#### Exhibit "B"

#### **RESOLUTION R-21-029-A**

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF JIHAD HILLANY; VISION ENGINEERING, LLC (APPLICANT) FOR THE <u>CITY OF</u> <u>FLORENCE (OWNER)</u> FOR A ZONING MAP AMENDMENT TO AMEND AN EXISTING SPECIAL SIGN DISTRICT FOR AN APPROXIMATE 196.5 ACRE SITE LOCATED AT 7500 TURFWAY ROAD, FLORENCE, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF FLORENCE, FLORENCE, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to amend an existing Special Sign District for property zoned Recreation/Planned Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Florence, Florence, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the Zoning Map Amendment to amend an existing Special Sign District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:

#### SECTION I

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, this Zoning Map Amendment to amend an existing Special Sign District for property zoned Recreation/Planned Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky. The real estate, which is the subject of this request for a Zoning Map Amendment to amend an existing Special Sign District is in a Recreation/Planned Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) zone, is more particularly described in DEED BOOK 1149, PAGE NO. 15 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

#### BOONE COUNTY PLANNING COMMISSION RESOLUTION R-21-029-A PAGE TWO

#### SECTION II

That as a basis for the recommendation of approval, with conditions, for a Zoning Map Amendment to amend an existing Special Sign District request are the findings of fact and conditions of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Resolution and marked as "Exhibit A."

The Committee recommended approval, with conditions, for this request based on the findings of fact and conditions as set forth in the Committee Report and marked as "Exhibit B."

#### SECTION III

That a copy of this Resolution recommending approval, with conditions, for a Zoning Map Amendment to amend an existing a Special Sign District for property zoned Recreation/Planned Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky, shall be forwarded to the City of Florence, Florence, Kentucky, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

PASSED AND APPROVED ON THIS 1ST DAY OF DECEMBER, 2021.

APPROVED: CHARLIE ROLFSEN **CHAIRMAN** 

ATTEST:

TREVA L. BEAGLE

MANAGER, ADMINISTRATIVE SERVICES

CR/tlb

# EXHIBIT "A"

i

.--

#### STAFF REPORT

Request of Jihad Hillany; Vision Engineering, LLC (applicant) for City of Florence (owner) for a Zoning Map Amendment for a Special Sign District for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky. The request is for amendments to a Special Sign District in a Recreation/Planned Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) zone to allow alternative signage.

#### October 6, 2021

#### REQUEST

The request is to allow Turfway Park to amend their 1995 Special Sign District approval. Pages 1 and 2 of the submitted sign plans show the following exterior signs are proposed:

Sign 1 – A 26' tall, 36' wide monument sign is shown immediately to the northwest of the main entrance on Turfway Road. The sign includes a 12' x 21' full color, full motion LED media board (see page 3 of sign plans).

Sign 2 – A 16' tall, 25' wide monument sign is shown immediately to the northwest of the Turfway Park access driveway on Houston Road. Note – The applicant was made aware that the sign could not be evaluated through this application. The sign is shown on property owned by Arlington Turfway LLC and they did not sign the application. Boone County Planning Commission Staff would like the Planning Commission and City of Florence to determine if the sign can be considered a minor change to the 1995 Special Sign District approval. If so, Planning Commission Staff could verify that Arlington Turfway, LLC has signed a sign easement and that it has been recorded (see page 4 of the sign plans).

Signs 3 through 6 - Four wayfinding directional signs are shown in the parking lot. These signs are 7'-8" (92") tall and 13.46 square feet in area (57" x 34"). They are shown with a monument style base (see pages 8 through 10 of the sign plans).

Signs 7 through 15 - Nine wayfinding directional signs are shown in the parking lot. These signs are 8' (96") tall and 8.03 square feet in area (34" x 34"). They are shown with an aluminum clad pole and have a flag style design (see pages 11 through 16 of the sign plans).

Signs 50 and 51 – Two building mounted signs are shown on the front façade of the building. These signs are identical and are each 447.22 square feet in area (230" x 280"). The signs are shown with a horse icon, pin mounted aluminum letters, and reverse lighting by warm white LEDs (see page 5 of the sign plans).

Sign 52 – A 37.82 square foot (22" x 247.5") building mounted sign is shown on the front façade of the building. Back lit aluminum letters with white warm LEDs will be mounted to a canopy and inform the public where the racing and event entrance is located (see page 6 of the sign plans). Signs 53 through 57 – Five marketing signs are shown on the southeast façade of the building.

Signs 53 through 57 – Five marketing signs are shown on the southeast façade of the building. The signs will be located in 40" x 60" (16.67 square foot) internally illuminated silver cases near the racing and event entrance (see page 7 of the sign plans).

Signs 58 through 111 - Fifty-four parking lot identification signs are shown. The signs will be attached to light poles throughout the parking lot and be 14' above grade. Each sign will be three sided and each face will be 44" x 24" (see pages 17 through 19 of the sign plans).

#### PERTINENT SITE HISTORY

- A. In 1995, Boone County Planning Commission and Boone County Fiscal Court approved a Zoning Map Amendment for a Special Sign District, with conditions. The approval allowed the following signs:
  - 1. Buildings that were setback at least 750 from the road were permitted three (3) square feet of building mounted signage for every one linear foot of building frontage. This was exclusive of decorative building mounted signage that was also permitted at a ratio of three (3) square feet of signage per linear foot of building frontage. Decorative building mounted signage was permitted to flash intermittently and could be roof mounted in some area (see conditions). Both the flashing and decorative building mounted signage was only permitted on buildings setback at least 750 from the road. The intermittent flashing was intended to give the appearance that neon horse silhouettes were running across the façade.
  - 2. The freestanding sign at gate 1 (west Turfway Road entrance) was permitted to be a monument sign that was 8' tall and 100 square feet in area. It could not include electronically changeable copy.
  - 3. The freestanding signs at gate 2 (south Turfway Road entrance) and gate 3 (Houston Road entrance) were permitted to be 18' tall and 150 square feet in area and could include electronically changeable copy. Both signs were shown with a double pole design.
  - 4. Banners, no more than 30 square feet in area, were permitted to be affixed to the top and bottom of parking lot light poles.
- B. In 2002/2003, Boone County Planning Commission and the City of Florence approved a Concept Development Plan application, with conditions, that allowed up to twelve (12) temporary outdoor community events in the Turfway Park parking lot, per calendar year. Note This approval is not proposed to be changed as part of the current application.
- C. On December 19, 2019, Boone County Planning Commission' Long Range Planning Committee approved the "short review process", per the <u>Houston-Donaldson Study</u>, for the redevelopment of the main public building and parking area at Turfway Park racetrack. The approval allowed the demolition of the existing grandstand and office structures, construction of a new 225,600 square foot gaming/grandstand administration building, and a redesign/reconstruction of the parking areas. The "jockey room stable" on the east side of the grandstand was to remain.

- D. On May 19, 2021, Boone County Planning Commission approved a Design Review application for the new building.
- E. On June 11, 2021, Boone County Planning Commission Staff approved a Major Site Plan application for the building and parking improvements that were approved through the short review process. A revised Major Site Plan application was submitted to the Planning Commission on July 30, 2021 to revise the access road layout. This plan was still pending at the time the Staff Report was finalized.

#### APPLICABLE REGULATIONS

- A. Section 3440 of the <u>Boone County Zoning Regulations</u> allows for the creation of special sign districts with the appropriate legislative body's approval. "The effect of a special sign district shall be to modify requirements, regulations, and procedures for signs included as part of the district. The purpose of the district shall be to respond to the special circumstances of development, renewal, redevelopment, or rehabilitation of areas of the County and to better achieve county-wide policies for growth and development."
- B. The <u>Houston-Donaldson Study</u> special sign regulations do not contain a category for recreational uses. The "administration" section of the special sign regulations contains the following information:

As stated previously, all proposals that meet the Special Sign Regulations can proceed directly to the Sign Permit Review Process listed in Section 3405 of the Boone County Zoning Regulations. Proposals that do not meet the Special Sign Regulations shall be reviewed in one of the following manners as determined by the Zoning Administrator:

- 1. Design Review Application Applicant seeking minor changes to the sign code. Any proposal for infrequently changing electronic signs, such as gas prices and hotel room rates, shall be reviewed under this application. Boone County Planning Commission takes final action on Design Review applications.
- 2. Variance Application Applicant seeking relief from dimensional requirements of the sign code. Variances cannot be sought for design requirements. The appropriate Board of Adjustment would take final action on a Variance application.
- 3. Concept Development Plan An applicant can ask for modifications to the sign code as part of a Concept Development Plan or Change in Approved Concept Development application. Such applications are reviewed by the Planning Commission and a recommendation is made to the appropriate legislative body.
- 4. Special Sign District An applicant is seeking major changes to the sign code. Any proposal for a frequently changing electronic message center will be viewed as a major change. Such applications are reviewed by the Planning Commission and a recommendation is made to the appropriate legislative body

Previous Design Review, Variance, Concept Development Plan, or Special Sign District approvals that meet or do not meet the current requirements are still valid and in effect. A

property owner can continue to utilize their prior approval(s) or bring their site in compliance with the current requirements.

C. Staff recommends that Section 3430 of the <u>Boone County Zoning Regulations</u> should be analyzed for the electronic message center (EMC) that is proposed in the main entrance sign (sign 1). These standards are analyzed when Conditional Use Permits are submitted for an EMCs in Commercial Two (C-2) and Commercial Services (C-3) zones, in the City of Florence.

The following minimum standards apply:

- 1. Such message boards and screens will be considered a part of a permitted freestanding or building mounted sign; up to fifty percent (50%) of the permitted sign area can be used as an electronic message board or electronic display screen.
- 2. All such message boards and screens shall meet the minimum standards of the Kentucky Transportation Cabinet and any other controlling local, state, or federal agency.
- 3. Electronic message boards and electronic display screens shall not be permitted at intervals of less than six-hundred sixty (660) feet, measured along the centerline of each interstate of thoroughfare from which the sign will be visible, between lines through the center of the signs and perpendicular or radial to said centerline.
- 4. Apparent motion of the visual message, caused by, but not limited to, the illusion of moving objects, moving patterns or boards of light, expanding contracting, or rotating shapes or other similar animation effects, shall be prohibited. Such restriction applies to "scrolling" or "running" messages.
- 5. The message displayed on the board or screen must be displayed for a minimum of five (5) second intervals. In no instance can a message, or part thereof, flash on the message board.

#### SITE CHARACTERISTICS

The 196.5 acre site fronts on Turfway Road and contains Tufway Park. The site is currently being renovated. This renovation includes the demolition of the former grandstand, construction of a new 225,600 square foot gaming/grandstand administration building, the redesign/reconstruction of parking areas, and a new signage package. Access to the site is provided from three separate access points. The first is the signalized intersection at the Turfway Road/Thoroughbred Boulevard intersection. The second is the signalized intersection at the Houston Road/Turfway Access Road/Charles R. Callen Drive intersection. The third is located in the northwestern portion of the site at the Turfway Road/Tufway Park Access Road intersection.

#### ADJACENT LAND USES AND ZONING

Northeast: Former Marydale Property (UR-2/O-2/C-1/PD/HDO) and Single-Family Residential Dwellings on Ohara Lane (RS/PD/HDO)

- Northwest: Turfway Road, Christ's Chapel (PF/PD/HDO/CD), and Airport Property (SR-1/PD/HDO)
- Southeast: Target, Strip Center with PetSmart (C-2/PD/HDOCD), and Tapestry at Turfway Park Apartments Under Construction (UR-2/PD/HDO/CD)
- Southwest: Turfway Road, Springhill Suites, Duke Energy Property, NKY Association of Realtors (C-2/PD/HDO/CD), Multi-Tenant Building with Dick's Sporting Goods, and Applied Industrial Technology (I-1/PD/HDO/CD)

#### RELATIONSHIP TO COMPREHENSIVE PLAN

A. <u>Our Boone County Plan 2040</u> contains a "2040 Future Land Use Plan". The plan designates the site for "Business Park" and "Commercial" uses. These designations are described as follows:

Business Park (BP) – "A mix of office warehouse, research, office, and light industrial uses in a park-like, office campus setting with large building setbacks, low floor area ratio, integrated pedestrian and recreation facilities, constant architectural and signage theme, extensive landscaped areas, and attractive entrance treatment. This land use is recommended for high visibility areas and transition areas between industrial and residential land uses."

Commercial (C) – "Retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

- B. The following <u>Our Boone County Plan 2040</u> Goals and Objectives apply to this application:
  - 1. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).
  - 2. Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population (Demographics Goal A, Objective 3).
  - 3. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County (Demographics Goal A, Objective 4).
  - 4. Tourist oriented commercial facilities should be encouraged provided that the impacts on other land uses are minimal (Natural & Cultural Resources, Objective 4).
  - 5. Tourism (including agri-tourism and heritage tourism), telecommuting, and virtual employment shall be encouraged as an economic resource while minimizing potential impacts (Economy, Objective 7).

- 6. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal, Objective 1).
- C. The Land Use Element contains the following Future Land Use Development Guideline as it pertains to Design, Signs, and Cultural Resource Preservation (page 97):

"Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building 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 motorists attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view."

D. The Land Use Element text contains the following passage regarding the "Florence Commercial" future land use geographical area (pages 125-126):

"A substantial portion of this section is located within the 2013 Houston-Donaldson Study area and has excellent development and/or redevelopment opportunity due to its high visibility from and easy access to I-75. Existing parcels should be developed/redeveloped to be aesthetically harmonious with existing surrounding land uses and cleaned up environmentally as much as is needed for new development. The property along Ted Bushelman Boulevard to Aero Parkway has developed as aviation or logistic industrial and should fill in any remaining properties in the same manner.

For the short term, the existing recreational use at Turfway Park should be maintained and improved. One way involves the expansion of the business into a "racino" if allowed by the State of Kentucky. If the horse racing business vacates the property, this site should be redeveloped in a mixed use format with a combination of Business Park and Commercial uses and connect to the Marydale site to the east. The 20 acre portion of Property located on the southern boundary of Turfway Park along Houston Road could possibly be developed as a commercial and/or entertainment use. Property across Houston Road from the Racetrack, along I-75, should develop in a mixed office and commercial manner compatible with the racetrack and entertainment operations.

#### STAFF COMMENTS

A. Staff determined that a new Special Sign District application needed to be submitted because a new sign package was being proposed that included some major changes to the 1995 approval. The biggest change is that the freestanding signs at gates 2 (south Turfway Road entrance) and 3 (Houston Road entrance) were only permitted to be 18' tall and 150 square feet in area. The proposed sign at the main entrance (Sign 1) is a 26' tall, 36' wide monument sign.

