

APPLICATION FORM

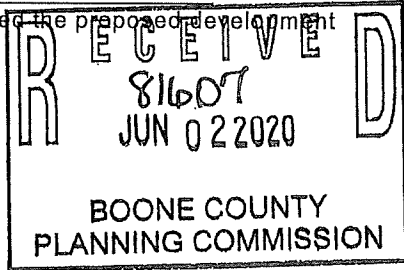
ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

SEVEN (7) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project: Elijah Creek Industrial Development
2. Location of Project: 1669 and 1601 Elijah Creek Rd.
3. Total Acreage of Site: 70.84 AC
4. Current Zoning of Site: SR-1
5. Proposed Zoning (Classification being requested): I-1
6. Proposed Uses (please specify each use): Warehousing/Distribution
7. Names of Applicant(s): Al Neyer
8. Address of Applicant(s): 302 W. 3rd Street, Suite 800, Cincinnati OH 45202
9. Name of Property Owner(s): Patrick and Laura Muldoon/Dorothy Jean Webb/Kenton County Airport Board
10. Address of Property Owner(s): PO Box 104/1601 Elijah Creek Rd./PO Box 25021, Hebron/KY/OH 41048/41048/45275
11. Proposed Building Intensities (please specify): 13,461 SF/AC (925,000 SF of 68.7 AC)
12. Are there any existing buildings on the site? yes
13. Deed Book: 329/1119/833/826 Page No: 144/317/275/309 Group No.
14. Are you also applying for: Conditional Use Permit, Dimensional Variance
15. Have you submitted a Concept Development Plan? yes
16. Have you had a pre-application meeting with BCPC Staff? yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months: Boone County Water District, Florence Public Services Dept., Duke Energy, Sanitation District #1, Cincinnati Bell, Owen Electric Cooperative, Inc., Boone County Public Works Department, Kentucky Transportation Cabinet, Cincinnati/N. KY International Airport, Boone County Building Department, Northern Kentucky Health District, USDA NRCS/Boone County Conservation District, KY Division of Water, Local School District, Local Fire District, Other:



EXHIBIT

“A”

STAFF REPORT

Request of Al Neyer (applicant) for Patrick Muldoon, Laura Muldoon, Dorothy Jean Webb, and Kenton County Airport Board (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 70.505 acre site located at 1601 and 1669 Elijah Creek Road, at the eastern terminus of Asbury Way, and on the north side of Petersburg Road approximately 415 feet east of the Petersburg Road/Conner Road intersection, Boone County, Kentucky. The request is for a zone change to allow an industrial park.

July 15, 2020

PROPOSAL

This application is for a zone change from Suburban Residential One (SR-1) to Industrial One (I-1) for a 70.505 acre site located at 1601 and 1669 Elijah Creek Road, and on the north side of Petersburg Road, in unincorporated Boone County. In general terms, the site is located between Elijah Creek Road and Petersburg Road (north to south) and between I-275 and Ridgefield Subdivision (east to west). The application form states that the proposed uses are "warehousing/distribution" and the applicant's narrative describes the development as a "multi-building industrial park."

The submitted Concept Development Plan illustrates two buildings and related improvements in the approximate center of the site. The west structure, "Building A," is a 600,000 square foot structure (1,052' X 570') with 57 truck docks on both the east and west sides of the building (114 docks total). Truck/trailer parking is shown along the west side of Building A (69 trailer spaces are noted). Auto parking is proposed along the north and south sides of the building and at the building corners (308 auto parking spaces are noted).

The east structure, "Building B," is a 325,000 square foot structure (1,000' X 325') with 47 truck docks on the east side of the building. Auto parking is proposed along the west side of this structure facing Building A (198 parking spaces are noted). The overall development (both buildings together) includes 925,000 square feet of floor area, 506 auto parking spaces, 161 truck docks, and 69 truck/trailer parking spaces.

A north-south running street within a "Future 50' R.O.W." is shown along the west boundary of the site. Access to the site is proposed from Petersburg Road and the future street is proposed to terminate in a (presumably temporary) cul-de-sac in the northwest corner of the site near Elijah Creek Road. Driveways which serve the buildings intersect with the future street at the north and south sides of Building A.

Existing tree cover is proposed to be retained along the northern portion of the west boundary adjoining Ridgefield Subdivision. Relative to landscaping, street frontage landscaping from Buffer Yard A is noted along the Elijah Creek Road and I-275 frontages, the 60 foot wide Buffer Yard C option is proposed along the west property line adjoining Ridgefield Subdivision, and the 80 foot wide Buffer Yard D option is proposed along the south and east boundaries adjoining vacant tracts owned by the Kenton County Airport Board. Detention basins are proposed in the north, south, and east portions of the site. A 330 foot long retaining wall is illustrated in the southeast corner. The

development is proposed to use public water and sanitary sewer service.

Several conceptual building designs were included in the application materials. These options show tilt-up concrete warehouse structures with office fronts at several corners. A specific, proposed building height is not stated.

The application materials, including the concept development plan sheets, narrative, and excerpts from the Traffic Impact Study, are attached.

ADJACENT LAND USES AND ZONING

The land uses and zoning adjoining the subject site include the following:

- A. A combination of detached single family residences, small scale industrial uses, woods, and pastures are located on the opposite of Elijah Creek Road to the northwest (I-1).
- B. A subdivision of detached single family residences is located to the west (Ridgefield Subdivision; UR-1 immediately adjoining the subject site). A heavy construction business which fronts on Petersburg Road is located to the west/southwest (I-1).
- C. An open area owned by the Kenton County Airport Board is located to the south and east of the main portion of the subject site (SR-1). CVG runways are located further to the southeast on the opposite side of Petersburg Road (multiple zones).
- D. I-275 is located to the north/northeast.

SITE CHARACTERISTICS

The site contains multiple parcels with a total of 70.505 acres. It has approximately 1,450 feet of frontage on Elijah Creek Road, approximately 650 feet of frontage on Petersburg Road, and approximately 725 feet of frontage on I-275. The site has a substantial amount of pasture and contains several wooded areas, notably along the south, east, and northeast boundaries, and portions of the west boundary and the Elijah Creek Road frontage. Intermittent blue line streams (branches of Elijah's Creek) exist in the northwest corner of the site and along the south/east boundary; a 100 year flood plain exists along the latter stream. The site also contains two detached single family residences and several outbuildings and ponds.

The site has a central ridge line which runs west to northeast, approximately from the east terminus of Asbury Way to the I-275 frontage. The overall topography of the site slopes downward to the north and south from this central ridge line. The topography of the panhandle area in the southernmost part of the site slopes downward from Petersburg Road to the southern intermittent blue line stream. The high point is along the west boundary near the Asbury Way terminus (approximately el 878) and the low points are along the Elijah Creek Road frontage (approximately el 798) and the southeast corner of main portion of the site (approximately el 796). Soil types on the site include Cynthiana flaggy silty clay loam (CyF), Jessup silt loam (JeD), and Rossmoyne silt loam (RsB, RsC).

Public sanitary sewer mains exist along Elijah Creek Road and Petersburg Road, and public water mains exist along Elijah Creek Road, Petersburg Road, I-275, and the terminus of Asbury Way. Section 3210 "Functional Roadway Classification" of the Boone County Zoning Regulations identifies Petersburg Road as an arterial and Elijah Creek Road as a collector. The majority of the site is within the 55 DNL noise contour and a small part of the east portion of the site is within the 60 DNL noise contour (refer to attached Zone Change Site Airport Noise Contours map).

RELATIONSHIP TO COMPREHENSIVE PLAN

The Our Boone County - 2040 Plan's Future Land Use Map designates the main portion of the site as "Business Park." This designation is described as "a mix of office warehouse, research, office, and light industrial uses in a park-like, office campus setting with large building setbacks, low floor area ratio, integrated pedestrian and recreation facilities, consistent 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."

The Future Land Use Map designates the access driveway panhandle area, between the main portion of the site and Petersburg Road (area owned by KCAB), as "Transportation." This designation is described "airports, major four lane roads, interstates, interchanges, ferries, and rest areas."

The Land Use Element provides the following text that relates to the general area.

- A. The southeast quadrant of the KY 237 interchange should develop in a Business Park manner on the acreage fronting on KY 237. The design of this development should include large building setbacks to be visually consistent with existing development on the southwest quadrant. The site is suitable for a Business Park or one large user similar to the existing industrial uses located along Litton Lane. Property to the east of the interchange, along I-275, possess high visibility and is a suitable location for high-profile Business Park development similar to that occurring at the Mineola interchange. The development of this Business Park area is dependent upon a road connection from KY 237, opposite Litton Drive to Elijahs Creek Road to allow all traffic associated with the development to directly access the KY 237 interchange, and to serve future residential growth. This road should be connected to KY 20, near I-275 and near the runway tunnel, through industrial development. For industrial development to occur east of Elijah's Creek in this area, it must have either the direct KY 20 connection or the KY 237 connection described above. Industrial traffic should not utilize Elijahs Creek Road unless that road is significantly upgraded for its entire length ("7. Hebron," pp. 110-111).
- B. In its current condition, Elijah's Creek Road is not suitable for serving additional traffic. The road should be further improved to allow access to the Shor Property and permit redevelopment of the existing residential uses ("8. Airport," p. 113).

The Land Use Element's Future Land Use Development Guidelines provide the following general comments that relate to the proposal.

- A. Developments in Boone County should begin with an assessment of existing site features to determine positive and useful attributes, as well as features that should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," p. 95).
- B. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; where appropriate, existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate. Natural green space benefits the community as well as encourages developers to create innovative development designs through clustering of buildings and impermeable area. Typically, buffering is required and provided between both like and unlike land uses ("Buffering," p. 95).
- C. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to soften the visual impacts of the development from adjoining properties and roadways.
- Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," p. 96).
- D. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and sight distance for access points, adequate spacing between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterial or collector streets should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial street system. Connections between and within commercial and industrial developments allow for more efficient provision of transit service ("Access Management," p. 96).
- E. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways and functional classifications must be used in the planning for and designing of new developments. Collector roadways should

be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. The traditional grid system can provide an alternative to typical suburban design. Parallel and frontage roads should be used to minimize impacts of individual sites on collector and arterial roadways. The issue of semitractor trailer on-street parking and queuing must also be considered when examining the impacts of existing and proposed industrial developments on the functionality of all affected roadways. Industrial logistic developments should be designed to accommodate significant truck traffic, staging, and parking on-site. The idea of developing regional staging areas should be encouraged in order to provide a safe place for trucks waiting for delivery times. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but also connections to adjoining uses where appropriate so commuters will not be forced to rely on just a few main roads to reach their destination, but rather have multiple options; thus reducing traffic congestion. In addition, public open space and recreation sites should be connected to each other by bicycle and pedestrian paths where appropriate ("Transportation and Pedestrian Network," pp. 96-97).

- F. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view ("Design, Signs, and Cultural Resource Preservation," p. 97).

The Demographics Element provides the following statements regarding amenities, housing, employment, and consumer needs.

- A. Furthermore, by continuing to monitor the composition of the population, Boone County will be more prepared to provide proper and adequate amenities that encourage them to stay in the county rather than moving elsewhere for their needs to be met. Knowing the makeup of the population will assist in providing the appropriate housing, employment, and retail shopping opportunities to meet their needs at the countywide level as well as within specific areas within the county as development plans and zone change requests are reviewed ("Identify the Needs of the Population," p. 19).

The Economy Element provides the following statements regarding suitable locations for industrial and other truck oriented uses.

- A. While it's important to understand the types of jobs and industries in a community, it is equally important to know the location of these jobs and industries. They must be promoted

in suitable locations to keep the county a vital part of a strong regional economy. For example, industrial development needs to be encouraged to locate near railroad lines, highways, the Ohio River, the Airport, and where infrastructure exists or is planned. The most efficient way to do this is by having compact, efficient development patterns with appropriately sized and well maintained buffer spaces between other land uses. Furthermore, larger scale interstate commercial uses, as well as the freight logistics industry, should occur within close proximity to interstate interchanges not only for maximum convenience and economy to the traveling public, but also to minimize traffic congestion in areas not necessarily close to interchanges. Recently, semi-trucks have been parked in roadways, specifically in the Hebron and Richwood areas, waiting their turn to enter warehouse facilities in order to receive or deliver goods. If the facilities are not located close to interchanges and with ample parking and/or stacking, the need for a regional logistics parking lot for staging arises ("Conclusions and Recommendations," p. 66).

The Our Boone County - 2040 Plan's Goals and Objectives include the following pertinent statements.

- A. Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems ("Overall," Objective 3).
- B. Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population ("Demographics," Goal A, Objective 3).
- C. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County ("Demographics," Goal A, Objective 4).
- D. Areas possessing unique environmental characteristics should be preserved, used as passive or active recreational areas, or appropriately incorporated into development design ("Environment," Goal A, Objective 2).
- E. Development shall attempt to utilize existing topography and vegetation (including mature trees where possible) and preserve the existing character of the land where practical ("Environment," Goal A, Objective 7).
- F. Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy ("Economy," Goal A, Objective 2).
- G. Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses ("Economy," Goal B).
- H. Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses ("Economy," Goal B, Objective 1).
- I. Interstate commercial uses, as well as the freight logistics industry, shall be in close proximity to interstate interchanges for maximum convenience and economy to the traveling

- public, while minimizing traffic congestion ("Economy," Goal B, Objective 4).
- J. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport, and where infrastructure exists or is planned ("Economy," Goal B, Objective 5).
- K. Future industrial districts should be identified in advance of residential development so that potential impacts are known and can be addressed ("Economy," Goal B, Objective 6).
- L. Effective site placement, architectural design, and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Smoke, dust, noise, and odor impacts shall be kept at a minimum and site development and enforcement shall be carefully coordinated with regulatory agencies ("Economy," Goal B, Objective 7).
- M. Provisions shall be made for proper control of industrial uses that involve processes or products that could be hazardous to human life and property ("Economy," Goal B, Objective 8).
- N. Infrastructure systems, both natural and man-made, shall be built to planned and balanced capacities, for urban and rural forms, to support current and future growth ("Public Facilities," Goal A, Objective 2).
- O. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions ("Transportation," Goal A, Objective 1).
- P. New connector streets shall be developed where needed and feasible to lessen the dependence on arterial, collector, and local streets ("Transportation," Goal B, Objective 5).
- Q. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops ("Transportation," Goal B, Objective 6).
- R. New land development shall be closely coordinated with the local transportation system to assure efficiency and continuity within Boone County and with the regional multi-modal transportation system ("Transportation," Goal B, Objective 9).

BOONE COUNTY TRANSPORTATION PLAN

The Boone County Transportation Plan includes the following projects that are in the overall area.

Conner Road Multi-Use Path (Tier 1)

Location: KY 237 (North Bend Road) to KY 20 (Petersburg Road)

Type: Bike/Ped

Total Cost: \$2,050,000

Description: Construct approximately 1.3 miles of multi-use path along Conner Road as part of the CVG Loop Trail to connect Conner High School with surrounding residential and commercial

development. Include curb and gutter where needed.

KY 20/Aviation Boulevard Intersection Improvement (Tier 1)

Location: Aviation Boulevard

Type: Traffic Operations

Total Cost: \$820,000

Description: Install a left turn lane on eastbound and westbound KY 20 (Petersburg Road) at Aviation Boulevard. Consider installation of a new traffic signal.

Coral Drive Extension (Unscheduled Need)

Location: Coral Drive to KY 20 (Petersburg Road) tunnel under the Cincinnati/Northern Kentucky International Airport.

Type: Roadway Widening/Relocation/New Facility

Total Cost: \$6,500,000

Description: Construct a new, two lane roadway for approximately 1.25 miles to connect KY 20 (Petersburg Road) to KY 237 (North Bend Road) at Coral Drive to improve mobility between the Hebron area and the Cincinnati/Northern Kentucky International Airport.

KY 20 (Petersburg Road) Improvement (Unscheduled Need)

Location: KY 237 (North Bend Road) to Conner Road

Type: Roadway Maintenance/Reconstruction

Total Cost: \$14,200,000

Description: Reconstruct KY 20 (Petersburg Road) from Conner Road to KY 237 to improve mobility between Hebron and the Cincinnati/Northern Kentucky International Airport.

KY 20 (Petersburg Road) Interchange (Unscheduled Need)

Location: KY 20 (Petersburg Road)

Type: Roadway Widening/Relocation/New Facility

Total Cost: \$50,000,000

Description: Perform an Interchange Justification Study for a new interchange on I-275 at KY 20 (Petersburg Road) near milepoint 5 to support economic development. Construct the interchange as recommended.

CVG Loop Trail (Unscheduled Need)

Location: Various locations north of the Cincinnati/Northern Kentucky International Airport

Type: Bike/Ped

Total Cost: \$5,700,000

Description: Complete the CVG Loop Trail along the northern parameter of CVG that are not included in planned roadway projects such as the Mineola Pike Extension Phases 1 and 2, Youell Connector, KY 237 Multi-Use Path, and the Conner Road Multi-Use Path.

STAFF COMMENTS

1. COMPREHENSIVE PLAN AND STATUTORY FINDINGS

The Our Boone County - 2040 Plan's Future Land Use Map designates the main portion of the site as "Business Park." This designation is described as "a mix of office warehouse,

research, office, and light industrial uses in a park-like, office campus setting with large building setbacks, low floor area ratio, integrated pedestrian and recreation facilities, consistent 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.”

The Future Land Use Map designates the access driveway panhandle area, between the main portion of the site and Petersburg Road (area owned by KCAB), as “Transportation.” This designation is described “airports, major four lane roads, interstates, interchanges, ferries, and rest areas.”

The Land Use Element (pp. 110-111) states the following regarding the overall area.

The southeast quadrant of the KY 237 interchange should develop in a Business Park manner on the acreage fronting on KY 237. The design of this development should include large building setbacks to be visually consistent with existing development on the southwest quadrant. The site is suitable for a Business Park or one large user similar to the existing industrial uses located along Litton Lane. Property to the east of the interchange, along I-275, possess high visibility and is a suitable location for high-profile Business Park development similar to that occurring at the Mineola interchange. The development of this Business Park area is dependent upon a road connection from KY 237, opposite Litton Drive to Elijahs Creek Road to allow all traffic associated with the development to directly access the KY 237 interchange, and to serve future residential growth. This road should be connected to KY 20, near I-275 and near the runway tunnel, through industrial development. For industrial development to occur east of Elijah’s Creek in this area, it must have either the direct KY 20 connection or the KY 237 connection described above. Industrial traffic should not utilize Elijahs Creek Road unless that road is significantly upgraded for its entire length.

This passage outlines a several key principles. First, property to the east of the KY 237 interchange, which includes the subject site, is “a suitable location for high-profile Business Park development similar to that occurring at the Mineola interchange.” The text also uses the more generic description of “industrial development” in relation to this area. Second, an overall connector road between KY 237 (opposite Litton Lane) and KY 20 (near I-275 and the runway tunnel) is recommended. The text discusses this overall connection in terms of two parts - one from KY 237 to Elijah Creek Road and the other from Elijah Creek Road to KY 20. Third, the text states that in order for industrial development to occur “east” of Elijah Creek Road, either of the two recommended connector roads phases must be in place; Elijah Creek Road is not suitable for industrial traffic unless the entire alignment is significantly upgraded (note - comprehensive improvements for Elijah Creek Road are not listed in the Boone County Transportation Plan).

The submitted Concept Development Plan includes the recommended KY 20 connection, although the proposed road right-of-way is labeled “future” and a temporary dead end is shown at the north end near Elijah Creek Road. Both the “7. Hebron” and “8. Airport” text in the Land Use Element state (in different ways) that Elijah Creek Road should not serve

additional development unless it is upgraded. Related to this issue, the Economy Element ("Conclusions and Recommendations," p. 66) mentions problems with the trucking industry, notably congestion, parking, and stacking.

The Demographics Element ("Identify the Needs of the Population," p. 19) discusses the provision of "proper and adequate amenities" for county residents "that encourage them to stay in the county rather than moving elsewhere for their needs to be met." In this context, the Element mentions, "appropriate housing, employment, and retail shopping opportunities to meet their needs at the countywide level as well as within specific areas within the county as development plans and zone change requests are reviewed."

Overall, the Future Land Use Development Guidelines stress effective landscaping and buffering, ("Buffering," p. 95 and "Landscaping," p. 96), access management and mitigation of traffic impacts ("Access Management," p. 96 and "Transportation and Pedestrian Network," pp. 96-97), and overall design, including site, landscaping, building, and signage design ("Design, Signs, and Cultural Resource Preservation," p. 97). The Goals and Objectives emphasize the provision of employment opportunities ("Demographics," Goal A, Objective 4), utilization of existing topography and vegetation ("Environment," Goal A, Objective 2), siting businesses at appropriate and suitable locations ("Economy," Goal A, Objective 2; "Economy," Goal B; "Economy," Goal B, Objectives 4, 5, and 6), and use of effective design for industrial uses and minimizing industrial impacts ("Economy," Goal B, Objective 7). In particular, the Goals and Objectives state, "Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, *the Airport* (emphasis added), and where infrastructure exists or is planned" ("Economy," Goal B, Objective 5).

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

2. PROPOSED USE

The application form states that the proposal is for "warehousing/distribution." The project narrative refers to the project as a "multi-building industrial park" and it also states that "the proposed development consists of two different types of industrial buildings which will attract a mix of tenants and uses."

The requested I-1 zone permits a wide range of industrial and office uses, not all of which may be appropriate for the given site and immediate area. The I-1 zone also allows the O-1 and O-2 zone principally permitted uses by reference (applicable text is attached). The governing bodies should review the use lists and consider a condition which would prohibit those which are deemed inappropriate or incompatible at this location. The Comprehensive Plan's description for the Business Park land use designation and the direction given for this area by the Land Use Element can be used for guidance.

As discussed further below, the basis for the trip generation figures in the Traffic Impact Study is the "warehousing" (150) ITE land use category, which is a comparatively low generator. In an effort to minimize outdoor activity, particularly on the west side of the site in proximity to the existing residences in Ridgefield Subdivision, the governing bodies should consider a condition which prohibits outside storage and staging of goods, materials, and equipment.

Based on the size of the facility, impacts such as noise and vibration could be substantial and could be magnified by tenants with high activity levels, particularly if the facility is operated on a 24 hour basis. Regarding noise, Staff recommends that the governing bodies consider conditions which would prohibit the use of an outdoor PA system and prohibit horn honking. Relative to lighting in the west part of the site, the submitted photometric plan shows that the lighting levels between Ridgefield Subdivision and the north-south connector road will be less than 1 foot candle (note - most foot candle plots in this part of the site are listed as 0.0). Overall, the number of freestanding light masts shown on the photometric plan appears sparse for this type and size of development.

3. SECTION 1137 (1609) OF ZONING REGULATIONS

Section 1137 "Supplemental Zoning Map Amendment Standards" of the zoning regulations requires zone change 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," to be "assessed" in relation to the standards in Section 1609 "Design Standards" (EPD/RPD zones) through the zone change process. Section 1137 is intended to implement the principles outlined in the Comprehensive Plan's Business Park description. Staff has the following comments on these standards.

1. Height: The height of the buildings is proposed to be up to 50 feet and may require FAA and Kentucky Airport Zoning Commission approval. The noted finished floor elevation is 850 for the west building and 840 for the east building. The grade elevations along the west boundary of the site are approximately 830 at the northwest corner of the site by Elijah Creek Road, approximately 842 at the southwest corner adjoining Ridgefield Subdivision, and approximately 876 adjoining the Asbury Way terminus. There is no existing vegetation in the area around the Asbury Way terminus and grading is shown at or near the west property line for most of the area between Asbury Way and the southwest corner of the main portion of the site. Thus, the height of the proposed buildings (notably the west building), in combination with grading and landscape buffering, will need to be evaluated in relation to compatibility with the adjoining residences. Staff recommends that the applicant provide cross section drawings which show the relationship between the subject site (including the landscape buffer) and the adjoining residences along Berwood Lane for the Zone Change Committee to evaluate.

2. Placement or location of buildings: The buildings are placed in the central part of the site. The west building is setback approximately 340 feet from the west property line. The north-south road, loading docks, and truck/trailer parking are proposed within this space. The landscape buffer yard is approximately 95 feet wide at the narrowest point between the road and the west boundary, and approximately 85 feet wide between the cul-de-sac and

the west boundary. The east building is setback approximately 60 feet from the I-275 right-of-way.

The finished floor elevations are substantially lower than the central part of the common boundary with Ridgefield Subdivision as discussed above, but a 50 foot high (maximum) building would extend approximately 24 feet above grade at the terminus of Asbury Way, and up to approximately 58 feet higher than the southwest corner of the main portion of the site. The central portion of the west boundary has no existing vegetation and grading is proposed to occur at or near the south portion of this boundary - Sheet L100 notes berming in this general area and also notes that the existing vegetation will be preserved along the portion of the west boundary that is north of Asbury Way. The key issue identified by Staff relative to the building placement is the relationship between the finished floor elevation, building height, grade elevations along the property line, landscape treatment, and the width of the buffer yard, all along the west boundary.

3. Preliminary Building Design or Architecture: The tilt-up concrete prototypes provided for the proposed buildings are comparable to the existing buildings in other industrial subdivisions in the Hebron area (Airpark, Airpark West, Park West International, etc.). When considering the placement of the buildings in relation to the adjoining residential subdivision, adjoining roadways, and the proposed buffer yards, Staff's primary concern relative to architectural design is the appearance from Ridgefield Subdivision, Elijah Creek Road, and I-275. Based on the existing tree cover in the KCAB owned tracts along the south property line, the project should be reasonably well screened from Petersburg Road.

In order to better correlate the building to the surrounding environment, create a finished/non-utilitarian appearance, and minimize the "monolithic" warehouse character (both buildings are at least 1,000' long), Staff recommends that: A.) a natural (warm) color palette be opted (avoiding bright accent colors); B.) the overall design be articulated through the use of three dimensional relief (horizontal and vertical); and, C.) enhanced detailing be provided on the north facades of both buildings, the west facade of the west building (Building A), and the east facade of the east building (Building B).

4. Scale and Pedestrian Orientation: The nature of the project (925,000 square feet on 70 acres, 161 docks, 69 truck/trailer spaces along connector road, etc.) is not immediately conducive to the creation of a pedestrian scale and orientation. Per Section 3327 "Pedestrian/Bicycle Improvements" of the zoning regulations, a sidewalk link is provided between both buildings, the vehicular area, and Petersburg Road (along the southern leg of the proposed road). Since the north-south connector road is intended to be a public street, at least at some point in time (it is labeled "Future 50' R.O.W."), a sidewalk is required along the entire length per the subdivision regulations. The governing bodies should evaluate whether a multi-use path instead of a standard sidewalk is warranted along the north-south connector road.

The applicant should also evaluate the feasibility of constructing a pedestrian connection between the terminus of Asbury Way and the proposed north-south connector road, keeping in mind that this road is intended to connect to KY 237 in the future. A pedestrian connection would allow residents who work in the development, or in the planned Business

Park area to the northeast, to walk instead of drive to their destination (similar to the existing sidewalk connection between Bullock Lane and Langley Drive in Airpark West Subdivision).

Additionally, Section 3208 of the zoning regulations requires the provision of sidewalks along the public road frontages which adjoin a development. Elijah Creek Road is currently a two lane, rural section road with no sidewalks and is identified by the Comprehensive Plan as needing significant improvements for industrial traffic. Petersburg Road adjoining the site has wide shoulders, but the nearest existing sidewalk is on the opposite side of the road and ends at the Merrie Drive intersection to the west. Rob Franxman, P.E., Boone County Engineer, has commented that the County has submitted a grant request for the design and construction of a multi-use path on Petersburg Road (refer to attached 7/2/20 e-mail).

5. Elevation: This standard is largely concerned with the elevation of the site and structure in relation to public roads. As stated above, Staff's primary concern relative to the site/building configuration is the view from the adjoining residential subdivision and from Elijah Creek Road and I-275. Buffering and recommendations for the building design are discussed above. Also as stated above, Staff recommends that the applicant provide cross section drawings which show the relationship between the subject site and the adjoining residences along Berwood Lane for the Zone Change Committee to evaluate.

6. Historic and Prehistoric Features: Staff is not aware of any historic or prehistoric features on the site.

7. Paved Surfaces: This standard is substantially concerned with the provision of open space, designing paved areas around open space and landscaped areas, the public view of paved areas, and generally enhancing the aesthetics of these areas. Aside from the north-south connector road, paved areas (parking areas, loading docks, and driveways), are all proposed to be in relative close proximity to the structures. Landscape islands are proposed in all auto parking areas and to separate the main, perimeter driveways from the other vehicular areas. This standard also states that landscaping should be "encouraged" to demarcate the entry point. The applicant should explain how this will be accomplished, both for the initial access point on Petersburg Road and the future connection to Elijah Creek Road. For informational purposes, site coverage by the proposed buildings, paved areas, and landscaping/open space are as follows:

Buildings (21.24 Acres)	= ±30%
Paved Areas (17.2 Acres)	= ±24%
Landscaping/Open Space (33.15 Acres)	= ±46%

8. Fences, Walls and Landscape Berms: As mentioned above, berming is proposed along the west boundary from Asbury Way southward to a point near the southwest corner of the main portion of the site. Berming will help the increase the height of the landscape buffer along this boundary, but Staff also recommends that a line of existing vegetation be retained where it exists along the southern part of this property line (begins approximately

four lots south of Asbury Way). The project narrative refers to multiple berms along property lines, but only the one noted along the west boundary was identified in the plan set - the applicant should clarify where the other berms are proposed. A 330 foot long retaining wall (20' maximum height) is shown in the southeast corner of the site and will largely be hidden from public view.

