

REVIEW NO. _____

APPLICATION FORM

ZONING MAP AMENDMENTS

BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Development Airpark International
2. Location of Development KY 20 & I-275
3. Total Acreage of Site 264.40 Ac
4. Current Zoning A-2 AGRICULTURAL ESTATE
5. Proposed Zoning (classification being requested) _____
MIXED USE - I-1 INDUSTRIAL & C-2 COMMERCIAL
6. Proposed Uses (please specify each use) LIGHT INDUSTRIAL,
WAREHOUSING, MULTI-TENANT OFFICE WAREHOUSE, FREESTANDING OFFICE,
PLUS SUPPORT COMMERCIAL
7. Name of Applicant(s) PAUL HEMMER CONSTRUCTION Co / MIKE HADGUS
Phone Number(s) 381-8300
8. Address of Applicant(s) 250 GRANVIEW DR. PO. BOX 17310
FT. MITCHELL KY 41017
City State Zip
9. Name of Property Owner(s) PAUL HEMMER ASSOCIATES III
Phone Number(s) 381-8300
10. Address of Property Owner(s) 250 GRANVIEW DR. P.O. BOX 17310
FT. MITCHELL KY 41017
City State Zip
11. Proposed Building Intensities (please specify) _____
BUILDING INTENSITIES WILL BE AS PERMITTED
BY THE I-1 & C-2 ZONING DISTRICT REGULATIONS
12. Are there any existing buildings on the site? Yes
How many? TWO FARM HOUSES PLUS APPROX FIVE BARNIS
13. Deed Book * Page No. * Group No. 2009
14. Have you had a pre-application meeting with BCPC staff? YES
15. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

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

(COMPLETE OTHER SIDE OF APPLICATION)

- * PAUL HEMMER ASSOCIATES, III DB 438 Pg 316 (OWNER)
- * DGLWICK/SYRAGUE DB 215 Pg 1 (OWNER BY OPTION)

EXHIBIT "A"

STAFF REPORT

JANUARY 16, 1991

REQUEST OF PAUL HEMMER CONSTRUCTION COMPANY FOR PAUL HEMMER ASSOCIATES III (OWNER) FOR A ZONING MAP AMENDMENT ON A 264.4 ACRE SITE LOCATED NORTH OF KY 20 AND ELIJAH'S CREEK ROAD, BOONE COUNTY, KENTUCKY.

This is a request of Paul Hemmer Construction Company for a zoning map amendment on a 264.4 acre site, known generally as the Wagner tract. The 264.4 acre site actually includes five former Wagner properties and a sixth parcel known as the Sprague tract. The site is located north of I-275 at Elijah's Creek Road and Ky 20, Hebron, Ky. The request is to rezone the site from Agricultural Estate (A-2) to Industrial One (I-1) and Commercial Two (C-2). The proposed development is known as Airpark International, and includes industrial, warehouse, office warehouse, office, and local commercial uses.

Characteristics of the Site

The 264.4 acre site contains mainly rolling farmland and wooded swales. The site is situated generally on a tabletop area above the Ohio River and the Elijah's Creek Valley, but affords very limited views of the River. The wooded swales contain mature hardwoods and are distributed across the site. They lend the site its unique, scenic character. The roughest topography is located in the northeastern portion of the site and includes areas designated as Developmentally Sensitive by the Comprehensive Plan. This report includes an exhibit that indicates the approximate limits of the Developmentally Sensitive areas.

The site contains the existing Wagner residence, with accompanying outbuildings, as well as a tenant house along Elijah's Creek Road. Several barns and an old home foundation exist on the eastern portion of the site.

Soils present on the site include Avonburg silt loam (Av), and Newark (Nk) silt loam on the high, flat portions of the site. These soils present little hazard of erosion, however, contain a pronounced fragipan, making earthwork and soil drainage more difficult. Three types of Jessup Series soils (JeB, JeC, and JsD3) and two types of Rossmoyne soils (RsB and RsC) exist on the slopes up to 20 percent. These soils present a moderate hazard of erosion. The steeper portions of the site over 20 percent slope include Cynthiana flaggy silty clay loam (CyF) which constitutes a severe hazard of erosion. This soil is mainly in the area of the proposed office uses and the proposed bulk warehouse.

SURROUNDING LAND USES AND ZONING

North and west of the site are undeveloped pasture land and wooded hillsides that extend down to Rt. 8 and the Ohio River plain. An approximately 15 acre portion of this area is owned by the Airport and is zoned Airport (A). All other surrounding property to the north and west of the site is zoned Agricultural Estate (A-2). To the east is similar pasture land and woodland. A portion of this area, known as the Barth property, is zoned Commercial Services (C-3) and Industrial One (I-1). Property to the south, across KY 20 supports low density

residential uses and is zoned Suburban Residential One (SR-1). Adjoining property along KY 20 and along Elijah's Creek Road supports scattered single-family housing. These areas are zoned Agricultural Estate (A-2). Near the eastern portion of the site, there is an important Pre-historic Indian mound. The site is on the National Register of Historic Places, and the 2 acre parcel is owned by the Archeological Conservancy.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The approved 1990 Boone County Comprehensive Plan makes a 25 year projection of Business Park land uses with supporting commercial uses for most of the 264.4 acre site. The northern parts of the site include the Developmentally Sensitive classification, which includes steep slopes as well as areas that may affect the steep slopes through drainage, vegetation, etc. The text of the Land Use Element indicates that the Business Park classification should incorporate large building setbacks, extensive landscaping, architectural controls, large open areas, and not have an industrial park appearance. Business Park areas were approved for areas that contain attractive existing site features and/or provided an entrance to development not normally compatible with industrial uses. Because of the area's topography, this site should provide access to the Shor property and other future residential areas north of the Elijah's Creek valley.

The Land Use Text discusses this portion of the county and recommends that the Developmentally Sensitive hillsides be protected from development, and recognizes that Elijah's Creek Road is not suitable for serving much traffic without major reconstruction. The Environment Element also strongly recommends that existing topography and vegetation remain and be integrated into development design.

The Transportation Element and its Goals and Objectives recommend that new roadways be developed where needed and feasible. It also recommends that proper access be provided to adjoining properties when a site develops, and that sufficient right-of-way be reserved along roads that would likely require future widening.

The Business Activity Element recommends that new industrial development be located near railroads, and airports, and with close proximity to limited access highways. Industries should also be grouped near each other to reduce traffic congestion and effects of trucks on non-suitable areas. Industrial areas need to be sensitive to their surroundings through design.

The Preservation Element strongly recommends that new development be reviewed to ensure identification and protection of significant historical, architectural, and archeological sites.

PUBLIC UTILITIES

Presently, the site does not have public water or sanitary sewer service. However, 12 inch water service is proposed to be extended from the Airport Interchange area at KY 20. A letter from the Boone County Water District notes the availability of a water transmission main in that area. The applicant has submitted two letters regarding sanitary sewerage. These indicate that the proposed Kenton County Sanitation District line along Rt. 8 will be available by 4/1/92, and that the proposed Elijah's Creek sewer will be available by 1993.

SUBMITTED CONCEPT DEVELOPMENT PLAN

The latest submitted plan was received in the Commission office on 1/12/91, and is attached to this report. The request includes 251.4 acres of Industrial One (I-1) zoning and 13 acres of Commercial Two (C-2) zoning. The proposed plan includes a total of 1,600,000 square feet of industrial space, 310,000 square feet of office space, and 68,000 square feet of commercial space. The industrial space includes a 350,000 square foot and a possible 60,000 square foot manufacturing facility with visibility to I-275. The 250,000 square foot office complex proposed for the eastern portion of site will include parking underneath the buildings as well as at-grade parking. This complex will have its own access to KY 20. A major boulevard entrance would serve the industrial portion of the development, while a third entrance would directly access the proposed commercial uses. The applicant indicates an 8 to 10 year development period.

TABLE ONE
ESTIMATED TRIP GENERATION

Lot No.	Site	Acreage	Building Size
1	Commercial	7.5	28,000
1a	Commercial	5.5	40,000
2	Industrial	5.0	25,000
3	Industrial	7.0	100,000
4	Industrial	6.00	80,000
5	Office	10.5	60,000
6	Industrial	35.0	350,000
7	Industrial	18.5	60,000
8	Industrial	10.5	75,000
9	Industrial	7.0	40,000
10	Industrial	8.0	70,000
11	Industrial	7.0	100,000
12	Industrial	7.0	100,000
13	Industrial	7.0	100,000
14	Industrial	7.0	100,000
15	Office Warehouse	6.5	72,000
16	Warehouse	45.0	400,000
17	Office	60.0	250,000
Totals		260.0	2,050,000

TRANSPORTATION

A Transportation Impact Analysis (TIA) has not yet been submitted as part of this request. The Staff however has had conversations with the applicant regarding a transportation study, which should be forthcoming. To begin analyzing the impact of the proposed development, the Staff has developed estimated trip generations. As discussed in the 1990 Comprehensive Plan, the main roadway serving this property is to also serve additional undeveloped acreage to the west. Table Two provides a summary of the estimated traffic generated by this site and the approximately 340 acres of residential property. The residential area was assumed to be developed in a manner similar to the Oakbrook development, that has a density of approximately 4.5 units per acre. Finally, of the residential traffic, eighty percent was estimated to use the proposed roadway through this site for primary access.

