

ZONING MAP AMENDMENT REQUEST BY CORPOREX COMPANIES
(APPLICANT) FOR LAWRENCE & JOAN GLASS (OWNERS) FOR
PROPERTY LOCATED OFF EMPIRE DRIVE, BOONE COUNTY, KENTUCKY.

This is a Zoning Map Amendment request by Corporex Companies (applicant) for Lawrence and Joan Glass (owners) of a 8.07 acre tract located in the Northern Kentucky Industrial Park. More specifically, the site is located behind an undeveloped parcel of land owned by the Bemis Company, off Empire Drive. The site is adjacent and southwest of an existing building owned by Curtin Matheson Scientific, Inc.

This request is to change the current zoning district of Suburban Residential One, SR-1 to Industrial Two, I-2. Adjoining property to the north, east and west is zoned Industrial Two, I-2. Property to the south is currently zoned Suburban Residential One, SR-1. In essence, the applicant's request is to extend the Industrial Two, I-2 zoning district for the Northern Kentucky Industrial Park.

The applicant's request is to rezone the 8.07 acre tract in order to construct a parking lot of approximately 100 cars (with plans to add up to 50 more in the future) and up to 25 semitrailers for Curtin Matheson Scientific, Inc. This construction work will be completed when Curtin Matheson Scientific begins to expand its facility on the property located behind its existing building. The 8.07 acre site is densely wooded and slopes dramatically towards the rear portion of the lot.

The Boone County Comprehensive Plan Land Use map indicates a planned future land use for this site and immediate area as Industrial and Environmentally Sensitive. The text of the Boone County Comprehensive Plan refers to the 8.07 acre site and immediate area in the following manner:

Page 3.5 "Continued development of the Northern Kentucky Industrial Park and Mineola Industrial Park as well as expansion of existing operations therein will provide a major source of growth."

Page 3.5 "Warehousing type industrial development, which would be most compatible with residential uses west of U.S. 25 is recommended for the east side to U.S. 25, extending to the Southern Railway."

In summary, the Boone County Comprehensive Plan Text Land Use Map recommend industrial and environmentally sensitive land use for the 8.07 acre site in order to expand the existing Northern Kentucky Industrial Park.

The applicant has not submitted a Concept Development Plan for the proposed zone change. According to Section 303 of Article 3, Boone County Zoning Regulations, the "Planning Commission may waive the requirement of a concept development plan when the request is for the extension of a development already in the zone being requested." Because of the nature of the proposed development, staff has consulted with the Chairman of the Technical Committee regarding the waiver request and its approval. If the zone change is eventually approved by the Boone County Planning Commission and the Boone County Fiscal Court, site plan review would be required before construction or grading of site could begin.

Should this Zoning Map Amendment be approved by the Boone County Planning Commission and by the Boone County Fiscal Court, the Boone County Comprehensive Plan Land Use map and text would not need to be changed because of the recommended industrial use for the site.

Respectfully submitted,

A handwritten signature in cursive script, reading "Kevin P. Costello", with a long horizontal line extending to the right from the end of the signature.

Kevin P. Costello
Assistant Director/Senior Planner

GAN



corporex
constructors, inc.

formerly w. p. butler company

p.o. box 75020
cincinnati, ohio 45275
606/331-5000

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DEC 18 1985

Justification For Zoning Map Amendment

The present SR-1 zoning is inappropriate for the economic environment of this area. The property lies in an inset of the Northern Kentucky Industrial Park. Neighboring industries include Gravure Systems, Hennigan Printing, Celanese, and Curtin Matheson Scientific. According to the Generalized Land Use Plan of the Boone County Comprehensive Plan, the area in which this property lies is all envisioned as industrial.

Curtin Matheson Scientific wants to double the size of its building on its existing property (owned by Empire Drive Association) and needs this adjoining property for the parking of approximately 100 cars (with plans to add up to 50 more in the future) and up to 25 semitrailers in a separate area.