9. Landscaping: The improvements are generally configured so that all applicable requirements of Article 36 "Landscaping" of the zoning regulations can be met. The exception is on the west side of the access road where it enters the main portion of the site - the future right-of-way is at/near a property corner leaving insufficient space for the required 10 foot wide Buffer Yard A landscaping.

The applicant should provide a conceptual planting plan for the Zone Change Committee to evaluate which focuses on the west buffer yard adjoining Ridgefield Subdivision and the Elijah Creek Road and I-275 frontages. Relative to the west buffer yard, Buffer Yard C is required by the zoning regulations, but sufficient space is proposed to provide the plantings from Buffer Yard D. Regarding the Elijah Creek Road and I-275 frontages, the main concern is to effectively screen the loading docks and to otherwise create the "park-like" setting envisioned by the Business Park land use description in the Comprehensive Plan. Berming, the retention of existing vegetation, and the provision of cross sections along the west boundary for the Zone Change Committee to consider are discussed above.

10. Open Space and Recreational Uses: Open space in general terms is discussed above. This standard also discusses recreational amenities. When considering that the proposed development could generate a substantial workforce population, this standard should be examined in more detail by the applicant and the Zone Change Committee as it relates to amenities for the site's users, especially outdoor break areas.

11. Signage: The project narrative states, "Signage will be designed to meet the Boone County Zoning Regulations, to minimize impact on adjacent properties." Section 3413.4.(3) of the zoning regulations allows one monument sign that is up to 10 feet in height and 100 square feet in area. Per the text of this standard, Staff recommends that a "consistent signage theme" be provided for this development and that "signage visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors." When considering the residential subdivision to the west, Staff recommends that no conventional building mounted signage (cf. Section 3413.1) be mounted on the west facade of the west building (Building A). Incidental signs such as truck dock numbers, directional signage, etc., would still be permitted.

12. Utilities: This standard states, "All utility service lines to the building and main lines will be installed underground." The project narrative says, "All utility service lines to feed the building will be located underground," which excludes the main lines mentioned in the standard. The applicant should clarify whether or not all utilities are proposed to be underground.

13. Detention/Retention Ponds or Lakes: Three large detentions basins are shown on the Concept Development Plan. This first (labeled "Pond A") is located along the south

property line of the main portion of the site, the second (labeled "Pond B") is located along the Elijah Creek Road frontage, and the third (labeled "Pond C") is located in the east part of the site. Due to their respective locations, topography, and surrounding wood cover, Ponds A and C will be largely hidden from public view.

This section states, "Large detention/retention ponds or lakes should be discouraged in the front yard or in an area subject to public view from a public street if not used both for stormwater management and aesthetic purposes. Smaller detention/retention ponds or lakes appropriately designed and landscaped should be encouraged and distributed throughout the site and may appear in the front yard or in an area subject to public view from a public street." Based on this wording, Staff recommends that Pond B along the Elijah Creek Road frontage be designed to function as an amenity and/or landscape feature versus just as a "utility."

14. Transportation Design: Access to the site is proposed to be from KY 20 via the north-south connector road shown on the Concept Development Plan. This road is part of an overall alignment outlined in the Comprehensive Plan that is recommended to connect KY 20 at Litton Lane to KY 20 near the tunnel. The Boone County Transportation Plan similarly recommends a road connection from KY 237 at Coral Drive to KY 20 at or near the tunnel.

The Concept Development Plan labels the north-south road as "Future 50' R.O.W." and the applicant stated previously that the road would be built to the public road standards in the subdivision regulations. The applicant should explain what is meant by "future" in relation to the road right-of-way, including the rationale behind it if the road is not intended to be dedicated to Boone County with the initial development of the site. The usual protocol is to dedicate a road immediately upon completion of the construction.

The north end of the connector road is proposed to terminate in a cul-de-sac. Based on the current condition of Elijah Creek Road and the fact that the northern section of the connector road (KY 237 to Elijah Creek Road) is presently at the concept stage, a temporary cul-de-sac is appropriate. However, the connection to Elijah Creek Road should be shown as a later phase which would be constructed either when (corresponding to the Land Use Element's statements) Elijah Creek Road is upgraded to accommodate routine industrial traffic or the connection between KY 237 and Elijah Creek Road is constructed. Related to both the dedication of right-of-way for the north-south connector road and the future connection to Elijah Creek Road, Rob Franxman, P.E., Boone County Engineer, commented, "It would be nice to have the appropriate R/W width dedicated for the connection, or an option for the county to have the R/W dedicated later. Upon completion of the intersection, it could be possible for turn lanes" (7/2/20 e-mail is attached)

This standard includes the statement, "The provision of transportation connections (street connections, pedestrian paths, multi-purpose trails, and sidewalks, bicycle facilities) shall be provided in all planned developments unless physically unfeasible or unsafe." Sidewalks are discussed above. The proposal does not include a street connection to Asbury Way, which dead ends at the west boundary. When considering that Ridgefield Subdivision has multiple connections, both internally and to the major road system, and the subject site will eventually have access to both KY 20 to the south and multiple roads to the north, Staff is

supportive of this aspect of the plan to prevent industrial traffic from traveling through the residential subdivision.

15. Multi-Modal Transportation System: Sidewalks and pedestrian paths are discussed above. Per Section 3327 of the zoning regulations, bike racks are required to be provided.

A TANK route currently runs along this section of KY 20. As outlined previously, the Boone County Transportation Plan includes two multi-use path projects that are in the general area and the County has submitted a grant request for a multi-use path on KY 20.

16. Location of Land Uses: Pertinent issues mentioned in this standard are discussed above.

4. CIRCULATION AND TRAFFIC STUDY

Comments regarding the street system are discussed under #14 "Transportation Design" above. The overall conclusion of the Traffic Impact Study is that this development will not have a significant effect on existing intersections, but it does note that "KY 237 in the vicinity of the site is carrying a significantly high number of vehicles during AM and PM Peak Hour. Significant growth is expected in the area and the traffic volumes may increase further" (p. 24).

The "Findings and Conclusions" section (p. 24) states that the turn lane warrants completed at the KY 20/proposed site access drive intersection indicate that an exclusive northbound left turn lane is warranted, but an exclusive southbound right turn lane is not warranted. Detailed recommendations for this intersection are outlined on page 25 of the TIS.

Rob Franxman, P.E., Boone County Engineer, made the following comments regarding site access and the recommendations in the TIS (refer to attached 7/2/20 e-mail):

- I'm surprised the proposed access drive to KY 20 is one lane in and one lane out. It seems to me there would be benefit to have both a right and left turn lane exiting the development.
- For design of the left turn lane into the proposed access drive, consideration should be given for a future MUP project on KY 20 (the county has submitted a grant request for design and construction of this facility).

The basis for the trip generation figures in the TIS is the "warehousing" ITE land use category (150), which is a comparatively low generator when considering that all uses listed in the I-1 zone would be permissible unless limited through agreed conditions. Regarding this issue, the recent approval for the Never-Smith zone change (Wright Boulevard/Bullittsville Road) included a condition which states, "The trips generated by all tenants in the building(s) combined shall be equal to or less than the trip generation determined in the final version of the Traffic Impact Study that is approved by the Kentucky Transportation Cabinet."

Problems with tractor-trailer queuing/staging are noted in the Comprehensive Plan's Economy Element and are frequently witnessed in the Hebron area. The applicant should explain what measures will be taken to assure that adequate truck stacking space is provided on the subject site.

5. OUTSIDE AGENCY COMMENTS

- A. Lt. Andy Ifcic with the Hebron Fire Protection District has stated that he has no comments on the proposal at this time.
- B. Comments from Mike Rouse, Project Manager with the Boone County Water District, are attached.

Staff has requested comments on the proposal from the Kentucky Transportation Cabinet and Sanitation District #1. Such comments have not been received as of this writing. Any written comments received from these agencies will be forwarded to the Zone Change Committee for review.

6. SITE PLAN/SUBDIVISION STANDARDS

For the applicant's information, an exhaustive site plan type review was not conducted due to the conceptual nature of the plan. The project will need to meet all applicable standards at the site plan and subdivision stages. The applicant should explain whether or not the site is intended to be subdivided into multiple building lots since this could potentially affect the site plan.

CONCLUSION

The Boone County Planning Commission and the Boone County Fiscal Court need to evaluate this application in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3 "Amendment" of the Boone County Zoning Regulations, the Our Boone County - 2040 Plan, which is the adopted comprehensive plan, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map should be amended to indicate "Business Park" for the southern panhandle portion of the site if this request is approved.

Respectfully submitted,



Kevin T. Wall, AICP
Director, Zoning Services

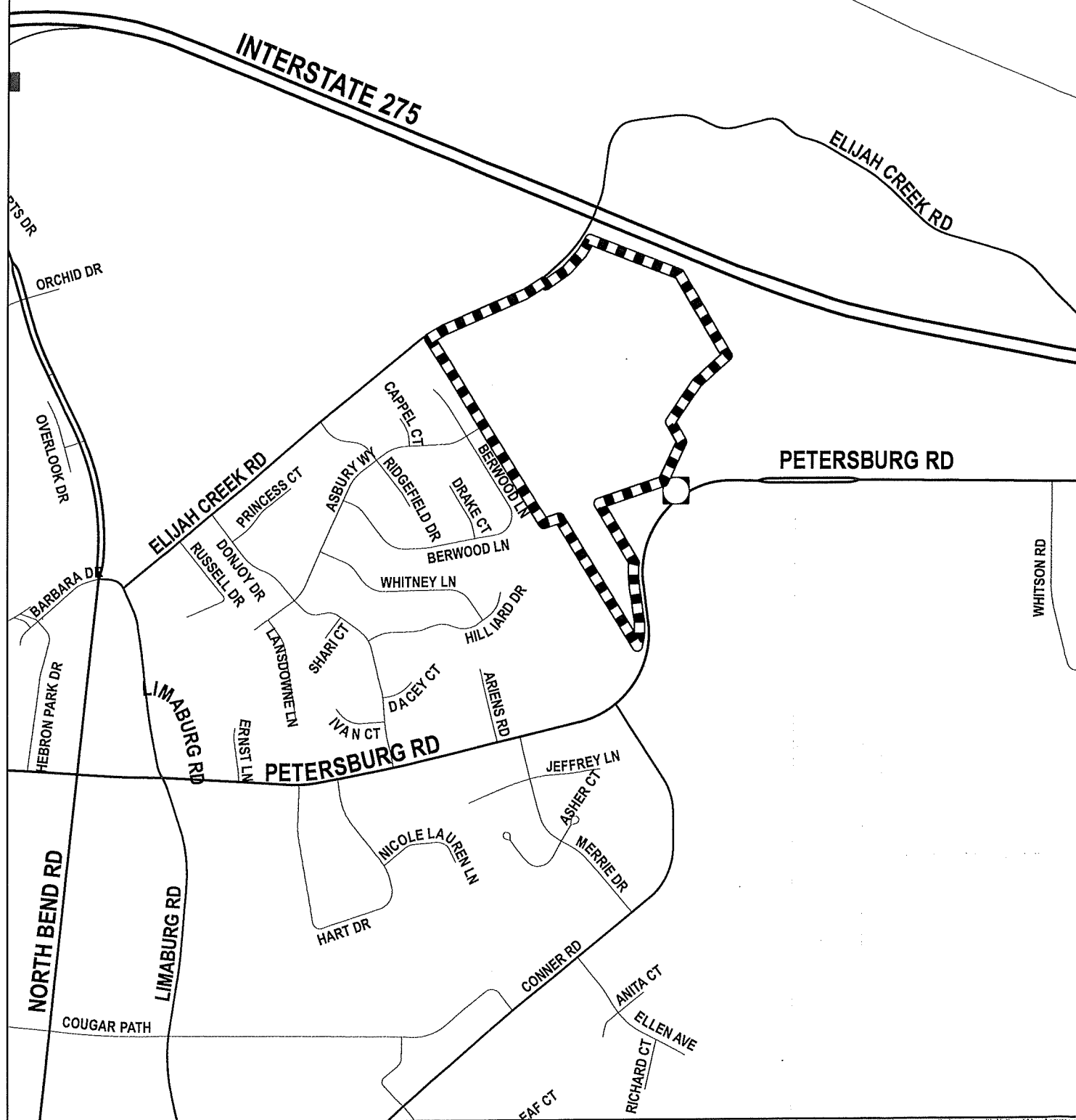
Attachments:

- Location map
- Zoning map with aerial photo

- 2040 Future Land Use Map excerpt
- Natural Features map
- Zone Change Site Airport Noise Contours map
- I-1 zone text (including O-1 and O-2 zone principally permitted uses allowed by reference)
- 7/2/20 e-mail from Rob Franxman, P.E., Boone County Engineer
- 6/29/20 e-mail from Mike Rouse, Project Manager, Boone County Water District
- Application materials including concept development plan sheets, project narrative, and "Introduction," "Scope of Work," and "Findings and Recommendations" sections of Traffic Impact Study (pp. 1-3, 23-25)
- Written public comment received to date

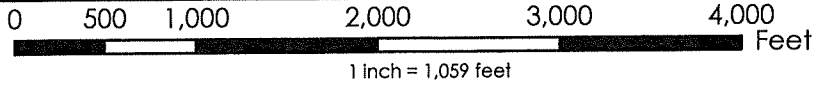
Location

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Boone



Map Created: xx/xx/2020

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Zoning

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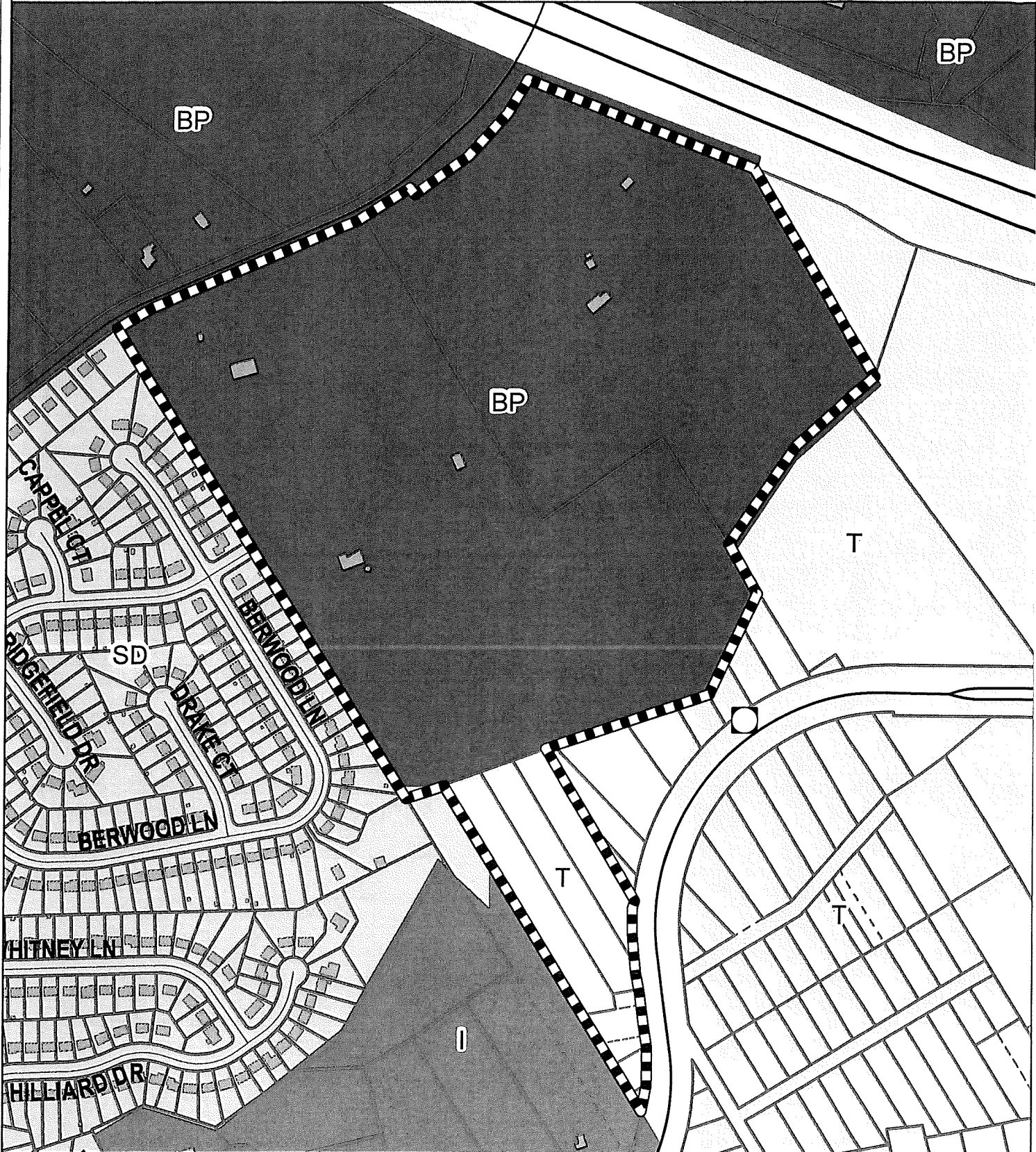


Boone County GIS - Putting Northern Kentucky on the Map



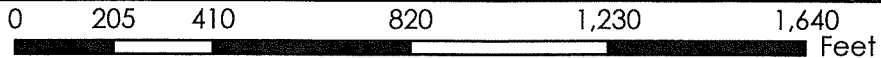
2040 Future Land Use

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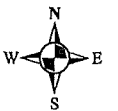
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1 inch = 399 feet

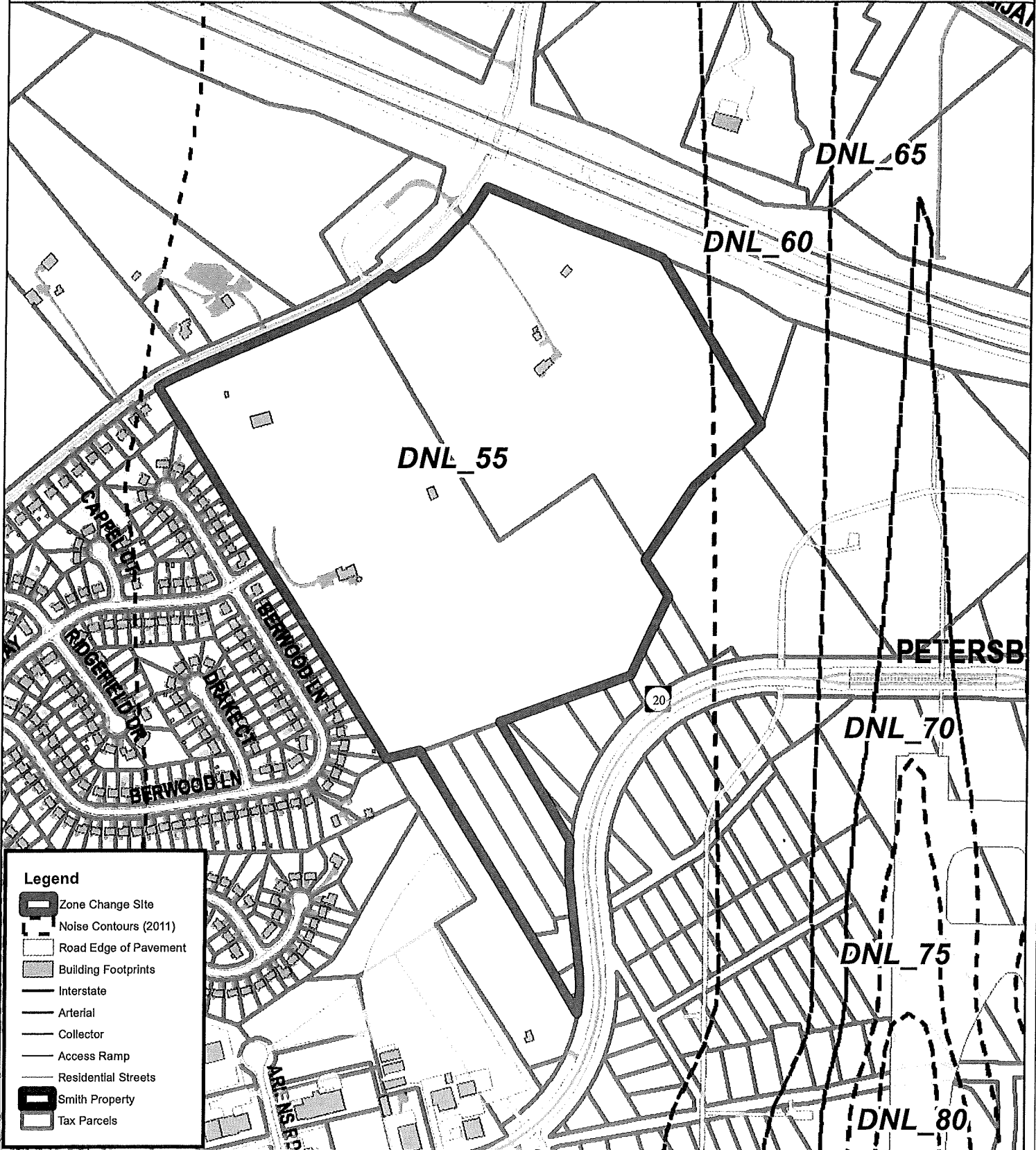


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







Zone Change Site Airport Noise Contours

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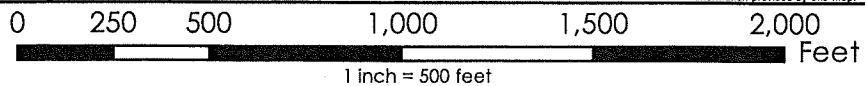


Legend

-  Zone Change Site
-  Noise Contours (2011)
-  Road Edge of Pavement
-  Building Footprints
-  Interstate
-  Arterial
-  Collector
-  Access Ramp
-  Residential Streets
-  Smith Property
-  Tax Parcels

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Boone County GIS - Putting Northern Kentucky on the Map



SECTION 1110 OFFICE ONE (O-1)

The purpose of the Office One district is to create a low density, low rise office environment and to provide professional and personal services and employment opportunities in close proximity to and compatible with residential districts. The Office One district shall accommodate smaller scale and independent office uses, which are not located within a larger Office Two district or which do not need or desire to be located in a commercial district. Office One districts are located on suitable lands within established or planned urban entities where adequate infrastructure and services are available or proposed.

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 agencies and employment services;
12. Business and management consulting services and associations;
13. Motion picture, audio-visual and similar media production and distribution services;
14. Medical, dental, or optical clinics;
15. Legal, engineering, architectural, education and scientific research services;
16. Accounting, auditing and bookkeeping services;
17. Charitable and social services administration offices;
18. Professional membership organizations and labor organizations and civic associations;
19. 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;
20. 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;
21. Veterinary services not including the boarding of animals;
22. Business colleges and trade schools;
23. Recreation centers, gymnasiums and other related recreational facilities;
24. The retail sale of office supplies and equipment;
25. Funeral homes and crematoriums excluding cemeteries or mausoleums;
26. Beauty and barber services and tanning salons.
27. Sexually Oriented Business as defined in ARTICLE 40 and applicable standards in ARTICLE 31;

SECTION 1120 OFFICE TWO (O-2)

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

SECTION 1121 Principally Permitted Uses

The following uses are permitted:

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

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 refining or processing of biodiesel, 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. Research and development facilities;
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. Detective and protective services;
29. Photo finishing and other photographic laboratories;
30. Electrical repair and armature rewinding services;
31. Reupholstery and furniture repairing and refinishing services;
32. 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;
33. Postal services and related storage, distribution and transfer activities;
34. Agricultural contract sorting, grading and packaging services of fruits and vegetables;
35. Motor freight terminals, public warehousing, freight garaging and equipment maintenance;
36. Freight forwarding, packing and crating services;
37. Blueprinting and photocopying services, stenographic services and other duplicating, mailing and delivering services;
38. Equipment (light) rental and leasing services including automobiles and trucks, and sales of tractor trailers and other commercial trucks and trailers;
39. Wholesale trade of containerized paints, varnishes, chemicals and allied products;
40. Manufacture of plastic products but not the primary manufacture of plastics;
41. Welding shops for the repair of industrial machinery and heavy equipment;
42. Truck stops;
43. Recycling centers;
44. Fire stations or fire related or protective services including rescue services;
45. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;

46. Commercial parking facilities and commercial recreational vehicle parking facilities;
47. Landscape contracting, grounds keeping, and wholesale nurseries;
48. Sexually Oriented Business as defined in ARTICLE 40 and applicable standards in ARTICLE 31.
49. 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

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, biodiesel, 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. Day 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).

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.

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."

Kevin Wall

From: Robert Franxman
Sent: Thursday, July 02, 2020 10:29 AM
To: Kevin Wall
Subject: RE: TIS - Proposed Development on Elijah Creek

Kevin,

- I'm surprised the proposed access drive to KY 20 is one lane in and one lane out. It seems to me there would be benefit to have both a right and left turn lane exiting the development.
- For design of the left turn lane into the proposed access drive, consideration should be given for a future MUP project on KY 20 (the county has submitted a grant request for design and construction of this facility).
- I agree with the current cul-de-sac configuration as I don't want truck traffic on Elijah Creek. However, in the likely event this proposed road ultimately does connect to KY 237 (as indicated in the Boone County Transportation Plan), it would be nice to have the appropriate R/W width dedicated for the connection, or an option for the county to have the R/W dedicated later. Upon completion of the intersection, it could be possible for turn lanes.

Thanks,
Rob

From: Kevin Wall
Sent: Thursday, July 2, 2020 7:43 AM
To: Robert Franxman <rfranxman@boonecountky.org>
Subject: FW: TIS - Proposed Development on Elijah Creek

From: Brefeld, Linzy M (KYTC-D06) [<mailto:Linzy.Brefeld@ky.gov>]
Sent: Thursday, July 02, 2020 7:32 AM
To: Kevin Wall
Subject: FW: TIS - Proposed Development on Elijah Creek

EXTERNAL MESSAGE

Just got a revised one Tuesday.
Link below. Still reviewing.

From: Jamal Adhami <jadhami@shaengg.com>
Sent: Tuesday, June 30, 2020 7:51 AM
To: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Subject: RE: TIS - Proposed Development on Elijah Creek

Good Morning Linzy,

Kevin Wall

From: miker@boonewater.com
Sent: Monday, June 29, 2020 12:55 PM
To: Kevin Wall
Cc: Boonewater
Subject: Elijah Creek Development

EXTERNAL MESSAGE

Kevin,

Boone County Water District would want a connection between the 12" main on Ky.20 and 16" main on Elijah Creek, with anchor tees and valves as needed. The connection would be made with class 52 12" DIP, with hydrants and valves at the required spacing along the future road. And a connection at Asbury Way with a 12x12x8 anchor tee and class 52 8"DIP. Any future meter pit connections would also require anchor tees and 3 valves, when constructing the new water main.

This would help maintain water quality, provide adequate fire protection and water distribution to the new development.

