

REVIEW NO.

APPLICATION FORM

CHANGE IN CONCEPT DEVELOPMENT PLAN OR

THE UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT

BOONE COUNTY PLANNING COMMISSION (See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Check one: Change in Concept Dev. Plan / Utilization of an Underlying Zone in Planned Development
2. Name of Development Houston Lakes
3. Location of Development Houston Rd
4. Total Acreage of Site 101 Ac
5. Current Zoning Office Community
6. Date of Zone Change or Approved Concept Development Plan (if applicable)
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) Houston-Donaldson Study
8. Proposed Uses (please specify each use) Comm'l, Office, Hotel-Resid.
9. Name of Applicant(s) Buchanan, Mary, W. KY 11/20/89 Phone Number(s) 341-6222
10. Address of Applicant(s) 442- Goshel Ct, Ft Wright KY 41011
11. Name of Property Owner(s) M. & M. Mann '89, Buchanan, W. KY Phone Number(s) Same
12. Address of Property Owner(s)
13. Proposed Building Intensities (please specify)
14. Are there any existing buildings on the site? No
15. Deed Book Page No. Group No.
16. Have you had a pre-application meeting with BCPC staff? checked

(COMPLETE OTHER SIDE OF APPLICATION)

REQUEST OF GBBN (APPLICANT) FOR BUCHANAN DEVELOPMENT CORPORATION  
AND NEWPORT STEEL CORPORATION (OWNERS) FOR THE  
UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT

MAY 24, 1989  
8:00 P.M.

This request is for the Utilization of an Underlying Zone in Planned Development on a 101 acre site located between Houston Road and I-75, Florence, Kentucky. The north and south borders are Woodspoint Drive and the southbound I-75 ramps, respectively. The request is to utilize the existing Office Two (O-2) / Commercial Two / Planned Development (O-2/C-2/PD) zone for a commercial and office development. The site is currently vacant open field and woodland.

History of the Site

The site has had a history of several requests brought before the Boone County Planning Commission by the Buchanan Development Corporation. The original request was for a Zoning Map Amendment and the Utilization of an Underlying Zone accepted on May 6, 1987. A public hearing was conducted on May 27, 1987 in response to the request (Figure 1). The Boone County Planning Commission deferred acting on the request until the July 1, 1987 Business Meeting; at that time a new Public Hearing was scheduled for July 22, 1987, due to a lack of information presented by the applicant.

The Public Hearing of July 22, 1989 included a new Concept Development Plan that differed from the original request (Figure 2). In addition, the Boone County Planning Commission had approved the Houston-Donaldson Study by that time, although the Florence City Council had not yet reviewed the study. The request therefore was reviewed in light of the recommendations of the Houston-Donaldson Study, but was not subject to them until the study had been approved by Florence.

On August 19, 1987, the Boone County Planning Commission voted to approve the request of the Buchanan Development Corporation for the 101 acre site. The resolution was sent to the City of Florence which held a Public Hearing on November 17, 1987. The city then deferred action until June 29, 1988, when the applicant withdrew the request of Zoning Map Amendment and the Utilization of an Underlying Zone from the City of Florence.

During the months of July and August of 1988, and again in March and April of this year, the Technical Committee met with representatives of the Houston Lakes Development Corporation to discuss the site as part of a pre-application process. In each of these meetings, and during other informal meetings, variations of development plans were critiqued. Each time the applicant made minor modifications. After the April meeting, the Committee issued a report presented

MAY 24, 1989

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on April 19, 1989 to the full Commission that the current request does not conform to the specific recommendations of the Houston-Donaldson Study. The present Public Hearing is the result of the full Commission voting in agreement with the recommendations of the Technical Committee's recommendation.

#### Surrounding Land Uses and Zoning

The existing land uses and zoning surrounding the site is as follows:

##### Land Uses

- North - Commonwealth Park including Hilton, Hampton Inn, Cracker Barrel Restaurant, and Applebee's Restaurant.
- South - Woodspoint Nursing Home and World of Sports golfcourse.
- East - I-75
- West - Turfway Business Park including office / research, office / warehouse uses, and Sam's.

##### Zoning

- North - O-2/PD
- South - PF & O-2/C-2/PD
- East - N/A
- West - I-1/PD & C-2/PD

The Turfway Business Park located to the west of the site is proposed to have two restaurants in addition to additional office, retail and warehouse space. On April 5, 1989 the Boone County Planning Commission recommended a Zoning Map Amendment and revision to the Concept Development Plan for the Turfway Business Park. The request has not been acted upon by the City of Florence; a public hearing has been scheduled for May 30, 1989.

The area east of the site past I-75 is currently a mixture of developed and undeveloped property. The majority of the land is part of the approved C.W. Henne mixed use development which of now consists of Signature Inn, plus future Ryan's Family Steak House and Fairfield Inn. To the south of the Henne Development is an established residential neighborhood.

#### Natural Features of the Site

The site is characterized by two drainage swales that begin near I-75 and run to the west across Houston Road. Several locations within the site contain slopes of up to 20 percent. All mature vegetation on the site is located within these two swales. Soil types include two types of Rossmoyne Silt Loam (RsB) (RsC) usually found on 0-12 percent slopes, and Jessup Silty Clay Loam (JsD3) usually found on slopes on 12-20 percent. The Jessup Silty Clay Loam represents some hazard of erosion.

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Existing Transportation System

The development is proposed for an important site located along Houston Road. The site is within the Houston-Donaldson Study area, undertaken and based upon the importance of the roadway network in this area of Boone County (Figure 3). The other roadways that make up the site's boundaries are I-75, I-75 ramps, and Woodspoint Drive. The proposed development will have direct access to Houston Road and Woodspoint Drive, although the impact of the development will affect many roadways in the area.

The site is bordered on the south by Woodspoint Drive, which is maintained jointly by the Kentucky Transportation Cabinet (KDOT) and the Boone County Fiscal Court. The road is unimproved, the pavement varying from 19-20 feet in width.

Houston Road similarly is currently an unimproved two lane roadway, maintained by KDOT. The pavement surface is in good condition, but improvements need to be undertaken to widen and upgrade the roadway. These road improvements are to be made as property along the roadway develops in accordance with the recommendations.

This project will also directly impact the transportation network of the surrounding area. All of the roadways and intersections analyzed in the Houston-Donaldson Study will be impacted by the proposed development. The most seriously affected by the development of this site will be Turfway Road and Houston Road.

Concept Development Plan

The proposed development of the site as Houston Lakes is illustrated by the Concept Development Plan, Figure 3. The plan shows a mixed use development to include retail, office, and hotel uses. The majority of the space is massed together in the center of the site, and surrounded by a ring access road.

TABLE 1

LAND USE

Retail Anchors	210,000 square feet
Corporate Retail	50,000 square feet
Concourse Shops	110,000 square feet
Office Buildings	225,000 square feet
Office Tower	193,000 square feet
Medical Office	15,000 square feet
Hotels	203,000 square feet
Restaurants	34,000 square feet
Financial	8,000 square feet
TOTAL	1,048,000 square feet

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This center area is comprised of two uses, retail and office. At the very center, is an office tower of 10 stories, containing 193,000 square feet of space. Figure 4 is an axonometric drawing of the development that shows the relationship between the heights of various buildings. Two large retail spaces labeled 'retail anchor' form the north and south sides of the center mass; being 100,000 and 110,000 square feet respectfully. Along the sides of the large 'retail anchors' and office tower will be smaller strip shops. The total area devoted to these smaller shops is 110,000 square feet. Surrounding this central mass is parking spaces that extend to the ring access road.

Two hotels are located at the north of the property, bordering the southbound I-75 ramps. One hotel will be eight (8) stories and have 250 rooms, the other will be four (4) stories and have 100 rooms. The section of the site adjacent to Houston Road is comprised of a string of restaurants broken by two financial business sites. The Concept Development Plan shows two lakes bordering the main entrance to match the entrance planned for Turfway Business Park. A decorative lake will also be constructed at the corner of Houston Road and the southbound I-75 ramps, again to match what is across Houston Road.

Bordering the ring access road towards the south of the property will be two office buildings. The first will be five (5) stories having 125,000 square feet; the second containing 100,000 square feet in four (4) stories. Between the office buildings is a lake and fountain feature. Next to the office grouping, and bordering the interstate, is a building labeled 'corporate user'. The applicant has indicated that this site is for a single retail user wanting a stand-alone building.

The southeast corner of the proposed development is the location of a medical office building. The 15,000 square foot building will only have access onto Woodspoint Drive. And finally, at the intersection of Woodspoint Drive and Houston Road a large detention lake is proposed.

The applicant has provided information regarding the treatment of entrance areas and those surrounding the out-lot buildings. In addition, phasing for the development has been indicated to be comprised of three sections. These phases are indicated on Figure 3, and Table 2 below:

TABLE 2

PHASING

PHASE 1	1-3 years
(1)	Retail Anchor
(1/2)	Concourse Shops
(1)	Corporate User
(1)	4 Story Office Building
(3)	Restaurants
(1)	Financial
(1)	4 Story Hotel

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- PHASE 2      3-5 years
- (1) 5 Story Office Building
  - (2) Restaurants
  - (1) Financial
  - (1) 8 Story Hotel
  - (1) Medical Office Building

- PHASE 3      6-9 years
- (1) Retail Anchor
  - (1/2) Concourse Shops
  - (1) Office Tower

Transportation Improvements and Access

Three entrances are proposed for the major portion of the development, two on Houston Road and one on Woodspoint Drive. The medical office building located in the south-east corner of the site will not have access to the major portion of the development, but will have two driveways onto Woodspoint Drive.

The major access point on Houston Road will be a signalized intersection aligning with Spiral Drive. The distance is approximately 1,500 feet from the intersection of the I-75 ramps and Houston Road. The location of this drive must be dependant upon the placement of Spiral Drive, which will be determined, as part of an ongoing request before the City of Florence. Staff has discussed this problem with the applicant who believes that either location can be incorporated into the overall design of the site.

The second driveway on Houston Road is approximately 900 feet from the major access point and over 600 feet from the I-75 ramps. This is the approximate location of an access drive now located on the property. The driveway will be designed as right-turn-in and right-turn-out only, prohibiting traffic from crossing Houston Road. The drive will align with the current access drive to Turfway Business Park, however, traffic will not be allowed to cross Houston Road.

The Concept Development Plan shows Houston Road widened by one car lane along the entire length of the site. A traffic light is indicated at the major access drive on Houston Road and at the intersection of Woodspoint Drive with Houston Road. A letter submitted by the applicant indicated that the roadway improvements will be concurrent with phase one of the development. Staff has requested a detailed description of the improvements shown as well as who is to be responsible for their cost implementation.

The access drive on Woodspoint Drive will be approximately 550 feet from Houston Road. Due to this access point needing to function as the second major entrance to the development, the applicant has indicated that improvements to the intersection of Houston Road and Woodspoint Drive would need to be made. The Concept Development Plan shows Woodspoint Drive being upgraded from the intersection back to the site entrance.

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A Traffic Impact Analysis (TIA) was not submitted for the proposed development, prior to the Public Hearing. A TIA prepared by Pflum, Klausmeier and Gehrum was submitted as part of the preceding request to develop this site. The Staff has not received a TIA reflecting current traffic information and development information for this request.

Relationship to Boone County Comprehensive Plan and the Houston-Donaldson Study

The request for the Utilization of an Underlying Zone in Planned Development is reviewed in relation to the Boone County Comprehensive Plan and the Houston-Donaldson Study to determine whether it is consistent with the objectives and recommendations of those documents (Figure 5).

The 1986 Future Land Use Map of the Boone County Comprehensive Plan, indicates commercial development on the northern portion of the site and industrial development on the southern portion. The plan discusses the importance of the Turfway Interchange, and recommends careful development of the area.

In addition, the text in the Land Use Element of the Comprehensive Plan also refers to the area:

Land Use Element (pg L-19, L-20 & L-15)

"Undeveloped tracts of commercial land need to tie in and coordinate with any adjoining commercial or industrial development if it exists. Where no commercial development has yet occurred, provisions for access control must be made for future development. This includes the above mentioned as well as the use of frontage roads.

Regionally oriented commercial development should be retained to the Mall Road areas.

The Mall Road area will continue to grow as a regional shopping area and its spill over onto US 42, KY 18 and Houston Road will be evident, thus needs to be substantially controlled."

Business Activity Element (pg G-3)

"Overall Objective:

Compact, efficient development patterns shall be encouraged for commercial and industrial development by maintaining buffer space between uses.

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Commercial Objectives:

1. Commercial uses shall be developed at strategic locations relative to their trade areas with direct access and ample parking space.
2. Future commercial development shall be encouraged, whenever practicable, to occur in the form of shopping centers or other compact aggregations having an integrated design."

The Houston-Donaldson Study makes very specific recommendations on each site within the Study Area, representing ideal development scenarios. Development plans not consistent with the recommendations of the study need to be judged on their own merits through the public hearing process and approval of a Concept Development Plan. As listed in the history of this site, the current request has been deemed not to meet the recommendations as set out in the Houston-Donaldson Study.

