



SECTION B

(To be completed by Boone County Planning Commission Staff)

1. Date Received 9-22-88
2. Fee Received \$273.00
3. Is application complete?  Yes  No
4. Staff Reviewer PAUL R. MILLER
5. Scheduled Board Action Date Oct. 12, 1988
6. Board Action:  
 Approval  
 Approved With Conditions (See #7)  
 Disapproved (See #8)
7. Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Reasons For Disapproval: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BCPC:7/11/88

STAFF REPORT

DEVELOPMENT: Circleport III Youthland Academy  
APPLICANT: Corporex Parks of Kentucky, Inc.  
LOCATION: Olympic Boulevard and Booneland Trail, Boone County  
ZONING: Industrial One (I-1)  
DATE: October 12, 1988  
REMARKS:

The applicant is seeking a Conditional Use Permit and Site Plan review to construct a daycare center in the Circleport III Subdivision. The 1.5 acre lot is located at the southeast corner of Olympic Boulevard and Booneland Trail, Boone County, Kentucky. The property is zoned Industrial One (I-1) and is owned by Corporex Parks of Kentucky, Inc.

Surrounding Zoning and Land Uses:

north: RS; three single-family residences  
south: I-1; undeveloped industrial lots  
east: I-1; undeveloped industrial lots  
west: RS; single-family residences

The following reviews the general criteria applicable to all Conditional Uses in the County:

1. The 1986 Boone County Comprehensive Plan Future Land Use Map shows the future use of this property to be Industrial. The Land Use Element of the Plan makes the following statements about the general area:

"This section has two great growth forces; one to the north and the other to the south while Donaldson Road serves as a stabilizer and divider of development. To the north is the Mineola Interchange. This proposed interchange with its proximity to the airport is ideal for airport-related industrial activity. Unfortunately, though, the existing residences on Mineola Road will encounter increasing pressures to relocate... New residential growth within the airport's clear zone should be discouraged. Eventually, the industrial development within the Mineola Park will merge with the development moving south from the Mineola Interchange (p. L-18)."

The Business Activity Element of the Plan states:

"To the east of the airport, the Mineola-Circleport-KY 236 area will be an area of great industrial growth in the county.

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High-tech industry and airport related services should be encouraged at the I-275 interchanges and in the runway clear zones east and north of the airport. This should include the future clear zone for the proposed new North-South runway. These areas have locational advantages for industry because of proximity to air and truck transportation (pp. B-15, 16)."

In the Staff's opinion, the proposed daycare is harmonious with and in accordance with the general objectives of the Comprehensive Plan.

2. The Board must determine whether the proposed daycare would be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area. In the Staff's opinion, the daycare would be an important part of the industrial development occurring in the Circleport Subdivision.
3. The daycare would not be hazardous to existing or future neighboring uses.
4. The daycare would be adequately served by essential public facilities.
5. The daycare would not create excessive additional requirements at public cost for public utilities and would not be detrimental to the economic welfare of the community. In fact, the daycare would likely have a positive impact on the local economy.
6. The daycare would not involve uses or conditions of operation that will be detrimental to any persons.
7. The proposed vehicular access to the site will not create an interference with traffic on surrounding public thoroughfares.

In addition, the Board must consider the specific criteria for granting Conditional Use Permits in Industrial One districts:

1. The proposed daycare is being provided primarily in support of and will obtain its trade from the employees of the district.
2. The daycare 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.
3. The arrangement of the daycare use and building is mutually compatible with the organization of permitted and accessory uses to be protected in the district.

The applicant is also seeking Site Plan Review as part of this Conditional Use Permit application. The initial review of the submitted Site Plan has been completed. Attached to this report are copies of the Site Plan and of a letter sent by the Staff to the applicant addressing the concerns and deficiencies of the submitted plan.

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Some of the options before the Board concerning this request are as follows:

1. The Board may defer this request to next month's meeting to allow the Site Plan Review to be completed.
2. The Board may decide on the Conditional Use Permit and instruct the Staff to complete the Site Plan Review independently of the Board. This review process should be completed within one week of the October Board meeting. The Board can grant approval with the condition that the Site Plan Review meets with Staff approval.
3. The Board may decide on the Conditional Use Permit and defer the decision on the Site Plan Review to next month's meeting.