Thanks,

Mike Rouse / Project Manager

Boone County Water District
2475 Burlington Pike
Burlington, Ky. 41005

859 586 7270 o

859 001 5104 m

APPLICATION FORM

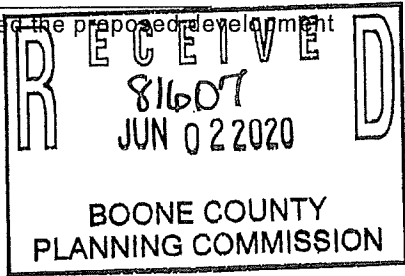
ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

SEVEN (7) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project: Elijah Creek Industrial Development
2. Location of Project: 1669 and 1601 Elijah Creek Rd.
3. Total Acreage of Site: 70.84 AC
4. Current Zoning of Site: SR-1
5. Proposed Zoning (Classification being requested): I-1
6. Proposed Uses (please specify each use): Warehousing/Distribution
7. Names of Applicant(s): Al Neyer
8. Address of Applicant(s): 302 W. 3rd Street, Suite 800, Cincinnati OH 45202
9. Name of Property Owner(s): Patrick and Laura Muldoon/Dorothy Jean Webb/Kenton County Airport Board
10. Address of Property Owner(s): PO Box 104/1601 Elijah Creek Rd./PO Box 25021, Hebron/Hebron/Cincinnati KY/KY/OH 41048/41048/45275
11. Proposed Building Intensities (please specify): 13,461 SF/AC (925,000 SF of 68.7 AC)
12. Are there any existing buildings on the site? yes
13. Deed Book: 329/1119/833/826 Page No.: 144/317/275/309 Group No.
14. Are you also applying for: Conditional Use Permit, Dimensional Variance
15. Have you submitted a Concept Development Plan? yes
16. Have you had a pre-application meeting with BCPC Staff? yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months: Boone County Water District, Florence Public Services Dept., Duke Energy, Sanitation District #1, Owen Electric Cooperative, Inc., Boone County Public Works Department, Kentucky Transportation Cabinet, Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport), Boone County Building Department, Northern Kentucky Health District, USDA NRCS/Boone County Conservation District, KY Division of Water, Local School District, Local Fire District, Other:



APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

SEVEN (7) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project: Elijah Creek Industrial Development
2. Location of Project: 1669 and 1601 Elijah Creek Rd.
3. Total Acreage of Site: 68.72 AC
4. Current Zoning of Site: SR-1
5. Proposed Zoning (Classification being requested): I-1
6. Proposed Uses (please specify each use): Warehousing/Distribution
7. Names of Applicant(s): Al Neyer
8. Address of Applicant(s): 302 W. 3rd Street, Suite 800, Cincinnati OH 45202
9. Name of Property Owner(s): Patrick and Laura Muldoon/Dorothy Jean Webb
10. Address of Property Owner(s): PO Box 104/1601 Elijah Creek Rd., Hebron KY 41048
11. Proposed Building Intensities (please specify): 13,461 SF/AC (925,000 SF of 68.7 AC)
12. Are there any existing buildings on the site? yes
13. Deed Book: 329/1119 Page No.: 144/317 Group No.:
14. Are you also applying for: Conditional Use Permit, Dimensional Variance
15. Have you submitted a Concept Development Plan? yes
16. Have you had a pre-application meeting with BCPC Staff? yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months: Boone County Water District, Florence Public Services Dept., Duke Energy, Sanitation District #1, Cincinnati Bell, Owen Electric Cooperative, Inc., Boone County Public Works Department, Kentucky Transportation Cabinet, Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport), Boone County Building Department, Northern Kentucky Health District, USDA NRCS/Boone County Conservation District, KY Division of Water, Local School District, Local Fire District, Other:

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

19. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action

X Check if Applicable

In accordance with the provisions in KRS 100.211, the applicant(s) and property owner(s) or originators above, hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment and/or Concept Development Plan* application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on 10/30/2020

20. ORIGINAL Property Owner's Signature Patrick D. M. Wilson
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature Dorothy J. Webb
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

SECTION B (To be completed by BCPC Staff)

1. Date Received 10/12/20
2. Review Fee \$ 3,732.80 R# 81607

- 3. Check what has been submitted:
Application
Fee
Legal Description
Concept Development Plan
Address of Adjoining Property Owners
Number of Copies of Plan Received**

4. Date Application is Administratively Complete as Defined in KRS 100.211

5. Staff Reviewer KEVIN WALL

6. Committee Chairman

7. Scheduled Public Hearing Date

8. Boone County Planning Commission Action:

- Approval
Approval with Conditions
Denial

Resolution #

9. Other:

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

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



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road | 215B Main Street,
Erlanger, Kentucky 41018 | Milford, Ohio 45150

Tel: 859.727.3293 | Tel: 513.576.1000
Fax: 859.727.8452

www.vioxinc.com

Boone County Planning Commission
2950 Washington Street
Burlington, KY 41005

RE: Zone Change Narrative
Elijah Creek Industrial Development
Boone County, Kentucky

The project under consideration for this Zoning Map Amendment consists of several parcels that will be developed into a multi-building industrial park. The main properties are located at 1601 Elijah Creek Rd. and 1669 Elijah Creek Rd. There are also several smaller properties located near Petersburg Rd. which will be used for access into the site.

The properties in question are currently zoned SR-1. The request for this Zoning Map Amendment is to rezone the properties to I-1. The Boone County, Kentucky Plan 2040 Future Land Use Map designates this property as "BP" or Business Park. As required in Section 1137 of the Boone County Zoning Regulations; "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." The adherence to those Design Standards is outlined below.

1. **Height** – the heights of the proposed buildings in this development will meet the maximum building height as required in the Zoning Regulations and will meet airport regulations.
2. **Placement of Buildings** – The buildings are placed on the site in order to most efficiently utilize the shape and topography of the parcel. A public roadway is planned to be constructed through the site which will connect to Elijah Creek Rd. in the future. The roadway is being placed along the residential properties in order for the buildings to be placed further away from the residential use.
3. **Building Design and Architecture** – The building will be constructed of concrete panels, either tilt-up or precast. The office areas on the building will include more architectural grade finishes to delineate the fact that they are to be main entrances for employees and visitors.
4. **Scale and Pedestrian Orientation** – The primary entrances for employees to these buildings will be on the corner offices. The predominant office locations will be on the south side of the buildings. These office locations are the closest to KY20. A sidewalk connection will be provided to the proposed public roadway and out to KY20. Boone County has plans for a future multi-use path along KY20. This path will provide alternate modes of transportation for employees of this development.



5. **Elevation** – The elevation of the buildings will be compatible with the surrounding areas. The building placement has been designed with the existing topography in mind.
6. **Historic Features** – There are no known historic features within this development.
7. **Paved Surfaces** – Parking and paved surfaces will be integrated with landscape islands in order to break up the expanse of the pavement.
8. **Fences, Walls and Landscaped Berms** – Landscape berms will be utilized on several of the property lines where possible in order to provide an enclosure around the property.
9. **Landscaping** – Landscaping will be provided in accordance with the Boone County Zoning Regulations, with an emphasis on providing a high quality buffer screening for the residential adjoining properties.
10. **Open Space and Recreational Uses** – Open space on the perimeter of the site will be maintained and left undisturbed where possible. A sidewalk connection will be made to the existing sidewalk network within the adjacent industrial park to encourage walkability.
11. **Signage** – Signage will be designed to meet the Boone County Zoning Regulations, to minimize the impact on adjacent properties.
12. **Utilities** – All utility service lines to feed the building will be located underground.
13. **Detention/Retention Ponds or Lakes** – There will be three dry detention basins constructed on the site and will be screened from public view by proposed vegetation.
14. **Transportation Design** – The only access to the property at this time will be from KY20. A public roadway will be constructed in an alignment that matches a future roadway that appears the Boone County Transportation Plan. The proposed development will also have a loop road around one building in order to provide internal circulation.
15. **Multi-Modal Transportation System** – The development will provide sidewalks to access the existing pedestrian infrastructure. This sidewalk system will provide access to a proposed multi-use path along KY20 as well as the 39X TANK bus route.
16. **Location of Land Uses** – The location of the proposed development is adjacent to an airport runway and is in close proximity to other industrial uses near the airport. The location of the buildings on the site have been placed in an effort to minimize the impact on adjacent conflicting land uses.

Basis for Zone Change

Section 308 of the Boone County Zoning Regulations outlines the findings necessary for a map amendment. The proposed map amendment shall meet one of the following criteria:

1. The map amendment 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.



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

This proposed development meets criteria 1 of the above list. The future land use for the site is Business Park. The Business Park designation calls for a mix of office warehouse, research, office, and light industrial uses. The proposed development consists of two different types of industrial buildings which will attract a mix of tenants and uses.

ELIJAH CREEK INDUSTRIAL DEVELOPMENT ZONE CHANGE SUBMITTAL

SITE DATA

Parcel ID = 047.00-00-018.00
 Parcel Address = 1669 Elijah Creek Road Hebron, Kentucky 41048
 Current Owner = Patrick + Laura Muldoon
 Deed Reference: D.B. 329 PG. 144
 Total Acreage of Site = 37.209 AC.
 Current Zone = SR-1

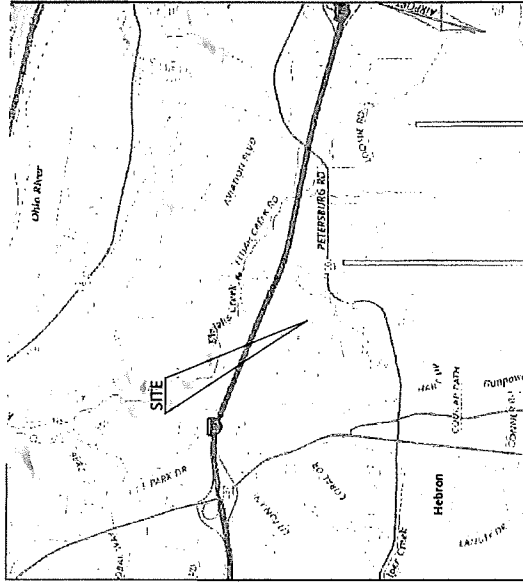
Parcel ID = 047.00-00-022.00
 Parcel Address = 1601 Elijah Creek Road Hebron, Kentucky 41048
 Current Owner = Dorothy Jean Webb Irrevocable Trust
 Deed Reference: D.B. 1043 PG. 808
 Total Acreage of Site = 27.718 AC.
 Current Zone = SR-1

Parcel IDs
 047.00-01-016.00
 047.00-01-017.00
 047.00-01-018.00
 Current Owner = Kenton County Airport Board
 Owner Address = P.O. Box 25021 Cincinnati, Ohio 45275
 Deed References
 D.B. 833 PG. 275
 D.B. Not Listed
 D.B. 826 PG. 309

SITE ZONING DATA

Proposed Zone: I-1
 Minimum Lot Size = 20,000 SF
 Existing Lot Size = NA
 Proposed Lot Size = 64,77 AC
 Maximum Intensity = 25,000 SF
 Minimum Frontage = 150 FT
 Maximum Height = 50 FT *Subject to FAA Regulations
 Minimum Front Yard Setback = 50 Ft
 Minimum Rear Yard Setback = 30 Ft (50 Ft Adjoining UR-2)
 Minimum Side Side Yard Setback = 1 Ft (50 Ft Adjoining UR-2)
 Buffer Yard Requirements
 Adjoining I-1 = 10 Ft
 Adjoining UR-1 = 60 Ft
 Adjoining SR-1 = 80 Ft
 Adjoining Street Frontage = 30 Ft with Eliminated Shrub Requirement

HEBRON
 PETERSBURG RD.
 BOONE COUNTY, KENTUCKY



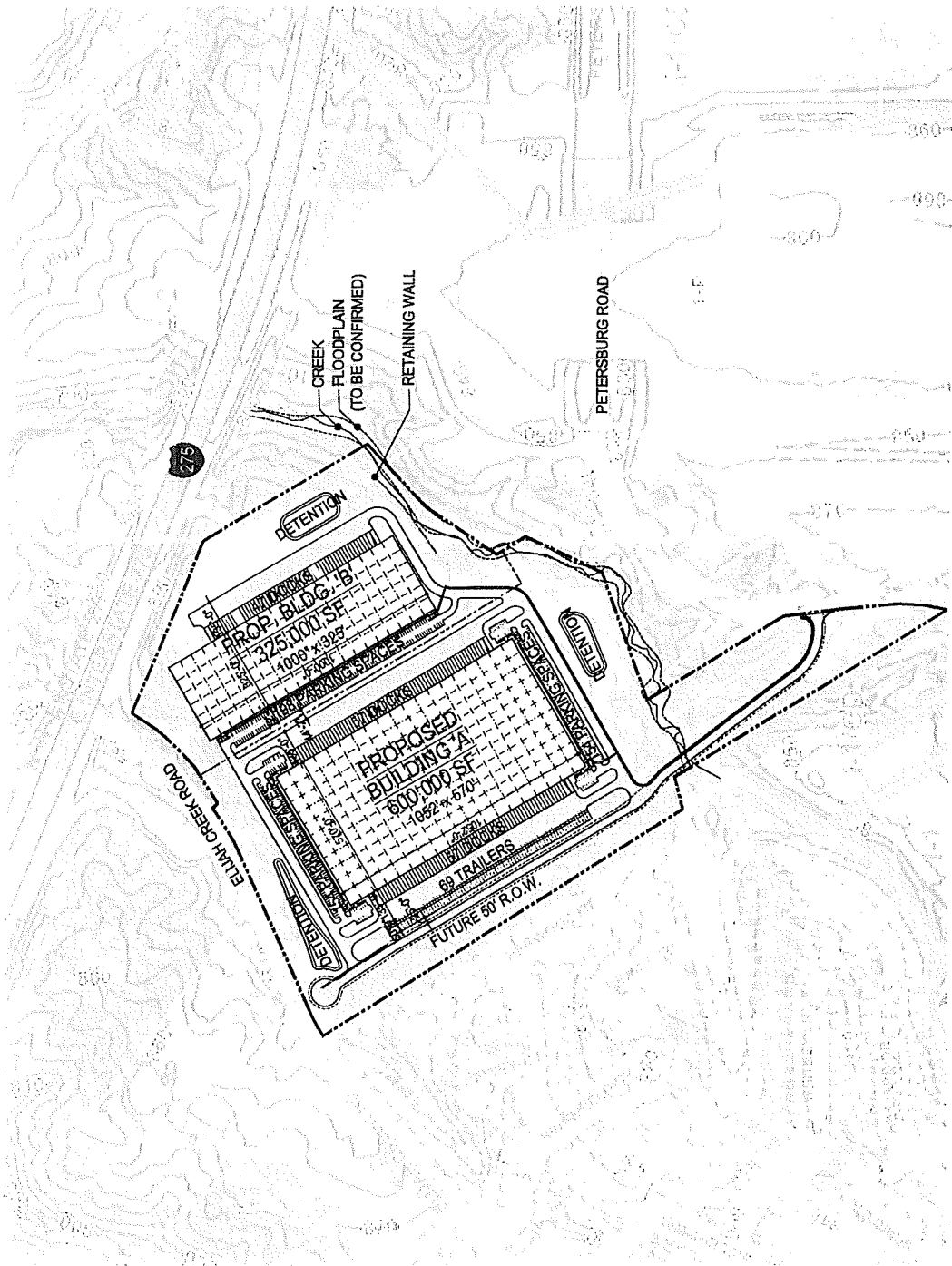
VICINITY MAP
 SCALE: NTS

Sheet Number	Sheet Title
COVER	COVER SHEET
A1	COLORS SITE PLAN
C300	GRADING CONCEPT PLAN
L100	LANDSCAPE BUFFER YARD PLAN
S1	PHOTOMETRIC PLAN
5	BUILDING RENDERINGS

VIOX & VIOX
 Civil Engineers, Surveyors, and Landscape Architects
 418 Emory Road • Emory, Kentucky 40118
 2158 Main Street • Walnut Grove, Ohio 43150
 PH: 606-337-7273 • FX: 606-337-1000
 www.vioxinc.com

ELIJAH CREEK DEVELOPMENT
 MULDOON - WEBB
 BOONE COUNTY, KENTUCKY
 COVER SHEET

Project No.	Date	Scale	Sheet No.	Total Sheets



PRELIMINARY SITE PLAN
 SCALE: 1"=200'-0"
 0 100 200 300 400 500 600

MASTER PLAN INFO:

BUILDING A:	600,000 SF.
PARKING:	308 SPACES
AUTO:	114 DOCKS
TRUCK DOCKS:	4 DOORS
DRIVE-IN DOORS:	69 SPACES
TRAILER:	325,000 SF.
BUILDING B:	198 SPACES
PARKING:	47 DOCKS
AUTO:	2 DOORS
TRUCK DOCKS:	
DRIVE-IN DOORS:	

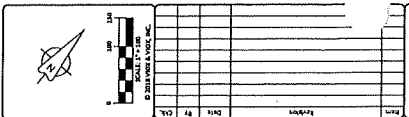
ELIJAH CREEK



JUNE 1, 2020

A1

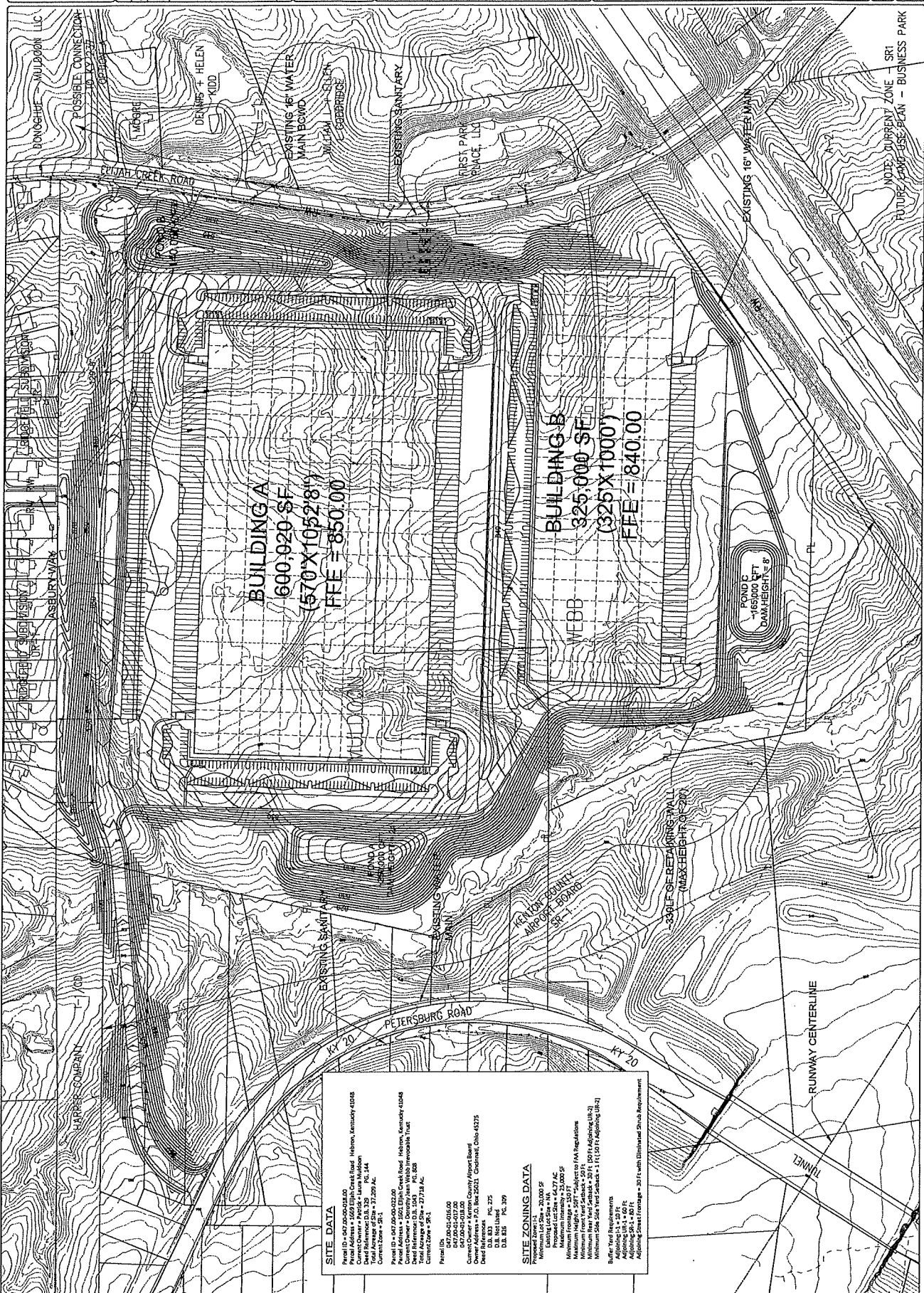
NEVER ARCHITECTS, INC. 10000 W. 10TH AVENUE, SUITE 100, DENVER, CO 80202
 PHONE: (303) 751-1000 FAX: (303) 751-1001
 PROJECT NO. 19-001-0001-01-001
 SHEET NO. A1 OF A1
 DATE: JUN 01, 2020
 DRAWN BY: J. J. JAMES
 CHECKED BY: J. J. JAMES
 PROJECT NAME: ELIJAH CREEK
 PROJECT LOCATION: ELIJAH CREEK, COLORADO



VOXX & VIOX
 Civil Engineers, Surveyors, and Landscape Architects
 444 Englewood Parkway, Louisville, Kentucky 40218
 2150 Main Street, Louisville, Kentucky 40218
 Phone: (502) 573-2222 • Fax: (502) 573-8100
 www.vvfx.com

ELIJAH CREEK DEVELOPMENT
 BOONE COUNTY, KENTUCKY
GRADING CONCEPT PLAN

C300



SITE DATA

Parcel ID = 047-00-0018.00
 Parcel Address = 1801 Elijah Creek Road, Hickory, Kentucky 40188
 Current Owner = P2052, Laina Muldoon
 Deed Reference: DB, 329 PG. 144
 Current Zone = SR-1, 77.829 AC

Parcel ID = 047-00-0022.00
 Parcel Address = 1801 Elijah Creek Road, Hickory, Kentucky 40188
 Current Owner = P2052, Laina Muldoon
 Deed Reference: DB, 329 PG. 144
 Current Zone = SR-1, 27.718 AC

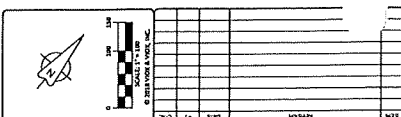
Parcel ID = 047-00-0019.00
 Parcel Address = 1801 Elijah Creek Road, Hickory, Kentucky 40188
 Current Owner = P2052, Laina Muldoon
 Deed Reference: DB, 329 PG. 144
 Current Zone = SR-1, 27.718 AC

SITE ZONING DATA

Minimum Lot Size = 20,000 SF
 Existing Lot Size = 17,420 SF
 Minimum Intensity = 15,000 SF
 Maximum Intensity = 25,000 SF
 Maximum Height = 25' (subject to PAA Regulations)
 Minimum Front Yard Setback = 5 FT
 Minimum Side Yard Setback = 5 FT (5 FT for Adjoining (R-2))
 Minimum Side, Side, and Rear Setback = 1 FT (5 FT for Adjoining (R-2))

Buffer, Total Requirements:
 Adjoining SR = 20 FT
 Adjoining SR = 20 FT
 Adjoining SR = 20 FT
 Adjoining Street Frontage = 20 FT with Dimensional Signage Requirement

VOXX & VIOX, INC. is a registered professional engineering firm in the State of Kentucky. License No. 10000. The information contained herein is for informational purposes only and does not constitute a contract. The user of this information assumes all liability for its use.



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 2520 Main Street • Irvine, Ohio 43021
 PH: (606) 433-7222 • FX: (606) 433-7000
 www.voixandviox.com

ELIJAH CREEK DEVELOPMENT
 MULDOON - WEBB
 BOONE COUNTY, KENTUCKY
 LANDSCAPE BUFFER YARD PLAN

L100



SITE DATA

Parcel ID - 007-20-00-01100
 Parcel Address - 1565 High Creek Road Helm, Kentucky 41048
 Current Owner - The State of Kentucky
 Total Acreage of Site - 21.55 Acres
 Current Zone - S-1

Parcel ID - 007-20-00-01100
 Parcel Address - 1565 High Creek Road Helm, Kentucky 41048
 Current Owner - Security Trust Holdings, Inc.
 Total Acreage of Site - 27.738 Ac.
 Current Zone - S-1

Parcel ID - 007-20-00-01100
 Parcel Address - 1565 High Creek Road Helm, Kentucky 41048
 Current Owner - Security Trust Holdings, Inc.
 Total Acreage of Site - 27.738 Ac.
 Current Zone - S-1

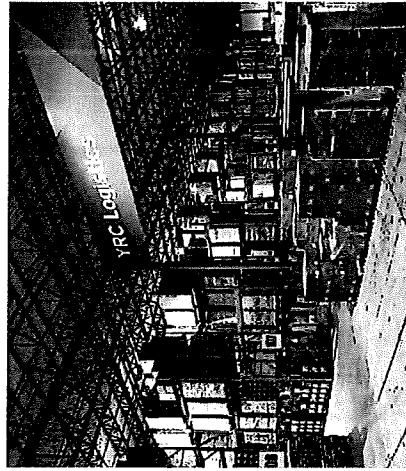
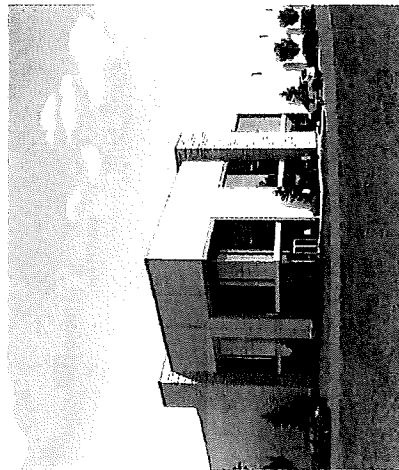
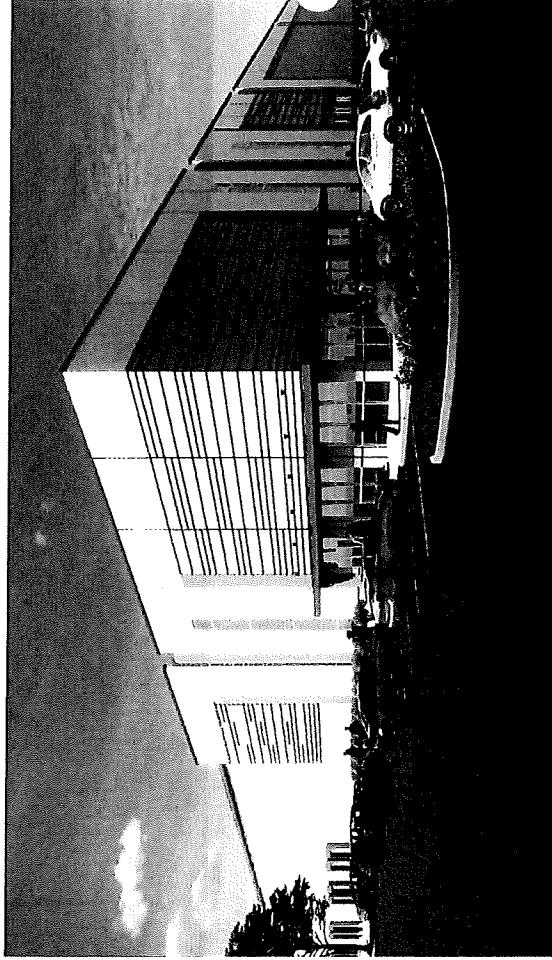
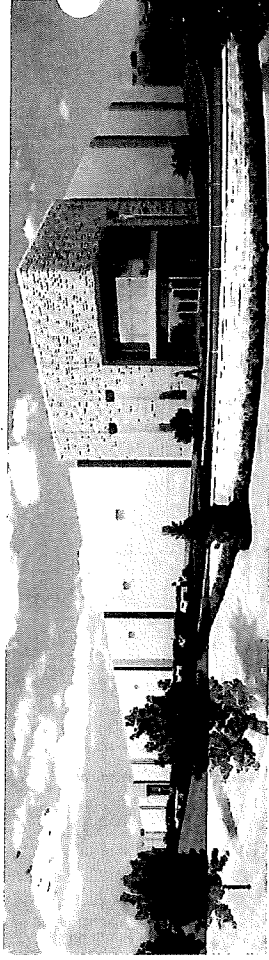
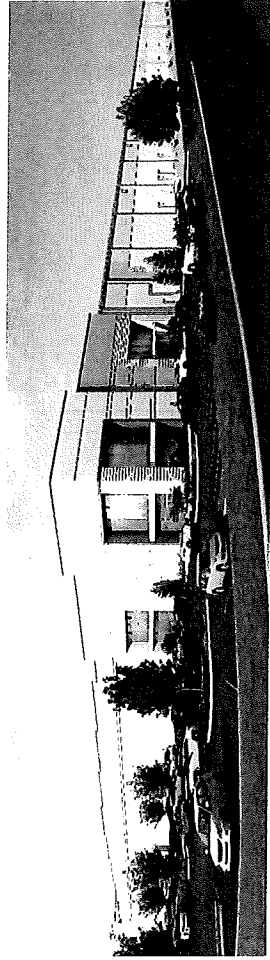
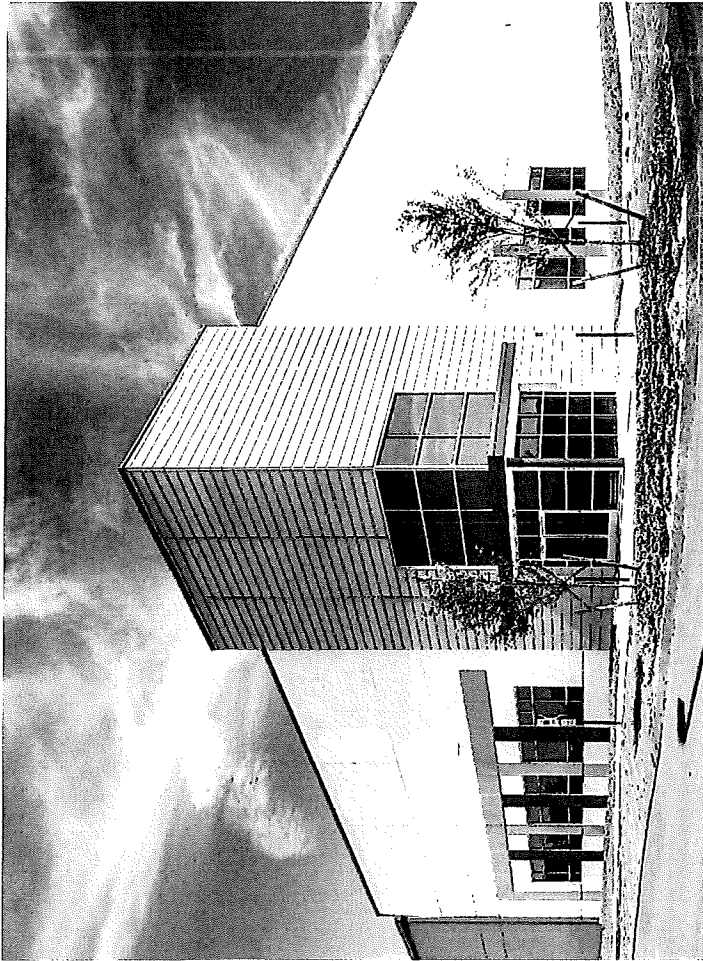
Parcel ID - 007-20-00-01100
 Parcel Address - 1565 High Creek Road Helm, Kentucky 41048
 Current Owner - Security Trust Holdings, Inc.
 Total Acreage of Site - 27.738 Ac.
 Current Zone - S-1

Parcel ID - 007-20-00-01100
 Parcel Address - 1565 High Creek Road Helm, Kentucky 41048
 Current Owner - Security Trust Holdings, Inc.
 Total Acreage of Site - 27.738 Ac.
 Current Zone - S-1

SITE ZONING DATA

Proposed Zone - S-1
 Minimum Lot Size - 20,000 SF
 Proposed Lot Size - 64,777 AC
 Minimum Frontage - 100 FT
 Minimum Height - 5 FT
 Minimum Rear Yard Setback - 30 FT (50 FT Adjacent (H-2))
 Minimum Side Yard Setback - 5 FT (10 FT Adjacent (H-2))
 Minimum Side Yard Setback - 5 FT (10 FT Adjacent (H-2))

Buffer Tree Requirements
 Adjacent (H-1) - 50 FT
 Adjacent (H-2) - 100 FT
 Adjacent (H-3) - 100 FT
 Adjacent (H-4) - 100 FT
 Adjacent (H-5) - 100 FT
 Adjacent (H-6) - 100 FT
 Adjacent (H-7) - 100 FT
 Adjacent (H-8) - 100 FT
 Adjacent (H-9) - 100 FT
 Adjacent (H-10) - 100 FT
 Adjacent (H-11) - 100 FT
 Adjacent (H-12) - 100 FT
 Adjacent (H-13) - 100 FT
 Adjacent (H-14) - 100 FT
 Adjacent (H-15) - 100 FT
 Adjacent (H-16) - 100 FT
 Adjacent (H-17) - 100 FT
 Adjacent (H-18) - 100 FT
 Adjacent (H-19) - 100 FT
 Adjacent (H-20) - 100 FT



ELIJAH CREEK - INDUSTRIAL

302 WEST THIRD STREET - SUITE 800 - CINCINNATI, OHIO 45202

(877) 271-6400

WWW.NEYER.COM



1. Introduction

This study was prepared to evaluate the traffic impact of a proposed development south of I-275 between Elijah Creek Road and KY 20. The proposed development includes 600,000 SFT and 325,000 SFT buildings to be used as warehousing facilities. The access to the proposed facility will be provided via an access drive proposed on KY 20.

