

ZONING MAP AMENDMENT REQUEST BY  
KENTUCKY JOCKEY CLUB LATONIA RACE COURSE  
FOR PROPERTY LOCATED IN BOONE COUNTY KENTUCKY

This is a Zoning Map Amendment request by the Kentucky Jockey Club and Latonia Race Course to rezone a 9.50 (more or less) acre parcel of land located north of Turfway Road, west of I-75 and directly east of Latonia Race Course, Boone County, Kentucky. The property was advertised as being zoned Recreation (R) existing and Commercial Two/ Planned Development Overlay (C-2/PD) pending. Since then, the Boone County Fiscal Court approved the zone change request of C-2/PD on February 18, 1986. A request is being made to rezone the 9.50 acre parcel to Office-Two, Planned Development Overlay (O-2/PD.)

SURROUNDING ZONING AND LAND USES

The surrounding zoning and land uses include Recreation (R) directly north of the site for Latonia Race Course and Public Facilities (PF) east and northeast of Booth Memorial Hospital and Marydale Retreat Center. There is a nearby Suburban Residential One (SR-1) zone northwest of the site and I-75 is located east of the parcel. Just northeast of the 9.50 acre parcel are the recently approved Office Two, Planned Development Overlay (O-2/PD) and the Suburban Residential Two, Planned Development Overlay (SR-2/PD) zones. To the south and across Turfway Road, there is an existing Commercial Two/Planned Development Overlay zone (C-2/PD).

RELATIONSHIP TO COMPREHENSIVE PLAN AND TURFWAY STUDY

The Boone County Comprehensive Plan Land Use map indicated a future land use for this site as commercial and public institutional. The location of the 9.50 acre site and the general area are referred to in the current Comprehensive Plan text in a number of ways:

1. Page 3.4 states that "new high density residential development is planned in several locations throughout the County, where a high level of urban services exist or are planned to serve such development. In the existing Florence urban service area, new high density development could occur east of I-75 and north and south of Turfway Road."
2. Page 3.7 discusses the avoidance of highway commercial uses. "The planned interchange of I-75 with Turfway Road is not scheduled for highway commercial uses to avoid congestion from such uses and because ample facilities exist at the KY 18 and Donaldson Road interchanges to the north and south." This had since been modified in the Turfway Study which discussed limited and controlled commercial development.
3. Page 3.8 makes a reference to future Public/Institutional land use. "The Booth Hospital/Camp Marydale area is a large expanse of public/institutional land use north of Florence, which is expected to be maintained."
4. Page 3.12 discusses community development patterns near Houston Road. "This will include industrial development west of Houston Road and professional office development near I-75 and Booth Hospital. The office development is encouraged

to take place as a Planned Business Development."

5. The 1980 Comprehensive Plan also mentions the purpose of the new Turfway interchange on Page 4.2. "This interchange would provide regional access to Booth Hospital and commercial and industrial facilities in the area. It would also provide an additional access point to I-75 for the intensely developed Florence area."

6. Page 4.3 discusses the proposed link of Houston Road from KY 18 to Donaldson Highway. "The new Houston Road from KY 18 to Booth Hospital west of I-75 is planned to be continued northeast to tie with Donaldson Highway at Erlanger. This improvement will create an I-75 parallel to the west, reducing traffic loads on the inter-regional facility."

In summary, the Comprehensive Plan suggests that the area surrounding the site is suited for high density residential, office, commercial, and industrial land uses. The Comprehensive Plan also recommends that the area near the 9.50+ acre parcel, or namely, Booth Memorial Hospital and Camp Marydale be maintained as public/institutional use. Finally, the future use of the Latonia Race Course property is not specifically mentioned in the Comprehensive Plan.

#### RELATIONSHIP WITH TURFWAY STUDY

Even though the Latonia Park site is not included in the Land Use Study, I-75/Turfway Road Interchange, it should be considered in order to analyze the impact of the proposed development on the future land uses in the immediate area. The development on the future land uses in the immediate area. The development of the interchange and the surrounding area will greatly affect existing and future traffic patterns. The width of Turfway Road (three lanes) is a constraint, which will impact development, and traffic patterns in the study area. The Turfway study emphasizes the need to protect the interchange by recommending land uses which generate less traffic and are sensitively integrated into the existing community. As development around the Turfway Interchange begins to occur, it will become increasingly important to limit the intensity of development and land use, which signify major trip generation.

#### LATONIA PARK CONCEPT DEVELOPMENT PLAN

The applicant would like to rezone the 9.50+ acre parcel in order to construct a mixed-use commercial development, which is not permitted in the C-2/PD Overlay zone. Development plans being proposed consist of the following: a 146 unit courtyard hotel (3 story, a total 80,000 square feet), two restaurants (10,000 square feet and 3,500 square feet), and a 56,500 square foot commercial retail building. The total square footage for buildings in the proposed O-2/PD Overlay zone is 150,000. This is in contrast to the previously approved 100,000 square feet. Parking for 441 automobiles will be provided. A reduced copy of this Concept Development Plan appears on the next page and an informational packet is enclosed. In comparison, the Boone County Planning Commission and the Boone County Fiscal Court have previously approved the following land uses and building intensities on December 18, 1985 and on February 18, 1986.

<u>ZONING</u>	<u>LAND USE</u>	<u>ACREAGE</u>	<u>BUILDING SQUARE FOOTAGE</u>
C-2/PD	Commercial	9.50	100,000 s.f.
O-2/PD	Office	37.50	740,000 s.f.
SR-2/PD	Condominiums	<del>48.40</del> <i>incorrect</i>	400 units
Circulation	-----	8.62	4 lane blvd.

The previously approved Concept Development Plan described the commercial area as providing services to support the housing, office, hotel, and nearby race course traffic as well as become a modest neighborhood center for Turfway Road. Tenants to the commercial building include professional service businesses, full service food and drink restaurants and specialty retail shops.

The proposed zone change request offers a variety of land uses which are compatible to the general concept of the Latonia Park site. The proposed zone change also seeks to extend the present Office Two/Planned Development Overlay boundary to include the previously approved five office buildings with compatible commercial uses in the same zoning district. Because the applicant would like to place the 9.50+ acre parcel in a Planned Development (PD) zone, open space preservation and proper landscaping are important to this highly visible parcel. The submitted Concept Development Plan does not show these areas compared to the office and residential sections of the development. The proposed Office Two/Planned Development Overlay zone will be staged in three phases with the actual construction of the commercial portion to occur in Phase II.

Since the proposed zone change was legally advertised as a parcel containing 9.50 acres, the staff review only included the 9.50 acres of the C-2/PD zone. It did not include the property designated (1.59 acres) under acquisition process, which is currently zoned Public Facilities (PF). Consequently, the staff review did not include the proposed four-lane boulevard and some of the parking for the proposed hotel. The applicant has shown two points of access off Turfway Road (excluding the 4-lane boulevard). These access drives are located approximately 350 feet from each other and 800 feet from the proposed Houston Road Extension. Previously, the Planning Commission approved two points of entry from Turfway Road - the four-lane boulevard and a second or emergency entrance serving the commercial building and leading to the office and residential developments. The staff feels that this is consistent and, when or if an agreement is reached between the applicant and the owners of Booth Hospital, only one additional entrance from Turfway Road be granted or the one closest to the main track entrance. The direct alignment of the four-lane boulevard with Houston Road is paramount to avoiding future traffic problems.

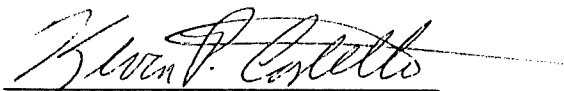
In regard to traffic in the area, the applicant has submitted a trip generation report as part of the informational packet. With regard to the Latonia Park site, it is estimated that the proposed development will result in a total of 12,876 trips per day. The Commission's staff conducted an independent study and concluded the proposed development would result in 16,240. These figures have changed due to the reduction in the number of condominiums, the change in commercial uses and the amount of internal traffic generated within the development. The staff has determined that the proposed development will generate approximately 14,973 total trips per day.

This figure includes the additional 400 room hotel, 400 condominiums, five office buildings and the new land uses. Additional traffic from the Turfway Ridge Office Park, the proposed Turfway Commercial Park, the Corporex property, and Mary Ellen Foltz site will mix with traffic from the Latonia Park site either from the southbound or northbound I-75 exit/entrance ramps. Because the entire project is scheduled to occur over a ten year period, the impact on the community is not as severe as a two to three year construction. A longer construction schedule allows for the interchange to mature and to expand or solve existing transportation problems. Also, it is conceivable that the proposed land uses are different in nature and would generate less traffic than a regular commercial center. Finally, utilities to the site are the same as was proposed and submitted to the Planning Commission for approval on November 20, 1985.

