

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project Park West International
2. Location of Project Southeast side of Graves Road
3. Total Acreage of Site 41.112 acres
4. Current Zoning of Site RSE
5. Proposed Zoning (Classification being requested) I-1
6. Proposed Uses (please specify each use) Office/warehouse/distribution

- 7. Names of Applicant(s) Post, Buckley, Schuh & Jernigan, Inc.
Phone Number (606) 371-9051 Fax No. (606) 371-5980
8. Address of Applicant(s) 1895 Airport Exchange Blvd., Suite 234
Erlanger, Kentucky 41018
City State Zip

- 9. Name of Property Owner(s) Industrial Developments International (IDI)
Phone Number (606) 282-0060 Fax No. (606) 282-0038
10. Address of Property Owner(s) 1840 Airport Exchange Blvd., Suite 110
Erlanger, Kentucky 41018
City State Zip
11. Proposed Building Intensities (please specify) Up to 25,000 sf per acre as permitted in I-1 zone

12. Are there any existing buildings on the site? Yes
How many?

13. Deed Book 646/186/187 Page No. 311/331/77 Group No. 2004

14. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance

15. Have you submitted a Concept Development Plan? No
16. Have you had a pre-application meeting with BCPC Staff? Yes

17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- No Boone County Water and Sewer District
N/A Florence Water and Sewer Commission
No Union Light Heat and Power
No Cincinnati Bell
N/A Owen County Rural Electric
No Boone County Public Works Department
No Kentucky Transportation Cabinet
N/A City of Florence Public Services Department
No Boone County Building Department

EXHIBIT "A"

STAFF REPORT

Request of Post, Buckley, Schuh & Jernigan, Inc. (applicant) for Industrial Developments International (owner) to consider a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for an approximate 41 acre tract located along the east side of Graves Road, approximately 1,500 feet north of Williams Road, Boone County, Kentucky. The request is for a zone change to allow office, warehouse, and distribution uses.

November 18, 1998

REQUEST

This request is for a zone change from Rural Suburban Estates (RSE) to Industrial One (I-1) for an approximate 41 acre tract that is located along the east side of Graves Road. This site is bound by the Park West industrial park to the south and east (Heimann property), Graves Road to the west, and a high tension power line to the north. The site includes the residence located at 2230 Graves Road.

A Concept Development Plan has been submitted with this request. This plan indicates that the 41 acre tract would act as an expansion of the currently developing Park West industrial park versus a "stand alone" development. Two buildings are shown within the zone change area - one large structure which runs parallel to Graves Road is shown being located approximately half way into the zone change area (Building M on the plan) and a smaller structure immediately to the east of it is shown completely within the zone change area (Building N). A corner of a third structure (Building L) is partially within the zone change area, but is mostly within the existing I-1 zone. The Concept Development Plan states that the development will have a maximum of 25,000 square feet of building area per acre (the maximum permitted in the I-1 zone). This equates to a maximum of approximately 1,025,000 square feet of building area on the site.

The alignment of the unconstructed portions of the main collector road through Park West (Worldwide Boulevard - will run from KY 237 to Graves Road) is proposed to be altered by adding more dramatic curves in the western portion of the approved industrial park to allow the creation of larger building sites within the development (from Building V westward). Gentler curves were approved for this section of Worldwide Boulevard through the Preliminary Plat for Park West, however, the location of the intersection with Graves Road is the same as that approved through the Preliminary Plat. Worldwide Boulevard is the only proposed vehicular access point on Graves Road; this road was required as a condition of approval for the Heimann zone change in 1989 (refer to condition #3 in the attached Committee Report dated 11/1/89). An 80 foot wide "bermed landscape buffer" is proposed along the Graves Road frontage of the development (in both the zone change area and the area already zoned I-1) and a 50 foot wide "bermed landscape buffer" is proposed along the northern boundary of the zone change area. The firehouse site required through the 1989 zone change is indicated in the approximate center of the Graves Road frontage that is controlled by the applicant.

ADJACENT LAND USES AND ZONING

- A. The Park West industrial park is located to the east (I-1). A vacant area that is a future phase of Park West is located to the south (I-1). A few single family residences are located further to the south along the east side of Graves Road and a pasture is located between these residences and I-275 (RSE).
- B. A vacant area that is a combination of pasture and wooded areas is located to the north (RSE).
- C. An intermittent row of single family residences is located to the west and southwest along the west side of Graves Road (RSE). A combination of pasture and wooded areas are located further to the west beyond the Graves Road frontage (SR-1). A vacant area is located to the northwest along the west side of Graves Road and Tree Tops Subdivision is located further to the northwest (SR-1).

SITE CHARACTERISTICS

The site has approximately 715 feet of frontage along Graves Road and has a high tension power line along the north boundary of the site. The site has a cleared plateau with a barn in the approximate center. Another cleared plateau is located in the eastern portion of the site. The area in the approximate center of the Graves Road frontage is wooded, and there are wooded hillsides in the southern and eastern parts of the site; a portion of the tree cover appears to be second growth. A blue line stream runs in the proximity of the east boundary (Sand Run Creek). An occupied single family residence is located on an approximate 2.4 acre tract in the southwest corner of the zone change area. Soil types on the site include Rossmoyne silt loam (RsB and RsC) and Jessup silt loam (JeD).

RELATIONSHIP TO COMPREHENSIVE PLAN

The 1995 Boone County Comprehensive Plan's 2020 Land Use Plan designates the site in question as "High Suburban Density Residential." The Plan describes this designation as "single family and/or attached housing of up to 8 dwelling units per acre. This classification is typified by townhouse, condominium, and zero lot line development, and also pertains to mobile home parks."

The Land Use Element (Area C-2: Hebron Area, pp. 218 and 219) makes the following statements that relate to the general area:

The northwest quadrant of the I-275 and KY 237 interchange is an ideal location for Business Park uses. Supporting commercial and office uses could provide a suitable entrance to this development. This area is adjacent to land suitable for High Suburban Density Residential development, which will provide a transition to the Suburban Residential densities in the Francisville area. (Note - part of this High Suburban Density Residential area includes the site in question when viewed on the

Future Land Use Map). This High Suburban Density Residential development must be clustered to make the most effective use of the land and preserve important natural features. In addition, because of the area's topography, the retention of existing wooded areas near Sand Run Creek provides the only appropriate transition between business park development and planned residential development. Acreage next to the interstate, at Graves Road, is appropriate for high-profile office uses in order to take advantage of visibility to interstate traffic and to provide a transitional use between the business park development to the east and residential uses to the west. As this quadrant of the interchange develops, a road connection aligning with Southpark Drive to Graves Road will be necessary. This connection is also discussed in Section B-1, and should occur even in the event of an interchange being constructed at I-275 and Graves Road. Combined with a future parallel road north of I-275, this potential interchange should preclude any need to directly connect the Idlewild Interchange with KY 8.

The relevant portion of Section B-1 (River Road Area, pg. 214) of the Land Use Element referenced above states:

Future road access to KY 8 area from the Graves Road and KY 237 areas would be more suitable than the discussed connection of KY 8 with the I-275 Idlewild Interchange, because of topography and Developmentally Sensitive Areas.

The Land Use Element provides the following general statements that relate to the proposal.

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," pg. 210).
- B. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate ("Buffering," pg. 210).

- C. Developments 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 ("Landscaping," pp. 210 and 211).

- D. Developments in Boone County must recognize the potential impacts of stormwater run off. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site ("Stormwater Management and Erosion Control," pg. 211).
- E. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns ("Access Management," pg. 211).
- F. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network heirarchical system of roadway classification and function must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets ("Transportation and Pedestrian Network," pg. 211).
- G. 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. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention ("Design, Signs, and Historic Preservation," pg. 211).

The Business Activity Element makes the following statements that relate to the general area.

- A. Commercial development in Hebron will center around the intersection of new KY 237 and KY 20 with a limited amount of convenience and neighborhood commercial uses north of the I-275 interchange to serve the SouthPark Industrial Park, the Heimann Property (Park West), and the growing number of residential subdivisions along North Bend Road. With the amount of residential construction expected in the North River area, larger scale commercial developments, such as drug stores and grocery stores will be needed. This commercial growth should coordinate with the existing and proposed industrial and residential developments, especially in terms of access ("Areas of Future Commercial Activity," pp. 82 and 83).
- B. The I-275 and KY 237 and Mineola Pike Interchanges will experience continued industrial development, in addition to the previously outlined commercial/office development. The mixture of the varying uses should be carefully designed and planned to minimize negative impacts. The existing and future residential uses must be adequately buffered from the new development in these two interchange areas ("Areas of Future Industrial and Office Activity," pg. 84).

In addition, the specific site in question is largely outside of an area immediately to the east that is designated for industrial development on the "Future Industrial and Commercial Development" map provided in the Business Activity Element (pg. 87).

The Housing Element makes the following statements that relate to the general area:

- A. This area will experience a great expansion in residential development in the near future. Two approved developments, Thornwilde and Tree Tops, will add a total of 950 housing units within the next ten years. Factors that will probably fuel even more growth, include the recent extension of sanitary sewer lines and pumps to the area, minimal impact from airport noise, and good regional accessibility with nearby I-275. Barriers to further growth would include inadequate roadways, including North Bend Road, and inadequate school facilities. This is presently a very rural area of rough topography ("North River Area," pg. 106).

The 1995 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements.

- A. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, but only in appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- B. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, but only in appropriately planned and designed neighborhood developments ("Overall," Objective 2).

- C. Proper design principles shall be applied in development ("Overall," Objective 3).
- D. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be maintained or improved as needed ("Overall," Objective 4).
- E. Boone County shall strive to achieve a diversity and balance in competing land uses ("Overall," Objective 6).
- F. The needs of Boone County's population base are accommodated through the provision of orderly growth ("Population," Goal).
- G. 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).
- G. New development or redevelopment shall attempt to design sites utilizing existing topography and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used beneficially where possible ("Environment," Physical Objective 2).
- H. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Social Objective 4).
- I. Appropriate locations for business compatible with the surrounding areas are provided in Boone County ("Business Activity," Goal).
- J. Compact, efficient development patterns shall be encouraged for business districts (e.g. industrial, commercial and office) with appropriately sized and well maintained buffer spaces between the business use and other land usage ("Business Activity," Overall Objective).
- K. Industrial development shall be encouraged to locate near railroad lines, highways, the Ohio river, the Airport and on Airport owned land. Industrial districts shall be properly located in advance and thereby lessen any detrimental impact on future adjacent development ("Business Activity," Objective 1).
- L. Effective site placement, architectural design and landscape design for industrial uses shall be encouraged to enable a favorable relationship with adjoining uses. Industrial nuisances such as smoke, dust, noise and odor shall be kept at a minimum and site development and enforcement of such nuisances shall be carefully coordinated with necessary approvals of other regulatory agencies ("Business Activity," Industrial Objective 2).

