

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 [checked] Florence _____ Walton _____ Union _____
2. (Check One) Conditional Use Permit [checked] Variance _____ Appeal _____ Change in Non-Conforming Use _____
3. Applicant's Name Richard P. Soper Phone Number 371-5115 Fax No. 371-5115 Applicant's Address 221 MAIN ST. FLORENCE KY 41042
4. Description of Request: Requesting use of an A-1 zone for recreational purposes.
5. Name of Development Scotty's Complex
6. Location of Development South side of Middle Creek Road 0.5 miles east of Ky Hwy. 18
7. Acreage Under Review 21.5 Acres
8. Lot Number and Name of Subdivision (if part of a subdivision) N/A
9. Owner of Property GARY A. + BARBARA A. CHRISTIAN Phone Number of Owner 283-1926
10. Address of Property Owner FLORENCE, KY 41047
11. Proposed Use(s) on Site SOCCER FIELDS (COMPLEX) PLAYGROUND AREA, PARKING AREA, WALKING TRAILS
12. Total Square Footage of Existing and/or Proposed Buildings N/A
13. Current Zoning on Property A-1
14. Deed Book 632 Page No. 155 Group No. 2035
15. Is the site subject to a zone change? NO
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: Richard P. Soper 8-20-97

Property Owner's Signature: Gary A. + Barbara A. Christian 8/20/97

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

1. Date Received 8-20-97 Fee Received 476.⁰⁰/₁₀₀ R 14463
2. Is application complete? Yes _____ No _____
3. Staff Reviewer Ed Coleman
4. Scheduled Board Action Date 9-10-97
5. Board Action:
 Approved
 Approved with Conditions (See #6)
 Denial (See #7)
6. Conditions of Approval: _____

7. Reasons for Denial: See September 10, 1997 Minutes
of the BCBA Public Hearing.

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

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

DEVELOPMENT: Scotty's Complex

APPLICANT: Richard Soper

LOCATION: Middle Creek Road, Boone County, Kentucky

ZONING: Agriculture (A-1)

DATE: September 10, 1997

Proposal

The applicant is requesting a Conditional Use Permit for the purpose of developing a soccer field complex approximately one-half mile east of Highway 18, on the south side of Middle Creek Road. The site contains approximately 21.5 acres. The property is zoned Agriculture (A-1).

Concept Development Plan

The applicant's Concept Development Plan includes seven soccer fields, a playground area, and a parking lot with approximately 220 parking spaces. The four larger soccer fields are 330' x 210' each. The three smaller soccer fields are 240' x 150' each. The parking lot is located in the center of the site with two ingress/egress locations on Middle Creek Road. The playground is located between one of the larger soccer fields, the parking lot and Middle Creek. The soccer fields are to be located in the flood plain of Middle Creek. Essentially no grading, excavation, or removal of existing vegetation would be required.

Surrounding Land Uses and Zoning

The property is surrounded by land zoned Agriculture (A-1) to the north, south, and west. The property immediately west of the site is the parent tract of which this tract was conveyed. Across Middle Creek Road to the north are three residences. South of the site is Middle Creek and the remaining property of the parent tract. East of the site is property zoned Recreation (R). Thirteen residences within this Recreation (R) zone are located east of the site on Middle Creek Road. The Boone County Cliffs State Nature Preserve is also located east of the site on the north side of Middle Creek Road.

Relationship to the Comprehensive Plan

The 1995 Boone County Comprehensive Plan's Future Land Use Map indicates the future land uses for the applicant's site as Rural Density Residential and Rural Land.

Rural Density Residential is defined as:

"Low density residential uses of up to one dwelling unit per acre, which are not part of a formal subdivision."

Rural Land is defined as:

"Wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres for the 25 year land use plan. Residential construction in Rural Land does not occur in a formal subdivision."

The Comprehensive Plan states the following about this particular area of Boone County:

"The Middle Creek Valley comprises a major portion of the land area in this section of Boone County. Substantial acreage is Developmentally Sensitive; it should remain mostly wooded to protect historical preservation and recreation uses in the area from the visual impacts of nearby residential development. Boone Cliffs is also located in this area and contains important geological formations which should be preserved." p. 216.

