

APPLICATION FORM

ZONING MAP AMENDMENT BOONE COUNTY PLANNING COMMISSION

**FIVE (5) COPIES
OF SUBMITTED DRAWINGS ARE REQUIRED**
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project OMAHA ENTERPRISES LLC
2. Location of Project 494 JONES ROAD WALTON Ky
3. Total Acreage of Site 279.8795 AC
4. Current Zoning of Site A-2
5. Proposed Zoning (Classification being requested) I-1
6. Proposed Uses (please specify each use) INDUSTRIAL

CO-APPLICANTS

8. Names of Applicant(s) CITY OF WALTON / Mayor PAULA M. Jolley
Phone Number 485-4383 Fax No. 485-6402
Address of Applicant(s) 40 N. MAIN
WALTON KY 41094
City State Zip
9. CO-APPLICANT AND Name of Property Owner(s) OMAHA ENTERPRISES LLC
Phone Number 859-384-7330 Fax No. _____
Address of Property Owner(s) 10730 OMAHA TRACE
WALTON KY 41091
City State Zip
10. Proposed Building Intensities (please specify) AS ALLOWED IN I-1
12. Are there any existing buildings on the site? OLD LIONS CLUB, FARM HOUSE, BARN
How many? 5
13. Deed Book BOONE 469 Page No. 112 Group No. _____
14. Are you also applying for: 867
N/A Conditional Use Permit 576 KENTON-IND 351 A 90
N/A Dimensional Variance 588 A 242
1200 A 35
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:

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

(over)

EXHIBIT

“A”

STAFF REPORT

Request of City of Walton and Omaha Enterprises LLC (applicants) for Omaha Enterprises LLC (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for 21.91 acres located on the south side of Percival Road between Showalter Trace and the property at 13059 Percival Road, to the east of Showalter Green Subdivision, and on the north side of High Street between the property at 104 High Street and the Boone/Kenton county line, Walton, Kentucky. The zone change area is part of a 279.8795 acre site at 494 Jones Road that is located in the City of Walton and in both Boone and Kenton Counties. The request is for a zone change to allow uses permitted in the I-1 zone.

August 1, 2012

REQUEST

The applicant is requesting this Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for 21.91 acres in the City of Walton (Boone County) to allow uses permitted in the I-1 zone.

The submitted Concept Development shows the Boone County portion (21.91 acres) and the Kenton County portion (257.97 acres) being developed as an industrial park. A 60' right-of-way is proposed off Percival Road and a 96' right-of-way is also proposed off High Street/Jones Road in Kenton County to provide access into the property from I-75.

An "80' Buffer Yard" is shown between the proposed 60' right-of-way off Percival Road and the Hopper and Hodgson properties as well as the adjoining Showalter Trace Subdivision, along Percival Road and High Street/Jones Road. The required landscaping buffering for an Industrial One (I-1) development adjoining a residential zone in Boone County is a Buffer Yard "D" which is either 80 feet wide (20 evergreens, 11 large trees and 40 shrubs per 100 linear feet) or 40 feet wide (reduced width permitted if a 6' high berm, fence or masonry wall with 20 evergreens, 11 large trees and only 20 shrubs per 100 linear feet). Existing vegetation counts toward the required numbers.

The maximum intensity in the Industrial One (I-1) zone is 25,000 square feet per acre with a minimum lot size of 20,000 square feet.

ADJACENT ZONING AND LAND USES

- North: Properties fronting on Percival Road zoned Rural Suburban (RS) and Recreation (R)
- East: The bulk of the Knock property with frontage on Jones Road (257.96 ac.) as well as adjoining properties further east with agricultural zoning. The properties across Jones Road (in Kenton County) are zoned Industrial One (I-1).
- South: Residential properties across High Street/Jones Road zoned Suburban Residential One (SR-1) and beyond that the Walton Industrial Park zoned Industrial One (I-1).
- West: The Showalter Trace subdivision as well as properties on High Street and Church Street zoned Agricultural Estate (A-2), Suburban Residential One (SR-1), Suburban Residential One with an approved Concept Development Plan (SR-1/CD) and Suburban Residential Two with an approved Concept Development Plan (SR-2/CD).

SITE HISTORY

The first phase of the Showalter Trace subdivision began in 1999. For the second phase in 2001, a Zoning Map Amendment to allow duplexes as well as detached single family dwelling units was denied. In 2004, a revised Zoning Map Amendment application for detached single family dwelling units only was granted and construction began in 2005. The subdivision has a total of 51 single family detached homes.

The Preliminary Plat for the Walton Industrial Park was approved in 1996 and the first site plan was approved by NKAPC for Zenith Goldline Pharmaceuticals at 100 Precision Drive.

The extension of the Mary Grubbs Highway from S. Main Street (US 25) through the Walton Industrial Park, with access to the industrial park at Apex Drive, terminating at High Street, allowed for direct access into the Walton Industrial Park from the I-75 Walton interchange.

RELATIONSHIP TO COMPREHENSIVE PLAN (2005)

The Future Land Use Map shows the subject property as mostly Business Park (BP) with very small portions of Suburban Residential (SR) and Rural Lands (RL). These classifications are defined in the adopted Comprehensive Plan as:

BP: "A mix of office warehouse, research, office, and light industrial uses in a park-like, office campus setting with large building setback, low floor area ratio, integrated pedestrian and recreation facilities, constant architectural and signage theme, extensive landscaped areas, and attractive entrance treatment. This land use is recommended for high visibility areas and transition areas between industrial and residential land uses."

SR: "Single family housing of up to four units per acre. This classification does not preclude low density or estate residential developed as a formal subdivision."

RL: "Wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres for the 25 year land use plan. Residential construction does not occur in a formal subdivision."

The Land Use Element within the 2005 *Boone County Comprehensive Plan* refers to this general area by stating:

"East of Mary Grubbs Highway and U.S. 25 to the Boone County line will be a critical development area because of the proposed roadway construction associated with the High Street Bridge relocation. Some commercial uses may be appropriate at the front of this area, if designed to serve growing residential uses in the area. Most development at this future high visibility location should be of a Business Park nature. Commercial development should also occur at the southeast quadrant of the interchange, and be designed carefully to provide a front door to the City of Walton. Business Park development should occur behind the commercial uses. Development at this location should not be oriented to truck-traffic. Attention should be given to the appearance of industrial uses from the interstate in this area, because it represents the southern entrance into Boone County."

RELATIONSHIP TO COMPREHENSIVE PLAN (2010)

The Future Land Use Map shows the subject property as mostly Business Park (BP) with very small portions of Suburban Residential (SR) and Rural Lands (RL). The definitions for these classifications are defined above and are the same in the newly adopted Comprehensive Plan.

The Land Use Element within the 2010 *Boone County Comprehensive Plan* refers to this general area by stating:

"The extension of Mary Grubbs and development of the Walton Town Center area will contribute to the growth potential of Walton not only in Boone County, but also into Kenton County to the east....In the area of the former Walton Reservoir, between the county line and the railroad tracks, mixed use development with office campus and residential neighborhoods should compliment a future road network. This road network is necessary for proper development of the area and should include a future major route toward KY 17 in Kenton County and a route to KY 16 in Boone County near the county line. Existing industrial developments in this area should continue to develop; however, some residential development is appropriate in the area if it has adequate access that is not industrial in character....Mary Grubbs Highway and U.S. 25 to the Boone County line is a critical development area because of the recently completed extension of Mary Grubbs Highway to the east. The traffic and operational capacity of both Mary Grubbs Highway and U.S. 25 should be evaluated for possible improvements in the future as the Town Center project is built out and potential industrial development is created to the north and south of this area. Both of these roads are critical to the economic viability of the City of Walton"

The adopted 2010 *Boone County Comprehensive Plan* Goals and Objectives include the following pertinent statements:

- A. Proper planning is achieved through accepted land use management tools and coordination with public infrastructure ("Overall," Goal).
- B. Boone County shall be viewed as an integral part of the Cincinnati Metropolitan Area ("Overall," Objective 1).
- C. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- D. 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).
- E. The needs of Boone County's population are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- F. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).

- G. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. Development design 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," Objective 2).

STAFF COMMENTS

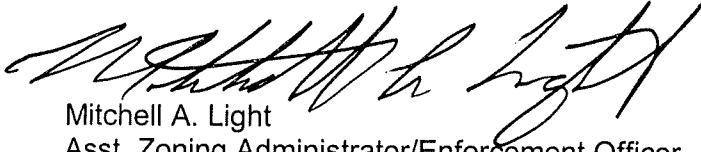
1. The submitted Concept Development Plan shows the access from I-75 will be from Mary Grubbs Highway to High Street/Jones Road and then into the site. High Street/Jones Road is approximately 18 feet wide. An alternate access which avoided using High Street/Jones Road was shown at a pre application meeting but was not included as part of the submittal. Staff would like the applicant to address if there may be another option for access into and out of the proposed industrial park.
2. An "80' Buffer Yard" is shown between the proposed 60' right-of-way off Percival Road and the Hopper and Hodgson properties as well as the adjoining Showalter Trace Subdivision, along Percival Road and High Street/Jones Road. The required landscaping buffering for an Industrial One (I-1) development adjoining a residential zone in Boone County is a Buffer Yard "D" which is either 80 feet wide (20 evergreens, 11 large trees and 40 shrubs per 100 linear feet) or 40 feet wide (reduced width permitted if a 6' high berm, fence or masonry wall with 20 evergreens, 11 large trees and only 20 shrubs per 100 linear feet). Existing vegetation counts toward the required numbers.
3. A copy of the Industrial One (I-1) uses (which includes the principally permitted O-1 and O-2 uses) are attached to this report for review and discussion.

CONCLUSION

The Boone County Planning Commission and the City of Walton must review this request on the basis of its relationship to the Comprehensive Plan and in terms of the three (3) criteria necessary for a Zoning Map Amendment.

1. The map amendment request is in agreement with the adopted Comprehensive Plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or,
2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or,
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted Comprehensive Plan that substantially alter the area's character.

Respectfully Submitted,

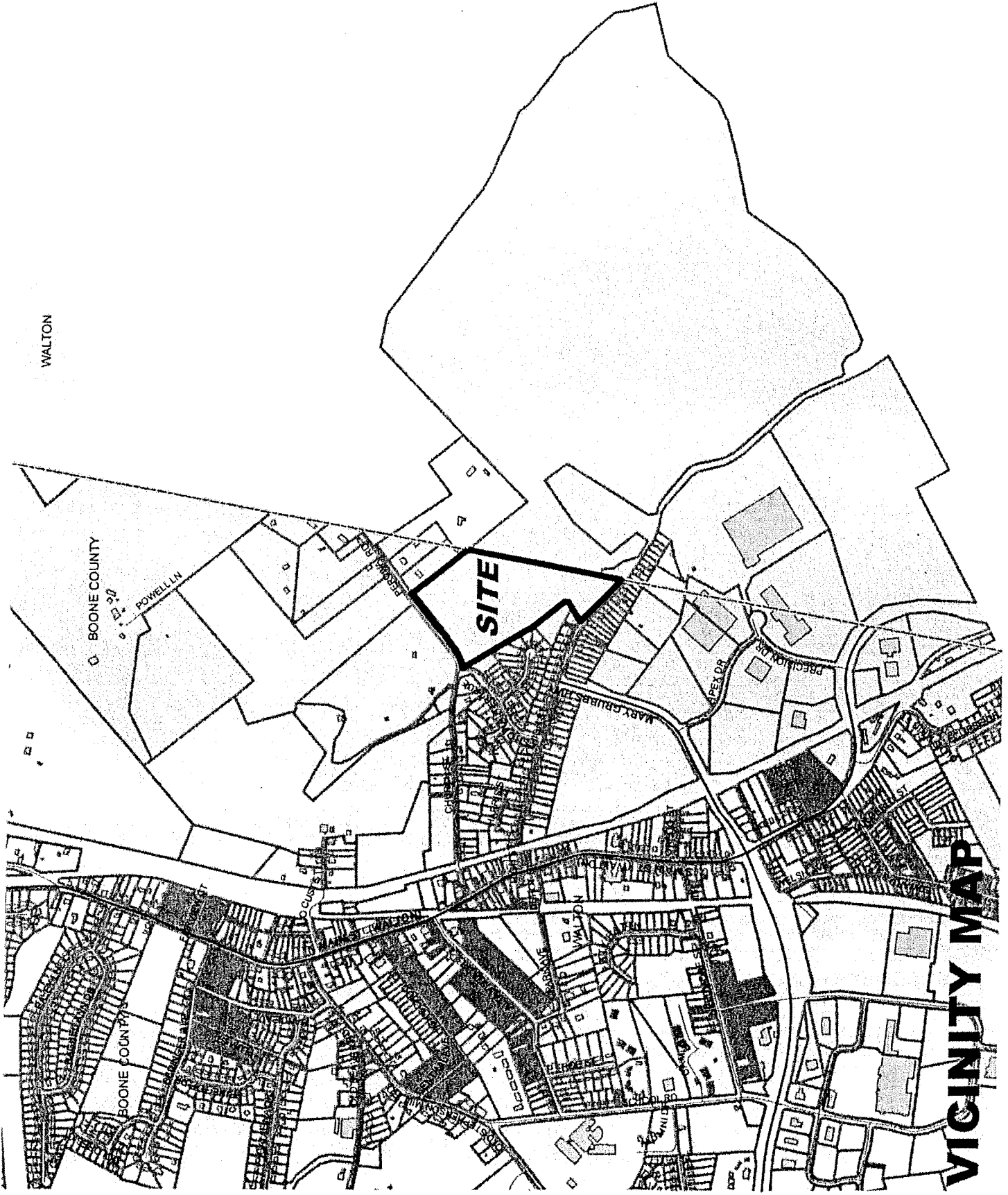


Mitchell A. Light
Asst. Zoning Administrator/Enforcement Officer

MAL/dw

Attachments:

- Vicinity Map
- Zoning Map
- Existing Topography and Drainage
- Existing Water and Sanitary Sewer
- 2035 Future Land Use Map
- 2030 Future Land Use Map
- Overall Concept Development Plan
- Concept Development Plan
- Industrial One (I-1) use list
- Application



WALTON

BOONE COUNTY

POWELL LN

SITE

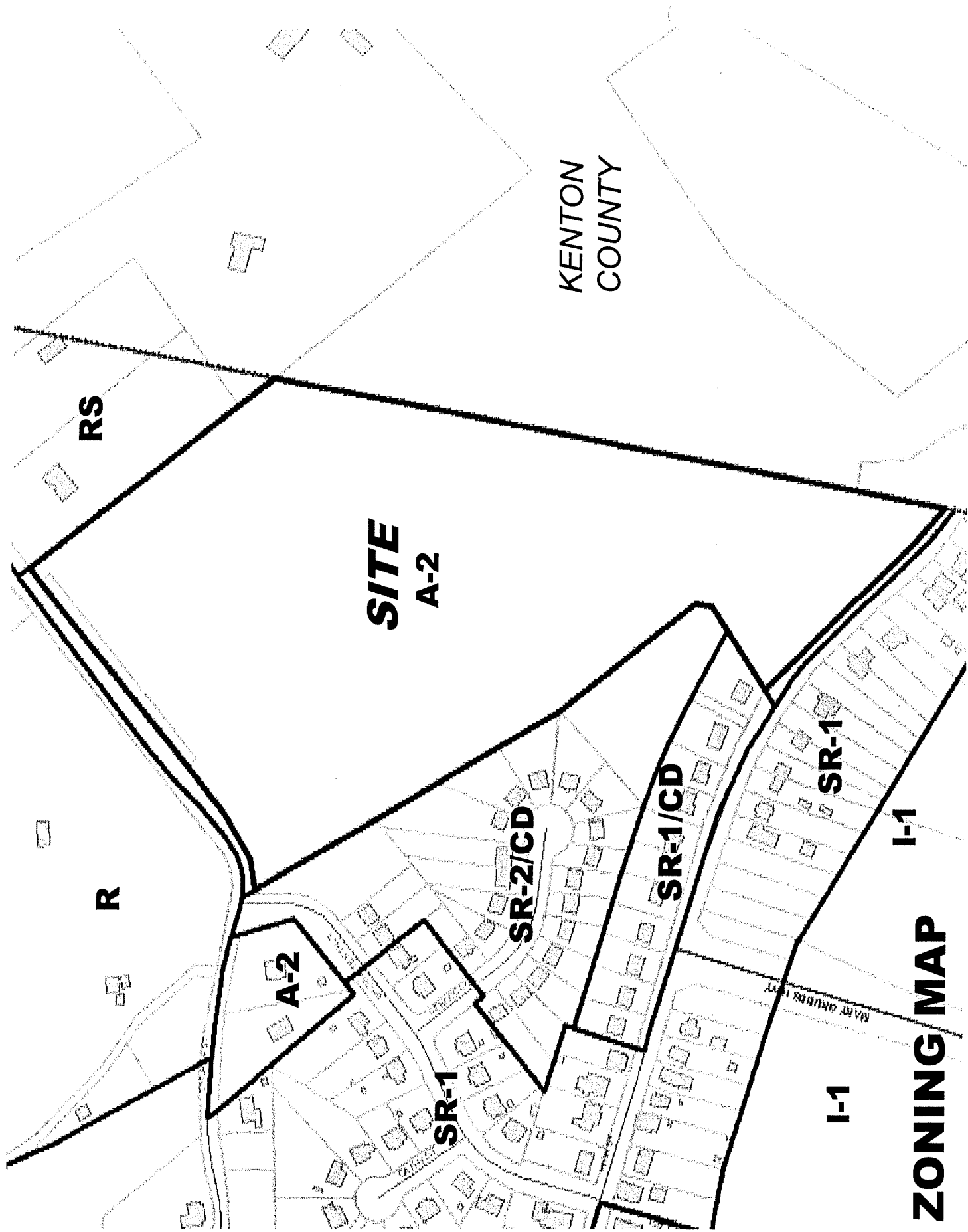
MARY GRUESZ DR

APEX DR

PRECISION DR

BOONE COUNTY

VICINITY MAP



KENTON
COUNTY

RS

SITE
A-2

R

A-2

SR-1

SR-2/CD

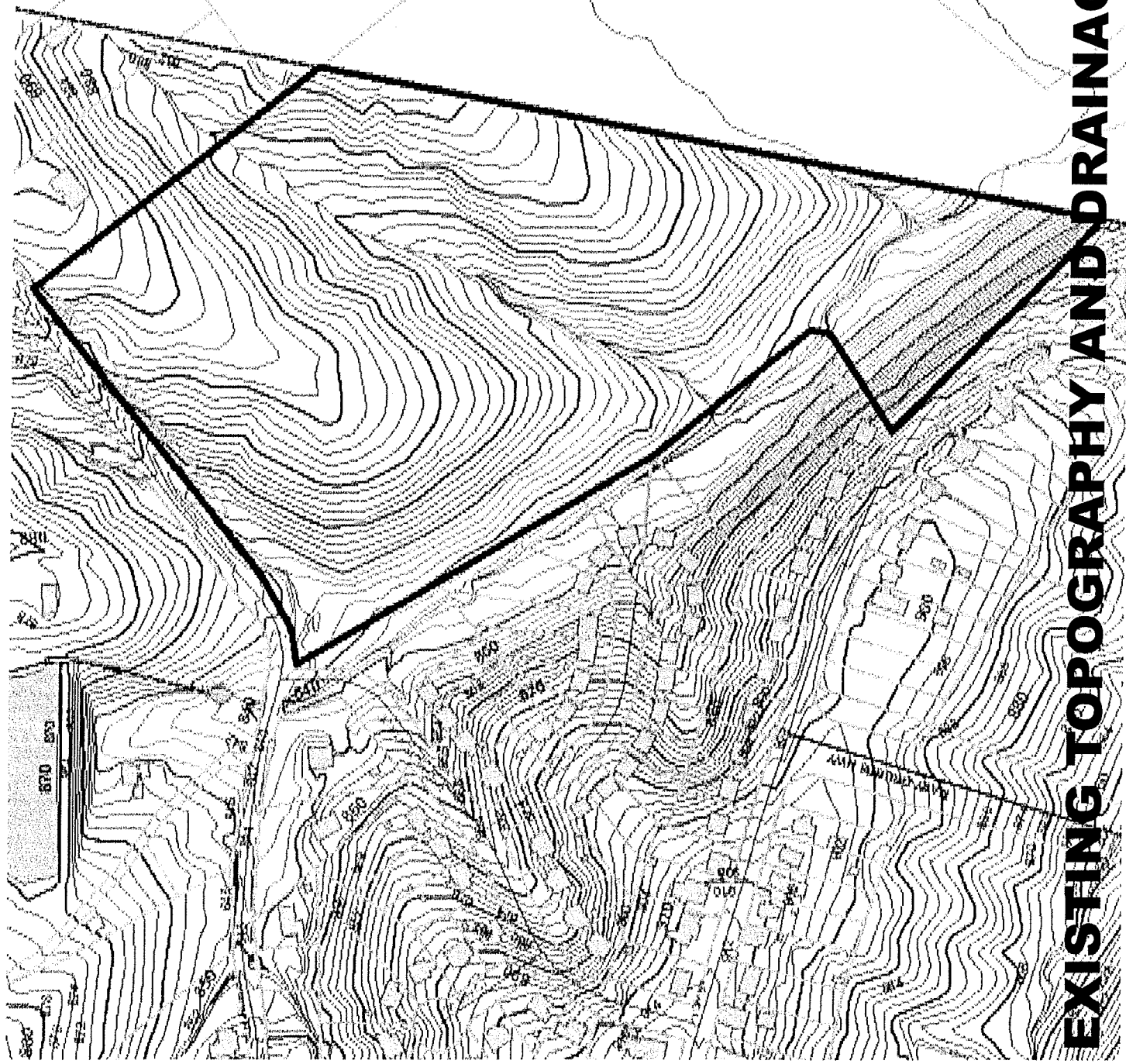
SR-1/CD

SR-1

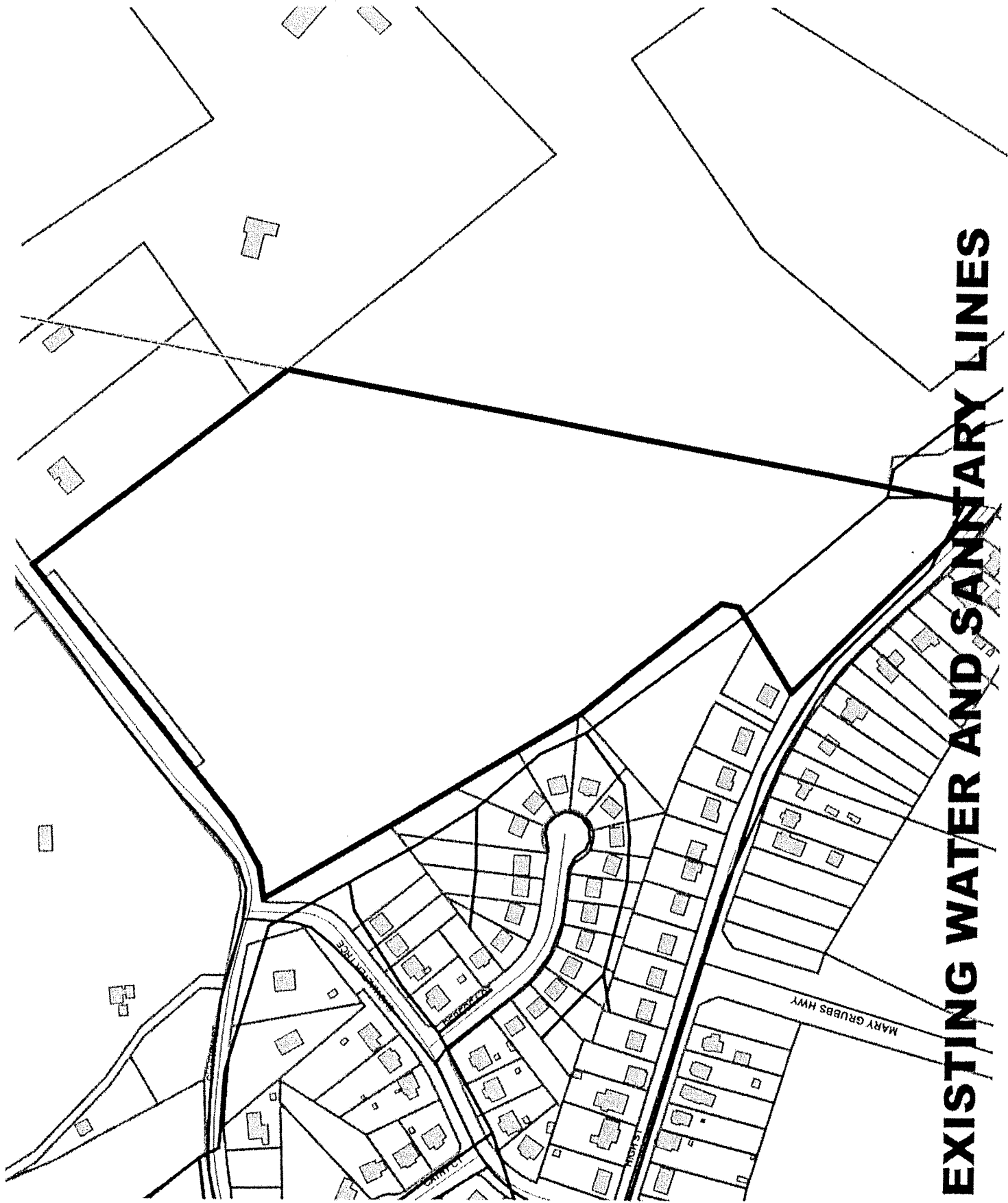
I-1

I-1

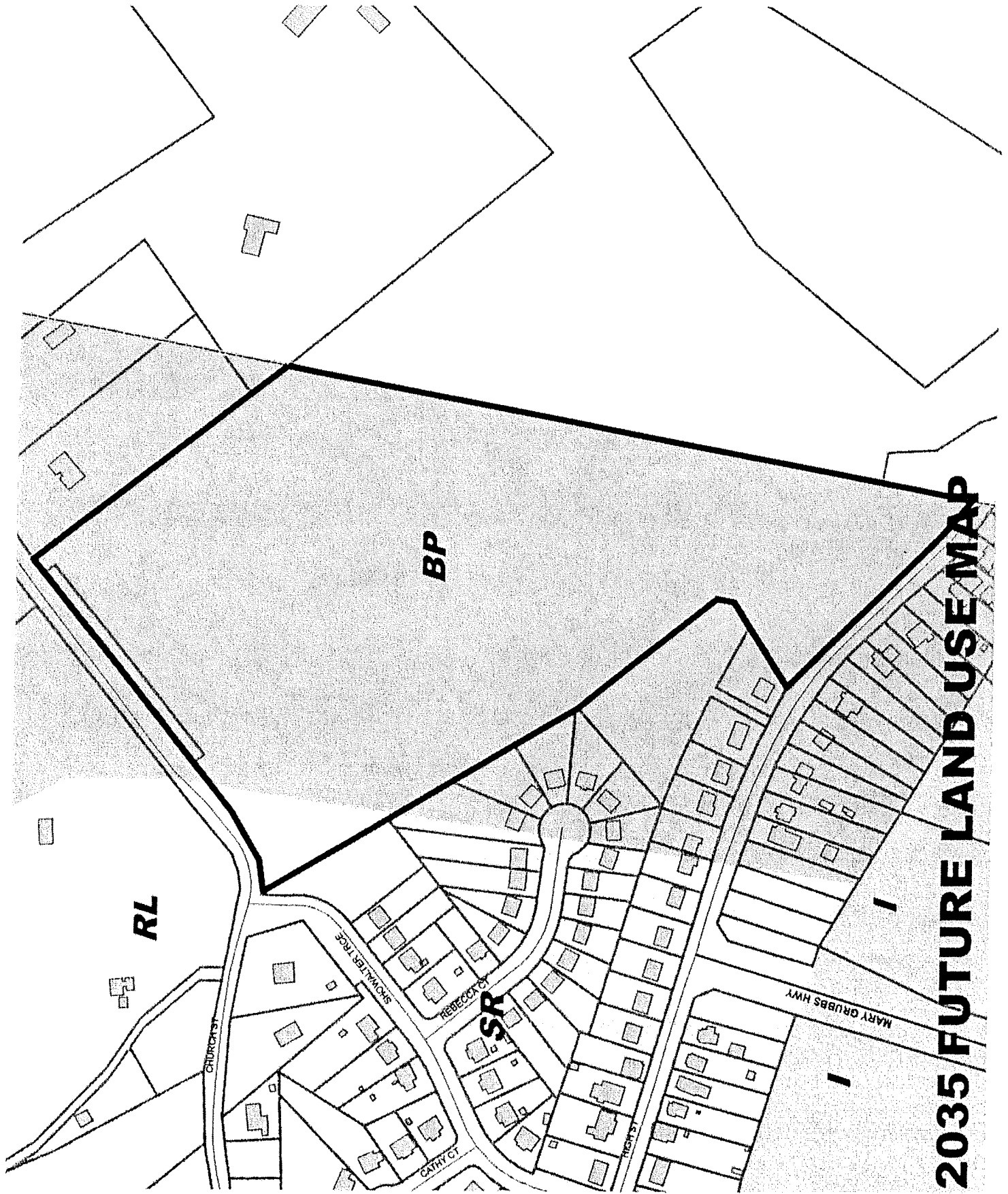
ZONING MAP



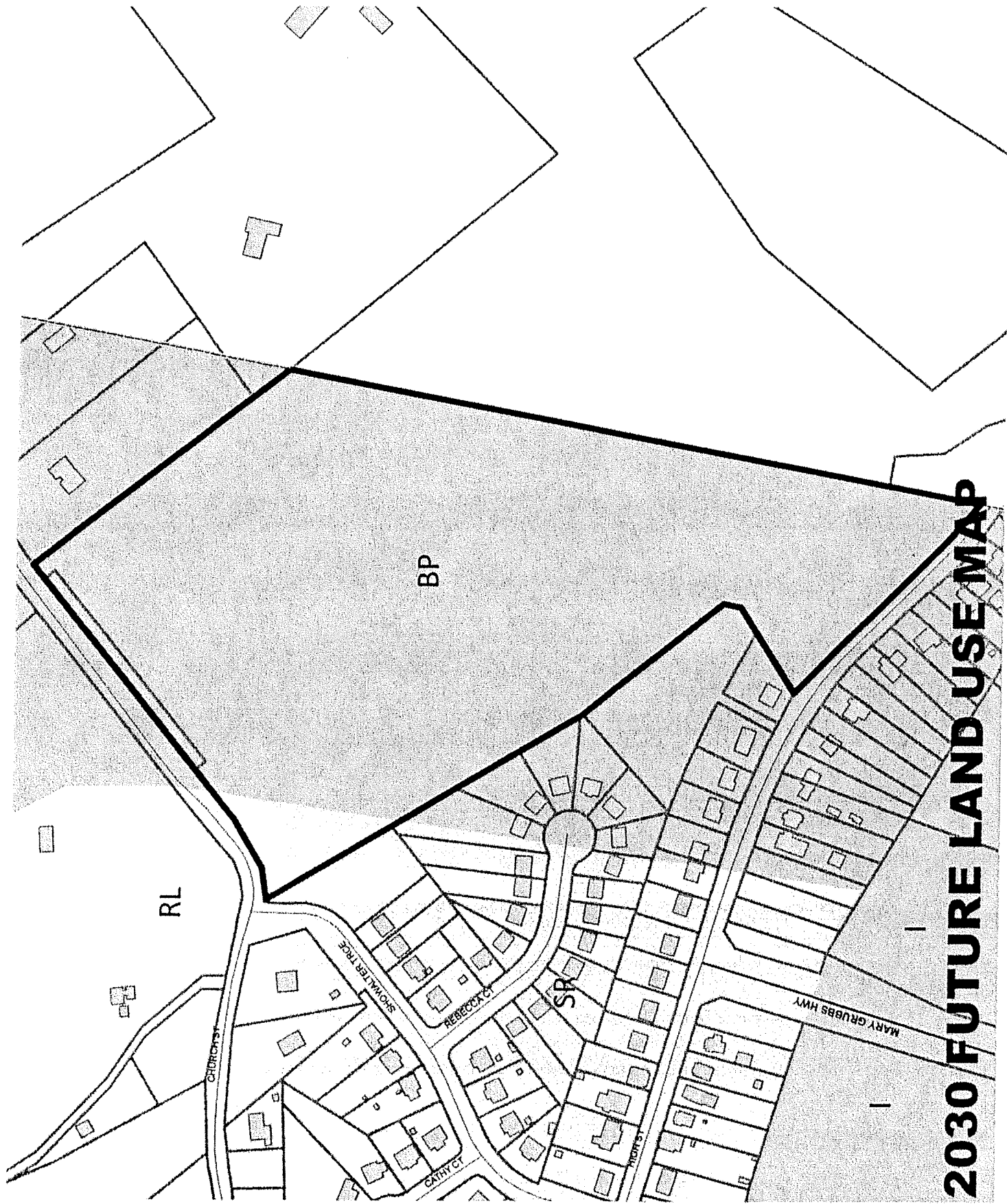
EXISTING TOPOGRAPHY AND DRAINAGE



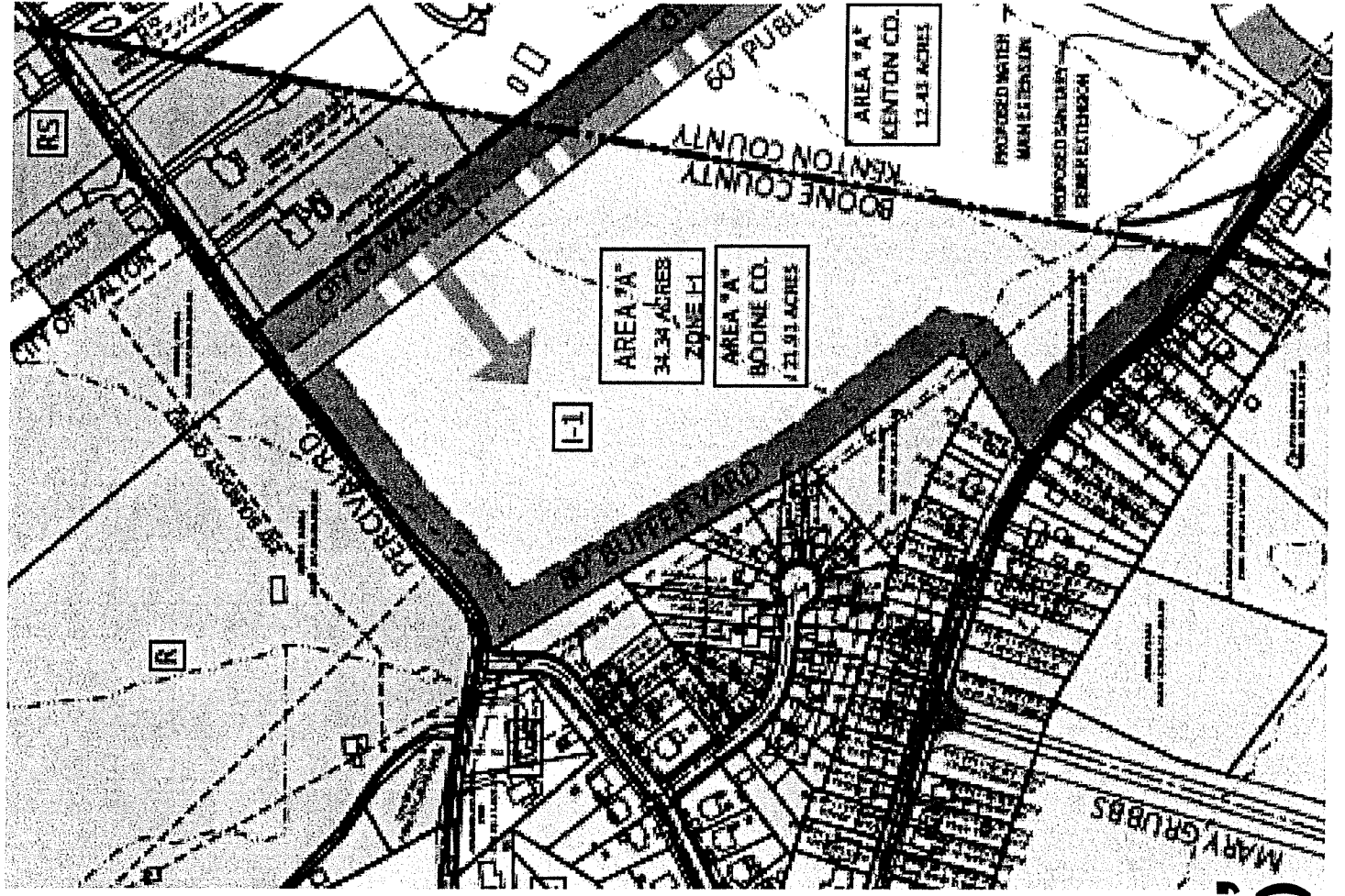
EXISTING WATER AND SANITARY LINES



2035 FUTURE LAND USE MAP



2030 FUTURE LAND USE MAP



CONCEPT PLAN CITY OF WALTON, (BOONE COUNTY)

