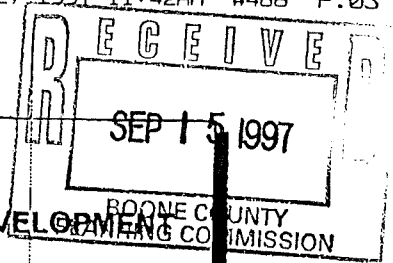


APPLICATION FORM



CHANGE IN CONCEPT DEVELOPMENT PLAN OR UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT (CONCEPT DEVELOPMENT PLAN) BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

- X Change in Concept Development Plan
Utilization of An Underlying Zone in Planned Development
a) Public Hearing Submittal (Concept Dev. Plan)
b) Long Range Planning Committee Review

- 2. Name of Project PARK PLACE COMMONS
3. Location of Project NW CORNER OF HOUSTON RD & HANSEL AVE.
4. Total Acreage of Site 21.0 ACRES
5. Current Zoning C2/PD
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 1990 CARROL PLAN; 1993 ST. LUKE PLAN * 1996 BATTAGLIA/ST LUKE Community PLAN
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 OVERLAY DISTRICT
8. Proposed Uses (please specify each use) OFFICE/DETAIL
9. Proposed Building Intensities (please specify) 1077 SF / ACRE RETAIL / 1070 SF / ACRE OFFICE
10. Have you submitted a Concept Development Plan? YES
11. Are you also applying for: NO Conditional Use Permit NO Dimensional Variance
12. Name of Applicant(s) PETERS, BATTAGLIA, LSB ENGINEERS INC / ST. LUKE
13. Address of Applicant(s) 4000 VENTURE COURT COLUMBUS OHIO 43228
14. Name of Property Owner(s) ST. LUKE COMMUNITY FOUNDATION
15. Address of Property Owner(s) 85 NORTH GRAND AVE FT THOMAS KY 41075
16. Are there any existing buildings on the site? NO
17. Deed Book 573 Page No. 308 Group No. 2027
18. Have you had a pre-application meeting with BCPC Staff? YES

(over)

EXHIBIT "A"

STAFF REPORT

Request of **Peter S. Battaglia, LJB Engineers, Inc. (applicant)** for **St. Luke Community Foundation Inc. (owners)** for a Change in Concept Development Plan within a Commercial Two/Planned Development (C-2/PD) zone, and a Zoning Map Amendment from Recreation/Planned Development (R/PD) to Commercial Two/Planned Development (C-2/PD) for approximately 4.5 acres of the site, both for a 21 acre site located on the northwest corner of the intersection at Houston Road and Hansel Avenue, Florence, Kentucky. The request is for a Change in Concept Development Plan and a Zoning Map Amendment to allow a retail/office development.

October 22, 1997

REQUEST

The following application is for a Change in Concept Development Plan within a Commercial Two/Planned Development (C-2/PD) zone for slightly less than 17 acres of the site, and a Zoning Map Amendment from Recreation/Planned Development (R/PD) to Commercial Two/Planned Development (C-2/PD) for 4 acres in the west/northwest part of the site. The 21 acre site in question is located on the west side of Houston Road between Hansel Avenue and the entrance drive to Turfway Park (at the signalized intersection - Bigg's Drive is on the opposite side of Houston Road). The site is located within the Houston-Donaldson Study Area.

The Concept Development Plan shows five structures proposed for the site. The first structure is proposed for the western part of the site (the rear relative to Houston Road) and would contain 123,000 square feet; this structure is proposed for a single retailer (labeled as "proposed Target"). The second structure is proposed for the northern portion of the site adjacent to the Turfway Park entrance drive and would contain 53,000 square feet (labeled as "proposed Retail A"). This structure is proposed for one or more retail tenants. Three outlots are proposed along Houston Road. The two northern-most outlots would contain two story office structures which have a footprint of 10,000 square feet each (20,000 square feet total for each structure - both are labeled as "Office 20,000 sf"). The third outlot, at the intersection of Hansel Avenue and Houston Road, would contain a 10,000 square foot structure whose use has not been specified.

Parking for the project is proposed to be provided mostly through a large parking field that is located between the two larger retail structures in the rear half of the site and two smaller parts of the parking field are proposed between the three outlots. Approximately 1,100 parking spaces are proposed. Landscape islands and peninsulas are proposed throughout the parking lot at regular intervals. In addition, perimeter landscaping is proposed around the entire development. A large detention pond is proposed in the northwest corner of the

site in essentially the same location as an existing pond that contains two fountains. The loading area for the larger retail building is proposed at the southwest corner of the building, and the loading area for the 53,000 square foot retail building is proposed to run along the rear of the building, facing the Turfway Park entrance drive.

Access is proposed to be provided via five curbcuts. Two of these curbcuts are on Hansel Avenue, two are proposed along the Turfway Park entrance drive, and the fifth is a proposed "right-in only" with a deceleration lane in the approximate center of the site along Houston Road. In addition, alterations to the eastern portion of Hansel Avenue are proposed including the addition of a right-turn lane from Hansel Avenue onto Houston Road. A right-hand turn/deceleration lane is also proposed for the southbound traffic on Houston Road turning right onto Hansel Avenue. Additional information is outlined in a letter from the applicant's attorney dated 10/17/97. No information regarding the proposed architectural or signage design has been provided as of this writing.

SITE HISTORY

On October 3, 1990, the Boone County Planning Commission approved a Zoning Map Amendment for an approximate 123 acre tract owned by Carroll Properties, Inc. that included the site currently in question (an earlier plan that was rendered essentially obsolete by the construction of Houston Road had been approved in 1985). The zone change request included areas on both sides of Houston Road, including the Turfway Square/Bigg's development and the current Saratoga Square site (O'Charley's, Italianni's, etc.). On December 18, 1991, Carroll Properties asked for a change in this plan to allow the development of six smaller lots to the south of the subject property to create Saratoga Square (the location of the current Saratoga Square subdivision that contains the restaurants) and a rearrangement of the outlots in the Turfway Square development. This plan was approved by the Planning Commission on February 2, 1992.

On November 17, 1993, the Planning Commission approved a Change in Concept Development Plan request for the 21 acre site in question. This plan was approved predominately for office and medical office uses, however, the plan provided for some commercial uses directly on Houston Road (see attached plan and Committee Report). This plan had largely an office-campus orientation, and the plan included a total of eleven lots and 195,000 square feet of floor area (buildings range in size from 7,000 square feet to 51,500 square feet; overall average building size is 17,727 square feet). This proposal was approved by the City of Florence on January 25, 1994 and is the currently approved Concept Development Plan for the site (Committee Report and plan are attached).

On September 4, 1996, the Planning Commission voted to recommend conditional approval of an application that was very similar to the current proposal (Committee Report is included as an exhibit in the previously referenced letter from the applicant's attorney - although it is marked "draft," it is the same Committee Report that was approved by the Commission; the plan is also attached to this report). This proposal included the same 123,000 single user retail structure in the same location on the site. However, this application included a 109,000 square foot, three tenant retail structure along the Turfway Park entrance drive in lieu of the currently proposed 53,000 square foot retail structure and the three outlots. With the exception of these differences, this 1996 proposal was essentially the same as the current application. This application was denied by the City of Florence on November 19, 1996.