Relationship to the Boone County Zoning Regulations

Article 6, Section 613 of the Boone County Zoning Regulations permits recreational uses including soccer fields as conditional uses within Agriculture (A-1) zones. The Board must use the following criteria from Sections 623 and 262 of the Boone County Zoning Regulations to determine if the applicant's use is appropriate in this particular Agriculture (A-1) district.

The Board shall determine if:

Section 623

- 1.) The activity is an integral part of the agricultural or residential use of the land, and the activity is not of scale, nature or other character which will detract or conflict with the principal purposes of the district;
- 2.) The activity is necessary to provide the specified public service for the residents of the district so long as the service area, use, scale or other character of the activity does not overpower, transient or conflict with the principal purpose of the district; and

- 3.) The arrangement of use, building or structure is mutually compatible with the organization of permitted and accessory uses to be protected in the district.

The Board may consider whether such use at the proposed location:

Section 262

1. Will be harmonious with and in accordance with the general objectives, or with any specific objectives 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 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 and such service.
5. Will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community;
6. Will 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 designed as not to create an interference with traffic on surrounding public thoroughfares.

Additional Information

Ken Hund, Director of Boone County Parks, has submitted a letter in support of the applicants proposal. A copy of the letter from Mr. Hund is included in the Staff Report.

Greg Sketch, P.E., Boone County Engineer, has submitted a letter concerning improvements to Middle Creek Road. The road is included in the Fiscal Year 1998 Road Improvement Plan for paving. The road is also planned to be widened from 15 to 18 feet. Paving is scheduled for the spring of next year. Mr. Sketch has indicated that if the soccer fields are approved by Conditional Use, Middle Creek Road will be widened to 20 feet. A copy of the letter from Mr. Sketch is included in the Staff Report.

Staff Concerns and Comments

1. Staff is concerned about the amount of traffic the soccer fields would generate on a rural road which is essentially used as a driveway for the residences along Middle Creek Road. The road, if widened to 20 feet would permit two-way traffic, but would not be designed to handle two-way traffic and side road/off road parking if the parking lot became full. Middle Creek Road is also a dead end road, which potentially makes traffic a greater problem due to the lack of alternate routes to the site. This could also be potentially hazardous in case of an emergency.
2. The applicant has not indicated what the hours of operation would be and if the fields would require lighting for night games.
3. The applicant has not specified other uses such as restroom facilities, on the site, and how this and other possible uses will be provided.

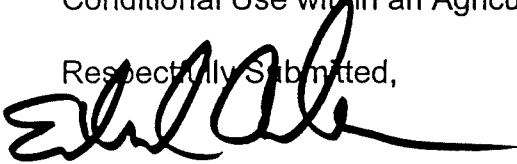
Conclusion

K.R.S. 100.237 gives the Boone County Board of Adjustment and Zoning Appeals the authority to approve the applicant's request for a Conditional Use Permit to allow a soccer field complex and facility on Middle Creek Road.

It is Staffs' opinion that the proposed soccer fields are not an integral part of the agricultural and residential uses of the district and would be in conflict with characteristics associated with these uses along Middle Creek Road. In addition, it is Staffs' position that the amount of traffic potentially generate by the soccer complex, would permanently alter the rural character along Middle Creek Road and possibly disturb the unique geological formations of the nearby Boone County Cliffs with such an increase of people, especially kids, in the area.

The Board should base its decision on the applicant's request as it relates to the compatibility of the seven criteria for a Conditional Use Permit and the criteria for a Conditional Use within an Agriculture (A-1) Zone.

Respectfully Submitted,



Edward Coleman
Planner

EC\par

Attachments

- Location Map
- Zoning Map
- Concept Development Plans
- Letters from Ken Hund and Greg Sketch

MEMORANDUM

To: Boone County Board of Adjustment

From: Susan M. Cabot, Historic Preservation Planner

Re: Application for the Soper/ Scotty's Complex Conditional Use Permit

Date: September 5, 1997

This memorandum is to provide comments relating to historic preservation and rural preservation issues with regard to the above noted application. While staff feels the application is a well intentioned use and certainly one that is needed in Boone County, I do have several concerns about it.

The first concern is the potentially negative impact to prehistoric archaeological resources that may be located within the proposed site. Since there has been little or no professional archaeological research done on this portion of Middle Creek, there are no documented archaeological sites in this location. However, there are documented prehistoric sites on nearby sections of Middle Creek, on and around Boone Cliffs, and on the Dinsmore Homestead site, and staff feels there is a strong possibility that the proposed project area may contain significant prehistoric archaeological resources. The amount of grading necessary to construct seven extensive soccer fields and a large parking lot could damage or destroy this piece of Boone County's prehistory. For this reason, staff recommends that a Phase 1 archaeological survey be completed on the entire site prior to development. If significant archaeological sites are located, further assessment should be completed and, if there are sites found to be National Register eligible, those sites should be avoided during construction of the proposed complex.

The second concern is in regard to the rural character of Middle Creek Road. Currently, this part of the county provides a tranquil combination of historic and prehistoric resources, unspoiled natural areas, agricultural land, and the opportunity for passive recreation. This creates a unique and valuable environment, for residents and visitors, that is difficult to find in other parts of Boone County. It is essential that this type of setting be preserved, and not subject to development that may not be compatible with the existing character of Middle Creek Road. While more soccer fields are certainly needed in Boone County, and the applicant's motives are to be commended, the scale of the proposed project has the potential for permanently damaging the existing character of the area. Staff feels it is important that the Board of Adjustment take this into consideration in making their decision on this application.

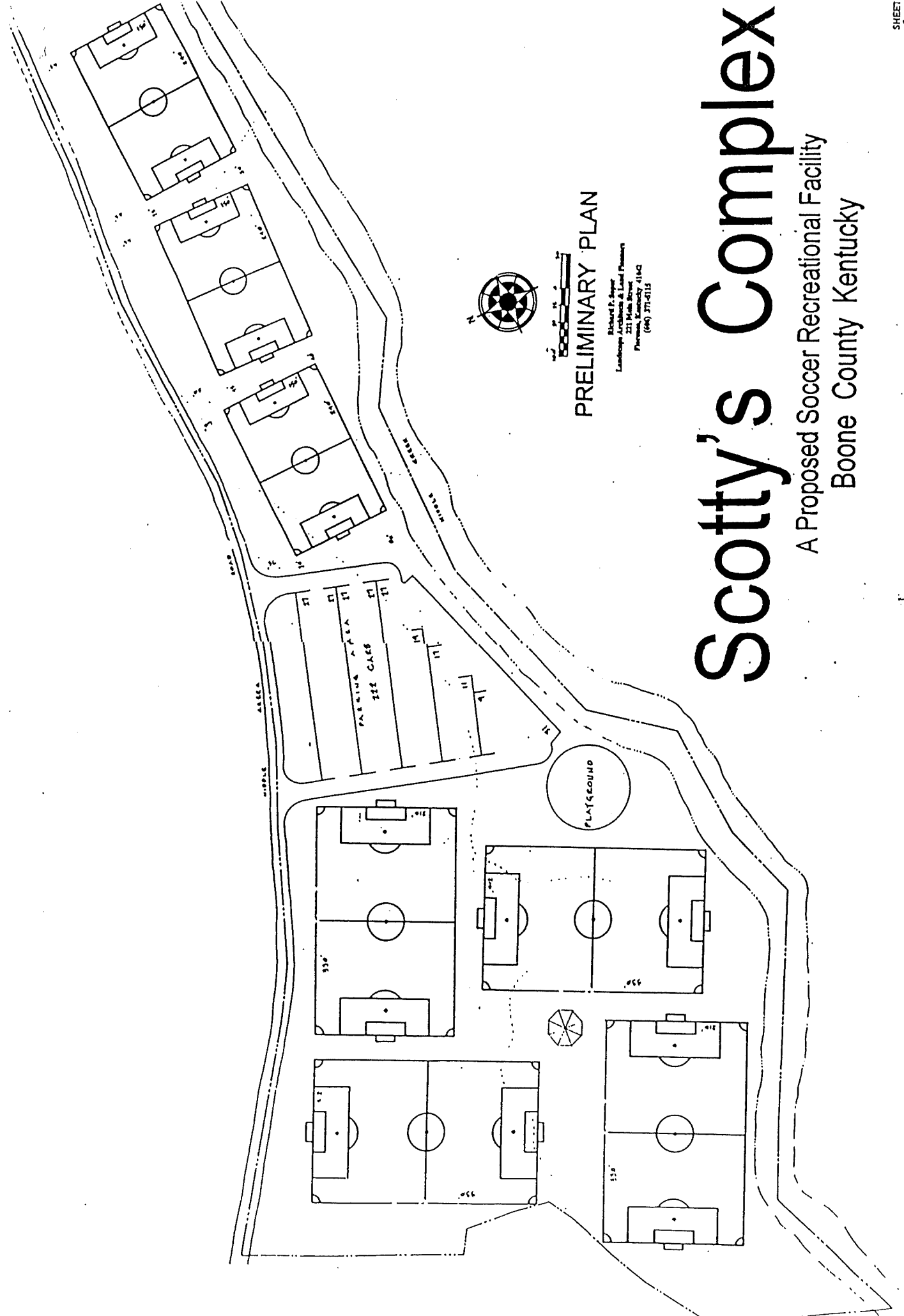
Thank you.

cc: Ed Coleman, Planner



1 inch equals 1300 feet
Produced by the
Boone County Planning Commission
GIS Services Division
September 5, 1997

Middle Creek Road



PRELIMINARY PLAN

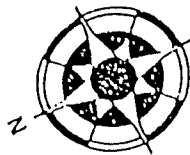
Richard E. Spivey
 Landscape Architect and Planner
 231 Main Street
 Paducah, Kentucky 40303
 (403) 531-0115

Scotty's Complex

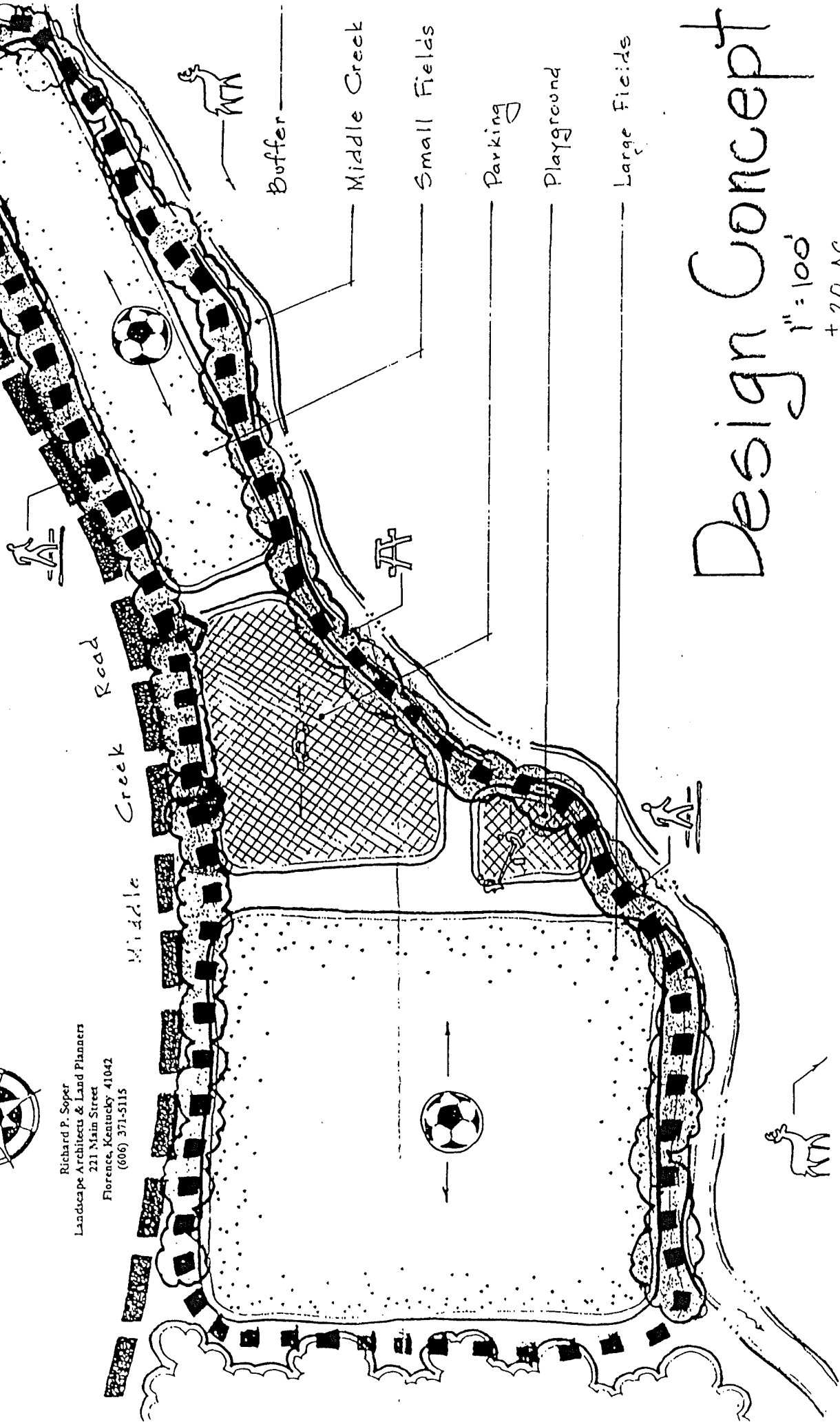
A Proposed Soccer Recreational Facility
 Boone County Kentucky