Figure 1 below shows the location of the proposed development. The site plan is included in Appendix A.

Figure 1 - Site Location



2. Scope of Work

I. Traffic Counts

SHA Engineering completed peak hour Turning Movement Counts (TMC) at the following intersection locations. The counts were recorded during AM and PM Peak Hour on an average weekday.

- Petersburg Road and Limaburg Road
- Elijah Creek Road and Limaburg Road
- KY 3168 and KY 237
- KY 20 and KY 237.

II. Trip Generation and Distribution

The new trips generated by the proposed development were estimated using the 10th edition of ITE Trip Generation Manual. The trips were estimated for the AM and PM peak hours on the adjacent roadway.

The new trips were distributed on the existing roadway network and were combined with exiting traffic volumes for generating Build Traffic Volumes for the AM and PM peak periods at the proposed driveway locations. The existing traffic counts were used to estimate 10-year projected traffic volumes, using a growth factor estimated using KYTC guidelines. The analysis in the report was completed for the following scenarios:

- a. 2019 Existing Traffic
- b. 2021 No-Build Scenario (Opening Year)
- c. 2021 Build Scenario (Opening Year)
- d. 2031 No-Build Scenario (10 years beyond Opening Day)
- e. 2031 Build Scenario (10 years beyond Opening Day)

III. Traffic Analysis

The Traffic analysis was completed for the intersections included in the study area. The intersections listed in item 2 and the site access location were analyzed. A total of 5 intersections were included (**4 existing intersections and 1 access drive for the development**) in the analysis. The analysis was completed to investigate the following:

- Capacity Analysis
- Exclusive Turn Lanes Evaluation
- Storage length required for the exclusive turn lanes that may be warranted at the site access locations being analyzed.

-
- Intersection Sight Distance at Access Locations.

IV. Traffic Impact Study Report

SHA Engineering LLC completed a report summarizing the analysis and findings as per the scope of work included in the proposal. The report includes recommendations for the proposed improvements, if any, and proposed geometry for the site access locations for the new development.

7. Findings and Conclusions

The preceding analysis and recommendations listed below are based on the typical procedure used for evaluating the impact of the proposed development on the adjacent roadway infrastructure and usual customary traffic engineering standards.

The findings of the analysis completed for the four existing intersections and proposed Access Drive are summarized below.

Intersection of KY 237 and KY 20

The intersection is operating as a signalized intersection. The analysis completed for the intersection shows that the intersection operates at an acceptable LOS during the AM Peak Hour. The analysis shows an increase in average delay of 1.0 seconds/vehicles for 2021 No Build & Build traffic volumes, whereas an increase of 2.2 seconds/vehicles for 2031 No Build and Build traffic volumes. The analysis at the intersection during the PM Peak Hours shows that several movements at the intersection will operate at a LOS F. The comparison of average delay between the No Build and Build scenarios show no significant increase in the average delay at the intersection, however, several movements show a LOS F, particularly with the analysis using 2031 traffic volumes. The capacity analysis completed for the intersection indicates that the new trips generated by the proposed development have no significant impact on the flow of traffic through the intersection. ***The intersection volumes during the peak hour are excessive, particularly the northbound and southbound through traffic on KY 237.***

Intersection of KY 237 and Limaburg Road/Barbara Drive

The intersection is operating as a signalized intersection. The analysis completed for the intersection shows that the intersection operates at LOS C when analyzed using 2021 AM Peak Hour No Build traffic volumes, whereas the 2031 No Build scenario also shows a LOS C. The comparison of 2021 No Build and Build scenario shows a marginal increase in average delay of 0.8 seconds/vehicle. Similarly, a comparison of average delay between 2031 No Build and Build scenarios show an increase of 0.7 seconds/vehicles in the average delay at the intersection.

The analysis at the intersection during the PM Peak Hours shows the intersection will operate at a LOS D and E respectively for 2021 and 2031 No Build traffic volumes. A comparison of intersection average delay for the 2021 No Build and Build traffic volumes show an increase of 1.1 seconds/vehicles; whereas a comparison of 2031 No Build and Build scenarios show an increase of 4.4 seconds/vehicle. The capacity analysis completed for the intersection indicates that the new trips generated by the proposed development have no significant impact on the flow of traffic through the intersection. ***The intersection volumes during the peak hour are excessive; particularly the northbound and southbound through traffic on KY 237.***

Intersection of KY 20 and Limaburg Road

The intersection is operating with a traffic signal. The analysis completed for the intersection during AM and PM Peak Hour indicates LOS B for the intersection. All approaches are operating at a LOS C or better. The analysis indicates that additional traffic generated by the new development will not have negative impact on the flow of traffic through the intersection.

Intersection of Limaburg Road and Elijah Creek Road

The intersection is operating with a stop control on westbound approach on Elijah Creek Road. The results of capacity analysis show LOS A or B on the westbound approach on Elijah Creek Road when analyzed with or without new trips generated by the proposed development. The additional trips generated by the proposed development will have no impact on the traffic flow at the intersection.

Intersection of KY 20 and Proposed Access Drive

The analysis was completed at the Proposed Access Drive with a stop control on the eastbound approach on Proposed Access Drive. The results of the analysis indicate that the eastbound approach will operate at LOS B and C for the 2021 and 2031 AM Peak Hour Build traffic volumes; whereas LOS C is observed with the analysis using 2021 and 2031 PM Peak Hour Build traffic volumes.

The turn lane warrants completed at the intersection indicate that an exclusive northbound left turn lane **is warranted**. An exclusive southbound right turn lane **is not warranted**.

Recommendations

General

Implementation of all work to be completed as part of the recommendations in this report shall be completed using the standards followed by KYTC. This will include the construction for the installation of new lanes and pavement markings & signage.

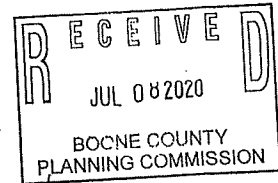
KY 237 in the vicinity of the site is carrying a significantly high number of vehicles during AM and PM Peak Hour. Significant growth is expected in the area and the traffic volumes may increase further. KYTC and Boone County may have planned to study the corridor in depth, for potential improvements along the corridor.

Intersection of KY 20 and Access Drive

- A 220' long lane for the northbound left turns from KY 20 to westbound on Proposed Access Drive should be built.
- The eastbound approach along Proposed Access Drive shall be constructed with one incoming and one outgoing lane.
- A stop sign shall be installed on the eastbound approach on Proposed Access Drive.

From Kevin Burns
2768 Berwood Ln
Hebron, Ky 41048

859-468-7118



Reason,

Questions or Comments about
Patrick Muldoon Zoning Amendment
Located at 1601 and 1669 Elijah Creek
Road, Asbury and Berwood Lane
Ridgefield Subdivision

- 1) No Entrance from Ridgefield Subdivision
- 2) No Spotlights pointed towards Ridgefield
- 3) No Noise or Lights after 9PM
- 4) No Truck Traffic after 9PM
- 5) A Landscaped Berm with Every Green trees behind all houses on Berwood Lane, with Fence
- 6) Noise and Dirt & Dust kept down during construction

Thank you

Kevin Burns

Kevin Wall

From: Sara Smith
Sent: Monday, July 13, 2020 7:39 AM
To: Kevin Wall
Subject: FW: zone change Elijah Creek Industrial Development. July 15, 2020 public meeting

From: john webb [mailto:jwebb41017@gmail.com]
Sent: Sunday, July 12, 2020 12:33 PM
To: Planning Commission General Account
Cc: gretelwebb
Subject: zone change Elijah Creek Industrial Development. July 15, 2020 public meeting

EXTERNAL MESSAGE

To whom it may concern,

Below are our concerns as owners of property on Berwood Ln in Hebron, KY as it related to the proposed zone change and building of 2 warehouses. Our property is directly in front of the farm currently owned by Patrick and Laura Muldoon who reside at 1669 Elijah Creek Road.

First and of most concern would be the noise, increased traffic and safety of the neighborhood. The proposed warehouse closest to our property shows around 50 bays for trucks to come in and unload. How do you plan to address the noise of incoming truck traffic and their backing up, beeping, breaking noise (jake brakes) all hours of the day and night ? I assume Asbury Way will be connected to the proposed project ? What traffic will be allowed to come in through the subdivision entrance ? Safety of our children and those of others will of utmost concern as increased traffic and unknown individuals come into the area for work.

Next would of course be the impact on our property value of our home. You are essentially giving homeowners no choice but to move from the area or deal with the lowered property value. A 60 foot buffer between our property and the proposed roads and warehouses is not a sufficient amount of space between the two. Please elaborate on how this was deemed sufficient.

Please justify the business need to approve the zone change and build these warehouses especially in the current pandemic economy. Especially with other warehouses already built and sitting empty. Are the warehouses being built as spec properties with hopes of leasing in the future or do you already have tenants ready to sign leases once built ?

Boone County Planning Commission and Boone County Fiscal Court please stop and think about what Boone County will look like when you are done rezoning and all the natural beauty of this area is gone and in its place are ugly gray concrete buildings. We do not want any more space in this county allocated to warehouses. We have already given up enough. Wasn't the Amazon Air Hub devastating enough to this area's landscape. Are the tax dollars really worth it when there is nowhere left for residents of the county to live?

Thank you,

John and Gretel Webb
2740 Berwood Lane, Hebron, KY

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
PUBLIC HEARING
JULY 15, 2020
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:37 p.m. and welcomed everyone to the Planning Commission's July 15, 2020 Public Hearing via Live Video Teleconference.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mrs. Katie Nolan
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Tom Szurlinski

COMMISSION MEMBERS NOT PRESENT:

Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. John Harney, GISP, GIS System Administrator

Chairman Rolfsen introduced the first item on the Agenda at 7:37 p.m.

ZONING MAP AMENDMENT - Kevin Wall, Staff

1. Request of **Al Neyer (applicant)** for **Patrick Muldoon, Laura Muldoon, Dorothy Jean Webb, and Kenton County Airport Board (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 70.505 acre site located at 1601 and 1669 Elijah Creek Road, at the eastern terminus of Asbury Way, and on the north side of Petersburg Road approximately 415 feet east of the Petersburg Road/Conner Road intersection, Boone County, Kentucky. The request is for a zone change to allow an industrial park.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation. The request involves rezoning a 70 acre tract from Suburban Residential One (SR-1) to Industrial One (I-1). Two buildings are being proposed. The west building will be 600,000 square feet and the east building is proposed to be 325,000 square feet. The site will have a total of 506 automobile parking spaces, 161 truck docks and 69 truck/trailer parking spaces. Access to the site is from KY 20 and a road will be built on the west side of the site and will include a future right-of-way. The road will have a cul-de-sac until it is extended across Elijah Creek Road and eventually connecting to KY 237. The existing tree cover will be retained along the northern portion of the site along the residential properties. Three detention basins are proposed on the site along with a retaining wall in the southeast corner of the site. The buildings will be made of tilt-up concrete panels. The applicant has submitted a photometric plan and a Traffic Impact Study. Mr. Wall reviewed the adjacent land uses and zoning. The Comprehensive Plan's Future Land Use Map designates the site as Business Park (BP) for the main portion of the site and Transportation (T) for the panhandle portion of the site. Reference to the text of the Land Use Element is noted on page 9 of the Staff Report. More extensive quotes from the Comprehensive Plan and the Boone County Transportation Plan are also referenced in the Staff Report.

Mr. Wall reminded the Board Members of the need to consider the alternative statutory findings necessary for acting on a Zoning Map Amendment request. The proposed use as described on the submitted application is warehouse/distribution. The Board and the Fiscal Court should closely review the trip generation from the Traffic Impact Study and the list of permitted I-1 uses. Inappropriate I-1 uses should be prohibited. Because the site is adjacent to a residential subdivision, the Planning Commission should consider a condition which would prohibit an outdoor public address system and truck horn noise. Mr. Wall referred to Section 1137 or the Standards for an I-1 zoning district. The applicant should provide cross sections for the part of the site that can be seen from the houses in Ridgefield Subdivision. This will address the need for berming and landscaping. Mr. Wall noted the need to have a more finished landscaping plan which addresses any potential aviation and wildlife requirements. He asked the applicant to explain all proposed berming as noted in the narrative. Buffer Yard A is not met at one of the pinch points shown on the submitted drawings. There is sufficient space along the west property line to provide Buffer Yard D plantings.

In regard to building design, the primary concern is the appearance of the building from Elijah Creek Road, I-275, and Ridgefield Subdivision. A sidewalk is required along the entire length of the proposed road. The governing bodies should evaluate whether a multi-use path is warranted. In addition, the applicant should evaluate whether a pedestrian connection from Asbury Way and

the proposed road is feasible. What is the applicant proposing in terms of amenities such as outdoor break areas and the detention areas? Staff also recommends a consistent sign design package for the development. The applicant should also verify that all the utilities will be underground.

The proposed north-south road is part of a bigger road alignment as described in the Comprehensive Plan and the Boone County Transportation Plan. The applicant should explain why the right-of-way is labeled "future". Normally, the right-of-way is dedicated upfront.

In regard to the Transportation Impact Study, the final conclusion suggests that the development will not have a significant effect on the existing intersections. However, a northbound left turn lane is warranted into the development. The Boone County Engineer questioned why there was only one lane in and out of the development and that the future multi-use path needed to be considered in the initial design of the road. Other comments from the Boone County Engineer are in the Staff Report. Further, the applicant needs to explain how adequate truck stacking will be provided on-site? Comments from the Boone County Water District are included in the Staff Report. No comments were received from the Kentucky Transportation Cabinet or Sanitation District No 1. Finally, the project will have to be designed to meet all applicable Site Plan and Subdivision standards. The Site Plan may have to change if multiple building lots are intended.

In conclusion, the Planning Commission and the Fiscal Court need to evaluate the application based on the 3 criteria necessary for approving a Zoning Map Amendment as stated in Article 3 of the Boone County Zoning Regulations, the Our Boone County - 2040 Plan, and the potential impacts on the existing and planned uses in the area. If approved, the Future Land Use Map will need to be amended to indicate "Business Park" for the southern panhandle portion of the site.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Ryan Reardon, Al Neyer, referred to his PowerPoint presentation. He noted that his Company has developed several properties in Boone County and in Northern Kentucky. The site is currently owned by Pat and Laura Muldoon, Dorothy Jean Webb and the Kenton County Airport Board. Viox & Viox, Inc is the civil engineer for the project and SHA Engineering, LLC conducted the Traffic Impact Study. Mr. Reardon showed an aerial photo of the site and its proximity to the Airport runway and I-275. The 70 acre site is currently zoned Suburban Residential One (SR-1). The Future Land Use Map designates the site as Business Park (BP). He presented the Concept Development Plan showing 2 industrial buildings.

Marc Gloyeske, Viox & Viox, Inc., outlined the basis for the zone change request. First, the proposed I-1 zone is consistent with the Future Land Use Map. The Business Park designation calls for a mix of office, warehouse, research, and light industrial uses. Second, the expansion of CVG in the early to mid-2000s, which included the addition of the western most runway, put this property near the flight path and noise contour area which makes this property unsuitable for residential development. Finally, cargo operations at CVG have continued to expand, driving the demand for warehouse space in proximity to the Airport.

In terms of the relationship to the Comprehensive Plan, there are many references in the Land Use

and Economy Elements. Geographic Area 7 (Hebron) is described as allowing future industrial uses only if they have direct access to KY 20 or the KY 237 connection. Further, the County's economy and development goes hand in hand with the expansion at the Airport.

Mr. Gloyeske displayed a map showing the roadway extension identified in the Boone County Transportation Plan and how it is incorporated into the submitted Concept Development Plan. He referred to the submitted Site Plan that shows the grading limits, building layout, and road network. The proposed larger building will sit lower than the houses in Ridgefield Subdivision. He also referred to the Traffic Impact Study. Trip distribution from the development coupled with existing traffic counts resulted in only one off-site improvement - a 220' northbound left turn lane on KY 20 at the proposed access drive. A separate exhibit was submitted as part of the application.

Mr. Brock MacKay, Viox & Viox, Inc., gave an overview of the landscaping plan. Both buildings will be fully landscaped and meet the landscaping requirements. Overall, there is an attempt to retain some of the existing vegetation along the western property line and also plant some trees in areas where grading is necessary. Mr. MacKay showed a close-up drawing of the southwest buffer yard - a buffer that is required to be 60 feet wide. In this area, the existing vegetation will remain. A close-up of the northeast buffer yard was shown which included an area facing I-275. A drawing on Buffer Yard C cross sections was presented. The cross section displayed the change in elevations from 3 areas located along Berwood Lane to the closest building/dock. The 3 examples showed trees being planted at or above the elevation of the building.

Mr. Pat Moore, Al Neyer, showed architectural examples for the types of buildings that will be built on site. He explained the color schemes, building materials, entryways, architectural details and off-sets.

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

Mr. Maynard Leever, 2764 Berwood Lane, stated that he is against the connection with Asbury Way. He is also in favor of the industrial rather than residential. He preferred looking into a light industrial warehouse than the back of a residence or someone's patio that will be closer to his house. As long as the developer plants conifers to screen his property. He feels that he won't lose any property value. The quality of life has not changed. As long as he is not getting more noise from I-275 or the Airport, he is for the development. The proposed building will help buffer the current noise from I-275 and the Airport. He isn't big on the proposed roadway being built next to the subdivision but it is being proposed to be a dead end.

Chairman Rolfsen asked the applicant if Asbury Way would connect to the proposed development? Mr. Reardon replied no. Mr. Leever also noted that he was against the possible path extension. He also inquired whether there would be a possible berm by his house? Mr. Reardon responded yes and referred to cross section drawing. There will be a berm and landscaping.

Ms. Alex McDonald, 2767 Ridgefield Drive, asked if a walking path was going to connect to her neighborhood? She expressed a concern of the effect of the project on her property value, foot traffic and car/truck traffic. The project will bring pollution to her neighborhood. It is an awful lot

of building coming into her area.

Ms. Sally Wagner, 2756 Berwood Lane, noted that the developer will be lowering part of the site. What will be the impact of the construction work on the existing houses? Will the construction work shake the houses or crack the foundation and walls? She has experienced this in the past where they used to live. How will the digging occur without damage to the homes? Will they use explosives?

Mr. Kevin Sterling, 2752 Berwood Lane, asked how the construction of the proposed buildings affect property values? How will it affect the ability to sell the homes within the subdivision? He also expressed a concern about noise. Since he lives next door to the proposed development, how will it be controlled? Trucks make noise - backing up signals and disconnecting trailers. The proposed road will also generate noise. Mr. Costello added that the question about noise relate to operations from tenants in the building. Those tenants are not known yet. Mr. Sterling wants to know how the developer will mitigate the noise. Mr. Sterling mentioned that there is not much noise from the runway since it is an "arrival" runway. Mr. Costello noted that a new Part 150 Study area will begin in a year or so that will confirm the future operational plans for the existing runways. Mr. Costello recommended that the property owners take a close look at the cross sections because it will show the impact of the proposed development. That drawing is available by contacting our Staff.

Mr. Leever asked if the docks were going to be on the other side of the building and not on the same side of the building facing the subdivision?

Ms. Shelby Sterling, 2752 Berwood Lane, asked how she will be protected by other outside noise like barge noise, aircraft noise, interstate noise and train noise if the hill on the site is cut down? This is noise we can hear now but it will get worse with the hill cut down. It will get worse as time goes on. How tall will the trees be at planting? A one year old tree won't block anything.

What about the wildlife being displaced? That occurred when the Amazon site was cleared. Where will the wildlife go when the subject site is cleared? Will it move into their neighborhood? Why can't it be on the other side of the 2 buildings and closer to the highway? The Airport used bombing when they built the runway. It shook their house. Will the developer use explosives? The house closest to Amazon was a mile away and it was impacted. They are located a lot closer.

Ms. Christy Antle, 2794 Berwood Lane, stated that she lives in the area where they are leaving the existing vegetation. What type of trees will they plant? The leaves from the trees behind her house fall off in the Fall and Winter. Evergreens are needed to have an effective screen. About 5 months a year she won't have a screen behind her house. What about lighting and privacy? She didn't buy her house for a warehouse to be located next to her. The warehouse and the road will be in her backyard. If it was in your backyard, you would be upset too. Traffic will also be a problem just like other areas in Hebron. The roads are not wide enough for the truck traffic.

Ms. Greta Webb, 2740 Berwood Lane, stated that she has a concern about the proposed road and the safety of her children. She has 2 young children and sometimes they wander into the fields.

If there are trucks using the proposed road, it will be a problem. How will it be addressed besides vegetation? Children can climb through trees. Could the developer switch buildings? The smaller building doesn't have the truck bays on one side. It would be great to have no truck traffic.

Ms. Kelly Wagoner, 2756 Berwood Lane, asked if the developer considered a 6-8 foot high privacy fence on the berm along with the trees or in lieu of the trees? This could result in more privacy and give the neighborhood more protection.

Ms. Shelby Sterling expressed a concern about the crime rate. She has lived in Hebron almost 25 years. When the factories and warehouses were built, the neighborhood crime rates went up. How will it be controlled? Also, there are thousands of acres of industrial land that are not surrounded by residential uses. Why is the development being proposed next to a residential area or in her backyard?

Ms. Sherri Edmondson, 2704 Berwood Lane, asked whether there will be a traffic light installed at KY 20? It seems like there will be a lot of trucks going in and out each day due to the proposed number of loading docks? Is the applicant going to plant additional trees on the berm as a result of removing some trees? She also noted a concern about light pollution.

Chairman Rolfsen asked if any Board members had any comments or questions?

Mr. Bunger suggested allowing the applicant to provide responses to the list of questions posed by the public first and the Board Members can follow-up if necessary. Chairman Rolfsen invited Mr. Reardon to address the initial questions.

Mr. Ryan Reardon, representing Al Neyer, stated that a walking path connection to the subdivision was not part of the project. He felt it was due to pedestrian safety. The grades also make it prohibitive. In regard to cracked foundations, they had a geotechnical investigation done on the site. The type of rock found on the site will not require the use of explosives. It is called rippable rock and it can be excavated using machinery. This was verified by Mr. Shad Sletto. Mr. Reardon stated that he cannot speak to the effect of the project on property values. He did note that the proposed buildings are high quality with design and materials. In addition, they will review the list of appropriate uses for the site. This will help alleviate any fear about the negative uses. Mr. Reardon noted that the 2 buildings are not leased. They are speculative buildings. Obnoxious uses will be restricted. There are docks located on both sides of Building A. The distance between the docks and the back of the lots is 340 feet - more than a football field away. That is a considerable distance. The proposed road was placed in a location to provide an additional buffer. It causes the building to be pushed away from the residential parcels. Mr. Reardon said that he is open to providing a privacy fence as it might make sense. It would be a safety and visual feature for the neighbors. The proposed road will be dedicated to the County so Neyer won't own it.

Chairman Rolfsen inquired on the reason why the proposed road is located where it is at on the drawing? Mr. Marc Gloyeske, Viox & Viox, Inc., replied there were several reasons. First, the proposed location would keep the buildings further away from the houses. Second, it is recommended in the Boone County Transportation Plan, which gives a broad location and not site

specific. It was intended to be close to the residential area. The proposed location takes into consideration topography and sight distance. The submitted Traffic Impact Study did not warrant a traffic signal at KY 20 due to the low volume and the road was not connected to Elijah Creek Road. In terms of impact on wildlife and streams, there is a separated permitting process for crossing and filling in streams and waterways. They are in that process now as the State is reviewing their permit. A photometric study was submitted to Staff. Lot light spillover is not allowed at the property line.

Chairman Rolfsen asked the applicant if they conducted a noise study? Mr. Sletto responded no but they designed the site with large building setbacks, berms and landscaping. The site sits 25 feet below the residential subdivision. Also, the fact that the buildings will be between the homes and the interstate will help reduce other noise.

Chairman Rolfsen inquired about switching the 2 buildings? Mr. Reardon replied they did look at it and they will look at it again. The constraint is the grading of the site. If it were feasible, they would have put the small building next to the neighborhood.

At this time, Chairman Rolfsen asked if any Board Members had any comments or questions?

Mr. Bunger asked to review the Traffic Impact Study and the potential connection to KY 237. Also, he asked the developer to take a close look at reversing the buildings and being prepared to discuss it at the Committee Meeting. How will it affect the proposed berm, grade and landscaping?

Mr. Lunnemann asked if the sides of the buildings were facing the residential properties in order to reorient the docks? Is that possible? Mr. Reardon responded that they would study it. It could result in some very large retaining walls.

Mr. Szurlinski asked about the sight distance for the proposed intersection on KY 20? What about truck cuing? What is the capacity for the site?

Mr. Gloyeske replied that they studied the sight distance and they are accessing KY 20 in a straight stretch of the road and far from the tunnel. They do meet all of the State sight distance requirements. The drives within the development are 36' in width which allows 2 way traffic while trucks can be parked on one side of the drive. He felt that they had enough storage capacity on-site.

Mr. Bunger asked the applicant to provide the maximum number of trucks that can be stored on-site at the Committee Meeting?

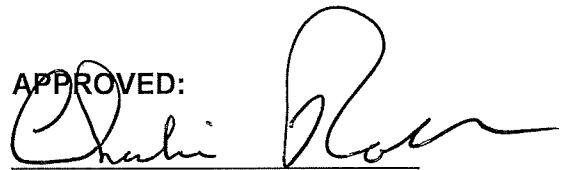
Ms. Gulick agreed with the possibility of requiring the relocation of the docks away from residents. She also asked the applicant to show where the trucks will be parked or staged on the site for cuing purposes?

Mr. Schwenke asked the applicant to provide better information on the amount of trucks that will enter and exit the site from 10:00 p.m. to 6:00 a.m.

Chairman Rolfsen asked why this site when there are thousands of acres available? Mr. Reardon replied that if there were that many acres, they would be bought up quickly. There were very few parcels of this size in close proximity to the Airport. It is an ideal location.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on August 19, 2020 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on September 2, 2020 at 7:00 p.m. If someone wants to observe the Committee please contact our office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 9:24 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
BUSINESS MEETING
SEPTEMBER 2, 2020
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed everyone to the Planning Commission's September 2, 2020 Business Meeting. The Boone County Planning Commission, pursuant to KRS 61/826, Kentucky Senate Bill 150 and OAG 20-05, is conducting its regularly scheduled meeting on Wednesday, September 2, 2020 at 7:00 p.m. via live video teleconference. This meeting format has been necessitated due to the state of emergency regarding the threats to public health presented by the novel Coronavirus (COVID-19) pandemic.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mrs. Katie Nolan
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Brad Shipe

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. Todd K. Morgan, AICP, Senior Planner
Mr. Michael D. Schwartz, Planner
Mr. John Harney, GISP, GIS Systems Administrator

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the August 5, 2020 Business Meeting and Public Hearing. Chairman Rolfsen asked if there were any other comments or corrections? **Mr. Patton moved to approve the Minutes as presented. Mr. Szurlinski seconded the motion and it carried unanimously.**

BILLS:

Mr. Kevin P. Costello, AICP, Executive Director, advised the Commissioners of the **Bills to be Paid**, which included a list of **Expenses** and **Salaries and Benefits** for a time period between August 6, 2020 and September 2, 2020.

