

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM**

January 17, 2007

7:30 P.M.

PUBLIC HEARINGS

Commission Members Present: Mrs. Arnett, Mr. Bunger, Mrs. Herald, Mrs. Kegley, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Rolfsen, and Mr. Schwenke.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mrs. Susan Poston, Vice Chairwoman, called the meeting to order at 7:53 PM and introduced the first item on the Agenda:

Applicant: **Duke Realty, Ltd., Attn: David Wright for
Greenfield Farm, Inc., Attn: Jim Dressman (owner)**

Request: **Zoning Map Amendment**

The request of Duke Realty, Ltd., Attn: David Wright (applicant) for Greenfield Farm, Inc., Attn: Jim Dressman (owner) for a Zoning Map Amendment from Agricultural Estate (A-2) to Industrial One (I-1) for a 208.721 acre site located on the west side of Dixie Highway, south of the property at 11765 Dixie Highway and north of the properties at 12097 and 12119 Dixie Highway, and on the north side of Chambers Road at the northeast quadrant of the Chambers Road/I-75 overpass and to the north and west of the property at 262 Chambers Road, and south of the developing properties at 40 and 60 Logistics Boulevard, Boone County, Kentucky. The request is for a zone change to allow an industrial subdivision.

Following and explanation of the Public Hearing process, Mrs. Poston asked for the Staff presentation.

Staff Member Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report). He reviewed a letter from County Engineer

Greg Sketch (attached to the Staff Report) which was received after the written Staff Report was prepared. The letter recommends that a stormwater plan for the entire development be submitted with the application for the first Improvement Plan and that post development runoff should be no more than 85% of pre-development runoff.

Mrs. Poston asked for the applicant's presentation.

Mr. Bill Viox, Viox & Viox, Erlanger, Kentucky, submitted a spiral bound booklet *Commonwealth Logistics Centers, Boone County, Kentucky* (see Exhibit 1). He stated that representatives from Duke Realty, Traffic Expert Wardell Wilcox with Edwards & Kelcey, Justin Verst with Viox & Viox, and attorney Gerry Dusing will be speaking this evening.

Mr. Dan Ruh, Senior Vice President and General Manger for Duke Realty in Cincinnati, stated that they have been in business in Cincinnati since 1977. They have an occupancy and development pipeline of roughly 14,000,000 square feet, of which 4,000,000 is in Northern Kentucky. They have approximately 700 tenants in Cincinnati and 300 acres owned for development. He is a lifelong resident of Northern Kentucky. He stated that this project will double the size of their development in Northern Kentucky. They intend to attract new business for the community via speculative development and third-party build-to-suit projects.

Mr. Justin Verst, Viox & Viox, stated that they had pre-application meetings with Staff and received comments from the County Engineer. He submitted a letter from the Boone County Water District stating that they will serve this project (see Exhibit 2). They met with the Walton Fire Chief who is agreeable to the project and likes the emergency route connecting Logistics Boulevard to Dixie Highway. He stated that the sight distance requirement at Dixie Highway is met and no improvements are required. He stated that the request meets the Goals and Objectives of the Comprehensive Plan. The Future Land Use Map shows this site as industrial land at least since 2000. He reviewed the applicant's Power Point presentation. On the conceptual plan he noted that the layout of the site is for a distribution type use. The plan shows 3.6 million square feet of development on the 2.9-acre tract, which is less than 70% of the allowable intensity. The site is directly to the south of the IDI development approved in 2005. He stated that the buildings are approximately 40 feet in height, which is a standard building height. There will not be a connection to Chambers Road. They will extend Logistics Boulevard to Dixie Highway as a public street with the same type of blacktop, curb and gutter, and sidewalk as the street built by IDI, which will provide good access to the development. They will restrict truck traffic from Logistics Boulevard to northbound only on Dixie Highway via signage and other restrictions that will be put in place to keep the trucks from going south. He stated that stormwater drainage on the site is generally north to south – from Dixie Highway to Chambers Road through this property. The detention ponds will be modeled together for the whole development and done up front as recommended