Scotty's Complex

A Proposed Soccer Recreational Facility
Boone County Kentucky



Richard P. Soper
Landscape Architects & Land Planners
221 Main Street
Florence, Kentucky 41042
(606) 371-5115



Design Concept

1" = 100'
± 20 AC.

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



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

DEPARTMENT OF PUBLIC WORKS

5645 IDLEWILD ROAD
BURLINGTON, KY 41005

Phone: 606 586-5445

Fax: 606 586-5487

MEMORANDUM

TO: Ed Coleman
Planner, Boone County Planning Commission

FROM: Greg Sketch, PE, PLS
Boone County Engineer

RE: **Middle Creek Road Improvements**

DATE: September 4, 1997

This is in response to your request for information concerning the scheduled improvements of Middle Creek Road. Middle Creek Road is a County maintained road approximately 9,800 feet in length with an average width of 15 feet that intersects K.S.R. 18 west of Burlington.

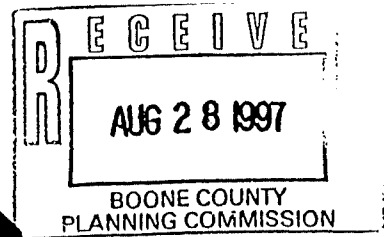
This road is on the FY 1998 Road Improvement Plan to be paved with an asphalt overlay of 2.5 inches. Also planned is the widening of the road to an average of 18 feet. The widening is scheduled for this coming winter, and paving is scheduled for the spring of 1998.

I have been notified that there is a possibility of a soccer field complex to built along Middle Creek Road. If this does occur, because of the increase in traffic we would widen the road to 20 feet to the soccer complex entrance. Again this would occur this coming winter.

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

Thank you for the opportunity for input in this matter.

c: Jim Collins, Boone County Administrator



August 25, 1997

Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005

I support the proposed soccer field complex by the Christian family. It will help meet a need in Boone County. Boone County Youth Soccer will have over 100 teams this fall. The growth of the sport, both spring and fall seasons, will continue, as evidenced by the 15% annual growth rate since 1990. Seven additional soccer fields will be a positive addition to our community.

Sincerely,

BOONE COUNTY PARKS

Ken Hund
Director

KH/bm

KEN HUND, Director of Parks
(606) 334-2117
P.O. Box 566
Burlington, Kentucky 41005

KENNETH R. LUCAS
County Judge — Executive



COMMISSIONERS:
IRENE PATRICK, District 1
SHIRLEY MEIHAUS, District 2
HAROLD L. CAMPBELL, District 3