EXPENSES:

Accounting Fees	\$ 8,038.11
Attorney Fees	4,000.00
Consultant/Professional Svcs Fees	2,252.50
Filing Fees (CLURs)	800.00
GIS Operations	20,614.39
Legal Ads/Recruitment	239.80
Office & Board Meeting Supplies	1,156.45
Office/Equipment Maintenance	2,333.41
Office Equipment/Expense	312.13
Postage Expense	501.20
Printing/Pub/Dues/Subscriptions	<u>25.00</u>

TOTAL: \$40,272.99

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 6,668.39
Health / Dental / Life / LTD	15,436.09
Retirement - BCPC Portion	21,822.41
Salaries - Staff Expense	91,160.68
Salaries - BCBOA	140.00
Salaries - BCPC	790.00
Salaries - FBOA	<u>140.00</u>

TOTAL: \$136,157.57

GRAND TOTAL: \$176,430.56

Mr. Patton moved that the bills (expenses and salaries and benefits) be approved and paid as presented and indicated approval of those items, which have been previously paid. Mr. Bessler seconded the motion and it carried unanimously.

ZONING MAP AMENDMENT - Rick Lunnemann, Chairman, Kevin Wall, Staff

1. Request of **James Titus, AIA (applicant) for Luong M. Pham and Thu Ha T Le (owners)** for a Zoning Map Amendment from Residential One Family (R1F) to Commercial One (C-1) for a 0.63 acre tract located on the southwest corner of the US 42/Dilcrest Drive intersection, Florence, Kentucky. The request is for a zone change to allow commercial and office uses.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval based upon Findings of Fact and Conditions (see Committee Report). He gave a summary of the Findings of Fact. Mr. Wall noted the Committee voted unanimously to approve the request with Mr. Bunger, Mrs. Kegley, Mr. Lunnemann, Mr. Patton and Mr. Shipe voting in favor of the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request. There can be no new evidence introduced since the Public Hearing is over. Mr. Wilson stated that comments are limited to if the audience agrees or disagrees with the Committee Report.

Mr. Michael King, 110 Dilcrest Drive, stated that his property is directly behind the proposed development. He expressed a concern about the current condition of Dilcrest Drive and the added traffic and the proposed fence. The subdivision has a single-family covenant deed restriction on each lot in the subdivision.

Mr. Patrick Carney, 8189 North Dilcrest, stated that he is still opposed to the project and it is against the 2040 Comprehensive Plan.

Mr. Don Volland, 8207 Adella Drive, noted that the intersection allows only 2 cars through when the traffic signal is green. People also run the red light. It is a very dangerous intersection. It won't handle the additional traffic from the commercial development.

Ms. Thu Ha T Le, owner, responded by noting that the request is a proposed commercial zone but with a low impact business. The type of businesses planned for the site will have a low traffic impact in the area. They will be open from 9:00 a.m. until 7:00 p.m.

Chairman Rolfsen asked if there was a motion to take action? **Mr. Lunnemann moved to approve the Zoning Map Amendment by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and Conditions. Mrs. Kegley seconded the motion.**

Chairman Rolfsen asked if the Board members had any questions or comments?

Ms. Gulick asked whether there could be more details given about the traffic analysis? Has the Kentucky Transportation Cabinet seen the Traffic Impact Study and did the agency have any comments?

Mr. Jamal Adhami, the project's traffic engineer, stated that the Kentucky Transportation Cabinet didn't need a Traffic Impact Study for the site. A study was conducted to evaluate Dilcrest Drive and US 42 for the Planning Commission and the City of Florence. The project only generates 12 trips during the P.M. peak hours. There is some concern about traffic queue on Dilcrest Drive that

Subdivision. It is located at the high point of the grade of the site. The property owner will be responsible for maintaining the fence.

Chairman Rolfsen asked if there was a motion to take action? **Mrs. Kegley moved to approve the Zoning Map Amendment by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Bunger seconded the motion.**

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

Mr. McMillian asked if there was a separate exit to the property? Mr. Wall replied that at the present, the development has one entrance/exit on KY 20. Part of the proposal is to construct a North-South public road that stops short of Elijah Creek Road resulting in a cul-de-sac but the road could be extended if Elijah Creek Road is improved and/or the road is extended northwest to KY 237.

Ms. Gulick asked the applicant to elaborate on Cross-Section #1 of the exhibits? The buffer is not a visual blocker for the view from the second story of one of the adjoining houses to the top of the building. Will there be any mechanical equipment? Mr. Reardon responded that the top of the building will be seen from the residences in Cross-Section #1. This includes air handling equipment. Mr. Pat Moore, Al Neyer, confirmed that a portion could be seen. Ms. Gulick asked if anything could be done to screen it from view by the residents? Mr. Brock MacKay, Viox & Viox, Inc., replied that the residential subdivision sits higher than the proposed development. In some cases, the sight line hits the top of the building and not too far down on the building. That was their main goal. Mr. Reardon also noted the size of the buffer, which is larger than what is typically required. It is about 400 feet from the residences to the proposed building. This is more than a football field in size.

Mr. Bunger asked the applicant if the roof equipment is visible from the 2-3 residences, would he consider screening the equipment? This can be determined after final design and during construction. It would be a minor expense. Mr. Moore stated that rooftop screening results in bullpening them in. But this is not what would happen at this location. Mr. Reardon stated that he would be agreeable to screening to rooftop equipment seen by the residences in cross-section #1.

Mr. Bunger moved to amend the Committee Report and add an additional condition that rooftop mechanical equipment that will be visible from the second floor windows of the dwellings in Ridgefield Subdivision in the vicinity of Cross Section #1 as shown in the attached Concept Development Plan set shall be screened from said dwellings in a manner that is architecturally compatible with the building design. Ms. Gulick seconded the motion. Chairman Rolfsen asked the applicant if he agreed to the additional condition? Mr. Reardon replied yes. The motion passed unanimously.

Chairman Rolfsen asked for a vote on the original motion made by Mrs. Kegley and seconded by Mr. Bunger which includes the additional condition. **The motion found Mr. Bessler, Mr. Bunger, Ms. Gulick, Mr. Harper, Mrs. Heilman, Mrs. Kegley, Mr. Lunnemann, Mrs. Nolan, Mr. Rolfsen, Mr. Schwenke, Mr. Szurlinski and Mr. Turner voting in favor of the request and Mr. McMillian voting against the request. The motion passed by a vote of 12-1.**

Mr. Patton returned to the live video teleconference meeting.

ZONING MAP AMENDMENT - Rick Lunnemann, Chairman, Kevin Wall, Staff

3. Request of **Arlington Properties (owner by contract)** for a Zoning Map Amendment from Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) zone to Urban Residential Two/Planned Development/Houston-Donaldson Study Corridor Overlay (UR-2/PD/HDO) zone for a 20.484 acre site located on the northwest corner of the Houston Road/Turfway Access/Charles R. Callen Drive intersection, and north of the property at 4885 Houston Road, Florence, Kentucky. The request is for a zone change to allow a multi-family residential development.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval based upon Findings of Fact and Conditions (see Committee Report). He gave a summary of the Findings of Fact. Mr. Wall noted the Committee voted unanimously to approve the request with Mr. Bunger, Mrs. Kegley, Mr. Patton and Mr. Shipe 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 up to 5 minutes?

Mr William Morris, Arlington Properties, stated that he had nothing to add at this time.

Chairman Rolfsen asked if there was a motion to take action? **Mr. Lunnemann moved to approve the Zoning Map Amendment by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and Conditions. Mrs. Kegley seconded the motion.**

Chairman Rolfsen asked if there were any questions or comments from the Board members? He inquired about the parking on the street, the access to the former Marydale site and emergency access.

Mr. Morris responded that the entryway is wide and even with parking on both sides, emergency vehicles would have enough room. Also, they broke up the area by installing bump outs or landscaped peninsula spaces. They also included an exit only in the plan and a dashed joint access to the former Marydale property. It is only a concept. The exact location will be known later on when the use next door is known.

Mrs. Nolan expressed a concern about managing the stormwater. The edge of the proposed pond is at the same elevation as the creek. Mr. Gloyeske, Viox & Viox, Inc., stated that a grading plan for the site has not been completed. The site will not require a lot of grading due to the existing topography. They will meet all County/City stormwater requirements. There are options on the site if they need to provide a secondary basin.

Chairman Rolfsen asked for a vote on the original motion made by Mr. Lunnemann and seconded by Mrs. Kegley. **The motion passed unanimously.**

TECHNICAL/DESIGN REVIEW - Lori Heilman, Chairwoman, Michael Schwartz, Staff

4. **Shell Gas Station & Convenient Store - Turfway Road**

Staff Member, Michael Schwartz, referred to a Power Point presentation. The site is located at the intersection of Turfway Road and Donaldson Road. The proposed use is a multi-tenant building - a convenience store, a restaurant with a drive-thru and fuel pumps. Mr. Schwartz showed a building elevation. The building will be mostly brick with EIFS accents. The proposed canopy is only allowed signage on 3 sides. The applicant would like signage on 4 sides. The applicant was asked to revise the plans to be more in line with the Houston-Donaldson Study. The applicant proposes to eliminate the yellow stripe on the canopy.

The Technical/Design Review Committee met prior to the Business Meeting and voted unanimously to approve the request as submitted.

Mrs. Heilman moved to approve the request based upon the Technical/Design Review Committee recommendation. Mr. Lunnemann seconded the motion and it passed unanimously.

TECHNICAL/DESIGN REVIEW - Lori Heilman, Chairwoman, Todd Morgan, Staff

5. Texas Roadhouse - 4953 Houston Road

Staff Member, Todd Morgan, referred to a Power Point presentation. Building elevations were presented. A "Take Out" sign was added above the entrance door on the left elevation. The "Texas" letters are channel letters and the sign is 8.8 square feet in size. Now there will be 3 sign areas for the building. This includes the previous approval of 2 signs.

The Technical/Design Review Committee met prior to the Business Meeting and voted unanimously to approve the request.

Mrs. Heilman moved to approve the request based upon the Technical/Design Review Committee recommendation. Mr. Harper seconded the motion and it passed unanimously.

TECHNICAL/DESIGN REVIEW - Lori Heilman, Chairwoman, Todd Morgan, Staff

6. Value City - 8032 Burlington Pike

Staff Member, Todd Morgan, referred to a Power Point presentation. The applicant would like to change the EIFS color of their accent at the top of their building and their building mounted signage package. The trim will be painted dark gray. The applicant is asking for a waiver to allow 2 sign areas for not more than 328 square feet in area. No sign is proposed on the side of the building. Mr. Morgan reviewed previous waivers for Morris Furniture. The Committee recommended approval with 2 conditions. First, both the Designer Looks and Value City cabinets need to be upgraded to "push through" signs with halo illumination. Second, no signage is permitted on the side of the building. Mr. Morgan provided a definition of a "push through" sign. A push thru sign is when the aluminum or cabinet face is routed out and the acrylic is pushed thru the face. This give the sign dimension and greater readability when done right. The sign can illuminate from the face and sides of the letter or just the sides.

The Technical/Design Review Committee met prior to the Business Meeting and voted unanimously to approve the request subject to the two conditions.

Ms. Heilman moved to approve the request based upon the Technical/Design Review Committee recommendation and subject to the two conditions. Mr. Szurlinski seconded the motion and it passed unanimously with two conditions.

NEW BUSINESS:

CONCEPT DEVELOPMENT PLAN - Kevin Wall, Staff

7. Request of **Steve Berling (applicant) for R.C. Durr Foundation, Inc. and Florence Exchange LLC (owners)** for a Concept Development Plan in a Commercial Services/Planned Development/Parkway Corridor Study Overlay (C-3/PD/PO) zone for a 4.0895 acre site located along the north side of Safeway Drive, the west side of Industrial Road on the northwest corner of the Industrial Road/Safeway Drive/Hillcrest Drive intersection, and along the east side of Freedom Way on the northeast corner of the Freedom Way/Safeway Drive intersection, Florence, Kentucky. The request is for a Concept Development Plan to allow retail and restaurant uses.

Mr. Turner moved to schedule the Public Hearing for item #7 listed above on October 7, 2020 at 7:30 p.m. Mr. Bessler seconded the motion and it passed unanimously with Mr. Patton abstaining.

EXECUTIVE DIRECTOR'S REPORT: No Report

CHAIRMAN'S REPORT: No Report

There being no further business to come before the Planning Commission, Mr. Bessler moved to adjourn the meeting. Mr. Patton seconded the motion. The meeting was adjourned by unanimous consent at 8:27 P.M.

APPROVED



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

EXHIBIT

“B”

THIS COMMITTEE REPORT WAS ADOPTED WITH CONDITION #10 BEING ADDED ON THE FLOOR BY THE FULL PLANNING COMMISSION AT ITS SEPTEMBER 2, 2020 BUSINESS MEETING.

#2

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: September 2, 2020

RE: Request of Al Neyer (applicant) for Patrick Muldoon, Laura Muldoon, Dorothy Jean Webb, and Kenton County Airport Board (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 70.505 acre site located at 1601 and 1669 Elijah Creek Road, at the eastern terminus of Asbury Way, and on the north side of Petersburg Road approximately 415 feet east of the Petersburg Road/Conner Road intersection, Boone County, Kentucky. The request is for a zone change to allow an industrial park.

REMARKS:

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

FINDINGS OF FACT

1. The Committee has concluded that the proposed Zoning Map Amendment and accompanying Concept Development Plan are in agreement with the Our Boone County - 2040 Plan, which is the adopted Comprehensive Plan, due to the following reasons.

The Our Boone County - 2040 Plan's Future Land Use Map designates the main portion of the site as "Business Park." This designation is described as "a mix of office warehouse, research, office, and light industrial uses in a park-like, office campus setting with large building setbacks, low floor area ratio, integrated pedestrian and recreation facilities, consistent 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." The Future Land Use Map designates the access road panhandle area, between the main portion of the site and Petersburg Road (area owned by KCAB), as "Transportation." This designation is described "airports, major four lane roads, interstates, interchanges, ferries, and rest areas."

The proposed development is for light industrial uses which have been limited per the agreed conditions. The site functions as a transition between I-275 to the east,

the I-1 zoned area to the north, the Airport to the south, and Ridgefield Subdivision to the west.

The qualitative aspects of the Business Park designation are codified through Section 1137 "Supplemental Zoning Map Amendment Standards" of the Boone County Zoning Regulations. This section requires zone change applications that 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," to be "assessed" in relation to the standards in Section 1609 "Design Standards" (EPD/RPD zones) through the zone change process.

The Committee has concluded that the qualitative aspects of the Business Park designation, and the requirements of Section 1137 of the zoning regulations, have been fulfilled through the Concept Development Plan and the agreed conditions which address permitted uses, building design, buffering and retention of existing vegetation, open space, pedestrian circulation, and construction of the public north-south connector road through the site. These aspects of the proposal also agree with the Land Use Element's Future Land Use Development Guidelines and the Goals and Objectives. In particular, extensive buffering is proposed between this development and the adjoining residential subdivision to the west (Ridgefield) which agrees with the "Buffering" (p. 95) and "Landscaping" (p. 96) sections of the Future Land Use Development Guidelines and the Goals and Objectives ("Environment," Goal A, Objective 7 and "Economy," Goal B, Objective 1).

The "7. Hebron" text of the Land Use Element (pp. 110-111) states:

Property to the east of the interchange, along I-275, possess high visibility and is a suitable location for high-profile Business Park development similar to that occurring at the Mineola interchange. The development of this Business Park area is dependent upon a road connection from KY 237, opposite Litton Drive to Elijahs Creek Road to allow all traffic associated with the development to directly access the KY 237 interchange, and to serve future residential growth. This road should be connected to KY 20, near I-275 and near the runway tunnel, through industrial development. For industrial development to occur east of Elijah's Creek in this area, it must have either the direct KY 20 connection or the KY 237 connection described above. Industrial traffic should not utilize Elijahs Creek Road unless that road is significantly upgraded for its entire length.

As outlined above, the Committee has determined that the proposal fulfills the Comprehensive Plan's Business Park description and the corresponding requirements in Section 1137 of the zoning regulations. The "7. Hebron" text recommends that a connector road be constructed between KY 237 opposite Litton Lane, across Elijah Creek Road, and to KY 20. The southern section of this connector road (KY 20 to Elijah Creek Road) will be constructed as part of this

development, but will not be immediately connected to Elijah Creek Road due to its condition as noted in the Land Use Element and the fact that there is no time certain plan to construct the Elijah Creek Road to KY 237 section. Both the "7. Hebron" and "8. Airport" (p. 113) text in the Land Use Element state (in different ways) that Elijah Creek Road should not serve additional development unless it is upgraded.

The Committee has also concluded that the proposal agrees with the following Goals and Objectives:

- A. Industries shall be promoted in suitable locations to make the county a vital part of a strong regional economy ("Economy," Goal A, Objective 2).
 - B. Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses ("Economy," Goal B).
 - C. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport, and where infrastructure exists or is planned ("Economy," Goal B, Objective 5).
 - D. Effective site placement, architectural design, and landscape design for industrial uses shall enable a favorable relationship with adjoining uses. Smoke, dust, noise, and odor impacts shall be kept at a minimum and site development and enforcement shall be carefully coordinated with regulatory agencies ("Economy," Goal B, Objective 7).
 - E. New connector streets shall be developed where needed and feasible to lessen the dependence on arterial, collector, and local streets ("Transportation," Goal B, Objective 5).
2. Due to the site's proximity to I-275 and the 18R runway, including the associated noise and aircraft traffic, and increasing cargo and industrial demands associated with the Airport in the surrounding area, the Committee has concluded that the existing zoning classification is inappropriate and that the proposed zoning classification is appropriate.
 3. The Committee reviewed the submitted Traffic Impact Study, especially the trip generation analysis, and concluded that the turn lane improvements recommended by the Study at the site entrance on KY 20 will adequately address the impacts created by this development. In order to assure that the trip generation assumptions used for the Traffic Impact Study remain valid over time, the property owners have agreed to a condition which requires the trip generation for all tenants in both buildings combined to not require or necessitate any additional off-site improvements beyond those identified in the Study.
 4. The Committee has concluded that the attached conditions are necessary to

achieve consistency with the specific goals, objectives, and policies of the Our Boone County - 2040 Plan. The Committee has also concluded that the attached conditions are necessary to mitigate foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The development shall follow the attached Concept Development Plan set which was revised in response to the testimony given at the Public Hearing except where modified by the agreed conditions outlined below.
2. The uses listed in the attachment on "Neyer" letterhead (stamped received by the Boone County Planning Commission on 8/19/20) shall be prohibited, or limited as described therein, in the development.

Additionally, the "manufacturing" and "assembly" aspects of Principally Permitted Use #2 shall be prohibited and only the "wholesale," "distribution," and "storage" aspects of this use category shall be permitted. This use category is described as "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 refining or processing of biodiesel, 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."

Further, Principally Permitted Use #25 shall be prohibited. This use category is described as "laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services."

3. The trip generation for all tenants in both buildings combined shall not exceed the trips identified in the Traffic Impact Study unless the excess trips do not necessitate any additional off-site improvements beyond those identified in the Traffic Impact Study. In the case of excess trips, the property owner will provide an updated traffic analysis to the Planning Commission's staff if requested to verify that this condition will be met.
4. The north-south connector road shall be constructed as shown in the attached Concept Development Plan set and publicly dedicated with the initial development of the site.
5. The design of the buildings shall follow the submitted architectural concepts. The design of the two buildings shall be complementary to one another.

6. All utilities shall be underground.
7. No blasting work shall be conducted on the site.
8. No outdoor PA system shall be used on the site.

9. Outdoor storage of goods, materials, and equipment shall only be permitted in the truck dock between the two buildings and the Building B (east building) truck dock if not visible from I-275.

10. Rooftop mechanical equipment that will be visible from the second floor windows of the dwellings in Ridgefield Subdivision in the vicinity of Cross Section 1 as shown in the attached Concept Development Plan set shall be screened from said dwellings in a manner that is architecturally compatible with the building design.

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.

ELIJAH CREEK INDUSTRIAL DEVELOPMENT ZONE CHANGE SUBMITTAL

SITE DATA

Parcel ID = 047.00-00-018.00
 Parcel Address = 1669 Elijah Creek Road Hebron, Kentucky 41048
 Current Owner = Patrick + Laura Muldoon
 Deed Reference: D.B. 929 PG. 144
 Total Acreage of Site = 37.209 AC.
 Current Zone = SR-1

Parcel ID = 047.00-00-022.00
 Parcel Address = 1601 Elijah Creek Road Hebron, Kentucky 41048
 Current Owner = Dorothy Jean Webb Irrevocable Trust
 Deed Reference: D.B. 1043 PG. 808
 Total Acreage of Site = 27.718 AC.
 Current Zone = SR-1

Parcel IDs
 047.00-01-016.00
 047.00-01-017.00
 047.00-01-018.00
 Current Owner = Kenton County Airport Board
 Owner Address = P.O. Box 25021 Cincinnati, Ohio 45275

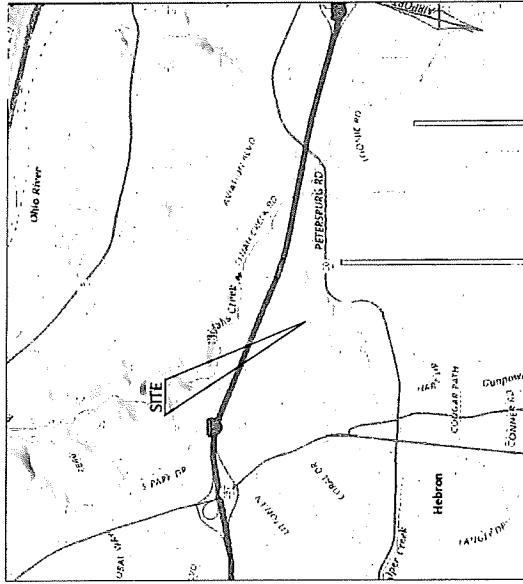
Deed References
 D.B. 833 PG. 275
 D.B. Not Listed
 D.B. 826 PG. 309

SITE ZONING DATA


Proposed Zone: I-1
 Minimum Lot Size = 20,000 SF
 Existing Lot Size = NA
 Proposed Lot Size = 64,77 AC
 Maximum Intensity = 25,000 SF
 Minimum Frontage = 150 FT
 Maximum Height = 50FT *Subject to FAA Regulations
 Minimum Front Yard Setback = 50 FT
 Minimum Rear Yard Setback = 30 Ft (50 Ft Adjoining UR-2)
 Minimum Side Yard Setback = 1 Ft (50 Ft Adjoining UR-2)

Buffer Yard Requirements
 Adjoining I-1 = 10 Ft
 Adjoining UR-1 = 60 Ft
 Adjoining SR-1 = 80 Ft
 Adjoining Street Frontage = 30 Ft with Eliminated Shrub Requirement

HEBRON
 PETERSBURG RD.
 BOONE COUNTY, KENTUCKY



Sheet Number	Sheet Title
COVER	COVER SHEET
A1	COLORING SITE PLAN
C300	GRADING CONCEPT PLAN
L100	LANDSCAPE BUFFER YARD PLAN
S1	PHOTOMETRIC PLAN
5	BUILDING RENDERINGS



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 CIVIL ENGINEERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
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 218 North Main Street, Boone County, Kentucky 40309
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ELIJAH CREEK DEVELOPMENT
 MULDOON - WEBB
 BOONE COUNTY, KENTUCKY
 COVER SHEET

COVER SHEET

Project No.	047.00-00-018.00
Sheet No.	COVER
Date	10/20/2010

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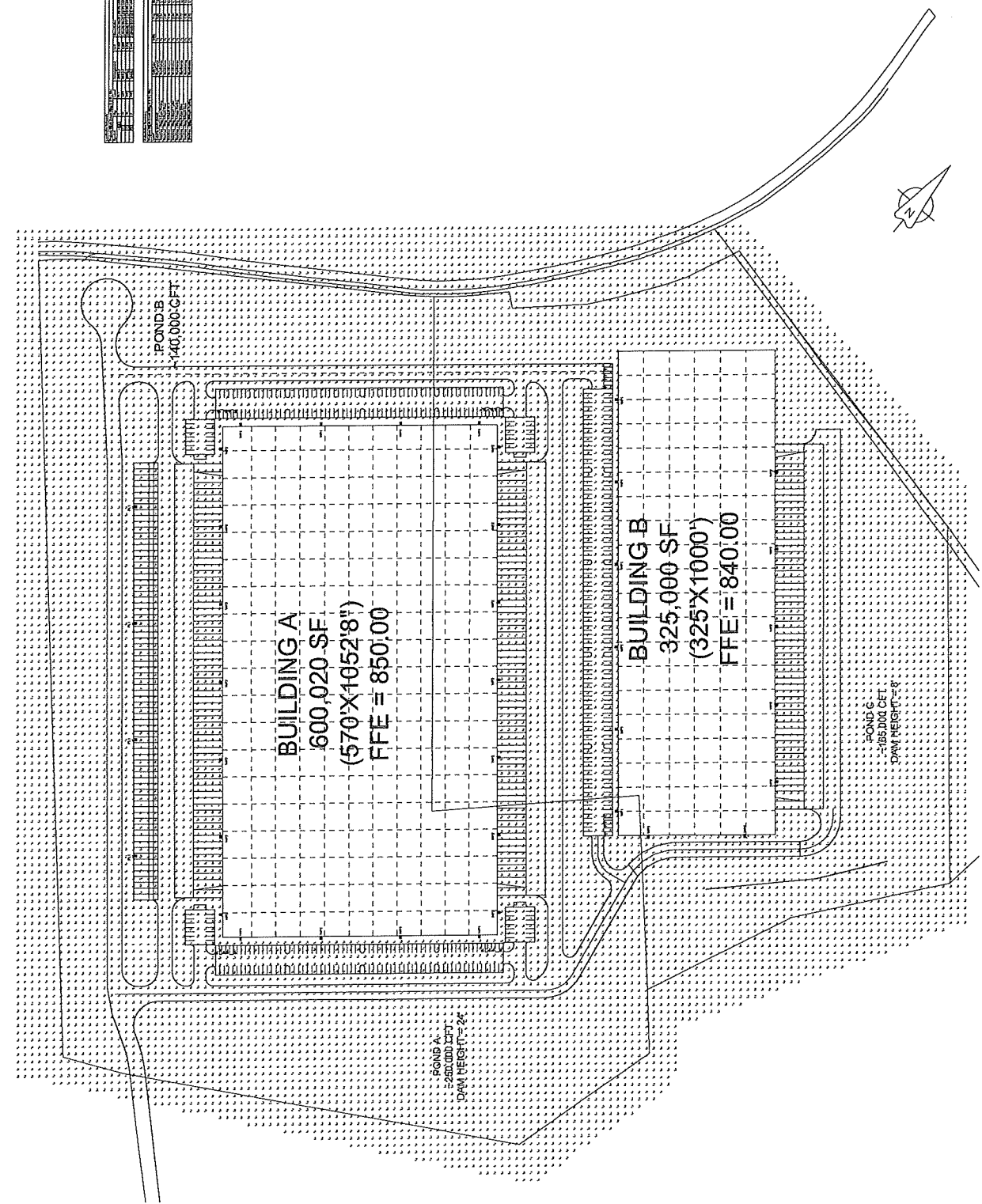
Design Office:
 King Lighting, Inc.
 10000 W. 10th Street, Suite 100
 Overland Park, KS 66211
 Phone: (913) 241-1100
 Fax: (913) 241-1101
 Website: www.kinglighting.com

Project:
 Lighting Calculations for
 Ellyah Creek Building A and B

Scale: 1"=8'-0"