- B. The Boone County Planning Commission and City of Florence should analyze the following passages from the <u>Boone County Zoning Regulations</u> and <u>Boone County</u> <u>Comprehensive Plan</u> before acting on the request:
  - 1. Section 3440 of the Zoning Regulations states that the purpose of a Special Sign District shall be to respond to the special circumstances of development, renewal, redevelopment, or rehabilitation of areas of the County and to better achieve county-wide policies for growth and development.
  - 2. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building 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. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view ("Design, Signs, and Cultural Resource Preservation," pg. 97).
- C. Staff contacted the applicant regarding the EMC that is proposed in Sign 1 to get more information. They following information was provided.
  - 1. They are thinking about buying an EMC with a 10 millimeter pixel pitch.
  - 2. Departments of Transportation usually require a static graphic that can change every 8-10 seconds. This can be set to whatever length of time is required.
  - 3. Messages will not have any movement.
- D. Staff doesn't believe the amount of the building mounted signage on the façade of the HRM Center is excessive. The front façade of the building is approximately 363 linear feet across and the <u>Boone County Zoning Regulations</u> would typically permit 726 square feet of signage on this façade. The three signs proposed on the front façade (signs 50-52) have a combined sign area of 932.26 square feet. A lot of dead space is being included in the computation because of the <u>Boone County Zoning Regulations</u> require sign areas to be boxed with one rectangle.

It should also be noted that the amount of building mounted signage would comply with the 1995 approval. The approval allowed three square feet of building mounted signage per every linear foot of building frontage (363 x 3 = 1,089 square feet of signage permitted).

- E. Staff has the following questions for the applicant:
  - 1. How many lines of text/digits/graphics could be displayed on the EMC at any given time?

- 3. How far away would the smallest text and digits be readable?
- 4. Staff observed the following signs while taking photos and would like the applicant to explain if the sign will remain, be replaced, or be removed:
  - A. The gate 1 freestanding sign located near the barn entrance and NKY Association of Realtors Building.
  - B. The barn entrance sign located on the main driveway aisle.
  - C. The horse racing odds/track conditions/race results sign.

Staff would like the applicant to add these signs to the Special Sign District request and sign plans if they are proposed to remain or be replaced.

- 5. Has a sign easement been obtained which would allow sign 2 to be constructed on the Arlington Turfway, LLC property.
- 6. Can the sign square footages be computed for signs 1 and 2 (see Section 3403 of the Zoning Regulations)?
- D. Staff recommends the following conditions should be considered if the Planning Commission approves the request:
  - 1. The following conditions shall apply to sign 1:
    - a. All message displayed on the proposed electronic message center shall be displayed for a minimum of ten (10) second intervals.
    - b. No electronic message shall contain more than one (1) still photo and/or four
      (4) lines of text.
    - c. Any portion of an alphanumeric message that is not displayed on a still photo, shall use a dark colored background.
    - d. Messages displayed on the EMC shall not contain any apparent motion (running messages, scrolling messages, flashing, moving patterns, live tv, video, etc.
    - e. The EMC shall have a photocell or dimmer and messages shall dim as the sky gets darker.
    - f. The sign shall have a 16 millimeter pixel pitch or better resolution.
    - g. The sign shall not be used to advertise off premise businesses.
    - h. Turfway Park agrees to work with the Planning Commission and City of

Florence to resolve any glare or lighting impacts that the sign could create on the Turfway Road right-of-way.

2. Sign 2 shall not be part of the approval unless a recorded sign easement is provided and the Planning Commission and City of Florence determine the proposed sign is a minor change to the 1995 Special Sign District approval.

#### CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and City of Florence in terms of the three criteria necessary for approving a Zoning Map Amendment and Section 3440 (Special Sign Districts) of the zoning regulations. The Future Land Use Map should be amended if the request is approved.

Respectfully submitted,

Treek. Mayer

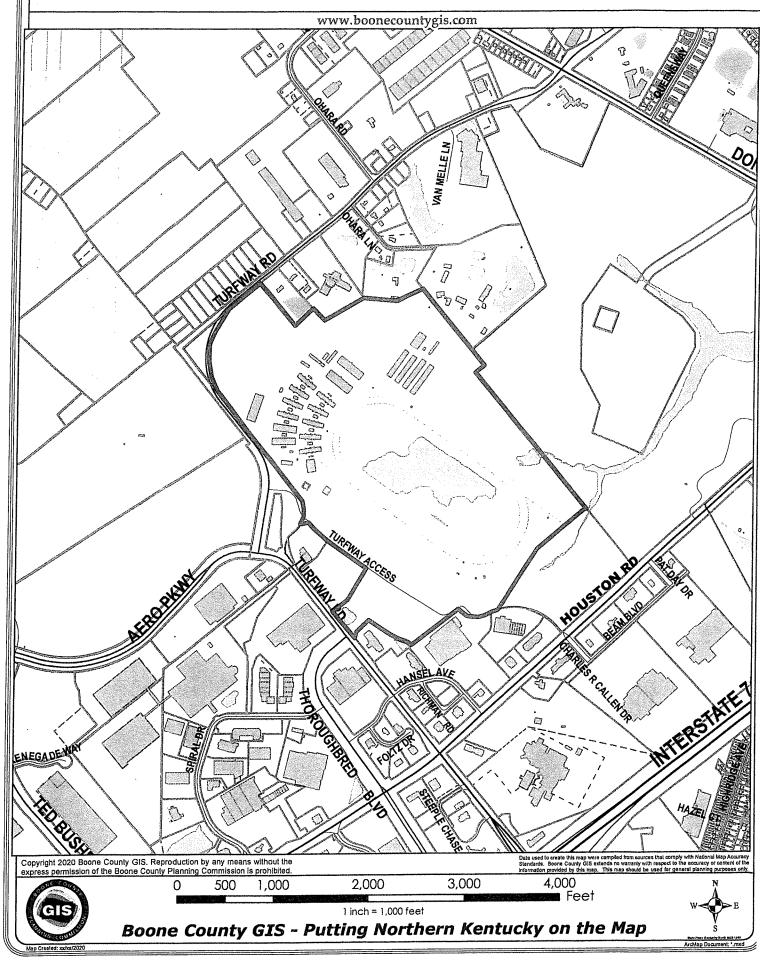
Todd K. Morgan, AICP Senior Planner

TKM/ss

Attachments:

\*Site Vicinity Map \*1995 Special Sign District Approval \*2020 Aerial Map \*Zoning Map \*2040 Future Land Use Map \*Application \*Submitted Sign Drawings







TURFWAY PARK SPECIAL SIGNAGE DISTRICT

\* Approved 1995 \* With Conditions

#### BACKGROUND

Turfway Park is a  $210\pm$  acre thoroughbred racetrack. Improvements include a 255,000 s.f. grandstand building plus numerous office, barn and support buildings. The track has undergone a \$25 million renovation since being purchased by Jerry Carroll in 1986. Average daily purses paid have increased from \$45,000 to \$180,000, making Turfway one of America's leading racetracks.

Turfway has also expanded its hours of operation as it operates live racing plus simulcast wagering. Turfway now offers wagering from all the major tracks in the U.S. Additionally, Turfway is the home of Regal Cinemas (10-screen movie theatre), numerous horse shows, charity events, and the Florence Auto Dealers annual tent sale. The dramatic change in quality plus method of operation make Turfway a year-round entertainment facility.

Because of Turfway's unique purpose and sheer size, it has signage needs different from the average commercial user. Special Signage District designation will allow Turfway to provide signage appropriate for its' use.

For the purpose of the Turfway Park Special Sign District, the following standards shall apply:

1. All relevant sections of Article 34;

- 2. Section 3402(1) shall be amended such that free standing signs which identify Turfway's major entrances at Houston Road (Gate 3) and Turfway Road (Gate 2) may be permitted to also include a message board with electronically changeable copy.
- 3. Section 3402(1) shall be amended to allow flashing or intermittent lighting on decorative signage that is building mounted on buildings with a setback of at least 750 feet.

Turfway Park Racing Association, Inc. 7500 Turfway Road Post Office Box 8 Florence, Kentucky 41022 (606) 371-0200 1-800-733-0200 Fax: (606) 371-4554 Member: TRA

MP3 2/14/95

Section 3402(4) shall be amended to allow signs to be placed on the roof of buildings with a setback of at least 750 feet. The bottom of the sign faces of said signs shall be not more than six (6) feet above the roof line.

Banners, affixed at both the top and bottom and having a sign area no greater than 30 square feet may be displayed on parking lot light poles.

Section 3413(A) shall be amended for buildings with a setback of at least 750 feet to allow for the square footage of building mounted signs to not exceed (3) square feet per lineal foot of building width for the wall upon which the sign is mounted. This allowance is exclusive of decorative signage. Decorative signage may also be approved for buildings that meet the setback requirement with a total area of decorative signage to not exceed (3) square feet per lineal foot. Additionally, buildings with a setback of at least 750 feet shall be allowed no more than five (5)building mounted signs, including canopies and decorative signage.

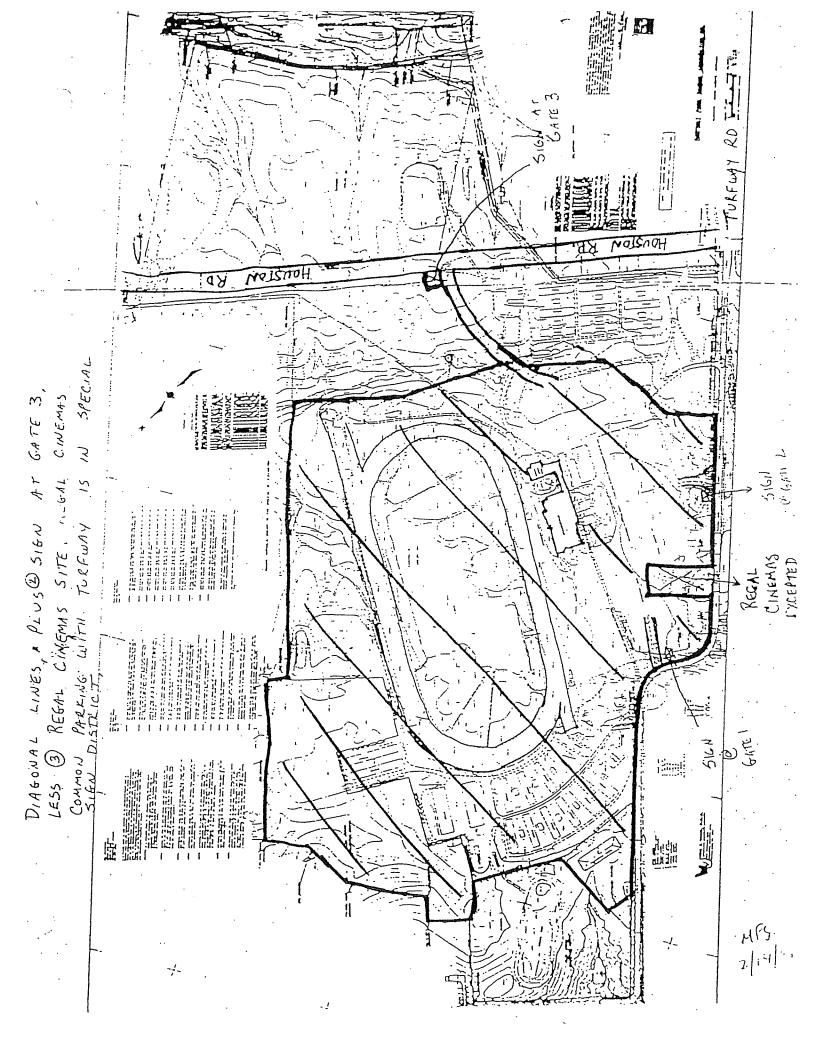
Section 3413(B)(2)(c) shall be amended to allow one (1) entrance sign for each entrance to Turfway Park from a major thoroughfare for a total of three (3) signs. Two such signs shall be permitted electronically changeable copy and shall not exceed 150 square feet in area and 18 feet in height. One sign shall be permitted no changeable copy and shall not exceed 120 square feet in area and 15 feet in height.

