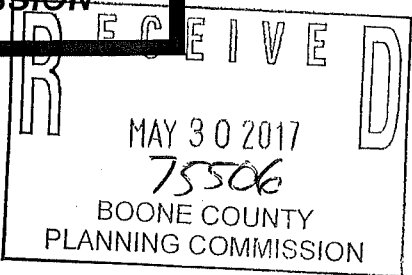


APPLICATION FORM

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 GREENVIEW CAMPUS TO PF
2. Location of Project 1050 BURLINGTON PIKE FLORENCE, KY 41042
3. Total Acreage of Site 3.07
4. Current Zoning of Site C-3
5. Proposed Zoning (Classification being requested) PF
6. Proposed Uses (please specify each use) CHURCH WORSHIP & CHURCH ACTIVITIES
K-12 SCHOOL MEETING M-F
7. Names of Applicant(s) FLORENCE BAPTIST CHURCH
Phone No. 859.371.7141 Fax No. — E-Mail TMCNAIR@FLORENCEBAPTIST.ORG
8. Address of Applicant(s) PO Box 456
FLORENCE KY 41022
City State Zip
9. Name of Property Owner(s) FLORENCE BAPTIST CHURCH
Phone No. 859.371.7141 Fax No. — E-Mail TMCNAIR@FLORENCEBAPTIST.ORG
10. Address of Property Owner(s) PO Box 456
FLORENCE KY 41022
City State Zip
11. Proposed Building Intensities (please specify) NO NEW CONSTRUCTION IS PLANNED
12. Are there any existing buildings on the site? YES
How many? 2
13. Deed Book 158 Page No. 29 Group No. 2033 A
14. Are you also applying for:
NO Conditional Use Permit
NO Dimensional Variance
15. Have you submitted a Concept Development Plan? YES
16. Have you had a pre-application meeting with BCPC Staff? YES
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

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

**ADDENDUM TO ZONING MAP AMENDMENT OR
CONCEPT DEVELOPMENT PLAN APPLICATION
CURRENTLY UNDER REVIEW BY THE BOONE COUNTY PLANNING COMMISSION**

***Waiver of 60 Day Time Requirement by Originator
for Final Planning Commission Action***

1. Name of Project GREENVIEW CAMPU> TO PF
2. Location of Project 1050 BURLINGTON PIKE FLORENCE, KY 41042
3. Names of Applicant(s) FLORENCE BAPTIST CHURCH
Phone No. 859.371.7141 Fax No. _____ E-Mail TMCNAIR@FLORENCEBAPTIST.ORG
4. Address of Applicant(s) PO Box 456

<u>FLORENCE</u>	<u>KY</u>	<u>41042</u>
City	State	Zip
5. Name of Property Owner(s) FLORENCE BAPTIST CHURCH

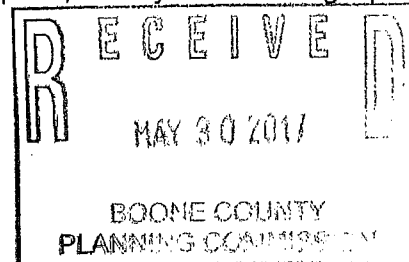
In accordance with the provisions in KRS 100.211, the applicant(s) and property owner(s) or originators above, hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment and/or Concept Development Plan* application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on _____.

6. ORIGINAL Property Owner's Signature TB MCN
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature TB MCN
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

Note:

*The 60-day time limit applies to Concept Development Plan applications if the site was originally subject to a Zoning Map Amendment request as part of an individual request, county-wide Zoning Update or a land use/zoning study or plan.



EXHIBIT

“A”

STAFF REPORT

Request of **Florence Baptist Church (owner)** for a Zoning Map Amendment from Commercial Services (C-3) to Public Facilities (PF) for a 3.07 acre tract located at 1050 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow a K-12 school to operate within the existing church.

July 5, 2017

PROPOSAL

The applicant is requesting this zone change to allow a K-12 school to operate within the existing church. A narrative outlining their request is attached to the Staff Report. Anticipated enrollment for the fall of 2017 is 50 students. The applicant states that 100 students would be the maximum number and at that point the school would have to find another place to meet. The school hours are proposed 8:00 a.m. to 3:00 p.m. Monday - Friday.

ADJACENT ZONING AND LAND USES

North: Single-family homes within the Greenview Subdivision (SR-1)

South: Across KY 18, Safelite (C-1/CD), Grand at Florence (SR-3/CD) and BB&T (C-3/CD)

East: Kerry Mazda (C-3/CD)

West: Zimmer Chrysler/Jeep/Dodge (C-3/CD)

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2010 Boone County Comprehensive Plan's Future Land Use Map designates the site as Public/Institutional (P). This designation is described as "government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc."

The Land Use Element text within the 2010 Boone County Comprehensive Plan (Houston-Donaldson/Mall Road) makes no specific reference to this site.

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. 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).
- E. The needs of Boone County's population are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- F. Safe, efficient and environmentally sound public services and facilities shall exist for all development ("Public Services and Facilities," Goal).
- G. 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).

