

APPLICATION FORM

ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY  
PLANNING COMMISSION  
RECEIVED

MAR 20 2007

(See Boone County  
Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project Abby's Child Enrichment Center
2. Location of Project Graind National Blvd. @ Overland Drive
3. Total Acreage of Site 2.347
4. Current Zoning of Site EPD
5. Proposed Zoning (Classification being requested) SR1 PD
6. Proposed Uses (please specify each use)  
child care center
7. Names of Applicant(s) Abby Sommerkamp  
Phone Number 859-802-3967 Fax No. 859-727-8452
8. Address of Applicant(s) 2012 Terrace Court  
Florence KY 41042  
City State Zip
9. Name of Property Owner(s) Em-a-non Acres LLC  
Phone Number \_\_\_\_\_ Fax No. \_\_\_\_\_
10. Address of Property Owner(s) 351 Richwood Road  
Walton KY 41094  
City State Zip
11. Proposed Building Intensities (please specify) \_\_\_\_\_
12. Are there any existing buildings on the site? no  
How many? \_\_\_\_\_
13. Deed Book 498 Page No. 302 Group No. 2071
14. Are you also applying for:  
no Conditional Use Permit  
no Dimensional Variance
15. Have you submitted a Concept Development Plan? yes
16. Have you had a pre-application meeting with BCPC Staff? yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- \_\_\_\_\_ Boone County Water District
- \_\_\_\_\_ Florence Public Services Dept.
- \_\_\_\_\_ Duke Energy
- \_\_\_\_\_ Sanitation District #1
- \_\_\_\_\_ Cincinnati Bell
- \_\_\_\_\_ Owen Electric Cooperative, Inc.
- \_\_\_\_\_ Boone County Public Works Department
- \_\_\_\_\_ Kentucky Transportation Cabinet
- \_\_\_\_\_ Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)

# EXHIBIT

“A”

## STAFF REPORT

Request of **Abby Sommerkamp (applicant)** for **Em-A-Non Acres, LLC (owner)** for a Zoning Map Amendment from Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 2.347 acre site located on the west side of Grand National Boulevard, immediately north of the property at 11301 Grand National Boulevard and across Grand National Boulevard from the intersection with Overland Ridge, Boone County, Kentucky. The request is for a zone change to permit a child care center.

May 2, 2007

### REQUEST

This application is for a zone change from Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 2.347 acre site that is located on the west side of Grand National Boulevard to the immediate north of the Steeplechase Subdivision pool and clubhouse facility, and across the street from "The Legends at Steeplechase" apartment complex. SR-1/PD is the zoning for the original Steeplechase Subdivision which adjoins the site to the south and southeast. The proposal is for a child care center, which is a Conditional Use in the underlying SR-1 zone.

The Concept Development Plan illustrates an approximate 6,600 square foot building (presumably one story) that is located at the top of the slope that adjoins Grand National Boulevard. A parking area comprised of a double loaded single drive is proposed between the building and Grand National Boulevard. A sidewalk is proposed across the front of the building connecting both sides of the parking area with the structure. The access point from Grand National Boulevard is proposed to align and create a four way intersection with Overland Ridge, the access drive into The Legends at Steeplechase. A play area is shown at the immediate rear of the building, and a conceptual detention area is shown to the south of the building. No development is indicated for the slopes at the south and west sides of the site.

Public water and sanitary sewer service will be provided. No architectural, landscape, or signage concepts, or traffic information was submitted.

### ADJACENT LAND USES AND ZONING

The land uses and zoning adjacent to the site include the following.

- A. The clubhouse/pool facility and a single family detached phase of Steeplechase Subdivision are located to the south, and the condominium phase of Steeplechase Subdivision (Reserves and Canterling Hills) is located to the southeast (SR-1/PD). A subdivision of detached, single family residences (Sutherland) is located to the southwest (SR-1).
- B. The Legends of Steeplechase multi-family development is located to the east across Grand National Boulevard (UR-1).
- C. A vacant area is located immediately to the north along the west side of Grand National Boulevard (EPD).
- D. Detached, single family residences on estate lots that front on Richwood Road are located to the west (A-2).

#### SITE CHARACTERISTICS

As noted above, the site contains 2.347 acres. It also has approximately 400 feet of frontage along Grand National Boulevard. The site has a plateau in the central and northern portions along Grand National Boulevard, and notable slopes in the western and southern portions, along with some existing, mature trees. The elevations on the site range from approximately el. 842 along Grand National Boulevard to el. 806 along an intermittent blue line stream that runs along the west boundary. There are no structures on the tract. Public water and sanitary sewer exist in the immediate vicinity.

#### SITE HISTORY

The EPD zone which applies to the property was enacted through the 1991 Comprehensive Zoning Update. In addition, the EPD zone text was created through this same update. A zone change from A-2 and EPD to SR-1/PD for the adjoining Steeplechase Subdivision was approved in 1997 (3/19/97 Committee Report and Concept Development Plan are attached). A zone change from EPD to UR-1 for "The Legends of Steeplechase" multi-family development on the east side of Grand National Boulevard across from the subject site was approved in 2003 (Concept Development Plan and 4/16/03 Committee Report w/o attachments are attached).

#### RELATIONSHIP TO COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Suburban Residential" (SR) uses. This designation is described as "single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision." As a point of reference, the area across Grand National Boulevard is designated for "Urban Density Residential" (UD) uses.

The Land Use Element text makes the following statements that relate to the overall area.

- A. Development to the southwest of the Richwood Interchange must continue the Grand National Boulevard connection to Chambers Road . . .

The remaining undeveloped land on the southwest quadrant of I-75 and Richwood Road is shown as Business Park and Urban Residential. The Business Park area along Richwood Road should develop as an attractive office campus project that provides an appropriate entrance to the Steeplechase to Chambers Road residential corridor. Any business development along Grand National Boulevard must include proper ingress and egress, and provide for needed modifications to the roadway and/or its intersection with KY 338 ("7. Richwood West," pg. 148).

- B. Improvements are needed to the Richwood Interchange and to Richwood Road to increase capacity. Commercial development around the interchange area is expected to remain and expand to serve local residents, in addition to highway-related services. Intrusive highway related services should not impact the low density residential uses on the west, and be limited to the east side of I-75 . . . ("8. Richwood Area," pg. 148).

The Land Use Element provides the following general comments that relate to the proposal.

- 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. 140).
- B. Business, commercial, or industrial parks should be designed and developed to allow future residential or other uses to access through them where the corridor may extend to large developable tracts or may provide a future road connection. A roadway that is suitable for mixed use development should serve side streets for businesses rather than serving individual businesses directly, include an urban curb and gutter design, and provide pedestrian amenities and green space along the right-of-way. In this way, future residential development could be developed beyond the initial development, but be readily marketed ("Development Layout, Lot Sizes, and Setbacks," pp. 140 and 141).

- C. 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. 141).
- D. 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 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. 141).
- 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 travel 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, provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system ("Access Management," pp. 141 and 142).
- F. Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use ("Design, Signs, and Historic Preservation," pg. 142).

The Population Element outlines population projections based on the Ohio-Kentucky-Indiana Regional Council of Government's (OKI) transportation analysis zones. The population for the zone in question (887) is expected to increase from 5,973 in the year 2000, to 8,402 in 2010, and to 9,459 in 2020 (pp. 24 and 25).

The Business Activity Element states the following regarding the general area.

- A. Highway related commercial activity is appropriate at the I-75/Richwood Road Interchange. However, such growth on the west side of the interchange should be adequately buffered from existing and planned residential uses ("Recommended Areas of Commercial Activity," pg. 63).

The Housing Element provides the following comments that relate to this proposal or general area.

- A. A progression of densities of residential uses from high (multi-family) to low (single family) shall be encouraged. Where traditional progressions of high to low net density are not possible through creative development design, an appropriate and attractive visual transition should be achieved. This could include existing vegetation or new landscaping and/or fencing. Existing vegetation (such as wooded fence rows) should be retained as much as possible to provide buffer strips and stormwater filters. This serves a dual purpose in that woodland is becoming relatively scarce in the eastern uplands of the county, and these areas buffer different land uses ("Housing Densities," pg. 76).
- B. The Frogtown Road and Richwood Road corridors have experienced significant residential construction with very little improvement to the existing roadways. Triple Crown sets a good example with its central, limited access boulevard that connects these two state-maintained roadways. However, other existing roads in the area, such as Hicks Pike and Chambers Road are designed for less traffic. Significant improvements to these roadways will be needed to support extensive growth. Future development in this area should be sensitively designed to minimize impact on existing low density residential land uses, and connecting routes that take traffic off existing roadways should be encouraged. Boone County should be encouraged to work closely with the Kentucky Transportation Cabinet to improve existing roadways ("Union-West Florence Area-West Richwood Area," pg. 80).

The "KY Transportation Cabinet Six-Year Plan" section (pg. 129) of the Transportation Element lists a project described as "reconstruction of the Richwood (KY 338) interchange on I-75/71 - design year 2008." The "Summary of the 2005 Boone County Transportation Plan Recommendations" section (pp. 129 and 130) lists a "recommended capacity project" described as "KY 338, Richwood Rd, widening." The "Street Connections" section (pp. 130 and 131) lists a planned road connection described as "Richwood Road to Beaver Road." Figure 11.4 "Proposed Trail Network" (pg. 131) illustrates a proposed trail alignment running along the west side of I-75 from the south end of Steeplechase Subdivision to Beaver Road.

The Goals and Objectives include the following pertinent statements.

- A. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- B. Proper design principles shall be applied in development ("Overall," Objective 3).
- C. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed ("Overall," Objective 4).
- D. Boone County shall strive to achieve both a diversity and balance in land use. Land use and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner ("Overall," Objective 6).
- E. Innovative development design methods shall continue to be pursued and supported through incentives ("Overall," Objective 9).
- F. The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- G. New development or redevelopment within Boone County is designed, constructed and operated in such a way that the quality of the existing physical environment and social environment are enhanced. Development within Boone County preserves and promotes a better quality of life ("Environment," Goal).
- H. 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. Residential development design in particular should minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Physical Objective 2).
- I. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Social Objective 4).
- J. Boone County businesses are developed in appropriate locations and are compatible with their surrounding areas ("Business Activity," Goal).
- K. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe and effective access and ample parking spaces ("Business Activity," Commercial Objective 1).

- L. 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. Small scale mixing of commercial uses within residential areas shall be carefully assessed and properly placed so as to enhance the neighborhood. Architectural Design Review and consistent sign standards shall be implemented on a corridor by corridor basis, when justified by legitimate land use planning principles ("Business Activity," Commercial Objective 2).

### BOONE COUNTY TRANSPORTATION PLAN 2030

Exhibit 6-1 (pg. 6-2) illustrates and lists recommended project 2 involving Richwood Road which is described as "widen to 4 lanes from Chambers Road to US 25/Dixie Highway" (the text on page 6-3 states five lanes from west of Triple Crown Boulevard to Dixie Highway and also mentions reconstruction of the interchange). Exhibit 6-13 lists this as a high priority project to be completed within 10 years.

Exhibit 6-14 (pg. 6-22) illustrates a proposed controlled access connector from the end of Grand National Boulevard to Chambers Road (intersects at the approximate midpoint between I-75 and Gaines Way); a continuation of this road between Chambers and Beaver Road is shown closer to I-75/71 as a separate alignment. Exhibit 6-1 "Recommended Long-Range Highway Projects" illustrates a road alignment (project 11) from Richwood Road, through (or by) Steeplechase Subdivision to Beaver Road; this project is described as "Frogtown Connector Extension - South, extend Frogtown Connector from KY 338 Richwood Road to KY 1292 Beaver Road." Accompanying text (pg. 6-6) describes this connection as a new four lane road that will serve as a local, parallel alternative to I-71/75. This alignment is described as a low priority project (completed after 20 years) in Exhibit 6-13.

### STAFF COMMENTS

1. The governing bodies need to determine whether the proposal is in agreement with the Comprehensive Plan. The Future Land Use Map designates the site for "Suburban Residential" (SR) uses and the site immediately across Grand National Boulevard ("The Legends at Steeplechase" apartment complex) is designated for "Urban Density Residential" (UD) uses. The "SR" designation is silent about community support uses, such as schools, churches, and child care centers, which are occasionally located in residential zones or areas.

The Land Use Element ("7. Richwood West," pg. 148) states "the remaining undeveloped land on the southwest quadrant of I-75 and Richwood Road is shown as Business Park and Urban Residential. The Business Park area along Richwood Road should develop as an attractive office campus project that provides an appropriate entrance to the Steeplechase to Chambers Road residential corridor. Any business development along Grand National Boulevard must include proper ingress and egress, and provide for needed modifications to the roadway and/or its intersection with KY 338." The key concepts outlined in this passage are that new development in the area will contribute to "an attractive office campus project" gateway to the area to the south, and that appropriate access management provisions are undertaken. These basic concepts can be applied to the current proposal, even though it is for a single use building on a relatively small lot.

The Housing Element ("Housing Densities," pg. 76) discusses the need for a progression of densities and "visual transitions." These basic ideas can be coupled with the direction from the Land Use Element so that the project cosmetics were reflective of an office campus project, but the actual land use was a smaller-scaled "softer" use which acted as a transition between the planned office (Business Park) uses to the northeast, multi-family dwellings to the east, the Steeplechase Clubhouse and other residential uses (existing and planned) to the south and west. This section of the Housing Element also endorses the use of "visual transitions" that include existing vegetation, new landscaping, and fencing.

Both the "Richwood West" section quoted above, the "Richwood Area" section of the Land Use Element (pg. 148), and the "Union-West Florence Area-West Richwood Area" section of the Housing Element (pg. 80) provide text regarding the area-wide road system. The "Richwood West" section discusses the need for proper access management on Grand National Boulevard, and the "Richwood Area" section states "improvements are needed to the Richwood Interchange and to Richwood Road to increase capacity." The basic issue of traffic is discussed later in this report.

The Population Element forecasts a substantial increase in population for the traffic zone in question. Although this population forecast infers an increase in demand or need for local services, it is for the zone at large and should not, in and of itself, be construed to endorse a particular land use or density on a specific parcel.

The governing bodies will also need to consider whether the current zoning is inappropriate and the proposed zoning is appropriate, and whether there have been changes of an economic, physical, or social nature not anticipated in the comprehensive plan that substantially alter the area's character.

2. Staff offers the following comments regarding the standards set forth in Section 1514 "Planned Development Standards" of the Boone County Zoning Regulations. Concept Development Plan proposals in Planned Developments are to be primarily evaluated against these criteria.

1. Mixed Use Development and Pedestrian Orientation: The site is the juncture between planned Business Park uses to the north, multi-family residential uses to the east, the Steeplechase clubhouse, and detached single family uses (existing and planned) to the south and west. In this regard, the facility would further diversify uses in the area and act as part of a land use transition along Grand National Boulevard. Regarding pedestrian orientation, the site adjoins the existing paved path along Grand National Boulevard and a sidewalk link between the building, parking, and public walk is required by section 3327 of the Boone County Zoning Regulations.

2. Compatibility of Uses: The proposed improvements are clustered at the top of the grade along Grand National Boulevard, leaving relatively substantial yard areas along the south and west property lines (the parking area is approximately 95' from the south property line at the closest point and the play area is approximately 115' from the west property line at the closest point). Per the Comprehensive Plan's direction regarding the preservation of existing topography and vegetation, Staff recommends that if the application is approved, a condition that requires the preservation of the existing healthy, large diameter trees which are outside of the disturb areas in the south and west yards. Also to help insure compatibility, Staff recommends that the plantings from Buffer Yard C be provided around the rear of the building and play area (versus the lot lines) and that the plantings from Buffer Yard A be provided along the sides of the developed area of the site to the points where they would meet the Buffer Yard C plantings. Under this scenario, formal plantings would be provided around the proposed improvements themselves and the south and west slope areas would be left to further naturalize. With the recommended plantings, Staff is not concerned with the exact details of fencing around the play area. Without these plantings, either an architectural style fence or minimally a dark coated link fence should be considered.

Related to building design, a somewhat loose (yet consistent) architectural theme is developing in this area. To correlate this facility to the buildings in the area and reinforce the "transition" from the multi-family residential area to the detached, single family residences further to the south and west, Staff recommends that this structure incorporate several key attributes into its design. These include: a full pitched roof which covers the entire structure (gabled and/or hipped forms which can include dormers or other secondary elements; no mansards); predominately brick and/or stone exterior materials; only incidental use of siding materials, which would be either natural materials or would closely resemble them; and the use of "natural" colors. The adjoining Steeplechase clubhouse building and nearby 5/3 Bank branch are reasonable examples.

Based on the proximity of the facility to Grand National Boulevard and distance to the dwellings to the south and west, Staff has not identified potential impacts such as noise and hours of operation as issues, although lighting should be controlled to avoid glare and direct visibility of the luminaires off-site. To accomplish these objectives, Staff recommends that exterior lighting be shielded, freestanding fixtures in the parking area be limited to 15 feet, and that measurable light be limited to less than 1 footcandle at all property lines.

3. Open Space: This standard states that "useable open space(s), in an amount over and above setback areas and open areas required by the underlying zone, shall be provided." Open spaces which are substantially larger than the setbacks required in the requested underlying SR-1 zone are proposed. As noted above, the parking area is approximately 95 feet from the south property line at the closest point and the required side yard setback is 5 feet minimum with a total of 15 feet when both side yards are added together. The play area is approximately 115 feet from the west property line at the closest point and the required rear yard setback is 30 feet. An additional open space area is proposed along the north side of the building. Although these areas are not "useable" as stated in this standard, it is Staff's view that the proposal and adjoining uses are better served with these areas acting as expanded setbacks.

4. Multi-Modal Transportation System: The required sidewalk link to the public walk is discussed under #1 above. Additionally, a bike rack is required by section 3327.

5. Preservation of Existing Site Features: This topic is discussed under #2 above.

6. Landscaping: Landscape buffering and perimeter vegetation are discussed under #2 above. Provided the remainder of the site meets the normal requirements of Article 37 of the zoning regulations, staff's only additional comment is that the existing white board fence which is a requirement of the original Steeplechase zone change approval from 1997, needs to be maintained along the site's frontage. An opening that is wide enough to permit a safe access point and a "window" to the front of the building would entail the removal of approximately 90 feet of the fencing from the site's approximate 400 foot frontage.

7. Architecture: No architectural concepts have been provided. Recommendations regarding this subject are outlined under #2 above.

