

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

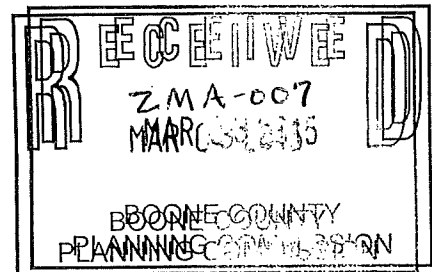
FIVE (5) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project Our Lady of Sacred Heart School
2. Location of Project 479 Beaver Road - Walton, Kentucky
3. Total Acreage of Site 17.75 acres
4. Current Zoning of Site SR-1
5. Proposed Zoning (Classification being requested) PF
6. Proposed Uses (please specify each use) Private girls school and convent
Maximum students is 250.
7. Names of Applicant(s) Viox & Viox, Inc.
Phone No. 859-727-3293 Fax No. 859-727-8452 E-Mail mbollman@vioxinc.com
8. Address of Applicant(s) 466 Erlanger Road
Erlanger Kentucky 41018
City Zip
9. Name of Property Owner(s) Our Lady of Good Counsel Church - Jim Brueggemann, Trustee
Phone No. 859-468-4516 Fax No. 859-485-1406 E-Mail jimbo@bavarianwaste.com
10. Address of Property Owner(s) 12764 McCoys Fork Road
Walton Kentucky 41094
City State Zip
11. Proposed Building Intensities (please specify) 49,000 sf - 2, 760 sf/ acre. See concept plan for proposed building layout and location.
12. Are there any existing buildings on the site? Yes, an existing underground house and barn.
How many? See above
13. Deed Book 1008 Page No. 597 Group No. 2077A
14. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance
15. Have you submitted a Concept Development Plan? Yes, with this application
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:

- NA Boone County Water District
NA Florence Public Services Dept.
No Duke Energy
NA Sanitation District #1
No Cincinnati Bell
NA Owen Electric Cooperative, Inc.
NA Boone County Public Works Department
Yes Kentucky Transportation Cabinet
NA Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)



EXHIBIT

“A”

STAFF REPORT

Request of **Viox & Viox, Inc. (applicant)** for **Our Lady of Good Counsel Church - Jim Brueggemann, Trustee (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Public Facilities (PF) for an approximate 17.75 acre site located at 479 Beaver Road, Boone County, Kentucky. The request is for a zone change to allow a private girls school and a convent.

April 1, 2015

PROPOSAL

This application is for a Zoning Map Amendment from Suburban Residential One (SR-1) to Public Facilities (PF) for an approximate 17.75 acre site located at 479 Beaver Road. The proposal is for a private girls school (K-12) and a convent. The site is currently in unincorporated Boone County. The applicant has stated that the property owner intends to submit a request to annex the property into the City of Walton.

A Concept Development Plan was submitted with this application. The plan shows a building and parking areas in the approximate center of the site from a north-south perspective. The building is comprised of three parts - a school, cafeteria, and convent. The total square footage noted on the application form and the plan is approximately 49,000 square feet. No building elevations were provided, but the plan notes "the architectural style of the new school and convent building will be in the same language as the existing church building. The majority of the exterior will be clad with a combination of brick and stone with minor amounts of siding." The "existing church" mentioned in this plan note is Our Lady of Good Counsel which is located on the opposite side of Beaver Road.

The majority of the parking is shown along or near the front of the building, with a loading area and incidental parking at the rear. A play area and detention basin are also shown at the rear of the building. 30 foot wide landscape buffer areas are noted along the side property lines adjoining I-1 zoned properties, and a 60 foot wide landscape buffer area is noted adjoining the SR-1 zoned property at the northeast corner of the site ("Matthew Page" lot).

One access point into the site is shown in the northwest corner of the site along Beaver Road. Water and sanitary sewer are proposed to be provided by the City of Walton. The existing barn and underground house on the site are proposed to be either demolished or relocated.

ADJACENT LAND USES AND ZONING

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

- A. Light industrial uses in the International Industrial Park are located to the south and west (I-1).
- B. A vacant tract is located to the east (I-1).
- C. Two detached single family residences are located at the northeast corner of the site along the south side of Beaver Road (SR-1).
- D. Detached single family residences on frontage lots (Jeffreys Estates Subdivision) are located to the north/northwest along the north side of Beaver Road (SR-1). A church (Our Lady of Good Counsel) is located to the north/northeast on the north side of Beaver Road (PF). A small subdivision (Sturgeon and Woods Subdivision) of detached single family residences is located to the east of the church (SR-1).

SITE CHARACTERISTICS

As mentioned above, the site has approximately 17.75 acres and contains a barn and an underground residence. It has approximately 347 feet of frontage along Beaver Road. With the exception of a few clusters of trees and vegetation along portions of the property lines, the site is an open pasture.

The topography of the site is rolling. The elevation of the site ranges from approximately el. 912 at the northeast corner to el. 872 at a point along the west property line that is approximately 300 feet south of the Beaver Road right-of-way, and to el. 874 at the southwest corner. Soil types on the site include Faywood silty clay loam (FcC), Faywood silty clay (FdD3) and Nicholson silt loam (NIC). Public water and sanitary sewer lines owned by the City of Walton adjoin the site along Beaver Road.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2010 Boone County Comprehensive Plan's Future Land Use Map designates the site as Industrial (I). This designation is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."

The Land Use Element provides the following quotes that relate to the overall area (9. "Walton," pg. 173).

- A. The area south of I-71 and Beaver Road, and west of I-75 to Stephenson Mill Road is suitable for light industrial development; access to this industrial area should connect to Beaver Road and Stephenson Mill Road. Urban Density Residential is appropriate to act as a transition between the Suburban Residential and Industrial uses along Stephenson Mill Road. However, before these areas develop, improvements to Stephenson Mill and Beaver Roads will be necessary. In addition, improvements to the intersection of these two roads and the interstate will be necessary. Suburban Residential will be appropriate to the west of Stephenson Mill Road if the utilities are extended into this area. Commercial development of the northwest quadrant of the interchange should be of a type to serve the adjoining industrial area, while the southwest quadrant of the interchange will continue to be dominated by the Flying J development; however, traffic circulation improvements are needed at this specific location. As described in the Business Activity Element, there should be no further development of commercial uses oriented to truck traffic. The remaining area in this section should be Rural Density Residential or agricultural in nature.

The Land Use Element's Future Land Use Development Guidelines provide 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," pp. 161 and 162).
- B. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate. Natural green space benefits the community as well as encourages developers to create innovative development designs through clustering of buildings and impermeable area. Typically, buffering is required and provided between unlike land uses;

however, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer

areas should use and supplement existing site features where possible ("Buffering," pp. 162 and 163).

- C. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. 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. 163).

- D. 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. Connections between and within commercial and industrial developments allow for more efficient provision of transit service ("Access Management," pg. 163).

- E. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways, and functional classifications must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be

served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. The traditional grid system can provide an alternative to typical suburban design. Parallel and frontage roads should be used to minimize impacts of individual sites on collector and arterial roadways. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but should provide connections to adjoining uses where appropriate. Public open space and recreation sites should be connected to each other by bicycle and pedestrian paths where appropriate ("Transportation and Pedestrian Network," pp. 163 and 164).

- F. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Overhead utility lines should be placed underground wherever possible, and junction boxes screened from public view. Neo-traditional residential and commercial development should be encouraged to provide quality development that blends with the natural or historic character of parts of Boone County ("Design, Signs, and Historic Preservation," pg. 164).

The Population Element outlines population estimates based on OKI transportation analysis zone "regions." The population of the "Walton" region where the subject site is located is estimated to change to 6,414 in 2020, and to 8,074 in 2030.

The Business Activity Element states the following regarding "future industrial land."

- A. A critical need in Boone County is to protect future industrial land, because the access, infrastructure, and level land that make it favorable for industrial development are finite. Beyond 2035, Boone County may have difficulty in developing more industrial uses outside the airport, U.S. 25, and Walton areas. In general, areas planned for non-extractive industrial uses should not be changed to allow other land uses to develop. The Northern Kentucky Tri-County Economic Development Corporation has identified a need for industrial building sites that have the necessary infrastructure and zoning and are ready to develop ("Recommended Areas of Industrial and Office Activity," pg. 70).

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

- A. It is important to offer a variety of housing units, not only in terms of economics, but also because of the county's demographics. As stated previously, the youthful population, divorcees, and elderly often select a multi-family unit or manufactured home to satisfy their housing needs. In the case of the young, this housing provides their first independent housing unit. In order for Boone County to retain its youth, the county must provide both jobs and housing, otherwise, an out-migration of the young and educated population will occur. Divorcees often select multi-family housing immediately following a separation. Elderly select these units for reasons usually related to economics and the need for a secure environment near their daily needs. The variety of multi-family housing includes nursing homes, retirement housing, apartments, townhouses, and condominiums all ranging greatly in price per unit. These types of units are increasing in demand outside of the established urban areas. As the county's population ages and land values rise, the need for higher density residential and planned unit developments will likely increase ("Housing Types," pg. 80).
- B. Walton has annexed several areas north and west of the city to provide public water service and experienced significant subdivision development during the last decade. Verona will see mostly single family homes, and some small subdivision activity ("Walton/Verona area," pg. 85).

The Public Services and Facilities Element states the following regarding private schools in the community.

- A. Currently, seven private or parochial schools exist in Boone County:
- * **St. Paul School** - U.S. 25 (Dixie Highway) Florence; Enrollment - 625; Grades K-8.
 - * **Mary, Queen of Heaven Elementary** - Donaldson Road at Turfway Road; Enrollment - 260; Grades PS-8.
 - * **Immaculate Heart of Mary School** - KY 18; Enrollment - 540; Grades PS-8.
 - * **St. Joseph Academy** - Needmore Street, Walton; Enrollment - 300; Grades K-8.
 - * **Heritage Academy** - U.S. 42, Florence; Enrollment - 357; Grades K-12.
 - * **St. Henry District High School** - Donaldson Rd; Enrollment - 540; Grades 9-12.
 - * **Assumption Academy** - Beaver Road; Enrollment - 40; Grades K-12.

Private schools ease part of the pressure placed on the public schools as new residents come into the county. As the county continues to grow, new private schools can be expected to emerge. The Covington Diocese has conducted a facilities plan which includes a future high school and grade school in Boone County. This plan encourages these schools as long as they meet or surpass the standards of public schools. These schools can be expected to be built in conjunction with religious institutions ("Private Schools," pp. 132 and 133).

The Transportation Element lists the following "Recommended Capacity Projects in the 2006 Transportation Plan" that are in the general area (pg. 147).

- * Frogtown Connector extension to Beaver Rd
- * Beaver Rd improvements connected to Camp Ernst extension system
- * I-75/I-71 interchange modifications and connector road to KY 16

The Transportation Element's "Street Connections" section lists the following connections that are planned in the general area (pg. 149).

- * Weaver to Beaver Connector implementation by phase
- * Richwood Road to Beaver Road

The 2010 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements.

- A. Proper planning is achieved through accepted land use management tools and coordination with public infrastructure ("Overall," Goal).
- B. 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).
- C. Proper design principles shall be applied in development ("Overall," Objective 3).
- D. 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).
- E. Boone County shall strive to achieve both a diversity and balance in land use. Land uses 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).
- F. The needs of Boone County's population are measured and fulfilled through the provision of orderly growth ("Population," Goal).

- G. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. Development design 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," Objective 2).
- H. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Objective 9).
- I. A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ("Housing," Objective 1).
- J. Safe, efficient and environmentally sound public services and facilities shall exist for all development ("Public Services and Facilities," Goal).
- K. Public facilities and services shall be in locations that are accessible to the population being served. Public information shall be easily accessible through the Internet and similar technology ("Public Services and Facilities," Objective 5).
- L. The local transportation system in Boone County shall be maintained and improved so that overall safety and level of service will be enhanced. Inefficiencies in the system will be identified and addressed. New land development shall be closely coordinated with the local transportation system to assure efficiency and continuity with the regional multi-modal transportation system ("Transportation," 2nd Goal).
- M. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops ("Transportation," 2nd Goal, Objective 3).

BOONE COUNTY TRANSPORTATION PLAN 2030

Exhibit 6-1 "Recommended Long-Range Highway Projects" (pg. 6-2) outlines the following three projects that are in the general area. All three projects are low priority projects (completed after 20 years) per Exhibit 6-13 "Recommended Transportation Plan Project Prioritization" (pg. 6-20).

1. Project 11 Frogtown Connector Extension - South: Extend Frogtown Connector from KY 338 Richwood Road to KY 1292 Beaver Road (text is on page 6-6).

2. Project 13 KY 1292 Beaver Road: Widen/improve from Camp Ernst Road extension to Frogtown Extension Connector - South (Project #11) (text is on page 6-6).
3. Project 20 I-71/I-75 to KY 16 Connector: Modify I-71/I-75 interchange and construct connector road to KY 16 at Walton (text is on page 6-7).

Exhibit 6-10 "Year 2030 Recommended Transportation Plan Levels of Service - Two Lane States Routes" (pg. 6-14) lists the planned level of service for Beaver Road between I-71 and the Walton Corporate Boundary as "B." LOS B is also shown on Exhibit 6-7 "Traffic Volumes and Levels of Service - Recommended Transportation Plan Network" (pg. 6-10) for this section of Beaver Road.

STAFF COMMENTS

1. COMPREHENSIVE PLAN AND STATUTORY FINDINGS

The governing bodies need to determine whether the proposal is in agreement with the 2010 Boone County Comprehensive Plan. The Comprehensive Plan's Future Land Use Map designates the site as Industrial (I). This designation is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses."

The Comprehensive Plan text discusses the area in a general sense. The Land Use Element ("9. Walton," pg. 173) states "the area south of I-71 and Beaver Road, and west of I-75 to Stephenson Mill Road is suitable for light industrial development; access to this industrial area should connect to Beaver Road and Stephenson Mill Road. Urban Density Residential is appropriate to act as a transition between the Suburban Residential and Industrial uses along Stephenson Mill Road. However, before these areas develop, improvements to Stephenson Mill and Beaver Roads will be necessary. In addition, improvements to the intersection of these two roads and the interstate will be necessary."