Respectfully submitted,



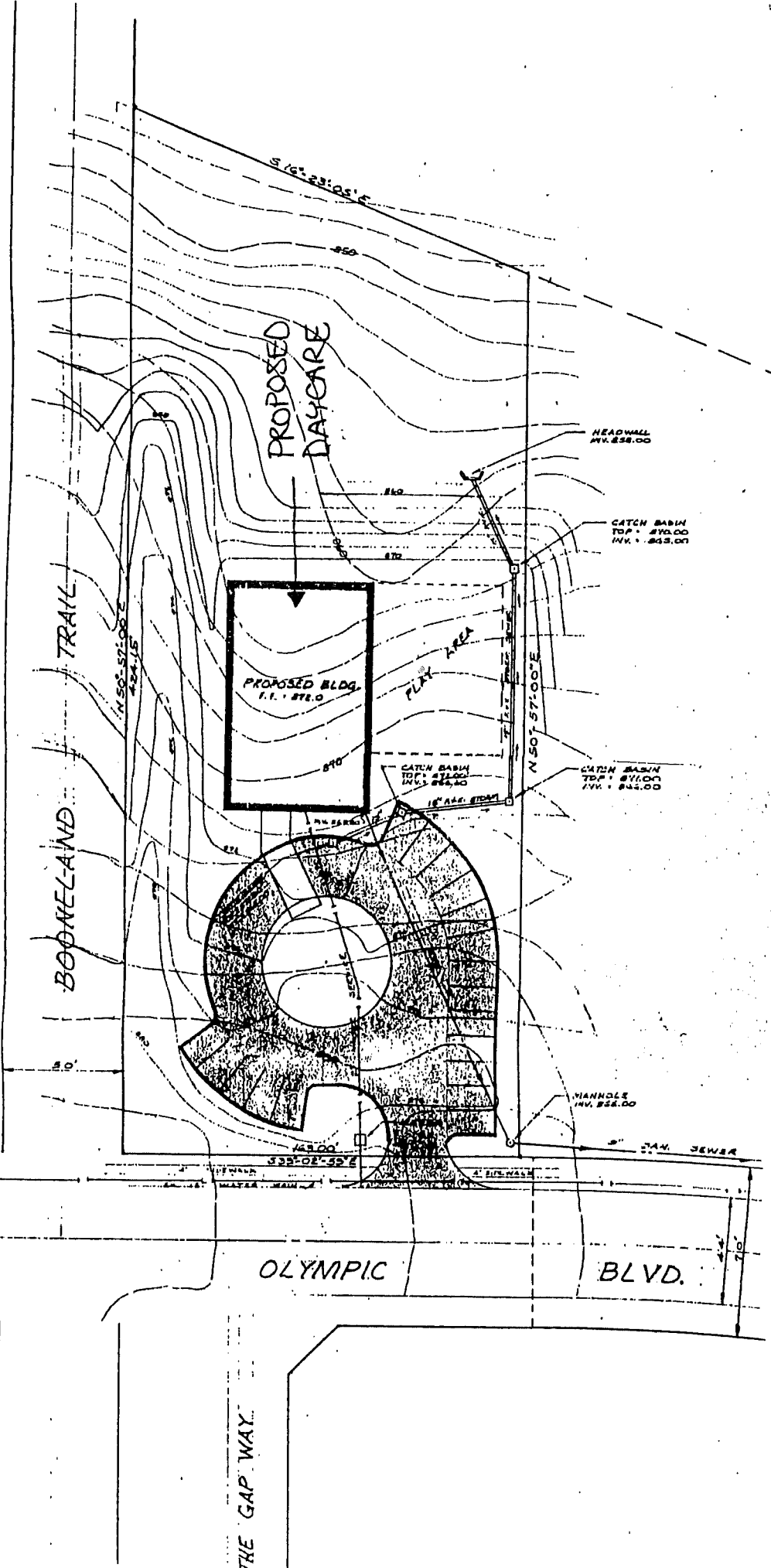
Paul R. Miller,  
Plans Examiner/Planner

PRM:kat

D4. BOARD CAN DEFER SITE PLAN REVIEW TO PLANNING COMMISSION

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CORPOREX CONDITIONAL USE PERMIT  
AND SITE PLAN REVIEW  
10-12-88



TO  
MINEOLA  
PIKE

OLYMPIC

BLVD.