ADJACENT LAND USES AND ZONING

The existing land uses adjacent to the site include the following:

- A. A vacant area is located to the north across the Turfway Park entrance drive (C-2/PD - currently approved for an "entertainment/mini-convention center"). The Marydale site is located further to the north (O-2/PD in the immediate vicinity).
- B. The Turfway Square subdivision (including Bigg's, Lowe's, Ashley Quarters, and Burger King and vacant areas for future commercial development) is located to the east/northeast across Houston Road (C-2/PD). The St. Luke medical complex is located to the east/southeast across Houston Road (PF/PD). A restaurant (Cracker Barrel) is located south of the St. Luke complex, on the southeast corner of the intersection of Houston and Turfway roads (O-2/PD).
- C. The Saratoga Square subdivision (including O'Charley's and Italianni's as mentioned previously, as well as Wendy's and Tumbleweed) is located to the south across Hansel Avenue (C-2/PD). Two additional restaurants (Shells and Fuddruckers) are located further to the south across Turfway Road (C-2/PD).
- D. The Turfway Park race track complex is located immediately to the west (R/PD).

PHYSICAL FEATURES OF THE SITE

As mentioned previously, the site contains 21 acres. In addition, the site has approximately 1,150 feet of frontage along Houston Road, and it also has frontage on Hansel Avenue and the Turfway Park entrance drive. The site is bound by two signalized intersections along Houston Road (one at Hansel Avenue and the other at Bigg's Drive/

Turfway Park entrance drive). The topography of the site rises from Houston Road in the southeast area of the site, then declines over the majority of the site toward the race track property. A retention pond that contains two fountains is located in the northwest corner of the site, and an improved drainage channel runs along the north property line, adjacent to the Turfway Park entrance drive. Two north/south running tree lines are located in the western part of the site within an older, graveled parking area. There are several driveways on the site which are in disrepair.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 1995 Boone County Comprehensive Plan's 2020 Land Use Plan designates the site as "Recreation." This designation is described by the Plan as "public and commercial outdoor recreation including golf courses, parks, race tracks, etc." The text of the Comprehensive Plan's Land Use Element (discussed in Area D-3) states the following regarding the area (pg. 226):

A substantial portion of this section is within the Houston-Donaldson Study Area. In general, this Study recommends light industrial uses in the O'Hara Road area, with limited commercial development at Turfway Road and Donaldson Highway. The central portion of the Marydale property is recommended to continue in its Diocese of Covington-related uses; however, portions of the property near Turfway Road will develop in a High Density Residential nature. Between the extension of Houston Road and I-75, office and commercial uses are encouraged. This important future employment area should be served by mass transit including light rail when available. The Turfway Park race track should remain; property to the east, along I-75 (should read as "Houston Road"), should develop in a mixed office and commercial manner compatible with the race track.

The Houston-Donaldson Study further details the development of these portions of the county and city. In general, the land uses planned for the Houston-Donaldson Study Area should reflect an employment district and be sensitive to the traffic limitations of the Turfway Interchange area. As recommended in the Study, major improvements will be necessary to the road system within the Study area.

The Business Activity Element makes the following statements regarding the Houston-Donaldson Study Area ("Areas of Future Commercial Activity," pg. 82):

Since the immediate Florence area figures so prominently in Boone County's commercial activity, this region has the momentum to continue dominating any expansion of commercial activity. However, two studies, the Houston-Donaldson Study and the Main Street Study have defined the scale and type of commercial uses in the City of Florence and surrounding area. The Houston Road area will mature with expansion of the retail and office base, additional racetrack uses and the expansion of St. Luke West Hospital.

The Land Use Element states the following regarding the provision of adequate landscaping and buffering, particularly along public roadways and to improve compatibility between differing land uses ("Landscaping," pp. 210 and 211).

- A. Development in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways.

Developments along major roadways in Boone County must include landscaping and/or the use of berms between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses.

The Land Use Element states the following relative to the provision of pedestrian networks ("Transportation and Pedestrian Network," pg. 211).

- A. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but should provide connections to adjoining uses where appropriate. Public open space and recreation sites should be connected by bicycle and pedestrian paths where appropriate.

The Land Use Element provides the following comments about the overall design of a project ("Design, Signs, and Historic Preservation," pg. 211).

- A. Developments in Boone County should give consideration to the overall design of the project. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use.
- B. The proper application of these guidelines help, in part, to achieve an overall objective of this Comprehensive Plan. This goal states that proper future growth management for Boone County is implemented. As a minimum, proper design and development must include the consideration and application of the above guidelines.

The 1995 Boone County Comprehensive Plan Goals and Objectives include the following statements that relate to the proposal.

- A. Proper design principles shall be applied in development ("Overall," Objective 3).
- B. Boone County shall strive to achieve a diversity and balance in competing land uses ("Overall," Objective 6).

- C. The needs of Boone County's population base are accommodated through the provision of orderly growth ("Population," Goal).
- D. New development or redevelopment within Boone County is designed, constructed, and operated in such a way that the quality of the existing physical environment and social environment are protected and enhanced. Development within Boone County preserves and promotes a better quality of life while allowing a reasonable economic return ("Environment," Goal).
- E. Appropriate locations for businesses compatible with the surrounding area are provided in Boone County ("Business Activity," Goal).
- F. Commercial uses shall be limited to strategic locations serving trade areas and neighborhood needs and shall have safe and effective access and ample parking space ("Business Activity," Commercial Objective 1).
- G. Transportation opportunities for pedestrians and bicyclists shall be provided by the development of a network of sidewalks, pathways and roadway lanes ("Transportation," Objective 10).
- H. Priority shall be given towards maintaining, protecting and improving the existing roadway system ("Transportation," Objective 11).

RELATIONSHIP TO HOUSTON-DONALDSON STUDY

The Houston-Donaldson Study was adopted as an overall guide for development within the area. Proposed development on sites within the Houston-Donaldson Study Area shall be evaluated pursuant to the Study's policies. Of particular relevance to Concept Development Plan review and Zoning Map Amendment requests within the Study Area is a portion of the "Purpose" section (pg. 4) of the Study which states that it is intended "to further detail and compliment the Comprehensive Plan for an area of Boone County that is experiencing immediate development pressures and traffic congestion." In addition, the "Goals and Objectives" section of the document (pg. 6) states that "because the Houston-Donaldson Study further defines the Comprehensive Plan for this area, the broader Goals and Objectives of the Comprehensive Plan should also be consulted in evaluating development proposals." Further, the three overall goals of the Study, and objectives which specifically relate to the proposal in question, are provided below.

- A. The future land uses in the Study Area are planned in relation to the overall land use pattern of Boone County, the existing and planned development within the Study Area, and the sense of the Study Area as a distinct corridor (Goal I, pg. 7).

