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RECEIVED

REVIEW NO. \_\_\_\_\_  
APPLICATION FORM

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 TURFWAY BUSINESS PARK
3. Location of Development THOROUGHbred BLVD. & HOUSTON ROAD
4. Total Acreage of Site 13.22 ACRES (SAM'S CLUB) + 1.63 ACRES (PURCHASE TRACT)
5. Current Zoning PLANNED DEVELOPMENT W/C-2, COMMERCIAL, UNDERLYING
6. Date of Zone Change or Approved Concept Development Plan (if applicable) 1986
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) YES H-D STUDY
8. Proposed Uses (please specify each use)  
EXPAND EXISTING SAM'S CLUB FOR FRESH MEATS AND PRODUCE DEPARTMENT.  
ADDITIONAL PARKING FOR SAM'S CLUB (PURCHASE TRACT)
9. Name of Applicant(s) CEI ENGINEERING ASSOCIATES, INC. (David W. Walls)  
 Phone Number(s) (501) 273-9472 273-0844 FAX
10. Address of Applicant(s) 110 W. CENTRAL  
BENTONVILLE, AR 72712  
 City State Zip
11. Name of Property Owner(s) TINEB ASSOCIATES TRP Associates  
C/O ANTHONY J. DINOME c/o Paul Hemmer Const.  
 Phone Number(s) (212) 867-0990 (606)341-8300
12. Address of Property Owner(s) 708 THIRD AVENUE 28TH FLOOR 250 Grandview Dr  
NEW YORK, NY 10017 Ft. Mitchell, KY  
 City State Zip 41017
13. Proposed Building Intensities (please specify)  
133,660 S.F. (BUILDING)/14.85 ACRE (SITE) = 9000.67 SQ. FT./ACRE
14. Are there any existing buildings on the site? YES, SEE PLANS  
 How many? ONE
- 15.\* Deed Book \_\_\_\_\_ Page No. \_\_\_\_\_ Group No. \_\_\_\_\_
16. Have you had a pre-application meeting with BCPC staff? YES W/DAVID GEOHEGAN

(COMPLETE OTHER SIDE OF APPLICATION)

\* TO BE DELIVERED BY LOCAL RESOURCE

FOR LAND USE RESTRICTION SEE MISC 278 BY 133

2033-B

BOOK 369 PAGE 181

PROPERTY TRANSFER TAX PAID \$ 150.00  
JERRY W. ROUSE, CLERK D. Carr

GENERAL WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS:

That MARY ELLEN FOLTZ, unmarried widow of Leo Paul Foltz, ("Grantor"), for One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, grants to TRP ASSOCIATES, an Ohio general partnership, whose address is 8260 NorthCreek Drive, Suite 200, Cincinnati, Ohio 45236, with general warranty covenants, the real property described in Exhibit "A" attached hereto and made a part hereof (the "Real Property").

There are excepted from the general warranty covenants and the Real Property is conveyed subject to the following: (1) taxes and assessments due and payable which are a lien against the Real Property after the date hereof; and (2) easements, restrictions, covenants, agreements and legal highways of record.

Prior Deed Reference: Deed Book 136, Page 74, Boone County, Kentucky Records.

The said Leo Paul Foltz died July 8, 1973 and by virtue of the survivorship clause in the above-referenced deed, the fee simple title vested in the Grantor.

Grantor has hereunto set her hand this 27th day of July, 1987.

Value of property passing hereunder \$ 1,500,000.00

Signed and acknowledged in the presence of:

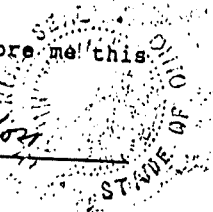
Eddie W. Brown  
Richard P. Herndon

Mary Ellen Foltz  
Mary Ellen Foltz

STATE OF OHIO )  
COUNTY OF HAMILTON ) SS:

The foregoing instrument was acknowledged before me this 27th day of July, 1987 by Mary Ellen Foltz.