The Business Activity and Housing elements do not discuss this specific site. Regarding "future industrial land," the Business Activity Element ("Recommended Areas of Industrial and Office Activity," pg. 70) states "a critical need in Boone County is to protect future industrial land, because the access, infrastructure, and level land that make it favorable for industrial development are finite. Beyond 2035, Boone County may have difficulty in developing more industrial uses outside the airport, U.S. 25, and Walton areas. In general, areas planned for non-extractive industrial uses should not be changed to allow other land uses to develop. The

Northern Kentucky Tri-County Economic Development Corporation has identified a need for industrial building sites that have the necessary infrastructure and zoning and are ready to develop.”

The Housing Element (“Walton/Verona area,” pg. 85) simply discusses the Walton area at large with the statement “Walton has annexed several areas north and west of the city to provide public water service and experienced significant subdivision development during the last decade.” The Housing Element (“Housing Types,” pg. 80) also says that “it is important to offer a variety of housing units,” and the Housing Goals and Objectives state “a broad range of housing opportunities shall be provided which meet the needs and desires for all household types” (Objective 1). These statements apply to the proposed convent.

The Public Services and Facilities Element (“Private Schools,” pp. 132 and 133) gives some direction for evaluating future private schools. In addition to listing existing private or parochial schools, the Element states “private schools ease part of the pressure placed on the public schools as new residents come into the county. As the county continues to grow, new private schools can be expected to emerge. The Covington Diocese has conducted a facilities plan which includes a future high school and grade school in Boone County. This plan encourages these schools as long as they meet or surpass the standards of public schools. These schools can be expected to be built in conjunction with religious institutions.” From a more generic standpoint, the Public Services and Facilities Goals and Objectives state “public facilities and services shall be in locations that are accessible to the population being served. Public information shall be easily accessible through the Internet and similar technology” (Objective 5).

The Comprehensive Plan on the whole does not specifically address future locations or development standards and expectations for private schools (other than as stated above), or for convents. It does cover related topics such as public facility/institutional uses, higher density multi-family residential uses, transitional land uses, and expectations for how development should occur in more general terms. The governing bodies will also need to consider the alternate statutory findings for the requested zone change of 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. DESIGN ISSUES

- A. Building Design: No building elevations were submitted with this application. A note on the Concept Development Plan states "the architectural style of the new school and convent building will be in the same language as the existing church building. The majority of the exterior will be clad with a combination of brick and stone with minor amounts of siding." The "existing church" mentioned in this plan note is Our Lady of Good Counsel which is located on the opposite side of Beaver Road. Staff has no issue with the design intent expressed in this note, however, the intended program needs to be more explanatory in order to avoid potential interpretation issues at the site plan stage (i.e., define the "language" of the existing church by listing components or stylistic features that could be used as options in the final building design). As an alternative, a condition of approval which required the final building design to be reviewed and approved by the Zone Change Committee could be considered.

The contemplated building height has not been stated. Minimally, the applicant should explain if any part of the building is anticipated to have multiple stories and if any taller features such as a bell tower are intended.

- B. Landscaping/Existing Tree Cover: As stated above, 30 foot wide landscape buffer areas are noted along the side property lines adjoining I-1 zoned properties. Buffer Yard B (20' wide w/ specified plantings) is required along these property lines. The Concept Development Plan identifies existing tree lines in these parts of the site, but does not state whether they are intended to be retained as part of the required landscaping - the applicant should clarify this point. The retention of existing tree cover is advocated by the Comprehensive Plan's Future Land Use Development Guidelines and the Goals and Objectives.

A 60 foot wide landscape buffer area is noted adjoining the SR-1 zoned property at the northeast corner of the site ("Matthew Page" lot). For the approximate 49,000 square foot building currently proposed, Buffer Yard C is required (60' wide w/ specified plantings or 30' wide w/ berm/wall/or fence and specified plantings). However, Buffer Yard D (80' wide w/ specified plantings or 40' wide w/ berm/wall/or fence and specified plantings) is required if the building would be larger than 50,000 square feet. In order to better accommodate changes in the plan, future additions, etc., Staff recommends that the plan be adjusted accordingly to avoid any compliance issues.

- C. Parking: The applicant should provide an explanation of how the building will be used so that Staff can confirm that sufficient parking will be provided at peak times. This information should include the maximum occupancy of the assembly space (accounting for graduation ceremonies, special events, etc.) and any potential for simultaneous use of the assembly space and classrooms. Preliminary discussions with the applicant indicated that sufficient parking would be available on-site.

3. ACCESS/TRAFFIC STUDY

The Concept Development Plan currently shows one access point for the development. The Comprehensive Plan advocates connections between adjoining properties to overcome potential issues associated with a single access point, particularly the need for emergency access. Based on the existing development to the south and west, the vacant property to the east is the most apparent option for a connection.

The recent Carespring nursing home zone change application on US 42 had similar circumstances relative to lot frontage and potential emergency access to either of two adjoining properties. The Planning Commission's recommendation of conditional approval included the following condition (#3) that can be used for reference.

The property owner will design and construct a gated emergency access to the property to the south (St. Timothy), or the property to the east (Resurrection Cemetery), if and when the opted adjoining property is developed and required to complete the gated emergency access connection. Grass pavers are an acceptable surfacing material for the emergency access.

It is Staff's understanding that a Traffic Impact Study has been prepared for the project, but it has not been provided to the Planning Commission as of this writing. Carol Callan-Ramler, P.E., Planning Supervisor with the Kentucky Transportation Cabinet, District 6 has commented that KYTC will require a Traffic Impact Study when an application for an Encroachment Permit is submitted and that "pending said study, turn lanes could be a possibility and that cost would be borne by the school. The online traffic data did not have a truck percentage. Given the trucks for Bavarian, turn lanes might want to be considered for potential safety of separating turning traffic from thru traffic" (3/24/15 e-mail chain is attached). This e-mail chain also states that "the KYTC does not have any proposed projects in this area."

For the applicant's information, a sidewalk is required to be installed along the site's

Beaver Road frontage per Section 3208 of the zoning regulations. A sidewalk was installed along the road frontage of the Our Lady of Good Counsel site across the street.

4. SANITATION DISTRICT #1 COMMENTS

Greg Haggard, Project Coordinator with Sanitation District #1, has commented that "the property at 479 Beaver Road would be served by sanitary sewer that is owned by the City of Walton, and is outside of our Storm Water service area" (3/17/15 e-mail is attached).

5. OUTSIDE AGENCY COMMENTS

Staff has requested comments on the proposal from the Boone County Water District, Walton Fire District, and the Walton Public Works Department. Such comments have not been received as of this writing. Any written comments received from these agencies will be forwarded to the Zone Change Committee for review.

6. PRIOR ZONE CHANGE APPROVAL

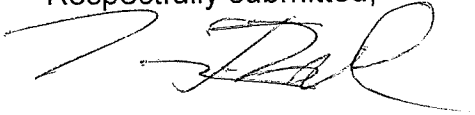
Assumption Academy, a K-12 school which is housed in the Our Lady of Good Counsel Church on the opposite side of Beaver Road, was subject to a conditional zone change approval that was granted in 2011. The approval documents are attached for reference purposes.

Condition #2 in the 4/6/11 Committee Report states "the maximum school enrollment shall not exceed 100 students." The potential need for traffic management improvements is based on this 100 student cap. The 3/24/15 e-mail chain discussed under the "Access/Traffic Study" section above claims that the existing school now has 110 students.

CONCLUSION

The Boone County Planning Commission and the City of Walton need to evaluate the application 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 2010 Boone County Comprehensive Plan, and the potential impacts on the existing and planned uses in the area. The request would be considered by the Boone County Fiscal Court if the property was not annexed into the City of Walton. The Future Land Use Map will need to be amended to reflect Public/Institutional uses on the site if this request is approved.

Respectfully submitted,



Kevin T. Wall, AICP
Director, Zoning Services

Attachments:

- Location map
- Aerial photograph with zoning
- 2035 Future Land Use Map excerpt
- Topographic map
- 3/24/15 e-mail chain from Carol Callan-Ramler, P.E., Planning Supervisor, Kentucky Transportation Cabinet, District 6
- 3/17/15 e-mail from Greg Haggard, Project Coordinator, Sanitation District #1
- 4/6/11 Committee Report for Our Lady of Good Counsel Church, 3/15/11 e-mail from Matt Bogen, KYTC District 6 to Todd Morgan, Planning Commission Resolution R-11-006-A, and Ordinance No. 2011-08
- Application materials including Concept Development Plan

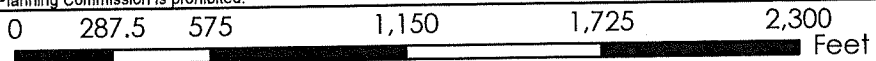
Location

www.boonecountygis.com



Copyright 2015 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 566 feet



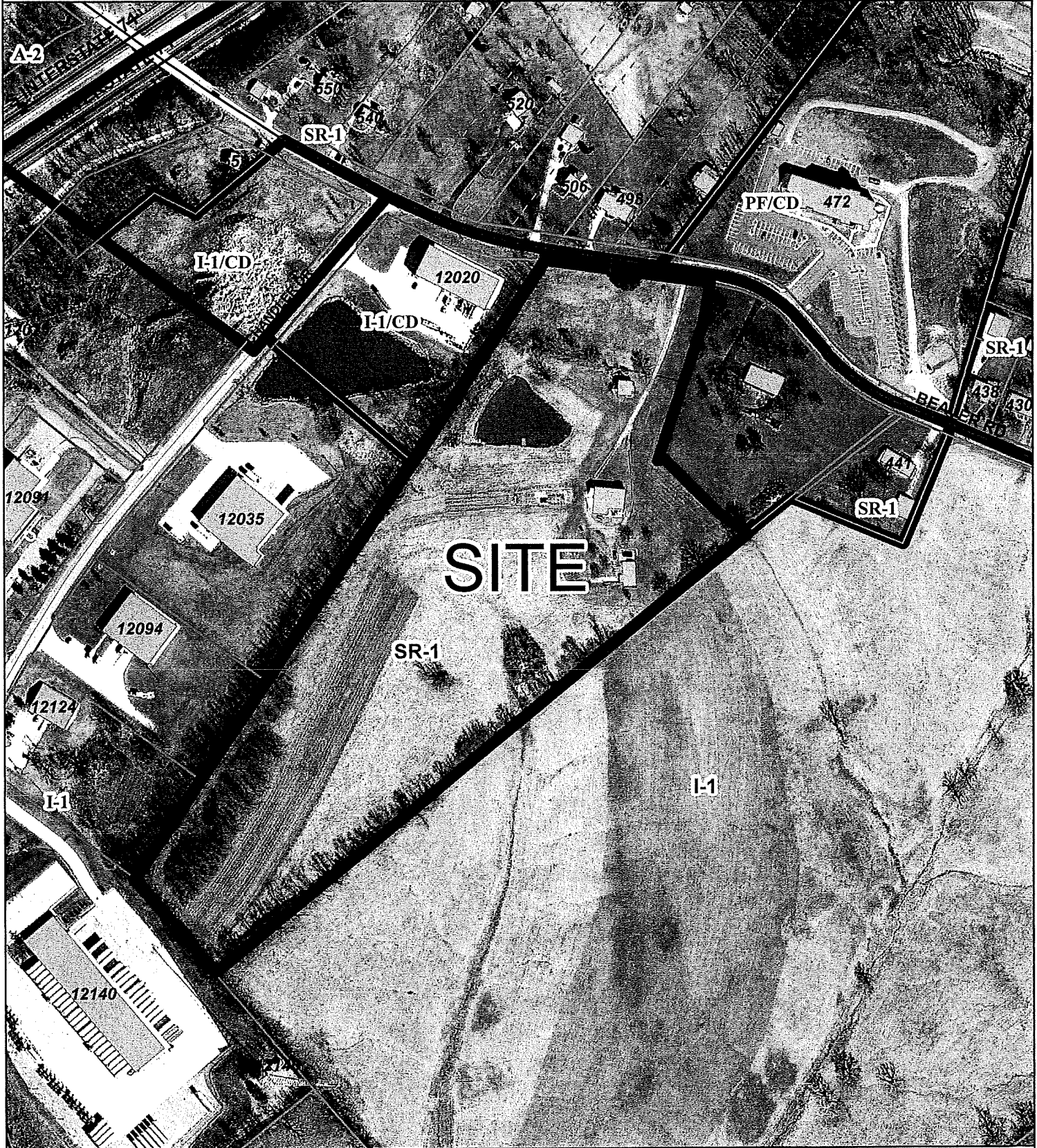
Boone County GIS - Putting Northern Kentucky on the Map



