

REQUEST OF TRP ASSOCIATES (APPLICANT) FOR  
 MARY ELLEN FOLTZ (OWNER) FOR THE  
 UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT  
 AND FOR A ZONING MAP AMENDMENT LOCATED AT THE  
 TURFWAY CONNECTOR AND HOUSTON ROAD, TURFWAY BUSINESS PARK,  
 PHASE II, FLORENCE, KENTUCKY

The request, by TRP Associates (applicant) for Mary Ellen Foltz (owner), is for the utilization of an underlying zone in Planned Development and for a Zoning Map Amendment. The entire +36 acre site is currently zoned Industrial One/Planned Development (I-1/PD) and Commercial Two/Planned Development (C-2/PD). The applicant is requesting approval of a Concept Development Plan in Planned Development for two 12 acre parcels currently zoned Industrial One/Planned Development (I-1/PD) and Commercial Two/Planned Development (C-2/PD). The Zoning Map Amendment request is to rezone a 12 acre parcel from Industrial One/Planned Development (I-1/PD) to Commercial Two (C-2/PD). The planned uses for the entire site is office research and commercial retail.

SURROUNDING LAND USES AND ZONING

The surrounding land uses of the + 36 acre site consist of undeveloped land to the north, south and west. Directly northwest of the site is a planned development or Turfway Business Park, Phase I, which has an approved Concept Development Plan (October 21, 1986 see uses and intensities below) and Preliminary Development Plan (May 6, 1987).

*Sept 3  
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 Comm.*

<u>Area/Acres</u>	<u>Land Use</u>	<u>Square Footage</u>
30.7	Industrial	475,000 s.f. (total)
34.0	Office/Research	410,000 s.f. (total)
1.8	(1) Sit down restaurant	12,000 s.f. (total)
Overall Total:		897,000 s.f.

Currently, the Boone County Planning Commission is reviewing an Improvement Plan for Lot 11 and a Site Plan for the first stage of Turfway Business Park, Phase I. On the south side of the site is a proposed commercial retail center by Buchanan Development Company. This proposed development is also being reviewed by the Boone County Planning Commission at tonight's meeting. On the east side of the +36 acre tract is the Commonwealth Park commercial center. A Concept Development Plan for the 16 acre site was approved by the Boone County Planning Commission on January 15, 1986 and as amended by the Technical Committee on August 20, 1986 (see uses and intensities below).

<u>Land Use</u>	<u>Size</u>
Motel	120 rooms (53,000 sq. ft.)
Restaurant #1	6,000 square feet
#2	7,000 square feet
#3	
#4	8,000 square feet

Currently, the Commonwealth Hilton Hotel, Cracker Barrel Restaurant, and Hampton Inn Hotel are being constructed.

The existing zoning surrounding the site includes Industrial One/Planned Development (I-1/PD) and Commercial Two/Planned Development (C-2/PD) to the north and south; Office Two/Planned Development (O-2/PD) to the east; and, Airport (A) and Industrial One/Planned Development (I-1/PD) to the west.

#### NATURAL FEATURES OF THE SITE

As stated in the Turfway Study, there are several natural drainage swales or courses in the study area. The +36 acre site is unique in a sense that most of it lies below, and in some places significantly below, the grade of Houston Road which would require an enormous amount of fill dirt. A natural drainage area is located parallel to Houston Road. Also, this area is heavily wooded and consists of four soil types (Newark silt loam - Nk; Lindside silt loam - Ln; Rossmoyne silt loam - Rsc; Jessup silty clay loam - Jsd3). Two lakes previously existed on the site prior to the construction of the Turfway Connector.

#### RELATIONSHIP TO TURFWAY STUDY, BOONE COUNTY COMPREHENSIVE PLAN AND THE HOUSTON-DONALDSON STUDY

The submitted Concept Development Plan is being reviewed and analyzed in relationship to the Land Use Study I-75/Turfway Road Interchange Study, the 1986 Boone County Comprehensive Plan, and the Houston-Donaldson Study. Even though the Houston-Donaldson Study has not officially been approved by the Boone County Planning Commission and the legislative bodies its content is significant because it is a detailed study and represents the most accurate picture of existing and potential development in the Houston-Donaldson area. The Houston-Donaldson Study is being used for its data and analysis only.

Page 3-3 of the Turfway Study mentions the appearance of natural drainage swales in the Study Area.

"The two large drainage areas to the north of Houston Road must be sensitively reviewed as an integral part of any planned development in the area. These swales have slopes which will prohibit some development and require that any development be environmentally

sensitive."

Page 3-6 of the Turfway Study states the demand for new water and sanitary sewer services in the area.

"Construction of that infrastructure will be predicated on the development demand."

Pages 3-9 and 3-10 of the Turfway Study discuss the traffic issues in the Study Area.

"Traffic is the key consideration in the analysis of land use alternatives. The design of the interchange and the width of Turfway Road are serious constraints that affect development in the Study Area. These constraints and the impact of the new interchange on trips with origins or destinations east of the interstate limited development options. The new interchange could accommodate very little new development east of the interstate but could serve significant additional development west of the interstate."

Pages 4-1 and 4-2 refer to recommendations of the Study.

"The principal objective should be to protect the interchange and to minimize the potential for serious traffic congestion in the area. It is important that the major generators of traffic be located so as to provide for the maximum ease of ingress and egress to the interstate.

Since the preponderance of the traffic was coming from the north, it follows that commercial land use, being the major traffic generator, be located as close as possible to the southbound exit ramp. Since a left turn lane to the north bound entrance ramp could be provided by the middle lane of Turfway Road, the commercial traffic could readily return to the north."

Pages 4-7, 4-8, and 4-9 recommend a zoning classification and land use for a portion of the site.

"The land is readily developable as commercial use. Controlled access to this parcel is restricted along Houston Road and should be minimized along Turfway Road."

"The area west of Houston Road has significant vegetation and topographic constraints, and must be planned in a very sensitive manner. This area should be accessed off Turfway Road across from the Latonia

Race Track. Small office/warehouse type users could be sited to create a complete office/warehouse park accessible by commercial, office and interstate traffic."

Page L-18 in the 1986 Boone County Comprehensive Plan mentions the significance of the Turfway Interchange.

"The second major growth force is the recently opened Turfway Interchange. This interchange will not only impact development patterns in Florence but also create new development around the race track, hospital, and church retreat area. A mixture of residential and commercial development may occur in the remaining area. A new road should be developed to connect Donaldson and Turfway Roads, in direct alignment with HOuston Road. Such a road would open up the area to carefully planned commercial and residential areas while also extending the Hopeful Road connection from US 25 to Donaldson Road. The remaining section of land between Houston Road, Turfway Road and the airport property would be a prime location for a research center similar to the one discussed for the Mineola interchange."