8. Historic and Prehistoric Features: Staff is not aware of any historic or prehistoric features on the site.

9. Signage: This standard states that a consistent signage theme shall be provided, that building mounted signs shall be the predominate signage on the project site, and that freestanding signs shall be monument style and of a limited height. Based on the site's proximity to residential uses and the prior recommendation of reinforcing a "residential" appearance, building mounted signage should be avoided. Staff's recommendation is to permit a monument style sign which uses a design, materials, and colors which correlate to the building and which uses exterior illumination only. Section 3411 permits monument signs in agricultural and residential zones to be 8 feet in height and 32 square feet in area, although a somewhat smaller sign (such as 5' in height and 20 sf in area) would present a less "commercial" appearance.
10. Transportation Connections and Entry Points: A portion of the basic issues outlined in this standard are discussed above. The full scope of this standard does not relate to a small, single lot user in a developing subdivision.
11. Conformance with Comprehensive Plan: The Comprehensive Plan is discussed above.
3. No type of traffic analysis was provided with this application. As noted above, the Comprehensive Plan and the Boone County Transportation Plan 2030 make reference to needed/planned improvements in the area, and several major projects intended to correct system deficiencies in the area are in their initial stages. The applicant should minimally explain the traffic behavior associated with their other facilities so that a reasonable understanding of whether the facility generates mostly new trips or captures existing trips can be determined, especially for the AM and PM peaks. If the facility would generate predominately new trips, then a more formal traffic analysis should be provided for the Zone Change Committee to review. As a point of reference, several of the adjoining developments that would generate a significant amount of new trips were committed to financial contributions for road improvements (refer to conditions 3 and 7 in the attached 3/19/97 Committee Report and conditions 4 and 7 in the attached 4/16/03 Committee Report; some other developments in the overall area are also subject to transportation related conditions).

The proposed access point on Grand National Boulevard was reviewed by Greg Sketch, Boone County Engineer. Based on the plan submitted, he had no comments on this matter.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and the Boone County Fiscal Court in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3 "Amendment" of the Boone County Zoning Regulations, the requirements of Article 15 "Planned Development District," and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved.

Respectfully submitted,



Kevin T. Wall, AICP CDT  
Director, Zoning Services

KTW/pr

attachments:

- location map
- aerial photograph w/ zoning
- Future Land Use Map excerpt
- topographic map
- 3/19/97 Erpenbeck/Em-A-Non Acres Committee Report and Concept Development Plan
- 4/16/03 Drees/Em-A-Non Acres Committee Report (w/o exhibits) and Concept Development Plan
- application materials including Concept Development Plan

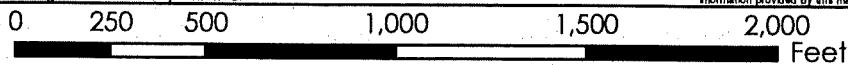
# Location

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1 Inch equals 501 feet

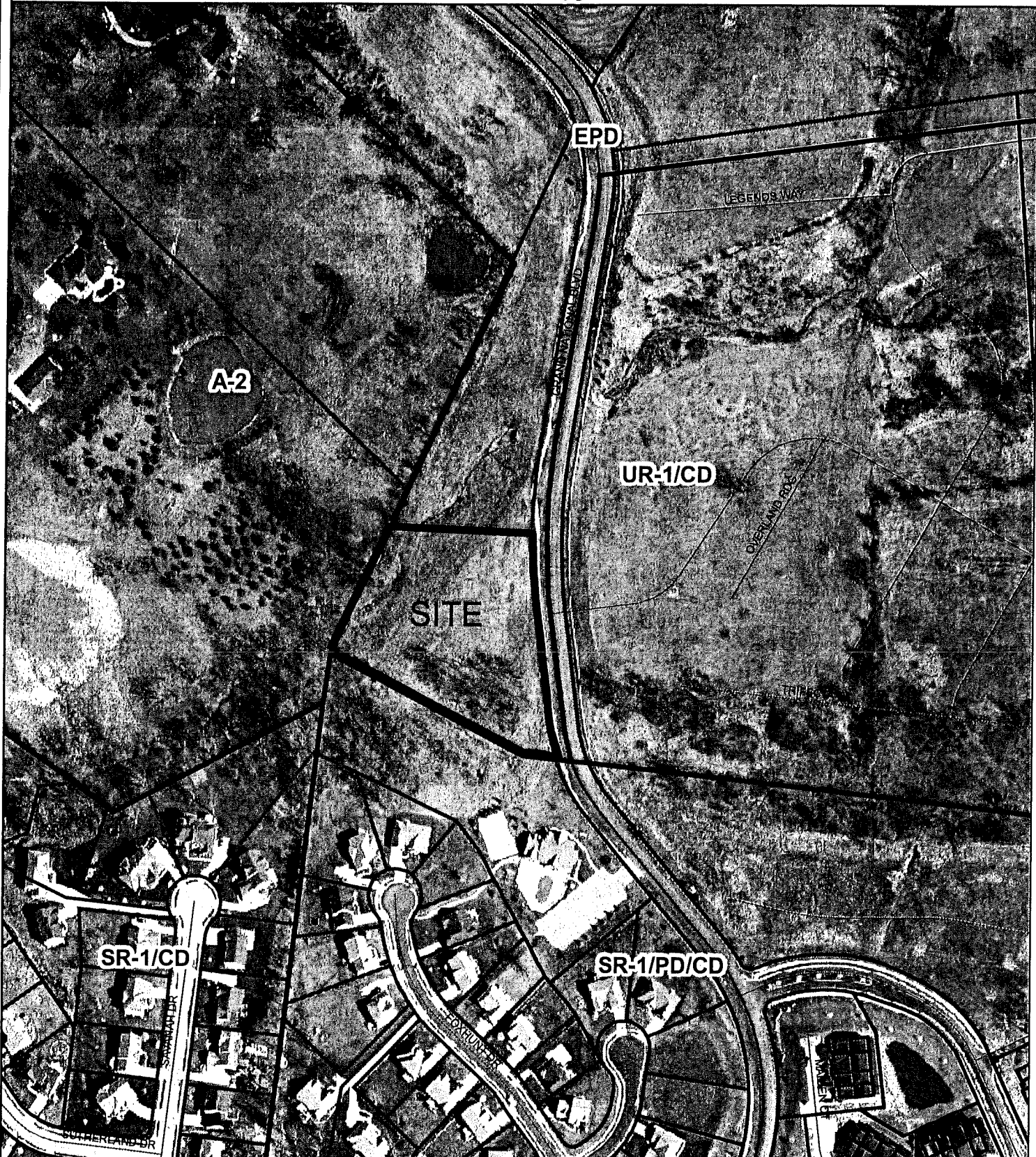


**Boone County GIS - Putting Northern Kentucky on the Map**



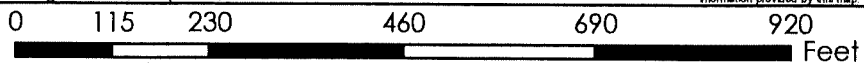
# Zoning

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1 Inch equals 227 feet



**Boone County GIS - Putting Northern Kentucky on the Map**



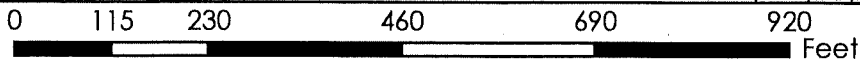
# Future Land Use

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**Boone County GIS - Putting Northern Kentucky on the Map**



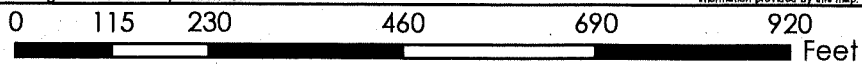
# Topography

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**Boone County GIS - Putting Northern Kentucky on the Map**



## COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Arnold Caddell, Chairman

DATE: March 19, 1997

RE: Request of The Erpenbeck Company (applicant) for EM-A-NON Acres Limited Partnership (owners) for a Zoning Map Amendment from Agriculture Estate (A-2) and Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 189 acre site located at the southwest quadrant of the KY 338/I-75 interchange, Boone County, Kentucky. The request is for a zone change to allow a residential subdivision with single-family and multi-family dwelling units, "Steeplechase."

### REMARKS:

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

#### Findings of Fact

1. The Committee has concluded that the proposed Zoning Map Amendment and Concept Development Plan are in agreement with the 1995 Boone County Comprehensive Plan due to the following reasons:
  - A. The proposal leaves a seventy five (75) acre remainder tract which is currently zoned Employment Planned Development (EPD) in the southwest quadrant of the KY 338/I-75 interchange, between the subject site and KY 338, that is designated for "Business Park" uses by the both the Future Land Use Map and the Land Use Element.
  - B. The Future Land Use Map designates the area south of the "Business Park" area mentioned above for Suburban Density Residential uses (single family housing of up to four units per acre). The majority of the site area is proposed for detached single family residences with an overall density of 3.6 units per acre.

- C. The text of the Land Use Element calls for High Suburban Density development to act as a transition between the aforementioned Business Park uses and Suburban Density Residential uses. The proposal in question provides a cluster of multi-family structures between the remaining EPD zone and the proposed single family residences in accordance with this provision.
  - D. The Concept Development Plan, which was revised through the Zone Change Committee review process in accordance with the issues raised by the public and the Planning Commission in the January 29, 1997 public hearing, generally addresses the qualitative issues stated in the 1995 Boone County Comprehensive Plan regarding overall project design, preservation of natural features, provision of open space areas, buffering between adjoining properties, and street connections.
2. The Committee has concluded that due to the suburban density and low density residential developments that are immediately adjacent to the subject site to the west and southwest, and due to the natural site features which are better preserved and enhanced through moderate density residential development versus office, industrial, and/or commercial development permitted under the current Employment Planned Development (EPD) zone, the existing zoning classification is inappropriate and the proposed zoning classification is appropriate.
  3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives and policies of the 1995 Boone County Comprehensive Plan, as well as the intent, objectives, and requirements of Article 15 "Planned Development District (PD)" of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The applicant has signed a letter demonstrating agreement with these conditions.

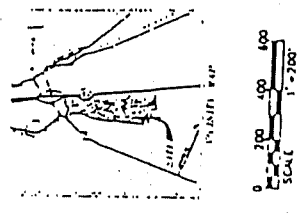
#### Conditions

1. The development shall follow the attached Concept Development Plan which was revised through the Zone Change Committee review in accordance with the issues raised at the January 29, 1997 public hearing. This Concept Development Plan, and its related attachments, are identified as "Exhibit A."
2. The applicant will construct and dedicate the street connection (labeled as "future street connection by others") shown on the Concept Development Plan between "Street H" and the property to the south (referred to as the "Deters Property") by the time that fifty percent (50%) of the lots on "Street H" are sold.

3. The applicant shall upgrade KY 338 to a three lane road (two way road with a center turn lane), from the point where similar improvements that were recently constructed near Heritage Trails Subdivision (Paddock Drive) terminate through the proposed four way KY 338/Triple Crown Boulevard/Steeplechase Boulevard intersection, including the related intersection improvements identified in the applicant's traffic report. These improvements shall be constructed by the time Building Permits for 217 new dwelling units have been approved within the zone change area, and will consist of the same street section and right-of-way improvements as the recent three lane upgrade to KY 338 between Heritage Trails Subdivision and I-75.
4. The entry features (masonry walls and landscaping) at the proposed KY 338/Steeplechase Boulevard intersection shall be constructed in accordance with the detail included in Exhibit A. In addition, "horse farm" style fencing with intermittent shrubs shall be provided along both sides of Steeplechase Boulevard. Examples of this fencing is included in Exhibit A.
5. The entry treatment at the KY 338/Steeplechase Boulevard intersection, the pool proposed along Steeplechase Boulevard, and the recreation amenities shown on the Concept Development Plan, shall be constructed with the first phase of the subdivision.
6. The design of the multi-family structures shall follow the concept included in Exhibit A; the types of masonry used on these structures may be altered at the applicant's option.
7. The applicant shall be responsible for a proportionate share of the costs involved in signaling the future four way KY 338/Triple Crown Boulevard/Steeplechase Boulevard intersection when signal warrants are met and when the overall intersection level of service drops below a level of service "C" based on the Highway Capacity Analysis for Unsignalized Intersections. This condition acknowledges that one or more other private developers will participate in these costs if the signal is not installed at the exclusive expense of the Kentucky Transportation Cabinet. The applicant's contribution towards signaling the intersection shall not exceed \$13,600.00.

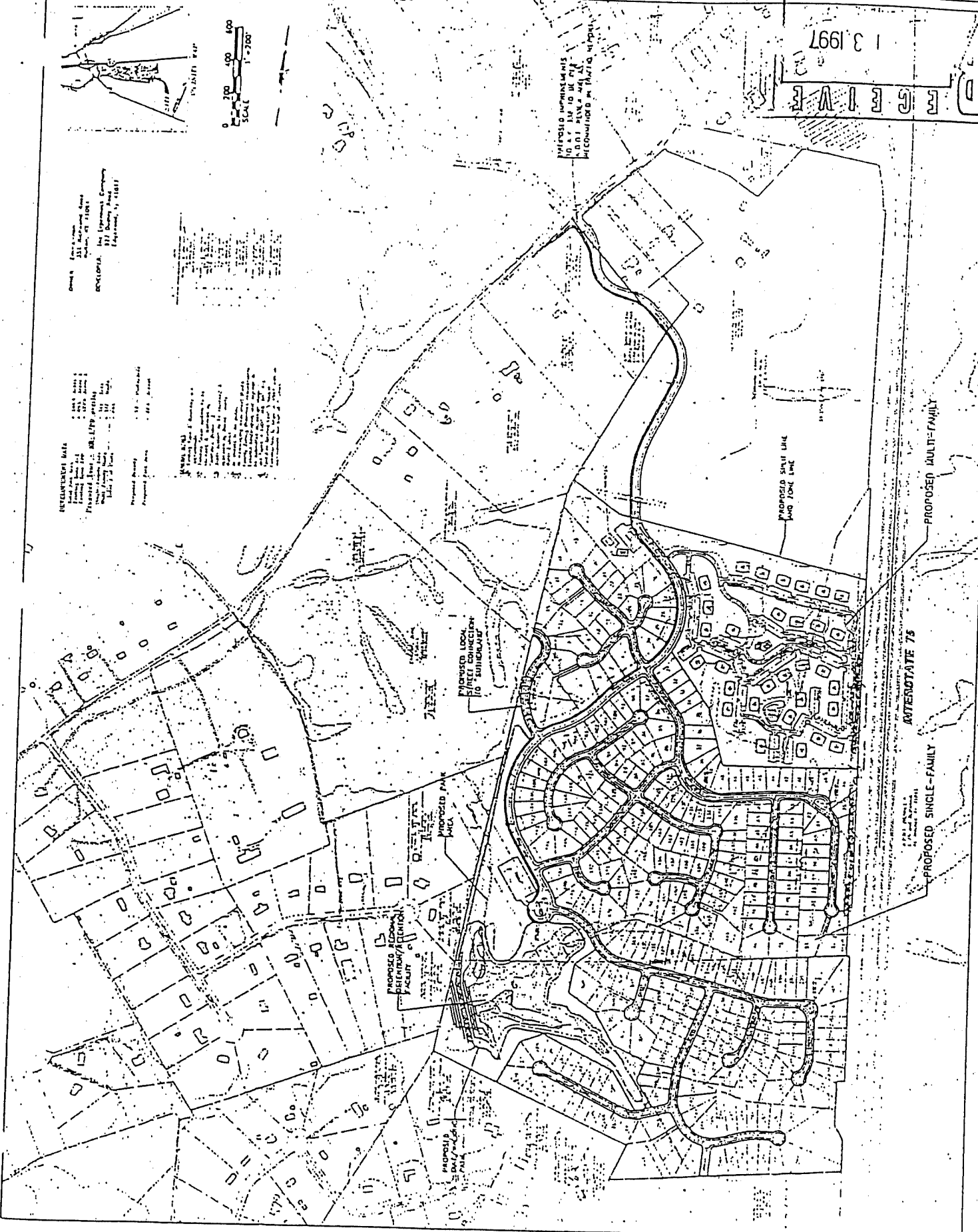
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

DATE  
 1 3 1997



OWNER'S REPRESENTATIVE  
 333 ...  
 ...

PROPOSED PROJECT  
 ...  
 ...



PROPOSED MULTI-FAMILY

ARTERIAL 75

PROPOSED SINGLE-FAMILY

PROPOSED LOCAL STREET CONNECTION TO SUBDIVISION

PROPOSED PARK AREA

PROPOSED ALONG BREWERY FACILITY

PROPOSED ...

PROPOSED SPLIT LINE

PROPOSED JOINT LINE

**ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT**

TO: Boone County Planning Commission

FROM: Arnold Caddell, Committee Chairman

DATE: April 16, 2003

RE: Request of The Drees Company (Timberlake, FLP) (applicant) for Em-A-Non Acres Limited Partnership (owners) for a Zoning Map Amendment from Employment Planned Development (EPD) to Urban Residential One (UR-1) for a 38 acre tract located on the east side of Grand National Boulevard and the west side of I-75/71, approximately 1,000 feet southeast of the Richwood Road/Grand National Boulevard intersection, Boone County, Kentucky. The request is for a zone change to allow multi-family dwelling units.

**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. The Committee has concluded that the request is in agreement with the 2000 Boone County Comprehensive Plan for the following reasons.
  - A. The Future Land Use Map designates the site by and large as "Urban Density Residential." This designation is described as "attached housing, generally condominiums or apartments, of over 8 dwelling units per acre." The Concept Development Plan includes a total of 380 apartment units, which equates to an overall density of 10 dwelling units per acre. This density is less than, yet compatible with, the approximate 11.3 dwelling units per acre which was approved for the multi-family phase of Steeplechase that is located to the immediate south. The Urban Density Residential designation on this site resulted from the property owner's request at the Public Hearing for the 2000 Boone County Comprehensive Plan.
  - B. The Population Element outlines population projections based on the Ohio-Kentucky-Indiana Regional Council of Government's (OKI) transportation analysis zones. The population for the zone in question (887) is expected to increase from 5,973 in the year 2000 to 8,402 in 2010, and to 9,459 in 2020. Therefore, the Comprehensive Plan has anticipated a substantial increase in resident population for the general area in question.

**Drees Company/Em-A-Non Acres Limited Partnership  
Richwood Road/Grand National Blvd.**

- C. The proposal fulfills the following Comprehensive Plan Goals and Objectives.
- I. Housing Objective 1 states "a broad range of housing opportunities shall be provided which meet the needs and desires for all household types." The proposal will help diversify the types of available dwellings in the Richwood area by providing attached dwellings on a site that was contemplated by the Future Land Use Map for such units.
  - II. Housing Objective 5 states "in order to offer the citizens of Boone County maximum choice in living environment, residential development shall be judged primarily on density, impact on infrastructure, and development design with only secondary consideration given to the type of dwelling unit." The proposed density is comparable to the adjoining Steeplechase multi-family phase, and due to the size and scale of the proposed buildings and overall development, the project helps to further create a transition between the existing and planned business uses to the north and along Richwood Road, and the developing and planned single family residential areas to the south. The Committee has determined that impacts on infrastructure will be mitigated through the agreed conditions outlined below and commitments already made through the approval of other developments in the vicinity. The Committee has also determined that the design commitments shown in the application materials and agreed by the property owner in the written conditions will result in an overall project design that appropriately relates to the project site and to the neighboring areas.
  - III. Housing Objective 13 states "residential developments shall be encouraged to plan and build in a manner which is compatible not only with the general housing density and design planned for the area but also with the existing conditions of the site, including the suitability of adjoining lands for appropriate access, and significant site features." Based on the discussion provided under paragraph "II." immediately above, the Committee has concluded that the proposal is in agreement with Housing Objective 13 as well.
- D. Based on the Concept Development Plan and the agreed conditions outlined below, the Committee has concluded that the proposal is in general agreement with the "Future Land Use Development Guidelines" on pages 158 to 160 of the Land Use Element.