by County Engineer. They agree to the County Engineer's comment that the post development stormwater runoff should be no more than 85% of the pre-development runoff. In regard to phasing, he stated that they anticipate one building per year based on the market, which will make this a five to six year project. He presented a video of the site beginning at Dixie Highway. He noted that the power lines will restrict where they can place some of the street trees. The street trees will generally be along Logistics Boulevard and the south side. He noted that their buildings and road are below the road. He noted the line of sight and indicated that the majority of the view of the building will be blocked by landscaping. He stated that the buffering on the north side will be along the street versus along the property line due to the power lines. They cannot plant large trees in the area of the power lines. He stated that signage and controls will be in place at the intersection to keep traffic going in the right direction.

Mr. Wardell Wilcox, Transportation Planner with Edwards & Kelcey, 3 Centennial Plaza, Cincinnati, Ohio, stated that they have been in the greater Cincinnati area for over thirty-five years. They provide engineering, architectural, and planning services to the public and private sectors. The company is over sixty years old and headquartered in New York. He is a graduate of the University of Cincinnati and studied at Georgia Tech. He has nineteen years of experience. He stated that they met with the Boone County Public Works Department, the Kentucky Transportation Cabinet, and the Planning Commission Staff. He submitted a Traffic Impact Study (see Exhibit 3). He stated that comments have not come back yet from the Kentucky Transportation Cabinet. He stated that Traffic Impact Studies are normally completed in 2 to 3 weeks, but they worked 3 – 6 months on the Traffic Impact Study in order to be sure that all of the traffic and transportation issues were addressed. They also did the work for the IDI development and a lot of the report mirrors what was done for that project. The study mirrors the Six-Year Plan and current studies on Dixie Highway. He stated that an IJS will occur at the Richwood I-71/75 interchange ramp system. He stated that the long-range impact of this development is either currently addressed, or will be addressed, as part of the master planning. He stated that the OKI twenty-year forecast, which was the basis for several of the master plans, included this area as industrial warehousing. He stated that for the twenty-year forecast the traffic and the impact of this development is contained. The Traffic Impact Study includes review of the capacity at the four critical intersections identified by the Boone County Public Works Department and the Kentucky Transportation Cabinet, which are the two interchange ramps at Richwood, the intersection of U.S. 25 and Richwood Road, and the intersection of Walton-Nicholson Road and U.S. 25. He stated that the state's biggest concern was how they would get traffic in and out and service it properly. He stated that no access to the development is being provided on Chambers Road. All access is off U.S. 25. Traffic out of the development will be restricted from turning south and heading into the Walton area or coming to the site from the interstate system. They will direct all of their traffic by way of Richwood. He stated that safe sight distance is available in excess at the proposed location. He stated that the

recommendations in the Traffic Study are to construct a northbound left turn storage lane, a southbound right turn lane, and control the intersection by a stop sign.

Mr. Gerald Dusing, attorney with offices in Florence and Covington, was present representing Duke Realty. He stated that the site has been earmarked in the Comprehensive Plan for industrial for many years. Reviewing the applicant's Power Point slides, he noted the location of the proposed development, Chambers Road to the south, and the Richwood interchange to the north. He noted the locations of the approved or constructed buildings in the Hemmer and IDI developments, as well as the buildings shown on the Concept Development Plan for the proposed development. He stated that the proposed development is one part of an overall industrial development that goes all the way to the Kenton County line. He noted the locations of the Hemmer, IDI and proposed Duke developments between I-75 and U.S. 25. He stated that they do not show any buildings in the 150 – 180 foot sliver of RL along Chambers Road, which was discussed in the Staff Report. The buildings and parking lot are outside the RL area. The parking lot and closest building are 140 feet from Chambers Road. The RL area was taken into account in the design. He stated that the property has been earmarked and intended for this use. The intensity of the development mirrors what is happening to the north.