Equally important are the set of Land Use maps from the 1986 Boone County Comprehensive Plan. The Plan suggests both industrial and commercial land uses, which correspond with the recommendations of the Turfway Study and the identification of both types of zoning of Industrial One/Planned Development (I-1/PD) and Commercial Two/Planned Development (C-2/PD).

In the Houston-Donaldson Study, Figure 11 indicates that approximately 24 acres be zoned Commercial Two/Planned Development at 40 percent building intensity. The remaining amount or +12 acres would remain the same with an Industrial One/Planned Development (I-1/PD) zoning classification. On pages 52-54, the +24 acre site is specifically mentioned in terms of commercial uses, access, topography and signage.

"The portion of Zone #7 on the southwest corner of Houston Road and the Turfway Connector should contain commercial development that is consistent with adjacent planned developments. The uses that occur here should serve the Study Area and immediate neighboring areas. Regional commercial establishments or large traffic generators are not recommended here because of the location's traffic sensitivity. The site should contain a multi-tenant commercial center of a compact design that compliments the adjacent developments. Buildings should be clustered and arranged so that smaller buildings and green space are emphasized near the major roadways with larger buildings to the rear.

A variety of commercial service and purchase opportunities would better serve the surrounding employment district and attract less destination traffic into the area than would a retail outlet of large floor area. Design review and signage are important considerations at this high visibility location. An emphasis should be placed on creative floor plans versus block buildings to better utilize green space and avoid structures that overpower adjacent development."

The Houston-Donaldson Study also suggested several uses, which would be appropriate in the area. These uses consist of the following:

ALLOWABLE USES

- |   |  |
|---|--|
| 1. Hardware Stores  | 27. Photo finishing services   |
| 2. Eating & Drinking places excluding drive-in and franchise food chains                              | 28. Discount stores (#28-#34 if part of a clustered development and not oriented to a regional market) |
| 3. Bakeries, candy, etc.  | 29. Dry goods  |
| 4. Convenience stores   | 30. Department stores  |
| 5. Banking services, etc.   | 31. Furniture  |
| 6. Insurance agents   | 32. Upholstery & refinishing services  |
| 7. Real estate operators, etc.  | 33. Apparel including furriers   |
| 8. Accounting services, etc.  | 34. Household appliances   |
| 9. Postal services  | 35. Radio, t.v., watch, clock, and jewelry repair  |
| 10. Physician, dental, etc.   | 36. Drive-thru photographic, stenographic, etc. services   |
| 11. Beauty services   | 37. Legal services, engineering and architectural services   |
| 12. Nursery centers   | 38. Security brokers   |
| 13. Pressing, alterations, etc.   | 39. Commodity contracts, bankers and dealer services   |
| 14. Shoe repair   | 40. Security and commodity exchanges   |
| 15. Family clothing   | 41. Title abstracting services   |
| 16. Jewelry   | 42. Holding and investment services  |
| 17. Radio, t.v., music, etc.  | 43. Advertising services   |
| 18. Arts & crafts   |  |
| 19. Antiques & used merchandise   |  |
| 20. Books and stationery  |  |
| 21. Cigars & cigarettes   |  |
| 22. Florists excluding greenhouses  |  |
| 23. Sporting goods (#23-#26 if part of a clustered development and not oriented to a regional market) |  |
| 24. Draperies   |  |
| 25. Paint & glass   |  |
| 26. Painting & decorative services  |  |

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>44. Business and management consulting services</li> <li>45. Employment services</li> <li>46. Consumer and mercantile credit reporting, adjustment and collection services</li> <li>47. Travel arranging, transportation ticket</li> <li>48. Radio and television broadcasting studios excluding transmitting stations and towers</li> <li>49. Art, music and dancing schools</li> </ul> | <ul style="list-style-type: none"> <li>50. Medical and dental laboratory services</li> <li>51. Medical clinics - out-patient services</li> <li>52. Welfare and charitable services</li> <li>53. Business associations</li> <li>54. Civic, social and fraternal organizations</li> <li>55. Art &amp; craft galleries</li> <li>56. Aquariums and other natural exhibitions</li> <li>57. Office One (O-1) principally permitted uses numbered 1-31 and 33 and conditional uses #2-4.</li> </ul> |
|---|--|

Access to the site as mentioned in the Study is planned with one access point off Houston Road, which would connect into Phase I, Turfway Business Park. The Study also recognizes that "commercial and office/industrial uses located along the frontage road connection between zones #7 and #10 should be encouraged to utilize building mounted signage or monument type free standing signs with sufficient landscaping. These signs should primarily serve to identify establishments from internal circulation areas within the site because of the site's location, visibility and market orientation."

On pages 58-59, the ±12 acre site is referred to in the Houston-Donaldson Study.

"This site is well-suited for light industrial activity of an office/research variety. The location is not recommended for industrial uses that utilize significant numbers of large trucks because of the potential intersection problems nearby. It also is not recommended for obnoxious or unsightly industrial operations because of its high visibility location in Boone County. Office/warehouse development of a high-tech nature and with a subdued transportation function should occur at this site. Individual establishments should have their office functions in front with the distribution functions at the rear an well screened. Because of the topographic and geometric constraints of the area along Houston Road, the small-scale office uses should be mostly in the general area across from Woodspoint Drive."

Also listed, or recommended, are several specific uses, which are part of the Industrial One (I-1) zoning classification. These uses consist of the following:

1. Textile mill products
2. Apparel and other finished products
3. Furniture and fixtures
4. Printing industries
5. Pharmaceutical preparations
6. Fabrication of metal products
7. Professional and scientific equipment
8. Electric equipment
9. Precious metals and toys, etc.
10. Wholesale trade of drugs
11. Wholesale trade of groceries
12. Wholesale trade of electrical parts
13. Wholesale trade of hardware
14. Wholesale trade of small machinery
15. Laundering & dry cleaning
16. Window cleaning
17. Research & development
18. Detective services
19. Photofinishing laboratories
20. Electrical repair and armature services
21. Furniture repair
22. Scientific research
23. Postal research
24. Blueprinting services
25. Wholesale trade of containerized paints chemicals, etc.
26. Manufacture of plastic products but not primary
27. Welding shops
28. Banking uses
29. Labor unions
30. O-2 principally permitted uses #1, #3, & #4.

Access to the site should be coordinated with plans for access from Houston Road to Phase I, Turfway Business Park. Also, driveway connections should be made to an eventual access point located directly across Woodspoint Drive.