- M. Housing opportunities in Boone County shall be balanced against present and planned commercial, industrial and public school bases ("Housing," Objective 4). New or redeveloped residential areas shall be designed to establish clearly defined neighborhoods with a mix of retail, public and recreational uses. Established neighborhoods shall be protected and enhanced and deteriorated neighborhoods shall be regenerated ("Housing," Objective 9).

STAFF CONCERNS

1. Overall, the Planning Commission will need to consider whether the proposal is in agreement with the Comprehensive Plan. As noted previously, the Future Land Use Map designates the site for High Suburban Density Residential uses, although the Commission will also need to consider the relevant portions of the Comprehensive Plan's text, notably those that pertain to appropriate locations for industrial uses and the relationship of non-residential uses to adjoining residential uses. In particular, the text of the Land Use Element specifically describes this High Suburban Density Residential area as a transition between the Business Park uses and Suburban Density Residential uses in the Francisville area.

The text also states "because of the area's topography, the retention of existing wooded areas near Sand Run Creek provides the only appropriate transition between business park development and planned residential development." Therefore, should the Planning Commission determine that the proposal is in agreement with the Comprehensive Plan or that the request fulfills one of the other two statutory findings, the Commission should consider a condition which would require the preservation of the Sand Run Creek valley that runs in the proximity of the eastern boundary of the site, such as would be accomplished by a "no disturb" area. This stream valley currently runs along a 100 foot wide buffer area in the adjoining I-1 zone to the east that was required through the zone change approval for the adjoining Heimann property in 1989. In addition, several sections of the Comprehensive Plan discuss the preservation of existing topography and vegetation. The Commission will need to consider the fact that if the zone change is approved with the submitted Concept Development Plan, the topography in the southern portion of the site will be substantially altered and the existing vegetation in this area will be removed.

2. Aside from conformance with the Comprehensive Plan, Staff's primary concern with this request deals with the provision of adequate buffering from the adjoining residential uses. A 50 foot wide bermed landscape buffer along the northern boundary of the site (within the power easement) and an 80 foot wide bermed landscape buffer along the Graves Road frontage of the zone change area have been proposed. In order to adequately buffer this development from the adjoining

residential uses should it be approved, Staff suggests that a berm/landscape buffer comparable to the one constructed along Conrad Lane for the Gateway industrial park (Boh property) be considered. In short, a 12 to 15 foot high berm was provided with a mix of deciduous and evergreen trees planted on it (refer to condition #2 in attached condition letter dated 7/17/96); the quantities of trees will need to be adjusted to meet the recently adopted landscape standards. Intermittent berming could be provided if existing vegetation with substantive screening qualities was retained between the berms along the street frontage areas where such vegetation exists. The Commission should consider requiring this buffering to be "wrapped" behind the proposed firehouse lot to provide a continuous visual screen from Graves Road. The Gateway approval also limited the height of the buildings depending on how far they were setback from Conrad Lane (refer to condition #8) - such a concept could be reasonably employed for this development as well.

3. Due to the proximity to the interchange, Staff anticipates that most of the traffic that would be generated by the proposed development would access the site through the Worldwide Boulevard/North Bend Road intersection. As such, staff suggests that the Commission consider requiring the applicant to perform a signal warrant analysis which acknowledges the zone change area as a light industrial site, and consider the applicant to proportionately participate in any necessary signalization of this intersection. As an informational note, no such requirement was included in either the Heimann Property or the SouthPark zone change approvals.
4. Greg Sketch, PE, PLS, Boone County Engineer, has noted two concerns with the proposal. The first deals with the fairly dramatic ninety degree curves that are proposed for the unconstructed portion of Worldwide Boulevard. Because Worldwide is a collector road that is intended to move passenger traffic through the area in addition to serving the industrial park itself, the horizontal alignment of the road should be straighter. The second concern deals with potential traffic on Graves Road. Mr. Sketch suggests that the Planning Commission consider requiring the applicant to perform a traffic study to determine the impacts of this proposal on Graves Road and have the applicant perform any necessary upgrades to said road (refer to the attached memorandum dated 11/17/98).
5. The Planning Commission should evaluate the applicability of the following conditions of approval for the adjoining Heimann Property (refer to attached Committee Report dated 11/1/89) when considering that the development in question represents an extension of the Park West development:

Condition #5: This condition prohibits certain uses that were deemed detrimental to the light industrial/office character of the development.

Condition #6: This condition required the maintenance of certain perimeter vegetation as part of the project's buffering as well as a 100 foot visual barrier between the industrial and residential uses as long as they are residentially zoned. The condition allowed the 100 foot requirement to be varied where appropriate if earthen berms were utilized along Graves Road and KY 237.

Condition #7: This condition permits building mounted and monument style signs only, requires roof equipment and loading docks to be screened from view, and requires all structures to undergo Design Review at the site plan stage. Staff considers a condition on this order to be important in any approval of this application due to the proximity of the site to residential uses.

Conditions #10 and #11: Condition #10 requires a pedestrian travel network in the development and condition #11 requires some sort of passive recreation opportunity, including the construction of pathway facilities. If the proposal is approved, the pathway approved as part of the Preliminary Plat application, and which was partially used to fulfill these conditions, will need to be reworked.

6. As an informational note, the modified firehouse location is acceptable to Chief Dale Harshbarger of the Hebron Fire Protection District.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and the Boone County Fiscal Court 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 and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will need to be amended if the Planning Commission and Fiscal Court approve this request.

Respectfully submitted,



Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW\pr

attachments:

- air photo w/ zoning information
- future land use map
- memorandum from Greg Sketch, PE, PLS, Boone County Engineer dated 11/17/98
- application materials including Concept Development Plan and boundary survey
- Committee Report for Heimann Property zone change dated 11/1/89
- condition letter for Boh/Gateway zone change dated 7/17/96

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Respectfully submitted,



Kevin T. Wall, AICP CDT
Director, Zoning Services

KTWpr

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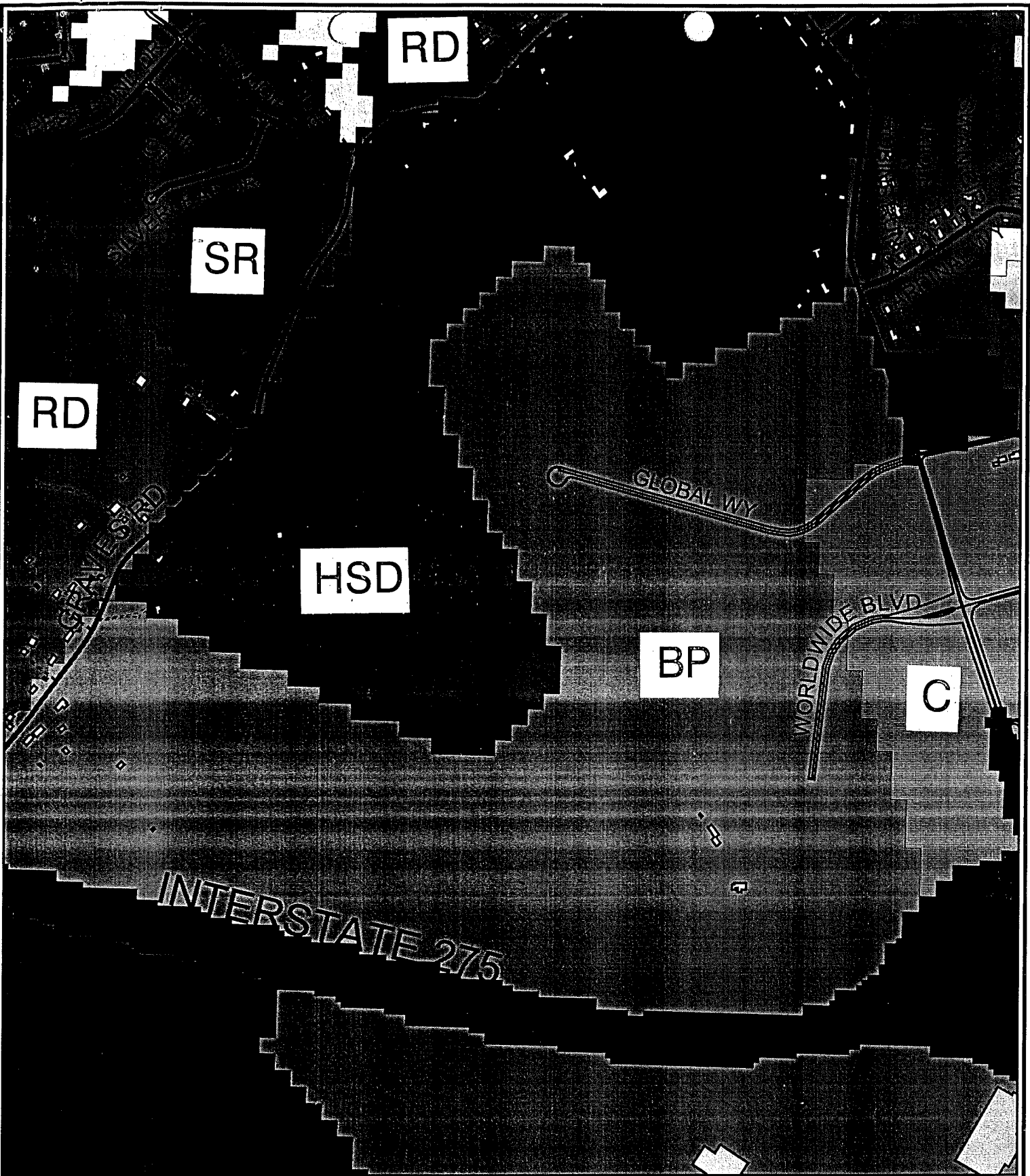


IDI

800 0 800 Feet

1 inch equals 800 feet
Produced by the
Boone County Planning Commission
GIS Services Division
November 12, 1998





IDI Future Land Use

800 0 800 Feet

1 inch equals 800 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 November 12, 1998



GREGORY V. SKETCH, P.E., L.S.
County Engineer



HARVEY F. PELLEY, L.S.
Director of Public Services

DEPARTMENT OF PUBLIC WORKS

5645 IDLEWILD ROAD
BURLINGTON, KY 41005

Phone: 606 586-5445

Fax: 606 586-5487

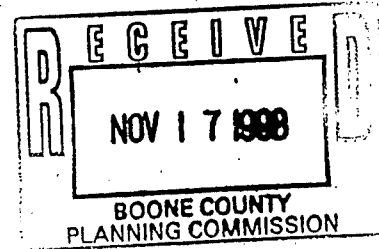
MEMORANDUM

TO: Kevin Wall, AICP, CDT
Director, Zoning Services
Boone County Planning Commission

FROM: Greg Sketch, PE, PLS
Boone County Engineer

RE: Park West International Proposed Zone Change

DATE: November 17, 1998



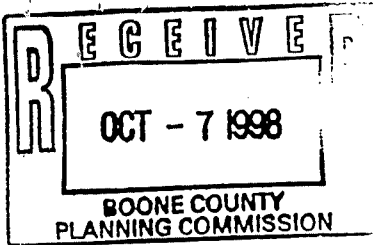
After reviewing the concept development plan submitted for the Park West International industrial subdivision proposed zone change located off Graves Road, I have only two areas of concern. The first is with the horizontal alignment of Worldwide Boulevard near the intersection with Graves Road. This road is designed to be a collector road with both commercial and passenger traffic. I have concern with the proposed shown alignment that traverses around Building "L" creating possible reverse curves and two short radius ninety-degree curves. I believe the alignment should be straighter with less severe curves, thus accommodating traffic better.

