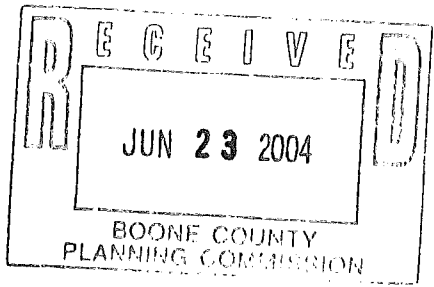


04-BCBOA-0244

APPLICATION FORM



BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

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

- (Check One) 1. Boone Florence Walton Union
(Check One) 2. Conditional Use Permit Variance Appeal
3. Applicant's Name AIRPARK WEST, LLC (PAUL HEMMER CONSTRUCTION COMPANY)
Phone Number 859-341-8300 Fax No. 859-341-6817
Applicant's Address 250 GRANDVIEW DRIVE FORT MITCHELL KY 41017
4. Description of Request: CONDITIONAL USE PERMIT TO ALLOW FOR RECREATIONAL USES
5. Name of Development AIRPARK WEST
6. Location of Development LANGLEY DRIVE & HARGRAVE BOONE COUNTY, KENTUCKY
7. Acreage Under Review 9.75
8. Lot Number and Name of Subdivision (if part of a subdivision) BEING FUTURE LOT 5 OF AIRPARK WEST LOCATED AT THE SOUTHWEST CORNER*
9. Owner of Property AIRPARK WEST, LLC & ELMER C JACOBS
Phone Number of Owner 859-341-8300 859-586-7343
10. Address of Property Owner 250 GRANDVIEW DRIVE 3232 BULLOCK LANE FT. MITCHELL, KY 41017 HEBRON, KY 41048
11. Proposed Use(s) on Site RECREATIONAL
12. Total Square Footage of Existing and/or Proposed Buildings 115,000
13. Current Zoning on Property I-1
14. Deed Book JACOBS 559 AIRPARK LLC 772 Page No. 317 668 Group No. 2007
15. Is the site subject to a zone change? YES
If yes, give date of approval ZONING CHANGE IN 1998
16. Have you submitted a Site Plan with this request? YES
17. Have you submitted a list of adjoining property owners with this request? YES
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: [Signature]
Property Owner's Signature: [Signature] - Treasurer
* OF THE INTERSECTION OF LANGLEY DRIVE AND HARGRAVE DRIVE

BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 6-23-04 Fee Received \$ 909.00 R# 39293
2. Is application complete? Yes No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
7/14/04 Approved
7/14/04 Approved with Conditions (See #6)
Denial (See #7).
6. Conditions of Approval: SEE 7-14-04 BCBOA
MEETING MINUTES
7. Reasons for Denial: _____

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

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

STAFF REPORT

APPLICANT: Airpark West, LLC

LOCATION: Future Lot 5 of Airpark West Subdivision. 3232 Bullock Lane and the Southwest Corner of the Langley Drive/Hargrave Drive intersection, Boone County, Kentucky

ZONING: Industrial One (I-1)

DATE: July 14, 2004

PROPOSAL

The Applicants are requesting a Conditional Use Permit so they can construct 91,238 square foot commercial/recreational sports training and accessory physical therapy complex with 352 parking stalls. The subject property is approximately 9.75 acres in area and is located at 3232 Bullock Lane and the southwest corner of the Langley Drive/Hargrave Drive intersection, Boone County, Kentucky.

SITE HISTORY

Sept. 1998 – The subject tract is part of a Zoning Map Amendment which rezoned an approximate 210 acre tract from Rural Suburban Estates (RSE), Suburban Residential One (SR-1), Suburban Residential Two (SR-2), Commercial Two/Planned Development (C-2/PD), and Industrial One/Planned Development (I-1/PD) to Industrial One (I-1) to allow office, manufacturing, warehousing, and distribution uses. The approval allows 22 buildings, totaling 2,631,000 square feet in area to be constructed in the zone change area. There were no conditions of approval which limited the I-1 uses.

APPLICABLE REGULATIONS

Article 2, Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional uses permits as specified by the zoning order.

Article 11, Section 1133 of the Boone County Zoning Regulations permits "commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields" as a Conditional Use within the Industrial One (I-1) district.

The Board should evaluate the applicants request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262 & 1133 of the Boone County Zoning Regulations.

Findings listed in Section 262 (Findings for all Conditional Uses):

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's Comprehensive Plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;

3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Article 11, Section 1133 of the Boone County Zoning Regulations allows "commercial recreation such as bowling centers, roller skating rinks, miniature golf courses, golf driving ranges, soccer fields and baseball fields" as a Conditional Use in the Industrial One (I-1) district provided that:

- a. the activity is provided primarily in support of and obtains its trade from the employees of the district; or
- b. the activity is of integral relation to the purpose of the district;
- c. the use, building or structure is subservient to and not of scale, nature, trade or other character which will compete, detract or conflict with the purpose and permitted uses of the district; and
- d. provided the arrangement of uses, buildings or structures is mutually compatible with the organization of permitted and accessory uses to be protected in the district.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 2000 Boone County Comprehensive Plan's "2025 Future Land Use Plan" designates the site in question for "Business Park" uses. This designation is defined as "a mix of office warehouse, research, office, and light industrial uses in a park like 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."

The following Future Land Use Development Guidelines from the 2000 Boone County Comprehensive Plan applies to the application:

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit

of the development and the County as a whole, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," pg. 158).

- B. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate ("Buffering," pg. 159).
- C. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways.

Developments along major roadways in Boone County must include landscaping and/or the use of berms between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," pg. 159).

- D. Developments in Boone County must recognize the potential impacts of stormwater run off. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site. Further, control and mitigation practices for erosion associated with developments must be provided ("Stormwater Management and Erosion Control," pg. 159).
- E. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and traffic patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, and provisions for access parking facilities, and provisions for access connections to adjoining properties, and dedication of public right-of-way ("Access Management," pg. 159).
- F. Developments in Boone County should give consideration to the overall design of the project. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention... ("Design, Signs, and Historic Preservation," pg. 160).

The following Goals and Objectives from the 2000 Boone County Comprehensive Plan apply to the application:

- A. "Proper design principles shall be applied in development" (Overall, Objective).
- B. "The needs of Boone County's population are measured and fulfilled through the provision of orderly growth" (Population, Goal).
- C. "New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used..." (Environment, Physical Objective).
- D. "Existing vegetation shall be considered both an important site characteristic and a community resource" (Environment, Social Objective).
- E. "Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas" (Business Activity, Goal).
- F. "Commercial uses shall be limited to strategic locations serving trade areas and neighborhood needs and shall have safe and effective access and ample parking space" (Business Activity, Commercial Objective).
- G. "The large scale mixing of commercial and non-commercial uses shall occur in planned developments or in areas where consideration has been given to assure compatibility with surrounding land uses. The location of large scale commercial uses shall take into consideration existing or planned infrastructure conditions so as to protect the existing and future population and businesses..." (Business Activity, Commercial Objective).

SURROUNDING LAND USES & ZONING

- North: Langley Drive and Galerie Au Chocolat (I-1)
- South: Jacobs Farm and Future Lots in Airpark Wets (I-1)
- East: Hargrave Drive and Future Lots in Airpark West (I-1)
- West: Jacobs Farm and Future Lots in Airpark Wets (I-1)

SITE CHARACTERISTICS

The approximate 9.75 acre tract has not been final platted and is owned by Airpark West, LLC and Elmer and Helen Jacobs. The proposed parcel has road frontage on Langley Drive and Hargrave Drive and has flat to rolling topography (see aerial map in attachments). The site contains a farm pond and contains some mature deciduous trees. Water and sanitary sewer mains are existing along Langley Drive.

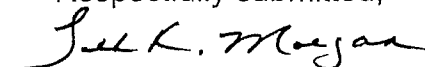
STAFF COMMENTS

1. The Applicants provided a booklet (see attachments) which provides an overview of the services the facility will provide. The Applicants indicated that all the training sessions will occur indoors. The facility will start with baseball training but may start offering other sport training, such as volleyball, over time.
2. The conditions of approval from the 1998 zone change (see attachments) requires a Staff design review process. As a result, Staff will analyze the orientation of the building and building materials when the Site Plan is submitted. The Business Park future land use classification requires a constant architectural theme.
3. The Concept Development Plan indicates that 352 parking spaces are being proposed. Staff still has not made a determination of how many parking spaces are required because the exact square footage of office, training, physical therapy, and concession areas are unknown. It is possible that the applicant will need to obtain a parking waiver from the Zoning Administrator. Section 3325 of the Boone County Zoning Regulations states that the maximum number of parking spaces allowed on a site can be 30% greater than the required minimum number.
4. The Concept Development Plan indicates that the development will have two curb cuts on Hargrave Drive and one curb cut on Langley Drive. Staff would like to point out that the number of permitted curb cuts will be based on the road frontage of the parcel. Staff will not make a determination on the number of permitted curb cuts until the Final Plat and/or Site Plan are submitted for review.
5. Staff recommends that the Board should analyze if the use and building are subservient to and not of scale, nature, trade or other character which will compete, detract or conflict with the purpose and permitted uses of the district.
6. Staff believes that the vehicular approaches to the property have been designed so that tractor trailer and car traffic can safely co-exist within the development. The Langley Drive and Wright Blvd. entrances off of KY 237 are both oversized. The Improvement Plans show that Langley Drive entrance has a 65' right-of-way and 40' of pavement and the Wright Boulevard entrance has an 80' right-way and 52' of pavement. The Boone County Subdivision Regulations require collector roads to have a 60' right-of-way and 30' of pavement.

Conclusion

KRS 100.237 and Section 220 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to grant the Applicant's request.