The Houston-Donaldson Study also recognizes the topography and future signage for the area.

"Because of the office/research type of development envisioned for the site, many opportunities exist for creative site design. The major drainage swale of the site and the areas adjacent to Houston Road should retain suitable natural vegetation with most of the development clustered on the higher portions of the site. Wherever possible, mature trees on the site should be utilized in landscaping. Due to the topography and the closeness of the airport property to Houston Road, the portion across from Woodspoint Drive should experience smaller-scale development and occur in conjunction with development to the north along Houston Road.

For the light industrial and office/research uses of

this site, monument entrance signs (type A-1) may be appropriate to identify a development at the major access points described above. Individual buildings may be permitted building mounted signs (type B-2) for each establishment to identify them from within the development directional and directory signage (type C-1, C-2) may be appropriate on a case by case basis."

In summary, the +36 acre site is strategically located near the I-75 southbound entrance and exit ramp. Accessibility and visibility are key components, which make this site an attractive parcel to develop. The three previously mentioned studies examined the existing and changing conditions with regard to development in the area. Over this short time period, it has been determined that the generation and distribution of traffic is a vital concern to future development. All three studies recognize the future or ultimate land uses of office/research or industrial and commercial retail for this immediate area. These future uses should be compatible with existing or planned neighboring developments and infrastructure.

TURFWAY BUSINESS PARK, PHASE II, CONCEPT DEVELOPMENT PLAN

The applicant has submitted a Concept Development Plan and letter as part of this request (see attached copies). The Concept Development Plan indicates the following uses:

<u>Parcel No.</u>	<u>Area in acres</u>	<u>Land Use</u>	<u>Square Footage</u>
1	+20	Commercial (20-26 ft. in height)	200,000 s.f. retail  Three (3) 5,000 s.f. sit-down restaurants (1,360 cars)
2	+11	Office Campus (2-story)	102,000 s.f. (412 cars)

Three lakes are being planned for the site for retention and aesthetic purposes. The applicant has indicated that two curb cuts will be located off Houston Road and one minor access point off the Turfway Connector. The major curb cut off Houston Road will allow the eventual connection into Spiral Circle, a planned 28 foot wide street. Water service will be provided by connecting into an existing 12 inch line along Houston Road, while sanitary sewer service will involve the connection into a 10 inch line located west of the site. Finally, this phase if approved, is projected to be developed in concert with Phase I of Turfway Business Park. Total build-out of Phase II will be approximately two years for the commercial development and between two to five years for the office uses.

## STAFF CONCERNS

1. Minor curb cut off Houston Road - Since the main entrance to both phases of Turfway Business Park is off Houston Road, then it is logical to develop an internal frontage road parallel to Houston Road, which would serve the retail portion of the site. It will be difficult to make left-hand turns from this minor access point in order to travel to the northbound I-75 entrance ramp. The distance between the intersection of the I-75 ramp/Houston Road and this curb cut is approximately 600 feet.
2. Transportation Improvements in the Immediate Area - Due to the eventual widening of Houston Road, additional right-of-way may be needed for intersection improvements and for the general widening of the road. This improvement does not exclude this site. A deceleration lane and/or additional lane will be needed for left-hand and right-hand turns both in and out of the proposed development. It may also be possible to have an inter-connection to the property west of the site. Finally, a traffic signal will eventually be needed at Spiral Circle and Houston Road.
3. Topography - Special care and attention should be given to this site because of the existing topography. The site is low-lying and serves as a natural drainage area. An effort should be made to maintain as much as possible the existing tree line, which runs parallel to Houston Road. This tree cover is significant because of its size and it represents one of the few remaining tracts in the Study Area.
4. Visibility of the Site - The +36 acre site is highly visible from traffic exiting I-75. It is critical that the site layout and building be designed in order to protect the visual character of the area. The commercial or retail area should be compatible with the overall theme of Turfway Business Park. Special attention should be given to architecture style, landscaping, signage and building type of both the office and retail establishments. Signage should be limited to building mounted signage and/or one free-standing monument or low-rise sign announcing the name of the park. The retail portion of the development should have a unified architectural design pattern in order to protect the visual appearance of the site and accessibility to I-75. Perhaps the creation of an internal design system could be established with the assistance of staff.
5. Pedestrian Access - Since some of the retail or commercial uses will be utilized by the employment centers within Turfway Business Park, there should be some level of pedestrian access to prevent an increase of internal automobile traffic trip generation.

6. Traffic Generation - A final note should be given to trip generation for this development. A comparison of trip generation figures appears below.

TURFWAY BUSINESS PARK, PHASE II

100,000 s.f. discount store	(100 x 70.10) =	7,010
100,000 s.f. specialty retail	(100 x 40.70) =	4,070
15,000 s.f. restaurants	( 15 x 74.90) =	<u>1,124</u>

Average daily trips 12,204

Source: Institute of Transportation Engineers Trip Generation Summary, 1983.

Table 7 Alternative 3

Zone 7	12 acres	C-2/PD	retail	2,519
Zone 10	24 acres	I-1/PD	office	<u>2,977</u>

Average daily trips 5,496


Source: Houston-Donaldson Study, 1987.

As indicated above, there is a major difference in the amount of trips generated in a 24 hour period when comparing the proposed development with the traffic figures in the Houston-Donaldson Study. The main reason for this difference is the fact that the Houston-Donaldson Study figures only included 12 acres of property zoned C-2/PD, whereas the applicant is currently proposing 24 acres to be developed under I-1/PD. Still, the amount of trips arriving outside of the Study Area is a paramount concern. It is generally felt that some of the proposed retail uses will directly serve the employment centers in the immediate area. Consequently, the amount of trips generated is somewhat misleading because it does not include the interval circulations or distribution of traffic of nearby office, hotel, and industrial uses. It is important to allow for a mixture of land uses to avoid heavy peak a.m. and p.m. traffic congestion problems. Equally important are the needed transportation improvements on Houston Road as development progresses in the area.

CONCLUSION

The submitted Concept Development Plan demonstrates an imaginative design scheme, which is central to the overall theme of the Turfway Business Park. This scheme is important in assuring quality development in an attempt to develop a master plan for the entire 136 acre tract by the applicant.

The Planning Commission should examine this proposed development in relation to the Turfway Study and the 1986 Boone County Comprehensive Plan. Also, the Planning Commission should evaluate the submitted Concept Development Plan to determine whether it meets the objectives of Planned Development and the criteria for granting a zone change.