The second would be the possible increase in traffic on Graves Road. If possible, the Planning Commission may require the applicant to perform a traffic study to determine the impact that this through collector road would have on the section of Graves Road adjoining the subject property. If there is a significant increase, required improvements could be imposed.

If you have any questions or need additional input please call.

Thank you for the opportunity for input in this matter.

c: Jim Collins, Boone County Administrator



APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)
SECTION A (To be completed by applicant)

- 1. Name of Project Park West International
2. Location of Project Southeast side of Graves Road
3. Total Acreage of Site 41.112 acres
4. Current Zoning of Site RSE
5. Proposed Zoning (Classification being requested) I-1
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7. Names of Applicant(s) Post, Buckley, Schuh & Jernigan, Inc.
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10. Address of Property Owner(s) 1840 Airport Exchange Blvd., Suite 110 Erlanger, Kentucky 41018
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15. Have you submitted a Concept Development Plan? No
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months: No Boone County Water and Sewer District N/A Florence Water and Sewer Commission No Union Light Heat and Power No Cincinnati Bell N/A Owen County Rural Electric No Boone County Public Works Department No Kentucky Transportation Cabinet N/A City of Florence Public Services Department No Boone County Building Department

07180
52 730

- N/A Northern Kentucky Health District
- No U.S. Soil Conservation Service
- No Local School District
- No Local Fire District
- _____ Other: _____

18. Project Jurisdiction/Location
- Unincorporated Boone County
 - _____ Florence
 - _____ Walton Union

19. Applicant's Signature Dwight H. Clayton (PBS 45)

Property Owner's Signature Donna W. Smith

*Vice President Development
(Owner by Option)*

SECTION B (To be completed by BCPC Staff)

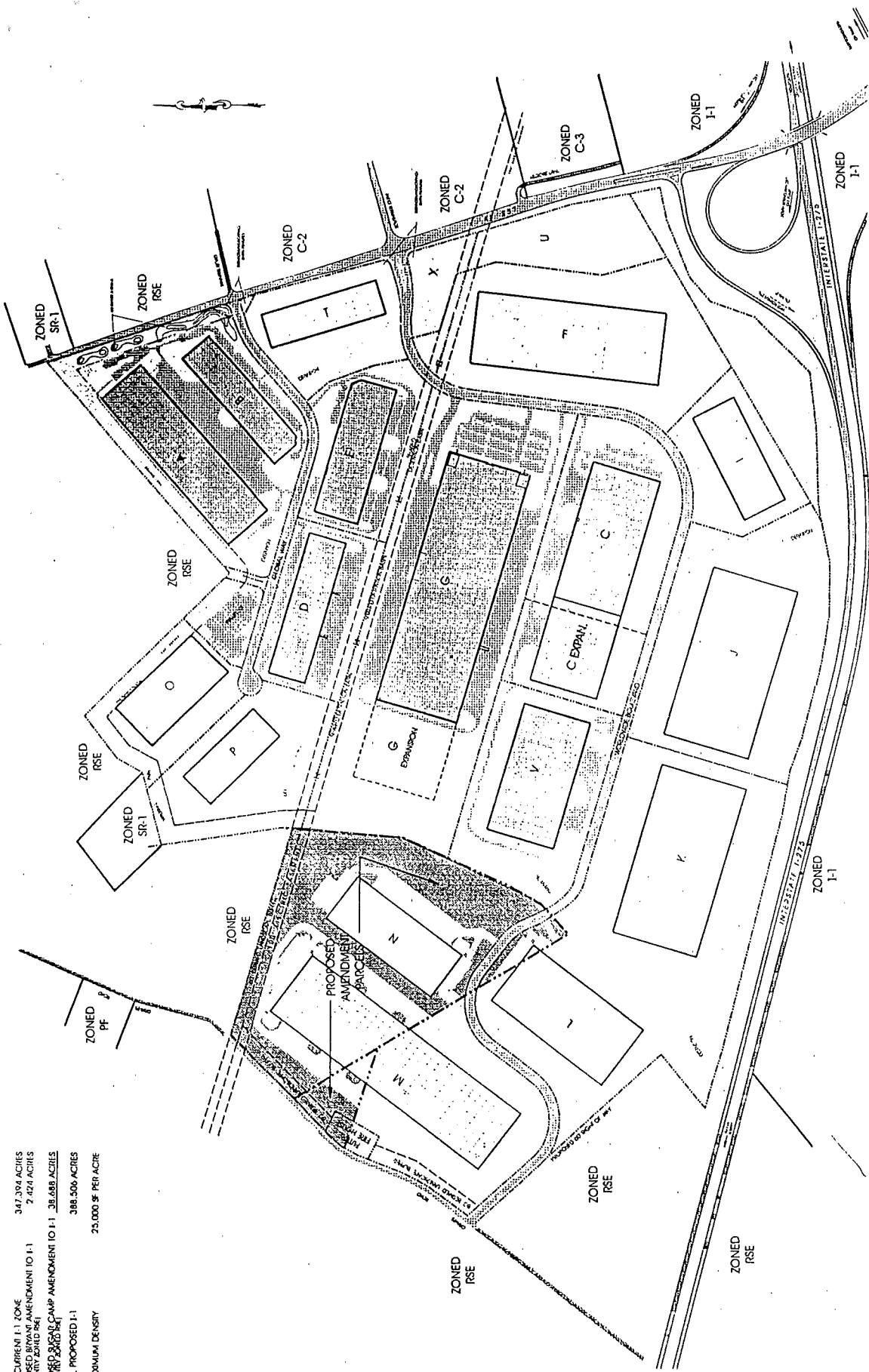
1. Date Received Oct 7 1998
2. Review Fee 1540.12
3. Check what has been submitted:
 - Application
 - Fee
 - Legal Discription
 - Concept Development Plan
 - _____ Address of Adjoining Property Owners
 - _____ Number of copies of plan received**
4. Is application complete? Yes No
5. Staff Reviewer KRUIS WALK
6. Committee Chairman _____
7. Scheduled Public Hearing Date _____
8. Boone County Planning Commission Action:
 - _____ Approval
 - _____ Approval with Conditions
 - _____ Denial
9. Other: _____

** Five (5) Copies Are Required

Boone County Planning Commission
 2995 Washington Street
 Burlington, Kentucky 41005
 (606) 334-2196 Phone
 (606) 334-2264 Fax

NOTE: An application consists of all fees paid in full, submitted drawings and a completed application form.

100% CURRENT I-1 ZONE
 PROPOSED BRYANT AMENDMENT TO I-1
 CURRENT ZONING (SR-1)
 347.394 ACRES
 7.424 ACRES
 200% OF 200% CAMP AMENDMENT TO I-1
 38.688 ACRES
 LOCAL PROPOSED I-1
 388.506 ACRES
 25,000 SF PER ACRE
 I-1 MAXIMUM DENSITY



PARK WEST INTERNATIONAL - PROPOSED AMENDMENT

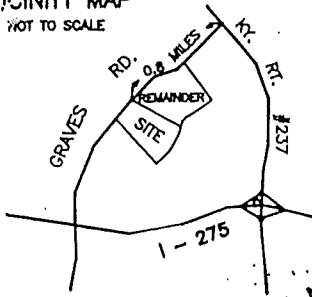


INDUSTRIAL
 DEVELOPMENTS
 INTERNATIONAL

GREATER CINCINNATI/NORTHERN KENTUCKY
 NOVEMBER 9, 1998

Smith, Stevens & Young, Inc.
 ARCHITECTURAL, ENGINEERING, PLANNING, AND DESIGN
 11601 LONDON BLVD., CINCINNATI, OHIO 45241-2817, PHONE 513-763-1119