The Houston-Donaldson Study treats this site as a very important part of a rapidly developing area. The Study envisions the Houston Road Corridor as an overall employment district and recommends that this property contain a mixture of office and commercial uses (Table 4). A set of development guidelines for each site are also provided to insure a coordinated/unified development reflecting the recommendations.

TABLE 4

HOUSTON-DONALDSON LAND USE

Retail (C-2)	316,000 square feet
Office	786,706 square feet
TOTAL	1,102,706 square feet

The land use envisioned for the site is described as part of the PHASE TWO SUGGESTED LAND USES Section (page 28):

"The area that represents the largest development potential and largest impact on the traffic portion of the Study lies to the east of Houston Road between Woodspoint Drive and the Turfway Interchange ramps. This area is referred to later as Zone 9. The topography of the site is highlighted by two large drainage swales which begin near the interstate and run westward toward Houston Road. The portion adjacent to I-75 is fairly level and well situated so that

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visibility from both directions on the interstate is exceptional. The greatest topographical relief exists along Houston Road, although it does not restrict visibility to a great extent. These characteristics render the current industrial zoning inappropriate as has also been indicated by developers active in the area.

To further the Goals and Objectives of this Study, as well as the Business Activity Element of the Comprehensive Plan, the site is recommended for office and commercial development. Instead of splitting the site into several zoning districts, mixed-use development should occur. High visibility office uses with a corporate orientation should constitute the development base to provide an emphasis on the employment sector. Some light warehousing that is subordinate to office businesses is appropriate as long as it does not involve bulk materials or utilize large trucks. Commercial developments should compliment the office uses, and be intended to provide goods and services for people already in the area instead of providing additional points of destination for traffic. Any interstate-oriented commercial development should occur close to the interchange in such a manner that traffic generated by this commercial activity does not pass through office development. Ideally office traffic would pass through the commercial development.

For the above reasons, and to accomplish the type of development envisioned, O-2/C-2 zoning with a 60 percent office and 40 percent commercial mix is recommended. More specific guides for development of the site, including the impact of property lines, are discussed later in Phase Three."

The SPECIFIC DEVELOPMENT GUIDELINES Section, describes the recommended uses on the site. In addition to the following passage, this section contains very specific recommendations on commercial and office uses for the site. These recommendations are intended to be a guideline for the development within the Study Area (page 56):

"Principal Uses

An emphasis should be placed on a type of land use which would reflect a corporate office type development with support commercial activities designed to serve primarily the Study Area. The type of commercial development should not encourage significant destination traffic trips into the area. Any commercial development that generates a substantial amount of traffic should be located near the major access points to the zone. This helps discourage commercial traffic through office developments. In general, the commercial uses on the site should be oriented to Houston Road while the central office uses and related facilities should make use of the interstate visibility. The larger office developments on the site may incorporate warehousing as a use subordinate to the office use, however, the area adjacent to the Woodspoint Nursing Home should

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contain office uses compatible with the existing facility. Zone #9 represents another high visibility location where appropriate design, signage, and site preparation are important."

The Houston-Donaldson Study also discusses the development of property within the Study area as related to traffic and access issues. The major access point to the site is recommended to be a signalized driveway located halfway between Woodspoint Drive and the southbound Turfway Interchange Ramps. The spacing for the drive would be approximately 1,450 feet from the ramps and Woodspoint drive. The existing access road is recommended to either be eliminated or continued as a minor drive to provide right-hand exit movements.

The Study recommends that Woodspoint Drive function as a second major access point to the site. The roadway would need to be improved with the developers of the property adjoining the roadway bearing the responsibility of the upgrade. The improvements to Woodspoint Drive are to be made without negatively impacting the recreational and public facilities land uses.

The Houston-Donaldson Study recommends several traffic improvements needed for the eventual development of the area. The Study focused on the effect of the entire area developing and the impact upon the existing transportation network. As such the Houston-Donaldson Study recommended transportation improvements dependent upon specific development scenarios.

The Study's Phase Two Analysis determined the traffic impact for a sixty percent and a forty percent level of permitted zoning intensity based on the study of existing developments in 1987. The final Phase Two and Phase Three Analysis were based upon the area developing at a forty percent intensity. The specified roadway improvements recommended are illustrated in Figure 6, of which included are:

- Houston Road improvements between KY 18 and Donaldson Road to include: extension to Donaldson Road, four travel lanes and a 12 foot center median and controlled access points located approximately 1600 feet apart.
- A series of frontage roads to serve new developments along Houston Road and its extension.
- Improved access for north bound traffic onto I-75 from Houston Road.
- Construction of the KY 18/Houston Road Connector
- Intersection improvements at the Houston Road intersections of Turfway and I-75 ramps.

The analysis also concluded that "even with these extensive improvements, the intersection operations at KY 18 with Houston/Hopeful and Mall Roads will operate as very congested during peak hours periods." Also, traffic traveling northbound during peak hours will be congested at the intersection of Houston and Turfway with the I-75 ramps.

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The Study goes on to recommend that in the event of full development of the area, the following improvements would be necessary;

- Reconstruction of the Turfway Road, I-75 underpass for northbound access or the construction of a new northbound I-5 access ramp that begins at some point on Houston Road/Houston Extension and crosses over I-75.
- Reconstruction of the Mall Road, Houston Road, and Ky 18 intersection area. As determined by specific engineering and cost-benefit studies, this could be in the form of a Mall Road extension; a bridge over KY 18; a Hopeful and Mall Road Connector; a realignment of Mall Road, Houston Road, or both; of grade separated ramps for turning movements.

It should be noted that these improvements may be needed in the immediate future, sooner than estimated in the Houston-Donaldson Study. This is due to the increase in through traffic, and additional understanding how the area transportation network operates.

The Staff has conducted some traffic generation analysis and related that to analysis contained in the Houston-Donaldson Study (Table 3). The result is that the proposed Houston Lakes development, as shown on the Concept Development Plan will generate more average daily traffic for the 101 acre site than foreseen in the Houston-Donaldson Study. More importantly, the PM Peak estimates for the development as proposed are substantially higher than recommended by the Study.

TABLE 3  
TRIP GENERATION

TIA LAND USE	SQ FOOT	ADT	AM PEAK		PM PEAK	
			IN	OUT	IN	OUT
RETAIL	370,000	28,282	295	174	1,190	1,160
OFFICE	433,000	5,633	705	114	137	685
HOTEL (2)	203,000	2,868	131	74	119	95
REST (5)	34,000	4,048	143	103	205	146
BANK (2)	8,000	2,025	30	23	140	146
<b>TOTAL</b>	<b>1,048,000</b>	<b>42,855</b>	<b>1,304</b>	<b>486</b>	<b>1,792</b>	<b>2,233</b>

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H/D LAND USE	SQ FOOT	ADT	AM PEAK		PM PEAK	
			IN	OUT	IN	OUT
C-2 (retail)	316,000	10,416	75	25	401	407
O-2 (office)	86,706	10,125	1,321	149	307	1,243
TOTAL	627,000	20,541	1,396	174	708	1,650
DIFFERENCE	421,000	20,541	-92	312	1,084	583

It should be noted that the Houston-Donaldson Study was prepared using the third edition of the ITE Trip Generation Manual while the fourth edition was used to estimate trips for the Houston Lakes development. The comparison in Table 3 therefore is not exact, given the different methodologies used. However, the Houston-Donaldson Study was concerned with the ability of the existing and future roadway network to adequately handle the amount of traffic generated by development of the area. The system can only handle a set amount of traffic regardless of the methodology used to estimate the number of trips for each individual zone.

The Phase Two analysis of the Houston-Donaldson Study concluded that traffic is the limiting factor for development in the study area. "Even at the forty percent zoning intensity level, the major intersections were projected to operate at a very low level of service. The conclusion was that substantial reduction in trip generation and/or construction of new roadways would be needed to adequately handle traffic entering and leaving the Study area.

At total build-out of the Houston-Donaldson Study area, several roadway improvements will need to be completed to handle the estimated traffic. These improvements are required to serve the increase in development in the Study area as well as an increase in pass through traffic. The Houston-Donaldson Study emphasizes the importance of planning for roadway improvements in this area to insure that future traffic will not overload the existing system. The Study specifies several needed roadway improvements but also concluded that additional projects would most likely be needed. Further, the Houston-Donaldson Study recommended that further studies be undertaken focusing on specific areas, such as KY 18.

The Houston-Donaldson Study analyzed the capability of the water and sanitary sewer facilities around the Study area to handle ultimate development within the Study area. The level of development used for analysis was the elevated maximum intensity of 60 percent of the development intensity allowed by the Boone County Zoning Regulations. The analysis concluded that with planned improvements such as the 20 inch water line under construction along Houston Road, adequate water amounts and pressure would be available to handle full development in the Study area. The critical factor in water supply for the Study Area is the amount of

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storage available. Because of topography and airport height limitations, additional storage facilities will have to occur in approximately 5 years outside the Study area. The 20 inch water line from Donaldson Highway to KY 18 will act as storage to a certain extent.

The Houston-Donaldson Study also describes site preparation and signage recommendations for the site. Because of the difficulty in utilizing existing vegetation on this site, landscaping is stressed as a very important part of development at this high visibility location. Signage is recommended to reflect a corporate office type of environment and consist of monument signs and building-mounted signs with necessary directory signs.

A major recommendation of the Houston-Donaldson Study is that regional commercial activity not be located at this location because of:

1. The emphasis on an employment district with supporting commercial development.
2. The importance of the topography and visual impact of the site as supporting a true planned development.
3. The sensitivity of the area to new traffic that would be brought into the Houston and Turfway Road areas by regional commercial development.
4. The impetus that regional commercial development would create for additional similar development along Houston Road.
5. The immediate traffic impacts that would require immediate major roadway improvements instead of the phasing of both development and improvements over time. Some of these improvements are intersection improvements or road connections such as the Houston Extension which are not adjacent to the site. The immediate impact of a large retail operation would have a profound impact on the level of service at these intersections while the phasing of employment development could allow improvements to be made as needed, not after they are needed.

In summary, the Boone County comprehensive Plan and the Houston-Donaldson Study express concern for the proper development of this very important 101 acre site. The property occupies a highly visible location, surrounded on four sides by major roadways of Florence and Boone County. The development of this property raises concerns that can be found in both documents, relating to the development potential of the area, the visibility and accessibility of the site, and the traffic impact on the existing transportation network. While it has already been established that the property is not consistent with the Houston-Donaldson Study, and therefore this public hearing, it is important to assess the proposed land use and its impact in relation to that examined in the Houston-Donaldson Study. It is important that this site develop with an appropriate mixture of uses that is compatible with nearby development and that infrastructure improvement be made in accordance with the Boone County Comprehensive Plan and the Houston-Donaldson Study.

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STAFF CONCERNS

1. Proposed Use

The proposed development and associated expansion of commercial usage along Houston Road would significantly alter the future character of the area. Currently, the majority of Houston Road is undeveloped, with the exception of Turfway Business Park. With the approval of this request (and approval of Florence for Turfway Business Park) there will be 655,800 square feet of retail space, with four stores being over 100,000 square feet.

The applicant has not fully indicated the type of retail uses that are referred to as the retail anchor uses. The Staff believes that these two large retail uses will in fact be discount stores. The concern is that such stores will have a regional customer base, and will not be part of an integrated development. These uses would not interact with office environments nor be stores that support the employment uses envisioned for the Houston-Donaldson Study area. Anchor tenants establish the type of retail scale which will develop. Without additional information the logical conclusion is that the center will be regional in nature.

The Staff is concerned with the expansion of regional retail uses along Houston Road and its impact on the remaining portions of Houston Road. The Concept Development Plan shows a row of retail uses bordering Houston Road, that will have the visual impact of an overwhelming retail development. The Staff is concerned that the visual impact of the northern portion of Houston Road will be extended all the way to KY 18 and Mall Road. Allowing the development as designed would send a signal that Houston Road may develop as an extension of the Mall Road area; a regional commercial area. Many other places have been planned for regional retail activities, this area has not. The developer has yet to explain their reasons for so dramatically deviating from the land use plan for the area in general.

2. Regional Focus of Retail Use

The Staff is concerned that the large retail uses proposed constitutes a regional retail operation - not recommended for the site by the Houston-Donaldson Study. The impact that a 110,000 square foot and 100,000 square foot retail anchor stores will have on the traffic patterns of the area are also a concern.

The majority of the property within the Houston-Donaldson Study area is not developed at this time. What is built, or proposed for the near future, is overwhelmingly retail in nature. The retail for the area was recommended to be provided for the needs of the employment district. Staff is concerned that the retail is not oriented to the local level as it is being proposed to be constructed first. Approval of the Houston Lakes Development would allow a dramatic increase in the retail use along Houston Road, without guaranteeing the provision of office and other employment uses.

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The Staff believes that the result of allowing regional types of retail uses on the site would attract additional destination traffic into the Study Area. At present, the volume of traffic passing this site does not seem to warrant the need for such large retail uses. The Staff does not believe that there are enough possible customers now using Houston Road, therefore, the retail uses will survive by drawing people to the site.