Map Created: 01/01/2015
ArcMap Document: BooneMap (Rte).mxd

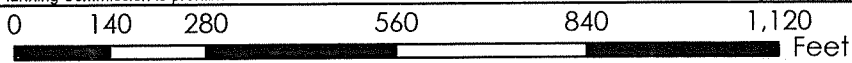
Zoning

www.boonecountygis.com



Copyright 2015 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



1 inch = 283 feet



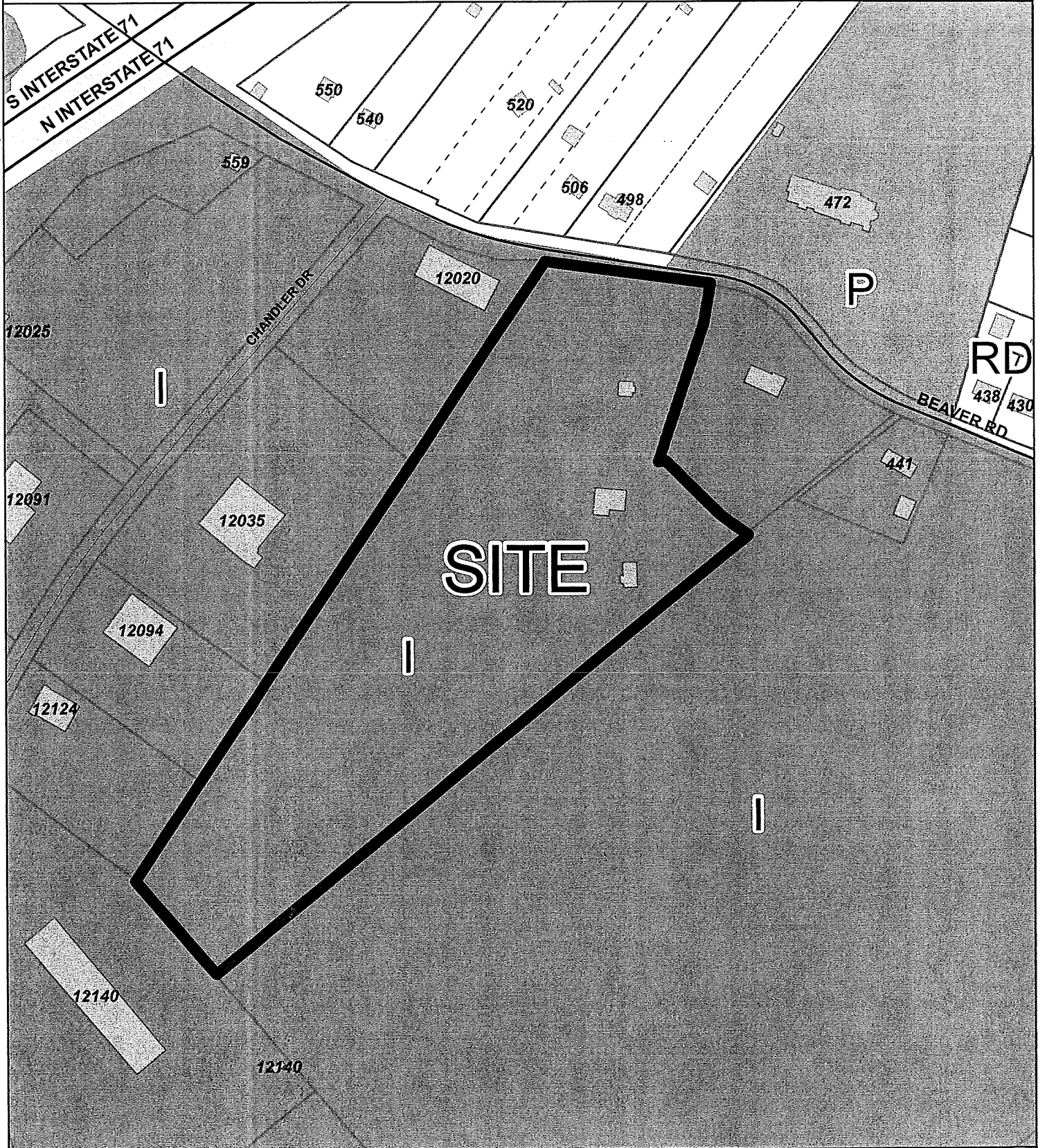
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 01/01/2015

Map File: C:\Projects\BooneMap (16).mxd

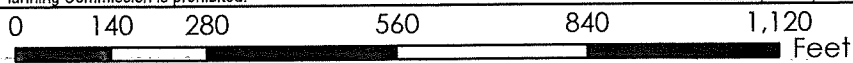
Future Land Use

www.boonecountygis.com



Copyright 2015 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



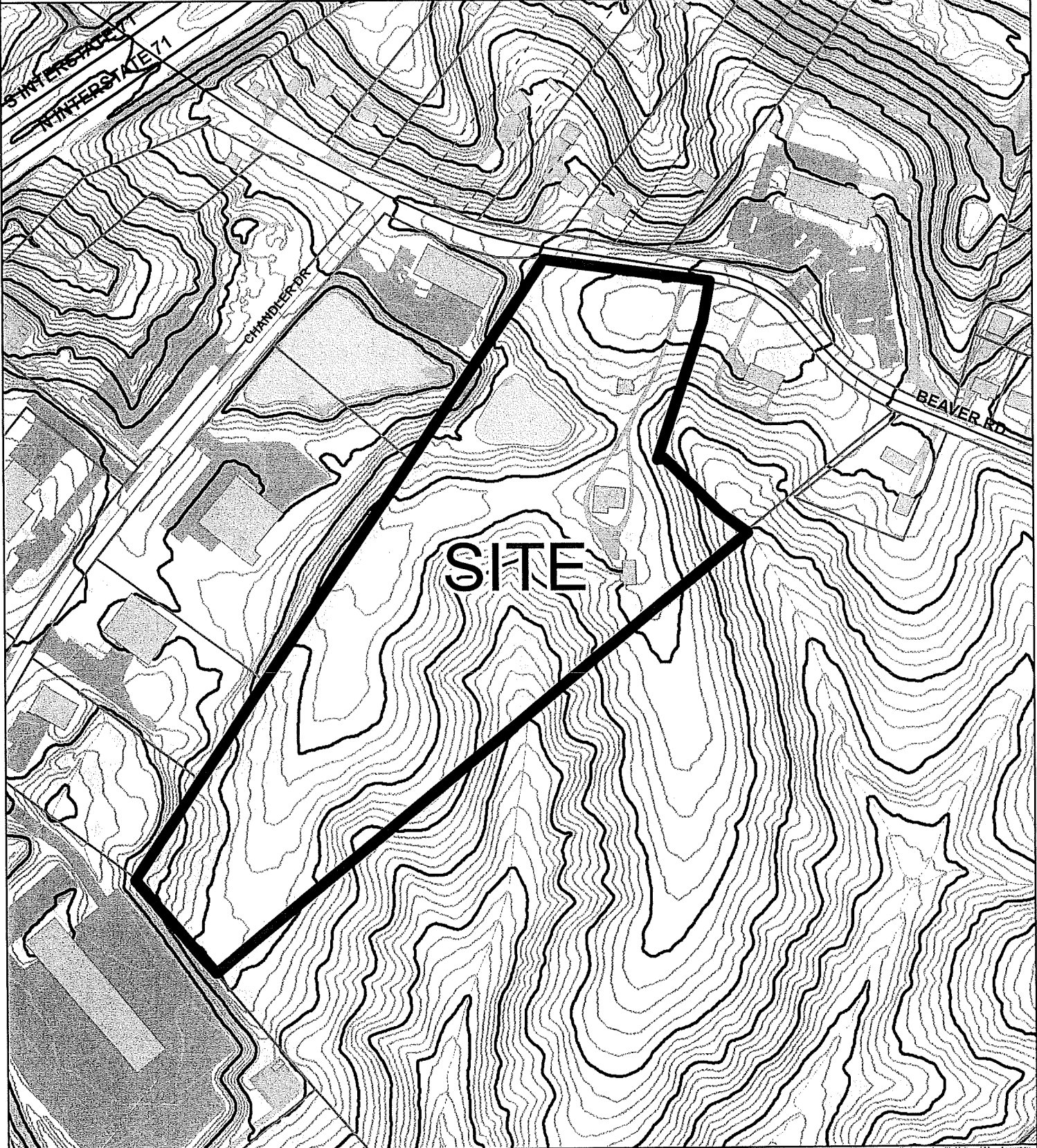
1 inch = 283 feet



Boone County GIS - Putting Northern Kentucky on the Map

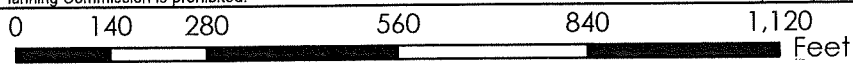
Topography

www.boonecountygis.com



Copyright 2015 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 01/01/2015

ArcMap Document: BooneMap (Site).mxd

Kevin Wall

From: Callan-Ramler, Carol (KYTC-D06) <Carol.Callan-Ramler@ky.gov>
Sent: Tuesday, March 24, 2015 3:12 PM
To: Kevin Wall
Cc: Arlinghaus, Matt (KYTC-D06)
Subject: RE: Zoning Change: 479 Beaver Road (KY 1292) - Our Lady of Sacred Heart
Attachments: RE: KY 1292 in Walton

Hi Kevin,

Sorry it's taken a bit to get back with you.

Presently, the greatest volume of traffic on KY 1292 is 3118 ADT (from KYTC's online database). Traffic would pretty much need to double to justify full improvements on the road. However, that doesn't account for the potential level of activity at a specific location. In the attached email chain you'll see that the Permits Section here at the District will require a Traffic Study regardless, as it will be a new entrance. Pending said study, turn lanes could be a possibility and that cost would be borne by the school. The online traffic data did not have a truck percentage. Given the trucks for Bavarian, turn lanes might want to be considered for potential safety of separating turning traffic from thru traffic.

Sorry the response is soft, but with the info provided to you and shared, that's about as definitive as I can be.

Thanks,

Carol

From: Kevin Wall [<mailto:KWall@boonecountyky.org>]
Sent: Tuesday, March 10, 2015 8:56 AM
To: Callan-Ramler, Carol (KYTC-D06)
Subject: RE: Zoning Change: 479 Beaver Road (KY 1292) - Our Lady of Sacred Heart

Carol:

I have a few questions that I anticipate our decision makers may ask regarding the encroachment. Will KYTC require a traffic study? Do you foresee that any turn lanes, deceleration lanes, etc., may be required?

Thanks for any insight that you can offer.

Kevin Wall

From: Callan-Ramler, Carol (KYTC-D06) [<mailto:Carol.Callan-Ramler@ky.gov>]
Sent: Tuesday, March 10, 2015 8:50 AM
To: Kevin Wall
Cc: Hans, Robert (KYTC-D06); Menetrey, Daniel A. (KYTC-D06); Arlinghaus, Matt (KYTC-D06)
Subject: Zoning Change: 479 Beaver Road (KY 1292) - Our Lady of Sacred Heart

Hi Kevin,

District 6 Planning has reviewed the subject proposal, dated March 5, 2015, to rezone a tract in Boone County near Walton. The District does not have issues nor concerns with the proposed project. Further, the KYTC does not have any proposed projects in this area.

Once the project is ready to advance further, the owner should contact District 6 Permits in advance to actual construction regarding construction of the drive entrance and any utility work that needs to occur within state right-of-way. A permit will be required.

Best Regards,

Carol

Carol Callan-Ramler, P.E.
Planning Supervisor
KY Transportation Cabinet
District 6
421 Buttermilk Pike
Covington, KY 41017
859-341-2707 x272

Kevin Wall

From: Arlinghaus, Matt (KYTC-D06) <Matt.Arlinghaus@ky.gov>
Sent: Monday, March 23, 2015 12:32 PM
To: Wood, Nancy (KYTC-D06); Hans, Robert (KYTC-D06); Bezold, Mike (KYTC-D06); Yeager, Robert (KYTC-D06); Callan-Ramler, Carol (KYTC-D06)
Cc: Brannon, Mark (KYTC-D06); Thompson, Ed (KYTC-D06); Menetrey, Daniel A. (KYTC-D06)
Subject: RE: KY 1292 in Walton

The school will have to submit an encroachment permit regardless due to a new entrance. Any improvements would likely be related to the new/improved entrance to the parcel.

Thanks,

Matthew J. Arlinghaus, P.E.
TEBM - Engineering Support
KYTC, Dept of Hwys, District 6
(859) 341-2707, ext 311
Matt.Arlinghaus@ky.gov

This transmission is sent on behalf of the Kentucky Transportation Cabinet and may be privileged, proprietary, or confidential. It is intended only for the intended recipient. If you are not the intended recipient or a person responsible for delivering this transmission to the intended recipient, you shall not disclose, copy, or distribute this transmission or take any action in reliance on it. If you have received this transmission in error, please notify us immediately by telephone at (859) 341-2700, by facsimile transmission at (859) 341-3661, or by e-mail at Matt.Arlinghaus@ky.gov. Please dispose of and delete this transmission. Thank you.

From: Wood, Nancy (KYTC-D06)
Sent: Monday, March 23, 2015 12:30 PM
To: Arlinghaus, Matt (KYTC-D06); Hans, Robert (KYTC-D06); Bezold, Mike (KYTC-D06); Yeager, Robert (KYTC-D06); Callan-Ramler, Carol (KYTC-D06)
Cc: Brannon, Mark (KYTC-D06); Thompson, Ed (KYTC-D06); Menetrey, Daniel A. (KYTC-D06)
Subject: RE: KY 1292 in Walton

So regarding a response from us.... Does the below cover what we need to say?

Currently, KYTC doesn't have any plans regarding KY 1292. Our planning section has reviewed with Boone County planning regarding the zone change. If the school would like to do some improvements, they would have to submit an encroachment permit for the proposed entrance and the Permits section would review and make suggestions on any needed improvements that might be required at that time. Any improvements would be at the cost of the developer/property owner.

From: Arlinghaus, Matt (KYTC-D06)
Sent: Monday, March 23, 2015 12:19 PM
To: Hans, Robert (KYTC-D06); Bezold, Mike (KYTC-D06); Wood, Nancy (KYTC-D06); Yeager, Robert (KYTC-D06); Callan-Ramler, Carol (KYTC-D06)
Cc: Brannon, Mark (KYTC-D06); Thompson, Ed (KYTC-D06); Menetrey, Daniel A. (KYTC-D06)
Subject: RE: KY 1292 in Walton

Carol passed her information along to me after responding to Boone County Planning. They will have to submit an encroachment permit for the proposed entrance and the Permits section would review and make suggestions on any needed improvements that might be required at that time. Any improvements would be at the cost of the developer/property owner.

Thanks,

Matthew J. Arlinghaus, P.E.
TEBM - Engineering Support
KYTC, Dept of Hwys, District 6
(859) 341-2707, ext 311
Matt.Arlinghaus@ky.gov

This transmission is sent on behalf of the Kentucky Transportation Cabinet and may be privileged, proprietary, or confidential. It is intended only for the intended recipient. If you are not the intended recipient or a person responsible for delivering this transmission to the intended recipient, you shall not disclose, copy, or distribute this transmission or take any action in reliance on it. If you have received this transmission in error, please notify us immediately by telephone at (859) 341-2700, by facsimile transmission at (859) 341-3661, or by e-mail at Matt.Arlinghaus@ky.gov. Please dispose of and delete this transmission. Thank you.