CONCLUSION

In conclusion, the proposed zone change and Concept Development Plan indicates a diverse development scheme on a parcel that is highly visible and accessible from I-75. The 9.50 acre parcel is the "facade" or image for the entire Latonia Park site. It should be designed in an aesthetically pleasing manner and should not cause traffic problems in the area or within the entire development. The proposed development makes the area unique to the City of Florence and Boone County. This proposed zone change should be examined in terms of meeting the objectives of the Planned Development (PD) zone. The request would require a change in the Boone County Zoning Map from Commercial Two/Planned Development Overlay to Office Two/Planned Development Overlay, should the request be eventually granted by the Boone County Fiscal Court.

Respectively submitted,



Kevin P. Costello  
Assistant Director/Senior Planner

TURFWAY ROAD

ZONE G2-PD TO O2-PD

COMMERCIAL

SERVICE

LAKE

10,000 GFA

RESTAURANT

ARCADE

56500 GFA

SERVICE

285 SPACES

3500 GFA

RESTAURANT

C. J. L. & S. E. ASHBY

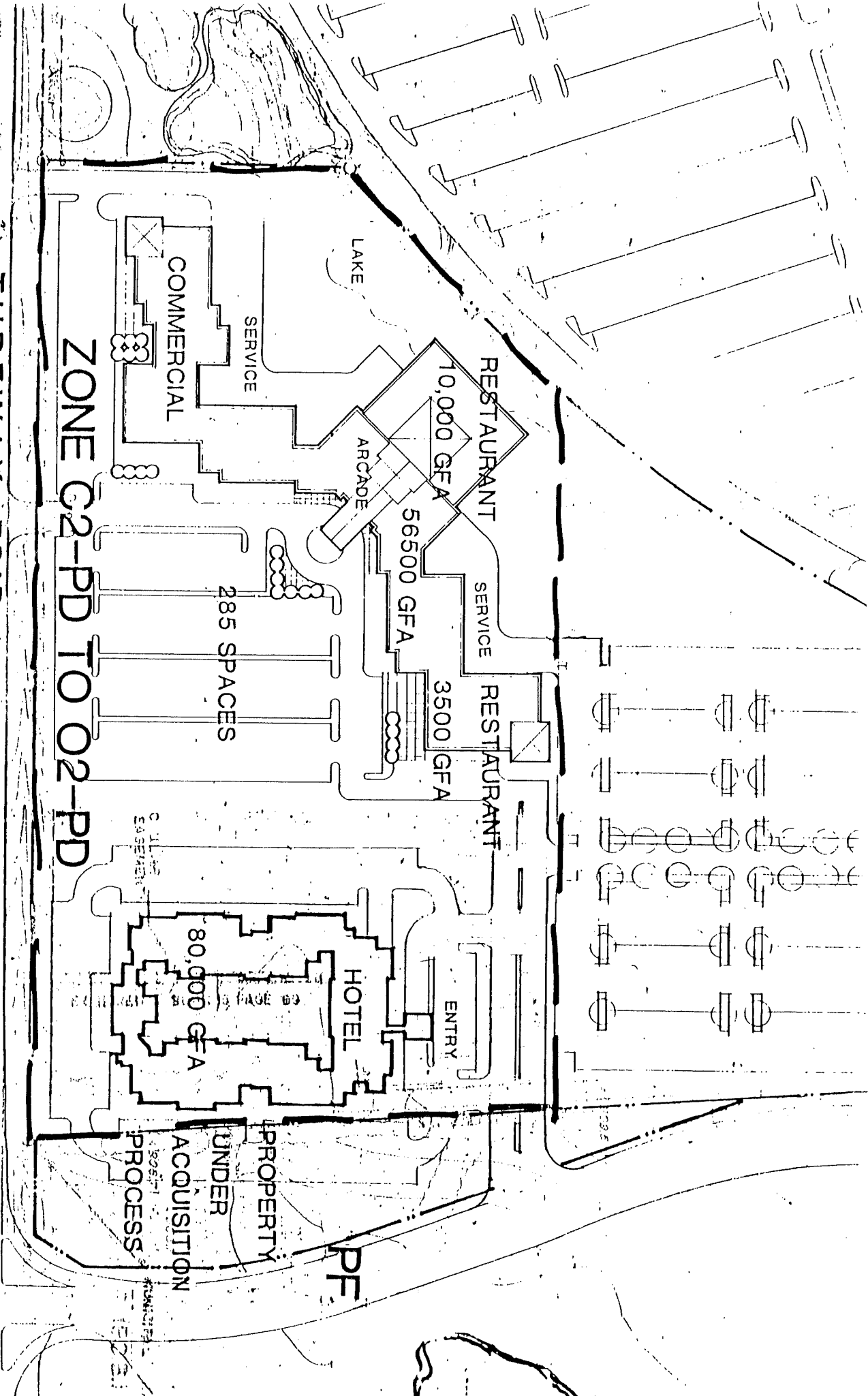
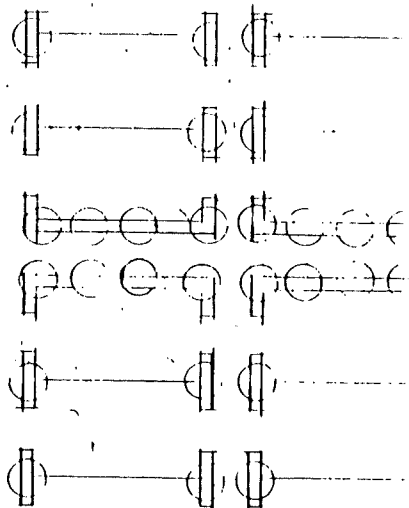
80,000 GFA

HOTEL

ENTRY

PROPERTY UNDER ACQUISITION PROCESS

PF



ESTIMATED TRIP GENERATION  
LATONIA PARK  
BOONE COUNTY PLANNING COMMISSION

<u>LAND USE/BUILDING TYPE</u>		<u>AVERAGE WEEKDAY VEHICLE TRIP ENDS</u>
OFFICE	General Office 1,000 gross square feet -465,000 gross square feet (465 x 12.30 = 5,720 trips generated)	12.30
COMMERCIAL	Specialty Retail 1,000 gross square feet (retail) -56,500 s.f. (56.5 x 40.70 = 2,300 trips) (restaurant) -10,000 s.f. (10 x 74.90 = 749 trips) (restaurant) - 3,500 s.f. (3.5 x 74.70 = 262 trips)	40.70 74.90
RESIDENTIAL	Condominium per occupied unit -400 units (400 x 5.20 = 1,872 trips) (includes 10% vacancy).	5.20
HOTEL	Lodging per room -400 rooms (400 x 10.50 = 4,200 trips) -146 rooms (146 x 10.50 = 1,533 trips)	10.50
<u>ESTIMATED TOTAL TRIP GENERATION</u>		
	16,636 - 1,663 (10% internal circulation) 14,973	

Source: Institute of Transportation Engineers Trip Generation Summary (1983)

Revised 2/26/86

BOONE COUNTY PLANNING & ZONING

PUBLIC HEARING

FEBRUARY 26, 1986 8:00 P.M.

#2

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Vice-Chairman David Martin opened the Public Hearing on the request of Kentucky Jockey Club - Latonia Race Course (owner) for a Zoning Map Amendment on a 9.5± acre site located on Turfway Road in Boone County, Kentucky. The property is currently zoned Commercial Two/Planned Development Overlay and is proposed to be Office Two/Planned Development Overlay.

Atty. David Schneider, representative for the request, stated the request was only asking for a minor change of 9.5± acres. Atty. Schneider elaborated on several reasons for the proposed zone change on the 9.5± acre site. Atty. Schneider explained the previous request that had been zoned and approved was 100,000 square feet located in a Commercial Two, C-2 zone and the revised plan was being reduced by ½ square feet. Atty. Schneider noted 1/3 of all the trip generations was in relation to the retail development so with the reduction of the square footage the trip generations would be reduced by ¼.

Mr. Jerry Carroll, developer of the project assured the Planning Commission the Marriott hotel was not being replaced by another hotel and explained they were trying to develop a Marriott Court which would be a 148 type suite hotel with restaurants, etc. Mr. Carroll noted the commercial site would have 56,600 total square feet with the restaurants included. Mr. Carroll described the locations of the access points and their use. Mr. Carroll noted there would be a service road for service vehicles only so the service vehicles would not be going through the main entrance. Mr. Carroll explained they were trying to address the concerns of Houston Road and there being more retail than people wanted. Mr. Carroll stated they were trying to go back and up-grade what was being done to a fine hotel and also cut back on the commercial space. Mr. Carroll stated the development of the hotel, retail and offices would begin in 1986 and noted the goal of renovation of the race tract would start April 15, 1986. Mr. Carroll also stated the construction of the three office buildings would begin before August 1, 1986 and noted the utmost importance of beginning development. Mr. Carroll made himself available for questions.