- B. Consistent with the Boone County Comprehensive Plan's recognition of this area of the county as suitable for a large scale employment and commercial district with unique residential and recreational opportunities, proposed land uses shall be planned in order to provide a logical, realistic development pattern with a mixture of land uses (Goal I, Objective A, pg. 7).
- C. Commercial uses shall be designed in an innovative manner that creates prominent landscaping areas (Goal I, Objective B, pg. 7).
- D. Each development shall have a central architectural focus (Goal I, Objective G, pg. 8).
- E. Submitted development requests shall be reviewed in context of Article 15 Planned Development of the Boone County Zoning Regulations and this document (Goal I, Objective I, pg. 8).
- F. Where appropriate, development requests should include some form of recreation opportunity and/or pedestrian network (Goal I, Objective J, pg. 8).
- G. The traffic circulation system serves both destination and through traffic with a minimum of traffic congestion (Goal II, pg.8).
- H. Individual uses should have access through integrated development driveways, and not have individual access points (Goal II, Objective C, pg. 8).
- I. 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 is based upon the recognition that the Study Area has enormous amount of visibility from major public thoroughfares. It also is based upon the idea that development should preserve, where appropriate, the natural terrain and vegetation (Goal III, pg. 9).

The site in question is within an area described by the Study as "Site 14, Turfway Square and Saratoga Square Area." The land use recommendations for this area (refer to attached text and map) basically reiterate the Concept Development Plan approved for the entire 123 acre Carroll Properties site in 1990. In addition, the Study acknowledges that the 21 acre site in question had been acquired by St. Luke (current Houston-Donaldson Study was adopted in 1992, St. Luke Concept Development plan in effect for the property was approved by the City of Florence in early 1994). Further, any development of the site is subject to the Study's site design, architectural, and signage requirements through the Design Review procedure.

STAFF CONCERNS

As mentioned previously in this report, this proposal is a modified version of an earlier request that was conditionally approved by the Planning Commission but denied by the Florence City Council. Because the Planning Commission has already determined that a very similar proposal has met the necessary requirements, with a supplemental condition of approval, Staff is largely concerned with whether the current proposal meets these same conditions and the applicable requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations. Due to the volume of materials that constitute the record of the 1996 application, the materials are not attached to this report but are hereby incorporated into this report by reference and are available for the Commission's review. Staff's concerns are as follows.

1. The predominate issues with the prior proposal for this site was that it involved purely "big box" retail uses (i.e., a 123,000 square foot and a 109,000 square retail structure - 232,000 square feet of retail total), and none of the office or smaller scaled commercial uses that were part of the approved 1994 St. Luke plan for the site where included in this latter proposal. The current proposal includes the same 123,000 square foot retail structure, but the second retail structure has been reduced to 53,000 square feet (176,000 square feet total of "larger" retail uses), and two 20,000 square foot office structures have been provided along Houston Road as well as an outlot for a 10,000 square foot structure of an unspecified use (226,000 square feet total). The current proposal does address Staff's earlier concern regarding the provision of outlots along Houston Road for non-retail uses in some fashion.

Staff's primary concern regarding the proposed use mix is that no use has been specified for the 10,000 square foot structure in the outlot at the Houston Road/Hansel Avenue intersection. In order to create a more mixed-use environment in the area and to avoid the placement of a high turnover use in the immediate area of the intersection (among existing uses in the area which tend to have notable peak PM activity), and to help maintain the use character inherent in the approved St. Luke plan, Staff contends that this outlot should be limited to uses which fulfill these objectives, such as a professional office, bank, low turnover form of retail, etc. Higher turnover uses such as fast food restaurants, convenience stores, and the like should be prohibited.

2. The most recent proposal for this site was conditionally approved by the Planning Commission. In addition to a commitment to particular architectural and signage concepts, the single condition of approval required that a number of qualitative/character defining elements be incorporated into the development. These elements included horse farm style fencing along the roadways to help the development correlate to the race track property, a sculptural arcade feature with a fountain, pedestrian system, and an expansive open space area in the northwest area of the site. It is staff's contention that these or similar elements should be incorporated into the project in order to meet the purpose and requirements of the

Planned Development district, particularly since Section 1514 "Planned Development Standards" has been added to the zoning regulations since the prior application was recommended for approval by the Commission. Staff also has the following comments relative to specific requirements in this section of the regulations.

Subsection 1 "Mixed Use Development and Pedestrian Orientation" and Subsection 4 "Multi-Modal Transportation System": When considering the size of the proposed development and the fact that five structures are proposed around what is essentially the perimeter of the site, a pedestrian system which links the structures to the adjoining public streets, and that links the individual structures together (in conjunction with using the sidewalks along the public streets where more practical), should be considered.

Subsection 6 "Landscaping": The project will be required to meet the landscaping requirements in Article 36 of the zoning regulations.

Subsection 7 "Architecture" and Subsection 9 "Signage": No details have been provided regarding either of these matters as of this writing. Architectural and signage concepts need to be provided for the project through the Concept Development Plan review.

3. Staff is concerned with the on-site circulation design associated with the "right-in" only curbcut along Houston Road and the curbcut on the Turfway Park entrance drive that is closest to Houston Road. The first necessitates pedestrians to cross an area just beyond the curbcut (the driveway between the center building and the parking area) that perceptually reads as a "vehicle only" area to entering motorists. Some sort of demarcation which shows that pedestrians would be frequently crossing this area should be provided, such as pedestrian crossing signage and a different pavement surface. The second curbcut has two, two-way streams of traffic converging at the curbcut itself.

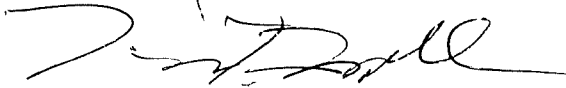
In addition, a party affiliated with a neighboring business asked why a right hand turn lane was not provided for southbound traffic at the Houston Road/Turfway Park entrance drive intersection. The applicant's traffic consultant should explain the traffic analysis to show why such a turn lane has not been proposed and if it is warranted.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and the Florence City Council in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3 "Amendment" of the Boone County Zoning Regulations, the provisions of Article 15 "Planned Development District," including Section 1514 "Planned Development Standards," of the Boone County Zoning Regulations, the 1995

Boone County Comprehensive Plan, the Houston-Donaldson Study, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will need to be amended to reflect Commercial uses on the site if the Planning Commission and City Council approve this request (although the currently approved Concept Development Plan fits the Commercial designation, the future land use is currently shown as "Recreation").

Respectfully submitted,



Kevin T. Wall, AICP CDT
Director, Zoning Services

attachments:

- * air photo of area
- * Zoning Map excerpt
- * 1993 St. Luke Concept Development Plan and Committee Report
- * 1996 Concept Development Plan
- * "Site 14, Turfway Square and Saratoga Square Area" text and map from Houston-Donaldson Study
- * application and Concept Development Plan materials, including 10/17/97 letter from Gerald Dusing w/ Committee Report for 1996 application

PUBLIC HEARING ITEM NO. 1:

Commission members present: Mr. Brown, Mr. Caddell, Mr. Damstrom, Mr. McKinney - Chairman, Mr. McMillian, Mr. Millay, Mr. Neltner, Mr. Ries - Vice Chairman, Mr. Rush, and Mr. Viox.