Richard D. Herndon  
Notary Public



This Instrument Prepared By:

Richard D. Herndon  
Richard D. Herndon  
SMITH & SCHNACKE  
A Legal Professional Association  
2900 DuBois Tower  
511 Walnut Street  
Cincinnati, Ohio 45202-3163  
(513) 352-6522

RETURN TO Karen Acker

FOR LAND USE RESTRICTION SEE MISC 278 BY 133  
FOR LAND USE RESTRICTION SEE MISC 278 BY 132  
FOR LAND USE RESTRICTION SEE MISC 278 BY 131

For Land Use Restriction See Misc 254 By 121

4

PROPERTY TRANSFER TAX PAID \$ 6625.00  
JERRY W. ROUSE, CLERK B. Com

Group No. ~~2033B~~  
1908

GENERAL WARRANTY DEED

TRP ASSOCIATES, an Ohio general partnership ("Grantor"), for One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, grants to TINEB ASSOCIATES, a New York general partnership ("Grantee"), whose mailing address is c/o Anthony J. DiNome, Esq., 708 Third Avenue, 28th Floor, New York, New York 10017, with general warranty, the real property described in Exhibit A attached hereto and made a part hereof (the "Real Property").

There are excepted from the general warranty covenants and the Real Property is conveyed subject to the following: (1) any and all provisions of any ordinance, municipal regulation or public law; (2) easements, restrictions and agreements of record; (3) installments of taxes and assessments due and payable after the date hereof; and (4) legal highways.

Prior Instrument References: Deed Book 359, Page 1 and Deed Book 369, Page 181, Boone County, Kentucky Records.

IN WITNESS WHEREOF, Grantor has executed this instrument this 6th day of July, 1989.

Signed and Acknowledged in the Presence of:

*fair market value*  
\$6,675.00 ~~80~~

TRP ASSOCIATES,  
an Ohio general partnership

By: TW Investments III,  
an Ohio general partnership  
Its General Partner

*Richard D. He...*  
*Jerry W. Rouse*

By: *Kenneth C. Oswald*  
Kenneth C. Oswald  
Its General Partner

And By: Paul Hemmer and Associates, II,  
a Kentucky general partnership  
Its General Partner

By: Paul Hemmer Development  
Company, a Kentucky  
corporation  
Its General Partner

*Richard D. He...*  
*Jerry W. Rouse*

By: *Donald Hemmer*  
Name: Donald Hemmer  
Its: Secretary

DEED

PROPERTY TRANSFER TAX PAID \$937.00 ad. 1/2  
JERRY W. ROUSE, CLERK B. Cope

KNOW ALL MEN BY THESE PRESENTS:

That TW INVESTMENTS III, an Ohio General Partnership for and in consideration of One Dollar and other good and valuable consideration, to them paid by the grantee herein, the receipt of which is acknowledged, do grant, bargain, sell, and convey to:

TRP ASSOCIATES, an Ohio Partnership, its successors and assigns forever, the following described Real Estate, in the County of Boone and Commonwealth of Kentucky, to-wit:

Present Street Address \_\_\_\_\_ Group No. 2033B

Mailing Address: 8260 North Creek Drive, Cincinnati, Ohio 45236

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

BEGINNING at a point in the southwesterly right-of-way line of Turfway Road, said point also being the common front corner of Gilbert J. Foltz Trust property (D.B. 210, pg. 473) and George and Alma Boh property (D.B. 319, pg. 64), both recorded in the Boone County Clerk's Records at Burlington, said point also being 20 feet southwest of the center line of Turfway Road, and running thence:

S 50-47-23 W, along the dividing line between the Foltz Trust and Boh properties, and continuing along the dividing line between the Foltz Trust and the Kenton County Airport Board, a distance of 1683.05 feet, to a point, thence Due South (S 00-00-00 E), a distance of 1775.97 feet, to a point, thence N 59-00-00 E, along the dividing line between the Gilbert J. Foltz Trust and the Mary Ellen Foltz properties, a distance of 2085.80 feet, to a point, thence

N 36-06-56 W, along the southwesterly right-of-way line of the Houston Road-Turfway Road Connector, a distance of 549.54 feet, to a point, thence