THE GAP WAY

# BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY ADMINISTRATION BUILDING

P.O. BOX 697 — 2950 WASHINGTON STREET

BURLINGTON, KENTUCKY 41005

334-2196

MR. WILLIAM R. VIOX  
CHAIRMAN

MR. LARRY BARNETT  
VICE CHAIRMAN

MRS. CAROL SMITH  
SECRETARY-TREASURER

MR. GERALD A. NEWTON  
DIRECTOR

MR. D. T. WILSON  
ATTORNEY

September 28, 1988

Mr. James W. Berling, P.E.  
James W. Berling Consulting Engineers  
1132 Main Street  
Covington, KY. 41011

RE: Youthland Academy Site Plan, Lot 1,  
Circleport III Subdivision


Dear Mr. Berling:

The Boone County Planning Commission staff has completed its initial review of the Youthland Academy Site Plan. In order for me to complete my review and prepare my staff report, I will need you to address the following items.

1. Give the height and square footage of the proposed building.
2. State the number of classrooms for the facility to determine the number of parking spaces.
3. Submit storm water calculations for the site.
4. Is the dotted line around the play area a fence?
5. What erosion control features are being used during the grading and construction phases?
6. Show in detail the proposed landscaping near the building.
7. Indicate the location of handicapped parking.
8. Describe in detail the proposed or existing landscaping between the proposed building and the residences along Booneland Trail. The approved Improvement Plan showed a 25 foot wide landscaped berm with pine trees located within the 50 foot sideyard setback. Also, a 15 foot wide landscaped buffer between the parking lot and street right-of-way is required. Landscaping plans can be discussed with our staff.
9. The proposed building requires a 50 foot sideyard setback since the Industrial One (I-1) site adjoins an existing Rural Suburban (RS) zoning district. Consequently the building should be moved approximately 10 feet to the east or a variance application should be submitted to the Boone Board of Adjustment.
10. Our Transportation Planner would like to discuss with you the relocation or adjustment of the proposed access to the site.

In addition our Staff Engineer may have other items or concerns. I would appreciate it if you would address each item in a revised Site Plan. Please submit five copies of the revised Site Plan to our office by Thursday, October 6, 1988 so that we will have enough time to review the changes and prepare a staff report for the October 12, 1988 Board of Adjustment meeting.