INDUSTRIAL ONE (I-1)

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;
5. Fabricated wood products including containers, building components, structural members, but excluding the primary manufacture of wood or wood products;
6. Furniture and fixtures;
7. Paper products including envelopes, bags, boxes and containers, but excluding the primary manufacture of pulp, paper, paperboard or paper products;
8. Printing industries;
9. Pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations;
10. Soaps and other detergents;
11. Fabrication of metal products except firearms and accessories, large scale machinery, and transportation vehicles;
12. Professional, scientific and controlling instruments, photographic and optical goods, watches and clocks;
13. Electric and electronic equipment;
14. Jewelry and precious metals, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils and other office and artists materials, brooms and brushes, lamp shades, signs and advertising displays, umbrellas, parasols and canes and other miscellaneous fabrication activities.
15. Technology and research centers including medical and hospital research establishments;
16. Educational and governmental institutions;
17. Wholesale trade of automobile accessories and parts;
18. Wholesale trade of drugs, drug proprietaries and sundries;
19. Wholesale trade of dry goods and apparel;

20. Wholesale trade of groceries and related products in enclosed facilities except animals or raw farm materials or products;
21. Wholesale trade of electrical and electronic parts;
22. Wholesale trade of hardware, plumbing, heating, equipment and supplies;
23. Wholesale trade of small machinery, equipment (light) and supplies except transportation or farm vehicles;
24. Other wholesale trade except non-containerized or bulk raw metals and minerals, petroleum products, scrap and waste materials;
25. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
26. Window cleaning, disinfecting, exterminating, grounds keeping, and other dwelling and building services;
27. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage;
28. Research, development and testing services;
29. Detective and protective services;
30. Photo finishing and other photographic laboratories;
31. Electrical repair and armature rewinding services;
32. Reupholstery and furniture repairing and refinishing services;
33. Scientific research services and laboratories;
34. Building construction, general contractor, plumbing, heating, air conditioning, painting, paper handling, decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, wood flooring, roofing and sheetmetal, water-well drilling, septic and other special construction trade offices, supply, storage and related activities;
35. Postal services and related storage, distribution and transfer activities;
36. Agricultural contract sorting, grading and packaging services of fruits and vegetables;
37. Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
38. Freight forwarding, packing and crating services;
39. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;
40. Equipment (light) rental and leasing services including automobiles and trucks, and sales of tractor-trailers and other commercial trucks and trailers;
41. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
42. Manufacture of plastic products but not the primary manufacture of plastics;

43. Welding shops for the repair of industrial machinery and heavy equipment;
44. Truck stops;
45. Recycling centers;
46. Fire stations or fire related or protective services including rescue services;
47. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
48. Commercial parking facilities and commercial recreational vehicle parking facilities;
49. Landscape contracting and wholesale nurseries;
50. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.
51. Crematoriums.

SECTION 1132

Accessory Uses

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

1. Recreational uses or spaces of integral relation to the purposes of the district defined to be:
 - a. Nature preserves, wildlife sanctuaries, open spaces and other natural areas;
 - b. Historic sites, structures, monuments and other exhibits available public viewing;
 - c. Auditoriums, exhibition halls and other public or miscellaneous assembly;
 - d. Golf course and tennis courts;
 - e. Swimming beaches and swimming pools;
 - f. Picnicking, hiking areas, exercise trails and other recreational uses;
 - g. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
 - h. Recreation/Health centers.
2. The administration management, stenographic reproductions, research, sales (including industrial retail sales, exhibit or display) and any related or integral office use or activity of the permitted use;
3. Railroad right-of-way including switching and marshaling trackage and freight terminals;
4. Marine freight terminals;
5. Employment services;
6. Signage (See Article 34);

7. Parking (See Article 33);
8. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, and which are conducted in accordance with Section 3154;
9. Food service for office, manufacturing or distribution uses;
10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
11. Recycling collection containers.

SECTION 1133

Conditional Uses and Criteria

1. Uses in which the primary business activity involves the following:
 - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
 - b. bag cleaning;
 - c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
 - d. creosote treatment;
 - e. distillation of bones, coal or wood;
 - f. enameling, japanning or lacquering;
 - g. radium or radioactive elements;
 - h. crushing or other reduction or waterproofing;
 - i. the storage of chemicals;

The permission of such uses will be decided on an individual basis;
2. Poultry and small game dressing and packing;
3. Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
4. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
5. Gasoline filling stations and wash services;
6. Labor unions and similar labor associations;
7. Nursery and child care centers;
8. Hotels and motels;

9. Commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
10. Retail sales or leasing of new and used motor vehicles;
11. Wholesale vehicle sales or auctions;
12. Churches, synagogues, temples and other places of religious assembly for worship;
13. Kennels for household pets; "City of Florence only - kennels for household pets only when not adjoining a residential zoned property."
14. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(C).
15. Fireworks retail sales. (Does not apply in the City of Union and City of Walton).

OFFICE ONE (O-1)

SECTION 1111

Principally Permitted Uses

The following uses are permitted:

1. Bank related services or credit unions;
2. Business and personal credit services and title services;
3. Security brokers, investment services and finance companies;
4. Insurance agents, brokers and services;
5. Real estate agents, brokers and management services;
6. Real estate management services and builders offices excluding any outside storage equipment and the like;
7. Photographic services;
8. Eating and drinking establishments including alcoholic beverages;
9. Direct mail and advertising services;
10. Stenographic services and other duplicating and mailing services;
11. News syndicate services and employment services;
12. Research, development and testing services of an office nature;
13. Business and management consulting services and associations;
14. Motion picture, audio-visual and similar media production and distribution services;
15. Physician and dental services including medical, dental laboratories and clinics;
16. Legal, engineering, architectural, education and scientific research services;

17. Accounting, auditing and bookkeeping services;
18. Charitable and social services administration offices;
19. Professional membership organizations and labor organizations and civic associations;
20. Telephone exchange stations, telegraph message centers, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting or receiving towers or similar unattached, erected equipment;
21. The administration, management and any related office use or activity of commercial, business, service, professional, industrial, religious, private institutional, or similar organization, incorporation, companies, associations and such uses. Includes all integral stenographic reproduction, mailing, research, sales and similar office functions, as determined by the Zoning Administrator;
22. Veterinary services not including the boarding of animals;
23. Business colleges or schools;
24. Recreation centers, gymnasiums and other related recreational facilities;
25. The retail sale of office supplies and equipment;
26. Funeral homes and crematoriums excluding cemeteries or mausoleums.
27. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.

OFFICE TWO (O-2)

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.

APPLICATION FORM

ZONING MAP AMENDMENT BOONE COUNTY PLANNING COMMISSION

**FIVE (5) COPIES
OF SUBMITTED DRAWINGS ARE REQUIRED**
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project OMAHA ENTERPRISES, LLC
2. Location of Project 494 JONES ROAD WALTON KY
3. Total Acreage of Site 279.8795 AC
4. Current Zoning of Site A-2
5. Proposed Zoning (Classification being requested) I-1
6. Proposed Uses (please specify each use) INDUSTRIAL

CO-APPLICANTS

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Phone Number 485-4383 Fax No. 485-6402
Address of Applicant(s) 40 N. MAIN
WALTON KY 41094
City State Zip
9. CO-APPLICANT AND Name of Property Owner(s) OMAHA ENTERPRISES, LLC
Phone Number 859-3847330 Fax No. _____
Address of Property Owner(s) 10730 OMAHA TRACE
WALTON KY 41091
City State Zip
11. Proposed Building Intensities (please specify) AS ALLOWED IN I-1

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How many? 5
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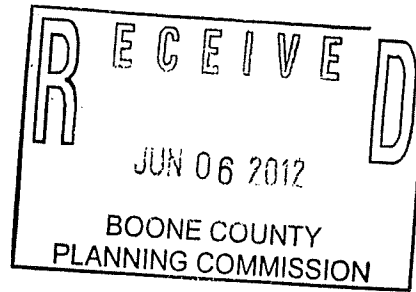
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- ✓ Kentucky Transportation Cabinet
- N/A Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)

(over)



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www.cityofwalton.org



June 4, 2012

Boone County Planning Commission
Attn: Kevin Costello
P. O. Box 958
Burlington KY 41005

RE: Omaha Enterprises Application for Zone Map Amendment

Dear Mr. Costello:

The City of Walton, as Co-Applicant of a request for a zoning map amendment for a 279.8795 acre parcel owned by Omaha Enterprises, LLC submitted on May 25, 2012 (copy attached), waives the ninety day time limit of Section 306 of the Boone County Zoning Regulations until the Planning Commission's September 5, 2012 Business Meeting.

Sincerely,

A handwritten signature in cursive script that reads "Paula M. Jolley, Mayor".

Paula M. Jolley, Mayor

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARING
AUGUST 1, 2012
7:30 P.M.**

COMMISSION MEMBERS PRESENT:

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

COMMISSION MEMBERS NOT PRESENT:

Mrs. Janet Kegley
Ms. Susan Schultz
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Mitchell A. Light, Assistant Zoning Administrator/ZEO

Mr. Rolfsen, Chairman, called the Public Hearing to order at 7:33 P.M. and introduced the first item on the Agenda:

ZONING MAP AMENDMENT - Mitchell A. Light, Staff

1. Request of **City of Walton and Omaha Enterprises LLC (applicants)** for **Omaha Enterprises LLC (owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for 21.91 acres located on the south side of Percival Road between Showalter Trace and the property at 13059 Percival Road, to the east of Showalter Green Subdivision, and on the north side of High Street between the property at 104 High Street and the Boone/Kenton county line, Walton, Kentucky. The zone change area is part of a 279.8795 acre site at 494 Jones Road that is located in the City of Walton and in both Boone and Kenton Counties. The request is for a zone change to allow uses permitted in the I-1 zone.

Staff Member, Mitch Light, presented the Staff Report, which included a PowerPoint presentation. Mr. Light referenced a vicinity map showing the location of the 21.91 acre site that is located on the Boone County side and in the City of Walton. The Planning Commission is only reviewing the Boone County portion of the overall project that is also located in Kenton County. The request involves re-zoning the 21.91 acre site from Agricultural Estate (A-2) to allow the permitted uses in the Industrial One (I-1) zone. The property owner wants to develop the Boone County portion and the 257.97 acres in Kenton County as an industrial park. Mr. Light generally described the adjoining zoning and land uses, which includes residential to the west, recreational and residential to the north and industrial to the south.

Mr. Light referred to the overall Concept Development Plan for the entire industrial park. An 80' Buffer Yard is shown between the proposed 60' right-of-way off Percival Road and the Hopper and Hodgson properties as well as the adjoining Showalter Trace Subdivision, along Percival Road and High Street/Jones Road. The required landscaping buffering for an Industrial One (I-1) development adjoining a residential zone in Boone County is a Buffer Yard "D" which is either 80 feet wide (20 evergreens, 11 large trees and 40 shrubs per 100 linear feet) or 40 feet wide (reduced width permitted if a 6' high berm, fence or masonry wall with 20 evergreens, 11 large trees and only 20 shrubs per 100 linear feet). He stated that existing vegetation does count toward the required numbers. The maximum intensity in the Industrial One (I-1) zone is 25,000 square feet per acre with a minimum lot size of 20,000 square feet.

Mr. Light referred to his Staff Report for specific adjacent zoning and land use classifications relative to the subject site. He gave a history of the site, which referred to the development of Showalter Trace Subdivision, the Walton Industrial Park and the extension of the Mary Grubbs Highway. Mr. Light explained the existing topography of the site. It slopes towards an existing creek just like Showalter Trace Subdivision. A drawing showing existing water and sanitary sewer lines was presented. Mr. Light indicated that the 2035 Future Land Use Map identifies the site as Business Park (BP), Rural Lands (RL) and Suburban Density Residential (SD). The 2030 Future Land Use map is identical to the 2035 Future Land Use Map. These classifications are defined in the Staff Report.

Mr. Light reviewed the Land Use Element text from both the 2005 and 2010 Boone County Comprehensive Plans. "East of Mary Grubbs Highway and U.S. 25 to the Boone County line will be a critical development area because of the proposed roadway construction associated with the High Street Bridge relocation. Some commercial uses may be appropriate at the front of this area, if designed to serve growing residential uses in the area. Most development at this future high visibility location should be of a Business Park nature. Commercial development should also occur at the southeast quadrant of the interchange, and be designed carefully to provide a front door to the City of Walton. Business Park development should occur behind the commercial uses. Development at this location should not be oriented to truck-traffic. Attention should be given to the appearance of industrial uses from the interstate in this area, because it represents the southern entrance into Boone County."

The Land Use Element text from the 2010 Boone County Comprehensive Plan states that: "The extension of Mary Grubbs and development of the Walton Town Center area will contribute to the growth potential of Walton not only in Boone County, but also into Kenton County to the east....In the area of the former Walton Reservoir, between the county line and the railroad tracks, mixed use development with office campus and residential neighborhoods should compliment a future road network. This road network is necessary for proper development of the area and should include a future major route toward KY 17 in Kenton County and a route to KY 16 in Boone County near the county line. Existing industrial developments in this area should continue to develop; however, some residential development is appropriate in the area if it has adequate access that is not industrial in character....Mary Grubbs Highway and U.S. 25 to the Boone County line is a critical development area because of the recently completed extension of Mary Grubbs Highway to the east. The traffic and operational capacity of both Mary Grubbs Highway and U.S. 25 should be evaluated for possible improvements in the future as the Town Center project is built out and potential industrial development is created to the north and south of this area. Both of these roads are critical to the economic viability of the City of Walton."

Mr. Light stated there is a nice tree line along both road frontages and tree cover behind the houses on Rebecca Court in Showalter Trace Subdivision. The submitted Concept Development Plan shows the site in question as Area "A" representing 21.91 acres of a total of 34.34 acres. He showed photographs of the site and adjoining properties and structures. Mr. Light also presented and distributed an aerial photograph of a proposed new road that would provide access to the site without using Jones Road (see Exhibit A). The submitted Concept Development Plan showed the access from I-75 will be from Mary Grubbs Highway to High Street/Jones Road and then into the site. High Street/Jones Road is approximately 18 feet wide. An alternate access which avoided using High Street/Jones Road was shown at a pre-application meeting but was not included as part of the submittal. Staff asked the applicant to address if there may be another option for access into and out of the proposed industrial park. Mr. Light pointed out a possible transportation route for industrial traffic as a result of the new road and its impact on High Street and Jones Road. The property owner has indicated that they "secured" this route. Mr. Light also stated that an 80' Buffer Yard is shown between the

proposed 60' right-of-way off Percival Road and the Hopper and Hodgson properties as well as the adjoining Showalter Trace Subdivision, along Percival Road and High Street/Jones Road. The required landscaping buffering for an Industrial One (I-1) development adjoining a residential zone in Boone County is a Buffer Yard "D" which is either 80 feet wide or 40 feet wide. Finally, a copy of the Industrial One (I-1) uses (which includes the principally permitted O-1 and O-2 uses) are attached to the Staff Report for review and discussion.

Mr. Light concluded that the Planning Commission and the City of Walton must review the request on the basis of its relationship to the Comprehensive Plan and in terms of the three (3) criteria necessary for a Zoning Map Amendment described in the Staff Report.

Mr. Light read a letter from Arthur Green (dated August 1, 2012) and introduced a petition from individuals opposing the request (see Exhibit B).

At this time, Chairman Rolfsen asked if the applicants were present and wanted to proceed with their presentation. Mr. Gerry Dusing, Attorney for Omaha Enterprises, explained that the request is a joint application by his client and the City of Walton. He introduced Dick Knock, a principal of Omaha Enterprises.

Mr. Richard Knock introduced himself and his background. He stated that access to the site will be over a new industrial grade road with direct from I-75 via the Mary Grubbs Highway extension. He explained that he has some options and commitments for a new route to the site, which has been secured by Omaha Enterprises. He referred to the aerial photo highlighting the new road. It will be located behind the High Street/Jones Road residential area. This should alleviate the concerns of the residents. The road should also help the people who do not live in Walton but live to the east on Jones Road. With the new road, residents along Jones Road will no longer have to travel up through the congested area of High Street/Jones Road to get to Mary Grubbs Highway. A lot of traffic will be alleviated.

Mr. Knock explained his personal background. He has lived in Campbell County for 38 years, 20 years in Kenton County and 16 years in Boone County. He owns a farm in Pendleton County. Previously he has served on the Boone County Planning Commission and the Kenton County Airport Board. He is currently a Commissioner on the Boone County Water District. In 1960, he was elected as Mayor of Cold Spring and helped develop the City's first industrial park. He helped constitute the Northern Kentucky Area Planning Commission in the 1950s and 1960s. Mr. Knock noted that his work history included owning and operating trucking, warehousing and third party transportation consolidation companies. In 2002, Mr. Knock noted that he and his wife purchased 278 acres as an investment in Walton, Kentucky. At the time of the purchase, the Mary Grubbs Highway extension was scoped and it was thought that it would dead end into his property. Major industrial developers are beginning to look at large tracts (250 - 300 acres) of land that are properly zoned and have adequate infrastructure - water, sewage, gas and sufficient access. The subject site meets all of the infrastructure requirements. The site is approximately three quarters of a mile from

I-75. In order to attract major industries, government bodies are taking a proactive initiative to identify land, that has zoning, infrastructure and tax increment financing districts in place to facilitate and to encourage development to locate in these respective communities. Cities, counties and states all over the United States are becoming extremely competitive and therefore doing what is necessary to encourage and facilitate economic development in their respective community. The City of Walton is determined to be on the cutting edge of this endeavor. They believe that the zoning is vital to their effort to support and foster their determination. Mr. Knock stated that he doesn't have a detailed Concept Development Plan because he doesn't have a developer in place. The City of Walton will have the final say as to the Concept Development Plan and suitable ingress and egress before any development can commence.

Mr. Knock distributed a drawing of a Concept Development Plan that Duke Realty proposed several years ago but was never submitted since there was not an agreement with him due to the change in the economy (see Exhibit C). In the middle of last year, Omaha Enterprises negotiated a capacity agreement for water and sewage with the City of Walton. The agreement also contemplated a joint application to both Boone County and Kenton County for a zone change on the property. The additional information about the new road should provide more of a reason for the Planning Commission to deliberate in their findings. It will be consistent with the City of Walton's desire to accomplish what they see in the long range plan for their city. Based upon his first hand experience in planning and zoning matters and as a businessman, he believes the application is consistent with proper land use and planning. It is a suitable location for the type of industry this zone change visions and contemplates. It is the responsibility of government agencies such as the Planning Commission to create healthy living and recreational and workplace environments through adequate and proper planning and zoning. The City of Walton believes that this zone change will foster their plans for the City. All of us know that creating job opportunities in today's marketplace is extremely important. The Concept Development Plan proposed by Duke Realty anticipated a \$110 million development and creating 600 - 700 jobs. The flyer circulating in the community which suggests that sexually oriented businesses would be located on this site is at best misleading. Mr. Knock stated that his family never contemplated such types of businesses. He directed his attorney to remove the use from the list of permitted uses. It was apparently inadvertently overlooked. He respectfully requested approval of the application. Mr. Knock submitted a drawing labeled High Street Bridge Alternatives (see Exhibit D).

Mayor Paula Jolley, City of Walton stated that Mr. Knock approached City Council several times in the past about the project. Many times, City Council tossed the project back because it did not fit their plan and it was not adequate for the City. It was sent back due to road access, lack of green space, control over the type of industries and overload of the City's water and sewage facilities. Mayor Jolley stated that the new or submitted plan has assured City officials that Mr. Knock would provide proper access, adequate buffer zones, control over the type of I-1 uses, and utility upgrades provided by Omaha Enterprises.

Mr. Gerry Dusing, attorney for Omaha Enterprises, stated that the request meets the recommendation of the Comprehensive Plan. It is a unique request since the overall site is in both Boone and Kenton Counties. However, the key to the re-zoning is all in Boone County or the access. Mr. Dusing referred to the 2006 - 2026 Kenton County Comprehensive Plan. It identifies the site for residential development - 2.1 to 4 dwelling units per acre. A portion of the site and south of the site is identified for industrial development. The text of the Comprehensive Plan suggests to locate areas planned for industrial development so as to shorten the work trip from the living areas of the residential labor force and to reduce energy consumption. We meet this criteria. This same plan notes that from 2001 - 2006, Kenton County lost approximately 1,135 acres of land identified for industrial use due to residential development. Most of this occurred around Walton. Mr. Dusing stated that the Boone County Comprehensive Plan's Future Land Use Map identifies the subject site as Business Park (BP), which coincides with the Industrial One (I-1) zoning. Mr. Dusing referred to the definition of the Business Park land use classification. He also referred to the text of the Land Use Element stated on page 2 of the Staff Report, which recommends Business Park for the subject area. Mr. Dusing submitted the Utility Extension Capacity Agreement with the City of Walton (see Exhibit E). In Section 4, he states that the City of Walton agrees to provide water and sewer utility service to the owner in order to accommodate 30,000 gallons per day. If increased capacity is needed, Mr. Knock or a developer would pay for it. The physical change in the area is the Mary Grubbs underpass. Mary Grubbs Highway is currently a two lane road but it can be widened. With the proposed new road to the east, it won't impact any of the residents in the area on High Street/Jones Road. This was a concern by both the Boone/Kenton County planning staff. All truck traffic will travel on the new road rather than Jones Road. Mr. Knock is willing to agree to this road as a condition. The proposed road can only be built and be economically justified with industrial uses. Otherwise, there would be 750 - 800 homes on the 250 acres using High Street, Church Street and Jones Road. It would also impact the two school systems. Industrial uses would generate higher property, payroll and inventory taxes. There would be no new school kids and no new burden on the tax payer. The request meets all three criteria necessary to grant the zone change. The reason why there is not a detailed Concept Development Plan is because the City of Walton is a co-applicant and one is not required. However, the Staff recommended that they submit a bubble plan showing the road access. The huge advantage of the plan is the spur within the development that heads north to Percival Road. It opens up future development north that is east of the railroad tracks. It would eliminate 5 - 6 railroad grade crossings. It is a huge safety advantage for the submitted plan.

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

Ms. Patty Davidson, 814 Jones Road, said she moved to the area 17 years ago and wanted to raise her son in a country setting. Most of the people in the area have lived in the area for many years. She expressed a concern about vacant buildings in the area and the proposed project. Empty buildings become problems. How will this project contribute to healthy living especially with truck traffic and pollution?

Mr. Mike Willen, 814 Jones Road, stated that he does work for the Kentucky Board of Education. He spends every day thinking about our children's future. He doesn't understand how we can zone something in the backyard of 50 children that allows for SOBs. Mr. Knock and the City of Walton cannot change the law. If he has enough money and legal representation and wants to put an adult club in Walton and I-1 allows it, how will it be stopped? He referred to Larry Flynt's establishment in Florence and others. Mr. Costello responded that Mr. Flynt's business in Florence by definition is not a sexually oriented business. This public hearing is not being held to discuss Mr. Flynt's Florence business. Mr. Costello stated that Mr. Knock has committed to restrict his property from not having a sexually oriented business. This restriction would have to be approved by the Planning Commission and the City of Walton. Mr. Willen expressed a concern that the proposed road backs up to residents' backyards. These people moved out there to experience country living. The proposed road will generate more traffic and congestion from the new businesses. The Mary Grubbs Highway extension is a 2 lane road with a bike lane and sidewalks. There is no room for 2 additional lanes. He agrees with the need for additional industrial areas but not now. The pharmaceutical warehouse, which is adjacent to the property has been vacant for years and is an eye sore. The Zotefoam site is a problem because there is an open dumpster full of foam; which blows around and in the creek. A vast majority of the Walton residents travel over 20 miles to work. The industrial businesses in Walton don't pay their workers enough. Walton doesn't generate taxes from payroll because they don't have a payroll tax. There is over 100 acres of industrial use available in Walton. There is even more industrial land available in the area like Park South in Richwood. There is more than 1.2 million square feet available at that location. There is not a big need for industrial especially since Park South has been empty for 10 years. It is closer to Richwood Road and I-71/I-75. He is supportive of residential uses not 2 - 4 dwelling units per acre but rather 1 acre lots for 280 houses. This is consistent with what is in the area.

Mr. Ronald Tomilson, 13054 Percival Road, expressed a concern about the 80 foot buffer yard. He asked whether there would be a road coming off Percival Road to serve the development. Mr. Light responded yes and showed the location of the road connecting to Percival Road. Mr. Tomilson stated that when the Planning Commission turned down the proposed mobile home park on the Turner property in 1993, it was due to the width of Percival Road. The road is barely wide enough to support vehicles in both directions. Has the widening of Percival Road been taken into consideration? Chairman Rolfsen responded no.

Mr. Mark McDannold, 388 Rebecca Court, stated that his property slopes down toward the creek. Walton is a great place to live and he began to describe his neighborhood. We know our neighbors. We have lived there 6 years. There are deer and wild turkey on the subject property. We have a lot of industrial land in Walton sitting idle doing nothing. He expressed disappointment that the Walton Mayor was present representing somebody who may not live in Walton and not him. We are not alarmists. Nobody wants this project. It will affect our property values, which have already taken a huge hit. We pay very high property taxes to live in a nice place. This won't add to it and get any value.

Ms. Barb Clifton, 103 High Street, noted that she will be looking directly across from the development. She had a real estate professional or realtor look at her house and value of it if the development occurs. In a letter, the realtor indicated that the property value of her house will be 50% less because the road will be behind her house (see Exhibit F). She will hear the noise from the trucks. Kenton County takes care of the road. Walton doesn't plow snow. If the street is closed off, how will she get up the hill?

Ms. Roberta Albers, 729 Jones Road, explained that she lives beyond the proposed development and on the U.S. 25 side of Jones Road. She agreed with all of the previous comments. Walton has 4 industrial parks and they have available space. If you drive down Industrial Road, you won't find a home within 80 feet. She stated that she lives at least three quarters of a mile from U.S. 25 where Walton was so kind to allow a junk yard. She noted that she is awoken at 6:30 am with back up alarms plus the sounds of scraping metal. Eighty feet is not enough space for a buffer. She picks up litter along Jones Road. It is documented there are storm water runoff problems in Banklick Creek. The creeks along Jones Road dump into Cruise's Creek, which empties into Banklick Creek. There will be a lot of storm water runoff from the 300 acres of development. It hasn't been addressed. If you cul de sac High Street, you are making those residents use the railroad crossing of Church Street. The reason why the railroad underpass was built was because the railroad had to build it due to the condition of the wooden bridge. The Walton Fire Protection District is not rated as well as other fire districts in Northern Kentucky. It has a poor fire rating and an inadequate water supply. A house was burned to the ground because of inadequate water pressure. How will they protect a 300 acre development? Would a developer pay a much higher insurance rate over another area due to an inadequate fire department? It doesn't make sense. It is not a good decision to put industrial in close proximity to residences.

Ms. Jeanne Setters, 882 Jones Road, asked if the Planning Commission would make a decision on the 21 acres only? Mr. Wilson explained that the Planning Commission does not have authority to act on the property in Kenton County. She stated that Mr. Knock's property abuts her property up the creek. She has a view of his property. She expressed a concern about storm water and industrial uses like recycling centers due to the topography of the site. She hears noises from the existing industrial uses. She can hear it, see it and smell it. It isn't healthy. There is no buffer from her property. She stated that she doesn't want it in her backyard. We already have a new Mary Grubbs Highway, which provides adequate access. She expressed empathy about buying the property for investment purposes but the applicant doesn't have to live there.

Chairman Rolfsen explained that the City of Walton will have the final action on the entire development.

Mr. George Hodgson, 10359 Percival Road, noted that his property borders the site. The new road will be next to his property line and there will be no adequate buffer. Percival Road is very narrow to support truck traffic. It is not even as wide as a driveway. There are empty properties all over Walton that haven't been developed. He would support residential and not commercial/industrial. He drives 11 miles a day to work and enjoys coming home to space. There won't be any space if the project is built.

Ms. Rhonda Sims, 805 Jones road, referred to the developer's agreement with the City of Walton. There is a clause about changing the zoning to residential upon request by the owner only if the market conditions will not support commercial or industrial development. There is no plan and we don't know what is going in the development. We also have the idea that if you can't sell it, then it can be changed to residential. It is all wrong. It should have been more forthcoming. The City of Walton should be helping people who have already invested in Walton and not someone who bought a farm that wants to turn it into industrial for a profit.

Ms. Antoinette Dick, 305 Cathy Court, explained that the reason why she moved to Walton was because it was rural and green. The peace and quiet of Walton is very appealing. She doesn't want to look at industrial business but rather one acre residential lots. Walton is becoming increasingly expensive. It is changing from a charming, rural city to what it is becoming. It is sad. Expanding is a nightmare and it doesn't mean it is getting better.

Ms. Virginia Jones, 82 High Street, stated that her son likes the outside. Everyone who lives in the area enjoys what they see and not the industrial park. It is a close neighborhood. If she wanted to live in Florence, she would have moved there. She chose Walton because of the School District. She doesn't want her child playing outside and being impacted by the industrial traffic. Kids ride their bikes in the streets. There is a lot of traffic on High Street. No one likes change. If change is going to be worse on the people who live there, then it shouldn't be industrial. She is in favor of residential especially with the smell and noises from industrial uses.

At this time, Chairman Rolfsen asked if any of the Planning Commission members had any comments or questions?

Mr. McMillian asked how the proposed project would affect the American Legion building? Mr. Knock responded that he has a written agreement in principle to acquire their land.

Chairman Rolfsen asked Mr. Knock to respond to the comment about the economic downfall and switching the zoning back to residential? Mr. Knock acknowledged that another Public Hearing and application would have to be submitted.