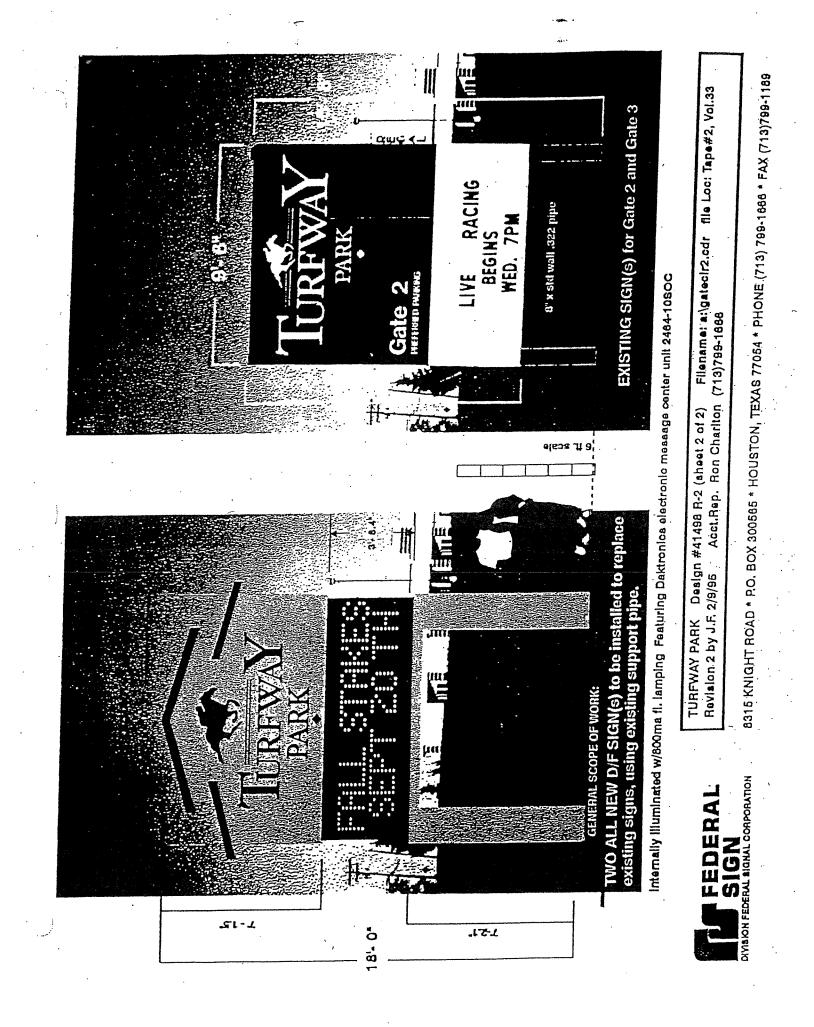
MFS 2/14/95

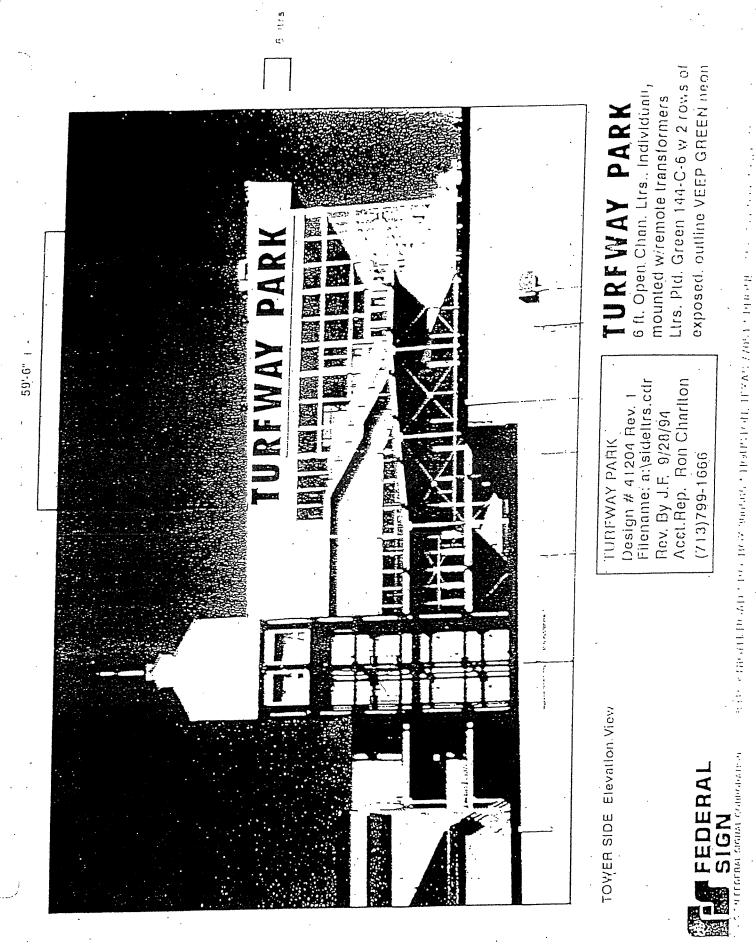
5.

6.

7.

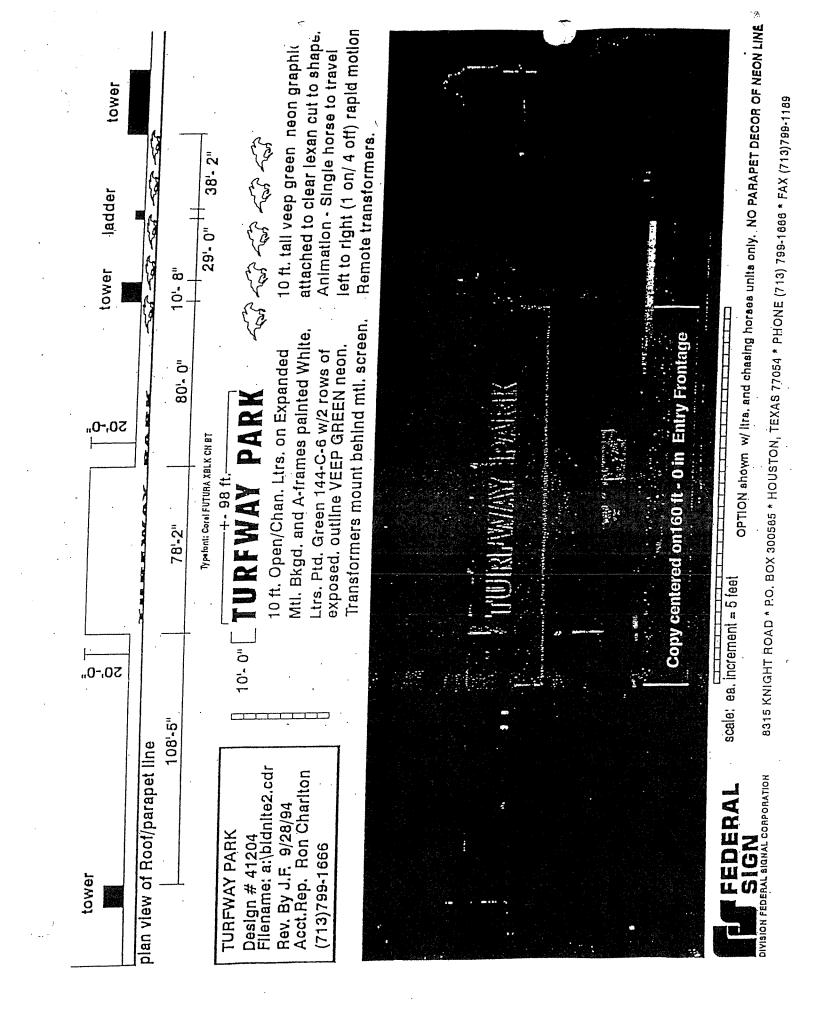






· · ·

•



### COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Fred Burch, Chairman

DATE: August 16, 1995

RE:

Request of <u>Turfway Racing Association (owner)</u> for a Zoning Map Amendment to establish a Special Sign District for the approximately 210 acre **Turfway Park Race Course** site located at 7500 Turfway Road, Florence and Unincorporated Boone County, Kentucky. The site is located within a Recreation/Planned Development (R/PD) zone.

#### REMARKS :

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

#### FINDINGS OF FACT

- 1. The Committee has concluded that the proposed Special Sign District is in agreement with the <u>1995 Boone County Comprehensive Plan</u> which places an emphasis on the aesthetic impact of the proposed use. In addition, the Comprehensive Plan states that signage should be adequate to identify a specific development. The Committee has concluded that this sign package is designed to properly identify the overall race track property when considering its large scale nature and entertainment oriented use.
- 2. The Committee has concluded that the proposed sign package creates an overall design theme that helps to distinguish and identify the unique race track use. In particular, the proposal fulfills the intent of the <u>Houston-Donaldson Study</u> by providing electronically changeable signage copy as part of a comprehensive signage scheme that is appropriate and compatible with the subject site and the adjoining sites.
- 3. The attached conditions are necessary to achieve consistency with the Boone County Comprehensive Plan and the Houston-Donaldson Study, and to mitigate foreseeable community impacts that might be created by the proposal that would affect the uses on the project site and the varying uses adjacent to the project site. The applicant has signed a letter agreeing to these conditions.

#### CONDITIONS

- The text of the Special Sign District shall be submitted to the Planning Commission for final review and approval, prior to the issuance of any sign permits, with the following revisions and additional provisions.
  - A. The statement provided in Section 1 that reads "all relevant sections of Article 34" shall be reworded to state "all sections of Article 34 except as noted herein."

B. The following definitions shall be added:

building mounted signage: Any sign mounted on a building in any manner, including roofs, that consists exclusively of sign copy and/or any phonetic message.

<u>decorative signage</u>: Any sign mounted on a building in any manner, including roofs, that does not consist of sign copy and/or any phonetic message, but consists of graphic imagery and/or symbols.

- C. Section 4 shall be amended to state that no sign shall extend above the highest roofline of the existing grandstand. In addition, the text shall explicitly state that no signage shall be permitted on the north or west facades of the grandstand structure.
- D. Section 5 shall be amended to state that banners must have a minimum 10 foot vertical clearance from finished grade or the pavement, that individual banners shall be temporary in nature and duration, and that the number of banners mounted on each lightpost shall be limited to two.
- E. The proposed freestanding sign for Gate 1 (west side of site in the airport vicinity) shall be a monument style sign that does not exceed 100 square feet or 8 feet in height, as measured from the centerline of the adjoining street.
- F. The text shall explicitly state that the Special Sign District applies only to the race track and its support facilities and shall not apply to any other development or use that is not integral to the race track use.
- G. The following section shall be added to the text of the Special Sign District:

Administration of the Turfway Park Special Sign District: All signs proposed for installation within the Turfway Park Special Sign, District shall be reviewed first by the Zoning Administrator or designee upon application for a Sign Permit. Should the Zoning Administrator (or designee) determine that the proposed sign is in conformance with the requirements of the sign district, he/she shall issue a Sign Permit. Should the Zoning Administrator (or designee) find that the proposed sign does not conform with the requirements of the sign district, appeal may be brought to an ad hoc Sign Review. Board consisting of the following: one representative of Turfway Park Racing Association; one member of the Boone County Planning Commission; and, one neutral party selected and agreed upon by the first two members. An adverse decision of the ad hoc Sign Review Board may be appealed, pursuant to KRS Chapter 100, to the appropriate Board of Adjustment and Zoning Appeals as if it were an adverse decision of the Zoning Administrator.

2. All electronically changeable sign copy shall be turned off by 12:00 AM (midnight) every night.

COMMITTEE REPORT - Turfway Park Special Sign District August 16, 1995

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.

Fred Burch,	Chairman
Nic	

Phil Damstrom

William Bailey

Donald McMillian

Barry Neltner Rober Mil Michael McKinney When was this meeting 7.

KTW/par

#### <u>MINUTES</u> <u>BOONE COUNTY FISCAL COURT</u> <u>September 26, 1995</u> <u>5:30 P.M.</u>

beyond this franchise, awarding a franchise to take effect at the time the board is formed, and to make public the determination to allow the board to continue to negotiate a franchise presentation to the Fiscal Court that the court would then regulate beyond the term of the current franchise.

Judge Lucas requested that Mr. Kimmich make a presentation to all three of the cities and Boone County Fiscal Court so that a closure can be reached relative to the cable board.

Commissioner Meihaus said that she personally was in favor of allowing the proposed new board to continue to give them another chance at reorganization, but due to the strong sentiment of the three cities, she is willing to bend and work with them in an joint effort. Commissioner Meihaus said she felt the new board should have been given a chance and she is only making the concession for the sake of unity within Boone County at this juncture. Ms. Meihaus said she does think it is a good idea to allow the board to negotiate for a franchise.

Judge Lucas said he agreed with Commissioner Meihaus.

ITEM VII.

#### **ORDINANCES & RESOLUTIONS**

#### ORDINANCE NO. 920.319 - TURFWAY RACING ASSOCIATION

Judge Lucas read a summary of Ordinance No. 920.319 and declared a Public Hearing open at 6:00 p.m. Hearing no discussion, Judge Lucas closed the Public Hearing at 6:02 p.m.

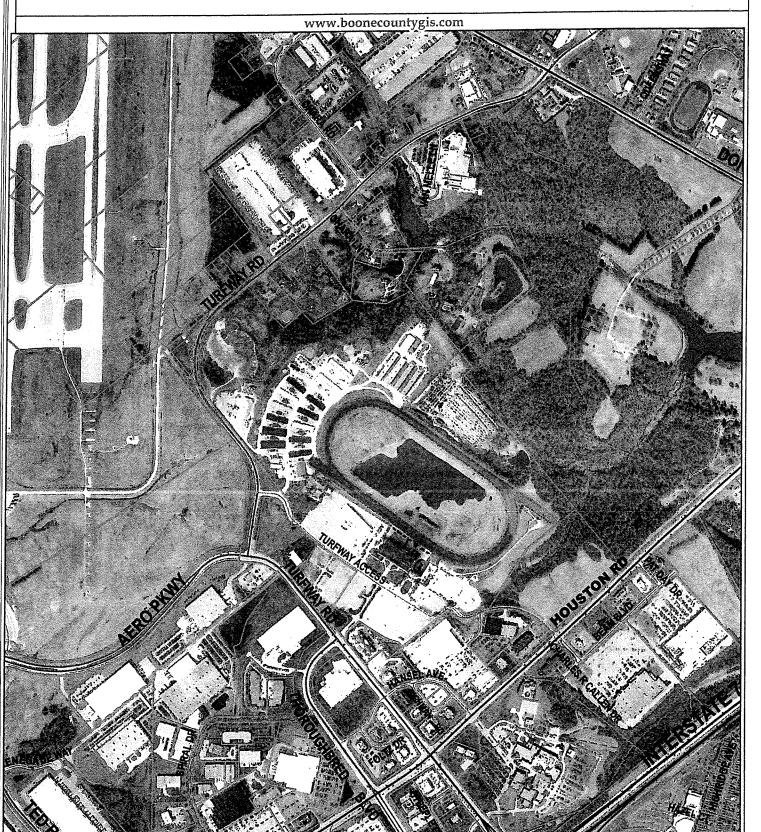
Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve on Second Reading Ordinance No. 920.319, an ordinance of the Boone County Fiscal Court approving the request of Turfway Racing Association (Owner) for a Zoning Map Amendment to the Boone County, Kentucky Zoning Map to establish a Special Sign District for Turfway Park Race Court and zoned Recreation/Planned Development (R/PD) and Commercial Two/Planned Development (C-2/PD) on an approximate 180 acre site located at 7500 Turfway Road, Florence and Unincorporated Boone County, Kentucky, as recommended by the Boone County Planning Commission by a vote of 9-2 via Resolution No. R-95-031-A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "A"

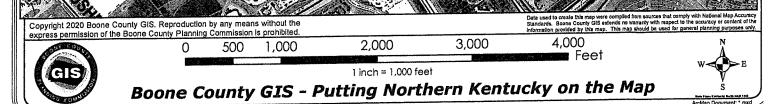
#### ORDINANCE NO. 920.320 - SMITH, STEVENS, & YOUNG, INC/IDI

Judge Lucas read a summary of Ordinance No. 920.320 and declared a Public Hearing open at 6:03 p.m.

