

REQUEST OF BUCHANAN DEVELOPMENT CORPORATION (APPLICANT)  
FOR R.C. DURR, MARY ELLEN FOLTZ, AND HENRY GIESKE,  
TRUSTEE (OWNERS) FOR ZONING MAP AMENDMENT AND UTILIZATION  
OF UNDERLYING ZONE IN PLANNED DEVELOPMENT OVERLAY

JULY 22, 1987

This request is for a Zoning Map Amendment and Utilization of Underlying Zone in Planned Development Overlay on a 100 acre site located between Houston Road and I-75, and between Woodspoint Drive and the southbound Turfway Interchange ramps, Florence, Kentucky. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PD) to Commercial Two/Planned Development (C-2/PD). The site currently supports some agricultural uses, and otherwise consists of open field and woodland.

Surrounding Land Uses and Zoning

The surrounding land uses of the 100 acre site include the southbound Turfway Interchange ramps and the now-developing Commonwealth Business Park to the north (including the Hilton Hotel), Interstate 75 to the east, and Woodspoint Nursing Home and World of Sports Golf Course to the south. To the west of Houston Road, Phase Two of the Turfway Business Park was recently approved by the Planning Commission and the City of Florence. This part of the development includes 200,000 square feet of retail, three sit-down restaurants, and 102,000 square feet of two-story office-campus uses. Phase One contains mostly industrial and office/research uses for a total of 897,000 square feet of building area. Phase One has Preliminary Plan approval. The area east of I-75 currently supports some residential land uses, as well as the C.W. Henne mixed use development currently under construction.

The surrounding zoning includes Office Two/Planned Development (O-2/PD) to the north; Residential One Family (R1F), Suburban Residential Two/Planned Development (SR-2/PD), and Office Two/Planned Development (O-2/PD) to the east; Recreation (R), Public Facilities (PF), and Office Two/Planned Development (O-2/PD) to the south; and Industrial One/Planned Development (I-1/PD) and Commercial Two/Planned Development (C-2/PD) to the west.

Natural Features of the Site

The site is characterized by two drainage swales that begin near I-75 and run to the west across Houston Road. Several locations contain slopes of up to 20 percent. All mature vegetation on the site is located within these swales. Soil

types include two types of Rossmoyne Silt Loam (RsB) (RsC) usually found on 0-12 percent slopes, and Jessup Silty Clay Loam (JsD3) usually found on slopes of 12-20 percent. The Jessup Silty Clay Loam represents some hazard of erosion.

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

The Zoning Map Amendment request is reviewed in relation to the Boone County Comprehensive Plan and the Turfway Interchange Land Use Study to determine whether it is consistent with the objectives and recommendations of those documents.

This request is also reviewed in relationship to the Houston-Donaldson Study which was approved by the Boone County Planning Commission on 7/1/87. Although this document has not been approved by the legislative bodies, it represents the views of the Planning Commission through extensive analysis and public input. Since the Study includes much infrastructure data and site analysis, it is used to provide insight into the development of this site.

The 1986 Future Land Use Map indicates commercial development on the northern portion of the site and industrial development on the southern portion.

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

- A. Pages L-19 and L-20 refer to commercial development in the Turfway Interchange area and make specific references to the Turfway Interchange Land Use Study:

"Commercial development in this section will remain near the arterial roads or close to the interstate. This consumer service and traffic oriented developments must be contained to specific areas adjacent to the arterials and interstate. The coordination of curb cuts and parking lot tie-ins in the already developed areas must occur in order to maintain a reasonable ease of travel along these roads. Undeveloped tracts of commercial land need to tie in and coordinate with any adjoining commercial or industrial development if it exists. Where no commercial development has yet occurred, provisions for access control must be made for future development. This includes the above forementioned as well as the use of frontage roads.

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

"In summary, growth in this section must be balanced among three major land users, commercial, industrial, and residential development. Growth in one must be tempered by the location and existence of the other two."

- B. Page G-3 contains the overall objective of the Business Activity Element and several sub-objectives for commercial development:

"Objectives:

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

Commercial

1. Commercial uses shall be developed at strategic locations relative to their trade areas with direct access and ample parking space.

2. Future commercial development shall be encouraged, whenever practicable, to occur in the form of shopping centers or other compact aggregations having an integrated design."

The Turfway Interchange Land Use Study makes the following references to the location on pages 4-8 and 4-9:

Parcel 3W/Zone C-2.

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This parcel is bounded on the north by the southbound entrance ramp, the east by I-75, and the west by Houston Road. It is a highly visible and developable site immediately off the southbound exit ramp.

Primary access to the parcel would be existing or a new access road. Development as commercial would afford immediate access off the interstate and also provide for return traffic to the north by signalization at Houston and Turfway Roads and at Turfway Road and the northbound entrance ramp.

Parcel 4W/Zone I-1.

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This parcel straddles Houston Road and is bounded by I-75 and the airport property.

The parcel to the east of Houston Road is readily developable and could be one large office/warehouse/industrial user or many small ones.

Parcel 5W/Zone O-2 or PF.

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This parcel at the corner of Woodspoint Drive and I-75 is readily developable and accessed off Woodspoint Drive.

The existing Woodspoint Nursing Home has encouraged the development of compatible land use surrounding their property. Future expansion of their present facility to service the needs of the elderly in the community is a possibility.

The designation of an O-2 zone is compatible with the existing and future development.

Pages 4-1 and 4-2 contain overall recommendations of the Turfway Interchange Land Use Study:

"Throughout the exploration and analysis of various alternatives, it became increasingly obvious that a principal objective should be to protect the interchange and to minimize the potential for serious traffic congestion in the area. The majority of the population accessing the study area is from the north. 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."

"The three traffic lanes available below the interstate bridge became a key consideration when determining where to place the major land use traffic generators. 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 northbound entrance ramp could be provided by the middle lane of Turfway Road, the commercial traffic could readily return to the north. The remainder of the interchange must be protected by land use which generates less traffic and is sensitively integrated into the existing community."

The Houston-Donaldson Study makes very specific recommendations on each site within the Study Area. These recommendations represent the ideal development scenarios. Other development plans not consistent with those recommendations would need to be judged on their own merits through the public hearing process and Approval of a Concept Development Plan. The Houston-Donaldson Study treats this site as a very important part of a rapidly developing area. The Study envisions the Houston Road Corridor as an overall employment district and recommends that this site contain a mixture of office and commercial uses, as well as follow certain site development guidelines.

Page 28, under the PHASE TWO SUGGESTED LAND USES Section, describes the land use envisioned for the site:

"The area that represents the largest development potential and largest impact on the traffic portion of the Study lies to the east of Houston Road between Woodspoint Drive and the Turfway Interchange ramps. This area is referred to later as Zone 9. The topography of the site is highlighted by two large drainage swales which begin near the interstate and run westward toward Houston Road. The portion adjacent to I-75 is fairly level and well situated so that visibility from both directions on the interstate is exceptional. The greatest topographical relief exists along Houston Road, although it does not restrict visibility to a great extent. These characteristics render the current industrial zoning inappropriate as has also been indicated by developers active in the area.

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

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

Page 56, under the SPECIFIC DEVELOPMENT GUIDELINES Section, describes the recommended uses on the site. In addition to the following passage, this section contains very specific

recommendations on commercial and office uses for the site. These recommendations are intended to be a factor in determining the review process to be followed, not in reviewing a Concept Development Plan:

"Principal Uses

An emphasis should be placed on a type of land use which would reflect a corporate office type development with support commercial activities designed to serve primarily the Study Area. The type of commercial development should not encourage significant destination traffic trips into the area. Any commercial development that generates a substantial amount of traffic should be located near the major access points to the zone. This helps discourage commercial traffic through office developments. In general, the commercial uses on the site should be oriented to Houston Road while the central office uses and related facilities should make use of the interstate visibility. The larger office developments on the site may incorporate warehousing as a use subordinate to the office use, however, the area adjacent to the Woodspoint Nursing Home should contain office uses compatible with the existing facility. Zone #9 represents another high visibility location where appropriate design, signage, and site preparation are important."

Page 57 of the Study recommends that major access at the site off Houston Road occur halfway between Woodspoint Drive and the southbound Turfway Interchange Ramps. The Study recommends that the existing access road either be eliminated or continued as a minor drive to provide right-hand exit movements. The Study also notes that improvements to Woodspoint Drive will be necessary.

The Houston-Donaldson Study, on page 58, describes site preparation and signage concerns for the site. Because of the difficulty in utilizing existing vegetation on this site, landscaping is stressed as a very important part of development at this high visibility location. Signage is recommended to reflect a corporate office type of environment and consist of monument signs and building-mounted signs with necessary directory signs.

In summary, the 100 acre site occupies a high visibility location, surrounded on four sides by roadways. Because of the development potential of the area, as well as the visibility and accessibility of the site, the impact of future development on the traffic system and the visual characteristics of the area are vital concerns of all three pertinent documents. It is important that this site develop with an appropriate mixtures of uses that is compatible with nearby development and infrastructure.

Houston Lakes Concept Development Plan

The applicant has submitted a Concept Development Plan as part of the request. This Plan indicates the following land uses on the site:

- \* A 750,000 square foot enclosed retail mall that includes a 50,000 square foot enclosed public space.
- \* Two three-story office buildings with 150,000 square feet of office space in each.
- \* A 30,000 square foot office building.
- \* A 15,000 square foot sit-down restaurant.
- \* A 5,000 square foot fast-food restaurant.
- \* Two 3,500 square foot banks.

Of the total of 1,107,000 square feet of building area, 777,000 square feet are devoted to commercial uses, while 330,000 square feet are devoted to office uses.

The applicant has indicated that one major access point will occur on Houston Road opposite the planned Turfway Business Park access. One access is shown onto Woodspoint Drive about 550 feet from Houston Road. Water service is available along Houston Road and I-75, and sanitary sewer service is available along Houston Road.

Staff Concerns

1. Concept Development Plan

Although the Plan, as submitted 7/17/87, includes little information on the proposed mall, the applicant has indicated that it is to be enclosed with an approximately 50,000 square foot interior circulation area. The applicant has also indicated that the shops other than large tenants will face into this interior mall area. Specific information as to the size of the large tenants or number of smaller shops in the mall is not included with the Plan submitted 7/17/87. Staff assumes that the banks and fast food restaurant will include drive-through facilities.

Staff has a concern over the intensity of the overall development. Approximately 82 acres of the 100 acre site are devoted to commercial uses, the other approximately 18 acres to office uses. The amount of floor area for commercial space, including the mall and outlets, works out to 9,487 square feet per acre for the approximately 82 acres. The recommended development intensity for Commercial Two (C-2) and in the Houston-Donaldson Study is 9,000 square feet per acre. The amount of office space shown on the Plan works out to 17,935 square feet per acre on the approximately 18 acres devoted to office development. The recommended development intensity for the Office Two (O-2) zone in the Houston-Donaldson Study is 15,000 square feet per acre. This request of Buchanan Development Corporation is for the Commercial Two/Planned Development zone (C-2/PD) on the entire site. The recommendation for the site in the Houston-Donaldson Study is for 900,000 square feet of office space and 360,000 square feet of commercial space.

2. Phasing

The submitted information contains no details on phasing of the development. This information could include order of development and approximate time of build-out for each portion of the Plan.