Given the overall character of the area and the expansion needs of Curtin Matheson Scientific, we believe it is in the best interest of all concerned to approve the change in zoning of this property to I-2, to match that of the majority of the adjoining properties.

Note: Since according to Section 303 (Contents of Application) of the Boone County Zoning Regulations:

"...the Boone County Planning Commission may waive the requirement of a concept development plan when the request is for the extension of a development already in the zone being requested..."

and because of the nature of the proposed property development, we are not submitting a concept development at this time with the permission of the Planning Commission.

A request of Corporex Companies (applicant) for Lawrence Glass (owner) for a zone change to property located on Empire Drive, Boone County, Kentucky. The 8.07 acre tract is currently zoned Suburban Residential One, SR-1. The request is to change the zoning to Industrial Two, I-2. (The applicant is requesting a waiver of the Concept Development Plan)

Asst. Director Kevin Costello stated there was some concern brought up at the Public Hearing whether a Concept Development Plan was required as well as the buffering between the single-family residents at the southwest portion of the lot. Mr. Costello noted that as a result of those concerns the Zone Change Request Committee requested the applicant submit a Concept Development Plan.

Director Newton read Committee Report. (See attached "Exhibit D")

Mr. Collins moved by Resolution to Fiscal Court that a zone change be granted based upon Committee and Staff Reports to Corporex Companies (applicant) for Lawrence Glass (owner) for property located on Empire Drive, Boone County, Kentucky from SR-1 to I-2. The motion was seconded by Mr. Jones.

Chairman Kroger called for audience's questions or comments.

Chairman Kroger called for Commission's questions or comments.

Mr. Viox stated he was in favour of the zone change amendment but noted he did disagree with the Zone Change Request Committee in regards to the Concept Development Plan requirement.

After further discussion, the motion carried unanimously.

Zoning Map Amendment

A request of Gartner, Burdick, Bauer-Nilsen (GBBN) for Jerry Feldman (owner) for a Zoning Map Amendment from its current zoning of Public Facilities, PF and Commercial Two, C-2 to Public Facilities/Planned Development Overlay, PF/PD Overlay and Commercial Two/Planned Development Overlay, C-2/PD Overlay. This 14.2 acre tract is located in Florence, Kentucky.

Asst. Director Costello briefly described the location of the proposed site. Mr. Costello stated the proposal called for 25,000 square feet of medical office building which was Parcel #2. Mr. Costello also stated Parcel #3 would be 20,000 of commercial restaurant building and Parcel #4 would be 200 independent assistant living units/residential units. Mr. Costello noted concerns voiced at the Public Hearing was whether the zone change request was appropriate, whether Public Facilities/Planned Development Overlay

Mr. Hemmer inquired how existing signage would be affected under the new S.I.S.D.

Mr. Sturdevant stated it would depend on if the particular geographic area had the S.I.S.D. applied to it. Mr. Sturdevant further stated if the area did have the S.I.S.D. applied to it then the signage for that particular area would have to meet the criteria of the S.I.S.D.

Mr. Hemmer inquired where would it be determined which areas the S.I.S.D. would apply to.

Mr. Sturdevant explained it would be determined through zoning map amendment procedure and/or Concept Development Plan procedure. Mr. Sturdevant stated the legislative bodies could designate particular zones.

Chairman Kroger recognized Mr. Viox's request as Chairman of the Committee and noted the S.I.S.D. items would not be placed on the agenda for February 5, 1986. Chairman Kroger informed the public to contact the Planning Commission office for a date and time for the item to be heard by the Commission.

Hearing no further questions or comments, Chairman Kroger closed the Public Hearing.

Public Hearing #3

Chairman Kroger opened the Public Hearing on the request of Corporex Companies (applicant) for Lawrence Glass (owner) for a zone change to property located on Empire Drive, Boone County, Kentucky. The 8.07 acre tract is currently zoned Suburban Residential One, SR-1. The request is to change the zoning to Industrial Two, I-2.