  
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Kevin P. Costello  
Asst. Director/Sr. Planner

KPC/jdh

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May 4, 1987

Mr. Paul Kroger, Chairman  
Boone County Planning Commission  
Box 97  
Burlington, Kentucky 41005

RE: TURFWAY BUSINESS PARK  
Phase Two

Dear Chairman Kroger:

Please find attached the Concept Development Plan for the remaining 30 acres of the Turfway Business Park. The Paul Hemmer Management Company and Tipton Associates, Inc. are pleased to place before the Boone County Planning Commission our request for planned development review and approval of the final phase of the park. The plan is designed to be totally compatible with Phase 1 which was approved by the Boone County Planning Commission September 3, 1986 and the Fiscal Court, October 21, 1986.

This proposal for Phase Two will complete the total 130 acre Turfway Business Park. Landplanning, architectural character, landscape development, signage, and proposed mix of business users have been coordinated so as to provide for a successful coordinated business park. The park will include: office research facilities, light industry, commercial/retail, eating establishments, and a campus office. The Turfway Business Park will project a sense of place and arrival for itself, as well as the City of Florence and Boone County, Kentucky.

The proposed land use, infrastructure, staging, and the community impact of the project is as follows:

1.. LAND USE

A. Commercial/Retail

The commercial portion of the development is 200,000 sq. ft. of retail center oriented to the intersection of Houston Road and the Turfway connector. The retail will be one story varying in height from 20 feet to 26 feet. The plan is juxtaposed to provide for interesting massing of the development and also to share its service area with the market research development in Phase 1. Entry features of reflecting lakes have been located on Houston Road to create a first class image for the project.

Christopher N. Beghtel, AIA  
Barrett C. Burdick, AIA  
John A. Burdick, AIA  
John B. Gartner, Jr., AIA  
Robert E. Gramann, AIA, APA  
Thomas L. Meacham, Jr., AIA  
Joseph T. Schwab  
David G. Wuest, PE

Thomas P. Busemeyer, CSI  
Dennis W. Eernisse, CPA  
Ronald D. Haggard  
Hans H. Nuetzel, AIA  
Mark A. Reddington, AIA  
Don S. Brevley  
Jeanette Shriver McCarthy  
Robert J. Nienaber  
John W. Rogers

B. Restaurants

Three quality sit-down restaurants of approximately 5,000 sq. ft. each are proposed. These restaurants will not have drive-thru capabilities. They will provide eating opportunities for individuals working in and using the park.

C. Office

An office campus development of approximately 102,000 sq. ft. overlooking a central retention lake is proposed for the south quadrant of the park. These two story buildings are designed to take maximum advantage of the lake as well as the topographic constraints of the site. The office use provides a very compatible neighbor for the entire park.

2. INFRASTRUCTURE

The construction of Spiral Circle which connects Phase 1 to Houston Road will provide a major entry into the Park. As with Phase 1 the roads will be 28' wide concrete construction with rolled concrete curbs constructed to industrial specifications within a 50' right-of-way. Utilities constructed will include: sanitary and storm sewer, water, underground electric, all designed as required to tie into the existing systems within the community.

3. STAGING/PHASING

Phase 1 of the Turfway Business Park is presently starting and it is our intention to proceed with the grading for Phase 2 as a coordinated effort. It is anticipated that the build-out of Phase 2 will be approximately 2 years for the commercial development and 2 to 5 years for the office.

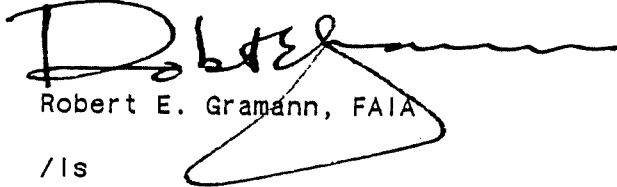
4. COMMUNITY FACILITIES

The Turfway Business Park will have a very positive economic impact on the entire area. The park which includes: office, commercial/retail, and light industry users will produce considerably more revenue than it absorbs in services. As new companies locate in the park it will generate additional population growth which will be beneficial to the area.

The planned land use for Phase 2 is in concert with the recommendations of the Houston - Donaldson Study relative to ingress and egress, traffic trip generations, and suggested overall design standards.

We believe you will find this submission for Phase 2 of the Turfway Business Park maintains the high standards of excellence demonstrated to date by the Hemmer/Tipton group. The Park will be an outstanding asset to the entire community and one which everyone can be most proud. We look forward to reviewing the project in greater detail with you and the Planning Commission in the near future. Should there be any questions concerning this submission, please do not hesitate to call.

Very truly yours,

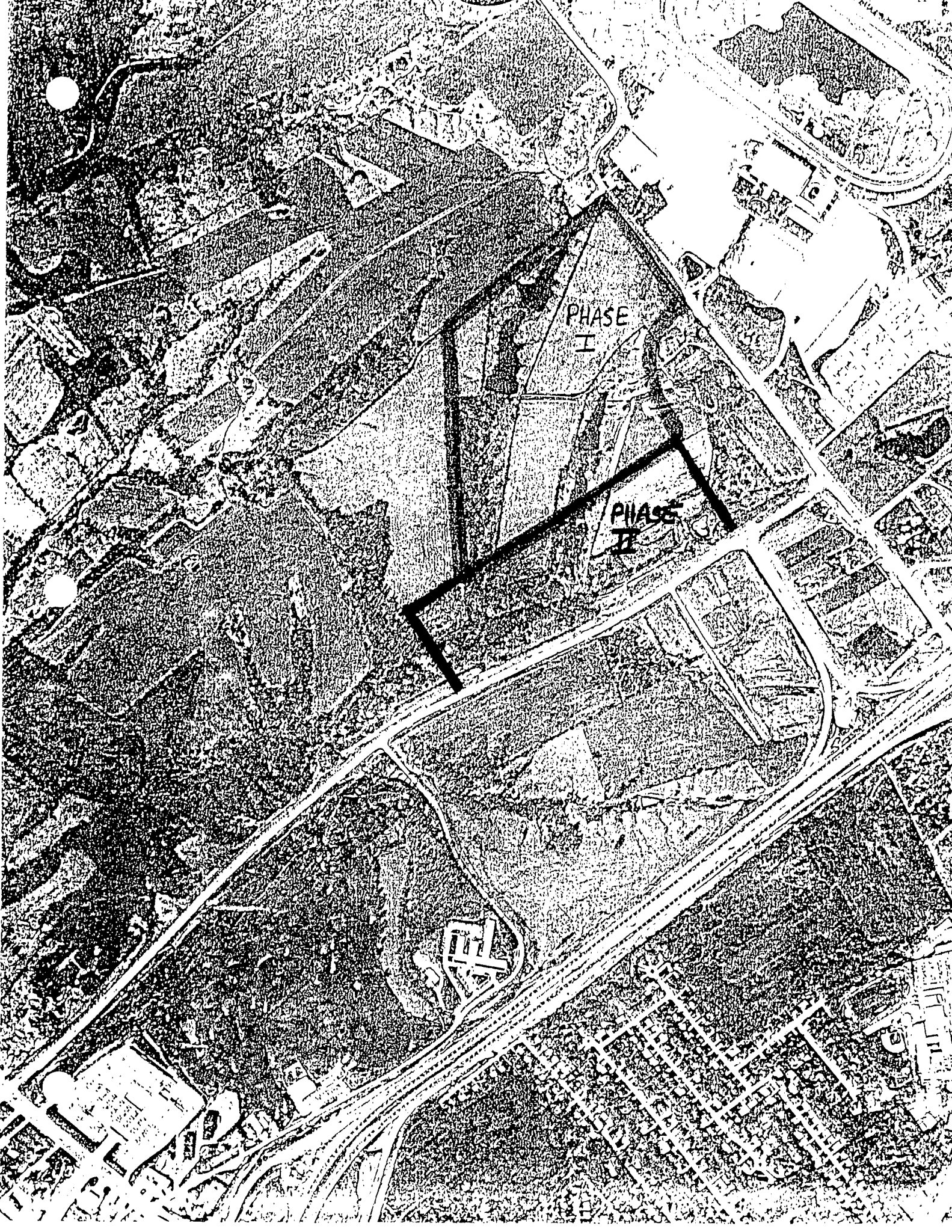
A handwritten signature in black ink, appearing to read "R. Gramann", with a large, sweeping flourish underneath.