N 2-51-46 W, continuing along the aforementioned southwesterly right-of-way line, a distance of 198.48 feet, to a point, thence

N 20-22-07 E, a distance of 298.79 feet, to a point, thence N 51-07-03 E, a distance of 302.49 feet, to a point in the southwesterly right-of-way line of Turfway Road, thence N 38-56-11 W, along the southwesterly right-of-way line of Turfway Road, a distance of 380.93 feet, to a point, thence N 51-03-47 E, continuing along the southwesterly right-of-way line of Turfway Road, a distance of 30 feet, to a point, thence

The grantor is a 50% partner in the grantee.

*In Land Use Restriction See misc 254 12/20*

FOR LAND USE RESTRICTION SEE MISC 266 200  
FOR LAND USE RESTRICTION SEE MISC 284 BY 15

EXHIBIT "A"

## STAFF REPORT

Request of CEI Engineering Associates, Inc. (applicant)  
 for Tineb Associates and Trp Associates (owners)  
 for a change in an approved Concept Development  
 Plan for a 14.85 acre tract located at Thoroughbred  
 Boulevard and Houston Road, Florence, Kentucky.  
 The request is to expand the existing **Sam's Wholesale  
 Warehouse Club** building by 28,990 square feet.  
 The site is currently zoned Commercial Two/Planned  
 Development (C-2/PD).

September 23, 1992

This is a request for a Change in Concept Development Plan on a 14.85 acre site located at Spiral Drive and Thoroughbred Boulevard, Florence, Kentucky. The request involves an expansion to the existing Sam's Warehouse and extension of the parking area. To extend the parking area, a previously approved restaurant site would be eliminated. The following table indicates the existing and proposed land uses and intensities.

<u>Existing</u>	<u>Proposed</u>
Existing Sam's - 104,690 s.f.	Proposed Sam's - 133,680 s.f.
Approved rest. site - 5,000 s.f.	(28,990 s.f. expansion)
Existing 733 parking	Proposed 817 parking

The applicant has prepared a Traffic Impact Analysis which forecasts future traffic counts and movements based on studies at other Sam's locations across the country. The Study recommends no road improvements to handle the retail expansion, but reinforces previous traffic studies by noting that existing traffic is sufficient to warrant a traffic signal at Spiral Drive and Houston Road.

The proposed expansion is to provide increased space for grocery and meat sales in the existing structure, as well as an entry vestibule expansion. The tire facility will be relocated out from the existing building.

#### Surrounding Land Uses and Zoning

North - Homequarters, C-2/PD  
 East - Houston Lakes site, O-2/PD  
 South - Wal-Mart, C-2/PD  
 West - Office Research, I-1/PD

Relationship to Comprehensive Plan and Houston-Donaldson Study

The Specific Development Guidelines section of the Houston-Donaldson Study recommends that any commercial development near the corner of Houston Road and Thoroughbred Boulevard be subordinate to other uses in the area and not be regional in character. Pages 53 and 54 recommend that commercial uses be consistent with adjacent planned developments and that they contain creative floor plans versus block buildings that overpower adjacent development, as well as substantial green space. Design review and signage design are important considerations at this location.

The Study and the 1990 Boone County Comprehensive Plan recognize the traffic sensitivity of the area.

Staff Concerns

1. The design of the addition, the tire storage area, vestibule, and landscaping would have to be carefully reviewed.

Conclusion

The Planning Commission and City of Florence must review this request in light of the Houston-Donaldson Study, Article Three, and Article Fifteen of the 1991 Boone County Zoning Regulations. The 1992 Houston-Donaldson Study has been recommended for approval by the Planning Commission, but has not yet been adopted by the City Council. Should the request be approved, minor adjustments to both the 1987 and 1992 Houston-Donaldson Study would be needed, primarily in the traffic generation section.



David A. Geohegan, AICP  
Senior Planner

DAG:par

PROPOSED ADDITIONAL TRACT PURCHASE  
1.63 ACRES ±

PROPOSED 4 LANE SIDEWALK  
(BEFORE TRIP)

PROPOSED BUILDING  
EXPANSION  
25,870 S.F.