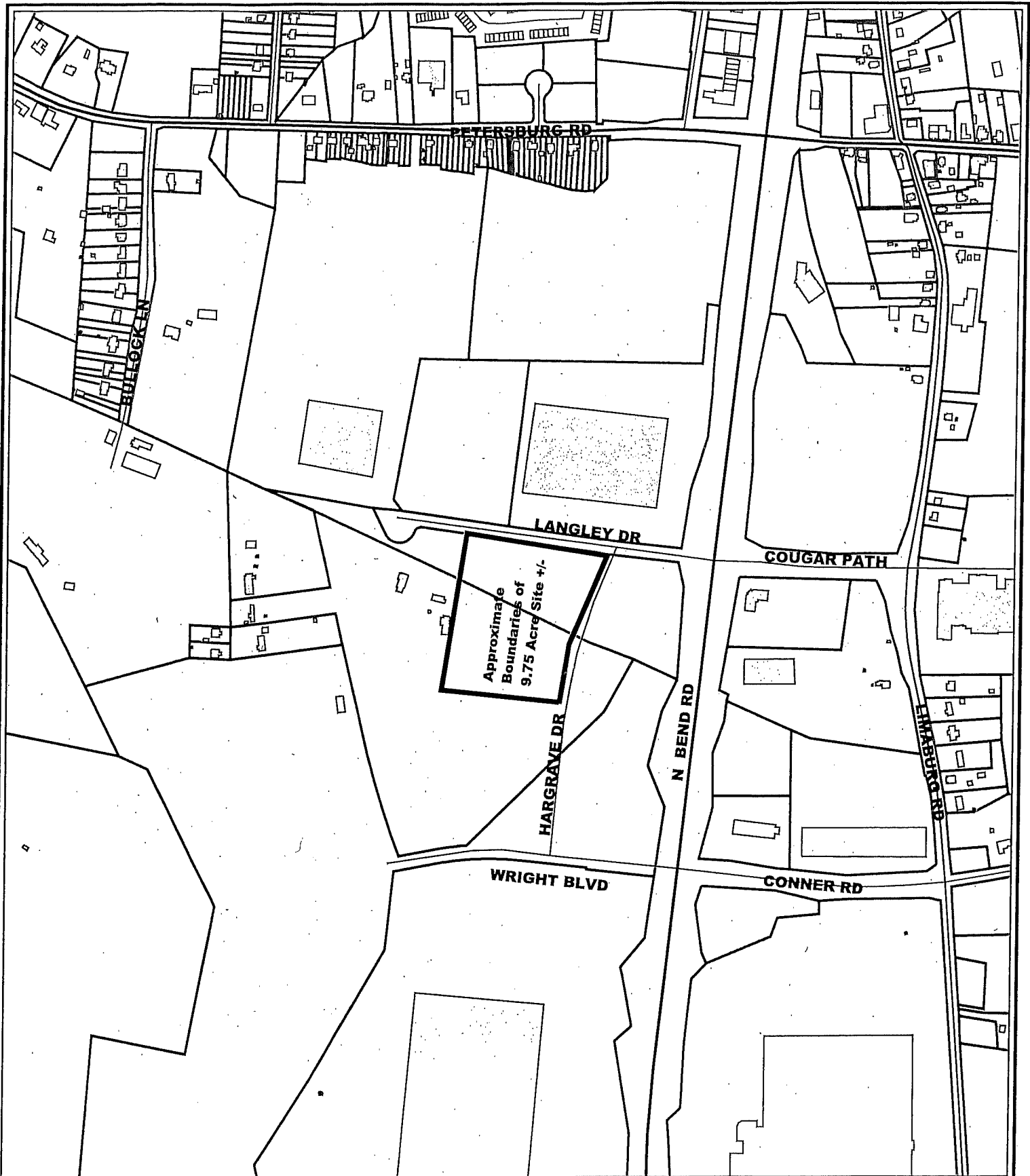
Respectfully submitted,



Todd K. Morgan, AICP
Planner, Zoning Services

Attachments

- Exhibit A – Site Vicinity Map
- Exhibit B – Airpark West Map Conceptual Map
- Exhibit C – Champions Baseball Academy Booklet
- Exhibit D – Concept Development Plan
- Exhibit E – Aerial Map
- Exhibit F – Zoning Map
- Exhibit G – Future Land Use Map
- Exhibit H – Topographical Map
- Exhibit I – 1998 Zone Change Conditions of Approval
- Exhibit J – Application



**Future Lot 5,
Airpark West
Site Vicinity Map**

600 0 600 Feet



1 inch equals 600 feet

Produced by the
Boone County Planning Commission
GIS Services Division
June 29, 2004

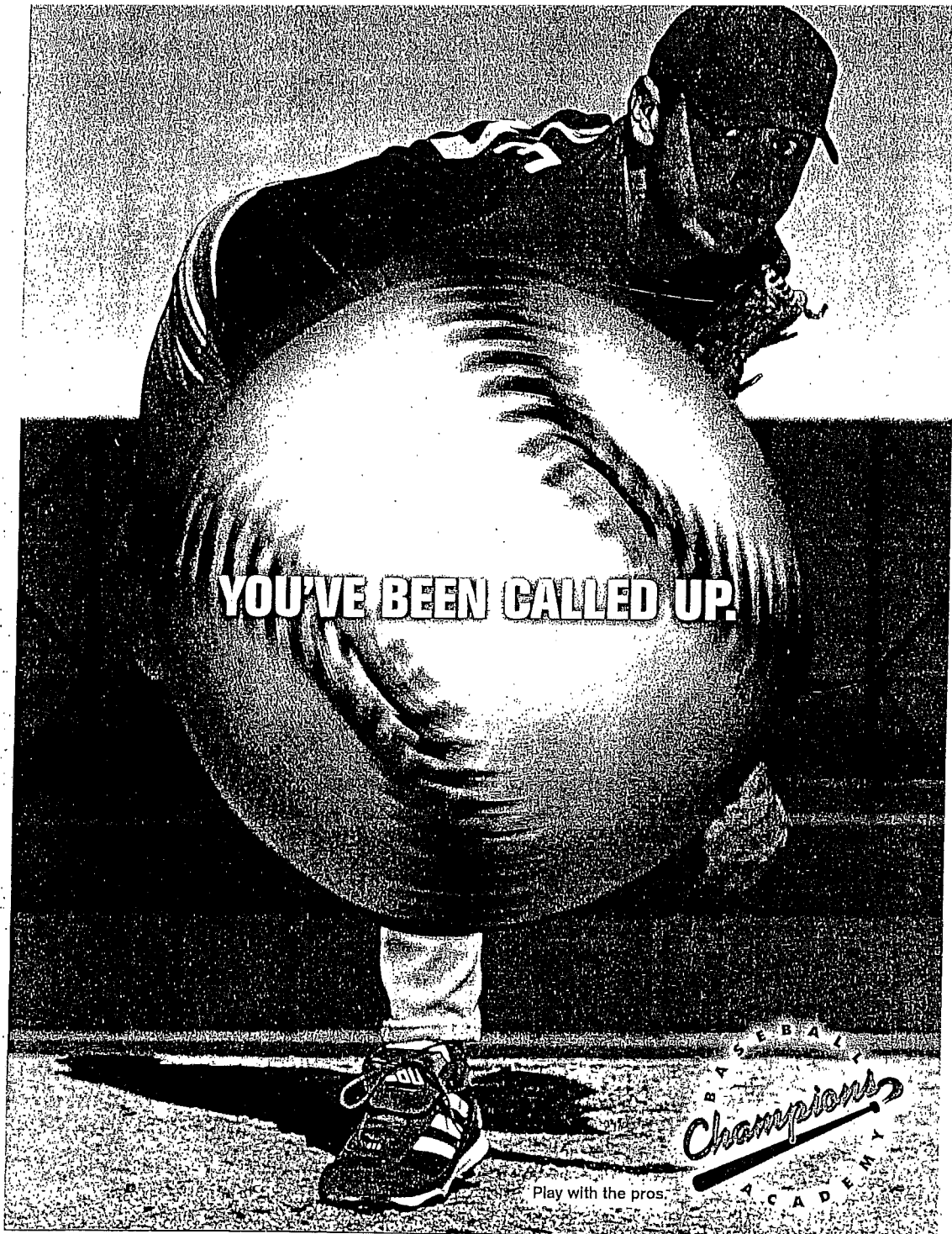




Airpark West

Hebron, Kentucky

	<u>Acres</u>		<u>Acres</u>
1/2. Galerie Au Chocolat	24.8	10. Available	19.8
3. ProLogis	31.4	11. Toyota Midwest Parts Center	86.3
4A. Available	1.34	12. Available	6.4
4B Available	3.11	13. Kentucky Diagnostic Center	2.8
4C Available	1.73	14. Airpark West Professional Center	3.0
5. Not Available	10.6	15. Airpark West Business Center	8.8
6. Not Available	11.1	16. Available	11.4
7. Not Available	11.7	17. Available	13.9
8. Available	19.0	18. Available	31.1
9A. Quality Casing	4.0	19. Available	45.3
9B. Available	4.4		
9C. Available	5.2		



YOU'VE BEEN CALLED UP.

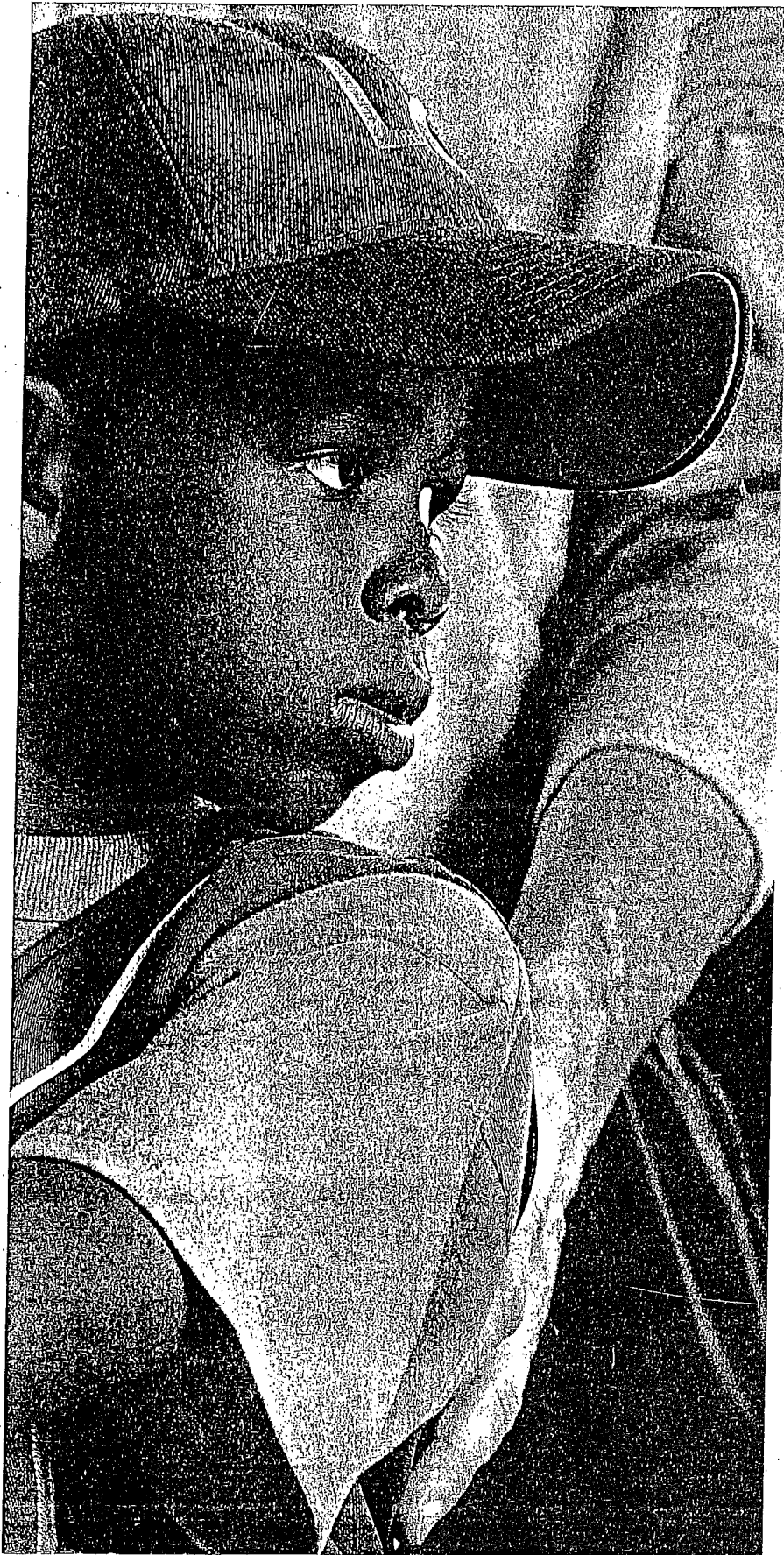
Play with the pros.