This proposed development will have subordinate commercial uses which would feed off existing traffic or combine trips with employment uses; it also has uses which are specifically designed to attract new traffic. Specifically, an increase of traffic into the Study Area will further deteriorate conditions at the road system's weak points - the major intersections and the Turfway Interchange. Without substantial and major improvements described in the Houston-Donaldson Study, traffic congestion will occur.

3. Office Tower

The design of the Concept Development Plan with a 10 story office structure in the middle of the retail uses is problematic. The concern is that the design of the office tower is unrealistic due to the lack of parking provided. Although the office tower is surrounded by parking, the office use will have to compete with retail customers. The Staff is concerned about the viability of an office tower stuck between two large retail uses, including the visual impact (see Figure 4). At the same time, Staff recognizes this as a unique concept and encourages its future development but suggests the problems be addressed through multi-story parking.

4. Design

The type of regional retail uses proposed would interact very little with the employment district envisioned by the Houston-Donaldson Study. In Staff's opinion this is not the mark of a true mixed-use planned development, rather a development with several types of land uses. The Staff believes that development along Houston Road can be employment oriented and use the natural features of each site.

The Concept Development Plan as proposed, does not use any of the existing features of the site. Specifically, the large swale running diagonally through the site will be removed in development. The Staff does not believe that the landscaping of the site will make up for the lost feature. The leveling the site will result in a less creative design, and one that will be highly visible from both Houston Road and I-75.

5. Visual Impact

Visual characteristics of the proposed development are very important at this location. The applicant intends to submit architectural and landscape information at the public hearing. All development on the site would have to eventually undergo Design Review and conform to the Special Sign District requirements of the Houston-Donaldson Study.

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The Staff is concerned with the accuracy of the Concept Development Plan, and how that might mislead as to the amount of open space that will eventually be on the site. The parking indicated on the submitted Concept Development Plan for the retail uses is at a lower rate (parking to square feet) than that found for other major shopping centers within the Greater Cincinnati Area.

The parking for the out-lots is also felt to be inadequate, or not realistically shown on the Concept Development Plan. The Staff believes that the actual development of the sites will allow for little open space/landscaping. This is very important given that these sites are highly visible, adjacent to Houston Road and I-75.

## 6. Traffic

The Staff has several traffic concerns regarding this project. The overall concern is that the ability of the existing roadway system to effectively handle the traffic that will be generated. At present, the level of service the intersections in the Houston-Donaldson Study area are operating at is a concern.

As stated, a purpose of the Houston-Donaldson Study was to "evaluate potential development in terms of ...traffic... in order to avoid overloading [the] infrastructure." The goals and objectives further addressed the traffic concerns that were a basis for undertaking the study:

GOAL II: "To allow the area to develop with an efficient traffic circulation system and a minimum of congestion.

### OBJECTIVES:

- A. To correlate the land use pattern and recommended intensities of development with the opportunities and limitations of traffic system improvements.
- B. To determine the best traffic alternatives in terms of handling both development-related and through-traffic, and in terms of feasibility."

Development of this site will generate significant levels of traffic. In addition to the volume, there is concern with the type of traffic this development will generate. The proposed retail uses, in Staff's opinion, are intended to serve a regional trade area. The Houston-Donaldson Study recommends that retail development not be regionally oriented, but should serve the surrounding developments. The traffic generated, therefore, is not intended to be comprised of new, additional traffic on the surrounding roadways and intersections. Road improvements have not been planned for this additional traffic as it relates to the rest of the land area in the Houston-Donaldson Study.

=====

A related traffic concern is the effect this development will have on traffic patterns within the Study Area. The expansion of large retail uses on the northern end of Houston Road will inevitably increase the number of vehicles traveling to and from the Mall Road area. The Staff is concerned with an increase in the amount of traffic traveling through the intersections along KY 18 to reach Houston Road.

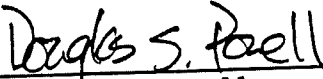
The extension of Houston Road to Donaldson Highway will help alleviate traffic problems in the area. However, the roadway is currently scheduled to be constructed in phases, the first stopping at the Marydale property. It is unclear when the second phase will be completed. The concern is that the improvement associated with the extension of Houston Road will be offset by development of regional retail centers.


The Staff is also concerned with the internal traffic circulation of the development. As a result of the large number of vehicles that will be entering and leaving this site, more stacking room should be provided on the main access drive and minor access drive on Houston Road. The Houston-Donaldson Study recommended that 400 feet is a suitable distance on the main access drive between Houston Road and any crossing drives. This distance would allow vehicles to exit in an orderly and efficient manner. Moving these cross drives back would also present opportunities to provide additional landscaping area around the entry points of the development.

A final transportation concern is the specific design and implementation of the improvements discussed in this application. The applicant should participate with the developers of Turfway Business Park and the Kentucky Department of Highways in the improvements necessary to directly serve this proposed development.

CONCLUSION

This request could have a significant impact on a very important area of development in Florence and Boone County. The Commission needs to carefully consider the future character of Houston Road and review the request in light of the Boone County Comprehensive Plan and the Houston-Donaldson Study. Should the request be approved, the Houston-Donaldson Study would need to be amended.

  
\_\_\_\_\_  
Douglas S. Powell  
Transportation Planner

  
\_\_\_\_\_  
David A. Geohagan  
Planner/Plans Examiner

DSP/DAG:jdh

FIGURE 1  
ORIGINAL PLAN



McGill  
Smith  
Punshon  
International, Inc.  
Engineers, Architects,  
Planners, Surveyors,  
Landscape Architects

1931 Carnegie Park Drive  
Houston, Texas 77057  
Phone: 770-821-1000  
Telex: 340488

Contract No. RPS

Project No. TLS

Scale 1" = 200'

Date 5/25/87

Project Name

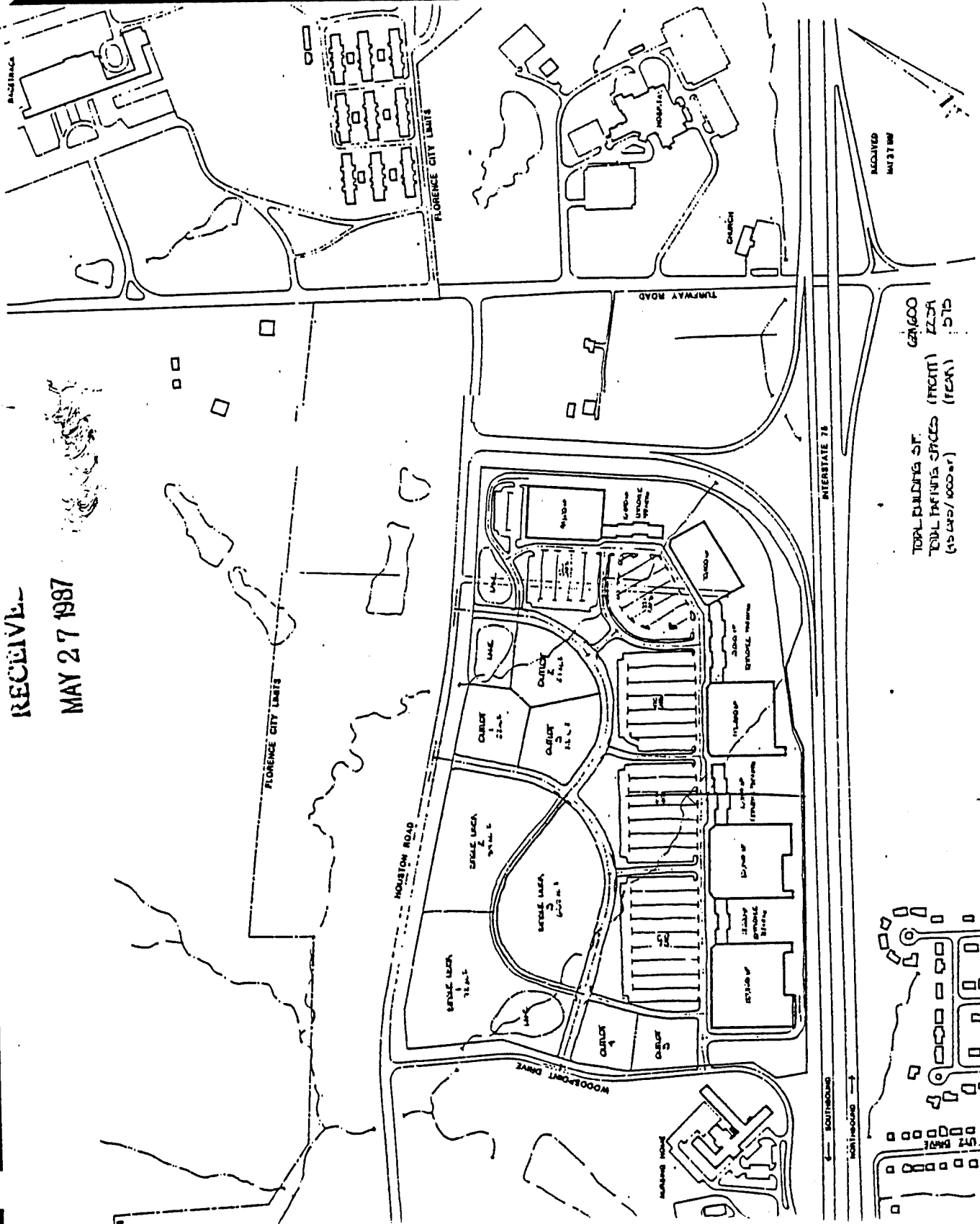
HOUSTON LAKES

Sheet Title

Project

Project No. 87-163

Page No. 87-163



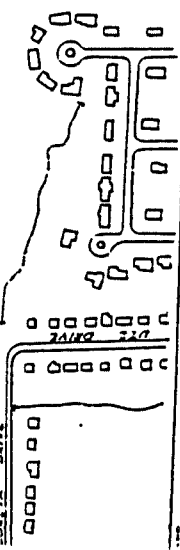
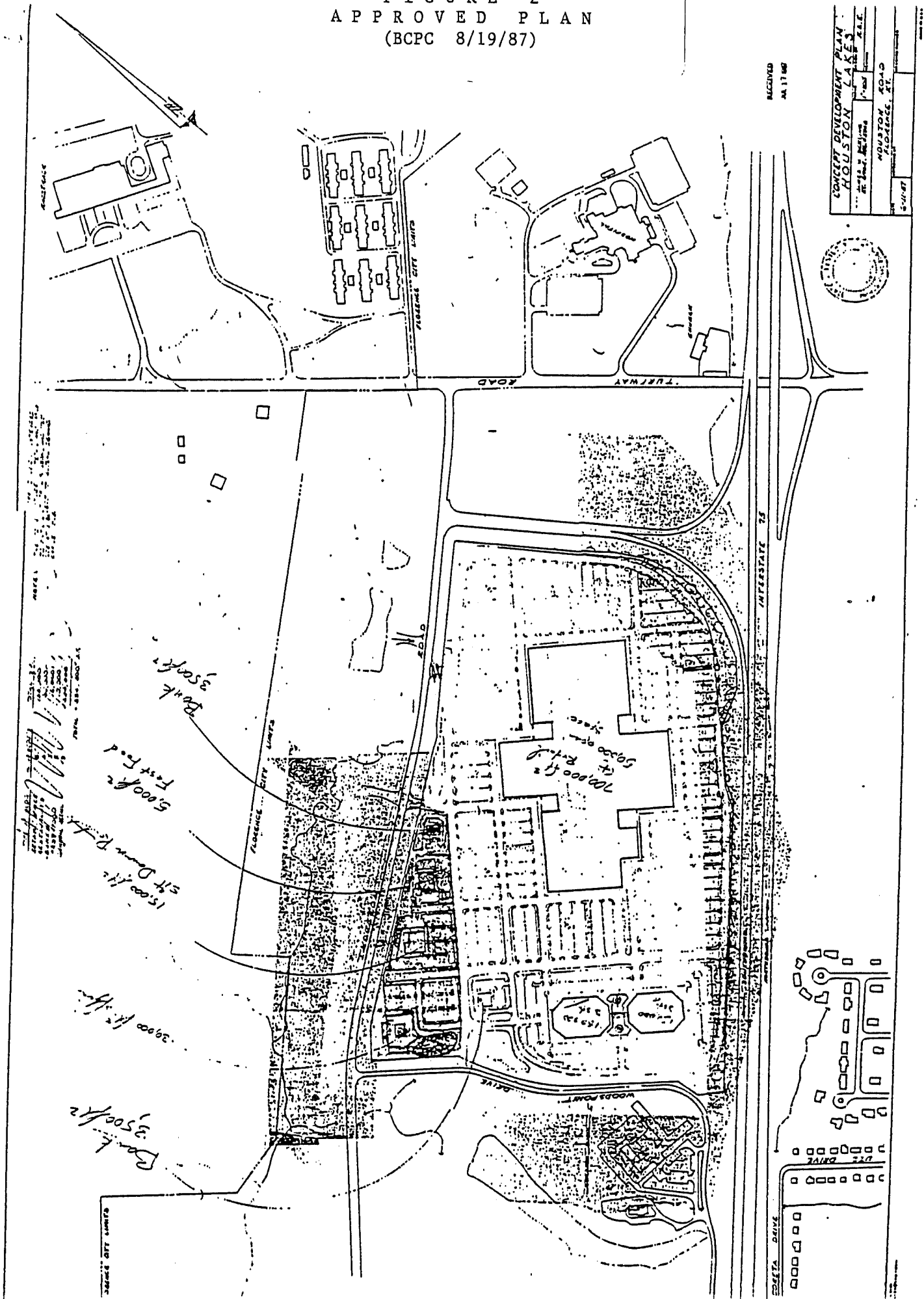
TOTAL BUILDING SF. 624,600  
TOTAL PARKING SPACES (FRONT) 12,254  
(55 cars/6000sf) 1,575