Robert E. Gramann, FAIA

/s

Encl.

cc: Paul Hemmer Management Co.  
Tipton Associates, Inc.



PHASE  
I

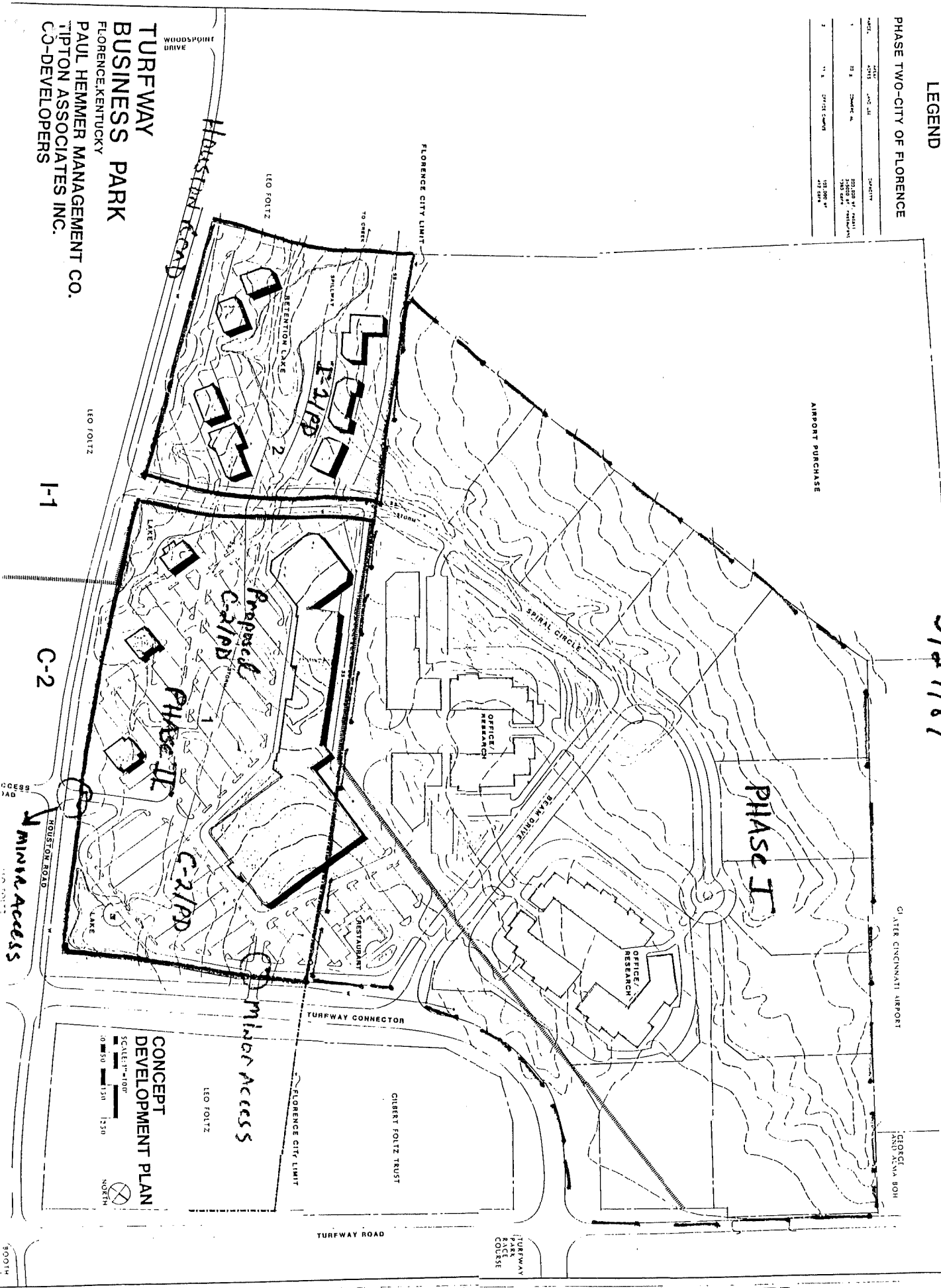
PHASE  
II

LEGEND

PHASE TWO-CITY OF FLORENCE

NO.	DATE	DESCRIPTION	BY
1	12.8	CONCEPT PLAN	W. H. HARRIS
2	11.8	CONCEPT PLAN	W. H. HARRIS

TURFWAY BUSINESS PARK, PHASE II  
5/27/87



**TURFWAY BUSINESS PARK**  
FLORENCE, KENTUCKY  
PAUL HEMMER MANAGEMENT CO.  
TIPTON ASSOCIATES INC.  
CO-DEVELOPERS

CONCEPT DEVELOPMENT PLAN  
SCALE: 1" = 400'  
0 50 100 150  
NORTH



**VIOX & VIOX, P.S.C.**

CONSULTING ENGINEERS & SURVEYORS

488 ERLANGER ROAD

ERLANGER, KENTUCKY 41018

PHONE: (606) 727 - 3293

**JAMES H. VIOX, III, P.E.**  
KY. REG. NO. 6880  
KY. LAND SURVEYOR NO. 797

**WILLIAM R. VIOX, P.E.**  
KY. REG. NO. 9209  
KY. LAND SURVEYOR NO. 1781

DESCRIPTION

Parcel to be Rezoned from I-1/PD to C-2/PD  
Mary Ellen Foltz Property

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

BEGINNING at a point in the northwesterly right-of-way line of Houston Road, said point also being S 56-58-03 W - 740 feet from the southwesterly right-of-way line of the Houston Road-Turfway Road Connector, said point also being in the present southwesterly line of the C-2/PD Zone, and running thence:

N 28-45-50 W, along the dividing line between C-2/PD and I-1/PD zones, a distance of 744.51 feet, to a point, thence  
S 58-53-47 W, along the dividing line between Mary Ellen Foltz and Gilbert Foltz (now Tipton-Hemmer), a distance of 760 feet, to a point, thence  
S 36-17-52 E, a distance of 709.71 feet, to a point, thence  
N 64-09-03 E, a distance of 200 feet, to a point, thence  
N 55-02-49 E, a distance of 214.85 feet, to a point, thence  
N 72-58-35 E, a distance of 151.07 feet, to a point, thence  
N 56-58-03 E, a distance of 105.36 feet, to the place of beginning, and containing 11.84 acres more or less.

Mr. Koenig stated that they will take whatever steps are necessary to get the car carriers off Goodrich Drive. He added that they will contact General Motors Transportation, which controls the carriers. They will also contact Chief Callen regarding police enforcement. He noted how traffic circulation within the site will be handled.

Mr. Davis moved that the request be approved as indicated in the Committee Report and subject to the conditions noted, with a recommendation to the local legislative body. Mr. Greene seconded the motion and it carried unanimously.

4. Concept Development Plan and Zoning Map Amendment

A request of TRP Associates (applicant) and Mary Ellen Foltz (owner) for the Utilization of an Underlying Zone in Planned Development and for a Zoning Map Amendment on a 36-acre (approx.) site located on the southwest corner of Houston Road and the Turfway Connector in Florence, Kentucky. The request is to utilize the current C-2/PD and I-1/PD zones for approximately 24 acres and change the zone on a 12-acre site from I-1/PD to C-2/PD.

Mr. Gerald Newton, Director, and Mr. Kevin Costello, Staff Member, read the Committee Report which recommended approval based on the findings of fact and subject to conditions (see Committee Report).

Vice Chairman Martin asked if the applicant wished to comment on the Committee Report.

Mr. Bob Gramann of GBBN Architects stated that they have met with the Staff and the Committee and agree to all the conditions in the Committee Report.

Vice Chairman Martin asked if there were any comments or questions from the floor or the Commission.

Mr. DeLong suggested that some pedestrian traffic alignment provisions be made when development occurs.

Mr. DeLong moved that the request be approved as recommended in the Committee Report, subject to the conditions, and that a resolution be sent to the appropriate legislative body. Mr. Jones seconded the motion. Mr. Hemmer abstained from voting as he is connected to the partnership developing the project. The motion carried unanimously.

6. Concept Development Plan

A request of Gary Herrmann (applicant) for Marathon Petroleum Co. (owner) for Utilization of an Underlying Zone. The 1.48-acre site is on the northeast corner of KY 18 and Commerce Drive in Florence, Kentucky, and is zoned Commercial Services/Planned Development (C-3/PD).

"EXHIBIT C"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Fred Burch, Chairman

DATE: June 3, 1987

RE: Request of TRP Associates (applicant) and Mary Ellen Foltz (owner) for the Utilization of an Underlying Zone in Planned Development and for a Zoning Map Amendment on a +36 acre site located on the southwest corner of Houston Road and the Turfway Connector, Florence, Kentucky. The request is to utilize the current C-2/PD and I-1/PD zones for approximately 24 acres and change the zone on a 12 acre site from I-1/PD to C-2/PD.

REMARKS:

We, the Committee, recommend approval based upon the following findings of fact and subject to the conditions below.

FINDINGS OF FACT

1. In general, the submitted Concept Development Plan and proposed Zoning Map Amendment request is consistent with the 1986 Boone County Comprehensive Plan and the Land Use Study I-75/Turfway Road Interchange. The Turfway Study recognizes two issues which are sensitive to the site. These issues refer to traffic and topography. The Turfway Study states the limitations of the existing transportation networks and recommends the location of major traffic generators (e.g. maximum ease of ingress and egress to the interstate) and development intensity. References to both plans are made in the Staff Report.
2. The proposed Commercial Two/Planned Development (C-2/PD) zoning classification for the 12 acre parcel is appropriate since the adoption of the Turfway Study, the Turfway Connector has been built and subsequently has divided the existing C-2/PD zoning district line. The C-2/PD zone change request is also appropriate due to the development topographical limitations of the site and surrounding approved land uses with Turfway Business Park, Phase I, Commonwealth Park Subdivision and the Latonia Park Concept Development Plan. The submitted uses are appropriate because it will provide a variety or mixed industrial, office and retail uses in the area. This is important because of the need to off-set high peak hour traffic volumes.

CONDITIONS

1. The applicant shall be limited to the following building intensities and uses.

<u>Parcel No.</u>	<u>Area in acres</u>	<u>Land Use</u>	<u>Square Footage</u>
1	23.87	Commercial (20-26 ft. in height)	200,000 s.f. retail Three (3) 5,000 s.f. sit-down restaurants (1,360 cars)
2	<u>±11</u>	Office Campus (2-story)	102,000 s.f. (412 cars)

2. The minor access point off Houston Road (closest to I-75 southbound exit/entrance ramps) shall be limited to right turn-in and right turn-out.
3. The Committee would like to emphasize the need to make certain road improvements to Houston Road in conjunction with this development and development on the 101 acre parcel across the street. These improvements are intended to accommodate existing and future traffic near the site and in the entire Houston Road area. The end result is to allow growth and development and at the same to coordinate and construct road improvements to assure proper traffic circulation and movement.

The applicant shall be required to participate and/or negotiate with the owner of Houston Road (at the present time Boone County Fiscal Court) to make the following improvements to Houston Road. Any agreement between the applicant and the owner of Houston Road or legislative body will supercede this condition as stated in the Committee Report.