Mr. Ford asked if there was any communication about the project with the two school districts? Mr. Knock responded there have been no formal discussion with both districts but it was his understanding that the tax duplicate from the project was better for the school districts than adding homes. Mr. Ford recommended that perhaps he could get a letter from them. Mr. Knock replied that he would do so.

Mr. Brandstetter asked whether the applicant could bring to the Committee meeting more details about the road re-alignment and the agreement in principle of how the road would take place. Mr. Knock responded that he would do so.

Mr. Schwenke inquired whether the applicant could review the list of I-1 uses and eliminate some of them before the Committee meeting? Mr. Knock agreed to review the list.

Mr. Reynolds asked Mayor Jolley about the inadequacy of the Walton Fire Department and whether the Fire Department would support the development. Mayor Jolley explained that she could not speak for the Walton Fire Department. Mayor Jolley noted that the City has experienced low flow issues related to fire hydrants. Lines have been looped to increase water pressure. Currently, there is no water service at the site. It will be built when the project moves forward. Mr. Knock offered that the Kenton County Water District will construct a new water line by the American Legion site. It will then connect to his property and other property owners along Jones Road. Mr. Knock noted that they have conducted water capacity checks on this line for fire suppression purposes. There will be a water meter on the site and the Kenton County Water District will provide water service to residents living on Jones Road.

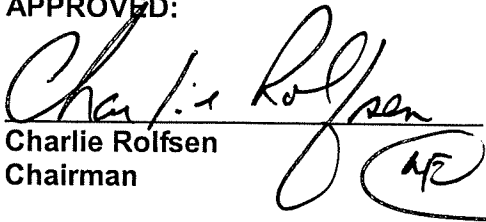
Mr. Breetz questioned the comments about the project from the Kenton County Planning Commission? Mr. Dusing stated that the staff and the members of the Kenton County Planning Commission recommended disapproval. The basis for the disapproval was inadequate access along Jones Road. Mr. Breetz inquired whether the applicant would consider the possibility of leaving the area around High Street as a residential phase for a transition? Mr. Knock responded that they did consider it and it would be decided by final action by the City of Walton.

Mr. Longano asked what percentage of the site is designated Business Park (BP)? Mr. Light answered about 95%. Mr. Longano inquired on whether staff could research the history of the Future Land Use Map designation for the site. Mr. Costello responded that they could check it. He thought the BP classification was created at least 10 years ago. Chairman Rolfsen asked the Staff if they could research available industrial land within the City of Walton? Mr. Light responded yes.

Ms. Reeves asked if the applicant had completed a traffic study on Mary Grubbs Highway, High Street, Jones Road or Percival Road - volume now and in the future? Mr. Knock answered no but there was a study performed when Duke Realty was interested in the site. He noted that Walton will look at it more closely when the Concept Development Plan is presented to them for approval.

There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on August 15, 2012 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on September 5, 2012 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 9:10 P.M.

APPROVED:


Charlie Rolfsen
Chairman

Attest:

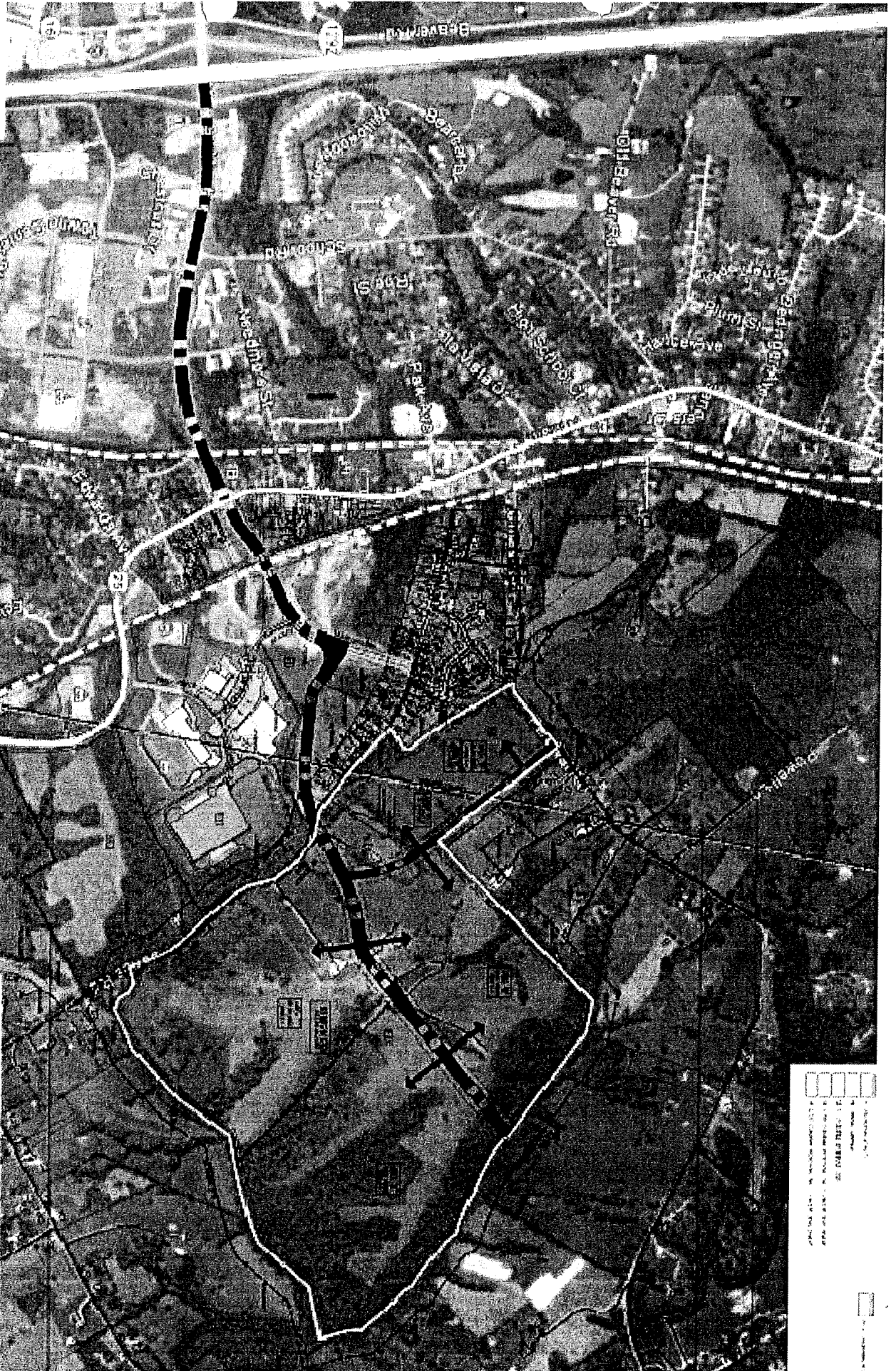


Kevin P. Costello, AICP
Executive Director

Exhibits:

- A. Aerial photo Revised Concept Development Plan for Access
- B. Letter from Arthur Green dated August 1, 2012 and petition
- C. Duke Realty Co. proposed Concept Development Plan
- D. High Street Bridge Alternatives
- E. Utility Commitment Agreement with City of Walton
- F. Letter from Amy Barnes dated July 24, 2012

REVISED CONCEPT PLAN (8-1-12)



- 1. PROPOSED DEVELOPMENT
- 2. EXISTING DEVELOPMENT
- 3. EXISTING ROADWAY
- 4. EXISTING UTILITY
- 5. EXISTING FLOODPLAIN
- 6. EXISTING WETLAND
- 7. EXISTING WOODLAND
- 8. EXISTING PRAIRIE
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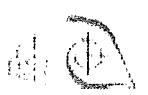
OMAHA ENTERPRISES LLC

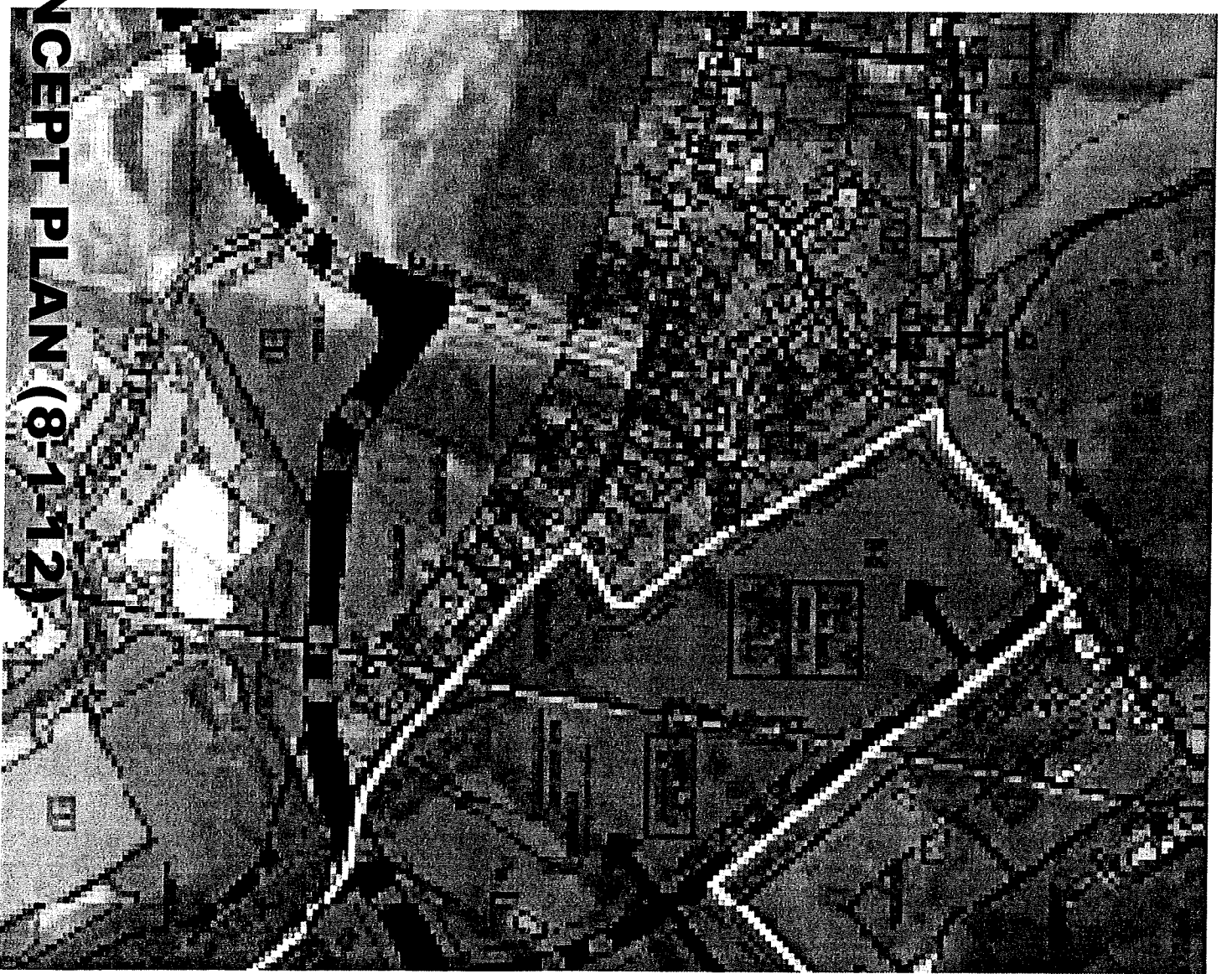
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ACCESS CONCEPT

GENERAL DEVELOPMENT PLAN

Date: 07/06/2012





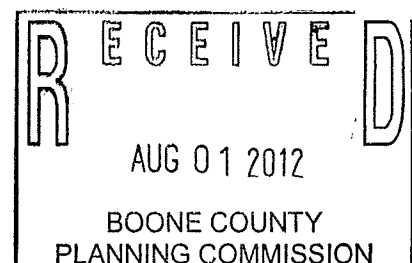
REVISED CONCEPT PLAN (8-1-12)

Honorable Boone County Commissioner,

I apologize that I am unable to be here to discuss this in person, but I wanted to share my thoughts as a property owner on the matter, as well as the 75 signatures I have on the attached petition. To change from agriculture to light industrial would be detrimental to a lot of property owners surrounding the area in question. I am totally against the suggested changes and wanted to voice my opinion in writing. This could affect people's homes and their livelihood in a negative way. I feel that the city of Walton would be out of a lot of money if they chose to purchase this land and to make improvements on the land. Also, what would stop Walton from annexing across Percival Road further into Kenton County? Thank you for listening to my concerns on this matter.

Respectfully,

Arthur Green
12810 Percival Rd
Walton, Ky. 41094
Kenton County
Ph. 859-743-3290 cell



July 30, 2012

To: The Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005

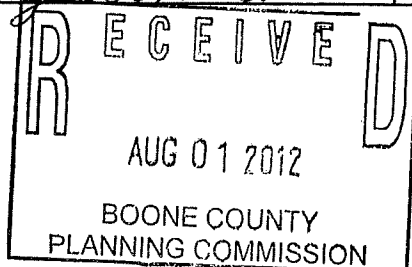
Art's Cell

743-3290

This Petition is in regards to the upcoming public hearing requested by the City of Walton and Omaha Enterprises LLC (applicants) for Omaha Enterprises LLC (owner) for a zoning map amendment from Agricultural Estate (A-2) to Industrial One (I-1) for 21.91 acres located on the east of Showalter Green Subdivision, and on the north side of High Street between the property at 104 High Street and the Boone/Kenton county lines Walton, Kentucky. The zone change area is part of a 270.8795 acre site at 494 Jones Road that is located in the city of Walton and in both Boone and Kenton Counties. The request is for a zone change to allow uses permitted in the I-1 zone.

The following signatures of property owners affected by this zone change are against the above stated zone change, primarily because of the residential property adjacent to it.

Name	Address
Roselle Green	41094 12810 Percival Rd Walton, Ky
Arthur C. Green	12810 PERCIVAL RD Walton, Ky. 41094
Jason Rigney	13041 Percival Rd Walton, Ky 41094
Wallas Messer	13022 PERCIVAL RD WALTON, KY 41094
David Hays	13049 PERCIVAL RD WALTON, KY 41094
Bonnie Drusman	61 Showalter Jr Walton, Ky 41094
Terry Drusman	61 SHOWALTER TRACE WALTON, KY 4109



Name	Address
Jelly & Terry Anderson	66 Showalter Trace Walton Ky 41094
Imo Jean Silen	57 Showalter Walton Ky 41094
MAX LONG	54 Showalter WALTON KY 41094
Bruce Long	54 Showalter Trace Walton, Ky 41094
John Powers	396 Pecan Ct. Walton Ky
Thomas Arzudaitis	42 Showalter Trace Walton Ky
George W. Cress	13023 Percival Rd. Walton, Ky
Phil & Betty Wly	13021 Percival Rd WALTON KY
Kenneth Gopp	13031 PERCIVAL Rd WALTON KY
Mark & Kathy ^{Michael Stewart} Darnold	388 Rebecca Ct Walton Ky 41094
Steve & Amber Madden	376 Rebecca Ct Walton KY 41094
Glenn F. Klette	372 Rebecca Ct Walton Ky 41094
Tim A. Bracke	368 Rebecca ct Walton Ky 41094
Emily M. Fackey	368 Rebecca ct Walton Ky 41094.
Denise Placke	385 Rebecca ct Walton KY 41094

Name	Address	
Felicia Beach	389 Rebecca Ct Walton	KY 41094
Crystal Thomas	397 Rebecca Ct Walton,	KY 41094
Charles Thomas	397 Rebecca Ct. Walton,	KY 41094
Andrew McKinney	317 Cathy Ct Walton	KY 41094
Lisa McKinney	317 Cathy Ct Walton	KY 41094
Sharon Cecil	309 Cathy Walton	KY 41094
Autoinette and Ron Dick	305 Cathy Ct., Walton, Ky. 41094.	ABSOLUTELY DON'T WANT THIS!!!
SEAN SADLER	301 CATHY CT Walton	KY 41094
Carol Pickel	304 Cathy Ct, Walton,	KY 41094
Brent R. R. R.	75 Showalter trace Walton	KY 41094
My Kelt	393 REBECCA CT, Walton	KY 41094
Michlen Kelt	393 Rebecca Ct. Walton, KY	41094
Gene Schallert	46 Showalter Tr Walton	KY 41094
Amanda R. Schadler	46 Showalter Trace Walton, KY	41094
John Duggins	62 Showalter Tree. Walton,	KY 41094
Angela Duggins	62 Showalter tree Walton	41094

Cindy Nemethy
Pat Nemethy

365 Rebecca Ct
Walton, Ky 41094

Sonya Sims

360 Rebecca Ct
Walton Ky 41094

Edna Harrison

50 Showalter Lane
Walton, Ky 41094

Halley Eick

74 Showalter
Walton, Ky 41094

Gordon Henry
Morgan Henry

78 High St
Walton Ky 41094

Earl Dietz

79 HIGT ST. WALTON 41094

Jessica Popp

80 High Street
Walton Ky 41094

Roger Haddock

87 High St.
Walton Ky 41094

Danielle Hammerer

84 High St.
Walton, Ky 41094

Tim Carroll

86 High Street

Walton, KY 41094

Michael Portwood

88 High Street

Walton, KY 41094

90 High St

Jason Garrett

Walton, KY 41094

Erich Baker

92 High St

Walton, KY 41094

SCOTT IFIC

98 HIGH STREET

KIMBERLY CAWLES

WALTON KY 41094

CORY STAMPER

100 HIGH STREET

LAUREN STAMPER

WALTON, KY, 41094

CARMEN ALVA

104 High St.

WALTON KY, 41094

~~Erin Carter~~

~~107 High St~~

~~Walton, KY~~

Earl John

91 High St

Walton, KY 41094

Lucille McIntyre

75 High St

Walton, KY 41094

Art Gm

30 High St

Walton, KY 41094

Ed Shump

41094
88 High Street Walton

~~Jeffrey~~

40 High St Walton Ky

Brittany Townsend

36 High St Walton, KY 4109

Theresa E. Zool

32 High Street

Randy D. Dene

37 High St

Jessica Watterbe

37 High St.

Renee Lancaster

77 High St

Richard Wadsworth

73 High St.

David Mayfield

12967 Percival Rd

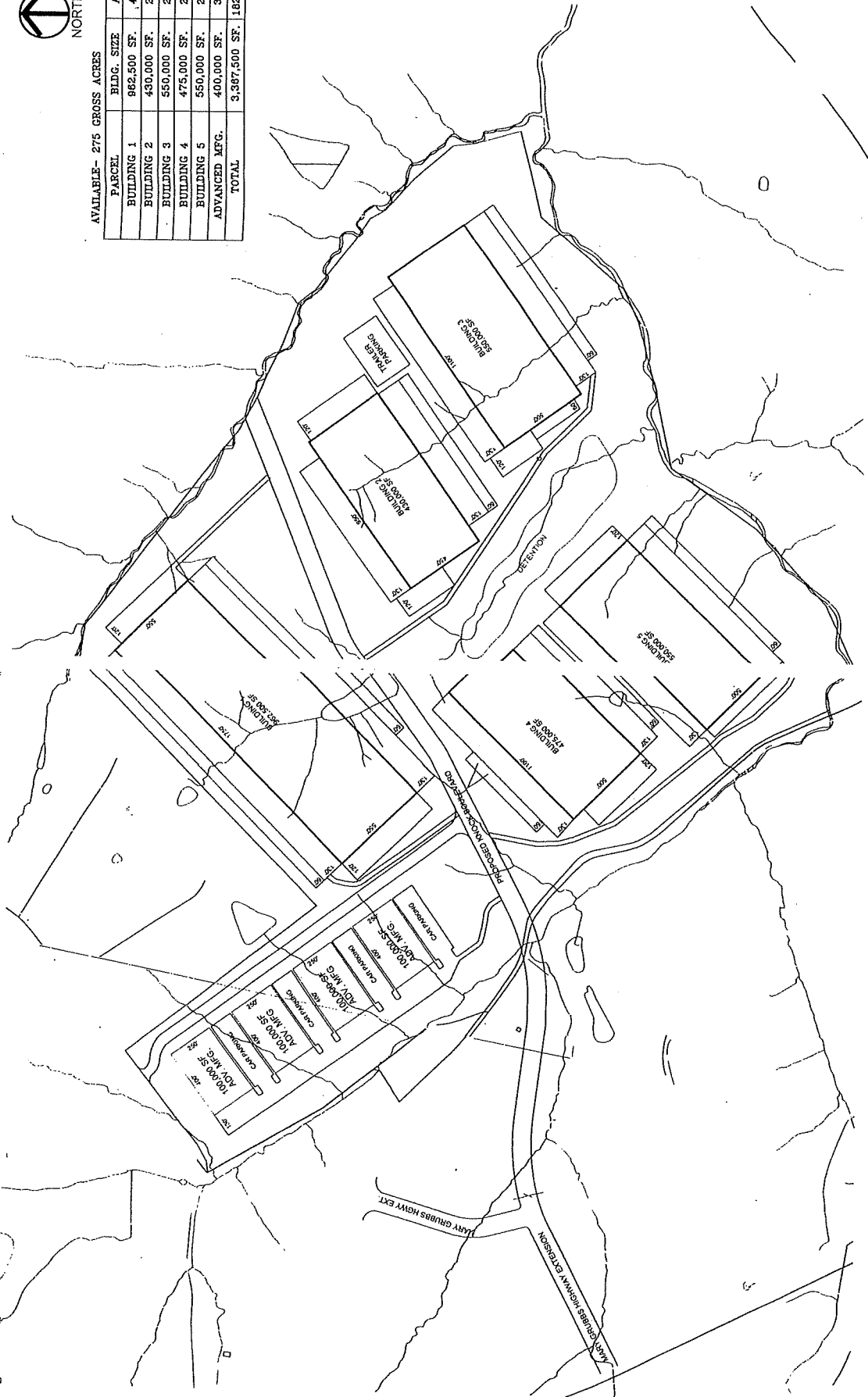
Sylvia Lee Siffel

12947 Percival Rd
Walton, Ky 41094



AVAILABLE - 275 GROSS ACRES

PARCEL	BLDG. SIZE	ACREAGE
BUILDING 1	982,500 SF.	148.45 ac
BUILDING 2	430,000 SF.	28.75 ac
BUILDING 3	550,000 SF.	28.75 ac
BUILDING 4	475,000 SF.	28.05 ac
BUILDING 5	550,000 SF.	28.05 ac
ADVANCED MFG.	400,000 SF.	30.43 ac
TOTAL	3,387,500 SF.	182.0 +/- ac



KNOX LAND
WAL L, KY

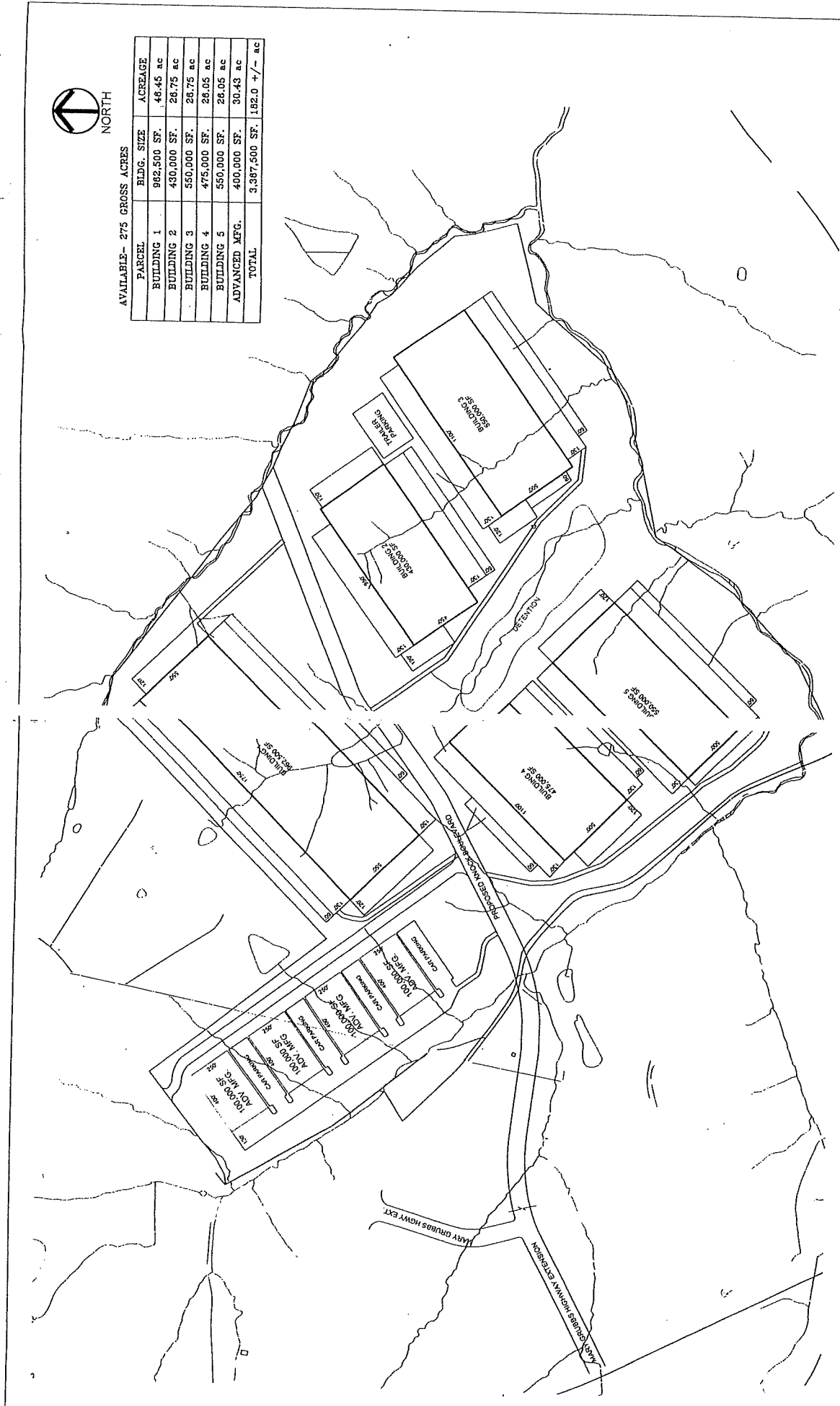
CONCEPT PLAN
SCALE: 1" = 500'
11/27/2007

Duke
REALTY CORPORATION
4500 Lee Road, Suite 100
Cincinnati, OH 45242
Phone: (513) 584-4400
Fax: (513) 584-4401



AVAILABLE - 275 GROSS ACRES

PARCEL	BLDG. SIZE	ACREAGE
BUILDING 1	982,500 SF.	48.45 ac
BUILDING 2	430,000 SF.	28.75 ac
BUILDING 3	550,000 SF.	28.75 ac
BUILDING 4	475,000 SF.	28.05 ac
BUILDING 5	550,000 SF.	28.05 ac
ADVANCED MFG.	400,000 SF.	30.43 ac
TOTAL	3,387,500 SF.	182.0 +/- ac



Duke
 REALTY CORPORATION
 4430 Lee Road, Suite 200
 Cincinnati, OH 45242
 Phone (513) 552-4000
 Fax (513) 552-4001

KNOX LAND
WALTON, KY

CONCEPT PLAN
 SCALE: 1" = 500'
 11/27/2007

The Kentucky
Transportation Cabinet

invites you
to participate in the
June 11, 2002

OPEN HOUSE

about
High Street Bridge
Alternatives

Drop by
anytime between the hours of
5:00pm and 7:00pm

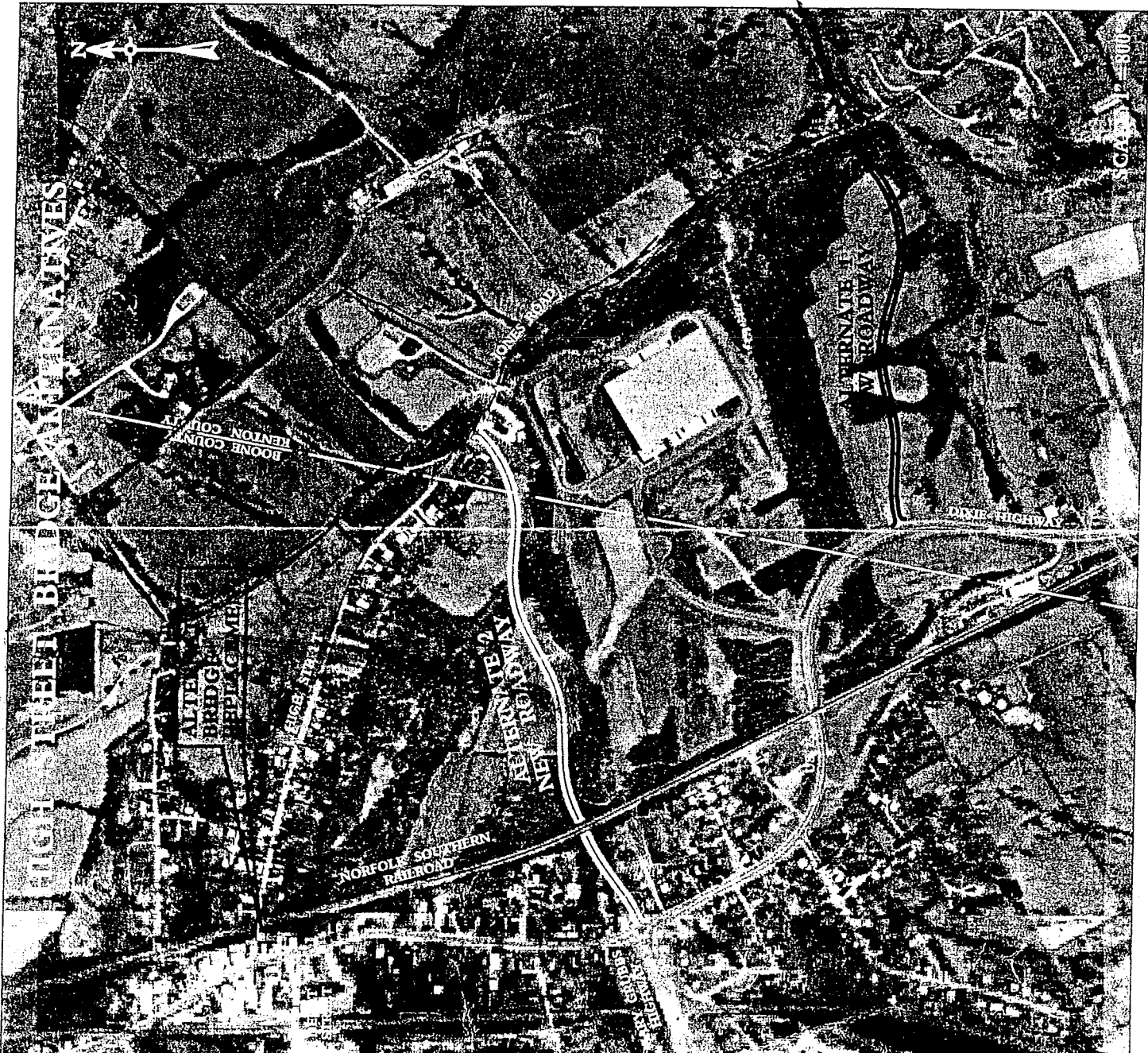
Walton Community Center

(Behind City Hall
at
40 N. Main Street)



KENTUCKY
TRANSPORTATION
CABINET

EXHIBIT D



UTILITY EXTENSION AND CAPACITY AGREEMENT

THIS AGREEMENT is entered into on this *June 18* day of *July*, 2011, between the City of Walton, Kentucky, hereinafter referred to as the "City", and Omaha Enterprises, LLC, a Kentucky limited liability company, hereinafter referred to as "the Owner".

WHEREAS, the Owner is the owner of certain real property (the "Property") located in Boone and Kenton Counties which is described as set forth in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, the Property is not currently within the city limits of the City; and

WHEREAS, the Owner desires to connect to the City's sanitary sewer and water systems (the "Sewer and Water Systems"), and the City is willing to allow such connection;

NOW, THEREFORE, for and in consideration of the mutual benefits and covenants hereinafter contained, the parties agree as follows:

1. Warranty of Title. The Owner warrants that it is the Owner of the Property described in Exhibit A and is authorized to enter into this Agreement.
2. Extension Authorized. The City hereby authorizes the Owner to extend sanitary sewer and water service to the Property from the existing sewer and water lines on Jones Road as depicted in the preliminary plans attached hereto as Exhibit B.
3. Costs. Owner shall pay all costs of designing, engineering and constructing the extension. All construction shall be performed to City standards and according to plans approved by the City Engineer. Any and all costs incurred by the City in reviewing plans and in inspecting construction shall be paid for by the Owner.
4. Sewer and Water Capacity Commitment. The City agrees to provide to the Owner water and sewer utility service and hereby reserves to the Owner the right to discharge to the City's sanitary sewer system 30,000 gallons per day average flow; provided however, that the City retains the authority to temporarily suspend such capacity where necessary to protect public health and safety, or where required to comply with the City's permits or orders by any agency with jurisdiction. These capacity rights are allocated only to the Property. Water service shall be provided at service levels sufficient to accommodate the Owner's right to discharge to the City's sanitary sewer system the 30,000 gallons per day average flow. Owner acknowledges that said service levels may not provide sufficient capacity to accommodate the fire flows necessary or desirable for commercial or industrial requirements. In the event that additional sewer or water capacity is requested by the Owner, the City agrees to reasonably cooperate with the Owner to provide such additional capacity; provided, however, that if the City incurs additional costs to provide such additional capacity, all costs incurred by the City in making available such additional capacity shall be paid by the Owner. Capacity rights acquired by the Owner pursuant to this Agreement shall not constitute ownership by the Owner of any facilities comprising the Sewer and Water Systems.
5. Permits/Easements. The Owner shall secure and obtain, at the Owner's sole cost and expense, any necessary permits, easements and licenses needed to construct the extension, including, but not limited to, all necessary easements, excavation permits, street use permits, or other permits required by state, county and city governmental departments or agencies. The City shall cooperate reasonably with the Owner's efforts to obtain all necessary permits, easements and licenses.