RECEIVED  
MAY 27 1987

FIGURE 2  
 APPROVED PLAN  
 (BCPC 8/19/87)

RECEIVED  
 AA 17 80

CONCEPT DEVELOPMENT PLAN HOUSTON LAKES	
DATE: 11/27/87	SCALE: 1"=100'
HOUSTON ROAD FLORENCE, TX	
S-11-87	





RECEIVED

APPLICATION FORM  
CHANGE IN CONCEPT DEVELOPMENT PLAN  
THE UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT

17. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- Boone County Water and Sewer District
- Florence Water and Sewer Commission
- Union Light Heat and Power
- Cincinnati Bell
- Owen County Rural Electric
- Boone County Road Department
- Kentucky Transportation Cabinet
- City of Florence Public Works Department
- City of Walton Public Works Department
- Northern Kentucky Health District
- U.S. Soil Conservation Service
- Local School District
- Local Fire District
- Other: \_\_\_\_\_

18. Are you also applying for:  
 Conditional Use Permit  
 Dimensional Variance

19. Applicant's Signature(s): *John M. Campbell*

20. Property Owner's Signature(s): \_\_\_\_\_

21. Have you submitted a Concept Development Plan? Yes

**SECTION B (To be completed by BCPC Staff)**

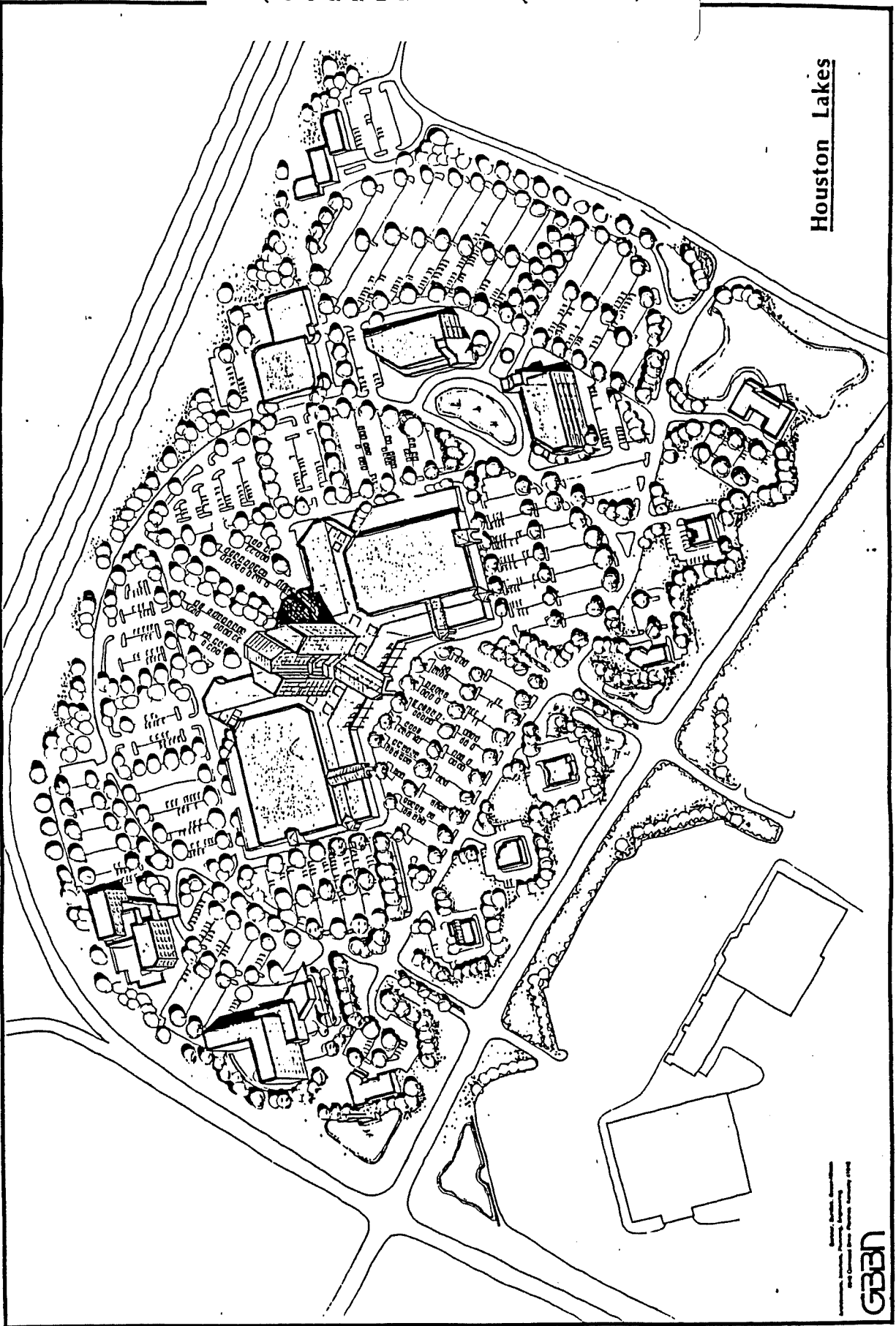
1. Date Received 4/19/89
2. Fee Received \$789.00
3. Check what has been submitted:
 

<input checked="" type="checkbox"/> Application	<input type="checkbox"/> Fee	<input type="checkbox"/> Legal Description
<input checked="" type="checkbox"/> Concept Development Plan	<input type="checkbox"/>	<input type="checkbox"/> Addresses of Adjoining Property Owners
4. No. of copies of plan received\*\* (5)
4. Is application complete? Yes  No
5. Staff Reviewer DAVE GEORGEAN
6. Committee Chairman Fred Bush
7. Scheduled Public Hearing Date 5/24/89 & 6/7/89
8. Boone County Planning Commission Action:
 

<input type="checkbox"/> Approval
<input checked="" type="checkbox"/> Approval With Conditions
<input type="checkbox"/> Disapproval
9. Other: \_\_\_\_\_

\*\* FIVE (5) COPIES REQUIRED  
BCPC:7/11/88

FIGURE 4  
AXONOMETRIC VIEW  
(CURRENT REQUEST)



Houston Lakes

GBBN

FIGURE 5  
HOUSTON-DONALDSON STUDY

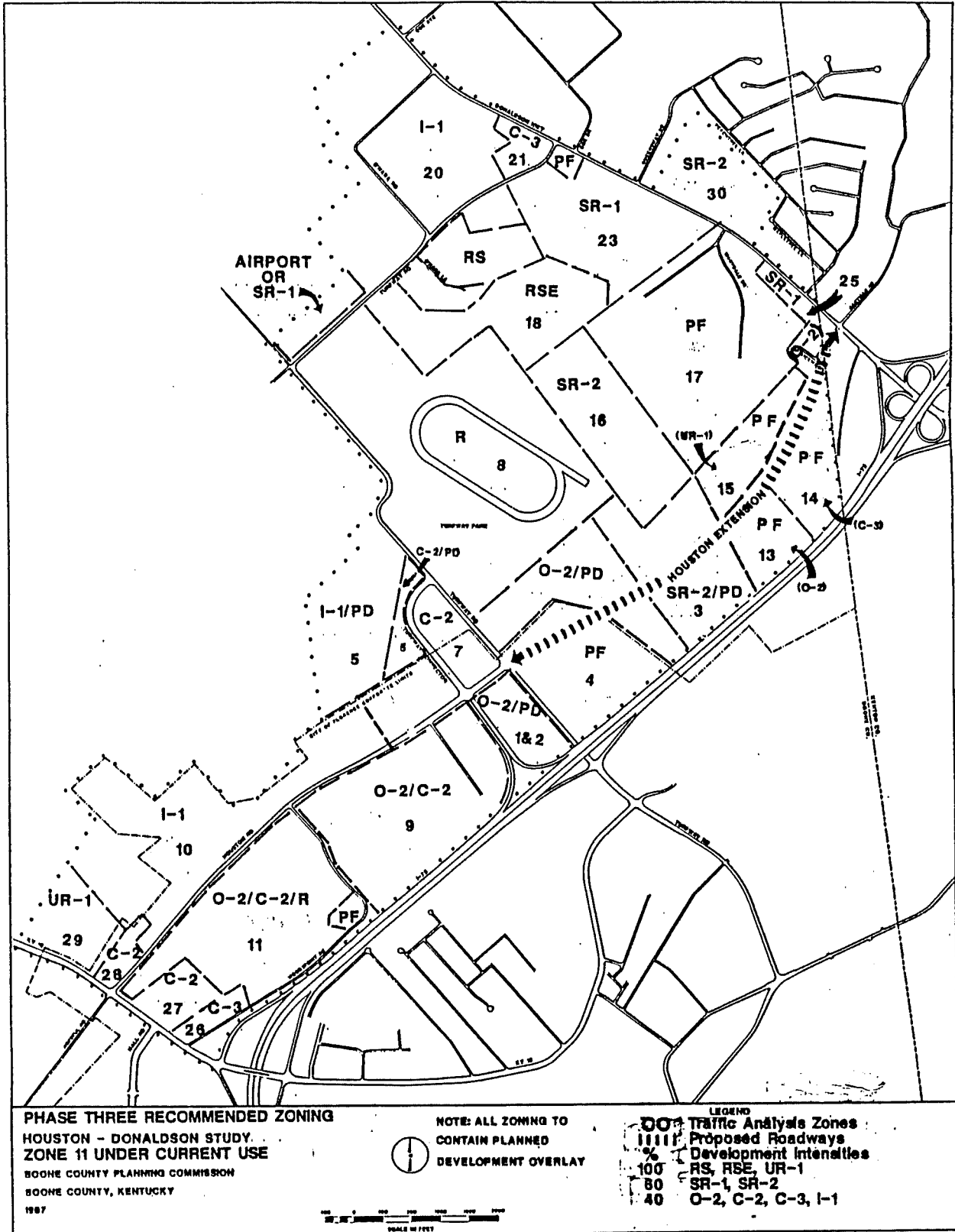
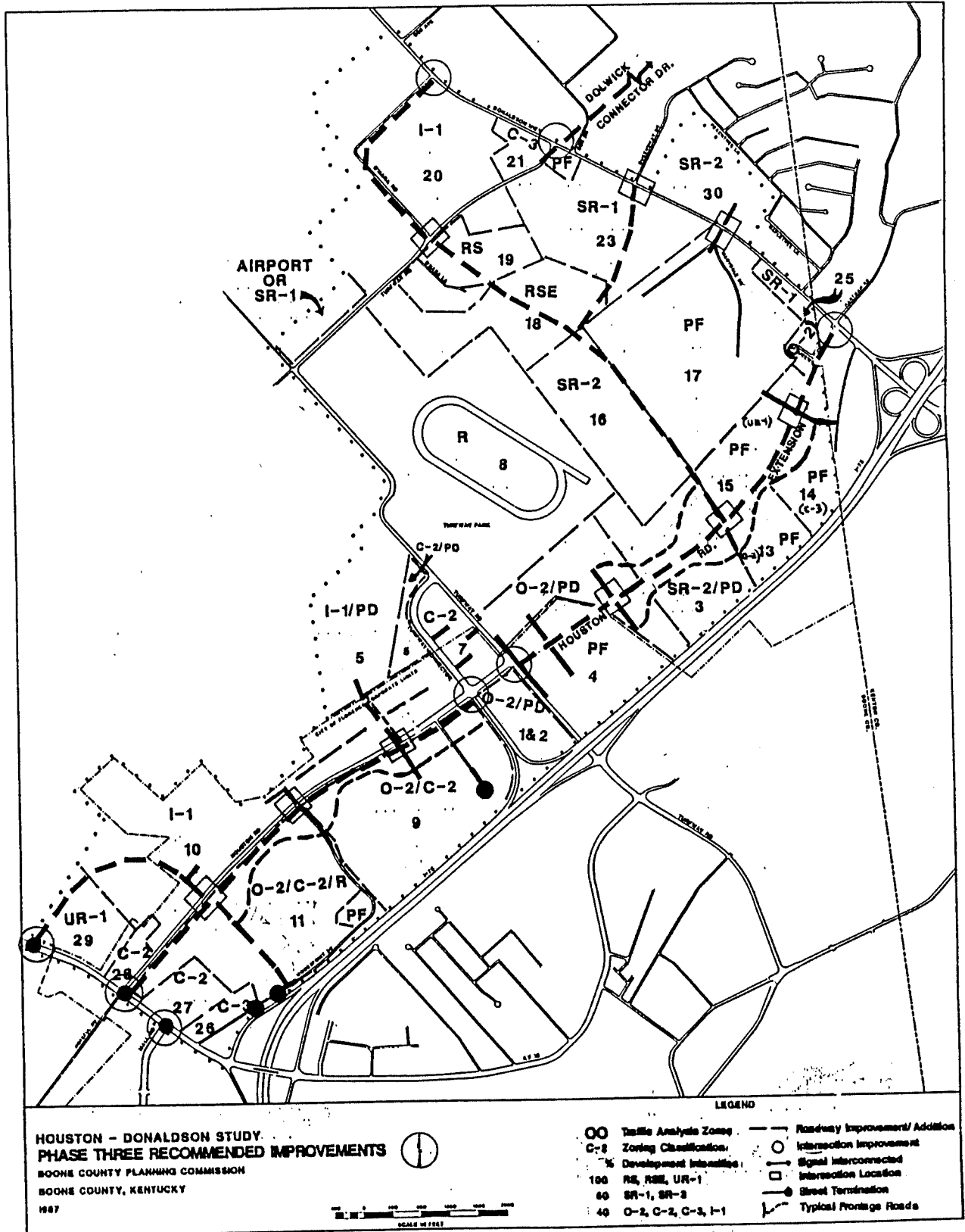
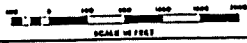


