

APPLICATION FORM

NOV 19 1991
R E C E I V E D

**CHANGE IN CONCEPT DEVELOPMENT PLAN
OR
THE UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT**
BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check one:
 Change in Concept Dev. Plan
 Utilization of an Underlying Zone in Planned Development
2. Name of Development Saratoga Square
3. Location of Development Houston and Turfway Road
4. Total Acreage of Site 11.29
5. Current Zoning C-2 PD
6. Date of Zone Change or Approved Concept Development Plan (if applicable) October 3, 1990
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) Houston Donaldson Study
8. Proposed Uses (please specify each use) _____
5 lots commercial, 2 of which are intended immediately for restaurants (O'Charley's and Wendy's). 1 lot for hotel

9. Name of Applicant(s) Carroll Properties, Inc.
 Phone Number(s) 606-371-8118
10. Address of Applicant(s) 7300 Turfway Road Suite 510
Florence Ky 41042
City State Zip
11. Name of Property Owner(s) Turfway Park Racing Association, Inc.
 Phone Number(s) 606-371-0200
12. Address of Property Owner(s) 7500 Turfway Road
Florence Ky 41042
City State Zip
13. Proposed Building Intensities (please specify) _____
Lots 1-5 28,150 s.f. total
Lot 6 hotel

14. Are there any existing buildings on the site? No
 How many? N/A
15. Deed Book 439 Page No. 285 Group No. 2027
16. Have you had a pre-application meeting with BCPC staff? Yes

(COMPLETE OTHER SIDE OF APPLICATION)

Also: land acquired from Salvation Army

HW Deed Book 16 Page No. 51 Group No. 2027

EXHIBIT "A"

CHANGE IN CONCEPT DEVELOPMENT PLAN BY
CARROLL PROPERTIES, INC. (APPLICANT)
FOR TURFWAY PARK RACING ASSOCIATION, INC.
FOR A 11.29 ACRE SITE LOCATED AT
HOUSTON ROAD AND TURFWAY ROAD.

December 18, 1991

REQUEST

The request is for a change in a previously approved Concept Development Plan by Carroll Properties (applicant) for Turfway Park Racing Association (owner) on a 11.29 acre site located at the intersection of Houston Road and Turfway Road. Almost the entire site is located in unincorporated Boone County with a small portion of the site closest to Houston Road located within the City of Florence. The subject site is currently zoned Commercial Two / Planned Development (C-2/PD) and is referred to as Saratoga Square Subdivision.

HISTORY OF SITE

On October 3, 1990, the Boone County Planning Commission approved a Zoning Map Amendment request for the entire ± 123.1 acre Carroll Properties, Inc. site. The site is on both sides of Houston Road. A copy of the approved Concept Development and a list of conditions are attached to this Staff Report. On September 4, 1991, a Preliminary Development Plan was approved for each parcel on both sides of Houston Road. (see attached Preliminary Development Plan for Turfway Square and Saratoga Square Subdivisions). The approved Preliminary Development Plan for Turfway Square Subdivision showed ten building lots. The approved Preliminary Development Plan for Saratoga Square indicated two large lots. On September 4, 1991, an Improvement Plan for Saratoga Square Subdivision was approved by the Boone County Planning Commission to make public improvements and to grade a 11.59 acre site. On October 7, 1991, a Grading Plan was approved by the Boone County Planning Commission in order to permit grading work on the 73.37 acre Turfway Square Subdivision site. Finally, on December 4, 1991, an Improvement Plan was approved by the Boone County Planning Commission for Turfway Square Subdivision in order to allow the construction of a 12" sanitary sewer line.

SURROUNDING LAND USES AND ZONING

The surrounding existing land uses near the 11.29 acre site are undeveloped property to the north, undeveloped property and Commercial (a future Home Quarters store) to the south, Public / Institutional to the east (St. Luke West Hospital) and Recreational to the west (Turfway Park). The existing zoning which surrounds the site consists of the following.

- North: Commercial Two / Planned Development (C-2/PD) - Property currently owned by St. Luke West Hospital
- South: Commercial Two / Planned Development (C-2/PD)
- East: Public Facilities / Planned Development (PF-PD)
- West: Recreation / Planned Development (R/PD)

The 11.29 acre site is currently being graded for the construction of a public street and utilities.

RELATIONSHIP TO THE 1990 BOONE COUNTY COMPREHENSIVE PLAN AND THE HOUSTON-DONALDSON STUDY

In general, the Future Land Use Map, a 25 year projection of the 1990 Boone County Comprehensive Plan, suggests that the subject site be developed for commercial uses. The commercial future land use classification also includes office uses. The text of the Land Use Element suggests that Turfway Park Racetrack remain and that property to the east along I-75 should develop in a mixed office and commercial manner compatible with the racetrack. The text continues to state that the land uses planned for the Houston-Donaldson Study area should reflect an employment district and be sensitive to the traffic limitation of the Turfway Interchange area. As recommended in the Study, major improvements will be necessary to the road system within the Study area.

RELATIONSHIP TO THE HOUSTON-DONALDSON STUDY

The Houston-Donaldson Study is the overall guide or blueprint for the development of a 1,600 acre area bounded by Donaldson Road, Turfway Road, I-75, KY 18 and Houston Road. It is designed to fulfill the Goals and Objectives of the Boone County Comprehensive Plan. The Study has four primary goals which should be used in evaluating development projects proposed in the 1,600 acre area.

- GOALS:
1. To allow the Study Area to develop a rational pattern of land uses that is both well planned and economically feasible.
 2. To allow the area to develop with an efficient traffic circulation system and a minimum of congestion.
 3. To provide a definitive guide for efficient and adequate water and sewer services based on the development of the Study Area.
 4. To ensure that the recommended land uses and the types of development occur in conjunction with appropriate exterior appearances to the general public. (This goal includes the visibility of projects from major public thoroughfares and the preservation of the natural terrain and vegetation.)

The Houston-Donaldson Study suggests some uses for the entire Carroll Properties, Inc. site. The Study primarily discusses the previously approved uses of commercial, office and residential and the need to have a cohesive design. The Study states:

"The Turfway/Donaldson Region of the Study Area contains large areas of land that do not share the same locational advantages for commercial or office development that existing residential and public facilities uses in the region, residential developments will dominate except for some commercial and office activity near the I-75/Erlanger Interchange..."

Since then, retail uses and some office uses have been approved for the entire site.

The Houston-Donaldson Study also takes into account the affect of adjoining future land uses on the Marydale property:

"...along I-75 an area of office development, zoned Office Two (O-2), is suggested to provide a transition between the commercial activity and residential uses planned in the Turfway Park development. The high interstate visibility and thick woodland vegetation lend the site to corporate office development."

The text goes on to state that the extension of Houston Road would provide access of the office developments to either Turfway or Donaldson Roads. The specific land use guidelines also describe the proper type of signage needed for the proposed office buildings and for the entire site.

As stated previously, the Houston-Donaldson Study was designed to coordinate development with the necessary infrastructure. This coordination includes future office, commercial and industrial uses in the Study Area. The recommended intensity of development in the Study is intended to serve as a threshold whereby developments of a lesser intensity could be expected to have a greater impact on the infrastructure that anticipated in the Study. The recommended development intensity in the Study Area for a designated Commercial Two (C-2) zoning district is 9,000 gross square feet per acre. The proposed commercial building intensity for this request is approximately 7,701 gross square feet per acre depending on the amount of actuarial office use.

In the Phase Two Analysis of the Houston-Donaldson Study, the Turfway/Donaldson region is described based upon the original Carroll Properties plan, which included office, retail, and residential land uses even though the location of the Houston Road Extension was known to be changed. The Phase Two Analysis determined the traffic impact for a sixty percent and a forty percent level of permitted zoning intensity based on the study of existing developments in 1987. The final Phase Two Analysis and Phase Three Analysis were based upon the area developing at a forty percent intensity. The specified roadway improvements recommended:

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

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

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

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

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

SARATOGA SQUARE CONCEPT DEVELOPMENT PLAN

The applicant would like to amend the approved Concept Development Plan for just the 11.29 acre site or for six lots. The request is the result of a decision by the Zoning Administrator as the proposed changes to the approved Concept Development Plan were significant enough to require the review and action by the Boone County Planning Commission and a Public Hearing. The previously approved and proposed uses are indicated below.

OCT. 3, 1990 Concept Plan

Dec. 18, 1991 Concept Plan

<u>Use</u>	<u>Acreage</u>	<u>Bldg. S.F.</u>
Commercial	2.9	20,000
Restaurant	1.9	8,000
Courtyard	5.6	-
Hotel		
Parking	2.0	
Area		
Detention	1.6	
Area		
TOTAL	<u>14.0</u>	

<u>Use</u>	<u>Acreage</u>	<u>Bldg. S.F.</u>
Restaurant	1.326	6,500
Restaurant	1.041	2,750
Commercial	1.070	5,400
Commercial	1.961	8,000
Commercial	1.209	5,500
Hotel	3.30	-
Street		
TOTAL	<u>11.29</u>	

The access to the proposed subdivision will include a curb cut off Turfway Road located approximately 770 feet from the center of the Houston Road and Turfway Road intersection. An access point will also be built on the Houston Road Extension. The second access point will be located opposite of the relocated entrance to St. Luke West Hospital.

As part of this request, the applicant has submitted a letter explaining the reasons for the proposed change in Concept Development Plan. In addition, the applicant has indicated that for Lots 3,4 and 5 on the submitted Concept Development Plan all C-2 uses shall be considered. Also, the applicant has submitted a comprehensive signage package for the six lots as part of this request (see attached letter).

TRAFFIC IMPACT ANALYSIS

The Boone County Planning Commission Staff has projected trip generation numbers for the proposed uses and compared them with the uses previously approved Concept Development Plan (see attached figures). For the 11.29 acre site only, the number of trips generated from the proposed uses will increase under Scenarios I and II when compared with the approved uses. Since the proposed uses for three lots are unknown, Scenario I assumes a drive-in bank, a fast food restaurant and a high turnover restaurant along with a Wendy's restaurant, an O'Charley's restaurant and a hotel. Scenario II assumes a retail shopping center, a drive-in bank, O'Charley's restaurant, a Wendy's restaurant and a hotel. It should be noted that perhaps the overall trip generation for the entire Carroll Properties site would mostly be reduced since the amount of retail space has been decreased on the Turfway Square project, and St. Luke West Hospital is planning medical office use on their property, which was recently sold to them by Turfway Park Racing Association.

STAFF CONCERNS

1. Mixture of Commercial - The Boone County Planning Commission shall evaluate the proposed uses in accordance with the previously approved plans for the entire site, the recommendations in the Houston-Donaldson Study and the requirements of Planned Development (PD). The Planning Commission should evaluate all C-2 uses to determine the appropriateness or inappropriateness of certain uses at the Saratoga Square Subdivision.
2. Maintenance of Architectural Continuity - Since there is a potential of more than three uses and lots on the subject site and there is a remote chance that the site be developed with restaurants, it becomes increasingly important to maintain an architectural theme for the entire development.
3. Sign Package - The Boone County Planning Commission shall evaluate the type, number and location of each proposed sign in the Saratoga Square Subdivision.

CONCLUSION

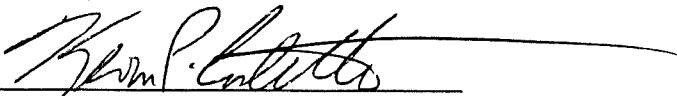
The Boone County Planning Commission should evaluate this request or the proposed uses in relationship to the Houston-Donaldson Study, the 1990 Boone County

Comprehensive Plan and in terms of meeting the requirements of Planned Development or Article 15 or the Boone County Zoning Regulations. The Planned Development zone is intended to encourage:

- A maximum choice of living environments by allowing a variety of housing and building types and permitting a reduction in lot dimensions, yards, building setbacks, and area requirements;
- A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services;
- A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns;
- A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets;
- A development pattern in harmony with land use density, transportation facilities, community facilities, and objectives of the Comprehensive Plan.
- A signage package in harmony with the objectives of the Planned Development.

The subject site shall be evaluated in relation to other uses proposed on the entire Carroll Properties site and whether what is proposed is compatible with other proposed uses or developments in the Houston-Donaldson Study.

Respectfully submitted,



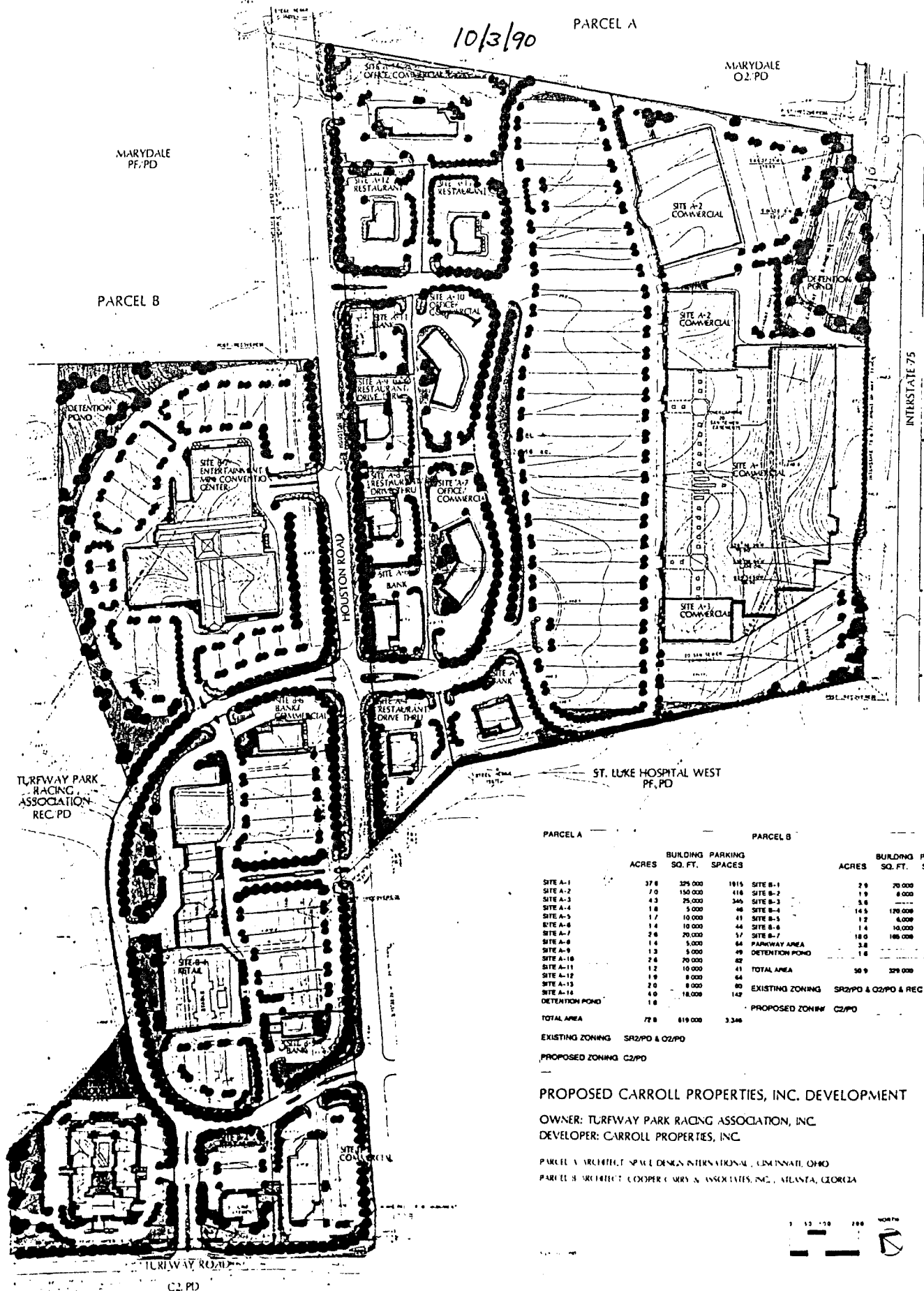
Kevin P. Costello, AICP
Asst. Director / Zoning Administrator

KPC:kat

APPROVED CONCEPT DEVELOPMENT PLAN
CARROLL PROPERTIES, INC.

10/3/90

PARCEL A



PARCEL A				PARCEL B			
SITE	ACRES	BUILDING SQ. FT.	PARKING SPACES	SITE	ACRES	BUILDING SQ. FT.	PARKING SPACES
SITE A-1	37.8	325,000	1915	SITE B-1	2.9	70,000	190
SITE A-2	7.0	150,000	416	SITE B-2	7.9	8,000	58
SITE A-3	4.3	25,000	345	SITE B-3	5.6	---	150
SITE A-4	1.8	5,000	48	SITE B-4	14.5	120,000	673
SITE A-5	1.7	10,000	41	SITE B-5	1.2	8,000	24
SITE A-6	1.4	10,000	44	SITE B-6	1.4	10,000	50
SITE A-7	2.6	20,000	57	SITE B-7	18.0	140,000	648
SITE A-8	1.4	5,000	64	PARKWAY AREA	3.8	---	---
SITE A-9	1.3	5,000	49	DETENTION POND	1.8	---	---
SITE A-10	2.6	20,000	62				
SITE A-11	1.2	10,000	41	TOTAL AREA	50.9	329,000	1,873
SITE A-12	1.9	8,000	64				
SITE A-13	2.0	8,000	80	EXISTING ZONING	SR2/PD & O2/PD & REC		
SITE A-14	4.0	18,000	142	PROPOSED ZONING	C2/PD		
DETENTION POND	1.8	---	---				
TOTAL AREA	72.8	819,000	3,346				

EXISTING ZONING SR2/PD & O2/PD

PROPOSED ZONING C2/PD

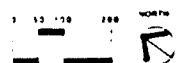
PROPOSED CARROLL PROPERTIES, INC. DEVELOPMENT

OWNER: TURFWAY PARK RACING ASSOCIATION, INC.

DEVELOPER: CARROLL PROPERTIES, INC.

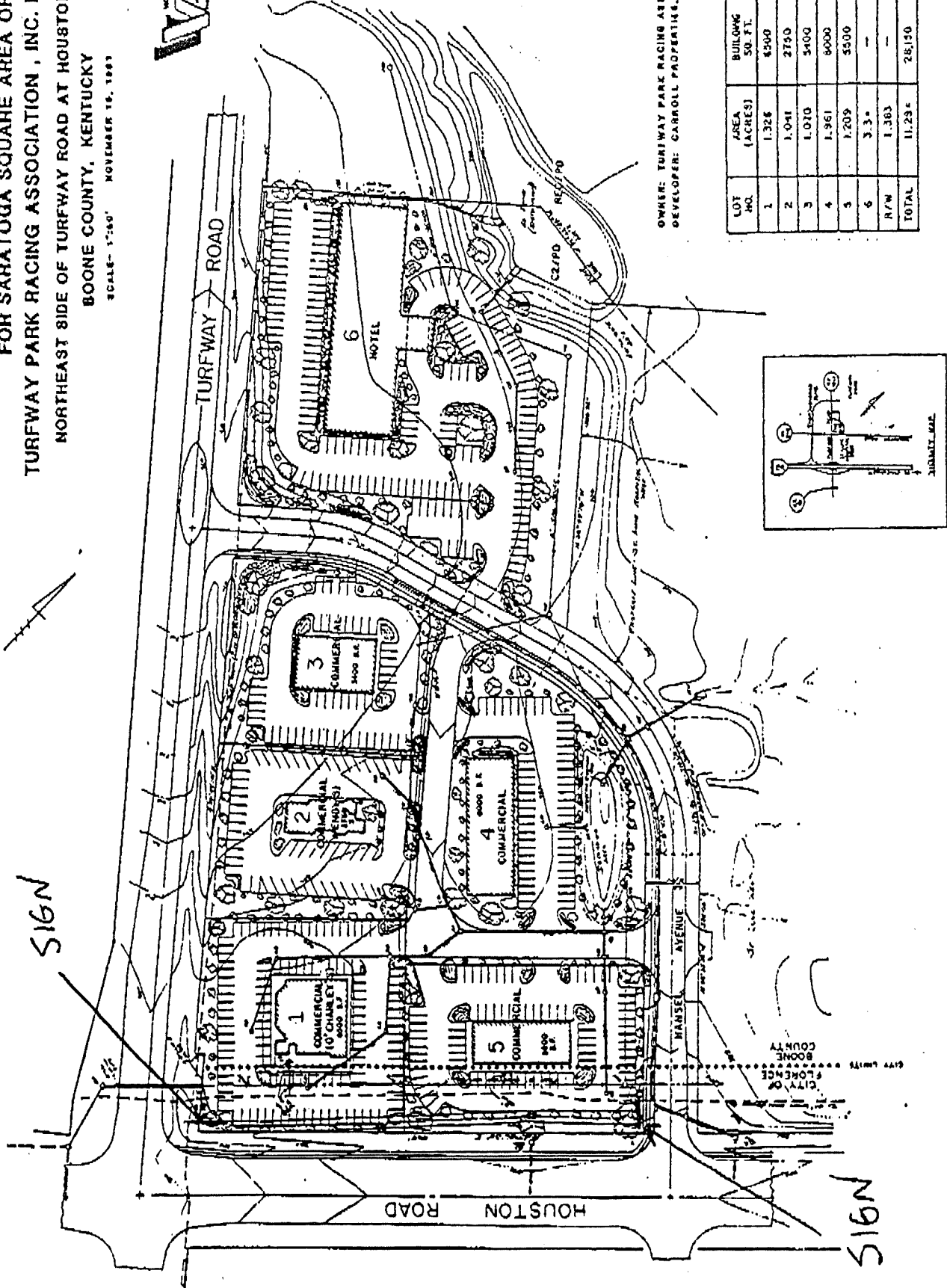
PARCEL A ARCHITECT: SPACE DESIGN INTERNATIONAL, CINCINNATI, OHIO

PARCEL B ARCHITECT: COOPER GIBBY & ASSOCIATES, INC., ATLANTA, GEORGIA



TURFWAY ROAD
C2/PD

⊕
REVISED CONCEPT PLAN
 WITH LANDSCAPING
FOR SARATOGA SQUARE AREA OF
TURFWAY PARK RACING ASSOCIATION, INC. PROPERTY
 NORTHEAST SIDE OF TURFWAY ROAD AT HOUSTON ROAD
 BOONE COUNTY, KENTUCKY
 SCALE: 1"=50' NOVEMBER 16, 1991

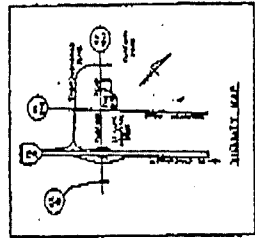


SIGN

SIGN

OWNER: TURFWAY PARK RACING ASSOCIATION, INC.
 DEVELOPER: CARROLL PROPERTIES, INC.

LOT NO.	AREA (ACRES)	BUILDING SQ. FT.	PARKING SPACES
1	1.328	3900	119
2	1.041	2750	52
3	1.070	3400	52
4	1.961	8000	54
5	1.209	5500	81
6	3.3*	—	157
R/W	1.383	—	—
TOTAL	11.23*	26150	315



CITY OF FLORENCE
 BOONE COUNTY
 CITY LIMITS

Mr. Burch introduced the last item on the Agenda:

3. Applicant: Carroll Properties, Inc. for
Turfway Park Racing Association, Inc. (owner)
Request: Change in Concept Development Plan

The request of Carroll Properties, Inc. (applicant) for Turfway Park Racing Association, Inc. (owner) for a change in a previously approved Concept Development Plan for Saratoga Square Subdivision located off Turfway Road in Unincorporated Boone County and Florence, Kentucky. The 11.29-acre site is zoned Commercial Two/Planned Development (C-2/PD).

Kevin Costello, Assistant Director/Zoning Administrator, presented the Staff Report which included a slide presentation and review of the attachments (see Staff Report).

Mr. Mark Simendinger, President of Carroll Properties, Inc., stated that their attorney, Jim Dressman, and their engineer, Jim Viox, were also present.

Mr. Simendinger referred to the originally approved Concept Plan and stated that Parcel A is currently being graded and is called "Turfway Square". All of the conditions placed on the property are being met, and many are being exceeded. They have taken out the double row of outlots and have only a single row. They have reduced the square footage by over 1,000 square feet and have increased the green space to 37% from the required 22%. He indicated that across Houston Road at the top of Parcel B is a convention Center site. They are working on getting the Northern Kentucky Convention Center to locate there -- if it is funded and built. This was not the original site for the convention center. He indicated the 21-acre site inside the interior ring road which has been sold to St. Luke Hospital. He stated that they will not build the ring road all around and have sold St. Luke's part of their parking lot. He stated that there were some unsightly horse barns that have been torn down and replaced with new barns. He stated that the entire back side operation of the race track has been moved away from the commercial development at St. Luke Hospital.

Mr. Simendinger stated that the request this evening is in regard to Saratoga Square, which evolved from the sale of the property to St. Luke West and their having to move their curb cut towards the hotel site after the plan had been approved. This was done to accommodate the development on the other side of Turfway Road, which is the Home Quarters home improvement warehouse.

Mr. Simendinger reviewed their plan and stated that they are increasing the number of roads and decreasing the size of what will be built on each of the lots. He stated that he had almost two more acres to work with than what was in the original Concept Plan. O'Charley's will take the corner lot. Wendy's will go next to it on about an acre. The other three sites are not yet under contract. He stated that they have controlled access from Turfway and Houston Roads and the curb cuts are dictated by the Highway Department. They are installing an interior access drive so that the traffic will flow in and out smoothly and there will not be a stacking problem. They have cut the hotel site down to accommodate St. Luke's Hospital.

Mr. Simendinger stated that the total square footage of what is inside the ring road is about the same square footage as what had been approved, but he is requesting to break the property up into smaller lots. He noted that there is architectural review of everything within the Houston-Donaldson Study area. In regard to the sign package, he stated that they are trying to create uniformity with the users by having identification signs for the project. There will be monument markers at the corner to identify the Saratoga development, with panels for the users to eliminate individual signs every 50 feet on Turfway Road. They do not want to junk up the front door to the race track with outlots in the front. He indicated the location of the monument signs to be on Houston Road and stated that they intend for the race track to have the same thing to give a uniform appearance when driving down the road.

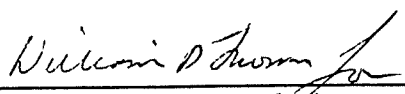
Mr. Burch asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present in opposition or having questions. There being no one, he asked if there were any comments or questions from the Commission.

Mr. Owens questioned the size of signs. Mr. Simendinger stated that he had described a concept and does not know the size of the signs or have a rendering. What they can do would be at the discretion of the Zoning Administrator.

Mr. Costello stated that they are talking conceptually about a monument sign possibly similar to the one at the Commonwealth Hilton. They have indicated a total signage area of 150 square feet. The Committee would have to evaluate the size of the signs. He stated that the point is to make the Saratoga Square sign bigger and the tenants smaller in order to feature the name of the development. Mr. Costello stated that the Houston-Donaldson Study has not been updated and it is in the applicant's best interest to pursue this as part of this review. Mr. Costello advised that he encouraged the applicant to apply so that he would not have to come back and wait until the Houston-Donaldson Study is approved. What is in the text right now does not apply to what is being proposed because of the configuration of the road.

There being no further comments, Mr. Burch stated that this item will be on the Agenda for the Business Meeting on January 15, 1992 at 8 P.M. and closed this Public Hearing.

APPROVED:



Fred Burch, Vice Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

January 15, 1992 8:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 8:15 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Lawrence Collins
Mr. Phil Danstrom
Mr. Melvin DeLong
Mr. Rector Jones
Mr. Robert Kirby, Jr.
Mr. Don McMillian
Mr. Thurman Owens
Mr. Robert Ries
Mr. Ralph Rush
Mr. Floyd Sharp
Mrs. Carol Smith, Secretary/Treasurer
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. Fred Burch, Vice Chairman
Mr. R. N. Greene
Mr. Barry Neltner

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox stated that each member had received copies of the Minutes of the Public Hearings and Business Meeting of December 18, 1991. He asked if there were any comments or corrections.

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

Chairman Viox stated that he has a conflict of interest in regard to Agenda Items #3 and #8. He asked that Mr. McMillian chair the meeting at this time.

3. Change in Concept Development Plan

The request of Carroll Properties, Inc. (applicant) for Turfway Park Racing Association, Inc. (owner) for a change in a previously approved Concept Development Plan for Saratoga Square Subdivision located off Turfway Road in unincorporated Boone County and Florence, Kentucky. The 11.29-acre site is zoned Commercial Two/Planned Development (C-2/PD).

Assistant Director, Kevin Costello, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The applicant has signed the letter agreeing to the three conditions. Mr. Costello noted a typing error in Condition #1, the third sentence, which should read, "Each sign shall be appropriately landscaped and (not "at") shall have a maximum height. . . .".

Mr. Collins moved by resolution to the City of Florence and the Fiscal Court that the request be approved based on the Staff and Committee Reports. Mr. Jones seconded the motion. A vote on the motion found all voting members in favor. Chairman Viox abstained. The motion carried.

8. Site Plan Review and Design Review

The request of O'Charlev's Inc. (applicant) for Turfway Park Racing Association, Inc. (owner) for Site Plan Review and Design Review to construct a 6,650 sq. ft. restaurant at the northwest corner of Turfway Road and Houston Roads, in both unincorporated Boone County and Florence, Kentucky. The 1.28-acre site is zoned Commercial Two/Planned Development (C-2/PD).

Assistant Director, Kevin Costello, presented the Staff Report which recommended approval of both the Site Plan and the Design Review (see Staff Report).

Mr. Costello read the Committee Report which recommended approval of the Site Plan and Design Review, based on the Staff Report, with conditions of the Design Review approval being that a final Landscaping Plan be submitted showing taller trees and features along Turfway Road (see Committee Report). Mr. Costello stated that he would review the issues regarding the Landscaping Plan with the applicant when the Committee meets again and he is confident that they will provide what is needed.

Mr. Kirby moved that the Site Plan be approved based on the Staff and Committee Reports. Mrs. Smith seconded the motion. A vote on the motion found all voting members in favor. Chairman Viox abstained. The motion carried.

Mr. DeLong moved that the Design Review be approved based on the Committee Report, including the conditions. Mrs. Smith seconded the motion.

EXHIBIT "B"

COMMITTEE REPORT

#3

TO: Boone County Planning Commission

FROM: Phil Damstrom, Chairman

DATE: January 15, 1992

RE: Request of Carroll Properties, Inc. (applicant) for Turfway Park Racing Association, Inc. (owner) for a change in a previously approved Concept Development Plan for Saratoga Square Subdivision located off Turfway Road in unincorporated Boone County and Florence, Kentucky. The 11.29 acre site is zoned Commercial Two/Planned Development (C-2/PD).

REMARKS:

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

FINDINGS OF FACT

1. The proposed uses and submitted Concept Development Plan generally meet the goals and objectives of Planned Development and will serve the employment uses identified in the Houston-Donaldson Study and in existence in the study area. These uses are service related and are designated to protect the employment character of the area and the existing recreational facility adjacent to the 11.29 acre site.
2. The proposed uses and building intensities are compatible with the remaining property owned by Turfway Park Racing Association since the building intensity of the Turfway Square project has been reduced by 100,000 square feet.


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 as presented at the December 18, 1991 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.

1. The applicant shall be limited to a monument type sign located at Hansel Avenue and Houston Road and at the corner at Turfway Road and Houston Road. These signs shall advertise Saratoga Square Subdivision and shall include the names of the businesses located on Lots 1-6 of Saratoga Square Subdivision. Each sign shall be appropriately landscaped and shall have a maximum height (sign area) of eight feet and a maximum sign area of 100 square feet. Any changes to the dimensions shall be reviewed by the Boone County Planning Commission Technical Committee.
2. A sidewalk shall be provided along the interior private street that connects with Hansel Avenue.

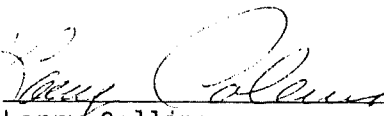
3. The applicant shall still follow the stated conditions in the October 3, 1990 Boone County Planning Commission Committee Report.

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.

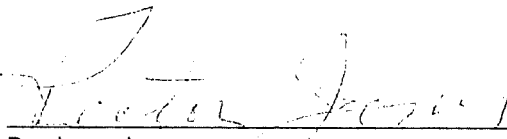


Phil Damstrom, Chairman

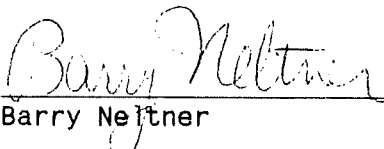
Fred Burch



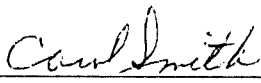
Larry Collins



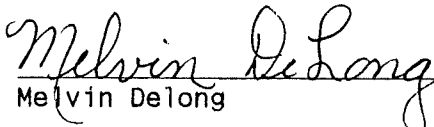
Rector Jones



Barry Nejtner



Carol Smith

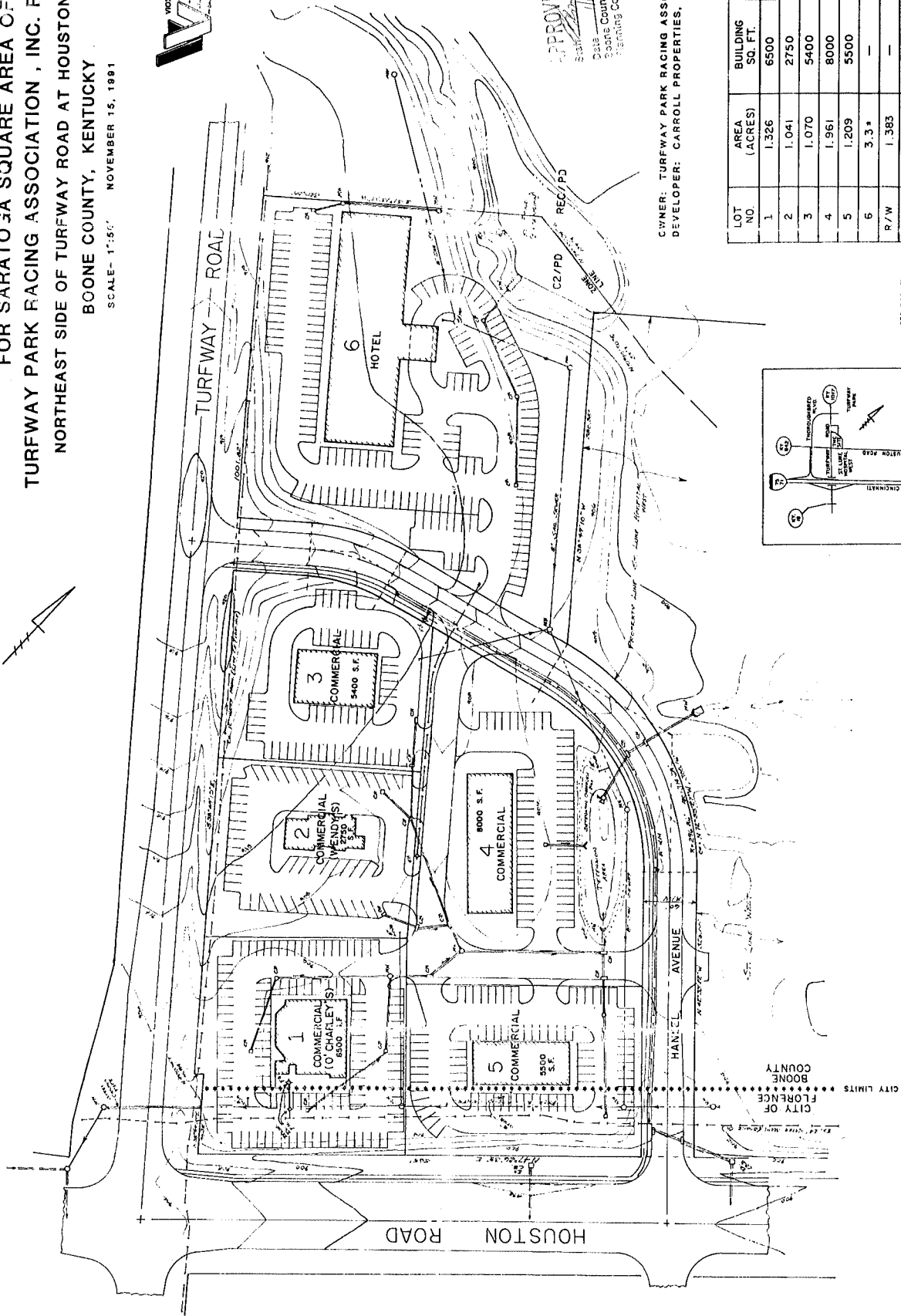
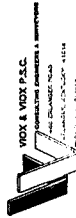


Melvin DeLong

PD:kat



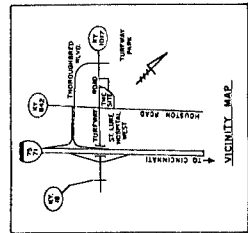
REVISED CONCEPT PLAN
 FOR SARATOGA SQUARE AREA OF
 TURFWAY PARK RACING ASSOCIATION, INC. PROPERTY
 NORTHEAST SIDE OF TURFWAY ROAD AT HOUSTON ROAD
 BOONE COUNTY, KENTUCKY
 SCALE - 1"=50' NOVEMBER 15, 1991



APPROVED
 State of Kentucky
 Boone County
 Planning Commission

CWNER: TURFWAY PARK RACING ASSOCIATION, INC.
 DEVELOPER: CARROLL PROPERTIES, INC.

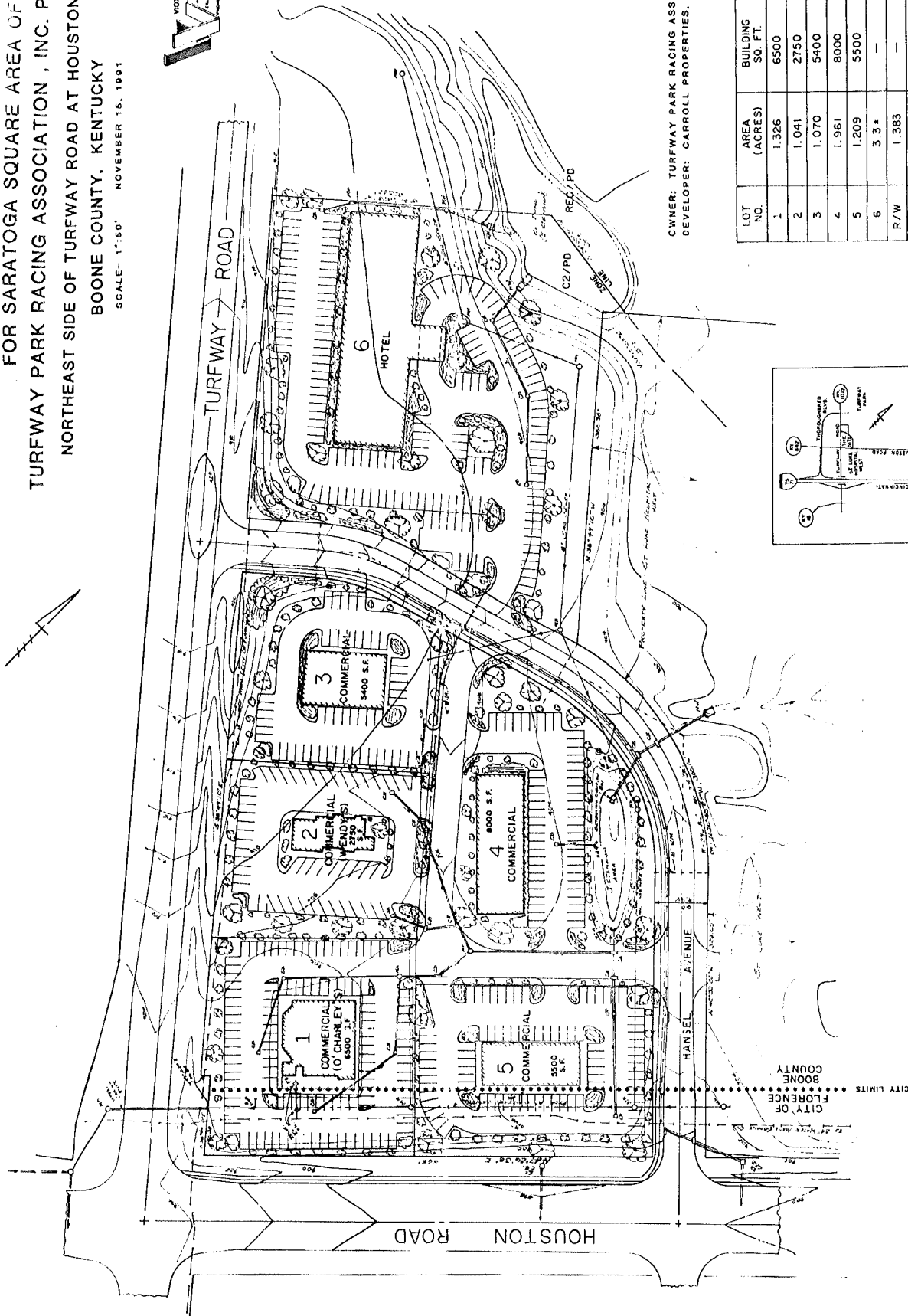
LOT NO.	AREA (ACRES)	BUILDING SQ. FT.	PARKING SPACES
1	1.326	6500	119
2	1.041	2750	52
3	1.070	5400	52
4	1.961	8000	54
5	1.209	5500	81
6	3.3*	—	157
P/W	1.383	—	—
TOTAL	11.29	28,150	515



BOONE COUNTY
 PLANNING COMMISSION
 MAY 19 1991
 505016

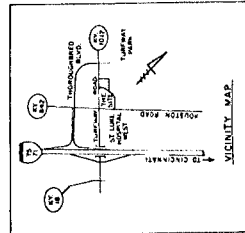
CITY OF FLORENCE
 BOONE COUNTY

REVISED CONCEPT PLAN
 WITH LANDSCAPING
 FOR SARATOGA SQUARE AREA OF
 TURFWAY PARK RACING ASSOCIATION, INC. PROPERTY
 NORTHEAST SIDE OF TURFWAY ROAD AT HOUSTON ROAD
 BOONE COUNTY, KENTUCKY
 SCALE- 1"=50' NOVEMBER 15, 1991



OWNER: TURFWAY PARK RACING ASSOCIATION, INC.
 DEVELOPER: CARROLL PROPERTIES, INC.

LOT NO.	AREA (ACRES)	BUILDING SQ. FT.	PARKING SPACES
1	1.326	6500	119
2	1.041	2750	52
3	1.070	5400	52
4	1.961	8000	54
5	1.209	5500	81
6	3.3*	—	157
R/W	1.363	—	—
TOTAL	11.29*	28,150	515



CITY OF FLORENCE
 CITY LIMITS
 BOONE COUNTY

Boone County Recorder

3-25-92

**LEGAL SUMMARY
ORDINANCE NO. 920.236**

The Boone County Fiscal Court at its meeting held Tuesday, March 10, 1992, at 4:00 P.M., Second Floor Courtroom, Administration Building, Burlington, Kentucky, gave Second Reading and adopted the following ordinance.

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT RECOMMENDING APPROVAL FOR A REQUEST OF CARROLL PROPERTIES, INC. (APPLICANT) FOR TURFWAY PARK RACING ASSOCIATION, INC. (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE ON AN 11.29 ACRE SITE GENERALLY LOCATED OFF TURFWAY ROAD IN AN UNINCORPORATED BOONE COUNTY AND FLORENCE, KENTUCKY, AS RECOMMENDED UNANIMOUSLY BY THE BOONE COUNTY PLANNING COMMISSION VIA RESOLUTION R-92-004-A.

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 is 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 54874

KENNETH R. LUCAS
COUNTY JUDGE/EXECUTIVE

LARRY CRIGLER
COUNTY ATTORNEY

Boone County Recorder
3-18-92

ORDINANCE NO. 0-7-92

AN ORDINANCE ADOPTING AND APPROVING A CONCEPT DEVELOPMENT PLAN FOR UTILIZATION OF THE UNDERLYING ZONE FOR SARATOGA SQUARE SUBDIVISION CONSISTING OF AN 11.29 ACRE SITE PART OF WHICH IS LOCATED WITHIN THE CITY LIMITS OF FLORENCE, KENTUCKY. (CARROLL PROPERTIES, INC.)

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

WHEREAS, the Boone County Planning Commission has recommended that a request of Carroll Properties, Inc. for utilizing the underlying zone of a plant development zoning district be approved, and

WHEREAS, the City of Florence, Kentucky, has reviewed the record of the Boone County Planning Commission and determined that the request of Carroll Properties, Inc. to utilize the underlying zone of a planned development zoning district for an approximately 11.29 acre site, part of which is located in the existing limits of the City of Florence, Kentucky, and generally located off Turfway Road, such property comprising the Saratoga Square Subdivision, should be granted, subject to certain conditions agreed to by the property owner and made a part of its development plan.

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

SECTION I

That the request for the property which is more particularly described on Exhibit "A" shall be and is hereby approved for the utilization of its underlying zone and a planned development zoning district, such property consisting of approximately 11.29 acres of the Saratoga Square Subdivision, a part of which is currently in the City limits of Florence, Kentucky.

SECTION II

That this approval is granted subject to the conditions, terms and provisions agreed to by the property owner as part of its development plan presented to the City Council of Florence, Kentucky, and the Boone County Planning Commission.

SECTION III

Publication of this Ordinance is hereby authorized to be by summary publication, in accordance with Kentucky law.

PASSED AND APPROVED ON FIRST READING THIS 25th DAY OF February, 1992.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 10th DAY OF MARCH, 1992.

APPROVED:

Erlynn M. Kelt
MAYOR

ATTEST:

John Conrad
CITY CLERK