Mr. Martin called for audience participation in support, opposition or for information on the proposed development.

Asst. Director Kevin Costello presented Staff Report. (See

staff report/Exhibit B) Mr. Costello noted the retail would be dropping from 100,000 square feet to 56,500 square feet but stated, however, there would be other uses being utilized on the 9.5 acre site. Mr. Costello inquired if the parking would be in the C-2/PD Overlay zone for the hotel.

Mr. Gene Archbold, Vice-President of the Turfway Ridge Office Park, stated a portion of the parking would be located in the C-2/PD Overlay zone and another portion would be in the area of the property to be acquired.

Mr. Costello stated the 9.5± acres, (the proposed request) was currently zoned Commercial Two/Planned Development Overlay, C-2/PD Overlay. Mr. Costello explained the applicant was showing the direct alignment of Houston Road which was already existing in the Public Facilities zone as well as the parking. Mr. Costello stated the parking requirement would change if the applicant acquired the property and noted there would have to be a zone change to permit the parking that would service the hotel. Mr. Costello noted the Planning Commission had approved a Concept Development Plan which showed a four-lane boulevard as well as a secondary access point off of Turfway Road. Mr. Costello stated the purpose of the secondary access was to provide another point of entry for emergency situations. Mr. Costello stated that if the applicant acquired direct alignment with Houston Road, there would be three curb cuts along Turfway Road. Mr. Costello noted the access drives would be approximately 350 feet apart from each other and the closest access point from Houston Road would be 800 feet. Mr. Costello closed by stating the present 100,000 square feet would generate more traffic than the proposed zone change request.

Mr. Jim Viox, Engineer for the proposed development, stated Mr. Carroll had committed himself to the Houston Road extension and also to the reduction of the retail development. Mr. Viox noted with the reduction of the retail development the actual traffic would be cut by 15%. Mr. Viox explained the second entrance to the property other than the Houston Road extension was a service drive which was there for the purpose of construction and was usually eliminated later on. Mr. Viox noted if the service drive needed to be maintained after the development was completed, there would be another available route which would be connected to the drive-way through Latonia so they could still service the back of their buildings and still retain the entrance of 800 feet from Houston Road which would be necessary to support the retail.

Dr. Ferd Metzger, Council member of the City of Florence, expressed concern of the traffic impact the development would have on the City of Florence. Dr. Metzger inquired into the possibility of extending Houston Road through the proposed site to Donaldson Road. Dr. Metzger noted the extension would alleviate and benefit the traffic situation on Turfway Road.

Road through the site to the Donaldson Interchange.

Mr. Costello noted it was a condition of the zone change request that the applicant construct and build the 4-lane boulevard to the edge of the applicant's property line and Marydale's property line.

Mr. Don Davis stated concern of the second access road. Mr. Davis inquired if the access road at this point was cut off.

Mr. Viox stated that was not correct and noted the access point Mr. Davis was referring to was the secondary access was a concern in the event there would be a major problem with the 4-lane boulevard as far as accepting the rest of the property for emergency vehicles. Mr. Viox stated a secondary access had been provided over by Latonia which happened to be in the same location as the service road and noted, however, there would be a secondary access in the center of the retail.

Mr. McMillian inquired which of the curb cuts was 800 feet from the intersection.

Mr. Viox stated the first curb cut.

Mr. Delong inquired if the parking facility for the hotel would be adequate.

Director Gerald Newton explained the proposed request was a Concept Development Plan and noted the parking facility would be carefully evaluated in the Preliminary Development Plan stage.

Mr. Delong inquired if the access to the office building would remain the same in the previously approved Concept Development Plan.

Mr. Viox stated the access was from the proposed retail to the office buildings.

Mr. Jerry Foltz expressed concern of the access points off Turfway Road along with the proposed Latonia property and other future developments not having direct alignment with each other.

Mr. Costello noted he had discussed the access points with Mr. Foltz and stated the concern would be looked at from staff level.

Hearing no further questions or comments, Vice-Chairman Martin closed the Public Hearing.

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

MARCH 19, 1986

8:00 P.M.

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Chairman Kroger called the meeting to order. Roll call was taken by Asst. Director Kevin Costello. 12 members present. Absent: Messrs: Burch and Slusher. All staff members present. Atty. Dale Wilson was also present.

\* Minutes of the February 26, 1986 Public Hearings and the March 5, 1986 Business Meeting were considered. Mr. McMillian moved the Minutes be approved as reviewed. The motion was seconded by Mr. Delong. Mrs. Smith noted on page 14 of the March 5, 1986 Business Meeting, paragraph 2, the correct name of Mr. Akin should be Buck instead of Bud. Counselor Wilson explained on the March 5, 1986 Business Meeting on page 8, paragraph 1 it should read: "If it was agreed as conditions of the Concept Development Plan for the zone change then the legislative body that included that on their final action on the request would have the authority to close the road". Mrs. Carol also noted on the Public Hearing #8, page 2, second paragraph the correct name of the road should be Sand not Sam Run Road and she also pointed out on the same Public Hearing, page 3, third paragraph the correct spelling should be Purcell instead of Persell and on page 3, paragraph 3 the correct spelling should be Trankile instead of Trekle. Mr. McMillian stated the motion for approval of the Minutes included the above noted corrections. The motion was seconded by Mr. Delong. After further discussion, the motion carried unanimously.

Administration

Chairman Kroger noted correspondence received from the law firm of Mathis, Dallas and Frolich and, O.K.I., and

~~Chairman Kroger noted correspondence from~~ Vincent, Skees and Wilson. Chairman Kroger stated the correspondence would be discussed later in the meeting.

Mr. Costello stated Staff Salaries and Benefits for the past two-week period was \$6,135.68. Mr. Davis moved Staff Salaries and Benefits for the past two-week period of \$6,135.68 be approved. The motion was seconded by Mr. Jones. After further discussion, the motion carried unanimously.

Reports

Chairman Kroger noted the Enforcement Officer's Report for review. Mr. Collins inquired why the violation on A-Agri had not

motion was seconded by Mr. Neltner. After further discussion, the motion carried unanimously.

Mr. Collins moved the request of GBBN for Turfway Development Company located just south of the northbound I-75 exit ramp and west of KY 18 be approved for a Change in the Concept Development Plan for 55.57 ± acres and forwarded to the City of Florence by Resolution. The motion was seconded by Mr. Nelter. After further discussion the motion carried unanimously.

Chairman Kroger noted the recommendation would be forwarded to the City of Florence in about 2-3 weeks.

### Zoning Map Amendment

A request of Kentucky Jockey Club - Latonia Race Course (owner) for a Zoning Map Amendment on a 9.5 ± acre site located on Turfway Road in Boone County, Kentucky. The property is currently zoned Commercial Two/Planned Development Overlay and is proposed to be Office Two/Planned Development Overlay.

Director Gerald Newton read the Committee Report. (See "Exhibit B")

Mr. Gene Archbold, Vice-President of Turfway Ridge Office Park, inquired if action would be taken on the request now being presented or would a revised Concept Development Plan need to be submitted.

Atty. Dale Wilson stated if the applicant would agree to the conditions within the Committee Report then just a revised Concept Development Plan would need to be submitted reflecting those changes within the report.

Chairman Kroger inquired if the applicant agreed to all of the recommendations and conditions within the Committee Report.

Mr. Archbold stated they would commit to the recommendations and conditions within the Committee Report but he requested clarification on three items expressed to him:

1. Mr. Archbold noted one concern was the relationship between the 9½ acre parcel and the office development. Mr. Archbold stated that unfortunately when the architects completed the drawing, access to the office development had been deleted and he noted it was on the 100 scale.
2. Mr. Archbold stated he wanted to confirm the Commission's comments that reasonable efforts would be made on the applicant's part to align the access point on Turfway with property across the road.
3. Mr. Archbold noted the concern that the service road on the proposed site be deleted and he requested Mr. Jim Viox, Engineer for the proposed site address that concern.

Mr. Viox stated at the Public Hearing the second curb cut which was defined as the service connector was discussed and explained the Zone Change Request Committee had recommended that the road be deleted. Mr. Viox indicated the retail parking area could be left connected to the central part of the parking area and not connected to the service drive. Mr. Viox stated the applicant felt the service drive was needed to access the rear of the property and he noted the service drive would only be used for service vehicles. Mr. Viox stated some of the Committee members felt the ring road should be used around the perimeter of the parking lot and he explained that would be somewhat difficult for either the race course or the commercial because there would be activities of a different nature at different times on the property and then an effort to control the access into the Latonia Race Tract property was at certain times. Mr. Viox stated the applicant would like the service road incorporated into the plan but noted they would commit to disconnect the retail parking from that service road and make it an exclusive service drive.