Asst. Director, Kevin Costello presented a slide presentation of the proposed site and surrounding area. Mr. Costello presented staff report. (See attached "Exhibit C")

Chairman Kroger inquired if the representative of Corporex had any questions or comments.

Mr. Bob Wessel, project architect of Corporex stated the present building that Curtin Matheson Scientific, Inc., occupied was about 90,000 square feet of storage and package space. Mr. Wessel stated the additional property they plan to build on will build out the remainder of their present property with an additional 112,000 square feet. Mr. Wessel noted with the remainder of the property gone it would be almost mandatory they have the additional adjacent

property which was proposed for rezoning in order to park the cars which would be approximately 8,000 square feet of office space and 20 or so tractor trailers. Mr. Wessel stated they had estimated at the present time the new paving on the property would be about 2.2 acres and the amount of grading and clearing would be approximately 3.6 acres.

Mr. Ken Oberhelman stated he would like a buffer zone between the proposed property and his new home.

Mr. Wessel stated there was about 50 feet at least with the curvature of the movement of the drainage on the far side of the property at the edge of the property and stated about another 50 feet up the hill on the other side of the property and Mr. Wessel felt the valley should not be touched at all.

Mr. Barnett inquired if the property was part of the Northern Kentucky Industrial Park.

Mr. Wessel responded no.

Mr. Barnett stated he could not go along with waiver of the Concept Development Plan and stated he did not know how the zone change could be accepted without the Concept Development Plan.

Mr. Viox responded that he and Mr. Pat Buse wrote the amendment presently being utilized for the Concept Development Plan. Mr. Viox stated the provisions was specifically put in so as not to require a Concept Development Plan. Mr. Viox inquired if the applicant would be willing to put in some additional evergreen plantings up along the proposed improvements of sufficient size which would grow up and established a forest-type look in the graded area.

Mr. Wessel stated he believed the applicant would be willing to do so if the current foliage on the property would be totally taken down to accomodate the evergreen. Mr. Wessel pointed out the applicant's desire would be to leave enough buffer so not to work right up against the property line so there would be some foliage remaining to service the buffer without adding additional foliage.

Mr. Viox inquired when the zone change was complete would the applicant have to come back for Site Plan Review.

Mr. Wessel stated that was correct.

Mr. Costello stated the applicant did submit a copy of the Site Plan Review and the plan did show the property was within the Northern Kentucky Industrial Park.

Mr. Lawrence Glass, owner, stated the property was not in the Industrial Park.

Mr. Hemmer inquired whether the new proposed road would affect Mr. Oberhelman.

Mr. Oberhelman stated the proposed road would go across his property.

Chairman Kroger inquired would the proposed road be in proximity to the proposed property.

Mr. Oberhelman stated no.

Mr. Neltner inquired where the house was located relative to the proposed property.

Mr. Oberhelman described where his house was located on the drawing.

Mr. Barnett stated he did not know if the proposed property could be considered an extension of a district when it was not in the Industrial Foundation and not subject to review. Mr. Barnett inquired if the proposed property would be proposed as part of the Industrial Foundation.

Chairman Kroger noted the question was one for the Zone Change Request Committee.

Chairman Kroger stated the request would be heard on February 5, 1986 at 8:00 P.M.

Hearing no further questions or comments, Chairman Kroger closed the Public Hearing.

Public Hearing #4

Chairman Kroger opened the Public Hearing on the request of Westbourne Insurance Agency, Inc., (applicant) to rezone 31.367 acres of the James Schwarz property located on KY 18, Boone County, Kentucky. The property is currently zoned Industrial One, I-1 and is requested to be rezoned to Commercial Services/Planned Development Overlay, C-3/PD Overlay and Commercial Two/Planned Development Overlay, C-2/PD Overlay.

Asst. Director Costello stated the applicant would like to present a slide presentation which would identify the site as well as the existing business.