**Drees Company/Em-A-Non Acres Limited Partnership  
Richwood Road/Grand National Blvd.**

2. The Committee has reviewed the Traffic Impact Study presented at the Public Hearing, and the addendum to this study which was provided in response to questions raised at the Public Hearing. Based on this review, the Committee has concluded that the commitments made by the property owner in the agreed conditions below regarding the upgrade of Richwood Road and participation in the signalization of the KY 338/Triple Crown Boulevard/Grand National Boulevard intersection will adequately mitigate the impacts that would be created by this development. The Committee has also concluded that the development will not have undue impacts on other public infrastructure including water and sanitary sewer systems, and schools.
3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The architectural design for the three story buildings will use the same design as the Sanctuary Place development on North Bend Road (exhibits attached) and the architectural design for the two story buildings shall use the design shown on the attached exhibit labeled as "2-story Front Twin Fountains."
2. An exclusive left turn lane into the development shall be constructed on Grand National Boulevard in accordance with the County Engineer's requirements.
3. A secured emergency access shall be provided between the parking area and driveway shown on the Concept Development in the northwest corner of the site and Grand National Boulevard.
4. The developer for this 380 unit apartment development shall construct the KY 338 roadway improvements and Triple Crown Boulevard/Grand National Boulevard/KY 338 intersection improvements outlined in condition #3 of the EM-A-NON/Erpenbeck Company Zone Change Committee Report dated 3/19/97 for the Steeplechase Subdivision development by the time that there are sixty five (65) occupied dwellings in the 380 unit apartment development, if such improvements have not already been constructed by the Steeplechase Subdivision developer.

April 16, 2003

**Drees Company/Em-A-Non Acres Limited Partnership**

**Richwood Road/Grand National Blvd.**

5. The developer shall make a good faith effort to negotiate an agreement with the Steeplechase Subdivision Homeowners Association to pay a share of the maintenance expenses for the Steeplechase Subdivision common areas.
6. Landscaping from Buffer Yard C as outlined in Article 37 of the Zoning Regulations shall be provided in the site areas along the I-75 frontage where there is no existing tree cover in the adjoining right-of-way. Landscaping from Section 3720 "Street Frontage Landscaping" in Article 37 of the Zoning Regulations shall be provided in the site areas along the I-75 frontage where there is existing tree cover in the adjoining right-of-way.
7. The applicant shall be responsible for a proportionate share of the costs involved in signalizing the four way KY 338/Triple Crown Boulevard/Grand National Boulevard intersection when signal warrants are met and when the overall intersection level of service drops below a level of service "C" based on the Highway Capacity Analysis for Unsignalized intersections. This condition acknowledges that one or more other private developers will participate in these costs if the signal is not installed at the exclusive expense of the Kentucky Transportation Cabinet. The applicant's contribution toward signalizing the intersection shall not exceed \$13,600.00.

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 Committee Vote.

KY 338

- A = ARC=68.51', R=242.00'  
CH=N 13°58'28" W, 68.28'
- B = N 5°51'53" W 185.22'
- C = ARC=283.06', R=982.00'  
CH=N 2°23'36" E, 282.08
- D = N 10°39'04" E 410.00'
- E = CH=N01°37'17"E, 95.11'  
ARC=95.50', R=303.00'

RICHARD L. & SARAH RUTH DAVIS (1/2)  
AND LEWIS G. & JULIAN M. DAVIS (1/2)  
391 RICHWOOD ROAD  
WALTON, KY. 41094  
DB 282, PG 80  
DB 269, PG 274  
ZONE: EPD

RICHARD L. & SARAH RUTH DAVIS  
391 RICHWOOD ROAD  
WALTON, KY. 41094

EM-A-NON ACRES LIMITED PARTNERSHIP  
361 RICHWOOD ROAD  
WALTON, KY. 41094

DB 498, PG 302  
ZONE: EPD

BETTY L. CARSTENS AND  
JUDITH HAHN  
413 RICHWOOD ROAD  
WALTON, KY. 41094  
DB 320, PG 242  
ZONE: A-2

DB 498, PG 302  
EM-A-NON ACRES LIMITED PARTNERSHIP  
ZONE: EPD

SR-1/PD/CD

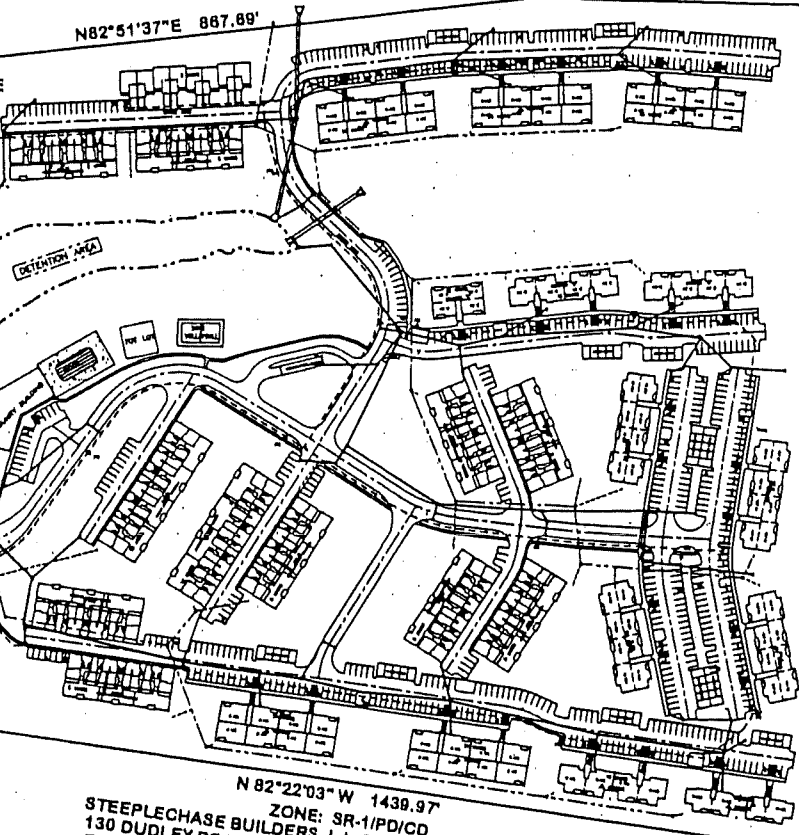
STEEPLECHASE II, L.L.C.  
130 DUDLEY ROAD  
EDGEWOOD, KY. 41014  
DB 800, PG 382

STEEPLECHASE SUBDIVISION H.O.A. INC.  
927 DUDLEY ROAD  
EDGEWOOD, KY. 41014

N 82°22'03" W 1439.97'  
ZONE: SR-1/PD/CD  
STEEPLECHASE BUILDERS, L.L.C.  
130 DUDLEY ROAD  
EDGEWOOD, KY. 41014  
DB 657, PG 239

STEEPLECHASE CONDOMINIUM H.O.A.  
130 DUDLEY ROAD  
EDGEWOOD, KY. 41014

GRAND NATIONAL BOULEVARD



S 89°13'54" E 448.30'

N 82°51'37" E 867.89'

S 2°49'08" E 164.3

S 87°10'54" W, 20.0

S 72°49'06" E 652.33

30' R.O.W.

I-75/I-71

R.O.W. RIGHT-OF-WAY

N 26°41'54" E, 40.5

S 72°49'06" E 543.68



**PARCEL TO BE REZONED  
FROM EPD TO UR-1  
38.009 ACRE PARCEL  
RICHWOOD, BOONE CO., KY.**

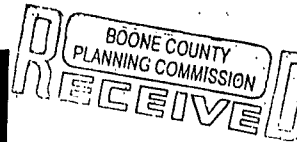
Scale~ 1"=300' December 13, 2002

**W VIOX & VIOX, INC.**  
Engineers • Surveyors • Landscape Architects

466 Erlanger Road  
Erlanger, Kentucky 41018  
Tel: 859-727-3293  
Fax: 859-727-8452  
e-mail: viox@nkol.net

APPLICATION FORM

ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION



MAR 20 2007

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project Abby's Child Enrichment Center
2. Location of Project Grand National Blvd. @ Overland Drive
3. Total Acreage of Site ~~1.110~~ 2.347
4. Current Zoning of Site EPD
5. Proposed Zoning (Classification being requested) SR1 PD
6. Proposed Uses (please specify each use)  
child care center
7. Names of Applicant(s) Abby Sommerkamp  
Phone Number 859-802-13967 Fax No. 859-727-8452
8. Address of Applicant(s) 2012 Terrace Court  
Florence KY 41042  
City State Zip
9. Name of Property Owner(s) Em-a-non Acres LLC  
Phone Number \_\_\_\_\_ Fax No. \_\_\_\_\_
10. Address of Property Owner(s) 351 Richwood Road  
Walton KY 41094  
City State Zip
11. Proposed Building Intensities (please specify) \_\_\_\_\_
12. Are there any existing buildings on the site? no  
How many? \_\_\_\_\_
13. Deed Book 498 Page No. 302 Group No. 2071
14. Are you also applying for:  
no Conditional Use Permit  
no Dimensional Variance
15. Have you submitted a Concept Development Plan? yes
16. Have you had a pre-application meeting with BCPC Staff? yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- \_\_\_\_\_ Boone County Water District
- \_\_\_\_\_ Florence Public Services Dept.
- \_\_\_\_\_ Duke Energy
- \_\_\_\_\_ Sanitation District #1
- \_\_\_\_\_ Cincinnati Bell
- \_\_\_\_\_ Owen Electric Cooperative, Inc.
- \_\_\_\_\_ Boone County Public Works Department
- \_\_\_\_\_ Kentucky Transportation Cabinet
- \_\_\_\_\_ Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)

**ZONING MAP AMENDMENT  
APPLICATION  
PAGE 2**

- Boone County Building Department
- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other: \_\_\_\_\_

18. Project Jurisdiction/Location  
 Unincorporated Boone County       Walton  
 Florence       Union

19. Applicant's Signature *[Signature]*  
Property Owner's Signature *See attached page*

**SECTION B (To be completed by BCPC Staff)**

1. Date Received 3-20-07
2. Review Fee \$1437.92 RE 52775 \$1124 RE 52776
3. Check what has been submitted:
  - Application
  - Fee
  - Legal Description
  - Concept Development Plan
  - Address of Adjoining Property Owners
  - Number of copies of plan received\*\*
4. Is application complete?  Yes       No
5. Staff Reviewer KEVIN J. JAMES
6. Committee Chairman \_\_\_\_\_
7. Scheduled Public Hearing Date 5/2/07
8. Boone County Planning Commission Action:
  - Approval
  - Approval with Conditions
  - Denial
9. Other: \_\_\_\_\_

**\*\* Five (5) Copies Are Required**

**Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
www.boonecountyky.org - Web Page**

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

**ZONING MAP AMENDMENT  
APPLICATION  
PAGE 2**

- \_\_\_\_\_ Boone County Building Department
- \_\_\_\_\_ Northern Kentucky Health District
- \_\_\_\_\_ USDA NRCS/Boone County Conservation District
- \_\_\_\_\_ KY Division of Water
- \_\_\_\_\_ Local School District
- \_\_\_\_\_ Local Fire District
- \_\_\_\_\_ Other: \_\_\_\_\_

18. Project Jurisdiction/Location  
 Unincorporated Boone County      \_\_\_\_\_ Walton  
\_\_\_\_\_ Florence      \_\_\_\_\_ Union
19. Applicant's Signature See attached sheet  
Property Owner's Signature Dennis J. Davis PRINCIPAL MEMBER / MANAGER  
EM-A-NDD Acres, LLC

**SECTION B (To be completed by BCPC Staff)**

1. Date Received 3-20-07
2. Review Fee ~~1437.92~~ RA 52775
3. Check what has been submitted: \$ 11.24 RA 52776  
\_\_\_\_\_ Application  
\_\_\_\_\_ Fee  
\_\_\_\_\_ Legal Description  
\_\_\_\_\_ Concept Development Plan  
\_\_\_\_\_ Address of Adjoining Property Owners  
\_\_\_\_\_ Number of copies of plan received\*\*
4. Is application complete? Kevin W Yes \_\_\_\_\_ No
5. Staff Reviewer \_\_\_\_\_
6. Committee Chairman \_\_\_\_\_
7. Scheduled Public Hearing Date 5/2/07
8. Boone County Planning Commission Action:  
\_\_\_\_\_ Approval  
\_\_\_\_\_ Approval with Conditions  
\_\_\_\_\_ Denial
9. Other: \_\_\_\_\_

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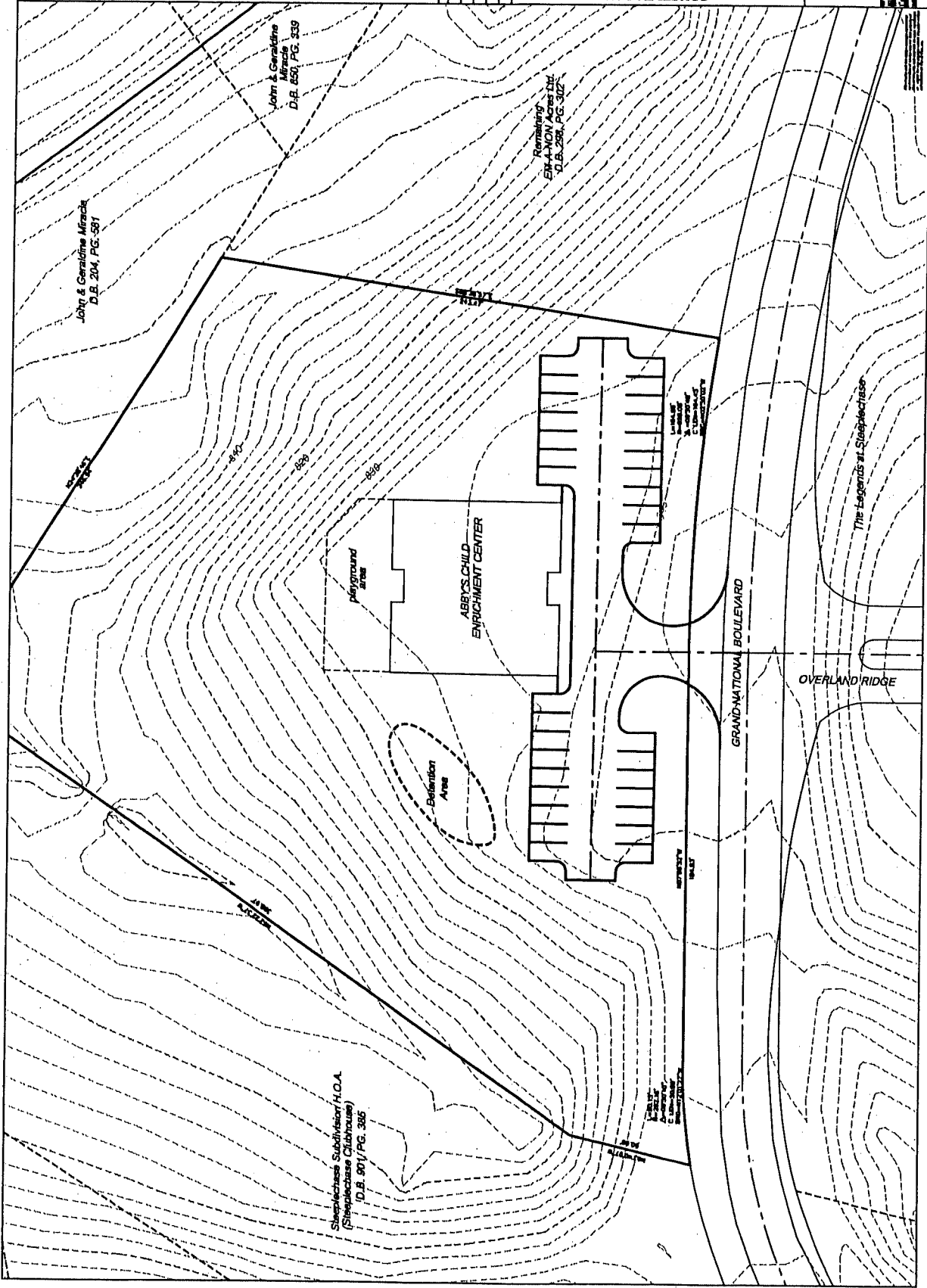
**NOTE:** An application consists of all fees paid in full, submitted drawings and a completed application form.

- 1. Survey 25-1-1024 Area 1A, 201 National Blvd., Overland Ridge, Kentucky 40388
- 2. Subdivision 2023 Survey Plat, Perryville, Kentucky 40374
- 3. Plat 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000
- 4. Existing Plat 100
- 5. Proposed Plat 100-1/100
- 6. Proposed Plat 100-2/100
- 7. Plat 100-3/100
- 8. Plat 100-4/100
- 9. Plat 100-5/100
- 10. Plat 100-6/100
- 11. Plat 100-7/100
- 12. Plat 100-8/100



**VOX & VOX**  
 Civil Engineers, Surveyors, and Landscape Architects  
 1210 West Main Street, Suite 100  
 Louisville, Kentucky 40202  
 (502) 581-1111  
 www.voxandvox.com

**CONCEPT PLAN**  
**ABBY'S CHILD ENRICHMENT CENTER**  
**BOONE COUNTY, KENTUCKY**



Sleepchase Subdivision/H.O.A.  
 (Sleepchase Clubhouse)  
 (D.B. 901/PG. 395)

John & Geraldine Mirzacki  
 D.B. 204, PG. 581

John & Geraldine Mirzacki  
 D.B. 650, PG. 339

Remaining EA Acreage  
 (D.B. 288, PG. 302)

GRAND NATIONAL BOULEVARD

OVERLAND RIDGE

The Esplanade at Sleepchase

ABBY'S CHILD ENRICHMENT CENTER

playground area

Detention Area

PROPERTY LINE

PROPOSED DRIVE

PROPOSED DRIVE

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

**May 2, 2007**

**7:30 P.M.**

**PUBLIC HEARINGS**

**Commission Members Present:** Mr. Breetz, Mr. Bunger, Mr. Caddell – Chairman, Mrs. Herald, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen, and Mr. Schwenke.