From: Hans, Robert (KYTC-D06)
Sent: Monday, March 23, 2015 11:49 AM
To: Bezold, Mike (KYTC-D06); Wood, Nancy (KYTC-D06); Yeager, Robert (KYTC-D06); Arlinghaus, Matt (KYTC-D06); Callan-Ramler, Carol (KYTC-D06)
Cc: Brannon, Mark (KYTC-D06); Thompson, Ed (KYTC-D06); Menetrey, Daniel A. (KYTC-D06)
Subject: RE: KY 1292 in Walton

I also gave this information to Planning for review regarding the Zone Change.

Thanks,

Rob Hans, P.E.
Chief District Engineer
Kentucky Department of Highways, D-6
421 Buttermilk Pike
Covington, KY 41017
(859) 341-2707, ext. 256

From: Bezold, Mike (KYTC-D06)
Sent: Monday, March 23, 2015 8:58 AM
To: Wood, Nancy (KYTC-D06); Hans, Robert (KYTC-D06); Yeager, Robert (KYTC-D06); Arlinghaus, Matt (KYTC-D06)
Subject: RE: KY 1292 in Walton

Design does not have anything in the works for KY 1292. The School might be doing some improvements to the roadway (turn lanes) but that would be through permits. I have copied Matt on this e-mail so he could comment on permits.

Mike Bezold P.E.
D-6 Design
(859) 341-2707 ext 259

From: Wood, Nancy (KYTC-D06)
Sent: Monday, March 23, 2015 8:36 AM

To: Bezold, Mike (KYTC-D06); Hans, kobert (KYTC-D06); Yeager, Robert (KYTC-D06)
Subject: FW: KY 1292 in Walton

What's the scoop regarding the below...anything in the works...what can we share with her?

From: Scalf, Amy [<mailto:AScalf@nky.com>]
Sent: Friday, March 20, 2015 1:15 PM
To: Wood, Nancy (KYTC-D06)
Subject: KY 1292 in Walton

Hi Nancy,

I wrote this week about a girls' school and convent for which they're trying to get zoning approved on Beaver Road (or Ky. 1292) in Walton. This new school will be across the street from the Assumption Academy and Our Lady of the Assumption at 472 Beaver Road. The new school's address will be 479.

Back in 2011, when Assumption Academy was approved by the Boone Planning Commission, the minutes show that school leaders said they would have "up to 100 students" and it's pointed out that as long as there aren't more than 100 students, road improvements wouldn't have to be made. When I talked to the school leaders, they said there are 110 students now. And the new school will have up to 250 students right across the street.

They're talking about starting construction as soon as everything is approved, which could be this year.

Also seeing how this road is the main pathway to International Industrial Park and the Bavarian headquarters, a lot of large trucks use that road heavily every day.

With all those elements coming together here, I have to ask if any improvements are planned for Ky. 1292?

The hearing for this zoning change is set for April 1, and if there are improvements planned, it will probably come out then, but I was wondering what information you can share.

Thanks! Have a great weekend!

Amy Scalf
Boone County reporter for the Community Recorder
228 Grandview Drive
Fort Mitchell, KY 41017
Office - 859-578-1055
Cell - 513-287-0836
mail to: ascalf@communitypress.com

 **ENQUIRER MEDIA**
YOUR GOALS. OUR SOLUTIONS. GREAT RESULTS.
A GANNETT COMPANY

Kevin Wall

From: Haggard, Greg <ghaggard@sd1.org>
Sent: Tuesday, March 17, 2015 4:01 PM
To: Kevin Wall
Cc: Joe Verst
Subject: Our Lady of Sacred Heart School

Kevin,

This email is in response to your request for comments of March 5 regarding the subject project. The property at 479 Beaver Road would be served by sanitary sewer that is owned by the City of Walton, and is outside of our Storm Water service area.

Please let us know if you have any questions.

Best regards,

--

Greg Haggard

Project Coordinator
Planning and Design Group
SD1
ph 859-578-6763
fax 859-578-6897
email: ghaggard@sd1.org

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Ben Brandstetter, Chairman

DATE: April 6, 2011

RE: Request of **Mark Kolb (applicant)** for **Our Lady of Good Counsel Church (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Public Facilities (PF) for a 13.7961 acre site located at 472 Beaver Road, Walton, Kentucky. The request is for a zone change to allow a K-12 school within the existing building in addition to the existing church function.

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 2005 Boone County Comprehensive Plan for the following reasons:
 - A. The proposal is in agreement with the following passages from the Public Facilities Element:
 - "Private schools ease part of the pressure placed on the public schools as new residents come into the county. As the county continues to grow, new private schools can be expected to emerge". "This plan encourages these schools as long as they meet or surpass the standards of public schools. These schools can be expected to be built in conjunction with religious institutions" (Education, Private Schools, pg. 119).

The Committee found that private schools were anticipated by the Comprehensive Plan. Schools and other public facility uses can be appropriate in residential areas provided all applicable parts of the Comprehensive Plan are evaluated.
 - B. The proposal is in agreement with the following passages from the Land Use Element:
 - 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 (Future Land Use Development Guidelines - Buffering, pg. 141).

The school will be located in an existing church and no building additions are proposed. The building and parking lot are screened with deciduous and evergreen plantings. The proposed play/recreational area is located to the rear of the property, adjoins an Interstate, and is buffered by existing vegetation.

- 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. Connections between and within commercial and industrial developments allow for more efficient provision of transit service (Access Management, pp. 141-142).

The Staff Report contains a letter from Matt Bogen, with the Kentucky Transportation Cabinet. The letter states that "the Department will require no further improvements to the permitted entrance on Beaver Road" based on the applicant's letter of intent. The letter of intent stated that the school operates Monday through Friday from 8:30 AM to 3:00 PM, students will arrive from private transportation, school enrollment is currently 40 students but could grow to 100 students over time, and approximately 40 vehicles would transport children to and from school once the enrollment reached 100 students.

On March 8, 2011, Staff met with the Kentucky Transportation Cabinet to discuss the road improvement issues that were raised at the March 2, 2011 Public Hearing. A copy of the Staff questions and responses from the Kentucky Transportation Cabinet are attached to the Committee Report.

- B. The project is in agreement with the following 2005 Goals and Objectives:
- Existing vegetation shall be considered as both an important site characteristic and a community resource (Environment, Social Objective).
See Committee determination in 1B. above.
 - The incremental effects of developments on the transportation system shall be evaluated and provided for (Transportation, Objective).
See Committee determination in 1B. above.
2. 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. 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 approval is based on the submitted application. Proposed uses other than a church or school shall be required to go through the Change in Approved Concept Development Plan public hearing process.
2. The maximum school enrollment shall not exceed 100 students.
3. The applicant shall contact the Kentucky Transportation Cabinet and Boone County Planning Commission about installing school zone signs in the Beaver Road right-of-way within 30 days of Zoning Map Amendment approval by the legislative body. The applicant shall install the school zone signs that will be permitted in the Beaver Road right-of-way by the Kentucky Transportation Cabinet.

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/Concept Plan Committee Vote.

Todd Morgan

From: Bogen, Matthew (KYTC-D06) [Matthew.Bogen@ky.gov]
Sent: Tuesday, March 15, 2011 8:33 AM
To: Todd Morgan
Cc: Our Lady of Good Counsel Church
Subject: RE: Our Lady of Good Counsel Church

Todd,

Please see below. I have addressed each of your items from our meeting last week. Please contact me if you have any further questions/concerns.

Thanks,

Matt Bogen, EIT
KYTC District 6
Traffic & Permits Section
Phone: (859) 341-2700 x303
Cell: (859) 462-8718
Fax: (859) 341-0253

From: Todd Morgan [mailto:TMorgan@boonecountyky.org]
Sent: Wednesday, March 09, 2011 10:26 AM
To: Bogen, Matthew (KYTC-D06)
Cc: OLOGCC
Subject: Our Lady of Good Counsel Church

Matt:

Thanks for meeting with us yesterday to discuss the proposed school at Our Lady of Good Counsel Church. I thought it would be best if I wrote up the questions that were discussed.

1. Could the former construction entrance be permitted as a permanent right turn-in only access point?

At this point, we would not allow a second entrance at this location. This entrance was evaluated once earlier in the review process as a full access point, and was denied on the basis of sight distance. Based on past experience, there are worries on our end that even if marked as a right-in-only, there would still be some vehicles that would attempt to use it as a left-in or an exit.

2. The church owns the adjoining house to the east and one of our Planning Commissioners asked if the church parking lot could connect to the residential driveway. Can the curb cut be expanded to allow church traffic? If so, what type of access point would be permitted (right-in only, right-in/right-out, or full access)?

We are not opposed to evaluating this option, but a new permit application would be necessary, and the same concerns of sight distance and proper usage would still apply.

3. Would any road improvements be permitted at the church's main access point (right hand deceleration lane and/or left hand turn lane)?

The current entrance is an acceptable access to the property per state specs. We require no further improvements to KY 1292 for the facility under its current conditions. Based on the plans the church has provided us, the R/W line appears to be directly behind the sidewalk for the church, meaning that the potential working zone is tight and any improvements

would probably require removal/replacement of the sidewalks by the church. The state would not be responsible for the cost of constructing the turn lanes. This work, if approved, would have to be reviewed and approved through the permitting process.

4. My understanding from the meeting yesterday is that flashing school zone markers are only permitted when school enrollment is 100 students or more. Would non-flashing school zone signs be permitted in the right-of-way?

Per our policy, for a school to qualify for a speed reduction on a state maintained highway, enrollment from Kindergarten through 12th grade must be 100 students or more. Other school zone signing can be reviewed as needed and approved if standards and needs are met.

Thanks for your help.

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

RESOLUTION R-11-006-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF **MARK KOLB (APPLICANT) FOR OUR LADY OF GOOD COUNSEL CHURCH (OWNER)** FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO PUBLIC FACILITIES (PF) FOR A 13.7961 ACRE SITE LOCATED AT 472 BEAVER ROAD, WALTON, KENTUCKY AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE CITY OF WALTON, WALTON, 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 Suburban Residential One (SR-1) to Public Facilities (PF) for a 13.7961 acre site located at 472 Beaver Road, Walton, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Walton, 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 RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION 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 recommended for approval, with conditions, this Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Public Facilities (PF) for a 13.7961 acre site located at 471 Beaver Road, Walton, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Suburban Residential One (SR-1) zone is more particularly described in DEED BOOK 851, PAGE NO. 61 (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, with conditions, 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 Resolution and marked as "Exhibit A."

**BOONE COUNTY PLANNING COMMISSION
RESOLUTION R-11-006-A
PAGE TWO**

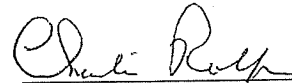
The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and the Boone County Planning Commission Business Meeting minutes and marked as "Exhibit B."

SECTION III

That a copy of this Resolution recommending approval, with conditions, for a Zoning Map Amendment for a zone change from Suburban Residential One (SR-1) to Public Facilities (PF) for a 13.7691 acre site located at 472 Beaver Road, Walton, Kentucky, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

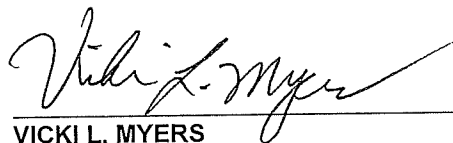
PASSED AND APPROVED ON THIS 4TH DAY OF MAY, 2011.

APPROVED:



**CHARLIE ROLFSEN
CHAIRMAN**

ATTEST:



**VICKI L. MYERS
MANAGER, ADMINISTRATIVE SERVICES**

CR:vlm

**CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2011-08**

AN ORDINANCE APPROVING AND ADOPTING A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL FOR A REQUEST FOR A ZONING MAP AMENDMENT FOR OUR LADY OF GOOD COUNSEL CHURCH.

WHEREAS, the City of Walton, is a legislative body member of the Boone County Planning Commission, a joint county-wide planning commission established under Chapter 100 of the Kentucky Revised Statutes; and,

WHEREAS, the Boone County Planning Commission received a request from Mark Kolb, (Applicant) on behalf of Our Lady of Good Counsel Church (Owner) for a Zoning Map Amendment to the Boone County Zoning Map, and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Public Facilities (PF) for a 13.7961 acre site located at 472 Beaver Road, Walton, Kentucky, in order to allow a K-12 school within the existing building in addition to the existing church functions; and,

WHEREAS, the Boone County Planning Commission, as the planning unit for the City of Walton, 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; and,

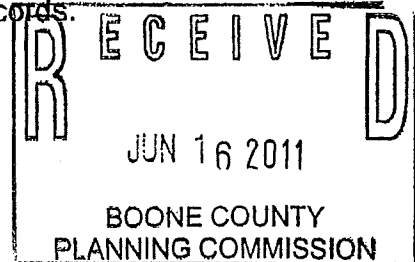
WHEREAS, the City of Walton, has received Resolution R-11-006-A of the Boone County Planning Commission recommending approval for the request; and,

WHEREAS, the City of Walton, deems it necessary to enact this Ordinance to preserve and protect the health, safety and convenience of the inhabitants of the City of Walton, pursuant to the City of Walton's legal authority, including but not limited to KRS Chapter 100;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, as follows:

SECTION ONE

The request for a Zoning Map Amendment is hereby approved. The Zoning Map Amendment is a zone change from Suburban Residential One (SR-1) to Public Facilities (PF) for a 13.7961 acre site located at 472 Beaver Road, Walton, Kentucky, in order to allow a K-12 school within the existing building in addition to the existing church functions. The real property which is the subject of this request for a Zoning Map Amendment is more particularly described in Deed Book 851, Page 61 (as supplied by the Applicant) as recorded in the Boone County Clerk's records.



SECTION TWO

Resolution R-11-006-A of the Boone County Planning Commission, recommending approval of the Zoning Map Amendment with conditions is hereby approved and adopted. The Resolution, along with the minutes and official records for the request, is attached hereto collectively as Exhibit "A" and incorporated herein by reference.

