

REQUEST OF CORPOREX PARKS OF KENTUCKY, INC.
(OWNER) FOR A ZONING MAP AMENDMENT FROM
INDUSTRIAL ONE (I-1) TO INDUSTRIAL ONE/PLANNED
DEVELOPMENT OVERLAY (I-1/PD)

This is a Zoning Map Amendment request by Corporex Parks of Kentucky, Inc. to change the existing zoning of a 32.505 acre tract from Industrial One (I-1) to Industrial One/Planned Development Overlay (I-1/PD). The site is located south of I-275 and northwest of Mineola Pike, Boone County, Kentucky.

HISTORY OF SITE

The entire site or approximately 75 acres was subject to a zone change. On February 25, 1981, a Public Hearing was held regarding a zone change from Suburban Residential One (SR-1) to Industrial One (I-1) for the entire site. According to the Planning Commission's records, the outparcel or the 0.491 acre parcel was not part of the zone change request. On April 7, 1981, Boone County Fiscal Court approved the zone change request with conditions. In May 1982, the applicant requested another Public Hearing for a Change in Concept Development Plan. On June 2, 1982, action was postponed at the request of the applicant until the final drawings of the Mineola Interchange were complete. At the request of the applicant a Public Hearing was then held on December 18, 1985 for a Change in or a Revised Concept Development Plan. On January 15, 1986, the Boone County Planning Commission approved the revised Concept Development Plan with conditions along with Boone County Fiscal Court (4/3/86).

SURROUNDING LAND USES AND ZONING

The surrounding land uses in the area consist of residential to the south (Bel-Air Acres Subdivision), open space to the northwest, industrial to the south and west and an interstate highway to the north and east. The existing zoning of the 32.5 acre site includes Industrial One (I-1) in the existing Circleport I Subdivision, Rural Suburban (RS) to the south and east, Agricultural Estate (A-2) to the north and west and Suburban Residential One (SR-1) for the 0.491 acre out parcel.

NATURAL FEATURES AND IMPROVEMENTS TO THE SITE

A majority of the site within the subdivision has already been graded to allow the sale of individual industrial lots or to lease space in existing buildings. There is a natural drainage area towards the north portion of the site (near the proposed lakes). This area is also heavily wooded. A 50 foot utility easement runs from Mineola Pike to the north through the site. A 24" gas line has been constructed within this 50 foot easement. Circleport Drive has been constructed with a 25 foot pavement width and 50 foot right-of-way, up to the north end of lot number four. Circleport Drive has not yet been publically dedicated. Soil types include Avonburg Silt Loam on the higher flat areas and Rossmoyne Silt Loam in the lower areas and near Mineola Pike.

The revised Concept Development Plan for the 32.505 acre site indicates the site is roughly divided into four areas (two office areas, one hotel area, and one retail/commercial area), to be developed over five phases. The following table indicates the buildings to be developed during each phase:

Phase	Building Type	Size of Building	Parking
I	Office	87,000 s.f., 5 story	290 cars
	Hotel	150 suites, 6 story	200 cars
II	Office	105,000 s.f., 6 story	350 cars
	Hotel	120 suites, 6 story	160 cars
III	Bank	8,000 s.f.	60 cars
	Commercial/Restaurant	20,000 s.f.	90 cars
IV	Commercial/Restaurant	30,000 s.f.	140 cars
	Office	72,000 s.f., 4 story	
	Multi-level parking	2 levels	150 cars
V	Office	36,000 s.f., 2 story	
	Multi-level parking	2 levels	150 cars

This proposed development would create approximately 300,000 square feet of office space, 270 hotel suites, 58,000 square feet of commercial space, and 1,590 parking spaces.

The development would be served by an extension of a road (existing Pleasant Lane) from Mineola Pike to the northwest property line. This road is proposed to be a boulevard with a 100 foot right-of-way, a 25 foot wide landscaped median, and landscaped earth berms on both sides to screen the road from adjacent parking areas. The existing Circleport Drive extends onto this site from the developed portion of the Circleport subdivision. A portion of Circleport Drive will need to be removed or modified to intersect the proposed boulevard. At the present time, the section of Circleport Drive extending onto the site under review has been closed off with a locked gate. This gate is located at the eastern end of lots three and eight of the Circleport subdivision. Lots four and nine of this subdivision have been incorporated into the area currently under review. The applicant has indicated that both the four lane boulevard and Circleport Drive will be publically dedicated.

The proposed hotel area is located at the northeast quadrant of the site. The Concept Plan indicates two hotel buildings with tennis courts and swimming pools. A small lake and a water fountain is shown between the two buildings. An office area is shown on the northwest quadrant of the site. This area shows two buildings and several small lakes. The Concept Development Plan indicates that the parking areas for the northeast and northwest quadrants are intended for joint use of the hotel and office facilities.

The southwest quadrant of the site is proposed to have two office buildings with an elevated bridge or walkway connecting them. The Concept Development Plan proposes that a majority of the parking for these buildings will be through dual level parking structures. The applicant stated the reason for dual level parking is to allow for more open space on the site. The Concept Plan does indicate a "fountain" will be located in front of the proposed buildings.

The southeast quadrant of the site is proposed for a 50,000 square foot retail center and an 8,000 square foot bank building. The Concept Development Plan indicates the 50,000 square foot building will be developed in two phases and house retail shops and restaurants designed to serve the planned development. The applicant has stated that they have no plan for a drive-thru restaurant on the site at this time.

The applicant has provided a written addendum to the Concept Development Plan in response to a letter of inquiry from staff (attached). This addendum gives clarification on several points relative to the Concept Development Plan including pedestrian walkways, landscaping, restrictive covenants, dedication of right-of-way for widening of Mineola Pike, and a time frame for completion of the project.

RELATIONSHIP WITH COMPREHENSIVE PLAN

The proposed zone change request must be viewed in relation to the 1980 Comprehensive Plan and the 1986 Comprehensive Plan. The area is referred to in a number of ways:

1980 Future Land Use Map

- Industrial
- Environmentally Sensitive

1986 Future Land Use Map

- Industrial

1980 Boone County Comprehensive Plan

Page 1.3 "The Greater Cincinnati International Airport will continue to stimulate industrial and related commercial development in its vicinity as well as affecting land use development beyond its boundaries due to noise and other flight operation conflicts."

Page 3.5 "Industrial uses are also planned in several areas in the vicinity of the Airport where higher levels of Airport noise make residential uses less desirable. These areas may be developed for industrial purposes once adequate infrastructure is made available or provided as part of the proposed development. One area is northeast of the Airport along Mineola Pike, both north and south of I-275."

Page 3.7 "Highway commercial development is anticipated at most interstate interchanges in Boone County. These include I-275 interchanges with KY 212 (including Airport-oriented uses), KY 237 and KY 8."

Page 3.13 "East of the Airport, industrial development is planned to continue in the vicinity of the Mineola Industrial Park, including new development along Mineola Pike both south and north of I-275 when adequate infrastructure is available or provided as part of the proposed development."

1986 Boone County Comprehensive Plan

D-3 Latonia Area - Land Use Element

"The proposed interchange with its proximity to the airport is ideal for airport-related industrial activity. Unfortunately though, the existing residences on Mineola Road will encounter increasing pressures to relocate. The residential area encompassed by Donaldson Road, I-275, and Mineola Pike will not have the same market forces placed on it and should in fact remain to provide close residential development for airport employees. New residential growth within the airport's clear zone should be discouraged. Eventually, the industrial development within the Mineola Park will merge with the development moving south from the Mineola Interchange.

B-15 Business Activity Element

To the east of the airport, the Mineola-Circleport-KY 236 area will be an area of great industrial growth in the county. High-tech industry and airport related services should be encouraged at the I-275 Interchanges and in the runway clear zones east and north of the airport. This should include the future clear zone for the proposed new North-South runway. These areas have locational advantages for industry because of proximity to air and truck transportation.

G-3 Goals and Objectives

Objectives

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

The mixing of commercial and non-commercial uses shall occur only in planned developments and replanned older areas where consideration can be given to minimizing harmful environmental influences.

Highway services shall be located in close proximity to major highway interchanges for maximum convenience and economy to the motoring public. (However, they should not be located so close to interchanges that they congest the traffic movements at these points of access).

In summary, industrial development, airport related services and limited commercial development are recommended in either the 1980 Boone County Comprehensive Plan or the 1986 Boone County Comprehensive Plan.

SPECIAL CONCERNS

1. The submitted Concept Development Plan will significantly add to the present amount of traffic on Mineola Pike. With the completion of the

Mineola Interchange, the eventual development of Circleport Distribution Park (Circleport III), the expansion of the Gap facility and the creation of an office/commercial subdivision in Circleport I, there will be a need to widen and level Mineola Pike. It is critical that road improvements are made in a timely matter in order to permit the mixing of automobile and truck traffic from both the industrial area, the commercial/office area, and the residential area. There will also be a need for a traffic signal at the intersection of Circleport I and the road (currently Pleasant Drive) leading into Circleport Distribution Park. Future Development Plans required for this site must include, at a minimum, the necessary additional right-of-way for improvements to Mineola Pike.

2. There is a genuine concern about storm water runoff because of the unique features of the site and the amount of paved surface. Careful attention should be given to insure that a storm water runoff system is developed properly so as to not have an adverse effect on the environment or adjacent property owners.

3. Proper landscaping (e.g., earth berms, tree plantings) should be placed on the west side of Mineola Pike to provide an effective screen and buffer for existing single family residences on the east side of Mineola Pike and the out-parcel on the west side of Mineola. This landscaping and/or screening must include at a minimum, any landscaping/screening areas required as a condition of approval for previously reviewed development plans for this site. Detailed plans for landscaping internal to the site should be submitted as part of the Preliminary Development Plan or Site Plan reviews as each phase of the project is developed.

4. Signage should be low level in a planned development in order to promote visual harmony. Small scale building mounted signage and/or directional signage should be encouraged and not typical highway commercial signs. If the current zoning regulations cannot accommodate the type of signage desired by the developer, the developer may wish to consider developing a proposal for a special sign district for the development under Article 19 of the Zoning Regulations.

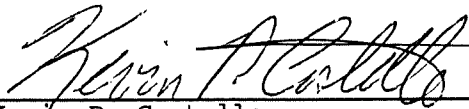
5. A coordinated effort should be made to combine driveway aisles and parking lots, and provide vertical parking structures where appropriate in order to create larger buffer and landscaped open space area. The staff would also recommend that there may be a need to expand the main entrance to the commercial/office park in order to allow better turning movement both in and out of the development. This entrance should be carefully aligned with Pleasant Drive across Mineola Pike.

6. Utility connections (water, sewer, gas and electric) to serve the site are not indicated on the submitted Concept Plan. This information, and an analysis of these utilities' adequacy, should be provided before a decision is made regarding this project as the proposed development is a significantly more intense than previously approved development proposals for the site.

CONCLUSION

In conclusion, the revised Concept Development Plan submitted shows a

32.505 acre site with four office buildings, two hotels, a commercial center and a banking facility developed over five phases. The overall plan demonstrates an innovative design and offers a variety of support services to an existing industrial center. The relationship of the proposed development to the comprehensive plan, the special concerns outlined in the staff report, and the relationship of the proposed development to the spirit and intent of the planned development regulations (Article 15, Boone County Zoning Regulations) are the key considerations for this proposed zone change. If the Planning Commission and Boone County Fiscal Court were to approve this request, the Boone County Zoning Map, Comprehensive Plan would not need to be changed.



Kevin P. Costello,
Asst. Director/Sr. Planner



Jim Sturdevant
Plans Examiner/Planner

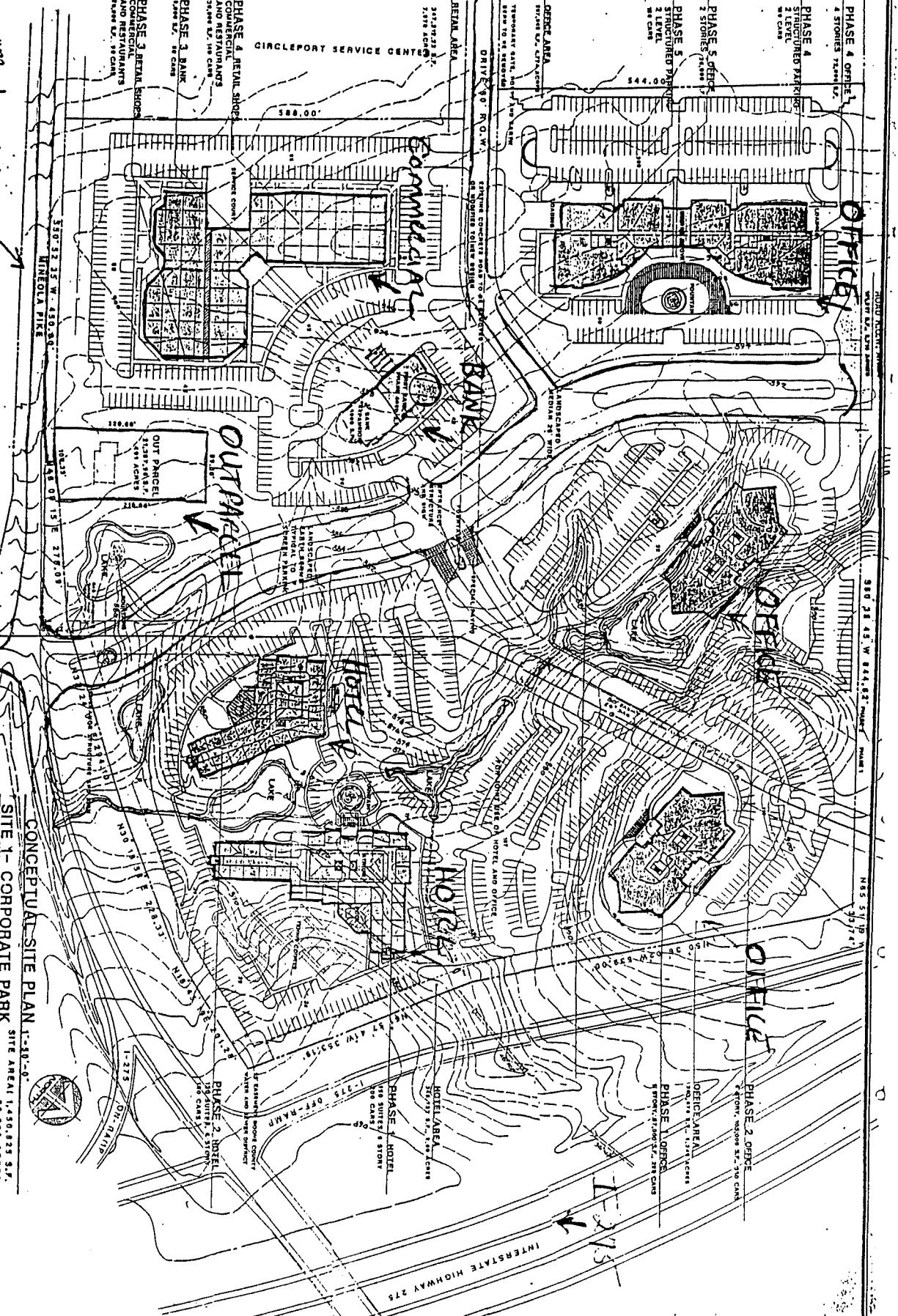
*Circleport I Concept Development Plan
8/27/86*

Midco Pike
MIMS DESIGN GROUP



CIRCLEPORT
 A CORPOREX DEVELOPMENT
 NORTHERN KENTUCKY AT GREATER CINCINNATI AIRPORT

CONCEPTUAL SITE PLAN 1-50'-0"
 SITE 1 - CORPORATE PARK SITE AREA 1450,235 SQ. FT.
 33,201 ACRES INCLUDING OFF-PARCEL

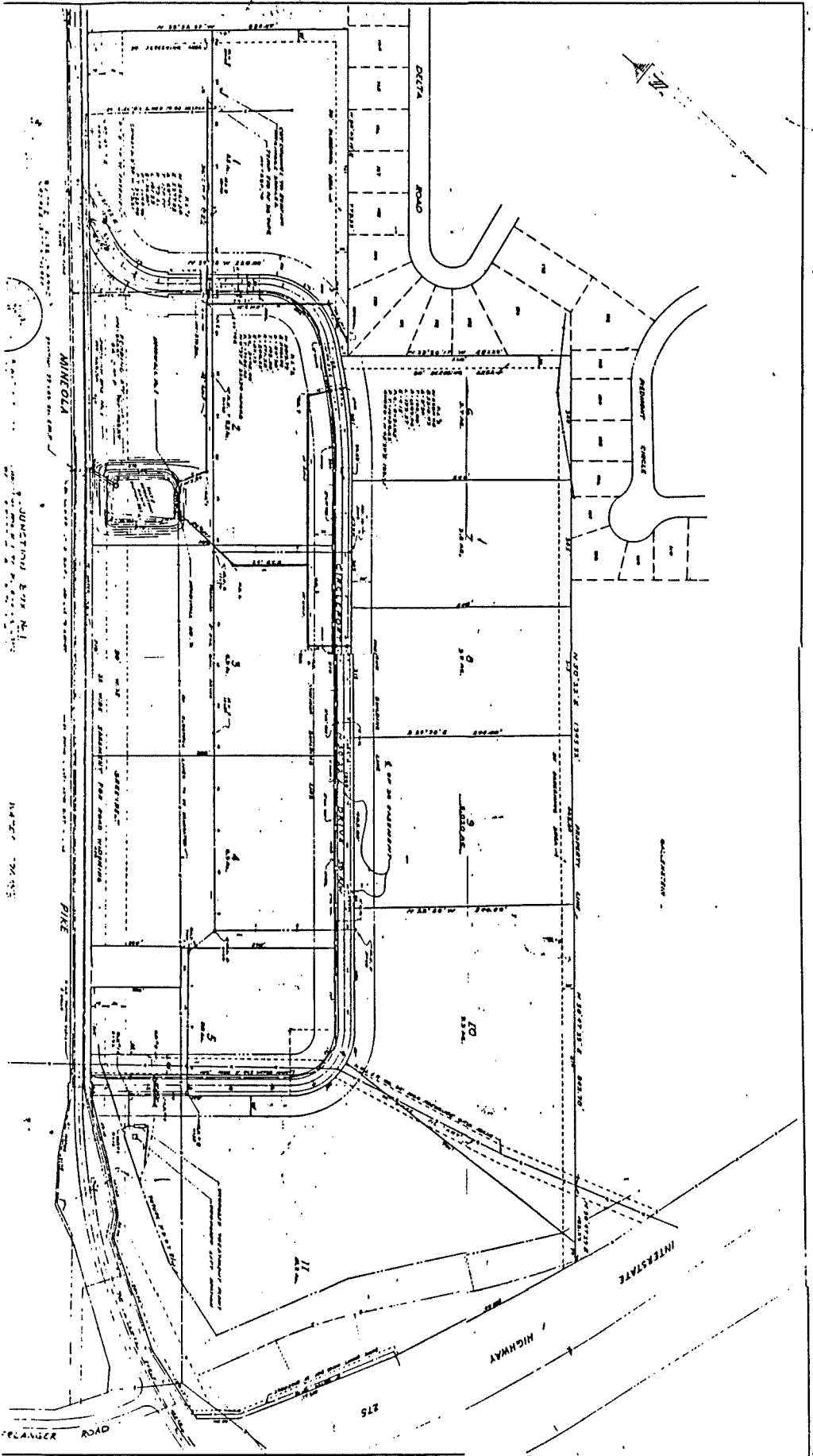


Pleasant Lane

WILLIAM EVANS MIMS ARCHITECT
 ARCHITECTS
 101 DENNET DRIVE
 NASHVILLE, TENNESSEE 37203

Scale: 1/8" = 1'-0"

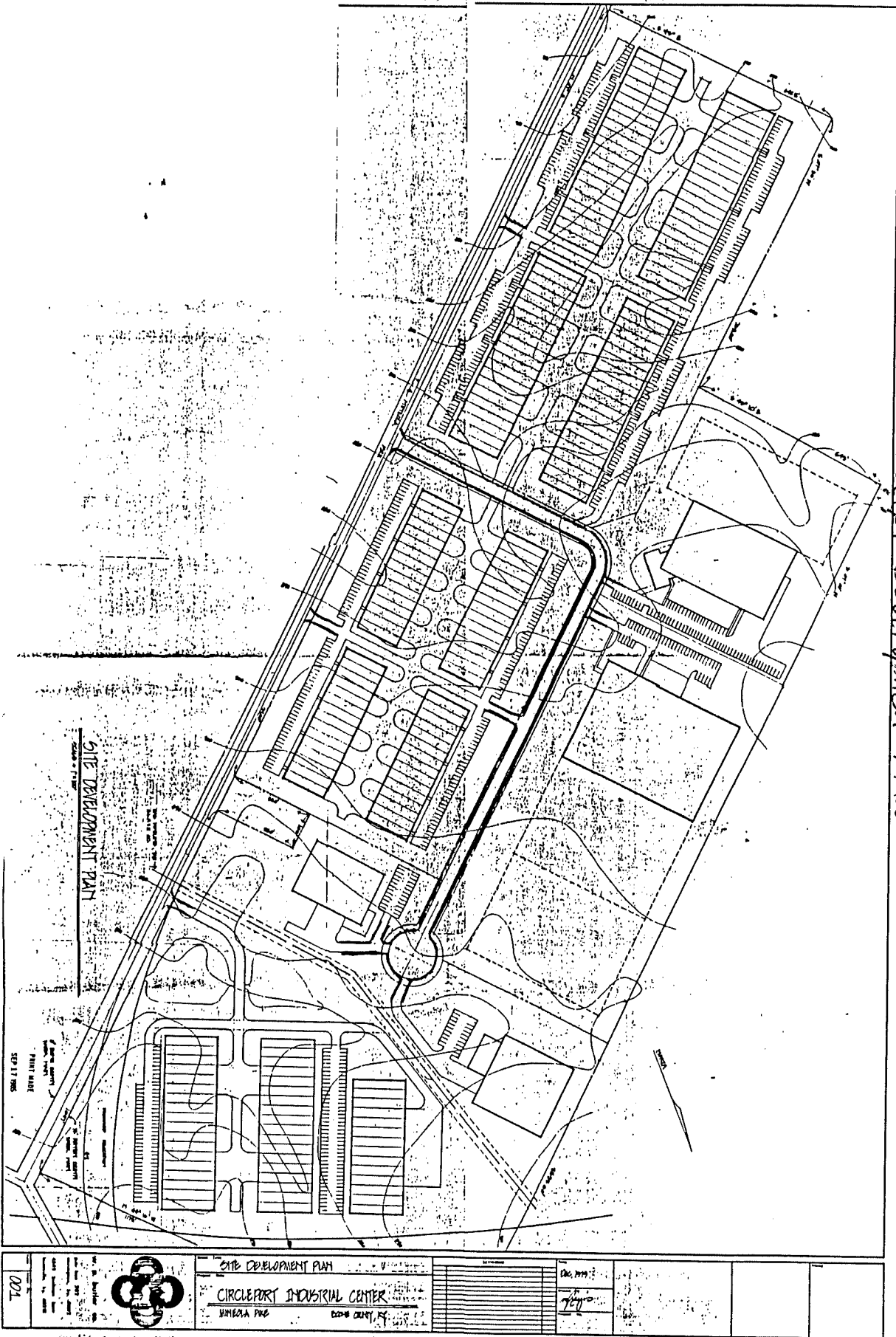
Cinleport I - Cooper Parks of Ky
Concept Development Plan

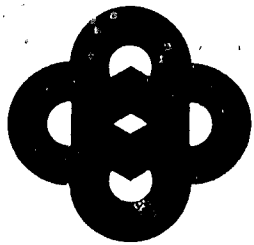


Revised Plan - approved 1986

Approved 1981

Acres For Development (applicant)
Circleport I
Concept Development Plan





corporex[®]
development
services, inc.

p.o. box 75020
cincinnati, ohio 45275
606/331-5000

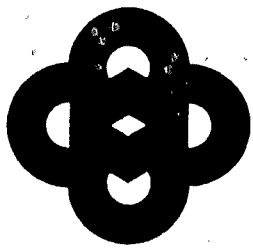
August 22, 1986

Mr. Kevin Costello
Assistant Director
Boone County Planning Commission
Post Office Box 697
2950 Washington Square
Burlington, Kentucky 41005

Dear Mr. Costello:

In response to your letter of August 14th, I am enclosing a revised concept development plan and an area map. Furthermore, I will elaborate on our development plans for the site, by answering the questions you included in your letter.

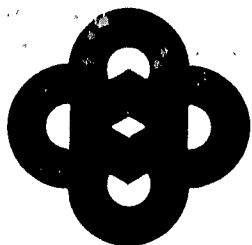
1. Corporex does not currently have an option or have ownership of the outparcel shown on the concept development plan. The revised concept development plan does not show any improvements on this site. Although this site is not vital to our development plan, we have recently talked with the owner of the property and her legal council about the possibility of our company acquiring the site. If we acquire this site, we will return to the planning commission in an effort to rezone this property.
- 2/3. We have enclosed an area plat depicting all adjacent property owners and the current zoning of each of these properties. Please note that I included this information on an out-dated drawing. Therefore, any additional information on this drawing may not be accurate.
4. We have included the existing Circleport Drive and the location of the temporary gate on the revised Concept Development Plan. The topographic contours shown on this plan depict the existing contours with the exception of the mounding we did near the temporary gate. This was done to shield the existing development from the undeveloped land. These mounds are temporary, and will be removed as we further develop the park.



corporex

Mr. Kevin Costello
August 22, 1986
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5. The open space makes up approximately 80% of the total site (including parking). Corporex intends to emphasize a park-like setting including sculptured moundings, lakes, and heavy vegetation. Corporex will maintain all common areas, with the individual site owners being billed on a pro-rata share. This would be the case if this site was later subdivided and sold to a third party.
6. Corporex does not need permission to develop the land where the gas line is located, but rather must only permit the gas company to have clear access to maintain their line. This is clearly the case under this Concept Development Plan.
7. Corporex has already committed to conveying a 35' right of way along Mineola Pike for the expansion. It is up to the State/County to determine when this expansion will take place.
8. The site currently receives fire protection from the Point Pleasant Fire Department. Up-grading the zoning will not have an immediate impact on fire protection service in the area, however, as Circleport Park, Mineola Park, The Gap project, and the Con-Steel project continue to develop, there will be a growing need for expansion of service.
- 9/10. Both the four-lane boulevard and the connection to Circleport Drive will be publicly dedicated. The majority of all traffic to the site will be coming from the north (Interstate 275). The entrance to this site is roughly 800' from the on-off ramps of the interstate, therefore, traffic should clear quite rapidly. Corporex does not see a need for a traffic light at the entrance in the immediate future, however, when/if it is determined that a light will be necessary, Corporex will give the county full cooperation in coordinating this effort.
11. At this time, Corporex has no plans for a drive-thru restaurant on this site.



corporex

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12. Corporex intends to begin construction on the infra-structure later this fall, and have the construction completed by January (weather could delay till mid-late spring). Phase I of the office and Phase I of the hotel are planned for 1987. The timing of the other phases of the project will be determined by market response. We expect all phases to be completed within 5 years.
13. Corporex has a detailed set of restrictive covenants written for the entire park. These restrictions will allow only the highest quality buildings to locate in this park. Signage will be uniform and is clearly defined in the covenants.
14. Structured parking is multi-level parking. This allows us to have more open space on the site.
15. I have reviewed the 1981 conditions on the original zone change and believe this plan complies with those conditions which are applicable.
16. We have plans for a pedestrian walkway throughout the site. These walkways are not shown on this plan, due to the preliminary nature of this plan. The walkways will be focused around the water features.

ADDITIONAL NOTE:

Our architect from Nashville inadvertently added two entrances to Mineola Pike near Phase III retail. It was not our intention to have these, and I have removed them from the drawing.

Kevin, I hope this information has answered all of your questions. If not, I will be in next week, feel free to call me. Furthermore, Bill Butler, Jim Berling and myself will be at the hearing if any questions come up at that time.

Regards,

Thomas E. Banta
Development Coordinator

TEB:jm

Enclosures

PURPOSE FOR REZONING REQUEST

1. The proposed land use would better meet the community's existing and projected requirements in the following ways:
 - a. "A significant hotel and motel deficit currently exists in the Northern Kentucky area. Occupancies remain strong, however, most of the base is deteriorating."
 - b. "Recent national studies indicate an increasing trend of firms relocating in airport office parks. It can be assumed that this trend will continue."
 - c. "Interviews with major area industries, institutions, and organizations indicate a shortage of quality meeting/conference facilities in the Northern Kentucky area."

These observations are from a 600 page study done by the Kenneth Danter Company. This company is one of the most respected real estate research companies in the country.

2. The proposed zone change is compatible with the policies and objectives of the comprehensive plans in the following ways:
 - a. The 1986 Boone County Comprehensive Plan states that "high-tech industry and airport related services should be encouraged....." within the subject area.
 - b. A development of the size and scale that the comprehensive plan describes requires support facilities including; lodging facilities, meeting facilities, restaurants, banks, and a "neighborhood type" retail center.
 - c. A PD overlay is required to permit the developer to supply these services within an industrial zoning.

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARING

AUGUST 27, 1986 8:00 P.M.

Secretary-Treasurer Don Davis called the Public Hearing to order on the request of Corporex Parks of Kentucky, Inc. (owner) for a Zoning Map Amendment for a 32.505 acre site. The property located west of Mineola Pike, north of Donaldson Road and south of I-275 is presently zoned Industrial One, I-1 and is being proposed to be zoned Industrial One/Planned Development Overlay, I-1/PD Overlay.

Staff member Jim Sturdevant presented a slide presentation of the proposed development and the surrounding area.

Mr. Bill Butler, President of Corporex, described the location of the proposed development and the topography of the land. Mr. Butler described the architectural layout of the proposed development. Mr. Butler stated the intended uses in the master plan included: office and service type uses of a wide variety of order; hotel services on the interchange itself in conjunction with office uses; a retail neighborhood type center with services typical in a strip center; and banking. Mr. Butler noted the first stage of the development would be to construct the office building as soon as possible and then the hotel. Mr. Butler explained the reasons for wanting "planned development" was because "planned development" worked in cooperation with the Planning Commission; it permitted flexibility; it deviated from some restrictions of property lines and setbacks so they could plan according to the terrain itself, and general amenities they wanted to create on the site; and they could get some synergism over the various types of uses that would be within the "planned development" area such as parking and overlap between the hotel and office. Mr. Butler noted there may be some moving around of the buildings in the final design area but felt that was consistent with normal "planned development" uses. Mr. Butler stated the interchange itself changed the character of the area, therefore, industrial property was not really the appropriate use of the particular element of the land anymore. Mr. Butler described various changes within the Mineola area and noted the Corporex property being located almost contiguous with the Airport, therefore, the proposed development would be in a position to provide a lot of services to the people and to benefit from the increased traffic that would be generated by the Airport. Mr. Butler made himself available for any questions.

Staff member Kevin Costello presented the Staff Report.
(See Staff Report)

Mr. Viox referred to Mr. Butler and inquired what was the plans for the property to the northwest of the proposed site. Mr. Butler explained that property was not included within their plan at the present time but noted there had been discussion on that particular property but no purchase agreement had been agreed upon yet. Mr. Viox inquired what was envisioned for the proposed development. Mr. Butler stated it would be speculation based upon the market report but noted primarily an office building, additional hotel uses, and center of some type.

Mr. Viox referred to the 1981 zone change on the area and stated he believed one of the conditions then was there would be some cooperative effort with the County to improve Mineola Pike. Mr. Viox inquired if there had ever been any dialogue between Mr. Butler as the developer and the County to improve Mineola. Mr. Butler stated no, there had not been any dialogue nor had they suggested it or approach it at the present time. Mr. Viox inquired if Mr. Butler intended to try and purchase the one out parcel. Mr. Butler stated yes and noted discussions with the property owner of the out parcel was currently being made.

Mr. Barnett stated the Concept Development Plan did not have anything to do with Industrial zoning at all and wondered why Mr. Butler had not applied for a zone change to Commercial Services, C-3. Mr. Costello responded the I-1 had as conditional uses, office related uses and well as banks and restaurants as uses. Mr. Costello noted only the hotel was not in the underlying zone of I-1. Mr. Costello stated that in discussion with the applicant, it was felt they did not want to move the I-1 underlying zoning but maybe they would come back before the Commission as well as Fiscal Court if they wanted to do more industrial later on. Mr. Costello stated they did not want to lose the Industrial zoning and that was why they applied for "planned development". Mr. Costello pointed out that most of the proposed uses were conditional in the I-1 zone. Mr. Barnett inquired if they would have to go before the Board of Adjustment for a Conditional Use Permit. Mr. Costello stated no, not under "planned development overlay" if their specifying the use under the Concept Plan. Mr. Barnett noted, therefore, another Concept Development Plan may come through for Industrial. Mr. Costello stated that was possible. Mr. Butler pointed out that the types of uses proposed for the development were not uncommon in Industrial Parks throughout the Country. Mr. Barnett noted the problem he had was the Planning Commission had just approved industrial zoning at the particular area, and now they would try to approve what was essentially commercial zoning that quite possibly might have been industrial zoning later on. Mr. Barnett noted that stability was not being lent to the area at all. Mr. Barnett stated the use in that particular area kept changing all the time. Mr. Butler stated the proposed types of uses were a more common thing to see which were finer and better uses to make an even greater positive environmental impact in the area for those people who were directly affected. Mr. Butler stated he had conversed with some of the residents that still had lots along

Mineola Pike and they indicated they did not like the industrial buildings or the lights associated with them. Mr. Butler noted the type of uses being proposed in that area would enhance the resident's property value as well. Mr. Butler explained that if the interchange had not occurred, the full dream that they had for the Mineola area could not occur and the best they could have hoped to accomplish in the area was an industrial development.

Mr. Barnett inquired if there was approved Site Plan. Director Gerald Newton responded affirmatively. Mr. Costello noted Mr. Barnett was referring to was a revised Concept Development Plan which originally indicated a cul-de-sac put in at the end of Circleport Drive. Mr. Costello explained that the applicant was responsible to remove the cul-de-sac and connect the road to the entrance on Mineola Pike and access Pleasant Drive and also to sub-divide one more lot for industrial use. Mr. Costello noted that was the revised Concept Development Plan. Mr. Butler stated that everything being proposed for the property was costing a lot more money, involved a lot more quality and was an up-grade to the area. Mr. Butler noted the proposed park would be something that Boone County would be proud of.

Mr. Barnett inquired if any thought had been given to how the conditions of the 1980 zone change, that were agreed to, might be incorporated into the current Concept Development Plan. Mr. Costello noted a list of nine (9) conditions which ranged from storm water runoff, improving Mineola Pike, adequate buffering along Mineola Pike, and erosion control measures. Mr. Costello stated he had requested the applicant to review those conditions and make comment. Mr. Costello noted a letter distributed to each Commission member addressed to him from Mr. Tom Banta of Corporex. Mr. Costello referred to condition #15: (See "Exhibit A") Mr. Butler noted storm water retention was indicated on the current drawing and still needed to be signed. Mr. Butler stated they had indicated where the storm water retention would occur and noted that was matter of engineering which would be addressed at the next stage. Mr. Barnett referred to condition #15 and inquired, to whose opinion was Mr. Banta referring to when he stated "which are applicable". Mr. Tom Banta explained what he meant by "which are applicable" were conditions #1 and #2 which were discussed as industrial zoning and he noted it was obviously not "applicable" since the use had been changed from Industrial to Office. Mr. Banta further explained his quote of "which are applicable" was more related to the rain water wash and the setbacks in residential areas. Mr. Banta noted he had not gone point by point down the list of conditions. Mr. Barnett stated the Commission had felt at the time of approval of the zone change, that the conditions were very important. Mr. Butler stated that none of the conditions had been changed and they were incorporated into the current plan. Mr. Banta stated the drawing indicated there was a 35 foot right-of-way set aside and noted they had not stated they would pay for the improvements to Mineola Pike but they would donate the land to widen Mineola Pike along the particular area. Mr. Barnett inquired if the 35 feet had been dedicated to the

County. Mr. Jim Berling, Engineer for the proposed request, stated no but it had been set aside. Mr. Barnett inquired if staff felt the current Concept Development Plan conformed with those fifteen conditions. Mr. Costello noted the 50 foot green belt was not indicated on the current plan, but noted that it was included on the previous Concept Development Plan, approved in 1986. Mr. Costello stated the 30 foot screening area was also not on the current plan. Mr. Costello stated the 30 foot screening could be a condition on the current plan if the Planning Commission wanted that with an agreement from the property owner. Mr. Butler stated that whatever conditions had been agreed to previously in the zone change were not being changed. Mr. Butler stated those conditions were incorporated within the current request.

Mr. Neltner referred to Mr. Costello and inquired of staging of the proposed development. Mr. Costello stated the developer had not indicated the staging other than he hoped to start the construction of the office building as soon as possible.

Mr. Butler explained it was their hope to start construction of the office building as early as December 1, 1986 but no later than March 1, 1987. Mr. Butler noted the most logical second stage would be the hotel but first they would need to find a quality hotel company that would agree with them that the site was a good site for a hotel. Mr. Butler noted secondly a market study would take considerable time in itself. Mr. Butler stated the hotel construction could begin at the earliest in 1987-88 and hopefully not later than the 4th quarter of 1987. Mr. Butler noted the hotel would possibly open in 1989. Mr. Butler stated the third stage would be the second phasing of the office buildings and to begin construction as early as mid 1988 and occupancy opening in 1989. Mr. Butler stated the commercial staging would possibly be the last phase of the development.

Mr. Delong inquired if hotels were allowed in the particular area. Mr. Costello stated that normally in the I-1 zone, hotels were not permitted but in "planned development" they could be permitted.

Mr. Delong inquired of the total square footage of the proposed hotel. Mr. Butler stated approximately 127,000 square feet.

Mr. Delong inquired if the hotel was full service, would a restaurant and lounge be provided. Mr. Butler stated yes there would be a restaurant but no banquet facilities were being planned.

Ms. Jane Dixon, stated it was her family who owned the out parcel and inquired what would happen to the 35 feet set aside for the County if they didn't sell the out parcel. Mr. Costello responded the State would then have to negotiate with the property owner of the out parcel.

Ms. Dixon referred to the Corporex property having to be raised due to the new bridge now being higher in elevation than the old bridge and inquired how the raise elevation would affect her family's property. Mr. Butler stated that when the road got to her house it evened out.

Ms. Dixon inquired how much area would there be between the out parcel and the proposed park. Mr. Butler stated approximately 50 feet. Mr. Butler explained the current Concept Development Plan was not a concrete plan and noted Corporex would have to go through a lot of engineering details as far as the Planning Commission and staff were concerned and that would be where setback requirements were decided.

Ms. Dixon inquired if the current Concept Development Plan being presented was how the development could actually be designed. Mr. Davis stated the development could possibly be very close to the current plan but it would not have to be exact. Mr. Davis noted at a later staging of the development, there would be more details. Atty. Wilson pointed out that if the proposed plan was approved by the Planning Commission and the appropriate legislative body (Fiscal Court), then if Corporex came back with a revision that constituted a major change, then Corporex would have to go back through the Public Hearing process.

Ms. Lois Foltz inquired if the hotel parking area would be located across from the houses on Mineola. Mr. Butler stated no and pointed out the intended parking area on the current plan.

Ms. Foltz referred to the sewage that was put in the area in 1980 that was suppose to tap into the sanitation system and inquired if that had ever been done. Mr. Jim Berling explained that in 1980-81, Corporex had worked with the Boone County Water & Sewer Commission and they constructed a public sewage system but noted the overall system was not fully in operation at the current time. Mr. Berling stated a lot of reconstruction work was being done on that system. Ms. Foltz stated that raw sewage was being dumped at that particular area. Mr. Banta stated Corporex would have someone go out the first thing the following day to check the area and noted that within three weeks the new system would be operational.

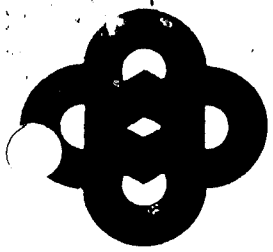
Mr. McMillian inquired if Ms. Dixon's property would be included in the zone change. Mr. Davis responded no, her property was an out parcel

Mr. Davis inquired of further questions or comments.

Mr. Barnett noted there would be no further notice to adjoining property owners for the Preliminary Development Plan and suggested the public stay in contact with the Planning Commission's Office for any further information.

Mr. Davis stated the proposed request would be placed on

the agenda for September 3, 1986 but noted that it did not necessarily mean the request would be heard at that time. Mr. Davis stated an extension of action on the request may be required and also advised the public to stay in contact with the Planning Commission's office. Hearing no further questions or comments, Mr. Davis closed the Public Hearing.



corporex[®]
development
services, inc.

Exhibit A

p.o. box 75020
cincinnati, ohio 45275
606/331-5000

August 22, 1986

Mr. Kevin Costello
Assistant Director
Boone County Planning Commission
Post Office Box 697
2950 Washington Square
Burlington, Kentucky 41005

Dear Mr. Costello:

In response to your letter of August 14th, I am enclosing a revised concept development plan and an area map. Furthermore, I will elaborate on our development plans for the site, by answering the questions you included in your letter.

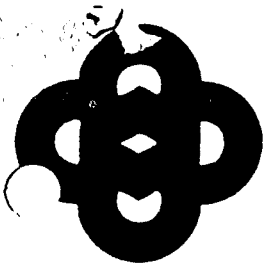
1. Corporex does not currently have an option or have ownership of the outparcel shown on the concept development plan. The revised concept development plan does not show any improvements on this site. Although this site is not vital to our development plan, we have recently talked with the owner of the property and her legal council about the possibility of our company acquiring the site. If we acquire this site, we will return to the planning commission in an effort to rezone this property.
- 2/3. We have enclosed an area plat depicting all adjacent property owners and the current zoning of each of these properties. Please note that I included this information on an out-dated drawing. Therefore, any additional information on this drawing may not be accurate.
4. We have included the existing Circleport Drive and the location of the temporary gate on the revised Concept Development Plan. The topographic contours shown on this plan depict the existing contours with the exception of the mounding we did near the temporary gate. This was done to shield the existing development from the undeveloped land. These mounds are temporary, and will be removed as we further develop the park.



corporex

Mr. Kevin Costello
August 22, 1986
Page Two

5. The open space makes up approximately 80% of the total site (including parking). Corporex intends to emphasize a park-like setting including sculptured moundings, lakes, and heavy vegetation. Corporex will maintain all common areas, with the individual site owners being billed on a pro-rata share. This would be the case if this site was later subdivided and sold to a third party.
6. Corporex does not need permission to develop the land where the gas line is located, but rather must only permit the gas company to have clear access to maintain their line. This is clearly the case under this Concept Development Plan.
7. Corporex has already committed to conveying a 35' right of way along Mineola Pike for the expansion. It is up to the State/County to determine when this expansion will take place.
8. The site currently receives fire protection from the Point Pleasant Fire Department. Up-grading the zoning will not have an immediate impact on fire protection service in the area, however, as Circleport Park, Mineola Park, The Gap project, and the Con-Steel project continue to develop, there will be a growing need for expansion of service.
- 9/10. Both the four-lane boulevard and the connection to Circleport Drive will be publicly dedicated. The majority of all traffic to the site will be coming from the north (Interstate 275). The entrance to this site is roughly 800' from the on-off ramps of the interstate, therefore, traffic should clear quite rapidly. Corporex does not see a need for a traffic light at the entrance in the immediate future, however, when/if it is determined that a light will be necessary, Corporex will give the county full cooperation in coordinating this effort.
11. At this time, Corporex has no plans for a drive-thru restaurant on this site.



corporex

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12. Corporex intends to begin construction on the infra-structure later this fall, and have the construction completed by January (weather could delay till mid-late spring). Phase I of the office and Phase I of the hotel are planned for 1987. The timing of the other phases of the project will be determined by market response. We expect all phases to be completed within 5 years.
13. Corporex has a detailed set of restrictive covenants written for the entire park. These restrictions will allow only the highest quality buildings to locate in this park. Signage will be uniform and is clearly defined in the covenants.
14. Structured parking is multi-level parking. This allows us to have more open space on the site.
15. I have reviewed the 1981 conditions on the original zone change and believe this plan complies with those conditions which are applicable.
16. We have plans for a pedestrian walkway throughout the site. These walkways are not shown on this plan, due to the preliminary nature of this plan. The walkways will be focused around the water features.

ADDITIONAL NOTE:

Our architect from Nashville inadvertently added two entrances to Mineola Pike near Phase III retail. It was not our intention to have these, and I have removed them from the drawing.

Kevin, I hope this information has answered all of your questions. If not, I will be in next week, feel free to call me. Furthermore, Bill Butler, Jim Berling and myself will be at the hearing if any questions come up at that time.

Regards,

Thomas E. Banta
Development Coordinator

TEB:jm

Enclosures

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

SEPTEMBER 17, 1986

8:00 P.M.

At the request of Mr. Don Davis, the only officer of the Boone County Planning Commission present, and no objections being raised by any other Commission members, Mr. William Viox assumed the duties of the Chair as Acting Chairman and called the Boone County Planning Commission meeting to order. Roll call was taken by staff member Dee Ann Brewer. 8 members present. Absent: Messrs: Barnett, Delong, Hemmer, Martin, Slusher, Mrs. Smith and Chairman Kroger.

Minutes of the August 20, 1986, and September 3, 1986 Business Meetings and also the August 27, 1986 Public Hearing Minutes were considered. Mr. Davis moved that the August 20, 1986 and September 3, 1986 Business Meeting Minutes and also the August 27, 1986 Public Hearing Minutes be approved as reviewed. The motion was seconded by Mr. McMillian. The motion carried unanimously.

Mr. Viox inquired of bills to be paid. Staff member Dee Ann Brewer read the bills to be paid: Staff Salaries and Benefits, \$5,600.54; Americana (publication), \$7.95; B. Dalton, \$35.45; National Trust (conference for Ms. Hayden), \$216.00; Travel Professional International (airfare for the conference), \$155.56; Service Merchandise (Caramate), \$299.76; Gold Circle (zoom and wide angle lens), \$299.98; Swallen's, \$299.00 and Mr. Ken Gibbs, \$3,400.00. for an overall total of \$10,314.24. Mr. Jones moved all bills be paid as presented. The motion was seconded by Mr. Davis. The motion carried unanimously.

Reports

Mr. Viox noted the Zoning Enforcement Officer's Report and the Building Inspector's Report for the Commission's review. Hearing no comments or questions on the above noted reports, Mr. Viox proceeded to the items on the agenda.

Zoning Map Amendment

A request of Corporex Parks of Kentucky, Inc. (owner) for a Zoning Map Amendment for a 32.505 acre site. The property located west of Mineola Pike, north of Donaldson Road and south of I-275 is presently zoned Industrial One, I-1 and is being proposed to be zoned Industrial One/Planned Development Overlay, I-1/PD.

Staff member Kevin Costello read the Committee Report which recommended approval with the following conditions:

1. The applicant shall be required to develop the 32.505 acre site according to submitted Concept Development Plan. The types of land use and the total building square footage indicated on the Concept Development Plan are regarded as maximum intensities for development of the site.
2. The applicant shall not be granted permission to build any drive-thru restaurants on the site.
3. The applicant shall be required to dedicate land or provide a 35 foot easement for road widening from the southwest lot line along Mineola Pike to the main entrance of the site. At the appropriate time, the applicant shall be required to provide a traffic signal at the intersection of Mineola Pike and both entrances for Circleport I and Circleport III (Circleport Distribution Park).
4. The applicant shall be required to develop the proper storm water runoff system for the site. Storm water shall be detained for 20 minutes. Storm water runoff shall be controlled so that peak flows from the development site shall not exceed peak flow from the undeveloped site.
5. The applicant shall be required to provide an adequate landscaped buffer for the area located between the commercial building parking lot and Mineola Pike. This buffer should include types of trees sufficient in size at planting to serve as a screen between the proposed development and the residences along Mineola Pike. The buffer should be dense and may include the utilization of existing vegetation and the creation of a berm. If the applicant does not obtain the out parcel in the area, a dense buffer should be created or maintained surrounding the lot lines of the site and the out parcel.
6. The Committee prefers that the applicant combine driveway aisles and parking lots, and provide vertical parking structures where appropriate in order to create larger buffer and landscaped open space area. The Committee would also recommend that there may be a need to expand the main entrance to the commercial/office park in order to allow better turning movement both in and out of the development. This entrance is the only permitted entrance on Mineola Pike and it should be

carefully aligned with Pleasant Drive across Mineola Pike.

7. Any change in the Concept Development Plan shall be reviewed by the Zone Change Request Committee or the Technical Committee to decide whether it is a major or minor change. Any change that is determined to be major shall require a new application and public hearing.

Mr. Viox inquired of any comments or questions from Mr. Tom Banta, representative for the proposed request. Mr. Banta stated he had no questions or comments and noted Corporex agreed to all the conditions within the Committee Report.

Mr. Viox inquired of any comments, questions or opposition from the audience.

Hearing no questions or comments, Mr. Davis moved to approve by Resolution to the Boone County Fiscal Court the request of Corporex Parks of Kentucky, Inc. (owner) for a Zoning Map Amendment for a 32.505 acre site located west of Mineola Pike, north of Donaldson Road and south of I-275 based upon the Committee Report and the conditions therein. The motion was seconded by Mr. Burch. The motion carried unanimously.

Site Plan Review

A request of Robert Hayes and Associates (agent) for Rockland Enterprises (owner) for revision of an approved Site Plan Review for property located along Dream Street, Florence, Kentucky. The 1.101 acre tract is zoned Office Two, O-2.

Staff member Jim Sturdevant presented the Staff Report. (See Staff Report)

Mr. Viox acknowledged a letter received from Mr. Jeffrey Harmon, representing the neighborhood dated September 16, 1986 stating the neighborhood had come to an agreement with Mr. Robke. (See Exhibit A)

Mr. Tom Nienaber, representative for the request, stated they agreed to the recommendations within the Staff Report and noted their agreement with the letter submitted from Mr. Jeffrey Harmon for the residents.

Mr. Newton read the Committee Report which recommend approval based upon the Staff Report.

Atty. Joseph Jordan, representing Mr. Jeffrey Harmon, stated that revised #3 Site Plan was the plan Mr. Harmon and the residents of the neighborhood were in agreement with.

Committee Report

TO: Boone County Planning Commission

FROM: Larry Barnett, Chairman

DATE: September 17, 1986

RE: Request of Corporex Parks of Kentucky, Inc. (owner) for a Zoning Map Amendment for a 32.505 acre site. The property located west of Mineola Pike, north of Donaldson Road and south of I-275 is presently zoned Industrial One, I-1 and is being proposed to be zoned Industrial One/Planned development Overlay, I-1/PD Overlay.

REMARKS:

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

Findings of Fact

- 1) The proposed zoning map amendment is in agreement with the adopted Comprehensive Plan (the Land Use Element of the 1980 Comprehensive Plan, the first 9 Elements of the 1986 Comprehensive Plan and the Goals and Objectives of the 1986 Comprehensive Plan).

Reference to the 1980 and the 1986 Comprehensive Plan are made in the staff report. The proposed zoning map amendment is consistent with the Land Use Element of the Business Activity Element (p. B-15) and the Goals and Objectives section (p. G-3) of the 1986 Comprehensive Plan.

- 2) In summary, the proposed zoning map amendment and submitted Concept Development Plan demonstrates a unique approach to mixing both industrial and commercial land uses in Planned Development in order to provide related services such as two lodging facilities, a bank, restaurants, and a retail center. The office space also adds a different dimension to the project.

Conditions


- 1) The applicant shall be required to develop the 32.505 acre site according to submitted Concept Development Plan. The types of land use and the total building square footage indicated on the Concept Development Plan are regarded as maximum intensities for development of the site.
- 2) The applicant shall not be granted permission to build any drive-thru restaurants on the site.
- 3) The applicant shall be required to dedicate land or provide a 35 foot easement for road widening from the southwest lot line along Mineola Pike to the main entrance of the site. At the appropriate time, the applicant shall be required to provide a traffic signal at the intersection of Mineola Pike and both entrances for Circleport I and Circleport III (Circleport Distribution Park).

- 4) The applicant shall be required to develop the proper storm water runoff system for the site. Storm water shall be detained for 20 minutes. Storm water runoff shall be controlled so that peak flows from the development site shall not exceed peak flow from the undeveloped site.
- 5) The applicant shall be required to provide an adequate landscaped buffer for the area located between the commercial building parking lot and Mineola Pike. This buffer should include types of trees sufficient in size at planting to serve as a screen between the proposed development and the residences along Mineola Pike. The buffer should be dense and may include the utilization of existing vegetation and the creation of a berm. If the applicant does not obtain the out parcel in the area, a dense buffer should be created or maintained surrounding the lot lines of the site and the out parcel.
- 6) The Committee prefers that the applicant combine driveway aisles and parking lots, and provide vertical parking structures where appropriate in order to create larger buffer and landscaped open space area. The Committee would also recommend that there may be a need to expand the main entrance to the commercial/office park in order to allow better turning movement both in and out of the development. This entrance is the only permitted entrance on Mineola Pike and it should be carefully aligned with Pleasant Drive across Mineola Pike.
- 7) Any change in the Concept Development Plan shall be reviewed by the Zone Change Request Committee or the Technical Committee to decide whether it is a major or minor change. Any change that is determined to be major shall require a new application and public hearing.

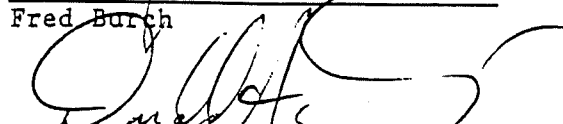
Conclusion

In conclusion, the submitted Concept Development Plan demonstrates an innovative design for a 32.5 acre site and offers a variety of support services to an existing industrial center. The proposed zone change is consistent with the intent of the Comprehensive Plan and with the spirit of Planned Development. If approved by Boone County Fiscal Court, the future land use map would not have to be changed.

Larry Barnett, Chairman

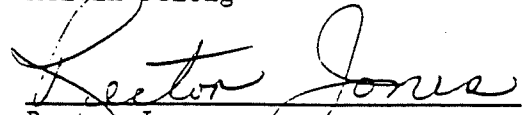


Fred Burch



Donald Davis

Melvin Delong

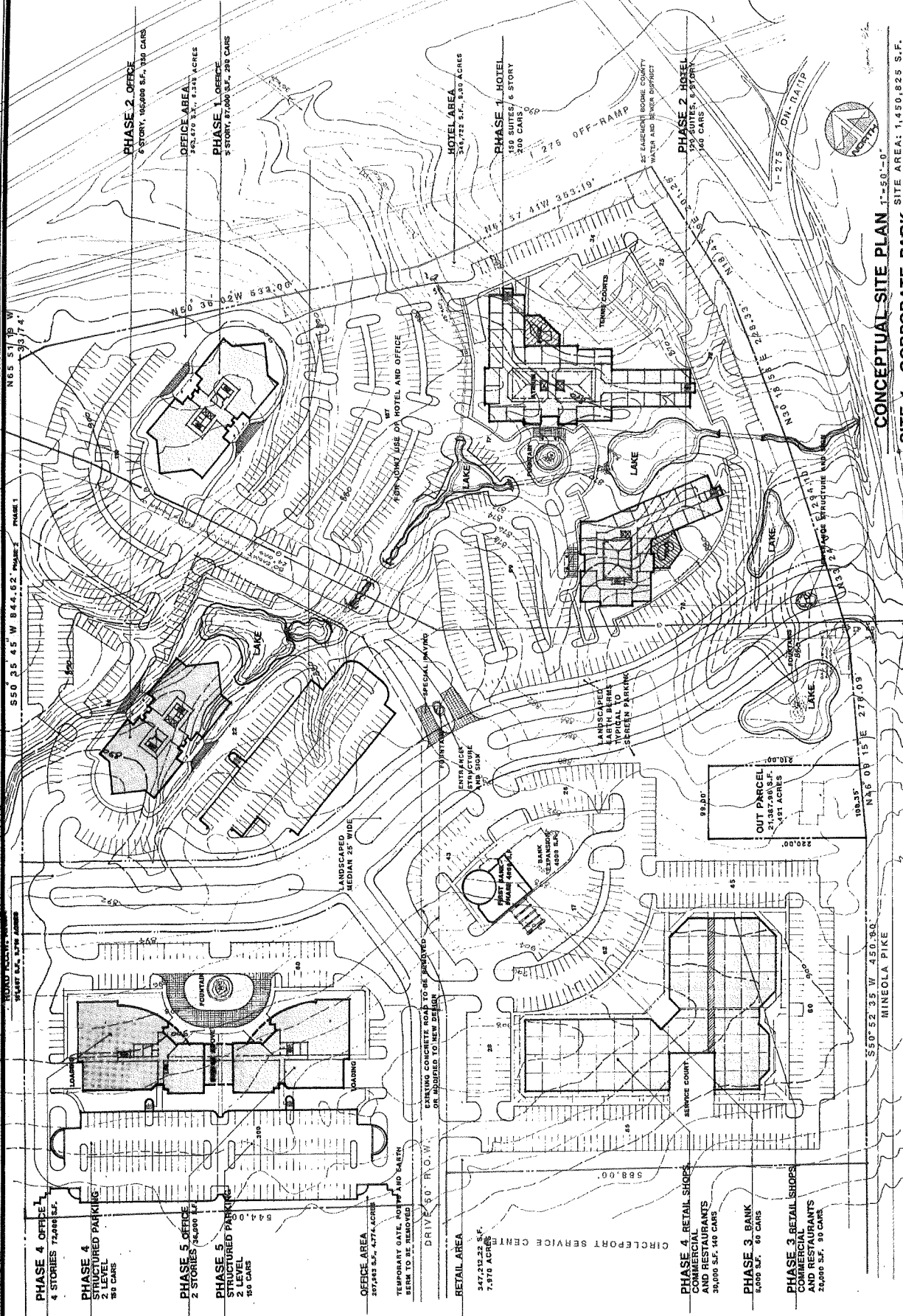


Rector Jones



William Viox

INTERSTATE HIGHWAY 275



CONCEPTUAL SITE PLAN 1"=50'-0"
 SITE AREA: 1,450,825 S.F.
 SITE 1 - CORPORATE PARK 33,306 ACRES INCLUDING OUT-PARCEL

CIRCLEPORT

A CORPOREX DEVELOPMENT

NORTHERN KENTUCKY AT GREATER CINCINNATI AIRPORT



MIMS DESIGN GROUP
 WILLIAM EDWARD MIMS - ARCHITECT
 ARCHITECTS - PLANNERS - INTERIOR DESIGNERS

1101 KERMIT DRIVE - NASHVILLE, TENNESSEE 37217

JOB NO. 8613

ORDINANCE NO. 920.99

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM INDUSTRIAL ONE TO INDUSTRIAL ONE/PLANNED DEVELOPMENT OVERLAY FOR PROPERTY LOCATED WEST OF MINEOLA PIKE AND NORTH OF DONALDSON ROAD AND SOUTH OF I-275, A 32.5050 ACRE SITE AS REQUESTED BY CORPOREX PARKS OF KENTUCKY, INC. (OWNER) AND AS RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING AND ZONING COMMISSION VIA RESOLUTION NO. (R-34-86).

WHEREAS, the Boone County Fiscal Court received a request from the Boone County Planning & Zoning Commission for a map Amendment for a zone change from I-1 to I-1/PD for certain real estate which is more particularly described below, and;

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

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

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

SECTION I

That the zone change for the real estate which is more particularly described below shall be and is hereby approved and adopted, this map amendment being a zone change from I-1 to I-1/PD. The real estate which is the subject of this zone change recommendation is more particularly described as follows, to wit:

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

(ATTACHMENT - EXHIBIT "A")

SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning & Zoning Commission as set forth in its Minutes and official records for this zone change request, shall be and are hereby incorporated by reference as if fully set out in this Ordinance.

(ATTACHED - EXHIBIT "B")

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

Introduced, seconded and given First Reading on the ^{7th} of October, 1986.

Adopted by the Fiscal Court of Boone County after Second Reading at a Regular Meeting on the 21st day of October, 1986, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval attested under seal by the Boone County Fiscal Court Clerk and declared to be in full force and effect.

Bruce Ferguson

Bruce Ferguson
Boone County Judge/Executive

ATTEST:

Jerry W. Rouse
Boone County Clerk

Submitted by:

Larry Crigler

Larry Crigler
Boone County Attorney

10.29.86

(DATE PUBLISHED)