VICINITY MAP
NOT TO SCALE

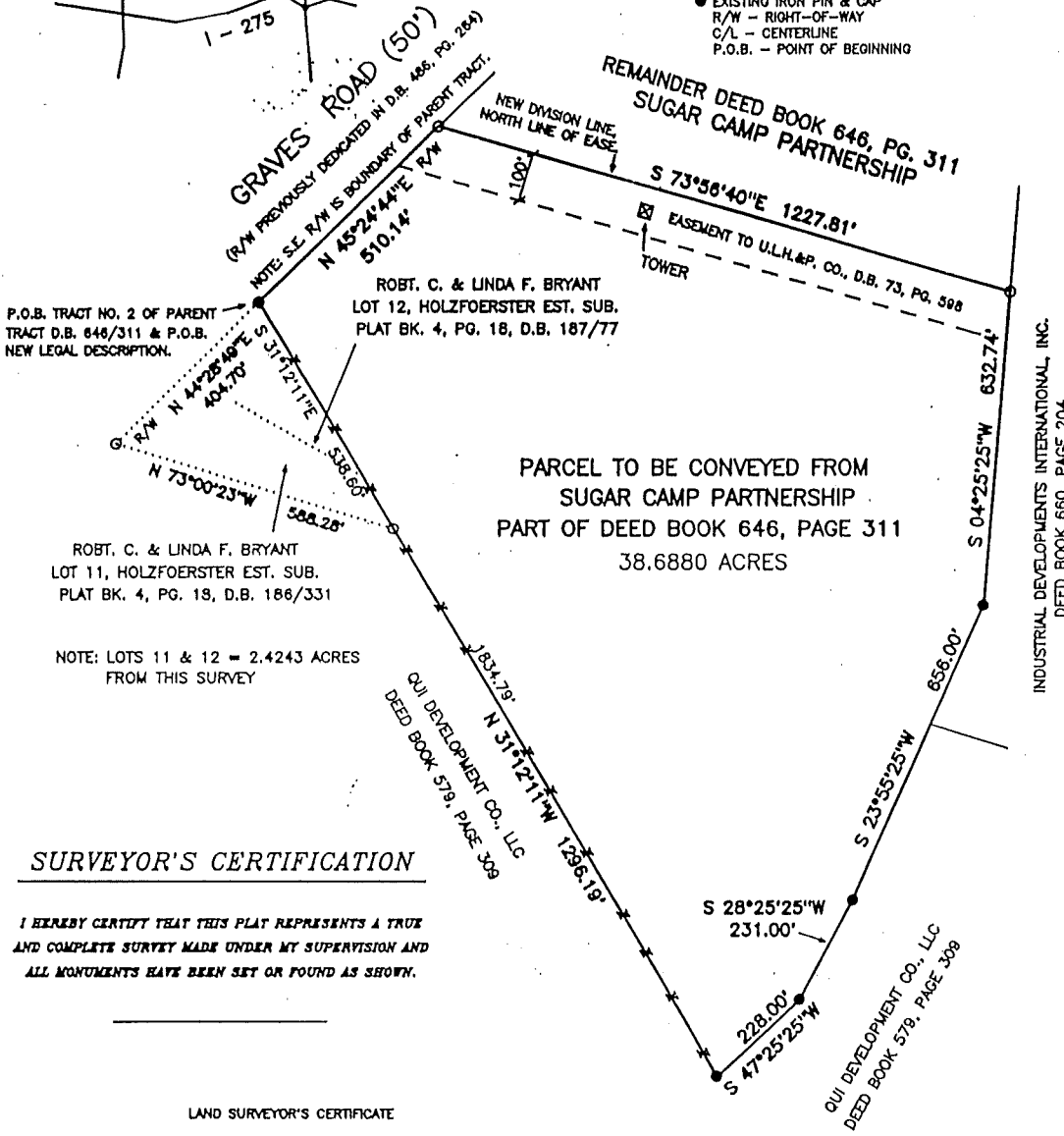
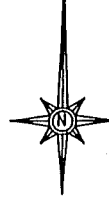


BOONE COUNTY PLANNING APPROVAL CERTIFICATE
 APPROVED FOR RECORDING THE TRANSFER OF PROPERTY ONLY BY THE
 BOONE COUNTY PLANNING COMMISSION THIS _____ DAY OF
 _____, 19____.

CHAIRMAN'S SIGNATURE _____

LEGEND

- SET #5 IRON PIN & CAP STAMPED "LANSDALE KY 3200"
- EXISTING IRON PIN & CAP
- R/W - RIGHT-OF-WAY
- C/L - CENTERLINE
- P.O.B. - POINT OF BEGINNING



**PARCEL TO BE CONVEYED FROM
 SUGAR CAMP PARTNERSHIP
 PART OF DEED BOOK 646, PAGE 311
 38.6880 ACRES**

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A TRUE AND COMPLETE SURVEY MADE UNDER MY SUPERVISION AND ALL MONUMENTS HAVE BEEN SET OR FOUND AS SHOWN.

LAND SURVEYOR'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THE RECORDS OF THE BOONE COUNTY CLERK AND FIND THAT THIS IS THE FIRST CONVEYANCE MADE UNDER THE PRESENT OWNERSHIP OF THE PARENT TRACT.

Jay S. Olberding 9/3/98
 SIGNATURE OF SURVEYOR DATE

JAY S. OLBERDING
 LANSDALE SURVEYING
 975 LILA AVENUE
 MILFORD, OHIO 45150
 PHONE: (513) 831-9970

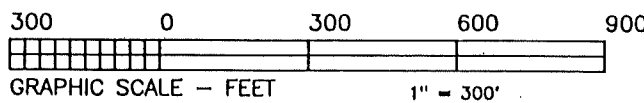
THIS PLAT SHALL BE VOID IF NOT FILED WITH THE BOONE COUNTY CLERK FOR RECORDING PURPOSES WITHIN TWO (2) YEARS OF PLANNING COMMISSION APPROVAL.

NOTE: BEARINGS FOR THIS SURVEY ARE BASED ON DEED BOOK 660, PG. 204, USING EXISTING PINS FOUND ON THE EAST LINE OF THE SUBJECT PROPERTY, AS FIELD CONTROL.



DATE:	9/3/98
DRAWN BY:	MPS
SCALE:	1" = 300'
CHECKED BY:	JSO
JOB NAME:	SUGARCAMP
FILE:	9877P

PLAT OF SURVEY
 PART OF THE PROPERTY CONVEYED TO
 SUGAR CAMP PARTNERSHIP
 IN DEED BOOK 646, PAGE 311
 GROUP NO 2004 BOONE COUNTY, KENTUCKY



DRAFT 11-1-89
3:00

COMMITTEE REPORT

#2

TO: Boone County Planning Commission

FROM: Carol Smith, Committee Chairwoman

DATE: November 1, 1989

RE: Request of Boone County Fiscal Court to consider rezoning a ± 350 acre site owned by Bob and Ed Heimann. The property is located north of I-275 and west of KY 237 (North Bend Rd.), Boone County, Kentucky. The Zoning Map Amendment request is to change the current zoning of Commercial Interchange (C-4), Suburban Residential One (SR-1) and Rural Suburban Estates (RSE) to Industrial One (I-1).

REMARKS:

We, the Committee, based on the statements made and facts gathered at the October 25, 1989 Public Hearing, recommend that the zoning of the ± 350 acre Heimann property be changed to I-1. The Zoning Map Amendment is based upon the following findings of fact, and subject to the following conditions. These conditions agreed upon by the property owner insure that the property will develop in an orderly manner and not adversely impact the surrounding area.

Findings of Fact

1. The existing zoning of Commercial Interchange (C-4), Suburban Residential One (SR-1) and Rural Suburban Estates (RSE) is inappropriate due to the following reasons: The C-4 zone is situated close to the interchange, not having adequate frontage along KY 237 to provide for safe access. The only option would be to have access to the commercial developments through a residential district. Development of the SR-1 zone would create a substantial impact upon public water, sanitary sewer, fire protection and local schools, without providing for the tax base to provide for these necessary services. Developing this property as residential, would preclude further employment development north of I-275. The SR-1 and RSE zoning areas are also inadequate for residential development due to the combination of the noise impact of I-275, and a major electrical transmission line running through the property.

The I-1 zoning is appropriate for the site due to the following reasons: Industrial development of this ± 350 acre site will enable planned improvements to public infrastructure in the area. Major public water and sanitary sewer improvements, as discussed at the October 25, 1989 Public Hearing, will occur as the result of industrial development of this property. These improvements will not only serve this site, but will benefit the surrounding area. The industrial development of this property will provide needed tax revenue for local emergency services, which again will benefit the surrounding area. The roadway improvements scheduled for KY 237 will be expanded to Tanner Road, providing a better roadway to serve the north river area of Boone County.

2. There have been major changes to the area not foreseen in the 1986 Boone County Comprehensive Plan. The property located across KY 237 is being developed as a mixed use park, the majority of the uses being industrial. The Southpark Development will change the nature of the area from residential and highway oriented commercial to industrial, consistent with overall growth patterns in Boone County and nearby airport. The Business Activity Element encourages 'high-tech industry and airport related services' to be developed at the I-275 interchanges. In addition, the roadway will be upgraded, the rise will be reduced enabling industrial traffic to safely enter and exit the site.
3. In general the north river area of Boone County has experienced more development and different types of development than anticipated in the 1986 Boone County Comprehensive Plan. The Rivershore Farms, Tree Top and Parlor Grove developments exemplifies the significant residential interest for this area, at densities and scales not foreseen. The Committee believes that the increase in residential development in the north river area should be balanced by business development that provides for new employment and increased revenues. In addition, this request provides the opportunity to establish an appropriate limit of non-residential development north of I-275 given the following conditions:

The property owner is being asked to agree to the following conditions to provide general guidelines for the appropriate development of the ± 350 acre site. As a matter of clarification, these conditions are placed on the property regardless of ownership or ultimate development of the property.

1. Access to the site will be limited to three curb cuts onto KY 237 across from, Tanner Rd., Southpark Dr. and approximately Kilgore Pl. The major entrance to the property will be at the Southpark Dr. intersection, that will be upgraded to provide for a dual left-turn lanes at the northbound approach. At the other two entrances, single left turn-lanes will also need to be provided. Right-turn deceleration lanes will be installed at all entrances along KY 237.
2. The developer of the property will be required to submit a detailed traffic study as part of approval of the Preliminary Development Plat. The intent is to insure that traffic using the entrance across from Kilgore Place will not adversely impact the level of service of KY 237. In order to meet this objective, the amount of land and/or type and number of uses for the property directly served by this access point will be limited.
3. A connector roadway shall be constructed through the property, beginning at the intersection of KY 237 and Southpark Dr. and ending at Graves Road. This roadway will be two lanes in width, widening at major intersections, and will have restricted curb cuts and no parking. The design of the roadway will include earthen berms parallel to parking and building areas. This roadway shall be extended to Graves Road when the development of the property reaches Sand Run Creek. However, the developer of the property may construct the roadway any time prior to that stage.

4. The developer shall provide an access right-of-way to the property to the north, along KY 237. The intent is to provide for access to future development to the north, regardless of the type of land use that eventually occurs on that property.
5. The development of the site shall be of a light industrial/office park nature, and shall be identifiable as a single entity. Some Industrial-1 uses are not consistent with the light industrial/office character, and would increase the potential traffic impacts on KY 237. The following I-1 classifications shall not be permitted on this site: #34. Motor freight terminals, public warehousing (self storage), freight garaging and equipment maintenance; #37. Equipment rental and leasing services including automobiles and trucks; #41. Truck stops. After the development of some industrial uses on the property, commercial services at a local scale may be appropriate between Tanner Road and SouthPark Drive. These commercial uses should front on KY 237 for a depth of approximately 400 feet and have access to both the Tanner Road extension and SouthPark Drive extension.
6. Buffering of the industrial uses proposed for the site shall include the existing tree stands exhibited in the 10/25/89 Staff Report. In addition, a 100 foot visual barrier shall be constructed between the industrial uses and the residential areas; as long as those areas remain residentially zoned. If earthen berms are utilized along Graves Rd. and KY 237, the 100 foot width requirement may be varied where appropriate. Specifically, the northeast corner of the property should be buffered in accordance to the exhibit contained in the Staff Report, due to the potential visual impact of the development to the residential areas along KY 237. The staff exhibit on buffering is incorporated into this Committee report.
7. All signs within the development shall be building-mounted or monument type. All roof equipment and loading dock areas shall be sufficiently screened from public view; particular care should be taken in areas visible from KY 237 and I-275. *ALL STRUCTURES DEVELOPED ON THE 1350 ACRE SITE SHALL UNDERGO DESIGN REVIEW AT SITE PLAN REVIEW STAGE*
8. Development of the site shall occur only after agreement is reached with the Boone County Water and Sewer District to provide adequate public sanitary sewerage for the property. In addition, industrial development must be accompanied by new water line improvements at I-275, as discussed in the 10/25/89 Public Hearing.
9. The existing cemetery located on the site shall be adequately protected or appropriately removed prior to any development of the property.
10. A pedestrian travel network shall be designed throughout the development where appropriate, and should especially provide access in and out of any commercial or office areas.
11. Passive recreation opportunities shall occur in some of the remaining wooded areas on the western portion of the site. This shall be accomplished through dedication of property to Boone County or private construction of pathway facilities.