Mr. Bill Viox stated that at the OKI Regional Planning Conference in Cincinnati in October, Tim Butler (a well-known attorney and planner) spoke on planning commission strategies and used the phrase *treat similarly situated people similarly*. Mr. Viox stated that they know that they are the third quality developer in the area and they will meet that challenge. He stated that the Future Land Use Plan has become a reality in this area – it's an employment district. On the other side of the expressway is a residential district (condominiums, units for lease, and single-family residences) and to the south down Dixie Highway in Walton a nice residential community is developing up against the expressway, which allows people to work in the employment centers and live where they work. He stated that last week the City of Walton announced a proposed shopping center at the Walton exit anchored by a Kroger super store. He stated that the area is becoming self-contained – people can live, work and shop in this area. He stated that IDI was required to bring Logistics Boulevard to the Duke property line, which indicates that the Planning Commission intended for the boulevard to go on through. They will complete Logistics Boulevard. He stated that the Water District asked them, and they agreed, to take a water main through because the water district needs an extension to Chambers Road to create a loop for the residential community when it develops on the other side of the expressway. They also agree to over-detain the water. He stated that several years ago for Steeplechase they suggested that there was an opportunity with the business parks to have regulated detention in the upper part of the basin, and that is now a reality. He stated that they are sharing their sewers with a neighbor, which the Sanitation District will allow. They are showing sensitivity with the design and putting the

buildings down – when driving south on I-75/I-71, the right-of-way in front of this site goes up steeply and the site will go down steeply. The goal is to tuck the buildings in and make the landscaping come alive. He provided extra copies of the applicant's Power Point presentation (see Exhibit 4). He stated that they are proud to offer Commonwealth Logistics and bring jobs to Boone County and particularly to this neighborhood. This completed the applicant's presentation.

Mrs. Poston stated that a sign-up sheet was not available this evening and asked that all speakers clearly state their names and addresses. Mrs. Poston asked if there was anyone else present who wished to speak in favor of the request.

Mr. Jim Dressman, representing Greenfield Farm (the seller of the property), stated that he is one of the owners of the property, along with Charlie Deters, Joe Arlinghaus, Pat Busse, and others. They also own the property that has been approved for Steeplechase expansion. The group purchased the subject property in 1985 from Pat Busse with the short-term intent of continuing it profitably as a thoroughbred horse farm and long-term intent to sell or redevelop it for a return on their investment. After a couple of years, they realized that the horse farm was more of a hobby than a profitable operation, so they discontinued the operation and sold the mansion and buildings to Lanny Holbrook to operate it as a horse farm. As part of that transaction, they told Mr. Holbrook that they intend to sell the remaining property someday and would likely need to get it rezoned. They obtained his written agreement that he would not oppose those efforts. Several years later in about 1997-98, they sold Mr. Holbrook another 43 acres that wrapped around the mansion house and provided insulation from what would happen with the remaining property. Mr. Dressman submitted a letter that he wrote to Mr. Holbrook on January 16, 2007 (see Exhibit 5). He stated that when they were negotiating with Duke Realty for the sale of this property, they went to Mr. Holbrook because he had expressed an interest in getting better access onto U.S. 25. They facilitated a favorable land swap that would have given Mr. Holbrook access onto U.S. 25, but he refused any offer. He stated that they were sensitive to the Holbrook farm and the mansion and sold Mr. Holbrook an insulating parcel. The Holbrook farm is now about 70 acres that wraps around the mansion. It is a beautiful mansion and they have met their moral obligation to preserve it.

Mrs. Poston asked if there was anyone else present who wished to speak in favor of the request. There being no response, she asked if there was anyone present who wished to speak in opposition.

Mr. Steve Dallas, an attorney with offices on Main Street in Florence, was present representing the Tagher family, including Paul Tagher, his children and others in opposition to this request who are not present. He stated that Charlie Meyers, former engineer with District Six Highway Department, will also speak. Mr. Dallas stated that they agree that the 2000 and 2005 Comprehensive Plans identify this property for industrial development. However, the sections of 1137 and 1609

of the Zoning Ordinance should apply. He quoted from the Goals and Objectives Element of the 2005 Comprehensive Plan that *future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed.* He stated that this language has been in the Comprehensive Plan for years, but seldom adequately considered – particularly in regard to roads. He stated that the philosophy has been that development should occur and then the road improvements will be forced to happen. The philosophy has been that development generates revenues to finance the improvements – but tax revenue cannot provide funding for roads because it can take decades for the funding to return to the county. There are road projects that should have been done years ago that are just now getting funded – KY 237 in particular. He stated that Fiscal Court has repeatedly identified this deficiency and this process when they reject developments. He quoted from the 2005 Comprehensive Plan Goals and Objectives that *Boone County shall strive to achieve both diversity and a balance in land use. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner.* He reviewed his letter in regard to the timing and enforcement of landscaping and buffer yards and stated that zone changes in the past have separated uses out as sort of an after-thought in the interest of getting large warehouse and distribution centers constructed, which hurts the general public. He stated that the USGS Quadrangle Map identifies four blueline streams on this property. The impact of the streams requires review and approval by the Corps of Engineers and Kentucky Division of Water. He stated that there is litigation by property owners whose properties have been flooded. He stated that the runoff runs toward the residential area. Flooding has always been a problem in the Richwood area and, if it is not addressed adequately, it will be a major issue in the future. In regard to the Goals and Objectives – Industrial he quoted *that industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future industrial development must be located where infrastructure exists or is planned.* He stated that this is one of their key objections. He stated that the Planning Commission has approved the Hemmer and IDI developments. IDI has 3 million square feet of warehousing and this development has 3.6 million square feet, which is 6.6 million square feet. He stated that the traffic study for the previous project found that there would be 1,500 truck trips during the AM peak hour period, and doubling that would be 3,000 truck trips during the AM peak hour period. The interchange is a nightmare for people living in Union, Richwood, and Triple Crown – and the Commissioners can use their imagination if this request is approved and Hemmer builds on their site. He stated that the Staff Report for the IDI/Chipman request identified the widening of U.S. 25 from KY 338 to Walton as a medium priority project to be completed in 11 to 20 years. He stated that the Highway Department has no plans to do anything to U.S. 25. He stated that potentially 3,000 trucks will pour out onto U.S. 25 going north and right into the KY 338 interchange where Triple Crown pours out. He stated that the subject proposal is not consistent with the Goal *to ensure adequate infrastructure.* He did not hear

anything this evening about road infrastructure improvement. He stated that the Richwood area is designated in the Land Use Plan for New Industrial or Business Parks, but it also says that Dixie Highway will have to be improved south of KY 338 – and Mr. Meyers will testify that is not going to happen, which is enough to turn down this request under the Comprehensive Plan. Improvements to U.S. 25 need to be made before this plan is approved. He asked that the request be denied for the reasons stated.

Mr. Charles Meyers, 1135 Audubon Road, Park Hills, is a Civil Engineer who retired from the Highway Department three years ago. He has forty years experience with the Highway Department mainly in the Construction Division, and during his last two years there he was District Engineer. For forty years, he worked on most of the construction projects in the District Six region. In response to questions from Mr. Dallas, Mr. Meyers stated that he is familiar with the Richwood area and U.S. 25. He stated that currently on U. S. 25 the only thing happening is from the Industrial Park in Florence to KY 338, and it is in the design stage. The initial section of Industrial Road in Florence is scheduled for 2011 and 2029, the Richwood section is scheduled for 2010, and the section in the middle is scheduled for 2012 if funding becomes available. Funding is not currently available to even start right-of-way acquisition for the 4.4-mile section. He stated that there is a letting schedule for this March to do some work on the ramps from I-75 to KY 338, which is one of many projects in the area and is primarily to relieve the existing traffic congestion in the AM peak and the current PM backup on I-75. Those projects will be approved before the other projects are approved and have not taken into consideration the traffic problems that will occur. He stated that this area of U.S. 25 as it presently exists could possibly handle the traffic, depending on the Level of Service. It could not provide Level of Service A where traffic flows freely, but it could provide Level of Service D, E, or F and there will be times when it will be gridlocked – more gridlocked than it is now – which poses a dangerous situation for school buses and residents trying to go to work.

Mr. Charles Sizemore, 12097 Dixie Highway, indicated the location of his property at the bottom righthand corner of the green area on U.S. 25. He stated that he is not sure he is opposed. He doubts that they can keep the trucks from turning to south. He owns most of the row of trees behind his house and wants them to stay. If he lets them take out any of his trees, he wants them replaced. He spent several thousand dollars doing grading. There is a culvert there and a lot of runoff from U.S. 25 that comes through the back part of his one-acre property, and he does not want his property washed away. He has lived there for 41 years. A car went off the road in front of his house two weeks ago and, if the road had been widened, that car would have been in his living room. He wants to be assured that U.S. 25 will not be widened to the south. He stated that the applicant indicated that the trucks will go north and miss his property, but who does he call when they do not go north? He is concerned about the trees, the runoff, and the traffic.

Mr. Mike Larson, 12207 Gaines Way, Walton, stated that this is another project that puts the cart before the horse (the cart being this project and the horse being the infrastructure). He stated that the existing issues of traffic congestion, flooding, and overcrowded schools are long-term chronic problems. He stated that according to a newspaper article, 25% of the children are going to school in trailers. He has seen no improvements in regard to infrastructure shortcomings. He stated that Mr. Wall alluded to concerns regarding this proposal that have not been addressed and questioned how the Planning Commission can make an informed decision until they are addressed. They should have been addressed before the Public Hearing. He stated that his property taxes have gone up 76% in the last three years and his neighbor's taxes went up over 100% in one year, but services have not increased. He feels that he is subsidizing the developer's profits. The developers are not providing the infrastructure required to support their development. He stated that the developer cannot address the traffic issues unless they provide the infrastructure. He is suspect of a traffic study paid for by the developer. If the traffic study had been paid for by the developer and contracted by the Planning Commission, it might have some validity. He stated that the area will become a self-contained area with the new shopping malls – but it will be a self-contained area of inadequate infrastructure and congestion. He stated that the existing and long-term chronic problems are not being adequately addressed.

Mr. Harold Jetter, 12269 Gaines Way, Walton, stated that the watershed study for this county is 40+ years old and we cannot seem to get a real watershed study done. He stated that we use computer models and hope the detention ponds work, but many times they do not. He is concerned about the 3.5 million square feet under roof and the concrete parking lots. He stated that the property runs down hill to Mudlick Creek. He discussed the rebuilding of the Richwood interchange with Gary Reese at the Transportation Cabinet in Frankfort and he indicated that the funds for the design work have been authorized, but the funds for right-of-way acquisition, utility relocation, and construction are not authorized. He stated that we are almost \$2 billion over-requested for road and construction projects in the state for the budget year ending June 30, 2007 and they do not think the funds will come here to do this project in 2010. He stated that the project at the Turfway interchange has been going on for six or seven years and it is still a nightmare to get through there -- and it is funded. He is Chairman of Citizens for Saving Boone County LLC and their position is that the Richwood interchange is not going to happen when the Planning Commission was told it was going to happen. He asked the Commissioners to contact the Transportation Cabinet. He stated that if they do not have the money, they cannot fix the interchange. He is concerned that this area will die if 3,000 truck trips per day are added to an interchange that cannot handle the traffic.

Mr. Rob Tagher, 11767 Dixie Highway, stated that people who live in Kenton County, Walton, and Independence use the Richwood exit and they are also

severely affected by the traffic at the KY 338 interchange. He stated that in the Industrial zone, the long-term use is Business Park theme. A Business Park theme allows for integrated office campus, large amounts of green space, integrated pedestrian and recreation facilities, and wholesale and retail uses – but this plan is 95% rooftop. There is no green space and it does not adhere to the Business Park theme. He stated that several people who want the project have said that the Planning Commission approved the Hemmer and IDI developments for the zone change, but that is not true. He stated that the zone change was recommended for denial by the Planning Commission, and the recommendation was overturned by Fiscal Court. He stated that at that Committee Meeting one of the Committee members did not want to approve the zone change request because the industrial development would then continue down U.S. 25, which was not good for the county, and suggested that they go over the railroad tracks and develop with the existing zoning. Mr. Tagher agrees with those comments. He stated that six years ago the Planning Commission had the county's best interest at heart and he hopes that continues today.

Mr. Mark Tagher, 11755 Dixie Highway, stated that he will have a direct view of at least one of the buildings. He indicated a line of hardwood trees that may be removed with the construction. He would like most, if not all, of those trees to remain. He stated that the trucks are oriented along the side of the property where there are five or six houses and asked if they could be re-oriented along the other side. He asked for the berm to be constructed up front to minimize the impacts on the surrounding properties. He asked for line-of-sight studies from his house and his father's house.

Mr. Jim Weaver, 12125 Decker Lane, stated that they already have three truck stops in the area. He stated that more homes have been approved in the area, and those approvals have conditions. He stated that some of the conditions are going by the wayside and questioned who watches over the conditions. He stated that there are barns down on the subject property and there has been no attempt to beautify the land over the years. He stated that the people here this evening are concerned about Boone County. He does not want to go out his backdoor and smell plastic in the air. He would prefer a park to an industrial area. He cannot comprehend what the traffic is going to be like on KY 338 with the industrial parks that have already been approved. He stated that traffic is going to be backed up on southbound U.S. 25 for a mile and people are not going to get into the northbound lane to go onto I-75. He questioned what will happen if the state needs to add lanes to I-75. Where will that land come from? He sees deer and people on bicycles everyday, but if this request is approved it will ruin this whole area. He asked the Commissioners to listen to them. He wants to be able to go down the highway on bicycle and go for a walk. It is a beautiful area where he raised his kids. He stated that the developer's whole intent is to make money.

Mr. Chris Welsh, 12640 Huey Lane, which is close to the proposed project, stated that Boone County traffic is building every year. Driving up and down U.S. 25

between Chambers Road and Richwood Road is scary. It is a bad road that undulates and curves and projects that will bring 300 trucks every 24 hours have been approved. The trucks do not run at night, they run during the day. Boone County School buses could not get into their neighborhood three times last year because the creeks were over the road. If there is already flooding before Steeplechase is done, before B.O.L.D. homes does what they eventually want to do, and before the industrial projects – what will the flooding be like afterwards? These are not fifty-year floods, they are just rainstorms. He stated that 25% of the students in the county are in mobile classrooms. There are not enough school buses or school bus drivers to take the children back and forth. He is concerned about bringing in truck drivers by the thousands from all over the country to clog the highways. He stated that the children are going to be charged a fee to use the baseball and soccer fields. When Blue Ash upgraded their standard of living, they got rid of the bad industry and brought in high-tech jobs and highly paid employees. He does not think the TIF district is going to be the cure for the economic problems up and down Richwood Road and it is a disincentive for employers to bring in good business. He stated that GSI Commerce Inc. promised 500 full-time jobs and up to 2,000 jobs during the holiday season – which means 2,000 people are going to commute back and forth and there will be another 3,000 trucks a day – which is too much for the road. He stated that once a precedent is set, we cannot turn back and development keeps on going and going. He stated that down the road a well-done industrial park with retail and office space would be a good addition to Boone County, but it does not need to be done with 3,000 trucks a day and 2,000 people going to \$10/hour jobs with no benefits. He stated that the TIF district will tax those people an extra 1.2%. He stated that we are losing airport and high-paying jobs that come with benefits and doing nothing about it. He does not want his child on a school bus going down U.S. 25 when there are 3,000 trucks going the other way. It is a two-lane road and it is scary. With the buses and young people getting their licenses, it is a recipe for danger.

Mr. Mike Larson stated that Senator Damon Thayer, who represents Kenton County and areas to the east, told him that Senator Roeding arbitrarily directed the Transportation Cabinet to change the date in the Six Year Plan for the Mt. Zion and Richwood interchanges from 2012 to 2010. Mr. Larson stated that the change is meaningless and deceives the public and the Planning Commission about the progress to be expected at those interchanges.

Mrs. Poston asked if there was anyone else present who wished to speak against this request. There being no response, she asked if there were any comments or questions from the Commissioners.

In response to questions from Mr. McMillian, Mr. Ruh stated that the larger buildings are bulk distribution centers and the buildings in the front can be manufacturing and build-to-suit projects that would entail manufacturing. The type of manufacturing depends on the market. GSI is an example of the type of employer they would look for in this development in the initial phases. They will

put the land out for purchasers and general users on a build-to-suit basis. He does not know what type of manufacturer would come to this location. Mr. Dusing stated that in the Staff Report is a copy of the conditions imposed on the IDI development that eliminated numerous uses. He expects that the same condition will be imposed on this development to eliminate the more intense manufacturing uses.

Mrs. Kegley asked the applicant to come to the Committee Meeting prepared to address the issues raised such as the trees the neighbors want to preserve, the orientation of the trucks at the building next to the Taghers, the timing of the berm, and lines-of-sight for the Tagher properties.

Mr. Rolfsen asked how the four blueline streams will be addressed. Mr. David Wright, Development Services Manager for Duke Realty, stated that they have hired an environmental consultant and submitted a request for a permit to the Kentucky Department of Water and the Army Corps of Engineers to deal with the streams and provide mitigation.

Mr. Rolfsen asked what will be done to prevent trucks from making a right turn out of the development. Mr. Wright responded that they anticipate modifying the intersection at Dixie Highway with smaller radii and higher barrier curves so that trucks cannot make the righthand turn.

Mr. Bunger stated that the volume of truck traffic was stated as 3,000 per peak hour and also as 3,000 per day. He asked that accurate information be provided to the Committee. Mr. Wilcox responded that the information is in the Traffic Study. The numbers mirror the IDI development. The AM peak hour is 1,058 trips (868 in and 190 out) and the PM peak hour is 1,107 trips (232 in and 875 out). He stated that during the hours of operation, approximately 80% of the trips are passenger cars. There is a high of about 26% trucks in the AM or PM peak hour. AM peak hour is 7:00 AM to 9:00 AM and PM peak hour is 4:00 PM to 6:00 PM. Mrs. Poston asked if their numbers include the two other developments that are not completely developed and the Duke development at complete buildout. Mr. Wilcox responded that these figures are just for the Duke development, but in their analysis they layered their traffic on top of the traffic that included the other approved developments. He stated that the capacity results were similar and in the acceptable range of A, B, C, and D. He stated that typically E and F is when there are problems.

Mr. Poe stated that water is a major issue there. He stated that they need to go above and beyond the requirements because there will be additional water with all of the square footage. He asked Staff and the Committee to address the traffic. He stated that 3,000+ trucks were approved with the IDI development and traffic is getting unbearable in that area. He asked Staff to get clarification from Senator Thayer in regard to the timeline. He stated that the Planning Commission asked the Steeplechase developer to go to the state and work to get things done in regard

to the traffic. He stated that legitimate points were brought up this evening about Boone County needing an economic engine. He stated that a development this size should have some economic clout – we should not put things in if the state does not recognize it as an economic engine with this type of square footage. He asked that the Committee to look at the traffic already approved in the area and the backups that are occurring. He stated that 3,000 truck trips were approved last time. He asked Staff and the Committee to review the last Traffic Study in relation to the level they are talking about in this Traffic Study.

Mr. Schwenke asked to see the total trips per day with total buildout of the Hemmer, IDI and Duke projects. He stated that these are all big projects and there is a lot of water. We need to look at it harder and know the potential and what can be done in regard to retention.

Mr. Poe stated that he also wants to restrict the traffic going to Walton, but there needs to be a widening of U.S. 25 at least to Richwood. He stated that the widening of Industrial Road still has not happened. He asked Staff to provide to the Committee updated information on KY 338, the interchange, and U.S. 25.

Mrs. Kegley stated that a question was raised about who oversees the conditions. Mr. Costello stated that a lot of conditions are naturally implemented through the design phase. When Staff reviews plans they make sure the conditions are incorporated into the design and constructed. There are times when conditions are implemented over time. For example, a developer may donate or sell park or school land and there is a five-year window and it is checked. There are also conditions that involve other agencies and Staff follows up with them.

Mrs. Poston asked if the applicant wished to make a summary statement.

Mr. Dusing stated that they tried to leave out some of the details in the interest of time. He stated that stormwater drainage will be in accordance with the recommendations of the County Engineer, which reduces the runoff to less than it is in its natural state by 50%. He stated that this is a comprehensive Traffic Study and the Level of Service on U.S. 25 is analyzed with the entire buildout of all three developments, which will be reviewed at the Committee meeting. They will have line-of-sight studies at the Committee meeting and information regarding timing. They will talk to Duke to see what can be done to be creative with the berms for the adjacent properties.

Mr. Bill Viox stated that they are committed to doing a complete drainage study of the site, which he believes was also required for IDI by the County Engineer. He stated that they will know the routing of the upper basin. The detention they put in place will be of considerable help on the south end of the corridor. He knows that Hemmer and IDI will provide what the County Engineer required. He stated that the county could take one more look at all three developments together and some fine tuning could occur after everything is in place.

Mr. Steve Dallas stated that traffic is the main objection. He stated that there are three places in the Comprehensive Plan that support denial of the request. The Goals and Objections Section 4 says *Existing infrastructure and services shall be monitored, maintained and improved as needed.* He stated that U.S. 25 needs to be improved before this project is approved. The Goals and Objectives – Industrial section says *that industrial development shall be encouraged to locate near railroad lines, highways, the Ohio River, the Airport and on Airport owned land. Future industrial development must be located where infrastructure exists or is planned,* but nothing will happen on U.S. 25 in the foreseeable future. He quoted from the Land Use Element that *the area east of I-75 and west of U.S 25 from Richwood Road to Chambers Road should develop as Business Park and Industrial Park. New industrial or business parks are planned in this area and Dixie Highway will have to be improved south of KY 338.* He stated that this plan needs to be turned down. He submitted his written comments (see Exhibit 6); an exhibit showing blueline streams and identifying Parcels A, B, and C (see Exhibit 7); and an exhibit showing roadways and topography (see Exhibit 8).

There being no further comments, Mrs. Poston stated that the Committee Meeting for this item will be on February 7, 2007 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on February 21, 2007 at 7:00 PM. Mrs. Poston closed this Public Hearing at 9:47 PM.

APPROVED:

Susan Poston, Vice Chairwoman

Attest:

Jan Hancock, Recording Secretary

Exhibits –

- 1. Commonwealth Logistics Centers, Boone County, Kentucky submitted by the applicant**
- 2. Letter from Harry Anness, Boone County Water District, to Viox & Viox dated October 17, 2006 submitted by the applicant**
- 3. Traffic Impact Study, Proposed Office/Warehouse Development – Dixie Highway (U.S. 25) south of Richwood Road (KY 338), Boone County, Kentucky, December 2006, submitted by the applicant**
- 4. Applicant's Power Point presentation**

- 5. Letter from James A. Dressman III to Lanny R. Holbrook, Esq. dated January 16, 2007 with attachment (Page 5 of the Agreement signed by Lanny and Nancy Holbrook, dated December 27, 1987).**
- 6. Memorandum from Steve Dallas, dated January 17, 2007 re: Duke Realty, LTD and Greenfield Farm, Inc., Proposed Zoning Map Amendment. Submitted by Steve Dallas.**
- 7. Exhibit showing blueline streams and identifying Parcels A, B, and C, submitted by Steve Dallas**
- 8. Exhibit showing roadways and topography, submitted by Steve Dallas**