Following the Public Hearing on Agenda Item No. 2, Mr. McKinney introduced Agenda Item No. 1:

1. Applicant: Peter S. Battaglia, LJB Engineers, Inc. for St. Luke Community Foundation, Inc. (owner)

Request: Change in Concept Development Plan and Zoning Map Amendment

The request of Peter S. Battaglia, LJB Engineers, Inc. (applicant) for St. Luke Community Foundation, Inc. (owner) for a Change in Concept Development Plan within a Commercial Two/Planned Development (C-2/PD) zone, and a Zoning Map Amendment from Recreation/Planned Development (R/PD) to Commercial Two/Planned Development (C-2/PD) for approximately 4.5 acres of the site, both for a 21-acre site located on the northwest corner of the intersection at Houston Road and Hansel Avenue, Florence, Kentucky. The request is for a Change in Concept Development Plan and a Zoning Map Amendment to allow a retail/office development.

Staff Member Kevin Wall presented the Staff Report, which included a comparison of the current request with the previous request that was passed by the Planning Commission and turned down by the City of Florence in 1996, and a slide presentation (see Staff Report).

Mr. McKinney asked for the applicant's presentation.

Attorney Gerry Dusing, representing Continental Properties, the developer of the site, introduced Mr. Kurt Krull with Continental Properties, Mr. Mark Johnson with Target Stores Division of Dayton Hudson Corporation, Mr. Jack Gartner with GBBN Architects, Mr. Jack Gehrum - traffic analyst with Pflum, Klausmeier & Gehrum, Mr. Pete Battaglia - design engineer, Mr. Steve Brandt, and Mr. John Lange, III attorney for St. Luke Hospital Foundation, owner of the site since they acquired it in 1993 from Carroll Development.

Mr. Dusing stated that the prior proceedings from a year ago need to be incorporated into the record so that they can be referred to and the data used.

Mr. Dusing stated that in 1990, Saratoga Square was approved by the Planning Commission and it included similar uses -- retail, hotel, and office, with similar square footages. He stated that approximately 17 of the 21 acres is currently zoned appropriately (C-2/PD). A portion of the property adjoining the race track parking lot (four acres at the rear of the site) is zoned Recreation and that is why they are here. He stated that the real issue for the Planning Commission to decide is how this plan has changed from what was approved in 1990. When St. Luke acquired the property in 1993 and their plan was approved, it had similar amounts of square footage for office and retail/hotel to what they are proposing this evening. Their proposal is virtually identical to the St. Luke plan as far as the mix of uses and green space. He stated that in the Staff Report is a packet of information submitted by the applicant which contains the findings of fact that the Planning Commission made in 1996 -- including that the proposed plan at that time (which was larger in scale and basically all retail) was compatible with the Houston-Donaldson Study, it met the land use Goals of the Comprehensive Plan, and was compatible with the surrounding development. The plan was approved by the Planning Commission and went to City Council -- but their position was that there was too much retail. Following the denial, they had discussions with the City and worked out this plan which includes office uses in the front. It is a mixed use that they believe is acceptable to the City of Florence. Mr. Jack Gartner joined Mr. Dusing at this time and presented an exhibit of the Vicinity Plan. Mr. Dusing reviewed the exhibit indicating the roadways in the area and the location of the site. The site is surrounded by mixed uses -- hotel, hospital, and interchange-type uses. He indicated the hotel/convention center use approved as part of the Carroll project. He stated that they are a small piece in the overall area. He noted that the old plan and the new plan are shown in the Staff Report. He presented the old plan and the new plan.

Mr. Gartner stated that the 1996 approved Development Plan shows all retail. It has Target to the rear with substantial user retail and some smaller users upfront. There was a connection for vehicular and pedestrian circulation. There was right-turn-in and right-turn-out on Houston Road. He indicated the access to the site off the race track drive. He noted the outlot at the corner of Hansel Avenue and Houston Road. Reviewing the Revised Site Plan, Mr. Gardener stated that this is the same footprint at the rear of the site. They have a 53,000 square foot retail user and two 10,000 square foot office buildings (two stories with associated parking), and the outlot in the area adjacent to Houston Road and Hansel Avenue. He stated that they reviewed the plan with the race track and they made some suggestions to enhance both properties. They have agreed to extend the fence and to provide the character as far as the race track identity goes. He stated that when the time comes

to develop the lot, the race track will provide a four-board, white board fence on the road that is access to the race track. It is a reasonable design decision to put the fence along the access road into the race track rather than wrapping the site with farm fencing as originally planned. The other issue the race track asked them to address is to line the race track access with trees and boulevard lights, and they will do the same on their side of the road. This will provide a more pleasant approach and sense of arrival. There is an agreement that they will provide lighting down the road, and the race track will also provide lighting for a boulevard approach to the race track. He stated that the landscaping is shown on the exhibit and is in keeping with Planning & Zoning's requirements. The sign locations are also identified on the exhibit. He stated that they want the project sign at the corner of Hansel Avenue. There will be a small monument sign at the race track and Houston Road. He referred to the exhibit and stated that the interior of the site is self-explanatory -- and Mr. Wall did a good job of explaining it. In regard to traffic, he stated that they are aware of some of the problems -- particularly at the entrance with the right-turn-in, which Mr. Wall identified as a problem. He referred to the pedestrian traffic ways and stated that they are studying how the connections will be made since most people who are shopping at Target are not necessarily using office space. Some connection is probably appropriate and they will look at that. He presented the computer-generated elevations which were presented at the last hearing. He stated that this is the same building with the same relationships to the race track. He showed an exhibit of the elevations of the Target Store. The building is all masonry (all four sides) and there is color on all four sides. They have changed to square corners from rounded corners to give some relief from the plain and unimaginative masonry structure. They have added to the architectural content of the building. Referring to the exhibit, he noted the floor plan and stated that it is not a straight, flat box but has interest, shadows, and some imagination. He stated that the exhibit has been shown to the adjacent owners and they have no displeasure with it. The building is two colors of masonry and is darker at the bottom and lighter at the top. Mr. Gartner showed an exhibit of the adjacent building, which is a retail user that has not been identified at this time. The building has a similar architectural character to the Target building. The corners give it a break down in scale and reduce the feeling that it is a big box. It has an enhancement to the main facade entrance. He stated that the materials are compatible -- it is darker and light and the colors graduate to the upper levels. He stated that there is some differentiation in materials and contrast in the textures to add to the enhancement of the project and design. He reviewed the pedestrian access around the site. He stated that the parking is immediately adjacent to the building. He stated that the exhibit

shows the design character proposed for the building. He stated that they have not looked at office buildings at this time.