Chairman Kroger inquired who would be speaking in behalf of

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Fred Burch, Chairman
Zone Change Request Committee

DATE: February 5, 1986

RE: Request of Corporex Companies (applicant) for Lawrence Glass (owner) for a zone change to property located near Empire Drive in Boone County, Kentucky, adjacent to Curtin Matheson Scientific, Inc. The 8.07 acre tract is currently zoned Suburban Residential One, SR-1. The request is to change the zoning to Industrial Two, I-2.

REMARKS:

We, the Committee, recommend approval of the zone change request from Suburban Residential One, SR-1 to Industrial Two, I-2 for the 8.07 acre site. The Committee recommends approval in principle of the submitted Concept Development Plan as amended as discussed below. Approval is based on the following findings of fact and subject to the following reservations and conditions:

1. The Boone County Comprehensive Plan Land Use map indicates a planned future land use for this site and immediate area as Industrial and Environmentally Sensitive. The text on page 3.5 suggest that "continued development of the Northern Kentucky Industrial Park and Mineola Industrial Park as well as expansion of existing operations therein will provide a major source of growth." The proposed land use for the site would be compatible with the surrounding land uses and industrial character of the general area.
2. The applicant originally requested to waive the requirement of a concept development plan according to Section 303 of the Boone County Zoning Regulations. Section 303 states that the "Boone County Planning Commission may waive the requirement of a concept development plan when the request is for the extension of a development already in the zone being requested." The Zone Change Request Committee had some difficulty with this waiver. As a result, the applicant has submitted a concept development plan.
3. The Committee approves the Concept Development Plan showing parking for up to 148 cars and 25 semi-trailers. The parking area will serve the proposed 112,000 square foot warehouse addition and 8,000 square foot office building on the lot directly behind the existing Curtin Matheson Scientific, Inc., building. The Committee has the understanding that the paving of the proposed parking lot will be approximately 2.2 acres and the amount of grading and clearing would be approximately 3.6 acres of the 8.07 acre site. Because the site is densely wooded and slopes dramatically towards the rear portion of the

lot, careful site planning of the parking lot is necessary to avoid potential storm water drainage problems and the removal of important natural buffering.

4. The Committee recommends that the existing vegetation be left intact to serve as a natural buffer between the single-family residence of Mr. Ken Oberhelman (southwest border of lot) and the proposed parking lot. Additional buffering may be required if the applicant removes a substantial amount of the existing vegetation.
5. Finally, the Committee suggests that any change in the concept development plan will need to be brought before the Technical Committee to determine whether it is a minor or major change to the plan. Any alteration deemed to be a major change will require a new application and public hearing.