3. Minor Curb Cut Off Houston Road

The existing access point, to be modified on this Plan, is approximately 600 feet from the termination of the southbound Turfway Interchange ramps. With the amount of traffic that will be utilizing Houston Road upon development, traffic exiting Houston Lakes may have difficulty in weaving to the desired lane before reaching the interchange ramps.

4. Traffic Circulation on Site

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

5. Service and Loading Areas

The submitted Concept Development Plan does not indicate where these areas are to be located. Appropriate screening should be provided.

6. Landscaping and Open Space

The submitted Concept Development Plan provides no information regarding amount of green area or landscaping. This is especially important near the entrance points, around the circumference drive, and along Houston Road. The submitted Plan appears to provide very little green area for the amount of pavement and building that is proposed. This high visibility location that is adjacent to a major entrance to the City of Florence and to Boone County needs to include substantially more green area and landscaping than indicated. Some of the existing vegetation near the Houston Road-Woodspoint Drive intersection may be able to be utilized.

7. Architecture and Signage

Since the Concept Development Plan submitted 7/17/87 is different in layout and uses than previous submissions for this request, staff is not sure of the intentions regarding the architecture or height of the proposed mall and three office buildings. These buildings should be designed with the excellent interstate visibility in mind. The proposed office building at the southwest corner of the site should also respect the high visibility and be integrated with the topography and vegetation at the location. The proposed banks and restaurants along Houston Road should be designed to be compatible with the planned office campus facility across Houston Road in the Turfway Business Park. The buildings on these out lots could also be offset diagonally to prevent a strip effect on Houston Road and open up the road frontage for attractive landscaping. Signage for the mall should be comprised of building-mounted signs for the major tenants and monument signage for the overall development and directory needs. Low-key signage should also accompany the office buildings. Because of the excellent visibility along Houston Road, the out lots can be served adequately by building-mounted signage and monument signage where necessary. The applicant should consider following the Design Review Process described in the Houston-Donaldson Study and the Special Sign District also in that Study.

8. Topography and Drainage

The submitted Concept Development Plan indicates three ponds for the purposes of storm water detention. The applicant should also give a general idea of the finished topography of the site since the proposed mall and much of the parking area will be affected by the natural drainage patterns of the site.

9. Traffic Generation and Impact

The applicant intends to submit detailed information regarding the traffic generation of the proposed development based on average daily traffic and p.m. peak hour traffic. This traffic report should also include the impact of this traffic on the road system, and recommend improvements to alleviate or minimize potential congestion problems. Staff has conducted some traffic generation analysis and related that to analysis contained in the Houston-Donaldson Study. The result is that the proposed Houston Lakes development, as shown on the 7/17/87 Concept Development Plan will generate more average daily traffic for the 100 acre site than foreseen in the Study. However, the proposed development would generate less p.m. peak hour traffic during weekdays than foreseen in the Study for this site. This would be especially true for traffic exiting the site since the type of development foreseen in the Study was predominantly office which normally experiences high p.m. peak hour traffic exit movements. Staff's analysis yielded an Average Daily Trip Generation of approximately 36,000 vehicles and an average weekday p.m. peak hour trip generation of approximately 3,200 vehicles.

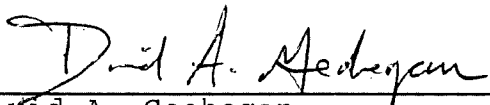
10. Improvements to Road System

As a result of the development occurring in the Turfway and KY 18 interchange areas, Houston Road will eventually be widened. Accompanying this improvement, intersection modifications, signalization, and appropriate merging lanes will be necessary. Since this proposed 100 acre Houston Lakes Development will greatly impact the road system, the developer should consider participation, with the owner of Houston Road and Woodspoint Drive, in any improvements necessary to directly serve this proposed development. This could include the widening and straightening of roadways, addition of turning lanes, signalization, and provision of adequate right-of-way.

Conclusion

The submitted Concept Development Plan places an emphasis on commercial development but incorporates a layout that has generally worked well in the Florence area. The request also proposes a mixture of uses on the site that attempts to provide high visibility office facilities in line with the employment district foreseen for Houston Road. The request incorporates the three property ownerships present on the 100 acre site and, for this reason, can present an integrated development for the entire site. The overall intensity of the proposed developments is of primary concern, while other staff concerns are also noted in this report.

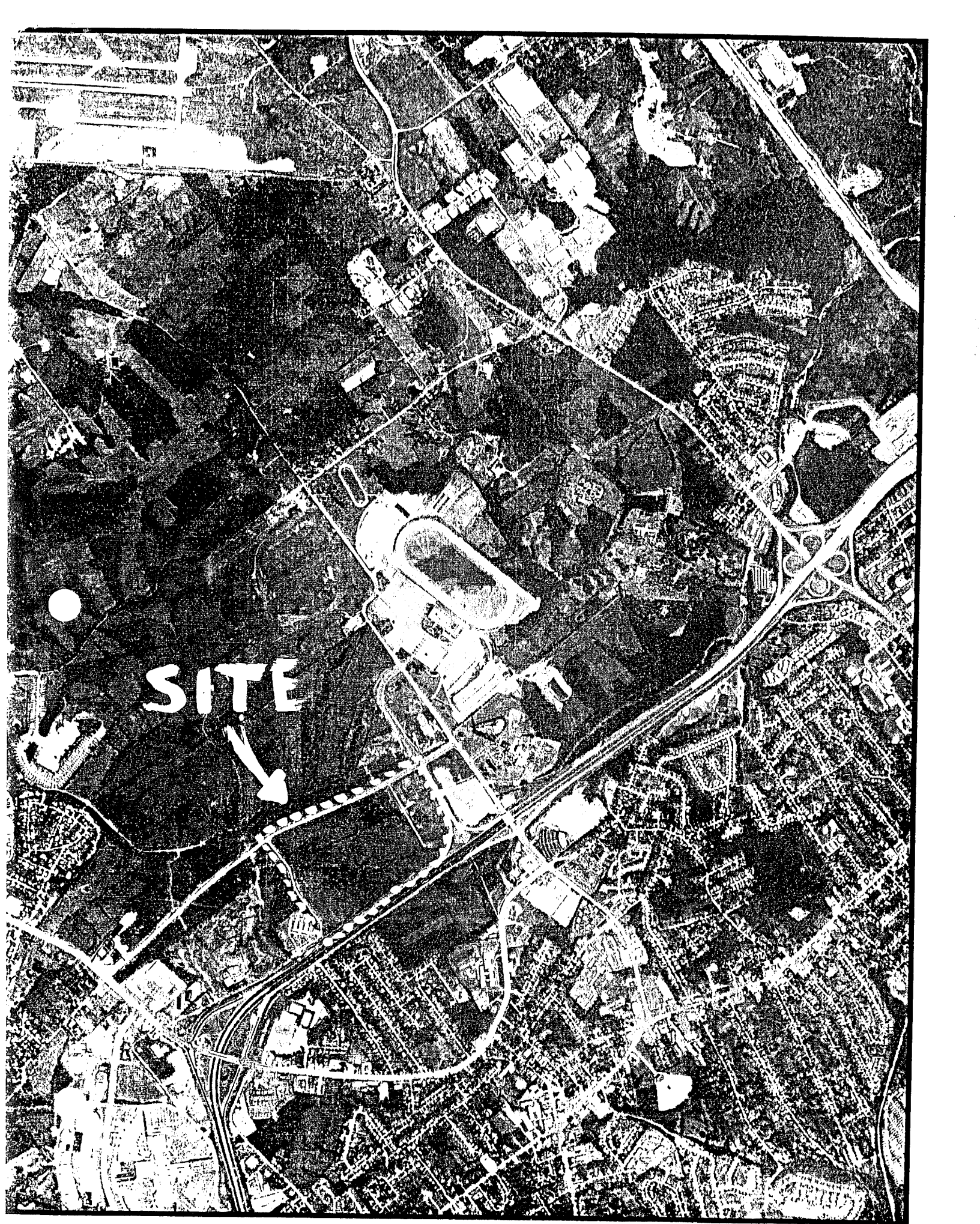
The Planning Commission should examine this proposed development in relation to the Turfway Study and the 1986 Boone County Comprehensive Plan. Also, the Planning Commission should evaluate the submitted Concept Development Plan to determine whether it meets the objectives of the Planned Development Overlay zone and the criteria for granting a zone change. Should this request be approved, the Zoning Map and the Future Land Use Map would need to be changed. Approval would also result in changes to the proposed Houston-Donaldson Study.

  
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David A. Geohegan,  
Planner/Plans Examiner

DAG:mcb

*J.G. Denton 7-22-87*





SITE



QUICKEN DOWN...

EXHIBIT "A"

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Beginning at the intersection point of the northeast line of Woodspoint Drive and the southeast line of Houston Road; thence in a northeasterly direction along the southeast line of Houston Road 2,750 feet to the southwest right of way line of Ramp "D" connecting Houston Road and Highway I-75; thence in a southeasterly direction along said right of way line 1,650 feet to a point in the northwest right of way line of Highway I-75; thence in a southwesterly direction along the northwest line of Highway I-75, a distance of 2,300 feet to the south corner of R.C. Durr; thence N41°-13' W 129 feet to a point in the northeast line of Woodspoint Drive; thence in a northwesterly direction along the northwest line of Woodspoint Drive 890 feet to the place of beginning.

CONTAINING 101.3 ACRES TRACT.

This legal description given above has been supplied by the applicant for this application and represents a part of or the complete tract as recorded in DEED BOOK 175 PAGE 291; DEED BOOK 179 PAGE 560; DEED BOOK 185 PAGE 155; DEED BOOK 136 PAGE 74; DEED BOOK 211 PAGE 444; DEED BOOK 318 PAGE 69 of the Boone County Clerk's office. This Public Hearing is to serve as a due process, trial type hearing where all persons may be heard regarding this map amendment.

OTHER SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARING ITEM #2  
July 22, 1987

Page 1

Mr. David Martin, Vice Chairman, opened the Public Hearing for the second item on the agenda:

2. Applicant: Buchanan Development Corporation  
Request: Zoning Map Amendment and Concept Development Plan

This was a Public Hearing on a request of Buchanan Development Corporation for a Zoning Map Amendment and Utilization of an Underlying Zone for Planned Development on a 101-acre site located west of I-75, north of Woodspoint Drive, east of Houston Road, and south of the southbound Turfway Interchange ramps. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) Zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PD) to Commercial Two/Planned Development (C-2/PD).

Staff Member, Dave Geohegan, advised that this site had been the subject of a Public Hearing on May 27, 1987 (see Minutes of the Public Hearing, May 27, 1987).

Vice Chairman Martin asked the applicant for his comments at this time.

Mr. Mike Duncan, an attorney with Ziegler and Schneider, stated that the previous Public Hearing was for a different Concept Development Plan. He stated that they will treat this Public Hearing as an extension of the previous one and will keep their comments to additional material. He asked Mr. Jim Berling to explain the differences between the two Concept Development Plans and present the current one.

Mr. Jim Berling indicated the location of the site on an aerial photograph and reviewed the Concept Development Plan presented at the previous Public Hearing. In meetings since the May 27, 1987 Public Hearing, the outparcels were identified and will be 70% office use and 30% retail use in certain areas. He stated that concerns had been expressed since the back of the buildings faced I-75. He added that the Plan had been redesigned to a centralized mall structure with perimeter plantings. He indicated on the plan the locations of a proposed branch bank, fast food restaurant, sitdown restaurant, and a 30,000 sq. ft. office building. He noted two lakes at the south end of the site and one near the center which will be used for aesthetics and water detention. There will be right-turn only exiting on Woodspoint Drive from the development. Mr. Berling reviewed the landscaping plan and indicated the boundaries of the zones contained in the site.