- a. The placement of a traffic signal at the intersection of the major access point (Spiral Circle and Houston Road).
- b. A left-hand turning lane (with sufficient stacking distance) allowing northbound traffic on Houston Road to turn into the major access point.
- c. A full right-hand turning lane or deceleration lane shall be constructed to permit southbound traffic on Houston Road to enter both access points on Houston Road.

The phasing of such improvements will consist of the

following:

- a. In Phase I (e.g. Pricesavers Building and one 5,000 sq.ft. restaurant closest to the Turfway Connector) of the retail portion of the site, a right-hand turning lane will be required. All other requirements are not necessary at this time if the remaining retail portion is not developed.
- b. As Phase II is developed (the remaining retail portion), all other transportation improvements stated above will be required.
- c. If for some reason the 101 acre site across from Turfway Business Park, Phase II is developed, then the applicant will be required to coordinate and construct the appropriate transportation improvements on Houston Road in conjunction with the property owner across Houston Road.

The phasing of transportation improvements is intended to be flexible. As each phase of this project is being developed, an assessment of current traffic generation from this site on the public road system will be made. Any deviation from this condition shall be reviewed and approved by the Boone County Planning Commission and the appropriate legislative body.

4. The applicant shall be required to evaluate a possible driveway connection between the office campus section of the development and the adjacent property to the south. This connection may be feasible at subsequent reviews.
5. At subsequent reviews, the applicant shall be required to make a special effort, where feasible, to preserve as much as possible the existing tree cover.
6. The applicant hereby agrees to submit architectural drawings for buildings in Phase II to the Boone County Planning Commission Staff for review. This review is advisory only. Signage for this phase is limited to the present regulations unless a Special Sign District is created.

#### CONCLUSION

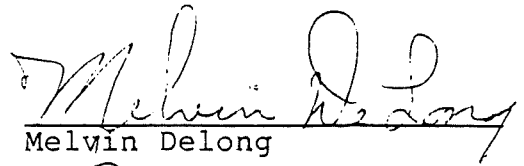
The Committee would like to state the sensitivity of this site with regard to visibility, accessibility, topography, and trafficability. The Committee feels that the submitted Concept Development Plan demonstrates an imaginative design scheme and compliments the planned office research and industrial uses. The Turfway Business Park meets the objectives of Planned Development and offers a distinct master plan for a 106 acre site.

(Signatures follow on page 4.)



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Fred Burch, Chairman

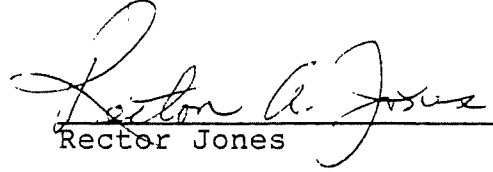


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Melvin DeLong

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Larry Barnett



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Rector Jones



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Donald Davis

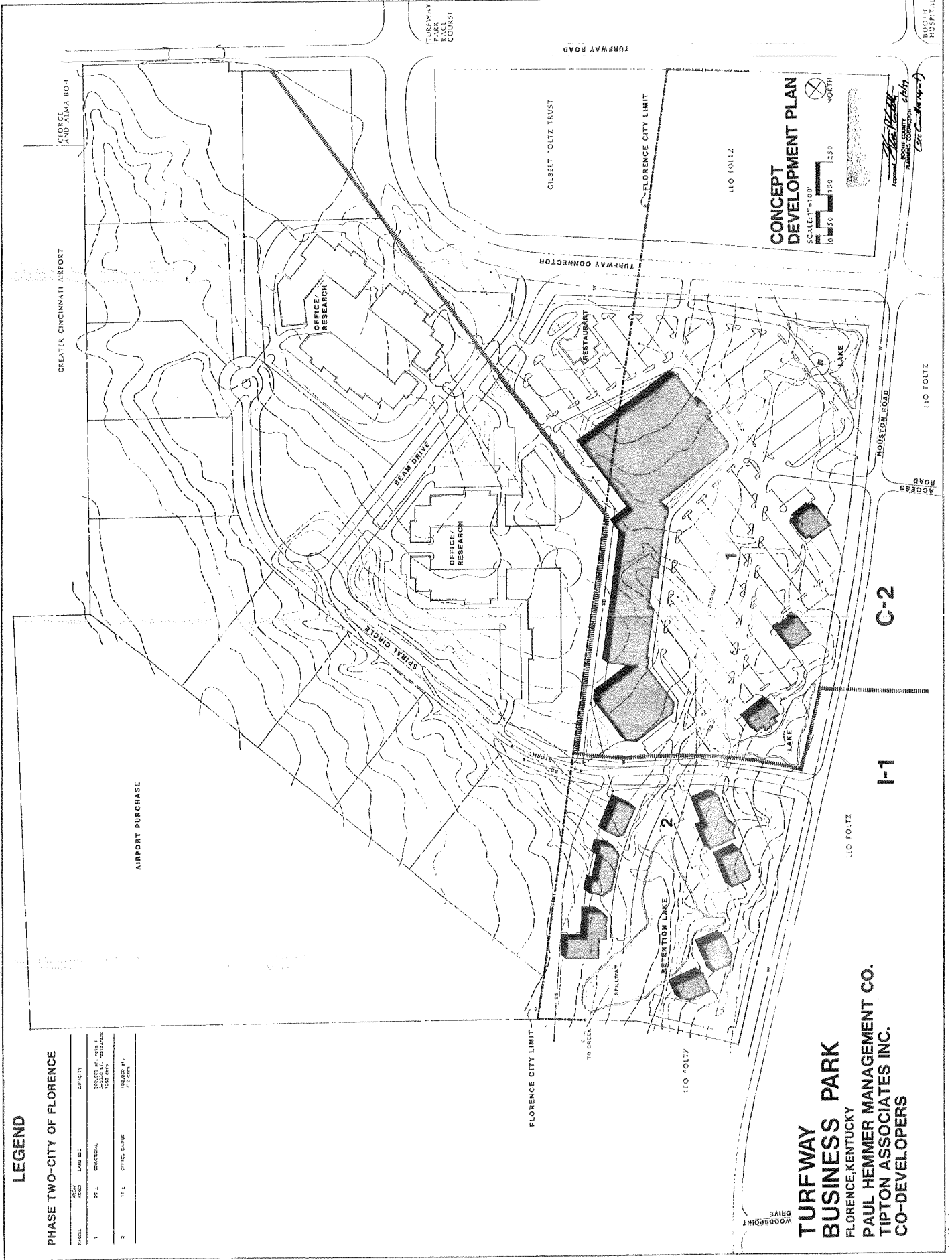
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William Viox