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

**Legal Counsel Present:** Mr. Dale Wilson

Following a short recess, Mr. Arnold Caddell, Chairman, called the meeting to order at 7:31 PM and introduced the first item on the Agenda:

**Applicant:**     **Abby Sommerkamp for  
Em-A-Non Acres, LLC (owner)**

**Request:**       **Zoning Map Amendment**

**The request of Abby Sommerkamp (applicant) for Em-A-Non Acres, LLC (owner) for a Zoning Map Amendment from Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 2.347 acre site located on the west of Grand National Boulevard, immediately north of the property at 11301 Grand National Boulevard and across Grand National Boulevard from the intersection with Overland Ridge, Boone County, Kentucky. The request is for a zone change to permit a child care center.**

Staff Member Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, the Chairman asked for the applicant's presentation.

Ms. Megan de Sola, a planner with Viox & Viox, 466 Erlanger Road in Erlanger, Kentucky, stated that she and Michelle Bollman will make a presentation on behalf of the applicant. The applicant was also present.

Ms. Abby Sommerkamp, owner/operator of Abby's Child Enrichment Centers in Kenton, Campbell, and Boone Counties, stated that they have been in business for fourteen years and currently serve about 500 children in the Northern Kentucky area. Their program is three-star rated in Kentucky and accredited by the National Association of the Education of Young Children. They are committed to quality childcare. They want to continue to serve Boone County residents by coming out to the Steeplechase area. Their Florence location enrolled to capacity within six months and there is a need in this area. They want to serve Steeplechase and the surrounding communities.

Ms. Michelle Bollman, P.E. with Viox & Viox, stated that the facility will serve a maximum of 125 children including part-time, full-time and Kindergarten. The facility will serve children from six weeks old to Kindergarten. Hours of operation are Monday through Friday from 6:30 AM to 6:00 PM. There will no weekend hours. She stated that the 2.347-acre site is located within Steeplechase subdivision. She reviewed the applicant's Power Point presentation and noted the proximity of the site to the Steeplechase clubhouse. Most of the building and parking areas will be on the flat area of the site. They are asking for SR-1/PD because the facility will serve the immediate neighbors and because daycare is residential in nature. She stated that they will emulate the architecture of the Steeplechase clubhouse. The entrance of the child care center will be at the crest of the road and there will be no sight distance issues. She reviewed the Engineering Plan. She stated that the entrance is directly across from Overland Ridge. The building is approximately 6,600 square feet in size. They propose a detention pond in back left corner of the site. One playground area is shown on the plan, but Ms. Sommerkamp has since indicated that there will probably be at least one additional playground in order to separate the age groups when the children are outside. Sanitary sewer is available. She reviewed the aerial photograph and noted the creeks that run with the property line. She noted the vegetation on the site and around the site. She reviewed the elevations and stated that their goal is to emulate the Steeplechase clubhouse as closely as possible. They are not set on materials. She stated that the Traffic Study was conducted at the existing Abby's Child Enrichment Center on U.S. 42 on April 11, 2007 during the AM and PM peak hours. In the AM peak (7:30 AM to 9:00AM), there were 61 movements into the parking lot and 56 movements out of the parking lot, which is probably due to 5 employee vehicles. In the PM peak pick-up hours (4:00 PM to 5:30 PM), there were 49 movements into and 49 movements out of the parking lot. AM peak total movements were 117 and PM peak total movements were 98. She stated that this type of use does not generate a large amount of trips. They believe many of the children will come from this community or nearby surrounding communities.

Ms. de Sola stated that daycare would work within an Employment Planned Development zone, but it would be a better fit within a Residential zone because daycare is residential in nature. Daycare would be a supportive use within a

Residential zone. She stated that the facility will serve the immediate local area and will not be a regional draw. At Ms. Sommerkamp's other facilities, most of the students in daycare are from the immediate surrounding area. Studies show that parents tend to send their children to daycare that is close to home. She submitted a copy of the applicant's Power Point presentation (see Exhibit 1). This concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present who wished to speak in opposition. There was no response.

The Chairman asked if there were any comments or questions from the Commissioners.

Mr. Breetz noted the information presented by Ms. Bollman regarding the trips in and out of the facility in Florence. He questioned the maximum number of occupants at that facility. Ms. Bollman responded that there is a maximum of 125 children at the Florence facility and the proposed facility will be the same size as the Florence facility.


Mr. Reynolds stated that the buildings shown in the applicant's Power Point presentation have building-mounted signage. He noted Staff's comment that building-mounted signage may be a problem and asked that signage be addressed at the Committee Meeting. Ms. de Sola agreed.

Mr. Bunger noted that the design capacity is the same at both facilities and questioned how many children are enrolled at the Florence facility. Ms. Sommerkamp responded that they are maxed out at 125 children at the Florence location.


There being no further comments, the Chairman stated that the Committee Meeting for this item will be on May 16, 2007 at 5:00 PM. This item will be on the Agenda for the Business Meeting on June 6, 2007 at 7:00 PM.

The Chairman closed this Public Hearing.

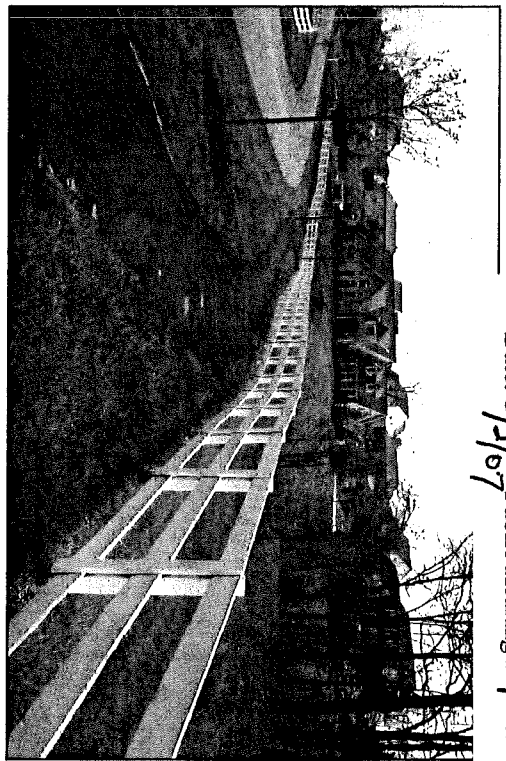
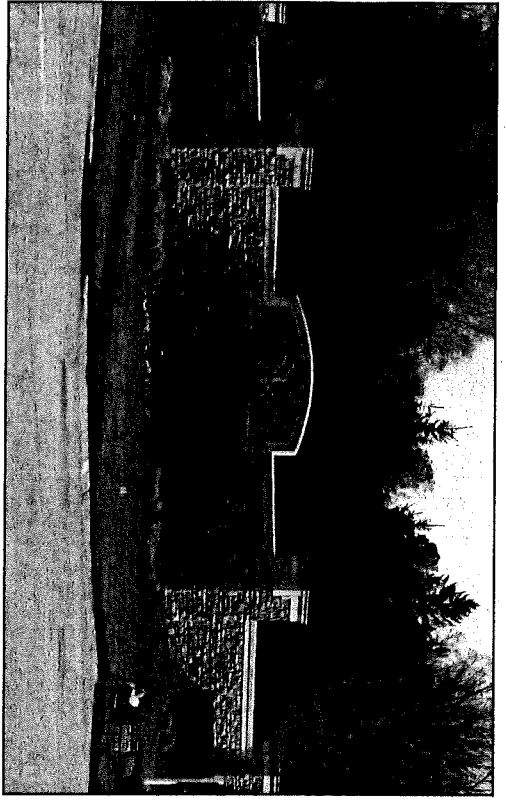
**APPROVED:**

  
\_\_\_\_\_  
**Arnold Caddell, Chairman**

**Attest:**

  
**Jan Hancock, Recording Secretary**

**Exhibit 1 – Applicant’s Power Point presentation *Abby’s Child Enrichment Center at Steeplechase, Boone County, Kentucky, May 2, 2007* submitted by Megan de Sola**



# Abby's Child Enrichment Center At Steeplechase Boone County, Kentucky May 2, 2007

Owner:

Abby Sommerkamp  
2012 Terrace Court  
Florence, KY 41042

Civil Engineers:

Viox & Viox  
466 Erlanger Road  
Erlanger, KY 41018

Presenters:

Megan de Sola, AICP, Michelle Bollman, P.E.

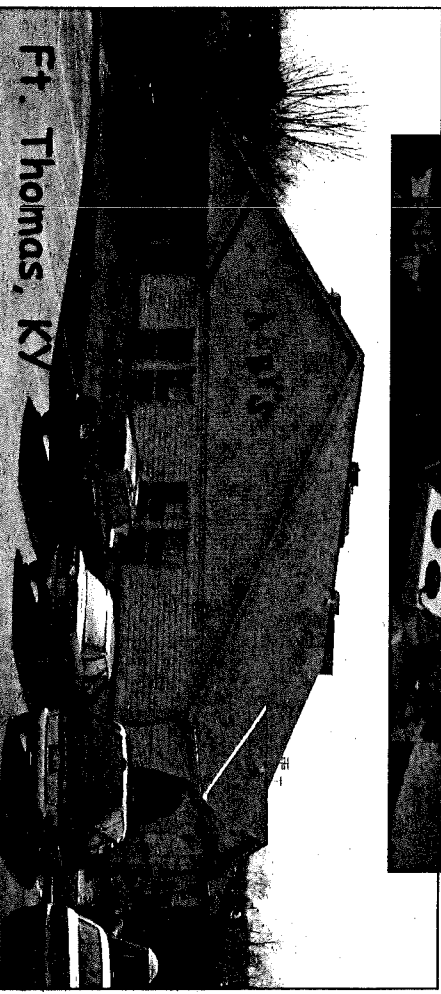
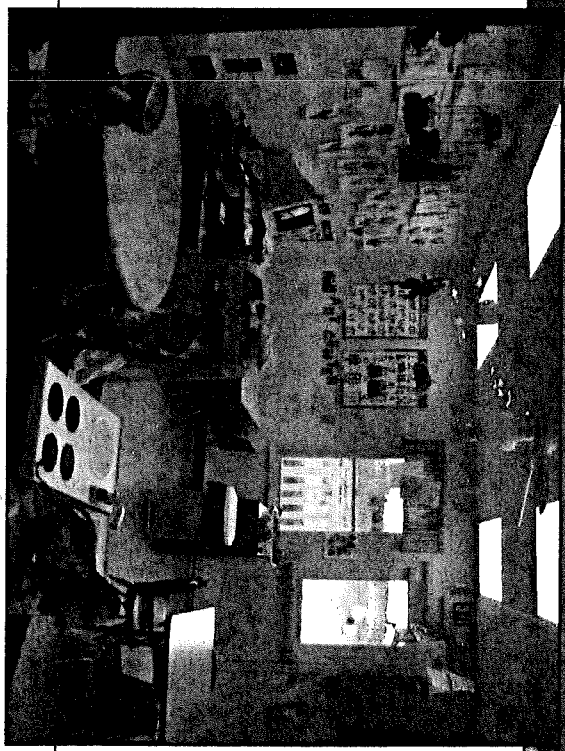
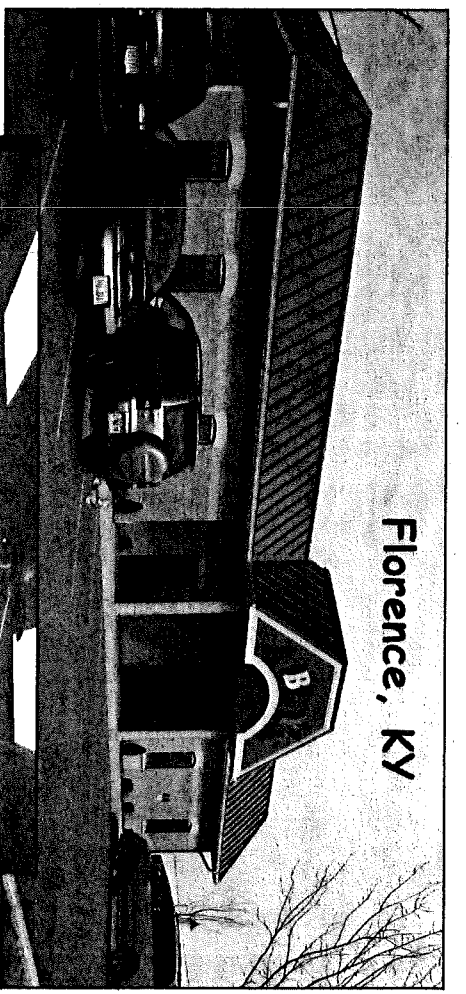


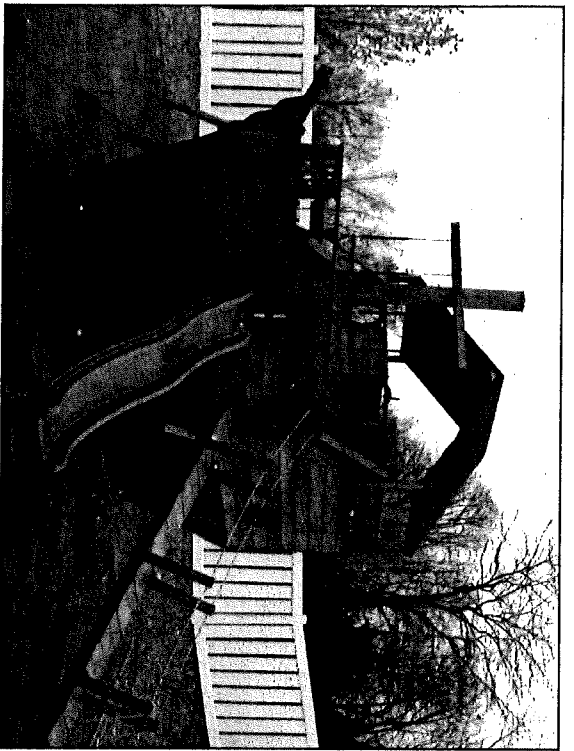
## Abby's Child Enrichment Center

• Abby Sommerkamp built the first Abby's Child Enrichment Center in Highland Heights, KY in 1993; followed by locations in Fort Thomas in 1995, Taylor Mill in 1999, and Florence in 2005.

• All of the Centers have been awarded accreditation from the National Association of the Education of Young Children (NAEYC), the highest ranking a childcare program can achieve.

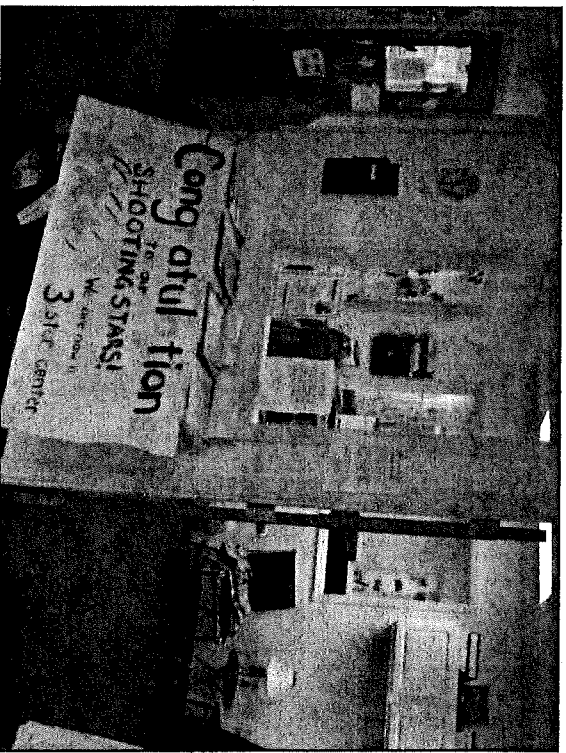
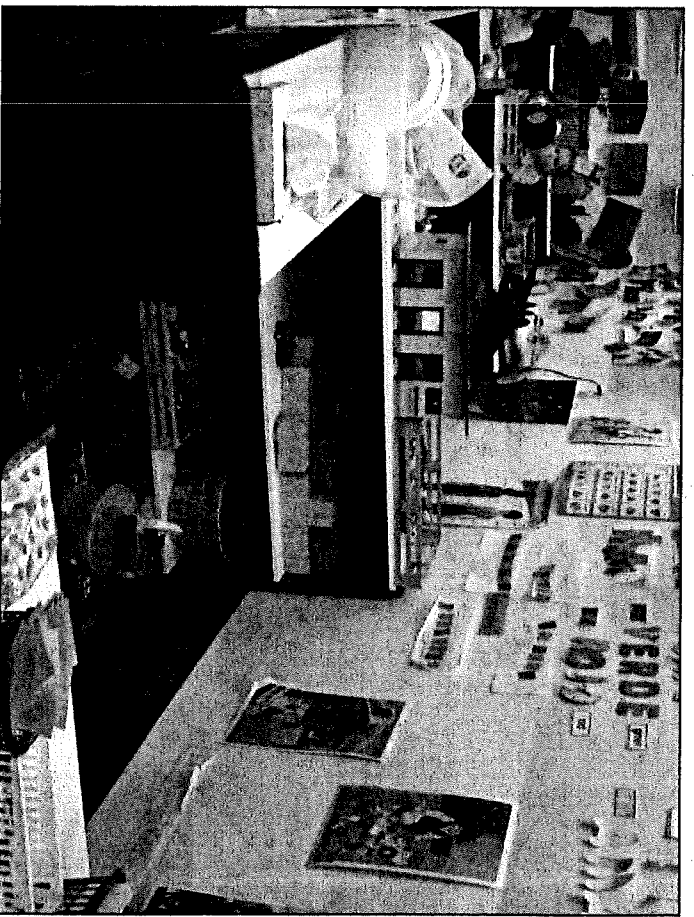
• All of the Centers have a 3-Star Rating as part of Kentucky's STARS for Kids Now Program