12. At such time that the connector road (Condition 2) is completed through Graves Road, the property owner will cooperate with the local fire district to determine the need for a satellite fire station. If it is determined that such a facility is needed and will be build in a defined time frame, the property owner in conjunction with the Planning Commission shall locate and dedicatè a one-acre parcel for such use.

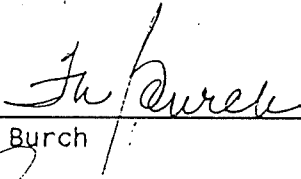
In conclusion, the Committee believes that development of the site in accordance with this report will provides a suitable land use, that will not adversely impact the surrounding area.



Carol Smith, Committee Chairwoman



Larry Barnett



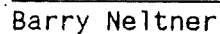
Fred Burch



Phil Damstrom

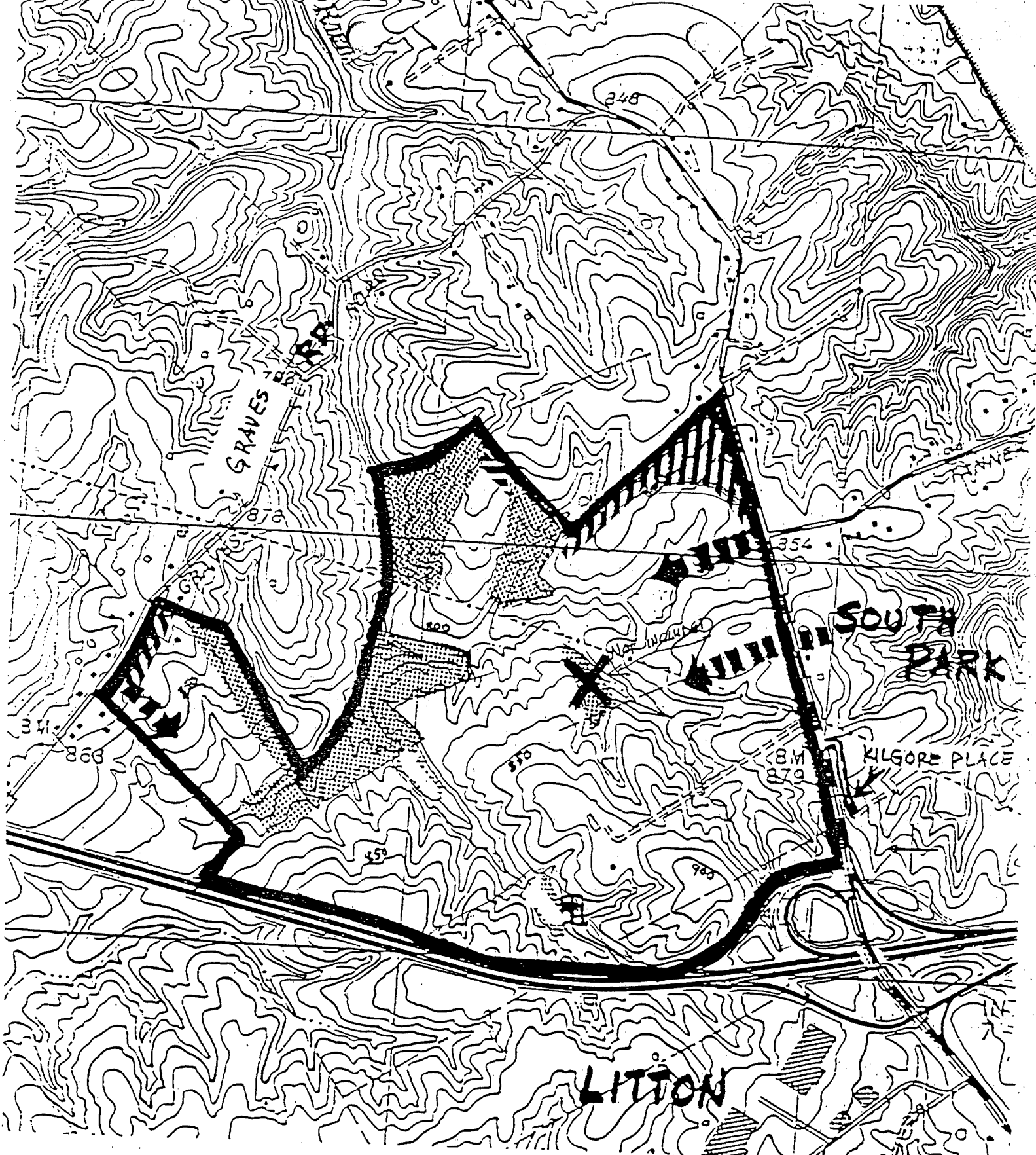


Rector Jones






Barry Neltner

BN:jdh



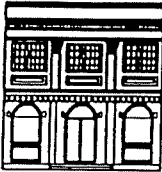
SUGGESTED BUFFER FOR POTENTIAL INDUSTRIAL DEVELOPMENT

SCALE
 1 inch = approx. 900ft. 

-  EXISTING WOODLAND TO BREAK UP VISUAL IMPACT - DELETE
-  CONVENTIONAL BUFFER INCLUDING NEW PLANTINGS AND/OR BERMS

AREA MARKED WITH "X" FOR COMMITTEE REPORT PURPOSES

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005
606-334-2196 FAX 606-334-2264

July 17, 1996

Mr. Tom Banta
Corporex
50 E. RiverCenter Boulevard
Covington, KY 41011

FAX: 292-5599

RE: Boh Property Zoning Map Amendment and Utilization of an Underlying Zone Applications - Conrad Lane, Boone County, Kentucky

Dear Mr. Banta:

The following represents the conditions of approval for the above referenced zone change and utilization of an underlying zone requests as agreed by the Boone County Planning Commission's Zone Change Committee. If you, as the owner, agree to the following conditions, please indicate so by signing at the space provided at the end of this letter and returning it to the Planning Commission office by 5:00 p.m., Tuesday, July 2, 1996.

1. Landscaping requirements for the individual development sites within the project shall be provided in the protective covenants, and shall meet or exceed the requirements contained in the Boone County Zoning Regulations. The landscaping requirements shall be subject to review and approval by the Planning Commission prior to the submission of any Site Plan applications.
2. Continuous berms that vary in height from 12 to 15 feet shall be installed along Conrad Lane. Trees shall be installed on the berms immediately after the berms are constructed. In addition, the following shall apply to the berm/tree buffer:
 - A. The total number of trees to be installed on the berms shall be equivalent to an average spacing of 12 feet on center along the full length of the south property line.
 - B. The trees shall be largely arranged in groups or clusters as to create a natural appearance.

1966-1996

"30 YEARS OF PLANNING THE FUTURE OF BOONE COUNTY"

- C. The total percentage of evergreen trees provided on the berms shall be at least 60 percent, but shall not exceed 80 percent. In addition, the trees shall vary in height from 6 to 8 feet at planting.
- D. The tree/berm buffer shall be installed along the entire length of Conrad Lane along with, and shall be considered a part of, the subdivision improvements for Phase I.
- ~~3. Any loading docks that face the north-south leg of Conrad Lane must be screened with a combination of berming and a mixture of evergreen trees that total at least 16 feet in height at planting.~~ *Don Ball*
4. For reasons of public safety, the detention pond near the north-south portion of Conrad Lane shall be dry. The basin will be designed with a channel at the bottom and mowable slopes to ensure proper drainage and an attractive, neat appearance.
5. Outside storage shall be prohibited in the protective covenants. In addition, no loading docks shall be permitted to face Conrad Lane.
6. Freestanding site lighting fixtures shall not exceed 15 feet in height and shall be downlit.
7. The "shorter" facade widths of the southern-most structures shall face the adjacent residential areas to the south along Conrad Lane (i.e., the shorter dimensions of the structures as viewed in plan). If the applicant desires to have a "longer" facade width face these areas then the proposal must follow the Change in Concept Development Plan procedure.

Architectural guidelines for all structures shall be provided in the protective covenants for the development and shall be subject to review and approval by the Planning Commission prior to the submission of any Site Plan application. These guidelines shall require that any building facade that faces the residential areas shall be constructed of masonry, a architectural grade concrete material, or a combination of masonry and architectural grade metal panels, and shall include reveals, offsets and painted detailing to attempt to reduce the apparent overall scale of the facade with respect to the adjacent uses. All colors used on this facade shall be reflective of natural materials to be sensitive to the adjacent residential uses. The guidelines shall include appropriate measures for screening roof equipment. The guidelines shall be enforced through the protective covenants.

REFER TO CONDITION 8 ATTACHMENT *Conrad*

8. ~~The following height and setback restrictions shall apply to the development. Building height shall be measured to the highest portion of a building, inclusive of roof mounted mechanical equipment or other such appurtenances. The setbacks noted are measured from the existing, northern right-of-way line of the southern, east west portion of Conrad Lane.~~
 - A. ~~Refer to the attached document entitled "Boh Property Condition 8A, Attachment."~~
 - B. ~~The southern-most buildings in the development shall have a maximum height of 32 feet when setback at least 250 feet. However, for each 8'4" that the building setback is increased beyond the 250 foot setback, the building height may be increased by 1 foot, up to 38 feet.~~
 - C. ~~With the exception of the buildings stated in conditions "8A" and "8B" above, buildings that are setback between 300 feet and 500 feet from the existing northern right-of-way line of Conrad Lane may be up to 38 feet in height, and buildings that are setback at least 500 feet from said right-of-way line may be up to 50 feet in height.~~
 - D. ~~All parking areas shall be setback at least 175 feet from the existing north right-of-way line of the southern, east-west portion of Conrad Lane.~~
9. Subject to final approval by the Boone County Public Works Department through the Preliminary Plat procedure, the applicant shall dedicate an additional 10 feet of right-of-way along the north side of the southern, east-west portion of Conrad Lane. Also subject to final approval by the Boone County Public Works Department through the Preliminary Plat procedure, the applicant shall dedicate a reasonable amount of right-of-way in the southern 90 degree turn of Conrad Lane, at the southeast corner of the site, to help alleviate the existing geometrics of the road. Neither of these dedications, should they occur, shall increase the setbacks provided in condition #8, as they are measured from the right-of-way line existing as of the date of the Planning Commission's approval.
10. An emergency access shall be provided on Conrad Lane along the southern portion of the site at the time of development of the western-most lot. The type of gate, chain, barricade, etc., for the emergency access, and the width and type of surfacing, shall be subject to review and approval by the Hebron Fire Protection District and Burlington Fire Department.