EXISTING  
GOLF CLUB  
HOUSE  
25,870 S.F.  
FF-89000

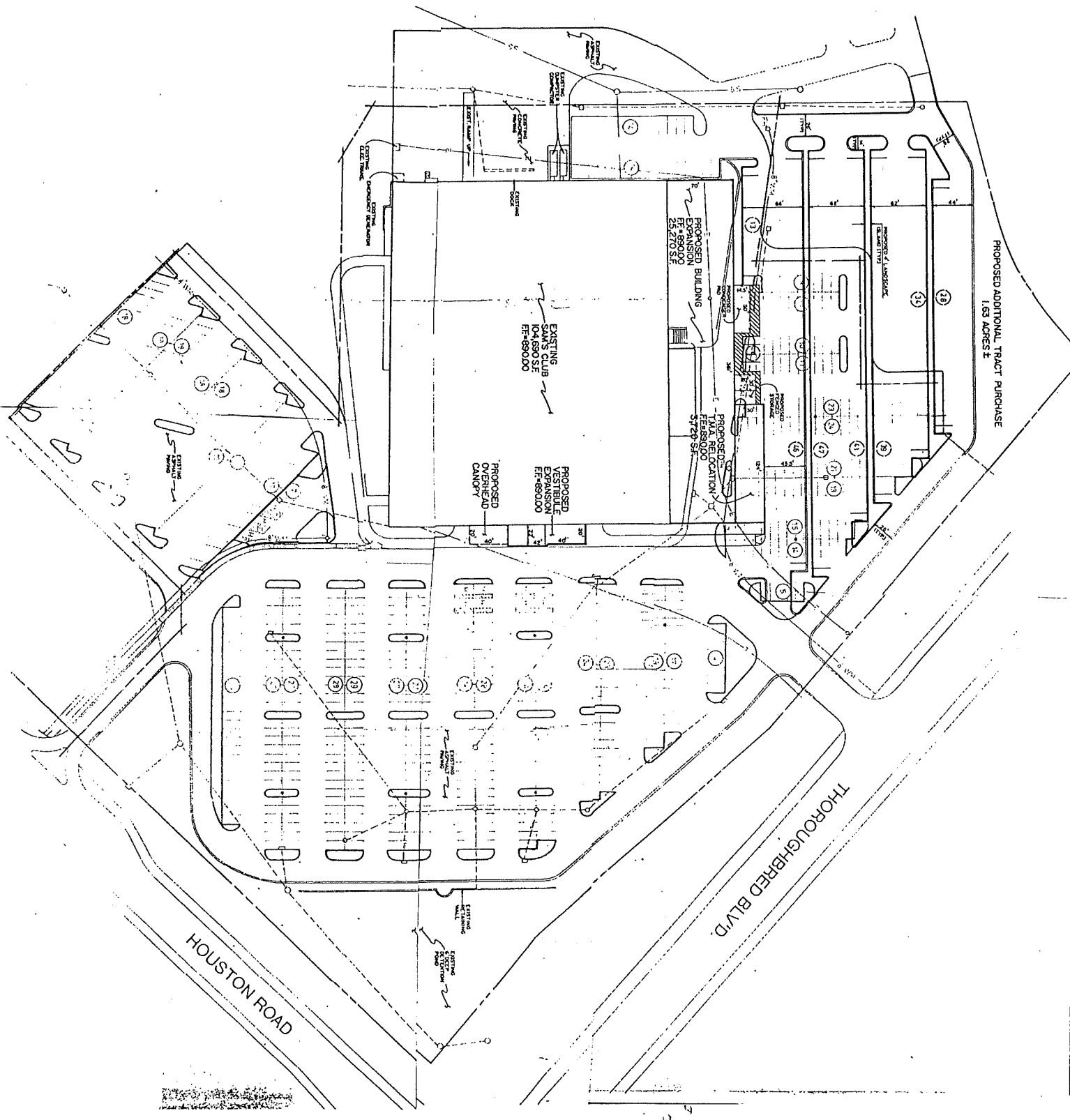
PROPOSED  
ESTABLISH  
ESTABLISH  
FF-89000

PROPOSED  
OVERHEAD  
CANOPY

PROPOSED  
TRAIL HEAD  
5,725 S.F.