Chairman Kroger inquired if the applicant agreed to the statements within the Committee Report with the exception of the one item regarding the service road.

Mr. Archbold stated yes, just the one item.

Chairman Kroger inquired of audience's questions or comments.

Mr. Barnett inquired of the distance between the service drive access point and the Latonia Race Course.

Mr. Viox stated about 500 feet.

Mr. Barnett inquired if the previously approved plan by Boone County Fiscal Court allowed only one access into the property.

Mr. Archbold stated that was correct.

Mr. Barnett stated he could not see going 800 feet and putting in an access point, then go another 200 feet and put in another access and then another 200 feet and another access. Mr. Barnett stated one of the access points would have a large amount of traffic on it and he pointed out the main traffic at the race track was in the evening and stated the exit was around 11:30 P.M. Mr. Barnett explained the service road would be used from about 7:00 to 5:00 and the traffic would not cross. Mr. Barnett stated the gate to Latonia would be about 3-400 feet down the road and he felt there would be plenty of room off that access point to take the service road. Mr. Barnett stated he would be in favor of eliminating the service road.

Mr. Don Davis stated he was not in favor with the Committee Report mainly due to the access road being eliminated. Mr. Davis stated that if the access road would be eliminated and there would be an emergency within the development and if there would be any

March 6, 1986

PAGE FIVE

obstruction on the proposed boulevard drive/extension off of Houston Road, then a back-up unit might know how to get through the maze of parking lots but he stated he could not see how anyone else would understand how to find their way through and he stated also he would not want to be driving a tractor trailer making a delivery through those parking lots especially the way a lot of people park. Mr. Davis stated he was in favor of the third access road but felt the access through Latonia would not be a good idea because more than likely when those gates would be closed they would be locked so what good would that access be.

Mr. Barnett stated the access road was not trying to be eliminated but rather the access off of the end of Latonia to allow people into Latonia without going 3-400 feet down from Turfway Road. Mr. Barnett stated there would be no thru traffic off that access.

Mr. Archbold stated the problem that had to be dealt with now was the service road. Mr. Archbold noted that unless someone would remember to close the gate every night there would be some cars parking in the back of the property being a bother and also that area would become a cul-de-sac.

Mr. Delong stated he did concur with Mr. Barnett's statement regarding the service road and he did agree with the Committee Report.

Chairman Kroger inquired what the length of the road being proposed was and if the proposed road would go back into the development into the trees.

Mr. Viox explained if an extension was made around the lake the length of the road would be probably 800-900 feet.

Chairman Kroger inquired if the pond would be moved back.

Mr. Viox stated yes or eliminated.

Chairman Kroger inquired if the pond would be used as a retention or as fire protection.

Mr. Viox stated the pond would be used for retention purposes.

Mr. Archbold stated they would be happy to make the compromise.

Chairman Kroger inquired what the other limitations the applicant was willing to place on that road.

Mr. Viox stated a right in and a right out and to disconnect the retail parking lot that was shown connected to the service road.

Chairman Kroger inquired what would Houston Road do if the applicant received their alignment and what would that do for your fire protection. Chairman Kroger also inquired if it would be mandatory to have the fire lane go around behind the building.

Mr. Archbold pointed out they had always looked at that road as a second emergency access but the Planning Commission persuaded us to put it in and the Boone County Fiscal Court persuaded us to take it out.

Chairman Kroger agreed and stated that was his problem since he had been a party to both of those conversations and he inquired if the applicant was to take the recommendation back to Fiscal Court would they say there was still only two curb cuts.

Mr. Archbold stated he could not begin to predict what the Fiscal Court would say.

Chairman Kroger inquired of Mr. Archbold if there was a difference in his mind in the plan and the alignment of Thorofare versus Turfway.

Mr. Archbold stated that was right and noted the Thorofare was to serve the whole park and felt that if they did not get the curb cut then they could not make the retail space work.

Mr. Viox explained the curb cut in front of the retail would actually lose a number of left turn movements and stated in fact the traffic coming from the north bound direction of I-75 and KY. 18 and Dixie Highway would be coming across Turfway Road and make a right turn movement into the retail area by passing straight thru the Turfway intersection and stated if that was not there a person would have to make a right turn movement onto Houston Road and a left turn movement on the extension.

Chairman Kroger stated in trying to understand the necessities for the service road and the Commission's concern that the service road might become a thorofare he inquired if the applicant would be willing to make a statement that should the service road ever become a thorofare it would be closed down.

Mr. Archbold inquired if Chairman Kroger meant if any cars were caught over there they would close the road down.

Chairman Kroger responded yes.

Mr. Viox stated they would only need to get into the rear of the property and noted the service road would not be a thru street but only accessible for emergency vehicles.

Mr. Barnett stated the Committee Report had noted that if the property was acquired from Booth Hospital there would be a change in the density and parking. Mr. Barnett stated he assumed the boulevard would be moved toward the center curb cut again and he inquired if there would be three curb cuts in a shorter space.

Chairman Kroger responded no and explained the existing use on that property would allow them a curb cut only at the entrance into the race track.

Atty. Wilson stated that if it was agreed on the Concept Development Plan then the legislative body would have the authority to close the road down.

Mr. Neltner stated the way it was being discussed would the road be taken away and extended around.

Mr. Viox stated they would extend the road around, reduce the size of the lake and make it a service road prohibiting it from being a Thorofare.

Mr. Neltner pointed out the applicant had stated the retail space could not be operated without the access. Mr. Neltner inquired what would the applicant do if that became a problem.

Mr. Viox explained the site could not operate without the main entrance from the retail area.

Mr. Barnett inquired if access off the parking lot would be included.

Mr. Viox stated yes and they would commit to that.

Mr. Archbold stated the staff would be provided a revised plan as approved.

Mr. McMillian inquired if the applicant had stated they would try to the best of their ability to align the access road into the commercial with a curb cut.

Mr. Archbold stated that was correct.

Mr. Jones inquired if the amendment to the curb cuts would be in the motion.

Chairman Kroger stated yes and inquired if the applicant agreed to the other aspects within the Committee Report.

Mr. Archbold stated yes.

Mr. Barnett moved the request of Kentucky Jockey Club -Latonia Race Course located on Turfway Road in Boone County, Kentucky be approved by Resolution and forwarded to the Boone County Fiscal Court as stated in the Committee Report and amended by the applicant. The motion was seconded by Mr. Delong. After further discussion, the motion carried unanimously.

Mr. Archbold expressed his appreciation to the staff and the Planning Commission for their time and effort in the review of the request.

Chairman Kroger stated items numbers 3,4,8 and 11 on the agenda would be deferral items at the present time.

Mr. Burch excused himself from the meeting.

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Don Davis, Chairman

DATE: March 5, 1986

RE:

Request of Kentucky Jockey Club - Latonia Race Course (owner) for a Zoning Map Amendment on a 9.5± acre site located on Turfway Road in Boone County, Kentucky. The property is currently zoned Commercial Two/Planned Development Overlay and is proposed to be Office Two/Planned Development Overlay.

## REMARKS:

We, the Committee, recommend approval of the Zone Change Request from Commercial Two/Planned Development Overlay, C-2/PD Overlay to Office Two/Planned Development Overlay, O-2/PD Overlay for the 9.50 acre site. The Committee also recommends approval in principle of the Concept Development Plan as amended as discussed below. Approval is based on the following findings of fact and subject to the following reservations and conditions:

The Boone County Comprehensive Plan suggests that the area surrounding the site is suited for high density residential, office, commercial, and industrial uses. Page 3.12 more specifically states that "office development is encouraged to take place as a Planned Business Development". The Committee believes that this planned development is in agreement with the Plan's text.

Although the Latonia Park site is not included in the Land Uses Study, I-75 Turfway Road Interchange, the Committee recognizes that this proposed development will impact that interchange in terms of land development, employment and traffic. The proposed Concept Development Plan demonstrates a more diverse development scheme on the 9.50 acre parcel. It is conceivable that the proposed land uses are different in nature and would generate less traffic than the approved 100,000 square foot commercial/retail center.

The Committee agrees with the following land uses and building intensities: a 56,500 square foot specialty retail center, (1) 10,000 square foot upscale, sit-down type restaurant, (1) 3,500 square foot upscale, sit-down type restaurant, a 146 unit hotel (three story, 80,000 gross floor area). The Committee understands that a minimum of 487 parking spaces (226 for retail, 90 for restaurant, 171 for hotel) for the proposed 9.50 acre development. Also, the Committee notes that a portion of parking for the hotel is located outside of the area for the zone change request. The applicant will either have to reduce the intensity of land uses on the 9.50 acre parcel or acquire additional property in order to accommodate the hotel parking. The issue of parking for the hotel will be subject to zoning review by the Boone County Planning Commission.

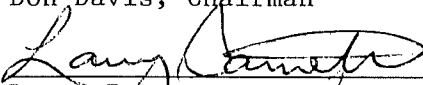
The Committee agrees in principle with only one access point off Turfway Road for the 9.50 acre parcel. The Committee understands that the proposed 4-lane boulevard and the direct alignment of Houston Road is pending and is not the subject of the zone change request. The Committee approves the idea of eliminating the service drive off Turfway Road or the second entrance to the 9.50 acre parcel. The Committee recommends that a service entrance be constructed from the Latonia Race Course parking lot to serve the west portion of the retail center. The Committee feels that the one access point serving the 9.50 acre site is necessary to serve the patrons of the retail center, two restaurants and hotel. This entrance will result in reducing the mixture of commercial, office, hotel and residential traffic on the proposed 4-lane boulevard. Also, the location of this access point is approximate and will ultimately permit direct alignment with future development proposals on the property located across from Latonia Park. The Committee feels that the new land uses and arrangement warrant a change in transportation access to the 9.50 acre site.

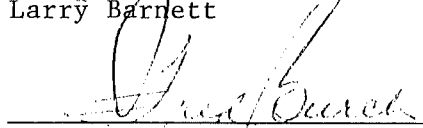
In addition, the Committee prefers the direct alignment with Houston Road. If an arrangement can be made with the property owner of that parcel of land, the Committee recommends that the change in the concept development plan be made to reflect the new alignment and it be treated as a minor change as long as no changes occur with regard to the intensity and general location of either structures or parking and land use of the approved concept development plan.

The Committee recommends that the applicant incorporate this new Concept Development Plan for the 9.50 acre site into the previously approved Concept Development Plan, which was approved by the Boone County Planning Commission on January 15, 1986. The Committee requests the applicant to show the connection between the 9.50 acre parcel and the area where the 100,000 square foot and 125,000 square foot office buildings are located. The Committee recommends that the applicant submit a final revised Concept Development Plan reflecting the items and conditions stated above.

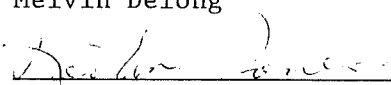
Finally, the Committee wishes to point out that any change in the concept development plan will need to be brought before the Technical Committee to determine whether it is a minor or major change to the plan. Any alteration deemed to be a major change will require a new application and public hearing.

\_\_\_\_\_  
Don Davis, Chairman

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

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

\_\_\_\_\_  
Melvin DeLong

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

*(see other conditions presented at 3/5/86 Business Meeting)*

**LATONIA PARK**  
O-2 (C-2 Revision)

**Concept Development Plan**

February 18, 1986

**LATONIA RACE COURSE, INC.**

Concept Development Plan

**LATONIA PARK**

February 18, 1986

**LATONIA RACE COURSE, INC.**

Jerry Carroll  
James Thornton

COOPER CARRY & ASSOCIATES, INC.

Atlanta, Georgia

VIOX & VIOX, P.S.C.

Erlanger, Kentucky

Gene Archbold

Carroll Properties

LATONIA PARK

Concept Development Plan

February 18, 1986

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TABLE OF CONTENTS

	PAGE
INTRODUCTION	1
1. AREA MAP:	
A. Adjacent property owners and existing uses within 200 feet of the parcel	2
2. LEGAL DESCRIPTION:	
A. Metes and bounds of the parcel	3
3. SKETCH PLAN:	
A. Topography	4A
B. Land uses and areas of uses	4,5
C. Interior roadways and rights of way	4
D. Residential areas description	4,6
E. Residential densities	4
F. Interior open space	4
G. Flooding	4
H. Utilities	4
I. Community facilities	7
J. Community land use requirements	8
K. Comprehensive plan policies and objectives	9
L. Common open space	10
M. Development staging	11,12
4. EVALUATION OF TRAFFIC:	
Trip origins / Houston Road	12-15

## INTRODUCTION

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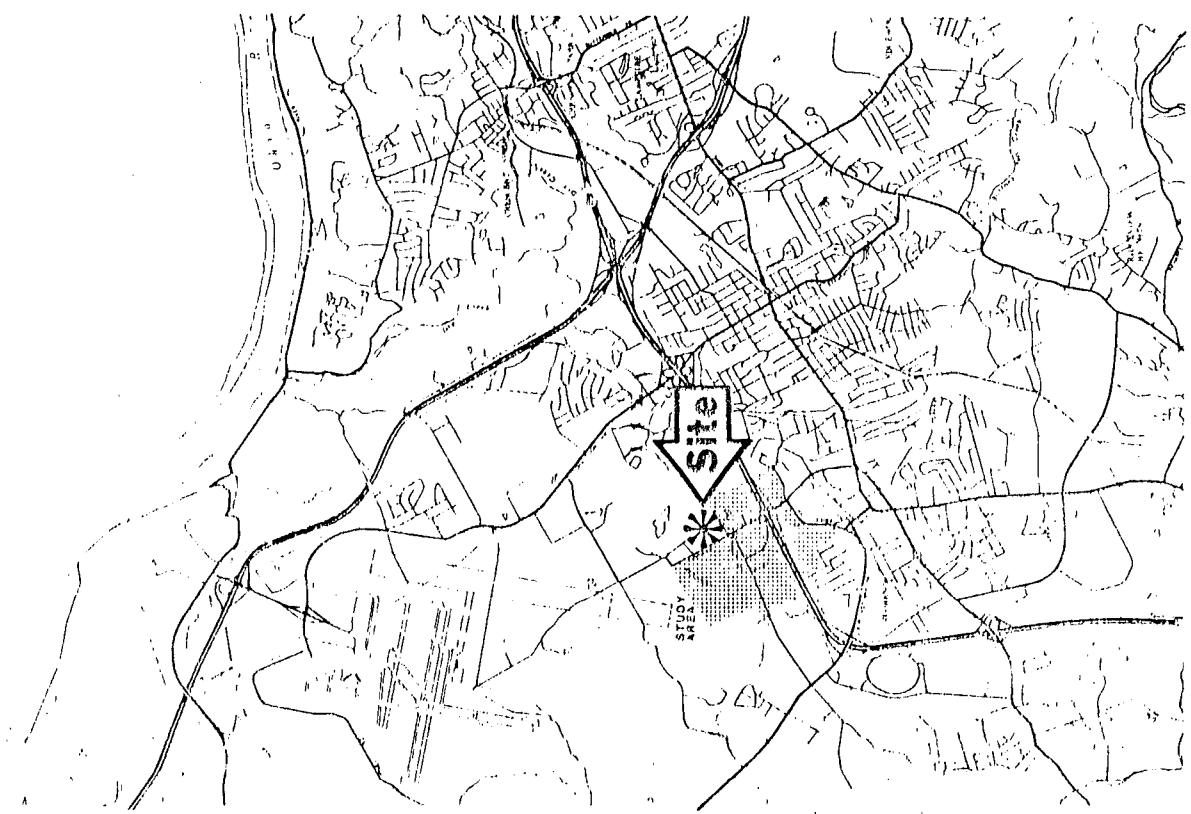
The purpose of rezoning the property, as outlined in the Concept Development Plan, is to create higher economic uses for the property not used as a race track and supporting facilities.

The present owners of the property, the Kentucky Jockey Club, in whose name this application is made, and the proposed owner, Latonia Race Course, Incorporated, are determined to bring about a high quality of mixed and compatible uses to Turfway Road. This includes an office/supporing retail development, all uses of which are allowed in an O-2 land-use zone.

The Table of Contents of this document incorporates every requirement outlined in section 1504 of the Boone County Zoning Regulations, March 1980, revised May 1985.

1. AREA MAP





# VICINITY MAP



GRAPHIC SCALE  
0 1000 2000 3000

1:25,000

A. Adjacent property owners and  
existing uses within 200 feet of the parcel

---

Marydale (Diocese of Covington)  
945 Donaldson Highway  
Erlanger, Kentucky 41018

Booth Memorial Hospital  
7380 Turfway Road  
Florence, Kentucky 41042

Mary Ellen Foltz  
7549 Turfway Road  
Florence, Kentucky 41042

The Gilbert Foltz Trust  
c/o Jerry Foltz  
122 Dudley Road  
Edgewood, Kentucky 41017

2. LEGAL DESCRIPTION

A. Metes and bounds of the parcel

---

A parcel of land lying on the northeasterly side of Turfway Road in Boone County, Kentucky and being more particularly described as follows:

BEGINNING at a point in the northeasterly right-of-way line of Turfway Road, said point also being the most southwesterly corner of Latonia Race Track property and running thence:

N 38-46-47 W, along the northeasterly right-of-way line of Turfway Road, a distance of 1000 feet, to a point, thence  
N-51-13-13 E, a distance of 320 feet, to a point, thence  
S 52-53-04 E, a distance of 738.64 feet, to a point, thence  
S 38-46-47 E, a distance of 250 feet, to a point, thence  
S 47-22-20 W, along the dividing line between Latonia Race Track property and the Salvation Army (Booth Memorial Hospital), a distance of 501.13 feet, to the place of beginning, and containing 9.5 acres more or less.

### 3. SKETCH PLAN

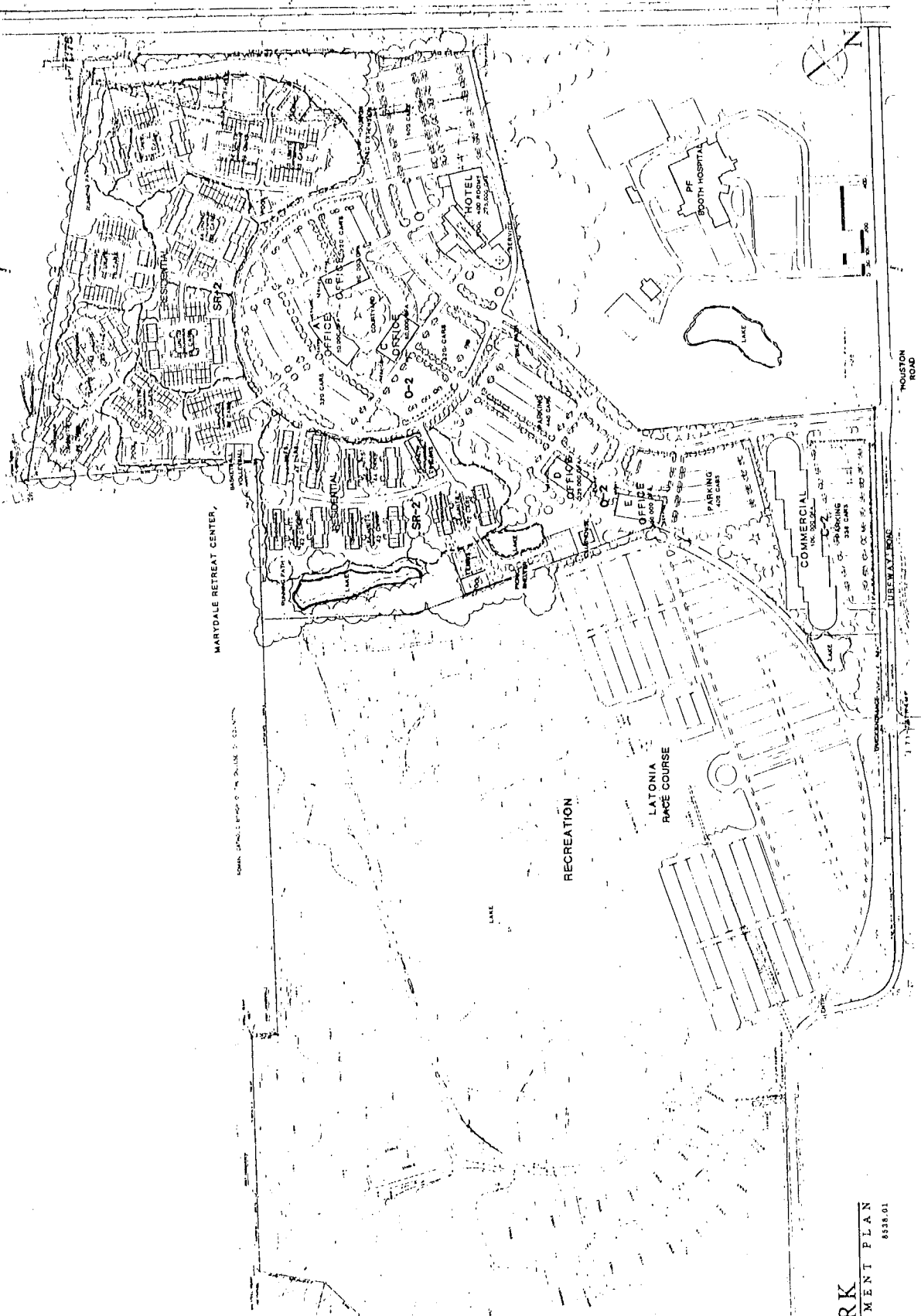
### 3. SKETCH PLAN

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A sketch plan at a scale of 1 inch to 100 feet is included showing the following:

- A. The existing topographic features of the site are included in the original Concept Development Plan submitted October 16, 1985.
- B. The location of the various uses and the area in acres. (see table B1: "Proposed Land Use Areas Summary")
- C. General outlines of the interior roadway system and all existing rights-of-way and easements, whether public or private.
- D. The Concept Development Plan requirements as stated in the Boone County Zoning Ordinance require a delineation of the various residential areas, indicating for each such area, the general extent size, and size in terms of total number of dwelling units and approximate percentage allocation by dwelling unit type. Since there are no residential units, this item is not applicable.
- E. A calculation of the residential density in dwelling units per gross acre is also not applicable to the plan.
- F. The interior open space system.
- G. Where portions of the site are subject to flooding, the map shall indicate extent and frequency. According to the GBBN study of Turfway Road, there is no known history of flooding of the site in question.
- H. Principal ties to the community at large with respect to transportation, water supply, and sewage disposal.

The information stated above is illustrated or shown on the sketch plan as required in Article 15, Section 1504 of the Boone County Zoning Regulations.



PROPOSED LAND USE AREAS

OFFICE A	8.1 AC
B	3.8 AC
C	5.8 AC
D	8.8 AC
E	8.0 AC
TOTAL	33.5 AC
RESIDENTIAL SR-2	48.7 AC
TOTAL	82.2 AC
COMMERCIAL	8.0 AC
ROADS	8.0 AC
ACTUAL HOUSTON RD EXT.	8.8 AC
TOTAL	108.8 AC

**LATONIA PARK**  
 CONCEPT DEVELOPMENT PLAN  
 8338.01  
 OCTOBER 16, 1981

TABLE B1

Proposed Land Use Areas Summary

---

O-2		
		<u>9.50 Acres</u>
Retail space	-	56,500 SF
Restaurant I	-	10,000 SF
Restaurant II	-	3,500 SF
Hotel (146 rooms)	-	28,000 SF (first floor dimension)
		<hr/>
Total		98,000 SF

PARKING SPACES

Retail	-	285 spaces
Hotel	-	156 spaces

## I. Community Facilities

---

### **Fire Protection:**

The parcel will be within the jurisdiction of the nearest fire district or accessible to the City of Florence for fire fighting services. Latonia Park would be readily accessible to emergency vehicles from central Florence to the east and south.

In addition, substantial new water service will be introduced onto the site to provide a new, integrated system enhancing the ability to fight fire.

### **Police Protection:**

Similarly, police protection will be available from either the county or the City of Florence police department.

### **Schools:**

The Boone County High School is only a few blocks from the site on Price Pike and other elementary and middle level schools are within desirable distance from the parcel.

### **Health Facilities:**

Booth Hospital adjoins the parcel and offers a wide range of minor and major medical care. It is also possible that a medical office facility will be located directly on the hospital grounds.

### **Cultural Facilities:**

There are four churches within five minutes of the site. A golf course is just to the south near the Florence Mall at KY 18 and Houston Road where numerous cinema and dining choices now exist including shopping at a regional center. It is probable that some shopping needs can be supplied through the Latonia Park commercial center. Clearly, this would reduce external surface street auto traffic and serve residential areas within the site.

### **Recreation:**

Numerous recreational opportunities on site are provided by inclusion of pools, tennis, other hard surface courts, bike trails, running paths and a sports field.

### **Impact:**

Because the housing and office development will be phased over a period of time, additional growth in community facilities will be coordinated with each facet of community growth. The development team has begun coordination efforts with county and city individuals and groups to assure a smooth, orderly transition to plan for services as they are required.

## J. Community Land Use Requirements

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### **Environmental:**

The development is designed to accommodate the soils and vegetation conditions on site which are suitable for the proposed construction. Care has been taken to respect existing hydrology and slope patterns. Uses requiring larger open areas are situated in or near existing clearings and leveled areas to minimize impacts on water outfalls. According to the Gartner, Burdick, Bauer-Nilsen study, there are no environmentally sensitive areas requiring extraordinary precautions on site.

### **Land Use:**

The proposed development occurs in environmentally suitable terrain, near existing infrastructure which may be logically extended wherever necessary, and near existing centers of development.

### **Residential:**

Not applicable.

### **Office-2:**

The O-2 area proposed would include office, hotel, and supportive retail uses.

Tenants will provide high visibility professional services, full service food and drink restaurants, and specialty retail stores.

### **Recreation:**

Not applicable.

### **Infrastructure:**

Latonia Park will integrate with the existing infrastructure and utilize existing sewer, water, and highway systems.

K. Comprehensive Plan  
policies and objectives

---

**Land Use Policies**

Latonia Park, of which this development is an integral part, seeks to expand the existing centers of development and to create a new "community" of residential, office, and commercial uses all of which are compatible; some of which (office and hotel) are inter-dependent. The park also takes advantage of the existing utility infrastructure. Most importantly it ensures that Turfway Road is the location for quality office, hotel and residential development which addresses the goals and policies of the Boone County Planning Commission as well as the recommendations included in the GBBN study. In particular, the study recommended (P 4-6) office development in the vicinity of Booth Hospital "to protect the interchange as it relates to traffic".

**Office-2**

The proposed O-2 zone includes 56,500 square feet of specialty retail area which serves two goals stated within the Boone County Comprehensive Plan. The specialty retail uses will serve some of the purchasing needs of the residents, office workers and hotel patrons which address the need for "neighborhood" shopping. This area will also host local and regional shoppers who seek quality merchandise and a variety of goods and services.

Hotel use and accompanying "sit-down" restaurant use are also an important part of this O-2 proposed use.

I. Common Open Space

---

OFFICE: O-2

**Ownership:**

The facilities proposed would have ownership by individual, partnership, and/or corporation which may ultimately differ from ownership of the adjoining uses after completion of this phase.

**Maintenance:**

A facility management company would maintain the structures, parking, landscaping, water features, lighting, waste and snow removal as well as coordinate public and tenant use of open space and exterior commons.

## M. Development Staging

---

The O-2 development will be a staged project. The following represents a probable sequence:

### **Phase I**

In general, project staging will be coordinated with improvements to the adjoining Latonia Race Course site and facilities. Initially, basic infrastructure and site access realignment would be installed to the hotel site. Supporting water, sewer and fire protection and other utilities would accompany this work.

### **Phase II**

The construction of the hotel and all or part of the retail development will support office users as well as establish an activity center near the entrance to Latonia Park. This will establish anchor points at both ends of the site.

### **Phase III**

The office development within this proposal will be constructed to compliment the previous two phases.

### **Phase IV**

At this stage the perimeter road which supports the residential areas of Latonia Park with its buffer vegetation and landforms will be installed, thereby allowing more flexible phasing of housing and office developments.

#### 4. TRAFFIC EVALUATION

EVALUATION OF TRAFFIC

FOR

PROPOSED DEVELOPMENT  
ON 128.66 ACRE SITE NORTH OF  
TURFWAY ROAD AND WEST OF I-75

PREPARED FOR:

LATONIA RACE COURSE, INC.

PREPARED BY:

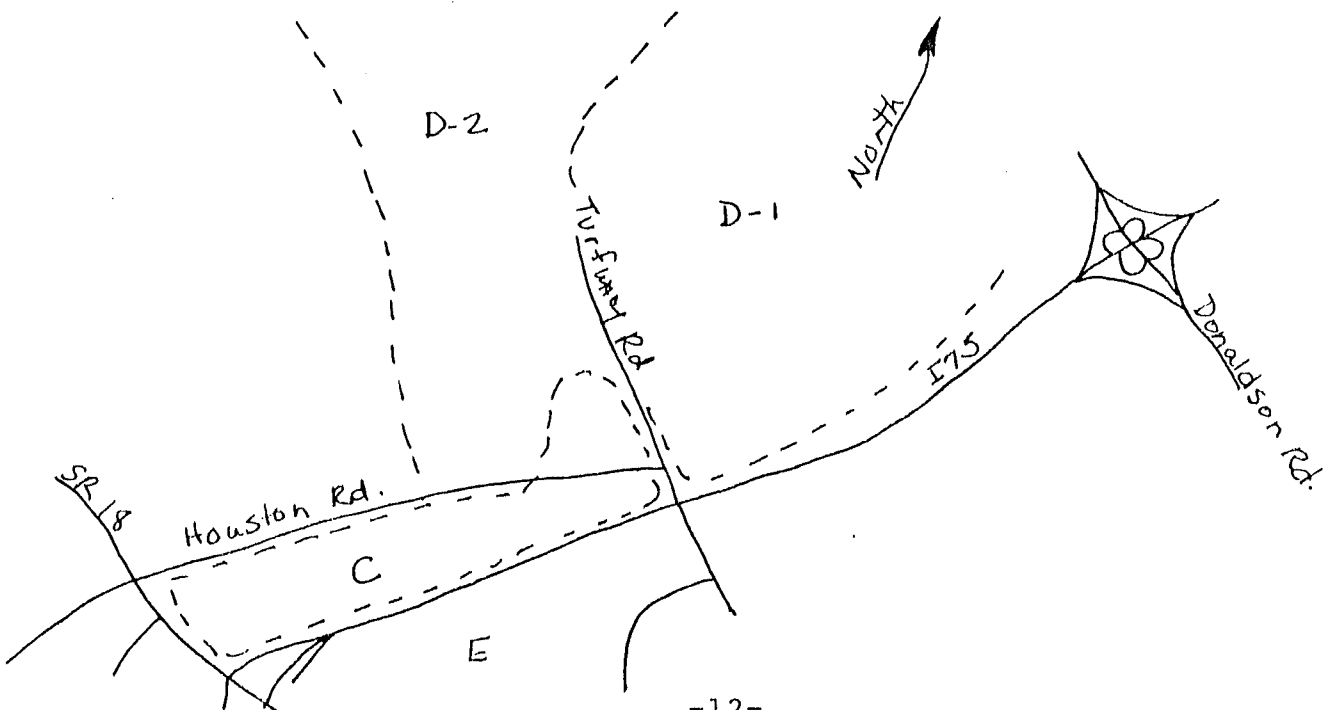
ROBERT S. VOGT AND PARTNERS, INC.  
1150 WEST EIGHT STREET, SUITE 259  
CINCINNATI, OHIO 45023

NOVEMBER, 1985

---

This paper has been written at the request of Mr. Gene Archbold of Carroll Properties for the purpose of evaluating the proposed development of Latonia Race Course, Inc., on a 128.66 acre site that lies just north of the Booth Memorial Hospital and immediately west of I-75.

To develop the report entitled Land Use Study - I75/Turfway Road Interchange, the entire area along I75 between U.S. 42 and Turfway Road was zoned. The principal zones west of I75 and near to Turfway Road are show below:



Existing trip origins per day for each zone were estimated and then factored to reflect future trips which could be accommodated at the new Turfway Road interchange and on the existing three lane Turfway Road under the I75 bridges. Existing and future trip origins for the critical zones are summarized below:

<u>ZONE</u>	<u>EXISTING TRIP ORIGINS/DAY</u>	<u>FUTURE TRIP ORIGINS/DAY</u>
C (North Half)	400	1) Existing Trip Origins = 400
		2) C-2 Origins = 50 Ac. (275 trip origins/acre) (50% dev.) = 6,875
		3) O-2 Origins = 16 Ac. (30 trip origins/acre) = 500
		4) I-1 Origins = 80 Ac. (50 trip origins/acre) (50% dev.) = <u>2,000</u>
		<b>TOTAL TRIP ORIGINS</b> 9,775
D-1	3,000	1) 1.2 (3,000 trip origins) = 3,600
D-2	1,200	1) 2.0 (1,200 trip origins) = <u>2,400</u>
		<b>TOTAL TRIP ORIGINS/DAY</b> 15,775

The development proposed by Latonia Race Course, Inc., on the 128.66 acre site is estimated to generate the trip origins per day show below:

. 500 condo units @ 3.5 trip origins/du.	= 1,750 trip origins
. 500,000 sq. ft. of office - 34.5 acres @ 30 trips per acre	= 1,035 trip origins
. 400 room motel with 400 parking spaces @ 1.5 trip origins/parking space	= 600 trip origins
and restaurant with 200 parking spaces @ 2.2 trip origins/parking space	= 440 trip origins
. 100,000 sq. ft. of commercial on 9.5 acres @ 275 trip origins per acre	= <u>2,613 trip origins</u>
<b>TOTAL TRIP ORIGINS/DAY</b>	<b>= 6,438</b>

These estimates of trip origins generated by full development of the subject property represent 6,438/15,775 or 40.8 percent of the trip origins which were estimated in the Land Use Study - I75/Turfway Road Interchange to be the maximum number which could be accommodated by Turfway Road under the I75 Turfway Road under the I75 bridges add 4,200 trip origins to the total, and the proposal for a new motel on about seven (7) acres of property, east of Houston Road between the new ramp and Turfway Road, add another 670 trip origins. These existing and proposed uses aggregate to a total of 11,308 trip origins per day which leaves 4,467 unallocated trip origins/day of the maximum total of 15,775 trip origins/day previously estimated.

The remaining capacity for development in Zones C (North Half) D-1, and D-2 (4,467 trip origins/day) could accommodate about 90 additional acres of development similar to that proposed by Latonia Race Course, Inc., or 16 acres of all retail commercial development, or 160 acres of SR-2 residential development or combinations of these various uses before any changes to the existing circulation system would be required. Changes which would increase the capacity for development include:

1. Extension of Houston Road through the subject property to Donaldson Road - this improvement is estimated to divert as much as 40% of the trip origins from the subject site and 25 percent of other existing and proposed development traffic from Turfway Road to Donaldson Road. This would increase the remaining capacity for development from 4,467 trip origins per day to about 8,260 trip origins per day, and the total capacity for development to approximately 19,000 trip origins per day.
2. Reconstruction of the I75 bridges over Turfway Road to increase the width of Turfway Road from its existing three lanes to five or six lanes - this improvement is estimated to increase the remaining capacity for development of the area in Zones C (North Half), D-1, and D-2 from the estimated 4,467 trip origins per day to at least 15,000 trip origins per day and the total capacity for development to approximately 26,000 trip origins per day.
3. Implementation of both the Houston Road extension and the Turfway widening - the combination of these two improvements is estimated to increase the remaining capacity for development from 4,467 trip origins per day to approximately 18,500 trip origins per day, and the total capacity for development to approximately 30,000 trip origins per day. For comparison, full development of Zones C (North Half), D-1, and D-2 was estimated in the Land Use Study - I75/Turfway Road Interchange report to generate approximately 25,000 trip origins per day.

The results of this analysis leads to the conclusion that development of the subject site, as proposed by Latonia Race Course, Inc., could be accommodated today without exceeding the existing capacity for development and will be adequately accommodated in the future as a part of the full development of the area along Turfway Road west of I75, if Turfway Road is widened, and would be accommodated very well if both the Houston Road extension to Donaldson Road and the Turfway widening are implemented.

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM COMMERCIAL TWO/PLANNED DEVELOPMENT OVERLAY TO OFFICE TWO/PLANNED DEVELOPMENT OVERLAY LOCATED ON TURFWAY ROAD IN BOONE COUNTY, KENTUCKY, AS REQUESTED BY THE KENTUCKY JOCKEY CLUB - LATONIA RACE COURSE (OWNER) AND IS RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING AND ZONING COMMISSION VIA RESOLUTION NO. R-17-86.

WHEREAS, the Boone County Fiscal Court received a request from the Boone County Planning & Zoning Commission for a Map Amendment for a zone change from Commercial Two/Planned Development Overlay, C-2/PD Overlay to Office Two/Planned Development Overlay, O-2/PD Overlay located on Turfway Road in Boone County, Kentucky, which is more particularly described below, and;

WHEREAS, the Boone County Fiscal Court has recognized the conducted Public Hearing by the Boone County Planning Commission, serving as a due process trial-type hearing, and its findings of fact recommending approval of the zone change request, and:

WHEREAS, the Fiscal Court of Boone County, Kentucky, deems it necessary to enact this Ordinance, to preserve and protect the health, safety and convenience of the inhabitants of Boone County pursuant to the Fiscal Court's authority under KRS 67.083 and Chapter 100 of the Kentucky Revised Statutes.

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

SECTION I

That the zone change for the real estate which is more particularly described below shall be and is hereby approved and adopted, this map amendment being a zone change from Commercial Two/Planned development Overlay, C-2/PD Overlay to Office Two/Planned Development Overlay, O-2/PD Overlay. The real estate which is the subject of this zone change recommendation is more particularly described as follows, to wit:

See attached legal description which is incorporated by reference as if fully set out herein.

(ATTACHMENT - EXHIBIT "A")

SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning & Zoning Commission, as set forth in its Minutes and official records for this zone change request, shall and are hereby incorporated by reference if fully set out in this Ordinance with the condition to the Ordinance that the Fiscal Court would grant to the Kentucky Jockey Club the temporary entrance/exit at the location as proposed on Turfway Road with the understanding that the developer during the First Reading of said Ordinance had agreed to change said entrance/exit when the Houston Road extension or a one and one-half year time limit whichever came first, and then granting a west bound

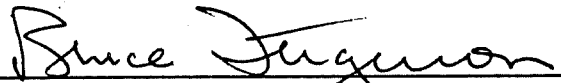
entrance designed in such a manner to include a deacceleration lane and with the understanding of the developer that no other curb cuts would be granted between Latonia Race Course and Houston Road and with the understanding that said design and proposed west bound entrance was subject to review of the Fiscal Court and State Department of transportation for approval.

(ATTACHMENT - EXHIBIT "B")

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

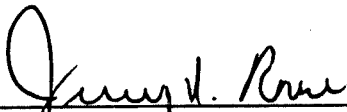
Introduced, seconded and given First Reading on the 8th day of April, 1986.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 22nd day of April, 1986, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Boone County Fiscal Court Clerk and declared to be full force and effect.



Bruce Ferguson  
Boone County Judge/Executive

ATTEST:

  
Jerry W. Rouse  
Boone County Clerk

Submitted:

  
Larry Crigler  
County Attorney

05/15/86

(DATE PUBLISHED)

Judge Ferguson presented and read the Second Reading of Ordinance No. (920.87) on behalf of the zone change request of Camder, Inc. A motion was made by John Weaver, seconded by Patrick Raverty approving the Second Reading of Ordinance No. (920.87), an Ordinance of the Boone County Fiscal Court adopting a Map Amendment to the Boone County, Kentucky, Zoning Map, such Map Amendment being a zone change from Suburban Residential Two to Suburban Residential Two/Planned Development Overlay for property as located on the northeast side of Kentucky 237 as requested by Camder, Inc. and as recommended for approval by the Boone County Planning and Zoning Commissioner via Resolution No. R-18-86 with the stipulation that the Preliminary Development Plan/Preliminary Plat approval and/or Site Plan be acknowledge back to the Fiscal Court in order to confirm buffer requirements of the proposed project. There being no discussion, Judge Ferguson called for a vote. Weaver voted AYE, Raverty voted AYE, Robinson voted AYE, and Judge Ferguson's vote is recorded as AYE to reflect with the majority. The motion passed unanimously.  
(ATTACHMENT - EXHIBIT 5) - Ordinance No. (920.87) as approved

Judge Ferguson presented and read the Second Reading of Ordinance No. (920.88) on behalf of the zone change request of Raymond Gaines. A motion was made by Patrick Raverty, seconded by Ronald Robinson approving the Second Reading of Ordinance No. (920.88), an Ordinance of the Boone County Fiscal Court adopting a Map Amendment to the Boone County, Kentucky, Zoning Map, such Map Amendment being a zone change from Rural Suburban Estates to Rural Suburban for property as located on the west side of Bullittsburg Church Road approximately 0.2 mile north of Kentucky 20 as requested by Raymond Gaines and as recommended for approval by the Boone County Planning and Zoning Commissioner via Resolution No. R-13-86. There being no discussion, Judge Ferguson called for a vote. Raverty voted AYE, Robinson voted AYE, Weaver voted AYE, and Judge Ferguson's vote is recorded as AYE to reflect with the majority. The motion passed unanimously.  
(ATTACHMENT - EXHIBIT 6) - Ordinance No. (920.88) as approved

Judge Ferguson presented and read the Second Reading of Ordinance No. (920.89) on behalf of the zone change request of the Kentucky Jockey Club. A motion was made by Ronald Robinson, seconded by John Weaver approving the Second Reading of Ordinance No. (920.89), an Ordinance of the Boone County Fiscal Court adopting a Map Amendment to the Boone County, Kentucky, Zoning Map, such Map Amendment being a zone change from Commercial Two Planned Development Overlay to Office Two Planned Development Overlay for property as located on Turfway Road as requested by the Kentucky Jockey Club - Latonia Race Course (owner) and as recommended for approval by the Boone County Planning and Zoning Commission via Resolution No. R-17-86 with the condition to the Ordinance that the Fiscal Court would grant to the Kentucky Jockey Club the temporary entrance/exit at the location as proposed on Turfway Road with the understanding that the developer during the First Reading of said Ordinance had agreed to change said entrance/exit when the Houston Road extension or a 1 1/2 year time limit, whichever came first, and then granting a west bound entrance designed in such a manner to include a deacceleration lane and with the understanding of the developer that no other curb cuts would be granted between Latonia Race Course and Houston Road and with the understanding that said design and proposed west bound (...continued, Page [5]...)

(continued from Page [4]...)

entrance was subject to the review of the Fiscal Court and State Department of Transportation for approval. Judge Ferguson called for a vote. Robinson voted AYE, Weaver voted AYE, Raverty ABSTAINED, and Judge Ferguson voted AYE. The motion passed.

(ATTACHMENT - EXHIBIT 7) - Ordinance No. (920.89) as approved

Judge Ferguson presented and read the Second Reading of Ordinance No. (920.90) on behalf of a Text Amendment to the Boone County Zoning Regulations, Section 912 (1).