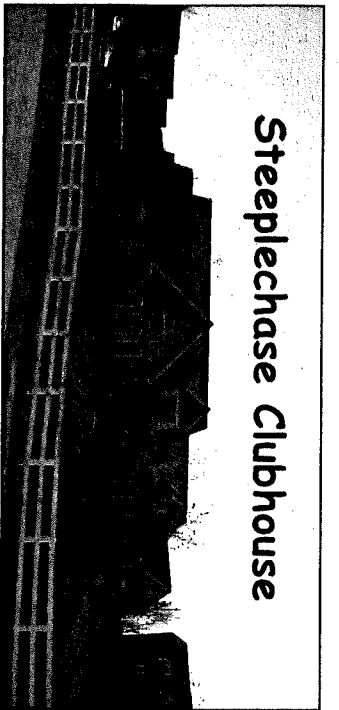


## Abby's Child Enrichment Center Quick Facts:

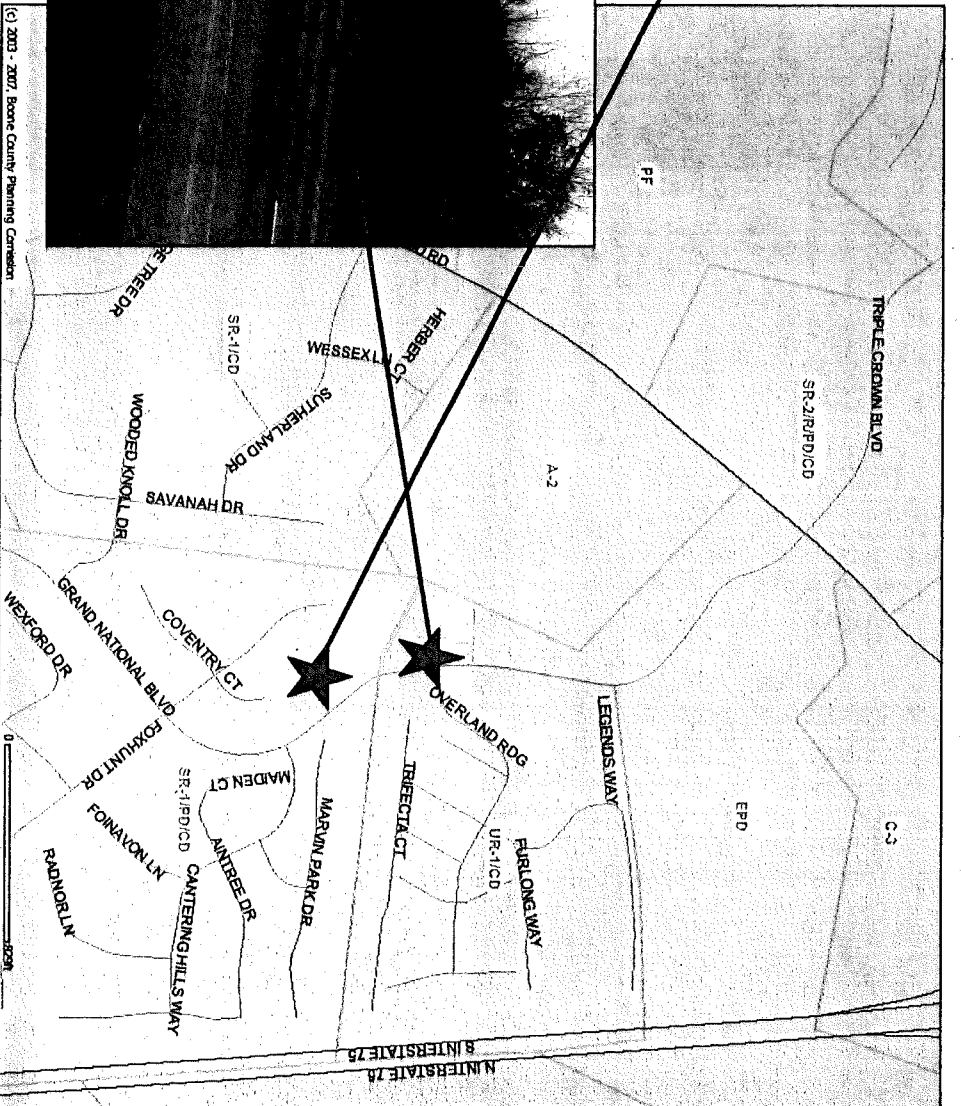
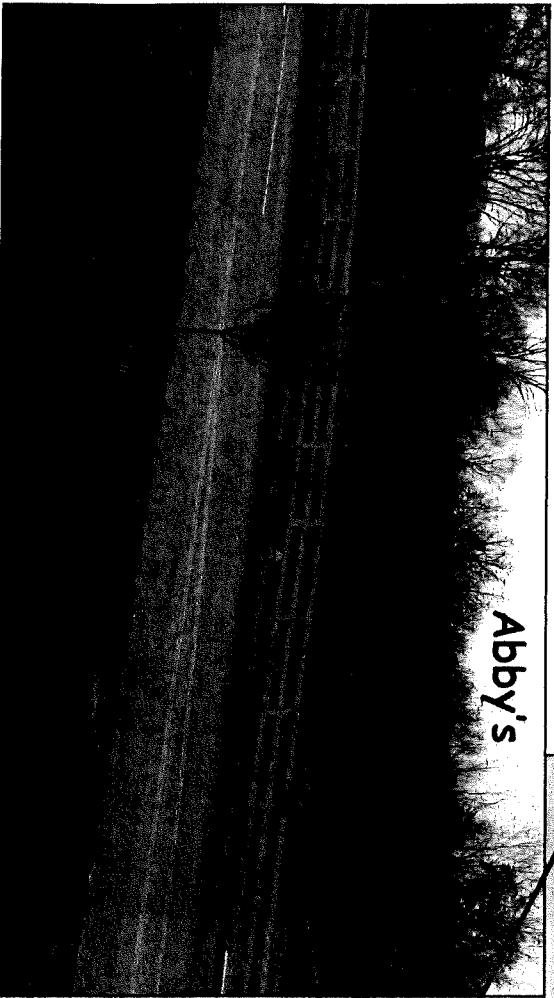
- Maximum number of children at new facility = 125
- Facility will provide infant care, pre-school curriculum and private kindergarten
- Hours of operation = Monday – Friday; 6:30 a.m. – 6:00 p.m.



# Steeplechase Clubhouse



# Abby's



- Site is located on 2.347 acres within Steeplechase subdivision; near existing clubhouse

- Site is currently zoned EPD; asking for zone change to SR-1/PPD

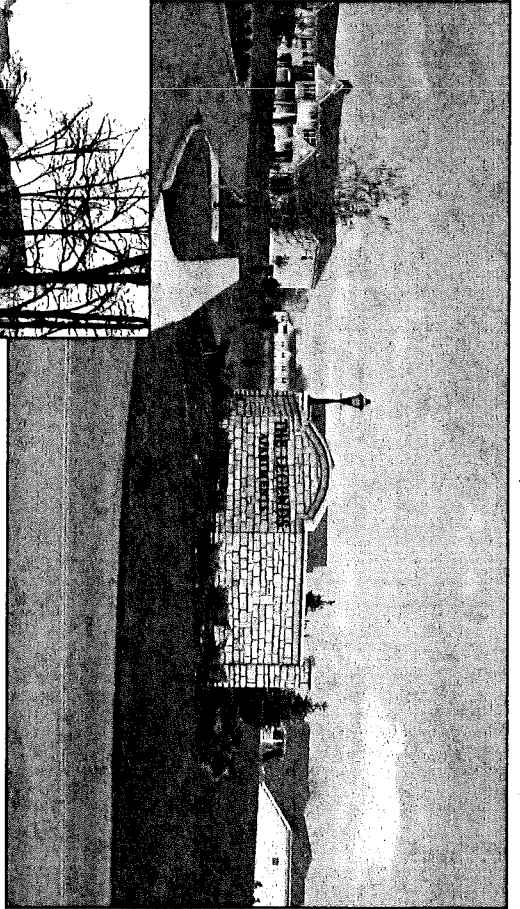
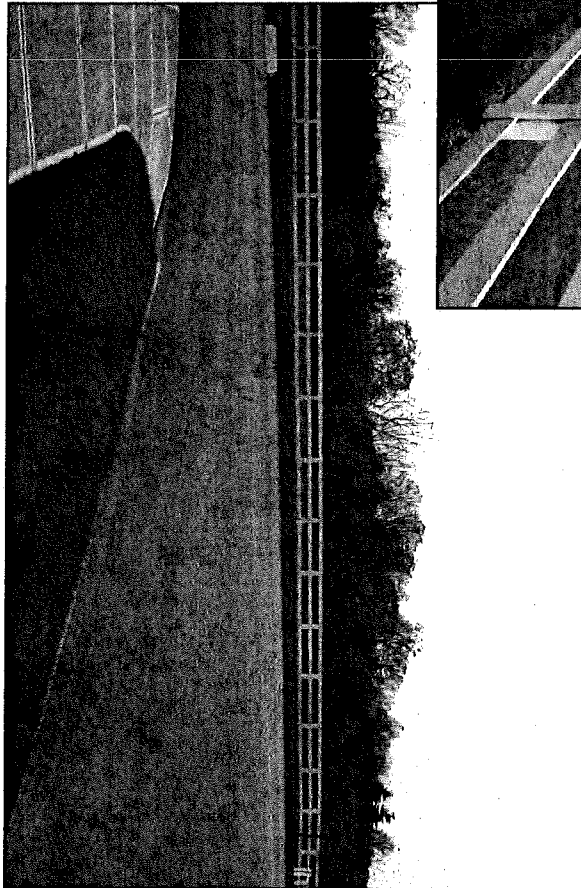
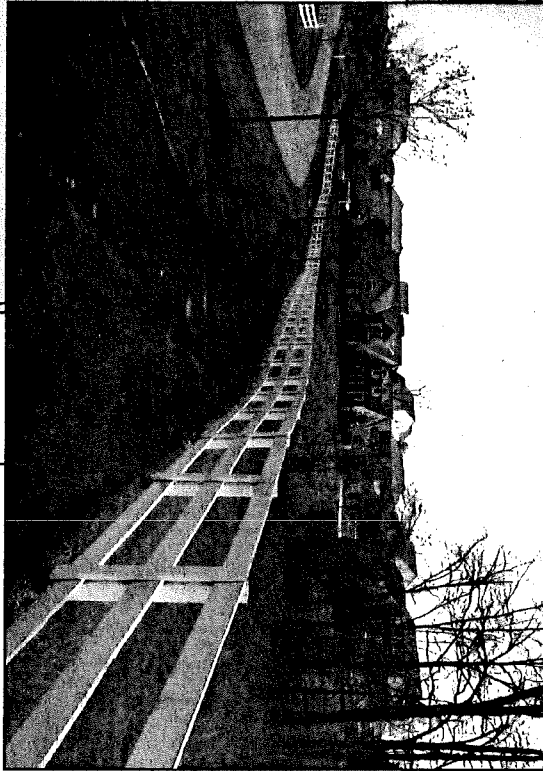
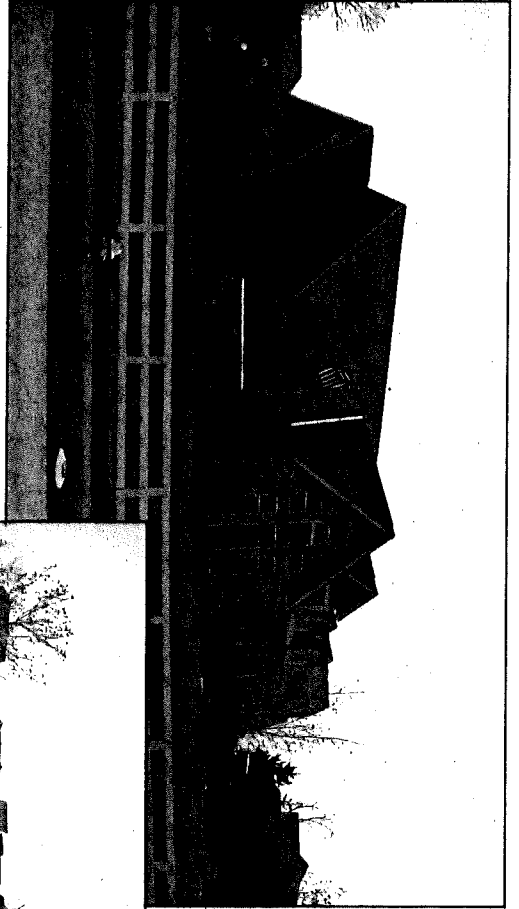
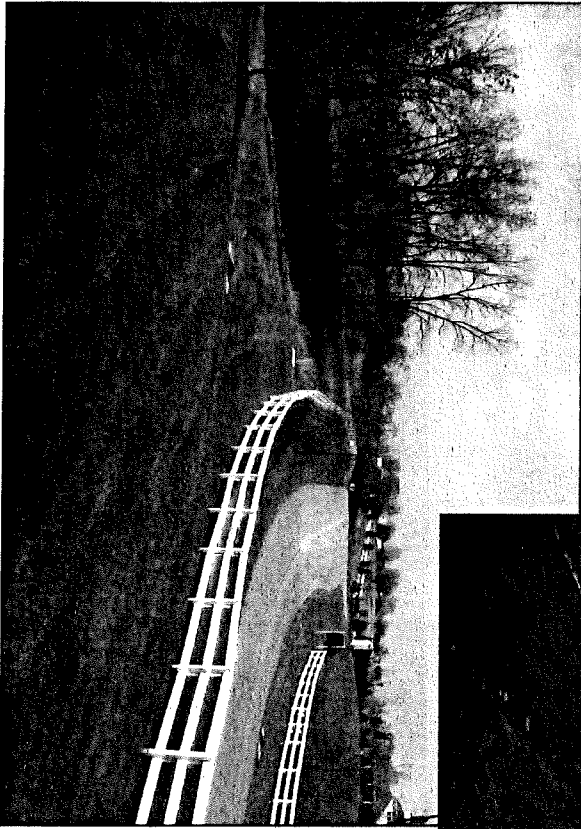
- New facility will serve immediate surrounding neighborhoods

## Proposed Site of Abby's Child Enrichment Center

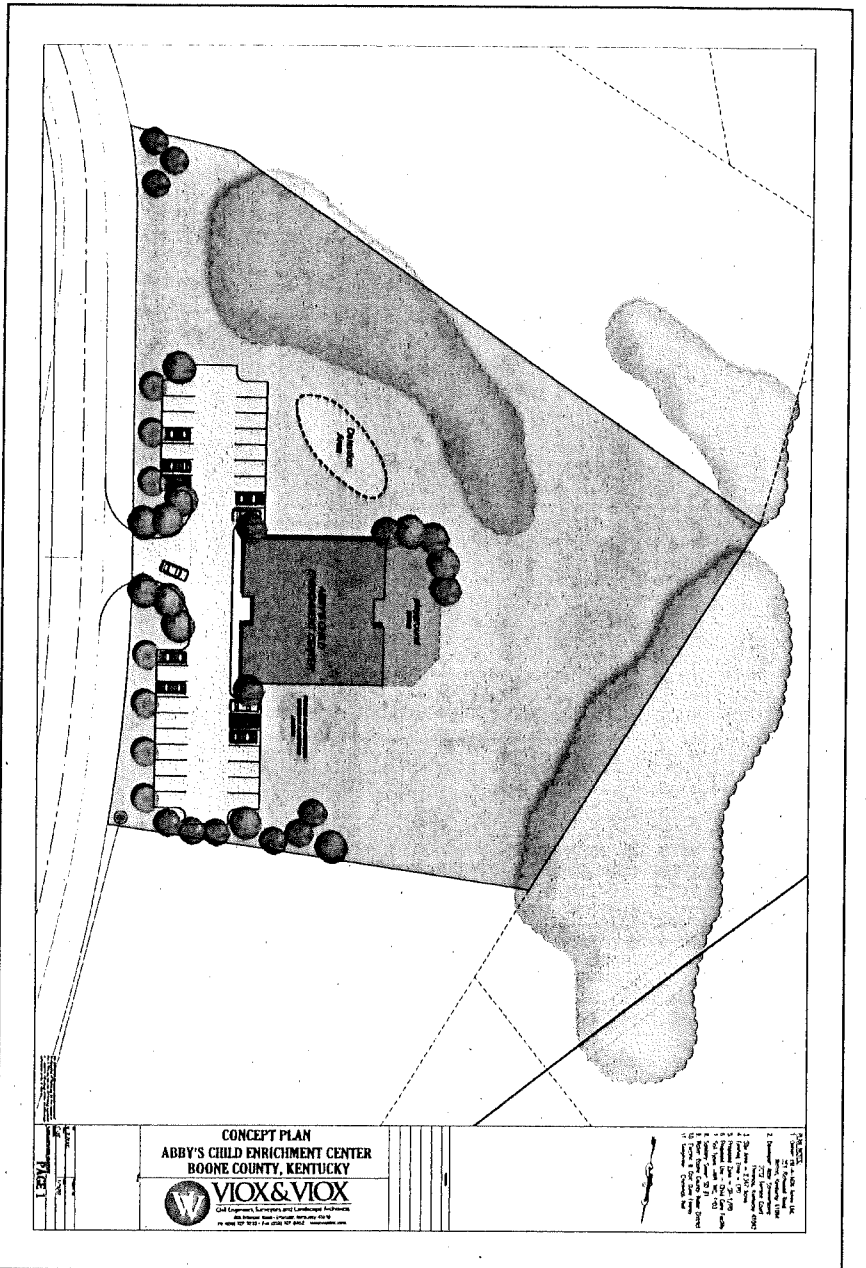


**WIOXX & WIOX**  
Civil Engineers, Surveyors, and Landscape Architects

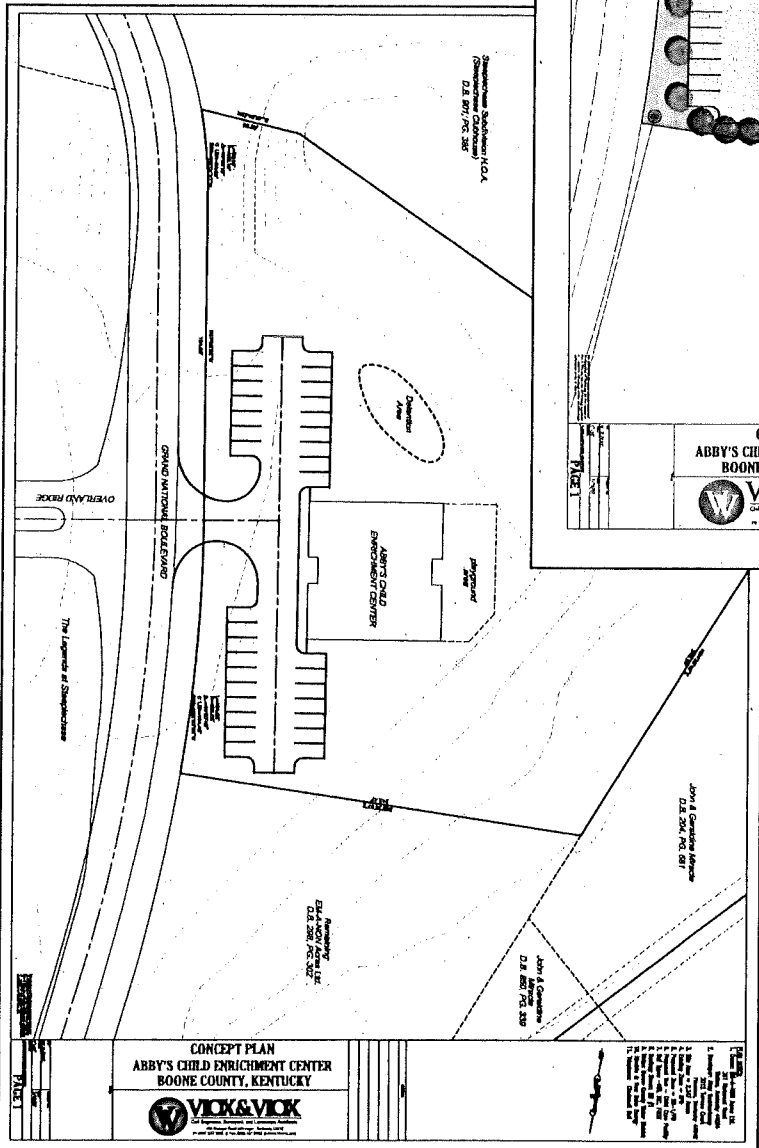
(C) 2003 - 2007 Boone County Planning Commission