In response to comments from Mr. Duncan, Mr. Berling added that the proposed development is at 44% of the maximum allowable intensity. He noted that the mall open space is not considered in this figure.

Mr. Duncan stated that Mr. Jack Gehrum had compiled an extensive traffic study of the area and asked for his comments.

Mr. Gehrum presented copies of the Traffic Impact Analysis to the Commission members. He stated that it was prepared according to the same procedures as the last one. He indicated that the present study expanded the study area and noted the differences between the two studies. Mr. Gehrum discussed the traffic count and noted the intersection considerations and turning movements which would result. A copy of the Traffic Impact Analysis is available in the Staff Office.

Mr. Mike Duncan stated that the plan compares favorably with the Houston-Donaldson Study in regard to the intensity figures. He noted that figures regarding projected payrolls and taxes were presented at the last Public Hearing and that a similar analysis has been done for this project which indicates an increase of approximately 20%. The site will generate approximately \$1 million per year of ad valorem taxes for the State. Mr. Duncan referred to a letter sent to the Staff by Mr. McCausland indicating that the demand for the property was mostly commercial, no industrial and no office. He noted that the Houston-Donaldson Study indicates that industrial use is not appropriate for the site and that the proposed use is a mixture of office and commercial uses.

Vice Chairman Martin asked if there were any further comments from the applicant at this time. There being none, he asked for the Staff's report.

Staff Member, Dave Geohegan, noted that the Houston-Donaldson Study is not in effect at this time, but has been approved by the Planning Commission. Mr. Geohegan presented the Staff Report (see Staff Report).

Vice Chairman Martin asked if there were any comments or questions from the floor regarding this request. There was no response.

Mr. Duncan stated that the applicant will work with the Staff and the Commission on a continuing basis regarding this request. He added that they recognize that the Houston-Donaldson Study is oriented toward office use in the area, but that there is not sufficient demand for office space in the area. He stated that an office use would create peak hour traffic problems if developed intensely. He stated that the developer intends to participate in the infrastructure improvements as they are needed and will share in the expense.

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

Mr. McMillian stated that the Houston-Donaldson Study recommends offices for the area due to the medical facilities currently in the area. The anticipated use would be doctor's offices. He noted the right-turn only indicated for Woodspoint Drive and questioned how patients would get to the medical services on Woodspoint Drive when exiting this development

Mr. Duncan stated that they would attempt to rent the offices to doctors. He added that the right-turn only exit was designed to meet the needs of the Houston-Donaldson Study.

Mr. Gehrum noted the proposed traffic movement designed to eliminate short-cutting through Woodspoint Drive to come out on KY 18. He stated that the access was designed in response to a request from the Staff and could be changed.

Mr. McMillian stated that there appears to be a need for a left-turn out of the development. Mr. Duncan stated that they will eliminate the right-turn only requirement if the Commission wishes.

Mr. DeLong stated that he will carefully review the number of square feet of commercial use proposed and also the traffic circulation pattern.

Vice Chairman Martin asked if there were any further comments or questions regarding this request. There being no further discussion, Mr. Martin stated that this item will be on the agenda for the Business Meeting on August 5, 1987 at 8 P.M. and suggested that interested parties plan to attend.

Hearing no further comments or questions, Mr. Martin closed this Public Hearing.

REQUEST OF BUCHANAN DEVELOPMENT CORPORATION (APPLICANT)  
FOR R.C. DURR, MARY ELLEN FOLTZ, AND HENRY GIESKE,  
TRUSTEE (OWNERS) FOR ZONING MAP AMENDMENT AND UTILIZATION  
OF UNDERLYING ZONE IN PLANNED DEVELOPMENT OVERLAY

May 27, 1987

This request is for a Zoning Map Amendment and Utilization of Underlying Zone in Planned Development Overlay on a 100 acre site located between Houston Road and I-75, and between Woodspoint Drive and the southbound Turfway Interchange ramps, Florence, Kentucky. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PD) to Commercial Two/Planned Development (C-2/PD). The site currently supports some agricultural uses, and otherwise consists of open field and woodland.

SURROUNDING LAND USES AND ZONING

The surrounding land uses of the 100 acre site include the southbound Turfway Interchange ramps and the now-developing Commonwealth Business Park to the north (including the Hilton Hotel), Interstate 75 to the east, and the Woodspoint Nursing Home and World of Sports Golf Course to the south. The west side of Houston Road currently supports woodland and field land uses, but is subject to a Concept Development Plan currently under review which indicates office and commercial uses. The area east of I-75 currently supports some residential land uses, as well as the C.W. Henne development currently under construction.

The surrounding zoning includes Office Two/Planned Development (O-2/PD) to the north; Residential One Family (R1F), Suburban Residential Two/Planned Development (SR-2/PD), and Office Two/Planned Development (O-2/PD) to the east; Recreation (R), Public Facilities (PF), and Office Two/Planned Development (O-2/PD) to the south; and Industrial One/Planned Development (I-1/PD) and Commercial Two/Planned Development (C-2/PD) to the west.

NATURAL FEATURES OF THE SITE

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

RELATIONSHIP TO COMPREHENSIVE PLAN

The Zoning Map Amendment request is reviewed in relation to the Boone County Comprehensive Plan and the Turfway Interchange Land Use Study to determine whether it is consistent with the

objectives and recommendations of those documents. The 1986 Future Land Use Map indicates commercial development on the northern portion of the site and industrial development on the southern portion.

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

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

"In summary, growth in this section must be balanced among three major land users, commercial, industrial, and residential development. Growth in one must be tempered by the location and existence of the other two."

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Objectives:

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1. Commercial uses shall be developed at strategic locations relative to their trade areas with direct access and ample parking space.

2. Future commercial development shall be encouraged, whenever practicable, to occur in the form of shopping centers or other compact aggregations having an integrated design.

The Turfway Interchange Land Use Study makes the following references to the location on pages 4-8 and 4-9:

Parcel 3W/Zone C-2.

This parcel is bounded on the north by the southbound entrance ramp, the east by I-75, and the west by Houston Road. It is a highly visible and developable site immediately off the southbound exit ramp.

Primary access to the parcel would be existing or a new access road. Development as commercial would afford immediate access off the interstate and also provide for return traffic to the north by signalization at Houston and Turfway Roads and at Turfway Road and the northbound entrance ramp.

Parcel 4W/Zone I-1.

This parcel straddles Houston Road and is bounded by I-75 and the Airport property.

The parcel to the east of Houston Road is readily developable and could be one large office/warehouse/industrial user or many small ones.

Parcel 5W/Zone O-2 or PF.

This parcel at the corner of Woodspoint Drive and I-75 is readily developable and accessed off Woodspoint Drive.

The existing Woodspoint Nursing Home has encouraged the development of compatible land use surrounding their property. Future expansion of their present facility to service the needs of the elderly in the community is a possibility.

The designation of an O-2 zone is compatible with the existing and future development.

Pages 4-1 and 4-2 contain overall recommendations of the Turfway Interchange Land Use Study:

"Throughout the exploration and analysis of various alternatives, it became increasingly obvious that a principal objective should be to protect the interchange and to minimize the potential for serious traffic congestion in the area. The majority of the population accessing the study area is from the north. 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."

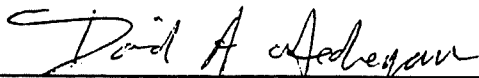
"The three traffic lanes available below the interstate bridge became a key consideration when determining where to place the major land use traffic generators. Since the preponderance of the traffic was coming from the north, it follows that commercial land use, being the major traffic generator, be located as close as possible to the southbound exit ramp. Since a left turn lane to the northbound entrance ramp could be provided by the middle lane of Turfway Road, the commercial traffic could readily return to the north. The remainder of the interchange must be protected by land use which generates less traffic and is sensitively integrated into the existing community."

#### STAFF CONCERNS AND CONCLUSION

As a result of the general lack of information made available for review, staff is in a position to make few conclusions regarding this request for Zoning Map Amendment and Approval of Concept Development Plan. Staff does, however, have several significant concerns regarding the proposed development:

1. The Concept Development Plan indicates between 800,000 and 900,000 square feet of predominantly retail space. No information has been supplied as to the impact of this type of development on the surrounding area. This includes traffic generated by the proposed development, as well as compatibility with existing and planned adjacent development.
2. The Concept Development Plan indicates that most of the 100 acre tract would be covered with building or pavement. The layout of the site is not clear, and staff is concerned what it be consistent with the objectives of the Planned Development Overlay zone.
3. From the information supplied, staff cannot determine the visual impact of this development from the adjoining major roadways.
4. The proposed development may have a significant impact on the future growth patterns of the Houston Road Corridor. The impact needs to be examined in light of the Boone County Comprehensive Plan and the Turfway Interchange Land Use Study.
5. The Houston-Donaldson Study, now under public review, recommends predominantly office uses on the site in keeping with the employee district foreseen for the area.
6. Staff feels that the northern-most access point on Houston Road is undesirable. The developer should also consider participating in improvements to Woodspoint Drive, Houston Road, and the Turfway Ramp/Houston Road intersection depending on the traffic impact. Trip generation for the site based on 800,000 to 900,000 square feet of shopping center would yield approximately 35,000 daily vehicle trips. Most of these would be new trips because of the low level of existing development.

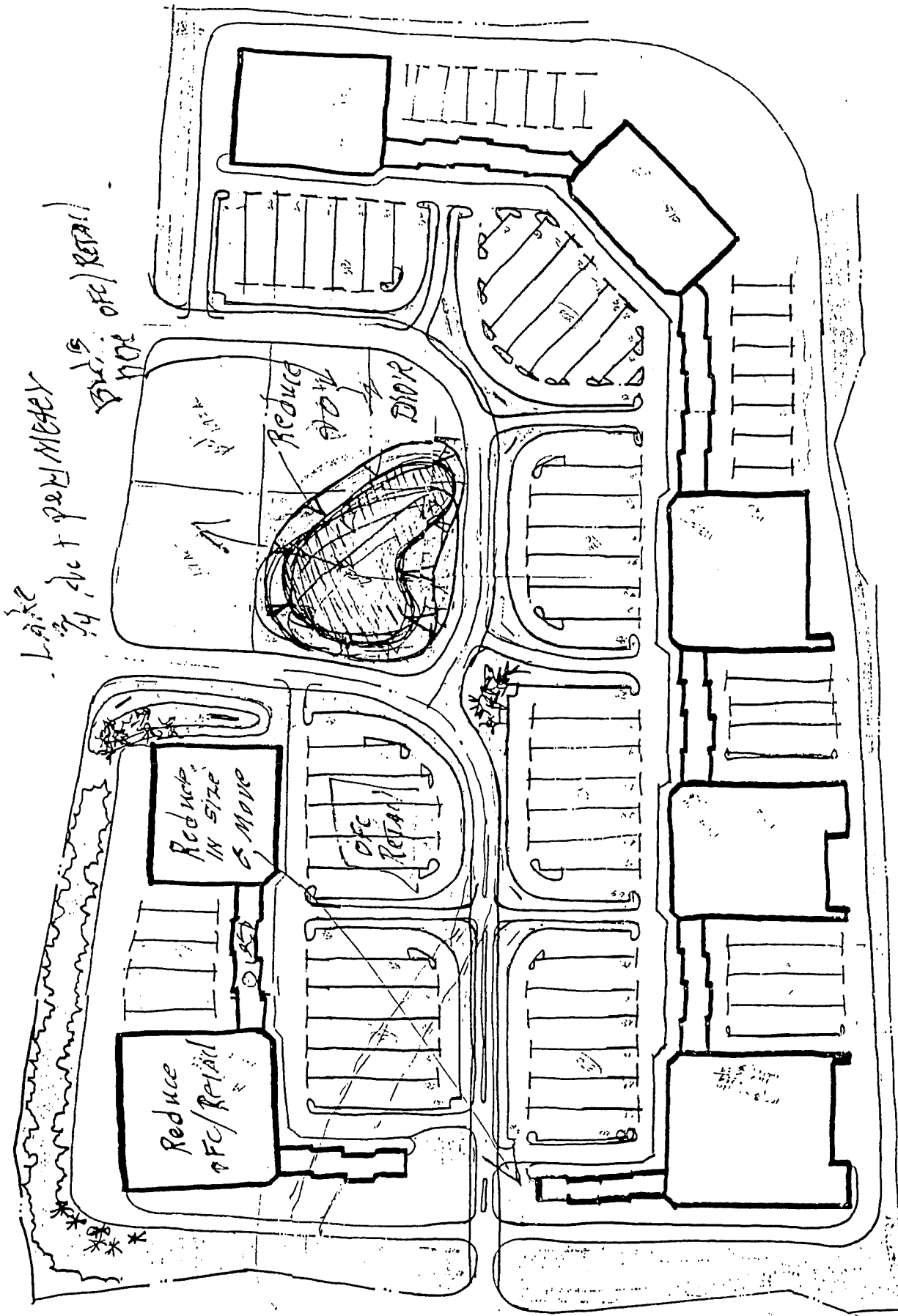
If the Planning Commission and Florence City Council approve this request, the Zoning Map and the Future Land Use Map would need to be changed. Approval would also result in changes to the proposed Houston-Donaldson Study.



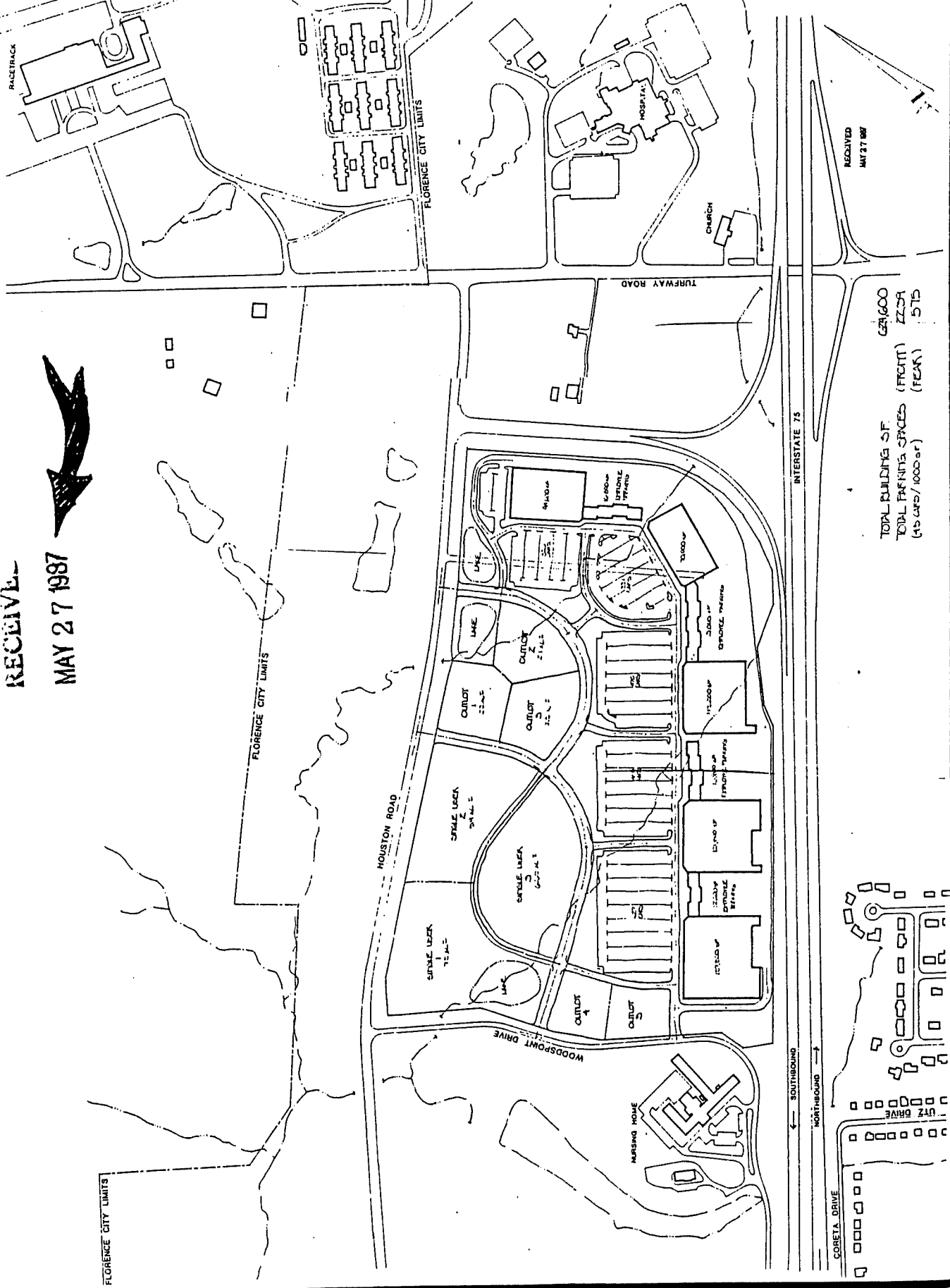
David A. Geohegan,  
Planner/Plans Examiner

DAG:mcb

Large  
of 1/4, 1/2 + per MERRY  
DUP. OF FC/RETAIL  
NOTE



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MAY 27 1987

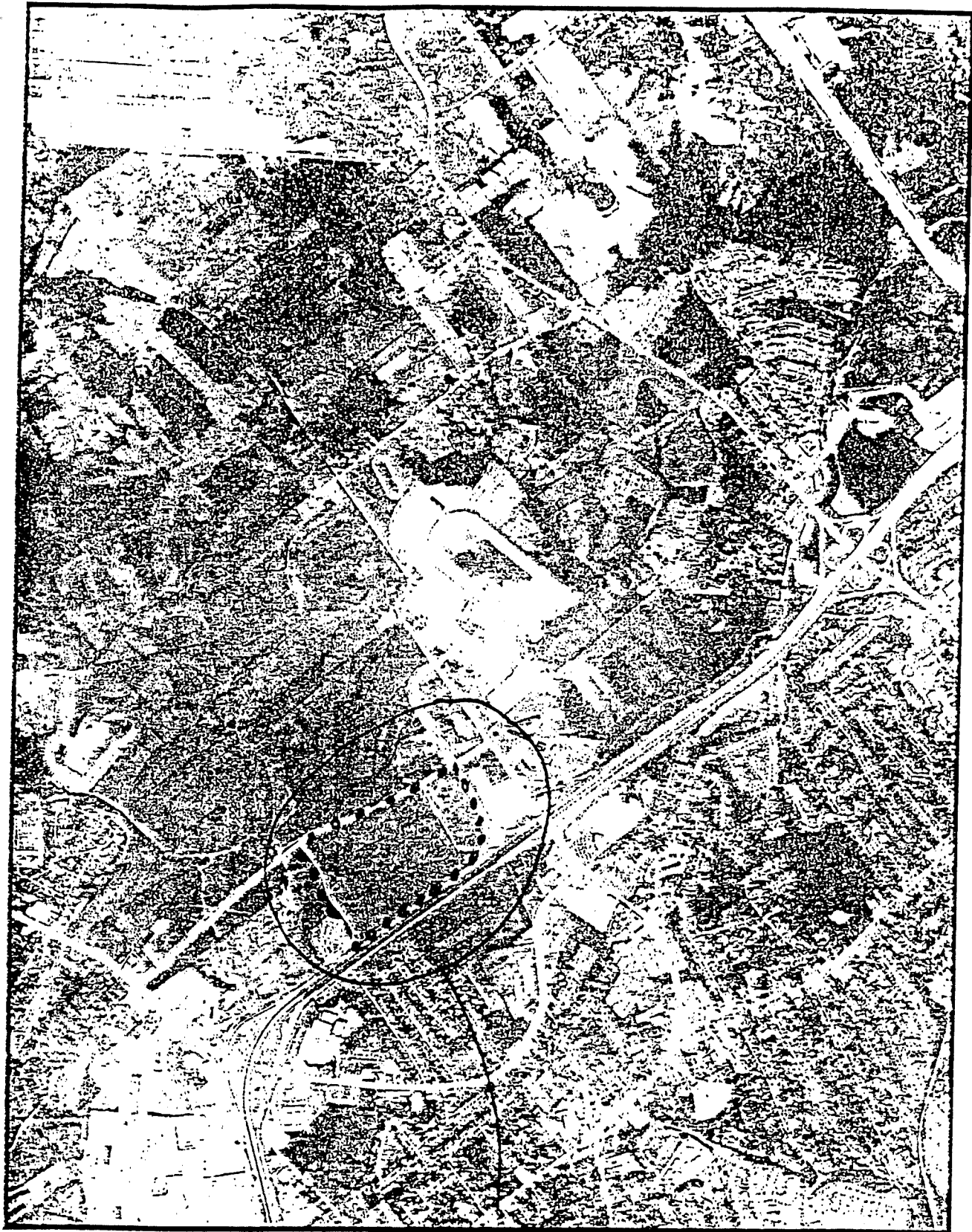


**IMP**  
**McGill Smith Punshon**  
 International, Inc.  
 Engineers, Architects,  
 Planners, Surveyors,  
 Landscape Architects  
 9231 Cornell Park Drive  
 Dallas, Texas 75242  
 Phone 214-668-0731  
 Telex 241468

Checked By: RPS  
 Drawn By: TLS  
 Scale: 1" = 200'  
 Date: 5/25/87  
 Project No.

HOUSTON LAKES

Sheet Title  
 Sheet No. or  
 Project No. 87-163  
 Page No. 87-163



SITE

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #5  
May 27, 1987

Page One

Mr. David Martin, Vice Chairman, opened the Public Hearing for the fifth item on the agenda:

5. Applicant: Buchanan Development Corporation  
Request: Zoning Map Amendment and Concept Development Plan

This was a Public Hearing on a request of Buchanan Development Corporation for a Zoning Map Amendment and Utilization of an Underlying Zone for Planned Development on a 101-acre site located west of I-75, north of Woodspoint Drive, east of Houston Road, and south of the southbound Turfway Interchange ramps. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) Zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PD) to Commercial Two/Planned Development (C-2/PD).

Staff Member, Dave Geohegan, presented the Staff Report and also slides of the area. He noted the Comprehensive Plan and Turfway Study recommendations for the area. He stated that the Staff had not received adequate information regarding this request prior to their review. Based on the lack of information, Staff was not able to completely review the request, but did have a number of concerns, which Mr. Geoghan noted (see Staff Report). He added that the Staff could not be specific in addressing concerns regarding the Concept Development Plan as the current one was not submitted until the day of the Public Hearing.

Mr. Dave Schneider, an attorney with Ziegler & Schneider in Florence, Kentucky, stated that they have tried to address the Staff's concerns that were expressed prior to the submission of the updated Concept Development Plan. He noted that the Kentucky Statute is unique in that planning is a basis of zoning. He added that they are present to produce a record in order for findings of fact to be made. He stated that they have addressed Comprehensive Plan and Turfway Study recommendations for the area. He noted that the thrust of the Houston Donaldson Study is flexibility and adaptability. Mr. Schneider stated that a letter had been submitted to the Planning Commission indicating the legal criteria used to determine that the applicant's request is in agreement with the Comprehensive Plan and the Turfway Study (see letter from Mr. Michael A. Duncan, Ziegler & Schneider, to the Boone County Planning Commission, May 27, 1987).

Mr. John McCausland, President, Buchanan Development Corporation, presented a drawing indicating the ownership of the site. He stated that they had attempted to limit curb cuts on Houston Road. He noted that development of this site will offer an attractive, integrated project.

Mr. Dave Schneider indicated on a drawing that one parcel has road frontage and noted the location of an existing access road. He noted that the three parcels have been put together into one Concept Development Plan. Mr. Schneider provided a copy of a deed from Mary Ellen Foltz to the Boone County Fiscal Court for property used for the widening of Houston Road. He noted that the deed contains specific agreement from the County to construct entrances to the new Houston Road at 400-foot distances, and to grant one entrance on the relocated Woodspoint Road. (see Deed from Mary Ellen Foltz to Boone County Fiscal Court, Book 272, Page 81).

Mr. McCausland noted that the Concept Development Plan was changed in response to the Staff's concerns. He presented the Site Plan, and noted access designed to coordinate with access to development across the road. He noted the landscaping. Mr. McCausland stated that they are requesting a zoning classification which will allow office tenants -- but they do not have office tenants at this time.

Mr. Schneider commented that the density of the site will be in the 40% to 45% range and noted that the visibility from I-75 is very important.

Mr. Jim Berling, engineer, discussed the utilities at the site and noted that it will be served by a water main along Houston Road. He stated that retention structures will be provided and noted the drainage pattern of the site. He stated that all necessary utilities are available.

Mr. Ralph Grieme, a real estate development consultant and broker (1012 Hilcrest Lane, Park Hills, Kentucky), discussed the real estate market and noted current trends of the market. He stated that in many areas, commercial development comes first and other development follows.

Mr. Schneider stated that commercial traffic is generally heavy in the evenings and on weekends, which differs from the peak traffic hours generated by an office-type complex. Mr. Schneider presented a short review of a video tape made of Houston Road on a Saturday and Sunday afternoon at approximately 3 P.M.. He stated that the traffic flow would be different on a weekday at 4 or 5 P.M.. (The entire video tape is approximately 40 minutes long and available in the Staff Office.)

Mr. McCausland provided the Commission members with a summary of the Economic/Tax Impact of the proposed development. He indicated that the value of the development would be in the \$60 million range. (A copy of the summary provided by Mr. McCausland, entitled, "Economic/Tax Impact", is available in the Staff Office.)

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

In response to a comment from Mr. McMillian, Mr. Schneider noted that access to adjacent developments did not need to be provided from this project, since there are roadways surrounding the project which would be used for access to other developments.

In response to questions from Mr. Viox, Mr. McCausland stated that they do not have users for the out-parcels at this time, there will not be an additional curb cut on Houston Road, and they are negotiating with two major store tenants (anchors) at this time.

Mr. DeLong stated that he will have further questions after he has additional time to review the request, but asked for clarification regarding the employee parking areas and screening. Mr. McCausland reviewed the Concept Development Plan in response to Mr. DeLong's concerns.

Mr. Gerald Newton, Director, noted that the Concept Development Plan reviewed by the Commission had been submitted the day of the Public Hearing, and is not the Concept Development Plan reviewed by the Staff. He noted that Staff will need time to properly review the updated Concept Development Plan and may not be able to do so prior to the June 3, 1987 meeting.

Counselor Wilson indicated his agreement with Mr. Newton's comments and suggested that a copy of the Staff Report be sent to Mr. Schneider as soon as it is prepared.

Vice Chairman Martin stated that this item will tentatively be scheduled to be on the agenda for the Business Meeting on June 3, 1987 at 8 P.M., subject to completion of the Staff review. He suggested that interested parties contact the Staff office.

Hearing no further comments or questions, Mr. Martin closed this Public Hearing.

COMMITTEE REPORT

TO: Boone County Planning Commission


FROM: Zone Change Committee; Fred Burch, Chairman

DATE: June 3, 1987

RE: Request of Buchanan Development Corporation (applicant) for R.C. Durr, Mary Ellen Foltz, and Henry Gieske, Trustee (owners) for a Zoning Map Amendment and Utilization of an Underlying Zone for Planned Development on a 101 acre site located west of I-75, north of Woodspoint Drive, east of Houston Road, and south of the southbound Turfway Interchange ramps. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PD) to Commercial Two/Planned Development (C-2/PD).

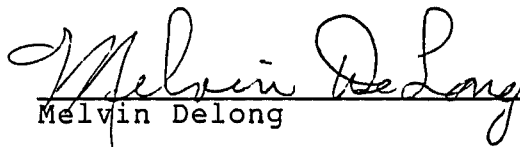
REMARKS:

We, the Committee, recommend deferral until the June 17, 1987, Business Meeting to allow more time to evaluate information presented at the May 27, 1987, Public Hearing.

  
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Fred Burch, Chairman

  
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Rector Jones

  
\_\_\_\_\_  
Donald Davis

  
\_\_\_\_\_  
Melvin DeLong

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William Viox

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Larry Barnett

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Zone Change Committee; Fred Burch, Chairman

DATE: June 17, 1987

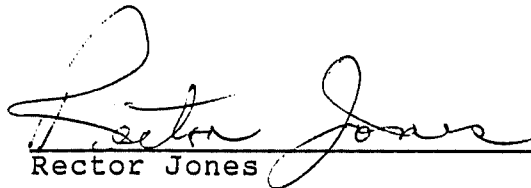
RE: Request of Buchanan Development Corporation for a Zoning Map Amendment and Utilization of an Underlying Zone for Planned Development on a 101 acre site located west of I-75, north of Woodspoint Drive, east of Houston Road, and south of the southbound Turfway Interchange ramps. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PD) to Commercial Two/Planned Development (C-2/PD).

REMARKS:

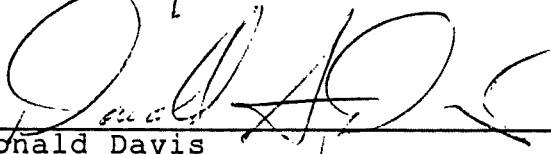
We, the Committee, recommend deferral of this request until the July 1, 1987, Business Meeting to allow staff adequate time to evaluate information presented by the applicant. The Committee would also like to express its concern over the consistently late submission of information regarding this request, and further note that the Committee and staff evaluation of this request will be based upon information submitted prior to and at the time of the Zone Change Committee meeting of June 15, 1987. Care will also be taken to evaluate information as it relates to the comments at the May 27, 1987, Public Hearing regarding this request.



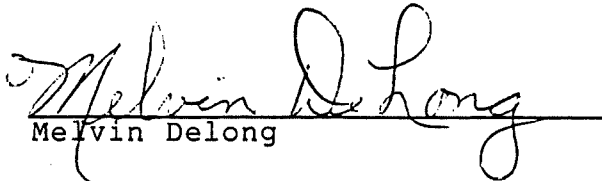
Fred Burch, Chairman



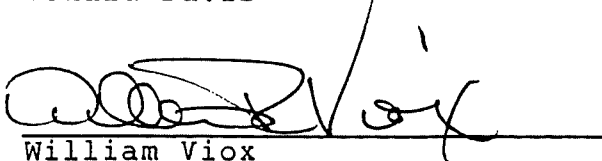
Rector Jones



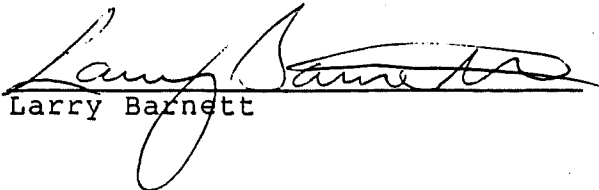
Donald Davis



Melvin DeLong



William Viox



Larry Barnett

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Zone Change Committee; Fred Burch, Chairman

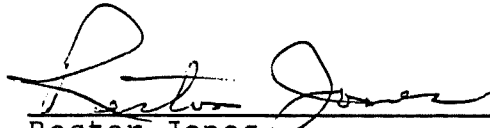
DATE: July 1, 1987

RE: Request of Buchanan Development Corporation for a Zoning Map Amendment and Utilization of an Underlying Zone for Planned Development on a 101 acre site located west of I-75, north of Woodspoint Drive, east of Houston Road, and south of the southbound Turfway Interchange ramps. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PD) to Commercial Two/Planned Development (C-2/PD).


REMARKS:

We, the Committee, recommend deferral based upon the request of the applicant. A letter has been submitted by the applicant waiving the Commission's time restrictions for action and requesting that an additional public hearing be held concerning this request.


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Fred Burch, Chairman

  
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Rector Jones

  
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Donald Davis

  
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Melvin Delong

  
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William Viox

  
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Larry Barnett

CORRESPONDENCE:

Chairman Kroger noted receipt of the following items:

1. OKI Monthly Newsletter.
2. Washington Report from OKI.
3. Letter addressed to Mr. Larry Collins from the ad district relative to the OEDP - Northern Kentucky.

The above items will be on file in the Staff Office.

REPORTS:

The Chairman noted that the Zoning Enforcement Officer's Report, the Building Inspector's Report, and the Report of Convenience Plats which have been approved, are attached to the Agenda for review.

Staff Member, Tom Breidenstein, stated that a comprehensive list of street names in Boone County has been prepared by the Staff and is available to the Commission.

Mr. McMillian asked when the trees were to be planted on Curtin Matheson.

Staff Member, Tom Breidenstein, stated that the planting should have been done at the beginning of Spring. They will be placed on Final Notice and, if they do not comply, legal action will be considered.

Chairman Kroger suggested that the planting season be taken into consideration by the Staff in their actions.

There being no further discussion regarding the reports, the Chairman proceeded to the items on the Agenda.

BUSINESS MEETING AGENDA

UNFINISHED BUSINESS:

1. Zoning Map Amendment and Concept Development Plan

A request of Buchanan Development Corporation for a Zoning Map Amendment and Utilization of an Underlying Zone for Planned Development on a 101-acre site located west of I-75, north of Woodspoint Drive, east of Houston Road, and south of the southbound Turfway Interchange ramps. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) Zone and

to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PD) to Commercial Two/Planned Development (C-2/PD).

Mr. Gerald Newton, Director, read the Committee Report which recommended deferral based on the request of the applicant. A letter has been submitted by the applicant waiving the Commission's time restrictions for action and requesting that an additional Public Hearing be held.

Mr. Barnett moved that the request be deferred based on the Committee Report. Mr. McMillian seconded the motion.

Mr. Mike Duncan, an attorney with Ziegler & Schneider, stated that they had been advised by the Staff and the Committee that this was the best course of action. He noted that they had not actually requested the deferral.

Chairman Kroger asked Mr. Duncan if he wished to proceed with the application at this time. Mr. Duncan stated that he did not.

Chairman Kroger noted that a motion had been made and asked for a vote on the motion. The motion carried unanimously. (See Pg. 21 re: Public Hearing)

## 2. Zoning Map Amendment and Text Amendment

A request of the Boone County Technical Committee regarding the proposed Houston-Donaldson Study and associated Zoning Text and Map Amendments. The Text Amendments would include Articles 3, 14, 15, and 19 of the Boone County Zoning Regulations. The Study also proposes changes to the Zoning Map and Future Land Use Map for the Study Area, and further details both the Zoning Regulations and the Boone County Comprehensive Plan.

Mr. Gerald Newton, Director, stated that there are two Committee Reports regarding this request: (1) The Committee recommended approval of the proposed Text Amendments based on the Finding of Fact, and (2) The Committee recommended approval of the proposed Map Amendments, based on the Findings of Fact, and subject to revisions based on input received at the June 24, 1987 Public Hearing (see Committee Report).

Mr. Kroger asked if there were any comments or questions from the audience regarding this request.

Mrs. Rosemary Bond stated that the map indicates the area of Rowan Drive to be zoned SR-1. She stated that she believed the area had been changed to Office Two.

Staff Member, Dave Geohegan, stated that the infrastructure analysis indicated the area for future office use. However, since the exact impact of the proposed roadway on the area is not known, the Study is recommending the area remain SR-1.

NEW BUSINESS:

Chairman Kroger recommended that the following items be scheduled for Public Hearing on July 29, 1987:

Agenda Item  
No.

- 21      Concept Development Plan  
A request of Florence Mall Auto Sales, Inc. (owner) for the Utilization of an Underlying Zone in Planned Development. The 0.38-acre site is located east of, and adjacent to, the existing used car sales facility at 7544 Burlington Pike in Florence, Kentucky. The parcel is currently zoned Commercial Two/Planned Development (C-2/PD) as recommended by the Parkway Corridor Study and approved by the City of Florence.
- 22      Annexations for the City of Florence  
A request of the City of Florence to annex properties located outside the incorporated city limits. The purpose of the request is to hold a Public Hearing for each request to determine the effect of annexation on zoning and make a recommendation on the most appropriate zoning classification for each site. The following property owners and properties are involved:  
    (a) Toyota Motors Distributors, Inc. (approx. 1.78 acres)  
    (b) Donald E. Harms (Dilcrest Subdivision) (11.07 acres)
- 23      Zoning Map Amendment  
A request of American Heritage Marine, Inc. (applicant) for Double "D" Ranch, Inc., Donald Streck and Jamie Enterprise, Inc. (owners) for a Zoning Map Amendment on a 234.24-acre site located on the west side of KY 20 and Woolper Creek in Boone County, Kentucky. The request is to rezone the site from Agriculture (A-1) to Urban Residential One/Commercial Two and Recreation/Planned Development (UR-1/C-2/R/PD). The planned use is a mixed use of residential, commercial and marina development.
- 24      Concept Development Plan Change  
A request of Eaton Asphalt Paving Company (applicant) for: Water Reclamation, Inc. (owner) for a change in an approved Concept Development Plan. The 12.43-acre site is located north of Frogtown Road and east of the Southern Railroad line in Boone County, Kentucky and is zoned Industrial Two (I-2).

(accepted off the floor) Zoning Map Amendment  
A request of William J. Deupree, III, attorney, for High Iron Farms, Inc. for a Zoning Map Amendment from the present zoning of Commercial Services (C-3) to Industrial Two (I-2). The 14.5-acre site is located on the east side of U.S. 25, one-half mile south of Industrial Road in Boone County, Kentucky.

Agenda Item #1 (Old Business, Page 4) Zoning Map Amendment and Concept Development Plan  
A request of Buchanan Development Corporation for a Zoning Map Amendment and Utilization of an Underlying Zone for Planned Development on a 101-acre site located west of I-75, north of Woodspoint Drive, east of Houston Road, and south of the southbound Turfway Interchange ramps. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) Zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PF) to Commercial Two/Planned Development (C-2/PD).

Mr. Viox moved, seconded by Mr. Barnett, that the above items be scheduled for Public Hearing on July 29, 1987. The motion carried unanimously.

The Chairman referred the following items to Committee for review:

Agenda Item No.

- 25 Improvement Plan Review  
A request of Paul J. Kahmann Development, Inc. (owner) for Improvement Plan Review to develop Phase II, Section B, Farmview Subdivision located on the west side of Pleasant Valley Road in Florence, Kentucky. The 7.6-acre site is zoned Suburban Residential One/Planned Development (SR-2/PD). (An adjustment to agenda fee has been paid.)
- 26 Improvement Plan Review  
A request of American Heritage Realty (owner) for Improvement Plan Review for six lots, 15 acres in the Heritage Hill Subdivision located off Centennial Circle, north of KY 18 in Boone County, Kentucky. The site is currently zoned Commercial Two-Planned Development (C-2/PD). A zone change request and approval of a Concept Development Plan is pending before Boone County Fiscal Court.

EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

August 19, 1987

8:00 P.M.

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Mr. Paul Kroger, Chairman, called the meeting to order.

COMMISSION MEMBERS PRESENT:

Mr. Fred Burch  
Mr. Lawrence Collins  
Mr. Donald Davis  
Mr. Melvin DeLong  
Mr. R. N. Greene  
Mr. Rector Jones  
Mr. Paul Kroger, Chairman  
Mr. Don McMillian  
Mr. Barry Neltner  
Mr. Floyd Sharp  
Mr. William Viox

COMMISSION MEMBERS NOT PRESENT:

Mr. Larry Barnett  
Mr. Michael Hemmer  
Mr. David Martin, Vice Chairman  
Mrs. Carol Smith

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

The Chairman noted that each member had received a copy of the Minutes of the Business Meeting of August 5, 1987 and asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved, seconded by Mr. Viox, that the Minutes of the Business Meeting of August 5, 1987 be approved as written. The motion carried unanimously.

REPORTS:

The Chairman noted that the Zoning Enforcement Officer's Report, the Building Inspector's Report, and the Report of Convenience Plats had been distributed for the Commission members to review. There being no comments or questions regarding the reports, Chairman Kroger proceeded to the items on the agenda.

BUSINESS MEETING AGENDA

OLD BUSINESS:

1. Zoning Map Amendment and Concept Development Plan

A request of Buchanan Development Corporation for a Zoning Map Amendment and Utilization of an Underlying Zone for Planned Development on a 101-acre site located west of I-75, north of Woodspoint Drive, east of Houston Road, and south of the southbound Turfway Interchange ramps. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) Zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF PD) to Commercial Two/Planned Development (C-2/PD).

Mr. Gerald Newton, Director, read the Committee Report which recommended approval based on the findings of fact, but subject to conditions and revisions (see Committee Report). Mr. Newton noted Exhibits A, B, and C attached to the Committee Report.

The Chairman asked the applicant for his comments at this time.

Mr. Jim Berling, speaking in behalf of the applicant, stated that the owner of Buchanan Development Corporation and several representatives of the company were present and agree to all the conditions stated in the report.

Chairman Kroger asked if there were any further comments from the applicant, or if there were any comments or questions from the audience or the Commission.

Mr. Viox moved by resolution that the request be granted as recommended in the Committee Report and subject to the conditions noted, based on the applicant's agreement to those conditions. Mr. McMillian seconded the motion.

Mr. Neltner referred to Condition #3 of the Committee Report which indicated that the developer will participate up to 65% in the cost of necessary improvements to Houston Road. He stated that it was unclear as to exactly what the percentage would be and asked why the Committee Report did not say the developer would pay 65%.

Following discussion, Chairman Kroger stated that the Commission and the Committee would interpret the statement in the Committee Report to indicate that the developer will contribute 65%.

Mr. Fred Burch, Chairman of the Committee, requested that the words "up to" be deleted from Condition #3 of the Committee Report to indicate that the developer will pay 65% of the total cost of necessary improvements to Houston Road.

Mr. Berling stated that the change indicated by Mr. Burch is acceptable.

Chairman Kroger stated that the Committee Report will be amended changing the phrase "up to 65%" to read "at 65%", and the record will note Mr. Berling's agreement to this change.

Chairman Kroger referred to a statement in the Committee Report which indicated that the Industrial zone is no longer appropriate. He asked for clarification of this statement.

Mr. Newton stated that this statement was a part of the applicant's presentation and added that there is justification for this comment in the Houston-Donaldson Study.

In response to a question from the Chairman, Mr. Burch stated that it was the feeling of the Committee that, rather than having three separate owners develop a site as important as this site, it may be better to have one consolidated development for the entire parcel. He stated that this was one of the reasons the Committee was in favor of this particular project. The Committee believes that, in consideration of the topography, the site should be developed from the north to the south, in conjunction with necessary infrastructure improvements. Stage I would be the 700,000 sq. ft. mall.

Chairman Kroger stated that the Committee is saying that the most intensive uses should be addressed first, and the less intensive uses later. He stated that he was not sure that Houston Road is ready for 700,000 sq. ft. of retail space and he is not in favor of another retail mall on Houston Road.

Mr. Burch stated that in developing the mall space (Stage I), the road system would also be developing. The mall itself may be developed in stages.

Mr. Davis stated that he would like to see the mall area develop first so that the road improvements take place and the necessary infrastructure will be available to handle the number of people generated by the retail and other facilities.

Chairman Kroger stated that it had been the Commission's vision at one time that this interchange would be developed with the idea that Florence could become a financial and office center for the Northern Kentucky area, rather than the mercantile area. He noted the airport environment, Mineola Industrial Park, the medical complex at Booth Hospital, the new Hilton Hotel, and other developments in the area. Chairman Kroger stated that he did not want to lose the long-term vision that the Commission had for the general area and that this project does not fit into that vision. He stated that this interchange could become the financial center for the Northern Kentucky area, but that it would require time.

Chairman Kroger noted that there was a motion for approval on the floor and asked for a roll call vote on the motion made by Mr. Viox. A roll call vote on the motion found Mr. Burch, Mr. Collins, Mr. Davis, Mr. DeLong, Mr. Greene, Mr. Jones, Mr. McMillian, Mr. Neltner, Mr. Sharp, and Mr. Viox in favor. Chairman Kroger was opposed. The motion carried by a vote of 10 to 1.

## 2. Zoning Map Amendment

A request of William J. Deupree, III, attorney, for High Iron Farms, Inc. for a Zoning Map Amendment from the present zoning of Commercial Services (C-3) to Industrial Two (I-2). The 14.5-acre site is located on the east side of U.S. 25, one-half mile south of Industrial Road, Boone County, Kentucky.

Mr. Gerald Newton, Director, read the Committee Report which recommended deferral until the September 2, 1987 Business Meeting to allow the applicant and the Committee additional time to address questions raised at the July 22, 1987 Public Hearing and subsequent Committee meetings (see Committee Report).

Chairman Kroger asked if there were any comments or questions. There was no discussion.

Mr. Viox moved that the request be deferred until the September 2, 1987 Business Meeting as recommended in the Committee Report. Mr. Jones seconded the motion and it carried unanimously.

## 3. Site Plan Review

A request of Humpert Design (applicant) for the Burlington Fire Protection District (owner) for Site Plan Review to construct a 3,347 sq. ft. addition located at Torrid and Nicholas Streets, Boone County, Kentucky. The 0.8376 acre site is currently zoned Suburban Residential Two/Small Community Overlay (SR-2/SC). A waiver of fees has been requested.

EXHIBIT "C"

## COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Fred Burch, Chairman

DATE: August 19, 1987

RE: Request of Buchanan Development Corporation for a Zoning Map Amendment and Utilization of an Underlying Zone for Planned Development on a 101 acre site located west of I-75, north of Woodspoint Drive, east of Houston Road, and south of the southbound Turfway Interchange ramps. The request is to utilize the existing Commercial Two/Planned Development (C-2/PD) zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PD) to Commercial Two/Planned Development (C-2/PD).

### REMARKS:

We, the Committee, recommend approval of the request to utilize the existing Commercial Two/Planned Development (C-2/PD) zone and to rezone the remainder of the site from Industrial One/Planned Development (I-1/PD) and Office Two/Public Facilities/Planned Development (O-2/PF/PD) to Commercial Two/Planned Development (C-2/PD). The recommendation is based on the following findings of fact and subject to the following conditions and revisions.

### Findings of Fact

1. The development, as proposed and modified by this report, demonstrates an integrated plan for the 101 acre site which is generally consistent with the Boone County Planning Commission approved Houston-Donaldson Study.
2. The property subject to the utilization of the underlying Commercial Two/Planned Development Overlay in the Turfway Study is consistent with both the Turfway Interchange Land Use Study and the 1986 Boone County Comprehensive Plan as referenced in the July 22, 1987, Public Hearing Staff Report.
3. The balance of the property being requested to be rezoned from Commercial Two/Planned Development is more appropriate than the current zoning of Industrial One, Office Two, and Public Facilities, all in a Planned Development Overlay. The submitted Concept Development Plan incorporates the office development referred to in the Turfway Study which is still appropriate for the area, while the industrial development as proposed in the Turfway Study is no longer appropriate.

The Committee recommends approval of this project only if the developer will commit to the following conditions:

1. Development will occur in conjunction with necessary infrastructure improvements staged and limited to the following intensities:

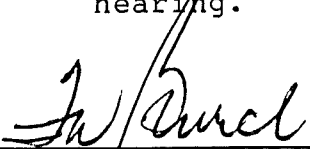
Stage 1      Mall      700,000 square foot

Stage 2      Retail Outlets including <sup>2</sup>Banks at 3,500 s.f.<sup>each</sup>; 1 Sit Down Restaurant at 15,000 s.f.; 1 Fast Food Restaurant at 5,000 s.f.

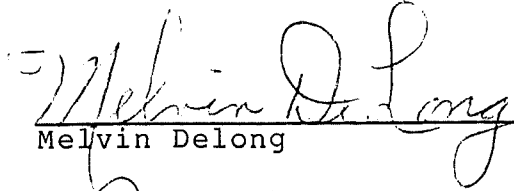
Stage 3      Office Development including <sup>2</sup> Three-story Office Towers at 150,000 s.f.<sup>each</sup>; 1 Office Building at 30,000 s.f.

2. Development will occur as presented on the Concept Development Plan submitted and dated July 22, 1987 (attached Exhibit "A"). Further, development will be consistent with the Buchanan Development Corporation letter dated August 14, 1987 (attached as Exhibit "B") and similar to the architectural style presented by the applicant on August 5, 1987 (attached as Exhibit "C").
3. The developer of the property needs to commit to participate with the owner of Houston Road at the time of development to financially assist ~~(up to)~~ <sup>(up to)</sup> 65 percent) in the cost of necessary improvements as detailed in the PKW report, dated 6/11/87 and entitled, "Traffic Impact Analysis: Proposed Site Development on Houston Road, Florence, Kentucky (Revised Plan)."
4. Any changes to the above three conditions and the referenced documents needs to be presented to the Boone County Planning Commission Technical Committee to determine whether or not the proposed changes are minor or major. Any major changes will require a new public hearing.

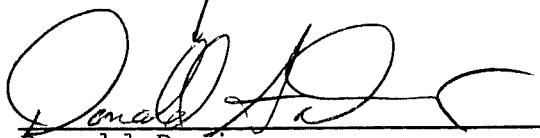
(See Minutes of Meeting)



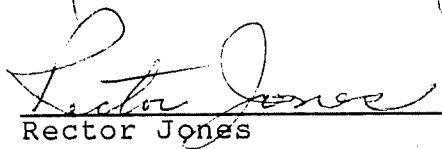
Fred Burch, Chairman



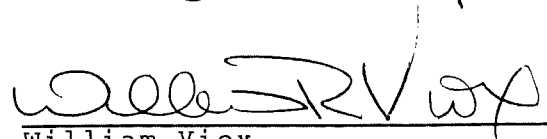
Melvin DeLong



Donald Davis



Rector Jones

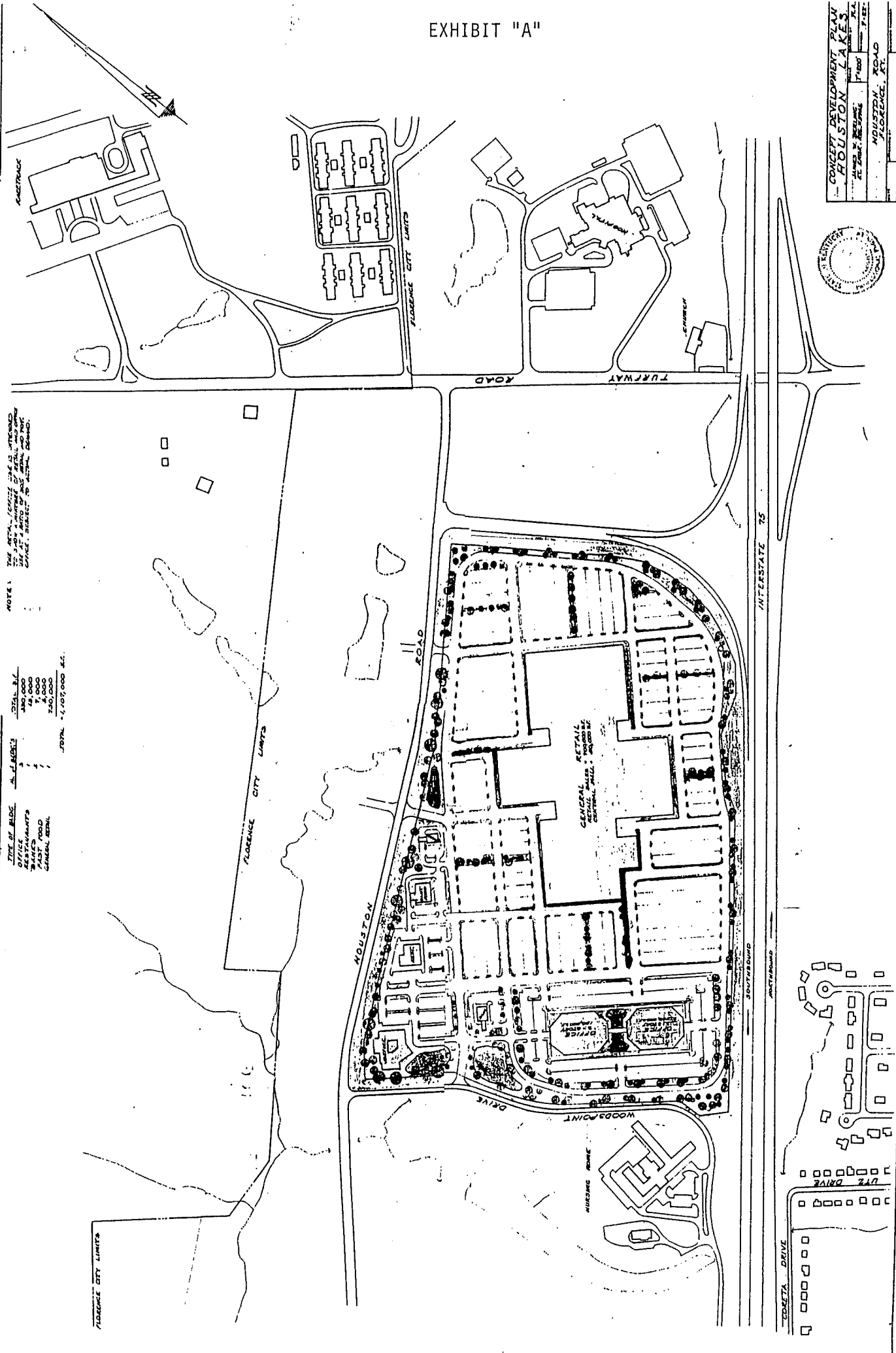


William Viox

Larry Barnett

# EXHIBIT "A"

CONCEPT DEVELOPMENT PLAN  
 HOUSTON LAKES  
 PREPARED BY: [unclear]  
 HOUSTON, TEXAS  
 11-11-87



NOTE: THE AREA COVERED BY THIS STUDY IS FOR A PORTION OF THE TOTAL SITE. THE TOTAL SITE IS SUBJECT TO FUTURE DEVELOPMENT.

TYPE OF USE	ACRES	EST. VAL.
OFFICE	1.0	150,000
RESTAURANTS	1.0	1,000,000
RETAIL	1.0	1,000,000
GENERAL RETAIL	1.0	1,000,000
<b>TOTAL</b>	<b>4.0</b>	<b>4,150,000</b>

FLORENCE CITY LIMITS

FLORENCE CITY LIMITS

HOUSTON ROAD

FLORENCE CITY LIMITS

TURFWAY ROAD

WOODPOINT DRIVE

NURSING HOME

INTERSTATE 75

EDWETA DRIVE

DVA DRIVE

SOUTHBOUND

NORTHBOUND

BUCHANAN DEVELOPMENT CORP.

Exhibit "B"

448 Goebel Court  
Fort Wright, Ky. 41011  
606-341-6222

August 14, 1987

RECEIVED  
AUG 14 1987

Mr. David A. Geohegan  
Planner/Plans Examiner  
Boone County Administration Bldg.  
2950 Washington Square  
Burlington, Kentucky 41005

RE: Houston Lakes

Dear Dave,

I am in receipt of your letter dated August 7, 1987, concerning approval of the Concept Development Plan for the Houston Lakes Mall on Houston Raod in Boone County. I was pleased to learn that the zone change committee which met August 3, 1987, was viewing our request for Concept Development Plan "favorably".

We have reviewed the committee's concerns as outlined in your letter with a great deal of interest and detail. In order to professionally address these concerns we have expanded our team to include Robert E. Gramann, FAIA of Gartner, Burdick, Bauer-Nilsen: Architects, Engineers, Planners of Florence, Kentucky and G. Maurice Blakeman, AIA of The Design Arts Group, Inc., Tampa, Florida. GBBN together with James W. Berling Engineers and PKW Traffic Consultants have studied your letter en route to authoring for your review a comprehensive response.

We are pleased to have this opportunity to supply you with additional information which will assist the committee to make a positive recommendation to the Planning Commission. This letter articulates the architectural, engineering, and planning intent of the Houston Lakes Mall proposal and further outlines the commitments we expect to make.

I would like to take each item in the order presented in your letter so that you and the committee can follow my response. The list of items are as follows:

1. The Houston Lakes Mall is an enclosed mall concept. This concept is similar to the Florence Mall in that there will be a central atrium focus providing entry to all retail establishments. The strength of this concept is created by this exciting interior people

space surrounded by a total of 150 stores which will be a combination general merchandise/department store anchors together with retail shops. This two story atrium will provide access to a combination of one and two level stores.

The exterior architecture and image of the mall will be to emphasize major pedestrian entries on the four major sides. These will be large glass elements which suggest a strong sense of place and arrival to the building. The predominant exterior material will be masonry. All service area/courts will be screened and landscaped adequately and will incorporate all truck loading and trash disposal.

2. The proposed office buildings are two-three story towers juxtaposed around a central reflecting pool and entry area. Major exterior materials will be a combination of reflective glass and masonry compatible with the retail mall. It is hoped to create a hightech image through the use of quality architectural solutions which may include a second level skywalk and unique massing to identify an office destination highly visible from the Interstate. The parking will meet required zoning and may be accommodated by both surface and underground garage.

3. It is our intention at this time to phase the project in three phases as follows:

1. Mall <sup>RETAIL</sup>
- ll. ~~Office~~ Outlots
- lll. Office

4. The landscaping concept for Houston Lakes will be above the standard set by Florence Mall and very apparent to the entire community. Our goal is to create an overall sense of place and arrival for both the passer-by and the end-user. This will be accomplished as follows:

- ° The major points of entry to the development will be heavily landscaped and sensitively treated with a combination of landforming, reflecting pools, and articulated planting which says, "You have arrived".
- ° The entire perimeter of the site will be defined with landforming and green buffer. The size and magnitude of this project requires that landforming be of irregular

shape and undulation planted with grass which can be easily mowed. The landforming will vary in height with its priority to screen the parking areas along Houston Road and the Interstate.

- ° Within the parking areas a considerable amount of planting islands will provide a boulevard effect for the major circulation routes and also reduce the scale of the surface parking.
- ° Major landscaping focus will also be provided at the pedestrian entrances to the mall and also at the service courts to provide screening.

5. We will commit to submitting architectural information at the Planning Commission during subsequent review stages as described in the Houston/Donaldson Study.

6. We will commit to a building-mounted and monument signage package as called for in the Houston/Donaldson Study.

7. Having reviewed the major entry drive off Houston Road opposite the Turfway Business Park, we will commit to lengthening this drive to 400 feet to ensure proper stacking and minimize congestion. The internal circulation will be further reviewed during subsequent stages.

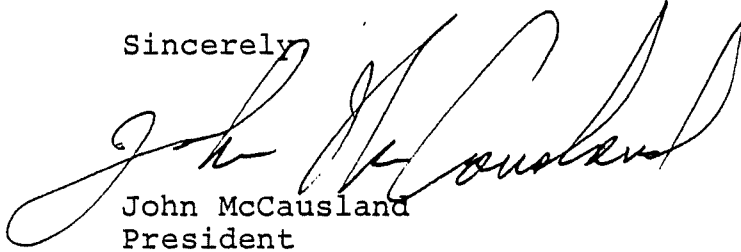
8. We do recognize the impact that Houston Lakes has on the surrounding roadway system. We are willing to participate in the road system improvements articulated in the Pflum, Klausmeyer Traffic Recommendations for roads abutting our development. We will commit to participate to a maximum of 65% of the total cost of these improvements.

I trust we have addressed to your satisfaction the items identified in your letter. We have been as specific as one can at this Concept Development Plan review.

The Houston Lakes project is the most exciting project adjacent to Interstate 75 in Northern Kentucky proposed this decade. This mixed use development is an opportunity to control over 100 acres of land and author a solution as a single planned unit development. We look forward to working closely with you, other Boone County Planning Staff Members, the Boone County Planning Commission, and the City of Florence to make this a very exciting development which will have a very positive impact on the entire community.

Following your review of this information, should there be any questions or if I can be of further assistance, please do not hesitate to call.

Sincerely

A handwritten signature in cursive script, appearing to read "John McCausland". The signature is written in black ink and is positioned above the printed name and title.

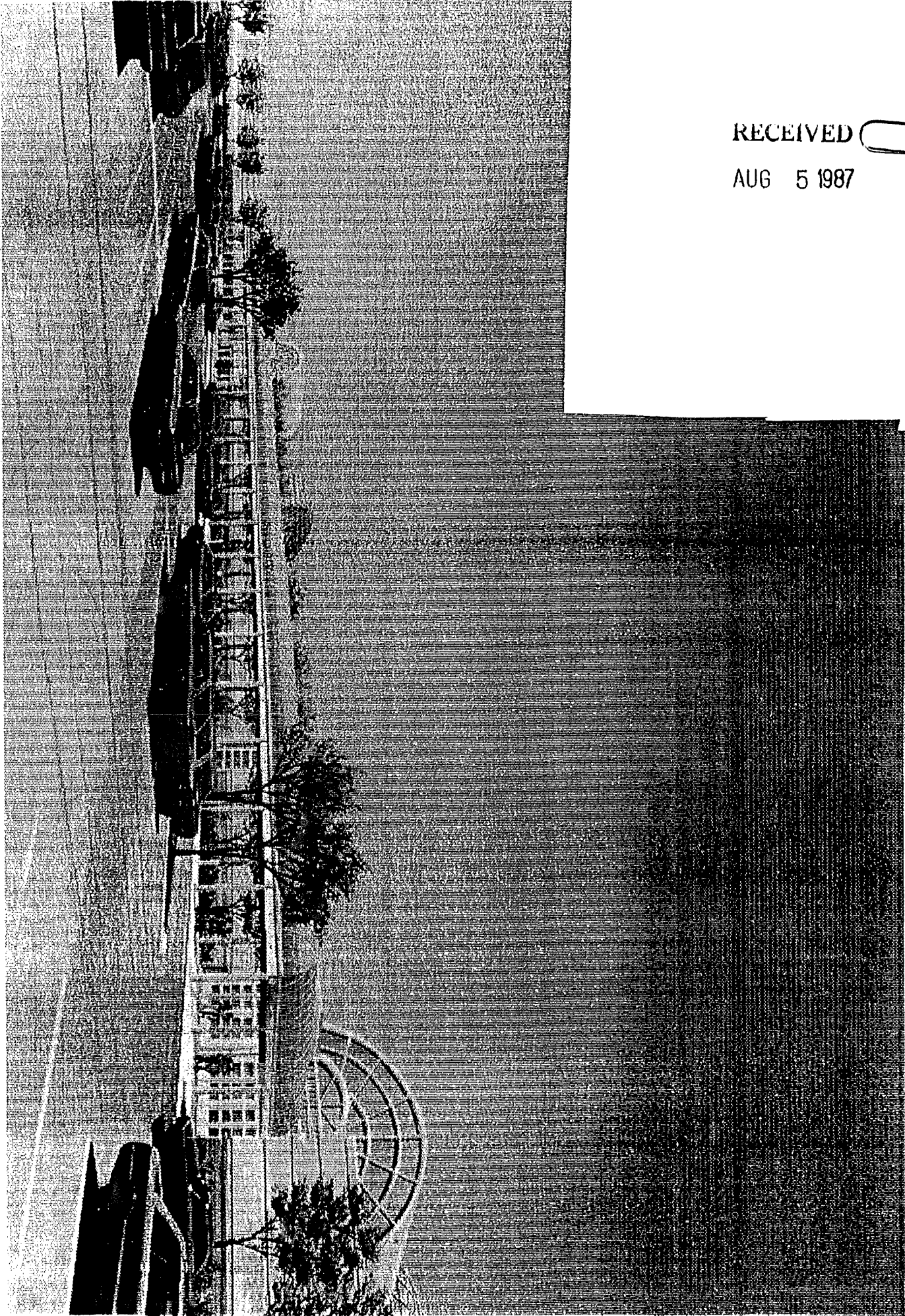
John McCausland  
President

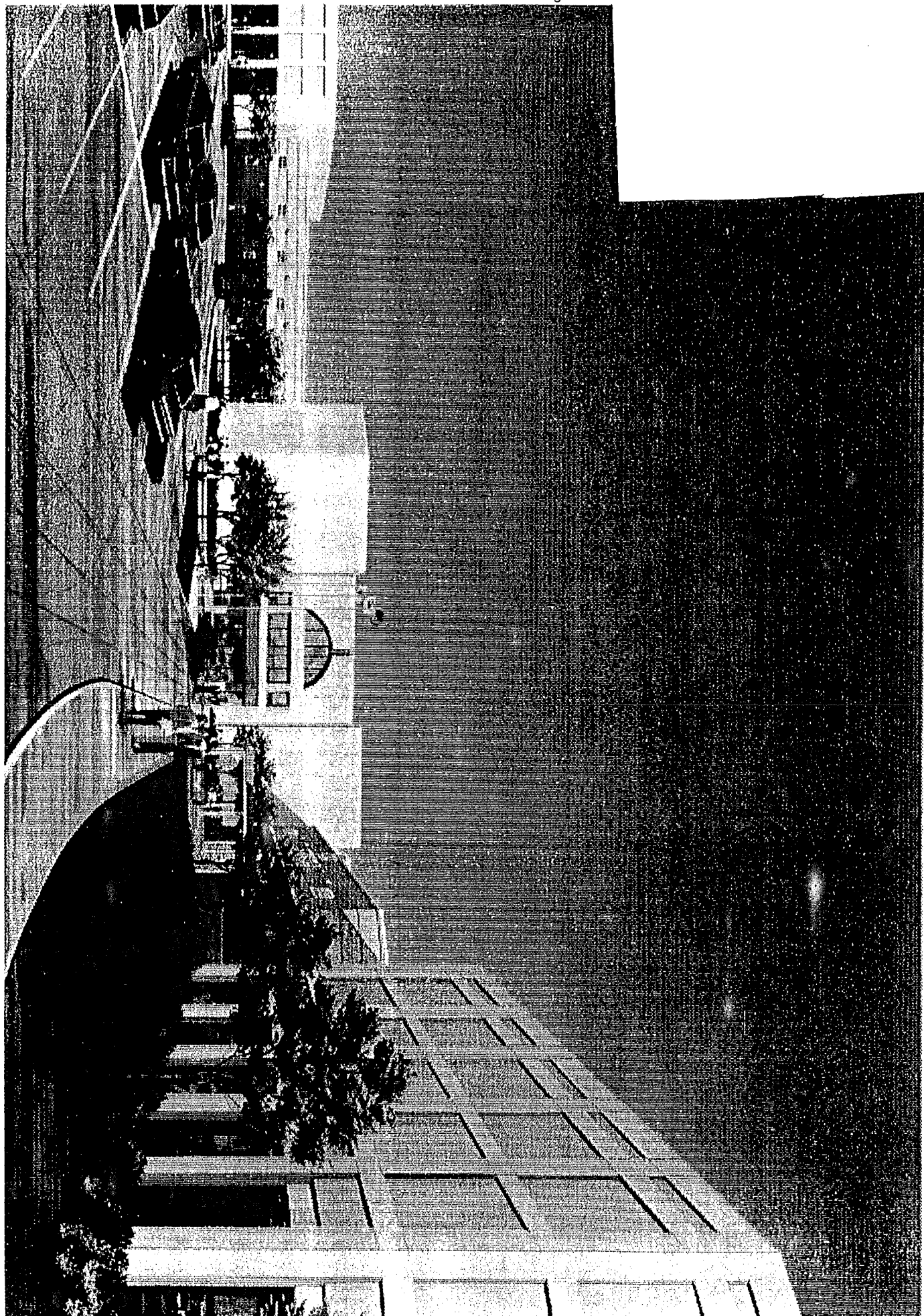
cc: James W. Berling, P.E.  
Robert E. Gramann, FAIA

1/24/71

RECEIVED

AUG 5 1987





RECEIVED

AUG 5 1987