SECTION THREE

This Ordinance and the Boone County Zoning Regulations, including the zoning map, adopted and approved, and their parts, sections, subsections, clauses, and provisions are hereby declared to be severable. If a Court having jurisdiction invalidates any part, section, subsection, clause, or provision of this Ordinance or the Boone County Zoning Regulations, including the Boone County Zoning Map, all other parts, sections, subsections, clauses, or provisions shall remain valid and effective, as they are severable.

SECTION FOUR

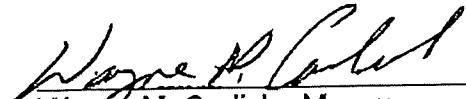
This Ordinance shall take effect and shall be in full force after its enactment and publication as required by law.

PASSED AND APPROVED on first reading by 5 Members of City Council on the 9TH day of JUNE, 2011.


PASSED AND APPROVED on second reading by 5 Members of City Council on the 13TH day of JUNE, 2011.

DATE OF PUBLICATION: JUNE 23, 2011.

APPROVED:


Wayne M. Carlisle, Mayor

ATTEST:


Peggy Gray, City Clerk

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

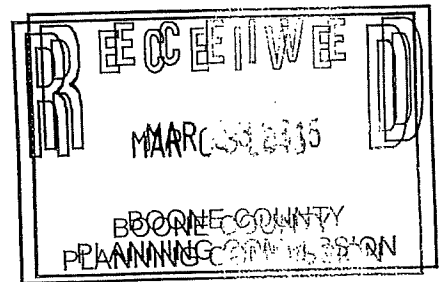
FIVE (5) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project Our Lady of Sacred Heart School
2. Location of Project 479 Beaver Road - Walton, Kentucky
3. Total Acreage of Site 17.75 acres
4. Current Zoning of Site SR-1
5. Proposed Zoning (Classification being requested) PF
6. Proposed Uses (please specify each use) Private girls school and convent
Maximum students is 250.
7. Names of Applicant(s) Viox & Viox, Inc.
Phone No. 859-727-3293 Fax No. 859-727-8452 E-Mail mbollman@vioxinc.com
8. Address of Applicant(s) 466 Erlanger Road
Erlanger Kentucky 41018
City Zip
9. Name of Property Owner(s) Our Lady of Good Counsel Church - Jim Brueggemann, Trustee
Phone No. 859-468-4516 Fax No. 859-485-1406 E-Mail jimbo@bavarianwaste.com
10. Address of Property Owner(s) 12764 McCoys Fork Road
Walton Kentucky 41094
City State Zip
11. Proposed Building Intensities (please specify) 49,000 sf - 2, 760 sf/ acre. See concept plan for proposed building layout and location.
12. Are there any existing buildings on the site? Yes, an existing underground house and barn.
How many? See above
13. Deed Book 1008 Page No. 597 Group No. 2077A
14. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance
15. Have you submitted a Concept Development Plan? Yes, with this application
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:

- NA Boone County Water District
NA Florence Public Services Dept.
No Duke Energy
NA Sanitation District #1
No Cincinnati Bell
NA Owen Electric Cooperative, Inc.
NA Boone County Public Works Department
Yes Kentucky Transportation Cabinet
NA Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)



**ZONING MAP AMENDMENT
APPLICATION
PAGE 2**

Fee Calculation
 \$1,700 flat fee
 \$250.00 legal ad fee
 \$32.00 CLUR
 \$15.00 per acre (17.75
 acres) - \$266.25
Total Fee = \$2,248.25

- NA Boone County Building Department
- No Northern Kentucky Health District
- No USDA NRCS/Boone County Conservation District
- No KY Division of Water
- NA Local School District
- No Local Fire District
- Other: _____

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

19. **ORIGINAL Property Owner's Signature** Jim Brueggemann Trustee
 (Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)
- ORIGINAL Applicant's Signature** Michif BOE
 (Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

SECTION B (To be completed by BCPC Staff)

1. Date Received 3/2/15
2. Review Fee \$ 2,248.25 R# 70319
3. Check what has been submitted:
 - Application
 - Fee
 - Legal Description
 - Concept Development Plan
 - Address of Adjoining Property Owners
 - 6 Number of Copies of Plan Received**
4. Date Application is **Administratively Complete** as Defined in KRS 100.211
5. Staff Reviewer KEVIN WHITE
6. Committee Chairman _____
7. Scheduled Public Hearing Date 4/1/15
8. Boone County Planning Commission Action:
 - _____ **Approval**
 - _____ **Approval with Conditions**
 - _____ **Denial**
9. Other: _____ Resolution # _____

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.

Our Lady of Sacred Heart School

Relationship of Proposed Zone Change with Comprehensive Plan

This request is to change the existing 17.75 acre tract from SR-1 to PF. The proposed use on the site will be a private school and convent.

This zoning request is in agreement with the 2013 Comprehensive Plan for the following reasons:

- Directly from the 2013 Comprehensive Plan, "Private schools ease part of the pressure placed on the public schools, as new residents come into the County. As the County continues to grow, new private schools can be expected to emerge."
- The 2013 Comprehensive Plan, goes on to say, "This plan encourages these schools as long as they meet or surpass the standards of public schools. These schools can be expected to be built in conjunction with the religious institutions." Our Lady of Sacred Heart Schools is proposed to be located across from Our Lady of Assumption Church and Assumption Academy (boy's school).

In addition, the future (2035) land use plan designates this area as industrial, not the existing residential (SR-1) designation.

Architecture

The architectural style of the new school and convent building will be in the same language as the existing church building. The majority of the exterior will be clad with a combination of brick and stone with minor amounts of siding.

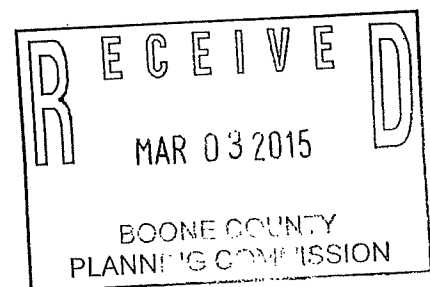
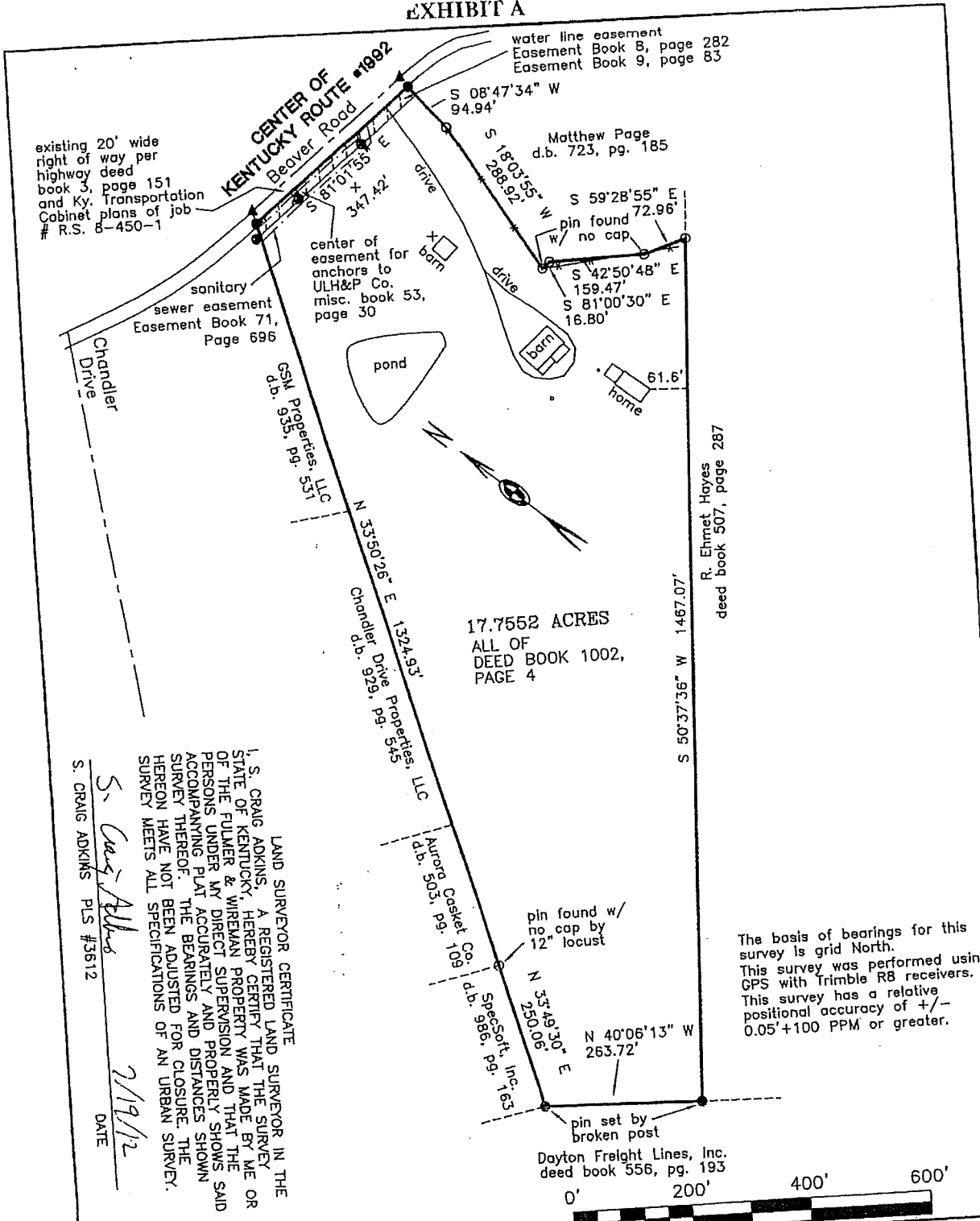


EXHIBIT A



existing 20' wide right of way per highway deed book 3, page 151 and Ky. Transportation Cabinet plans of job # R.S. 8-450-1

water line easement Easement Book 8, page 282 Easement Book 9, page 83

sanitary sewer easement Easement Book 71, Page 696

center of easement for anchors to ULH&P Co. misc. book 53, page 30

Matthew Page d.b. 723, pg. 185

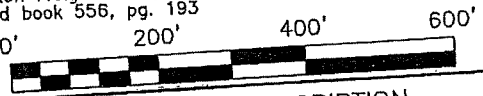
R. Ehmet Hayes deed book 507, page 287

17.7552 ACRES
ALL OF DEED BOOK 1002, PAGE 4

The basis of bearings for this survey is grid North. This survey was performed using GPS with Trimble R8 receivers. This survey has a relative positional accuracy of +/- 0.05'+100 PPM or greater.

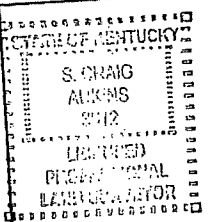
LAND SURVEYOR CERTIFICATE
I, S. CRAIG ADKINS, A REGISTERED LAND SURVEYOR IN THE STATE OF KENTUCKY, HEREBY CERTIFY THAT THE SURVEY OF THE FULMER & WIREMAN PROPERTY WAS MADE BY ME OR PERSONS UNDER MY DIRECT SUPERVISION AND THAT THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS THE BEARINGS AND DISTANCES SHOWN HEREON HAVE NOT BEEN ADJUSTED FOR CLOSURE. THE SURVEY MEETS ALL SPECIFICATIONS OF AN URBAN SURVEY.

S. CRAIG ADKINS PLS #3612
DATE 7/19/12



LEGEND

- 1/2" DIAMETER, 18" LONG IRON PIN SET W/ CAP STAMPED "3612" UNLESS OTHERWISE NOTED
- ▲ MAGNAIL SET C/L ROAD
- 1/2" DIAMETER, IRON PIN FOUND W/ CAP STAMPED "1770 1919 2709" UNLESS OTHERWISE NOTED
- SANITARY SEWER MANHOLE
- + CISTERN



Cahill SURVEYORS INC.
BOUNDARY TOPOGRAPHIC CONSTRUCTION STAKING CONTROL
(859) 824-7702
FAX: (859) 824-7712

SURVEY FOR DESCRIPTION
Kelly Fulmer & Frances Wireman
13 Park Avenue
Walton, Kentucky 41094

DATE: 7/6/2012	BOONE COUNTY
SCALE: 1" = 200'	DRAWING NUMBER: 12-41JB
DRAWN BY: SCA	
REVISED:	
SOUTH SIDE OF KY. ROUTE #1292, 375' EAST OF CHANDLER DRIVE	
CAHILL SURVEYORS, INC. 34 BROADWAY, DRY RIDGE, KY 410.	

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Randy Bessler, Chairman

DATE: May 6, 2015

RE: Request of **Viox & Viox, Inc. (applicant)** for **Our Lady of Good Counsel Church - Jim Brueggemann, Trustee (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Public Facilities (PF) for an approximate 17.75 acre site located at 479 Beaver Road, Boone County, Kentucky. The request is for a zone change to allow a private girls school and a convent.

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 accompanying Concept Development Plan are in agreement with the 2010 Boone County Comprehensive Plan due to the following reasons.
 - A. The 2010 Boone County Comprehensive Plan's Future Land Use Map designates the site as Industrial (I). This designation is described as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses." The Land Use Element (9. "Walton," pg. 173) states "the area south of I-71 and Beaver Road, and west of I-75 to Stephenson Mill Road is suitable for light industrial development; access to this industrial area should connect to Beaver Road and Stephenson Mill Road. Urban Density Residential is appropriate to act as a transition between the Suburban Residential and Industrial uses along Stephenson Mill Road."

This application is for a private K-12 girls school and a convent. Aside from existing facilities and planned facilities whose precise location is known at the time the Comprehensive Plan is prepared, the Plan does not prescribe specific locations for future public facilities and institutional uses. When considering that the proposed facility is comparable in size and scale to several of the light industrial facilities in the adjoining International Industrial Park to the west along Chandler Drive, and will function as a companion use to the combination Our Lady of Good Counsel Church and Assumption Academy school on the opposite side of Beaver Road, the Committee has concluded that the proposal fulfills the purposes of the Comprehensive Plan and is in agreement with the points outlined below.