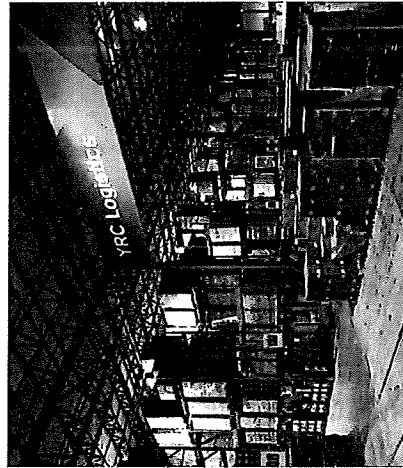
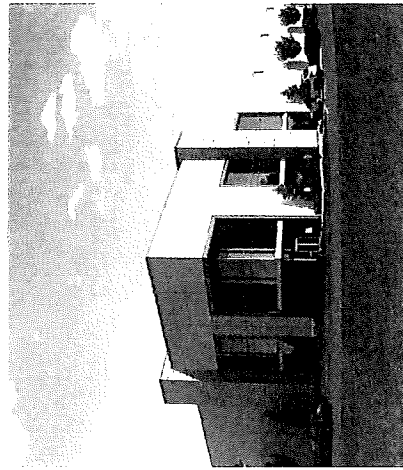
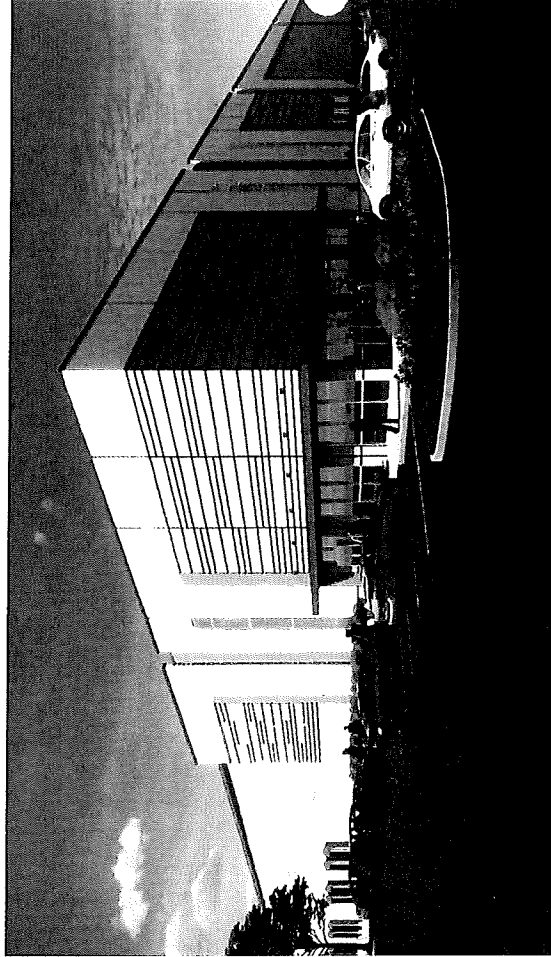
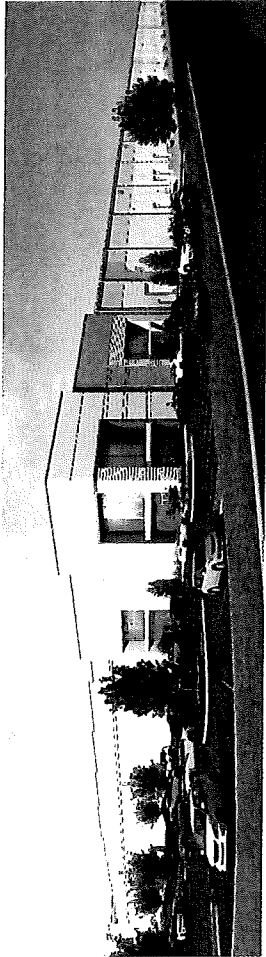
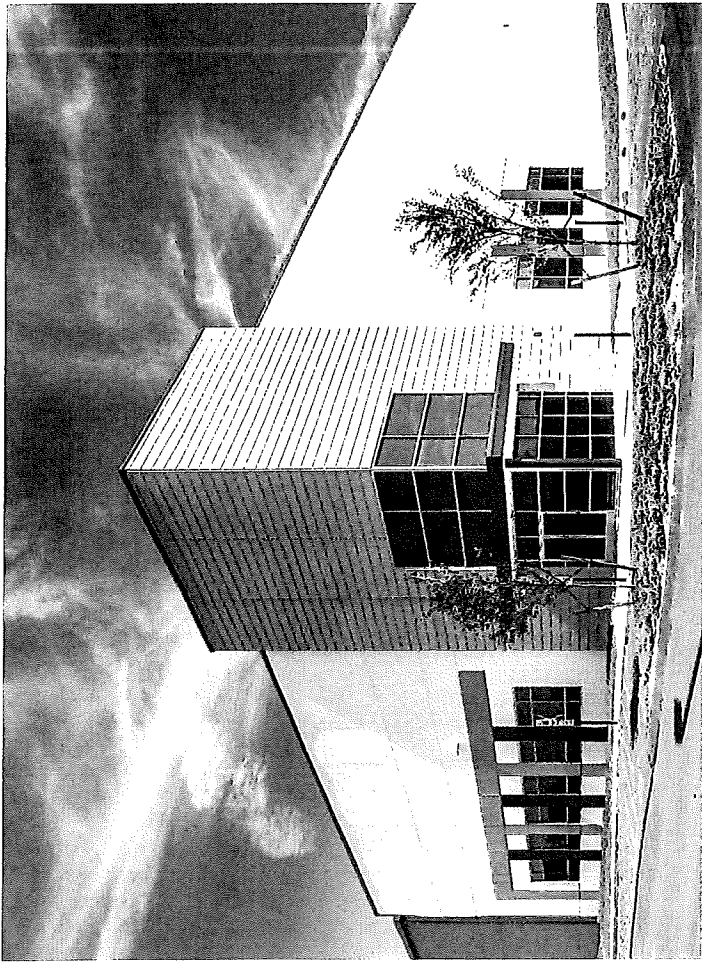
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NO.	DESCRIPTION	DATE	BY	CHECKED
1	ISSUED FOR PERMITTING	09/07/20	JL	JL
2	ISSUED FOR CONSTRUCTION	09/07/20	JL	JL
3	ISSUED FOR AS-BUILT	09/07/20	JL	JL

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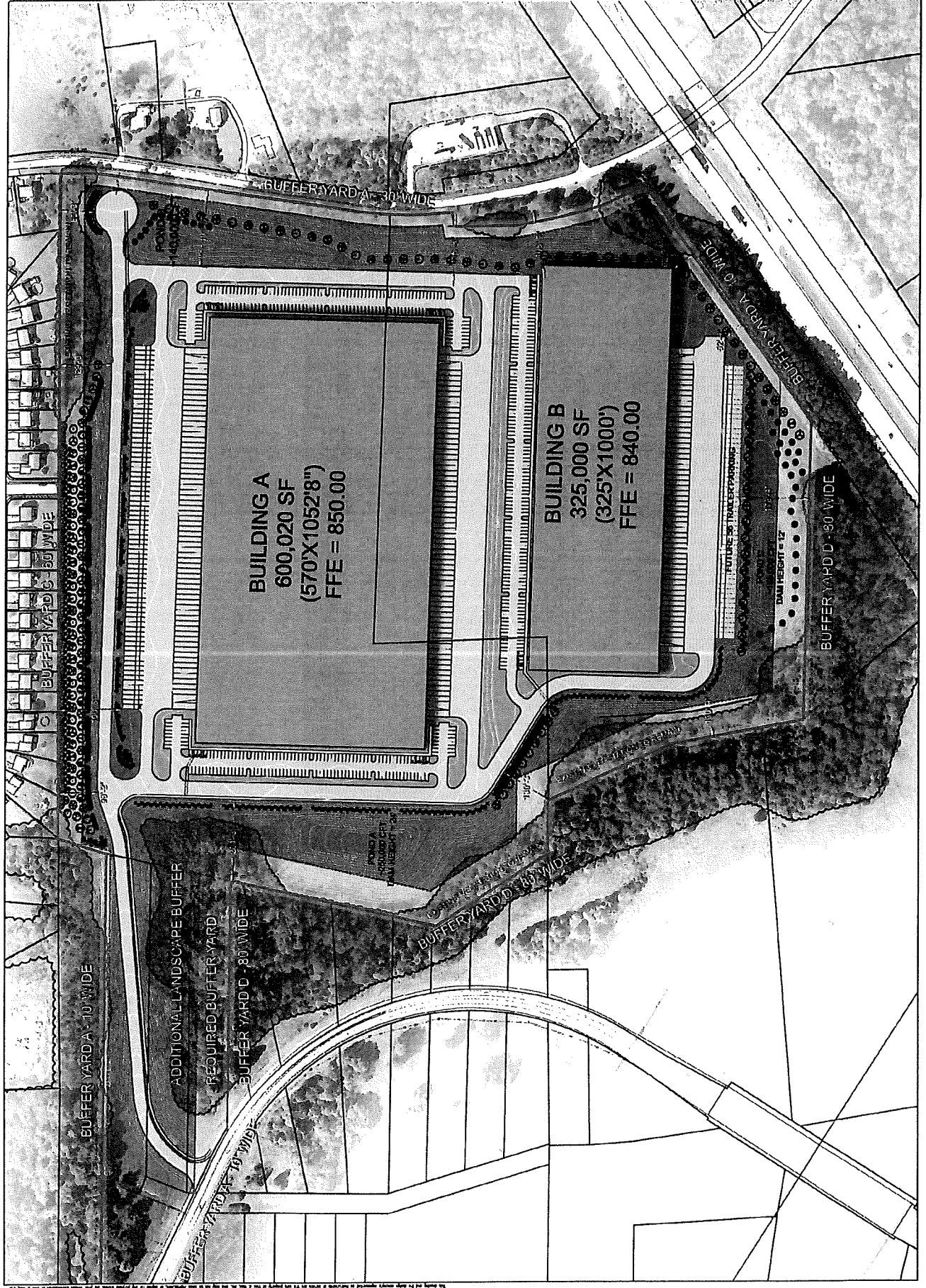
ELIJAH CREEK - INDUSTRIAL

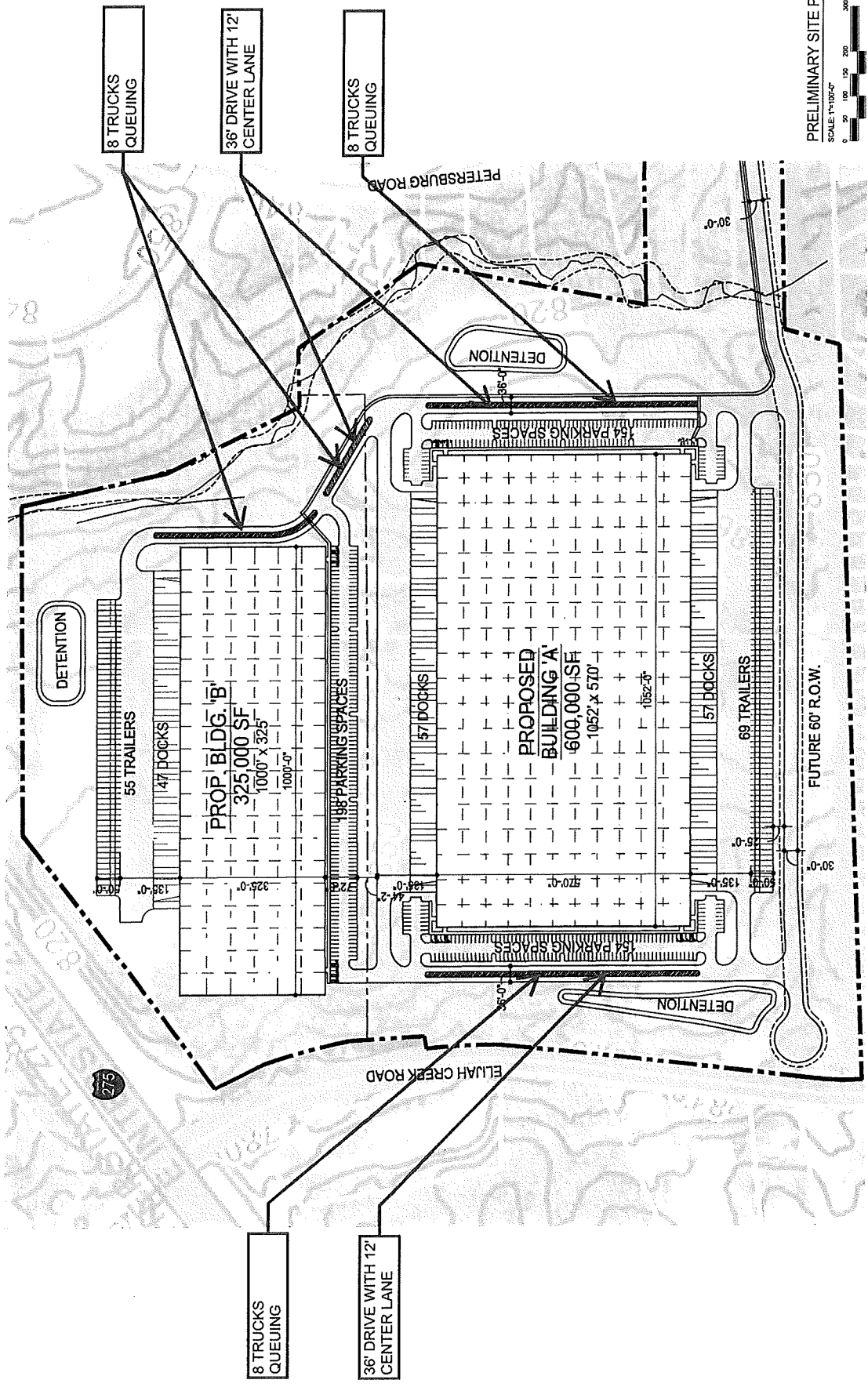
302 WEST THIRD STREET - SUITE 800 - CINCINNATI, OHIO 45202

(877) 271-6400

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PRELIMINARY SITE PLAN
SCALE: 1"=100'-0"



ELIJAH CREEK



Architects, Inc.

10000 W. 10th Street, Suite 100, Greenwood Village, CO 80120
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JULY 30, 2020

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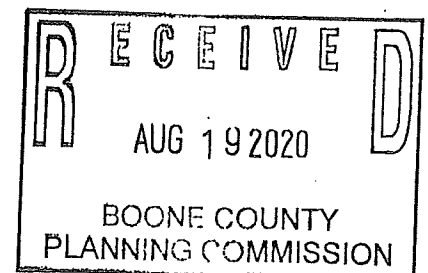
In connection with the request for the zoning map amendment, we propose to restrict the following uses:

I-1 Zone Principally Permitted Uses (Section 1131)

- 27. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage (See Note A);
- 41. Welding shops for the repair of industrial machinery and heavy equipment;
- 42. Truck stops;
- 43. Recycling centers;
- 44. Fire stations or fire related or protective services including rescue services;
- 45. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
- 47. Landscape contracting, grounds keeping, and wholesale nurseries;
- 48. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31;
- 49. Crematoriums.

I-1 Zone Conditional Uses (Section 1133)

- 1. Uses in which the primary business activity involves the following:
 - a. the storage of explosives or fireworks according to State law, gas, biodiesel, or petroleum (see Note B);
 - 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 (see Note C).
- 2. Poultry and small game dressing and packing;
- 5. Gasoline filling stations and wash services;
- 6. Labor unions and similar labor associations;
- 7. Day care centers;
- 8. Hotels and motels;
- 10. Retail sales or leasing of new and used motor vehicles;



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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).

Note A: This prohibition applies to the building and loading docks closest to Ridgefield subdivision only.

Note B: Accessory fuel storage for use by on-site fleet vehicles is permitted.

Note C: This category applies to bulk storage of chemicals and not containerized chemicals.

O-1 Zone Principally Permitted Uses (Section 1111) Principally Permitted in the I-1 Zone by Reference

27. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31;

O-2 Zone Principally Permitted Uses (Section 1121) Principally Permitted in the I-1 Zone by Reference

4. Convenient stores;
- 8 Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

DATE: August 19, 2020

ZONING MAP AMENDMENT - Janet Kegley, Chairwoman, Kevin Wall, Staff

2. Request of Al Neyer (applicant) for Patrick Muldoon, Laura Muldoon, Dorothy Jean Webb, and Kenton County Airport Board (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 70.505 acre site located at 1601 and 1669 Elijah Creek Road, at the eastern terminus of Asbury Way, and on the north side of Petersburg Road approximately 415 feet east of the Petersburg Road/Conner Road intersection, Boone County, Kentucky. The request is for a zone change to allow an industrial park.

REMARKS:

We, the Committee Members were present via live video teleconference 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
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Lori Heilman (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Janet Kegley (Chairwoman)
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Steve Turner (Alternate)
For Project _____ Absent _____
Against Project _____


Rick Lunnemann
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____

Randy Bessler (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

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

Katie Nolan (Alternate)
For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Brad Shipe
For Project Absent _____
Against Project _____
Abstain _____ Deferred _____


Recorded Vote by Kevin Wall, Director
Zoning Services

TOTAL: _____ DEFERRED 4 FOR PROJECT 1 ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
PUBLIC HEARING
JULY 15, 2020
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:37 p.m. and welcomed everyone to the Planning Commission's July 15, 2020 Public Hearing via Live Video Teleconference.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mrs. Katie Nolan
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Tom Szurlinski

COMMISSION MEMBERS NOT PRESENT:

Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. John Harney, GISP, GIS System Administrator

Chairman Rolfsen introduced the first item on the Agenda at 7:37 p.m.

ZONING MAP AMENDMENT - Kevin Wall, Staff

1. Request of **Al Neyer (applicant)** for **Patrick Muldoon, Laura Muldoon, Dorothy Jean Webb, and Kenton County Airport Board (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Industrial One (I-1) for a 70.505 acre site located at 1601 and 1669 Elijah Creek Road, at the eastern terminus of Asbury Way, and on the north side of Petersburg Road approximately 415 feet east of the Petersburg Road/Conner Road intersection, Boone County, Kentucky. The request is for a zone change to allow an industrial park.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation. The request involves rezoning a 70 acre tract from Suburban Residential One (SR-1) to Industrial One (I-1). Two buildings are being proposed. The west building will be 600,000 square feet and the east building is proposed to be 325,000 square feet. The site will have a total of 506 automobile parking spaces, 161 truck docks and 69 truck/trailer parking spaces. Access to the site is from KY 20 and a road will be built on the west side of the site and will include a future right-of-way. The road will have a cul-de-sac until it is extended across Elijah Creek Road and eventually connecting to KY 237. The existing tree cover will be retained along the northern portion of the site along the residential properties. Three detention basins are proposed on the site along with a retaining wall in the southeast corner of the site. The buildings will be made of tilt-up concrete panels. The applicant has submitted a photometric plan and a Traffic Impact Study. Mr. Wall reviewed the adjacent land uses and zoning. The Comprehensive Plan's Future Land Use Map designates the site as Business Park (BP) for the main portion of the site and Transportation (T) for the panhandle portion of the site. Reference to the text of the Land Use Element is noted on page 9 of the Staff Report. More extensive quotes from the Comprehensive Plan and the Boone County Transportation Plan are also referenced in the Staff Report.

Mr. Wall reminded the Board Members of the need to consider the alternative statutory findings necessary for acting on a Zoning Map Amendment request. The proposed use as described on the submitted application is warehouse/distribution. The Board and the Fiscal Court should closely review the trip generation from the Traffic Impact Study and the list of permitted I-1 uses. Inappropriate I-1 uses should be prohibited. Because the site is adjacent to a residential subdivision, the Planning Commission should consider a condition which would prohibit an outdoor public address system and truck horn noise. Mr. Wall referred to Section 1137 or the Standards for an I-1 zoning district. The applicant should provide cross sections for the part of the site that can be seen from the houses in Ridgefield Subdivision. This will address the need for berming and landscaping. Mr. Wall noted the need to have a more finished landscaping plan which addresses any potential aviation and wildlife requirements. He asked the applicant to explain all proposed berming as noted in the narrative. Buffer Yard A is not met at one of the pinch points shown on the submitted drawings. There is sufficient space along the west property line to provide Buffer Yard D plantings.

In regard to building design, the primary concern is the appearance of the building from Elijah Creek Road, I-275, and Ridgefield Subdivision. A sidewalk is required along the entire length of the proposed road. The governing bodies should evaluate whether a multi-use path is warranted. In addition, the applicant should evaluate whether a pedestrian connection from Asbury Way and

the proposed road is feasible. What is the applicant proposing in terms of amenities such as outdoor break areas and the detention areas? Staff also recommends a consistent sign design package for the development. The applicant should also verify that all the utilities will be underground.

The proposed north-south road is part of a bigger road alignment as described in the Comprehensive Plan and the Boone County Transportation Plan. The applicant should explain why the right-of-way is labeled "future". Normally, the right-of-way is dedicated upfront.

In regard to the Transportation Impact Study, the final conclusion suggests that the development will not have a significant effect on the existing intersections. However, a northbound left turn lane is warranted into the development. The Boone County Engineer questioned why there was only one lane in and out of the development and that the future multi-use path needed to be considered in the initial design of the road. Other comments from the Boone County Engineer are in the Staff Report. Further, the applicant needs to explain how adequate truck stacking will be provided on-site? Comments from the Boone County Water District are included in the Staff Report. No comments were received from the Kentucky Transportation Cabinet or Sanitation District No 1. Finally, the project will have to be designed to meet all applicable Site Plan and Subdivision standards. The Site Plan may have to change if multiple building lots are intended.

In conclusion, the Planning Commission and the Fiscal Court need to evaluate the application based on the 3 criteria necessary for approving a Zoning Map Amendment as stated in Article 3 of the Boone County Zoning Regulations, the Our Boone County - 2040 Plan, and the potential impacts on the existing and planned uses in the area. If approved, the Future Land Use Map will need to be amended to indicate "Business Park" for the southern panhandle portion of the site.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Ryan Reardon, Al Neyer, referred to his PowerPoint presentation. He noted that his Company has developed several properties in Boone County and in Northern Kentucky. The site is currently owned by Pat and Laura Muldoon, Dorothy Jean Webb and the Kenton County Airport Board. Viox & Viox, Inc is the civil engineer for the project and SHA Engineering, LLC conducted the Traffic Impact Study. Mr. Reardon showed an aerial photo of the site and its proximity to the Airport runway and I-275. The 70 acre site is currently zoned Suburban Residential One (SR-1). The Future Land Use Map designates the site as Business Park (BP). He presented the Concept Development Plan showing 2 industrial buildings.

Marc Gloyeske, Viox & Viox, Inc., outlined the basis for the zone change request. First, the proposed I-1 zone is consistent with the Future Land Use Map. The Business Park designation calls for a mix of office, warehouse, research, and light industrial uses. Second, the expansion of CVG in the early to mid-2000s, which included the addition of the western most runway, put this property near the flight path and noise contour area which makes this property unsuitable for residential development. Finally, cargo operations at CVG have continued to expand, driving the demand for warehouse space in proximity to the Airport.

In terms of the relationship to the Comprehensive Plan, there are many references in the Land Use

and Economy Elements. Geographic Area 7 (Hebron) is described as allowing future industrial uses only if they have direct access to KY 20 or the KY 237 connection. Further, the County's economy and development goes hand in hand with the expansion at the Airport.

Mr. Gloyeske displayed a map showing the roadway extension identified in the Boone County Transportation Plan and how it is incorporated into the submitted Concept Development Plan. He referred to the submitted Site Plan that shows the grading limits, building layout, and road network. The proposed larger building will sit lower than the houses in Ridgefield Subdivision. He also referred to the Traffic Impact Study. Trip distribution from the development coupled with existing traffic counts resulted in only one off-site improvement - a 220' northbound left turn lane on KY 20 at the proposed access drive. A separate exhibit was submitted as part of the application.

Mr. Brock MacKay, Viox & Viox, Inc., gave an overview of the landscaping plan. Both buildings will be fully landscaped and meet the landscaping requirements. Overall, there is an attempt to retain some of the existing vegetation along the western property line and also plant some trees in areas where grading is necessary. Mr. MacKay showed a close-up drawing of the southwest buffer yard - a buffer that is required to be 60 feet wide. In this area, the existing vegetation will remain. A close-up of the northeast buffer yard was shown which included an area facing I-275. A drawing on Buffer Yard C cross sections was presented. The cross section displayed the change in elevations from 3 areas located along Berwood Lane to the closest building/dock. The 3 examples showed trees being planted at or above the elevation of the building.

Mr. Pat Moore, Al Neyer, showed architectural examples for the types of buildings that will be built on site. He explained the color schemes, building materials, entryways, architectural details and off-sets.

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

Mr. Maynard Leever, 2764 Berwood Lane, stated that he is against the connection with Asbury Way. He is also in favor of the industrial rather than residential. He preferred looking into a light industrial warehouse than the back of a residence or someone's patio that will be closer to his house. As long as the developer plants conifers to screen his property. He feels that he won't lose any property value. The quality of life has not changed. As long as he is not getting more noise from I-275 or the Airport, he is for the development. The proposed building will help buffer the current noise from I-275 and the Airport. He isn't big on the proposed roadway being built next to the subdivision but it is being proposed to be a dead end.

Chairman Rolfsen asked the applicant if Asbury Way would connect to the proposed development? Mr. Reardon replied no. Mr. Leever also noted that he was against the possible path extension. He also inquired whether there would be a possible berm by his house? Mr. Reardon responded yes and referred to cross section drawing. There will be a berm and landscaping.

Ms. Alex McDonald, 2767 Ridgefield Drive, asked if a walking path was going to connect to her neighborhood? She expressed a concern of the effect of the project on her property value, foot traffic and car/truck traffic. The project will bring pollution to her neighborhood. It is an awful lot

of building coming into her area.

Ms. Sally Wagner, 2756 Berwood Lane, noted that the developer will be lowering part of the site. What will be the impact of the construction work on the existing houses? Will the construction work shake the houses or crack the foundation and walls? She has experienced this in the past where they used to live. How will the digging occur without damage to the homes? Will they use explosives?

Mr. Kevin Sterling, 2752 Berwood Lane, asked how the construction of the proposed buildings affect property values? How will it affect the ability to sell the homes within the subdivision? He also expressed a concern about noise. Since he lives next door to the proposed development, how will it be controlled? Trucks make noise - backing up signals and disconnecting trailers. The proposed road will also generate noise. Mr. Costello added that the question about noise relate to operations from tenants in the building. Those tenants are not known yet. Mr. Sterling wants to know how the developer will mitigate the noise. Mr. Sterling mentioned that there is not much noise from the runway since it is an "arrival" runway. Mr. Costello noted that a new Part 150 Study area will begin in a year or so that will confirm the future operational plans for the existing runways. Mr. Costello recommended that the property owners take a close look at the cross sections because it will show the impact of the proposed development. That drawing is available by contacting our Staff.

Mr. Leever asked if the docks were going to be on the other side of the building and not on the same side of the building facing the subdivision?

Ms. Shelby Sterling, 2752 Berwood Lane, asked how she will be protected by other outside noise like barge noise, aircraft noise, interstate noise and train noise if the hill on the site is cut down? This is noise we can hear now but it will get worse with the hill cut down. It will get worse as time goes on. How tall will the trees be at planting? A one year old tree won't block anything.

What about the wildlife being displaced? That occurred when the Amazon site was cleared. Where will the wildlife go when the subject site is cleared? Will it move into their neighborhood? Why can't it be on the other side of the 2 buildings and closer to the highway? The Airport used bombing when they built the runway. It shook their house. Will the developer use explosives? The house closest to Amazon was a mile away and it was impacted. They are located a lot closer.

Ms. Christy Antle, 2794 Berwood Lane, stated that she lives in the area where they are leaving the existing vegetation. What type of trees will they plant? The leaves from the trees behind her house fall off in the Fall and Winter. Evergreens are needed to have an effective screen. About 5 months a year she won't have a screen behind her house. What about lighting and privacy? She didn't buy her house for a warehouse to be located next to her. The warehouse and the road will be in her backyard. If it was in your backyard, you would be upset too. Traffic will also be a problem just like other areas in Hebron. The roads are not wide enough for the truck traffic.

Ms. Greta Webb, 2740 Berwood Lane, stated that she has a concern about the proposed road and the safety of her children. She has 2 young children and sometimes they wander into the fields.

If there are trucks using the proposed road, it will be a problem. How will it be addressed besides vegetation? Children can climb through trees. Could the developer switch buildings? The smaller building doesn't have the truck bays on one side. It would be great to have no truck traffic.

Ms. Kelly Wagoner, 2756 Berwood Lane, asked if the developer considered a 6-8 foot high privacy fence on the berm along with the trees or in lieu of the trees? This could result in more privacy and give the neighborhood more protection.

Ms. Shelby Sterling expressed a concern about the crime rate. She has lived in Hebron almost 25 years. When the factories and warehouses were built, the neighborhood crime rates went up. How will it be controlled? Also, there are thousands of acres of industrial land that are not surrounded by residential uses. Why is the development being proposed next to a residential area or in her backyard?

Ms. Sherri Edmondson, 2704 Berwood Lane, asked whether there will be a traffic light installed at KY 20? It seems like there will be a lot of trucks going in and out each day due to the proposed number of loading docks? Is the applicant going to plant additional trees on the berm as a result of removing some trees? She also noted a concern about light pollution.

Chairman Rolfsen asked if any Board members had any comments or questions?

Mr. Bunger suggested allowing the applicant to provide responses to the list of questions posed by the public first and the Board Members can follow-up if necessary. Chairman Rolfsen invited Mr. Reardon to address the initial questions.

Mr. Ryan Reardon, representing Al Neyer, stated that a walking path connection to the subdivision was not part of the project. He felt it was due to pedestrian safety. The grades also make it prohibitive. In regard to cracked foundations, they had a geotechnical investigation done on the site. The type of rock found on the site will not require the use of explosives. It is called rippable rock and it can be excavated using machinery. This was verified by Mr. Shad Sletto. Mr. Reardon stated that he cannot speak to the effect of the project on property values. He did note that the proposed buildings are high quality with design and materials. In addition, they will review the list of appropriate uses for the site. This will help alleviate any fear about the negative uses. Mr. Reardon noted that the 2 buildings are not leased. They are speculative buildings. Obnoxious uses will be restricted. There are docks located on both sides of Building A. The distance between the docks and the back of the lots is 340 feet - more than a football field away. That is a considerable distance. The proposed road was placed in a location to provide an additional buffer. It causes the building to be pushed away from the residential parcels. Mr. Reardon said that he is open to providing a privacy fence as it might make sense. It would be a safety and visual feature for the neighbors. The proposed road will be dedicated to the County so Neyer won't own it.

Chairman Rolfsen inquired on the reason why the proposed road is located where it is at on the drawing? Mr. Marc Gloyeske, Viox & Viox, Inc., replied there were several reasons. First, the proposed location would keep the buildings further away from the houses. Second, it is recommended in the Boone County Transportation Plan, which gives a broad location and not site

specific. It was intended to be close to the residential area. The proposed location takes into consideration topography and sight distance. The submitted Traffic Impact Study did not warrant a traffic signal at KY 20 due to the low volume and the road was not connected to Elijah Creek Road. In terms of impact on wildlife and streams, there is a separated permitting process for crossing and filling in streams and waterways. They are in that process now as the State is reviewing their permit. A photometric study was submitted to Staff. Lot light spillover is not allowed at the property line.

Chairman Rolfsen asked the applicant if they conducted a noise study? Mr. Sletto responded no but they designed the site with large building setbacks, berms and landscaping. The site sits 25 feet below the residential subdivision. Also, the fact that the buildings will be between the homes and the interstate will help reduce other noise.