# CONCEPTUAL LANDSCAPE PLAN

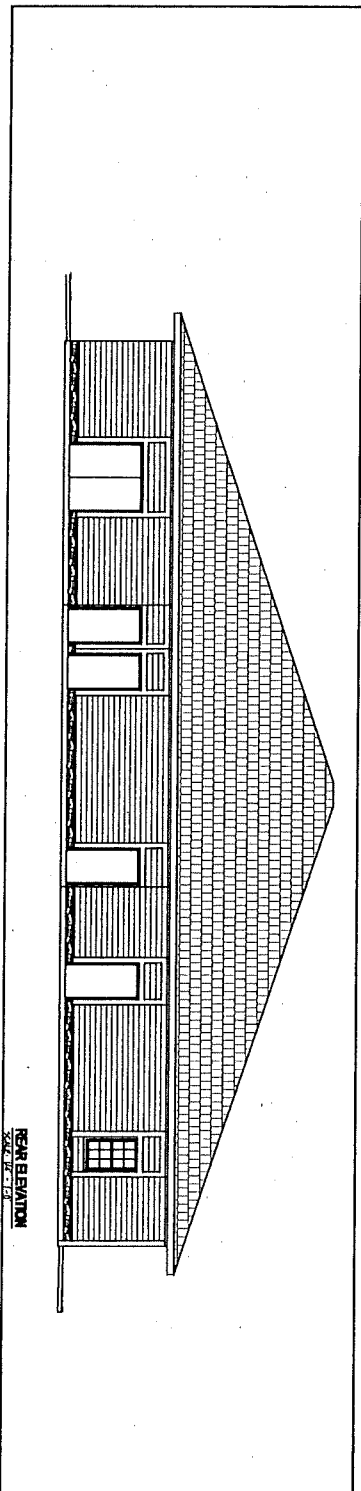
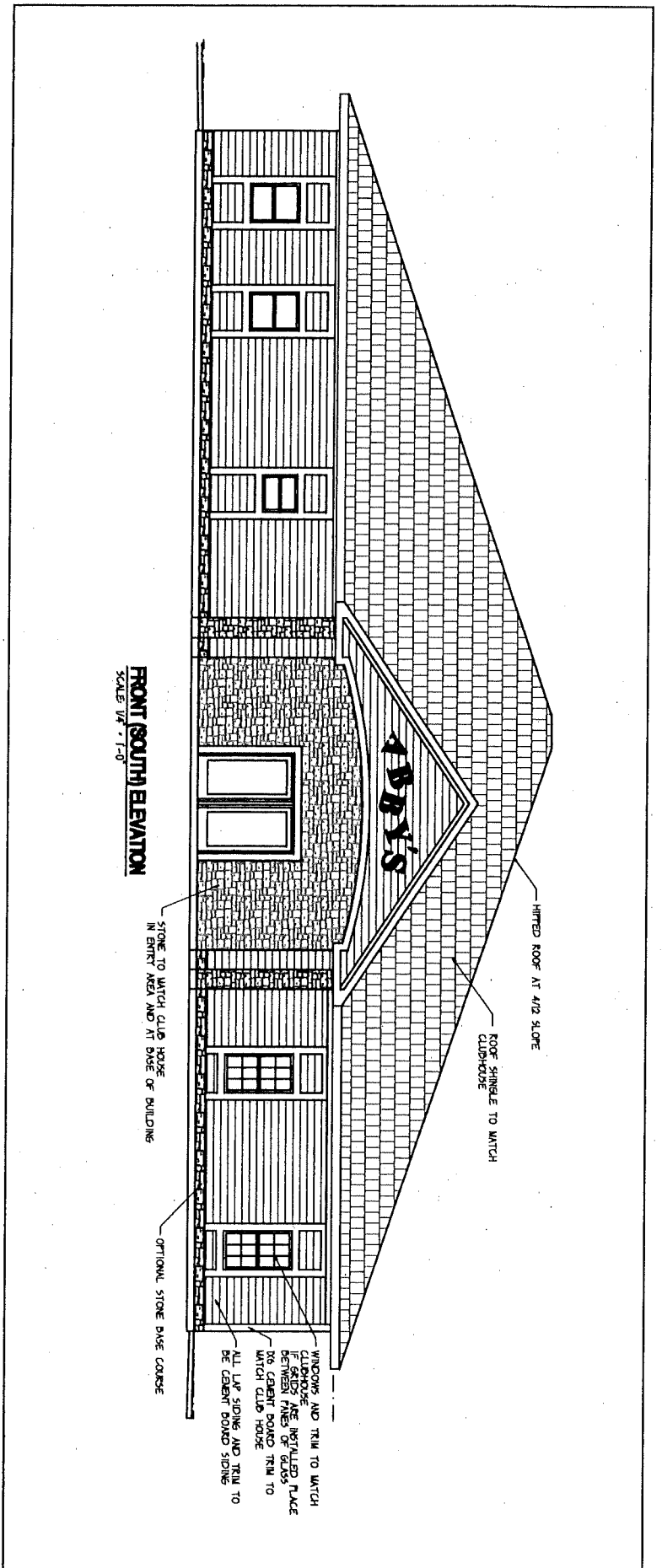


# CIVIL ENGINEER'S CONCEPT PLAN





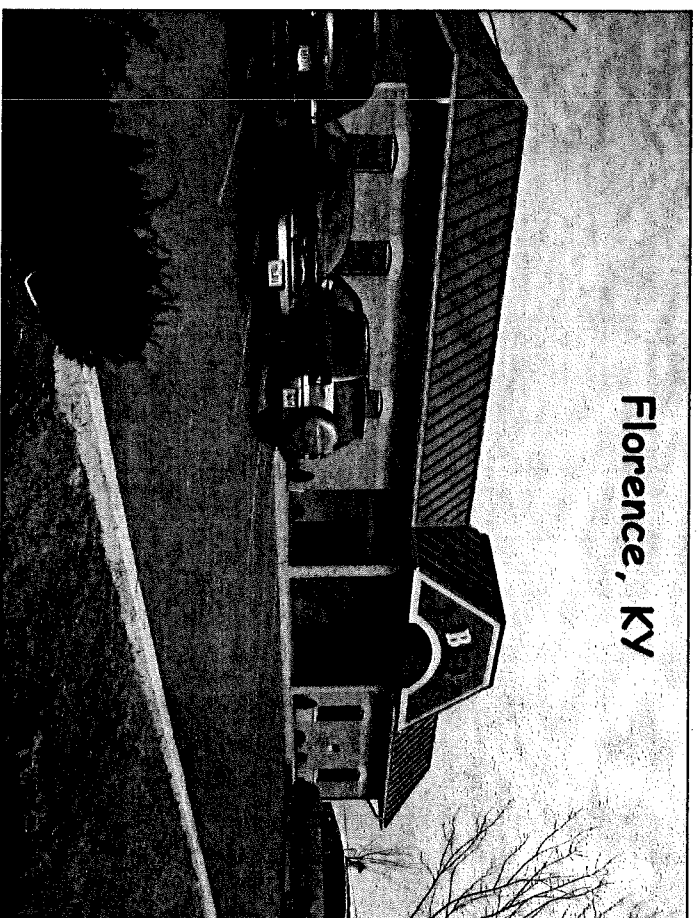
Aerial photo of site



**ARCHITECTURAL RENDERING OF  
 PROPOSED ABBY'S CHILD ENRICHMENT CENTER**

## **Abby's Child Enrichment Center Traffic Study:**

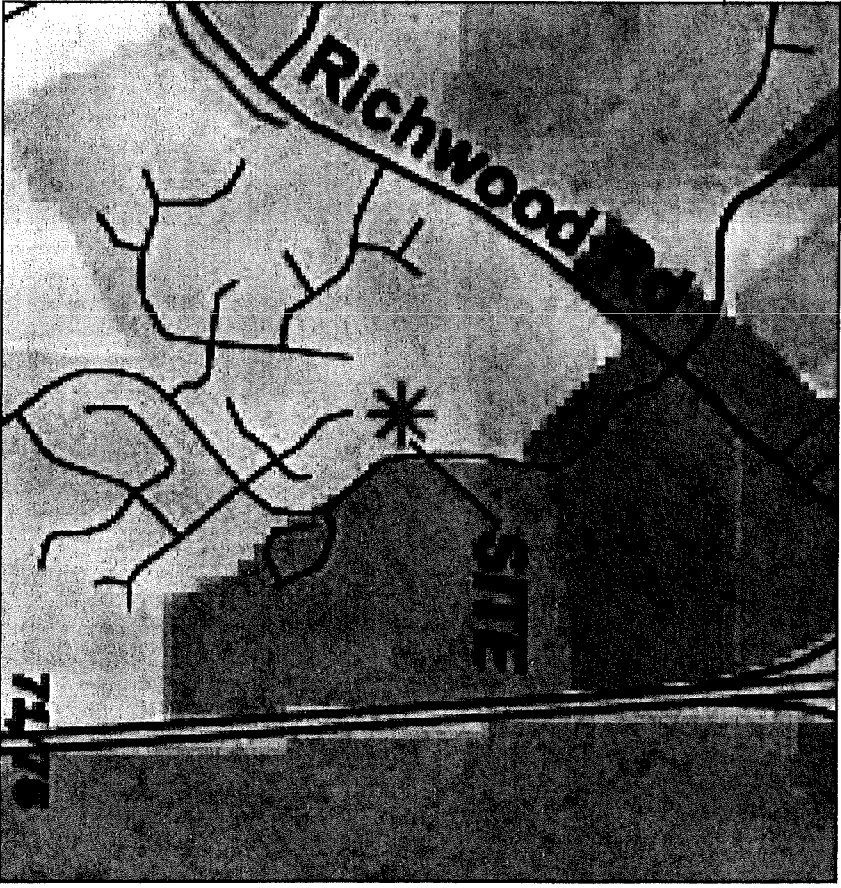
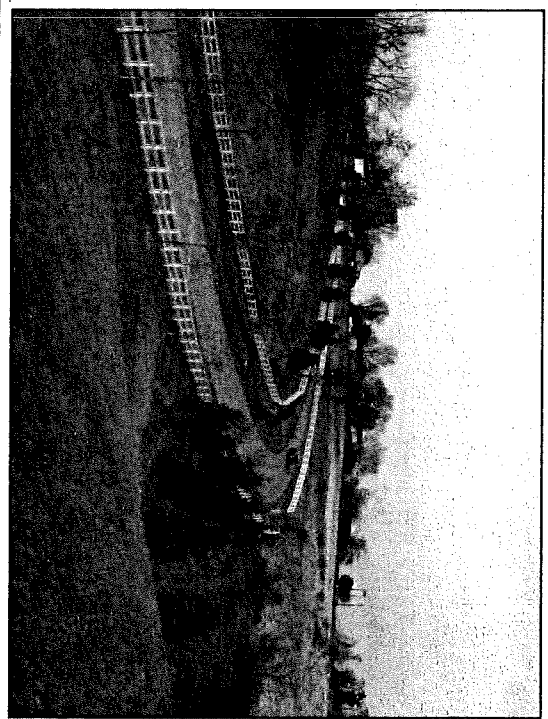
- Abby's Child Enrichment Center in Florence
- Performed on Wednesday, April 11th for both a.m. & p.m. Hours
- 7:30 a.m. – 9:00 a.m. (Peak Drop off Hours for Parents)
  - Total Movements In and Out of Lot = 117 (61 in / 56 out)
- 4:00 p.m. – 5:30 p.m. (Peak Pick Up Hours for Parents)
  - Total Movements In and Out of Lot = 98 (49 in / 49 out)



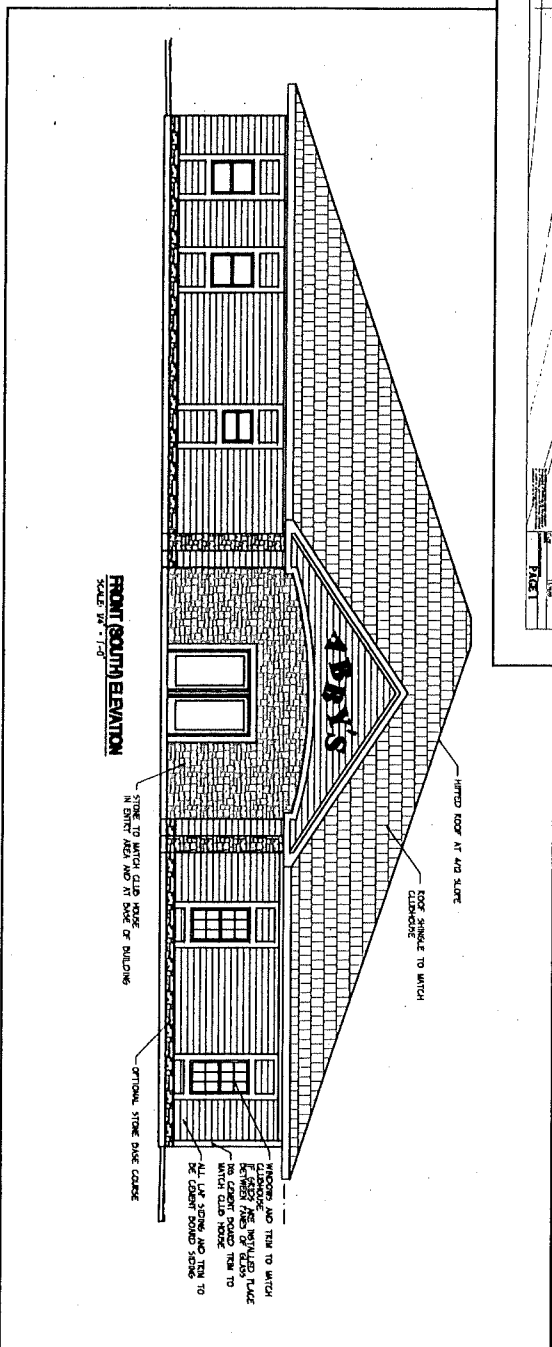
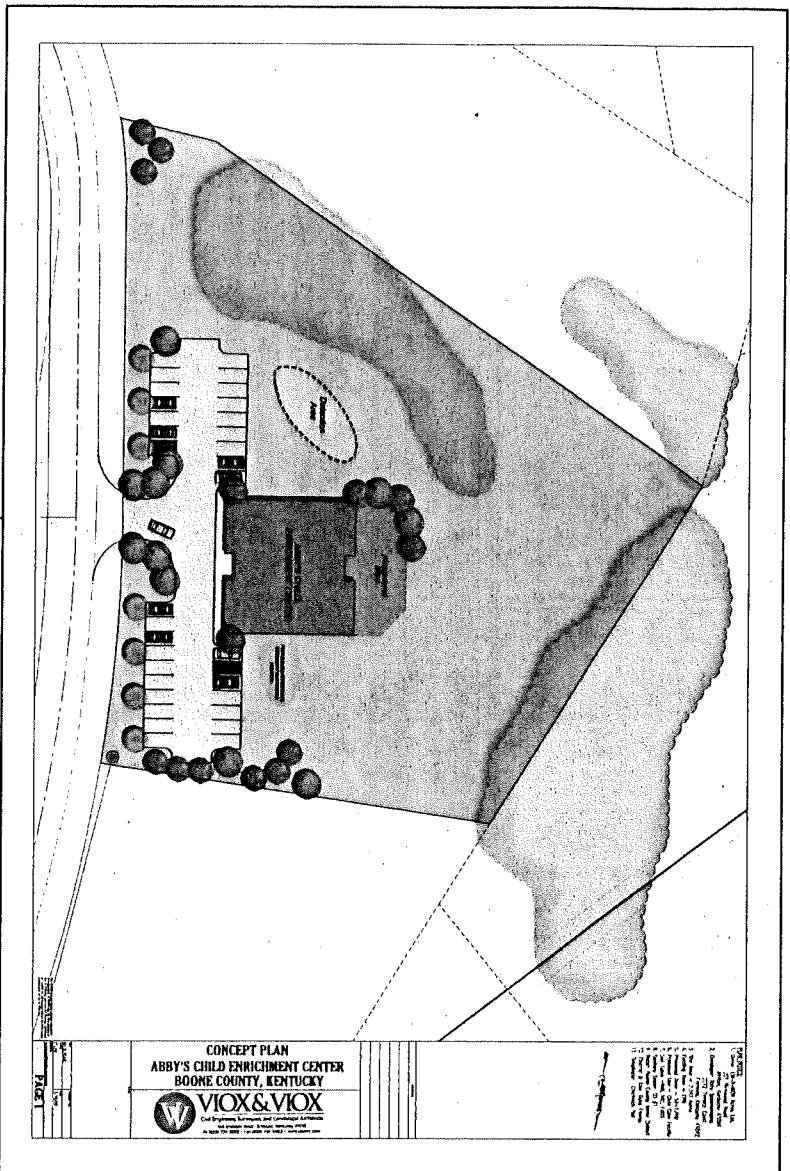
**WIOX & WIOX**  
Civil Engineers, Surveyors, and Landscape Architects

### Future Land Use Classifications

- RURAL LANDS** - Wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per acre across the 25 year land use plan. Residential construction in Rural Lands does not occur in a formal subdivision.
- DEVELOPMENTALLY SENSITIVE** - Areas that have an existing slope of twenty percent or greater for a height of 20 feet, or have utility and/or flooding characteristics which limit the ability of an area to support urban development; or contain significant wooded areas, creeks, wildlife habitat or other natural features that are important to a site's ecology and visual character.
- SUBURBAN PLAZA** - A mix of office, warehouse, research, office, and light industrial uses in a park-like setting with large building setbacks, low floor uses, integrated pedestrian and recreation facilities, consistent landscaping and signage themes, outdoor landscaped areas, and attractive outdoor treatment. This land use is recommended for High Visibility areas and transition areas between industrial and residential land uses.
- COMMERCIAL** - Retail, corporate and professional office, headquarters commercial, junior commercial recreation, restaurants, services, etc.
- INDUSTRIAL** - Manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses.
- RURAL DENSITY RESIDENTIAL** - Low density residential uses of up to one dwelling unit per acre.
- SUBURBAN DENSITY RESIDENTIAL** - Single family housing of up to four units per acre. This classification does not preclude any lot density or other residential development as a formal subdivision.
- HIGH DENSITY RESIDENTIAL** - Single-family and/or attached housing of up to 8 dwelling units per acre. This classification is typical for townhomes, condominiums, and row-houses development, and also pertains to existing triplex townhouses.
- URBAN DENSITY RESIDENTIAL** - Attached housing, generally condominiums or apartments, of over 8 dwelling units per acre.
- RECREATION** - Public and commercial outdoor recreation including golf courses, parks, race tracks, etc.
- PUBLIC / INSTITUTIONAL** - Government offices, schools, libraries, churches, community, daycares, multi-purpose uses, etc.
- TRAVEL/ORIENTATION** - Airports, major bus lines, roads, interchanges, and interchanges.
- HYDROLOGICAL** - Water, lakes, rivers.