THOROUGHBRID BLVD.

HOUSTON ROAD



Chairman Viox introduced the second item on the Agenda:

2. Applicant: CEI Engineering Associates, Inc. for  
Tineb Associates and TRP Associates (owners)  
Request: Change in Concept Development Plan

The request of CEI Engineering Associates, Inc. (applicant) for Tineb Associates and TRP Associates (owners) for a Change in an approved Concept Development Plan for a 14.85-acre tract at Thoroughbred Boulevard and Houston Road, Florence, Kentucky. The request is to expand the existing Sam's Wholesale Warehouse Club building by 28,990 square feet. The site is zoned Commercial Two/Planned Development (C-2/PD).

Staff Member Dave Geohegan presented the Staff Report (see Staff Report).

The Chairman asked for comments from the applicant.

Mr. Dave Walls of CEI Engineering in Bentonville, Arkansas, stated that he only works with expansions of Sam's Warehouse Clubs. He reviewed a drawing of the site with the Commission and stated that they are conscious of the fact that this is an upscale Planned Development. They recognize the quality of the center and are making a serious attempt to upgrade the external appearance of the site. He indicated the existing parking lot on the drawing and stated that it has minimal landscaping. They will make the parking lot a more gentle slope with landscape islands. They will significantly increase the amount of landscaping. Mr. Walls stated that he is a civil engineer and cannot address all of the architectural concerns. They will do whatever is necessary to make the building attractive and meet the county's architectural guidelines. He stated that the front vestibule is very attractive and it is their standard procedure that there be an enlargement of the existing vestibule, subject to architectural review. They would only modify or enlarge the vestibule with the consent of the appropriate bodies. In regard to traffic, he reviewed a diagram and indicated the change in traffic flow that they propose. They will take out several parking spaces and put in traffic islands to eliminate the existing poor traffic flow. He indicated on the drawing the area where the changes will occur. He stated that they will probably make a connection with Hemmer to improve the traffic flow.

Mr. Walls stated that they are adding a "fresh" department. They will put in a high quality butcher shop with several butchers on staff. There will be no slaughtering on the site. The produce department will sell restaurant-quality produce. Some of their facilities have a bakery, but he does not know if a bakery is planned for this store. They will move all of the existing freezers in the store now in other locations into a central area with the fresh meat and fresh produce. The rest of the store will simply expand the width of the aisles, which will make the store more spacious and less dense. He stated that with the elimination of the restaurant and with the addition, there is probably a decrease in the

parking and this is an opportunity to improve the appearance of the facility.

Chairman Viox asked if there were any further comments from the audience. There being none, he asked if there were any comments or questions from the Commission.

Mr. Collins questioned the location of the truck docks. Mr. Walls advised that they will remain exactly as they are.

Mr. Sharp noted that Mr. Walls said there would be a decrease in the parking, but the Staff Report said there would be an increase.

Mr. Walls stated that the site they are purchasing was originally planned for a restaurant which would have generated an increase in traffic greater than what the addition to Sam's will generate. It would be a reduced parking count for the overall development.

Mr. McMillian questioned unloading the meat at one end of the building and taking it to the other end. Mr. Walls advised that he believes they will unload at the existing truck docks. He noted that there is a warehouse-type area where they can store things and probably in the middle of the night or early in the morning the meat would be transported to the butcher area.

Mr. Neltner asked if any thought was given to providing access from the new parking area. He noted that with the entrance being on the opposite side of the building they are almost discouraging people from parking there.

Mr. Walls referred to the drawing and indicated where the new tire service would be located. He stated that there would be a waiting room inside. He noted that some of the parking for the facility now is not particularly desirable. It is on a grade of 4% and is only used at peak times -- like Thanksgiving and Christmas. Due to the grade, the finished floor elevation will be almost five feet below the parking elevation. There will be emergency fire exits, but there is no planned public ingress/egress for the new parking area. He stated that they have a lot of what they consider not premium parking, but they use it all at premium usage times. They need the additional parking.

Mr. Bailey stated that he is concerned about the additional traffic this type of development brings in, along with the traffic for other previously approved uses. He noted that there are already traffic jams around the City of Florence. He stated that there were discussions in the Houston-Donaldson Study about getting certain improvements made -- such as four lanes on Houston Road. He questioned when these improvements would be made. He stated that there was also discussion that when the area is developed to the extent it is being developed now, that there would be left turn lanes off the exit ramp, an improvement to the underpass on Turfway, the bridge would be rebuilt, and extra lanes added to go onto I-75 North.

Mr. Fromm advised that a committee was set up about two years ago which resulted in a study being done by the state and OKI principally in and around the Turfway interchange and the committee authorized the state and OKI to draft proposals. He does not believe that this included four lanes along Houston Road. The proposals were received about a month ago. The proposals will go back to OKI in draft form with comments and recommendations. There have been suggestions for improvements to the off-ramp and the on-ramp. He stated that the key is to get the improvements in the Six-Year Plan.


Mr. Geohegan stated that the five lanes on Houston Road are a planned state highway improvement which is in the Six-Year Plan.

Chairman Viox stated that because of this application, the loss of a sitdown restaurant with a high traffic count has been negotiated. This is a reduction in the traffic earmarked for this site, which is a plus.

Mr. Ries asked if they could come back later with a plan to put the restaurant somewhere else. Counselor Wilson stated that they would have to come back through the public hearing process. Mr. Walls stated that Sam's and Wal-Mart are not in the restaurant business and they have no desire for the restaurant.

There being no further comments, Chairman Viox stated that this item will be on the Agenda for the Business Meeting on October 7, 1992 at 8 P.M. and closed this Public Hearing.

APPROVED:

  
William R. Viox, Chairman

Attest:

  
Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION  
BUSINESS MEETING

October 7, 1992 8:00 P.M.

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Mr. William Viox, Chairman, called the meeting to order at 8:07 P.M..

COMMISSION MEMBERS PRESENT:

Mr. William Bailey  
Mr. Lawrence Collins  
Mr. Phil Damstrom  
Mr. Melvin DeLong  
Mr. R. N. Greene  
Mr. Robert Kirby, Jr.  
Mr. Don McMillian  
Mr. Barry Neltner  
Mr. Thurman Owens  
Mr. Robert Ries  
Mr. Ralph Rush  
Mr. Floyd Sharp  
Mrs. Carol Smith  
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. Fred Burch, Vice Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox stated that each Commission member had received a copy of the Minutes of the Business Meeting of September 16, 1992 and the Public Hearings of September 23, 1992. He asked if there were any comments or corrections.

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

UNFINISHED BUSINESS:

1. Zoning Map Amendment

The request of George D. Lyons (owner) for a Zoning Map Amendment on a 38-acre site at 11525 Dixie Highway, Boone County, Kentucky. The request is to rezone the site from Agricultural Estate (A-2) to Agriculture (A-1) in order to allow an additional mobile home.

Mr. Sharp read the Committee Report which recommended denial of the request based on the findings of fact (see Committee Report).

Mr. Owens moved that the request be denied based on the Staff and Committee Reports. Mr. Sharp seconded the motion.

Mr. Greene questioned if rezoning this property to A-1 would change the economic or social position of the area. The presidential candidates are preaching family values and at the Public Hearing Mr. Lyons indicated that this mobile home will be used by a member of his family. He does not believe that Mr. Lyons is going to make a mobile home park out of the property. If Mr. Lyons should ever sell the property, he would have to sell it as A-2 property if the change is conditioned that way. He noted that there is a lot of empty land facing Dixie Highway and when that land is sold, it will likely be zoned commercial. He cannot see that a man with 40 acres of land cannot have another home or another mobile home on the property. None of the neighbors are very close and none have objected. Mr. Greene stated that he is against the denial.