FIGURE 6  
 TRANSPORTATION IMPROVEMENTS  
 (HOUSTON-DONALDSON STUDY)

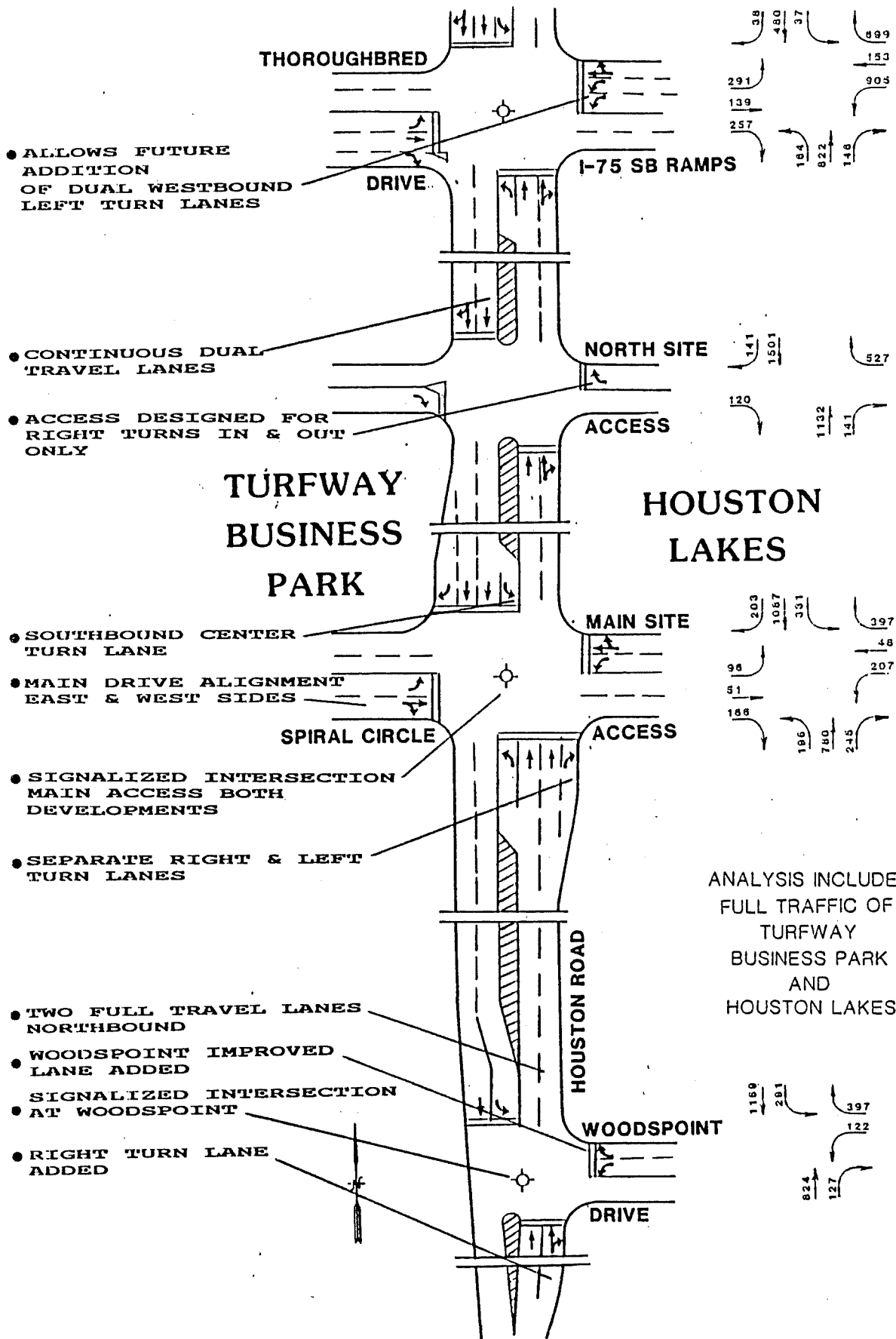


**HOUSTON - DONALDSON STUDY**  
**PHASE THREE RECOMMENDED IMPROVEMENTS**  
 BOONE COUNTY PLANNING COMMISSION  
 BOONE COUNTY, KENTUCKY  
 1987



- LEGEND**
- OO Traffic Analysis Zone
  - C-2 Zoning Classification
  - % Development Intensity
  - 100 RS, RSE, UR-1
  - 60 SR-1, SR-2
  - 40 O-2, C-2, C-3, I-1
  - Roadway Improvement/ Addition
  - Intersection Improvement
  - Signal Interconnected
  - Intersection Location
  - Street Termination
  - - - Typical Frontage Roads

**RECOMMENDED ROADWAY IMPROVEMENTS  
FORECASTED TRAFFIC IMPACT  
HOUSTON LAKES DEVELOPMENT**



- **ALLOWS FUTURE ADDITION OF DUAL WESTBOUND LEFT TURN LANES**

- **CONTINUOUS DUAL TRAVEL LANES**

- **ACCESS DESIGNED FOR RIGHT TURNS IN & OUT ONLY**

- **SOUTHBOUND CENTER TURN LANE**

- **MAIN DRIVE ALIGNMENT EAST & WEST SIDES**

- **SIGNALIZED INTERSECTION MAIN ACCESS BOTH DEVELOPMENTS**

- **SEPARATE RIGHT & LEFT TURN LANES**

- **TWO FULL TRAVEL LANES NORTHBOUND**

- **WOODSPPOINT IMPROVED LANE ADDED**

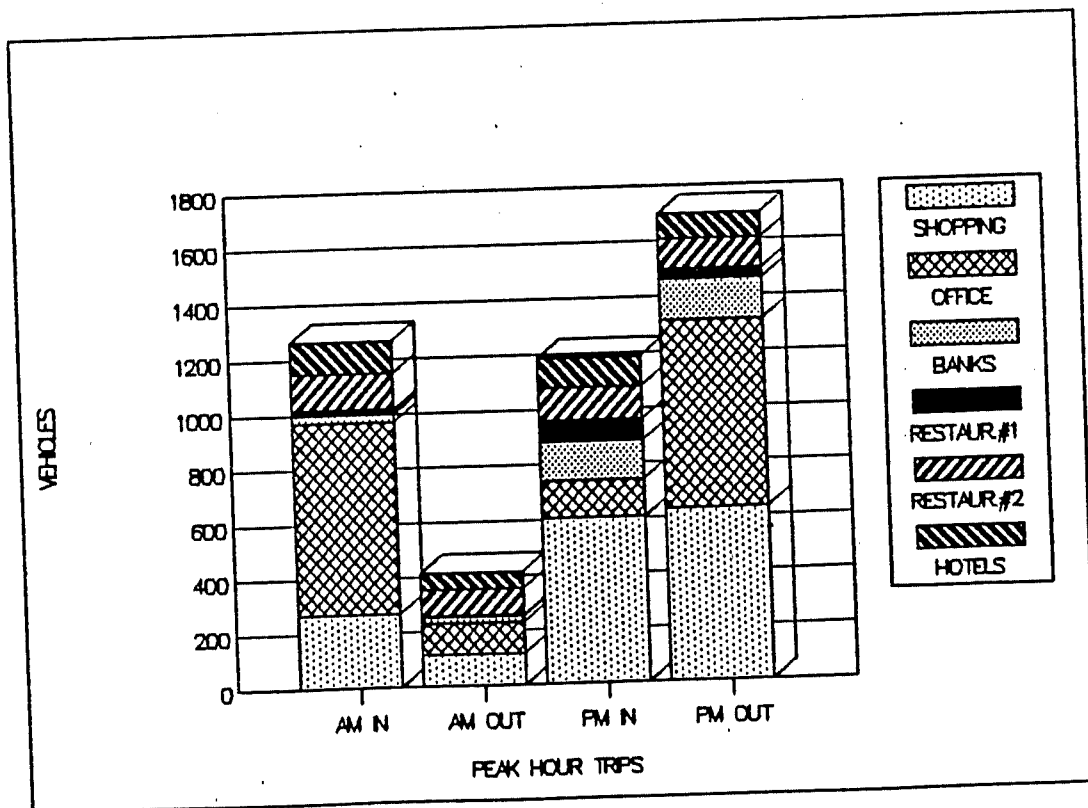
- **SIGNALIZED INTERSECTION AT WOODSPPOINT**

- **RIGHT TURN LANE ADDED**

ANALYSIS INCLUDES  
FULL TRAFFIC OF  
TURFWAY  
BUSINESS PARK  
AND  
HOUSTON LAKES

**TRAFFIC IMPACT SUMMARY**  
**TRIP GENERATION FORECAST**  
**HOUSTON LAKES DEVELOPMENT**

LAND USES	DAILY TRIPS 24-HOUR	AM		PM	
		PEAK HOUR IN	PEAK HOUR OUT	PEAK HOUR IN	PEAK HOUR OUT
SHOPPING CENTER 370,000 GSF TOTAL	16,386	268	115	602	628
OFFICE 433,000 GSF TOTAL (4)	5,631	703	114	136	685
BANKS (DRIVE-IN) 8,000 GSF TOTAL (2)	2,024	30	23	140	146
RESTAURANT 18,000 GSF TOTAL (2)	1,620	15	2	81	37
RESTAURANT 12,000 GSF TOTAL (3)	2,409	129	99	120	111
HOTELS 250 ROOMS	2,141	97	50	82	70
100 ROOMS	821	22	12	25	21
<b>TOTAL PROJECT</b>	<b>31,032</b>	<b>1,264</b>	<b>415</b>	<b>1,186</b>	<b>1,698</b>



Gartner, Burdick, Bauer-Nilsen  
Architecture, Interiors, Planning, Engineering  
6948 Oakwood Drive  
Florence, Kentucky 41042  
606-525-8700

Barrett C. Burdick, AIA  
John A. Burdick, AIA  
John B. Gartner, Jr., AIA  
Robert E. Gramann, FAIA  
Ronald D. Haggard, AIA  
Thomas L. Meacham, Jr., AIA  
Joseph T. Schwab  
David G. Wuest, PE  
Thomas P. Busemeyer, CSI  
Dennis W. Earnisse, CPA  
Hans H. Nuetzel, AIA  
John W. Rogers, AIA  
Don S. Breyley  
Jeanette Shriver McCarthy, IBD



May 24, 1989

Mr. William R. Vlox, Chairman  
Boone County Planning Commission  
Boone County Administration Building  
P.O. Box 697  
2950 Washington Street  
Burlington, Kentucky 41005

RE: Houston Lakes

Dear Mr. Vlox:

On behalf of Buchanan Development Corporation we request the Planning Commission favorable review and support of the proposed Houston Lakes Development. We have worked closely with Fred Burch and the Technical Committee for the past ten months to refine a plan which conforms to the Houston Donaldson Study.

Please be advised that an integral part of our submission is the following information:

- . The oral presentation to the Planning Commission the evening of May 24, 1989.
- . Plans and graphics dated January 30, 1989 which include Concept Development Plan, Aerial view of the park, and detailed entry/landscape features.
- . Letter dated February 7, 1989 from myself to Fred Burch which reviews our methodology for testing the Houston Lakes conformance with the Houston Donaldson Study.


During our presentation this evening we will address specific concerns expressed by the Technical Committee Report of April 19, 1989 and David Geohegan's letter dated May 18, 1989.

This plan represents the culmination of considerable effort by the developer, Boone County Planning Commission Staff, and the Boone County Planning Commission. Over the past three years this plan has evolved to what we believe is the most appropriate way to develop this site. You have before you a Concept Development Plan and future Final Site Plan Review assuring the Planning Commission Members a predictable, controlled and desirable development.

We look forward to working with the Planning Commission and the Technical Committee en route to obtaining your approval.

Thank you.