Mr. Dusing referred to the Staff Report in regard to the Staff Concerns. He noted his letter contained in the packets (see letter from Gerald F. Dusing to Kevin Wall dated October 17, 1997), which was made a part of the record and summarizes the changes to this plan from the prior approved plan. An enclosure to that letter is the Committee Report from when the project was approved in 1996 (Exhibit 1). He stated that the Committee Report was included to indicate the conditions that were signed off on at that time. He stated that instead of identifying the conditions agreed to on the previous plan, they were summarized by incorporating the final drawings with the berms, traffic circulation, sidewalks, board fencing, pedestrian walkways between the buildings, architectural character, etc., and their intent this evening is to agree to those same conditions. They agree to the park-like environment and architectural amenities shown this evening. Their intention is to include all the restrictions and conditions that they agreed to in 1996. Mr. Dusing stated that Exhibit 2 is a comparison of what was approved in 1993 with their proposal this evening. He reviewed the figures on the exhibit and noted that the 226,000 square foot total includes the outlot. He stated that at their pre-application conference, they showed a 10,000 square foot outlot -- but by negotiation between Target and the hospital, they are now committing to a 5,000 square foot under-roof outlot. He stated that the outlot will not be a fast food restaurant or a sit-down restaurant -- unless the Planning Commission wants it. It will not be a convenience store or a gas station. He stated that they do not have an end user, but the intent is for something small -- like a bank, an office, or some type of service. It could be retail -- like a small, free-standing boutique. He stated that the 5,000 square foot outlot makes this proposal smaller than what was approved in 1993. Mr. Dusing reviewed Exhibit 3, which is in regard to traffic generation. He stated that the previous plan generated the same or less traffic than what was previously approved years ago, and the change in the traffic counts for their revised plan is less than what was approved for St. Luke in 1993. He stated that in the morning, the traffic is the same or a little bit more -- but in the evening it is substantially less because of the way things are measured by traffic engineers when Commercial is down-zoned to office. He stated that Exhibit 4 is a recent article from The Cincinnati Enquirer about Target. He stated that Target is the Cadillac of the discount stores and the Mayor of Florence has gotten a lot of calls from people fussing at Florence for turning it down. Three new Target stores recently opened in Cincinnati and this will be the southern point on the compass for the market. The store is ideally located between the I-275 interchange that comes off at Erlanger. He stated that Exhibit 5 is the endorsement of the St.

Luke Hospital Foundation. He stated that the hospital will not propose or tolerate anything that will negatively impact their environment or their ability to serve the community. The hospital endorses the project. He stated that they have made a long, expensive, and dedicated effort to respond to the concerns last year. They agree to some stringent and expensive conditions. They are proud of their plan.

Mr. Jack Gehrum stated that when they prepared the chart, he was thinking about 10,000 square feet for the outlot and there would be a 40 - 50 trip reduction as a result of the reduction in the outlot. He stated that they have included the change from right-in/right-out to right-in-only on Houston Road, which further reduces conflicts, as well as the improvement on Hansel Avenue which was part of the original project to provide an additional lane to Richman Road. He stated that there was a concern regarding lanes -- southbound Houston Road at the entrance to Turfway Park. He stated that one of the things shown on the chart is Level of Service. The existing is Level of Service is B overall and, once the project is in place, they can retain that level of service -- which is significant as it relates to the addition of the lane. He stated that one of the criteria considered in looking at the need for additional lanes is what happens to the Level of Service. He stated that there is no justification for the lane in regard to Level of Service. They also look at what the Transportation Cabinet uses and, during the peak hour when you expect to have 100 vehicles turning, you would consider the need for that lane -- and when you have 200 vehicles turning, you have to have that lane -- but they are in no way approaching those types of volumes during the peak hour. He stated that it does not appear that the lane is justified for purposes of the project they are adding. Mr. Dusing stated that there is an existing stacking turn lane going into Hansel Avenue.

Mr. Gehrum stated that there were questions about the conflict of pedestrians. He stated that they need to look at this and go with the appropriate signage and other elements that may be necessary.

Mr. Dusing stated that the applicant's presentation was concluded.

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

Mr. Jay Lange, attorney for St. Luke Hospital and St. Luke Community Foundation, the owner of the property, stated that he appeared before the Planning Commission a year ago and his comments are incorporated into the record. He stated that the hospital purchased this property in 1991 for future development for health care purposes and other development to get their money out of the property, but things changed in 1992 with a major change in the

health care delivery system. The idea of a medical village evaporated -- doctors all went to large groups away from the hospital property. He stated that it was determined that their 48.5 acres on the hospital campus is more than adequate to take care of the hospital's future needs and, with that decision, the property became available. He stated that they did not actively market the property. Target and Continental met their criteria for development of the project and they have been involved in the process for about 18 months. He stated that they need to convert this resource into an asset that can be used for the community. The hospital is a community-based, non-profit organization. The Hospital Board and the Foundation Board support this project.

Mr. McKinney asked if there was anyone else present who wished to speak in favor of the project. There being no response, he asked if anyone wished to speak in opposition ask questions. There being no response, he asked if there were any comments or questions from the Planning Commission.

Mr. Ries asked if the development will be phased -- will Target go in first and then the retail later, or will they start at the same time. When will the outlot be developed?

Mr. Dusing replied that Target will go in right away. He stated that there is not a commitment to the retail, but they expect it to be simultaneous or close in time. Mr. Krull stated that it would be 3 - 6 months. Mr. Dusing stated that the hospital is retaining the two office buildings because they are in negotiations with the city. The feedback from the city is that they want the office across the front -- but there is no market for it.

Mr. McMillian questioned the detention. Mr. Dusing advised that it would be dry.

Mr. McMillian noted Mr. Dusing's comment that this is the "Cadillac" and asked him to name a "Cadillac" store. Mr. Dusing stated that it is the "Cadillac" of the discount line. Mr. McMillian stated that it was mentioned before that Target is upscale from Bigg's, but now they are saying it is the "Cadillac". Mr. Dusing stated that Target is above K-Mart and Bigg's. He stated that there is no food. Mr. McMillian asked what Target could be compared to in Boone County. Mr. Dusing stated that the Commissioners could look at the Target on Fields Ertel Road. He stated that Target is above Meijer's and going toward the Kohl's line.

Mr. Mark Johnson, stated that he has been with Target for nine years and this question comes up often -- how are they different from K-Mart, Wal-Mart, Bigg's, Meijer's, etc.? The difference is primarily the format -- their aisles are wider, their signage is brighter,

their softlines are a little better quality and at a very affordable price. Their signage is more upscale. He stated that they do not jam the sales floor to the ceiling with merchandise. Their stores are comfortable and you do not feel that merchandise will fall down on you if you bump into anything. They are the largest division of Dayton Hudson Corporation, which has roots in the department store business. A lot of the merchandising and buying techniques come from the upscale department store background. The Chairman of the Target Division was recently promoted to Chairman of the entire organization and he has reorganized their divisions to incorporate the sharing of information to create a better company. Mr. Johnson stated that he does not think there is a store in town that is comparable to Target. Kohl's goes after a little different niche than Target. He stated that the best thing for the Commissioners to do is to visit the Target store on Fields Ertel, Beechmont, or in Western Hills.

Mr. Dusing submitted magazines that are given out at the stores in response to this question.

Mr. Caddell noted that Mr. Dusing had said that the two office building parcels will be retained by the hospital and not included in the sale. He asked if that also includes the outlot on the corner. Mr. Dusing advised that it only includes the two office buildings. Mr. Caddell stated that it would be appropriate for the property lines to be delineated by the time this reaches the Committee. Mr. Dusing agreed.

Mr. Lange stated that approximately 3.6 acres will be retained by the hospital, but the entire site will be graded. He stated that they will retain approximately 700 feet of frontage on Houston Road, which is the northern 700 feet of the site. Mr. Dusing stated that title will be retained, but the property will be developed with the overall plan as far as berming and fencing so that it is ready to build. He stated that they will show the property lines at the Committee Meeting.