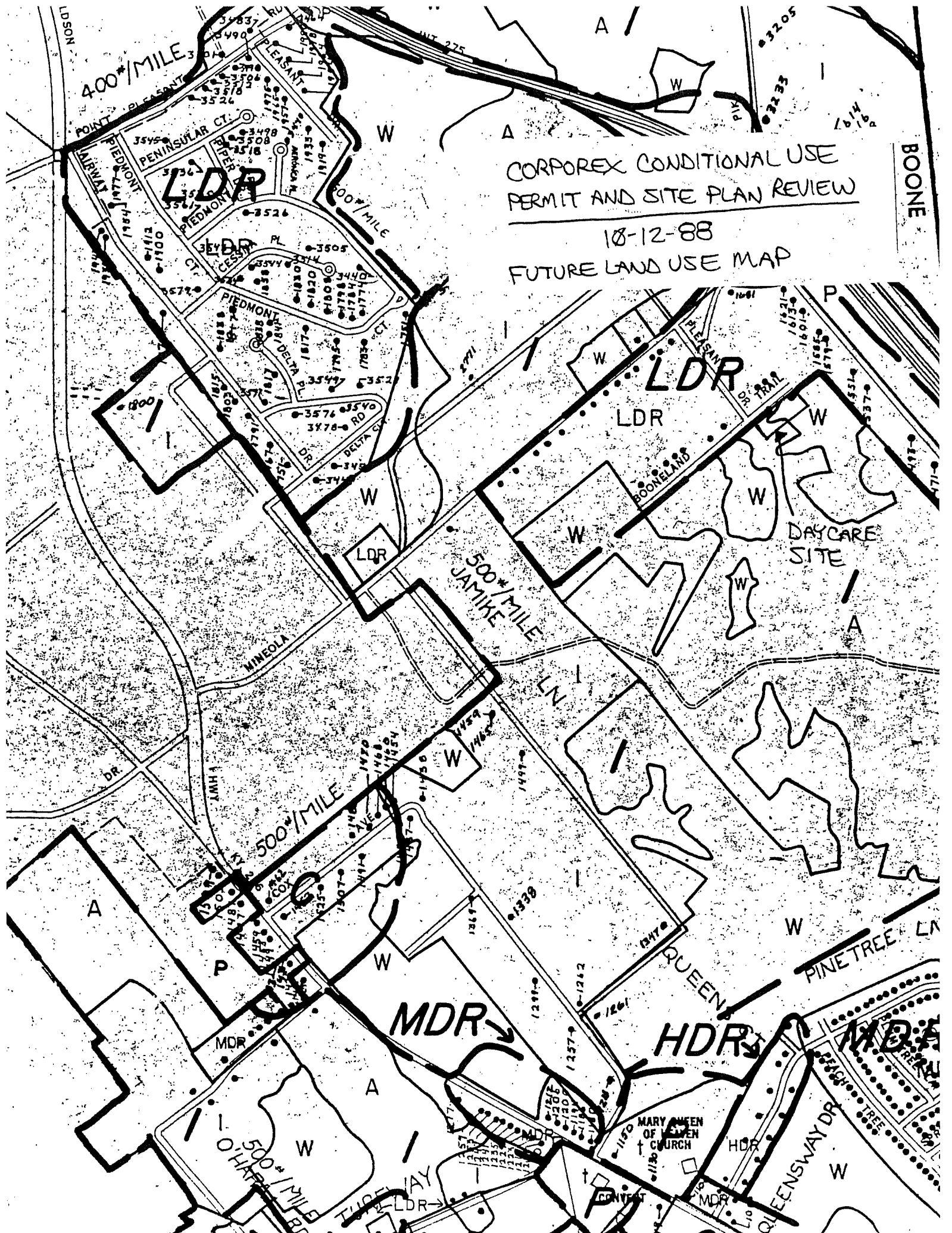
Sincerely,



Kevin P. Costello,  
Assistant Director/Senior Planner

cc: ~~Greg Sketch~~  
Paul Miller  
Thomas E. Banta

KPC:kat



CORPOREX CONDITIONAL USE  
PERMIT AND SITE PLAN REVIEW

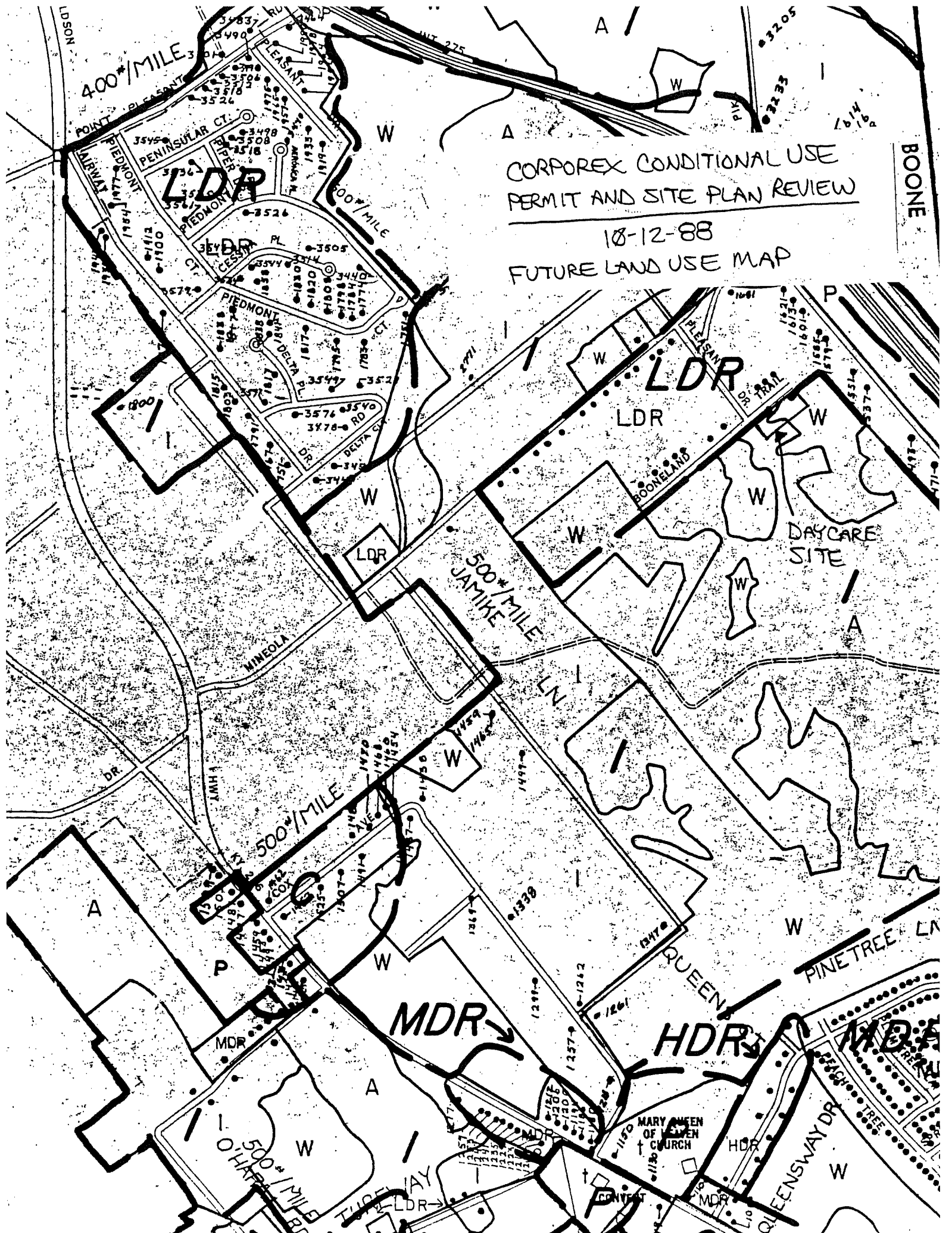
18-12-88

FUTURE LAND USE MAP

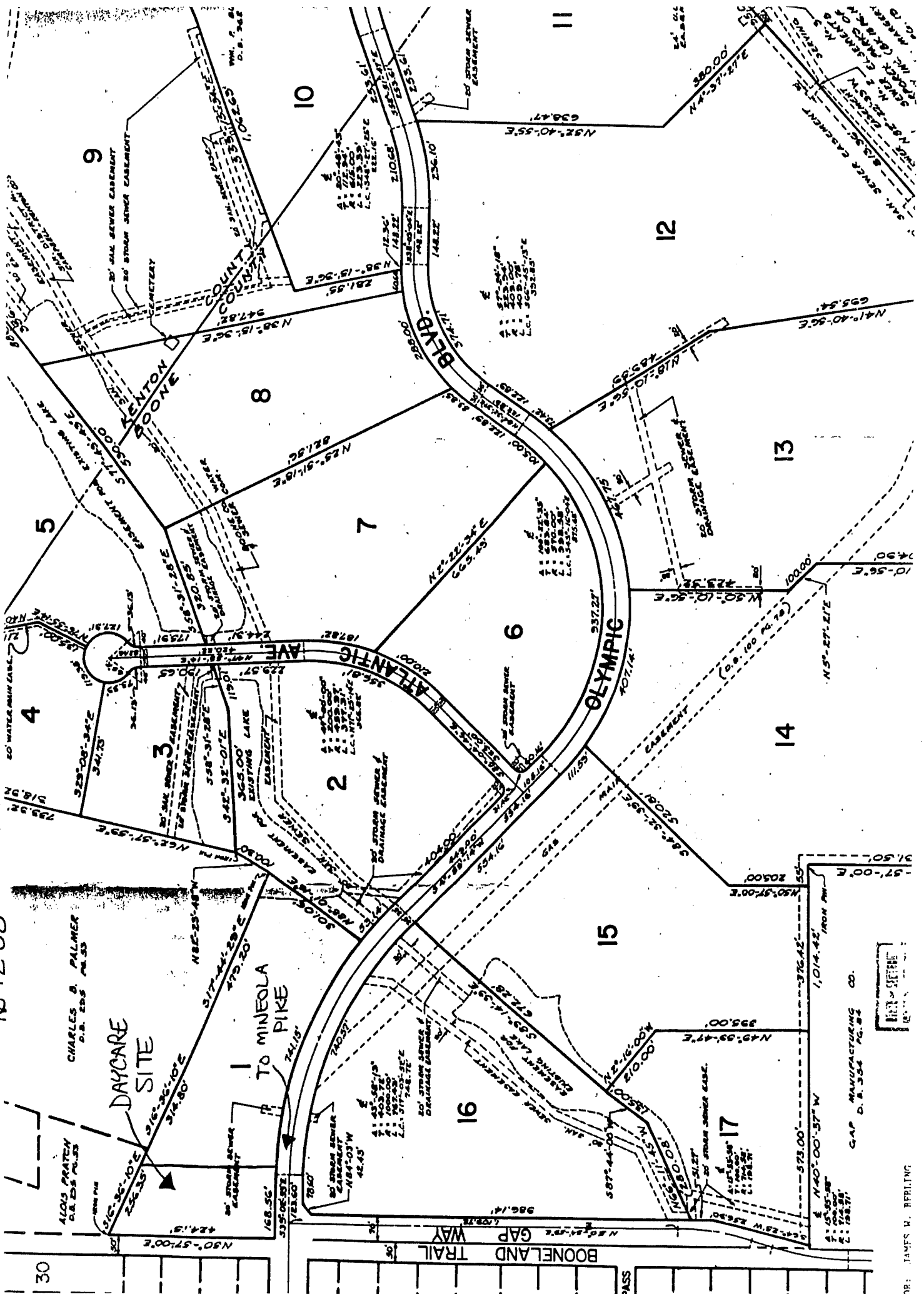
BOONE

DAYCARE  
SITE

MARY QUEEN  
OF HEAVEN  
CHURCH



10-12-88

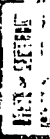


CHARLES B. PALMER  
D.B. 583 P.C. 53

DAYCARE  
SITE

TO MINOLA  
PIKE

GAP MANUFACTURING CO.  
D.B. 354 P.C. 82



DR. JAMES M. REPLING

BOONE COUNTY  
BOARD OF ADJUSTMENT

October 12, 1988 - 6:30 P.M.

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BOARD MEMBERS PRESENT:

Mr. I. A. Archambault  
Mr. Dan Houston  
Mr. George Whitton, Chairman

BOARD MEMBERS NOT PRESENT:

Mr. Fred Nevel  
Mr. Walt Ryan

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Whitton called the meeting to order at 6:35 P.M..

AGENDA ITEMS:

1. The request of Lamar Outdoor Advertising for a Conditional Use Permit to erect and maintain an off-premise advertising sign (billboard). The site for the proposed sign is at the intersection of U.S. 25 and KY 536 (Frogtown Road) on property owned by Bruening Bearings, Inc.. The property is zoned Commercial Services (C-3).

Chairman Whitton advised that this item was tabled at the last meeting due to an error in the advertising. The Chairman asked if there was anyone present who wished to speak in regard to this request.