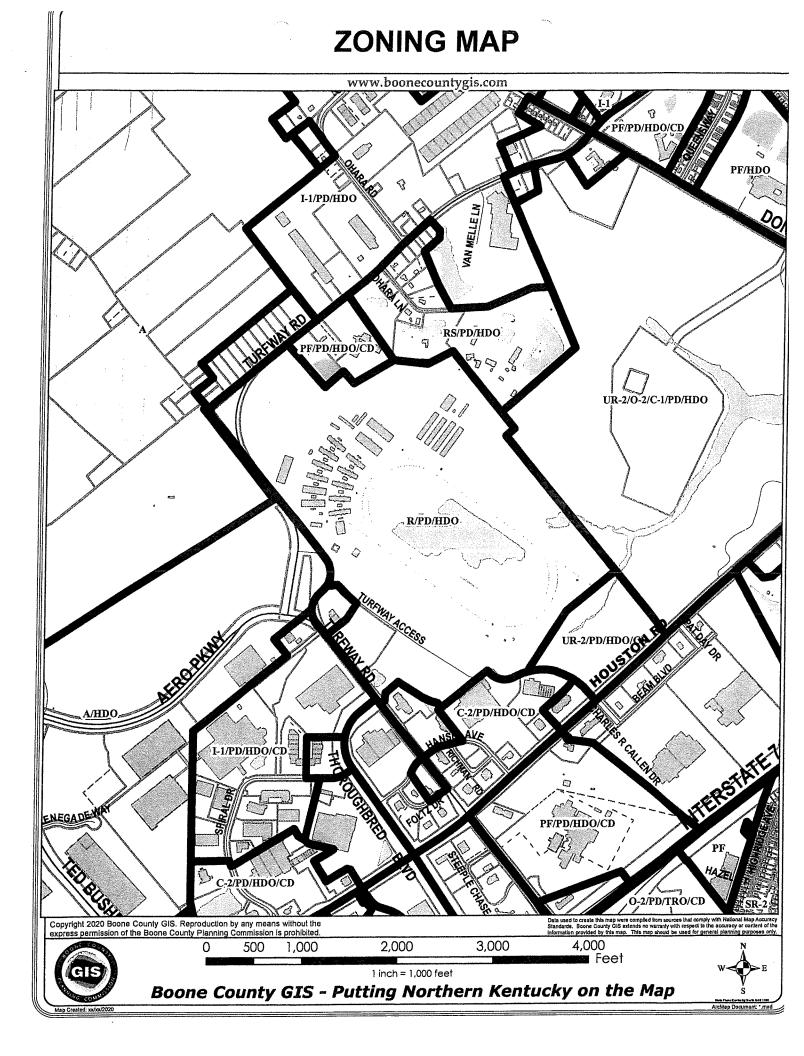
Mr. Tim Theissen, attorney representing owners of Holiday Inn, asked that the Court not pass the proposed amendment as he believes the proposal represents poor planning. Attorney Theissen said that Holiday Inn would not have built at this location had this proposal been in existence at the time Holiday Inn was constructed. He said the proposed plan completely disrupts what was intended for this site, and creates unacceptable

## 2020 AERIAL MA

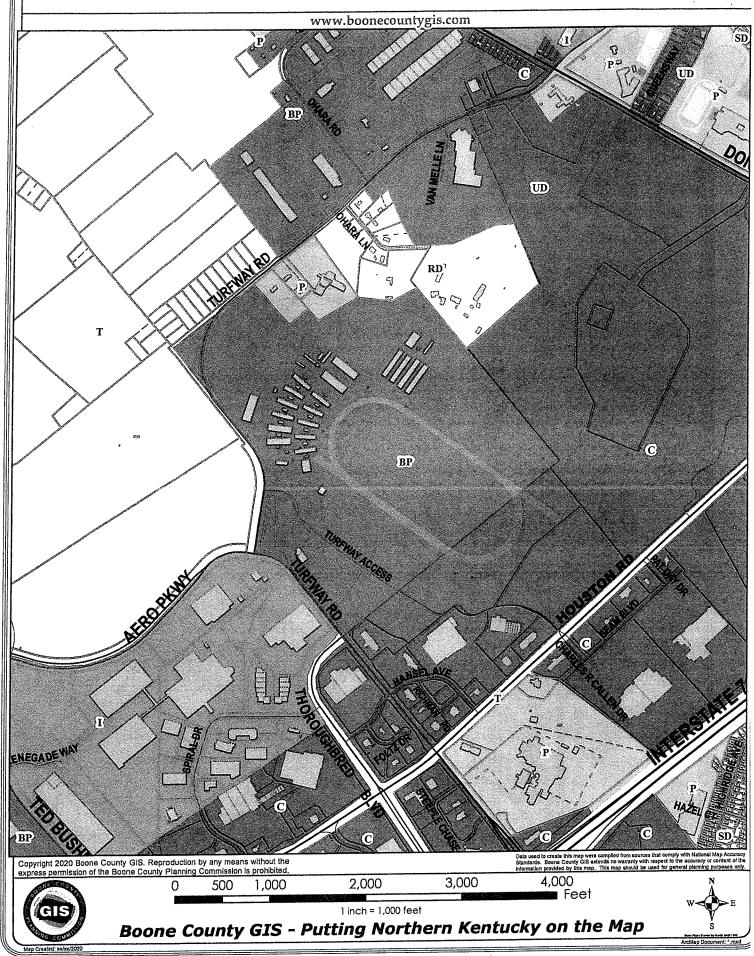




ap Created: x







#### ZONING MAP AMENDMENT BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY PLANNING COMMISSION

84716

E

E

E

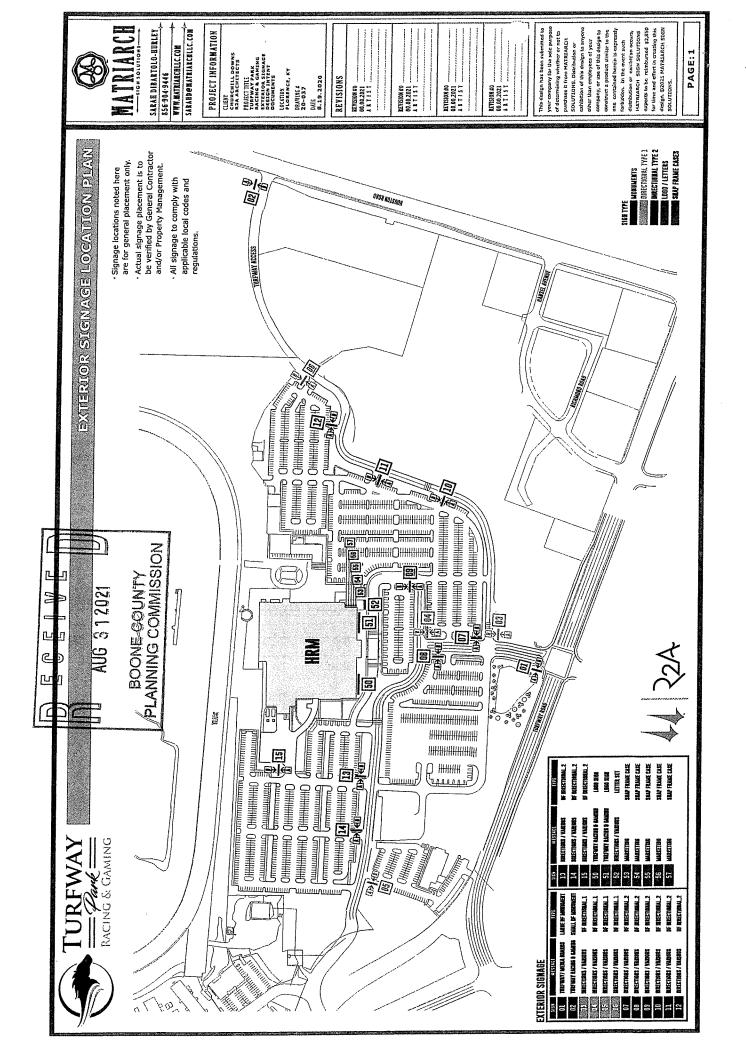
Seven (7) copies of submitted drawings are required

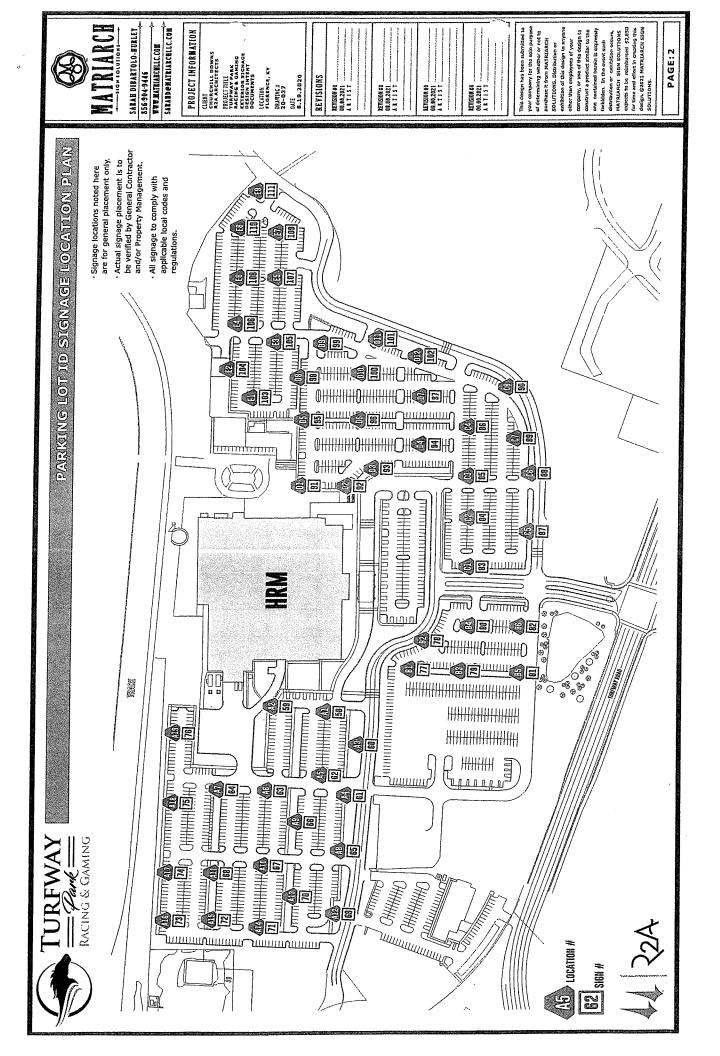
An application consists of all fees paid in full, submitted drawings, and a completed application form

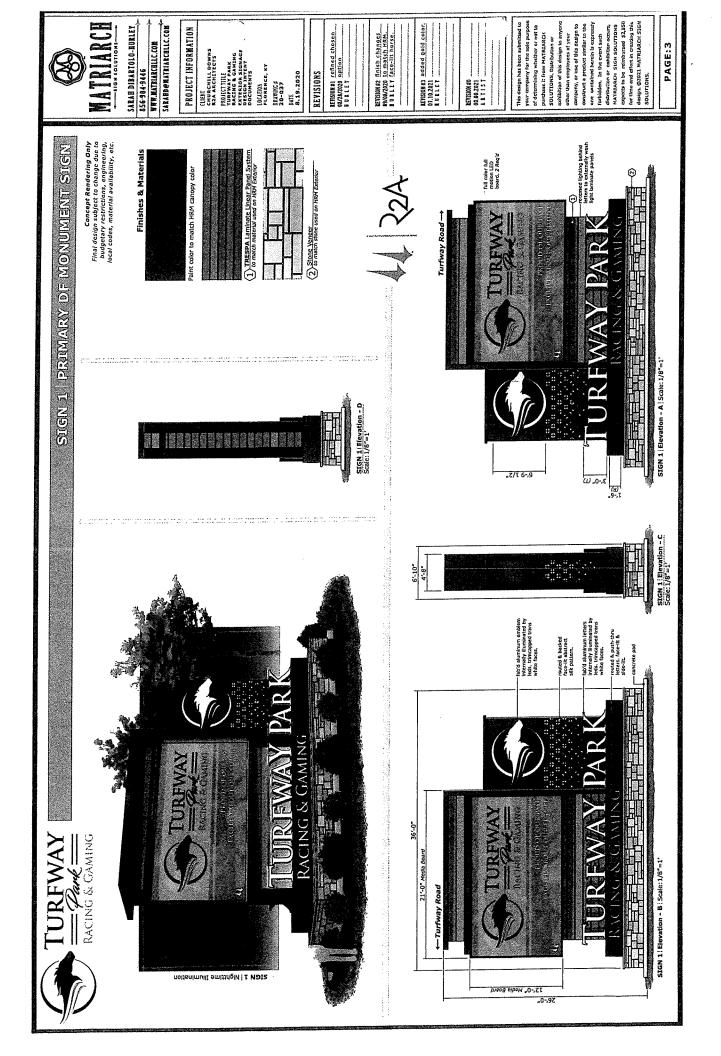
SECTION A: (To be completed by applicant)

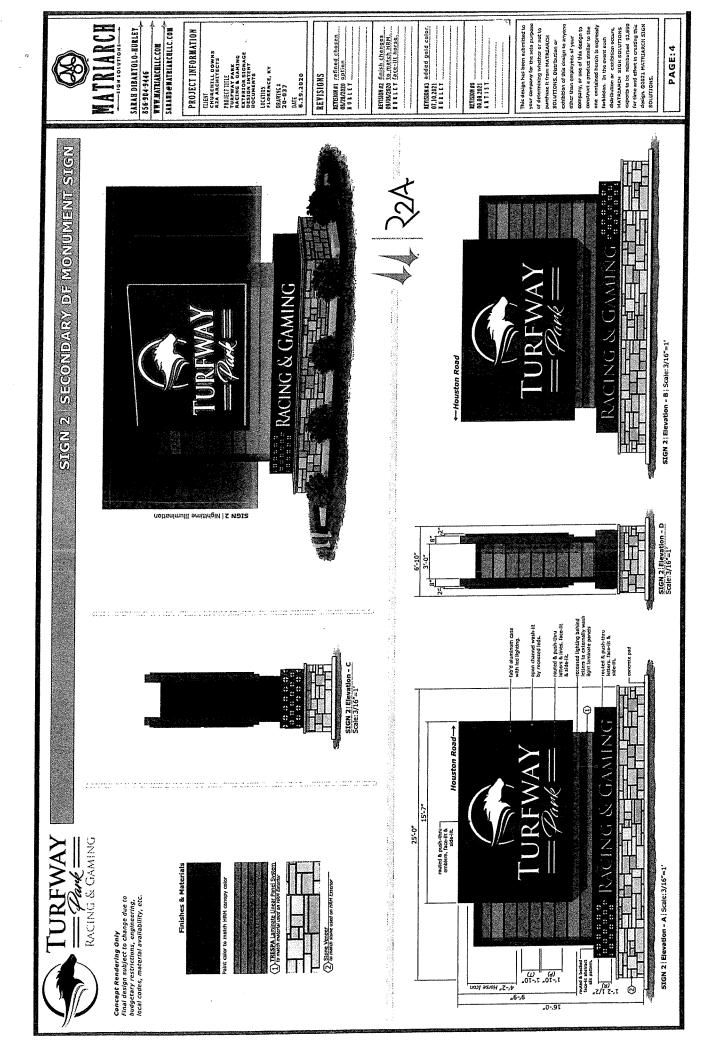
5.1

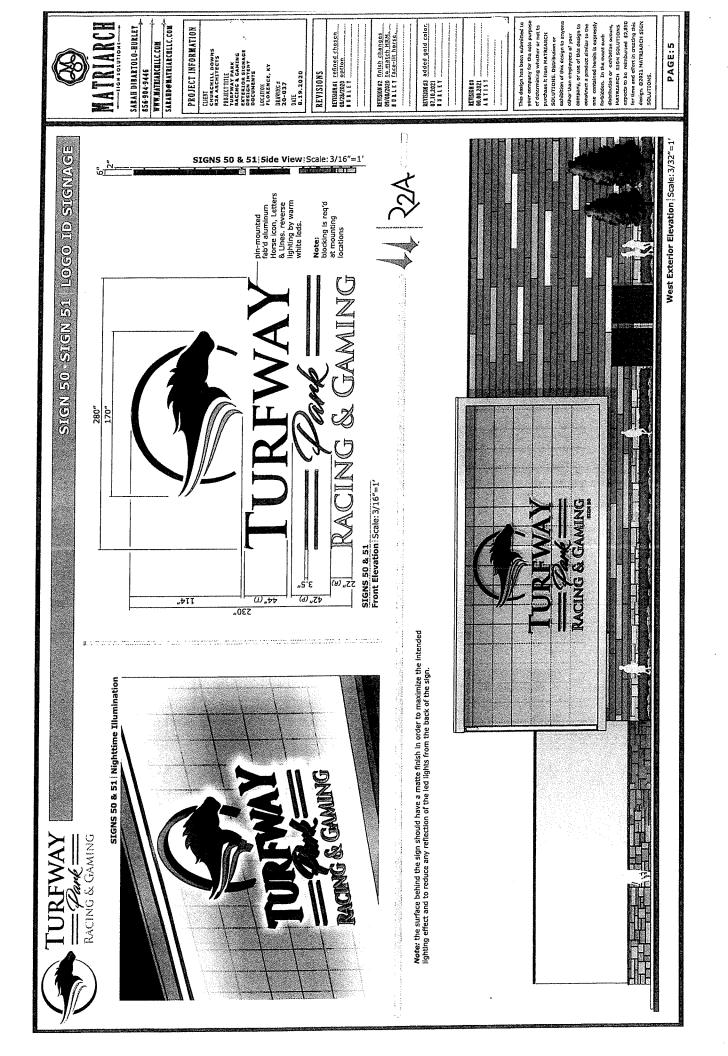
. 1	Name of Project:	Turfway Gaming and Racing		
	-	7500 Turfway Park		
		196.5 acres		
	urrent Zoning of Prope	D/DD/UDD Deprostional Zana		
Ρ	roposed Zoning of Prop	perty (classification being requested):	same	
	roposed Use(s) (specify mendment of 1995 S	y each use): Special Sign Distirct		
		ities (specify for each building):		
Ar	e you applying for any o Conditional Use Pern	of the following (check all that apply):		
Cu	rrent Owner:	City of Florence		
Cu Ad	rrent Owner:			
Cu Ad	rrent Owner: dress: Florence	City of Florence 8100 Ewing Boulevar KY		
Cu Ad	dress:	8100 Ewing Boulevar	ď	
Ad	dress: Florence City	8100 Ewing Boulevar KY	rd 40517 Zip Code	
Ad	dress: Florence City one Number:	8100 Ewing Boulevar KY State	rd40517 Zip Code	
Ad Pho Em	dress: Florence City one Number: ail:	8100 Ewing Boulevar KY State Fax Number:	rd 40517 Zip Code	
Ad Pho Em App	dress: Florence City one Number:	8100 Ewing Boulevar KY State Fax Number: Jihad Hallany; Vision Enginee 128 East Poynolds Pood ou	d 40517 Zip Code ering, LLC	
Add Pho Em	dress: Florence City one Number: ail: licant:	8100 Ewing Boulevar KY State Fax Number: Jihad Hallany; Vision Enginee 128 East Poynolds Pood ou	d 40517 Zip Code ering, LLC	
Add Pho Em	dress: Florence City one Number: ail: licant:	8100 Ewing Boulevar KY State Fax Number: Jihad Hallany; Vision Enginee 128 East Reynolds Road, su	d 40517 Zip Code ering, LLC uite 150	
Add Pho Em App Add	dress: Florence City one Number: ail: ail: ress: Lexington City	8100 Ewing Boulevar KY State Fax Number: _ Jihad Hallany; Vision Enginee 128 East Reynolds Road, su KY State 59 333 8015	d 40517 Zip Code ering, LLC uite 150 40517	

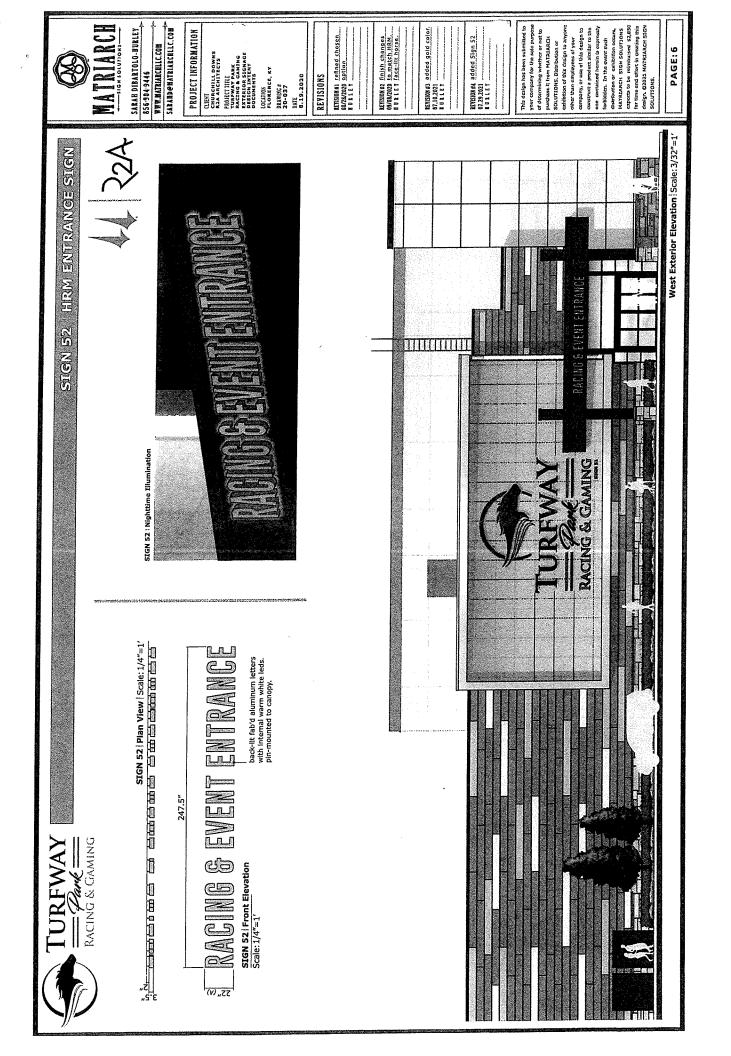


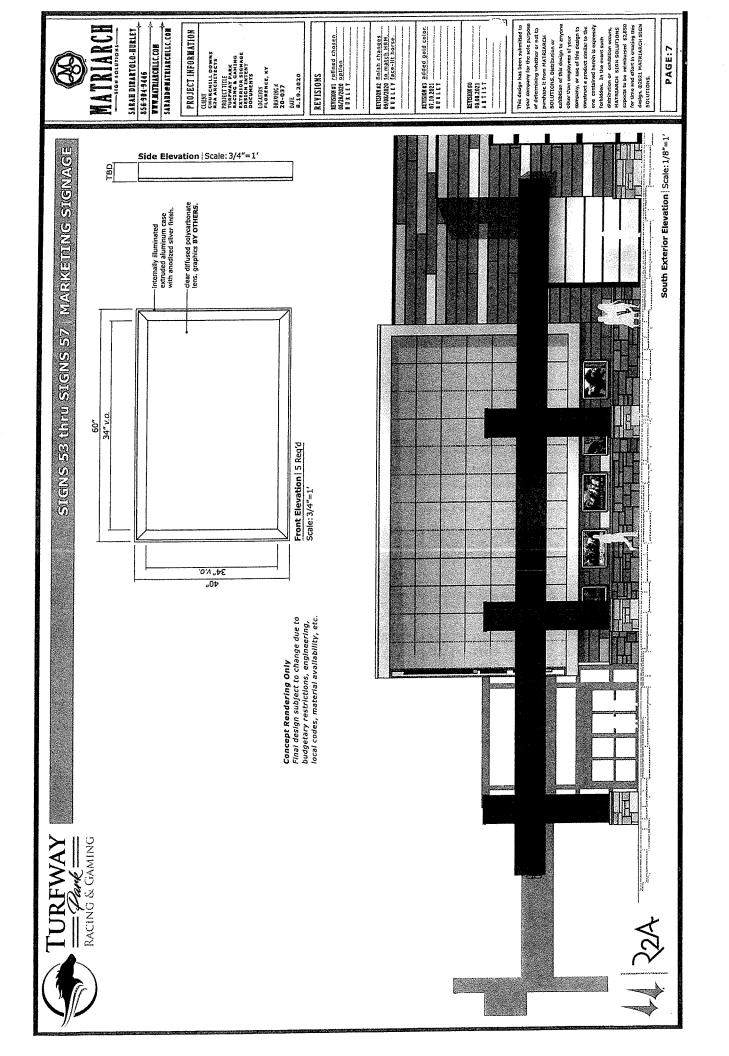


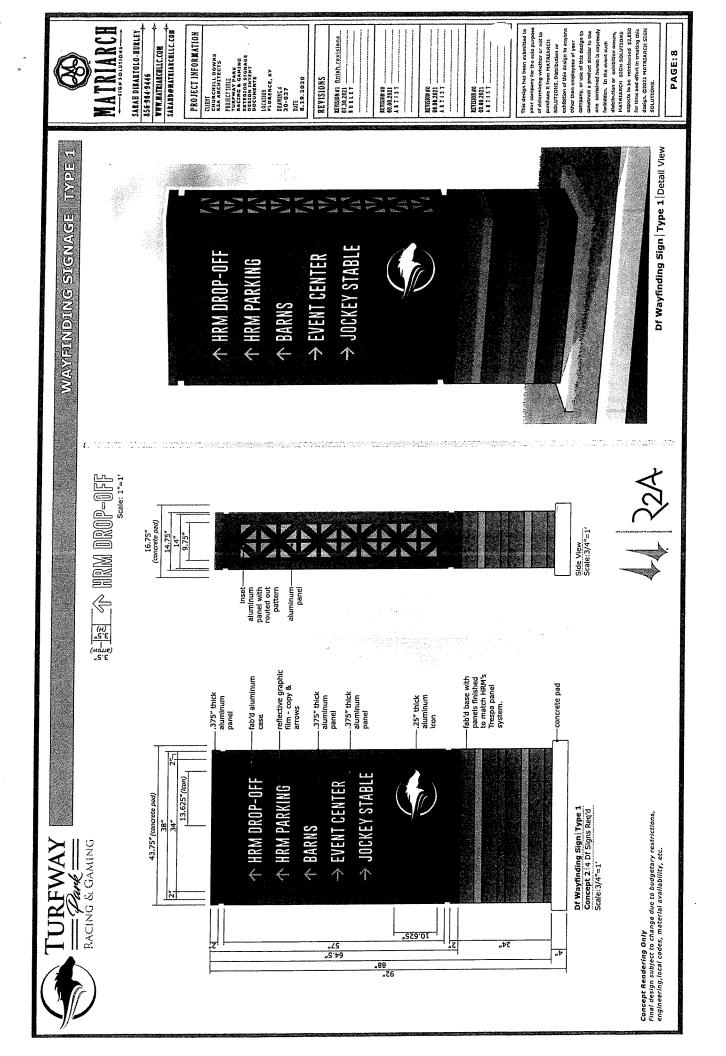


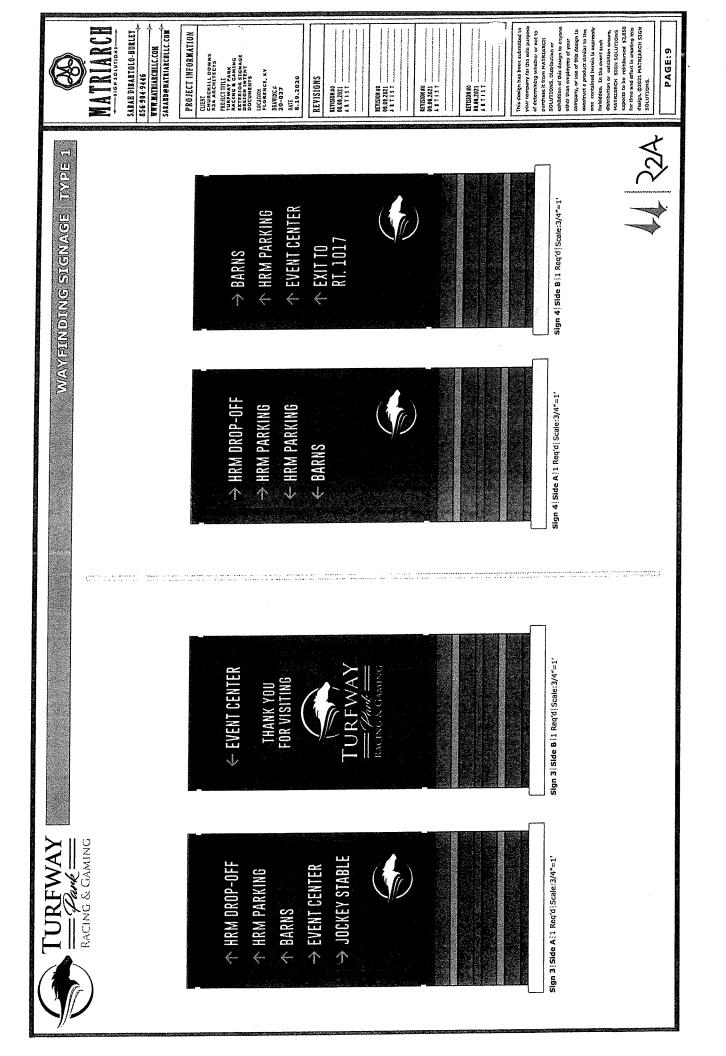


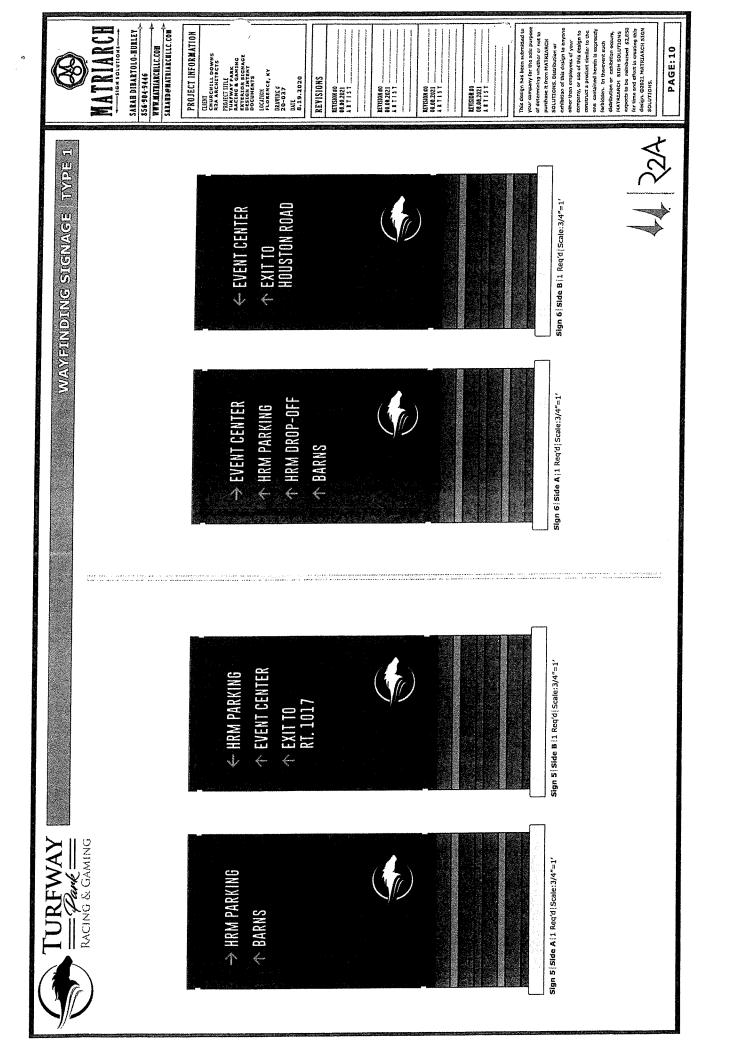


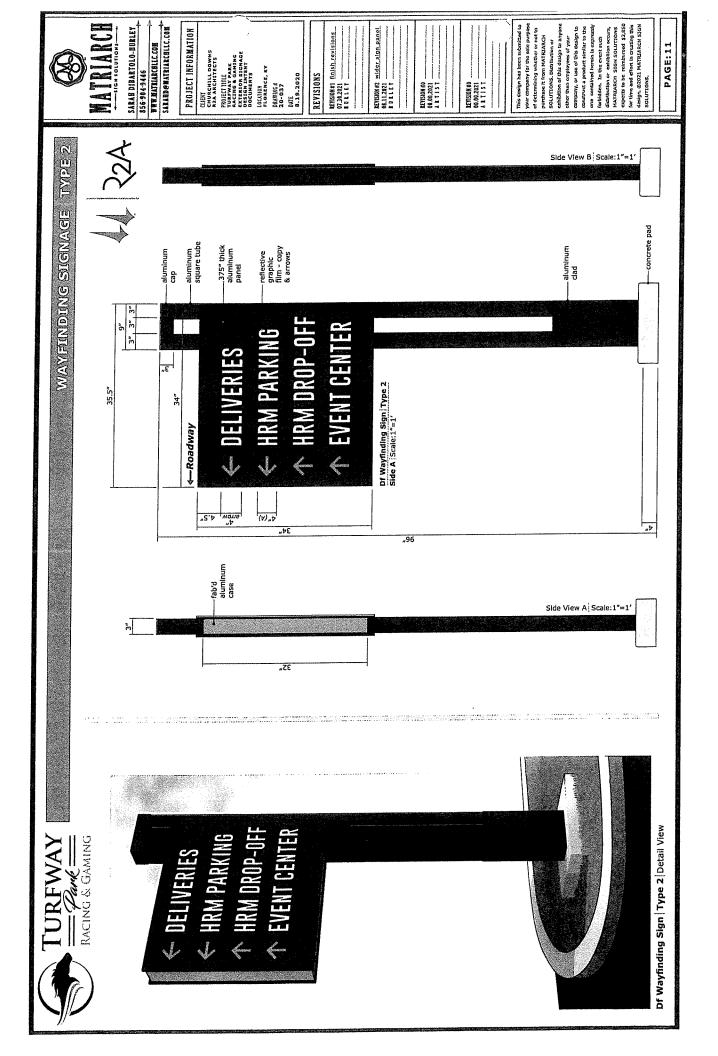


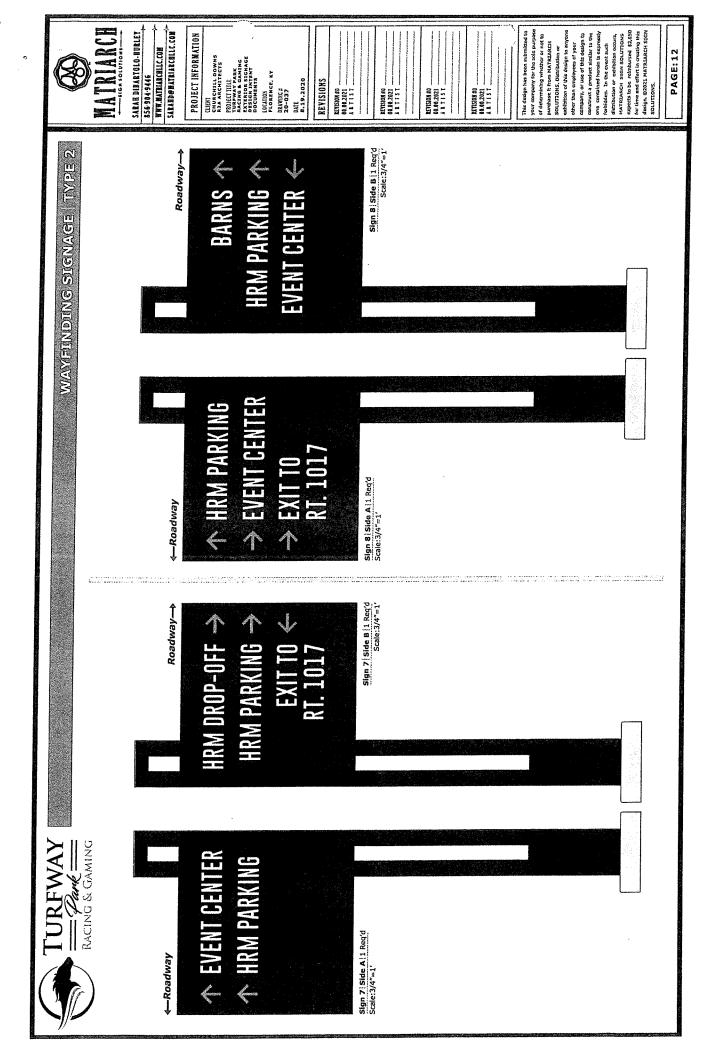


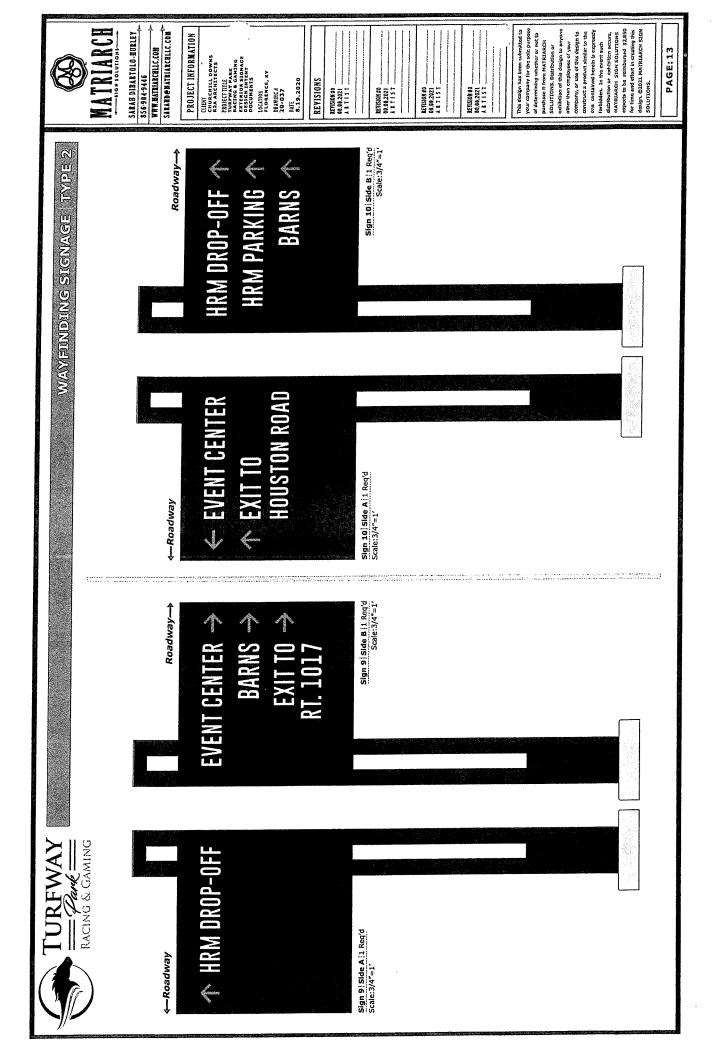


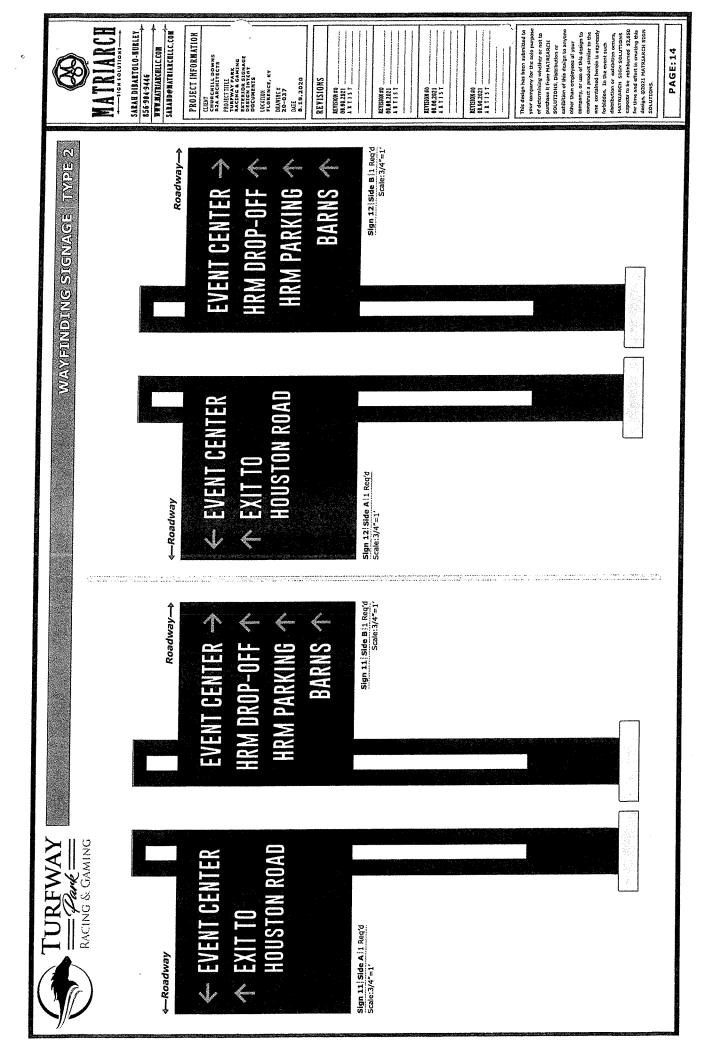


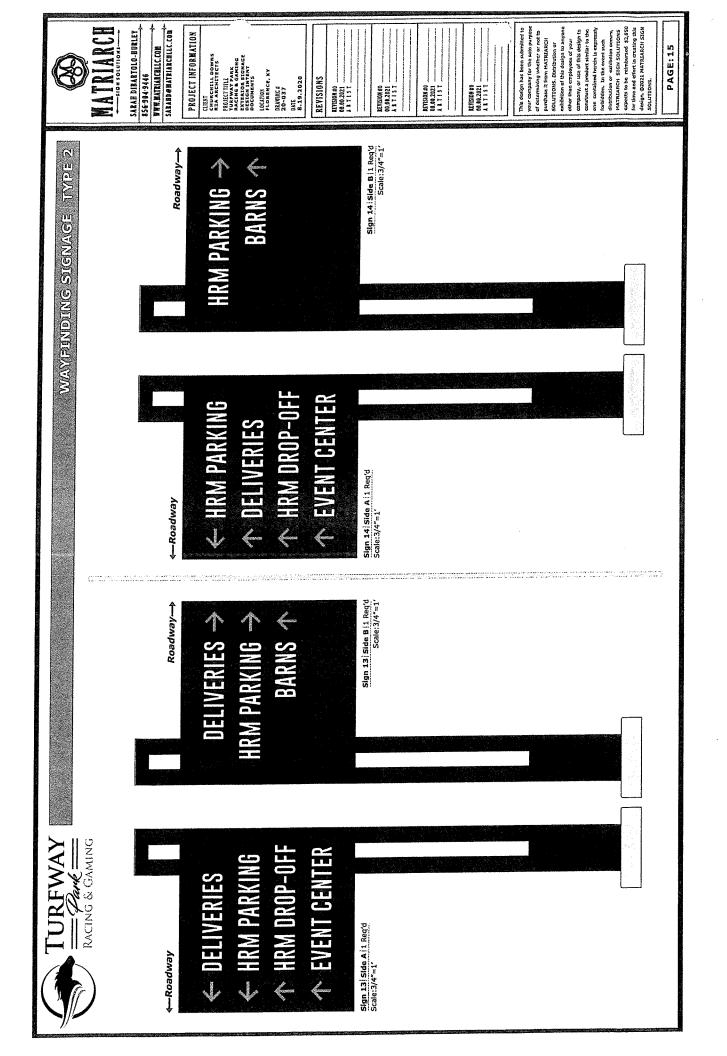


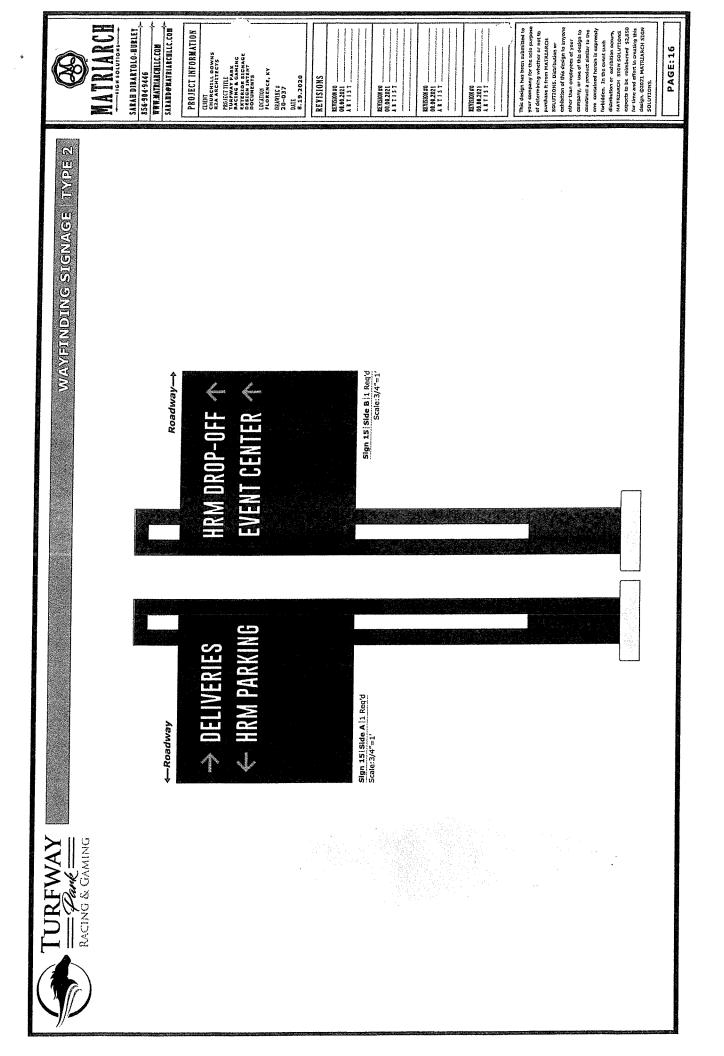


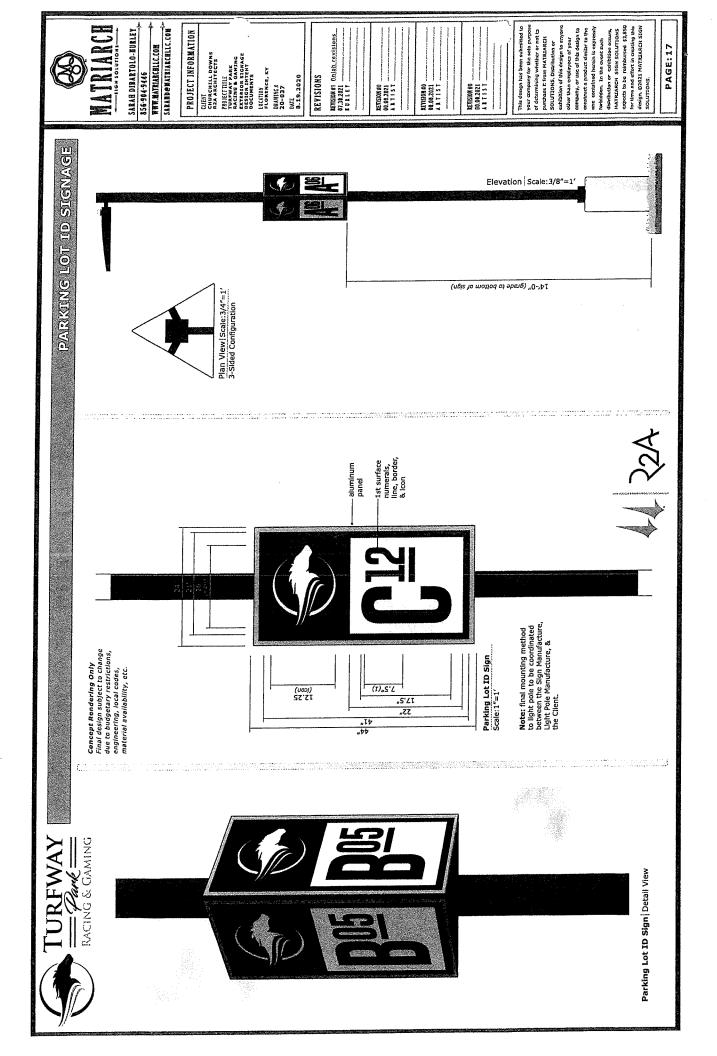


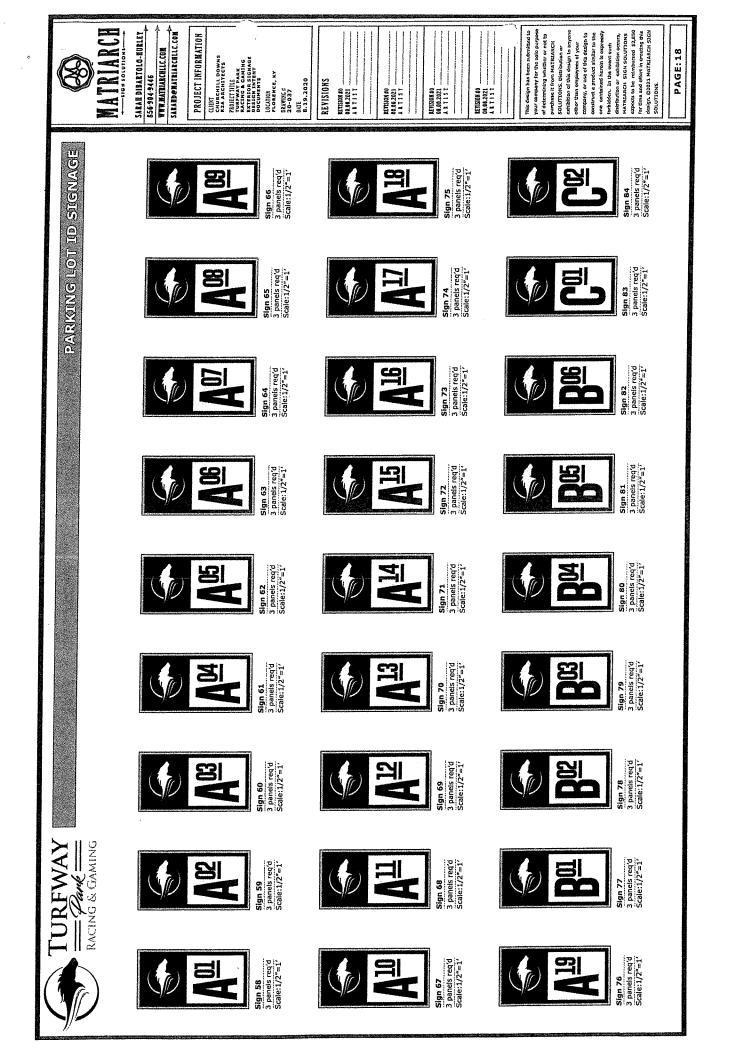


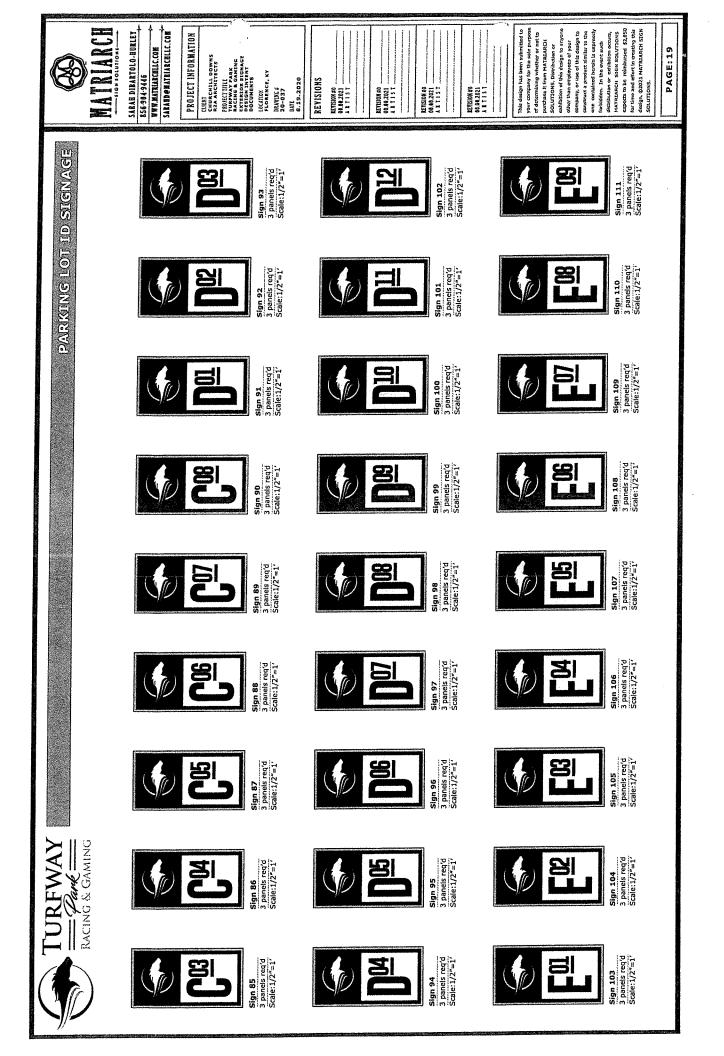












### BOONE COUNTY PLANNING COMMISSION Public Hearing Item #3

October 6, 2021 Page 8

### **COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler Mrs. Pamela Goetting Ms. Corrin Gulick Mr. Steve Harper Mr. Rick Lunnemann Mr. Don McMillian Mr. Kim Patton, Vice Chairman Mr. Charlie Rolfsen, Chairman Mr. Bob Schwenke Mrs. Jackie Steele Mr. Tom Szurlinski Mr. Kenny Vaught

### **COMMISSION MEMBERS NOT PRESENT:**

Mr. Kim Bunger, Secretary/Treasurer Mrs. Janet Kegley Mr. Steve Turner, Temporary Presiding Officer

### LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

### **STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director Mr. Todd K. Morgan, AICP, Senior Planner Mr. Michael D. Schwartz, Planner Mr. Tom Chaney, Planner

Chairman Rolfsen introduced the third item on the Agenda at 9:24 p.m.

. -- .

## ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT – Rick Lunnemann, Chairman, Todd Morgan, Staff

3. Request of <u>Jihad Hillany; Vision Engineering, LLC (applicant)</u> for <u>City of</u> <u>Florence (owner)</u> for a Zoning Map Amendment for a Special Sign District for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky. The request is for amendments to a Special Sign District in a Recreation/Planned Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) zone to allow alternative signage.

Mr. Todd Morgan, referred to his PowerPoint presentation. The applicant is requesting to modify their 1995 Special Sign District. In 2019, the Planning Commission approved the short review process for the main building and parts of the parking lot. The Staff Report includes 20 pages of sign drawings. Mr. Morgan reviewed all the signs, which included the main entrance sign opposite of Thoroughbred Boulevard. It will be 26' tall and 36' wide monument sign with a 12' x 21' electronic message center. He wasn't sure of the number of lines or graphics that can be shown at one time. The secondary sign is proposed on Houston Road. It is currently being proposed on the Arlington Turfway, LLC property, which is now Tapestry Apartments. This sign is not being considered because Tapestry Apartments didn't sign the application form. Is there an easement for that sign? It could be considered a minor change to the 1995 approval. There are a number of signs proposed to be in the parking lot (see pages 1 & 2 of the sign drawings). Signs 3-6 are 7'-8' tall and 13.46 square feet in size. Signs 7-15 are proposed to be way finding signs. They are 8 feet tall and 8.03 square feet in size. Three building mounted signs are proposed on the front façade. Two 447.22 square foot "Turfway Park Racing and Gaming" signs and a 37.82 square foot "Racing & Event Entrance" sign. There will be 5 illuminated marketing signs on the side of the building. Each sign will be 16.67 square feet in area. In the parking lot (signs 58-111), there will be small identification signs - 3 sided at 7.33 square feet in area. They will be attached to the parking lot light poles. Mr. Morgan showed photographs of the existing signs and previous approvals. He questioned whether the existing Gate 1 sign would remain? Is sign #5 off-premise? It looks like it is located on the Duke Energy property? References to the Comprehensive Plan are noted in the Staff Report. Mr. Morgan reviewed the concerns about display time and number of lines on the electronic message center. He referred to his recommendations in the Staff Report.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Jihad Hillany, Vision Engineering, LLC, stated that sign #2 needs to be moved back onto the sign easement area – Target side. Sign #5 will be relocated to their property and not the Realtor site. The pixel for the sign will be 10 millimeters. The messages will be 8-10 seconds. The number of lines will be per the submitted drawing. The project will open in the Spring 2022 and signage is important to the facility.

Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) zone to allow alternative signage.

Staff Member, Todd Morgan, read the Committee Report, which recommended approval based upon Findings of Fact and subject to Conditions (see Committee Report). He gave a summary of the Findings of Fact and showed the revised Concept Development Plan. Mr. Morgan noted the Committee voted unanimously to approve the request with Mr. Lunnemann, Mrs. Kegley, Mr. Patton, and Ms. Gulick voting in favor of the request.

Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Jihad Hillany stated that he had nothing else to add and was present to answer any questions.

Seeing no one else, Chairman Rolfsen asked if there was a motion to take action? Mr. Lunnemann moved to approve the Zoning Map Amendment for a Special Sign District by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and Conditions. Ms. Gulick seconded the motion. Chairman Rolfsen asked if the Board members had comments or questions? He asked when the improvements to the site would be made. Mr. Hillany replied that they anticipate the facility to be open in mid Spring of 2022. He also stated that they will be submitting stormwater improvement plans and a Master Plan for the backstretch. Chairman Rolfsen asked for a vote on the motion and it passed unanimously.

### OTHER:

Chairman Rolfson stated that Mr. Bunger has resigned his position on the Commission and anyone wanting to run for Secretary/Treasurer, or any of the other offices, should contact Mr. Patton who will be part of the Nominating Committee.

Mr. McMillan stated that he thought a change should be made to the regulations so that any residential developments over thirty (30) homes should be required to: (1) have two means of access, one in and one out; and (2) require all homes to have a sprinkler system. Mr. Morgan stated that the sprinkler system issue might conflict with the Kentucky Building Code. A discussion was held on the number of homes threshold, how to amend the Kentucky Building Code, and where such a revision could be made.

There being no further business to come before the Planning Commission, Mr. Szurlinski moved to adjourn the meeting. Mr. Bessler seconded the motion. The meeting was adjourned by unanimous consent at 7:29 P.M.

ROVED

Charlie Rolfsen Chairman

Attest: Michael D. Schwartz Director, Zoning Services

.

## BOONE COUNTY PLANNING COMMISSION Public Hearing Item #3

October 6, 2021 Page 10

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the Change in Concept Development Plan request?

Seeing none, Chairman Rolfsen asked if any of Board members had any questions? He asked if the stables would be replaced? Mr. Hillany replied yes that his firm is tasked to complete a master plan, which includes the back stretch and storm water in order to separate it from the existing lake.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on October 20, 2021 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on November 3, 2021 at 7:00 p.m. The Chairman Rolfsen closed the Public Hearing at 9:38 p.m.

**APPROVED:** 

Charlie Rolfsen Chairman

Attest:

Kevin P. Costello, AICP

Executive Director

### BOONE COUNTY PLANNING COMMISSION BOONE COUNTY ADMINISTRATION BUILDING FIRST FLOOR FISCAL COURTROOM BUSINESS MEETING NOVEMBER 17, 2021 7:00 P.M.

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's November 17, 2021 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

## **COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler Ms. Pamela Goetting Ms. Corrin Gulick Mr. Rick Lunnemann Mr. Don McMillian Mr. Charlie Rolfsen, Chairman Mr. Bob Schwenke Ms. Jackie Steele Mr. Tom Szurlinski Mr. Kenneth Vaught

### **COMMISSION MEMBERS NOT PRESENT:**

Mr. Steve Harper Mrs. Janet Kegley Mr. Kim Patton, Vice Chairman Mr. Steve Turner, Temporary Presiding Officer

### LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

### STAFF MEMBERS PRESENT:

Mr. Todd K. Morgan, AICP, Senior Planner Mr. Michael D. Schwartz, Director, Zoning Services

### **APPROVAL OF THE MINUTES:**

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the November 3 Business Meeting and Public Hearing. Chairman Rolfsen asked if there were any other comments or corrections? **Ms. Steele moved to approve the Minutes as presented. Mr. Vaught seconded the motion and it carried unanimously**.

## ZONING MAP AMENDMENT - Rick Lunnemann, Chairman, Todd Morgan, Staff

 Request of <u>Jihad Hillany; Vision Engineering, LLC (applicant)</u> for <u>City of</u> <u>Florence (owner)</u> for a Zoning Map Amendment for a Special Sign District for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky. The request is for amendments to a Special Sign District in a Recreation/Planned

# EXHIBIT "B"

# ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

#1

- TO: Boone County Planning Commission
- **FROM:** Rick Lunnemann, Chairman
- DATE: November 17, 2021
- RE: Request of <u>Jihad Hillany; Vision Engineering, LLC (applicant)</u> for <u>City of</u> <u>Florence (owner)</u> for a Zoning Map Amendment for a Special Sign District for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky. The request is for amendments to a Special Sign District in a Recreation/Planned Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) zone to allow alternative signage.

### **REMARKS:**

We, the Committee, recommend approval of the above referenced request based on the following findings of fact and with the following conditions:

### FINDINGS OF FACT:

- 1. Section 3440 of the <u>Boone County Zoning Regulations</u> allows for the creation of special sign districts with the appropriate legislative body's approval. The effect of a special sign district shall be to modify requirements, regulations, and procedures for signs included as part of the district. The purpose of the district shall be to respond to the special circumstances of development, renewal, redevelopment, or rehabilitation of areas of the County and to better achieve county-wide policies for growth and development.
- 2. The request is in agreement with <u>Our Boone County Plan 2040</u> for the following reasons:
  - A. The request is in agreement with the following goals and objectives:
    - "Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community" (Overall Goal A, Objective 4).
    - Tourist oriented commercial facilities should be encouraged provided that the impacts on other land uses are minimal (Natural & Cultural Resources, Objective).
    - Tourism (including agri-tourism and heritage tourism), telecommuting, and virtual employment shall be encouraged as an economic resource while minimizing potential impacts (Economy, Objective 7).

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT Jihad Hillany – Vision Engineering, LLC/City of Florence November 17, 2021 Page 2

- Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal, Objective 1).
- B. The request is in agreement with the following passages from the land use element:
  - Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building 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 motorists attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view (Future Land Use Development Guidelines -Design, Signs, and Cultural Resource Preservation, pg. 97).
  - For the short term, the existing recreational use at Turfway Park should be maintained and improved. One way involves the expansion of the business into a "racino" if allowed by the State of Kentucky (Florence Commercial Future Land Use Geographical Area, pp. 125-126).
- 3. The request is in agreement with the following Planned Development Standard found in Section 1514 of the Boone County Zoning Regulations:
  - Signage A consistent signage theme shall be provided within a planned development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects.

The Committee concluded the request is in agreement with the sections 1-3 above based on the following:

- A. The amendment to the existing special sign district is needed to respond to the renewal of Turfway Park.
- B. The proposed sign package is consistent and the proposed freestanding signs are monument style.
- C. Conditions have been imposed for the electronic message center that will be placed in sign 1. These conditions were imposed to reduce impacts and promote safety on Turfway Road.

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT Jihad Hillany – Vision Engineering, LLC/City of Florence November 17, 2021 Page 3

4. The Committee concluded the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of <u>Our Boone County Plan 2040</u> and Article 3 "Amendment" of the Boone County Zoning Regulations. The Committee also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The applicant and property owner have signed a letter demonstrating agreement with these conditions.

## CONDITIONS:

- 1. The approval shall be based on the revised drawings that are dated October 26, 2021 on the cover.
- 2. The electronic message center (EMC) shown on Sign 1 shall be subject to the following conditions:
  - A. All message displayed on the proposed electronic message center shall be displayed for a minimum of eight (8) second intervals.
  - B. No electronic message shall contain more than one (1) still photo and/or six (6) lines of text.
  - C. Any portion of an alphanumeric message that is not displayed on a still photo, shall use a dark colored background.
  - D. Messages displayed on the EMC shall not contain any apparent motion (running messages, scrolling messages, flashing, moving patterns, live tv, video, etc.).
  - E. The EMC shall have a photocell or dimmer and messages shall dim as the sky gets darker.
  - F. The sign shall have a ten (10) millimeter pixel pitch or better resolution.
  - G. The sign shall not be used to advertise off premise businesses.
  - H. Turfway Park agrees to work with the Planning Commission and City of Florence to resolve any glare or lighting impacts that the sign could create on the Turfway Road right-of-way.
- 3. Sign 2 shall be located as shown on the submitted sign drawings. The proposed location is the same location as the former gate 3 sign. A recorded sign easement, signed by the current property owner, shall also be submitted to the Planning Commission before the sign can be constructed. Any proposal to relocate the sign to another location shall be heard through another Special Sign District application.
- 4. The tote board sign shown on the infield can be upgraded anytime.

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT Jihad Hillany – Vision Engineering, LLC/City of Florence November 17, 2021 Page 4

5. All signs shown as part of this Special Sign District are subject to Sign Permit application approval.

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. Attached is the signature page for the Zone Change/Concept Development Plan Committee Vote.

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Rick Lunnemann, Chairman

DATE: October 20, 2021

# ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT – Rick Lunnemann, Chairman, Todd Morgan, Staff

Request of <u>Jihad Hillany</u>; <u>Vision Engineering</u>, <u>LLC (applicant)</u> for <u>City of Florence (owner)</u> for a Zoning Map Amendment for a Special Sign District for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky. The request is for amendments to a Special Sign District in a Recreation/Planned Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) zone to allow alternative signage.

**REMARKS**:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

## ZMA/SPECIAL SIGN DISTRICT PAGE 2 Jihad Hillany; Vision Engineering, LLC/City of Florence October 20, 2021

Kim Bunger         For Project         Against Project         Abstain         Deferred	Corrin Gulick For Project Absent Against Project Abstain Deferred
Janet Kegley	Randy Bessler (Alternate)
For Project Absent Against Project Abstain Deferred	For Project Absent Against Project Abstain Deferred
Rick Lumemann For Project Absent Against Project Abstain Deferred	Steve Turner (Alternate)         For Project Absent         Against Project         Abstain Deferred
Kim Patton (Chairman)         For Project Absent         Against Project         Abstain Deferred	Recorded by Todd Morgan, AICP, Senior Planner

TOTAL:	DEFERREDFOR PROJECTABSENT	
	AGAINST PROJECTABSTAIN	

# ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

- TO: Boone County Planning Commission
- FROM: Rick Lunnemann, Chairman
- DATE: November 3, 2021

# ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT – Rick Lunnemann, Chairman, Todd Morgan, Staff

Request of <u>Jihad Hillany; Vision Engineering, LLC (applicant)</u> for <u>City of Florence (owner)</u> for a Zoning Map Amendment for a Special Sign District for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky. The request is for amendments to a Special Sign District in a Recreation/Planned Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) zone to allow alternative signage.

**REMARKS**:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

# ZMA/SPECIAL SIGN DISTRICT PAGE 2 Jihad Hillany; Vision Engineering, LLC/City of Florence November 3, 2021

	<u> </u>
Kim Bunger	Corrin Gulick
For Project Absent	For Project <u>X</u> Absent
Against Project	Against Project Abstain Deferred
Against Project Abstain Deferred	Abstain Deferred
anthelegant	
Janet Kegley	Randy Bessler (Alternate)
For Project Absent	For Project Absent
Against Project	Against Project
Against Project Abstain Deferred	Against Project Abstain Deferred
Rite Mennian	
Rick Lunnemann	Steve Turner (Alternate)
For Project Absent	
Against Project	For Project Absent Against Project
Abstain Deferred	Against Project
	Abstain Deferred
H	
Kim Patton (Chairman)	
	Recorded by Todd Morgan, AICP,
For Project <u>×</u> Absent	Senior Planner
Against Project	
For Project <u> </u>	

TOTAL:	DEFERRED	FOR PROJECT	ABSENT
	AGAINST PROJE	CTABSTAIN	

# ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT – Rick Lunnemann, Chairman, Todd Morgan, Staff

3. Request of <u>Jihad Hillany; Vision Engineering, LLC (applicant)</u> for <u>City of</u> <u>Florence (owner)</u> for a Zoning Map Amendment for a Special Sign District for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky. The request is for amendments to a Special Sign District in a Recreation/Planned Development/Houston Donaldson Study Corridor Overlay (R/PD/HDO) zone to allow alternative signage.

Mr. Todd Morgan, referred to his PowerPoint presentation. The applicant is requesting to modify their 1995 Special Sign District. In 2019, the Planning Commission approved the short review process for the main building and parts of the parking lot. The Staff Report includes 20 pages of sign drawings. Mr. Morgan reviewed all the signs, which included the main entrance sign opposite of Thoroughbred Boulevard. It will be 26' tall and 36' wide monument sign with a 12' x 21' electronic message center. He wasn't sure of the number of lines or graphics that can be shown at one time. The secondary sign is proposed on Houston Road. It is currently being proposed on the Arlington Turfway, LLC property, which is now Tapestry Apartments. This sign is not being considered because Tapestry Apartments didn't sign the application form. Is there an easement for that sign? It could be considered a minor change to the 1995 approval. There are a number of signs proposed to be in the parking lot (see pages 1 & 2 of the sign drawings). Signs 3-6 are 7'-8' tall and 13.46 square feet in size. Signs 7-15 are proposed to be way finding signs. They are 8 feet tall and 8.03 square feet in size. Three building mounted signs are proposed on the front façade. Two 447.22 square foot "Turfway Park Racing and Gaming" signs and a 37.82 square foot "Racing & Event Entrance" sign. There will be 5 illuminated marketing signs on the side of the building. Each sign will be 16.67 square feet in area. In the parking lot (signs 58-111), there will be small identification signs - 3 sided at 7.33 square feet in area. They will be attached to the parking lot light poles. Mr. Morgan showed photographs of the existing signs and previous approvals. He questioned whether the existing Gate 1 sign would remain? Is sign #5 off-premise? It looks like it is located on the Duke Energy property? References to the Comprehensive Plan are noted in the Staff Report. Mr. Morgan reviewed the concerns about display time and number of lines on the electronic message center. He referred to his recommendations in the Staff Report.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Jihad Hillany, Vision Engineering, LLC, stated that sign #2 needs to be moved back onto the sign easement area – Target side. Sign #5 will be relocated to their property and not the Realtor site. The pixel for the sign will be 10 millimeters. The messages will be 8-10 seconds. The number of lines will be per the submitted drawing. The project will open in the Spring 2022 and signage is important to the facility.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the Change in Concept Development Plan request?

Seeing none, Chairman Rolfsen asked if any of Board members had any questions? He asked if the stables would be replaced? Mr. Hillany replied yes that his firm is tasked to complete a master plan, which includes the back stretch and storm water in order to separate it from the existing lake.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on October 20, 2021 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on November 3, 2021 at 7:00 p.m. The Chairman Rolfsen closed the Public Hearing at 9:38 p.m.

**APPROVED:** 

Charlie Rolfsen Chairman

Attest:

Kevin P. Costello, AICP Executive Director