BASEBALL
Champions
ACADEMY



TEAM WITH A WINNER.

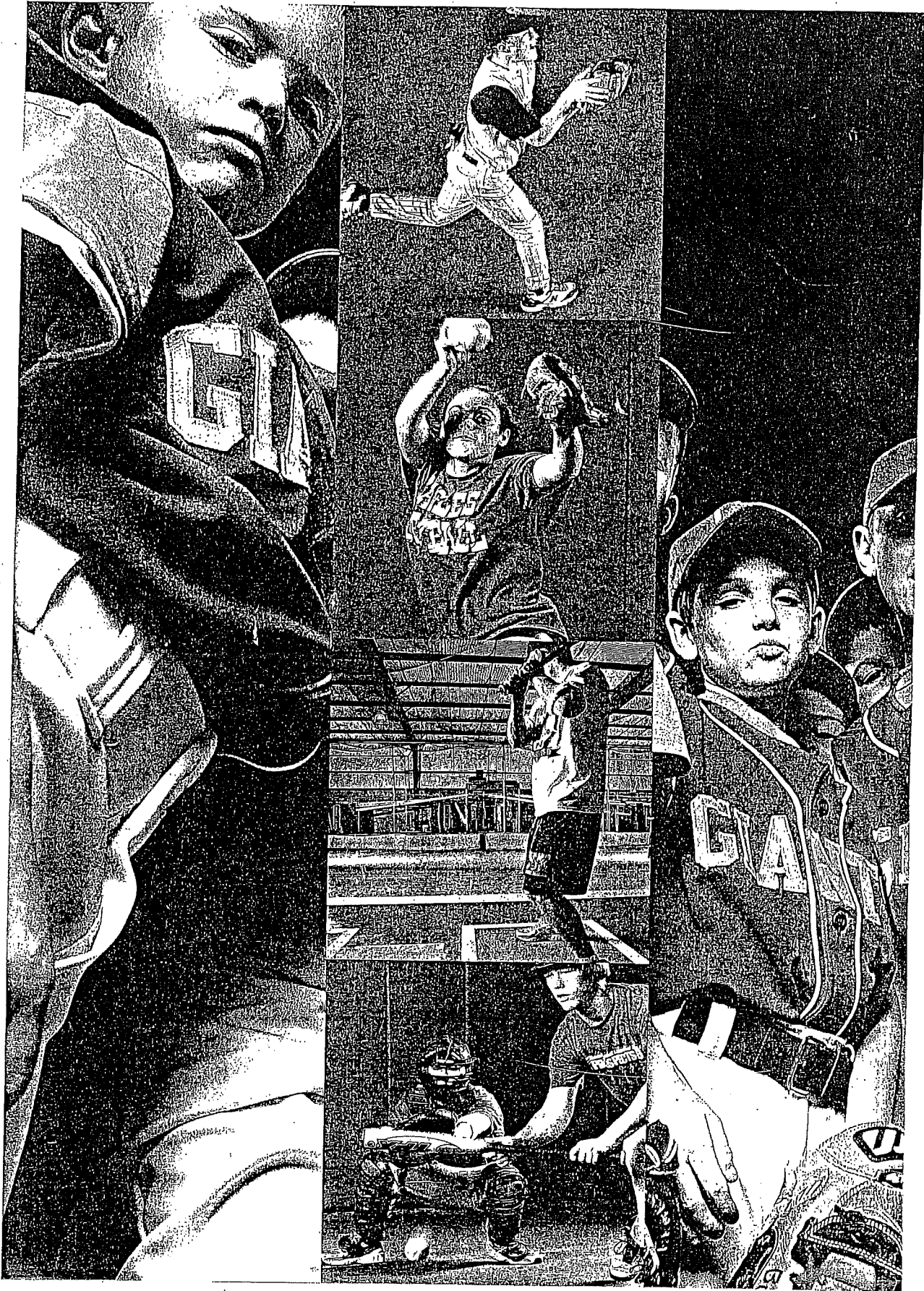
You've always loved baseball. Combine that with a desire to help young people, and an interest in good business investments, and you've got Champions Baseball Academy. Imagine yourself as a partner of a company that teams with professional coaches and players to offer the most advanced baseball training available. A dream come true? Actually, it's a formula for success. In a baseball hotbed like your city, you can't go wrong with Champions.



WHERE CHAMPIONS ARE MADE.

Champions is far more than a place for kids to play in bad weather, or during the off-season. At Champions Baseball Academy, kids learn from the best. Under the tutelage of pros, ex-pros and ex-college stars, kids get expert training on how to improve their game. And, yes, parents are very willing to support this kind of training.

Currently, there are Champions locations operating in Louisville, Kentucky and Cincinnati, Ohio, with new locations opening soon in New Albany, Indiana and Orlando, Florida. The Louisville facility opened in 1994 and was an instant hit. Kids were excited by the indoor major league-size infield; parents were intrigued by the clinics/camps designed by professional coaches and players. The Louisville facility became a template for the Cincinnati location which opened in 2002. Now, the two facilities are up and running and offering invaluable training to young players.

