/Planned Development (0-1/PD) to Office Two/Planned Development (0-2/PD) for an approximate 8.95 acre site generally located at 1090 Vandercar Way, Florence, Kentucky, to allow an additional hotel and other permitted uses. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be designated to reflect the approval of this change in the concept development plan for this subject property.

SECTION II

The approval of this zoning map amendment is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including its Committee Report, made a part of that recommendation, and all provisions comprising the development plan herein, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit "A" and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-11-004-A of the Boone County Planning Commission, including the exhibits referenced to that Resolution.

SECTION III

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission's Resolution No. R-11-004-A, marked Exhibit "A", and attached hereto.

SECTION IV

If the approval for this zoning map amendment shall be held invalid, in whole or in part, by any Court of proper jurisdiction, that invalidity shall not affect the validity of any of the other zoning regulations, zoning map, comprehensive plan, or other portions, provisions or terms of the approved concept development plan for this property as they are severable from this Ordinance and are intended to have full force and effect regardless of any invalidity relating to this particular Ordinance.

SECTION V

Publication of this Ordinance is hereby authorized to be by summary publication in accordance with Kentucky law.

PASSED AND APPROVED ON FIRST READING THIS 12th DAY OF April, 2011.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 19 DAY OF April, 2011.

APPROVED:

Shane E. Whalen
MAYOR

ATTEST:

J. C. [Signature]
CITY CLERK

CITY OF FLORENCE, KENTUCKY
PLANNING AND ZONING COMMITTEE

Exhibit "A"

IN RE: REPORT AND RECOMMENDATION - REQUEST OF JAMES W. BERLING (APPLICANT) FOR LPF CORPORATION (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN FOR A 1.1698 ACRE LOT LOCATED AT 1335 HANSEL AVENUE, FLORENCE, KENTUCKY, CURRENTLY ZONED COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD), TO ALLOW A DENTAL OFFICE WITHIN AN EXISTING BUILDING.

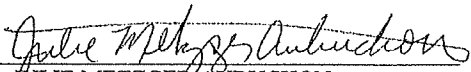
The Committee met in a special meeting on Wednesday, March 30, 2011, at the Florence Government Center Building to consider Resolution No. R-11-003-A of the Boone County Planning Commission which recommended approval of the request described above. The Committee reviewed the record of proceedings before the Boone County Planning Commission, including said Resolution and the exhibits thereto, and the approved Minutes of the public hearing. The Committee determined that the record from the Boone County Planning Commission contains adequate information for consideration of the recommendation and that no need exists for an additional hearing before the City Council.

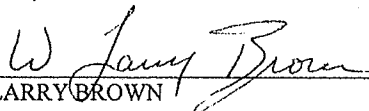
Further, the Committee determined that the recommendation for approval should be affirmed, based upon the findings contained in the record before the Boone County Planning Commission.