**LEGEND**

**PHASE TWO-CITY OF FLORENCE**

PHASE	AREA	LAND USE	CAPACITY
1	25.2	COMMERCIAL	250,000 sq. ft. (RESIDENTIAL) 1,000,000 sq. ft. (OFFICE)
2	11.6	OFFICE, SERVICE	100,000 sq. ft. (OFFICE) 200,000 sq. ft. (SERVICE)



**CONCEPT DEVELOPMENT PLAN**  
 SCALE: 1" = 100'  
 NORTH  
 10 50 100 150

**TURFWAY BUSINESS PARK**  
 FLORENCE, KENTUCKY  
 PAUL HEMMER MANAGEMENT CO.  
 TIPTON ASSOCIATES INC.  
 CO-DEVELOPERS

**GRBN**  
 Greater Cincinnati Regional Board  
 1200 N. MAIN ST., SUITE 1000  
 CINCINNATI, OHIO 45219-1200  
 (513) 521-1200  
 FAX (513) 521-1201

**TURFWAY BUSINESS PARK**  
 PAUL HEMMER/TIPTON ASSOCIATES INC. CO-DEVELOPERS  
 1200 N. MAIN ST., SUITE 1000  
 CINCINNATI, OHIO 45219-1200  
 (513) 521-1200  
 FAX (513) 521-1201

BOOTH HOSPITAL

*[Signature]*  
 PUBLIC CORP.

ORDINANCE NO. 0-2287

AN ORDINANCE ADOPTING AND APPROVING A REZONING OF CERTAIN REAL ESTATE LOCATED IN THE CITY OF FLORENCE, KENTUCKY, SUCH ZONE CHANGE BEING FOR PROPERTY LOCATED, GENERALLY, AT THE I-75 AND TURFWAY INTERCHANGE, ON THE NORTHWESTERLY SIDE OF HOUSTON ROAD, THIS ZONING CHANGE BEING FROM ITS PRESENT ZONE OF INDUSTRIAL ONE/PLANNED DEVELOPMENT (I-1/PD) TO A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONING CLASSIFICATION; AND FURTHER, APPROVING THE UTILIZATION OF THE CURRENT C-2/PD AND I-1/PD ZONES ON APPROXIMATELY 24 ACRES, ALL OF WHICH IS SUBJECT TO AN AGREED CONCEPT DEVELOPMENT PLAN. (TRP ASSOCIATES PROPERTY)

WHEREAS, the City of Florence, Kentucky is a member of a county-wide planning unit, known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission has recommended that certain real estate located, generally, at the I-75 and Turfway Interchange on the northwesterly side of Houston Road, such property being in Florence, Kentucky, should be rezoned from its present Industrial One/Planned Development Zone (I-1/PD) to Commercial Two/Plan Development Zone (C-2/PD), subject to an agreed Concept Development Plan, and

WHEREAS, this recommendation from the Boone County Planning Commission is based upon certain findings which have been reviewed by the City Council of Florence, Kentucky.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY AS FOLLOWS:

SECTION I

That certain real estate located at the I-75 and Turfway Interchange, on the northwesterly side of Houston Road in Florence, Kentucky, shall be and the same is hereby rezoned from its present Industrial One/Planned Development Zone (I-1/PD) to a Commercial Two/Plan Development Zone, subject to an agreed Concept Development Plan, such real estate being more particularly described in Exhibit "A", attached hereto and incorporated herein by reference as if fully set out.

SECTION II

That the zoning map of Boone County, Kentucky as it applies to the City of Florence, Kentucky shall be amended or changed to reflect the rezoning of the real estate set forth in Section I and Exhibit "A" of this Ordinance.

SECTION III

That the recommendation of the Boone County Planning Commission regarding this zone change matter shall be and is hereby adopted and approved by the City Council of Florence, Kentucky, which accepts the findings of the Boone County Planning Commission for this zone change.

SECTION IV

That this rezoning is subject to the conditions and provisions of the zone change request, including its development plan and the Boone County Planning Commission recommendation which are agreed to by applicant/property owner.

SECTION V

Further, the recommendation of the Boone County Planning Commission for approval of the utilization of the current C-2/PD and I-1/PD Zones on approximately 24 acres pursuant to Article 15 of the Boone County Zoning Regulations shall be and is hereby approved and adopted, subject to all terms, provisions and conditions of the development plan agreed to by the applicant/owner.

SECTION VI

That in the event the rezoning of this property would be held invalid by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map and comprehensive plan provisions as they are severable from this rezoning on this particular piece of property, and are intended to continue to have effect irregardless of any invalidity relating to this particular zoning.

PASSED AND APPROVED ON FIRST READING THIS 23<sup>rd</sup> DAY OF June, 1987.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 30<sup>th</sup> DAY OF June, 1987.



DESCRIPTION

Parcel to be Rezoned from I-1/PD to C-2/PD  
Mary Ellen Foltz Property

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

BEGINNING at a point in the northwesterly right-of-way line of Houston Road, said point also being S 56-58-03 W - 740 feet from the southwesterly right-of-way line of the Houston Road-Turfway Road Connector, said point also being in the present southwesterly line of the C-2/PD Zone, and running thence:

N 28-45-50 W, along the dividing line between C-2/PD and I-1/PD zones, a distance of 744.51 feet, to a point, thence  
S 58-53-47 W, along the dividing line between Mary Ellen Foltz and Gilbert Foltz (now Tipton-Hemmer), a distance of 760 feet, to a point, thence  
S 36-17-52 E, a distance of 709.71 feet, to a point, thence  
N 64-09-03 E, a distance of 200 feet, to a point, thence  
N 55-02-49 E, a distance of 214.85 feet, to a point, thence  
N 72-58-35 E, a distance of 151.07 feet, to a point, thence  
N 56-58-03 E, a distance of 105.36 feet, to the place of beginning, and containing 11.84 acres more or less.

4/29/87

Exhibit "A"

PARCEL TO BE REZONED  
FROM I-1/PD TO C-2/PD  
(Mary Ellen Foltz  
Property)

SCALE 1"=200'

11.84 Ac.

536°17'52"E 709.71

558°53'47"W 760'

N42°09'03"E 200'  
N55°02'49"E 214.85

N56°58'03"E 105.36  
N72°58'35"E 151.07

N28°45'50"W 744.51'

RW-3  
556°58'03"W 740'

12.21  
690'

PREPARED BY:  
VIOX AND VIOX, P.S.C.  
Civil Engineers & Land  
Surveyors, Erlanger, Ky.

SERVICE  
ROAD

HOUSTON ROAD

HOUSTON RD. - TURFWAY RD.  
CONNECTOR