FRED BURCH, CHAIRMAN

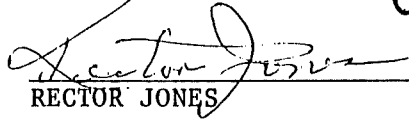
LARRY BARNETT



DON DAVIS



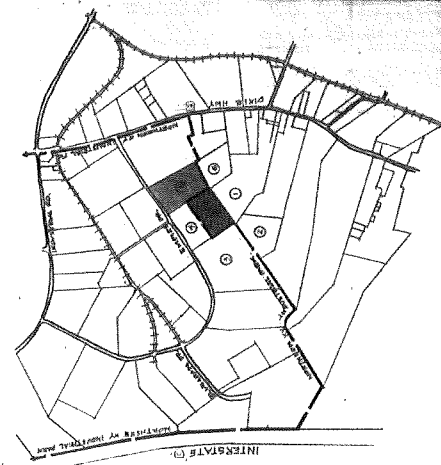
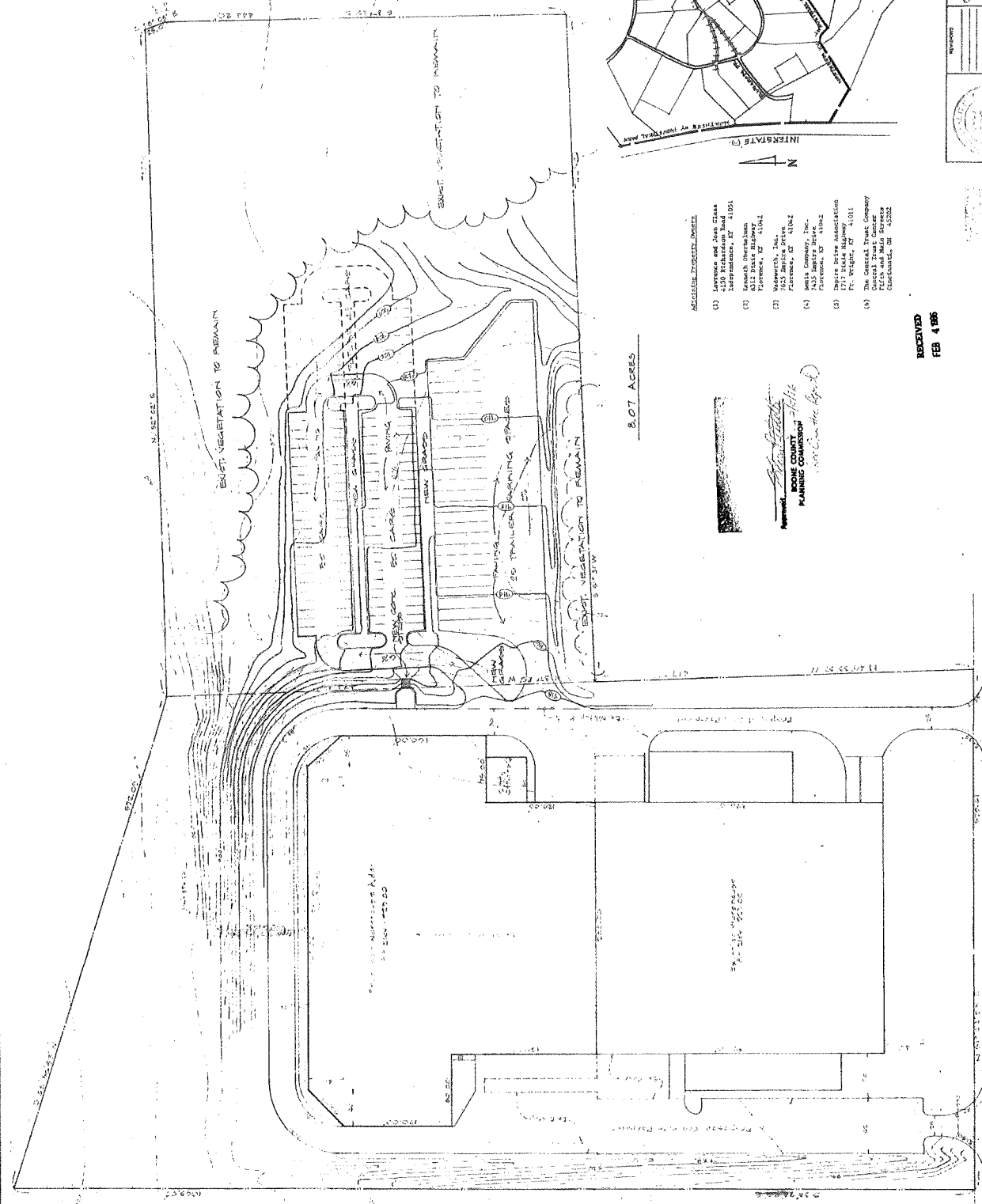
MELVIN DELONG