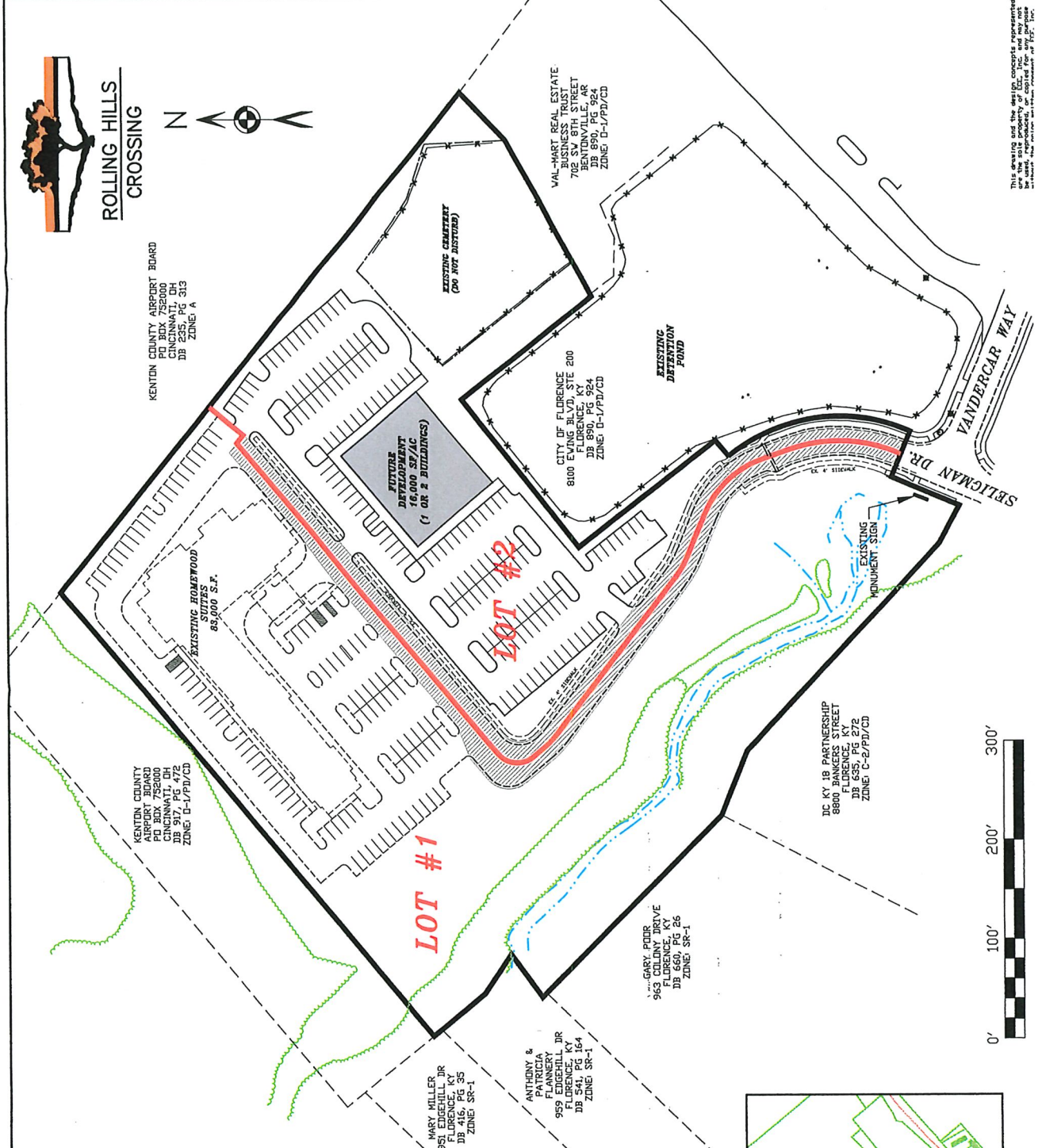
NOW, THEREFORE, the Planning and Zoning Committee recommends to the City Council of the City of Florence, Kentucky, as follows:

- a. That this matter be considered solely on the record before the Boone County Planning Commission and that no additional hearings be held; and
- b. That the recommendation of approval from the Boone County Planning Commission be affirmed.

MEMBERS OF THE COMMITTEE:


DR. JULIE METZGER AUBUCHON


LARRY BROWN



GENERAL NOTES:
 - TOTAL AREA: 8.95 ACRES
 - LOT #1 (HOMEWOOD SUITES): 5.38 AC
 - LOT #2: 3.57 AC
 - CURRENT ZONING: D1/PD/CD
 - OWNER: ROLLING HILLS CROSSING, LLC
 - LOT #1 WILL HAVE NO ADDITIONAL DEVELOPMENT
 - PLAN IS CONCEPTUAL. DETAILED SITE PLAN TO MEET ALL BOONE COUNTY ZONING REGULATIONS

ZONING MAP AMENDMENT NOTES:
 - DEVELOPMENT SHALL ABIDE BY ALL CONDITIONS SET FORTH IN CHANGE IN CONCEPT DEVELOPMENT PLAN APPROVED IN DEC 2006, WITH THE FOLLOWING EXCEPTION
 - REQUESTED MODIFICATIONS FROM APPROVED CONCEPT DEVELOPMENT PLAN:
 - CONDITION #4 TO ALLOW BUILDING INTENSITY OF 30,000 SF/AC FOR HOTEL OR 16,000 SF/AC FOR ALL OTHER USES

PROPOSED LOT LINE
 PROPOSED SHARED ACCESS EASEMENT (DRIVE EXISTING)

APPROVED
 Staff *[Signature]*
 Date 2/2/11
 Boone County Planning Commission
 WITH CONDITIONS

VICINITY MAP
 SITE

0' 100' 200' 300'

This drawing and the site plan are prepared and owned by the staff of EPC, Inc. and may not be used, reproduced, or copied for any other project without the written permission of EPC, Inc.

EPC
 Engineers, Inc.
 250 GRANDVIEW DR, SUITE 260
 FT. MITCHELL, KY 41017
 4205 Dixie Hwy • Elmore, KY 41018
 Phone: 858-1222
 Fax: 858-1222
 Email: info@epcinc.com
 www.epcinc.com

GENERAL NOTES:
 - TOTAL AREA: 8.95 ACRES
 - LOT #1 (HOMEWOOD SUITES): 5.38 AC
 - LOT #2: 3.57 AC
 - CURRENT ZONING: OI/PD/CD
 - OWNER: ROLLING HILLS CROSSING, LLC
 - LOT #1 WILL HAVE NO ADDITIONAL DEVELOPMENT
 - PLAN IS CONCEPTUAL. DETAILED SITE PLAN TO MEET ALL BOONE COUNTY ZONING REGULATIONS

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PROPOSED LOT LINE

PROPOSED SHARED ACCESS EASEMENT (DRIVE EXISTING)

APPROVED

Staff

Date

2/2/11

Boone County
 Planning Commission
 *with conditions



VICINITY MAP



KENTON COUNTY AIRPORT BOARD
 PD BOX 755000
 DB 235, PG 313
 ZONE: A

KENTON COUNTY AIRPORT BOARD
 PD BOX 755000
 DB 235, PG 313
 ZONE: A

EXISTING HOMEWOOD SUITES
 85,000 S.F.

PROPOSED HOTEL
 30,000 S.F.

LOT #2

LOT #1

MARY MILLER
 959 EDGEHILL DR
 FLORENCE, KY
 DB 415, PG 35
 ZONE: SR-1

ANTHONY & PATRICIA
 FLANNERY
 989 EDGEMONT DR
 FLORENCE, KY
 DB 546, PG 164
 ZONE: SR-1

GARY GOOD
 963 GORDON DRIVE
 FLORENCE, KY
 DB 660, PG 26
 ZONE: SR-1

DC KY 18 PARTNERSHIP
 8600 BARKERS STREET
 DB 635, PG 272
 ZONE: C-2/PD/CD

CITY OF FLORENCE
 8100 EVING BLVD., STE 200
 FLORENCE, KY
 DB 890, PG 924
 ZONE: O-1/PD/CD

VAL-MART REAL ESTATE
 702 SW 8TH STREET
 BENTONVILLE, AR
 DB 890, PG 924
 ZONE: O-1/PD/CD

EXISTING CHERRY (DO NOT JUSTIFY)

EXISTING DETENTION POND

EXISTING SIGN MONUMENT



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CONCEPT DEVELOPMENT PLAN		ZONING MAP AMENDMENT		ROLLING HILLS CROSSING	
ROLLING HILLS CROSSING, LLC		FT. MITCHELL, KY 41017		EFC Consulting, Inc. Land Surveyors Civil Engineers Plan Reviewers P.O. Box 858285 Louisville, KY 40285	
CONCEPT DEVELOPMENT PLAN		ZONING MAP AMENDMENT		ROLLING HILLS CROSSING	
FLORENCE, BOONE CO, KY					

REVISIONS

NO. DATE BY DESCRIPTION

DESIGN BY: RHE
 CHECK BY: RHE
 SCALE: 1"=100'
 FILE: CDP.dwg
 DATE: 1/5/11
 PLOT NO.: 0653-99
 DESCRIPTION: CONCEPT DEV. PLAN OPTION #2
 DRAWING NUMBER: SHEET: 2 OF 2