- B. The Land Use Element (9. "Walton," pg. 173) also states "commercial development of the northwest quadrant of the interchange should be of a type to serve the adjoining industrial area, while the southwest quadrant of the interchange will continue to be dominated by the Flying J development; however, traffic circulation improvements are needed at this specific location. As described in the Business Activity Element, there should be no further development of commercial uses oriented to truck traffic."

The subject site is in proximity to the area described in this part of the Land Use Element, which discourages the development of commercial uses oriented to truck traffic. The proposed private school and convent are compatible institutional uses and are not oriented to truck traffic.

- C. The Housing Element ("Housing Types," pg. 80) states "it is important to offer a variety of housing units, not only in terms of economics, but also because of the county's demographics. As stated previously, the youthful population, divorcees, and elderly often select a multi-family unit or manufactured home to satisfy their housing needs. In the case of the young, this housing provides their first independent housing unit. In order for Boone County to retain its youth, the county must provide both jobs and housing, otherwise, an out-migration of the young and educated population will occur. Divorcees often select multi-family housing immediately following a separation. Elderly select these units for reasons usually related to economics and the need for a secure environment near their daily needs. The variety of multi-family housing includes nursing homes, retirement housing, apartments, townhouses, and condominiums all ranging greatly in price per unit. These types of units are increasing in demand outside of the established urban areas. As the county's population ages and land values rise, the need for higher density residential and planned unit developments will likely increase." The Goals and Objectives ("Housing," Objective 1) state "a broad range of housing opportunities shall be provided which meet the needs and desires for all household types."

This section and the quoted objective advocate providing a variety of housing types and arrangements in the community. The proposal includes a convent, which will be a residence for approximately twenty (20) sisters. While housing arrangements for religious orders are not specifically listed in the Housing Element, this aspect of the proposal meets the vision outlined in this section and the quoted objective.

- D. The Public Services and Facilities Goals and Objectives state "public facilities and services shall be in locations that are accessible to the population being served. Public information shall be easily accessible through the Internet and similar technology" (Objective 5). The proposed facility is on an arterial roadway per Article 32 "Transportation Management Regulations" of the Boone County

Zoning Regulations, is across the street from the companion Our Lady of Good Counsel Church and Assumption Academy school on the opposite side of Beaver Road, and is in proximity to the population base in and around the City of Walton.

- E. The Committee has concluded that the proposal, with the agreed conditions, is in agreement with the applicable Future Land Use Development Guidelines as described in the Comprehensive Plan, and the Goals and Objectives. The Land Use Element's "Future Land Use Development Guidelines" include several provisions that pertain to this proposal which are quoted in the Staff Report. These pertain to landscaping and buffering, architectural design, minimizing disturbance and retaining existing vegetation, and access management and impacts on roadways. These basic tenets are also discussed in the Goals and Objectives.
2. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2010 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 proposal shall comply in all respects with the attached Concept Development Plan which was revised in accordance with comments made at the 4/1/15 Public Hearing for this request, except when clarified or superceded by the conditions below.
2. Healthy, mature trees along the property lines shall be retained except where disturbance is necessary to accommodate the detention basin. These trees shall be credited towards the applicable landscape buffer yard requirements.
3. The architectural style of the new building will be in the same language as the existing church building (Our Lady of Good Counsel). The majority of the exterior of the building will be clad with brick and stone, with minor amounts of metal siding. The architectural style will be broken up to limit the visual scale of the building. The majority of the roof will consist of asphalt shingles, or standing seam metal roof, with limited areas of low-slope roof. Reasonable effort will be made to conceal mechanical equipment.
4. The existing driveway shall be retained as a gated emergency access drive. The surface of this driveway shall be prepared and seeded so that a grass cover will be established on it. The existing driveway encroachment in the Beaver Road right-of-

way must be approved by the Kentucky Transportation Cabinet for use as a gated emergency access.

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.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Greg Breetz
Mr. Mike Ford, Vice Chairman
Ms. Lori Heilman
Mr. Mark Hicks
Mr. Jim Longano
Mr. Don McMillian
Mr. Kim Patton
Ms. Lisa Reeves
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Kim Bunger, Secretary/Treasurer
Mrs. Janet Kegley

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen called the Public Hearings to order at 8:53 P.M. and introduced the second item on the Agenda:

ZONING MAP AMENDMENT - Kevin Wall, Staff

2. Request of Viox & Viox, Inc. (applicant) for Our Lady of Good Counsel Church - Jim Brueggemann, Trustee (owner) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Public Facilities (PF) for an approximate 17.75 acre site located at 479 Beaver Road, Boone County, Kentucky. The request is for a zone change to allow a private girls school and a convent.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). He stated that the site is located at 479 Beaver Road and in unincorporated Boone County. The applicant is planning to annex the site into the City of Walton. The site is located just east of Chandler Drive or International Industrial Park. One of the barns and lake on the property has been removed. The Comprehensive Plan's Land Use Map designates the site and surrounding properties as Industrial. The Concept Development Plan indicates a 49,000 square foot building with 3 wings - a convent, cafeteria and a private, girls school, K - 12. Parking is located mainly in front of the building. The site will also have a play area and detention pond. Mr. Wall showed photographs of the site and surrounding properties. Mr. Wall referred to the text of the Comprehensive Plan as outlined in the Staff Report. It recommends industrial uses for this site and discusses the need for public and private schools. The Comprehensive Plan doesn't specifically call out sites for new public facilities unless it is owned by a public entity. An example of this was the recent Carespring project. Mr. Wall also referenced the statutory findings for acting on a zone change application.

In terms of Staff comments, no building elevations were submitted with the application. However, a note on the Concept Development Plan states "the architectural style of the new school and convent building will be in the same language as the existing church building." Mr. Wall recommended that specific design components be listed as a potential condition, or the applicant submit design drawings as part of the Design Review process later on. In addition, it might be wise for the applicant to plan for Buffer Yard D since the building may be expanded in the future to over 50,000 square feet. The plan currently shows Buffer Yard C based upon a proposed 49,000 square foot building adjoining the SR-1 property. In regard to parking, the applicant should clarify some figures for peak times. The applicant has stated that a Traffic Study was completed but it has not been submitted. The Kentucky Transportation Cabinet will require one when the applicant submits their Encroachment Permit application. There are no public improvements planned for Beaver Road. Turning lanes may be required based upon the Traffic Study. One access point is planned for the site. One thought is to require the applicant to connect to one of the adjoining properties, especially for emergency access, such as to the vacant property to the east. Mr. Wall included the original approval documents for the church and school on the other side of Beaver Road. There was a condition on the property across the street that limits the school capacity to 100 students. Currently, the school has 110 students. In conclusion, the Planning Commission needs to evaluate the request based upon the 3 criteria and if approved, the Future Land Use Map would need to be changed.

Chairman Rolfsen asked if the applicant was ready to proceed with their presentation?

Mr. Mark Gloyeske, Viox and Viox Inc., stated that he is representing Our Lady of Good Counsel, to request a Zone Change from Suburban Residential One (SR-1) to Public Facilities (PF). The existing school, Our Lady Assumption Academy, opened in 2010. The proposed Sacred Heart School will be located on 17.75 acres. The applicant has filed an intent to annex

the site into the City of Walton. First reading of the annexation ordinance is April 13th. Even though the Future Land Use Map designates the site as Industrial, the text of the Plan encourages private schools to ease population growth in local public schools. To meet sight distance requirements, they placed the driveway on the western portion of the site. Mr. Gloyeske submitted four copies of the Traffic Study (see Exhibit A). The proposed building will be constructed in phases or as funds became available. The style of the building will most likely be like the church - brick and stone and minor amounts of siding.

Mr. Ehmet Hayes, Architect for the project, mentioned they are matching the language of the existing church. He suggested taking a look at the neighboring properties - industrial zoning with metal siding buildings. The church is one of the nicer looking commercial buildings in the area. Mr. Hayes stated that the actual size of the building is 49,000 square feet. He noted that he would provide more information about the use of the building to make sure there is adequate parking. The location was the one preferred from the Traffic Study. There is no intent to have bus service now. In terms of access management, it is difficult to mix school traffic with industrial traffic.

Sr. Mary Jordan, Mother Prowess of the Dominican Sisters, 12730 John Webster Lane, stated that the Dominican congregation was founded in France. They have 12 schools in Europe and their first school in the United States was founded in 1991 in Post Falls, Idaho. The second school was founded in 2007 in Mecano, New York. Both schools are full. Students are from all over the United States, Canada and Mexico. There will be 20 Sisters living in the convent and will be in charge of educating the children.

Fr. Daniel Muscho, Pastor of Our Lady of Assumption Church for the past 2 years, stated that he served as Pastor and Principal at the church/school in Idaho. The proposed school will provide an excellent education in the Walton area. They want to help form good citizens. It will be a good asset for the community.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Jim Evans, 12200 Eagle Ridge, stated that his kids attend Assumption School. The school is a very good addition to the community. They are active in the community - hold a church festival and participate in parades. He is supportive of the new school.

Mr. Jeff Bronson, 857 Beaver Road, stated that he is not a member of the church. It is a nice addition to the area. There are good kids who attend the school.

Ms. Peri Dinke, 601 Beaver Road, stated that she has children attending the school. It is a great school. She had older daughters who attended the Post Falls School. She is supportive of the new school.

Chairman Rolfsen asked if any of the Board Members had any questions or comments?

Mr. Ford asked if the proposed school was a high school? Fr. Muscho, responded that the proposed school would be K - 12 but it will be based upon demand and funding. Mr. Ford asked what was the projected student enrollment? Fr. Muscho replied 250 student capacity. Mr. Ford asked if the proposed school would be built with all the amenities a high school would have at

this time? Mr. Hayes responded no since their curriculum is different than a public school. It will involve multi-purpose rooms.

Chairman Rolfsen asked about the 110 student enrollment. Fr. Muscho responded that the Health Department has allowed them to retain this enrollment figure as long as they are making plans for the new school to lower the enrollment at the existing school. Mr. Wall explained that the 110 figure originated from the Kentucky Transportation Cabinet and there is a zoning condition capping the student enrollment at 100. Fr. Muscho stated they have about 50% girls so it would free up space. They may start with K-5 and then convert it to an all girls school.

Mr. Reynolds asked if the applicant had any outside athletic facilities? Sr. Mary Jordan replied they would have a play ground only. They don't have a gymnasium.

Mr. Hicks asked if the applicant is in violation in terms of student enrollment? Mr. Costello replied yes but the applicant is working toward a solution. Our practice has been to work with any business to resolve any issue as long as there is progress toward a solution. Mr. Hicks stated he preferred not to demand access management since it is a school and industrial traffic doesn't make sense. It would encourage more traffic. It should be kept safe. Mr. Wall responded that the Staff Report referred to a gated emergency access only.

Chairman Rolfsen asked why the applicant was pursuing annexation into the City of Walton? Mr. Hayes responded that it was necessary to obtain utility service specifically sanitary sewer service.

Mr. Patton asked if the architect could address the buffer yard setbacks especially if the organization grows over the next 20 years and needs to expand the building? Mr. Hayes replied there is ample room to expand the square footage of the building. They would most likely have to come back before the Planning Commission. Sr. Mary Jordan replied that when they reach the 250 student enrollment, they stop growing and start another school elsewhere. They purposely keep the classroom size small. There will be 20 Sisters for 250 students. They also have 15 lay teachers helping at the school. The convent will be for the Sisters and some of the lay teachers.

Mr. McMillian stated that he is in favor of access management. It is for safety. He inquired on how do you plan to transport students between the two buildings? Mr. Hayes replied that the building is self contained. It will have a cafeteria and chapel. If they go to the church across the street, then they will have to be transported by car or by bus.

Mr. Schwenke asked if the applicant could install a gravel road with a gate for emergency access? Mr. Wall responded that the fire department would have to agree and the State would have to allow the encroachment. Mr. Schwenke stated that it makes sense to keep it on campus rather than connecting it to an industrial area. It would be about 600 feet in length. Mr. Patton asked if there was an existing easement on the adjoining property that could be used for emergency access? Mr. Wall responded that he would look into this issue.

Ms. Reeves asked if the proposed school would ever be a boarding school? Sr. Mary Jordan replied that they currently have a few boarding students. It would be students who could go home every few weeks, living not far away.

There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on April 15, 2015 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on May 6, 2015 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 9:37 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

Exhibit A - Traffic Study, Viox & Viox, Inc. - Jack Pflum, P.E.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Randy Bessler, Chairman

DATE: April 15, 2015

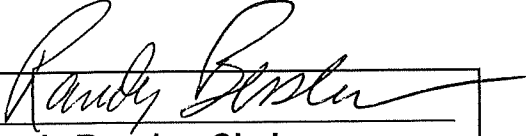
ZONING MAP AMENDMENT - Randy Bessler, Chairman, Kevin Wall, Staff

2. Request of **Viox & Viox, Inc. (applicant)** for **Our Lady of Good Counsel Church - Jim Brueggemann, Trustee (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Public Facilities (PF) for an approximate 17.75 acre site located at 479 Beaver Road, Boone County, Kentucky. The request is for a zone change to allow a private girls school and a convent.