June 7/18/20

6. Turn Over of Capital Facilities. If the extension of sewer and water service to the Property involves the construction of main lines, pump stations, and/or other required capital facilities, the Owner agrees to turn over and dedicate such facilities to the City, at no cost, upon the completion of construction and approval and acceptance of the same by the City. The City agrees to accept such facilities for ownership and maintenance, provided such facilities are constructed of a size, capacity and quality reasonably acceptable to the City Engineer. As a prerequisite to such turn over and acceptance, the Owner will furnish to the City the following:

A. As built plans or drawings in a form acceptable to the City Engineer; and

B. Any necessary easements, permits or licenses for the continued operation, maintenance, repair or reconstruction of such facilities by the City, in a form approved by the City Attorney.

7. Connection Charges. The Owner agrees to pay the connection charges, in addition to any costs of construction, as a condition of connecting to the Sewer and Water Systems at the rate schedules applicable at the time the Owner requests to actually connect.

8. Service Charges. In addition to the charges for connection, the Owner agrees to pay for sewer and water services rendered according to the rates for services applicable at the time of service.

9. Annexation. At any time after the Owner notifies the City in writing of its intention to connect to the City's Sewer and Water Systems, the City shall annex the Property, subject to the applicable provisions of the Kentucky Revised Statutes and the terms and conditions hereinafter set forth. The City agrees to adopt all such annexation, zoning and other ordinances required to effectuate the provisions of this Agreement. In consideration of the covenants and benefits under Sections 2 and 4, the Owner consents to the City's annexation of the Property and agrees to execute and deliver to the City any other documents, certificates or consents necessary or required in order to complete the annexation process.

10. Zoning and Land Use. Pursuant to the applicable provisions of the City's zoning ordinance and K.R.S. Section 100.209, the Property shall be rezoned from the current agricultural and/or commercial districts to the commercial and/or industrial districts described in Article 10 and Article 11 (Section 1130-1137) of the Boone County Zoning Ordinance, as more fully set forth in Exhibit C attached hereto and incorporated herein by reference, as the Owner requests. The City agrees to act as the applicant or co-applicant for the rezoning requests to the Boone County and Kenton County Planning Commissions. For a period of time not less than forty (40) years from the date of this Agreement, adoption of subsequent, or modification of current, City zoning text or maps shall not alter the allowable permitted uses on the Property. The re-zoning of the Property shall be prosecuted immediately after the annexation of the Property.

Upon a request from the Owner, the City shall give due consideration and shall evaluate and act upon in good faith, the Owner's proposal to re-zone the Property to a residential zoning district. The Owner anticipates making such a request only if the Owner reasonably believes that market conditions will not support commercial or industrial development of the Property.

11. Specific Enforcement. In addition to any other remedy provided by law or this Agreement, the terms of this Agreement may be specifically enforced by a court of competent jurisdiction.

Done
7/18/2011

12. Covenant. This Agreement, or a memorandum hereof, shall be recorded with the Boone and/or Kenton County Clerk(s) and shall constitute a covenant running with the Property, and shall be binding on the Owner and the City, and their respective, successors and assigns. All costs of recording this Agreement with the County Clerk(s) shall be borne by the Owner.

13. Attorney's Fees. In any suit or action seeking to enforce any provision of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs, in addition to any other remedy provided by law or this Agreement.

14. Severability. If any provision of this Agreement or its application to any circumstance is held invalid, the remainder of the Agreement or the application to other circumstances shall not be affected.

DATED this 18th day of July, 2011.

OWNER:
OMAHA ENTERPRISES, LLC

CITY OF WALTON

By: Richard Knock Manager
Richard Knock, Manager

Wayne A. Carlisle
Mayor Wayne Carlisle

ATTEST/AUTHENTICATED:

Peggy Gray
City Clerk,

STATE OF KENTUCKY)
) ss.
COUNTY OF Boone)

I certify that I know or have satisfactory evidence that Richard Knock is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it as the Manager of Omaha Enterprises, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 07-18-2011

Peggy Gray
NOTARY PUBLIC
My commission expires: 10-15-2013
405973

STATE OF KENTUCKY)
) ss:
COUNTY OF _____)

I certify that I know or have satisfactory evidence that Wayne Carlisle is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the Mayor of the City of Walton, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 07-18-2011

Peggy Gray
NOTARY PUBLIC
10-15-2013
405973

EXHIBIT A

Parcel 1

v1-1251Pg009

Group No. 2081B (Boone)
Group No. IND (Kenton)
PIDN #022-00-00-004.01

Situated in Boone and Kenton Counties of Kentucky and lying on the northeast side of Jones Road (High Street extended) and on the southeast side of Percival Road (Church Street extended) and on the north side of Cruises Creek and is described as follows:

Beginning at a point in the center of Percival Road (Church Street extended) and corner to a tract of 18.05 acres owned by Albert G. Showalter (Deed Book 179, page 570), thence along the center of said road N. 89° 37' E. 78.83'; N. 62° 41' E. 50.0'; N. 51° 02' E. 50.0'; N. 47° 50' E. 187.7'; N. 53° 45' E. 240.47'; N. 52° 38' E. 186.27' to a point and corner to a tract of 17.180 acres owned by R.J. Bucher, thence along Bucher's tract S. 38° 11' E. 1300.28' to a point, thence along the south line of Bucher's tract and a tract of 6.034 acres owned by K.A. Tapp N. 45° 23' E. 1911.94' to a point on the northeasterly side of Turners Branch, thence along said branch S. 73° 04' E. 290.13'; S. 57° 58' E. 449.74'; S. 45° 12' E. 193.85'; S. 53° 09' E. 72.47' to a point, thence S. 32° 29' E. 268.0 crossing said branch to a point on the southwesterly side of said branch, thence continuing along said branch S. 51° 20' E. 216.50'; S. 62° 04' E. 83.62'; S. 66° 53' E. 480.62'; S. 32° 13' E. 131.33'; S. 63° 41' E. 159.54'; S. 84° 12' E. 102.85'; S. 37° 30' E. 69.60'; S. 56° 28' E. 76.31'; N. 71° 15' E. 49.73'; S. 51° 19' E. 228.10'; S. 16° 31' E. 57.09'; S. 83° 43' E. 89.97'; S. 52° 53' E. 28.82'; S. 29° 33' E. 92.59'; S. 47° 03' E. 221.86'; S. 40° 16' E. 280.41'; S. 8° 48' E. 168.93'; S. 17° 27' E. 280.37' to a point near the mouth of said branch, thence along the north side of Cruises Creek N. 88° 54' W. 284.40'; S. 64° 38' W. 393.66'; S. 44° 11' W. 73.11'; S. 6° 22' W. 102.00' to a point, thence S. 64° 18' E. 29.50' crossing said creek to a point, thence continuing along the south side of said creek S. 39° 48' W. 123.78'; S. 60° 18' W. 389.07'; S. 82° 28' W. 268.86'; S. 86° 55' W. 206.40' to a point, thence S. 67° 51' W. 345.24' crossing said creek to a point, thence continuing along the north side of said creek S. 26° 02' W. 101.47'; S. 35° 28' W. 225.92'; S. 34° 20' W. 166.89'; S. 64° 10' W. 163.13'; S. 47° 18' W. 489.17'; S. 79° 43' W. 150.71'; S. 72° 25' W. 127.71'; S. 82° 16' W. 102.00' to a point in the center of a small branch in the line of a 1.2 acre tract, thence along said tract N. 36° 27' W. 93.95'; N. 60° 38' W. 75.50'; S. 75° 22' W. 101.0 to a point in the center of a bridge on Jones Road (High Street extended) thence along the center of said road N. 23° 15' W. 237.55'; N. 25° 04' W. 100.0'; N. 31° 40' W. 100.0'; N. 40° 12' W. 156.0'; N. 42° 38' W. 485.68'; N. 37° 06' W. 100.0'; N. 27° 02' W. 100.0'; N. 13° 46' W. 219.65'; N. 27° 59' W. 50.0'; N. 44° 14' W. 75.0'; N. 48° 01' W. 232.27'; N. 54° 23' W. 75.0'; N. 65° 15' W. 90.10' to a point and corner to a 8.15 acre tract owned by the Walton Lion Club (Deed Book 183, page 208) thence along said tract N. 8° 22' W. 95.51'; N. 31° 09' E. 838.64'; N. 36° 10' W. 241.57'; S. 54° 38' W. 438.60'; S. 39° 23' W. 427.31'; S. 39° 12' E. 290.07'; S. 35° 05' W. 144.09' to a point in the center of Jones Road, thence along said road N. 54° 35' W. 400.86'; N. 49° 25' W. 100.0'; N. 44° 11' W. 336.54'; N. 54° 58' W. 80.0 to a point in said road and corner to Albert G. Showalter; thence along Showalter's tract N. 57° 30' E. 224.79'; N. 14° 51' E. 33.9'; N. 37° 40' W. 343.92'; N. 30° 38' W. 621.60'; N. 31° 54' W. 121.0' to the point of beginning containing 269.624 acres and subject to the legal right-of-ways and easements of record in existence.

Boone
7/13/2011

Excepting from the foregoing real estate the following described parcels:

(1) Parcel conveyed to City of Walton, Kentucky as set out in Deed Book 207, page 423 of the Boone County Clerk's records at Burlington, Kentucky.

(2) Parcel Conveyed to Alfred Iles as set out in Deed Book 15, page 26 of said records.

The above described 269.624 acres is the result of a new survey by T. R. McNesly dated February 8, 1978.

Being the same property conveyed to the Grantor herein by deed dated December 19, 1991 and recorded in Deed Book 469, page 122, Boone County Clerk's office, Burlington, Kentucky, and recorded in Deed Book 351, page 90, Kenton County Clerk's Office, Independence, Kentucky.

Parcel 2

Group No. 2081B (Boone)

Group No. IND (Kenton)

PIDN #022-00-00-004.00

Being a certain tract of land situated on the north side of High Street east of the City of Walton, Kentucky, in the County of Boone, Commonwealth of Kentucky and on the north side of Jones Road in the County of Kenton, Commonwealth of Kentucky and formerly being the parcel of land conveyed to the City of Walton as recorded in Deed Book 207, page 423, of the Boone County Clerk's records at Burlington, Kentucky, and in Deed Book 173, page 22 of the Kenton County Clerk's records at Independence, Kentucky and being more particularly described as follows:

Beginning at a recovered spike in the center of High Street (Jones Road), a common corner to RICHARD KNOCK AND JOANN KNOCK as recorded in Deed Book 469, page 122 of the Boone County Clerk's records at Burlington, Kentucky and Deed Book 351, page 90 of the Kenton County Clerk's records at Independence, Kentucky:

Thence along the centerline of High Street, North 54° 35' 00" West, a distance of 256.42 feet to a point;

Thence leaving the center of High Street, North 11° 24' 57" East, a distance of 198.00 feet to a set iron pin;

Thence South 80° 35' 03" East, a distance of 55.00 feet to a recovered stone marker;

Thence South 03° 35' 03" East, a distance of 95.00 feet to a set iron pin;

Thence South 34° 35' 03" East, a distance of 100.00 feet to a set iron pin;

Thence North 18° 38' 44" East, a distance of 165.21 feet to the point of beginning.

Long
7/18/2011

Said parcel containing 0.6774 acres as shown on the attached drawing prepared by Cardinal Engineering and being subject to the easements as described in Exhibits "A" and "B", other easements, restrictions, covenants, and conditions of record.

This description is based upon a survey performed by Cardinal Engineering Corporation, Brian Cox, Registered Land Surveyor, No. KY 3381.

Being the same property conveyed to the Grantors herein by deed dated April 12, 2002 and recorded in Deed Book 867, page 576, Boone County Clerk's office, Burlington, Kentucky; and recorded in Official Record Book I-588, page 242, Kenton County Clerk's Office, Independence, Kentucky.

lmm
7/18/2011

EXHIBIT A

Located on the north side of Jones Road approximately one mile southeast of U.S. #35, Kenton County, State of Kentucky and more particularly described as follows:

Beginning at a point in the centerline of Jones Road, (High Street extended), said point being 917 feet southeast of the intersection of the centerline of said road with the northwesterly boundary line of the grantor's property, measured along the centerline of said road; thence from said place of beginning and departing from said road along a new division line, north 35-05 east, 144.09 feet to a point; thence north 39-11-30 west, 290.07 feet to a point; thence north 39-22-30 east, 427.31 feet to a point, thence north 54-38 east, 438.60 feet to a point; thence south 36-10 east, 241.57 feet to a point in an existing fence line; thence south 31-08-53 west, 838.64 feet to a point; thence south 8-21-30 east, 95.51 feet to a point in the centerline of the aforesaid Jones Road; thence along the centerline of said road; north 79-30 west, 130.05 feet to a point; thence north 73-26 west 36.11 feet to a point; thence north 65-31 west, 50.00 feet to a point; thence north 59-09 west, 50.00 feet to a point, the place of beginning, containing 8.15 acres.

Being the same property conveyed to the Grantor herein by deed dated December 5, 2003 and recorded in Deed Book 1200, page 35, Kenton County Clerk's office, Independence, Kentucky.

7/18/2011
vnc

Recorded	RODNEY ELDRIDGE
INDEPENDENCE	KENTON COUNTY CLERK
Doc type:	DEED
Book/page:	I-2701/ 124 4 pg
Doc#:	10 06 30 059 00137
Dt/tm Recorded:	06/30/2010 01:22:47pm
Total fees:	116.00 Tax: 96.00
Clerk name:	BONNIE L LOVE

Exhibit B

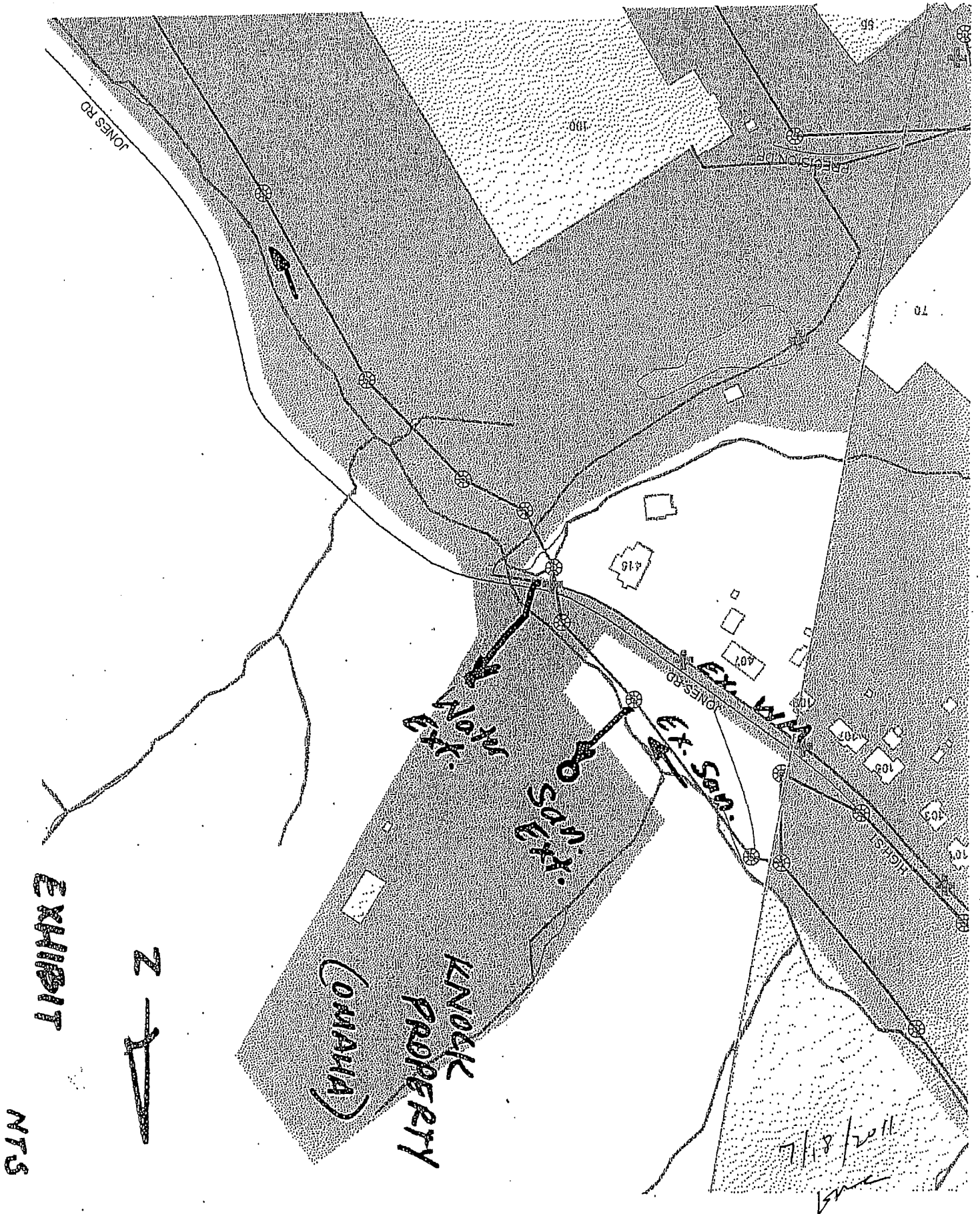


Exhibit C

ARTICLE

10

COMMERCIAL DISTRICTS

SECTION 1000

Intent

The intent of this article is to create and provide: a) the necessary selection of goods and services required by urban and suburban neighborhoods, communities and regions; b) sites which are capable of centrally serving trade area populations; c) sites which are appropriately supported and served by necessary infrastructure; d) the implementation of an overall identifiable, cohesive urban and suburban form which is compact and efficient in design and makes efficient use of parking, multi-modal forms of transportation, open space and other physical characteristics of the land and improvements. In addition, this article is intended to prevent the excessive commercialization from wasting or blighting public and private facilities and land.

SECTION 1010

COMMERCIAL ONE (C-1)

The purpose of the Commercial One district is to provide the convenience goods and personal services required for daily living needs. Districts will be located on suitable lands central to the neighborhood trade area with direct access from neighborhood collector roads or minor arterials. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.

SECTION 1011

Principally Permitted Uses

The following uses are permitted:

1. Hardware stores;
 2. Eating and drinking establishments including alcoholic beverages;
 3. Grocery stores and supermarkets;
 4. Stores with retail sales of meat, fish, seafood, dairy and poultry products;
 5. Fruit and vegetable stores; bakeries, candy, nut and confectionery stores;
 6. Convenience stores;
 7. Liquor, beverage, drug and proprietary stores;
 8. Banking services, savings and loan associations, credit unions and other credit services;
- (THE FOLLOWING PASSAGE APPLIES TO THE CITY OF FLORENCE CITY LIMITS ONLY) The business of cashing checks or accepting deferred deposit transactions as regulated by KRS 368.010 to 368.120 shall not be included in this permitted use.

9. Insurance carriers and agents;
10. Real estate operators, agents, lessors and real estate sub-dividing and developing services, operative builders and related services;
11. Accounting, auditing and bookkeeping services;
12. Postal services and packaging services provided the use is essential for pick-up and delivery convenience and not storage or transfer activities more appropriate to an employment district;
13. Physician, dental, optical goods and services;
14. Veterinary services and pet grooming services but not including the boarding of animals;
15. Beauty and barber services and tanning salons;
16. Nursery and day care centers;
17. Laundering, dry cleaning and dyeing services including self-service;
18. Alteration and garment repair and custom tailoring;
19. Shoe repair, shoe shining and hat cleaning services;
20. Family clothing, shoe stores, specialty clothing or boutiques and other apparel retail trade;
21. Jewelry stores;
22. Radio, t.v., music supplies, cameras, photographic supplies and specialty household appliances;
23. Art, craft and hobby supplies and products, gifts and novelties;
24. Antiques and used merchandise;
25. Books, stationery, newspapers and magazines;
26. Florists excluding greenhouses;
27. Sporting goods including bicycles;
28. Draperies, curtains, upholstery and floor coverings;
29. Paint, glass and wallpaper stores;
30. Photo finishing services;
31. Recreation centers, gymnasiums, clubs and similar athletic uses;
32. Video stores;
33. Funeral homes and crematoriums excluding cemeteries or mausoleums.

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SECTION 1012

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses defined to be:

1. Recreation uses or spaces of integral relation to the developed portions of the district including:
 - a. Temporary exhibit spaces;
 - b. Aquariums, botanical gardens and other natural exhibitions;
 - c. Stages and similar assembly areas;
 - d. Indoor target ranges and similar athletic uses;
2. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:
 - a. Private garage and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
 - d. The keeping and use of appropriate household pets;
3. Signage ~~(See Article 34);~~
4. Parking ~~(See Article 33);~~
5. Temporary buildings incidental to construction;
6. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;
7. Retail sale of motor fuels;
8. Drive-up photo finishing services and automatic teller services;
9. The rental of trucks and trailers, (only permitted to be displayed in the side or rear of the property);
10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
11. Recycling collection containers.

SECTION 1013

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or b) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; and, c) the arrangement of uses, buildings or structures will be compatible with the organization of permitted and accessory uses to be protected in the district:

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1. Gasoline filling stations and automotive repair facilities;
2. Churches, synagogues, temples and other places of religious assembly for worship;
3. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(c).

SECTION 1014

Intensity

The intensity of use in a Commercial One district of under two (2) acres shall not exceed 8,000 square feet of gross floor area per acre of land.

The intensity of use in a Commercial One district larger than two (2) acres shall not exceed 11,000 square feet of gross floor area per acres of land.

SECTION 1015

Minimum Size

There is no minimum size or extent required of a Commercial One district.

SECTION 1016

Minimum Standards

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

SECTION 1020

COMMERCIAL TWO (C-2)

The purpose of the Commercial Two district is to provide comparable shopping goods, personal and professional services, and some convenience goods required for normal living needs as well as major purchase opportunities. Districts will be located on suitable lands primarily central to regional trade areas and to some extent the community as a whole and such districts have access from expressways or arterial roads. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.

SECTION 1021

Principally Permitted Uses

The following uses are permitted:

1. All principally permitted uses of a Commercial One (C-1) district;
2. All the principally permitted uses in an Office One (O-1) district; with the exception of principally permitted use #27 in Section 1111.
3. Eating and drinking establishments including alcoholic beverages; (THE FOLLOWING PASSAGE APPLIES TO THE CITY OF WALTON CITY LIMITS ONLY) Eating and drinking establishments including alcoholic beverages and accessory drive-in facilities;
4. Department stores, mail order houses, direct retail selling organizations of general merchandise;
5. Furniture, home furnishings including specialty and floor coverings;
6. Specialized upholstery and furniture repair or refinishing services;

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7. Apparel stores;
8. Household appliances, china, glassware and metal ware;
9. Radio, t.v., watch, clock, and jewelry repair;
10. Photographic, stenographic and other duplicating and mailing services;
11. Legal services, engineering and architectural services;
12. Security brokers, dealers and flotation services;
13. Title abstracting services; holding and investment services;
14. Advertising services including direct mail;
15. Business and management consulting services;
16. Employment services;
17. Consumer and mercantile credit reporting, adjustment and collection services;
18. Travel arranging, transportation ticket and public event or promotional booking agencies;
19. Radio and television broadcasting studios excluding transmitting stations and towers;
20. Art, music and dancing schools, libraries and museums;
21. Medical and dental laboratory services;
22. Medical clinics, out-patient services;
23. Welfare and charitable services;
24. Business associations and professional membership organizations including civic, social and fraternal organizations;
25. Art and craft galleries and similar exhibit space;
26. Aquariums, botanical gardens and other natural exhibitions;
27. Arcades and other amusement centers;
28. Motion picture theaters (indoor);
29. Bowling alley, skating rinks, roller skating rinks, miniature golf courses, golf driving ranges, and skateboard facilities;
30. Recreation centers, gymnasiums, clubs and similar athletic uses;
31. Motorcycle sales or bike shops excluding outside storage;
32. Churches, synagogues, temples and other places or religious assembly for worship;
33. Hotels and motels including convention facilities;

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34. Pawn shops (Not Applicable within the City of Florence);
35. Auto parts and accessories stores;
36. Gasoline filling station;

SECTION 1022

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses including:

1. Recreation uses or spaces of integral relation to the developed portions of the district defined to be:
 - a. Stages and similar assembly areas;
 - b. Auditoriums, exhibition halls and other public assembly spaces;
 - c. Billiards;
 - d. Play lots and tot lots;
 - e. General, leisure, ornamental and other parks, spaces, trails bikeway systems, malls and urban pedestrian networks;
2. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:
 - a. Private garage and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
 - d. The keeping and use of appropriate household pets;
3. Signage (See Article 34);
4. Parking (See Article 33);
5. Temporary buildings incidental to construction ;
6. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;
7. Drive-up photo finishing services and automatic teller services;
8. Indoor target ranges and similar athletic uses;
9. Recycling collection points (See Article 31);
10. Garment and Furniture centers (See Article 31);
11. The rental of trucks and trailers, (only permitted to be displayed in the side or rear of the property);

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12. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
13. Recycling collection containers.

SECTION 1023

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or b) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; and c) the arrangement of uses, buildings or structures will be mutually compatible with the organization of permitted and accessory uses to be protected in the district:

1. Garden and landscape sales including florist greenhouses, lawn furniture and the like;
2. Automotive repair facility and wash services for vehicles;
3. Small scale sales or leasing of new and used motor vehicles requiring the storage of no more than fifty (50) vehicles on the premises (Does not apply in the City of Florence);
4. Small scale sales or leasing of new and used recreational vehicles requiring the storage of no more than fifty (50) vehicles on the premises (Does not apply in the City of Florence);
5. Mini-warehouses or storage facilities (Does not apply in the City of Florence);
6. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(c).
7. Indoor kennels for household pets; except in the City of Florence where indoor kennels for household pets are only allowed when not adjoining a residential zoned property.

SECTION 1024

Intensity

The intensity of use in a Commercial Two district of under four (4) acres, including all the contiguous private property so designated, shall not exceed 12,000 square feet of gross floor area per acre of land. In a commercial two district of over four (4) acres, the intensity of use shall not exceed 15,000 square feet of gross floor area per acre of land.

SECTION 1025

Minimum Size

The minimum size and extent of a Commercial Two district, including all the contiguous private property so designated, shall not be less than two (2) acres.

SECTION 1026

Minimum Standards

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

SECTION 1030

COMMERCIAL SERVICES (C-3)

The purpose of the Commercial Services district is to provide, control and centralize those types of commercial activities which; a) depend on and generate high vehicular accessibility, visibility and traffic; and/or b) large outdoor single-purpose storage, display and parking areas and c) which do not fit the scale, character, trade area and general objectives of the other commercial districts in this article or the employment districts defined

in Article 11. Such districts will generally be organized about regional or major community trade areas. Sites will be of suitable lands which can be appropriately buffered from surrounding urban uses. Districts will be located to have direct visibility from major arterials. District facilities and plans should be organized to accomplish as much clustering of compatible uses, sharing of parking and access, signage, lighting and other spaces and improvements as possible.

SECTION 1031

Principally Permitted Uses

The following uses are permitted:

1. All principally permitted uses of a Commercial One (C-1) district;
2. All the principally permitted uses in an Office One (O-1) district; with the exception of principally permitted use #27 in Section 1111.
3. Commercial parking facilities and commercial recreational vehicle parking facilities;
4. Sales of lumber, building materials, heating and plumbing equipment, electrical supplies, hardware and farm equipment;
5. Sales, automotive repair, or lease of new and used motor vehicles including tires, batteries and accessories;
6. Major furniture, floor coverings, household appliances and home furnishing outlets;
7. Eating and drinking establishments including alcoholic beverages and accessory drive-in facilities
8. Sporting goods and accessories including the sales and service of new and used marine craft, recreational vehicles, camping trailers, bicycles, and motorcycles and other sporting equipment and sales;
9. Sale of mobile homes, sheds, car ports and other pre-fabricated buildings;
10. Garden and landscape sales, lawn furniture and the like, farm and garden supply outlets including equipment and vehicles;
11. Food lockers including preparation facilities and individualized household goods storage lockers (mini warehouses);
12. Equipment (light), automobile, truck rental and leasing services;
13. Gasoline filling stations, automobile repair facilities, car and truck washes, but excluding junk yards, wrecking or other storage, and excluding the repair of tractor-trailers and other trucks;
14. Florists including greenhouses;
15. General dry goods and merchandise stores;
16. Department stores, mail order houses, direct retail selling organizations of general merchandise;
17. Household appliances, china, glassware and metal ware;
18. Medical and dental laboratory services;
19. Travel arranging, transportation ticket and public event or promotional booking agencies;
20. Hotels and motels including convention facilities;

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21. Auto parts and accessories stores;
22. Flea markets;
23. Churches, synagogues, temples and other places or religious assembly for worship;
24. The business of cashing checks or accepting deferred deposit transactions as regulated by KRS 368.010 to 368.120. (APPLIES TO THE CITY OF FLORENCE CITY LIMITS ONLY)
25. Pawn shops. (APPLIES TO THE CITY OF FLORENCE CITY LIMITS ONLY)
26. Bowling alley, skating rinks, roller skating rinks, miniature golf courses, golf driving ranges, and skateboard facilities;

SECTION 1032

Accessory Uses

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses including:

1. Recreation uses, buildings and structures customarily incidental and subordinate to any of the permitted uses and defined to be:
 - a. Stages and similar assembly areas;
 - b. Auditoriums, exhibition halls and other public assembly spaces;
 - c. Amusement centers;
 - d. Tennis courts and billiards;
 - e. Play lots, tot lots, recreation centers and similar athletic uses;
 - f. Swimming beaches and swimming pools;
 - g. General, leisure, ornamental and other park spaces;
2. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:
 - a. Private garage and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
 - d. Appropriate storage of a recreation vehicle or unit;
 - e. The keeping and use of appropriate household pets;
3. Signage (See Article 34);
4. Parking (See Article 33);
5. Temporary buildings incidental to construction;

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6. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, and which are conducted in accordance with Section 3154;
7. The rental of trucks and trailers;
8. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
9. Recycling collection containers.

SECTION 1033

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is an integral and subordinate function of a permitted commercial use or service; or b) the arrangement of use, building or structure will be compatible with the organization of permitted and accessory uses to be protected in the district;

1. Welding or limited fabrication of metal products provided the use is of office or service contract and not storage or manufacturing which is more appropriate to an industrial district;
2. Truck stops;
3. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(c).
4. Indoor kennels for household pets; except in the City of Florence where indoor kennels for household pets are only allowed when not adjoining a residential zoned property.

SECTION 1034

Intensity

The intensity of use in a Commercial Services (C-3) district shall not exceed 18,000 square feet of gross floor area per acre of land.

SECTION 1035

Minimum Size

The minimum size and extent of a Commercial Services district, including all the contiguous private property so designated, shall not be less than three (3) acres.

SECTION 1036

Minimum Standards

See Article 31 for dimensional standards. (Site plan review required for all permitted uses, See Article 30)

SECTION 1040

COMMERCIAL FOUR (C-4)

The purpose of the Commercial Four district is to provide locally oriented commercial services, either retail, recreational or office uses, in areas located near or adjacent to interstate highways and arterial roads. These areas are either currently or expected to experience rapid growth due to the population projections and recommended land uses in the Boone County Comprehensive Plan and in other land use studies. Such uses would serve to accommodate the service demands of an expanding local population that normally can't be met because of the limited type and scale of office, recreational or retail use in the immediate area. These types of uses are intended to serve the local population or community rather than regional interests. Such districts shall be located near or adjacent to interstate highways and along arterial roads whereby access and visibility are required to serve local residents. These districts shall be limited in size in order to provide maximum egress and ingress for the local population.

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SECTION 1041

Principally Permitted Uses

The following uses are permitted, subject to the minimum and maximum size, standards and intensity provisions of this zoning district:

1. Grocery stores and supermarkets;
2. Convenience stores;
3. Banking services, savings and loan associations, credit unions and other credit services;
4. Postal services and packaging services provided the use is essential for pick-up and delivery convenience and not storage or transfer activities more appropriate to an employment district;
5. Department stores or general merchandise stores;
6. Gasoline filling stations, automotive repair facilities and wash facilities;
7. Eating and drinking establishments including alcoholic beverages and accessory drive-in facilities
8. Furniture stores;
9. Hardware stores;
10. Recreation centers, gymnasiums, clubs and similar athletic uses;
11. Medical offices, clinics and laboratory services;
12. Travel agencies;
13. Legal, architectural, engineering, accounting, insurance and real estate services;
14. Photo finishing services;
15. Florists, excluding greenhouses;
16. Shoe repair and dry cleaning services;
17. Nursery and day care centers;
18. Beauty and barber salons;
19. Veterinary services and pet grooming services;
20. Bakery stores;
21. Apparel shops;
22. Drug store;
23. Garden and landscaping sales and supplies including florist greenhouse;
24. Fire stations and related services and police stations;
25. Laundromats and self-service washing and drying;
26. Opticians and optical goods;
27. Television and audio sales and repair;

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28. Paint and wallpaper stores;
29. Carpet stores;
30. Books, stationery, gift shops and card shops;
31. Household and electrical appliance stores including repair;
32. Sporting goods stores;
33. Video stores;
34. Churches, synagogues, temples and other places or religious assembly for workshop;
35. Funeral homes and crematoriums excluding cemeteries or mausoleums;
36. Liquor, beverage, drug and proprietary stores;
37. Auto parts and accessories stores;
38. Hotels and motels including convention facilities.