Counselor Wilson asked that the Minutes reflect that Mr. Kirby, Mr. DeLong and Mr. Neltner, who were late in arriving, know that the discussion is in regard to Item #1 and the motion is to deny the zone change. A "yes" vote is a vote to deny.

Mr. Ries asked if the property could remain A-2 and they could apply for a Conditional Use Permit. Counselor Wilson advised that this would require a text amendment as mobile homes are not allowed in the A-2 Zone.

Chairman Viox asked for a roll call vote on the motion made by Mr. Owens to deny the request. The vote found Mr. Bailey, Mr. Collins, Mr. Damstrom, Mr. Kirby, Mr. McMillian, Mr. Neltner, Mr. Owens, Mr. Ries, Mr. Rush, Mr. Sharp, Mrs. Smith, and Chairman Viox in favor. Mr. DeLong and Mr. Greene were opposed. The motion carried by a vote of 12 to 2.

Mr. Lyons showed the Chairman and the Commission pictures of his property.

2. Change in Concept Development Plan

The request of CEI Engineering Associates, Inc. (applicant) for Tineb Associates and TRP Associates (owners) for a change in an approved Concept Development Plan for a 14.85-acre tract at Thoroughbred Boulevard and Houston Road, Florence, Kentucky. The request is to expand the existing Sam's Wholesale Warehouse Club building by 28,990 sq. ft.. The site is currently zoned Commercial Two/Planned Development (C-2/PD).

Mr. Neltner read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). Mr. Geohegan advised that there is a letter signed by the applicant and the two property owners agreeing to the conditions.

There being no discussion, Mr. Sharp moved by resolution to the City of Florence that the request be approved based on the Staff and Committee Reports, including the conditions. Mr. DeLong seconded the motion and it carried unanimously.

3. Site Plan Review

The request of Ralph T. Balsy (applicant) for Chavez Properties (owner) for Site Plan Review to expand a parking lot for Fast Park Parking located off KY 20, Boone County, Kentucky. The one-acre site is zoned Commercial Services (C-3).

Staff Member Amy Moore presented the Staff Report (see Staff Report).

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

There being no discussion, Mr. Collins moved that the request be approved based on the Staff and Committee Reports. Mr. Kirby seconded the motion and it carried unanimously.

4. Site Plan Review

The request of Donald W. Bolte (owner) for Site Plan Review to grade a 5-acre parcel located north of KY 14 and east of U.S. 42, Boone County, Kentucky. The site is currently zoned Agricultural Estate (A-2).

Staff Member Amy Moore presented the Staff Report which recommended deferral of the request to the next Business Meeting to allow the applicant additional time to address the deficiencies. This is not within the 40-day time limitation, but the applicant has waived the time limitation (see Staff Report).

Mrs. Moore read the Committee Report which recommended deferral of the request based on the Staff Report (see Committee Report).

There being no discussion, Mr. McMillian moved that the request be deferred until the October 21, 1992 Business Meeting. Mr. Ries seconded the motion and it carried unanimously.

EXHIBIT "B"

## COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Barry Neltner, Chairman

DATE: October 7, 1992

RE: Request of CEI Engineering Associates, Inc. (applicant) for Tineb Associates and TRP Associates (owners) for a change in an approved Concept Development Plan for a 14.85 acre tract located at Thoroughbred Boulevard and Houston Road, Florence, Kentucky. The request is to expand the existing Sam's Wholesale Warehouse Club building by 28,990 square feet. The site is currently zoned Commercial Two/Planned Development (C-2/PD).

### REMARKS:

We, the Committee, recommend approval of the Change In Concept Development Plan based upon the following findings of fact and with the following conditions:

#### Findings of Fact

1. The proposed development would result in a decrease of forecasted traffic when compared to existing and approved uses on the site. Since minimizing traffic impact is a primary objective of the Houston-Donaldson Study, the request is in conformance with the Study. Specific references to the Study are made in the 9/23/92 Staff report.
2. The proposed development indicates improvements to the overall layout and circulation of the parking lot. These improvements help make the proposed plan appropriate for the site.