Mr. Tom Banta
July 17, 1996
Page 4

11. To ensure compatibility with the adjacent residential uses, all Conditional Uses typically permitted in the I-1 zoning district shall not be permitted in this development, with the exception that the following shall be permitted through the normal Conditional Use Permit procedures:
 - A. The storage of chemicals;
 - B. Telephone, telegraph, radio, television or other communication relay, transmitting and receiving uses, centers and equipment of a permitted use provided the structure does not physically or visually overpower, detract from or conflict with the building design, scale or character proposed in the district;
 - C. Nursery and child care centers.
12. The design of the park entrance from KY 237 shall be coordinated with the Kentucky Transportation Cabinet. Turn lanes shall be provided.
13. Refer to the attached document entitled "Boh Property - Condition 13, Attachment."

Sincerely,

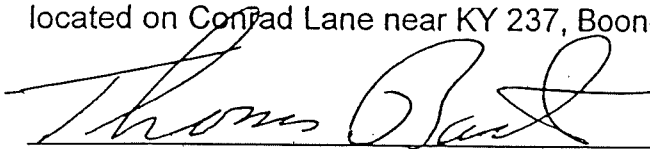


Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

Agreement

I, the authorized agent for the owner by contract, agree to the above listed conditions of approval for the requested Zoning Map Amendment from SR-2 to I-1/PD and the Utilization of an Underlying Zone in a Planned Development, for the approximate 128 acre site located on Conrad Lane near KY 237, Boone County, Kentucky.



Tom Banta, agent for owner by contract

7/17/96
Date

8. The following height and setback restrictions shall apply to the development. Building height shall be measured to the highest portion of a building. (Note: Roof top mechanical equipment shall be excluded from the definition of building height, except to the extent that they fall within the southernmost 250 feet of the site.) The setbacks noted are measured from the existing, northern right-of-way line of the southern, east-west portion of Conrad Lane.
- A. The southern-most buildings in the development shall have a maximum height of 26 feet and a minimum setback of 200 feet. However, for each 8'-4" that the building setback is increased beyond the 200 foot setback, the building height may be increased by 1 foot, up to 38 feet.
 - B. Buildings that are setback between 300 feet and 500 feet from the existing northern right-of-way line of Conrad Lane may be up to 38 feet in height, and buildings that are setback at least 500 feet from said right-of-way line may be up to 50 feet in height.
 - C. All parking areas shall be setback at least 175 feet from the existing north right-of-way line of the southern, east-west portion of Conrad Lane.

BOH PROPERTY - CONDITION 13

ATTACHMENT

The applicant shall dedicate a sixty (60) foot wide right-of-way to provide for a future street connection between the proposed street shown on the Concept Development Plan and the adjacent property to the west. Such right-of-way extension shall be a logical extension of the right-of-way dedicated for road and utilities through the Boh Property development. Such right-of-way shall be dedicated no later than two years from the date this condition is approved by the Boone County Planning Commission. The applicant shall not be responsible for the cost of the extension of the roadway improvements or utility improvements beyond those specifically shown on the Concept Development Plan.

PUBLIC HEARING ITEM NO. 2:

Commission members present: Mrs. Arnett, Secretary/Treasurer, Mr. Caddell, Mr. Damstrom, Mr. Hicks, Mr. McKinney, Mr. McMillian, Mr. Millay - Chairman, Mr. Neltner - Vice Chairman, Mr. Newman, Mr. Ries, Mr. Rush, Mrs. Schaffer, Mrs. Smith, and Mr. White - Temporary Presiding Officer.

Staff members present: Mr. Kevin Costello, AICP, Executive Director; Ms. Susan Cabot, Historic Preservation; Mr. David Doerger; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

Chairman Millay introduced the second item on the Agenda:

2. Applicant: Post, Buckley, Schuh & Jernigan, Inc. for Industrial Developments International (owner)

Request: Zoning Map Amendment

The request of Post, Buckley, Schuh & Jernigan, Inc. (applicant) for Industrial Developments International (owner) to consider a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for an approximate 41 acre tract located along the east side of Graves Road, approximately 1,500 feet north of Williams Road, Boone County, Kentucky. The request is for a zone change to allow office, warehouse, and distribution uses.

Staff Member Kevin Wall presented the Staff Report which included a slide presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Attorney Gerald Dusing from Florence, Kentucky, representing IDI (Industrial Developments International), the developer and applicant, introduced Mr. Ken Smith who has been in the design, construction, and development industry for thirty years; Mr. Dwight Clayton, civil engineer with P,B,S & J (Post, Buckley, Schuh & Jernigan, Inc.); and Mr. Jack Gehrum, traffic engineer. Mr. Dusing submitted a spiral bound handout: "IDI - Industrial Developments International - Park West Expansion, Zoning Map Amendment, Boone County, Kentucky".

Mr. Ken Smith, Vice President of Development for IDI at 1814 Airport Exchange Boulevard, Erlanger, Kentucky, stated that he has been involved with several projects in the area. IDI has always tried to produce a good quality product. He referred to Section I of the handout and their Mission Statement. He stated that in an industrial developers survey, they have been named #1 industrial developer in the U.S..

Mr. Smith stated that when they started work on KY 237, there were concrete trucks and mud. They addressed those issues with additional wash off area, getting vegetation back as soon as they could, and those kinds of things. He stated that if there are problems and people call them, they will address the issues. He stated that Mr. Wall did a good job of explaining their project. The project is at I-275 and KY 237 in Park West International. Their other projects in the area are indicated on the vicinity map (Section 11 in the handout). IDI started Park West International just over two years ago and built about 2.5 million square feet in the park. Section IV in the handout lists some of the tenants. Section V in the handout contains pictures of the type of development they do. He stated that landscaping is very important. When they do a development or extend a development, some of the things they do are above and beyond what is necessary. They have wider roads in the park than minimum standards require. They install street lights at their own expense and maintain them at their own expense. He suggested that people look at the main entry to the park. He stated that the buildings are among the top in appearance and usefulness in the country. They put additional landscaping around the detention areas. He stated that there will be a fire station on land donated to the fire department which will help safety in the entire area -- including the developing residential areas to the north and west. The upgrade of KY 237 was a major project that they began and the state participated with them, which helps the traffic near the park. They have done a lot of infrastructure for the park. They have combined the water and sanitary sewers. They carried the sewer through the park and made capacity available for additional development.

Mr. Smith referred to Section III of the handout and stated that they are asking for the zone change for the area outlined in red, which includes two parcels: The Bryant parcel (a triangular piece of 2.4 acres) which is the residential area shown in the slide presentation, and the Sugar Camp parcel, which is part of the land owned by the Graves family to the north and west of the existing park. They want to extend the zoning to the natural barrier for I-1 zoning which is Graves Road to the west, the power line easement to the north, and the existing I-1 zoning on the surrounding land. He stated that this would amount to just over an 11% addition to the zoning area and would increase the park size from 350 acres to 388 acres. When they started the park, they thought they would have about thirty small buildings because of the tenants in the area, but now they are talking about 23 - 25 much larger buildings with less tenants. This is a market driven situation. He stated that originally they had a road through the site. The larger buildings demand that the road be changed -- both from a marketing standpoint and from a safety standpoint for better fire protection. The road now goes through the two smaller buildings and past the face of the larger one. It will be a collector road and will serve the areas to the north and west. The residential areas developing there will want to use this road. He stated that they do not plan any truck traffic for Graves Road and do not think a trucker would go that way. They will put up signage to this effect. He stated that there is not much reason for someone to go out the back of the park, over to KY 18, up KY 237, and over to the freeway, and they feel that they will come through the park. They do not want a straight stretch through the park so that people drive fast through there. He stated that they understand

Staff's concerns regarding curves. They have cut the radius down slightly. A 100' - 150' radius is allowed, but would not be acceptable to them. They will look at this issue with the Committee. He stated that they have no intention of putting truck traffic on Graves Road and the larger building has no connection to Graves Road. With the topography there, Graves Road will probably be about 25 feet above the building.

Mr. Smith stated that the current zoning on the 41 acres is RSE and the current Land Use Plan in the Comprehensive Plan allows up to eight units per acre. With about 2.5 people per unit, there would be about 800 people there. With their facilities, they generate less than one-quarter trip per 1,000 square feet. This use would generate 200 - 300 people on the site versus 700 or 800 there with high density residential. The people who work on the 41 acres will create less traffic than a high density residential use.

Mr. Smith stated that another Staff Concern was in regard to buffers. He stated that there are 80-foot buffers along KY 237 and 100-foot buffers along the residential. They propose 80-foot buffers along Graves Road. They propose a 50-foot buffer along the power line side. They cannot build a structure in the power line easement and it is a natural buffer. There is 100 feet of separation between the industrial and the residential. They have bermed the buffers and tried to screen the truck docks. They will address landscaping in the buffers with the Committee. They do not expect to do anything different than what they have done with their existing buffers.

Mr. Smith stated that Sand Run Creek is a concern for the Committee and also a concern of theirs. During construction, it is not always possible not to disrupt things. It is currently a requirement to have a 100-foot buffer along the east side of the creek and they are leaving that in place. They will leave a similar buffer on the other side of the creek. There will be a 150' - 200' wide buffer where they will not disturb the trees. They will leave the vegetation along the creek.

Mr. Smith stated that this request is for an extension of an existing high-quality industrial use. It is a small increase to the overall park of 10% - 11%. It is the same kind of uses and the same kind of density.

Mr. Dwight Clayton stated that the infrastructure is to be extended as planned with the previously approved 350-acre site. They have met with the Fire Chief and the Sanitation District and they are satisfied with the project. All utilities are in place and ready to be extended into this section. They believe the utilities meet the requirements of the Comprehensive Plan for adequate infrastructure.