SECTION 1042

Accessory Uses

Accessory uses, building and structures customarily incidental and subordinate to any of the permitted uses including:

1. Recreation uses, buildings and structures customarily incidental and subordinate to any of the permitted uses and defined to be:
 - a. Stages and similar assembly areas;
 - b. Auditoriums, exhibition halls and other public assembly spaces;
 - c. Amusement centers;
 - d. Tennis courts and swimming pools;
 - e. Play lots, tot lots, recreation centers and similar athletic uses;
 - f. General leisure, ornamental and other park spaces;
2. Signage (See Article 34);
3. Parking (See Article 33);
4. Temporary buildings incidental to construction;
5. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, and which are conducted in accordance with Section 3154;
6. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:
 - a. Private garage and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;

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- d. Appropriate storage of a recreation vehicle or unit;
- e. The keeping and use of appropriate household pets;
- 7. The rental of trucks and trailers, (only permitted to be displayed in the side or rear of the property);
- 8. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
- 9. Recycling collection containers.

SECTION 1043.

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is an integral and subordinate function of a permitted commercial use or service; or b) 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 to the district:

- 1. Mini-warehouses or storage facilities;
- 2. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(c).

SECTION 1044

Intensity

The intensity of use in a Commercial Four (C-4) district is 13,000 square feet of gross floor area per 1 acre. The maximum intensity for any principally permitted use or accessory use shall not exceed 100,000 square feet.

SECTION 1045

Minimum/Maximum Size

The minimum size and extent of a Commercial Four (C-4) district, including all the contiguous private property so designated, shall not be less than three (3) acres. There is no maximum size limit of a C-4 district. However, no development or project in a C-4 district shall exceed 30 acres in size.

SECTION 1046

Minimum Standards

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

ARTICLE

11

EMPLOYMENT DISTRICTS

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;

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5. Fabricated wood products including containers, building components, structural members, but excluding the primary manufacture of wood or wood products;
6. Furniture and fixtures;
7. Paper products including envelopes, bags, boxes and containers, but excluding the primary manufacture of pulp, paper, paperboard or paper products;
8. Printing industries;
9. Pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations;
10. Soaps and other detergents;
11. Fabrication of metal products except firearms and accessories, large scale machinery, and transportation vehicles;
12. Professional, scientific and controlling instruments, photographic and optical goods, watches and clocks;
13. Electric and electronic equipment;
14. Jewelry and precious metals, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils and other office and artists materials, brooms and brushes, lamp shades, signs and advertising displays, umbrellas, parasols and canes and other miscellaneous fabrication activities.
15. Technology and research centers including medical and hospital research establishments;
16. Educational and governmental institutions;
17. Wholesale trade of automobile accessories and parts;
18. Wholesale trade of drugs, drug proprietaries and sundries;
19. Wholesale trade of dry goods and apparel;
20. Wholesale trade of groceries and related products in enclosed facilities except animals or raw farm materials or products;
21. Wholesale trade of electrical and electronic parts;
22. Wholesale trade of hardware, plumbing, heating, equipment and supplies;
23. Wholesale trade of small machinery, equipment (light) and supplies except transportation or farm vehicles;
24. Other wholesale trade except non-containerized or bulk raw metals and minerals, petroleum products, scrap and waste materials;
25. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
26. Window cleaning, disinfecting, exterminating, grounds keeping, and other dwelling and building services;
27. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage;

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28. Research, development and testing services;
29. Detective and protective services;
30. Photo finishing and other photographic laboratories;
31. Electrical repair and armature rewinding services;
32. Reupholstery and furniture repairing and refinishing services;
33. Scientific research services and laboratories;
34. Building construction, general contractor, plumbing, heating, air conditioning, painting, paper handling, decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, wood flooring, roofing and sheetmetal, water-well drilling, septic and other special construction trade offices, supply, storage and related activities;
35. Postal services and related storage, distribution and transfer activities;
36. Agricultural contract sorting, grading and packaging services of fruits and vegetables;
37. Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
38. Freight forwarding, packing and crating services;
39. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;
40. Equipment (light) rental and leasing services including automobiles and trucks, and sales of tractor-trailers and other commercial trucks and trailers;
41. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
42. Manufacture of plastic products but not the primary manufacture of plastics;
43. Welding shops for the repair of industrial machinery and heavy equipment;
44. Truck stops;
45. Recycling centers;
46. Fire stations or fire related or protective services including rescue services;
47. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
48. Commercial parking facilities and commercial recreational vehicle parking facilities;
49. Landscape contracting and wholesale nurseries;
50. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.
51. Crematoriums.

SECTION 1132

Accessory Uses

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

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1. Recreational uses or spaces of integral relation to the purposes of the district defined to be:
 - a. Nature preserves, wildlife sanctuaries, open spaces and other natural areas;
 - b. Historic sites, structures, monuments and other exhibits available public viewing;
 - c. Auditoriums, exhibition halls and other public or miscellaneous assembly;
 - d. Golf course and tennis courts;
 - e. Swimming beaches and swimming pools;
 - f. Picnicking, hiking areas, exercise trails and other recreational uses;
 - g. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
 - h. Recreation/Health centers.
2. The administration management, stenographic reproductions, research, sales (including industrial retail sales, exhibit or display) and any related or integral office use or activity of the permitted use;
3. Railroad right-of-way including switching and marshaling trackage and freight terminals;
4. Marine freight terminals;
5. Employment services;
6. Signage (See Article 34);
7. Parking (See Article 33);
8. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, and which are conducted in accordance with Section 3154;
9. Food service for office, manufacturing or distribution uses;
10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
11. Recycling collection containers.

SECTION 1133

Conditional Uses and Criteria

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is provided primarily in support of and obtains its trade from the employees of the district; or b) the activity is of integral relation to the purpose 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 and accessory uses to be protected in the district:

1. Uses in which the primary business activity involves the following:
 - a. the storage of explosives or fireworks according to State law, gas, or petroleum;
 - b. bag cleaning;

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- c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;
- d. creosote treatment;
- e. distillation of bones, coal or wood;
- f. enameling, japanning or lacquering;
- g. radium or radioactive elements;
- h. crushing or other reduction or waterproofing;
- i. the storage of chemicals;

The permission of such uses will be decided on an individual basis;

- 2. Poultry and small game dressing and packing;
- 3. Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
- 4. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
- 5. Gasoline filling stations and wash services;
- 6. Labor unions and similar labor associations;
- 7. Nursery and child care centers;
- 8. Hotels and motels;
- 9. Commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
- 10. Retail sales or leasing of new and used motor vehicles;
- 11. Wholesale vehicle sales or auctions;
- 12. Churches, synagogues, temples and other places of religious assembly for worship;
- 13. Kennels for household pets; "City of Florence only - kennels for household pets only when not adjoining a residential zoned property."
- 14. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)©.

SECTION 1134

Intensity

The maximum intensity of all uses in an Industrial One district shall not exceed 25,000 square feet of gross floor area per acre.

SECTION 1135

Minimum Size

The minimum size and extent of an Industrial One district, including all the contiguous private property so designated, shall not be less than five (5) acres.

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SECTION 1136

Performance Standards

Each development in the Industrial One district shall meet the following applicable performance standards pertaining to noise, vibration, air pollution, dust control, heat, lighting and landscaping (See Article 31):

General: No land or structure in an I-1 district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable condition which may affect any other property, including, but not limited to a) noise, b) vibration or shock, c) air pollution, d) dust control, e) heat, f) lighting, g) landscaping & buffering.

SECTION 1137

Supplemental Zoning Map Amendment Standards

Zoning Map Amendment applications which request the I-1 zone, and which involve sites that are located within areas designated as "Business Park" by the Boone County Comprehensive Plan's Future Land Use Map, shall be assessed relative to the standards in Section 1609 "Design Standards" in conjunction with the provisions of Article 3 "Amendment."

7/18/2011
WMC



July 24, 2012

To Whom It May Concern:

My name is Amy Barnes and I am a full-time realtor with Remax Affiliates in Northern KY. I have been a full-time agent for 8 years and numerous months have been in the top 10 selling agents for Remax Affiliates.

I have been asked by Larry and Barbara Clifton to review their current home located at 103 High Street in Walton, KY in order to give them a fair market value for their home in the current real estate market.

After reviewing their home, I believe that their home is approximately worth anywhere between \$95,000 to possibly \$110,00. I have also included with this letter recent sold comparables for the area with brick ranch homes that house 3 bedrooms, 2 full baths and a full basement.

In the event that the surroundings around them were to change this could drastically devalue their property possibly making it worth 50% less than the current market value based on its current surroundings.

If you need additional information, please feel free to call me anytime at (859) 322-9400.

Sincerely,

Amy J. Barnes
Amy J. Barnes

RE/MAX Affiliates

1311-B West Shelby Street
Falmouth, Kentucky 41040

Office: (859) 654-5000

Fax: (859) 654-5006

Toll Free: (800) 871-5410



Listings as of 07/24/12 at 11:22am

Page 1

Sold 05/22/12 CD 06/19/12
 S406781p+vt 185 Ashwood Dr
 City/Village Walton Cnty Boone
 Subd Chris Chad Twp

DOM 49 SO 432500216 FHA
 Unit# Subu Walton
 State KY Zip 41094

SP\$ 101,000
 LP\$ 103,800
 OP\$ 104,000

Rooms #6 Bedrms 3 Baths 1-1

Family Rm N
 Formal Din Y

BedRm Lev1 Y
 BthRm Lev1 Y Full



[Click here for Additional Information](#)

[See
Virtual
Tour](#)

Type Single Family
 Levels 1 Story
 Arch Ranch
 Const Brick
 Found Poured
 Roof Shingle
 Windows Insulated, Aluminum
 Heating Electric, Heat Pump
 Cooling Central Air
 Age 22
 New N Existing Structure
 Lot 65x165
 Acreage 0.239

Bsmt Full
 Garage None
 Parking Driveway
 Firepl None
 Gas None
 Water Public
 Sewer Public
 Zoning Residential
 Sa-Tax
 TxRate 12.63
 Asmnt
 Occupy At Closing
 Transp

25 to Brookwood to R on Ashwood

Lev Condo
 HOA Amt\$

District Walton Verona Indepe
 Elem Walton-Verona Elemen
 JHS/Mid Walton-Verona Middle
 High Walton-Verona High

Cross St

Open House

Date Time
 TaxID 077.00-04-030.00 Other
 Spec Y USDA Eligible
 Fin

Auction N

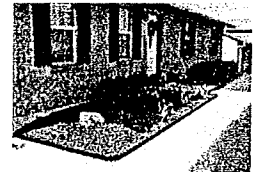
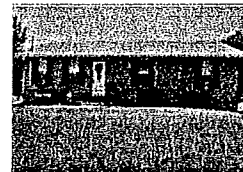
This Listing Courtesy of Keller Williams RealtyServices

Super cute ranch home is located in the WV School District. 3 BR/ 1 1/2 BA, new carpet, new laminate floor in kitchen, fresh paint, new bathroom floors and fixtures, and updated lighting throughout. The walkout leads to the back yard with new doors,

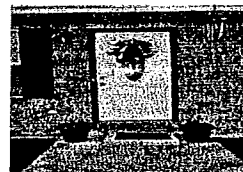
Dim Lev Features

185 Ashwood Dr

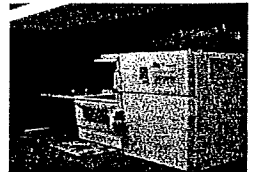
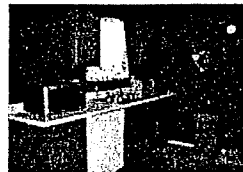
Living/Great 18 X 12 1 Wall-to-Wall Carpet
 Dining 10 X 12 1 Walkout
 Kitchen 9 X 10 1 Laminate Floor



MasterBd 11 X 12 1 Wall-to-Wall Carpet, Bath Adjoins
 BedRm2 9 X 11 1
 BedRm3 8 X 9 1



Bath #1 Full 1 Tub w/Shower, Other
 Bath #2 Partial 1



Basement Other
 Applia Oven/Range, Dishwasher, Refrigerator, Dr

Misc Cable TV, Smoke Alarm

Land Desc Less than .5 Acre



Amy J Barnes
 RE/MAX Affiliates
 1311-B West Shelby Street
 Falmouth, KY 41040

This Listing is Sold - Report Prepared by

Contact Phone 859-322-9400
 Office Phone 859-654-5000x16
 FAX Phone 859-654-5006
 Cell Phone 859-322-9400
 E-Mail ajbarnes@fuse.net

Information has not been verified, is not guaranteed and subject to change.

Listings as of 07/24/12 at 11:22am

Page 3

Sold 03/21/12 **CD** 05/15/12
S406000p+vt 447 Rosebud Cir
City/Village Walton **Cnty** Boone
Subd Howe Acres **Twp**

DOM 8
Unit#
State KY
SO 432500054 CONV
Subu Walton
Zip 41094

SP\$ 143,000
LP\$ 144,900
OP\$ 144,900

Rooms #6 **Bedrms 3** **Baths 2-0**

Family Rm N
Formal Din N

BedRm Lev1 Y
BthRm Lev1 Y Full



Type Single Family
Levels 1 Story
Arch Ranch
Const Brick, Vinyl
Found Poured
Roof Shingle, Composition
Windows Insulated, Vinyl
Heating Electric, Heat Pump
Cooling Central Air
Age 7
New N Existing Structure
Lot Irregular

Bsmt Full
Garage #2 Attached, Front
Parking Driveway, On Street,
Firepl None
Gas None
Water Public
Sewer Public
Zoning Residential
Sa-Tax
TxRate 10.39 per \$1,000
Asmnt
Occupy At Closing
Transp

[Click here for Additional Information](#)

[See Virtual Tour](#)

Mt Zion Rd to Dixie Hwy (US 25) south. Left on Maher,
 Left on Walnut Ridge, Left on Rosebud Cr.
Cross St Walnut Ridge
Open House

Lev Condo
HOA Amt\$

District Boone County Public
Elem New Haven Elementary
JHS/Mid Gray Middle School
High Ryle High

Date **Time**
TaxID 075.00-09-036.00 Other
Spec N
Fin

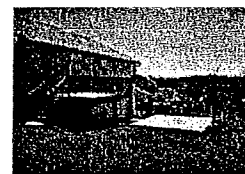
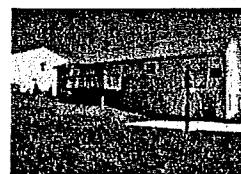
Auction N

This Listing Courtesy of Coldwell Banker West Shell FM

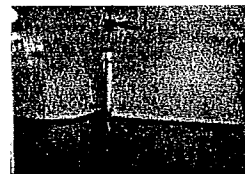
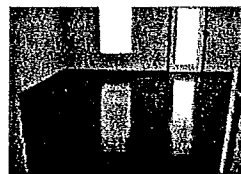
Beautiful Ranch with open floor plan. Cathedral ceiling in spacious Great Room & Kitchen. Lots of cabinet & closet space. New carpet in bedrooms, 1st floor laundry, basement walkout to great backyard. Immediate occupancy.

	Dim	Lev	Features
Entry	5 X 5	1	Laminate Floor, Closet
Living/Great	17 X 17	1	Laminate Floor
Kitchen	8 X 11	1	Wood Cabinets
BreakfstRm	10 X 11	1	

447 Rosebud Cir

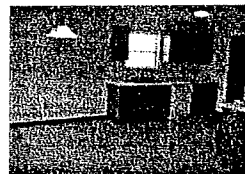
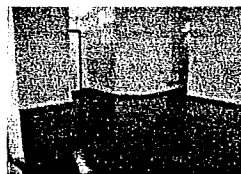


MasterBd	14 X 12	1	Wall-to-Wall Carpet, Bath Adjoins, Walk-in Closet
BedRm2	12 X 10	1	
BedRm3	12 X 10	1	



Bath #1	Full	1	Tub w/Shower
Bath #2	Full	1	

LaundryRm	0 X 0	1	
-----------	-------	---	--



Basement	Unfinished, Walkout
Applia	Oven/Range, Dishwasher, Garbage Disposal
Inside	Multi Panel Doors, Cathedral Ceiling
Misc	Cable TV, Smoke Alarm

Outside	Patio, Deck
Land Desc	Less than .5 Acre

This Listing is Sold - Report Prepared by



Amy J Barnes
 RE/MAX Affiliates
 1311-B West Shelby Street
 Falmouth, KY 41040

Contact Phone 859-322-9400
Office Phone 859-654-5000x16
FAX Phone 859-654-5006
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E-Mail ajbarnes@fuse.net

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Listings as of 07/24/12 at 11:22am

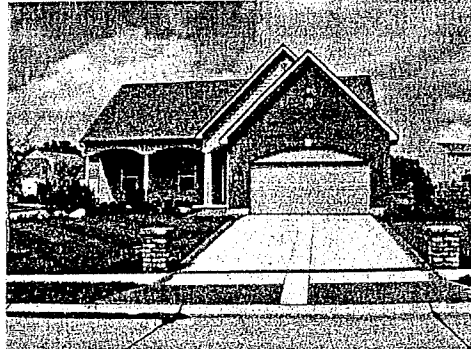
Sold 03/26/12 CD 04/27/12
 S401204p+ 270 La Salle Ct
 City/Village Walton Cnty Boone
 Subd Aosta Valley Twp

DOM 227
 Unit#
 State KY

SO 432500059 CONV
 Subu Walton
 Zip 41094

SP\$ 153,000
 LP\$ 155,000
 OP\$ 169,500

Rooms #6 Bedrms 3 Baths 2-0



[Click here for Additional Information](#)

Family Rm Y
 Formal Din N

BedRm Lev1 Y
 BthRm Lev1 Y Full

Type Single Family
 Levels 1 Story
 Arch Ranch
 Const Brick, Vinyl, Wood,
 Found Poured
 Roof Shingle
 Windows Vinyl
 Heating Electric, Heat Pump
 Cooling Central Air
 Age 2
 New N Existing Structure
 Lot 60x140
 Acreage

Bsmt Full
 Garage #2 Attached, Built in,
 Parking Driveway, On Street
 Firepl #1 Electric
 Gas None
 Water Public
 Sewer Public
 Zoning Residential
 Sa-Tax
 TxRate 16.2
 Asmnt
 Occupy At Closing
 Transp

74 South to Richwood Ex R onto US 25 R onto Walton
 Nicholson R onto Aosta Valley Drive R onto Veneto Dr
 R

Cross St Veneto
 Open House

Date Time
 TaxID 077.00-17-174.00 Other
 Spec N
 Fin

Lev Condo

HOA Amt\$ \$100.00

Landscaping, Association Dues

Auction N

District Walton Verona Indepe
 Elem Walton-Verona Elemen
 JHS/Mid Walton-Verona Middle
 High Walton-Verona High

This Listing Courtesy of Huff Realty - Ft. Mitchell

Stunning 3 bedroom brick/stone ranch in Aosta Valley. Many upgrades in home. Adorable, spacious front porch with great landscaping! This ranch is very unique in the subdivision. Verify Schools.

	Dim	Lev	Features
Entry			Laminate Floor, Closet, Open Foyer
Kitchen	11 X 10	1	Laminate Floor, Eat-In, Pantry, Counter Bar
FamRm	16 X 16	1	Wall-to-Wall Carpet, Fireplace, Walkout, Skylight
MasterBd	14 X 14	1	Wall-to-Wall Carpet, Bath Adjoins, Walk-in Closet
BedRm2	10 X 11	1	
BedRm3	10 X 11	1	

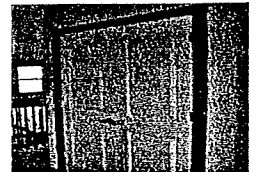
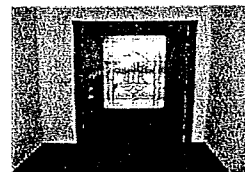
Bath #1 Full 1 Tub w/Shower
 Bath #2 Full 1

LaundryRm 6 X 8 1

Basement Unfinished
 Applia Oven/Range, Dishwasher, Microwave
 Inside Multi Panel Doors, 9Ft + Ceiling, Cathedral Ceiling
 Misc Ceiling Fan, Recess Lights, Smoke Alarm, Sump Pump

Outside Patio, Porch, Corner Lot
 Land Desc Less than .5 Acre, Zoning/Deed Restr

270 La Salle Ct



This Listing is Sold - Report Prepared by



Amy J Barnes
 RE/MAX Affiliates
 1311-B West Shelby Street
 Falmouth, KY 41040

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 Cell Phone 859-322-9400
 E-Mail ajbarnes@fuse.net

Information has not been verified, is not guaranteed and subject to change.

Listings as of 07/24/12 at 11:22am

Sold 01/24/12 CD 03/06/12
 S391264p+ 296 Wexford Dr
 City/Village Walton Cnty Boone
 Subd Steeplechase Twp

DOM 441
 Unit#
 State KY

SO 432500064 CONV
 Subu Walton
 Zip 41094

SP\$ 155,000
 LP\$ 164,900
 OP\$ 179,900

Rooms #7 Bedrms 3 Baths 2-0

Family Rm N
 Formal Din N

BedRm Lev1 Y
 BthRm Lev1 Y Full



[Click here for Additional Information](#)

Type Single Family
 Levels 1 Story
 Arch Ranch
 Const Brick, Vinyl
 Found Poured
 Roof Shingle
 Windows Insulated, Slider, V
 Heating Gas, Forced Air
 Cooling Central Air
 Age Unknown
 New N Existing Structure
 Lot Irregular-Cul De Sac
 Acreage

Bsmt Full
 Garage #2 Front
 Parking Driveway
 Firepl #1 Gas
 Gas Natural
 Water Public
 Sewer Public
 Zoning Residential
 Sa-Tax
 TxRate 11.32 per \$1,000
 Asmnt
 Occupy At Closing
 Transp

I-75 S-Richwood Exit, Rt on 338, Lt into Steeplechase
 Lt on Foxhunt, Rt on Sheffield, Lt Wexford, Center Ho
 Cross St sheffield

Lev Condo 0
 HOA Amt\$ \$485.00 / Annual
 Pool, Professional Mgt, Clubhouse, Walki

District Boone County Public
 Elem New Haven Elementary
 JHS/Mid Gray Middle School
 High Ryle High

Open House
 Date Time
 TaxID 076.00-03-170.00 Other
 Spec N
 Fin

Auction N

This Listing Courtesy of Coldwell Banker West Shell FM

Casual Open Floor Plan*Walkout Basement w/Windows, Plumbed & Ready to Finish! Great Room w/FP, Cathedral Ceiling. Kitchen-Dining & Foyer have Hardwood Flrs*Convenient 1st Flr Laundry. Upgraded Bath Vanities*View of the Lake.

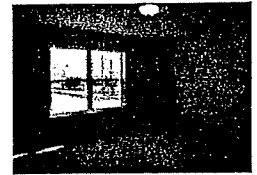
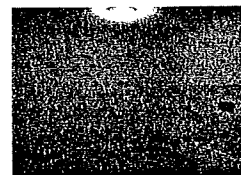
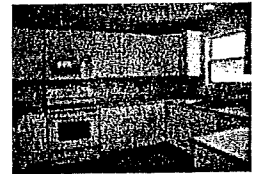
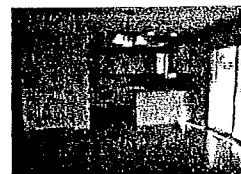
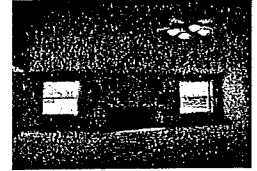
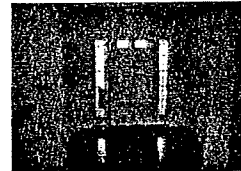
	Dim	Lev	Features
Entry	7 X 6	1	Wood Floors, Closet, Transom/Sidelit
Living/Great	21 X 16	1	Wall-to-Wall Carpet, Fireplace
Kitchen	11 X 10	1	Wood Floors, Pantry, Counter Bar
BreakfstRm	13 X 9	1	
MasterBd	15 X 13	1	Wall-to-Wall Carpet, Bath Adjoins, Walk-in Closet
BedRm2	12 X 10	1	
BedRm3	11 X 10	1	

Bath #1 Full 1 Tub w/Shower
 Bath #2 Full 1

LaundryRm 10 X 6 1

Basement Unfinished, Walkout, Concrete Floor
 Applia Oven/Range, Dishwasher, Garbage Disposal
 Inside Multi Panel Doors, Cathedral Ceiling, Great Room
 Misc Cable TV, Ceiling Fan, Recess Lights, Garage Door Opener, 22
 Views Lake/Pond
 Outside Patio, Porch
 Land Desc Less than .5 Acre

296 Wexford Dr



Amy J Barnes
 RE/MAX Affiliates
 1311-B West Shelby Street
 Falmouth, KY 41040

This Listing is Sold - Report Prepared by

Contact Phone 859-322-9400
 Office Phone 859-654-5000x16
 FAX Phone 859-654-5006
 Cell Phone 859-322-9400
 E-Mail ajbarnes@fuse.net

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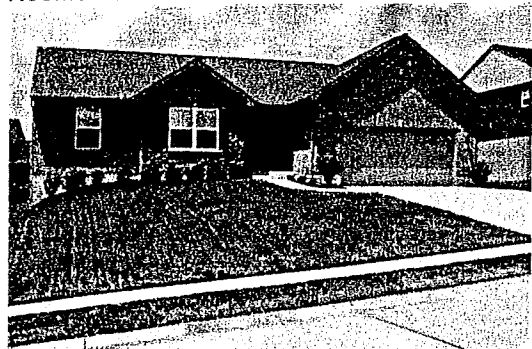
Listings as of 07/24/12 at 11:22am

Sold 05/06/12 CD 06/15/12
 S407464p+vt 11447 Wynfair Dr
 City/Village Walton Cnty Boone
 Subd Steeplechase Twp

DOM 12 SO 432500966 CASH
 Unit# Subu Walton
 State KY Zip 41094

SP\$ 180,000
 LP\$ 189,900
 OP\$ 189,900

Rooms #6 Bedrms 3 Baths 2-0



[Click here for Additional Information](#)

[See
Virtual
Tour](#)

Family Rm N
 Formal Din N

BedRm Lev1 Y
 BthRm Lev1 Y Full

Type Single Family
 Levels 1 Story
 Arch Ranch
 Const Brick
 Found Poured
 Roof Shingle
 Windows Insulated, Double Hu
 Heating Gas, Forced Air
 Cooling Central Air
 Age 1
 New N Existing Structure
 Lot 75 x 144
 Acreage

Bsmt Full
 Garage #2 Attached
 Parking Driveway
 Firepl #1 Gas
 Gas Natural
 Water Public
 Sewer Public
 Zoning Residential
 Sa-Tax
 TxRate 10.39
 Asmnt
 Occupy At Closing
 Transp

I 75S, R on Richwood, L on Grand National, L on
 Winchester, L on Wynfair

Cross St Winchester

Open House

Date Time

TaxID 076.00-03-205.00 Other

Spec Y Try USDA Rural Housing

Fin

Lev Condo
 HOA Amt\$

Auction N

District Boone County Public
 Elem New Haven Elementary
 JHS/Mid Gray Middle School
 High Ryle High

This Listing Courtesy of RE/MAX Affiliates

Motivated Seller! *All brick ranch * Only 1 year * Lg great room and huge cooks kitchen w/lots of cabinet space * cathedral ceilings * Designer master bath w/ceramic tile * Walkout bsmt * Gleaming hwdwd * Lg deck * Wonderful pool com*

	Dim	Lev	Features
Entry	8 X 6	1	Wood Floors
Living/Great	18 X 17	1	Wall-to-Wall Carpet
Kitchen	14 X 11	1	Wood Floors, Gourmet, Wood Cabinets, Pantry, Count
BreakfstRm	11 X 10	1	Wall-to-Wall Carpet, Other
FamRm			
MasterBd	14 X 13	1	Wall-to-Wall Carpet, Dressing Area
BedRm2	12 X 11	1	
BedRm3	12 X 11	1	

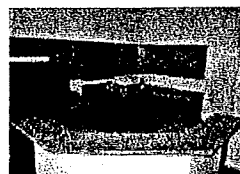
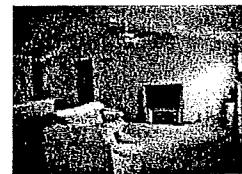
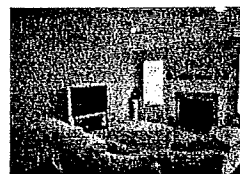
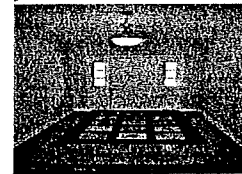
Bath #1	Full	1	Shower, Tub, Ceramic Tile
Bath #2	Full	1	

LaundryRm 6 X 5 1

Basement Unfinished
 Applia Oven/Range, Dishwasher, Garbage Disposal
 Inside Multi Panel Doors, 9Ft + Ceiling, Cathedral Ceiling
 Misc Cable TV, Ceiling Fan, Recess Lights, Smoke Alarm

Outside Patio, Deck
 Land Desc Less than .5 Acre

11447 Wynfair Dr



Amy J Barnes
 RE/MAX Affiliates
 1311-B West Shelby Street
 Falmouth, KY 41040

This Listing is Sold - Report Prepared by

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 Office Phone 859-654-5000x16
 FAX Phone 859-654-5006
 Cell Phone 859-322-9400
 E-Mail ajbarnes@fuse.net

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
SEPTEMBER 5, 2012
7:00 P.M.**

Chairman Rolfsen welcomed the audience to the Planning Commission's September 5th Business Meeting. He invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Ben Brandstetter, Temporary Presiding Officer
Mr. Kim Bunger, Secretary/Treasurer
Mr. Mike Ford, Vice Chairman
Mr. Mark Hicks
Mrs. Janet Kegley
Mr. Jim Longano
Mr. Don McMillian
Ms. Lisa Reeves
Mr. Charlie Rolfsen, Chairman
Ms. Susan Schultz
Mr. Bob Schwenke
Mr. Steve Turner

COMMISSION MEMBERS NOT PRESENT:

Mr. Greg Breetz
Mr. Charlie Reynolds

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

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

Approval of the Minutes:

Mr. Rolfsen stated that the Commissioners received copies of the Minutes of the August 1, 2012 Business Meeting and Public Hearing. He asked if there were any comments or corrections. There being no changes to the minutes, **Mr. Turner moved that the Minutes be approved as written. Mr. Ford seconded the motion and it carried unanimously.**

Mr. McMillian stated that he wasn't against the project but voted no because he preferred another access to the site. He expressed disappointment with the Fire Department. There is only one way in and one way out. If something happens there, where are you going? He realizes that the fire truck is set back far enough to put out a fire, but what about people?

ZONING MAP AMENDMENT - Mitchell A. Light, Staff; Kim Bunger, Chairman

2. Request of **City of Walton and Omaha Enterprises LLC (applicants)** for **Omaha Enterprises LLC (owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for 21.91 acres located on the south side of Percival Road between Showalter Trace and the property at 13059 Percival Road, to the east of Showalter Green Subdivision, and on the north side of High Street between the property at 104 High Street and the Boone/Kenton county line, Walton, Kentucky. The zone change area is part of a 279.8795 acre site at 494 Jones Road that is located in the City of Walton and in both Boone and Kenton Counties. The request is for a zone change to allow uses permitted in the I-1 zone.

Staff Member, Mitch Light read the Committee Report, which recommended approval (See Committee Report). He noted the Committee voted 5-0 to approve the request with Mr. Bunger, Mr. Breetz, Mrs. Kegley, Mr. Brandstetter and Mrs. Schultz 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. Gerry Dusing, Attorney representing Omaha Enterprises, LLC, stated that he would like to defer his 5 minutes for rebuttal purposes in case there are any questions.

Seeing no one else in the audience who wanted to speak in favor or against the request, Chairman Rolfsen asked for a motion to take action on the request.

Mr. Bunger moved that the request be approved with conditions by Resolution to the City of Walton based upon the Committee Report. Mr. Schwenke seconded the motion.

Chairman Rolfsen asked if there were any questions or comments from the Planning Commission members?

Chairman Rolfsen asked Staff to point out exactly where the proposed realignment of the Mary Grubbs extension will be located? Mr. Light referred to a map of the new alignment. He explained that the traffic would have to make a left turn to get to the residential section of High Street. This new alignment will keep trucks on a new road serving industrial development, instead of going through a residential area and it would be a continuous route versus stopping and then turning. This new alignment is better but it has to be approved by the Kentucky Transportation Cabinet. There is also a condition that the new road would

have to be in place before a building is occupied or open for business. Construction of both could occur at the same time, but the road would have to be in place before a business could open.