TABLE TWO
ESTIMATED TRIP GENERATION

Development	ADT	AM Peak		PM Peak		
		Enter	Exit	Enter	Exit	
Airpark International						
2,050,000 GSF	22,891	1,807	574	854	1,884	
Single Family Development						
1,530 Homes	13,267	261	705	890	523	
80 Percent	10,614	209	564	712	418	
Total Trips on proposed roadway	33,505	2,016	1,138	1,566	2,302	

STAFF CONCERNS

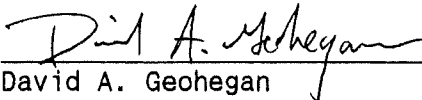
1. Although the proposed industrial uses are similar to Business Park uses, Staff believes that the character of the proposed development is not consistent with the Business Park classification or with the Land Use Element's recommendations for this site. In Staff's opinion the applicant attempted to make the request consistent with the Comprehensive Plan by locating some commercial uses along KY 20 and by indicating a potential right-of-way to the west, but has not provided the correct character suitable for an entrance to a future important residential area. Staff believes that the plan would require a complete landscaped boulevard from KY 20 to the west property line, larger building set backs along that boulevard, strict architectural and signage controls, and retention of existing vegetation to make this proposed industrial development consistent with the recommendations of the Comprehensive Plan. In addition, Staff believes that larger areas of mature woodland and topography would need to be retained to constitute a Business Park area. Specifically, the proposed locations of the 400,000 square foot warehouse, the retail center, the office/warehouse, and the proposed 250,000 square foot office complex would eliminate significant wooded swales. The center of the site contains large freestanding trees that should dictate building locations. At the least, these trees should be located along lot lines or preserved in dry detention areas.
2. Because of the proximity of an important Indian mound and the importance of the Ohio River bluff in prehistoric life, the Boone County Historic Preservation Review Board believes that additional sites may be located on the 264.4 acre site. Staff recommends that an archeological study be performed on the site prior to development, or at least that the developer agree to interrupt construction in the event of an archeological find.
3. The proposed office uses will require approval of a Conditional Use Permit from the Boone County Board of Adjustments.
4. The main roadway serving the site is proposed as a two lane roadway, with an unusual alignment. The concern is that the two lanes will not be adequate to serve the industrial traffic only, and definitely not any additional residential traffic. As proposed, the Staff does not believe that the roadway can adequately serve future development, as stated in the 1990 Comprehensive Plan.

Upon receiving a TIA from the applicant, the impact of the development on KY 20 should also be thoroughly studied. It is believed that given the estimated number of trips generated by the proposed uses, the main roadway will require a signalized intersection with KY 20. Staff is also concerned with the impact of the traffic on the intersection of KY 20 and I-212. Finally, the number of trucks and their impact has also not been addressed to this point.

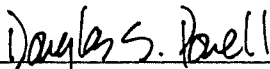
5. The Planning Commission recently recommended against modifying the Comprehensive Plan to allow additional Business Park uses near this site, along Hossman Road. A zone change request to Industrial One (I-1) was also denied during the winter of 1989 -1990. The Planning Commission should consider its viewpoint of the future of this area when considering this request for Industrial One (I-1). The Comprehensive Plan's Land Use Element is based on a 25 year projection. The Planning Commission should also consider if industrial development is appropriate for this location considering the extensive areas already zoned Industrial One (I-1) around the airport and along I-75.
6. The proposed development makes no provision for recreation activity related to the natural resources, on and adjoining the site. Access to adjoining airport property should be considered.
7. The proposed bulk warehouse and office complex may have negative erosion effects on the steep hillsides along the river, even with conventional stormwater management. The CyF soils there present a severe hazard of erosion.
8. The applicant should specify the height of the proposed industrial buildings so that the view from surrounding properties can be evaluated.
9. Staff assumes that the proposed commercial uses are those contained in the submitted traffic analysis.

CONCLUSION

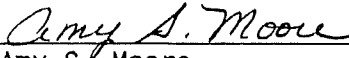
The Planning Commission needs to be careful in evaluating this request, as it is the first such request in a Business Park land use designation. The request must be reviewed in relation to the three criteria necessary for a zoning map amendment. The outcome of this request will likely serve as a benchmark for future applications. Should this request be approved, the Future Land Use would need to be adjusted to reflect the approved uses.



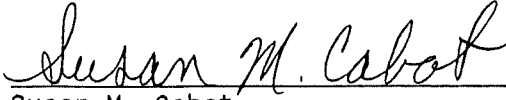
David A. Geohegan
Senior Planner



Douglas S. Powell
Senior Planner



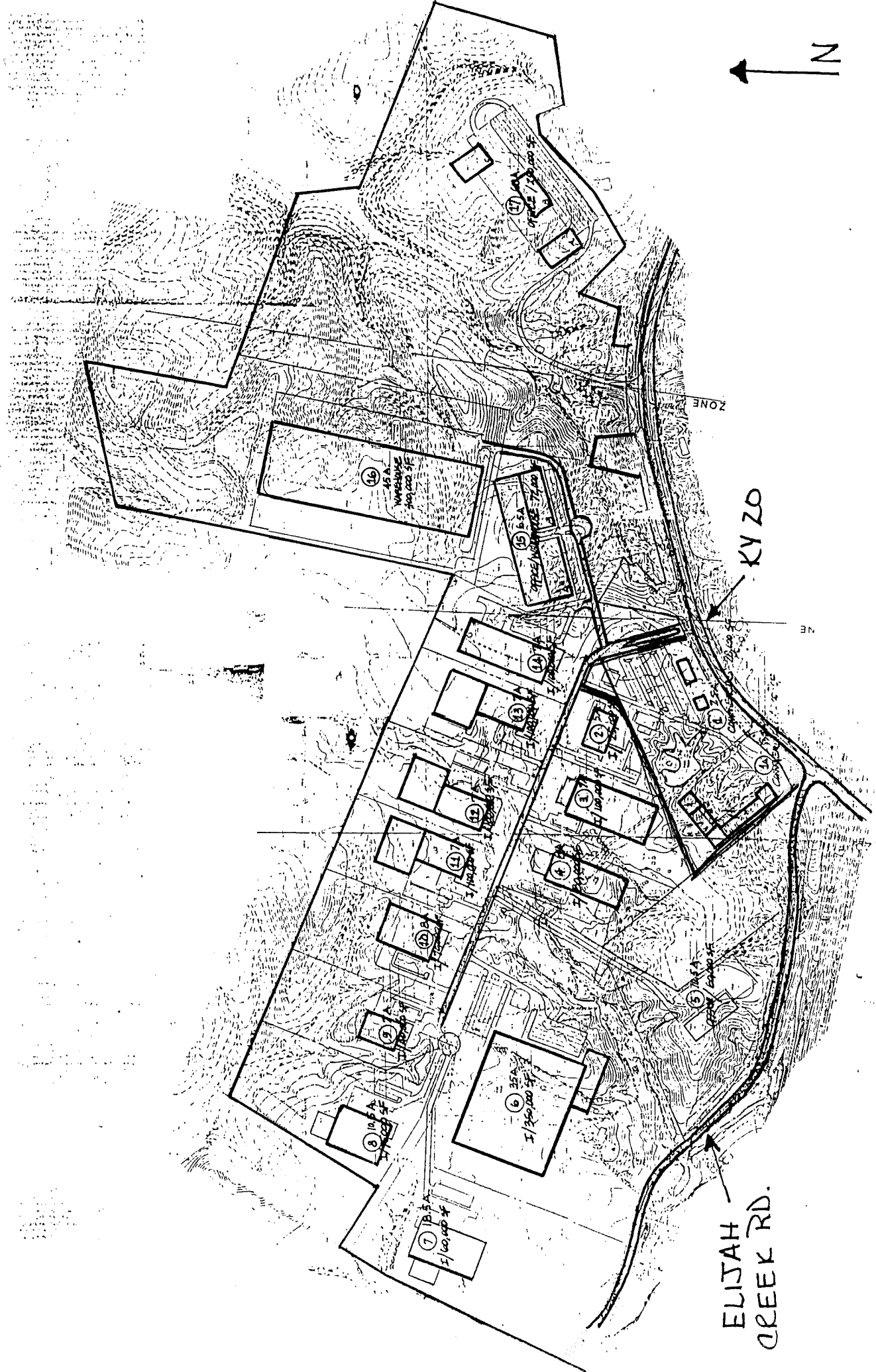
Amy S. Moore
Planner I



Susan M. Cabot
Historic Preservation / Rural Planner

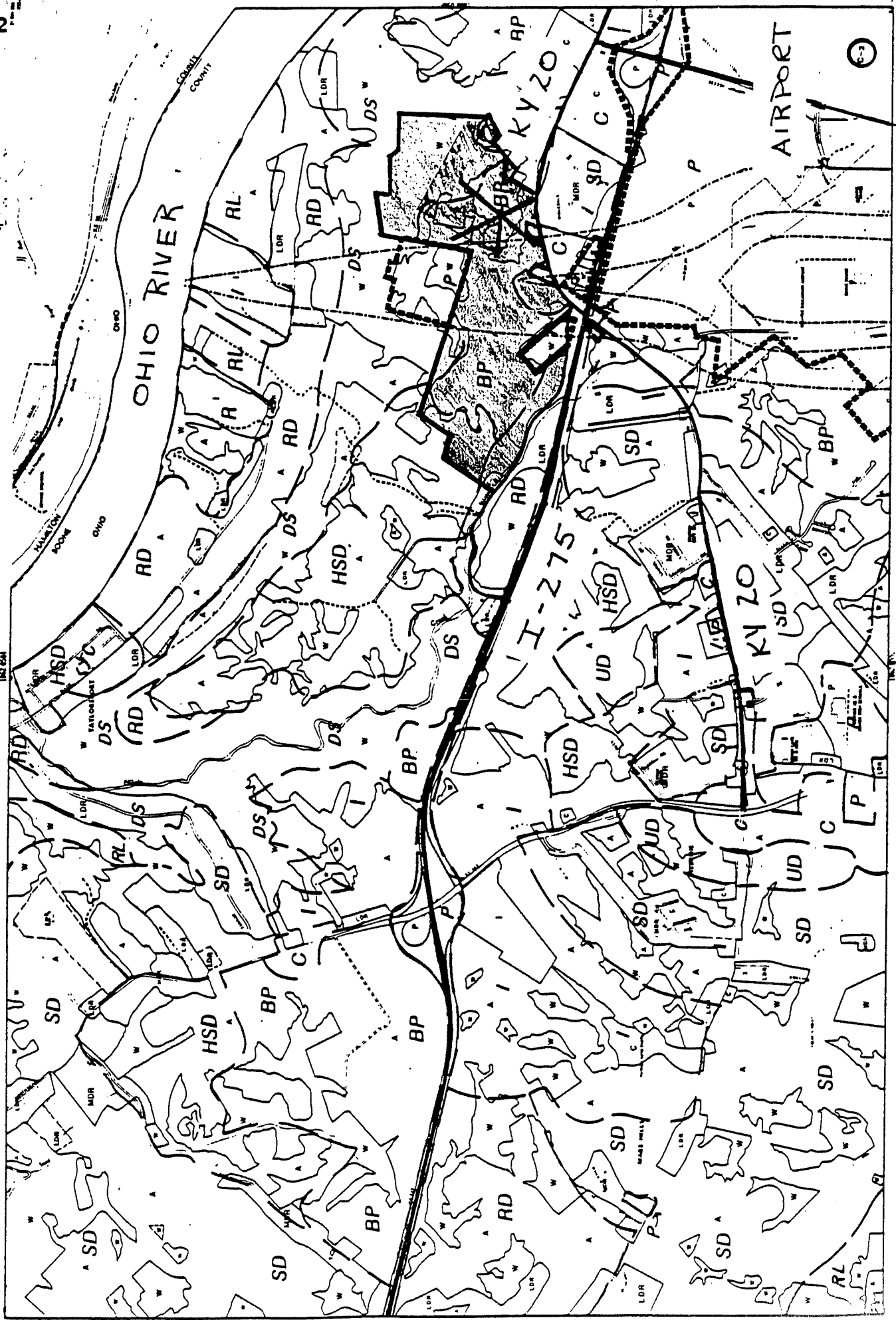
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AIRPARK INTERNATIONAL
CONCEPT DEVELOPMENT PLAN