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.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE
 VIOX & VIOX/OUR LADY OF GOOD COUNSEL CHURCH
 April 15, 2015



Randy Bessler, Chairman

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____



Kim Patton

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Greg Breetz

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Charlie Reynolds (Alternate)

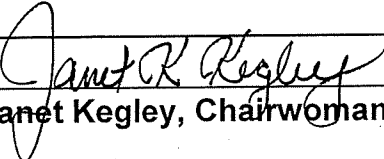
For Project _____ Absent _____
 Against Project _____

Kim Bunger

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Jim Longano, (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____



Janet Kegley, Chairwoman

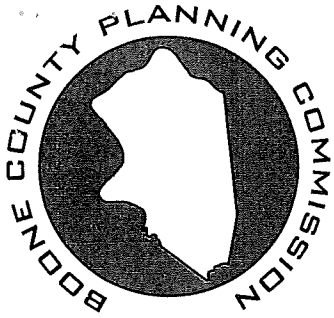
For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Mark Hicks (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

TOTAL: _____ DEFERRED _____ FOR PROJECT _____ ABSENT _____
 _____ AGAINST PROJECT _____ ABSTAIN _____

SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

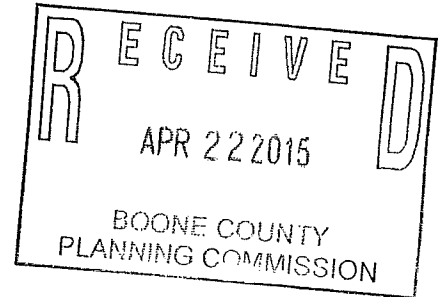
www.boonecountyky.org/pc
www.boonecountygis.com

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

April 17, 2015

Mr. Jim Brueggemann, Trustee
Our Lady of Good Counsel Church
12764 McCoys Fork Road
Waiton, KY 41094



FAX: 485-1406

RE: Recommended Conditions of Approval for Our Lady of Sacred Heart School Zoning Map Amendment Application from SR-1 to PF for Approximate 17.75 Acre Site at 479 Beaver Road, Boone County, Kentucky

Dear Mr. Brueggemann:

The following represents the conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change Committee at their April 15, 2015 meeting, and revised per discussion with your architect. If you, as the authorized representative of the property owner, 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, May 1, 2015.

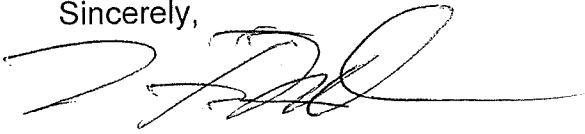
CONDITIONS

1. The proposal shall comply in all respects with the attached Concept Development Plan which was revised in accordance with comments made at the 4/1/15 Public Hearing for this request, except when clarified or superceded by the conditions below.
2. Healthy, mature trees along the property lines shall be retained except where disturbance is necessary to accommodate the detention basin. These trees shall be credited towards the applicable landscape buffer yard requirements.
3. The architectural style of the new building will be in the same language as the existing church building (Our Lady of Good Counsel). The majority of the exterior of the building will be clad with brick and stone, with minor amounts of metal siding. The architectural style will be broken up to limit the visual scale of the building. The majority of the roof will consist of asphalt shingles, or standing seam metal roof, with limited areas of low-slope roof. Reasonable effort will be made to conceal mechanical equipment.

Mr. Jim Brueggemann, Trustee
April 17, 2015
Page 2

4. The existing driveway shall be retained as a gated emergency access drive. The surface of this driveway shall be prepared and seeded so that a grass cover will be established on it. The existing driveway encroachment in the Beaver Road right-of-way must be approved by the Kentucky Transportation Cabinet for use as a gated emergency access.

Sincerely,



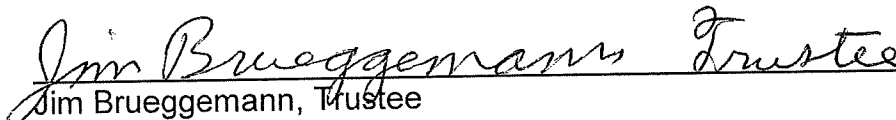
Kevin T. Wall, AICP
Director, Zoning Services

enclosure

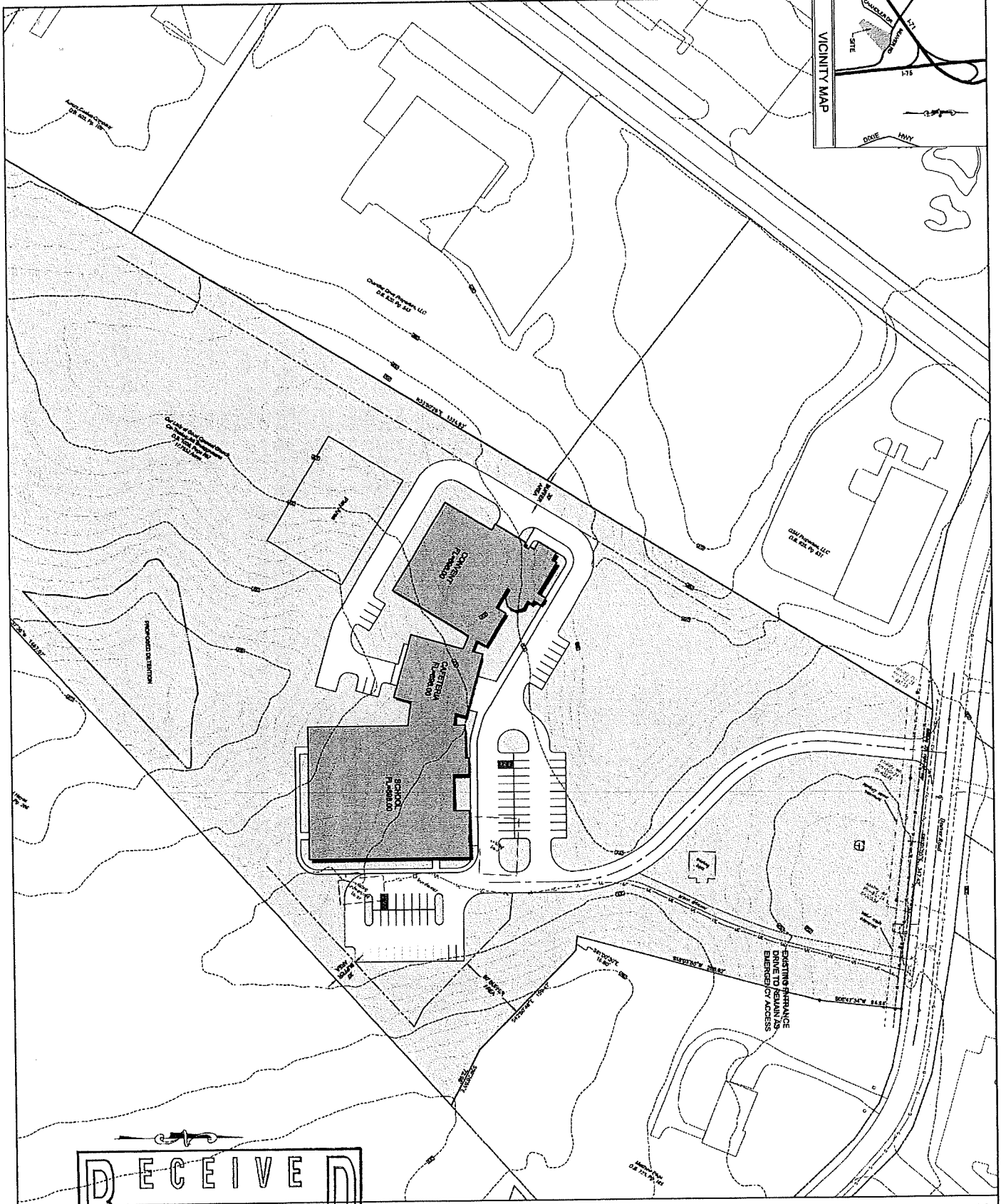
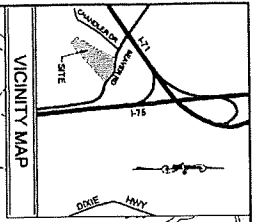
cc: Noah Onkst, Robert Ehmet Hayes & Associates; FAX: 331-3332

AGREEMENT

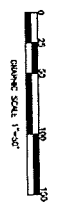
I, the authorized representative of the property owner of the approximate 17.75 acre site at 479 Beaver Road, Boone County, Kentucky, agree to the conditions listed herein for the above referenced Zoning Map Amendment application.


Jim Brueggemann, Trustee
Our Lady of Good Counsel Church
Authorized Representative for Property Owner

4-22-15
Date



RECEIVED
 APR 22 2015
 BOONE COUNTY
 PLANNING COMMISSION



- GENERAL NOTES:**
1. OWNER: OUR LADY OF SACRED HEART CHURCH AND PARISH, 1000 W. WALTON, KY 41094
 2. OWNER'S ARCHITECT: VIOX & VIOX, 1000 W. WALTON, KY 41094
 3. OWNER'S ENGINEER: VIOX & VIOX, 1000 W. WALTON, KY 41094
 4. PROJECT: DISTRICT 2
 5. PROJECT: DISTRICT 2
 6. PROJECT: DISTRICT 2
 7. PROJECT: DISTRICT 2
 8. PROJECT: DISTRICT 2
 9. PROJECT: DISTRICT 2
 10. PROJECT: DISTRICT 2
 11. PROJECT: DISTRICT 2
 12. PROJECT: DISTRICT 2
 13. PROJECT: DISTRICT 2
 14. PROJECT: DISTRICT 2
 15. PROJECT: DISTRICT 2
 16. PROJECT: DISTRICT 2
 17. PROJECT: DISTRICT 2
 18. PROJECT: DISTRICT 2
 19. PROJECT: DISTRICT 2
 20. PROJECT: DISTRICT 2
 21. PROJECT: DISTRICT 2
 22. PROJECT: DISTRICT 2
 23. PROJECT: DISTRICT 2
 24. PROJECT: DISTRICT 2
 25. PROJECT: DISTRICT 2
 26. PROJECT: DISTRICT 2
 27. PROJECT: DISTRICT 2
 28. PROJECT: DISTRICT 2
 29. PROJECT: DISTRICT 2
 30. PROJECT: DISTRICT 2
 31. PROJECT: DISTRICT 2
 32. PROJECT: DISTRICT 2
 33. PROJECT: DISTRICT 2
 34. PROJECT: DISTRICT 2
 35. PROJECT: DISTRICT 2
 36. PROJECT: DISTRICT 2
 37. PROJECT: DISTRICT 2
 38. PROJECT: DISTRICT 2
 39. PROJECT: DISTRICT 2
 40. PROJECT: DISTRICT 2
 41. PROJECT: DISTRICT 2
 42. PROJECT: DISTRICT 2
 43. PROJECT: DISTRICT 2
 44. PROJECT: DISTRICT 2
 45. PROJECT: DISTRICT 2
 46. PROJECT: DISTRICT 2
 47. PROJECT: DISTRICT 2
 48. PROJECT: DISTRICT 2
 49. PROJECT: DISTRICT 2
 50. PROJECT: DISTRICT 2

OUR LADY OF SACRED HEART
 CONCEPT PLAN
 BEAVER ROAD
 WALTON, KY 41094



Project No:	Checked:	Approved:	Approved:	Approved:	Approved:
000-41094	EC	PLM			

Rev	Revised	Date	By	CHK

**CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2015-03**

AN ORDINANCE ANNEXING AN EIGHTEEN ACRE PARCEL OF
REAL PROPERTY IN BOONE COUNTY LOCATED AT 479 BEAVER
ROAD.

WHEREAS, Our Lady of Good Counsel Church U/A/D October 31, 1997, as amended, being the owner of record of real property containing 17.913 acres in Boone County located at 479 Beaver Road, has requested, by and through Jim Brueggemann, as Trustee, that the City of Walton annex said real property, and, pursuant to KRS 81A.412, said owner has given written consent to such annexation; and,

WHEREAS, the City of Walton has determined that it is desirable to annex the real property; and,

WHEREAS, pursuant to KRS 100.209(1), the City makes the election that prior to final action of annexation, the comprehensive plan (if applicable) and official zoning map of the City shall be amended to incorporate and establish zoning of Public Facilities (PF) with respect to the property;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, as follows:

SECTION ONE

The City of Walton finds that the real property meets the requirements of KRS 81A.410, in that it is contiguous to the boundaries of the City, it is suitable for development for urban purposes without unreasonable delay, and that it is not included within the boundary of another incorporated city.

SECTION TWO

The real property owned by Our Lady of Good Counsel Church U/A/D October 31, 1997, as amended, as described in Deed Book 1008, Page 597 of the Boone County Clerk's records (provided by the applicant), and which is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference, is hereby annexed and made a part of the corporate territory of the City of Walton, Kentucky for all purposes.

**CONSENT TO ANNEXATION
BY THE CITY OF WALTON, KENTUCKY**

The undersigned hereby consent to and request that the City of Walton, Kentucky, annex the real property which is described and shown on the legal description and plat which are attached hereto, and in connection therewith, the following representations are made to the City:

- a. All of the owners of record of said real property have signed below;
- b. The real property meets the requirements of K.R.S. 81A.410;
- c. Such annexation is consented to under the provisions of K.R.S. 81A.412 and it is acknowledged that by reason of such consent, the City shall not be required to (1) enact the notification ordinance of K.R.S. 81A.421(1); or (2) to comply with the notice requirements of K.R.S. 81A.425; or (3) to wait the 60 day period provided for in K.R.S. 81A.420(2). The City may accomplish this annexation by the enactment and publication of a single ordinance.

Pursuant to K.R.S. 100.209 as it affects zoning of such real estate after annexation, it is hereby requested: (check one)

- a. _____ That such real estate shall remain subject to the same land use restrictions as applied to it prior to annexation; or
- b. _____ That the City amend its Comprehensive Plan and official Zoning Map so that after annexation, such real property will have the following zone:

NOTE: This consent to annexation must be signed by all owners of record. If the owners are married individuals, their spouse must also sign. If the owners are a corporation, LLC, partnership, etc., the authorized officers must sign, and a copy of the resolution authorizing execution must be attached.

The following documents MUST be attached to this Consent.

- a. A plat showing an accurate map of the real estate (K.R.S. 81A.470(1)); and
- b. A metes and bounds legal description of the real estate (K.R.S. 81A.470(1)); and
- c. Copies of the document(s) from which owners' source of title is derived; and
- d. A list of the names and addresses of those property owners who reside within the boundaries of the real property (K.R.S. 81A.475).