Chairman Rolfsen inquired about switching the 2 buildings? Mr. Reardon replied they did look at it and they will look at it again. The constraint is the grading of the site. If it were feasible, they would have put the small building next to the neighborhood.

At this time, Chairman Rolfsen asked if any Board Members had any comments or questions?

Mr. Bunger asked to review the Traffic Impact Study and the potential connection to KY 237. Also, he asked the developer to take a close look at reversing the buildings and being prepared to discuss it at the Committee Meeting. How will it affect the proposed berm, grade and landscaping?

Mr. Lunnemann asked if the sides of the buildings were facing the residential properties in order to reorient the docks? Is that possible? Mr. Reardon responded that they would study it. It could result in some very large retaining walls.

Mr. Szurlinski asked about the sight distance for the proposed intersection on KY 20? What about truck cuing? What is the capacity for the site?

Mr. Gloyeske replied that they studied the sight distance and they are accessing KY 20 in a straight stretch of the road and far from the tunnel. They do meet all of the State sight distance requirements. The drives within the development are 36' in width which allows 2 way traffic while trucks can be parked on one side of the drive. He felt that they had enough storage capacity on-site.

Mr. Bunger asked the applicant to provide the maximum number of trucks that can be stored on-site at the Committee Meeting?


Ms. Gulick agreed with the possibility of requiring the relocation of the docks away from residents. She also asked the applicant to show where the trucks will be parked or staged on the site for cuing purposes?

Mr. Schwenke asked the applicant to provide better information on the amount of trucks that will enter and exit the site from 10:00 p.m. to 6:00 a.m.

Chairman Rolfsen asked why this site when there are thousands of acres available? Mr. Reardon replied that if there were that many acres, they would be bought up quickly. There were very few parcels of this size in close proximity to the Airport. It is an ideal location.


Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on August 19, 2020 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on September 2, 2020 at 7:00 p.m. If someone wants to observe the Committee please contact our office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 9:24 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

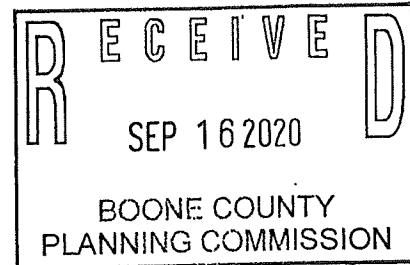
www.boonecountyky.org/pc
www.boonecountygis.com

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

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

September 3, 2020

Mr. Patrick Muldoon
Ms. Laura Muldoon
Ms. Dorothy Jean Webb
Ms. Candace McGraw (Kenton County Airport Board)
c/o Ryan Reardon
Al Neyer, Inc.
302 West 3rd Street, #800
Cincinnati, OH 45202



RE: Planning Commission Conditions of Approval for Neyer/Muldoon/Webb/KCAB Zoning Map Amendment Application from SR-1 to I-1 for 70.505 Acre Site Located at 1601 and 1669 Elijah Creek Road, Eastern Terminus of Asbury Way, and North Side of Petersburg Road, Boone County, Kentucky.

Dear Mr. Muldoon, Ms. Muldoon, Ms. Webb, and Ms. McGraw:

The following represents the conditions of approval for the above referenced application as voted on by the Boone County Planning Commission at their 9/2/20 Business Meeting. If you, as the property owners, or authorized representative of the property owner, agree to these conditions, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office as soon as possible.

CONDITIONS

1. The development shall follow the attached Concept Development Plan set which was revised in response to the testimony given at the Public Hearing except where modified by the agreed conditions outlined below.
2. The uses listed in the attachment on "Neyer" letterhead (stamped received by the Boone County Planning Commission on 8/19/20) shall be prohibited, or limited as described therein, in the development.

Additionally, the "manufacturing" and "assembly" aspects of Principally Permitted Use #2 shall be prohibited and only the "wholesale," "distribution," and "storage" aspects of this use category shall be permitted. This use category is described as "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 refining or processing of biodiesel, 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."

Mr. Patrick Muldoon
Ms. Laura Muldoon
Ms. Dorothy Jean Webb
Ms. Candace McGraw (Kenton County Airport Board)
September 3, 2020
Page 2

Further, Principally Permitted Use #25 shall be prohibited. This use category is described as "laundering, dry cleaning and dyeing services including rugs, linen supply and industrial laundry services."

3. The trip generation for all tenants in both buildings combined shall not exceed the trips identified in the Traffic Impact Study unless the excess trips do not necessitate any additional off-site improvements beyond those identified in the Traffic Impact Study. In the case of excess trips, the property owner will provide an updated traffic analysis to the Planning Commission's staff if requested to verify that this condition will be met.
4. The north-south connector road shall be constructed as shown in the attached Concept Development Plan set and publicly dedicated with the initial development of the site.
5. The design of the buildings shall follow the submitted architectural concepts. The design of the two buildings shall be complementary to one another.
6. All utilities shall be underground.
7. No blasting work shall be conducted on the site.
8. No outdoor PA system shall be used on the site.
9. Outdoor storage of goods, materials, and equipment shall only be permitted in the truck dock between the two buildings and the Building B (east building) truck dock if not visible from I-275.
10. Rooftop mechanical equipment that will be visible from the second floor windows of the dwellings in Ridgefield Subdivision in the vicinity of Cross Section 1 as shown in the attached Concept Development Plan set shall be screened from said dwellings in a manner that is architecturally compatible with the building design.

Sincerely,



Kevin T. Wall
Director, Zoning Services

KTW/tlb

enclosures

Mr. Patrick Muldoon
Ms. Laura Muldoon
Ms. Dorothy Jean Webb
Ms. Candace McGraw (Kenton County Airport Board)
September 3, 2020
Page 3

AGREEMENT

We, the property owners, or authorized representatives of the property owners, of the 70.505 acre site located at 1601 and 1669 Elijah Creek Road, eastern terminus of Asbury Way, and north side of Petersburg Road, Boone County, Kentucky, agree to the conditions listed herein for the above referenced Zoning Map Amendment application.

Patrick D. Muldoon 9/15/20
Patrick Muldoon Date
property owner

Laura C Muldoon 9/15/20
Laura Muldoon Date
property owner

Dorothy Jean Webb Date

Candace McGraw, Authorized Representative for Date
Kenton County Airport Board

Mr. Patrick Muldoon
Ms. Laura Muldoon
Ms. Dorothy Jean Webb
Ms. Candace McGraw (Kenton County Airport Board)
September 3, 2020
Page 3

AGREEMENT

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Patrick Muldoon
property owner

Date

Laura Muldoon
property owner

Date

Dorothy Jean Webb
Dorothy Jean Webb

9/9/20
Date

Candace McGraw, Authorized Representative for
Kenton County Airport Board

Date

Mr. Patrick Muldoon
Ms. Laura Muldoon
Ms. Dorothy Jean Webb
Ms. Candace McGraw (Kenton County Airport Board)
September 3, 2020
Page 3

AGREEMENT

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Patrick Muldoon
property owner

Date

Laura Muldoon
property owner

Date

Dorothy Jean Webb

Date


Candace McGraw, Authorized Representative for
Kenton County Airport Board

Date

9/14/20

ELIJAH CREEK INDUSTRIAL DEVELOPMENT ZONE CHANGE SUBMITTAL

SITE DATA

Parcel ID = 047.00-00-018.00
 Parcel Address = 1669 Elijah Creek Road Hebron, Kentucky 41048
 Current Owner = Patrick + Laura Muldoon
 Deed Reference: D.B. 329 PG. 144
 Total Acreage of Site = 37.209 AC
 Current Zone = SR-1

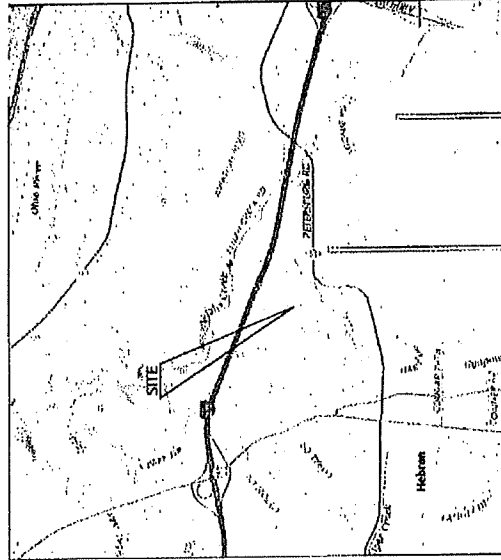
Parcel ID = 047.00-00-022.00
 Parcel Address = 1601 Elijah Creek Road Hebron, Kentucky 41048
 Current Owner = Dorothy Jean Webb Irrevocable Trust
 Deed Reference: D.B. 1043 PG. 808
 Total Acreage of Site = 27.718 AC
 Current Zone = SR-1

Parcel IDs
 047.00-01-016.00
 047.00-01-017.00
 047.00-01-018.00
 Current Owner = Kenron County Airport Board
 Owner Address = P.O. Box 25021 Cincinnati, Ohio 45275
 Deed Reference
 D.B. 833 PG. 275
 D.B. Not Listed
 D.B. 826 PG. 309

SITE ZONING DATA

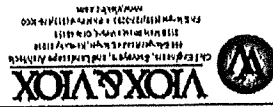
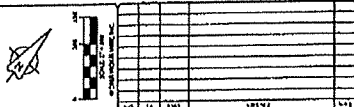
Proposed Zone: I-1
 Minimum Lot Size = 20,000 SF
 Existing Lot Size = NA
 Existing Lot Size = 64.77 AC
 Minimum Intra-city = 25,000 SF
 Minimum Frontage = 150 FT
 Minimum Height = 50 FT * Subject to FAA Regulations
 Minimum Front Yard Setback = 50 FT
 Minimum Rear Yard Setback = 30 FT (50 Ft. Adjoining UR-2)
 Minimum Side Yard Setback = 1 Ft (50 Ft. Adjoining UR-2)
 Buffer Yard Requirements
 Adjoining I-1 = 10 Ft
 Adjoining UR-2 = 50 Ft
 Adjoining SR-1 = 80 Ft
 Adjoining Street Frontage = 30 Ft with Eliminated Shrub Requirement

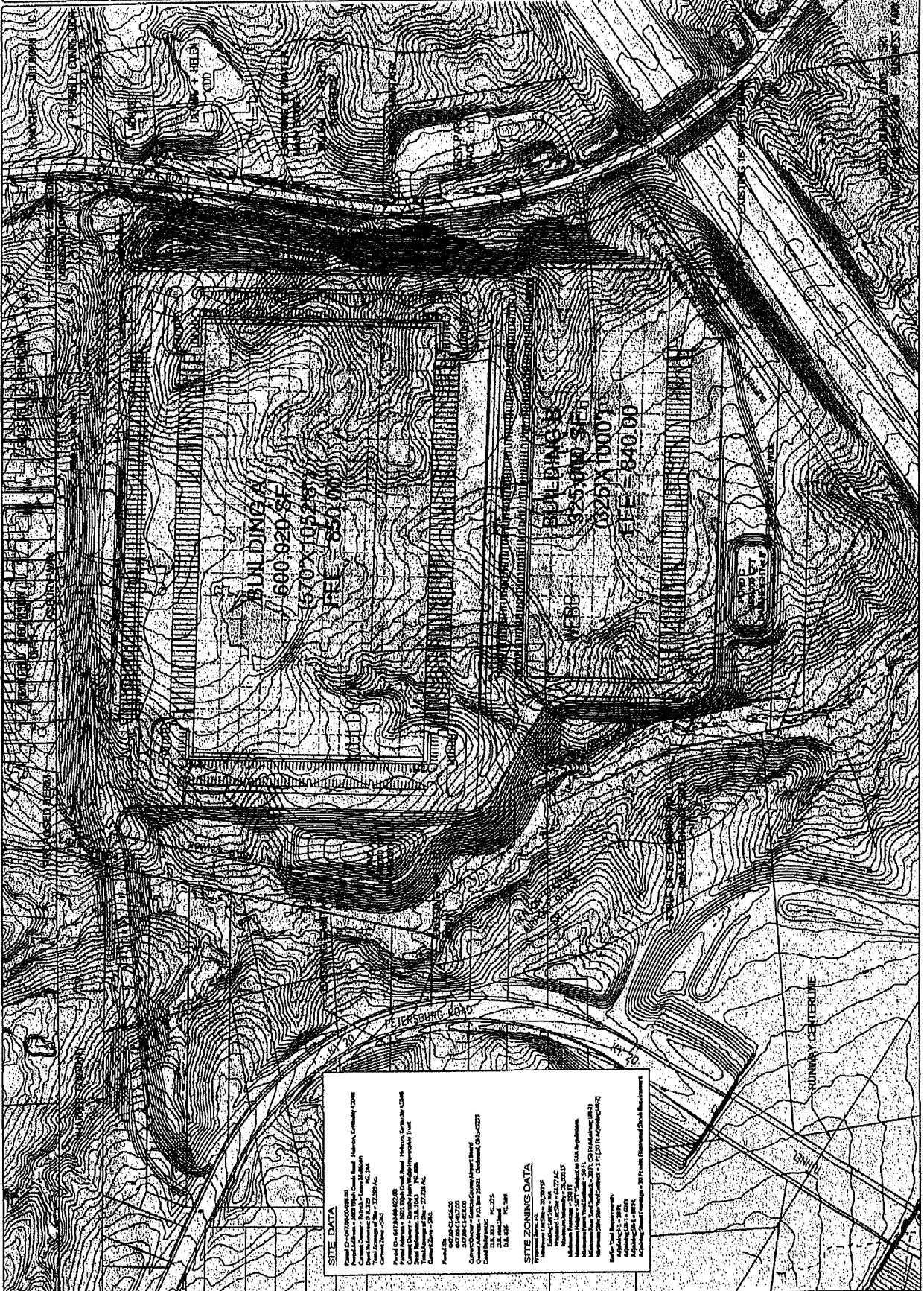
HEBRON
 PETERSBURG RD.
 BOONE COUNTY, KENTUCKY



VICINITY MAP
 SCALE: 1" = 100 FT

Sheet Number	Sheet Title
COVER	COVER SHEET
A1	COLORS SITE PLAN
C900	GRADING CONCEPT PLAN
L100	LANDSCAPE BUFFER YARD PLAN
S1	PHOTOMETRIC PLAN
5	BUILDING RENDERINGS

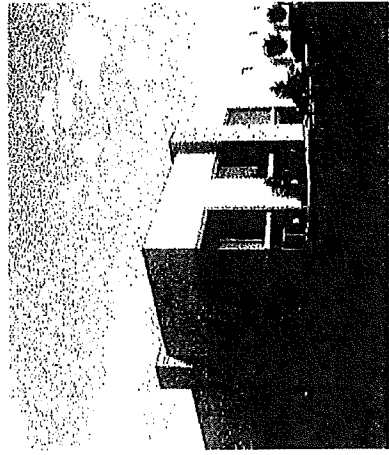
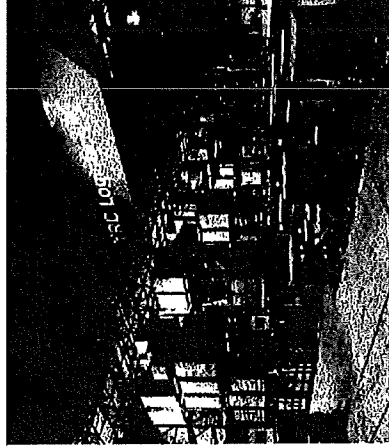
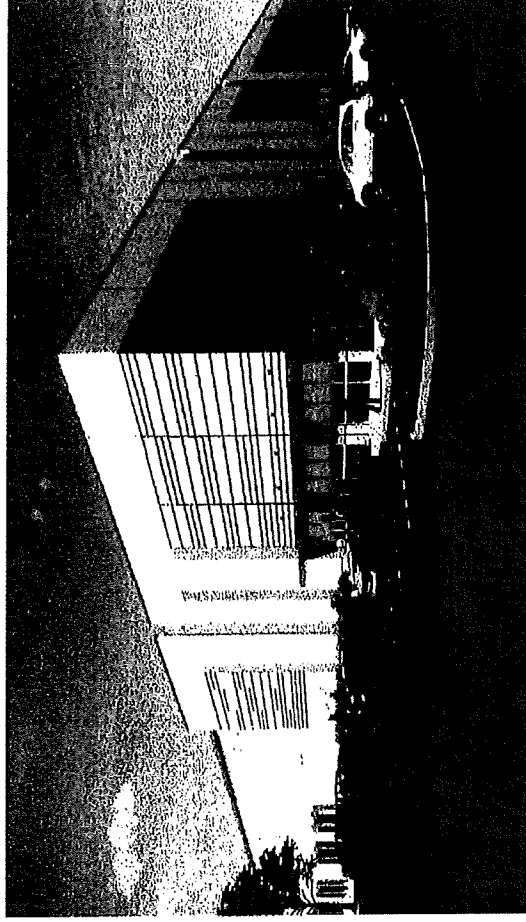
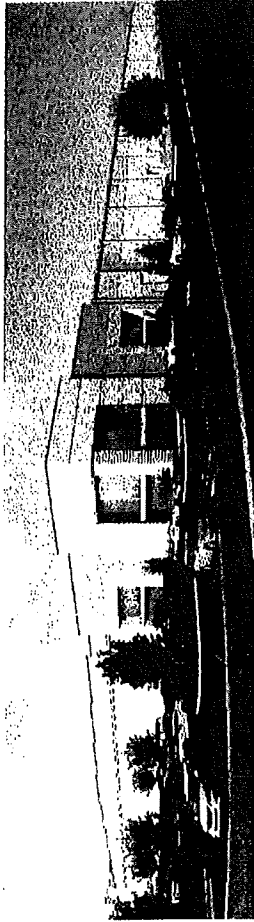
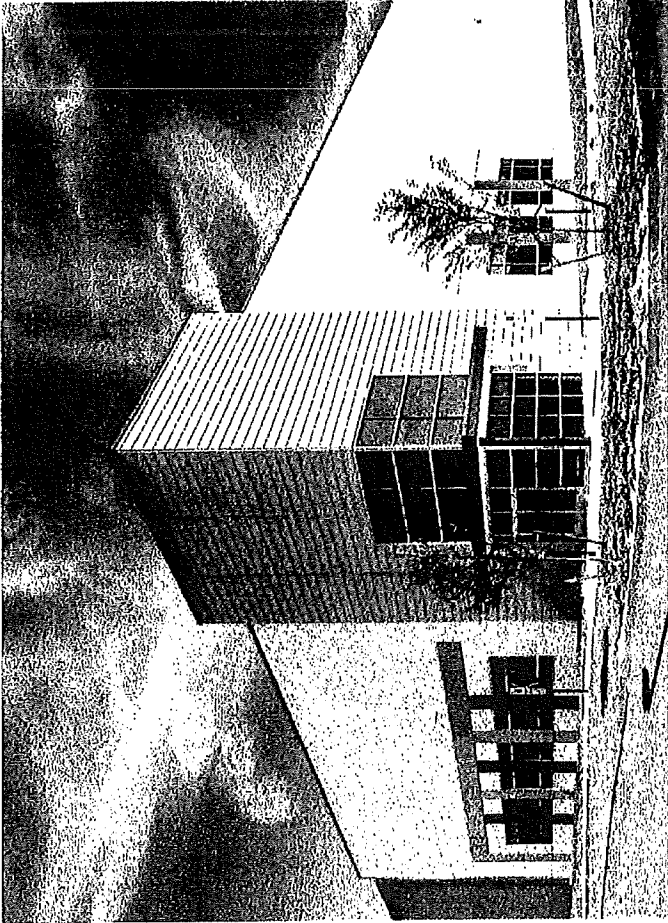




VIOX & VIOX
 Landscape Architecture and Planning
 1111 West Main Street, Suite 101
 Lexington, KY 40502
 Phone: (606) 253-1111
 Fax: (606) 253-1112
 www.viox.com

SITE DATA
 Project No: 02-0000000000
 Client: Muldon - Webb
 Consultant: Viox & Viox
 Date: 02/20/02
 Project No: 02-0000000000
 Client: Muldon - Webb
 Consultant: Viox & Viox
 Date: 02/20/02

SITE ZONING DATA
 Zoning: R-1
 District: 1
 Sub-District: 1
 Ordinance No: 100-100-001
 Effective Date: 01/01/00



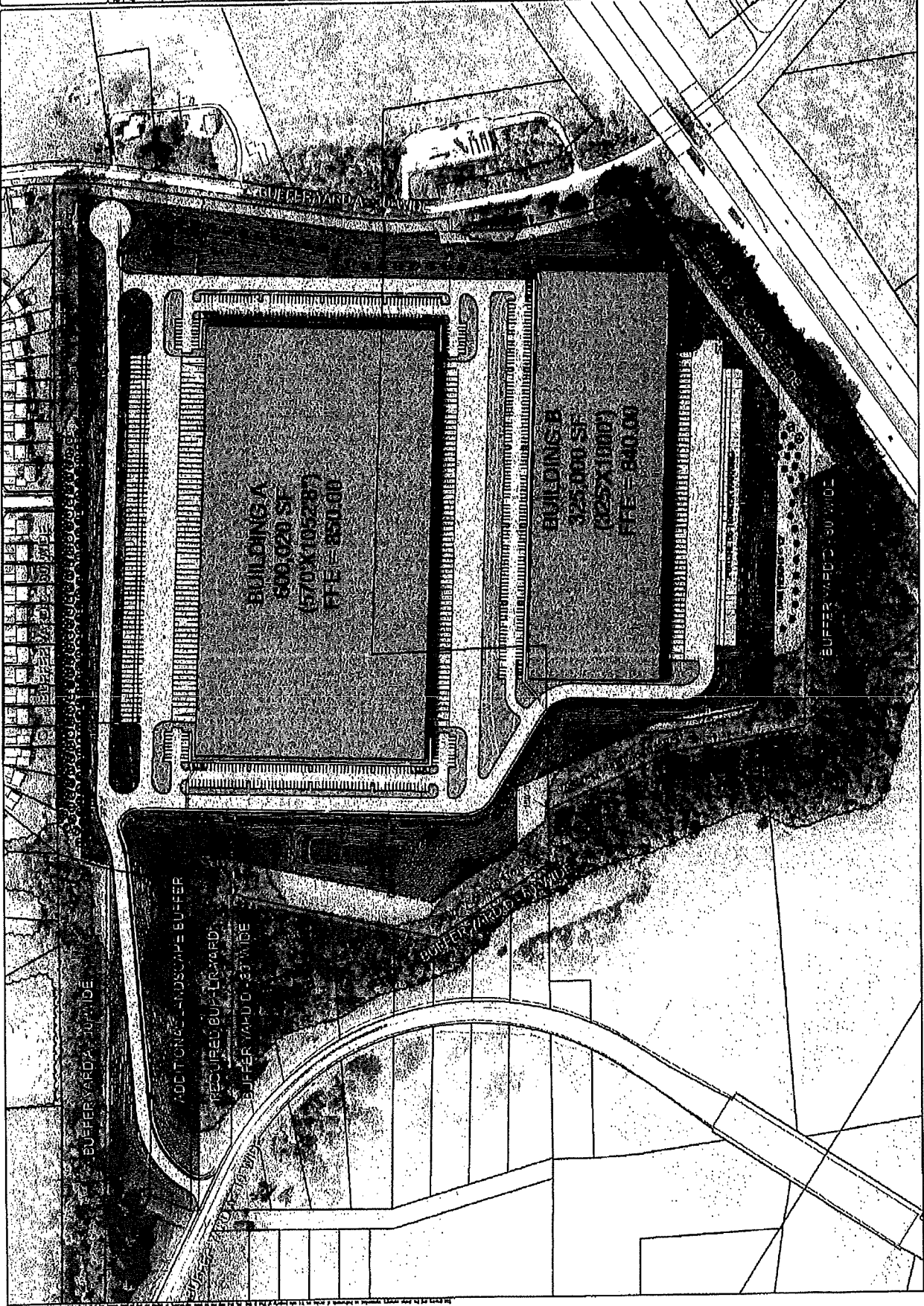
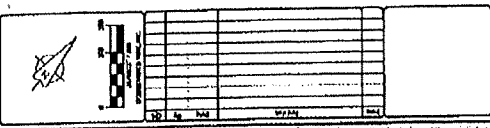
ELIJAH CREEK - INDUSTRIAL

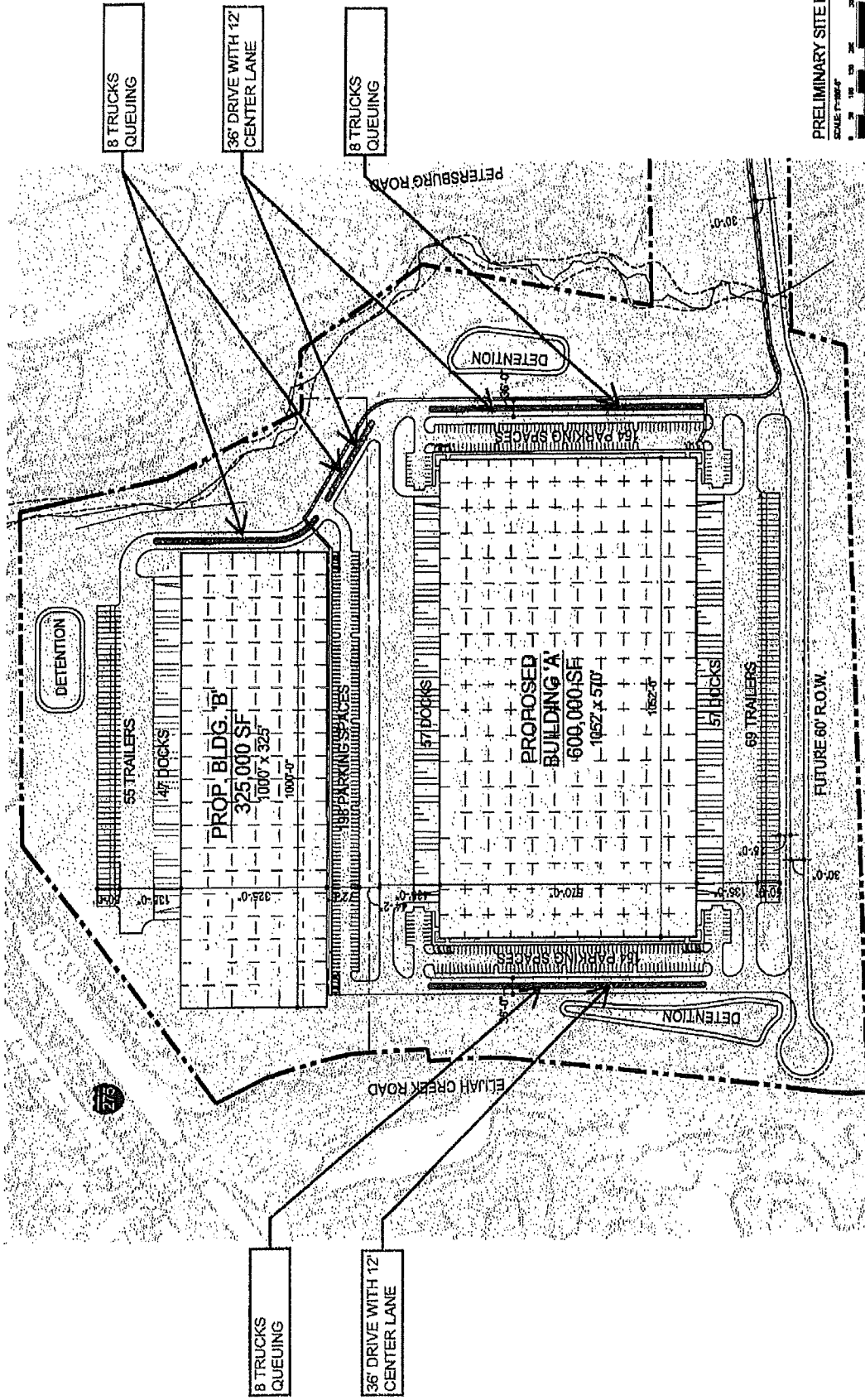
302 WEST THIRD STREET - SUITE 800 - CINCINNATI, OHIO 45202

(877) 271-6400

WWW.NEYER.COM







PRELIMINARY SITE PLAN
 SCALE 1"=80'-0"


ELIJAH CREEK



Architects, Inc.