PROPOSED AIRPARK SITE
FUTURE LAND USE MAP

1862-0568



December 19, 1990

Mr. Kevin Costello
Boone County Planning & Zoning Commission
P.O. Box 697
Burlington, Kentucky 41005

Dear Mr. Costello:

Paul Hemmer Associates III hereby requests that a special public hearing be held at 7:00 p.m. on January 16, 1991 for the purpose of rezoning our Airpark International property on Kentucky 20 and I-275.

The subject property contains a total of 264.40 acres and is presently zoned Agricultural Estate A-2. We propose that the property be rezoned in accordance with the Comprehensive Plan which recommends industrial and commercial use. More specifically, we request industrial I-1 zoning for 251.4 acres and commercial C-2 zoning for 13 acres facing on Kentucky 20 and I-275 (see site drawing 2).

Airpark International is intended to provide sites for light manufacturing, warehousing, multi-tenant office warehouse buildings, office buildings and supporting commercial. See our site development study (drawing 1). Development intensities will be as permitted by the I-1 and C-2 Zoning District Regulations.

Utilities for this development are available and will include the following:

Sanitary sewer - Kenton County Sanitation District has agreed to allow a tap into the new force main which will be constructed on Route 8. This sewer will be available by April 1, 1992. Also, Boone County Water and Sewer District has agreed to a tap into the proposed Elijah's Creek sewer when construction is completed in approximately twenty-four (24) months. See letter from Kenton County Sanitation District (attachment "A") and Boone County Water and Sewer District letter (attachment "B").

Water - Boone County Water and Sewer District has agreed to a tap of its 16" main near the Greater Cincinnati Airport. A 12" line will provide service from the 16" main to the site (see attachment "C").

Electrical service - Owen County Rural Electric will provide electrical service to the site (see site drawing 2).

Telephone service - Cincinnati Bell will provide service.

Boone County Planning & Zoning Commission
December 19, 1990
Page Two

Natural gas - Union Light Heat & Power will provide service. The existing 4" gas main on Kentucky 20 will be extended to the site. The preliminary schedule indicates this work will be completed by September 1, 1991.

Our development schedule indicates an eight (8) to ten (10) year "build-out" for this project. With zoning approval, we anticipate an April 1, 1991 ground breaking with the first buildings coming on line by the first quarter of 1992.

Please advise our office of your agreement with our request to move forward with rezoning of the subject site at this time.

Sincerely,

PAUL HEMMER CONSTRUCTION COMPANY


Wm. Michael Hargis, AIA
Vice President

WMH/pm

Attachments

cc: Paul Hemmer, Sr.



SANITATION DISTRICT NO. 1

of Campbell and Kenton Counties

1046 Eaton Drive

Ft. Wright, Kentucky 41017

(606) 331-2400

ATTACHMENT A.

December 17, 1990

Mr. Mike Hargis
Paul Hemmer Construction
250 Grandview Drive
Ft. Mitchell, Kentucky 41017

Re: Route 8 Sewer

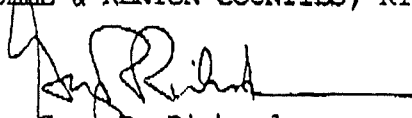
Dear Mr. Hargis:

As discussed on the phone, the Sanitation District's current schedule for installing a sewer line along Route 8 from the Boone/Kenton County line to Tanner Road will be as follows: Start construction April 1, 1991 - complete construction April 1, 1992. Hopefully, depending upon the weather, the sewer line will be available for use before April 1, 1992, however, at this time, we must assume the worst case.

If you should have any questions, please do not hesitate to contact me.

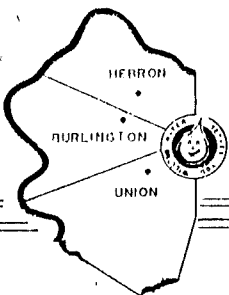
Very truly yours,

SANITATION DISTRICT NO. 1 OF
CAMPBELL & KENTON COUNTIES, KY.


Gary R. Richardson
General Manager

GRR/nju

ATTACHMENT B.



BOONE COUNTY WATER AND SEWER DISTRICT

5825 BULLITTSVILLE ROAD
BURLINGTON, KY 41005
606 / 586-6155

COMMISSIONERS

ROBERT E. BELL
DWIGHT C. BRAY
BILL C. SHEHAN, SR.

December 13, 1990

Mr. Paul Hemmer, Chairman
Paul Hemmer Construction Company
250 Grandview Drive
Ft. Mitchell, Kentucky 41017

Dear Mr. Hemmer: re: Airpark Industrial Subdivision

Sanitary sewer service for the above address is not immediately available through the Boone County Water and Sewer District. Final construction plans are currently being reviewed for a Regional Sanitary Sewer System which would include this location. It is anticipated construction will be accomplished within twenty four months.

The District supports an approvable temporary solution, such as a holding tank, provided you commit to connection with the District system, and payment of associated costs, when the system is made available. Please be aware the District does not provide inspection of, nor maintain holding tanks as such is the responsibility of the property owner.

Please advise this office of your concurrence with the above by signing and returning the enclosed copy of this letter. An additional copy is provided to present to the Northern Kentucky Health District upon application for sewage disposal.

Sincerely,

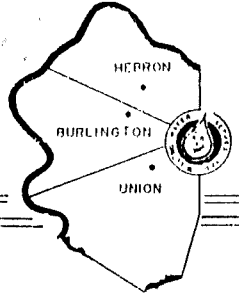
Paul E. Kroger
Paul E. Kroger
District Manager

PEK:fs
cc: file

Signed _____

Address: _____

ATTACHMENT C



BOONE COUNTY WATER AND SEWER DISTRICT

5825 BULLITTSVILLE ROAD
BURLINGTON, KY 41005
606 / 586-6155

COMMISSIONERS

ROBERT E. BELL
DWIGHT C. BRAY
BILL C. SHEHAN, SR.

December 18, 1990

Mr. Paul Hemmer, Sr., Chairman
Paul Hemmer Construction Co.
250 Grandview Drive
Ft. Mitchell, Kentucky 41017

Dear Mr. Hemmer:

The Boone County Water and Sewer District provides sanitary sewer and potable water service for the unincorporated areas of Boone County and the City of Union.

In response to your inquiry relative to these services for:

Airpark Industrial Park
North Side Ky20 near Bluebird Dr.
Hebron, Kentucky

The District has a water transmission main available for connection in the general vicinity of the property identified.

Sanitary sewer services, through a connection to Sanitation District #1 Dry Creek Treatment Plant will be available shortly.

Please advise the District, through the application process, of your intentions to construct so that all necessary State approvals along with District approvals may be obtained in orderly fashion.

Sincerely,

Paul E. Kroger
Paul E. Kroger
District Manager

PEK:fs

cc: BCWD Commission
file: KY20/Hebron



January 15, 1991

William Biox, Chairman
Boone County Planning Commission
Post Office Box 596
Burlington, Kentucky 41005

Dear Mr. Biox:

I am writing to express the concern of The Archaeological Conservancy for the development plans on the Airpark Site.

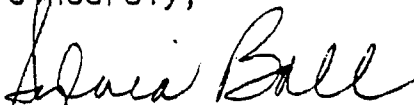
The Conservancy is a national nonprofit organization whose sole purpose is the preservation of the most important remaining archaeological sites in the United States. As a part of our Kentucky preservation efforts, we are the owner of a highly significant prehistoric Indian mound on the bluff just above the area slated for development.

It is our hope and concern that disturbance of the ground in this area be as minimal as possible. It is very likely that there are prehistoric materials underground in the development area. If the disturbance of the ground is limited, some of these materials can be preserved. We hope they can be kept intact for future research into the mysteries of the people who lived in this area so long ago.

It is possible that prehistoric materials will be uncovered during the course of excavation and other work associated with the development of the site. If this is the case, we would hope that further work can be delayed long enough to permit archaeological study of these materials in the location in which they are found.

The Conservancy will appreciate consideration of these issues as development plans proceed. Thank you.

Sincerely,



Sylvia Ball
Eastern Regional Director

BOONE COUNTY PLANNING COMMISSION

January 16, 1991
7:00 P.M.

SPECIAL PUBLIC HEARING

Mr. Fred Burch, Vice Chairman, called the meeting to order at 7:00 P.M..

Following a review of the Public Hearing process, Mr. Burch introduced the item on the Agenda:

1. Applicant: Paul Hemmer Construction Company for Paul Hemmer Associates III (owner)

Request: Zoning Map Amendment

The request of Paul Hemmer Construction Company (applicant) for Paul Hemmer Associates III (owner) for a Zoning Map Amendment for a 264.40 acre site located on the north side of KY 20 and Elijah Creek Road, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Industrial One (I-1) and Commercial Two (C-3). The proposed project is a mixed use industrial, commercial, and office park named Airpark International.

Staff Member, Dave Geohegan, presented the Staff Report which included a slide presentation narrated by Amy Moore (see Staff Report).

Mr. Burch asked for comments from the applicant at this time.