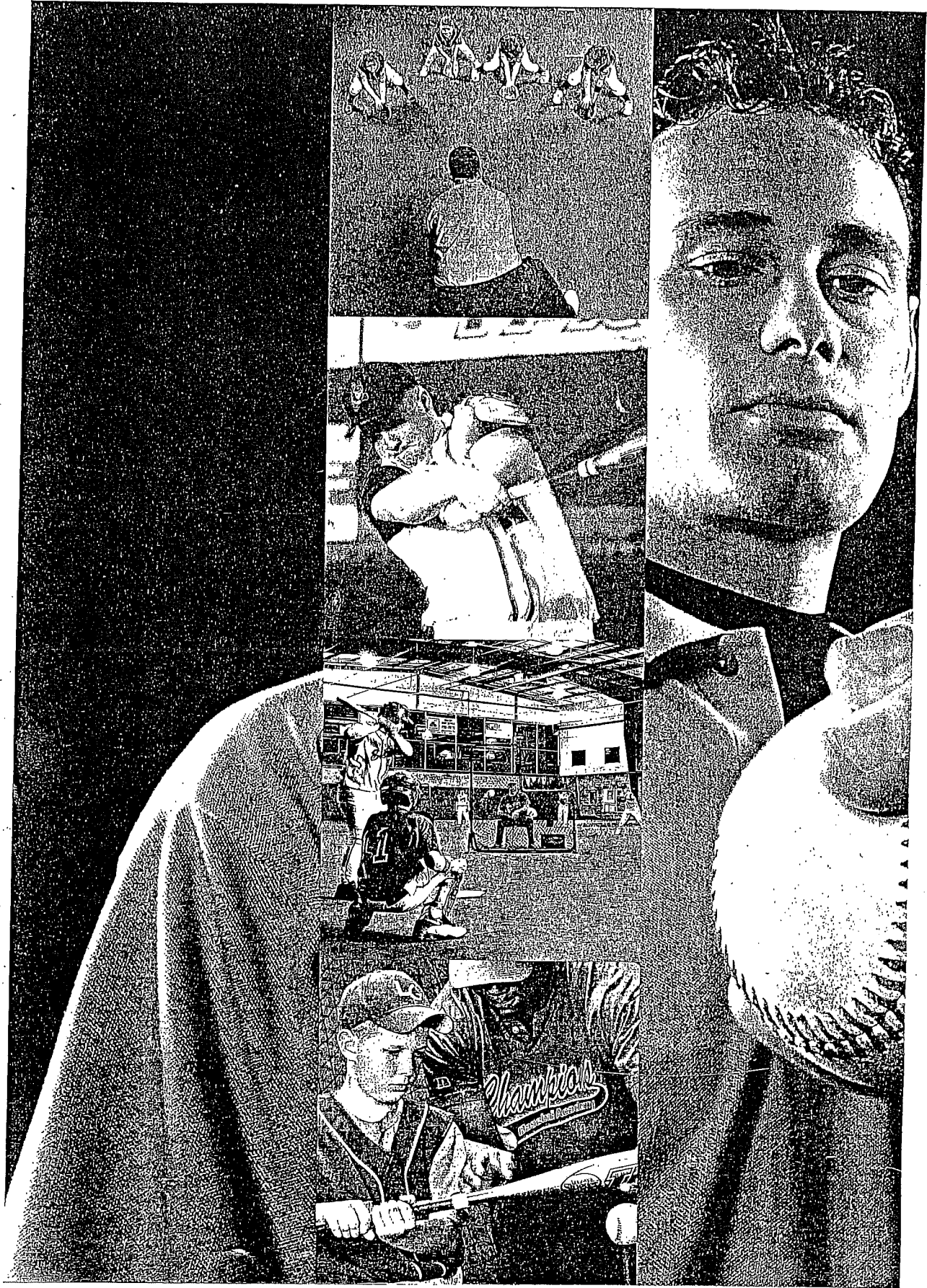


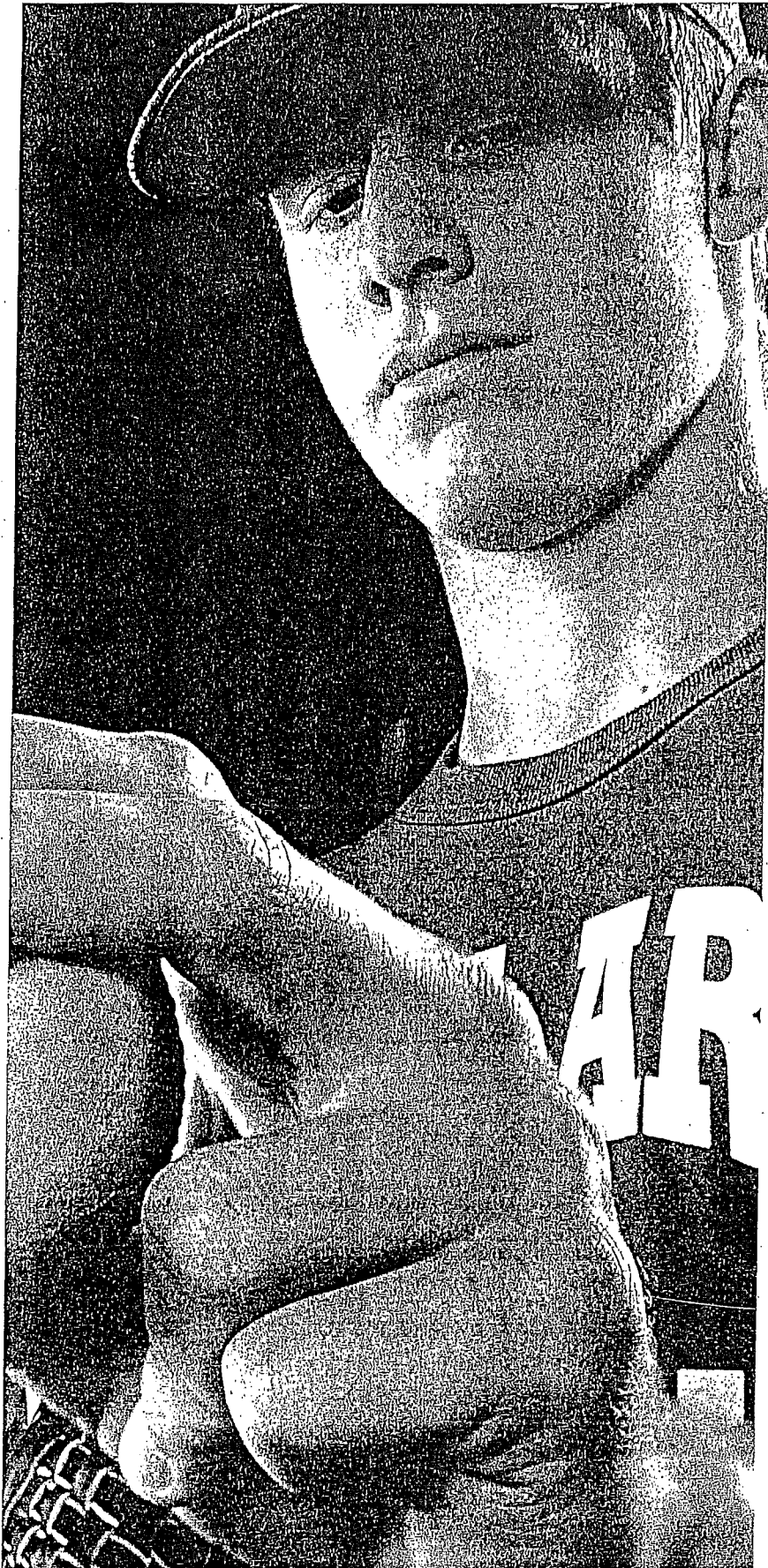


THE PROOF OF CHAMPIONS.

Champions is easily exportable — the Cincinnati location proves that. And, of course, the economies of using the Champions template to create this kind of facility are significant. The Cincinnati Academy is practically a carbon copy of the Louisville Academy — built by the same contractors with the same building plans. The business and marketing plans; coaching and training plans are identical, as well.

Champions has done it in four cities, we can do it in yours. With our connection to the pros, Champions can help you find and recruit investors — professional coaches and players in your area with an interest in coaching young people. Just say the word and our Management and Development Company will bring the Champions turnkey concept to your home town.



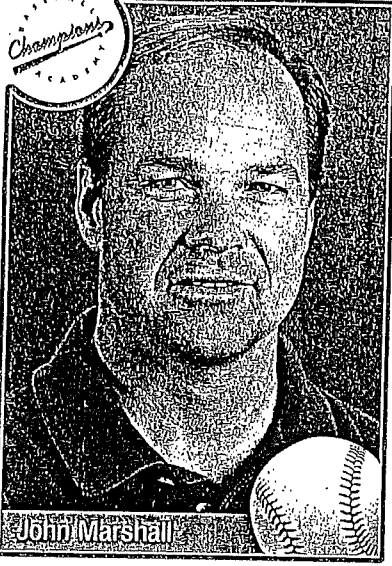


THE PROMISE OF CHAMPIONS.

Services Offered:

- Site location
- Design and project management
- Provide operating manual
- Manage and train operational and instructional staff
- Develop and enact a marketing program
- Manage and provide accounts payable and financial information (Financial services include a business plan and forecasting)
- Oversee day-to-day business operations
- Maintain facility
- Order supplies and equipment
- Market and oversee various baseball programs
- Private, group and team lessons
- Baseball and softball camps and clinics
- Programs for inner city and disadvantaged youth
- Fall instructional leagues
- Youth and high school tournaments
- National trips
- Showcases
- College placement services

Champions
LEADERS



John Marshall

Champions
LEADERS



Barry Larkin

Champions
LEADERS



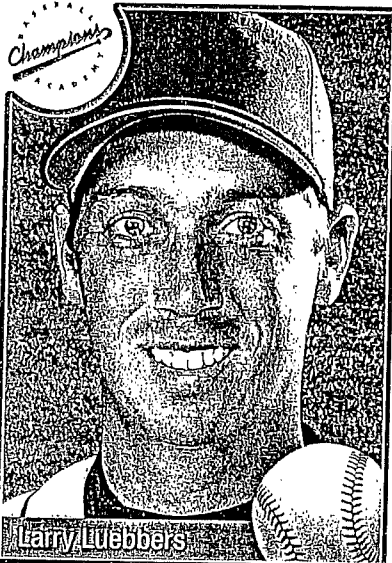
Chris Welsh

Champions
LEADERS



David Bell

Champions
LEADERS



Larry Lubbers

Champions
LEADERS



Chuck Hildebrand

Champions
LEADERS



Ron Hinnert

Champions
LEADERS



Dean Holland

Champions
LEADERS



Dr. Tim Kremchek



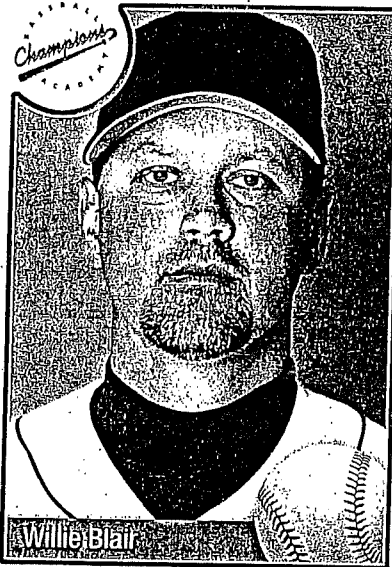
Dr. Jim Marshall



Gary Ulmer



Buddy Bell



Willie Blair



David Nickles



Mike Bricker

INVEST WITH CHAMPIONS.

Champions Management Group includes: Cincinnati Reds shortstop Barry Larkin; former professional player and manager, Buddy Bell; Philadelphia Phillies third baseman David Bell; former professional player, Willie Blair; former professional player Larry Luebbers; former professional player and current TV analyst, Chris Welsh; Louisville Bats President, Gary Ulmer; Florence Freedom owner Chuck Hildebrand; and the Rec team doctor, Tim Kremchek.

Champions baseball Academy was founded by John Marshall (a former professional player), his father, Dr. Jim Marshall and Ron Hinner (currently Kentucky State Director of AAU Baseball, with 30 years experience in sales and marketing for Fortune 500 companies).

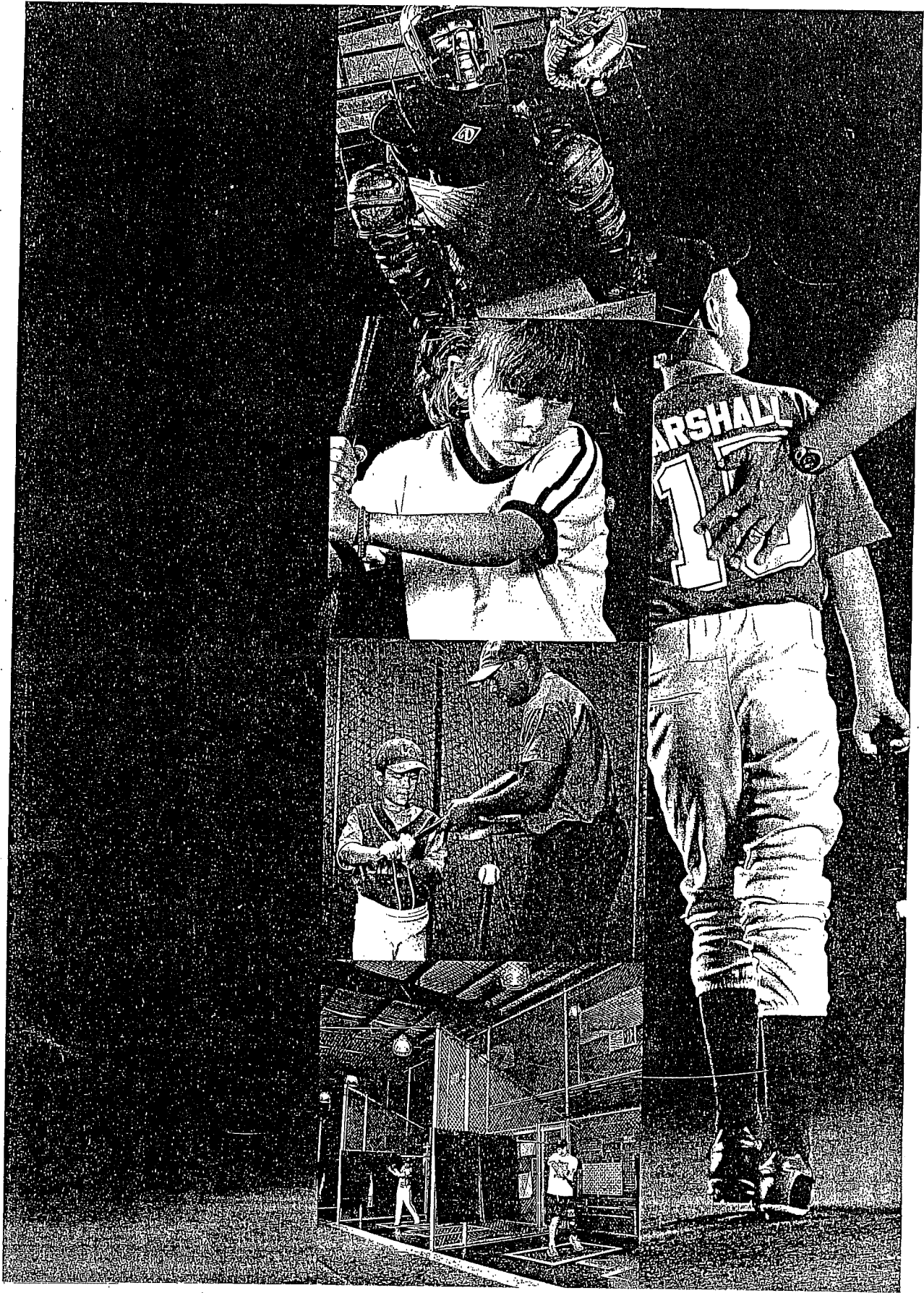
A successful Champions franchise requires just two things — a community that supports baseball and investors who want to help develop that community's young talent. We invite you to join the team and live the dream. To find out more, call John Marshall or Ron Hinner at (502) 261-9200.

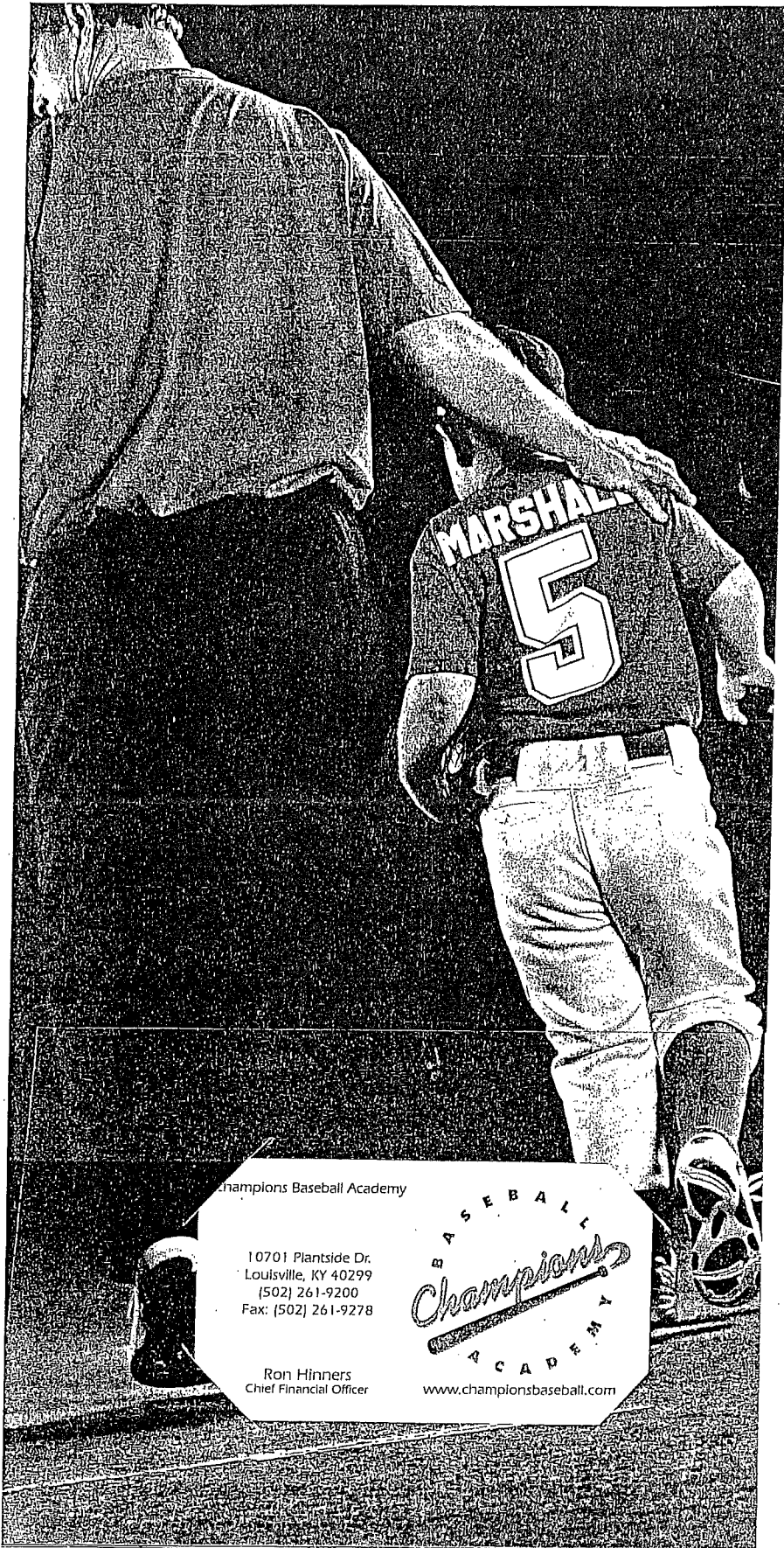
Partners Not Pictured:

Beacon Orthopaedics
 Mike Bell
 Rick Bell
 Joe Bick
 Dr. Robert Burger
 Kenny Jackson
 Bill Lyon
 Lee Stinson
 Mike Stinson

Staff

Susan Pass, Travel Director





Champions Baseball Academy

10701 Plantside Dr.
Louisville, KY 40299
(502) 261-9200
Fax: (502) 261-9278

Ron Hinners
Chief Financial Officer



www.championsbaseball.com





CHAMPIONS BASEBALL ACADEMY FACT SHEET

- Champions Baseball Academy officially opened in December, 1994
- Champions was founded by John Marshall and Dr. Jim Marshall
- Original (first) location was a 12,000 square foot indoor training center with 9 batting cages; of the 9 batting cages eight had batting machines (token operated) for players to hit in the batting cages when they were not used for lessons/camps
- In October of 1999, Champions opened a new 40,000 square foot indoor training center; the new training center includes 8 automated indoor batting cages, instructional area, an indoor Astroturf playing field (high school baseball regulation infield) that can be used for camps, lessons, indoor leagues, league tryouts, team workouts, etc.; the training center also includes a sports acceleration program, sporting goods shop, and sports card & memorabilia store; the lease on the original location ran out in December of 2000 and Champions elected not to renew it.
- The Louisville Bats ownership group invested in Champions and became partners in January 2000.
- Ron Hinnners became a partner in November of 2001
- Champions buys out the Louisville Bats shares in 2002. A marketing agreement still exists.
- Champions Management and Development Company was created in Sept 2002. Its purpose is to open up other training centers in the country as well as act as a consultant
- December 13, 2002, Champions opens up their second location in Cincinnati, Ohio
- Champions has developed a strong brand name in Louisville in the surrounding area through our state of the art training center and the instructional programs offered.

- Opened 12,500 square foot training center in New Albany, IN in February 2004; current local investors from S. Indiana include Bob Ritz (Partner – Pro Lift), Doug Julius (Owner – Walnut Ridge), Jim Schmidt (Owner – Champions Trucking Co.) and Jim Niehaus
- Broke ground on a 91,000 square foot multi-sport training complex in Orlando, FL in February 2004; partners include Cincinnati Reds players Barry Larkin and Adam Dunn



Champions Management and Development Company, LLC *Ownership Profile*

Managing Partners:

John Marshall

- CEO & President of Champions Management & Development Company, LLC
- President and co-founder of Champions Baseball Academy, Inc (Louisville)
- President of Champions Baseball Academy of Cincinnati, LLC
- Former Asst. Coach at the University of Louisville (1991-92)
- Former professional player (Philadelphia Phillies 1988-89; Texas Rangers 1989)
- B.A. / Marketing – University of Kentucky (1988)
- Former infielder at University of Kentucky (1985-88); Co-Captain (1988)

Ron Hanners

- CFO of Champions Management & Development Company, LLC
- Vice-President of Champions Baseball Academy, Inc. (Louisville)
- Vice-President of Champions Baseball Academy of Cincinnati, LLC
- State Director of AAU Baseball (Kentucky)
- Founded Competitive Baseball League in Louisville in 1995
- Partner / Investor in Champions Baseball Academy, Inc. since 2000
- 30 years experience at Fortune 500 companies (3M, ADP, First Data Corporation)
- Responsibilities included sales & marketing and overseeing multi-million dollar budget
- Graduated from Florida Atlantic University; played baseball while attending FAU

Current Investors:

Willie Blair – Former Major League Pitcher / 11 seasons with 8 teams (1990 – 2001)
Gary Ulmer – President of Louisville Bats / AAA affiliate of the Cincinnati Reds
Chuck Hildebrant – President of Hildebrant Group / Leasing Company of Cell Towers
Dean Holland – President of ADS NetCurve / Software Development Company
Kenny Jackson – Former Player at University of Kentucky; Attorney & Entrepreneur
Larry Luebbers – Former Professional Player (13 seasons); Farmer's Bank & Trust
Bill Lyon – Owner of All Write Ribbon Co. in Cincinnati, OH
Tony McGee – Current NFL Tight End (Bengals, Cowboys, Giants)
David Nicklies – President of C.B. Richard Ellis – Nicklies / Commercial Real Estate Co.
Lee Stinson – Franchisee of Papa John's Pizza Company; Entrepreneur
Mike Stinson - Partner in Ott Communications and Game Seven Sports Marketing

Advisory Staff Partners:

Champions Baseball Academy of Cincinnati, LLC

Includes Barry Larkin, Buddy Bell, David Bell, Mike Bell, Ricky Bell, Chris Welsh, Dr. Timothy Kremchek, Dr. Robert Burger, Joe Bick, Chuck Hildebrant, Ron Hanners, John Marshall, Dr. Jim Marshall and Beacon Orthopaedics & Sports Medicine.



CHAMPIONS LOCATIONS AND INVESTORS

Champions Baseball Academy of Cincinnati LLC

Barry Larkin – Cincinnati Reds Shortstop
Buddy Bell – Employed by the Cleveland Indians
David Bell – Major League Ball Player
Mike Bell – Minor League Ball Player
Ricky Bell – Minor League Ball Player
Chris Welsh – Reds TV Announcer
Dr. Tim Kremchek – Reds Physician
Dr. Robert Burger – Xavier University Physician
Joe Bick – Sports Agent
John Marshall – Champions – C.E.O.
Ron Hinnens – Champions – C.F.O.
Beacon Orthopedics and Sports Medicine
Chuck Hildebrant – President of Hildebrant Group LLC

Champions Baseball Academy of Louisville, Inc.

John Marshall – President and Founder
Ron Hinnens – Vice President
Dr. Jim Marshall – Retired Physician

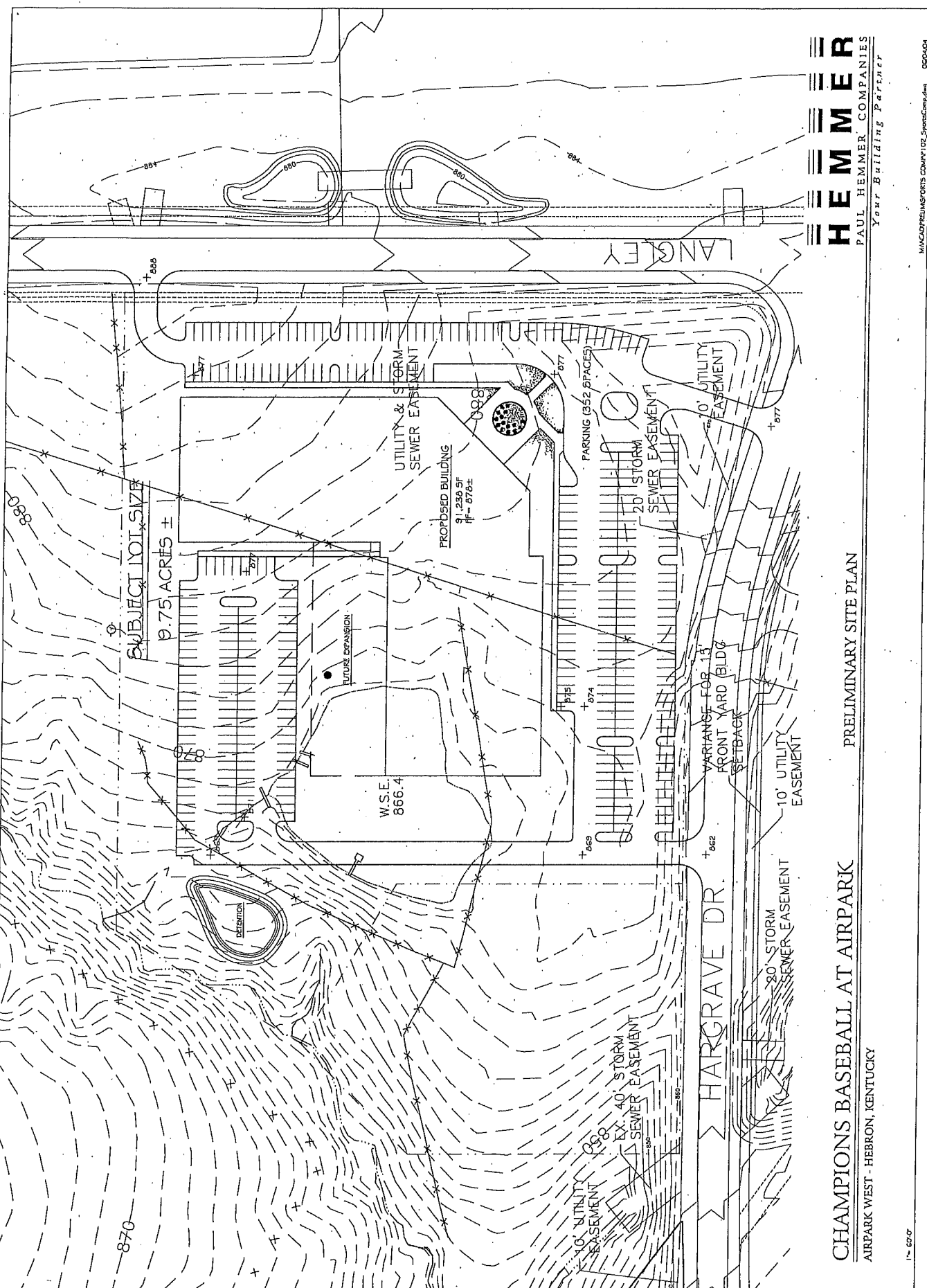
Champions Sports Complex of Orlando LLC

Champions Management and Development Co.
Chuck Hildebrant – President of Hildebrant Group LLC
Terry Abbott – Reds Pro Scout
Barry Larkin – Major League Baseball Player
Adam Dunn – Major League Baseball Player



CHAMPIONS BASEBALL ACADEMY OF S. INDIANA LLC

Champions Management and Development LLC
John Marshall – Managing Partner of Champions
Ron Hinners – Managing Partner of Champions
Bob Ritz – Owner of Pro Lift Equipment
Jim Schmidt – Owner of Champions Trucking Co.
Jim Niehaus – Director of Baseball - Champions



SUBJECT LOT SIZE
9.75 ACRES ±

PROPOSED BUILDING
91,250 SF
11' x 27'6"

W.S.E.
866.4

FUTURE EXPANSION

UTILITY & STORM
SEWER EASEMENT

PARKING (352 SPACES)

20' STORM
SEWER EASEMENT

VARIANCE FOR 13'
FRONT YARD (BLDG
SETBACK

20' STORM
SEWER EASEMENT

10' UTILITY
EASEMENT

HARGRAVE DR.

LANGLEY

CHAMPIONS BASEBALL AT AIRPARK

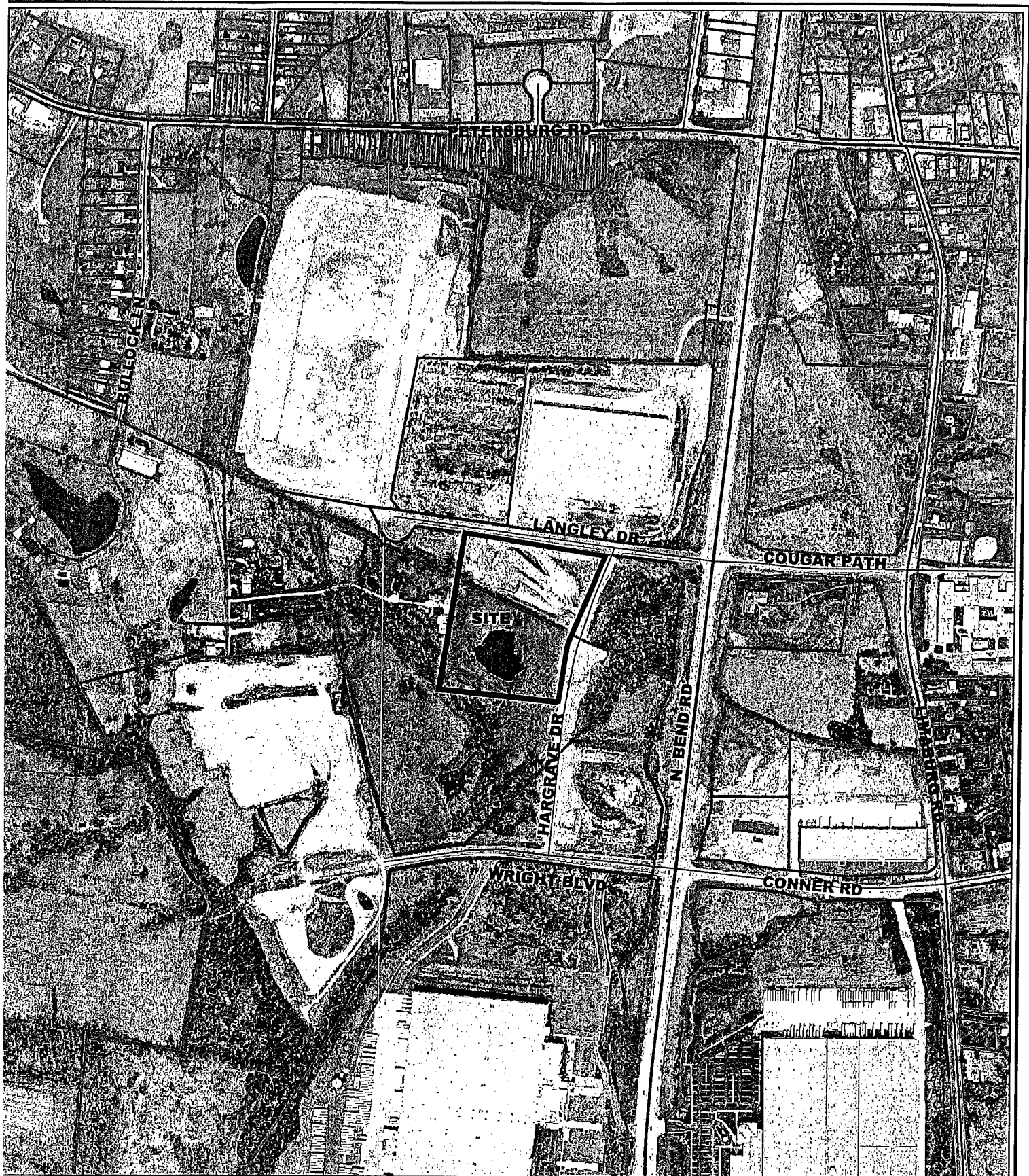
AIRPARK WEST - HEBRON, KENTUCKY

PRELIMINARY SITE PLAN

HEMMER
PAUL HEMMER COMPANIES
Your Building Partner

1" = 50' 0"

M:\CAD\PRELIM\STORIS\CD\APP\102_Sites\CD\app.dwg 08/04/04



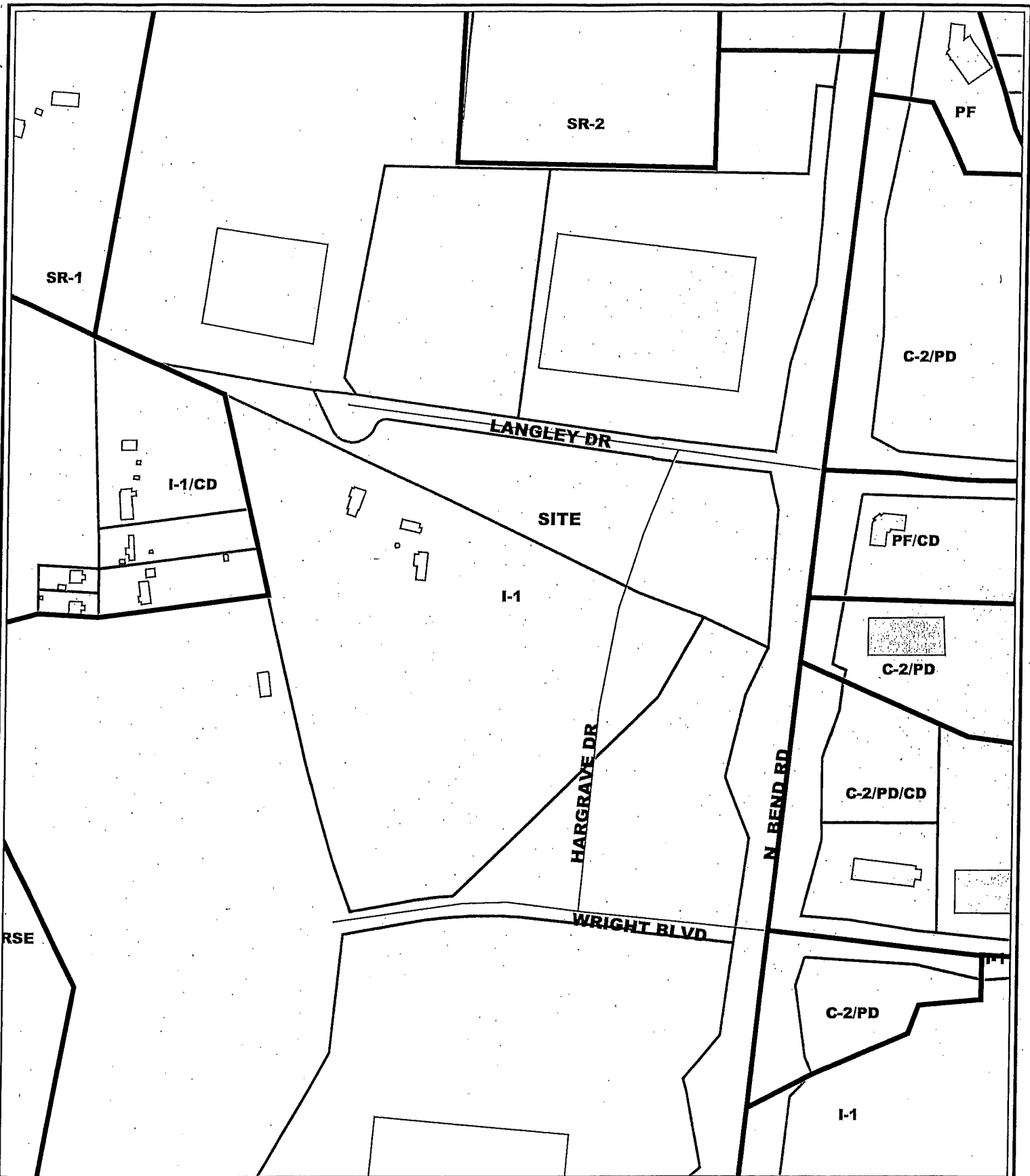
Future Lot 5, Airpark West Aerial Map

600 0 600 Feet

1 inch equals 600 feet

Produced by the
Boone County Planning Commission
GIS Services Division
June 29, 2004





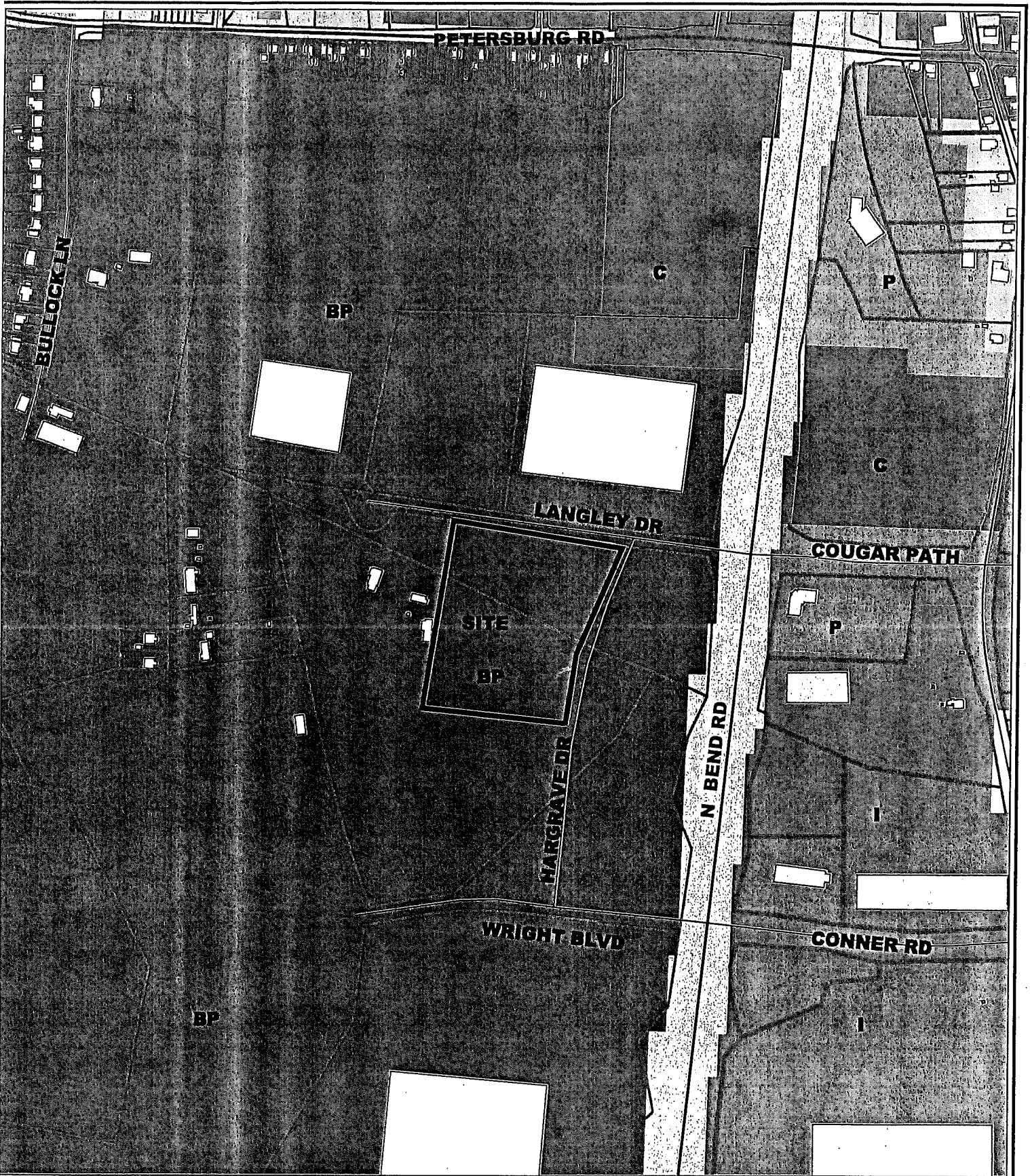
Airpark West, LLC

Zoning Map

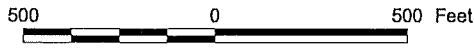
400 0 400 Feet

1 inch equals 400 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 July 2, 2004



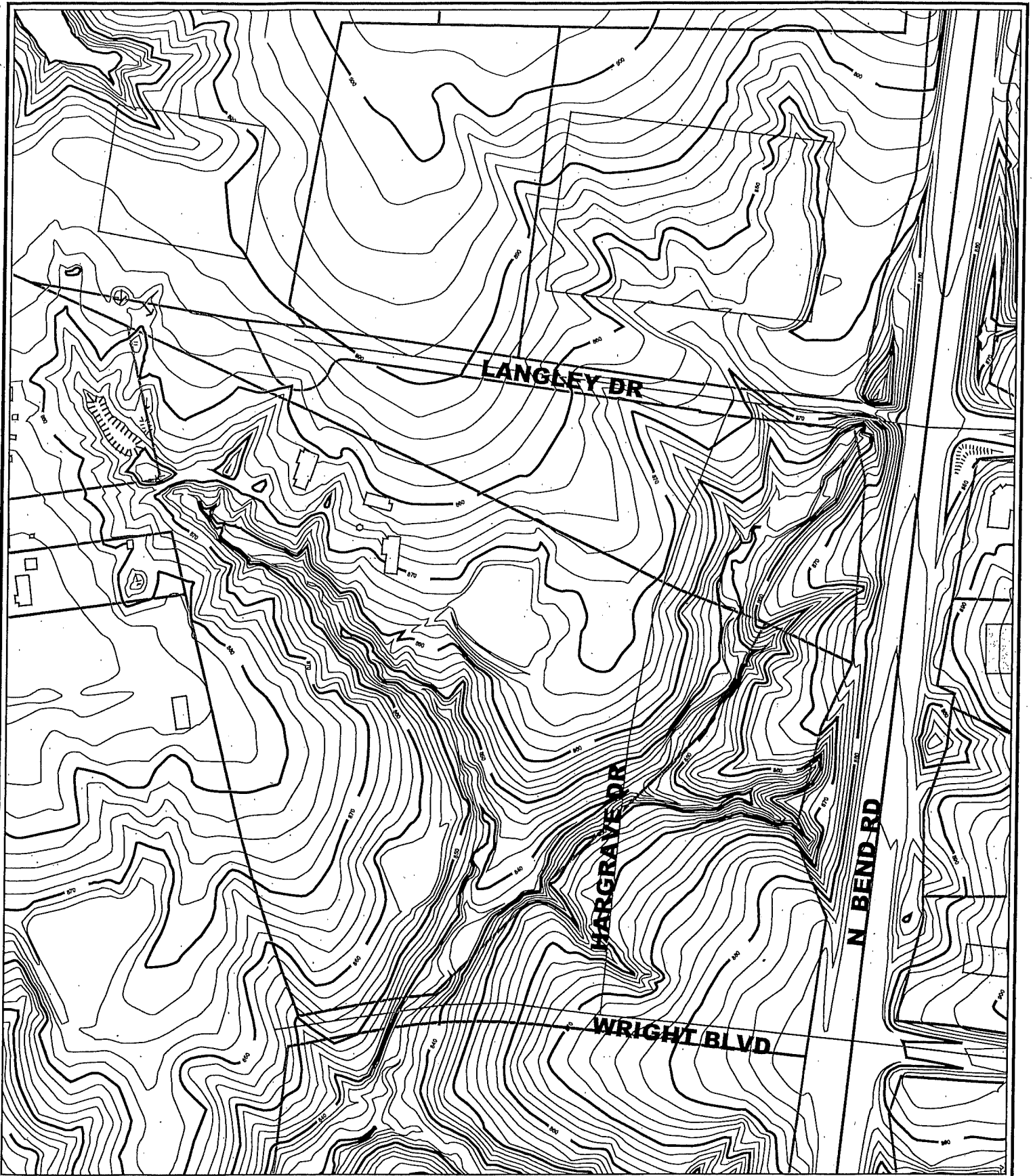


**Future Lot 5,
Airpark West
Future Land Use Map**



1 inch equals 500 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 June 29, 2004