RECTOR JONES



WILLIAM VIOX



- Additional Property Owners:
- (1) Lawrence and Joan Glass
138 Robinson Road
Farmers, CT 01024
 - (2) Joseph Overbach
8117 Dixie Highway
Farmers, CT 01042
 - (3) Maworth, Inc.
1435 Empire Drive
Farmers, CT 01042
 - (4) Wells Company, Inc.
1435 Empire Drive
Farmers, CT 01042
 - (5) The Central Trust Company
1111 Main Street
1111 Main Street
Farmers, CT 01042

8.07 ACRES



Boone County
PLANNING COMMISSION
1998 Council Report

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SITE PLAN
CURTIN MATTHEWSON SCIENTIFIC, INC.
BOONE COUNTY, MISSOURI
SUBJECT

JOHN J. DUFFY & ASSOCIATES
Engineers - Surveyors

JOHN J. DUFFY & ASSOCIATES
1000 N. 10th St.
Boone, MO 64601
PHONE: 660-261-1111
FAX: 660-261-1112

EMPIRE DRIVE

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE, (SR-1) TO INDUSTRIAL TWO, (I-2) FOR PROPERTY AS LOCATED ON EMPIRE DRIVE, AN 8.07 ACRE TRACT AS REQUESTED BY CORPOREX COMPANIES (APPLICANT) FOR LAWRENCE GLASS (OWNER) AND AS RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING AND ZONING COMMISSION VIA RESOLUTION NO. R-13-86.

WHEREAS, the Boone County Fiscal Court received a request from the Boone County Planning & Zoning Commission for a Map Amendment for a zone change from Suburban Residential One to Industrial Two for certain realestate which is more particularly described below, and;

WHEREAS, the Boone County Fiscal Court has recognized the conducted Public Hearing by the Boone County Planning Commission, serving as a due process trial-type hearing, and its findings of fact recommending approval of the zone change request, and;

WHEREAS, the Fiscal Court of Boone County, Kentucky, deems it necessary to enact this Ordinance, to preserve and protect the health, safety and convenience of the inhabitants of Boone County pursuant to the Fiscal Court's authority under KRS 67.083 and Chapter 100 of the Kentucky Revised Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE BOONE COUNTY FISCAL COURT AS FOLLOWS:

SECTION I

That the zone change for the real estate which is more particularly described below shall be and is hereby approved and adopted, this map amendment being a zone change from residential One to Industrial Two. The real estate which is the subject of this zone change recommendation is more particularly described as follows, to wit:

See attached legal description which is incorporated by reference as if fully set out herein.
(ATTACHMENT - EXHIBIT "A")

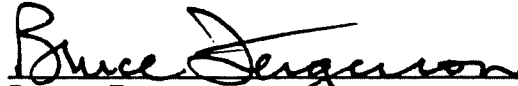
SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning & Zoning Commission, as set forth in its Minutes and official records for this zone change request, shall and are hereby incorporated by reference if fully set out in this Ordinance.
(ATTACHMENT - EXHIBIT "B")

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

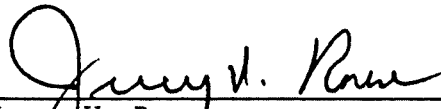
Introduced, seconded and given first reading on the 4th day of March 1986.

Adopted by the Fiscal Court of Boone County after second reading at a regular meeting on the 18th day of March 1986, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Boone County Fiscal Court Clerk and declared to be in full force and effect.



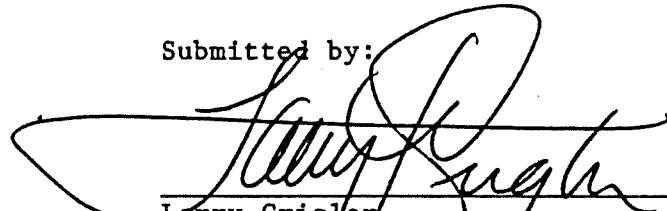
Bruce Ferguson
Boone County Judge/Executive

ATTEST:



Jerry W. Rouse
Boone County Clerk

Submitted by:



Larry Crigler
County Attorney

04/03/86

(DATE PUBLISHED)