Mr. Mike Hargis of Paul Hemmer Construction Company advised that he and their Traffic Engineer, Mr. Jack Gehrum, were present. Using a large copy of the Development Plan, Mr. Hargis stated that they are proposing approximately 2,000,050 sq. ft. of building space on 264.4 acres, which is about 18% of the available land usage. Normally, this type of development is about 33% to 34% of land use and about 50% of land use for warehousing. He indicated the location of airport property adjacent to the site and stated that these properties were purchased from the Wagner's by the airport for signaling equipment. The equipment became outdated and was removed and that land is currently vacant.

Mr. Hargis stated that the main entrance to the project would be a four-lane boulevard off KY 20, back about 400 feet, and separated by a landscape berm. There would be a left-hand turn lane and a right-hand turn lane when exiting the site. He added that 80% to 90% of the traffic will exit and turn left to go back to the interstate interchange. They are proposing a cul-de-sac from the boulevard having two multi-tenant buildings with office and warehouse space, such as a computer company having 20% of their space used for office and the balance for warehousing. They plan to have about 400 sq. ft. of bulk warehouse space in the larger building.

Mr. Hargis stated that the other entrance to the property is at an existing curb cut. They will come in and loop to the ridge where they will build an office building complex two/three/four/five stories tall with terraced parking and about 250,000 sq. ft. of office space. There are about 60 acres for the 250,000 sq. ft. of office space. They are proposing that the main entrance road taper to a 28-foot two-lane roadway, which can be landscaped and bermed on each side. Along one side would be the bulk of the manufacturing use. They have had interest from out-of-state people in 50 to 100 acre sites. The sites will range from five acres to 30/40/50+ acres. The manufacturing facilities would range from 25,000 sq. ft. to 400,000 sq. ft.. He indicated an area shown in orange on the Plan and advised that this area in front is requested for C-2 and 40,000 sq. ft. of strip-type shopping plaza. The outparcels would have restaurants, possibly fast food. The primary purpose would be a neighborhood-type commercial area to serve the residents in the area and in the park. He indicated a red area on the Plan and advised that it is a flag lot created by the airport property and ideal for an office building as it has visibility to the airport.

Mr. Hargis stated that the center line of the flight path is through the site and he indicated the clear zone. He stated that with the noise created from the flight path, it is unlikely that the property will be developed as strictly an office park.

Mr. Hargis quoted the definition of Business Park, ". . . integrated office campus and/or industrial warehouse developments with a parklike setting characterized by landscaped entrances and boulevard streets . . .". He stated that there can be active or passive recreational facilities. He stated that he does not think this type of activity attracts active recreational facilities. He commented on their experience as owners of Thomas More Center, where there are walking paths as a passive activity. He added that they cannot retain every swale and every tree but they have made a sincere attempt to retain 80% of the swale areas and the larger trees.

Mr. Jack Gehrum of Pflum, Klausmeier & Gehrum stated that they had not formally submitted their report, but have done their analyses. They have given the Staff some preliminary findings. The Trip Generation Figures given in the Staff Report are close to their figures. They have looked at the three proposed access points and are saying that the main drive will function for 65% of the traffic associated with the park and about 17% and 18% at the other two drives. The P.M. and A.M. traffic is the major consideration as that is when employee movements are the largest. They expect that KY 20 traffic is at its peak and it is safest at that point. At the time the park is fully developed, they expect to warrant a traffic signal at the drive, particularly during the peak periods, and it may be a flashing light at other times. He stated that KY 20 is one lane going each direction. When the one lane going left serves the 1500 residents that may eventually be there and they are at full development, a signal would be absolutely necessary. There would be a need to have one good lane for left turn movements. He added that people in vans and mini buses are now making a 180° turn at the intersection. If the vans and buses try to turn left into the park, it would be necessary to look at the driveway access point. The vans and mini buses come to about 48 an hour and are significant. He stated that the other two driveways would serve as they are proposed.

Mr. Hargis stated that their presentation was complete.

Mr. Burch asked if there was anyone else present who wished to speak in behalf of the request.

Mr. Jim West, Executive Director of Tri County Economic Corporation, stated that their new Executive Director, Dan Bertke, was also present. He stated that they have been watching this property, but because there was no zoning or infrastructure, they have not been able to do anything with it. They are delighted that Hemmer Construction Company is purchasing the property and considering development. He stated that Hemmer is a quality developer who will provide the infrastructure and needed controls. Mr. West stated that they have shown the property to industrial and office projects looking to locate in the area and one of the things that attracted them to the property was the potential for utility service. He added that the west end of the property has potential for industrial use and the east end is better suited for office or commercial development considering the topography. The interstate access and exposure to the interstate has caught the attention of several people that looked at the site. The west end of the property offers the advantage of exposure to the interstate. He added that the property is adjacent to the airport and this is a drawing card for a lot of projects. There is easy access to the airport. He stated that they are in favor of the development and submitted a letter to the Commissioners.

Mr. Hargis distributed a brochure showing the type of buildings they propose for the property.

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

Mr. Chris Harmes stated that three or four properties will be entrapped with industrial uses around them. He questioned what would be done about those properties.

Mr. Hargis stated that they will be making improvement only on their own property. He stated that they have contacted the residents of properties between KY 20 and Elijan Creek that they do not own.

Mr. Harmes indicated the highway on the large drawing and stated that there are four or five homes between the highway and the industrial use. This development will reduce their value as residential property and increase their value for industrial use.

Mr. Robert Moore, who lives on KY 20, stated that this is supposed to be an industrial park, but they are talking about fast food restaurants. Mr. Burch advised that the C-2 Zone would accept such uses. Mr. Moore questioned if there could be a "Dream Street".

Mr. Burch stated that the Committee would look into this. He added that he is assuming that Mr. Moore would not be in favor of such a situation.

Mr. Moore stated that he built his house two years ago to get away from the congestion on Mall Road and now he is getting it back again. He added that his driveway is near where they want to put an entranceway.

Mr. Bert Pall stated that he owns property on Elijah Creek Street. The water comes down the driveway through his property and there is no culvert. He indicated the location of his property on the drawing for Mr. Hargis. Mr. Pall stated that he is concerned about water coming from the old house and across his property. He is afraid the situation might get worse.

Mr. Mike Baumgartner stated that he lives in the house next to the trailer, which is owned by his mother-in-law. He stated that they will have industrial behind them and the traffic in front of them.

Mr. Pall questioned if city water would ever come up Elijah Creek.

Mr. Allan Holesworth stated that he lives in Bluebird and they are being smothered out. He does not think the water system will do the job as the pipes are always broken down. He does not think the road will take the traffic.

In response to a question from the audience, Mr. Hargis stated that they will leave a buffer in the general area of the main entrance. He added that these are not final plans and they are flexible.

Mr. Harmes stated that their properties should be bought out as part of the project. He stated that it is silly to leave four or five houses in the middle of a complex this large.

There being no further comments from the audience, Mr. Burch asked if there were any comments from the Commission.

Mr. Collins stated that he did not like the idea of the airport property being landlocked and he does not care for there being five or six buildings in the flight path, which would be a hazard to the employees and the people on the plane.

Mr. Reis asked for clarification of Staff Concern #5. Mr. Geohegan advised that the request mentioned in Staff Concern #5 was on Hausman Road, having frontage on KY 20, with part on the other side of I-275. It was an approximate 15-acre site. He reviewed a request this past fall to change a nearby site to Business Park which was denied.

In response to a question from Mr. Damstrom, Mr. Hargis stated that they estimate 1,500 employees in the park.

Mr. McMillian referred to Staff Concern #6 regarding recreation and stated that he agrees with the Staff that walkways would not be adequate for a park this size. He noted that some developments have a ballpark.

Mr. Owens questioned who would conduct the archaeological study recommended by the Staff. Mr. Geohegan advised that if this is made a condition, the Historic

Preservation Review Board would recommend professional consultants and the developers would pay the cost.

Mr. Reis commented that Thomas More Office Park had a plan like this set up and about two years later it changed entirely. He asked if they have tenants lined up.

Mr. Hargis stated that they do not have tenants lined up. They are here for a zone change so that they can start attracting tenants. He added that neither Thomas More or this development is a PUD development where they have to adhere strictly to what was shown on the drawings. He added that Thomas More Development Group started the Thomas More development and Hemmer took over about 2½ years ago.

Mr. Owens asked if the applicant would agree to the archaeological study.

Mr. Hargis stated that if they discover something on the property when they start construction, they will stop construction and notify the Staff. He stated that he could not say that they are willing to spend \$50,000 to do a study. They will commit to stopping if they find something.

Susan Cabot, Historic Preservation/Rural Planner, stated that a professional recognizes remains that others may not recognize as significant.

Mrs. Smith questioned the three entrances to the property and Mr. Gehrum indicated them for her. Mr. Hargis advised that the entrance to the commercial area is an existing driveway going back to the house that is there. They feel that people will then be able to go in from KY 20 and back out to the neighborhood rather than going through the industrial area.

Mr. Kirby questioned how long the archaeological study would delay the project and how much it would cost.

Miss Cabot advised that they are talking about testing only -- not a major archaeological dig. The on-site testing would be a week to ten days with analyses following. She would estimate a cost of \$10,000 to \$20,000.

Mr. Costello advised that there is a similar situation at Watson Gravel where they have run into some archaeological sites. They have hired someone to do a detailed investigation and provide a report to the Commission. He stated that it is recommended that pre-testing occur.

Mr. Geohegan referred to the brochure distributed by Mr. Hargis and asked if the pictures correspond to specific buildings on the plan. He asked if the park will be similar to Mineola or Circleport. He questioned the type of industrial uses and if the industrial buildings will look like the buildings in the brochure.

Mr. Hargis stated that there are 8 or 10 photographs in the brochure. Three of four of them are typical of the office buildings they do, two are typical of the multi-tenant office research buildings they do, and two are typical of single-user industrial-type buildings that they do.

Mr. Owens questioned if it was normal for them to advertise the park before coming before the Commission. Mr. Hargis advised that it is, noting that P & G test markets. He stated that they put it in their brochures to see what type of users it will attract and if there seems to be a project they should move forward with right away.

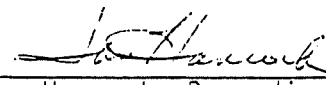
There being no further comments, Mr. Burch advised that the first time this item could come before the Commission is February 6, 1991 at 8 P.M.. Interested parties should check with the office to see if this item will be on the agenda that evening. Mr. Burch closed this public hearing.

APPROVED:


A handwritten signature in cursive script, appearing to read "Fred Burch", is written over a horizontal line. A small arrow points downwards from the end of the signature line.

Fred Burch, Vice Chairman

Attest:


A handwritten signature in cursive script, appearing to read "Jan Hancock", is written over a horizontal line.
Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

February 6, 1991 8:00 P.M.

Mr. Fred Burch, Vice Chairman, called the meeting to order at 8:15 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Fred Burch
Mr. Lawrence Collins
Mr. Phil Damstrom
Mr. Melvin DeLong
Mr. R. N. Greene
Mr. Rector Jones
Mr. Robert Kirby, Jr.
Mr. Don McMillian
Mr. Barry Neltner
Mr. Thurman Owens
Mr. Robert Ries
Mr. Ralph Rush
Mrs. Carol Smith

COMMISSION MEMBERS NOT PRESENT:

Mr. Floyd Sharp
Mr. William Viox, Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Mr. Burch stated that each member had received a copy of the Minutes of the Business Meeting of January 16, 1991 and the Public Hearings of January 16, 1991. He asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. Owens moved that they be approved as mailed. Mr. Damstrom seconded the motion and it carried unanimously.

REPORTS:

Mr. Burch stated that the Zoning Enforcement Officer's Report, the Report of Zoning Permits, the Report of Conveyance Plats, the Report of Building Permits, and the Zoning Inspector's Report had been distributed for the Commission members to review.

There being no discussion of the reports, Mr. Burch proceeded to the Unfinished Business Items.

UNFINISHED BUSINESS:

1. Zoning Map Amendment

The request of Paul Hemmer Construction Company (applicant) for Paul Hemmer Associates III (owner) for a Zoning Map Amendment on a 264.40-acre site located on the north side of KY 20 and Elijah Creek Road, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Industrial One (I-1) and Commercial Two (C-2). The proposed project is a mixed-use industrial/commercial/office park named Airpark International.

Staff Member, Dave Geohegan, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report).

Mrs. Smith noted that the Report says that the developer and the Planning Commission will work with the airport in regard to access between the commercial and Elijah's Creek. Mr. Geohegan indicated on the plan an area next to Elijah's Creek Road where there is a section of airport property immediately adjacent to the site. The idea is to get access to other properties, such as the Shor property, without having to go on KY 20. In order to get back far enough from KY 20 with the driveway, it may be necessary to cross the airport property. Mrs. Smith commented that the access would be off Elijah's Creek, possibly through the airport property. Mr. Geohegan agreed.

Mr. McMillian noted that this developer has a long-standing violation and asked if this request could be deferred until that violation is resolved. Counselor Wilson advised that this application must stand on its own merits and cannot be deferred until the other violation is resolved.

Mr. McMillian moved that the request be approved based on the Staff and Committee Reports. Mr. Jones seconded the motion.

Mr. Greene asked if the applicant knew when he purchased the property that he would have to have an archaeological study. Mr. Hargis advised that they did not.

Mr. Greene stated that the applicant should not have to go to the expense of an archaeological study on the entire property. If there are some archaeological sites on the property, they should have been noted before he bought the property. Mr. Greene stated that he is concerned about this requirement.

Mr. Burch stated that the key word is "preliminary" -- this is not a full blown study, but a preliminary study. He noted that a list of experts has been sent to the developer and he has agreed to pay for the preliminary study.

Mr. Greene emphasized that he is not in agreement with this requirement. He stated that he feels that they should stop work if they find something, but should not have to do an archaeological study before they even grade the site.

Mr. DeLong encouraged the applicant to be sure that the trees that are not to be cut down are not cut down and to help with the erosion problems.

Mr. Collins asked if the applicant has agreed to all of the conditions. Mr. Burch advised that the applicant has agreed and has signed the agreement.

There being no further comments, Mr. Burch asked for a vote on the motion made by Mr. McMillian and it carried unanimously.

2. Site Plan Review

The request of Watson Gravel, Inc. (owner) for a revision of a previously approved Site Plan for a 133-acre parcel located on the northwest side of KY 20, Boone County, Kentucky. The site is zoned Industrial Three (I-3).

Staff Member, Greg Tulley, presented the Staff Report (see Staff Report). He read a letter signed by the owner/applicant, Mr. Ronald Watson, indicating his agreement to have the Phase III excavations conducted.

Mr. Tulley read the Committee Report which recommended approval of the request based on the Staff Report (see Committee Report).

Mr. Collins moved that the request be approved based on the Staff and Committee Reports. Mrs. Smith seconded the motion.

Mr. Greene stated that this was previously approved and is a good example of what he was talking about in the last request.

Mr. Tulley advised that many times it is after a little excavation is done that a significant find is made -- which leads to the need for further study. Mr. Costello added that the Zoning Regulations require that archaeological sites be identified in the Industrial Three Zoning District. The previous plan did not identify those areas, so they are in violation of the previous plan. Mr. Costello added that Mr. Watson has been able to develop his site while doing the investigation.

Mr. Greene emphasized that he is opposed to the archaeological study requirement.

Mr. Collins asked for clarification of the three sites. Susan Cabot, Historic Preservation/Rural Planner, advised that there were originally three sites, but the third site was discounted early in the process.

EXHIBIT "B"

COMMITTEE REPORT

#1

TO: Boone County Planning Commission

FROM: Phil Damstrom, Chairman

DATE: February 6, 1991

RE: Request of Paul Hemmer Construction Company (applicant) for Paul Hemmer Associates III (owners) for a Zoning Map Amendment for a 264.40 acre site located on the north side of KY 20 and Elijah Creek Road, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Industrial One (I-1) and Commercial Two (C-2). The proposed project is a mixed-use industrial, commercial and office park named Airpark International.

REMARKS:

We, the Committee, recommend approval based upon the following Findings of Fact and with the following Conditions:

FINDINGS OF FACT:

- 1) With the attached conditions in this report, the proposed industrial, office, and commercial development meets the general guidelines of the Comprehensive Plan's Land Use Element, which recommends the Business Park land use classification. Specifically, the street scaping, large building setbacks, retention of existing vegetation, and design review procedure are all recommendations made for future Business Park areas. The request also contains a significant amount of office development which is consistent with the Comprehensive Plan's recommendation for the area. In addition, the applicant has agreed to retain certain areas of existing wooded hillsides, which is consistent with the Comprehensive Plan's designation of Developmentally Sensitive for portions of the site. Specific references to the Comprehensive Plan are made in the 1/16/91 Staff Report.
- 2) Upon evaluating this request, the Committee believes that business park land uses can be developed under Industrial One (I-1) zoning, as long as appropriate development controls for the design of the project are included.
- 3) The applicant has shown that the existing zoning of Agricultural Estate (A-2) is not appropriate for the site because of the airport noise impacts and the fact that a flight path lies directly over this site. The proposed zoning of Industrial One (I-1) is appropriate for the site because it correlates with the airport flight patterns while not adversely affecting existing or planned residential development.

CONDITIONS

The applicant is being asked to agree to include these items as part of the Concept Development Plan in order to clarify the plan presented at the 1/16/91 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.


1. In order to give the proposed industrial and office development a business park character and be consistent with the Comprehensive Plan recommendations, all portions of the 264.4 acre development shall undergo architectural design review by the Planning Commission's Technical Committee. The Committee shall use the Houston-Donaldson Study Design Review Standards (attached to this report) to evaluate individual site plan applications. At the Preliminary Plat stage, a sign package shall be designed that includes monument style signs and a consistent sign style. No pole mounted signs shall be permitted in the 264.4 acre development. The design of all industrial buildings shall include an office appearance at the front, consistent building materials, screened loading areas, completely screened air conditioning, ventilation, and electrical equipment. The minimum front yard building setback for the industrial uses shall be 100 feet from the right-of-way.
2. The applicant shall be required to have preliminary archaeological investigations conducted on the 264.4 acre site prior to grading. These investigations shall be comparable to Phase I of the State of Kentucky's requirements for archaeological excavations. This procedure will be conducted to determine if the site contains any significant archaeological resources. The preliminary investigation shall be supervised by the Boone County Planning Commission and conducted by a certified archaeologist agreed upon by the developer and the Boone County Planning Commission (see attached list of certified archaeologists). The developer shall bear the cost of the preliminary investigation. The archaeologist shall submit a copy of the report directly to the Planning Commission. The Planning Commission and developer shall then determine what steps need to be taken and what organizations need to be involved in addressing any significant archaeological findings. The allocation of costs of further investigation shall be negotiated between the developer and proper authorities. In addition, the developer must immediately notify the Planning Commission if any archaeological sites are encountered by construction workers during site work. The Planning Commission may require a portion of the site work to cease until further archaeological investigation is conducted.
3. The development shall be limited to three access points onto KY 20. Truck traffic should be discouraged at the commercial entrance unless the trucks serve the commercial portion of the development. The developer shall work with the Planning Commission and the Airport to try to achieve access between the commercial area and Elijah's Creek Road. The proposed access from KY 20 to the proposed office development shall contain a sufficient level stretch of roadway before proceeding downhill into the development.

In addition, access shall be provided to the residential Walton Road area along KY 20, and to both airport properties. Property along Walton Road should be accessed through the proposed office/warehouse portion of the development, and the existing Walton Road access should be eliminated.

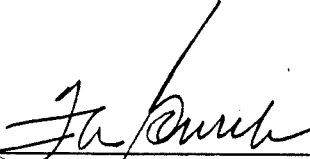
4. All streets in the development shall be publicly dedicated and meet the county street specifications. The proposed roadway serving the industrial portion of the development shall be designed and built as a boulevard. The street shall contain minimum 12 foot wide travel lanes and a planted median which converts to turn lanes at appropriate locations. Undulating berms and street plantings shall be installed along this street to give it a parkway appearance, and to screen all parking areas. The right-of-way shall be required to be a minimum of 60 feet to allow this landscaping and the planted median. Driveway entrances shall be limited and combined wherever possible, and must be coordinated to enable appropriate site access with the median design. The proposed cul-de-sac end shall be eliminated, and a public right-of-way shall be dedicated to the west property line to provide for future access to residential development. The location of this future street connection shall be determined at Improvement Plan review. The location of the end of the proposed major street shall be at least as close to the west property line as shown on the submitted Concept Development Plan, and can include a temporary turn-around. The developer shall dedicate additional right-of-way for future improvements to Elijah's Creek Road if needed through the subdivision review process.
5. All site access points shall include right-hand deceleration lanes on KY 20. In addition, the southernmost entrance shall include a left-turn lane on KY 20, if required by the KY Department of Highways. The design of all turning lanes shall be coordinated with the Planning Commission and KY Department of Highways. As recommended by the submitted traffic study, the main street shall contain two entrance lanes and two exit lanes.
6. The developer shall provide a traffic signal at KY 20 as recommended in the submitted traffic study, when the intersection meets a signal warrant or an unsafe condition becomes apparent.
7. Development plans and site design shall be adjusted to utilize more of the existing vegetation and topography as recommended in the Comprehensive Plan. The wooded areas depicted as undisturbed on the submitted Concept Development Plan shall constitute the minimum remaining wooded areas. The developer shall walk the site with Planning Commission staff and clearly mark all disturbed limits before any site work. Erosion control measures will be required at grading plan or improvement plan review to protect sensitive areas and streams.
8. The development shall include buffering in the form of mixed tree plantings, specifically along the west property line or when Lot 7 is developed and around the Walton Road residential area, wherever existing tree cover or berms do not constitute a sufficient buffer.

9. The proposed commercial portion of the development shall be designed so that some mature trees are retained in that area. All the commercial buildings shall be of consistent architecture and contain extensive landscaping. Access to the main entrance roads of the development shall be a sufficient distance from KY 20.
10. All development shall be served by public water and sanitary sewer improvements like those referenced in letters submitted by the applicant.
11. The developer agrees to construct a pedestrian network along the proposed roadway network.
12. As indicated in the Boone County Zoning Regulations, the proposed office uses are a conditional use in the I-1 zoning district. The applicant will need to receive a Conditional Use Permit from the Board of Adjustments to develop these uses.
13. The developer is encouraged to contact organizations that may be interested in preserving a portion of the undeveloped hillside area. The Planning Commission will furnish a list of such organizations.
14. The applicant agrees to work with the Hebron Fire District to ensure adequate water pressure.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.



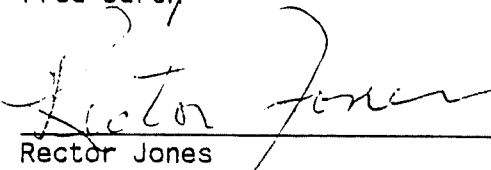
Phil Damstrom, Chairman



Fred Burch

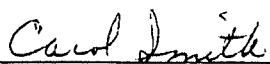


Larry Collins



Rector Jones

Barry Neltner



Carol Smith

Floyd Sharp

PD:kat

DESIGN REVIEW IN THE HOUSTON/DONALDSON STUDY AREA

I. Purpose

According to one of the purposes of the Houston/Donaldson Study, there is a need to provide a framework for future growth in a key location in Boone County. This framework involves an assessment or evaluation of existing infrastructure (e.g. roads, water service and sanitary sewer service) and planning the necessary improvements in order to guide future development that is based upon recommended land uses. The recommendations of this Study include the types and intensities of land uses, levels of traffic improvements, water and sanitary sewer provisions and a new element entitled, "design review." The basic premise or purpose of design review is to simply protect the general public's view, overall community visual appearance and the existing natural landscape.

Design review is based upon the fourth goal of the Houston/Donaldson Study, or more specifically, "to ensure that the recommended land uses and the type of development occurs in conjunction with appropriate exterior appearance to the general public." Design review becomes important as the Study Area has an enormous amount of public visibility from major public thoroughfares. Also, future development should preserve as much as possible the natural terrain and vegetation in order to minimize any adverse visual or aesthetic impact.

II. Intent and Objectives

The purpose or intent of establishing a procedure for reviewing exterior design features of newly constructed commercial, office and industrial buildings is to protect the existing and planned public investment in the Houston/Donaldson Study Area. The public investment refers to the existing infrastructure such as the road and utility systems and future improvements. The Study is sensitive to the recommended land uses and zoning based upon the existing infrastructure and needed improvements. Any future improvements to the existing infrastructure system will most likely be the result of actions by local and state government officials and by developers in the area. What makes this area unique to Boone County is the rapid pace of development and the amount of investment already occurring. A formal design review process would help ensure orderly and compatible development in the Study Area. Design review is based upon the recommendations of the Study and would only include those external features subject to public view from a public street. Design review is based upon the following objectives:

1. To formulate a procedure or process which would protect the public's view and create a harmonious development pattern in a specified area.
2. To protect and promote the economic and general welfare of the public and to encourage complementary, orderly and efficient growth and development.
3. To ensure that future development occurs with appropriate exterior appearance because the area has a high level of visibility from major public thoroughfares.
4. To protect and enhance the existing topography and other natural landscape features.
5. To encourage compatibility and visual continuity among structures and land uses in the Study Area.
6. To be consistent with the objectives of Planned Development (PD), Article 15, Boone County Zoning Regulations and the goals and objectives section of the 1986 Boone County Comprehensive Plan, which recommends the utilization of proper design principles among land uses.
7. To educate the public and foster civic awareness concerning the importance of aesthetics based upon a study of recommended land uses and zoning.
8. To assure that appropriate design features are built and maintained according to approved plans.
9. To establish criteria and standards for evaluating the exterior appearance of a proposed building or site.

III. Procedure/Application

Upon submittal to the Boone County Planning Commission of every Site Plan for each proposed building in the Study Area, each applicant will submit four (4) sets of architectural drawings or renderings of the site and office, industrial and commercial building plans showing the external features of the building and site (including elevations), which are subject to public view or from a public street. These features are described later in the following section. At the same time a Site Plan is being reviewed and approved by the Boone County Planning Commission, the building plans and architectural drawings or renderings of a site will be reviewed by a designated Committee of the Boone County Planning Commission. Time limitations will remain the same or in accordance with Site Plan Review unless otherwise indicated. This Committee will be working with Staff and will possess the appropriate technical background to review and evaluate the set of plans. The Committee and/or Staff may at

some time seek the technical assistance of others in reviewing these plans or drawings. A minimal fee may be required to be paid by the applicant in order to complete the staff review. The experts and Staff will not vote on the approval or disapproval of any design plans. During the review process, a meeting will be set up with the applicant to discuss the details of the design plans. If for some reason an applicant does not submit the building plans, architectural drawings or renderings at the Site Plan Review stage, then the applicant can only receive conditional approval of the Site Plan pending final approval on the building plans, architectural drawings or renderings. The applicant will have up to thirty (30) days to submit the building plans, architectural drawings or renderings from the date of approval of a Site Plan. Upon submittal of the Design Plans, the Boone County Planning Commission will approve or disapprove the Design Plans within the time period equivalent to two business meetings.

IV. Criteria and Standards Used for Evaluating Design Plans

In general, the designated Committee of the Boone County Planning Commission and Staff will review and evaluate design plans based upon the following criteria:

- a) overall architectural integrity;
- b) compatibility with surrounding land uses and structures;
- c) relationship with the natural topography, vegetation and open space and;
- d) public visibility and accessibility from I-75, Houston Road, Turfway Connector, Turfway Road and the Houston Road extension and other minor public streets.

Specifically, an applicant should consider the following applicable standards, when formulating design plans (e.g., building plans, site plan and architectural drawings). These standards are intended to be a guideline by which an applicant submits information to the Committee for review and evaluation. From the submission of design plans and based upon the following standards, the Committee will determine if the submitted plans are consistent with the Purpose, Intent and Objectives sections of this element and the criteria and standards used for evaluating such plans.

Applicable Design Standards

1. Height - The height of any structure should be in accordance with the limitation of the underlying zone and should be compatible with the existing buildings in the Study Area. Other restrictions consist of building height and meeting airport clearance regulations.

2. Building Facades - Building facades should be designed in the same architectural style if part of a large commercial, retail or office center. Individual building facades not part of larger development or industrial building facades should be compatible with surrounding structures. If a structure has double-frontage or double entry (faces 2 or more streets), the type of facade shall be same.
3. Windows and Doors - The type, location and size of any window and door should be dependent upon the relationship of width to height of any proposed structure. Service or delivery doors or windows should be limited from public view or from a public street. Appropriate screening should be required in order to minimize their visual effect.
4. Placement or location of buildings - Consideration should be given to the most appropriate location of buildings based upon access and direct visibility. The location of any building should not interrupt a continuous visual pattern from the public view. Building location should be planned to accomplish a desirable transition with the landscaped areas, pedestrian areas, and parking areas. Building setbacks can vary in order to allow appropriate building location.
5. Relationship of Materials - At least 30 percent of the building or the portion facing a public street or the front elevation portion of a building in the industrial section of the Study should be of non-metal material such as but not limited to brick, refined stone, stucco, wood, decorative masonry, or architectural concrete. An appropriate type of architectural metal siding may be permitted. Regular painted cinder block or smooth face block will not be permitted in the area subject to public view from a public street. At least 60 percent of the building in the office and commercial zones should be of non-metal material as previously mentioned above. Materials should be of durable quality and should be in harmony with surrounding buildings in color and texture.
6. Relationship of Color - Consideration should be given to the predominant color that may be of a natural material or a patina color by time. Color refers to trim work and a majority of a building and should be in harmony with adjacent structures and the natural environment. Colors should be harmonious and only compatible accents should be used for any trim work. Unusual bright colors should not be used on the majority of any building, but may be permitted as a compatible accent to any building.

7. Entrances and Porch Projections - Entrances and porch projections (enclosed or open) should be designed so as to provide rhythm and open space at an intimate scale.
8. Architectural Details - Architectural details including, but not limited to arches, cornices, balustrades, iron work and chimneys should be designed in relationship to the structure itself and to the architecture of surrounding buildings. If adjacent buildings are of different architectural styles, they should be made compatible by such means of a buffer area, sight breaks, and building materials.
9. Roof Types and Shapes - Roof types and shapes should be designed in accordance with the design of surrounding buildings. Mechanical equipment or utility equipment located on building roofs in commercial office and industrial zones and visible from public view from a public street should be screened with materials harmonious with the building. A maximum four (4) foot parapet should be used in office and commercial zones to screen the roof utility equipment from a public street. An attempt should be made to screen utility equipment in industrial zone. An effort should be made to locate this equipment in areas not directly visible from public view.
10. Scale - Consideration should be given to the scale of each building and architectural detail, which relates to the size of man and the natural environment. In rendering this decision, emphasis should be given to building mass and how it relates to open space.
11. Elevation - The elevation of any site or structure should be determined by the grade of any existing or proposed public road. Consideration should be given to the relationship between the width of height of the front, side and rear elevation of any building from a public road. Exposed foundations and building elevations from a public street should be minimized. Building eaves should not exceed an elevation of not more than 2-1/2 percent slope.
12. Groundcover or Paved Surface - Emphasis should be placed on preserving at a reasonable rate the amount of open space. The interior road system, sidewalk system, and parking lot should be designed with this in mind. Paved surface refers to cement, brick pavement, asphalt, cobblestone, or other similar type surfaces. In industrial sections, 30 percent of the front yard property area should include office employee and visitor parking. Other employee parking in industrial, commercial and office zones should be encouraged on the side and rear portions of the building. Parking areas should be treated with decorative elements, fence, or wall extensions, plantings, berms as other means so as to

screen parking areas from public view. Large parking lots should be designed with landscaped islands. Parking lots and driveway aisles should be either asphalt or concrete. Concrete curbs should be used around the perimeter of the parking lot. Landscaped entrances with trees and bushes should be encouraged near the entrances of any commercial, retail or industrial development. Continuous curbs or wheel blocks should be placed between a parking area and a sidewalk.

13. Fences, Walls and Landscaped Berms - Consideration should be given to brick walls, fences and landscaped berms, which would produce a continuous cohesive wall of enclosure on a lot line or adjacent to a road. These fences and walls should be designed and maintained in relationship with character of the surrounding land uses and structures. Chain link fence in commercial and office zones should not be permitted in areas subject to public view from a public street. A decorative type of fence can be used as an alternative. In industrial zones, chain link fences may be used in the front for security reasons, but should be sufficiently landscaped. Trash dumpsters should not be visible from public street. If located in this area, an appropriate screen shall be required.
14. Landscaping - Consideration should be given to the predominance of a quality and quantity of landscaping although emphasis shall be with the amount and continuity of landscaping. Landscaping details will be evaluated on the entire site and surrounding any proposed structure and shall be reviewed in relation to adjacent properties. A special attempt should be made to preserve the existing vegetation if any and encourage additional open space for the public's benefit. When natural or existing topographic patterns contribute to the appearance of a site, it should be preserved as much as possible. Plantings should be used to soften the impact of parking and loading areas. Plant material should be selected on the basis of texture and color and for its ultimate growth to provide a visual screen for the public.
15. Signage - Signage should be designed to protect the visual order of any site and to minimize the impact of adjacent properties. Consideration should be given to the number, location, size and height of any building mounted sign or free-standing sign. A signage package for the entire site should be developed in accordance with the Signage Element of this Study and in uniformity with the existing signs in the Study Area.

16. Detention/Retention Ponds or Lakes - Large detention/retention ponds or lakes should be discouraged in the front yard or in an area subject to public view from a public street if not used for stormwater and aesthetic purposes. Smaller detention/retention ponds or lakes appropriately designed and landscaped should be encouraged and distributed throughout the site and may appear in the front yard or in an area subject to public view from a public street.
17. Lighting - Exterior lighting, whether free-standing or building mounted, should enhance the building design and the adjoining landscape. Lighting fixtures should be of a design and size compatible with the building and adjacent areas. Lighting should be restrained to prevent excessive brightness and undue glare on adjacent properties or public street.
18. Retaining Walls - The placement of retaining walls, which are visible to a public street, should be minimized. If located in an area subject to view from a public street, then either brick facing or some other type of decorative masonry or textured concrete material or appropriate landscaping should be used.
19. Utilities - All utility service lines to the building and possibly main lines to or within the site should be located and installed underground. Alternatives may be possible if this requirement is economically infeasible.
20. Maintenance - The property owner of each parcel is responsible for the proper maintenance and visual appearance of each building and site in the Study Area.
21. Registered Kentucky Seal or Stamp - Each set of architectural drawings or renderings and building plans should include the stamp or seal of a registered architect and/or engineer from the Commonwealth of Kentucky.
22. Waiver of Requirement - The Boone County Planning Commission, upon recommendation of the Committee's report, may waive any requirement or standard based upon a sufficient alternate design; the discovery of a new type of technology; the design has a minimal impact on the public; or the fact that the requirement may cause undue economic hardship upon the applicant. The purpose of this waiver is to allow some flexibility based upon sound design principles and the economic realities of such design.

V. COMMITTEE RECOMMENDATION

Based upon the thorough review and evaluation by the appropriate Boone County Planning Commission Committee and Staff, the Committee shall recommend approval or denial to the full Planning Commission in the form of a report. The Committee decision or report is based upon a majority vote of the Committee. By a majority vote of the members present, the Boone County Planning Commission will vote to approve or deny the building plans, architectural drawings and renderings of the site, which relate to the exterior appearance of the project subject to public view. If the applicant's sign package is ready at the Site Plan stage, it may be incorporated into the Committee's report so that the necessary sign permit(s) may be issued. The signage package may be submitted at a later date and follow the approval procedure described in the next section, Special Sign Regulations-Houston-Donaldson Study Area. The absence of a signage package for the site under review shall in no way affect the review.

Approval of the Design Plans (i.e. building plans, architectural drawings and renderings) is dependent upon the approval of a Site Plan. Both the approval or disapproval of the Site Plan and Design Plans will be forwarded to the appropriate Building Inspector's office in an effort to determine if and when the City of Florence or Boone County can issue a building permit to begin construction. A Site Plan can be approved with a condition that the Design Plans be approved by the Boone County Planning Commission at a later date.

If the Committee recommends a denial of the request or disapproval of the design plans, the applicant can appeal the Committee's decision to the full Planning Commission membership. If the Planning Commission agrees with the Committee's decision or report, recommending denial or disapproval, and votes in accordance with the Committee Report, the applicant may appeal the Planning Commission's decision to the appropriate Board of Adjustment in accordance with Article 2, Boone County Zoning Regulations. If the building plans, architectural drawings or renderings are disapproved or the request denied, the Committee and Planning Commission shall indicate the reason(s) for such action in the form of a written report.

1989

ARCHAEOLOGICAL CONSULTANTS AVAILABLE FOR
CULTURAL RESOURCE ASSESSMENTS IN KENTUCKY

Note: Inclusion on this list is by request and does not constitute a recommendation or endorsement of any institution, firm or individual by the State Historic Preservation Officer

INSTITUTIONS

University of Louisville
Archaeology Program
Louisville, KY 40292
Contact: Mr. Philip DiBlasi
Phone: 502/588-6724 (h)

Northern Kentucky University
Department of Sociology and
Anthropology
Highland Heights, KY 41076
Contact: Dr. Barbara Thiel
Phone: 606/572-5524

University of Cincinnati
Department of Anthropology
811 Swift Hall
Mail Location 380
Cincinnati, OH 45221-0380
Contact: Ms. Rebecca Hawkins Bennett
Mr. W. Douglas Porter
Phone: 513/556-2772

Memphis State University
Department of Anthropology
Memphis, TN 38152
Contact: Dr. David H. Dye
Phone: 901/454-2618

Murray State University
Department of Sociology and
Anthropology
Murray, KY 42071
Contact: Dr. Kenneth Carstens
Ms. Pam Schenian
Phone: 502/762-4058
502/762-3054

University of Kentucky
Department of Anthropology
Program of Cultural Resources
Assessment
Lafferty Hall
Lexington, KY 40506-0024
Contact: Dr. Richard Jefferies
Phone: 606/257-1944
606/257-5735

University of Tennessee
Trans. Center
Knoxville, TN 37996-0700
Contact: Charles Bentz
Phone: 614/974-5255

Illinois State University
Midwestern Archaeological Research Center
Dept. of Sociology-Anthropology
Edwards Hall 104
Normal, IL 61761-6901
Contact: Dr. Charles E. Orser, Jr.
Phone: 309/438-2271

PRIVATE FIRMS

American Archaeological Consultants, Inc.
4217 Penn Court
Bloomington, IN 47401
Contact: Dr. Richard Levy (717) 2.
Phone: 812-333-2213

APA Associates
P. O. Box 862
Parkersburg, WV 26102
Contact: Jeffrey R. Graybill
Phone: 304/428-3000

Arrow Enterprises
1128 Cave Mill Road
Bowling Green, KY 42101
Contact: Dr. Jack Schock
Phone: 502/843-1574

Archaeological Consulting Services
5317 Old Middleton Road
Madison, WI
Phone 608/231-1975

Cultural Resource Analysts, Inc.
143 Walton Avenue
Lexington, KY 40503
Contact: Mr. Charles Niquette
Phone: 606/252-4737

J. E. Granger Consultants
8708 Eton Road
Louisville, KY 40241
Contact: Dr. Joseph Granger
Phone: 502/588-6864 (w)
502/425-7326 (h)

Calvert W. McIlhany
101 Wallace Pike
Bristol, VA 24201
Phone: 703/669-0281

Janzen, Inc.,
1111 Glen Eagle
Danville, KY 40422
Contact: Dr. Donald E. Janzen
Phone: 606/236-3000

Vendel Enviro-Industrial Consultants
1720 Larsen Drive
Pittsburgh, PA 15243
Contact: Frank J. Vento and
Philip T. Fitzgibbons

Garrow & Associates, Inc.
3772 Pleasant Dale Road
Atlanta, GA 30349
Phone: 404/451-0513

Betty J. McGraw
Consulting Archaeologist
2009 St. Michael Drive
Lexington, KY 40502
Phone: 606/268-2148

Glyn D. DuVall
DuVall & Associates, Inc.
P. O. Box 150625
Nashville, TN 37215-0625
Phone: 615/292-0676

Cultural Resource Consultants
P. O. Box 4206
Midway, KY 40347
Contact: Kurt H. Fiegel
Phone: 606/846-4187 (h)
502/564-7250 (w)

PRIVATE FIRMS

Mark S. Rosenzweig, Ph.D. SOPA
Ecology and Environment, Inc.
195 Holtz Drive
P. O. Box D
Buffalo, NY 14225
Phone: 716/633-9881

New South Associates/
John Milner Associates
689 Rosalia Street
Atlanta, GA 30312
Phone: 627-1980/621-0823
Contacts: J. W. (Joe) Joseph,
Principal Archaeologist

Commonwealth Cultural Resources Group
102 N. Durand Street
Jackson, MI 49202
Contact: Donna Roper, Ph.D.
Principal Archaeologist, and
Donald J. Weir, Mgr.
Phone: 517/788-3561
517/788-3426

Archaeological Services Consultants, Inc.
P. O. Box 02095
Columbus, OH 43202
Phone: 614-268-2514
Contact: Shaune M. Skinner, President

American Resources Group, Ltd.
127 North Washington
Carbondale, IL 62901
Contact: Michael J. McNerney, President
Phone: 618/529-2741

Floyd R. Mansberger
Fever River Research
P. O. Box 5234
Springfield, IL 62705

Engineering-Science, Inc.
Cultural Resources Div.
1133 15th St., N.W.
Suit 900
Washington, D.C. 20005
Phone: (202) 775-3495
Contact: Janice Artemel

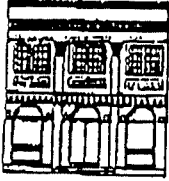
Davie J. Rue
Christopher A. Bergman
3D/Environmental Services
781 Neeb Road, Suite 5
Cincinnati, OH 45233
Phone: 513/922-8199

WAPORA, Inc.
2110 Anderson Ferry Road
Cincinnati, OH 454238
Phone 513-451-0800
FAX 513-451-0808

GAI Consultants, Inc.
570 Beatty Road
Monroeville, PA 15146
Phone: 412-856-6400
FAX: 412-856-4970
Contact: Jack B. Irion

Vaughan Engineering, Inc.
173 West Lake Street
Madisonville, Kentucky 42431
Phone: (502) 821-2013
Contact: Alfred Lee Foster

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street Burlington, KY 41005

606-334-2196 FAX 606-334-2264

February 6, 1991

Mr. Paul Hemmer, Sr.
Paul Hemmer Construction Company
260 Grandview Ave.
Ft. Mitchell, KY 41017

RE: Conditions of approval for the Airpark International request.

Dear Mr. Hemmer:

The following represents possible conditions being discussed by the Zone Change Committee. If you, as the applicant, will agree to these conditions, please indicate so by signing your name at the end of this form and returning it to our office by 4:00 p.m., Wednesday, February 6, 1991.

CONDITIONS

The applicant is being asked to agree to include these items as part of the Concept Development Plan in order to clarify the plan presented at the 1/16/91 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.

1. In order to give the proposed industrial and office development a business park character and be consistent with the Comprehensive Plan recommendations, all portions of the 264.4 acre development shall undergo architectural design review by the Planning Commission's Technical Committee. The Committee shall use the Houston-Donaldson Study Design Review Standards (attached to this report) to evaluate individual site plan applications. At the Preliminary Plat stage, a sign package shall be designed that includes monument style signs and a consistent sign style. No pole mounted signs shall be permitted in the 264.4 acre development. The design of all industrial buildings shall include an office appearance at the front, consistent building materials, screened loading areas, completely screened air conditioning, ventilation, and electrical equipment. The minimum front yard building setback for the industrial uses shall be 100 feet from the right-of-way.
2. The applicant shall be required to have preliminary archaeological investigations conducted on the 264.4 acre site prior to grading. These investigations shall be comparable to Phase I of the State of Kentucky's requirements for archaeological excavations. This procedure will be conducted to determine if the site contains any significant archaeological resources. The preliminary investigation shall be supervised by the Boone County Planning Commission and conducted by a certified

CONDITION LETTER - MR. PAUL HEMMER, SR.
FEBRUARY 6, 1991

PAGE 2

archaeologist agreed upon by the developer and the Boone County Planning Commission (see attached list of certified archaeologists). The developer shall bear the cost of the preliminary investigation. The archaeologist shall submit a copy of the report directly to the Planning Commission. The Planning Commission and developer shall then determine what steps need to be taken and what organizations need to be involved in addressing any significant archaeological findings. The allocation of costs of further investigation shall be negotiated between the developer and proper authorities. In addition, the developer must immediately notify the Planning Commission if any archaeological sites are encountered by construction workers during site work. The Planning Commission may require a portion of the site work to cease until further archaeological investigation is conducted.

3. The development shall be limited to three access points onto KY 20. Truck traffic should be discouraged at the commercial entrance unless the trucks serve the commercial portion of the development. The developer shall work with the Planning Commission and the Airport to try to achieve access between the commercial area and Elijah's Creek Road. The proposed access from KY 20 to the proposed office development shall contain a sufficient level stretch of roadway before proceeding downhill into the development. In addition, access shall be provided to the residential Walton Road area along KY 20, and to both airport properties. Property along Walton Road should be accessed through the proposed office/warehouse portion of the development, and the existing Walton Road access should be eliminated.
4. All streets in the development shall be publicly dedicated and meet the county street specifications. The proposed roadway serving the industrial portion of the development shall be designed and built as a boulevard. The street shall contain minimum 12 foot wide travel lanes and a planted median which converts to turn lanes at appropriate locations. Undulating berms and street plantings shall be installed along this street to give it a parkway appearance, and to screen all parking areas. The right-of-way shall be required to be a minimum of 60 feet to allow this landscaping and the planted median. Driveway entrances shall be limited and combined wherever possible, and must be coordinated to enable appropriate site access with the median design. The proposed cul-de-sac end shall be eliminated, and a public right-of-way shall be dedicated to the west property line to provide for future access to residential development. The location of this future street connection shall be determined at Improvement Plan review. The location of the end of the proposed major street shall be at least as close to the west property line as shown on the submitted Concept Development Plan, and can include a temporary turn-around. The developer shall dedicate additional right-of-way for future improvements to Elijah's Creek Road if needed through the subdivision review process.
5. All site access points shall include right-hand deceleration lanes on KY 20. In addition, the southernmost entrance shall include a left-turn lane

CONDITION LETTER - MR. PAUL HEMMER, SR.
FEBRUARY 6, 1991

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6. The developer shall provide a traffic signal at KY 20 as recommended in the submitted traffic study, when the intersection meets a signal warrant or an unsafe condition becomes apparent.
7. Development plans and site design shall be adjusted to utilize more of the existing vegetation and topography as recommended in the Comprehensive Plan. The wooded areas depicted as undisturbed on the submitted Concept Development Plan shall constitute the minimum remaining wooded areas. The developer shall walk the site with Planning Commission staff and clearly mark all disturbed limits before any site work. Erosion control measures will be required at grading plan or improvement plan review to protect sensitive areas and streams.
8. The development shall include buffering in the form of mixed tree plantings, specifically along the west property line or when Lot 7 is developed and around the Walton Road residential area, wherever existing tree cover or berms do not constitute a sufficient buffer.
9. The proposed commercial portion of the development shall be designed so that some mature trees are retained in that area. All the commercial buildings shall be of consistent architecture and contain extensive landscaping. Access to the main entrance roads of the development shall be a sufficient distance from KY 20.
10. All development shall be served by public water and sanitary sewer improvements like those referenced in letters submitted by the applicant.
11. The developer agrees to construct a pedestrian network along the proposed roadway network.
12. As indicated in the Boone County Zoning Regulations, the proposed office uses are a conditional use in the I-1 zoning district. The applicant will need to receive a Conditional Use Permit from the Board of Adjustments to develop these uses.
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CONDITION LETTER - MR. PAUL HEMMER, SR.
FEBRUARY 6, 1991

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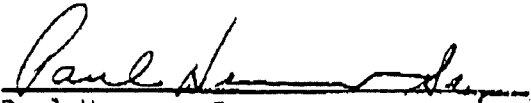
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Sincerely,



David A. Geohegan, AICP
Senior Planner

I, the applicant, agree to the above listed conditions for approval of my request for Airpark International.



Paul Hemmer, Sr.

BOONE COUNTY PLANNING COMMISSION



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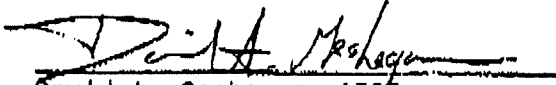
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Sincerely,


David A. Geohegan, ALOP
Senior Planner

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Paul Hemmer, Sr.

Boone County Recorder

3-13-91

**LEGAL NOTICE
ORDINANCE NO. 920.222**

The Boone County Fiscal Court at its meeting to be held Tuesday, March 19, 1991, at 5:30 P.M., third floor courtroom, Administration Building, Burlington, Kentucky, will hold a Public Hearing and give consideration to the Second Reading and adoption of the following ordinance.

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RECOMMENDING APPROVAL FOR A ZONING MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY ZONING MAP, SUCH MAP AMENDMENT BEING REQUESTED BY PAUL HEMMER CONSTRUCTION COMPANY (APPLICANT) FOR PAUL HEMMER ASSOCIATES III (OWNERS) AND SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURAL ESTATE (A-2) TO INDUSTRIAL ONE (I-1) AND COMMERCIAL TWO (C-2) FOR A 264.40 ACRE SITE GENERALLY LOCATED ON THE NORTH SIDE OF KY 20 AND ELIJAH CREEK ROAD, BOONE COUNTY, KENTUCKY, AS RECOMMENDED UNANIMOUSLY BY THE BOONE COUNTY PLANNING COMMISSION VIA RESOLUTION R-03-91.

I hereby certify that the above summary of said Ordinance has been written in such a manner as to inform the public of the context of same. A copy of said Ordinance, all exhibits, appendages and fiscal court minutes are on file in the office of the County Judge/Executive and may be reviewed between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, at the Administration Building, second floor, Burlington, Kentucky.

ATTEST:

CAROLYN A. RUDICILL
FISCAL COURT CLERK
P.O. #FC 54010

BRUCE FERGUSON
COUNTY JUDGE/EXECUTIVE

LARRY CRIGLER
COUNTY ATTORNEY