11000 Highway 100, Suite 100
 Houston, Texas 77036
 Tel: 281.465.2200
 Fax: 281.465.2201
 www.neyer.com

JULY 30, 2020

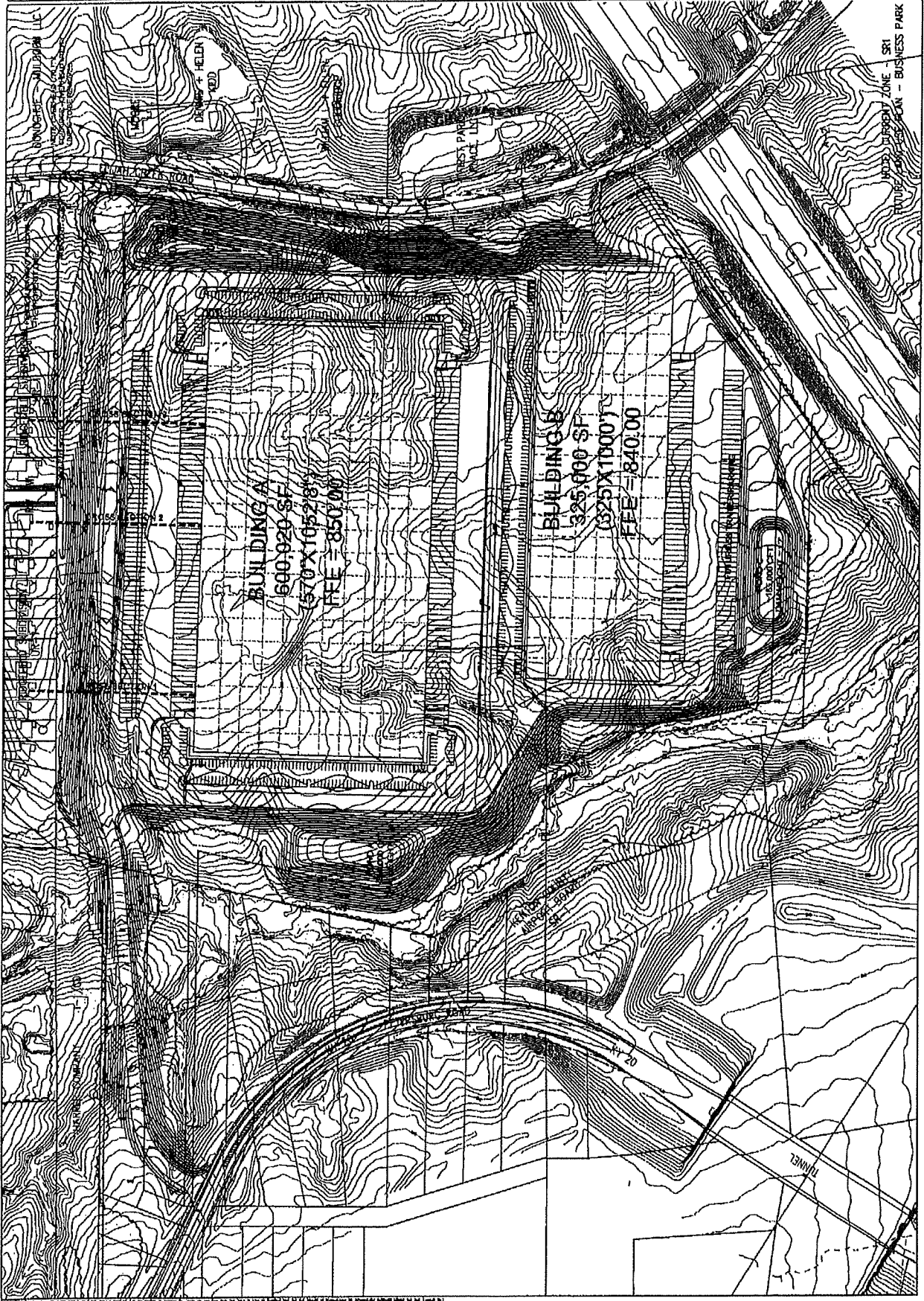
A1b

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VOX & VOX
 CIVIL ENGINEERING AND LANDSCAPE ARCHITECTURE
 1115 W. BROADWAY, SUITE 200
 CHARLOTTE, NC 28202
 PHONE: 704.375.1111
 FAX: 704.375.1112
 www.voxandvox.com

ELIJAH CREEK DEVELOPMENT
MULDON - WEBB
 BOONE COUNTY, KENTUCKY
 PRIVACY FENCE ALIGNMENT - OPTION 1

EXHIBIT



Small text at the bottom of the page, likely a disclaimer or copyright notice.



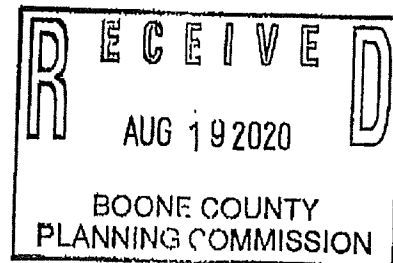
In connection with the request for the zoning map amendment, we propose to restrict the following uses:

I-1 Zone Principally Permitted Uses (Section 1131)

27. Refrigerated, household goods (mini-warehouses) and other general refrigerated warehousing and storage (See Note A);
41. Welding shops for the repair of industrial machinery and heavy equipment;
42. Truck stops;
43. Recycling centers;
44. Fire stations or fire related or protective services including rescue services;
45. Auto repair facilities, repair for tractor-trailers and other trucks, and towing and vehicle impound services excluding junkyards and wrecking;
47. Landscape contracting, grounds keeping, and wholesale nurseries;
48. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31;
49. Crematoriums.

I-1 Zone Conditional Uses (Section 1133)

1. Uses in which the primary business activity involves the following:
 - a. the storage of explosives or fireworks according to State law, gas, biodiesel, or petroleum (see Note B);
 - 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 (see Note C).
2. Poultry and small game dressing and packing;
5. Gasoline filling stations and wash services;
6. Labor unions and similar labor associations;
7. Day care centers;
8. Hotels and motels;
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).

Note A: This prohibition applies to the building and loading docks closest to Ridgfield subdivision only.

Note B: Accessory fuel storage for use by on-site fleet vehicles is permitted.

Note C: This category applies to bulk storage of chemicals and not containerized chemicals.

O-1 Zone Principally Permitted Uses (Section 1111) Principally Permitted in the I-1 Zone by Reference

27. Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31;

O-2 Zone Principally Permitted Uses (Section 1121) Principally Permitted in the I-1 Zone by Reference

4. Convenient stores;
- 8 Sexually Oriented Business as defined in Article 40 and applicable standards in Article 31.

Kevin Wall

From: Ryan Reardon <rreardon@neyer.com>
Sent: Wednesday, September 16, 2020 9:20 AM
To: Kevin Wall
Subject: RE: Neyer/Elijah Creek zone change - final condition letter
Attachments: EXECUTED Zoning Conditions Letter_Elijah Creek 9.15.20.pdf

EXTERNAL MESSAGE

Kevin – I was just able to get CVG's signature last evening.




Please find attached a scanned copy of the fully executed letter. I will get the hard copy to you ASAP.



Ryan Reardon Vice President, Real Estate Development

302 W. 3rd Street, Suite 800, Cincinnati, OH 45202

Direct: 513-527-1866

www.neyer.com   



From: Kevin Wall <KWall@boonecountyky.org>
Sent: Tuesday, September 15, 2020 4:29 PM
To: Ryan Reardon <rreardon@neyer.com>
Subject: RE: Neyer/Elijah Creek zone change - final condition letter

This message is from an **EXTERNAL** sender

Ryan – we need this ASAP. The Planning Commission votes on the 9/2/20 meeting minutes with the amended condition tomorrow.

From: Ryan Reardon [<mailto:rreardon@neyer.com>]
Sent: Friday, September 11, 2020 2:44 PM
To: Kevin Wall
Subject: RE: Neyer/Elijah Creek zone change - final condition letter

EXTERNAL MESSAGE

Kevin – I'm working on getting them to you early next week. Waiting on Candace's signature.

Thanks,
Ryan

From: Kevin Wall <KWall@boonecountyky.org>
Sent: Friday, September 11, 2020 12:33 PM

To: Ryan Reardon <rreardon@neyer.com>

Subject: Neyer/Elijah Creek zone change - final condition letter

This message is from an **EXTERNAL** sender

Ryan:

What's the ETA for return of the signed, final condition letter?

Thanks,

kw

ORDINANCE NO. 2020 - 25

AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY APPROVING, WITH CONDITIONS, THE REQUEST OF AL NEYER (APPLICANT) FOR PATRICK MULDOON, LAURA MULDOON, DOROTHY JEAN WEBB AND KENTON COUNTY AIRPORT BOARD (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO INDUSTRIAL ONE (I-1) FOR A 70.505 ACRE SITE LOCATED AT 1601 AND 1669 ELIJAH CREEK ROAD, AT THE EASTERN TERMINUS OF ASBURY WAY, AND ON THE NORTH SIDE OF PETERSBURG ROAD APPROXIMATELY 415 FEET EAST OF THE PETERSBURG ROAD/CONNER ROAD INTERSECTION, BOONE COUNTY.

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Industrial One (I-1) for a 70.505 acre site located at 1601 and 1669 Elijah Creek Road, at the eastern terminus of Asbury Way, and on the north side of Petersburg Road approximately 415 feet east of the Petersburg Road/Conner Road intersection, Boone County, Kentucky, which is more particularly described below; and

WHEREAS, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the Zoning Map Amendments.

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

Section One

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby approved, with conditions, this Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Industrial One (I-1) for a 70.505 acre site located at 1601 and 1669 Elijah Creek Road, at the eastern terminus of Asbury Way, and on the north side of Petersburg Road approximately 415 feet east of the Petersburg Road/Conner Road intersection, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Suburban Residential (SR-1) zone is more particularly described in DEED BOOKS: 329/1119/833/826, PAGE NOS: 144/317/275/309 respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That as a basis for this approval of a Zoning Map Amendment request are the Findings of Fact, and conditions, of the Boone County Planning Commission as set forth in its Minutes and official records for this request and same shall be and are hereby incorporated by reference as if fully set out in this Ordinance and are marked as "Exhibit A."

The Boone County Planning Commission Committee recommended approval for this request based on the Findings of Fact and conditions as set forth in the Committee Report and same are marked as "Exhibit B."


Section Three

This Ordinance shall be in effect and in full force from and after its passage, publication and recording, according to law.

First Reading - the 13th day of October, 2020.

Second Reading - the 10th day of November, 2020

Adopted this 10th day of November, 2020. Yes 1 No 0


GARY W. MOORE, Judge-Executive
Boone County Fiscal Court

ATTEST:


Sharon Burcham,
Fiscal Court Clerk

ELIJAH CREEK INDUSTRIAL DEVELOPMENT ZONE CHANGE SUBMITTAL

APPROVED
 SUBMITTED BY
 DATE: 8/16/2002
 BOONE COUNTY
 PLANNING COMMISSION
 KATHY COLEMAN

SITE DATA

Parcel ID = 047.00-00-018.00
 Parcel Address = 1669 Elijah Creek Road Hebron, Kentucky 41048
 Current Owner = Patrick + Laura Muldoon
 Deed Reference: D.B. 329 PG. 144
 Total Acreage of Site = 37.209 AC.
 Current Zone = SR-1

Parcel ID = 047.00-00-022.00
 Parcel Address = 1601 Elijah Creek Road Hebron, Kentucky 41048
 Current Owner = Dorothy Jean Webb Irrevocable Trust
 Deed Reference: D.B. 1043 PG. 808
 Total Acreage of Site = 27.718 AC.
 Current Zone = SR-1

Parcel IDs:
 047.00-01-015.00
 047.00-01-016.00
 047.00-01-018.00
 Current Owner = Kenton County Airport Board
 Owner Address = P.O. Box 25021 Cincinnati, Ohio 45275
 Deed References:
 D.B. 833 PG. 275
 D.B. Not Listed
 D.B. 826 PG. 309

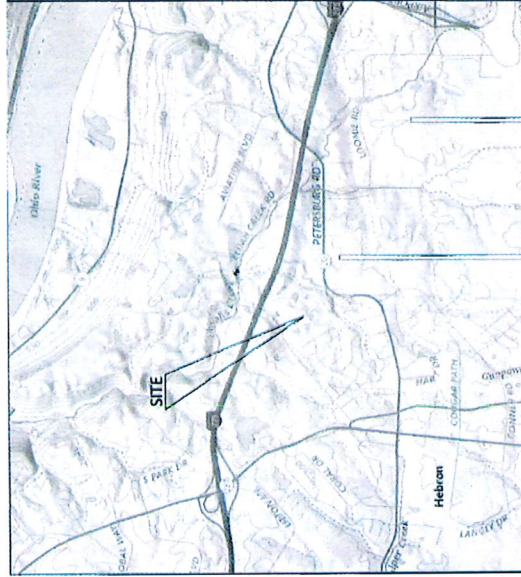
SITE ZONING DATA

Proposed Zone: I-1
 Minimum Lot Size = 20,000 SF
 Existing Lot Size = NA
 Proposed Lot Size = 64.77 AC
 Maximum Intensity = 25,000 SF
 Minimum Frontage = 150 FT
 Maximum Height = 50 FT *Subject to FAA Regulations
 Minimum Front Yard Setback = 50 FT (50 Ft. Adjoining UR-2)
 Minimum Rear Yard Setback = 30 FT (50 Ft. Adjoining UR-2)
 Minimum Side Yard Setback = 1 Ft (50 Ft. Adjoining UR-2)

Buffer Yard Requirements
 Adjoining I-1 = 10 FT
 Adjoining UR-1 = 60 FT
 Adjoining SR-1 = 80 FT
 Adjoining Street Frontage = 30 Ft with Eliminated Shrub Requirement



HEBRON
 PETERSBURG RD.
 BOONE COUNTY, KENTUCKY



VICINITY MAP
 SCALE: NTS

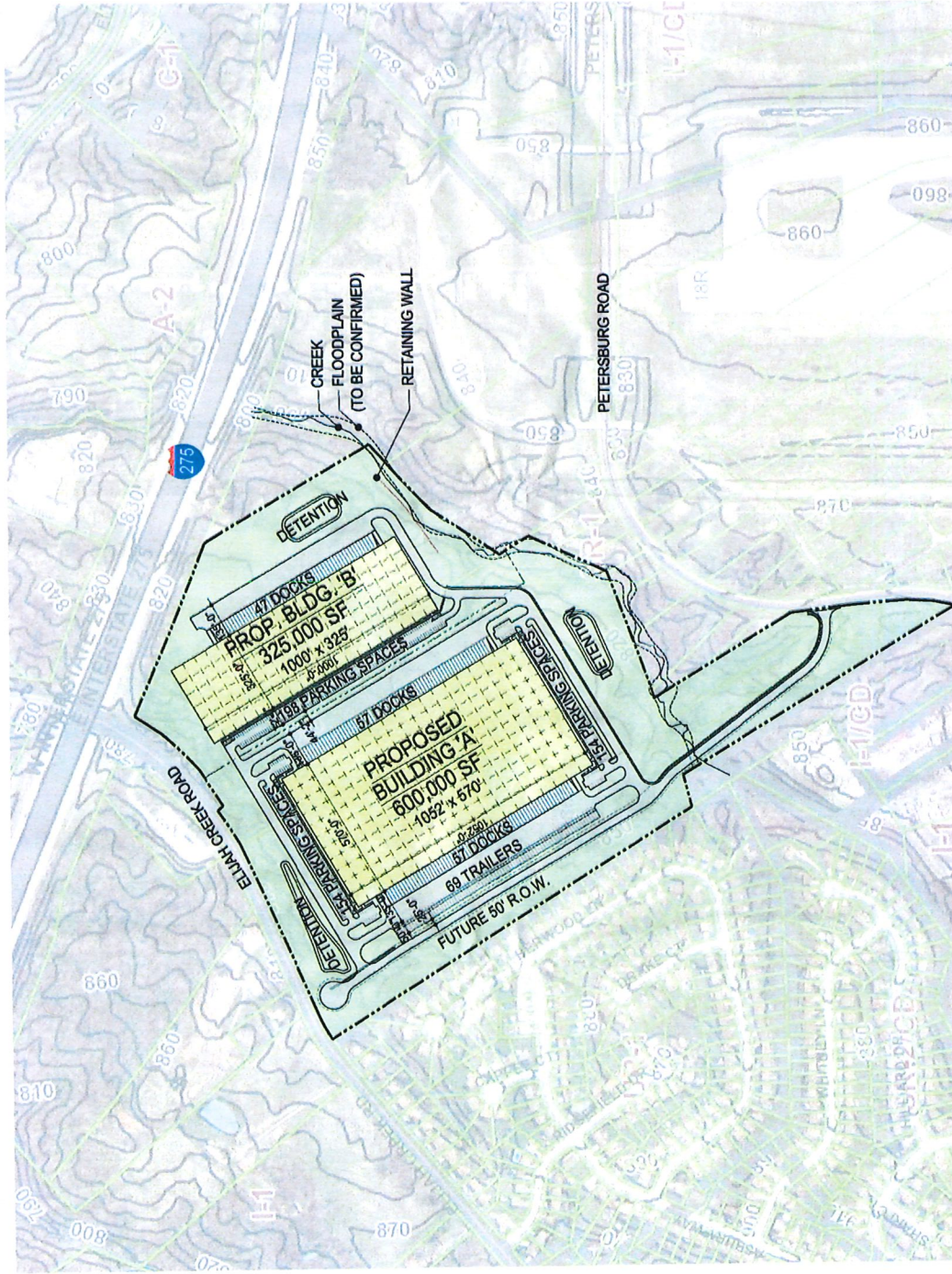
Sheet Number	Sheet Title
COVER	COVER SHEET
A1	COLORED SITE PLAN
C300	GRADING CONCEPT PLAN
L100	LANDSCAPE BUFFER YARD PLAN
S1	PHOTOMETRIC PLAN
5	BUILDING RENDERINGS

VIX & VIX
 Civil Engineers, Surveyors, and Landscape Architects
 2100 Main Street + Suite 400, Owensboro, KY 40301
 505 E. High Street + Suite 100, Louisville, KY 40202
 WWW.VIXONLINE.COM



ELIJAH CREEK DEVELOPMENT
 MULDOON - WEBB
 BOONE COUNTY, KENTUCKY
 COVER SHEET

COVER



PRELIMINARY SITE PLAN

SCALE: 1"=200' 0"



MASTER PLAN INFO:

BUILDING A:	600,000 SF.
PARKING:	308 SPACES
AUTO:	114 DOCKS
TRUCK DOCKS:	4 DOORS
DRIVE-IN DOORS:	69 SPACES
TRAILER:	
BUILDING B:	325,000 SF.
PARKING:	198 SPACES
AUTO:	47 DOCKS
TRUCK DOCKS:	2 DOORS
DRIVE-IN DOORS:	

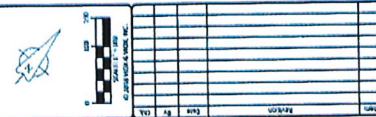
ELIJAH CREEK



JUNE 1, 2020

A1

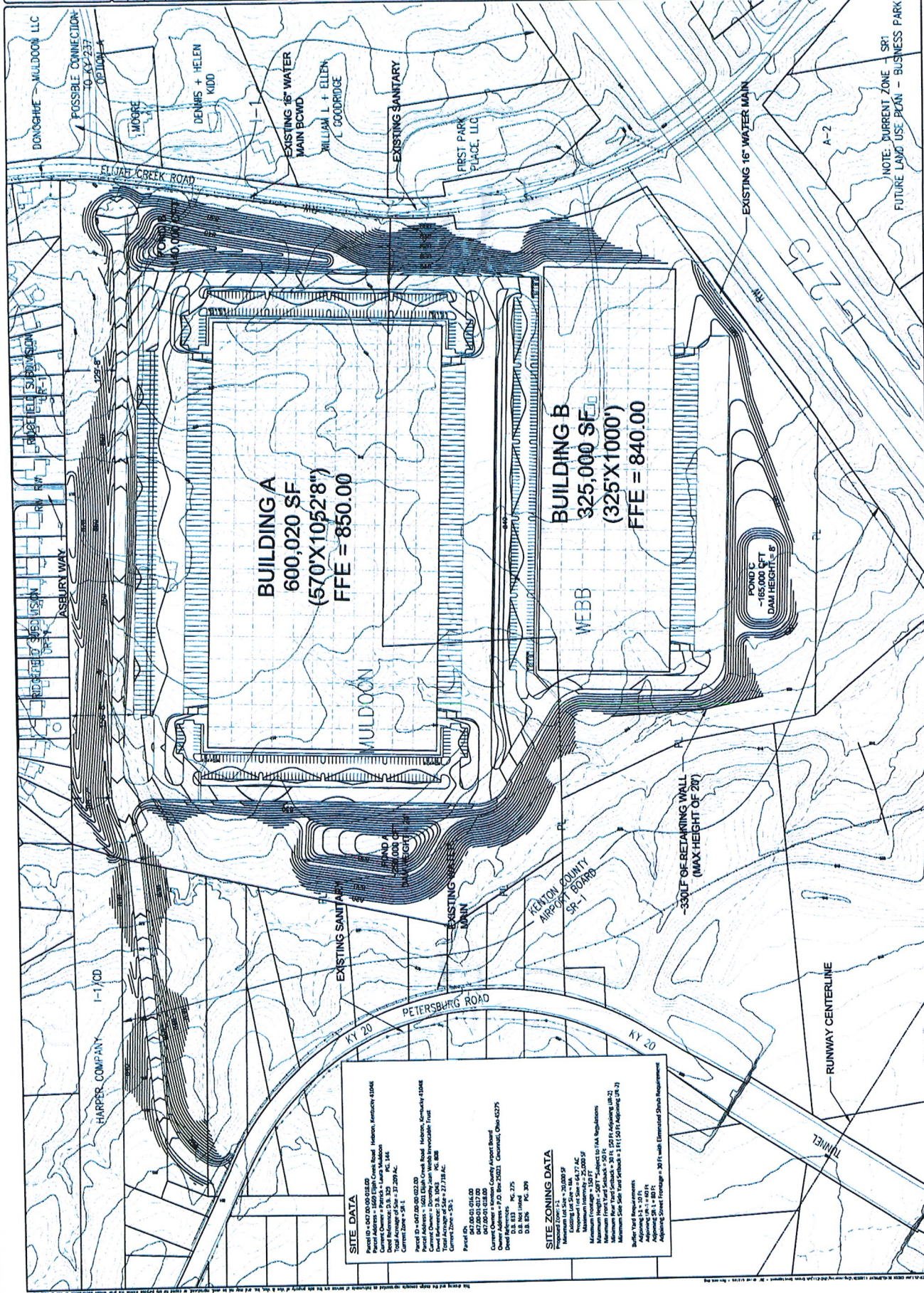
NEYER ARCHITECTS, INC. 10000 W. 10TH AVENUE, SUITE 100, DENVER, CO 80202
 PHONE: (303) 751-1000 FAX: (303) 751-1001
 WWW.NEYERARCHITECTS.COM
 PROJECT: ELIJAH CREEK
 DATE: JUN 1, 2020
 SHEET: A1 OF 10
 DRAWN BY: J. [unreadable]
 CHECKED BY: [unreadable]
 APPROVED BY: [unreadable]



VIX & VIX
 Civil Engineers, Surveyors, and Landscape Architects
 2788 Main Street • Middletown, Ohio 45130
 Phone: (513) 772-4393 • Fax: (513) 772-1000
 www.vixandvix.com

ELIJAH MULDOON DEVELOPMENT
 BOONE COUNTY, KENTUCKY
GRADING CONCEPT PLAN

DATE	NOV 20 2013
SCALE	AS SHOWN
PROJECT	ELIJAH MULDOON DEVELOPMENT
CLIENT	WEBB
PROJECT NO.	C300



NOTE: CURRENT ZONE - SR1
 FUTURE LAND USE PLAN - BUSINESS PARK

SITE DATA

Parcel ID: 047-00-00-018-00
 Parcel Address: 1659 Elijah Creek Road, Harpersville, Kentucky 41046
 Assessor's Parcel Number: 047-00-00-018-00
 Deed Reference: S.B. 325
 Total Acreage of Site: 37.289 AC.
 Current Zone: SR-1

Parcel ID: 047-00-00-018-00
 Parcel Address: 1659 Elijah Creek Road, Harpersville, Kentucky 41046
 Assessor's Parcel Number: 047-00-00-018-00
 Deed Reference: S.B. 325
 Total Acreage of Site: 27.718 AC.
 Current Zone: SR-1

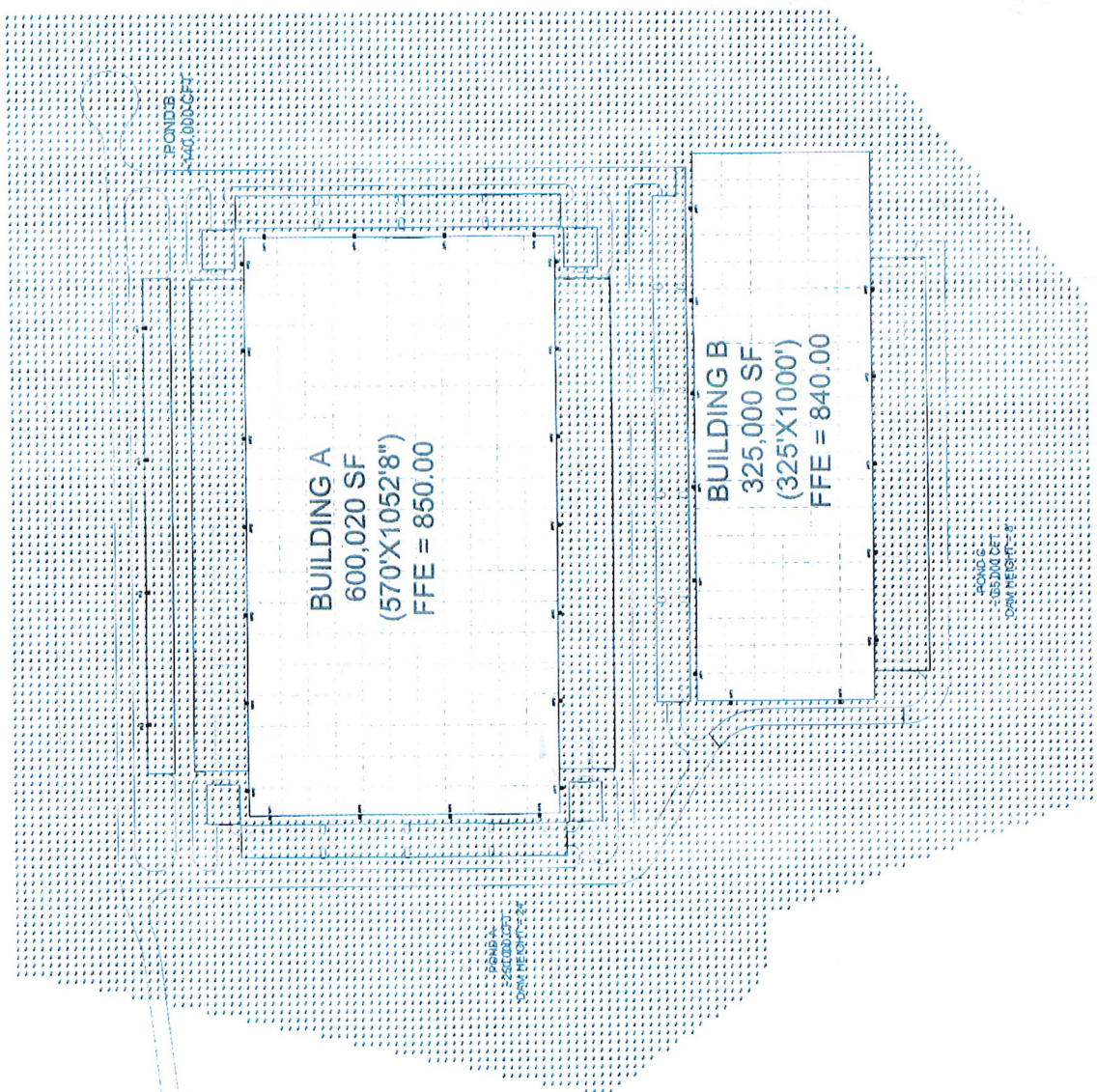
Parcel ID: 047-00-01-016-00
 Parcel Address: 1659 Elijah Creek Road, Harpersville, Kentucky 41046
 Assessor's Parcel Number: 047-00-01-016-00
 Deed Reference: S.B. 325
 Total Acreage of Site: 2.718 AC.
 Current Zone: SR-1

County: Boone
 County Airport Board
 Owner Address: P.O. Box 20521, Cincinnati, Ohio 45275
 Date: D.A. 8.133 PC. 275
 D.S. Not Issued
 D.S. No. F.C. 309

SITE ZONING DATA

Proposed Zone: SR-1
 Minimum Lot Size: 1.00 AC.
 Minimum Front Setback: 15.00 FT.
 Minimum Side Setback: 15.00 FT.
 Minimum Rear Setback: 15.00 FT.
 Minimum Lot Area: 13,671.67 SQ. FT.
 Minimum Floor Area Ratio: 0.15
 Minimum Side Setback: 15.00 FT.
 Minimum Rear Setback: 15.00 FT.
 Minimum Lot Area: 13,671.67 SQ. FT.
 Minimum Floor Area Ratio: 0.15

Other Notes:
 Adjoining Street Frontage: 30 FT. with Eliminated Drive Requirement

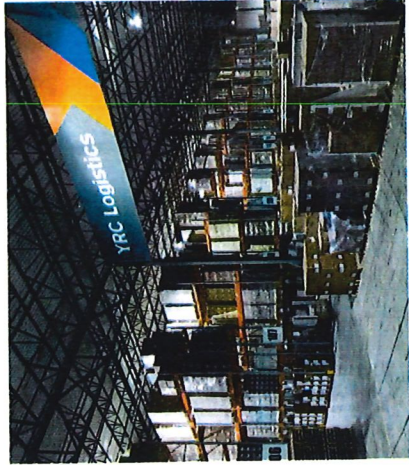


NO.	DESCRIPTION	AMOUNT	UNIT
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King Lighting, Inc.
Lighting Consultant
Elgin, Virginia

DATE: 10/17/10
PROJECT: [Project Name]
SHEET: [Sheet Number]

NOT TO SCALE
SEE ALL SHEETS FOR DETAILS
ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED
CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE NATIONAL ELECTRICAL CODE (NEC)



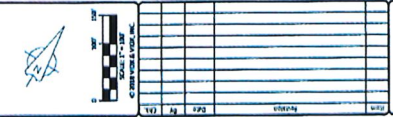
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EXHIBIT