Mr. Dusing, reviewing an exhibit of the Site Plan, stated that the 10% or 11% addition to the existing park is not significant in the global picture. In the Comprehensive Plan, the area is shown for high density residential. His experience is that when the Comprehensive Plan map is drawn, it is a broad brush map and we are not held to the exact line. A lot of times the lines follow property lines, but better planning follows topographical features and physical barriers. They are saying that when you have an existing permitted use and a natural 100-foot barrier, it is a

more natural place for a demarcation line in the Comprehensive Plan. He stated that the present zoning is inappropriate and the proposed zoning is appropriate. The high density residential that the Comprehensive Plan calls for would jut into the industrial park -- compared to what they can provide with the addition of the 41 acres. He travels down KY 237 a lot for business reasons and you do not notice Park West because it is so subtle. He asked the Commissioners to drive by the area. He stated that in addition to the twelve conditions imposed in 1989, eleven more were imposed on the most recent phase in 1996, and now there are twenty-three conditions. They also have twenty-seven pages of restrictive covenants, which include innovative things -- such as an Architectural Committee, common area maintenance to insure the quality of the landscaping is maintained, underground irrigation to maintain the landscaping and grass, outdoor storage controls, and others. He stated that the Comprehensive Plan text justifies the finding that this is an appropriate modification to the existing zoning because it serves the interchange industrial use. It is a minor modification to what is there. They have spent many hours on a plan to address the buffering that concerns Staff. He stated that he is proud to be part of this presentation. This will be a tremendous asset towards getting the collector road finally punched through to Graves Road.

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

Sue Graves Spaulding, 2272 Williams Road, stated that she and her family are the owners of this land. It has been grueling for them to let go of land that they have owned for 200 years, but the airport traffic and other changes have caused them to realize that they are losing this land. The wildlife and deer are still there, and there are geese and coyotes. The animals are adjusting to the change. She stated that they have talked to Ken Smith and feel that this is the right thing for them to do financially. They are maintaining over half of their acreage, which is where they make maple syrup. They hold dear that the creek will be preserved and the buffer systems will make it pretty. She looks forward to walking the trails -- which will be safer than walking along Graves Road. They believe they are doing the right thing.

Heather Spaulding, who lives in California, but grew up in Boone County, stated that she supports the project. She works for the Regional Water Control Board of California and has noticed significant change of the stream bed. She encouraged IDI to take additional measures. She commented that there are steep hills and things run right down the hills. She stated that the stream is impaired from the last construction.

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

Peggy Taylor, 1084 Merrill Road, stated that she is not really opposed but has questions and concerns. She asked if the buffer will be 80 feet or 100 feet where it goes into Graves Road. She is concerned about the traffic. She asked if any improvements will be made to Graves Road or KY 237. She stated that Graves Road is dangerous with the traffic, joggers,

and truckers. There is traffic from the golf course and there are delivery trucks. Both entrances to Graves Road off KY 20 and KY 237 are not good entrances. If trucks miss the entrance to Park West and go down KY 237, they will be inclined to go down Graves Road and turn in from the back. KY 237 is narrow in spots and areas are broken off the side. There is a new apron by Park West International, but it is not adequate and trucks do not have enough room to pull in and out -- so they pull into oncoming traffic. She is concerned about the safety of the residents who live there and have to travel the roads every day. She stated that the development in the last ten years has been tremendous and the infrastructure and the roads have not kept up with it. She asked that the infrastructure and roads be approved along with, or before, more development.

Chairman Millay asked the applicant to address any plans for improvement to the infrastructure, Graves Road, or KY 237.

Mr. Smith stated that the original requirement for the rezoning twelve years ago was for 100-foot buffers -- or they could be reduced in size if they were bermed. Mr. Wall agreed that the buffer requirement can be varied if berming is provided. Mr. Smith stated that they elected to do an 80-foot buffer with berming and additional trees in lieu of the 100 feet. They propose to continue that 80-foot buffer on Graves Road.

Chairman Millay questioned improvements to Graves Road or KY 237.

Mr. Smith stated that they have done a major improvement. All of the design work was done to the requirements of the state, and they feel that they have improved KY 237 considerably. He stated that as development continues there may be a need for traffic signalization there. If that is necessary, IDI would expect to participate.

Ms. Taylor stated that it is very dangerous there and the trucks pull into oncoming traffic.

Mr. Smith stated that as their development proceeds to the west, a lot of the traffic instead of going down Graves Road to KY 237 will come from Graves Road through the site.

Ms. Taylor stated that trucks will come down KY 237, miss the entrance, and go on down KY 237. Mr. Smith stated that if trucks miss the first entrance, hopefully they will make the second one. He stated that they will address the need for signalization with Staff. He stated that they do not intend to have truck traffic go out on Graves Road.

Mr. Dan Moser, 1347 Sequoia, stated that Tree Top Subdivision is only about one-half mile away. He is concerned about noise pollution and lights. He stated that there will be more noise with the trucks. Since the leaves are off the trees, they are seeing more lights coming from this development.

Mr. Randy Gling, 1430 Sequoia stated that Sequoia accesses onto Graves Road. He questioned why they need to bring the trucks to Graves Road and why the road has to go through.

Mr. Dave Pattison, 1771 Graves Road, stated that he is not a proponent or an opponent. He prefers this use to a treatment plant or heavy industry. He is a resident of Sand Run Creek just down from the project. He stated that since the inception of West Park, there has been more flooding. The people across from him have had to abandon their garden because of increased runoff. He stated that West Park is changing the runoff from .4 to .95. He quoted from the Stormwater Regulations. He stated that to size a temporary holding pond, you have to know the runoff. He stated that Mr. Sketch says we use a 50-year storm, which is on track, but Mr. Sketch also said that he uses a 24-hour discharge. Mr. Pattison stated that a 24-hour, 50-year discharge is 5.3 inches, which divided by 24 is 22 inches an hour. He stated that we are dealing with the headwaters of Sand Run Creek and the time of concentration is the time it takes for the furthest drop of water on West Park to exit the property. He suggested a one- or two-hour storm where the rainfall intensity is 2" - 2.5". He stated that the park is 350 to 400 acres and they are paving half of it. The runoff coefficient is changed from .4 to .95. He stated that you have to hold the water back at detention ponds. Mr. Pattison stated that he feels they used the wrong storm in computing the size of the detention ponds. He does not think Mr. Sketch considered the detention ponds in place prior to development. A 1961 USGS topography map shows eight ponds on the Heimann property. The ponds totalled in excess of twelve acres. Farm ponds typically have a 12" - 18" drain pipe at the top of the dam and a spillway. There is two feet of detention and temporary holding between the discharge pipe and the spillway discharge. Multiplying those two feet by the ponds in place is 24 acres of detention. He stated that he walked at West Park and does not see how they have anywhere near the amount of detention they had when they started. He asked the Planning Commission to review the computations to size and quantify the detention ponds for West Park and not to duplicate the error. He asked the Planning Commission to correct what is wrong because the people down stream see an obvious change. He asked the Planning Commission to strive for compliance with their own regulations -- "the rate of discharge after construction shall not exceed the rate of discharge before construction". He stated that when you flood a man's land without compensation, it is a taking under Article 5 of the Constitution.

Chairman Millay asked if there was anyone else present who wished to speak. There being no response, he asked if there were any comments or questions from the Commissioners.

Mr. Neltner stated that the 41 acres includes Building "M" that runs along Graves Road. He stated that if they are making a change from what was approved as three buildings for that end of the site and are running a road through it and making a large building, those changes would not necessarily be approved with the rezoning of the 41 acres. Mr. Costello stated that the original request did not show any buildings.

Mr. Smith stated that the rezoning eleven years ago had no plans with it. Mr. Costello commented that it was initiated by Fiscal Court.

Mr. Neltner stated that what is before the Planning Commission now is 41 acres. On the previous plan they showed three small buildings, and now they are showing the large Building "M" that crosses the old approved property and the 41 acres. He stated that if the change for the 41 acres is approved, they could not build Building "M" or Building "L" as illustrated without coming back for review with the other Concept Development Plan.

Chairman Millay stated that there is no Concept Plan. Mr. Neltner asked if they can put up the buildings as shown.

Mr. Wall explained that the Heimann property zone change was requested by Fiscal Court and there was no plan with it. The conditions related to the 100-foot buffer area are that they have to provide the buffer as long as the properties there are zoned residentially. If the zoning would change, that condition would disappear.

Mr. Neltner asked if they are allowed to plant under the power lines. Mr. Wall stated that to his way of thinking, the plantings are required regardless. If they do not have the right to plant in the easement, then we would require the plantings outside the easement.

Mr. Neltner stated that the parking lot appears to run right up to the easement. He asked if they have to put in landscaping. He commented that generally where the lines go through it is clear. Mr. Wall agreed that it is in this instance also. Chairman Millay explained that it is clear so that vehicles can run through there to maintain the lines. He does not think they can plant in the easement -- but they still need the plants and will have to put them on their own property.

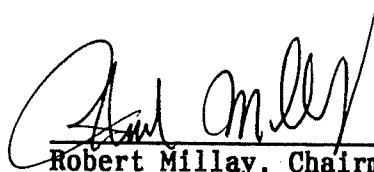
Mrs. Schaffer questioned the acreage of the remainder parcel owned by Sugar Camp Partnership. Mr. Smith responded that it is about 41.3 acres.

Mrs. Schaffer questioned where the line is going to be drawn -- is the industrial going to continue? She stated that Staff indicated that we need a variety of housing. She suggested an inventory of I-1. She noted that Staff did not indicate that the property is in a noise contour of the north/south runway. Mrs. Schaffer questioned where the industrial is going to stop.

There being no further comments, Chairman Millay stated that the Committee Meeting for this item will be on December 7, 1998 at 5 PM in the second floor conference room of this building. This item will be on the Agenda for the Business Meeting on December 16, 1998 at 7 PM..

The Chairman closed this Public Hearing at 10:27 PM..

APPROVED:



Robert Millay, Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
December 16, 1998
7 P.M.

Mr. Robert Millay, Chairman, called the meeting to order at 7:00 P.M..

COMMISSION MEMBERS PRESENT:

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

COMMISSION MEMBERS NOT PRESENT:

Mr. Mark Hicks
Mr. Robert Newman
Mrs. Carol Smith
Mr. William Viox

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Ms. Susan Cabot, Historic Preservation
Mr. David Doerger, Planner
Ms. Jan Hancock, Secretary
Mr. Mitch Light, Assistant Zoning Administrator/ZEO
Mr. Kevin Wall, AICP, CDT - Director, Zoning Services

Mr. McMillian stated that the reason for the PD is that the applicant would have to come back before he could do anything with the other property.