Mr. Bunger emphasized that the new alignment would be designed as a main entrance so trucks could use it. It would be designed so trucks would not use High Street. Main Street and Percival Street would not be used during construction. The new roadway makes the project possible. Mr. Bunger further explained that the project will include the typical buffer yards, but also additional plantings placed strategically to buffer the buildings, parking areas and driveways instead of planting it only around the perimeter of the site. It is maximizing the buffer effort.

Mr. McMillian asked if no construction would occur until the road has been completed? Mr. Bunger responded, no. There would be a temporary road built during construction. Mr. Costello explained that the grading would occur for the road first followed by installing a base and then a final surface. A building would not be started until a road base is established so that contractors can begin work on a building. This process has occurred before with Bigg's being built and ramp improvements.

Mr. McMillian asked if the developer has acquired the property for the road? Mr. Knock replied that he has options to purchase the property for right-of-way. Mr. McMillian stated that he doesn't think industrial should be next to residential subdivisions. If the residential subdivisions were not there, then it might be okay. He stated that he is against the rezoning request.

Chairman Rolfsen asked for a vote on the motion previously made by Mr. Bunger and seconded by Mr. Schwenke. The vote found Mr. Bessler, Mr. Brandstetter, Mr. Bunger, Mr. Hicks, Mrs. Kegley, Mr. Longano, Chairman Rolfsen, Mrs. Schultz, Mr. Schwenke and Mr. Turner in favor of the request or motion and Mr. Ford, Mr. McMillian and Ms. Reeves against the request. The motion passed 10-3 in favor of the request.

NEW BUSINESS:

ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT - Todd Morgan, Staff

4. Request of **Mike Martinelli (applicant)** for **Corporex Parks of KY Inc. (owner)** for a Zoning Map Amendment for a Special Sign District for a 1.5234 acre site located on the northwest corner of the Mineola Pike/Olympic Boulevard intersection and directly across from the properties at 3331 and 3333 Mineola Pike, Boone County, Kentucky. The request is for a Special Sign District in a Industrial One/Planned Development (I-1/PD) zone to allow alternative signage.

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: September 5, 2012

RE: Request of City of Walton and Omaha Enterprises LLC (applicants) for Omaha Enterprises LLC (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for 21.91 acres located on the south side of Percival Road between Showalter Trace and the property at 13059 Percival Road, to the east of Showalter Green Subdivision, and on the north side of High Street between the property at 104 High Street and the Boone/Kenton county line, Walton, Kentucky. The zone change area is part of a 279.8795 acre site at 494 Jones Road that is located in the City of Walton and in both Boone and Kenton Counties. The request is for a zone change to allow uses permitted in the I-1 zone.

REMARKS:

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

Findings of Fact

1. The Committee has concluded that the request is in agreement with the 2005 and 2010 Boone County Comprehensive Plan for the following reasons:
 - A. The Future Land Use Map of the 2005 and 2010 Comprehensive Plan shows the subject property as Business Park (BP) which is defined as:

BP: "A mix of office warehouse, research, office, and light industrial uses in a park-like, office campus setting with large building setback, low floor area ratio, integrated pedestrian and recreation facilities, constant architectural and signage theme, extensive landscaped areas, and attractive entrance treatment. This land use is recommended for high visibility areas and transition areas between industrial and residential land uses."
 - B. The Land Use Element of the 2010 Boone County Comprehensive Plan ("9. Walton," pgs. 172-173) states "The extension of Mary Grubbs and development of the Walton Town Center area will contribute to the growth potential of Walton not only in Boone County, but also into Kenton County to the east."

- C. The Land Use Element of the 2010 Boone County Comprehensive Plan ("9. Walton," pgs. 172-173) states "Mary Grubbs Highway and U.S. 25 to the Boone County line is a critical development area because of the recently completed extension of Mary Grubbs Highway to the east. The traffic and operational capacity of both Mary Grubbs Highway and U.S. 25 should be evaluated for possible improvements in the future as the Town Center project is built out and potential industrial development is created to the north and south of this area. Both of these roads are critical to the economic viability of the City of Walton."
2. The Committee has concluded that the request is in agreement with the 2010 Goals and Objectives of the Boone County Comprehensive Plan for the following reasons:
- Overall, Objective 4, states "Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed."
3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2010 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The Property Owner agrees to pursue, with the Kentucky Transportation Cabinet, the relocation of the intersection of the new Mary Grubbs Highway with the residential section connecting with High Street. This is the preferred road alignment of the Committee as was discussed at their 8/15/2012 meeting (see attached exhibit) subject to the approval of the Kentucky Transportation Cabinet and acquisition of the necessary right-of-way to prevent industrial traffic reaching High Street and providing a more direct access into the proposed industrial development from I-75. The proposed access road from Mary Grubbs Highway will be constructed and operational prior to the occupancy of the first building in either Boone or Kenton County. High Street will not be used to access the proposed industrial development. An extensive preliminary plat and improvement plan review will be performed by the Boone County Planning Commission staff to ensure compliance with these items.
2. The Property Owner agrees that there will be no overhead doors or docks facing

southwest toward the residential properties. Any building in this section will have a maximum height of 40 feet. All lighting will be directed downward so as not to cast light onto adjoining properties. An extensive site plan review will be performed by the Boone County Planning Commission staff to ensure compliance with these items.

3. The Property Owner agrees that the 80 foot Buffer Yard area shown on their submitted plan will remain undisturbed and that the additional required evergreen trees from Buffer Yard "D" (Article 36, Boone County Zoning Regulations) will be installed at the edge of the pavement along the southwest side of the building(s).
4. The Property Owner agrees that the proposed access off Percival Road will include a truck turn-around, not located in the 80 foot Buffer Yard area, to keep tractor trailer traffic from reaching Percival Road.
5. Permitted Industrial One (I-1), Office One (O-1) and Office Two (O-2) uses for this development are listed below. Prohibited uses are stricken:

INDUSTRIAL ONE (I-1)

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;
5. **(Inside Only)** Fabricated wood products including containers, building components, structural members, but excluding the primary manufacture of wood or wood products;

6. Furniture and fixtures;
7. Paper products including envelopes, bags, boxes and containers, but excluding the primary manufacture of pulp, paper, paperboard or paper products;
8. Printing industries;
9. Pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations;
10. Soaps and other detergents;
11. Fabrication of metal products except firearms and accessories, large scale machinery, and transportation vehicles;
12. Professional, scientific and controlling instruments, photographic and optical goods, watches and clocks;
13. Electric and electronic equipment;
14. Jewelry and precious metals, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils and other office and artists materials, brooms and brushes, lamp shades, signs and advertising displays, umbrellas, parasols and canes and other miscellaneous fabrication activities.
15. Technology and research centers including medical and hospital research establishments;
16. Educational and governmental institutions;
17. **(Inside Only)** Wholesale trade of automobile accessories and parts;
18. Wholesale trade of drugs, drug proprietaries and sundries;
19. Wholesale trade of dry goods and apparel;
20. Wholesale trade of groceries and related products in enclosed facilities except animals or raw farm materials or products;

21. Wholesale trade of electrical and electronic parts;
22. Wholesale trade of hardware, plumbing, heating, equipment and supplies;
23. Wholesale trade of small machinery, equipment (light) and supplies except transportation or farm vehicles;
24. Other wholesale trade except non-containerized or bulk raw metals and minerals, petroleum products, scrap and waste materials;
25. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
26. Window cleaning, disinfecting, exterminating, grounds keeping, and other dwelling and building services;
27. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage;
28. Research, development and testing services;
29. Detective and protective services;
30. Photo finishing and other photographic laboratories;
31. Electrical repair and armature rewinding services;
32. Reupholstery and furniture repairing and refinishing services;
33. Scientific research services and laboratories;
34. Building construction, general contractor, plumbing, heating, air conditioning, painting, paper handling, decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, wood flooring, roofing and sheetmetal, water-well drilling, septic and other special construction trade offices, supply, storage and related activities;
35. Postal services and related storage, distribution and transfer activities;
36. Agricultural contract sorting, grading and packaging services of fruits and vegetables;

37. Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
38. Freight forwarding, packing and crating services;
39. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;
40. **(Inside Only)** Equipment (light) rental and leasing services including automobiles and trucks, and sales of tractor-trailers and other commercial trucks and trailers;
41. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
42. Manufacture of plastic products but not the primary manufacture of plastics;
43. Welding shops for the repair of industrial machinery and heavy equipment;
- ~~44. Truck stops;~~
45. **(Inside Only)** Recycling centers;
46. Fire stations or fire related or protective services including rescue services;
- ~~47. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;~~
48. **(Inside Only)** Commercial parking facilities and commercial recreational vehicle parking facilities;
49. Landscape contracting and wholesale nurseries;
- ~~50. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31;~~
- ~~51. Crematoriums;~~

Accessory Uses

1. Recreational uses or spaces of integral relation to the purposes of the district defined to be:

- a. Nature preserves, wildlife sanctuaries, open spaces and other natural areas;
 - b. Historic sites, structures, monuments and other exhibits available public viewing;
 - c. Auditoriums, exhibition halls and other public or miscellaneous assembly;
 - d. Golf course and tennis courts;
 - e. Swimming beaches and swimming pools;
 - f. Picnicking, hiking areas, exercise trails and other recreational uses;
 - g. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
 - h. Recreation/Health centers.
2. The administration management, stenographic reproductions, research, sales (including industrial retail sales, exhibit or display) and any related or integral office use or activity of the permitted use;
3. Railroad right-of-way including switching and marshaling trackage and freight terminals;
4. Marine freight terminals;
5. Employment services;
6. Signage (See Article 34);
7. Parking (See Article 33);
8. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, and which are conducted in accordance with Section 3154;
9. Food service for office, manufacturing or distribution uses;
10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;

11. Recycling collection containers.

Conditional Uses and Criteria

1. Uses in which the primary business activity involves the following:
 - a. ~~the storage of explosives or fireworks according to State law, gas, or petroleum;~~
 - b. bag cleaning;
 - c. ~~blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;~~
 - d. ~~creosote treatment;~~
 - e. ~~distillation of bones, coal or wood;~~
 - f. **(Inside Only)** enameling, japanning or lacquering;
 - g. radium or radioactive elements;
 - h. crushing or other reduction or waterproofing;
 - i. the storage of chemicals;

The permission of such uses will be decided on an individual basis;

2. ~~Poultry and small game dressing and packing;~~
3. Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
4. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
5. Gasoline filling stations and wash services;
6. Labor unions and similar labor associations;

7. Nursery and child care centers;
8. Hotels and motels;
9. Commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
- ~~10. Retail sales or leasing of new and used motor vehicles;~~
- ~~11. Wholesale vehicle sales or auctions;~~
12. Churches, synagogues, temples and other places of religious assembly for worship;
13. Kennels for household pets; "City of Florence only - kennels for household pets only when not adjoining a residential zoned property."
14. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(C).
15. Fireworks retail sales. (Does not apply in the City of Union and City of Walton).

OFFICE ONE (O-1)

Principally Permitted Uses

The following uses are permitted:

1. Bank related services or credit unions;
2. Business and personal credit services and title services;
3. Security brokers, investment services and finance companies;
4. Insurance agents, brokers and services;
5. Real estate agents, brokers and management services;
6. Real estate management services and builders offices excluding any outside storage equipment and the like;
7. Photographic services;

8. Eating and drinking establishments including alcoholic beverages;
9. Direct mail and advertising services;
10. Stenographic services and other duplicating and mailing services;
11. News syndicate services and employment services;
12. Research, development and testing services of an office nature;
13. Business and management consulting services and associations;
14. Motion picture, audio-visual and similar media production and distribution services;
15. Physician and dental services including medical, dental laboratories and clinics;
16. Legal, engineering, architectural, education and scientific research services;
17. Accounting, auditing and bookkeeping services;
18. Charitable and social services administration offices;
19. Professional membership organizations and labor organizations and civic associations;
20. Telephone exchange stations, telegraph message centers, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting or receiving towers or similar unattached, erected equipment;
21. The administration, management and any related office use or activity of commercial, business, service, professional, industrial, religious, private institutional, or similar organization, incorporation, companies, associations and such uses. Includes all integral stenographic reproduction, mailing, research, sales and similar office functions, as determined by the Zoning Administrator;
22. Veterinary services not including the boarding of animals;
23. Business colleges or schools;

- 24. Recreation centers, gymnasiums and other related recreational facilities;
- 25. The retail sale of office supplies and equipment;
- ~~26. Funeral homes and crematoriums excluding cemeteries or mausoleums.~~
- ~~27. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 34.~~

Accessory Uses

- 1. Recreation uses or spaces of integral relation to the developed portions of the district including:
 - a. Temporary exhibit spaces;
 - b. Aquariums, botanical gardens and other natural exhibitions;
 - c. Stages and similar assembly areas;
- 2. Accessory uses for an office facility:
 - a. Garages and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
- 3. Signage (See Article 34);
- 4. Parking (See Article 33);
- 5. Automatic teller machines;
- 6. Single-family dwelling unit;
- 7. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
- 8. Recycling collection containers.

Conditional Uses

1. Child and adult care centers;
2. Convenient stores;
3. Beauty and barber services and tanning salons;
4. Laundering, dry cleaning and dyeing services, including self-service;
5. Shoe repair, shoe shining and hat cleaning services;
6. Florists, excluding greenhouses;
7. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(C).

OFFICE TWO (O-2)

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.~~

Accessory Uses

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);

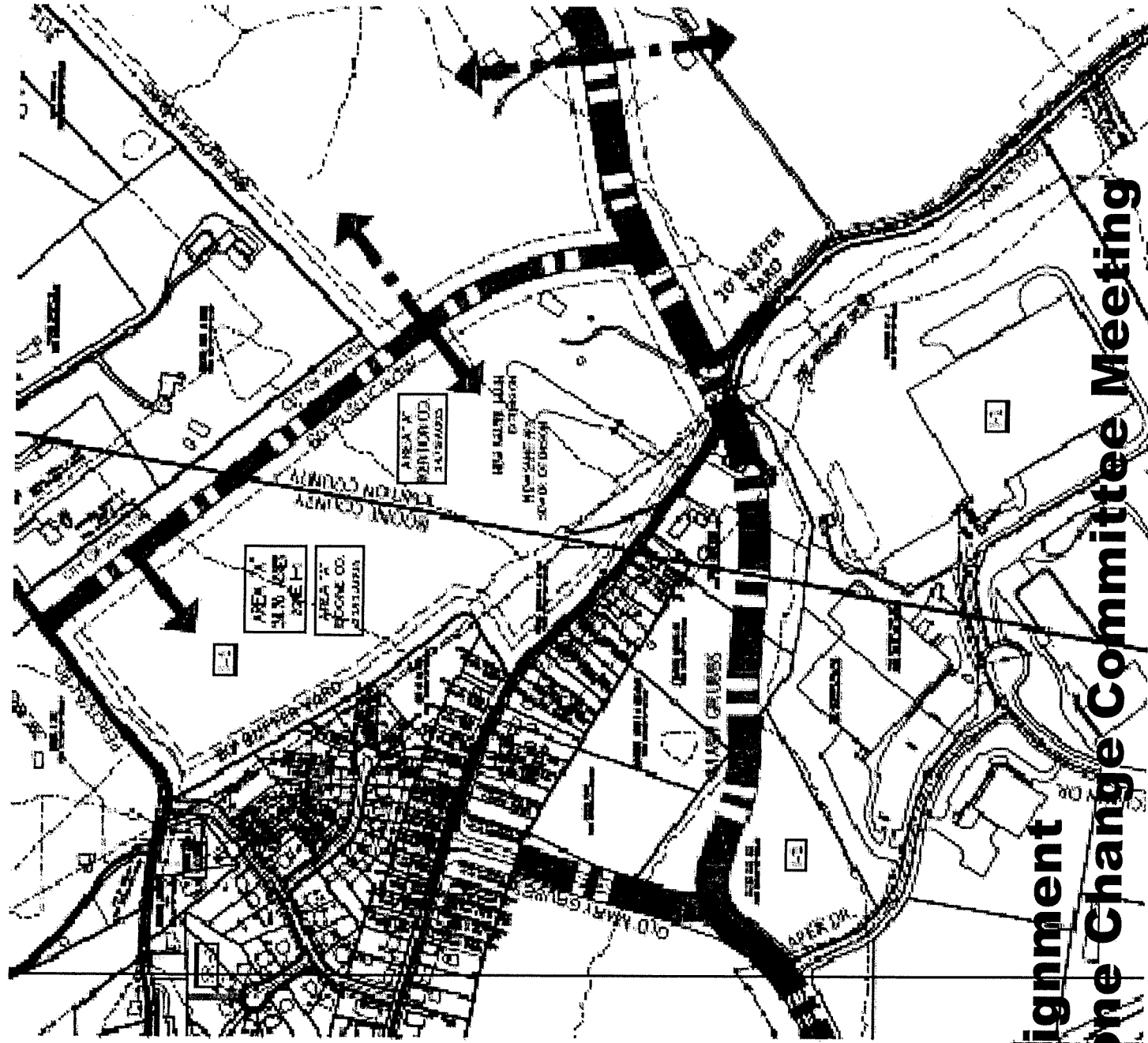
7. Automatic teller machines;
8. Retail defined as:
 - a. Books and stationery;
 - b. Florists excluding greenhouse or outdoor storage or growing areas;
 - c. Cigars and cigarettes;
 - d. Beauty and barber services;
9. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
10. **(Inside Only)** Recycling collection containers.

Conditional Uses and Criteria

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).

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



**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARING
AUGUST 1, 2012
7:30 P.M.**

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Ben Brandstetter, Temporary Presiding Officer
Mr. Greg Breetz
Mr. Kim Bungler, Secretary/Treasurer
Mr. Mike Ford, Vice Chairman
Mr. Mark Hicks
Mr. Jim Longano
Mr. Don McMillian
Ms. Lisa Reeves
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke

COMMISSION MEMBERS NOT PRESENT:

Mrs. Janet Kegley
Ms. Susan Schultz
Mr. Steve Turner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Mitchell A. Light, Assistant Zoning Administrator/ZEO

Mr. Rolfsen, Chairman, called the Public Hearing to order at 7:33 P.M. and introduced the first item on the Agenda:

ZONING MAP AMENDMENT - Mitchell A. Light, Staff

1. Request of **City of Walton and Omaha Enterprises LLC (applicants)** for **Omaha Enterprises LLC (owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for 21.91 acres located on the south side of Percival Road between Showalter Trace and the property at 13059 Percival Road, to the east of Showalter Green Subdivision, and on the north side of High Street between the property at 104 High Street and the Boone/Kenton county line, Walton, Kentucky. The zone change area is part of a 279.8795 acre site at 494 Jones Road that is located in the City of Walton and in both Boone and Kenton Counties. The request is for a zone change to allow uses permitted in the I-1 zone.

Staff Member, Mitch Light, presented the Staff Report, which included a PowerPoint presentation. Mr. Light referenced a vicinity map showing the location of the 21.91 acre site that is located on the Boone County side and in the City of Walton. The Planning Commission is only reviewing the Boone County portion of the overall project that is also located in Kenton County. The request involves re-zoning the 21.91 acre site from Agricultural Estate (A-2) to allow the permitted uses in the Industrial One (I-1) zone. The property owner wants to develop the Boone County portion and the 257.97 acres in Kenton County as an industrial park. Mr. Light generally described the adjoining zoning and land uses, which includes residential to the west, recreational and residential to the north and industrial to the south.

Mr. Light referred to the overall Concept Development Plan for the entire industrial park. An 80' Buffer Yard is shown between the proposed 60' right-of-way off Percival Road and the Hopper and Hodgson properties as well as the adjoining Showalter Trace Subdivision, along Percival Road and High Street/Jones Road. The required landscaping buffering for an Industrial One (I-1) development adjoining a residential zone in Boone County is a Buffer Yard "D" which is either 80 feet wide (20 evergreens, 11 large trees and 40 shrubs per 100 linear feet) or 40 feet wide (reduced width permitted if a 6' high berm, fence or masonry wall with 20 evergreens, 11 large trees and only 20 shrubs per 100 linear feet). He stated that existing vegetation does count toward the required numbers. The maximum intensity in the Industrial One (I-1) zone is 25,000 square feet per acre with a minimum lot size of 20,000 square feet.

Mr. Light referred to his Staff Report for specific adjacent zoning and land use classifications relative to the subject site. He gave a history of the site, which referred to the development of Showalter Trace Subdivision, the Walton Industrial Park and the extension of the Mary Grubbs Highway. Mr. Light explained the existing topography of the site. It slopes towards an existing creek just like Showalter Trace Subdivision. A drawing showing existing water and sanitary sewer lines was presented. Mr. Light indicated that the 2035 Future Land Use Map identifies the site as Business Park (BP), Rural Lands (RL) and Suburban Density Residential (SD). The 2030 Future Land Use map is identical to the 2035 Future Land Use Map. These classifications are defined in the Staff Report.

Mr. Light reviewed the Land Use Element text from both the 2005 and 2010 Boone County Comprehensive Plans. "East of Mary Grubbs Highway and U.S. 25 to the Boone County line will be a critical development area because of the proposed roadway construction associated with the High Street Bridge relocation. Some commercial uses may be appropriate at the front of this area, if designed to serve growing residential uses in the area. Most development at this future high visibility location should be of a Business Park nature. Commercial development should also occur at the southeast quadrant of the interchange, and be designed carefully to provide a front door to the City of Walton. Business Park development should occur behind the commercial uses. Development at this location should not be oriented to truck-traffic. Attention should be given to the appearance of industrial uses from the interstate in this area, because it represents the southern entrance into Boone County."

The Land Use Element text from the 2010 Boone County Comprehensive Plan states that: "The extension of Mary Grubbs and development of the Walton Town Center area will contribute to the growth potential of Walton not only in Boone County, but also into Kenton County to the east....In the area of the former Walton Reservoir, between the county line and the railroad tracks, mixed use development with office campus and residential neighborhoods should compliment a future road network. This road network is necessary for proper development of the area and should include a future major route toward KY 17 in Kenton County and a route to KY 16 in Boone County near the county line. Existing industrial developments in this area should continue to develop; however, some residential development is appropriate in the area if it has adequate access that is not industrial in character....Mary Grubbs Highway and U.S. 25 to the Boone County line is a critical development area because of the recently completed extension of Mary Grubbs Highway to the east. The traffic and operational capacity of both Mary Grubbs Highway and U.S. 25 should be evaluated for possible improvements in the future as the Town Center project is built out and potential industrial development is created to the north and south of this area. Both of these roads are critical to the economic viability of the City of Walton."

Mr. Light stated there is a nice tree line along both road frontages and tree cover behind the houses on Rebecca Court in Showalter Trace Subdivision. The submitted Concept Development Plan shows the site in question as Area "A" representing 21.91 acres of a total of 34.34 acres. He showed photographs of the site and adjoining properties and structures. Mr. Light also presented and distributed an aerial photograph of a proposed new road that would provide access to the site without using Jones Road (see Exhibit A). The submitted Concept Development Plan showed the access from I-75 will be from Mary Grubbs Highway to High Street/Jones Road and then into the site. High Street/Jones Road is approximately 18 feet wide. An alternate access which avoided using High Street/Jones Road was shown at a pre-application meeting but was not included as part of the submittal. Staff asked the applicant to address if there may be another option for access into and out of the proposed industrial park. Mr. Light pointed out a possible transportation route for industrial traffic as a result of the new road and its impact on High Street and Jones Road. The property owner has indicated that they "secured" this route. Mr. Light also stated that an 80' Buffer Yard is shown between the

proposed 60' right-of-way off Percival Road and the Hopper and Hodgson properties as well as the adjoining Showalter Trace Subdivision, along Percival Road and High Street/Jones Road. The required landscaping buffering for an Industrial One (I-1) development adjoining a residential zone in Boone County is a Buffer Yard "D" which is either 80 feet wide or 40 feet wide. Finally, a copy of the Industrial One (I-1) uses (which includes the principally permitted O-1 and O-2 uses) are attached to the Staff Report for review and discussion.

Mr. Light concluded that the Planning Commission and the City of Walton must review the request on the basis of its relationship to the Comprehensive Plan and in terms of the three (3) criteria necessary for a Zoning Map Amendment described in the Staff Report.

Mr. Light read a letter from Arthur Green (dated August 1, 2012) and introduced a petition from individuals opposing the request (see Exhibit B).

At this time, Chairman Rolfsen asked if the applicants were present and wanted to proceed with their presentation. Mr. Gerry Dusing, Attorney for Omaha Enterprises, explained that the request is a joint application by his client and the City of Walton. He introduced Dick Knock, a principal of Omaha Enterprises.

Mr. Richard Knock introduced himself and his background. He stated that access to the site will be over a new industrial grade road with direct from I-75 via the Mary Grubbs Highway extension. He explained that he has some options and commitments for a new route to the site, which has been secured by Omaha Enterprises. He referred to the aerial photo highlighting the new road. It will be located behind the High Street/Jones Road residential area. This should alleviate the concerns of the residents. The road should also help the people who do not live in Walton but live to the east on Jones Road. With the new road, residents along Jones Road will no longer have to travel up through the congested area of High Street/Jones Road to get to Mary Grubbs Highway. A lot of traffic will be alleviated.

Mr. Knock explained his personal background. He has lived in Campbell County for 38 years, 20 years in Kenton County and 16 years in Boone County. He owns a farm in Pendleton County. Previously he has served on the Boone County Planning Commission and the Kenton County Airport Board. He is currently a Commissioner on the Boone County Water District. In 1960, he was elected as Mayor of Cold Spring and helped develop the City's first industrial park. He helped constitute the Northern Kentucky Area Planning Commission in the 1950s and 1960s. Mr. Knock noted that his work history included owning and operating trucking, warehousing and third party transportation consolidation companies. In 2002, Mr. Knock noted that he and his wife purchased 278 acres as an investment in Walton, Kentucky. At the time of the purchase, the Mary Grubbs Highway extension was scoped and it was thought that it would dead end into his property. Major industrial developers are beginning to look at large tracts (250 - 300 acres) of land that are properly zoned and have adequate infrastructure - water, sewage, gas and sufficient access. The subject site meets all of the infrastructure requirements. The site is approximately three quarters of a mile from

I-75. In order to attract major industries, government bodies are taking a proactive initiative to identify land, that has zoning, infrastructure and tax increment financing districts in place to facilitate and to encourage development to locate in these respective communities. Cities, counties and states all over the United States are becoming extremely competitive and therefore doing what is necessary to encourage and facilitate economic development in their respective community. The City of Walton is determined to be on the cutting edge of this endeavor. They believe that the zoning is vital to their effort to support and foster their determination. Mr. Knock stated that he doesn't have a detailed Concept Development Plan because he doesn't have a developer in place. The City of Walton will have the final say as to the Concept Development Plan and suitable ingress and egress before any development can commence.

Mr. Knock distributed a drawing of a Concept Development Plan that Duke Realty proposed several years ago but was never submitted since there was not an agreement with him due to the change in the economy (see Exhibit C). In the middle of last year, Omaha Enterprises negotiated a capacity agreement for water and sewage with the City of Walton. The agreement also contemplated a joint application to both Boone County and Kenton County for a zone change on the property. The additional information about the new road should provide more of a reason for the Planning Commission to deliberate in their findings. It will be consistent with the City of Walton's desire to accomplish what they see in the long range plan for their city. Based upon his first hand experience in planning and zoning matters and as a businessman, he believes the application is consistent with proper land use and planning. It is a suitable location for the type of industry this zone change visions and contemplates. It is the responsibility of government agencies such as the Planning Commission to create healthy living and recreational and workplace environments through adequate and proper planning and zoning. The City of Walton believes that this zone change will foster their plans for the City. All of us know that creating job opportunities in today's marketplace is extremely important. The Concept Development Plan proposed by Duke Realty anticipated a \$110 million development and creating 600 - 700 jobs. The flyer circulating in the community which suggests that sexually oriented businesses would be located on this site is at best misleading. Mr. Knock stated that his family never contemplated such types of businesses. He directed his attorney to remove the use from the list of permitted uses. It was apparently inadvertently overlooked. He respectfully requested approval of the application. Mr. Knock submitted a drawing labeled High Street Bridge Alternatives (see Exhibit D).

Mayor Paula Jolley, City of Walton stated that Mr. Knock approached City Council several times in the past about the project. Many times, City Council tossed the project back because it did not fit their plan and it was not adequate for the City. It was sent back due to road access, lack of green space, control over the type of industries and overload of the City's water and sewage facilities. Mayor Jolley stated that the new or submitted plan has assured City officials that Mr. Knock would provide proper access, adequate buffer zones, control over the type of I-1 uses, and utility upgrades provided by Omaha Enterprises.

Mr. Gerry Dusing, attorney for Omaha Enterprises, stated that the request meets the recommendation of the Comprehensive Plan. It is a unique request since the overall site is in both Boone and Kenton Counties. However, the key to the re-zoning is all in Boone County or the access. Mr. Dusing referred to the 2006 - 2026 Kenton County Comprehensive Plan. It identifies the site for residential development - 2.1 to 4 dwelling units per acre. A portion of the site and south of the site is identified for industrial development. The text of the Comprehensive Plan suggests to locate areas planned for industrial development so as to shorten the work trip from the living areas of the residential labor force and to reduce energy consumption. We meet this criteria. This same plan notes that from 2001 - 2006, Kenton County lost approximately 1,135 acres of land identified for industrial use due to residential development. Most of this occurred around Walton. Mr. Dusing stated that the Boone County Comprehensive Plan's Future Land Use Map identifies the subject site as Business Park (BP), which coincides with the Industrial One (I-1) zoning. Mr. Dusing referred to the definition of the Business Park land use classification. He also referred to the text of the Land Use Element stated on page 2 of the Staff Report, which recommends Business Park for the subject area. Mr. Dusing submitted the Utility Extension Capacity Agreement with the City of Walton (see Exhibit E). In Section 4, he states that the City of Walton agrees to provide water and sewer utility service to the owner in order to accommodate 30,000 gallons per day. If increased capacity is needed, Mr. Knock or a developer would pay for it. The physical change in the area is the Mary Grubbs underpass. Mary Grubbs Highway is currently a two lane road but it can be widened. With the proposed new road to the east, it won't impact any of the residents in the area on High Street/Jones Road. This was a concern by both the Boone/Kenton County planning staff. All truck traffic will travel on the new road rather than Jones Road. Mr. Knock is willing to agree to this road as a condition. The proposed road can only be built and be economically justified with industrial uses. Otherwise, there would be 750 - 800 homes on the 250 acres using High Street, Church Street and Jones Road. It would also impact the two school systems. Industrial uses would generate higher property, payroll and inventory taxes. There would be no new school kids and no new burden on the tax payer. The request meets all three criteria necessary to grant the zone change. The reason why there is not a detailed Concept Development Plan is because the City of Walton is a co-applicant and one is not required. However, the Staff recommended that they submit a bubble plan showing the road access. The huge advantage of the plan is the spur within the development that heads north to Percival Road. It opens up future development north that is east of the railroad tracks. It would eliminate 5 - 6 railroad grade crossings. It is a huge safety advantage for the submitted plan.

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

Ms. Patty Davidson, 814 Jones Road, said she moved to the area 17 years ago and wanted to raise her son in a country setting. Most of the people in the area have lived in the area for many years. She expressed a concern about vacant buildings in the area and the proposed project. Empty buildings become problems. How will this project contribute to healthy living especially with truck traffic and pollution?

Mr. Mike Willen, 814 Jones Road, stated that he does work for the Kentucky Board of Education. He spends every day thinking about our children's future. He doesn't understand how we can zone something in the backyard of 50 children that allows for SOBs. Mr. Knock and the City of Walton cannot change the law. If he has enough money and legal representation and wants to put an adult club in Walton and I-1 allows it, how will it be stopped? He referred to Larry Flynt's establishment in Florence and others. Mr. Costello responded that Mr. Flynt's business in Florence by definition is not a sexually oriented business. This public hearing is not being held to discuss Mr. Flynt's Florence business. Mr. Costello stated that Mr. Knock has committed to restrict his property from not having a sexually oriented business. This restriction would have to be approved by the Planning Commission and the City of Walton. Mr. Willen expressed a concern that the proposed road backs up to residents' backyards. These people moved out there to experience country living. The proposed road will generate more traffic and congestion from the new businesses. The Mary Grubbs Highway extension is a 2 lane road with a bike lane and sidewalks. There is no room for 2 additional lanes. He agrees with the need for additional industrial areas but not now. The pharmaceutical warehouse, which is adjacent to the property has been vacant for years and is an eye sore. The Zotefoam site is a problem because there is an open dumpster full of foam; which blows around and in the creek. A vast majority of the Walton residents travel over 20 miles to work. The industrial businesses in Walton don't pay their workers enough. Walton doesn't generate taxes from payroll because they don't have a payroll tax. There is over 100 acres of industrial use available in Walton. There is even more industrial land available in the area like Park South in Richwood. There is more than 1.2 million square feet available at that location. There is not a big need for industrial especially since Park South has been empty for 10 years. It is closer to Richwood Road and I-71/I-75. He is supportive of residential uses not 2 - 4 dwelling units per acre but rather 1 acre lots for 280 houses. This is consistent with what is in the area.

Mr. Ronald Tomilson, 13054 Percival Road, expressed a concern about the 80 foot buffer yard. He asked whether there would be a road coming off Percival Road to serve the development. Mr. Light responded yes and showed the location of the road connecting to Percival Road. Mr. Tomilson stated that when the Planning Commission turned down the proposed mobile home park on the Turner property in 1993, it was due to the width of Percival Road. The road is barely wide enough to support vehicles in both directions. Has the widening of Percival Road been taken into consideration? Chairman Rolfsen responded no.

Mr. Mark McDannold, 388 Rebecca Court, stated that his property slopes down toward the creek. Walton is a great place to live and he began to describe his neighborhood. We know our neighbors. We have lived there 6 years. There are deer and wild turkey on the subject property. We have a lot of industrial land in Walton sitting idle doing nothing. He expressed disappointment that the Walton Mayor was present representing somebody who may not live in Walton and not him. We are not alarmists. Nobody wants this project. It will affect our property values, which have already taken a huge hit. We pay very high property taxes to live in a nice place. This won't add to it and get any value.

Ms. Barb Clifton, 103 High Street, noted that she will be looking directly across from the development. She had a real estate professional or realtor look at her house and value of it if the development occurs. In a letter, the realtor indicated that the property value of her house will be 50% less because the road will be behind her house (see Exhibit F). She will hear the noise from the trucks. Kenton County takes care of the road. Walton doesn't plow snow. If the street is closed off, how will she get up the hill?

Ms. Roberta Albers, 729 Jones Road, explained that she lives beyond the proposed development and on the U.S. 25 side of Jones Road. She agreed with all of the previous comments. Walton has 4 industrial parks and they have available space. If you drive down Industrial Road, you won't find a home within 80 feet. She stated that she lives at least three quarters of a mile from U.S. 25 where Walton was so kind to allow a junk yard. She noted that she is awoken at 6:30 am with back up alarms plus the sounds of scraping metal. Eighty feet is not enough space for a buffer. She picks up litter along Jones Road. It is documented there are storm water runoff problems in Banklick Creek. The creeks along Jones Road dump into Cruise's Creek, which empties into Banklick Creek. There will be a lot of storm water runoff from the 300 acres of development. It hasn't been addressed. If you cul de sac High Street, you are making those residents use the railroad crossing of Church Street. The reason why the railroad underpass was built was because the railroad had to build it due to the condition of the wooden bridge. The Walton Fire Protection District is not rated as well as other fire districts in Northern Kentucky. It has a poor fire rating and an inadequate water supply. A house was burned to the ground because of inadequate water pressure. How will they protect a 300 acre development? Would a developer pay a much higher insurance rate over another area due to an inadequate fire department? It doesn't make sense. It is not a good decision to put industrial in close proximity to residences.

Ms. Jeanne Setters, 882 Jones Road, asked if the Planning Commission would make a decision on the 21 acres only? Mr. Wilson explained that the Planning Commission does not have authority to act on the property in Kenton County. She stated that Mr. Knock's property abuts her property up the creek. She has a view of his property. She expressed a concern about storm water and industrial uses like recycling centers due to the topography of the site. She hears noises from the existing industrial uses. She can hear it, see it and smell it. It isn't healthy. There is no buffer from her property. She stated that she doesn't want it in her backyard. We already have a new Mary Grubbs Highway, which provides adequate access. She expressed empathy about buying the property for investment purposes but the applicant doesn't have to live there.

Chairman Rolfsen explained that the City of Walton will have the final action on the entire development.

Mr. George Hodgson, 10359 Percival Road, noted that his property borders the site. The new road will be next to his property line and there will be no adequate buffer. Percival Road is very narrow to support truck traffic. It is not even as wide as a driveway. There are empty properties all over Walton that haven't been developed. He would support residential and not commercial/industrial. He drives 11 miles a day to work and enjoys coming home to space. There won't be any space if the project is built.

Ms. Rhonda Sims, 805 Jones road, referred to the developer's agreement with the City of Walton. There is a clause about changing the zoning to residential upon request by the owner only if the market conditions will not support commercial or industrial development. There is no plan and we don't know what is going in the development. We also have the idea that if you can't sell it, then it can be changed to residential. It is all wrong. It should have been more forthcoming. The City of Walton should be helping people who have already invested in Walton and not someone who bought a farm that wants to turn it into industrial for a profit.

Ms. Antoinette Dick, 305 Cathy Court, explained that the reason why she moved to Walton was because it was rural and green. The peace and quiet of Walton is very appealing. She doesn't want to look at industrial business but rather one acre residential lots. Walton is becoming increasingly expensive. It is changing from a charming, rural city to what it is becoming. It is sad. Expanding is a nightmare and it doesn't mean it is getting better.

Ms. Virginia Jones, 82 High Street, stated that her son likes the outside. Everyone who lives in the area enjoys what they see and not the industrial park. It is a close neighborhood. If she wanted to live in Florence, she would have moved there. She chose Walton because of the School District. She doesn't want her child playing outside and being impacted by the industrial traffic. Kids ride their bikes in the streets. There is a lot of traffic on High Street. No one likes change. If change is going to be worse on the people who live there, then it shouldn't be industrial. She is in favor of residential especially with the smell and noises from industrial uses.

At this time, Chairman Rolfsen asked if any of the Planning Commission members had any comments or questions?

Mr. McMillian asked how the proposed project would affect the American Legion building? Mr. Knock responded that he has a written agreement in principle to acquire their land.

Chairman Rolfsen asked Mr. Knock to respond to the comment about the economic downfall and switching the zoning back to residential? Mr. Knock acknowledged that another Public Hearing and application would have to be submitted.

Mr. Ford asked if there was any communication about the project with the two school districts? Mr. Knock responded there have been no formal discussion with both districts but it was his understanding that the tax duplicate from the project was better for the school districts than adding homes. Mr. Ford recommended that perhaps he could get a letter from them. Mr. Knock replied that he would do so.

Mr. Brandstetter asked whether the applicant could bring to the Committee meeting more details about the road re-alignment and the agreement in principle of how the road would take place. Mr. Knock responded that he would do so.

Mr. Schwenke inquired whether the applicant could review the list of I-1 uses and eliminate some of them before the Committee meeting? Mr. Knock agreed to review the list.

Mr. Reynolds asked Mayor Jolley about the inadequacy of the Walton Fire Department and whether the Fire Department would support the development. Mayor Jolley explained that she could not speak for the Walton Fire Department. Mayor Jolley noted that the City has experienced low flow issues related to fire hydrants. Lines have been looped to increase water pressure. Currently, there is no water service at the site. It will be built when the project moves forward. Mr. Knock offered that the Kenton County Water District will construct a new water line by the American Legion site. It will then connect to his property and other property owners along Jones Road. Mr. Knock noted that they have conducted water capacity checks on this line for fire suppression purposes. There will be a water meter on the site and the Kenton County Water District will provide water service to residents living on Jones Road.

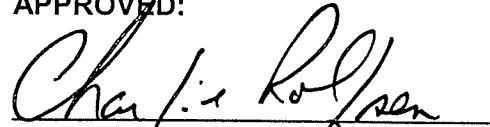
Mr. Breetz questioned the comments about the project from the Kenton County Planning Commission? Mr. Dusing stated that the staff and the members of the Kenton County Planning Commission recommended disapproval. The basis for the disapproval was inadequate access along Jones Road. Mr. Breetz inquired whether the applicant would consider the possibility of leaving the area around High Street as a residential phase for a transition? Mr. Knock responded that they did consider it and it would be decided by final action by the City of Walton.

Mr. Longano asked what percentage of the site is designated Business Park (BP)? Mr. Light answered about 95%. Mr. Longano inquired on whether staff could research the history of the Future Land Use Map designation for the site. Mr. Costello responded that they could check it. He thought the BP classification was created at least 10 years ago. Chairman Rolfsen asked the Staff if they could research available industrial land within the City of Walton? Mr. Light responded yes.

Ms. Reeves asked if the applicant had completed a traffic study on Mary Grubbs Highway, High Street, Jones Road or Percival Road - volume now and in the future? Mr. Knock answered no but there was a study performed when Duke Realty was interested in the site. He noted that Walton will look at it more closely when the Concept Development Plan is presented to them for approval.

There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on August 15, 2012 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on September 5, 2012 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 9:10 P.M.

APPROVED:


Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

Exhibits:

- A. Aerial photo Revised Concept Development Plan for Access
- B. Letter from Arthur Green dated August 1, 2012 and petition
- C. Duke Realty Co. proposed Concept Development Plan
- D. High Street Bridge Alternatives
- E. Utility Commitment Agreement with City of Walton
- F. Letter from Amy Barnes dated July 24, 2012

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

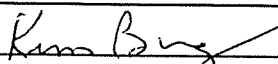
DATE: August 15, 2012

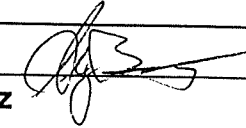
RE: **ZONING MAP AMENDMENT - Mitchell A. Light, Staff; Kim Bunger, Chairman**

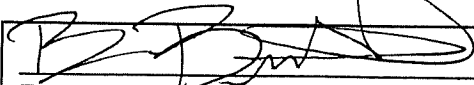
1. Request of **City of Walton and Omaha Enterprises LLC (applicants)** for **Omaha Enterprises LLC (owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for 21.91 acres located on the south side of Percival Road between Showalter Trace and the property at 13059 Percival Road, to the east of Showalter Green Subdivision, and on the north side of High Street between the property at 104 High Street and the Boone/Kenton county line, Walton, Kentucky. The zone change area is part of a 279.8795 acre site at 494 Jones Road that is located in the City of Walton and in both Boone and Kenton Counties. The request is for a zone change to allow uses permitted in the I-1 zone.

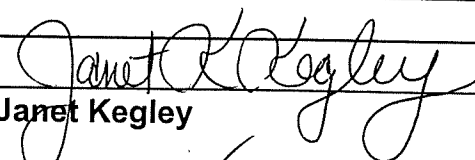
REMARKS:

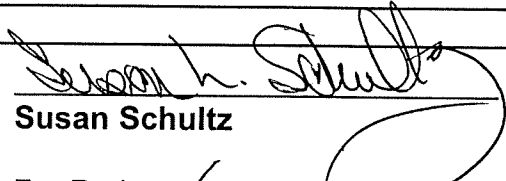
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.


Kim Bunger, Chairman
For Project ☒ Absent ☐
Against Project ☐
Abstain ☐ Deferred ☐


Greg Breetz
For Project ☒ Absent ☐
Against Project ☐
Abstain ☐ Deferred ☐


Ben Brandstetter
For Project ☒ Absent ☐
Against Project ☐
Abstain ☐ Deferred ☐


Janet Kegley
For Project ☒ Absent ☐
Against Project ☐
Abstain ☐ Deferred ☐


Susan Schultz
For Project ☒ Absent ☐
Against Project ☐
Abstain ☐ Deferred ☐

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

Mark Hicks (Alternate)
For Project ☐ Absent ☐
Against Project ☐
Abstain ☐ Deferred ☐

Jim Longano (Alternate)
For Project ☐ Absent ☐
Against Project ☐
Abstain ☐ Deferred ☐

TOTAL:	☐ DEFERRED	<u>5</u> FOR PROJECT	☐ ABSENT
	☐ AGAINST PROJECT	☐ ABSTAIN	

SUPPORTING INFORMATION



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Land Surveyor License KY 206

EXHIBIT 'A'

May 15, 2012

LEGAL DESCRIPTION

OMAHA ENTERPRISES LLC

Situated in Boone and Kenton County, Kentucky, lying along the southeast side of Percival Road and the northeast side of Jones Road and being particularly described as follows:

Beginning at a point in the center of Jones Road, said point being an iron pin set at the northwest corner of Douglas McDaniel's property as described in Deed Book I-2045 at Page 29 of the Kenton County Clerk's records at Independence, Kentucky; thence along the northeast line of McDaniel N 77° 24' 55" E 106.21 feet, S 58° 35' 05" E 75.50 feet to a (set) iron pin; thence along the northeast line of McDaniel S 30° 20' 05" E 123.50 feet and S 66° 05' 05" E 89.92 feet to a (set) iron pin; thence N 67° 13' 55" E along the north line of David C. Imbrogno 413.70 feet to a (set) iron pin; thence along the northwest line of John A. Darpel, Jr. (Deed Book I-438 at Page 176) N 52° 30' 24" E 614.00 feet to a (set) iron pin, N 33° 59' 55" E 519.40 feet to a (set) iron pin, N 79° 39' 55" E 455.00 feet to a (set) iron pin, and N 81° 24' 55" E 286.00 feet to a (set) iron pin at the northwest corner of David J. & Margaret A. Geiger (Deed Book I-367 at Page 274); thence along the northwest line of Geiger N 67° 10' 00" E 198.00 feet to a (set) iron pin, N 42° 35' 00" E 588.72 feet to a (set) iron pin, and N 77° 35' 00" E 517.63 feet to a (set) iron pin in the southwest line of the Richard & Barbara Kunkel property as recorded in Deed Book I-418 at Page 162 of said records; thence along the southwest line of Richard & Barbara Kunkel N 15° 20' 14" W 263.67 feet to a (set) iron pin, N 03° 38' 57" W 121.90 feet to a (set) iron pin, N 38° 17' 55" W 280.43 feet to a (set) iron pin, N 44° 56' 07" W 222.13 feet to a (set) iron pin, N 27° 40' 40" W 91.00 feet to a (set) iron pin, N 55° 22' 21" W 153.42 feet to a (set) iron pin, N 49° 25' 06" W 331.00 feet to a (set) iron pin, N 36° 55' 06" W

111.60 feet to a (set) iron pin, N 67° 10' 31" W 241.00 feet to a (set) iron pin and N 61° 57' 55" W 161.34 feet to a (found) iron pin at the west corner of Richard & Barbara Kunkel's property and the south corner of Richard L. Kunkel's property as recorded in Deed Book I-1071 at Page 151 of said records; thence along Richard L. Kunkel's southwest property line N 65° 37' 24" W 420.07 feet to a (found) iron pin; thence N 58° 41' 46" W 85.31 feet to a (found) iron pin; thence N 47° 49' 49" W 181.29 feet to a (found) iron pin; thence N 37° 15' 04" W 190.74 feet to a point; thence N 28° 01' 26" W 45.91 feet to a (found) iron pin; thence N 40° 18' 48" W 166.14 feet to a (found) iron pin; thence N 50° 42' 26" W 255.63 feet to a (found) iron pin and N 54° 05' 20" W 344.22 feet to an iron pin (found) at the west corner of Richard L. Kunkel; thence N 77° 27' 44" W along the south line of the Edgar & Mildred Watson property 330.00 feet to an iron pin (set) at the east corner of Kenneth A. & Fern L. Tapp; thence S 46° 50' 55" W along the southeast line of Tapp's property 1,060.54 feet to an iron pin (set) at the east corner of David & Karma Hopper's property as recorded in Deed Book 369 at Page 1 of said records; thence S 47° 42' 12" W along the southeast line of Hopper's property 803.16 feet to an iron pin (found) at the south corner of said property; thence N 36° 14' 18" W along Hopper's southwest property line 1,299.96 feet to a point in the centerline of Percival Road; thence along the centerline of Percival Road S 54° 50' 29" W 428.78 feet to a point; thence in a southwesterly direction along the centerline of Percival Road as it curves to the left with a radius of 1,008.25 feet, an arc distance of 133.19 feet to a point; thence in a southwesterly direction along the centerline of Percival Road as it curves to the right with a radius of 901.26 feet, an arc distance of 97.84 feet to a point; thence in a southwesterly direction along the centerline of Percival Road as it curves to the right with a radius of 157.74 feet, an arc distance of 84.08 feet to a point; thence in a southwesterly direction along the centerline of Percival Road as it curves to the right with a radius of 127.38 feet, an arc distance of 52.79 feet to a point; thence N 72° 09' 21" W along the centerline of Percival Road 0.19 feet to a point; thence leaving Percival Road and following along the northeast line of the City of Walton Park S 30° 13' 46" E 121.00 feet to a point; thence S 28° 53' 44" E along the northeast line of the Park and the northeast line of Showalter Green Subdivision 621.61 feet to an iron pin (set); thence S 34° 58' 46" E along the northeast line of the City of Walton property 340.32 feet to a 26" walnut tree; thence along the

southeast line of the City of Walton property S 25° 40' 13" W 31.69 feet to an iron pin (set); thence S 57° 46' 06" W 220.11 feet to a point in the centerline of Jones Road; thence in a southeasterly direction along the centerline of Jones Road as it curves to the right with a radius of 591.63 feet, an arc distance of 126.08 feet to a point; thence S 41° 47' 35" E along the centerline of Jones Road 213.70 feet to a point; thence in a southeasterly direction along the centerline of Jones Road as it curves to the left with a radius of 1,208.25 feet, an arc distance of 224.06 feet to a point; thence S 52° 25' 05" E along the centerline of Jones Road 318.16 feet to a point; thence leaving Jones Road and following along the present boundary of the City of Walton N 83° 32' 48" E 135.49 feet, N 35° 43' 42" W 290.07 feet, N 42° 50' 18" E 427.31 feet, N 58° 05' 48" E 438.60 feet, S 32° 42' 12" E 241.57 feet, S 34° 36' 41" W 838.64 feet and S 04° 53' 42" E 95.51 feet to a point in the centerline of Jones Road; thence along the centerline of Jones Road S 79° 22' 50" E 2.50 feet to a point; thence in a southeasterly direction along the centerline of Jones Road as it curves to the right with a radius of 300.00 feet, an arc distance of 169.86 feet to a point; thence S 46° 56' 20" E along the centerline of Jones Road 83.62 feet to a point; thence in a southeasterly direction along the centerline of Jones Road as it curves to the right with a radius of 4,254.03 feet, an arc distance of 218.69 feet to a point; thence in a southeasterly direction along the centerline of Jones Road as it curves to the right with a radius of 170.00 feet, an arc distance of 98.05 feet to a point; thence S 10° 56' 45" E along the centerline of Jones Road 161.76 feet to a point; thence in a southeasterly direction along the centerline of Jones Road as it curves to the left with a radius of 408.25 feet, an arc distance of 211.96 feet to a point; thence S 40° 41' 38" E along the centerline of Jones Road 298.54 feet to a point; thence in a southeasterly direction along the centerline of Jones Road as it curves to the right with a radius of 7,993.59 feet, an arc distance of 199.99 feet to a point; thence S 39° 15' 38" E along the centerline of Jones Road 150.61 feet to a point; thence in a southeasterly direction along the centerline of Jones Road as it curves to the right with a radius of 340.00 feet, an arc distance of 92.07 feet to a point; thence S 23° 44' 42" E along the centerline of Jones Road 69.99 feet to a point; thence in a southeasterly direction along the centerline of Jones Road as it curves to the right with a radius of 4,598.93 feet, an arc distance of 199.61 feet to a point; thence S 21° 15' 30" E along the centerline of Jones Road 100.88 feet to the place of beginning.

Containing 271.7287 Acres

EXHIBIT A

Located on the north side of Jones Road approximately one mile southeast of U.S. #35, Kenton County, State of Kentucky and more particularly described as follows:

Beginning at a point in the centerline of Jones Road, (High Street extended), said point being 917 feet southeast of the intersection of the centerline of said road with the northwesterly boundary line of the grantor's property. measured along the centerline of said road; thence from said place of beginning and departing from said road along a new division line, north 35-05 east, 144.09 feet to a point; thence north 39-11-30 west, 290.07 feet to a point; thence north 39-22-30 east, 427.31 feet to a point, thence north 54-38 east, 438.60 feet to a point; thence south 36-10 east, 241.57 feet to a point in an existing fence line; thence south 31-08-53 west, 838.64 feet to a point; thence south 8-21-30 east, 95.51 feet to a point in the centerline of the aforesaid Jones Road; thence along the centerline of said road; north 79-30 west, 130.05 feet to a point; thence north 73-26 west 36.11 feet to a point; thence north 65-31 west, 50.00 feet to a point; thence north 59-09 west, 50.00 feet to a point, the place of beginning, containing 8.15 acres.

Being the same property conveyed to Delmer L. Osburn by deed dated April 14, 2011 and recorded in Deed Book I-2701, page 124, Kenton County Clerk's office, Independence, Kentucky.

Recorded GABRIELLE SUMME
INDEPENDENCE KENTON COUNTY CLERK
Doc type: DEED
Book/page: I-2868/ 11 4 p
Doc#: 11 04 28 059 00141
Dt/tm Recorded: 04/28/2011 01:21:24pm
Total fees: 116.00 Tax: 96.00
Clerk name: RONNIE L LOVE

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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

August 23, 2012

Mr. Richard Knock
Omaha Enterprises LLC
10730 Omaha Trace
Union, KY 41091

RE: Request of **City of Walton and Omaha Enterprises LLC (applicants)** for **Omaha Enterprises LLC (owner)** for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for 21.91 acres located on the south side of Percival Road between Showalter Trace and the property at 13059 Percival Road, to the east of Showalter Green Subdivision, and on the north side of High Street between the property at 104 High Street and the Boone/Kenton county line, Walton, Kentucky. The zone change area is part of a 279.8795 acre site at 494 Jones Road that is located in the City of Walton and in both Boone and Kenton Counties. The request is for a zone change to allow uses permitted in the I-1 zone.

Dear Mr. Knock:

The following represents the conditions of approval for the above referenced application as recommended by the Boone County Planning Commission at their August 15, 2012, Zone Change Committee Meeting. Please provide the property owner's signature in the space provided at the end of this letter, and return to the Planning Commission office by Friday, August 31, 2012.

CONDITIONS

1. The Property Owner agrees to pursue, with the Kentucky Transportation Cabinet, the relocation of the intersection of the new Mary Grubbs Highway with the residential section connecting with High Street. This is the preferred road alignment of the Committee as was discussed at their 8/15/2012 meeting (see attachment) subject to the approval of the Kentucky Transportation Cabinet and acquisition of the necessary right-of-way to prevent industrial traffic reaching High Street and providing a more direct access into the proposed industrial development from I-75. The proposed access road from Mary Grubbs Highway will be constructed and operational prior to the occupancy of the first building in either Boone or Kenton County. High

Street will not be used to access the proposed industrial development. An extensive preliminary plat and improvement plan review will be performed by the Boone County Planning Commission staff to ensure compliance with these items.

2. The Property Owner agrees that there will be no overhead doors or docks facing southwest toward the residential properties. Any building in this section will have a maximum height of 40 feet. All lighting will be directed downward so as not to cast light onto adjoining properties. An extensive site plan review will be performed by the Boone County Planning Commission staff to ensure compliance with these items.
3. The Property Owner agrees that the 80 foot Buffer Yard area shown on their submitted plan will remain undisturbed and that the additional required evergreen trees from Buffer Yard "D" (Article 36, Boone County Zoning Regulations) will be installed at the edge of the pavement along the southwest side of the building(s).
4. The Property Owner agrees that the proposed access off Percival Road will include a truck turn-around, not located in the 80 foot Buffer Yard area, to keep tractor trailer traffic from reaching Percival Road.
5. Permitted Industrial One (I-1), Office One (O-1) and Office Two (O-2) uses for this development are listed below. Prohibited uses are stricken:

INDUSTRIAL ONE (I-1)

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;

5. **(Inside Only)** Fabricated wood products including containers, building components, structural members, but excluding the primary manufacture of wood or wood products;
6. Furniture and fixtures;
7. Paper products including envelopes, bags, boxes and containers, but excluding the primary manufacture of pulp, paper, paperboard or paper products;
8. Printing industries;
9. Pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations;
10. Soaps and other detergents;
11. Fabrication of metal products except firearms and accessories, large scale machinery, and transportation vehicles;
12. Professional, scientific and controlling instruments, photographic and optical goods, watches and clocks;
13. Electric and electronic equipment;
14. Jewelry and precious metals, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils and other office and artists materials, brooms and brushes, lamp shades, signs and advertising displays, umbrellas, parasols and canes and other miscellaneous fabrication activities.
15. Technology and research centers including medical and hospital research establishments;
16. Educational and governmental institutions;
17. **(Inside Only)** Wholesale trade of automobile accessories and parts;
18. Wholesale trade of drugs, drug proprietaries and sundries;
19. Wholesale trade of dry goods and apparel;

20. Wholesale trade of groceries and related products in enclosed facilities except animals or raw farm materials or products;
21. Wholesale trade of electrical and electronic parts;
22. Wholesale trade of hardware, plumbing, heating, equipment and supplies;
23. Wholesale trade of small machinery, equipment (light) and supplies except transportation or farm vehicles;
24. Other wholesale trade except non-containerized or bulk raw metals and minerals, petroleum products, scrap and waste materials;
25. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
26. Window cleaning, disinfecting, exterminating, grounds keeping, and other dwelling and building services;
27. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage;
28. Research, development and testing services;
29. Detective and protective services;
30. Photo finishing and other photographic laboratories;
31. Electrical repair and armature rewinding services;
32. Reupholstery and furniture repairing and refinishing services;
33. Scientific research services and laboratories;
34. Building construction, general contractor, plumbing, heating, air conditioning, painting, paper handling, decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, wood flooring, roofing and sheetmetal, water-well drilling, septic and other special construction trade offices, supply, storage and related activities;
35. Postal services and related storage, distribution and transfer activities;

36. Agricultural contract sorting, grading and packaging services of fruits and vegetables;
37. Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
38. Freight forwarding, packing and crating services;
39. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;
40. **(Inside Only)** Equipment (light) rental and leasing services including automobiles and trucks, and sales of tractor-trailers and other commercial trucks and trailers;
41. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
42. Manufacture of plastic products but not the primary manufacture of plastics;
43. Welding shops for the repair of industrial machinery and heavy equipment;
- ~~44. Truck stops;~~
45. **(Inside Only)** Recycling centers;
46. Fire stations or fire related or protective services including rescue services;
- ~~47. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;~~
48. **(Inside Only)** Commercial parking facilities and commercial recreational vehicle parking facilities;
49. Landscape contracting and wholesale nurseries;
- ~~50. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.~~
- ~~51. Crematoriums.~~

Accessory Uses

1. Recreational uses or spaces of integral relation to the purposes of the district defined to be:
 - a. Nature preserves, wildlife sanctuaries, open spaces and other natural areas;
 - b. Historic sites, structures, monuments and other exhibits available public viewing;
 - c. Auditoriums, exhibition halls and other public or miscellaneous assembly;
 - d. Golf course and tennis courts;
 - e. Swimming beaches and swimming pools;
 - f. Picnicking, hiking areas, exercise trails and other recreational uses;
 - g. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
 - h. Recreation/Health centers.
2. The administration management, stenographic reproductions, research, sales (including industrial retail sales, exhibit or display) and any related or integral office use or activity of the permitted use;
3. Railroad right-of-way including switching and marshaling trackage and freight terminals;
4. Marine freight terminals;
5. Employment services;
6. Signage (See Article 34);
7. Parking (See Article 33);
8. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use, and which are conducted in accordance with Section 3154;
9. Food service for office, manufacturing or distribution uses;

10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
11. Recycling collection containers.

Conditional Uses and Criteria

1. Uses in which the primary business activity involves the following:
 - a. ~~the storage of explosives or fireworks according to State law, gas, or petroleum;~~
 - b. bag cleaning;
 - c. ~~blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;~~
 - d. ~~creosote treatment;~~
 - e. ~~distillation of bones, coal or wood;~~
 - f. **(Inside Only)** enameling, japanning or lacquering;
 - g. radium or radioactive elements;
 - h. crushing or other reduction or waterproofing;
 - i. the storage of chemicals;

The permission of such uses will be decided on an individual basis;

2. ~~Poultry and small game dressing and packing;~~
3. Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
4. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
5. Gasoline filling stations and wash services;

6. Labor unions and similar labor associations;
7. Nursery and child care centers;
8. Hotels and motels;
9. Commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
- ~~10. Retail sales or leasing of new and used motor vehicles;~~
- ~~11. Wholesale vehicle sales or auctions;~~
12. Churches, synagogues, temples and other places of religious assembly for worship;
13. Kennels for household pets; "City of Florence only - kennels for household pets only when not adjoining a residential zoned property."
14. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(C).
15. Fireworks retail sales. (Does not apply in the City of Union and City of Walton).

OFFICE ONE (O-1)

Principally Permitted Uses

The following uses are permitted:

1. Bank related services or credit unions;
2. Business and personal credit services and title services;
3. Security brokers, investment services and finance companies;
4. Insurance agents, brokers and services;
5. Real estate agents, brokers and management services;
6. Real estate management services and builders offices excluding any outside storage equipment and the like;
7. Photographic services;

8. Eating and drinking establishments including alcoholic beverages;
9. Direct mail and advertising services;
10. Stenographic services and other duplicating and mailing services;
11. News syndicate services and employment services;
12. Research, development and testing services of an office nature;
13. Business and management consulting services and associations;
14. Motion picture, audio-visual and similar media production and distribution services;
15. Physician and dental services including medical, dental laboratories and clinics;
16. Legal, engineering, architectural, education and scientific research services;
17. Accounting, auditing and bookkeeping services;
18. Charitable and social services administration offices;
19. Professional membership organizations and labor organizations and civic associations;
20. Telephone exchange stations, telegraph message centers, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting or receiving towers or similar unattached, erected equipment;
21. The administration, management and any related office use or activity of commercial, business, service, professional, industrial, religious, private institutional, or similar organization, incorporation, companies, associations and such uses. Includes all integral stenographic reproduction, mailing, research, sales and similar office functions, as determined by the Zoning Administrator;
22. Veterinary services not including the boarding of animals;
23. Business colleges or schools;
24. Recreation centers, gymnasiums and other related recreational facilities;

25. The retail sale of office supplies and equipment;
- ~~26. Funeral homes and crematoriums excluding cemeteries or mausoleums;~~
- ~~27. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 34.~~

Accessory Uses

1. Recreation uses or spaces of integral relation to the developed portions of the district including:
 - a. Temporary exhibit spaces;
 - b. Aquariums, botanical gardens and other natural exhibitions;
 - c. Stages and similar assembly areas;
2. Accessory uses for an office facility:
 - a. Garages and parking;
 - b. Structures such as fences and walls;
 - c. Buildings such as storage sheds;
3. Signage (See Article 34);
4. Parking (See Article 33);
5. Automatic teller machines;
6. Single-family dwelling unit;
7. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
8. Recycling collection containers.

Conditional Uses

1. Child and adult care centers;

2. Convenient stores;
3. Beauty and barber services and tanning salons;
4. Laundering, dry cleaning and dyeing services, including self-service;
5. Shoe repair, shoe shining and hat cleaning services;
6. Florists, excluding greenhouses;
7. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(C).

OFFICE TWO (O-2)

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.~~

Accessory Uses

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;

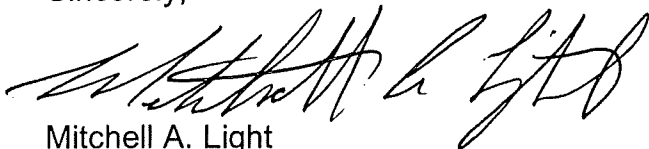
- b. Aquariums, botanical gardens and arboretums, nature preserves, wildlife sanctuaries and other natural exhibitions;
 - c. Historic sites, structures, monuments and other exhibits available for public viewing;
 - d. Amphitheaters, motion picture theaters, legitimate theaters, playhouses and other 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. **(Inside Only)** Recycling collection containers.

Conditional Uses and Criteria

- 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).