Airpark West, LLC Topographical Map

300 0 300 Feet

1 inch equals 300 feet
Produced by the
Boone County Planning Commission
GIS Services Division
July 2, 2004



COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Phil Damstrom, Chairman

DATE: August 19, 1998

RE: Request of Wm. M. Hargis/Paul Hemmer Development Co. III (applicant) for Paul Hemmer Development Co. III, Elmer L. Jacobs and Helen C. Jacobs, Mary L. Crigler et al, Catton L. Dolwick and Diana Dolwick, Kenton County Airport Board, George Bullock and Patsy Bullock, and Jasper Baker and Hazel Baker (owners) to consider a Zoning Map Amendment from Rural Suburban Estates (RSE), Suburban Residential One (SR-1), Suburban Residential Two (SR-2), Commercial Two/Planned Development (C-2/PD), and Industrial One/Planned Development (I-1/PD) to Industrial One (I-1) for an approximate 210 acre tract located near the southwest corner of KY 237 and KY 20, and along the west side of KY 237, Boone County, Kentucky. The request is for a zone change to allow office, manufacturing, warehousing, and distribution uses.

Remarks:

We, the Committee, recommend that the request of Mike Hargis on behalf of Paul Hemmer Development Company for a Zoning Map Amendment from Rural Suburban Estates (RSE), Suburban Residential One (SR-1), Suburban Residential Two (SR-2), Commercial Two/Planned Development (C-2/PD), and Industrial One/Planned Development (I-1/PD) to Industrial One (I-1) be approved by the Boone County Planning Commission. The Committee's recommendation to approve this request is based upon the following findings of fact and with the following conditions:

Findings of Fact:

The Committee has determined that the applicant has adequately demonstrated that the proposed Industrial One (I-1) zoning classification is the most appropriate zoning classification for the 210 acre site. The applicant has also demonstrated that the proposed use of the property for industrial development is the most appropriate use of the site. The applicant has demonstrated that the proposed uses within the Industrial One (I-1) zoning classification, along with a concept development plan, produce a cohesive and coordinated development of several separately owned properties, which would otherwise be difficult to develop individually.

The Committee's decision is also based on the 1995 Boone County Comprehensive Plan, the Comprehensive Plan's Future Land Use Map, the existing site conditions, the site's proximity with KY 20 and KY 237, and the site's proximity with the Greater Cincinnati International Airport, in particular, with that of the east/west runway.

The Committee has concluded that the following conditions shall apply in order to ensure that the applicant's request satisfies the goals, objectives, and the intent of the Boone County Comprehensive Plan.

The applicant has signed a letter of agreement with these conditions and understands that the revised concept development plan, submitted to the Committee along with these conditions, serves as the basis for this recommendation.

Conditions

1. The site's main entrance will be located at the KY 237-Conner Road intersection as indicated on the revised concept development plan. This entrance shall contain a main roadway through the development that will eventually connect with the adjoining property to the west. This will ensure that the property west of the proposed development has access to KY 237 and not onto KY 20 as is specified within the Boone County Comprehensive Plan.
2. The southernmost proposed entrance along KY 237 will be eliminated.
3. The entrance located across KY 237 from the Levi Strauss building will remain. This entrance shall contain a road connection with the main entrance road.
4. The entrance located across KY 237 from Cougar Path will remain and shall also connect with the main entrance road. This connection will occur during the initial phase of construction of either the Jacobs property or the Escue property, whichever develops first. This connection will complete an internal roadway system for the entire development.
5. Access will be provided between the site and the property at the southwest corner of KY 20 and KY 237. This connection will occur during the initial phase of construction of either of the two sites that are adjacent with the access road.
6. The northernmost access along KY 237 shall provide an access easement for the adjacent property at the southwest corner of KY 20 and KY 237. This access will eliminate the need for any additional curb cuts onto KY 237, when the corner lot develops.
7. A landscaping master plan that includes extensive landscaping and earth berms along KY 237 and the entrance road shall be provided. This landscaping plan shall be submitted as part of the improvement plan review.

8. Each development, including all buildings, will be subject to a design review process that is similar to the design review process required for all buildings within the Houston-Donaldson Study area. Buildings shall be oriented so that loading docks are not directly facing KY 237 or any other internal road connections. Office fronts shall be oriented toward rights of way, particularly toward KY 237 and the entrance road.

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.

<i>Phil Damstrom</i>			
Phil Damstrom, Chairman			
For	<input checked="" type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

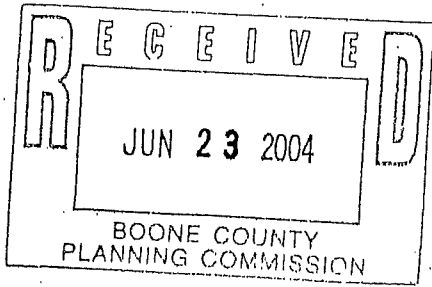
<i>Arnold Caddell</i>			
Arnold Caddell			
For	<input checked="" type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

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

<i>Earl R. White</i>			
Earl White			
For	<input checked="" type="checkbox"/>	Against	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	Absent	<input type="checkbox"/>

TOTAL:	<u>4</u>	FOR	<u>—</u>	AGAINST	<u>—</u>	ABSTAIN	<u>—</u>	ABSENT
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APPLICATION FORM



BOARD OF ADJUSTMENT AND ZONING APPEALS ACTION BOONE COUNTY PLANNING COMMISSION

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

- 1. (Check One) Boone [X] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [X] Variance _____ Appeal _____
Change in Non-Conforming Use _____
3. Applicant's Name AIRPARK WEST, LLC (PAUL HEMMER CONSTRUCTION COMPANY)
Phone Number 859-341-8300 Fax No. 859-341-6817
Applicant's Address 250 GRANDVIEW DRIVE
FORT MITCHELL KY 41017
City State Zip
4. Description of Request: CONDITIONAL USE PERMIT TO ALLOW FOR RECREATIONAL USES
5. Name of Development AIRPARK WEST
6. Location of Development LANGLEY DRIVE & HARGRAVE
BOONE COUNTY, KENTUCKY
7. Acreage Under Review 9.75
8. Lot Number and Name of Subdivision (if part of a subdivision)
BEING FUTURE LOT 5 OF AIRPARK WEST LOCATED AT THE SOUTHWEST CORNER*
9. Owner of Property AIRPARK WEST, LLC & ELMER C. JACOBS
Phone Number of Owner 859-341-8300 859-586-7343
10. Address of Property Owner 250 GRANDVIEW DRIVE 3232 BULLOCK LANE
FT. MITCHELL, KY 41017 HEBRON, KY 41048
City State Zip
11. Proposed Use(s) on Site RECREATIONAL
12. Total Square Footage of Existing and/or Proposed Buildings 115,000
13. Current Zoning on Property I-1
14. Deed Book JACOBS 559 AIRPARK LLC 772 Page No. 317 668 Group No. 2007
15. Is the site subject to a zone change? YES
If yes, give date of approval ZONING CHANGE IN 1998
16. Have you submitted a Site Plan with this request? YES
17. Have you submitted a list of adjoining property owners with this request? YES
18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: [Signature]

Property Owner's Signature: [Signatures: Gary S. King - Treasurer, Elmer C. Jacobs, Helen C. Jacobs]
* OF THE INTERSECTION OF LANGLEY DRIVE AND HARGRAVE DRIVE

COPY

CLUR #04-BCBOA-024-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Airpark West, LLC
250 Grandview Drive
Ft. Mitchell, KY 41017
Deed Book 772 Page 668

Elmer C. Jacobs
3232 Bullock Lane
Hebron, KY 41048
Deed Book 559 Page 317

2. ADDRESS OF PROPERTY
Langley Drive and Hargrave Drive
Hebron, KY 41048

3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Airpark West

4. GROUP NO. 2007

5. TYPE OF RESTRICTION(S) (Check all that apply)

Zoning Map Amendment:
From To

Conditional Use Permit

Development Plan

Conditional Zoning

Subdivision Plat
(Not Recorded)

Other:

Variance

6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2995 WASHINGTON STREET
BURLINGTON, KENTUCKY 41005

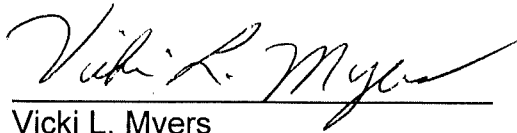
Todd K. Morgan
SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Planner, Zoning Services
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

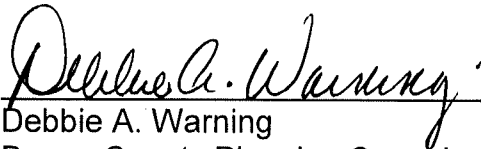
Subscribed, sworn to, and acknowledged before me by Todd K. Morgan on behalf of the
Boone County Planning Commission this 22 day of July, 2004.



Vicki L. Myers
NOTARY PUBLIC, State at Large

My commission Expires:
April 17, 2007

This instrument was prepared for recording purposes only by:



Debbie A. Warning
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the Conditional Use Permit approved by the Boone County Board of Adjustments and in accordance with the current zoning in effect as of July 14, 2004 Certificate of Land Use Restriction (#04-BCBOA-024-A), for Airpark West, LLC and Elmer C. Jacobs, Property Owner(s).

The following conditions will apply:

- 1) A Major Site Plan Application must be submitted to the Boone County Planning Commission.

The approved Conditional Use Permit as well as the preceding conditions apply to the property described in:

DEED BOOKS & PAGES 772/668 and 559/317 GROUP NO. 2007