There being no further comments, the Chairman asked for a roll call vote on the motion made by Mr. McMillian. The vote found Mrs. Arnett, Mr. Damstrom, Mr. McMillian, Chairman Millay, Mr. Neltner, Mr. Ries, Mr. Rush, and Mr. White in favor. Mr. McKinney and Mrs. Schaffer were opposed. Mr. McKinney stated that it looks like a good project, but it needs some limitations. Mr. Caddell was not present and did not vote. The motion carried by a vote of 8 to 2.

Mr. Caddell returned to the meeting at this time.

2. Zoning Map Amendment

The request of Post, Buckley, Schuh & Jernigan, Inc. (applicant) for Industrial Developments International (owner) to consider a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for an approximate 41-acre tract along the east side of Graves Road, approximately 1,500 feet north of Williams Road, Boone County, Kentucky. The request is for a zone change to allow office, warehouse, and distribution uses.

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.

Mr. Neltner moved by resolution to Fiscal Court that the request be approved based on the Committee Report. Mr. McMillian seconded the motion.

Mrs. Schaffer stated that she would like to repeat the comment she made at the Public Hearing -- if we continue the industrial development, where will the line be drawn? This property is out of a large tract and 41.3 acres will be left. Where will the industrial stop? It is only one quarter of a mile to the residential.

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

3. Concept Development Plan

The request of Raymond Erpenbeck Consulting Engineers (applicant) for John Bill Keck (owner) to consider a Concept Development Plan for an approximate 1.6 acre tract at 7490 Woodspoint Drive, Florence, Kentucky. The request is for a Concept Development Plan to allow a hotel in a Commercial Services/Planned Development (C-3/PD) zone.

EXHIBIT "B"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Earl White, Chairman

DATE: December 16, 1998

RE: Request of **Post, Buckley, Schuh & Jernigan, Inc. (applicant)** for **Industrial Developments International (owner)** to consider a Zoning Map Amendment from Rural Suburban Estates (RSE) to Industrial One (I-1) for an approximate 41 acre tract located along the east side of Graves Road, approximately 1,500 feet north of Williams Road, Boone County, Kentucky. The request is for a zone change to allow office, warehouse, and distribution uses.

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 determined that the applicant has adequately demonstrated that the proposed Industrial One (I-1) zoning classification is the most appropriate zone for the 41 acre site and the applicant has demonstrated that the proposed use of the property for light industrial development is the most appropriate use of the site. The applicant has also demonstrated that the proposed uses within the I-1 zoning classification, along with the proposed Concept Development Plan, produce a cohesive and coordinated development with the adjoining Park West development to the east and south.
2. The Committee has concluded that the proposed Zoning Map Amendment and Concept Development Plan are in agreement with the 1995 Boone County Comprehensive Plan due to the following reasons:
 - A. The Land Use Element ("Area C-2: Hebron Area," pp. 218 and 219) states that "the northwest quadrant of the I-275 and KY 237 interchange is an ideal location for Business Park uses." The Committee has concluded that the site in question acts as a logical extension of the Park West development, particularly when considering that Graves Road to the west and the substantial power line facility across the north boundary of the site act as tangible and definitive boundaries to the Business Park uses in this area.

- B. The Business Activity Element ("Areas of Future Industrial and Office Activity," pg. 84) states "the I-275 and KY 237 and Mineola Pike interchanges will experience continued industrial development, in addition to the previously outlined commercial/office development. The mixture of the varying uses should be carefully designed and planned to minimize negative impacts. The existing and future residential uses must be adequately buffered from new development in these two interchange areas." Based on these statements, the Committee has concluded that a possible expansion of the Park West development was anticipated by the Comprehensive Plan. The Committee has also concluded that the proposed office, warehouse, and distribution uses will minimize negative impacts on the adjoining areas, and that the submitted Concept Development Plan and the attached conditions will adequately buffer the development from existing and future residential uses in the area.
- C. The Goals and Objectives ("Business Activity," Objective 1) state "industrial development shall be encouraged to locate near railroad lines, highways, the Ohio river, the Airport and on Airport owned land. Industrial districts shall be properly located in advance and thereby lessen any detrimental impact on future adjacent development." The site in question will be accessed by a large scale collector road that was specifically designed to serve the Park West development, and that directly connects to the KY 237/I-275 interchange area.
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. 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. Buffering along the northern boundary of the site shall minimally consist of meandering berms within the easement for the overhead power line. In addition, landscaping along the northern boundary of the site shall minimally consist of the plantings required by Buffer Yard "C" in Article 37 of the zoning regulations, which shall be provided along the entire southern edge of the power easement.

2. The applicant shall work with the Boone County Engineer to lessen the severity of the horizontal curves (as shown on the submitted Concept Development Plan) within the proposed section of Worldwide Boulevard that adjoins the zone change area to the south.

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.

Earl R. White
Earl White, Chairman

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

Don McMillian
Don McMillian

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

Bob Newman

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

Barry Neltner
Barry Neltner

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

TOTAL:	<u>3</u>	FOR	<u> </u>	AGAINST	<u> </u>	ABSTAIN	<u>1</u>	ABSENT
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SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005

606-334-2196

FAX 606-334-2264

E-Mail plancom@one.net

December 8, 1998

Mr. Ken Smith
Industrial Developments International
1840 Airport Exchange Boulevard
Suite 110
Erlanger, KY 41018

FAX: 282-0038

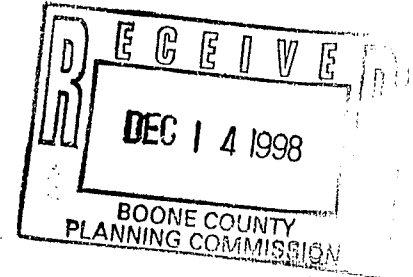
RE: Conditions of Approval for Zone Change from RSE to I-1 for 41 Acre Site Along the East Side of Graves Road, Approximately 1,500 Feet North of Williams Road, Boone County, Kentucky

Dear Mr. Smith:

The following represents the conditions of approval for the above referenced request as recommended by the Boone County Planning Commission's Zone Change Committee at their December 7, 1998 meeting. If you, as the authorized representative for the owner, agree to these conditions, please so indicate by signing in the space provided at the end of the letter. Please return the signed, original letter to me by Monday, December 14, 1998.

CONDITIONS

1. Buffering along the northern boundary of the site shall minimally consist of meandering berms within the easement for the overhead power line. In addition, landscaping along the northern boundary of the site shall minimally consist of the plantings required by Buffer Yard "C" in Article 37 of the Zoning Regulations, which shall be provided along the entire southern edge of the power easement.
2. The applicant shall work with the Boone County Engineer to lessen the severity of the horizontal curves (as shown on the submitted Concept Development Plan) within the



Mr. Ken Smith
December 8, 1998
Page 2

proposed section of Worldwide Boulevard that adjoins the zone change area to the south.

Sincerely,

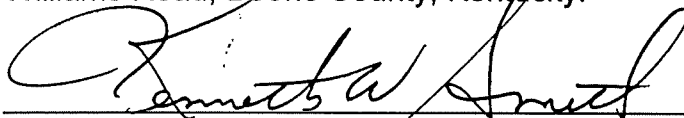


Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

AGREEMENT

I, Ken Smith, authorized representative for the owner, hereby agree to the conditions of approval listed herein for the zone change request from RSE to I-1 for an approximate 41 acre tract located along the east side of Graves Road, approximately 1,500 feet north of Williams Road, Boone County, Kentucky.



Ken Smith
V. PRES DEVELOPMENT
FR IDI

12/9/98
Date

MINUTES
BOONE COUNTY FISCAL COURT
February 23, 1999
6:00 P.M.

Commissioner Arnold then moved, seconded by Commissioner Flaig, to approve on Second Reading Ordinance No. 920.372, an ordinance of the Boone County Fiscal Court to consider the request of Post, Buckley, Schuh & Jernigan, Inc. (Applicant) for Industrial Developments International (Owner) for a Zoning Map Amendment, such Zoning Map Amendment being a zone change from Rural Suburban Estates (RSE) to Industrial One (I-1) on an approximate 41 acre site generally located on the east side of Graves Road, approximately 1,500 feet north of Williams Road, Boone County, Kentucky, recommended unanimously by the Boone County Planning Commission via Resolution No. R-98-034-A, with an additional condition that the setback for 80% of the buildings on Graves Road be a minimum of 120 from the property line. Said condition being agreed to by the applicant at the meeting. Judge Moore then called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "B"

Judge Moore encouraged residents to call if there is a problem with truck traffic, so that his office can see that compliance is enforced.

ORDINANCE - BAPTIST CONVALESCENT CENTER

Judge Moore declared a Public Hearing open at 6:59 relative to Ordinance No. 920.372. Hearing no objection, Judge Moore declared the Public Hearing closed at 7:00 p.m.

Commissioner Arnold move, seconded by Commissioner Flaig, to approve on Second Reading Ordinance No. 920.372, an ordinance of the Boone County Fiscal Court to consider the request of Baptist Convalescent Center (Owner) for a Zoning Map Amendment, such Zoning Map Amendment being a zone change from Agricultural Estate (A-2) to Suburban Residential One/Planned Development (SR-1/PD) on an 45 acre site generally located on the east side of KY 18 near Shady Hollow Lane, Boone County, Kentucky, recommended (vote of 8-2, with 1 abstention) by the Boone County Planning Commission via Resolution No. R-98-033-A. Judge Moore called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "C"

RESOLUTION - DUTCH PROPERTIES C/O DAVID E. ESTES ENGINEERING

Mr. Jerry Dusing, attorney representing the Estes Engineering, asked that a Public Hearing be granted concerning the Zoning Map Amendment requested by Estes Engineering on behalf of Dutch Properties. County Administrator Parsons suggested that Fiscal Court members very seriously consider the recommendation of denial for this project made by the Boone County Planning Commission as they have already conducted the necessary Public Hearing.

Commissioner Arnold moved, seconded by the Chair, to approve a resolution of the Boone County Fiscal Court recommending denial for a request of Dutch Properties C/O David E. Estes Engineering (Applicant) for Dutch Properties (Owner) for a Zoning Map Amendment, such Zoning Map Amendment being a zone change from Suburban Residential Two (SR-2) and Commercial One (C-1) to Commercial Services (C-3) on an approximate 2.5 acre site located at 1013 Burlington Pike, Boone County, Kentucky, recommended unanimously for denial by the Boone County Planning Commission via Resolution R-99-001-D. Judge Moore called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "D"

ORDINANCE - CODE OF ETHICS

The Fiscal Court Clerk presented for First Reading an ordinance relating to the establishment of a Code of Ethics for County Officials and Employees in Boone County, Kentucky and repealing Ordinance No. 11-97-02.