Very truly yours,



Robert E. Gramann, FAIA

/s

cc: John McCausland



---

February 7, 1989

Mr. Fred Burch, Chairman  
Houston Lakes Technical Committee  
Boone County Planning Commission  
Box 697  
Burlington, Kentucky 41005

RE: Houston Lakes Development

Dear Fred:

Over a year has passed since the Boone County Planning Commission approved the original Concept Development Plan for Houston Lakes. Since that time a new plan has evolved with input and review by the City of Florence, your Technical Committee, and the Boone County Planning Commission Staff. On behalf of Buchanan Development Company I am requesting your close review and approval of the attached revised plan.

We have analyzed the goals and objectives of the Houston Donaldson Study and believe the proposed plan for Houston Lakes is in conformance with these guidelines. The plan provides for the coordinated development of 100 acres which will be absorbed into the community sympathetic to surrounding land use and infrastructure.

Included on the Concept Development Plan is a detailed comparison matrix of square footage proposed for each user type. This also includes the approved Concept Development Plan and the Houston Donaldson Study recommendations. The Houston Lakes plan is developed to 82.4% of the allowable intensity. The proposed mix is 62% office (O-2) and 38% commercial (C-2).

The Houston Donaldson Study has created a framework within which developers are encouraged to program, design, and construct projects which assure a predictable outcome for the community. The key issues which are most important are:

- . Land Planning/Landscaping Concepts
- . Architectural Concepts
- . Signage Concepts
- . Land Use and Phasing
- . Traffic

Our methodology for testing Houston Lakes conformance with the Houston Donaldson Study will be to discuss each of these concepts within the framework of the studies goals and objectives as follows:

**GOAL 1:**

TO ALLOW THE STUDY AREA TO DEVELOP A RATIONAL PATTERN OF LAND USES THAT IS BOTH WELL-PLANNED AND ECONOMICALLY FEASIBLE.

Houston Lakes is a Planned Mixed Use Development which includes retail, office, hotel, financial, restaurant and corporate users. The total of these uses is consistent with the 60% O-2 and 40% C-2 Houston-Donaldson recommendations. The proposed plan is 18% less density than recommended.

Current and future markets indicate that this is an economically feasible project. Considerable interest has been expressed by potential users.

**OBJECTIVES**

- A. TO ARRIVE AT A RECOMMENDED LAND USE PATTERN THAT IS, WHEREVER FEASIBLE, COMPATIBLE WITH EXISTING AND PLANNED DEVELOPMENTS WITHIN THE STUDY AREA.

Houston Lakes is compatible with the Turfway Business Park on Houston Road. This is evidenced by coordinating the landscape features along Houston Road, together with aligning the two access points. The target markets are also compatible since the preponderance of Turfway Business Park is industrial, office research, and office warehouse. Houston Lakes also provides a compatible neighbor to Woodspoint Drive and the Woodspoint Nursing Home.

- B. TO PLAN LAND USES THAT RECOGNIZE ACCESSIBILITY AND VISIBILITY CHARACTERISTICS OF TRACTS OF LAND.

The 100 acre Houston Lakes Development proposes an internal circulation plan which connects the major land uses to the prime access points at Houston Road and Woodspoint Drive. Accessibility is enhanced from the development to the surrounding roads and Interstate by the developer's agreement to participate in the cost of roadway improvements abutting the development.

Houston Lakes is a very visible development both from the Interstate 75 and Houston Road. The central focus of the development will be the combination retail base and office tower located at its center. This focus has an uninterrupted view from the expressway and is flanked by two office towers to its south and two hotel towers to the north.

C. TO UTILIZE EXISTING TOPOGRAPHY AND VEGETATION TO THE ADVANTAGE OF DEVELOPMENT BOTH FROM A VISUAL AND A BUFFERING PROSPECTIVE.

The Houston Donaldson Study recognizes the fact that the existing vegetation is scarce and the topography a minor consideration. The landplanning/landscaping concept therefore for Houston Lakes is extremely important. Our goal is to create an overall sense of place and arrival for both the passer-by and the destination user. This will be accomplished by the following:

- The entire frontage along Houston Road from Woodspoint Drive to Thoroughbred Drive will be sensitively treated with a combination of landforming, landscaping, and entrance features. This treatment will be compatible with that proposed for the Turfway Business Park. The intersection of Thoroughbred Drive and Houston Road must announce that you "have arrived". We envision creating a feature compatible with Turfway Business Park and potentially future development of the northwest corner of this intersection. The major entries to Houston Lakes on Houston Road will include boulevard type entrances, together with plantings, unique signage and water features.
- The entire perimeter of the site will be defined with landforming and green buffer areas. The size and magnitude of this project requires that landforming be of irregular shape and undulation planted with grass which can be easily maintained. The landforming will vary in height with its priority to screen the parking areas along the entire Ring Road.
- Planting islands within the parking areas are important to reducing the scale of surface parking. This was successfully accomplished at the Turfway Business Park Phase 1 retail project and is similar to what is envisioned at Houston Lakes.
- Open/landscaped area within Houston Lakes is approximately 22 acres or 22% of the project.

D. TO PLAN LAND USES THAT CORRELATE WITH TRANSPORTATION RELATED NOISE IMPACT.

The office, hotel, retail, restaurant uses proposed are compatible with a high-volume traffic location but by themselves do not generate traffic which produce loud transportation noises. Compared to the existing noise level produced from Interstate 75, Houston Road and airplanes, the noise generated by this development will be insignificant. The approved new north/south airport runway will create a traffic pattern which is directly over the site.

- E. TO COORDINATE THE DEVELOPMENT OF THE AREA WITH THE LEVEL OF INFRASTRUCTURE REQUIRED BY TYPES AND INTENSITIES OF USE.

The proposed density of 18% less than the recommended allowable will not impact the infrastructure beyond that anticipated in the Houston Donaldson Study. The study anticipated that even 100% intensity spread over the period of time expected for development to occur would not over burden the water and sewer systems.

Phasing of the development is envisioned in three phases. Each building on the plan indicates its proposed phase. Grading of the site would begin immediately as would construction of the Ring Road and two Houston Road entrances. Houston Road improvements and Phase 1 site and building improvements would proceed concurrently. Chronology of Phasing is estimated to be:

Phase I:	1-3 years
Phase II:	3-6 years
Phase III:	6-9 years

**GOAL II:**

TO ALLOW THE AREA TO DEVELOP WITH AN EFFICIENT TRAFFIC CIRCULATION SYSTEM AND A MINIMUM OF CONGESTION.

The developer recognizes the importance and impact of traffic on this area. The plan accommodates this impact through intelligent site planning and proposed improvements to both Houston and Woodspoint Roads and in concert with the specific guidelines outlined in the study.

**OBJECTIVES**

- A. TO CORRELATE THE LANDUSE PATTERN AND RECOMMENDED INTENSITIES OF DEVELOPMENTS WITH THE OPPORTUNITIES AND LIMITATION OF TRAFFIC SYSTEM IMPROVEMENTS.

The success of Houston Lakes traffic system is its compatibility with the Turfway Business Park and identified access at Woodspoint Drive. The major access point on Houston Road will align with Spiral Drive and be controlled by traffic signal. Turn movements are shown on the Concept Development Plan. Secondary access on Houston Road will align with the secondary access to Turfway Business Park. This intersection will also be controlled by traffic signal. Turn movement as shown on the plan will be limited to a right turn only from the project onto Houston Road. The access points on Woodspoint is located approximately 400 ft. from the intersection of Houston Road, the second only serves the proposed medical office building opposite Woodspoint Nursing Home.

These primary access points connect with the ring/frontage road which disperses and collects traffic throughout the 100 acre development.

- B. TO DETERMINE THE BEST TRAFFIC ALTERNATIVES IN TERMS OF HANDLING BOTH DEVELOPMENT-RELATED, AND THRU-TRAFFIC, AND IN TERMS OF FEASIBILITY.

A detailed traffic analysis has been prepared by Pflum, Klausmeyer and Gehrum and supports the necessary proposed off-site roadway improvements and inter development circulation. The average daily traffic and peak intensity of traffic will be no greater than anticipated by the Houston Donaldson Study since Houston Lakes is 18% less than the recommended density.

Specific guidelines which have been recommended for the abutting roadways are an integral part of the plan. The traffic report articulates the widening of both Houston and Woodspoint Drive to accommodate this development. As part of the developer's request for proceeding immediately to the preliminary plan review, Buchanan Development has agreed to participate at 65% of cost of roadway improvements abutting Houston Lakes.

- GOAL III:  
TO PROVIDE A DEFINITIVE GUIDE FOR EFFICIENT AND ADEQUATE WATER AND SEWER SERVICES BASED ON THE DEVELOPMENT OF THE STUDY AREA.

OBJECTIVES

- A. TO EXAMINE THE AREAS SEWAGE NEEDS AND RECOMMEND A METHOD OF SEWAGE BASED ON THE TYPE, INTENSITY AND LOCATION OF DEVELOPMENT.
- B. TO EXAMINE THE AMOUNTS AND LOCATIONS OF WATER SERVICE NEEDED FOR SPECIFIC AREAS OF DEVELOPMENT WITH THE STUDY AREA.

As outlined in the study, this site developed at 100% intensity in a phased manner will not over burden the community infrastructure water and sewer system. Since Houston Lakes is developed at 18% less than the recommended allowance it compliments these goals and objectives.

Site water retention and detention are an integral part of Houston Lakes. These facilities have been creatively incorporated into the plan to further enhance the aesthetic quality of the park.

- GOAL IV:  
TO ENSURE THAT THE RECOMMENDED LAND USES AND THE TYPES OF DEVELOPMENT OCCUR IN CONJUNCTION WITH APPROPRIATE EXTERIOR APPEARANCES TO THE GENERAL PUBLIC. THIS GOAL IS BASED UPON THE RECOGNITION THAT THE STUDY AREA HAS AN ENORMOUS AMOUNT OF VISIBILITY FROM MAJOR PUBLIC THOROUGHFARES. ALSO IT IS BASED UPON THE IDEA THAT ANY FUTURE DEVELOPMENT SHOULD PRESERVE, AS MUCH AS POSSIBLE, THE NATURAL TERRAIN AND VEGETATION IN ORDER TO MINIMIZE ANY ADVERSE VISUAL OR AESTHETIC IMPACT.

Because of its location surrounded by Interstate 75, the entrance ramp, and Houston Road the park essentially has 360 degree visibility. For this reason each targeted use has been planned to provide a "front door" appearance to all perimeter frontage of the site. This is further enhanced by significant setbacks, large amounts of green space, water amenities, and significant grading features outlined previously in the landscape concept.

The preponderance of the Houston Lakes Park will require excavation and grading. This will be an opportunity to visually enhance the project along Houston Road which now suffers from unattractive banks along the right-of-way, which are not conducive to a quality development requiring adequate site lines. This grading will also allow a planned approach to the site water retention/ detention requirements within the park. The overall landscaping concept and the 22+ acres of open space will have a very positive visual and aesthetic impact on the community.

#### OBJECTIVES

- A. TO INSTITUTE A MECHANISM WHEREBY THE DESIGN OF ANY STRUCTURE AND SITE CAN BE MADE TO COMPLIMENT NEIGHBORING DEVELOPMENTS AND THE SURROUNDING LANDSCAPE. THIS MECHANISM WOULD SERVE AS A GUIDE TO ASSURE THAT A HIGH LEVEL OF AESTHETICS OF AMENITIES BE CONSTRUCTED AND MAINTAINED IN A SPECIFIED AREA.

We believe the plan for Houston Lakes demonstrates Buchanan Development Companies commitment to a high level of aesthetics and amenities for the park. An integral part of this submission and plan is the Protective Covenants for Houston Lakes. These development covenants guarantee a coordinated high/quality design for each building within the park. These guidelines are developed to assure compatibility with the surrounding developments which are presently being developed.

The architectural concept for Houston Lakes is a requirement that the major exterior materials be a combination of glass and masonry. All service areas/courts must be screened and landscaped adequately and incorporate the necessary truck loading and trash disposal. The screening of HVAC equipment and its integration into the buildings architecture is also important.

Houston Lakes will reflect a corporate office type development with office towers and similar hotel structures. The commercial activities which include two retail anchors together with specialty shops are all controlled by the development covenants to assure that their design will compliment and enhance the overall parks image.

- B. TO PROVIDE AN ALTERNATIVE TO CONVENTIONAL ZONING REQUIREMENTS FOR SIGNAGE, WHICH COULD BE IMPLEMENTED TO ALLOW UNIQUE AND IMAGINATIVE SIGNAGE REQUIREMENTS IN AN AREA THAT IS HIGHLY VISIBLE FROM MAJOR PUBLIC THOROUGHFARES. THIS ALTERNATIVE WOULD AT THE SAME TIME PROTECT THE PUBLIC AND ENHANCE COMMUNITY VISUAL APPEARANCE.