Mr. Neltner questioned what state the outparcels will be in when the rest of the property is developed, if development of the outparcels is a year or two down the road. Mr. Dusing stated that the office site will be grass, but it will have the required amenities -- such as the berming and trees. When the office buildings are developed, it is their understanding that they have to either be developed in accord with the approved plan for the project, or they have to come back and ask for a modification. He stated that that tract is being tied to a landscape plan in this process. The tract will have the amenities around the perimeter and it will be grass.

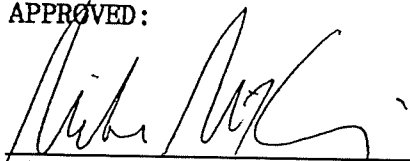
Mr. Neltner stated that in the comparison of the 1993 St. Luke plan to this plan, it was indicated that the outlot would be reduced from 10,000 square feet to 5,000 square feet, which is less total square footage for the current plan over the 1993 plan -- but they did not state that the total square footage would then be 221,000. He would like clarification that the 5,000 square feet comes off the bottom line (226,000 square feet). Mr. Dusing responded "yes". Mr. Neltner stated that they could possibly shift additional square footage to other sites. Mr. Dusing disagreed and stated that the Planning Commission would not let them do that.

Mr. Brown stated that the right-turn-only lane appears to be going into the lots they said would be maintained as grass. Mr. Dusing stated that the turn lane will be built and that is the entrance.

There being no further comments, Mr. McKinney stated that the Committee Meeting for this item will be on November 10, 1997 at 4 P.M. in the second floor conference room. This item will be on the Agenda for the Business Meeting on November 19, 1997 at 7:30 P.M..

The Chairman closed this Public Hearing.

APPROVED:



Michael McKinney, Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
November 19, 1997
7:30 P.M.

Mr. Michael McKinney, Chairman, called the meeting to order at 8:15 P.M..

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett, Secretary/Treasurer
Mr. Larry Brown
Mr. Fred Burch
Mr. Arnold Caddell
Mr. Phil Damstrom
Mr. Mike McKinney, Chairman
Mr. Don McMillian
Mr. Bob Millay
Mr. Barry Neltner
Mr. Robert Ries, Vice Chairman
Mr. Ralph Rush
Mrs. Linda Schaffer
Mrs. Carol Smith
Mr. Earl White, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. William Viox

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Mr. Dave Geohegan, AICP
Ms. Jan Hancock, Secretary
Mr. Jeff Hayes
Mr. John Huth
Ms. Terri Mitchell
Mr. Kevin Wall, AICP

Approval of the Minutes:

Mr. McKinney stated that each Commission member had received copies of the Minutes of the October 29, 1997 Public Hearing and the November 5, 1997 Business Meeting. 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 and previously distributed. Mr. Ries seconded the motion and it carried unanimously.

UNFINISHED BUSINESS:

1. Change in Concept Development Plan and Zoning Map Amendment

The request of Peter S. Battaglia, LJB Engineers, Inc. (applicant) for St. Luke Community Foundation, Inc. (owner) for a Change in Concept Development Plan within a Commercial Two/Planned Development (C-2/PD) zone, and a Zoning Map Amendment from Recreation/Planned Development (R/PD) to Commercial Two/Planned Development (C-2/PD) for approximately 4.5 acres of the site, both for a 21 acre site located on the northwest corner of the intersection at Houston Road and Hansel Avenue, Florence, Kentucky. The request is for a Change in Concept Development Plan and a Zoning Map Amendment to allow a retail/office development.

Mrs. Schaffer chose not to participate in the discussion of this request and left the room.

Staff Member Kevin Wall presented 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 conditions.

There being no discussion, Mr. Burch moved by resolution to the City of Florence to approve the request based on the Committee Report. Mr. Millay seconded the motion. A vote on the motion found all voting members in favor. Mr. Ries abstained due to relatives employed at St. Luke. Mrs. Schaffer was not present. The motion carried.

2. Change in Concept Development Plan

The request of the Waco Oil Company (owner) to consider a Change in Concept Development Plan in a Commercial Services/Planned Development (C-3/PD) zone for an approximate 2.16 acre site located on Centennial Circle and known as Lot 5, Heritage Hills Subdivision, Boone County, Kentucky. The request is for a change in an approved Concept Development Plan to allow retail auto sales and an auto body shop.

EXHIBIT "B"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Larry Brown, Chairman

DATE: November 19, 1997

RE: Request of **Peter S. Battaglia, LJB Engineers, Inc. (applicant)** for **St. Luke Community Foundation Inc. (owners)** for a Change in Concept Development Plan within a Commercial Two/Planned Development (C-2/PD) zone, and a Zoning Map Amendment from Recreation/Planned Development (R/PD) to Commercial Two/Planned Development (C-2/PD) for approximately 4.5 acres of the site, both for a 21 acre site located on the northwest corner of the intersection at Houston Road and Hansel Avenue, Florence, Kentucky. The request is for a Change in Concept Development Plan and a Zoning Map Amendment to allow a retail/office development.

REMARKS:

We, the Committee, recommend approval of this request based upon the following findings of fact and with the following conditions:

Findings of Fact

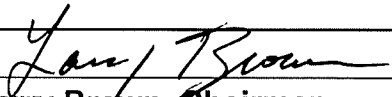
1. The Committee has concluded that the proposed Zoning Map Amendment and Concept Development Plan are in general agreement with the Goals and Objectives of the Houston-Donaldson Study. In addition, the Committee has concluded that the requests are in general agreement with the Goals and Objectives of the 1995 Boone County Comprehensive Plan, which were consulted in the evaluation of these requests as prescribed by the "Goals and Objectives" section (page 6) of the Houston-Donaldson Study. In addition, the proposed uses and Concept Development Plan generally meet the objectives and standards of the Planned Development District, and generally provide a mixed-use orientation as sought by these standards.
2. The Committee has concluded that due to: the fact that the proposed zone change from Recreation/Planned Development (R/PD) to Commercial Two/Planned Development (C-2/PD) is for an irregularly shaped 4 acre portion of the 21 acre tract; the fact that the R/PD was enacted for recreational and entertainment uses for the adjoining race track use, acknowledging that the subject site was once part of the race track property; and, due to the fact that the Committee has concluded that the proposal is in general agreement with the Goals and Objectives of both the Houston-Donaldson Study and the 1995 Boone County Comprehensive Plan, the existing R/PD zoning classification is inappropriate and the proposed C-2/PD zoning classification is appropriate.

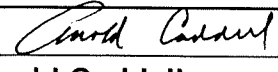
3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives and policies of the 1995 Boone County Comprehensive Plan and the Houston-Donaldson Study, as well as the intent, objectives, and requirements of Article 15 "Planned Development District (PD)" of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The applicant has signed a letter demonstrating agreement with these conditions.

Conditions

1. The development of the proposal shall follow the attached Concept Development Plan and its attachments identified as "Proposed Retail Development for Continental Properties" dated October 22, 1997. Specifically, the proposal shall follow the building and parking placement, "horse farm" style fencing along the Turfway Park entrance drive, outdoor open space in the northwest area of the site between the two largest structures with the sculptural arcade element and fountain, and access points, all as shown on the attached Concept Development Plan.
2. The outlot at the Hansel Avenue/Houston Road intersection shall be limited to a maximum 5,000 gross square foot building, and shall be limited to office, financial institution, or low turnover/boutique type retail uses.
3. The first phase of the development shall include: grading of the entire 21 acre site, the construction of the main on-site driveways (those which directly connect to the curb cuts for the site), and the installation of the entry treatment landscaping at the Houston Road/Turfway Park entrance drive intersection.

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.

	
Larry Brown, Chairman	
For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>
Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>

	
Arnold Caddell	
For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>
Abstain <input type="checkbox"/>	Absent <input type="checkbox"/>

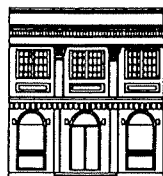
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Donald McMillian	
For _____	Against _____
Abstain _____	Absent _____

<hr/>	
Robert Millay	
For <input checked="" type="checkbox"/> _____	Against _____
Abstain _____	Absent _____

TOTAL: _____ FOR _____ AGAINST _____ ABSTAIN _____ ABSENT
--

SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005

606-334-2196

FAX 606-334-2264

E-Mail plancom@one.net

November 12, 1997

Mr. Kurt Krull, Vice President
Continental Properties

FAX: (630) 574-8026

RE: Conditions of Approval for Concept Development Plan and Zone Change (R/PD to C-2/PD) Applications for the 21 Acre Site Located at the Northwest Corner of the Hansel Avenue/Houston Road Intersection, Florence, Kentucky (Target Development)

Dear Mr. Krull:

The following represents the conditions of approval for the above referenced applications as agreed by the Boone County Planning Commission's Zone Change Committee. If you, as the applicant/developer, agree to these conditions please indicate so by providing your signature in the agreement stated at the end of this letter. Please mail a signed copy of this letter with your original signature to me at the address noted above.

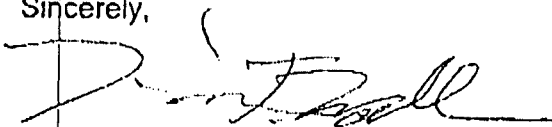
Conditions

1. The development of the proposal shall follow the attached Concept Development Plan and its attachments identified as "Proposed Retail Development for Continental Properties" dated October 22, 1997. Specifically, the proposal shall follow the building and parking placement, "horse farm" style fencing along the Turfway Park entrance drive, outdoor open space in the northwest area of the site between the two largest structures with the sculptural arcade element and fountain, and access points, all as shown on the attached Concept Development Plan.
2. The outlot at the Hansel Avenue/Houston Road intersection shall be limited to a maximum 5,000 gross square foot building, and shall be limited to office, financial institution, or low turnover/boutique type retail uses.
3. The first phase of the development shall include: grading of the entire 21 acre site, the construction of the main on-site driveways (those which directly connect to the

Mr. Kurt Krull, Vice President
November 12, 1997
Page 2

curb cuts for the site), and the installation of the entry treatment landscaping at the Houston Road/Turfway Park entrance drive intersection.

Sincerely,

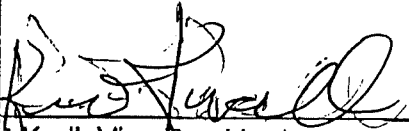


Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

Agreement

I, Kurt Krull, Vice President of Continental Properties and duly authorized to act on behalf of the applicant, do hereby agree to the conditions of approval stated above for the Concept Development Plan application and Zoning Map Amendment application from R/PD and C-2/PD for the 21 acre tract located on the northwest corner of the Hansel Avenue/Houston Road intersection, Florence, Kentucky



Kurt Krull, Vice President
Continental Properties

11/14/97
Date

Gartner, Braddock, Bauer-Nilsen, Inc.
Architecture, Interiors, Planning, Engineering

401 East Court Street
Cincinnati, Ohio 45202

513.241.8700
513.241.8873 Fax

6948 Oakwood Drive
Florence, Kentucky 41042

606.525.8700
606.525.0190 Fax

Date: SEPT. 4, 1996

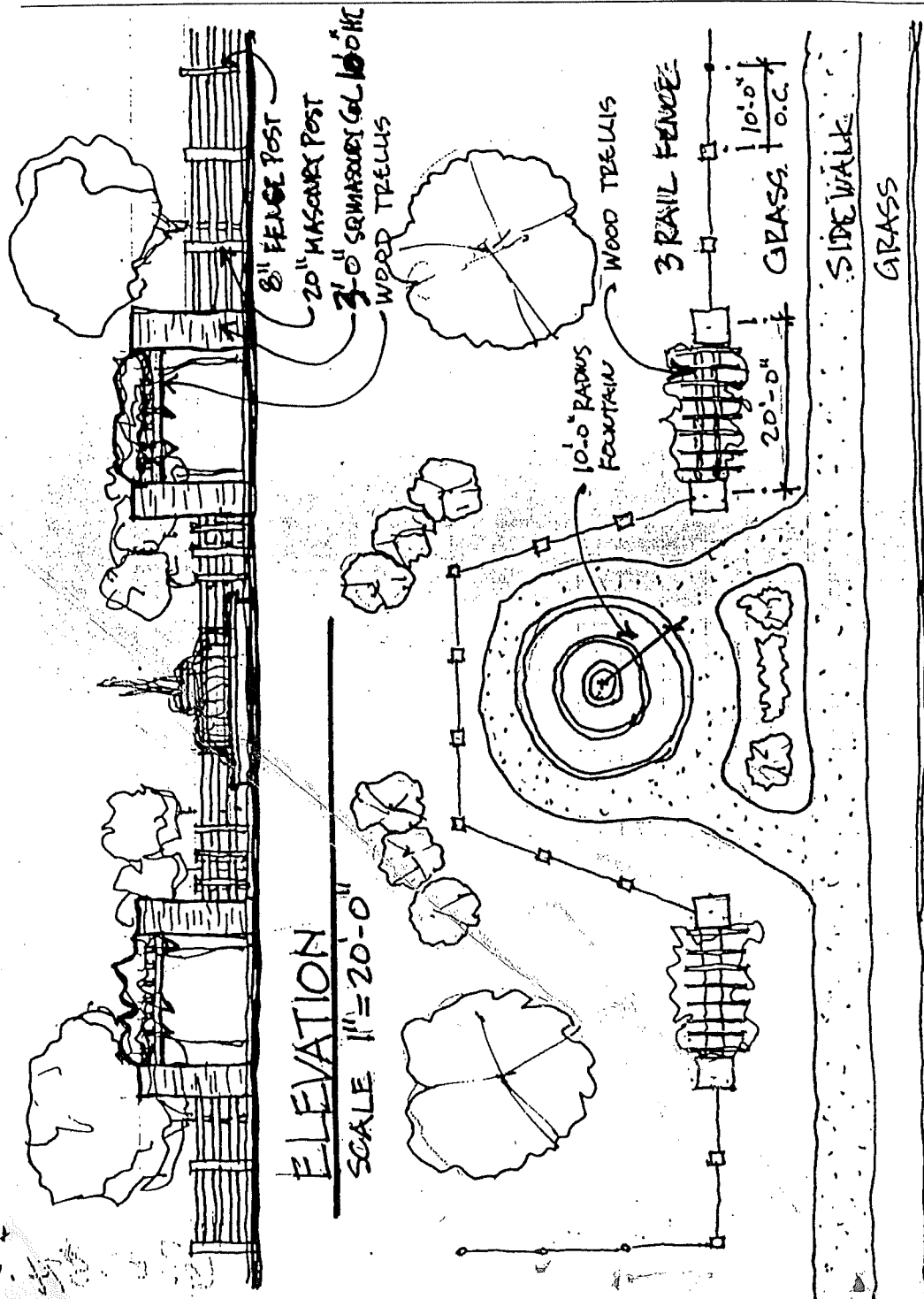
Sheet No:

Job Name: CONTINENTAL PROPERTIES

By: KDP

Job No: 2639

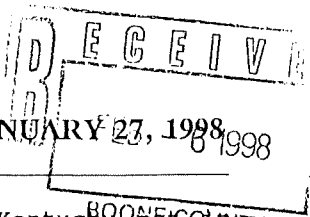
Copy To:



FLORENCE CITY COUNCIL

MINUTES - REGULAR MEETING

JANUARY 27, 1998



KPC
slm

The City Council of the City of Florence, Kentucky, Regular Session on Tuesday, January 27, 1998 at 7:30 p.m. in the Florence Municipal Building with Mayor Evelyn Kalb presiding in the Chair.

Mayor Kalb called the meeting to order and declared the Regular Session to be open for the presentation of all City business.

The roll was called and the following members registered present: Mel Carroll, Dr. Ferd Metzger, David A. Osborne, Linda Schaffer and Diane Whalen. Absent was Councilmember Dale Stephens.

Also present were City Coordinator Roger Rolfes, City Attorney Larry Dillon, Finance Director Ronald Epling, Public Services Director Jeffrey Koenig, Police Chief Paul Buelterman, Police Officers Don Baker, Mark Knipper and David Cole, Fire/EMS Chief Richard Albers, Code Administrator Rick Lunnemann, Members of the Urban Forest Commission, CDS Associates Gary L. Sweeney, Roger Kerlin and James Warner, City Clerk Betsy R. Conrad and Assistant City Clerk Marlene Brown.

Mayor Kalb remembered retired Florence Police Chief Charles Callen, who died Monday, January 26th. She related that Chief Callen was a twenty-six year veteran of law enforcement and was Chief of the Florence Police Department for nineteen years resigning in 1995 due to illness. Members of Council expressed their respect for his service, courage and friendship and Mayor Kalb requested a moment of silent prayer in his memory.

Mayor Kalb called for a motion to approve the minutes of January 13, 1998, Regular Meeting of Council. Councilmember Metzger so moved, with second from Councilmember Whalen. Council approved by unanimous vote.

Mayor Kalb recognized Police Chief Buelterman, who presented Officer Mark Knipper with the Officer of the Month award for his diligence and tenacity in pursuit of and ultimate arrest of an escaped fugitive.

Mayor Kalb recognized Gary Winn and other members of the Urban Forest Commission, who were present to present to the Mayor and City Council the City's "1997 Urban and Community Forestry Excellence Award," which was received by the Urban Forest Commission at Kentucky Urban Forestry Conference on November 21, 1997 in Covington.

Mayor Kalb expressed the City's thanks and appreciation for all the efforts of the Urban Forest Commission and noted that the latest tree planting project on KY 18 was especially appreciated.

Mayor Kalb presented the following Ordinance for second reading:

ORDINANCE NO. 0-1-98: AN ORDINANCE ADOPTING AND APPROVING THE UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT AS A CHANGE IN CONCEPT DEVELOPMENT PLAN FOR AN APPROXIMATE 21 ACRE SITE IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE AND FOR A ZONING MAP AMENDMENT FOR APPROXIMATELY 4.5 ACRES, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RECREATION\PLANNED DEVELOPMENT (R/PD) TO COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD), THIS PROPERTY BEING LOCATED AT OR NEAR THE NORTHWEST CORNER OF THE INTERSECTION AT HOUSTON ROAD AND HANSEL AVENUE IN THE CITY OF FLORENCE, KENTUCKY. (ST. LUKE COMMUNITY FOUNDATION, INC./TARGET PROPERTY-BATTAGLIA)

FLORENCE CITY COUNCIL
MINUTES - JANUARY 27, 1998
PAGE 2

Mayor Kalb then read the following summary of the Ordinance: This Ordinance approves a zone change for approximately 4.5 acres from current zoning of Recreation/Planned Development (R/PD) to Commercial Two/Planned Development (C-2/PD). In addition, it approves a changes in development plan to utilize the underlying zone applicable to about 21 acres. This site is located on the west side of Houston Road between Hansel Avenue and the entrance drive to Turfway Park. The prior approved development plan for the 21 acre site provided for some commercial uses along Houston Road but predominantly was for office and medical office uses. With this Ordinance, the property is approved to include retail use and office use.

Councilmember Metzger moved, with second from Councilmember Osborne, that Ordinance No. O-1-98 be approved on second reading and be published in accordance with the law. Roll call vote was taken. Voting Yes: Councilmembers Carroll, Metzger, Osborne and Whalen. Voting No: Councilmember Schaffer. Council approved by a vote of four (4) to one (1).

Mayor Kalb presented the following Resolution for consideration:

RESOLUTION NO. R-1-98: A RESOLUTION OF THE CITY OF FLORENCE, KENTUCKY APPROVING AN ASSIGNMENT OF THE CABLE TELEVISION FRANCHISE FROM TCI TKR OF NORTHERN KENTUCKY, INC. d/b/a TKR CABLE OF NORTHERN KENTUCKY TO INTERMEDIA PARTNERS OF KENTUCKY, L.P.

Councilmember Metzger moved, with second from Councilmember Schaffer, that Resolution R-1-98 be approved. Council approved by unanimous vote.

Mayor Kalb presented the following Resolution, which had inadvertently been omitted from the Agenda, for consideration:

RESOLUTION NO. R-2-98: A RESOLUTION URGING THE KENTUCKY GENERAL ASSEMBLY TO VOTE FOR THE CONCEPT OF SENATE BILL 66 TO REINSTATE THE FUNDING FOR THE COMMUNITY IMPROVEMENT GRANT PROGRAM.

Councilmember Metzger moved, with second from Councilmember Carroll, that Resolution R-2-98 be approved. Council approved by unanimous vote.

MAYOR'S REPORT:

Mayor Kalb announced the postponement of the tour of the Government Center planned for Thursday, January 29th at 5:00 p.m. due to visitation scheduled for Chief Callen.

Mayor Kalb recognized Jeff Koenig, who announced that the City of Florence Public Services Department will have a walk-through of its new facility on Monday, February 16th at 5:30 p.m.

Mayor Kalb related she hoped to take action on two vacancies, one on the Board of Adjustment and one on the Planning Commission, at the next meeting of Council.

COORDINATOR'S REPORT:

Mr. Rolfes requested Council's approval of the Contract with CDS in regard to the design of the State Building. Mr. Rolfes related, of the options listed, his only recommendation was to upgrade the scale model of the Government Campus to reflect the State Building. Councilmember Carroll so moved, with second from Councilmember Schaffer and unanimous approval of Council.