Printed/Typed Name of Owner	Signature	Date
-----------------------------	-----------	------

Address	Telephone
---------	-----------

Printed/Typed Name of Owner	Signature	Date
-----------------------------	-----------	------

Address	Telephone
---------	-----------



Our Lady of Good Counsel Church (t)

12666 McCoy Fork Road
Walton, KY 41094
Fax # (859) 485-1406

All For The Honor & Glory of God

MEMORANDUM OF TRUST

Now comes JIM BRUEGGEMANN, TRUSTEE OF OUR LADY OF GOOD COUNSEL CHURCH (the "Trust"), and being duly cautioned and sworn, deposes and states as follows:

1. The name of the Trust is Our Lady of Good Counsel Church.
2. The name and address of the current Trustees of the Trust are:

Jim Brueggemann, 12265 McCoy Fork Road, Walton, KY 41094
Maria Brueggemann, 12265 McCoy Fork Road, Walton, KY 41094
John Brueggemann, 1970 Yale Avenue, Independence, KY 41051
3. The Trust remains in full force and effect as of the date hereof.
4. Jim Brueggemann as Trustee of Our Lady of Good Counsel Church is the owner of the real property commonly known as 479 Beaver Road, Walton, Kentucky 41094.
5. That pursuant to the powers of the Trust, on March 6, 2015, the Trustees held a meeting at which all Trustees were present, and designated Jim Brueggemann as having the authority to request the annexation of 479 Beaver Road by the City of Walton, Kentucky and to execute any and all documents necessary for said annexation to occur.

IN WITNESS WHEREOF, Jim Brueggemann, Trustee has executed this Memorandum of Trust on March 6, 2015.

Jim Brueggemann
Jim Brueggemann, Trustee of Our Lady
of Good Counsel Church

Commonwealth of Kentucky, County of Boone, ss:

The foregoing Memorandum of Trust was sworn to, subscribed and acknowledged before me on this 6th day of March, 2015, by Jim Brueggemann, Trustee of Our Lady of Good Counsel Church.

Commission Expires: 8/26/2017

Anita Butler
Notary Public



"The Place to Be"

Visit Our Website
www.cityofwalton.org

Dear Mayor Carnahan,

This letter is to advise you that I/We desire for the City of Walton to annex our land, which is, located at 479 Beaver Rd Walton, Ky

near the City of Walton and described in Deed Book 1008, Page 597, of the Boone County Clerk's Records. Copies of our deed/deeds are attached hereto.

I/We petition the City of Walton to annex the attached property and do further state to the City that we do hereby waive our rights to protest against the annexation and waive the time periods of protest under K.R.S. 81A.420(2) and (3) and waive the provision of K.R.S. 81.460.

Having consented to annexation we hereby request that the annexation proceed immediately, *to run simultaneously to zoning.* (JB)

Respectfully submitted,

Signature Our Lady of Good Counsel Church

Signature Jim Bauggemann Trustee Date 3/5/15



VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road
Erlanger, Kentucky 41018

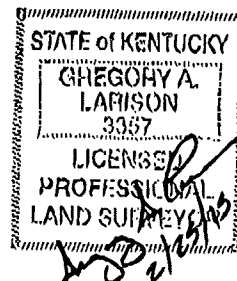
Tel: 859.727.3293
Fax: 859.727.8452
www.vioxinc.com

February 25, 2015

DESCRIPTION OF 17.913 ACRES TO BE ANNEXED BY WALTON, KENTUCKY

Located in Boone County, Kentucky, lying on the southwest side of Beaver Road (State Route 1992) southeast of Chandler Drive and is more particularly described as follows:

Beginning in the existing Walton, Kentucky, Corporation Limits at the most southerly common corner of Our Lady of Good Counsel Church (Deed Book 1008, page 597) and Ehmet Hayes (Deed Book 507, page 286) and in the north line of Lot 5 of the International Industrial Park (Plat Slide 199A); thence with the common line of Our Lady of Good Counsel and the International Industrial Park and also Corporation Limits North 41°01'47" West a distance of 263.72 feet to a point; thence North 32°53'44" East a distance of 250.05 feet to a point; thence continuing with the common line of Our Lady of Good Counsel, International Industrial Park and GSM Properties, LLC (Deed Book 935, page 531) North 32°54'52" East a distance of 1346.97 feet to a point in the centerline of Beaver Road; thence with said centerline and leaving said Corporation Limits South 81°57'29" East a distance of 226.35 feet to a point in the existing Walton, Kentucky, Corporation Limits; thence continuing with said centerline and said Corporation Limits South 81°57'29" East a distance of 111.74 feet to a point; thence leaving said centerline and Corporation Limits and with the common line of Our Lady of Good Counsel and Matthew Page (Deed Book 723, page 185) South 07°52'00" West a distance of 114.94 feet to a point; thence South 17°08'21" West a distance of 288.92 feet to a point; thence South 81°56'04" East a distance of 16.80 feet to a point; thence South 43°46'22" East a distance of 159.47 feet to a point; thence South 60°24'29" East a distance of 72.96 feet to a point in the common line of Our Lady of Good Counsel and Ehmet Hayes and also in the existing Walton, Kentucky, Corporation Limits; thence with said common line and also said Corporation Limits South 49°42'02" West a distance of 1467.07 feet to the point of beginning containing 17.913 acres.





VIOX & VIOX

Civil Engineers, Surveyors, and Landscape Architects

466 Erlanger Road
Erlanger, Kentucky 41018

Tel: 859.727.3293
Fax: 859.727.8452
www.vioxinc.com

February 25, 2015

DESCRIPTION OF 17.913 ACRES TO BE ANNEXED BY WALTON, KENTUCKY

Located in Boone County, Kentucky, lying on the southwest side of Beaver Road (State Route 1992) southeast of Chandler Drive and is more particularly described as follows:

Beginning in the existing Walton, Kentucky, Corporation Limits at the most southerly common corner of Our Lady of Good Counsel Church (Deed Book 1008, page 597) and Ehmet Hayes (Deed Book 507, page 286) and in the north line of Lot 5 of the International Industrial Park (Plat Slide 199A); thence with the common line of Our Lady of Good Counsel and the International Industrial Park and also Corporation Limits North 41°01'47" West a distance of 263.72 feet to a point; thence North 32°53'44" East a distance of 250.05 feet to a point; thence continuing with the common line of Our Lady of Good Counsel, International Industrial Park and GSM Properties, LLC (Deed Book 935, page 531) North 32°54'52" East a distance of 1346.97 feet to a point in the centerline of Beaver Road; thence with said centerline and leaving said Corporation Limits South 81°57'29" East a distance of 226.35 feet to a point in the existing Walton, Kentucky, Corporation Limits; thence continuing with said centerline and said Corporation Limits South 81°57'29" East a distance of 111.74 feet to a point; thence leaving said centerline and Corporation Limits and with the common line of Our Lady of Good Counsel and Matthew Page (Deed Book 723, page 185) South 07°52'00" West a distance of 114.94 feet to a point; thence South 17°08'21" West a distance of 288.92 feet to a point; thence South 81°56'04" East a distance of 16.80 feet to a point; thence South 43°46'22" East a distance of 159.47 feet to a point; thence South 60°24'29" East a distance of 72.96 feet to a point in the common line of Our Lady of Good Counsel and Ehmet Hayes and also in the existing Walton, Kentucky, Corporation Limits; thence with said common line and also said Corporation Limits South 49°42'02" West a distance of 1467.07 feet to the point of beginning containing 17.913 acres.

STATE of KENTUCKY
GREGORY A. LAHSON
3387
LICENSED
PROFESSIONAL
LAND SURVEYOR
2/25/15

**CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2015-07**

AN ORDINANCE APPROVING AND ADOPTING A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL FOR A ZONING MAP AMENDMENT FROM SUBURBAN RESIDENTIAL ONE TO PUBLIC FACILITIES FOR AN APPROXIMATE 17.75 ACRE SITE LOCATED AT 479 BEAVER ROAD IN BOONE COUNTY, KENTUCKY TO ALLOW A PRIVATE GIRLS SCHOOL AND CONVENT.

WHEREAS, the City of Walton, is a legislative body member of the Boone County Planning Commission, a joint county-wide planning commission established under Chapter 100 of the Kentucky Revised Statutes; and,

WHEREAS, the Boone County Planning Commission received a request from Viox & Viox, Inc., (Applicant) on behalf of Our Lady of Good Counsel Church, Jim Brueggemann, Trustee (Owner) for a Zoning Map Amendment to the Boone County Zoning Map, and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Public Facilities (PF) for an approximate 17.75 acre site located at 479 Beaver Road, Walton, Kentucky, in order to allow a private girls school and convent; and,

WHEREAS, the Boone County Planning Commission, as the planning unit for the City of Walton, 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; and,

WHEREAS, the City of Walton, has received Resolution R-15-007-A of the Boone County Planning Commission recommending approval for the request; and,

WHEREAS, the City of Walton, deems it necessary to enact this Ordinance to preserve and protect the health, safety and convenience of the inhabitants of the City of Walton, pursuant to the City of Walton's legal authority, including but not limited to KRS Chapter 100;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, as follows:

SECTION ONE

The request for a Zoning Map Amendment, with conditions, is hereby approved in conjunction with the proposed annexation of the site into the City of Walton, Kentucky. The Zoning Map Amendment is a zone change from Suburban Residential One (SR-1) to Public Facilities (PF) for an approximate 17.75 acre site located at 479 Beaver Road, Walton, Kentucky, in order to allow a private girls school and convent. The real property which is the subject of this request for a Zoning Map Amendment is more particularly described in Deed Book 1008, Page 597 (as supplied by the Applicant) as recorded in the Boone County Clerk's records.

SECTION TWO

Resolution R-15-007-A of the Boone County Planning Commission, recommending approval of the Zoning Map Amendment with conditions is hereby approved and adopted. The Resolution, along with the minutes and official records for the request, is attached hereto collectively as Exhibit "A" and incorporated herein by reference.

SECTION THREE

This Ordinance and the Boone County Zoning Regulations, including the zoning map, adopted and approved, and their parts, sections, subsections, clauses, and provisions are hereby declared to be severable. If a Court having jurisdiction invalidates any part, section, subsection, clause, or provision of this Ordinance or the Boone County Zoning Regulations, including the Boone County Zoning Map, all other parts, sections, subsections, clauses, or provisions shall remain valid and effective, as they are severable.

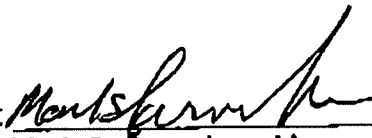
SECTION FOUR

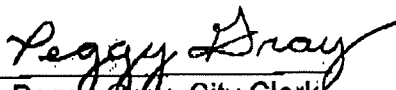
This Ordinance shall take effect and shall be in full force after its enactment and publication as required by law.

PASSED AND APPROVED on first reading by 4 Members of City Council on the 15th day of June, 2015.

PASSED AND APPROVED on second reading by 4 Members of City Council on the 22nd day of June, 2015.

DATE OF PUBLICATION: July 2nd, 2015.

APPROVED: 
Mark S. Carnahan, Mayor

ATTEST: 
Peggy Gray, City Clerk

SECTION THREE

Pursuant to KRS 100.209(1), the comprehensive plan (if applicable) and official zoning map of the City shall be amended to incorporate and establish zoning for the property as Public Facilities (PF), as shown on the plat attached hereto as Exhibit "B" and incorporated herein by reference.

SECTION FOUR

This ordinance shall be in full force and effect after adoption and publication in accordance with applicable law.

APPROVED AND PASSED on first reading by 6 Members of City Council
on the 13TH day of APRIL, 2015.

APPROVED AND PASSED on second reading by 4 Members of City Council
on the 22ND day of JUNE, 2015.

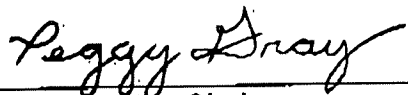
DATE OF PUBLICATION: JULY 2ND, 2015.

APPROVED:

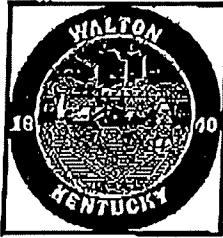


Mark S. Carnahan, Mayor

ATTEST:



Peggy Gray, City Clerk



City of Walton

40 North Main St
P O Box 95
Walton, KY 41094

Phone number: 859-485-4383
Fax number: 859-485-9710

Fax Transmittal Form

To
Name: KEVIN WALL

From
Name: PEGGY GRAY

Phone number: _____

Phone number: 859-485-4383

Fax number: 334-2264

Fax number: 859-485-9710

- Urgent
- For Your Approval
- As Requested
- For Review and Comment
- Please Reply
- Confidential

Date sent:

Time sent:

Number of pages including cover page:

Message:

KEVIN,

ARE THESE ORDINANCES YOU ARE LOOKING FOR. I THOUGHT JOYCE FAXED THEM TO YOU AND SHE THOUGHT I DID?

SORRY PEGGY

"This message may contain confidential and/or proprietary information, and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited."

Prepared by:	Checked:	Approved:	Date:
			4/11/2013

Scale:	1" = 40'
North Arrow:	
Graphic Scale:	1" = 40'

- GENERAL NOTES:**
1. JOB: CONCEPT PLAN FOR CONVENT, CHURCH AND SCHOOL.
 2. OWNER: JIM BRUEGGEMANN, TRUSTEE.
 3. TOTAL AREA: 17.78 ACRES.
 4. MIN. LOT AREA: 26,000 S.F.
 5. MIN. FRONT SETBACK: 40 FT.
 6. MIN. SIDE YARD SETBACK: 10 FT.
 7. MAX. BUILDING HEIGHT: 28 FT.
 8. PROPERTY IS BEING ANNEXED INTO THE CITY OF WALTON.
 9. ALL EXISTING STRUCTURES ON THE SITE WILL BE DEMOLISHED.
 10. EXISTING SOIL TYPES: NK, F2C AND F2D.
 11. WATER: CITY OF WALTON.
 12. SEWER: CITY OF WALTON.
 13. STORM SEWER: PRIVATE.
 14. ELECTRIC: DUNE ENERGY.
 15. TELEPHONE: CINCINNATI BELL.
 16. PROPOSED BUILDING IS APPROX. 42,000 SF.
 17. ARCHITECTURAL STYLE OF THE NEW BUILDING WILL BE IN THE SAME LANGUAGE AS THE EXISTING BUILDING.
 18. EXTERIOR WILL BE CLAD WITH A COMBINATION OF BRICK AND STONE WITH MINOR AMOUNTS OF SIDING.



APPROVED

Staff: *[Signature]*

Date: 5/6/15

Boone County Planning Commission

*with conditions