- Change from EPD to SR-1/PPD
- Consistent with the Future Land Use Map and Comprehensive Plan
- Adjacent to existing SR-1
- Facility will fit in with residential character of the surrounding neighborhood
- Facility will serve the immediate local community



# ABBY'S CHILD ENRICHMENT CENTER

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

**June 6, 2007  
7:00 P.M.**

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Mrs. Poston, Vice Chairwoman, called the meeting to order at 7:04 PM.

**COMMISSION MEMBERS PRESENT:**

Mrs. Judy Arnett, Secretary/Treasurer  
Mr. Greg Breetz  
Mr. Kim Bungler  
Mr. Jim Carmichael  
Mrs. Linda Herald  
Mr. Richard Knock, Temporary Presiding Officer  
Mr. Don McMillian  
Mr. Randy Poe  
Mrs. Susan Poston, Vice Chairwoman  
Mr. Charlie Reynolds  
Mr. Patrick Reynolds  
Mr. Charlie Rolfsen  
Mr. Bob Schwenke

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Arnold Caddell, Chairman  
Mrs. Janet Kegley

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Jan Hancock, Secretary  
Mr. Mitch Light, Assistant Zoning Administrator/ZEO  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

Mr. McMillian moved that the salaries, benefits, and bills due be approved and paid as presented; and indicated approval of those items which have been paid. Mr. Rolfsen seconded the motion and it carried unanimously.

**ACTION ON PLAN REVIEWS:**

**1. Zoning Map Amendment**

**The request of Abby Sommerkamp (applicant) for Em-A-Non Acres, LLC (owner) for a Zoning Map Amendment from Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 2.347 acre site located on the west of Grand National Boulevard, immediately north of the property at 11301 Grand National Boulevard and across Grand National Boulevard from the intersection with Overland Ridge, Boone County, Kentucky. The request is for a zone change to permit a child care center.**

Staff Member Kevin Wall presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see Committee Report). The property owner has signed the letter agreeing to the conditions.

Mrs. Poston asked if the applicant wished to make a summary statement in regard to items raised at the Public Hearing or discussed at the Committee Meeting before the Planning Commission takes action on this request.

Mr. Bill Viox with Viox & Viox stated that he had nothing to add to the Committee Report.

Mrs. Poston asked if there was anyone present who wished to make a summary statement on behalf of the opposition. There was no response.

There being no discussion, **Mr. Bungler moved by resolution to Boone County Fiscal Court that the request be approved based on the Committee Report with the conditions. Mr. Charlie Reynolds seconded the motion and it carried unanimously.**

**2. Concept Development Plan**

**The request of Anne F. McBride (applicant) for Don Davis, Rita Davis, Dennis G. Davis, Margaret S. Davis, Em-A-Non Acres Limited Partner, Richard L. Davis, and Ruth S. Davis (owners) for a Concept Development Plan in Employment Planned Development (EPD) and Commercial Services (C-3) zones for an approximate 41.5 acre site located on the southeast corner of the**

# EXHIBIT

## “B”

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: June 6, 2007

RE: Request of **Abby Sommerkamp (applicant)** for **Em-A-Non Acres, LLC (owner)** for a Zoning Map Amendment from Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 2.347 acre site located on the west side of Grand National Boulevard, immediately north of the property at 11301 Grand National Boulevard and across Grand National Boulevard from the intersection with Overland Ridge, Boone County, Kentucky. The request is for a zone change to permit a child care center.

### 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. The Committee has concluded that the proposed Zoning Map Amendment and the accompanying Concept Development Plan are in agreement with the Comprehensive Plan due to the following reasons.
  - A. The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Suburban Residential" (SR) uses. This designation is described as "single family housing of up to four units per acre. This classification does not preclude low density or estate residential developed as a formal subdivision." This designation, like the other residential land use designations, is silent on the issue of residential support uses such as churches, schools, and day care centers. It is the Committee's conclusion that the proposal is consistent with this designation when considering that it is in agreement with other pertinent aspects of the Comprehensive Plan, that it will provide substantial separation from adjoining residential uses, is across the street from an area that is both designated for, and developing with, Urban Density Residential uses, and the fact that the facility will largely serve the immediate residential population.

- B. The Land Use Element ("7. Richwood West," pg. 148) states "the remaining undeveloped land on the southwest quadrant of I-75 and Richwood Road is shown as Business Park and Urban Residential. The Business Park area along Richwood Road should develop as an attractive office campus project that provides an appropriate entrance to the Steeplechase to Chambers Road residential corridor. Any business development along Grand National Boulevard must include proper ingress and egress, and provide for needed modifications to the roadway and/or its intersection with KY 338." The key concepts outlined in this passage are that new development in the area will contribute to "an attractive office campus project" gateway to the area to the south, and that appropriate access management provisions are undertaken.

The Housing Element ("Housing Densities," pg. 76) discusses the need for a progression of densities and "visual transitions." These basic ideas can be combined with the direction from the Land Use Element so that the project cosmetics are reflective of an office campus project, but the actual land use is a smaller-scaled "softer" use like the proposed day care which would act as a transition between the planned office (Business Park) uses to the northeast, multi-family dwellings (Urban Density Residential) to the east, the Steeplechase Clubhouse and other residential uses (existing and planned) to the south and west. This section of the Housing Element also endorses the use of "visual transitions" that include existing vegetation, new landscaping, and fencing.

It is the Committee's conclusion that the proposed Concept Development Plan and agreed conditions of approval fulfill or agree with the Comprehensive Plan text as discussed above due to the following reasons: the building design will be reflective of a small scaled office building with residential appearing design features that are intended to relate to the nearby Steeplechase clubhouse; substantial building setbacks and landscaping around the perimeter of the development will be provided, and the existing large diameter trees in the hillside areas will be retained; signage will consist only of a low-scaled monument sign; site lighting will be controlled; and, the single site access will be aligned with the entry drive into The Legends of Steeplechase project across Grand National Boulevard.

- C. Both the "Richwood West" and "Richwood Area" sections of the Land Use Element (pg. 148), and the "Union-West Florence Area-West Richwood Area" section of the Housing Element (pg. 80), provide text regarding the area-wide road system. The "Richwood Area" section specifically states "improvements are needed to the Richwood Interchange and to Richwood Road to increase capacity." Based on information provided by the applicant,

the Committee has concluded that the proposed day care center will largely capture existing traffic versus generate new trips, and that any impacts on the area-wide road system should be negligible.

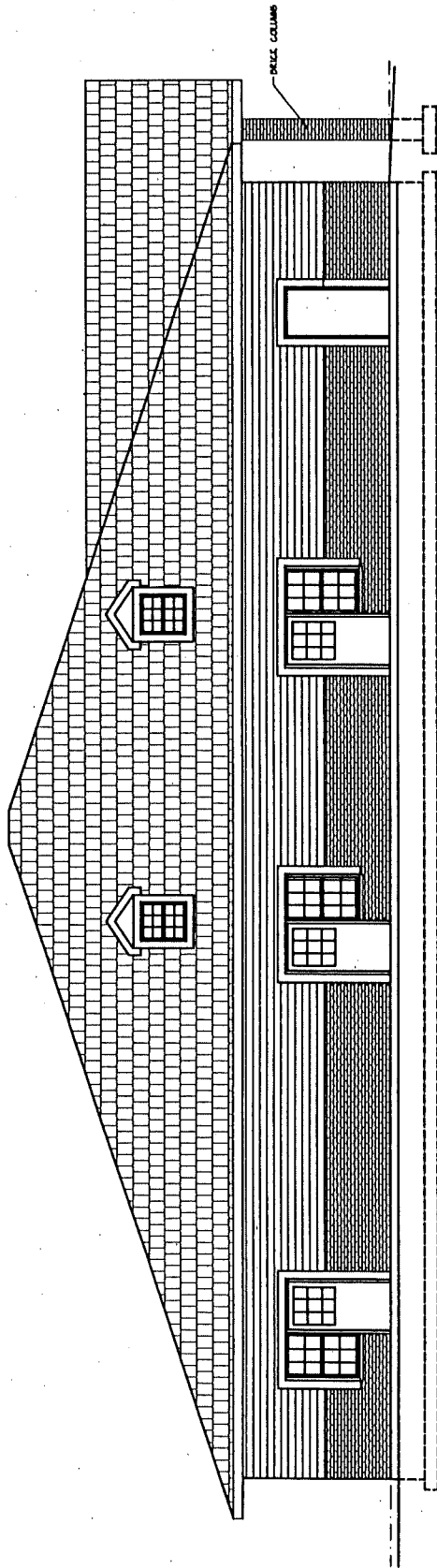
- D. The Committee has concluded that the proposal is in agreement with the applicable Future Land Use Development Guidelines as described in the Comprehensive Plan and the Goals and Objectives. Specific references to the guidelines and Goals and Objectives are outlined in the staff report for this request.
2. The Committee has concluded that the Concept Development Plan, coupled with the agreed conditions, fulfill the applicable requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations.
  3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan and Article 15 "Planned Development District" of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

#### CONDITIONS

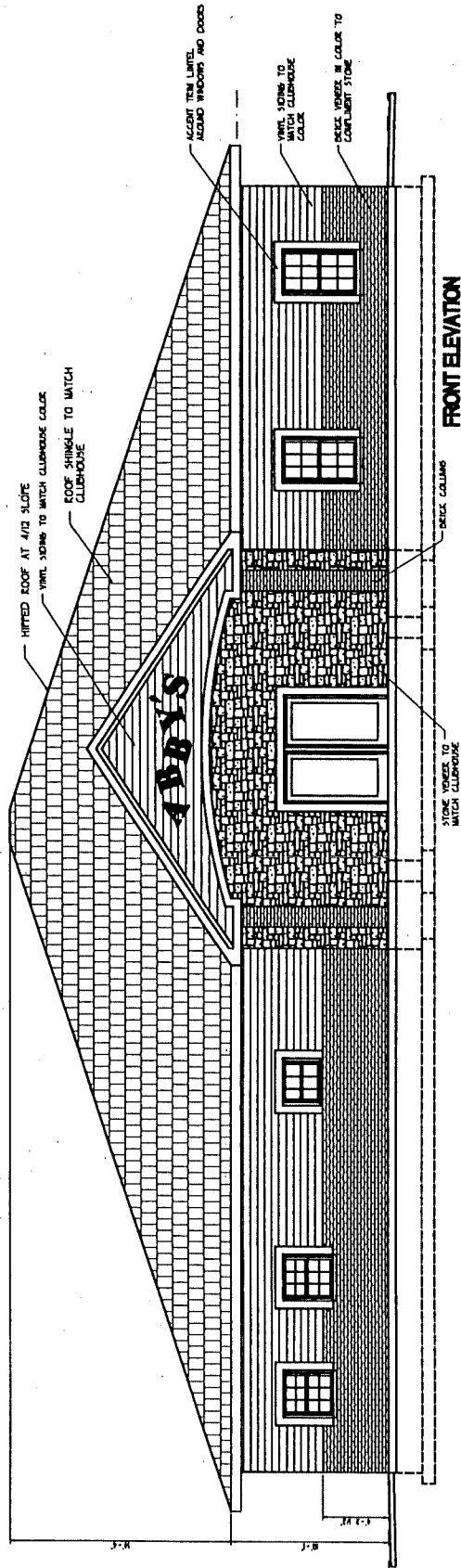
1. The existing healthy, large diameter trees which are outside of the disturb areas in the south and west portions of the site shall be retained.
2. The plantings from Buffer Yard C as outlined in Article 37 of the zoning regulations shall be provided around the immediate rear of the play area and building. The plantings from Buffer Yard A as outlined in Article 37 shall be provided along the sides of the developed area of the site to the points where they meet the Buffer Yard C plantings.
3. The architectural design of the building shall follow the concept elevation drawings provided by the applicant (attached). Brick shall be used on all elevations to a minimum height of 4 feet. The entry feature columns shall be at least 24 inches wide and constructed of a masonry material. At least one dormer shall be added on the front elevation.

4. Exterior lighting shall be shielded and measurable light shall be less than 1 footcandle at all property lines. Freestanding light masts shall be limited to 15 feet in height.
5. A second play area may be provided on the north side of the building as presented by the applicant at the public hearing. This play area shall be approximately 800 square feet or less in area. Both play areas shall be enclosed with a 6 foot high, white vinyl picket fence as shown in the applicant's power point presentation. Any play equipment which is taller than this fencing shall be placed in the rear play area only.
6. Signage on the site shall be limited to one monument style sign which is limited to 5 feet in height and 20 square feet in area. The materials and design of this sign shall correlate to the proposed building.

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 Committee Vote.



**LEFT SIDE ELEVATION**  
SCALE 1/4" = 1'-0"



**FRONT ELEVATION**  
SCALE 1/4" = 1'-0"

HIPPED ROOF AT 4/12 SLOPE

VINYL SIDING TO MATCH CLUBHOUSE COLOR

ROOF SHINGLE TO MATCH CLUBHOUSE

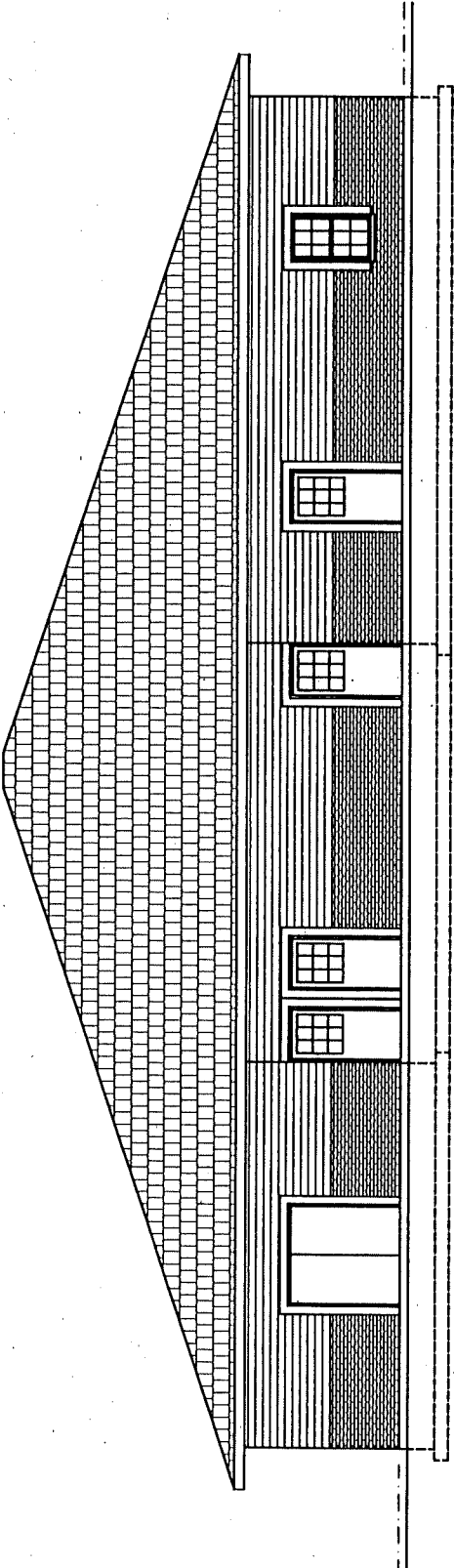
ACCENT TRIM LIGHTS AROUND WINDOWS AND DOORS

VINYL SIDING TO MATCH CLUBHOUSE COLOR

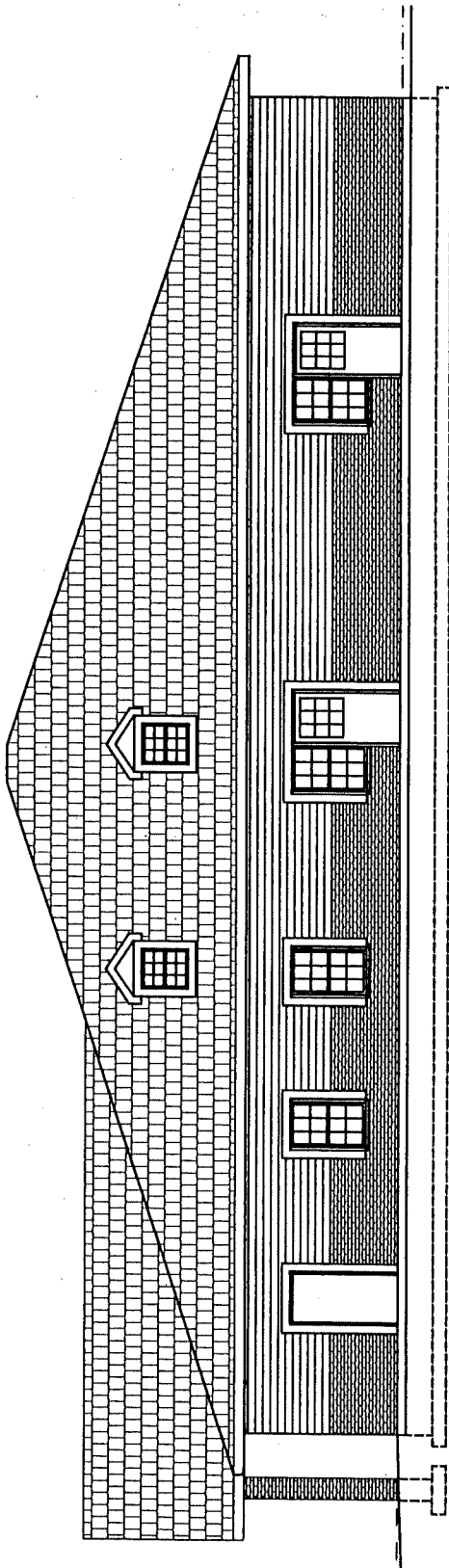
BRICK VENEER IN COLOR TO COMPLEMENT STONE

STONE VENEER TO MATCH CLUBHOUSE

**ABBY'S**



**REAR ELEVATION**  
SCALE 1/4" = 1'-0"



**RIGHT SIDE ELEVATION**  
SCALE 1/4" = 1'-0"

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

**May 2, 2007  
7:30 P.M.**

**PUBLIC HEARINGS**

**Commission Members Present:** Mr. Breetz, Mr. Bungler, Mr. Caddell – Chairman, Mrs. Herald, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen, and Mr. Schwenke.

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

**Legal Counsel Present:** Mr. Dale Wilson

Following a short recess, Mr. Arnold Caddell, Chairman, called the meeting to order at 7:31 PM and introduced the first item on the Agenda:

**Applicant:** Abby Sommerkamp for  
Em-A-Non Acres, LLC (owner)

**Request:** Zoning Map Amendment

**The request of Abby Sommerkamp (applicant) for Em-A-Non Acres, LLC (owner) for a Zoning Map Amendment from Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 2.347 acre site located on the west of Grand National Boulevard, immediately north of the property at 11301 Grand National Boulevard and across Grand National Boulevard from the intersection with Overland Ridge, Boone County, Kentucky. The request is for a zone change to permit a child care center.**

Staff Member Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, the Chairman asked for the applicant's presentation.