Mrs. Adele Refett, owner of Joy Lynn's Kennel, stated that the intersection is busy now. She had at one time wanted to put a sign on this site but was told prior to coming to Planning and Zoning that she could not do so. She was told that you must own the property on which you want to put a sign and whatever is being advertised must be produced on the site. She

stated that the lot is not large enough to build on and that an out-of-state company should not be able to do something that she could not do. Mrs. Refett stated that there are currently eleven businesses on the corner and there is a lot of traffic when the flea market is open. There is a steady stream of traffic due to many employers in the area. The sign is dangerous and will cause problems for the local business people. She stated that the residents should have the first chance for signs.

In response to a question from Mr. Archambault, Mrs. Refett stated that she does not own the property in question as she did not buy it.

Counselor Wilson stated that the regulations at that time may not have allowed for an off-premise sign. Off-site signs are now permitted as Conditional Uses.

Chairman Whitton asked if there was anyone else present who wished to speak.

Mr. Rod Morris, representing the applicant, stated that he is a native of Kentucky. They have offices all over the southeast. They have lost six locations in this area over the past year and a half. They want to maintain their previous level of signs. He stated that the site is zoned properly and they want to provide a service. He presented pictures of some of their other signs to the Board and to Mrs. Refett. Mr. Morris stated that a United States government study indicates that there has never been an accident attributable to a billboard. He offered to provide a copy of the study.

Chairman Whitton asked if there were any comments from the Board.

Mr. Archambault referred to the comments in the Staff Report under General Criteria in regard to the character of the area and asked for clarification.

Mr. Miller advised that there are no billboards (off-premise signs) within a one-mile radius of the site. The placement of a billboard sign on this site would represent a change to the area. Staff is concerned about traffic hazards in consideration of the placement of the sign and the traffic volume in the area. Traffic is projected to increase. Mr. Miller noted that this property is zoned commercial, as are the surrounding properties. The property to the north will presumably develop commercially and this sign may pose a negative impact on that future development.

Mr. Archambault moved that the request be denied based on the fact that the area is developing and the traffic is predicted to increase. The sign could cause accidents and will not be an asset to the community. Mr. Houston seconded the motion.

Chairman Whitton asked for a roll call vote on the motion which found Mr. Archambault and Mr. Houston in favor. Chairman Whitton was opposed. The motion carried.

2. The request of J. A. Doepker Associates, Inc. for a front yard variance from the required 50 feet to 40 feet to allow the placement of an industrial building. The 5-acre site is located on the south side of Shorland Drive in the Richwood Industrial Park, Boone County, Kentucky. The site is zoned Industrial One (I-1) and is owned by Vagedes Industries.

Staff Member, Paul Miller, presented the Staff Report which included a slide presentation (see Staff Report). Mr. Miller amended the Staff Report to indicate that should the Variance be granted, the Board may wish to consider requiring additional landscaping in front of the building.

Chairman Whitton asked if there was anyone present in behalf of the request.

Mr. Larry Geiger of J. A. Doepker Associates, who prepared the Site Plan, stated that their objective was to give the owner as much usable space as possible on the site and to relate the building to the road. They did not want to have the building below the road. The front portion of the building is a one-story office lean-to. The building is a 20' pre-engineered building. In consideration of the way the driveways approach the site, it is necessary to keep the building up.

In response to a question from Chairman Whitton, Mr. Geiger stated that they do not object to the additional landscaping. He noted that there will be underground utilities in the front and they want to keep it attractive.

Mr. Charles Moore, an attorney representing RIDC, the owner of the industrial park, stated that they are in favor of this request, which enables the use of a parcel of property which may not otherwise be usable. They believe the setback requirement creates a hardship on the applicant. They have outgrown their present facilities in Erlanger and are in need of this size of building at this time.

Mr. John Butler stated that the lay of the land has to be seen to appreciate what the architect is trying to do. He stated that this site is directly in front of the Duro Plant. He is a Vice President of Duro and they do not object. He stated that there will probably be others making similar requests in the future and, therefore, they will all be uniform. This will benefit the development.