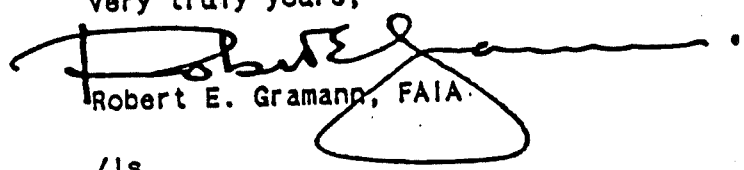
Special sign district regulations will be prepared for Houston Lakes and will become an integral part of the protective covenants. Park and building signage are important to the performance of Houston Lakes. Office and commercial development of this scale require a realistic solution to signage which assures both aesthetic and marketing success.

The signage concept will include both park and building signage. It is important to identify Houston Lakes as a major destination development. Visibility of the project from both the Interstate and Houston Road is very important. We proposed to create monument type signage visible from the Interstate, the Houston Road Interchange and the three entry points to the development. The signage will be a combination of the graphic and landscaping features. It will be architecturally compatible with the planned development. Free standing signage for the individual tenants will not be allowed. All tenant identification signage will be placed on the buildings. Individual free-standing signage along the Ring Road which identifies a specific address or identification will be permitted.

I trust this analysis together with the accompanying plan and Protective Covenants demonstrate Buchanan Development Corporations commitment to professionally developing Houston Lakes. The evolution of this plan is a commitment to conform with the Houston Donaldson Study recommendations with the result being an opportunity to control the most prime 100 acres of undeveloped land in Boone County. Houston Lakes when developed will be an important asset to the entire community.

Following your review of this material, should there be any questions, please do not hesitate to call.

Very truly yours,

  
Robert E. Gramann, FAIA

/s

Enclosures - Concept Development Plan  
Protective Covenants

cc: John MacCausland  
James Berling

EXHIBIT "A"

# J. W. BERLING ENGINEERING COMPANY



*Land Surveying, Site Development, Civil Engineering Services*  
Ky. Registration No. 5745 • Land Surveyor Registration Ky. 206

606/291-2680  
1132 MAIN STREET  
COVINGTON, KY 41011

May 5, 1987

LEGAL DESCRIPTION  
SAM HOUSTON SQUARE  
101.3 ACRES TRACT  
HOUSTON ROAD, FLORENCE, KENTUCKY

Beginning at the intersection point of the northeast line of Woodspoint Drive and the southeast line of Houston Road; thence in a northeasterly direction along the southeast line of Houston Road 2,750 feet to the southwest right of way line of Ramp "D" connecting Houston Road and Highway I-75; thence in a southeasterly direction along said right of way line 1,650 feet to a point in the northwest right of way line of Highway I-75; thence in a southwesterly direction along the northwest line of Highway I-75, a distance of 2,300 feet to the south corner of R.C. Durr; thence N 41°-13' W 129 feet to a point in the northeast line of Woodspoint Drive; thence in a northwesterly direction along the northeast line of Woodspoint Drive 890 feet to the place of beginning.

CONTAINING 101.3 ACRES TRACT.

EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

May 24, 1989  
8:00 P.M.

PUBLIC HEARINGS

Mr. William Viox, Chairman, called the meeting to order at 8:30 P.M.. Following an explanation of the Public Hearing process, he introduced the first item on the agenda:

1. Applicant: GBBN for Buchanan Development Corporation and Newport Steel Corporation (owners)  
Request: Utilization of an Underlying Zone

This was a Public Hearing on the request of GBBN (applicant) for Buchanan Development Corporation and Newport Steel Corporation (owners) for the Utilization of an Underlying Zone in Planned Development on a 101-acre site located south of Houston Road, north of I-75, and east of Woodspoint Drive, Florence, Kentucky. The request is to determine the review process for the proposed project as stated in the Houston-Donaldson Study.

Staff Member, Doug Powell, presented the Staff Report which included a slide presentation (see Staff Report). The Chairman noted a correction to Page 1, Paragraph 3, of the Staff Report that July 22, 1989 should be July 22, 1987.

The Chairman asked if there was anyone present who wished to speak in favor of the request.

Mr. John McCausland introduced his joint venture partners, Mr. Cliff Borman, Chairman of NS Group, and Mr. Ronnie Noll. He noted that Jim Berling, Bob Gramann, and Jack Gehrum were also present. Mr. McCausland stated that the financing is just about in place.

Mr. Gramann of GBBN stated that the Commission approved a plan for the site in 1987 which was different from the current plan. They have worked closely with the Staff and Committee in the last year. He read comments from the Technical Committee, noting their concerns in regard to the infrastructure and that the Public Hearing process be used for the public to review the proposal. He stated that the land use orientation and design are somewhat different than what was approved under the Houston-Donaldson Study and require further review. They feel that this plan is compatible with the uses within the site and its neighbor, the Turfway Business Park. Using an enlarged Concept Development Plan, he reviewed the adjacent roadways and uses on the site including hotels, restaurants, and financial uses. He stated that the center of the site is an Omni Center with a combination of retail and office

use. There will be two retail anchors of 80,000 to 100,000 sq. ft.. There is an office tower and an atrium. There is a corporate use and medical offices adjacent to the Woodspoint Nursing Home. The 320,000 sq. ft. retail use is a 50% reduction from the submission to Florence. They have 330,000 sq. ft. of office originally approved and the current plan is 433,000 sq. ft.. There were originally no hotels and now there are two. The financial institutions are the same. There is an increase in restaurant space and they now have corporate users. There is a mix of 62% office use and 38% retail. The development is to 82.4% of the allowable intensity for the Houston-Donaldson Study area. There about about 13.5 acres under "footprints" and 65 acres in parking and roads, with 22.4 acres of open landscaped area. Mr. Gramann reviewed his letter dated February 7, 1989 to Mr. Fred Burch in regard to the landscaping. He noted that the major entrances will align and they intend to create a major lake feature as part of the entrance off Woodspoint Drive. He stated that there was concern for the number of outlots around the outside of the site and they have been eliminated. They believe the plan presents itself well to Houston Road and the expressway. In regard to the architectural concepts, Mr. Gramann presented a drawing of the aerial view of the site. He stated that most outlots require less than 1.5 acres, but there is a lot of greenspace left and the landscaping would be an integral part of the development. The architectural concepts are further controlled by protective covenants. He reviewed their proposed signage and landscaping plans for the entrance, which included water features. These concepts are identified in his letter of February 7, 1989.

Mr. Gramann stated that the project will phase out over nine or ten years, in three significant phases, which allows the community time to prepare. Their first undertaking will be the complete improvement of the site. The 100 acres will be graded, Houston Road widened, the entrance and major ring road in place, along with the development of individual pads, as well as sanitary and storm sewers. The first phase would include a hotel, with a second hotel in the second phase. Two restaurants would also be part of the first phase. For the Omni Center, the first phase would include an anchor tenant and "B" or specialty shops. There is retail development in Phase 3, which is six years away. There could be changes in the phases if a major tenant is found.

Mr. Gramann's letter of May 24, 1989 to Chairman Viox and his letter of February 7, 1989 to Mr. Fred Burch were distributed earlier and included as part of his presentation.

Mr. Gramann asked Mr. Gehrum to speak in regard to the traffic.

Mr. Gehrum stated that they did a new detailed traffic analysis in August, 1988. The plan has changed since then. The plan shows all the improvements found in the 1988 study. He met with the Staff last week in regard to their concerns and the Staff request additional analyses. He noted that Spiral Drive is subject to possible movement and they will look at what will happen if that should change. They will look at Woodspoint Drive and do another analysis of the access point. They are doing new traffic counts and again looking at the ramps for the Houston/Turfway intersection. The work is in progress and is intended to be complete in time for the Committee's review.

Mr. Gramann stated that on May 18, 1989, Mr. Geohegan sent him a letter in regard to Staff's concerns. In response, Mr. Gramann stated that John McCausland and the NS Group will develop Houston Lakes and will sell to others for development other areas of the park. They do not know who the tenants will be. He noted that if they had known who the tenants were three years ago, they would be gone by now. In regard to Item #2 in the letter, he stated that Mr. McCausland has been involved with developing for a long time, but they have not done a 100-acre park. He stated that the financing is in place and Mr. McCausland is only a spoke in the wheel. It will be a team effort. He stated that this question was somewhat irrelevant. In response to Item #3 of the letter, he stated that there has been a lot of detail and for all practical purposes design is through a preliminary state in a Concept Plan Review. In regard to Item #4, he stated that the amount of site work is significant, but not much compared to others that have been approved. He noted the major natural drainage pattern and stated that there are significant trees in the swale. The difference between what is there and what will be there in terms of landscaping is significant. In regard to Item #5, he stated that the proposed 10-story office tower was originally in the second phase. It is now in the third phase. He stated that there is a darn good likelihood of it being constructed. In response to concern #6, he stated that no traffic study has been presented reflecting the Concept Plan since 1988. He stated that Mr. Gehrum had indicated that the work is being completed. In regard to Item #7, he stated that the number and location of outlots have been adequately addressed. In regard to retail, there is an issue of "regional draw" and a suspicion that with a retail anchor of 80,000 to 100,000 sq. ft. you immediately have a regional draw. He did not know the amount of regional draw, nor the tenant. He stated that Turfway Business Park is a mixed use development aimed at light industrial, office, flex-space users and retail. He stated that the proposed office use combined with the retail is appropriate for this site. There will be over 5,000 office workers in the area. He questioned what could be more destination-oriented than an office. Hopefully, the workers will come to the restaurants at lunchtime, and use the banks and shopping facilities. Employees staying on the site create less traffic. He stated that 95% of the people working at the Jerry Carroll building come from outside the area. In response to Item #7, he stated that the maximum size of the retail anchors is shown on the submitted plan and will affect the amount of parking. They did not know they had to be this accurate for the Concept Development Plan. If the retail were moved up to 100,000 sq. ft., it would cause a 1/16" change in the drawing. The parking on the site exceeds the code. There are 22 acres of open space left.

Mr. Gramann stated that the Buchanan group has a commitment to the project and the community. He added that the development is harnessed with public improvements which would be in place even if the site were sold. He asked for approval of the Concept Development Plan.

The Chairman noted that the Omni Center is the focal point of the project and questioned who would be the architect, builder, and developer.

Mr. Gramann advised that the NS Group and the Buchanan Development Group may do it, or someone else may do it. He stated that he did not have an answer to this question.

There being no one else present who wished to speak in favor of the request, the Chairman asked if there was anyone present in opposition or having questions.

Mr. Don Davis, a resident of Richwood, stated that the public was not afforded the opportunity to see the drawings and could have heard the presentation on the radio. He stated that he does not think the traffic study will be of any value since it was not completed in time and cannot be used.

Mr. Damstrom stated that he has a problem with information being introduced at the Committee level that has not been available to the public at the Public Hearing. He questioned the fire protection for the 10-story building.

Mr. Newton advised that Florence Fire Department would have jurisdiction. He did not know if the Fire Chief had been contacted or if equipment is available.

Mr. Gramann stated that the building will meet all health, safety and welfare considerations. The tax base created by the project would pay for more than one ladder wagon. He stated that they have not discussed this with the City of Florence.

In response to a question from Mr. Damstrom, Mr. Gramann advised that the retention lake is approximately 4.5 to 5 acres.

In response to questions from Mr. Moore regarding the number of workers, Mr. Gramann stated that the workers would be generated by the amount of office space proposed for this part of the interchange -- including this 100 acres, Turfway Business Park, and Jerry Carroll's building. He stated that parking for office use is provided at approximately 4 employees per thousand sq. ft. and 430,000 sq. ft. is approximately 2,000 workers, with the same computation for the Omni Center. The intent of the retail is to service people both on and off the site seven days a week, noting that the office workers would not be on the site on weekends.

Mr. Moore questioned if any of the architectural features are known.

Mr. Gramann advised that the architectural features are best defined by the footprint sizes and the third dimension. They envision hotels compatible with the Hilton and Hampton Inn. It is their intention to develop a park with a continuity of materials. He stated that protective covenants can be an integral part of the deed restrictions and gave examples of possible covenants.

Mrs. Bushelman stated that it is difficult to review the issue without the traffic study.

Mr. Gehrum stated that Staff had advised him that the traffic analyses would not be new information if it was brought up at the hearing and provided in a timely manner. He stated that all of the issues requested and raised by the Staff are in the Staff Report.

Counselor Wilson advised that depending on the nature and scope of what will be produced as part of the Traffic Study, it may go beyond what has been generally discussed and may be new information. The Commission may not be comfortable with the approach even if it is not new information. He stated that the Commission may want to continue this Public Hearing.

Mr. Doug Powell, Transportation Planner, noted a correction to the Staff Report on Page 11. The figures in the second column of the table, entitled "SQ FOOT" should be (from top to bottom): 316,000; 786,706; 1,102,706; -156,706. He noted that since the site is in the Houston-Donaldson Study area, it would need to go through architectural review.

Chairman Viox stated that this Public Hearing is continued until June 7, 1989 at 7 P.M..

APPROVED:

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William R. Viox, Chairman

Attest:

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Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

Public Hearing

June 7, 1989  
7:00 P.M.

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Mrs. Carol Smith chaired the meeting which was called to order at 7:00 P.M.. Mrs. Smith stated that this was a continuation of the Public Hearing held on May 24, 1989 in regard to the following item:

The request of GBBN (applicant) for Buchanan Development Corporation and Newport Steel Corp. (owners) for the Utilization of an Underlying Zone in Planned Development on a 101-acre site located south of Houston Road, north of I-75 and east of Woodspoint Drive, Florence, Kentucky. The request is to determine the review process for the proposed project as stated in the Houston-Donaldson Study.

Mr. Bob Gramann, representing the applicant and Newport Steele, stated that the Traffic Report has been completed. Jack Gehrum has met with the Staff in this regard. Mr. Gramann distributed and reviewed a summary entitled, "Trip Generation Forecast, HOUSTON LAKES DEVELOPMENT". He noted the bar graph at the bottom of the summary which indicated the number of vehicles per day.

Mr. Jack Gehrum stated that the "Trip Generation Forecast" and also the handout entitled, "Forecasted Traffic Impact, HOUSTON LAKES DEVELOPMENT" were prepared to determine the problems and deficiencies and put forward solutions to the problems. In doing the study, they recognized the Turfway Business Park across the street. The study uses that traffic, as well as traffic generated by Houston Lakes, and existing traffic. He stated that the numbers are indicated in the handout and the graph at the bottom shows what happens during A.M. and P.M. peak periods for traffic entering and exiting the site. The P.M. peak out is a combination of all of the functions in the area. With that volume of traffic on the road, they did an analysis to determine what improvements would be necessary. They are looking at improving the road to provide four moving lanes from the ramps south to Woodspoint Drive with turn lanes into the site and signalization at Woodspoint Drive and Spiral Circle (the main access to the site). The north access is to be maintained as right-in and right-out as it is now at Turfway Business Park. He stated that, beginning at Woodspoint Drive, one of the Staff's concerns was the location of the exit point from the development in regard to site distance. They agree the location should be moved and offer two suggestions -- 1) move it closer to Houston Road, and 2) move it further away from Houston Road around the curve. They would signalize and add lanes as necessary. The northside access is no problem as it is right-in and right-out only. At the I-75 ramps for southbound traffic, in the future there should be dual left turn lanes which can be accommodated by moving the island. They did not address the problem at the intersection in regard to northbound right turns as it is pre-existing and the level of improvement is tied to an alternative route. The applicant has agreed to make the improvements in regard to widening and the turn lane.

Mr. Gramann stated that he is afraid Staff will reach the conclusion that no matter what is put on the site it could have a significant impact on future traffic and present traffic and does not address all of the traffic impacts. He stated that the traffic improvements go in during the first phase of development. He asked that cross-hatching on the graph shown for "office" be noted in regard to the A.M. and P.M. traffic generation. He stated that there is nothing more destination-oriented than office. He noted that the Staff Report indicates that there will be an increase in traffic on weekends also, but there is a serious amount of office projected and there will be a balance. He stated that the developer should not be required to address the more serious issues, such as the width of a bridge or the connection to Donaldson Road. There is adequate time during their ten-year phasing for proper lobbying to make this an economically developable interchange.

Staff Member, Doug Powell, presented the Staff Report (see Staff Report). He stated that this is not just a question of office vs. retail use in regard to traffic, but also in regard to what is wanted on Houston Road. He noted that there is extensive retail development on Mall Road and there will be more in the future. Staff and Committee comments have been incorporated into the plan, but there are still Staff Concerns. Will the office tower occur and is it feasible? He noted that it is proposed in the last stage of development. What does the regional retail in the Omni Center do for the future of Houston Road? If in five years a major office complex wants to come to Boone County, will they go towards the airport or further south? There were concerns regarding emergency protection for the office tower. There is concern about the outlots along Houston Road. There is concern about the arrangement of commercial uses along Houston Road and what they will look like when traveling Houston Road. He stated that the Commission needs to view the proposed traffic improvements as a minimum. Other major improvements will probably be needed -- but may not be the responsibility of the developer.

There being no further comments, Mrs. Smith stated that this item will be on the Agenda for the Business Meeting on June 21, 1989 at 8 P.M. and closed this Public Hearing.

APPROVED:

Carol Smith  
Carol Smith

Attest:

Jan Hancock  
Jan Hancock, Recording Secretary

EXHIBIT "C"

COMMITTEE REPORT

#1

TO: Boone County Planning Commission

FROM: Fred Burch, Committee Chairman

DATE: July 5, 1989

RE: Request of GBBN (applicant) for Buchanan Development Corporation and Newport Steel Corp. (owners) for the Utilization of an Underlying Zone in Planned Development on a 101 acre site located south of Houston Road, north of I-75 and east of Woodspoint Drive, Florence, Kentucky. The site is currently zoned Office Two / Commercial Two / Planned Development (O-2/C-2/PD).

REMARKS:


We the Committee, based upon the statements made and facts gathered at the May 24, 1989 Public Hearing (continued to June 27), recommend denial of the Utilization of an Underlying Zone in Planned Development. While the Committee agrees that the future land use of commercial and office for this site is appropriate, the Committee does not believe the proposed use for this site is appropriate.

The Committee views the proposed Houston Lakes Development favorably in some aspects, but believes that certain modifications would be necessary in order to address the impacts of the proposed development on the community. In particular, the Committee is concerned about the overall impact the development would have on the overall character of Houston Road and the infrastructure present. The potential modifications were drafted by the Committee in the form of possible conditions to be used in the event of a favorable recommendation. The applicant, however, has expressed that he would not agree to these conditions and would not waive the time limitation for action by the Planning Commission. (see Attachments) Without any conditions being placed on the request, the Committee believes that the request is not appropriate for the site and recommends denial due to the following findings of facts.

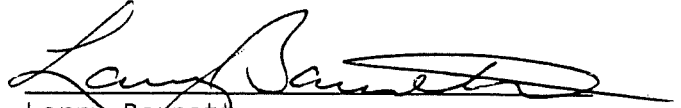
FINDINGS OF FACT:

1. The applicant has not shown reason for the Planning Commission to deviate from the approved Houston-Donaldson Study. The Houston-Donaldson Study was established as the framework of development for the Study Area, and is the official Comprehensive Plan for the area. By action of the full Planning Commission on April 19, 1989 the proposed development was found not to be consistent with the intent or specific recommendations of the Study. Further, the Committee still believes that the proposed development as presented by the applicant would be a significant deviation from what is recommended for the area. The applicant has not agreed to conditions proposed by the Committee to insure that the development of the site, as indicated by the Concept Development Plan, would not negatively and adversely alter future land use patterns of the Houston-Donaldson Study Area.

2. The Concept Development Plan as submitted would allow large square footage retail uses of a potentially regional draw. The Committee believes that this is not consistent with the objectives of the Houston-Donaldson Study as referenced in the May 24, 1989 Staff Report. Without the conditions proposed by the Committee, there is no assurance that these anchor store would not be regional in nature. Additionally, the Committee believes that the impact of a regional retail center upon the existing infrastructure would be greater than represented by the applicant.
3. The proposed phasing of the development as indicated by the applicant does not assure that an employment character could be established consistent with the type of development recommended for the area by the Houston-Donaldson Study. Specifically, the phasing emphasizes large retail development in the first phases of the development, while the central office tower is included in the last phase. It is the Committee's opinion that the central office tower is necessary in the early phase to establish the mixed use character of the development as indicated by the Concept Development Plan. The central office tower is important as it comprises almost half of the 433,000 square feet of office space proposed for the entire site.
4. The applicant did not provide sufficient description of the proposed hotel facilities to insure that a full-service or business hotels were constructed as consistent with the employment character of the area as recommended by the Houston-Donaldson Study. The Committee believes that the proposed conditions would be needed to achieve the development of the hotel within the guidelines outlined in the Houston-Donaldson Study.
5. The Committee believes that the regional nature of the proposed development would have increased traffic impact upon the existing roadway network. The Houston-Donaldson Study clearly recommends that the retail uses on this site serve the surrounding employment district, and not generate significant traffic from outside the Study area. The Committee believes that the proposed large-scale retail anchors will be of a regional draw, and generate significant traffic into the area. Regional retail uses will impact the roadway network on hours or days besides the weekday PM Peak hour, used in the Houston-Donaldson Study. The applicant has not addressed the impact of daily and season variations that the retail uses will have upon the existing roadway network. The Committee believes that the improvements proposed by the applicant are the minimum recommended by the Houston-Donaldson Study, and do not account for the increased impact a regional retail use will have.
6. The applicant will not agree to incorporate the appropriate existing vegetation or topography into the design of the site as recommended by the Houston-Donaldson Study for all sites within the Study area.



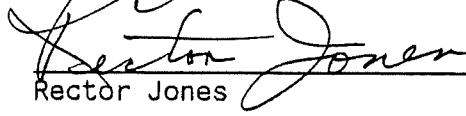
Fred Burch, Committee Chairman



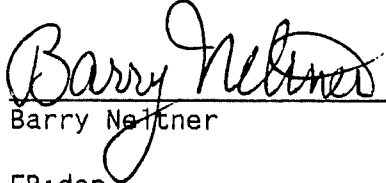
Larry Barnett



Phil Damstrom




Rector Jones



Barry Nettner

FB:dsp



Carol Smith

# BUCHANAN DEVELOPMENT



448 Goebel Court  
Fort Wright, Kentucky 41011  
606-341-6222  
FAX# 606-341-5222

Mr. David A. Geohegan  
Planner/Plans Examiner  
Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street  
Burlington, Ky 41005

Dear Mr. Geohegan:

We have received and reviewed your letter of June 29, 1989 which contains 15 extensive conditions plus comprehensive phasing requirements. A specific response to each of the foregoing would require substantial time and study on our part.

In general, we believe that our concept plan needs flexibility, but we could certainly reach some understanding as to the parameters, standards, and basic conditions relative to the development and phasing thereof. However, the specifics proposed in your letter lack the flexibility and practicality needed to work with the ultimate occupants of the site under the prevailing market conditions throughout the life of the development stages. Regrettably, these conditions and phasing requirements are unduly burdensome.

We would be more than happy to meet with you to see if some common ground would not be reached on the essence of your points which would protect the community on one hand, but, on the other hand, allow for the reasonable and practical development of the site.

Sincerely yours,

A handwritten signature in cursive script, reading "John McCausland".

John McCausland, President  
BUCHANAN DEVELOPMENT CORPORATION

# BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY ADMINISTRATION BUILDING

P.O. BOX 697 — 2950 WASHINGTON STREET

BURLINGTON, KENTUCKY 41005

(606) 334-2196

FAX (606) 334-2264

MR. WILLIAM R. VIOX  
CHAIRMAN  
MR. FRED BURCH  
VICE CHAIRMAN  
MRS. CAROL SMITH  
SECRETARY-TREASURER

MR. GERALD A. NEWTON  
DIRECTOR  
MR. D. T. WILSON  
ATTORNEY

July 5, 1989

Mr. John McCausland, President  
Buchanan Development Corporation  
448 Goebel Court  
Fort Wright, Kentucky 41011

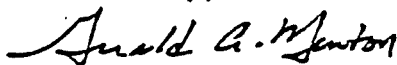
Dear Mr. McCausland:

In reviewing your faxed letter sent to Dave Geohegan this morning, and after discussing with him your phone conversation, I want to follow up with this letter. Specifically, statements made the phone conversation and the written words differ greatly.

In the phone you indicated that you are unwilling to waive the 30 day time restriction which we are bound to act within on this request (Section 1506) 1986 Boone County Zoning Regulations. As the Public Hearing concluded on June 7, 1989 this time limit would be July 7, 1989. Tonight is the last possible time in which the Commission can act to stay within the time limitations. In your letter you write, "We would be more than happy to meet with you to see if some common ground would not be reached on the essence of your points which would protect the community on one hand, but, on the other hand, allow for the reasonable and practical development of the site."

Obviously, you must make a decision one way or another. If you can not agree to the conditions as sent to you and will not waive the 30 day decision date, you force the Commission to take action tonight. Please send your response by facsimile.

Sincerely,



Gerald A. Newton,  
Director/Zoning Administrator

GAN:bds

cc: Fred Burch  
Dale T. Wilson  
David A. Geohegan

Attachment

BUCHANAN DEVELOPMENT TEL NO.008 341 5222 JUL 5 1989 15:28 NO.008 P.02

# BUCHANAN DEVELOPMENT

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448 Goebel Court  
Fort Wright, Kentucky 41011  
606-341-6222  
FAX# 606-341-5222

July 5, 1989

Mr. Gerald A. Newton  
Director/Zoning Administrator  
Boone Co. Planning Commission  
Boone Co. Administration Building  
2950 Washington St.  
Burlington, Ky 41005

Dear Mr. Newton:

I am in receipt of your letter of July 5th, received by facsimile.

I certainly wish to apologize for any ambiguity. Our position is that we will not waive the 30 day decision date. We would very much like to work things out.

May I suggest that our project be recommended and approved tonight on a conditional basis. The conditions being, of course, that we are able, mutually, to work out an agreement on the conditions specified in your letter of June 30th.

Sincerely yours,

A handwritten signature in cursive script, reading "John McCausland".

John McCausland, President  
BUCHANAN DEVELOPMENT CORPORATION