Sincerely,



Mitchell A. Light
Assistant Zoning Admin/Enforcement Officer

MAL/dw

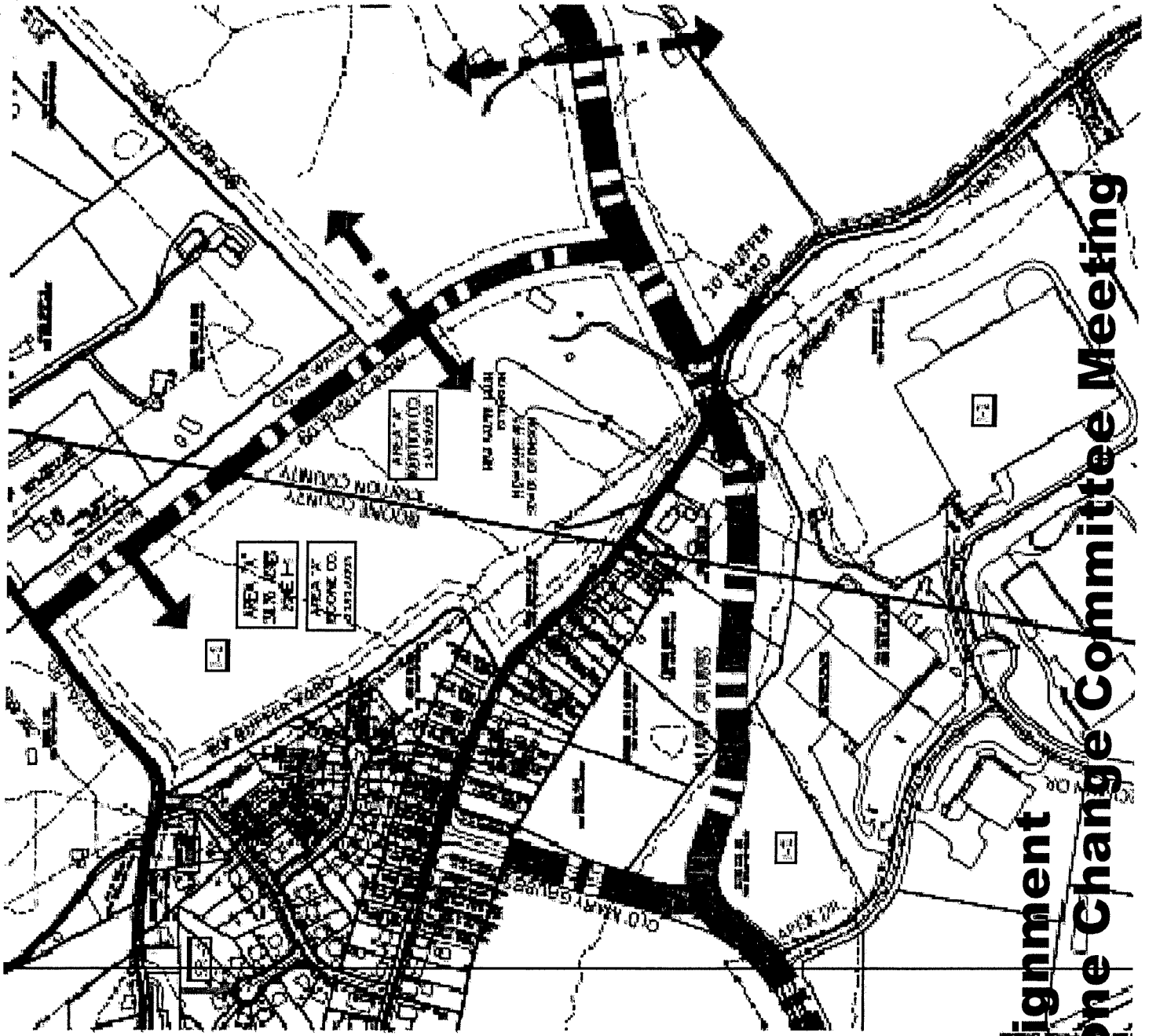
Mr. Richard Knock
August 23, 2012
Page 14

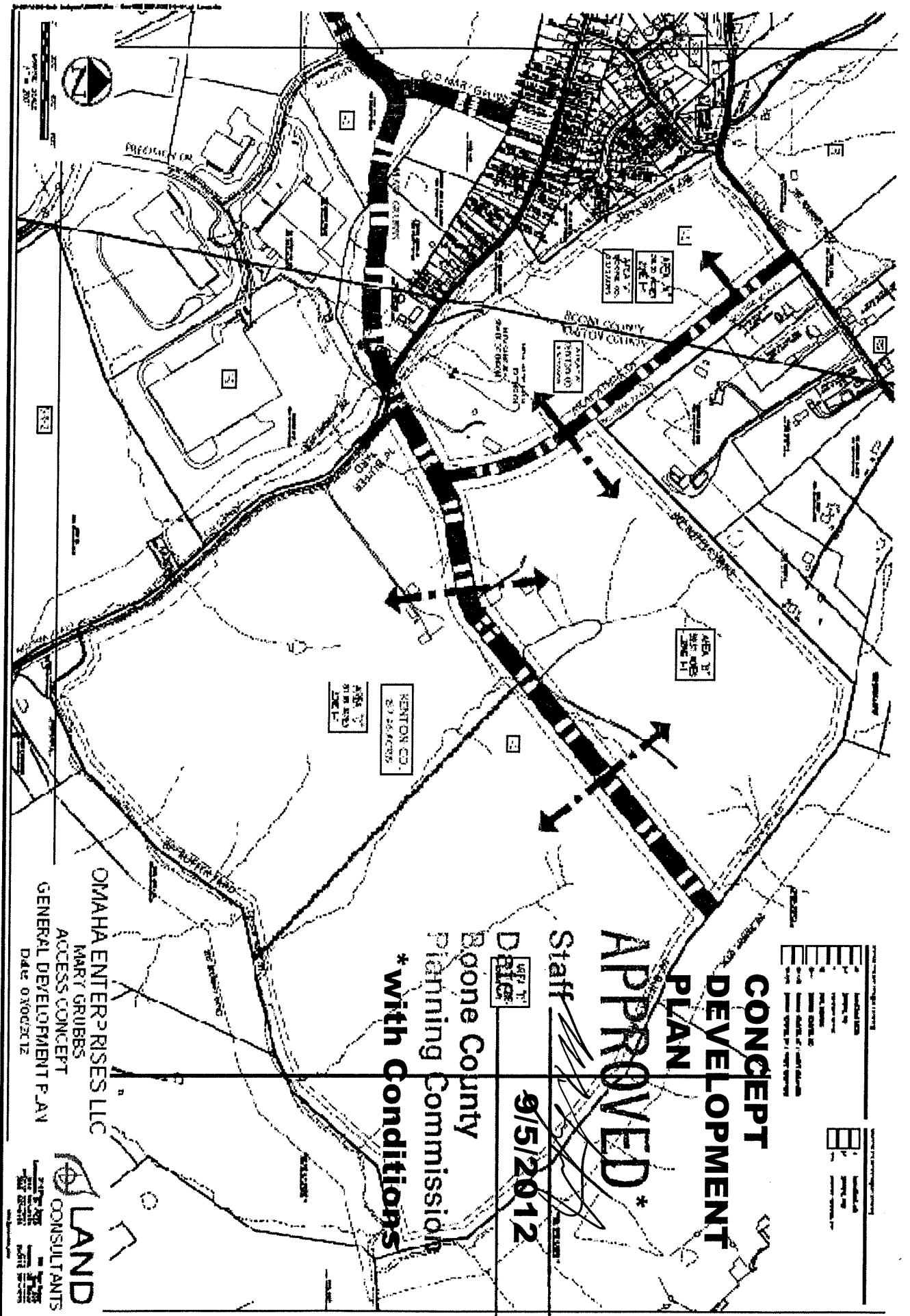
AGREEMENT

I, Richard Knock, do hereby agree to the recommended conditions of approval stated above for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for 21.91 acres located in the City of Walton, Boone County, Kentucky.

T. Knock Mgring Agt. 8/29/12
Richard Knock, Omaha Enterprises Date
(owner)

Attachment





Symbol	Description
[Symbol]	Proposed Access Road
[Symbol]	Proposed Driveway
[Symbol]	Proposed Parking Area
[Symbol]	Proposed Building Footprint
[Symbol]	Proposed Landscaping Area
[Symbol]	Proposed Utility Line
[Symbol]	Proposed Fencing Line
[Symbol]	Proposed Signage Location
[Symbol]	Proposed Security Camera Location
[Symbol]	Proposed Fire Hydrant Location
[Symbol]	Proposed Water Meter Location
[Symbol]	Proposed Gas Meter Location
[Symbol]	Proposed Sewer Manhole Location
[Symbol]	Proposed Storm Drain Location
[Symbol]	Proposed Tree Location
[Symbol]	Proposed Shrub Location
[Symbol]	Proposed Flower Bed Location
[Symbol]	Proposed Lawn Area
[Symbol]	Proposed Garden Area
[Symbol]	Proposed Deck Location
[Symbol]	Proposed Patio Location
[Symbol]	Proposed Walkway Location
[Symbol]	Proposed Staircase Location
[Symbol]	Proposed Ramp Location
[Symbol]	Proposed Gate Location
[Symbol]	Proposed Fence Line
[Symbol]	Proposed Signage Location
[Symbol]	Proposed Security Camera Location
[Symbol]	Proposed Fire Hydrant Location
[Symbol]	Proposed Water Meter Location
[Symbol]	Proposed Gas Meter Location
[Symbol]	Proposed Sewer Manhole Location
[Symbol]	Proposed Storm Drain Location
[Symbol]	Proposed Tree Location
[Symbol]	Proposed Shrub Location
[Symbol]	Proposed Flower Bed Location
[Symbol]	Proposed Lawn Area
[Symbol]	Proposed Garden Area
[Symbol]	Proposed Deck Location
[Symbol]	Proposed Patio Location
[Symbol]	Proposed Walkway Location
[Symbol]	Proposed Staircase Location
[Symbol]	Proposed Ramp Location
[Symbol]	Proposed Gate Location
[Symbol]	Proposed Fence Line

CONCEPT DEVELOPMENT PLAN

APPROVED *

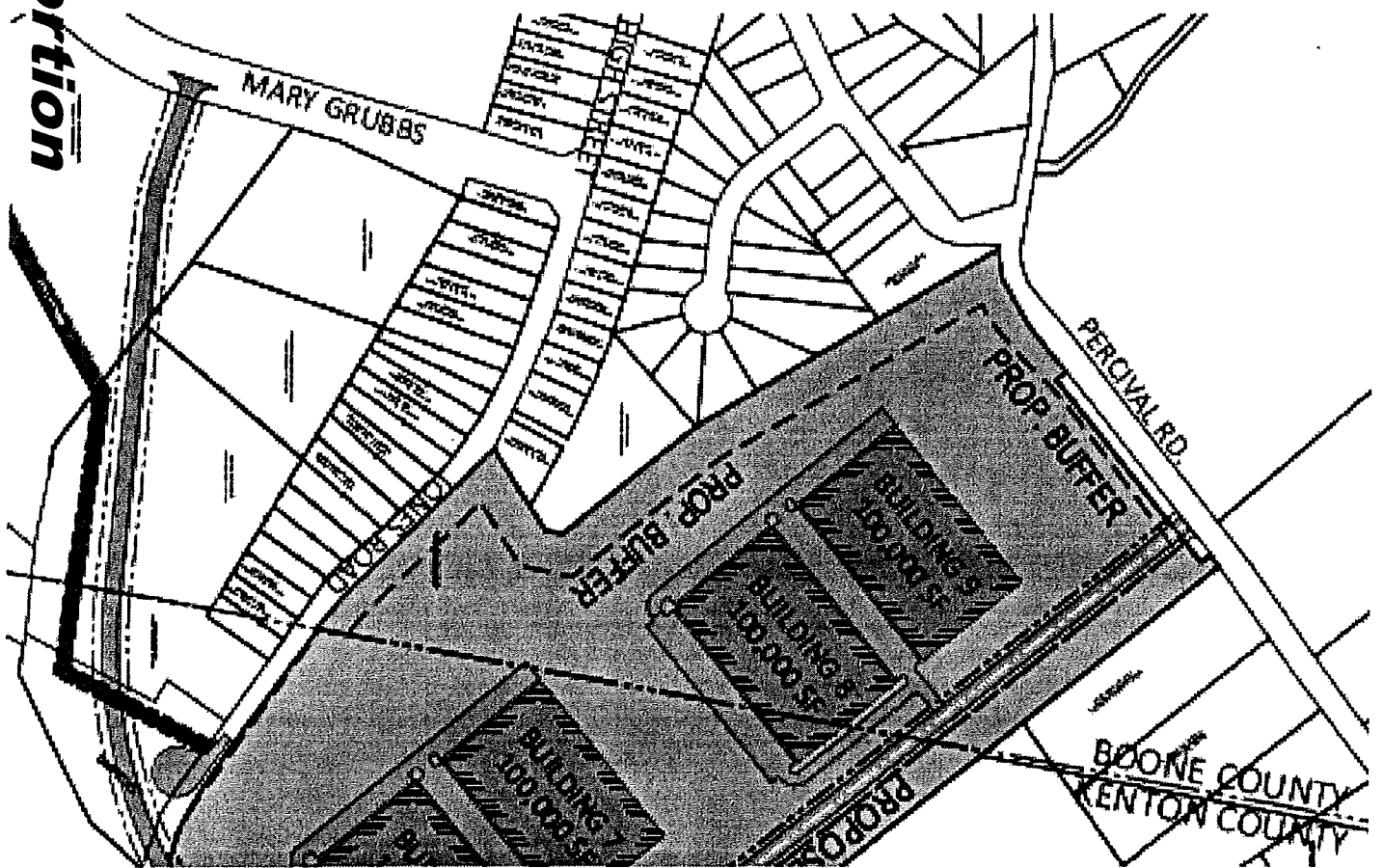
Staff *[Signature]*
Date **9/5/2012**

Boone County Planning Commission
* with Conditions

OMAHA ENTERPRISES LLC
MARY GRUBBS
ACCESS CONCEPT
GENERAL DEVELOPMENT PLAN
DATE 09/05/12



Boone County Portion



**CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2012-10**

**AN ORDINANCE APPROVING AND ADOPTING A REQUEST FOR A ZONE
MAP AMENDMENT FOR A 22 ACRE PARCEL OF LAND IN BOONE COUNTY.**

WHEREAS, the City of Walton, is a legislative body member of the Boone County Planning Commission, a joint county-wide planning unit or commission established under Chapter 100 of the Kentucky Revised Statutes; and,

WHEREAS, the Boone County Planning Commission received a joint request from Omaha Enterprises, LLC ("Owner") and the City of Walton, Kentucky ("Co-Applicant"), for a zone map amendment to the Boone County zoning map, such proposed amendment being a zone change from Agricultural Estate (A-2) to Industrial One (I-1) for an approximate 22-acre area located generally on the south side of Percival Road between Showalter Trace and the property at 13059 Percival Road, to the east of Showalter Green Subdivision, and on the north side of High Street between the property at 104 High Street and the Boone/Kenton County line, and is part of a larger 280-acre area that includes approximately 257 acres in Kenton County; and,

WHEREAS, the Boone County Planning Commission, as the planning unit for the City of Walton, was requested to and has conducted a public hearing serving as a due process trial-type hearing for the zone map amendment; and,

WHEREAS, the City of Walton has received Resolution R-12-009-A from the Boone County Planning Commission recommending approval with conditions for the request; and,

WHEREAS, the City of Walton deems it necessary to enact this Ordinance to preserve and protect the health, safety and convenience of the inhabitants of the City of Walton, pursuant to the City of Walton's legal authority, including but not limited to KRS Chapter 100;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, as follows:

SECTION ONE

The request for a zone map amendment is hereby approved, with additional conditions imposed by the City, as set forth on Exhibit "A" attached hereto and incorporated herein by reference. The zone map amendment is a zone change from Agricultural Estate (A-2) to Industrial One (I-1) for a 21.91-acre area located generally on the south side of Percival Road between Showalter Trace and the property at 13059 Percival Road, to the east of Showalter Green Subdivision, and on the north side of High Street between the property at 104 High Street and the Boone/Kenton County line, and is part of a larger 280-acre area that includes approximately 257 acres in Kenton County. The real estate which is the subject of this zone map amendment is depicted in

the minutes and official records of the Boone County Planning Commission attached hereto.

SECTION TWO

Resolution R-12-009-A of the Boone County Planning Commission, recommending approval of the zone map amendment, with conditions, is hereby approved and adopted. The Resolution, along with the minutes and official records for this request, are attached hereto as Exhibit "B" and incorporated herein by reference.

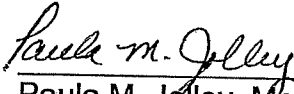
SECTION THREE

This Ordinance shall take effect and shall be in full force after its enactment and publication as required by law.

PASSED AND APPROVED by 4 Members of City Council on the 12th day of November, 2012.

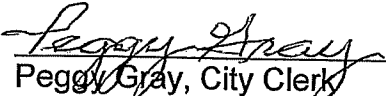
DATE OF PUBLICATION: November 29, 2012

APPROVED:



Paula M. Jolley, Mayor

ATTEST:



Peggy Gray, City Clerk

EXHIBIT "A"

CONDITIONS

1. The Property Owner agrees to pursue the relocation of the intersection of the new Mary Grubbs Highway Extension with the residential section connecting with High Street. This is the preferred road alignment (see attached exhibit) subject to the acquisition of the necessary right-of-way to prevent industrial traffic reaching High Street and providing a more direct access into the proposed industrial development from I-75. The proposed access road from Mary Grubbs Highway Extension will be constructed and operational prior to beginning construction of the first building in either Boone or Kenton County. High Street and Jones Road will not be used by construction traffic or to access the proposed industrial development except, however, the developer of the property, owner of the property and/or the road contractor shall not be prohibited from crossing over Jones Road for the purpose of cut, fill and alignment of the proposed access road. An extensive preliminary plat and improvement plan review will be performed by the Kenton County and Boone County Planning Commission staff to ensure compliance with these items.

2. The Property Owner agrees that there will be no overhead doors or docks facing southwest toward the residential properties. Any building in this section will have a maximum height of 40 feet. All lighting for the entire development will be directed downward so as not to cast light onto adjoining properties. An extensive site plan review will be performed by the Kenton County and Boone County Planning Commission staff to ensure compliance with these items.

3. The Property Owner agrees that the 80 foot Buffer Yard (Article 36, Boone County Zoning Regulations) area shown on their submitted plan will remain undisturbed and that the additional required evergreen trees will be installed at the edge of the pavement along the southwest side of the building(s) and more fully described as that portion of the property that lies adjacent to and in the vicinity of the Showater Subdivision including but not limited to the residential areas of High Street and Jones Road located within the current boundaries of the City of Walton. The Buffer Yard will be 100 feet on the northwest side of the development from Percival Road to the Boone/Kenton County line on High Street.

4. The Property Owner agrees that the proposed access off Percival Road will include a truck turn-around, not located in the 80 foot Buffer Yard area, to keep tractor trailer traffic from reaching Percival Road.

5. Permitted Industrial One (I-1), Office One (O-1) and Office Two (O-2) uses for this development are listed below. Prohibited uses are stricken:

INDUSTRIAL ONE (I-1)

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;

5. **(Inside Only)** Fabricated wood products including containers, building components, structural members, but excluding the primary manufacture of wood or wood products;

6. Furniture and fixtures;

7. Paper products including envelopes, bags, boxes and containers, but excluding the primary manufacture of pulp, paper, paperboard or paper products;

8. Printing industries;

9. Pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations;

10. Soaps and other detergents;

11. Fabrication of metal products except firearms and accessories, large scale machinery, and transportation vehicles;

12. Professional, scientific and controlling instruments, photographic and optical goods, watches and clocks;

13. Electric and electronic equipment;

14. Jewelry and precious metals, musical instruments and parts, toys, amusement, sporting and athletic goods, pens, pencils and other office and artists materials, brooms and brushes, lamp shades, signs and advertising displays, umbrellas, parasols and canes and other miscellaneous fabrication activities.

15. Technology and research centers including medical and hospital research establishments;

16. Educational and governmental institutions;

17. **(Inside Only)** Wholesale trade of automobile accessories and parts;

18. Wholesale trade of drugs, drug proprietaries and sundries;

19. Wholesale trade of dry goods and apparel;

20. Wholesale trade of groceries and related products in enclosed facilities except animals or raw farm materials or products;
21. Wholesale trade of electrical and electronic parts;
22. Wholesale trade of hardware, plumbing, heating, equipment and supplies;
23. Wholesale trade of small machinery, equipment (light) and supplies except transportation or farm vehicles;
24. Other wholesale trade except non-containerized or bulk raw metals and minerals, petroleum products, scrap and waste materials;
25. Laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services;
26. Window cleaning, disinfecting, exterminating, grounds keeping, and other dwelling and building services;
27. Refrigerated, household goods (mini warehouses) and other general refrigerated warehousing and storage;
28. Research, development and testing services;
29. Detective and protective services;
30. Photo finishing and other photographic laboratories;
31. Electrical repair and armature rewinding services;
32. Re-upholstery and furniture repairing and refinishing services;
33. Scientific research services and laboratories;
34. Building construction, general contractor, plumbing, heating, air conditioning, painting, paper handling, decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, wood flooring, roofing and sheetmetal, water-well drilling, septic and other special construction trade offices, supply, storage and related activities;
35. Postal services and related storage, distribution and transfer activities;
36. Agricultural contract sorting, grading and packaging services of fruits and vegetables;
37. **(Inside Only)** Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
38. Freight forwarding, packing and crating services;
39. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;

- 40. **(Inside Only)** Equipment (light) rental and leasing services including automobiles and trucks, and sales of tractor-trailers and other commercial trucks and trailers;
- 41. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
- 42. Manufacture of plastic products but not the primary manufacture of plastics;
- 43. Welding shops for the repair of industrial machinery and heavy equipment;
- 44. ~~Truck stops;~~
- 45. **(Inside Only)** Recycling centers;
- 46. Fire stations or fire related or protective services including rescue services;
- 47. ~~Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;~~
- 48. **(Inside Only)** Commercial parking facilities and commercial recreational vehicle parking facilities;
- 49. Landscape contracting and wholesale nurseries;
- 50. ~~Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.~~
- 51. ~~Crematoriums.~~

Accessory Uses

- 1. Recreational uses or spaces of integral relation to the purposes of the district defined to be:
 - a. Nature preserves, wildlife sanctuaries, open spaces and other natural areas;
 - b. Historic sites, structures, monuments and other exhibits available public viewing;
 - c. Auditoriums, exhibition halls and other public or miscellaneous assembly;
 - d. Golf course and tennis courts;
 - e. Swimming beaches and swimming pools;
 - f. Picnicking, hiking areas, exercise trails and other recreational uses;
 - g. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
 - h. Recreation/Health centers.

2. The administration management, stenographic reproductions, research, sales (including industrial retail sales, exhibit or display) and any related or integral office use or activity of the permitted use;
- ~~3. Railroad right-of-way including switching and marshaling trackage and freight terminals;~~
4. Marine freight terminals;
5. Employment services;
6. Signage (See Article 34);
7. Parking (See Article 33);
8. Outside storage, display, loading, uncrating or unpacking areas, except as part of indoor operations, which are an integral function of a permitted use, and which are conducted in accordance with Section 3154;
9. Food service for office or distribution uses. Manufacturing of food is prohibited;
10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;
11. **(Inside Only)** Recycling collection containers.

Conditional Uses and Criteria

1. Uses in which the primary business activity involves the following:

- ~~a. the storage of explosives or fireworks according to State law, gas, or petroleum;~~
- b. bag cleaning;
- ~~c. blast furnaces, cupolas, rolling mills, coke ovens, forging, foundering, refining or smelting;~~
- ~~d. creosote treatment;~~
- ~~e. distillation of bones, coal or wood;~~
- f. **(Inside Only)** enameling, japanning or lacquering;
- ~~g. radium or radioactive elements;~~
- h. **(Inside Only)** crushing or other reduction or waterproofing;
- i. **(Inside Only)** the storage of chemicals;

The permission of such uses will be decided on an individual basis;

- ~~2. Poultry and small game dressing and packing;~~
3. Wholesale trade of non-containerized paints, varnishes, chemicals and allied products;
4. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
- ~~5. Gasoline filling stations and wash services;~~
6. Labor unions and similar labor associations;
7. Nursery and child care centers;
8. Hotels and motels;
9. Commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields;
- ~~10. Retail sales or leasing of new and used motor vehicles;~~
- ~~11. Wholesale vehicle sales or auctions;~~
12. Churches, synagogues, temples and other places of religious assembly for worship;
13. Kennels for household pets; "City of Florence only - kennels for household pets only when not adjoining a residential zoned property."
14. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(C).
15. Fireworks retail sales. (Does not apply in the City of Union and City of Walton).

OFFICE ONE (O-1)

Principally Permitted Uses

The following uses are permitted:

1. Bank related services or credit unions;
2. Business and personal credit services and title services;
3. Security brokers, investment services and finance companies;
4. Insurance agents, brokers and services;
5. Real estate agents, brokers and management services;

6. Real estate management services and builders offices excluding any outside storage equipment and the like;
7. Photographic services;
8. Eating and drinking establishments including alcoholic beverages;
9. Direct mail and advertising services;
10. Stenographic services and other duplicating and mailing services;
11. News syndicate services and employment services;
12. Research, development and testing services of an office nature;
13. Business and management consulting services and associations;
14. Motion picture, audio-visual and similar media production and distribution services;
15. Physician and dental services including medical, dental laboratories and clinics;
16. Legal, engineering, architectural, education and scientific research services;
17. Accounting, auditing and bookkeeping services;
18. Charitable and social services administration offices;
19. Professional membership organizations and labor organizations and civic associations;
20. Telephone exchange stations, telegraph message centers, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting or receiving towers or similar unattached, erected equipment;
21. The administration, management and any related office use or activity of commercial, business, service, professional, industrial, religious, private institutional, or similar organization, incorporation, companies, associations and such uses. Includes all integral stenographic reproduction, mailing, research, sales and similar office functions, as determined by the Zoning Administrator;
22. Veterinary services not including the boarding of animals;
23. Business colleges or schools;
24. Recreation centers, gymnasiums and other related recreational facilities;
25. The retail sale of office supplies and equipment;
- ~~26. Funeral homes and crematoriums excluding cemeteries or mausoleums.~~

~~27. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 34.~~

Accessory Uses

1. Recreation uses or spaces of integral relation to the developed portions of the district including:

- a. Temporary exhibit spaces;
- b. Aquariums, botanical gardens and other natural exhibitions;
- c. Stages and similar assembly areas;

2. Accessory uses for an office facility:

- a. Garages and parking;
- b. Structures such as fences and walls;
- c. Buildings such as storage sheds;

3. Signage (See Article 34);

4. Parking (See Article 33);

5. Automatic teller machines;

6. Single-family dwelling unit;

7. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155;

8. **(Inside Only)** Recycling collection containers.

Conditional Uses

1. Child and adult care centers;

2. Convenient stores;

3. Beauty and barber services and tanning salons;

4. Laundering, dry cleaning and dyeing services, including self-service;

5. Shoe repair, shoe shining and hat cleaning services;

6. Florists, excluding greenhouses;

7. Horse related uses, including riding and boarding stables, as defined by KRS 100.111 (2)(C).

OFFICE TWO (O-2)

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 34.~~

Accessory Uses

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. **(Inside Only)** Recycling collection containers.

Conditional Uses and Criteria

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).

The following uses are permitted, provided they do not emit obnoxious odors outdoors:

1. Any uses related to pharmaceutical preparations, perfumes, cosmetics and other toiletry preparations.
2. Wholesale trade in drugs, drug proprietaries and sundries.
3. Scientific research services and laboratories.

***APPROVED**

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~~9/5/2012~~

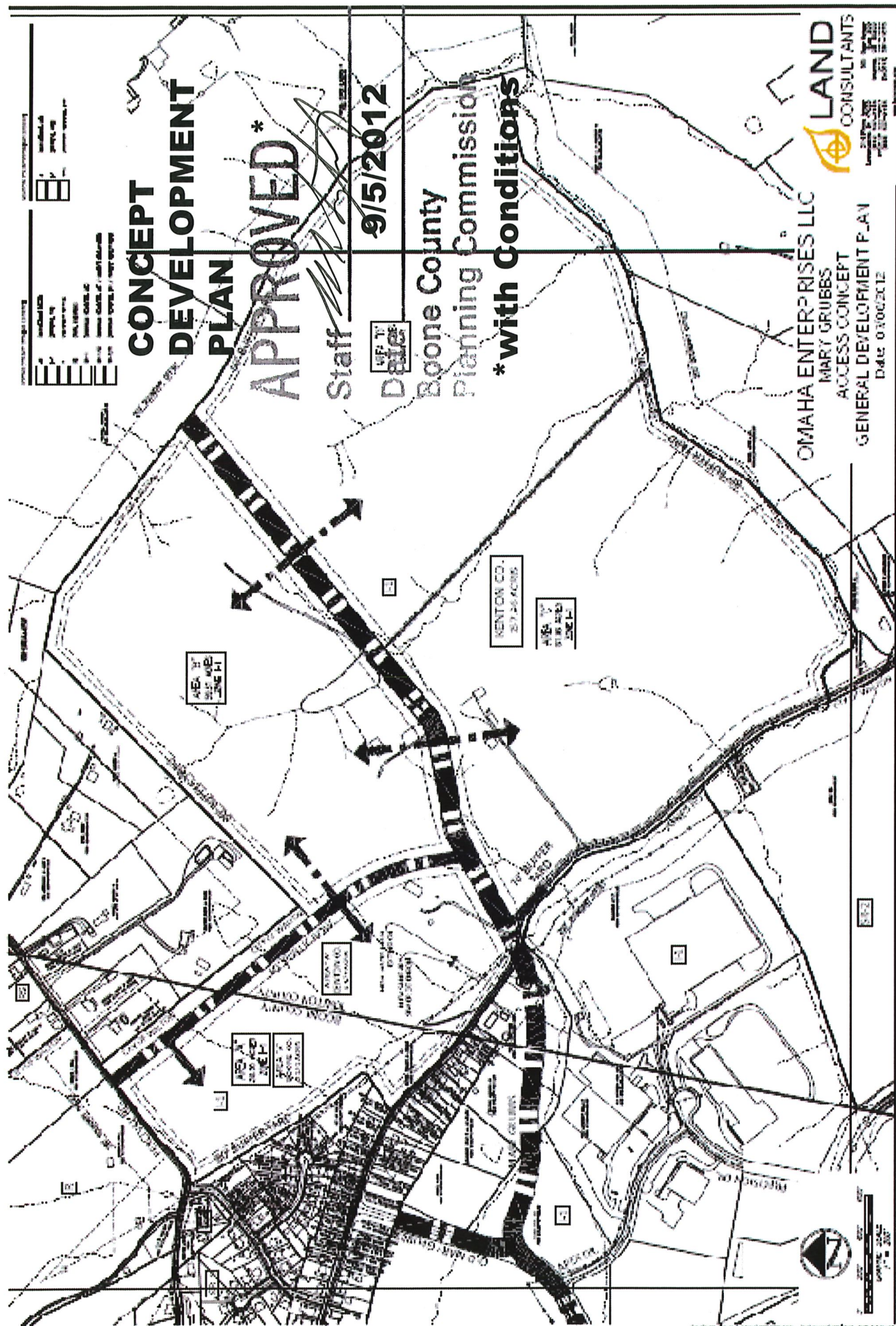
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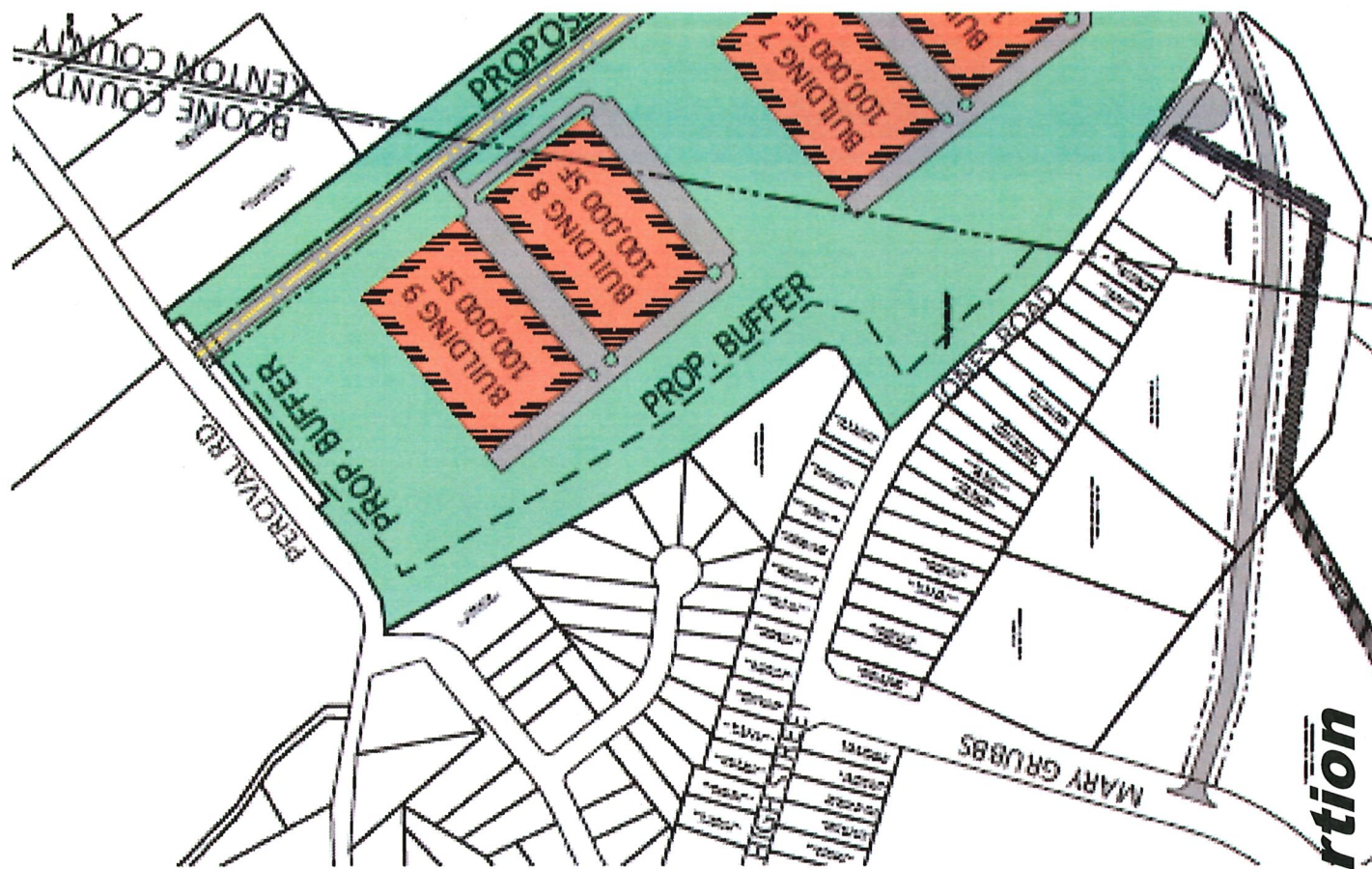
**Boone County
Planning Commission
*with Conditions**

OMAHA ENTERPRISES LLC
MARY GRUBBS
ACCESS CONCEPT
GENERAL DEVELOPMENT PLAN
DATE: 03/06/2012



LAND
CONSULTANTS





Boone County Portion



OMAHA INDUSTRIAL PARK CONCEPTUAL DEVELOPMENT PLAN

Date: 8/14/2012

Overall