Ms. Megan de Sola, a planner with Viox & Viox, 466 Erlanger Road in Erlanger, Kentucky, stated that she and Michelle Bollman will make a presentation on behalf of the applicant. The applicant was also present.

Ms. Abby Sommerkamp, owner/operator of Abby's Child Enrichment Centers in Kenton, Campbell, and Boone Counties, stated that they have been in business for fourteen years and currently serve about 500 children in the Northern Kentucky area. Their program is three-star rated in Kentucky and accredited by the National Association of the Education of Young Children. They are committed to quality childcare. They want to continue to serve Boone County residents by coming out to the Steeplechase area. Their Florence location enrolled to capacity within six months and there is a need in this area. They want to serve Steeplechase and the surrounding communities.

Ms. Michelle Bollman, P.E. with Viox & Viox, stated that the facility will serve a maximum of 125 children including part-time, full-time and Kindergarten. The facility will serve children from six weeks old to Kindergarten. Hours of operation are Monday through Friday from 6:30 AM to 6:00 PM. There will no weekend hours. She stated that the 2.347-acre site is located within Steeplechase subdivision. She reviewed the applicant's Power Point presentation and noted the proximity of the site to the Steeplechase clubhouse. Most of the building and parking areas will be on the flat area of the site. They are asking for SR-1/PD because the facility will serve the immediate neighbors and because daycare is residential in nature. She stated that they will emulate the architecture of the Steeplechase clubhouse. The entrance of the child care center will be at the crest of the road and there will be no sight distance issues. She reviewed the Engineering Plan. She stated that the entrance is directly across from Overland Ridge. The building is approximately 6,600 square feet in size. They propose a detention pond in back left corner of the site. One playground area is shown on the plan, but Ms. Sommerkamp has since indicated that there will probably be at least one additional playground in order to separate the age groups when the children are outside. Sanitary sewer is available. She reviewed the aerial photograph and noted the creeks that run with the property line. She noted the vegetation on the site and around the site. She reviewed the elevations and stated that their goal is to emulate the Steeplechase clubhouse as closely as possible. They are not set on materials. She stated that the Traffic Study was conducted at the existing Abby's Child Enrichment Center on U.S. 42 on April 11, 2007 during the AM and PM peak hours. In the AM peak (7:30 AM to 9:00AM), there were 61 movements into the parking lot and 56 movements out of the parking lot, which is probably due to 5 employee vehicles. In the PM peak pick-up hours (4:00 PM to 5:30 PM), there were 49 movements into and 49 movements out of the parking lot. AM peak total movements were 117 and PM peak total movements were 98. She stated that this type of use does not generate a large amount of trips. They believe many of the children will come from this community or nearby surrounding communities.

Ms. de Sola stated that daycare would work within an Employment Planned Development zone, but it would be a better fit within a Residential zone because daycare is residential in nature. Daycare would be a supportive use within a

Residential zone. She stated that the facility will serve the immediate local area and will not be a regional draw. At Ms. Sommerkamp's other facilities, most of the students in daycare are from the immediate surrounding area. Studies show that parents tend to send their children to daycare that is close to home. She submitted a copy of the applicant's Power Point presentation (see Exhibit 1). This concluded the applicant's presentation.

The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present who wished to speak in opposition. There was no response.

The Chairman asked if there were any comments or questions from the Commissioners.

Mr. Breetz noted the information presented by Ms. Bollman regarding the trips in and out of the facility in Florence. He questioned the maximum number of occupants at that facility. Ms. Bollman responded that there is a maximum of 125 children at the Florence facility and the proposed facility will be the same size as the Florence facility.


Mr. Reynolds stated that the buildings shown in the applicant's Power Point presentation have building-mounted signage. He noted Staff's comment that building-mounted signage may be a problem and asked that signage be addressed at the Committee Meeting. Ms. de Sola agreed.

Mr. Bunger noted that the design capacity is the same at both facilities and questioned how many children are enrolled at the Florence facility. Ms. Sommerkamp responded that they are maxed out at 125 children at the Florence location.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on May 16, 2007 at 5:00 PM. This item will be on the Agenda for the Business Meeting on June 6, 2007 at 7:00 PM.

The Chairman closed this Public Hearing.

**APPROVED:**

  
\_\_\_\_\_  
**Arnold Caddell, Chairman**

**Attest:**

  
**Jan Hancock, Recording Secretary**

**Exhibit 1 – Applicant’s Power Point presentation *Abby’s Child Enrichment Center at Steeplechase, Boone County, Kentucky, May 2, 2007* submitted by Megan de Sola**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: May 16, 2007

RE: Request of Abby Sommerkamp (applicant) for Em-A-Non Acres, LLC (owner) for a Zoning Map Amendment from Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 2.347 acre site located on the west of Grand National Boulevard, immediately north of the property at 11301 Grand National Boulevard and across Grand National Boulevard from the intersection with Overland Ridge, Boone County, Kentucky. The request is for a zone change to permit a child care center.

### 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.

Kim Bunger  
**Kim Bunger, Chairman**

For Project  Absent   
Against Project   
Abstain  Deferred

Judy Arnett  
**Judy Arnett**

For Project  Absent   
Against Project   
Abstain  Deferred

Greg Breetz  
**Greg Breetz**

For Project  Absent   
Against Project   
Abstain  Deferred

Janet Kegley  
**Janet Kegley**

For Project  Absent   
Against Project   
Abstain  Deferred

Susan Poston  
**Susan Poston**

For Project  Absent   
Against Project   
Abstain  Deferred

Charlie Rolfsen  
**Charlie Rolfsen**

For Project  Absent   
Against Project   
Abstain  Deferred

Jim Carmichael (Alternate)  
**Jim Carmichael (Alternate)**

For Project  Absent   
Against Project   
Abstain  Deferred

Charlie Reynolds (Alternate)  
**Charlie Reynolds (Alternate)**

For Project  Absent   
Against Project   
Abstain  Deferred

Bob Schwenke (Alternate)  
**Bob Schwenke (Alternate)**

For Project  Absent   
Against Project   
Abstain  Deferred

**TOTAL:    \_\_\_ DEFERRED    5 FOR PROJECT    \_\_\_ ABSENT**  
**\_\_\_ AGAINST PROJECT    \_\_\_ ABSTAIN**

# **SUPPORTING INFORMATION**



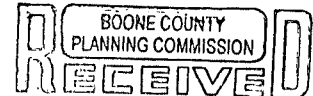
# **BOONE COUNTY PLANNING COMMISSION**

[www.boonecountyky.org/pc](http://www.boonecountyky.org/pc)  
[www.boonecountygis.com](http://www.boonecountygis.com)

Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264  
[plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)

May 18, 2007



Mr. Dennis Davis  
Em-A-Non Acres, LLC  
c/o Mrs. Abby Sommerkamp  
Abby's Daycare  
2012 Terrace Court  
Florence, KY 41042

JUN 1 2007  
MAY 20 2008

FAX: 727-8452

RE: Recommended Conditions of Approval for Zone Change Application from EPD to SR-1/PD for 2.347 Acre Tract Located on the West Side of Grand National Boulevard Across from Overland Ridge, Boone County, Kentucky

Dear Mr. Davis:

The following represents the conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change Committee at their 5/16/07 meeting. If you, as the property owner's authorized representative, agree to these conditions, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office by Friday, June 1, 2007.

## CONDITIONS

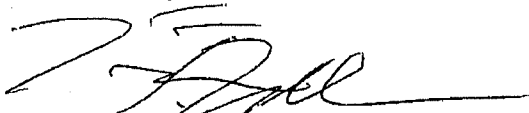
1. The existing healthy, large diameter trees which are outside of the disturb areas in the south and west portions of the site shall be retained.
2. The plantings from Buffer Yard C as outlined in Article 37 of the zoning regulations shall be provided around the immediate rear of the play area and building. The plantings from Buffer Yard A as outlined in Article 37 shall be provided along the sides of the developed area of the site to the points where they meet the Buffer Yard C plantings.
3. The architectural design of the building shall follow the concept elevation drawings provided by the applicant (attached). Brick shall be used on all elevations to a minimum height of 4 feet. The entry feature columns shall be at least 24 inches wide and constructed of a masonry material. At least one dormer shall be added on the front elevation.

Mr. Dennis Davis  
May 18, 2007

Page 2

4. Exterior lighting shall be shielded and measurable light shall be less than 1 footcandle at all property lines. Freestanding light masts shall be limited to 15 feet in height.
5. A second play area may be provided on the north side of the building as presented by the applicant at the public hearing. This play area shall be approximately 800 square feet or less in area. Both play areas shall be enclosed with a 6 foot high, white vinyl picket fence as shown in the applicant's power point presentation. Any play equipment which is taller than this fencing shall be placed in the rear play area only.
6. Signage on the site shall be limited to one monument style sign which is limited to 5 feet in height and 20 square feet in area. The materials and design of this sign shall correlate to the proposed building.

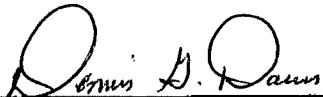
Sincerely,



Kevin T. Wall, AICP CDT  
Director, Zoning Services

AGREEMENT

I, the property owner's authorized representative for the 2.347 acre tract located on the west side of Grand National Boulevard across from the intersection with Overland Ridge, Boone County, Kentucky, agree to the conditions listed herein for the above referenced Zoning Map Amendment application.



Dennis Davis  
Principal Member/Manager, Em-A-Non Acres, LLC

5/31/2007

Date

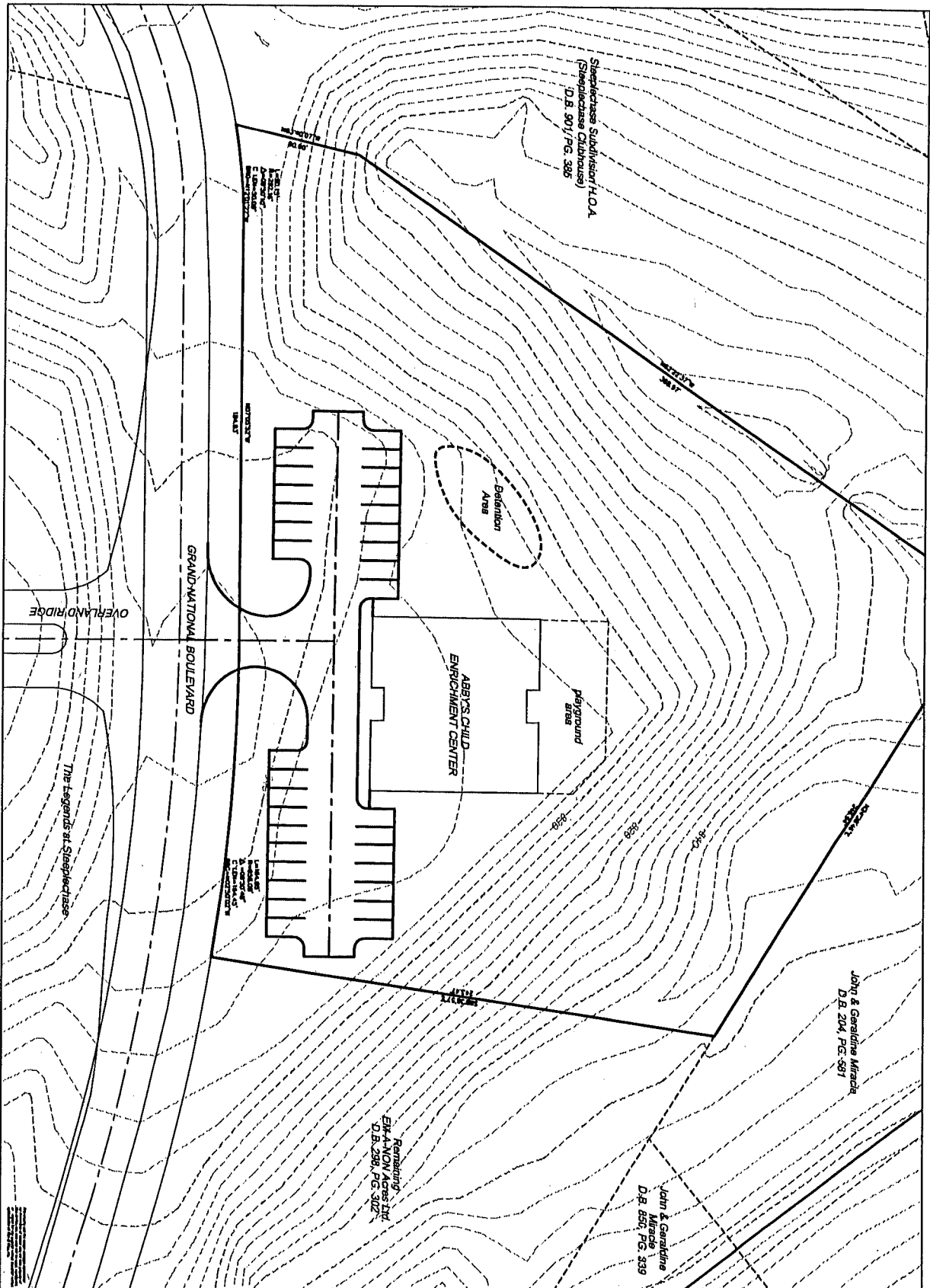
KTW/dw

March 20, 2007

PARCEL OF 2.347 ACRES TO BE  
REZONED FROM EPD TO SR-1/PD

Located in Boone County, Kentucky, lying on the west side of Grand National Boulevard approximately 0.30 mile south of Richwood Road and is more particularly described as follows:

Beginning at a point in the west right-of-way line of Grand National Boulevard, 28.50 feet as measured perpendicular to the centerline at the southernmost corner of Em-A-Non Acres Limited Partnership (Deed Book 498, page 302); thence with the southern line of Em-A-Non Acres Limited Partnership N 83°40'07" W 60.60 feet to a point; thence N 62°22'37" W 368.97 feet to the existing property corner of Em-A-Non Acres Limited Partnership; thence along the western line of Em-A-Non Acres Limited Partnership N 24°28'46" E 246.94 feet to a point; thence leaving said western line S 88°38'57" E 243.47 feet to a point in the west right-of-way line of Grand National Boulevard; thence with said right-of-way line and a curve turning to the left with an arc length of 164.65 feet, a radius of 958.08 feet, a chord bearing of S 02°50'02" E, and a chord length of 164.45 feet; thence S 07°05'52" E 184.93 feet to a point; thence with a curve turning to the left with an arc length of 50.15 feet, a radius of 292.16 feet, a chord bearing of S 12°01'27" E, and a chord length of 50.09 feet; to the point of beginning containing 2.347 acres



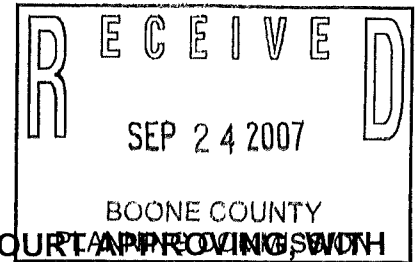
**CONCEPT PLAN**  
**ABBY'S CHILD ENRICHMENT CENTER**  
**BOONE COUNTY, KENTUCKY**



Civil Engineers, Surveyors, and Landscape Architects  
 400 Chicago Road & Sharon, Kentucky 40376  
 Tel: (502) 732-2888 • Fax: (502) 732-8482 • www.vickandvick.com

- REVISIONS:**
1. 2011 - 10/10/11 - Final Plan
  2. 2011 - 10/10/11 - Final Plan
  3. 2011 - 10/10/11 - Final Plan
  4. 2011 - 10/10/11 - Final Plan
  5. 2011 - 10/10/11 - Final Plan
  6. 2011 - 10/10/11 - Final Plan
  7. 2011 - 10/10/11 - Final Plan
  8. 2011 - 10/10/11 - Final Plan
  9. 2011 - 10/10/11 - Final Plan
  10. 2011 - 10/10/11 - Final Plan
  11. 2011 - 10/10/11 - Final Plan

**ORDINANCE 07-17**



**AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING SUCH CONDITIONS, FOR A REQUEST OF ABBY SOMMERKAMP (APPLICANT) FOR EM-A-NON ACRES, LLC (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM EMPLOYMENT PLANNED DEVELOPMENT (EPD) TO SUBURBAN RESIDENTIAL ONE/PLANNED DEVELOPMENT (SR-1/PD) FOR A 2.347 ACRE SITE GENERALLY LOCATED ON THE WEST OF GRAND NATIONAL BOULEVARD, IMMEDIATELY NORTH OF THE PROPERTY AT 11301 GRAND NATIONAL BOULEVARD AND ACROSS GRAND NATIONAL BOULEVARD FROM THE INTERSECTION WITH OVERLAND RIDGE, BOONE COUNTY, KENTUCKY.**

**WHEREAS**, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 2.347 acre site generally located on the west of Grand National Boulevard, immediately north of the property at 11301 Grand National Boulevard and across Grand National Boulevard from the intersection with Overland Ridge, Boone County, Kentucky, which is more particularly described below; and,

**WHEREAS**, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, 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.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOONE COUNTY FISCAL COURT 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 approved, with conditions, this Zoning Map Amendment being a zone change from Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 2.347 acre site generally located on the west of Grand National Boulevard, immediately north of the property at 11301 Grand National Boulevard and across Grand National Boulevard from the intersection with Overland Ridge, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in an Employment Planned Development (EPD) zone is more particularly described in DEED BOOK 498, PAGE NO. 302 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

## SECTION II

That as a basis for the recommendation of approval for a Zoning Map Amendment 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 Ordinance and marked as "Exhibit A."

The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and the Boone County Planning Commission Business Meeting minutes and marked as "Exhibit B."

## SECTION III


That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

Introduced and given First Reading on the 10th day of July, 2007.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 7th day of August, 2007, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the County Fiscal Court Clerk and declared to be in full force and effect.

  
GARY W. MOORE  
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:

  
BLAIR G. SCHROEDER  
FISCAL COURT CLERK

  
ROBERT NEACE  
COUNTY ATTORNEY

Aug 30, 2007  
DATE PUBLISHED

- PLAN NOTES:**
1. Owner: ABBY-Non Acres Ltd., 351 Richmond Road, Millen, Kentucky 41084
  2. Developer: Abby Communities, 1000 Westport Parkway, Kansas City, Missouri 64102
  3. Site Area = 2.37 Acres
  4. Existing Zone = E7
  5. Proposed Zone = S2-170
  6. Proposed Use: Child Daycare Facility
  7. S&P Taxes - MB, MC, F603
  8. Sanitary Sewer: SD #1
  9. Water: Boone County Water District
  10. Electric & Gas: Boone County
  11. Telephone: Cincinnati Bell



MAR 20

**CONCEPT PLAN**  
**ABBY'S CHILD ENRICHMENT CENTER**  
**BOONE COUNTY, KENTUCKY**



SCALE: 1" = 100'  
 DATE: 3/20/09  
 SHEET: 1 OF 1  
**PAGE 1**