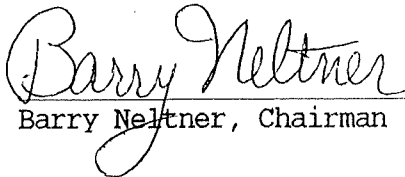
#### Conditions

The applicant is being asked to agree to include these items as part of the Change in Concept Development Plan in order to clarify the plan presented at the September 23, 1992 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.

1. The developer shall provide additional landscaping immediately adjacent to the proposed Tire Sales facility portion of the building expansion. This landscaping shall be designed to break up the visual impact of the building wall.

2. All exterior storage facilities shall be enclosed with masonry walls to match the building facade in color and materials.

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.

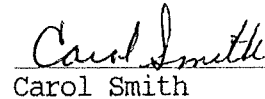
  
Barry Neltner, Chairman

\_\_\_\_\_  
Fred Burch

  
Phil Damstrom

  
Thurman Owens

  
Floyd Sharp

  
Carol Smith

DAG:par

14.85 acre tract generally located at Thoroughbred Boulevard and Houston Road, Florence, Kentucky. The property is currently zoned Commercial Two/Planned Development (C-2/PD). Councilmember Metzger moved, with second from Councilmember Hudson that this request be placed on the Agenda for action. Council approved by unanimous vote.

Councilmember Metzger noted that Boone County Planning Commission had voted unanimous approval on this request on October 7, 1992. Councilmember Metzger added that this is a 28,990 square foot expansion of the building with an increase of 84 parking spaces and this plan would eliminate an approved restaurant site for this same area which should reduce potential traffic.

Councilmember Osborne reminded Council that in 1987 it had been Council's suggestion that the whole 132 acres be put into one planned development I-1 (Industrial), rather than have a mix of I-1 and C-2 (Commercial/retail). He remarked that Walmart has been approved for expansion and Sam's would be additional retail expansion. Councilmember Collins recalled that the original concept had been one of a business area and he felt that although the City had allowed some C-2 in that area, additional retail expansion should not be continued. Councilmember Metzger replied that the original concern was whether to convert I-1 (Industrial) to C-2 (Commercial) but in this instance this is not true in that Sam's is not asking for a zone change, but only a concept development plan approval for a zone that they already have. They would be increasing the square footage but this would still be allowable in a C-2 zone and the elimination of an allowable restaurant should also be a plus. In answer to a question from Councilmember Carroll, Councilmember Collins noted the expansion is on the side of the existing building. Mayor Kalb clarified that facing Sam's the expansion would be on the right side of the building toward the road.

Mayor Kalb then presented the following Ordinance for first reading:

**ORDINANCE NO. 0-31-92: AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN A PREVIOUSLY APPROVED CONCEPT DEVELOPMENT PLAN FOR UTILIZATION OF AN UNDERLYING ZONE FOR A 14.85 ACRE TRACT LOCATED AT THOROUGHbred BOULEVARD AND HOUSTON ROAD FOR PROPERTY CURRENTLY ZONED COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD), LOCATED WITHIN THE CITY LIMITS OF FLORENCE, KENTUCKY. (SAM'S WHOLESALE WAREHOUSE CLUB - TRP Associates)**

Councilmember Metzger moved, with second from Councilmember White, that Ordinance No. 0-31-92 be approved on first reading. Roll call vote was taken. Voting Yes: Councilmembers White, Metzger and Carroll. Voting No: Councilmembers Osborne, Hudson and Collins. Mayor Kalb broke the tie vote with a No vote. Motion to approve on first reading was Denied. A Public Hearing will take place on December 29, 1992, at 7:30 p.m. followed by a Special called meeting. The Regular December 22, 1992 meeting is canceled.

**MAYOR'S REPORT:**

Mayor Kalb noted that in the past Council had approved a Christmas Bonus of \$50.00 for each City Employee. Councilmember Carroll moved to give each City Employee a \$50.00 Christmas Bonus, seconded by Councilmember Hudson and unanimous approval of Council.