Mr. Moore stated that it is RIDC's opinion that the granting of this Variance will in no way injure or damage the remaining development within the industrial park.

Mr. Houston moved that the Variance be granted to allow for the use of the land due to the topography. Mr. Archambault seconded the motion and it carried unanimously.

3. The request of Diane Todd for a Conditional Use Permit to establish a tanning salon business in an existing building in Verona, Kentucky. The 0.298-acre site is located at the northwest corner of the KY 14/KY 16/KY 491 intersection in Boone County. The site is zoned Suburban Residential One/Small Community and is owned by J. W. Thomas.

Staff Member, Paul Miller, presented the Staff Report which included a slide presentation (see Staff Report).

Chairman Whitton asked the applicant for her comments.

Miss Todd stated that there will be ample parking for her customers. She added that she has received verbal permission from the church to use their lot.

Staff noted that strict application of the requirements would require one paved parking space.

In response to questions from Mr. Archambault, Miss Todd stated that there will be three tanning beds and that three cars would easily fit in her driveway. She noted that the letter will be sent from the church to the Planning Commission in regard to the parking.

Mr. Houston questioned if a condition of approval should be that the portion of the property on which the roads are located be deeded to the state at this time or when the applicant sells the property.

Counselor Wilson noted that the state has the right of eminent domain. He questioned if such a condition reasonably related to the proposed Conditional Use. Chairman Whitton stated that it did not. Mr. Archambault agreed.

There being no further comments, Mr. Houston moved that the Conditional Use Permit be granted. Mr. Archambault seconded the motion and it carried unanimously.

4. The request of Corporex Parks of Kentucky, Inc. for a Conditional Use Permit and Site Plan review to construct a daycare center in the Circleport III Subdivision. The 1.5-acre lot is located at the southeast corner of Olympic Boulevard and Booneland Trail, Boone County, Kentucky. The property is zoned Industrial One (I-1) and is owned by Corporex Parks of Kentucky, Inc..

Staff Member, Paul Miller, presented the Staff Report which included a slide presentation (see Staff Report). Mr. Miller noted a letter written by Mr. Kevin Costello, Assistant Director, which is attached to the Staff Report. The letter notes deficiencies in the submitted Site Plan and that

a Revised Site Plan was to be submitted by October 6, 1988. The Revised Site Plan was received at 4:55 P.M. today and an initial review indicates deficiencies. Mr. Costello asks that no action be taken in regard to the Site Plan at this time or that it be referred to the Planning Commission for full review.

Mr. Tom Bantam, representing Corporex Parks of Kentucky, Inc., stated that they had hired the busiest engineer in the county. Items missing from the Site Plan are minor items -- such as the square footage of the building and location of the handicapped parking. He stated that Circleport is about 600 acres and they plan a complete working environment with 2,000 to 3,000 employees. There will be a mix of office, industrial, restaurants, and commercial uses. A section was approved for commercial use and would have allowed for the daycare center. However, that section is bordered on three sides by roads with high traffic counts. They have decided to move the location. This site is bordered on two sides by residential uses. There is a street on the third side and there will be industrial uses on the fourth side. They believe this is the best location in the park for a daycare center.

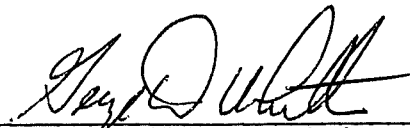
Chairman Whitton asked if there was anyone present in opposition to the request. There was no one.

Counselor Wilson advised that the request could be granted for the Conditional Use subject to the Staff's approval. Mr. Bantam stated that he would not object to this.

Mr. Houston moved that the Conditional Use Permit be granted with the provision that the Site Plan be approved by the Staff. Mr. Archambault seconded the motion and it carried unanimously.

There being no further business to come before the Board, the meeting was adjourned by unanimous consent at 7:25 P.M..

APPROVED:

  
\_\_\_\_\_  
George D. Whitton, Chairman

ATTEST:

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary