

STAFF REPORT

APPLICANT: Harley B. Fisk (agent) for Bonnie H. Vorhees and
Richard G. Grote (owners)

LOCATION: South side of KY 18 (Burlington Pike), west of Glenn
Street, and east of Cardinal Drive in Florence, Kentucky

DATE: April 23, 1986

REMARKS:

This is a Zoning Map Amendment request by Harley B. Fisk (applicant) for Vorhees Construction Company and G & D Development (owners) to rezone a 5.8± acre site along KY 18, Florence, Kentucky. The property is currently zoned Commercial Two, C-2 and Suburban Residential One, SR-1, and the request is to rezone the property to Office Two/Planned Development Overlay, O-2/PD Overlay.

Current Zoning of Adjoining Property

The current zoning of the adjoining property is the following:

North - Commercial Two, C-2
South - Suburban Residential One, SR-1 and Suburban Residential Two, SR-2
East - Commercial Two, C-2
West - Commercial Two, C-2

Boone County Comprehensive Plan Text and Land Use Map

The Comprehensive Plan Text does not specifically discuss either the site under review or frontage development along KY 18 east of I-75 but does refer to the area in general and relevant plan objectives as follows:

Policies and Objectives

Land Use: Residential

There shall be a hierarchy of residential uses: highest density residential uses will be located in urban centers; medium density residential will occur around each urban center and low density residential will be more dispersed.

A choice of residential types and a variety of neighborhoods shall be created and encouraged.

(page 2.2)

Economic

Economic growth will not be held to any set limit, but the growth of non-base employment levels (commercial, service, professional, etc.) will be encouraged to accelerate.

(page 1.3)

It shall be policy not to hold base employment levels to any set limit.

(page 2.4)

Non-base (e.g., education, commerce, service, health, government, etc.) employment levels shall be accelerated to reflect the development

standards of the greater Cincinnati region. The degree of non-base services offered shall be equal across all categories, and thereby the county will not be overly dependent on the region for any particular service.

(page 2.4)

References to the Area in General

Residential Development

Within the city, future development is planned to include residential infill of existing residential areas, including high density residential at Turfway Road and I-75, at the site of the Florence Drive-In Theatre, and on Tanners Lane. Re-development of the central area should include high density housing for the elderly.

(page 3.12)

In the Florence area, Tanners Lane is planned for realignment east of its existing intersection with KY 18 to reduce traffic congestion in that area. This realignment also creates developmental frontage on Tanners Lane which is planned as high density residential development.

(page 4.3)

Office Development

Much local and community office development will take place in neighborhood or community commercial centers, but several areas are planned for predominant office development. These include existing office developments in Florence on US 42 south of US 25, on US 25 south of US 42, on Industrial Road east of US 42, on Tanners Lane west of US 42, and at Mall Road and US 42. Additional office development is planned adjacent to Florence Mall and at the intersection of Houston and Turfway Roads. The latter could emphasize offices for health professions in association with the hospital. Commercial development at I-275 and KY 212 could include airport oriented offices. Office development is also planned on KY 18 south of planned industrial development.

(pages 3.7 and 3.8)

The land use map indicates a future land use of medium density residential (2-8 dwelling units per acre) for the site under review. For adjoining properties, the following is planned:

- North - Public Institutional/Commercial
- South - Medium density residential
- East - Medium density residential
- West - Medium density residential

Concept Development Plan

The Concept Development Plan for office development on the site under consideration can be summarized as follows:

Scale:

Total area = 5.8± acres

Development area - about 3.9 acres (Proposed for immediate development)

Office building 74,000 gross square feet

Four stories above grade 923

Top of Building 980.5

Future Development Area = 1.9 acres (Not yet proposed for immediate development)

One story building (financial use) 2,400 gross square feet

Finish grade 922

Top of building 939.5

Four story office building (multi-use) 25,600 gross square feet

Grade at 918

Top of building about 968.0

The site under discussion is divided into two main sections. The eastern section of the property is the 3.9 acre development area referred to above and is owned by the Vorhees Construction Company. The western portion of the site is the above mentioned 1.9 acres future development area and is owned by G & D Development.

The O-2/PD Overlay allows a maximum intensity of 45,000 square feet of gross floor area per acre, and the required minimum size or area for a planned development overlay district is to be no less than five acres. Hence, the above scale of proposed development in the submitted Concept Development Plan is within the limit set by the PD Overlay designation.

Design

The general design of the Concept Development Plan divides the site into two main sections:

- i) a proposed development area of approximately 3.9 acres on the eastern portion of the site;
- ii) a future development area of about 1.9 acres on the western section of the property.

In the proposed development area on the eastern portion of the site - section (i) above, the main design features are the following:

- a) an office building of 74,000 gross square feet located near the center of the proposed development area with parking distributed on all sides;
- b) a building design which consists of an east square of 33,000 gross square feet and a west square of 33,000 gross square feet with an atrium of 8,000 gross square feet in the middle bridging the two squares;
- c) a natural retention basin with a capacity to accept run-off = 30,000 cubic feet behind the office building at the south end of the site;
- d) a 15 foot wide natural landscape visual screen on the northern and southern boundaries of the property, a five foot green space border on the eastern property line, and a five foot wide landscaped parking curb divider (overhang area) on the western edge of the Vorhees Construction Company property
- e) a cross easement or connected parking lot driveways between the eastern and western portions of the site; and
- f) a drive-thru bank on the northeast corner of the eastern square of the building.

In the future development area - section (ii) above, the submitted Concept Development Plan shows two separate office buildings on the western portion of the site which is owned by G & D Development. This portion of the site borders the proposed Parkway Corridor road connector referred to in the above plan as the relocated Tanners Lane. Since the western portion of the site is indicated on the Concept Development Plan as a future development area rather than a proposed development area, further discussion of this section of the site will occur at appropriate times in the future as needed when proposed development plans for the area are submitted for review.

Infrastructure and Community Facilities

Public water, sewer, disposal, police, and fire services are available to the site under review. Water and sewer lines and hookups, drainage, and similar infrastructure issues will be reviewed in detail at the preliminary development plan stage of application as required.

Access and Parking

The Concept Development Plan indicates three main access points to the development site - two on the south side of KY 18 and one on the east side of the proposed roadway labelled on the plan as relocated Tanners Lane. The access driveways on KY 18 are 30 feet wide and the one access driveway on the relocated Tanners Lane is about 28 feet wide. All three of the access drives allow for two way traffic. The interior circulation system of the site and parking areas also provides for two way traffic throughout and for connected parking areas between the eastern and western portions of the development site.

The Concept Development Plan lists 225 parking spaces available on the eastern section of the site which contains the 74,000 gross square foot office building. If the Concept Development Plan is approved, the parking space requirements for this development section will be determined at the preliminary development plan stage of review.

Phased Construction

Construction on the eastern section of the development site is planned in two main phases:

Phase 1: Atrium (8,000 gross square feet) and east square (33,000 gross square feet)

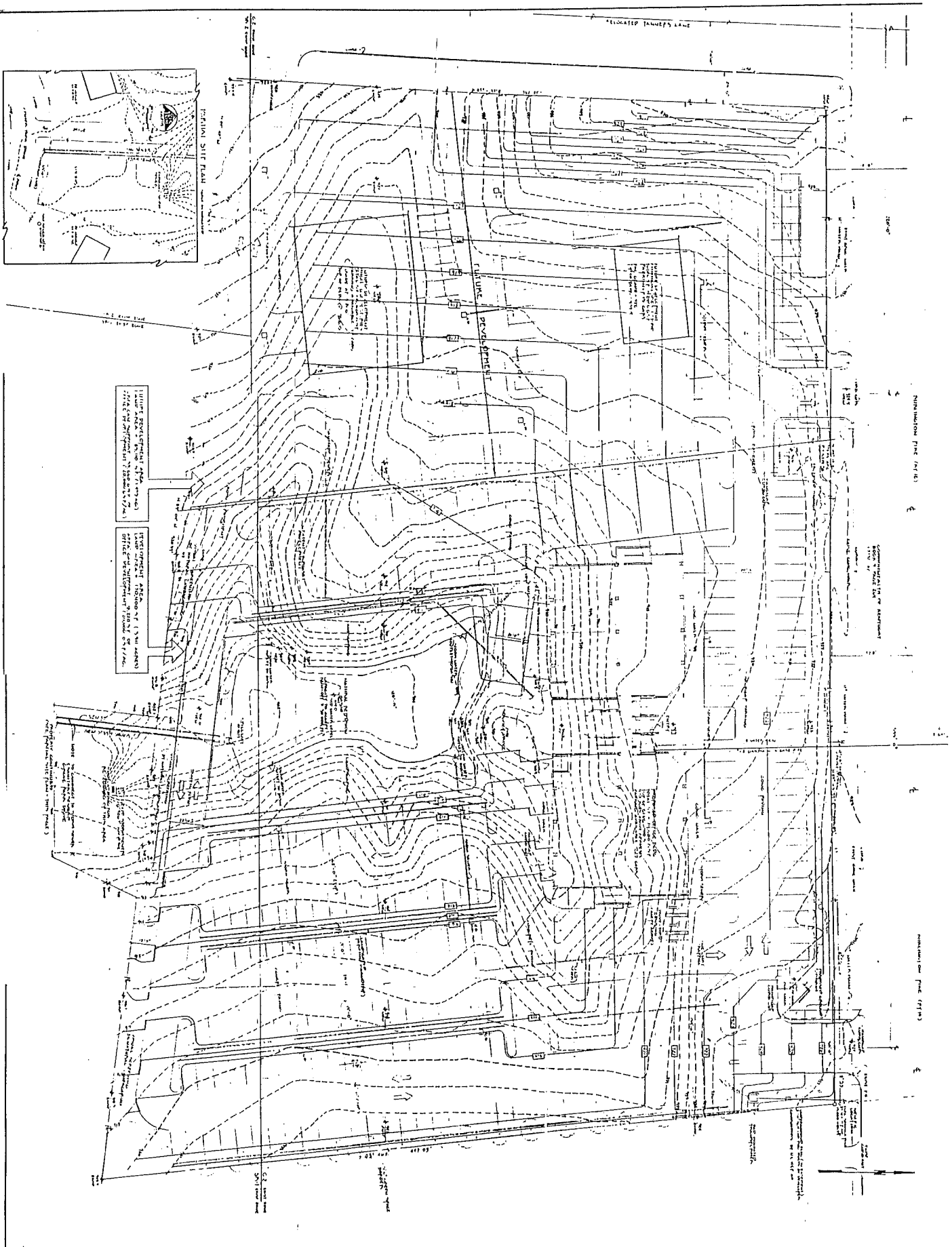
Phase 2: West square (33,000 gross square feet)

Summary

In summary, it would be necessary to change both the Comprehensive Plan Text and Land Use Map if this zone change request is approved by the Planning Commission and adopted by the City of Florence.



Christopher Cribaro
Planner



SHEET NO. 1 OF 1	DATE: 11/11/04	DRAWN BY: [Name] CHECKED BY: [Name]	APPROVED BY: [Name]	PROJECT NO. 04-01	G & D DEVELOPMENT / VORHEES' DEVELOPMENT PROJECT	Burgess & Niple, Limited Engineers and Architects <small>James 901 - 1000, 9th St. E. Edmonton, Alberta T6A 1K6, Canada Phone: 780-443-1111 Fax: 780-443-1112</small>		SCALE: AS SHOWN	NORTH ARROW	TITLE: SITE PLAN	SHEET NO. 1 OF 1

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARINGS

APRIL 23, 1986

8:00 P.M.

#1

Chairman Kroger opened the Public Hearing on the request of Harley B. Fisk (agent) for Vorhees Construction Company and Richard Grote (applicant) to rezone a 5.8+ acre site along KY 18, Florence, Kentucky. The property is currently zoned Commercial Two, C-2 and Suburban Residential One, SR-1 and is being requested to be zoned Office Two/Planned Development Overlay, O-2/PD Overlay.

Staff member Chris Cribaro identified the location of the proposed property.

Mr. Harley Fisk, agent for the proposed request stated there had been a major change in the economical, physical and social nature of the area involved that was not apparent in the original Comprehensive Plan. Mr. Fisk stated the City of Florence had not yet approved the plan but he felt the proposed zone change to O-2/PD Overlay would comply with all the documents written for the entire Tanners Lane Development area. Mr. Fisk proposed an office structure of 77,000 square feet, 5-story building with required parking. Mr. Fisk stated they would take the hollow and create a lake and berm across the property to where the elevation would be raised specifically at the low point. Mr. Fisk noted they would plant, on top of bank that would have a slope, a living hedge. Mr. Fisk stated they would provide parking with a quality of subdued lighting in a park-like setting and build the office building well away from the property line. Mr. Fisk elaborated on the architectural layout of the proposed site. Mr. Fisk noted the rationale for the zone change from C-2 to O-2/PD Overlay was to put first class structures in the area and up-grade. Mr. Fisk requested the new O-2/PD Overlay be extended to the property line from the point where the present C-2 zone presently exist.

Chairman Kroger inquired of the audience's support, opposition or questions on the proposed request.

Atty. Ed Drennen, representing Mr. Terry Godsey, adjacent property owner stated Mr. Godsey's garage door would be 50 feet from the proposed tree line and his front door would be no more than 75 feet from the proposed tree line. Atty. Drennen pointed out the proposed request was the third application made on the particular property. Atty. Drennen stated there was number of concerns Mr. Godsey had such as the development of the entire area and the drainage. Atty. Drennen stated the topography of the land presently

was higher than KY 18 and the subdivision already had problems with the water drainage without driveways, concrete or blacktop pavement for parking. Atty. Drennen elaborated on the present storm water runoff problems and noted that if the applicant was proposing to have the water runoff flow into the proposed man-made lake they would have to develop some kind of means to maintain the lake. Atty. Drennen noted another problem was the request had two (2) proposed buildings with no recommendations as to what they were going to be. Atty. Drennen stated that once the O-2 zone was approved and anything submitted in Office Two, Office One or Commercial could be put into the area. Atty. Drennen stated a 5-story building would have a lot of parking spaces, therefore, creating a lot of traffic. Atty. Drennen noted the applicant was proposing approximately 240 parking spaces. Atty. Drennen expressed his concern if the proposed request was the proper development for the area. Atty. Drennen noted in the C-2 zone the Commission could limit the number of vehicles parked and also the height of the building. Atty. Drennen stated the residents of the area were concerned about the noise, pollution and litter from approximately 240 vehicles per day.

Ms. Julie Wisler, 316 Center Park Drive, stated the people servicing the commercial area would be in and out but the residents lived there all the time.

Mr. Bill Jones, 312 Center Park Drive, concurred with Atty. Drennen and expressed his concern of the noise and pollution. Mr. Jones stated the development should be worked out to the best interest of the residents as well as the applicant.

Mr. Fisk stated that if the proposed land was only zoned SR-1 it would have no use at all to anyone. Mr. Fisk noted the lake and storm sewerage would be designed to contain all the surface water and there would be no surface storm water developing from the proposed development. Mr. Fisk stated there was within the zoning ordinance a buffer zone of 15 feet.

Atty. Drennen stated there was no storm sewers back in Center Park and many property owners had been to the City of Florence regarding the problem. Atty. Drennen noted there had been no economical, physical or social nature change since 1984 and the Commission should have a concern for all the residents.

Mr. Barnett inquired of the location of the adjoining property owners to the proposed site. Mr. Fisk pointed out the adjoining property owners location to the proposed site. Further discussion followed.

Mr. Jones inquired of the location of the convenient market. Mr. Fisk pointed out the location of the convenient market.

Mr. Cribaro presented the slide presentation of the proposed

site and surrounding area.

Chairman Kroger inquired of the distance between the tree line (property line) presented and the property itself and the elevation. Mr. Fisk stated the distance was in excess of 200 feet from the property line. Mr. Fisk stated the buffer zone had no development on it and by zoning regulations had to be 15 feet.

Chairman Kroger inquired of the width and depth length of the proposed pond. Mr. Fisk stated 150 x 50 x 40. Chairman Kroger inquired of the contours with the elevation. Mr. Fisk stated Burlington Pike was at 920 to 925, the level of the pond was 910 and level of the proposed property was 900.

Chairman Kroger inquired of berms and a built-up area where the tree line was on the property line. Mr. Fisk stated the grade was very general and noted the center lot was a depression. Mr. Fisk stated his intention was to fill the center lot and the grade would be the same.

Chairman Kroger inquired if the request was to rezone the entire tract to O-2/PD Overlay, east, west, north and south. Mr. Fisk responded yes.

Mr. Viox inquired if Mr. Fisk had made another application prior to the proposed request. Mr. Fisk stated an earlier drawing had been made but not followed through. Mr. Viox inquired if the zoning remained as it was would the applicant have to build a different facility. Mr. Fisk stated C-2 zoning would not allow 5-story office building only one-story. Further discussion followed.

Mr. Newton explained the Planned Development aspects of the request.

Mr. Jones inquired if the property could be developed without the SR-2 area being changed. Mr. Fisk stated yes.

After further discussion, Chairman Kroger closed the Public Hearing and informed the public the request would probably be heard at the May 7, 1986 Business Meeting and they should contact the Commission office to verify the date.

Public Hearing #2

Chairman Kroger opened the Public Hearing on the request of Northern Kentucky Aggregates, Inc. (agent) for rezoning of a 38.326 acre tract of land. The site is a 1.5 miles south of Petersburg on the west side of KY 20 and is zoned Rural Suburban (RS) and is proposed to be Industrial Three, (I-3).

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

MAY 7, 1986

8:00 P.M.

Zoning Map Amendment

A request of Harley B. Fisk (agent) for Vorhees Construction, Richard Grote (owners) to rezone a 5.8+ acre site along KY 18, Florence, Kentucky. The property is currently zoned Commercial Two, C-2 and Suburban Residential One, SR-1 and is being requested to be zoned Office Two/Planned Development Overlay, O-2/PD Overlay.

Staff member Chris Cribaro briefly described the proposed request.

Mr. Newton read the Committee Report which recommended approval. (See attached "Exhibit B")

Chairman Kroger inquired if Mr. Harley Fisk, agent for the proposed request, agreed to the conditions within the Committee Report. Mr. Fisk requested the last paragraph of the Committee Report be re-read. Mr. Newton re-read the last paragraph.

Chairman Kroger inquired if Mr. Fisk agreed to the conditions within the Committee Report. Mr. Fisk stated he agreed to the conditions within the Committee Report.

Atty. Ed Drennen, representative for a group of concerned citizens, stated the citizens were opposed to any re-zoning of the particular area. Atty. Drennen noted there was no economic or social changes of any major significant in the general area to warrant a zone change. Atty. Drennen stated there was already in the works two (2) buildings similar to the proposed building which were located on Turfway Road and Boone Estate and did not see the need for an additional five-story structure of 52,000 square feet going in resident's back yards.

Chairman Kroger inquired of any further support, opposition or comments on the proposed request.

Mr. Collins moved the request of Harley B. Fisk (agent) for Vorhees Construction to rezone a 5.8+ acre site located

along KY 18 be approved by Resolution to the City of Florence based upon Committee and Staff Reports. The motion was seconded by Mr. McMillian.

Mr. Greene inquired how far back from the property line would the berm be moved. Mr. Newton stated 50 feet. Mr. Greene inquired if all the trees would be destroyed located against the property line. Mr. Newton stated a 50 foot wide landscaped buffer would be put in place along the entire southern boundary of the property and he noted a 50 foot buffer would be adequate. Further discussion followed on the difference between a buffer and a berm.

The motion carried unanimously.

Chairman Kroger noted there would have to be a notification to the City of Florence recommending they change the zone and also the land use plan be changed.

Mr. Neltner moved by Resolution to the City of Florence that if the zone be changed it would require a change in the zoning map and Comprehensive Plan Text. The motion was seconded by Mr. Collins. After further discussion, the motion carried unanimously.

Committee Report

TO: Boone County Planning Commission
FROM: Rector Jones, Chairman
DATE: May 7, 1986
RE: Request of Harley B. Fisk (applicant) for Vorhees Construction Company (option holder) and G & D Development (owner) for a Zoning Map Amendment on a 5.8± acre site along KY 18, Florence, Ky. The property is currently zoned Commercial Two, C-2 and Suburban Residential One, SR-1, and the request is to rezone the property Office Two/Planned Development Overlay, O-2/PD Overlay.

REMARKS:

We the Committee, recommend approval of the zone change request from Commercial Two and Suburban Residential One to Office Two/Planned Development Overlay, O-2/PD Overlay, and also recommend approval in principle of the submitted Concept Development Plan based on the following:

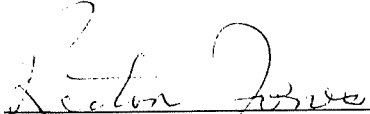
Findings of Fact

1. That the request conforms to the economic policy and objectives of the 1980 Boone County Comprehensive Plan while it is at the same time being compatible with the adjoining residential area under the conditions cited below.
2. That the Concept Development Plan is in accord with the provisions of Article 15 of the Boone County Zoning Regulations, Planned Development Overlay.
3. That the request is consistent with major changes of an economic, physical or social nature occurring in the area involved which were not anticipated in the 1980 Comprehensive Plan and which affect significantly the development character along KY 18 in the area under discussion.

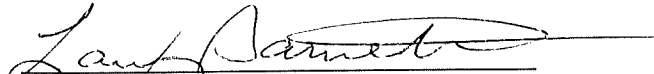
Conditions

1. That a permanent 50 foot wide landscaped buffer be put in place along the entire southern boundary of the property.
2. That the parking space requirements on the development site be reduced to reflect the projected use level of the proposed office building and the general design concept of the building as well as well as the site.
3. That all the relevant safety measures of the City of Florence applicable to the development of the site be met, particularly in regard to any fencing requirements of the detention basin pond.
4. That the smaller (1.9 acres) western portion of the site yet to be developed is eligible for any of the uses compatible with the O-2/PD Overlay zoning designation.

In summary, both the Comprehensive Plan text and the Land Use map would have to be changed should this request be approved by the Planning Commission and adopted by the City of Florence.




Rector Jones, Chairman

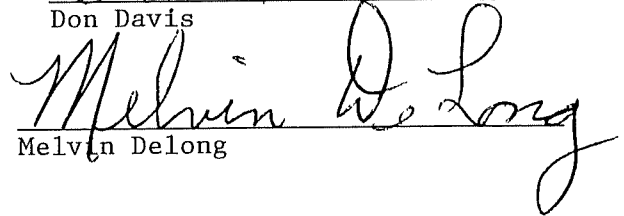


Larry Barnett

Fred Burch



Don Davis



Melvin DeLong

William Viox