STAFF COMMENTS

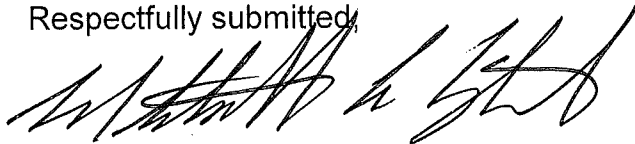
- 1. The applicants narrative states that the school will operate within the existing church building and that no addition is necessary. If, in the future, the church/school needs to expand the building square footage for the school, a Change in the Approved Concept Development Plan will be required.
- 2. The narrative addresses the following:
 - A. Maximum number of students: 100 (anticipated enrollment for the fall of 2017 is 50)
 - B. Anticipated school hours: 8 to 3 Monday - Friday
 - C. Any athletic fields or recess yards proposed? Nothing in addition to the existing playground behind the church.
 - D. No busses are proposed and the parents would use a similar traffic pattern that the church uses (enter through the main entrance and exit through the westernmost access point next to Zimmer).

3. Staff received comments regarding the proposal from Kentucky Transportation Cabinet, Florence Fire, and the Boone County Sheriff. Their comments are attached to the Staff Report.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and Boone County Fiscal Court in terms of Article 3 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area. The Future Land Use Map will not need to be amended if the request is approved.

Respectfully submitted,

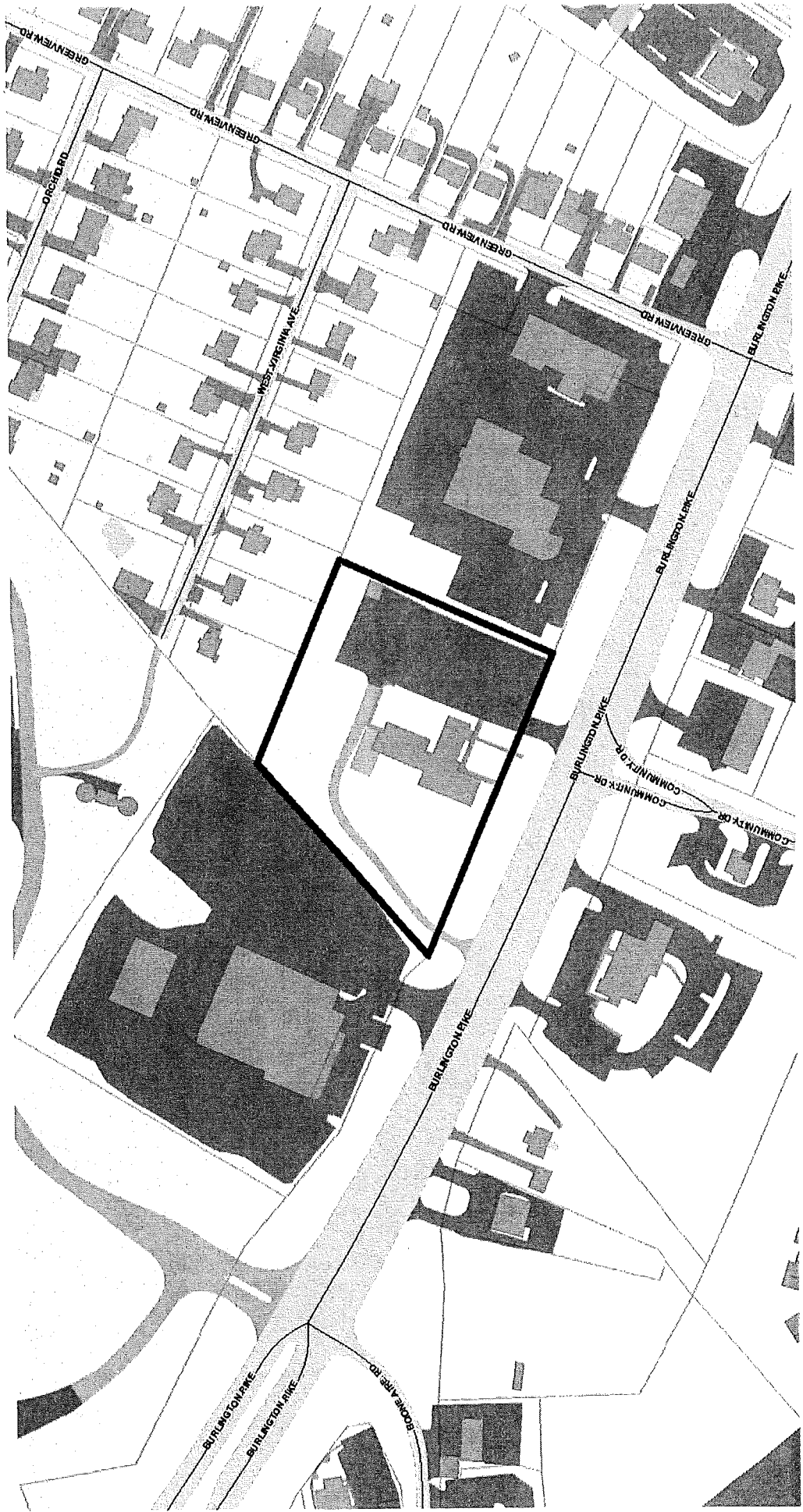


Mitchell A. Light
Asst. Zoning Administrator/Enforcement Officer

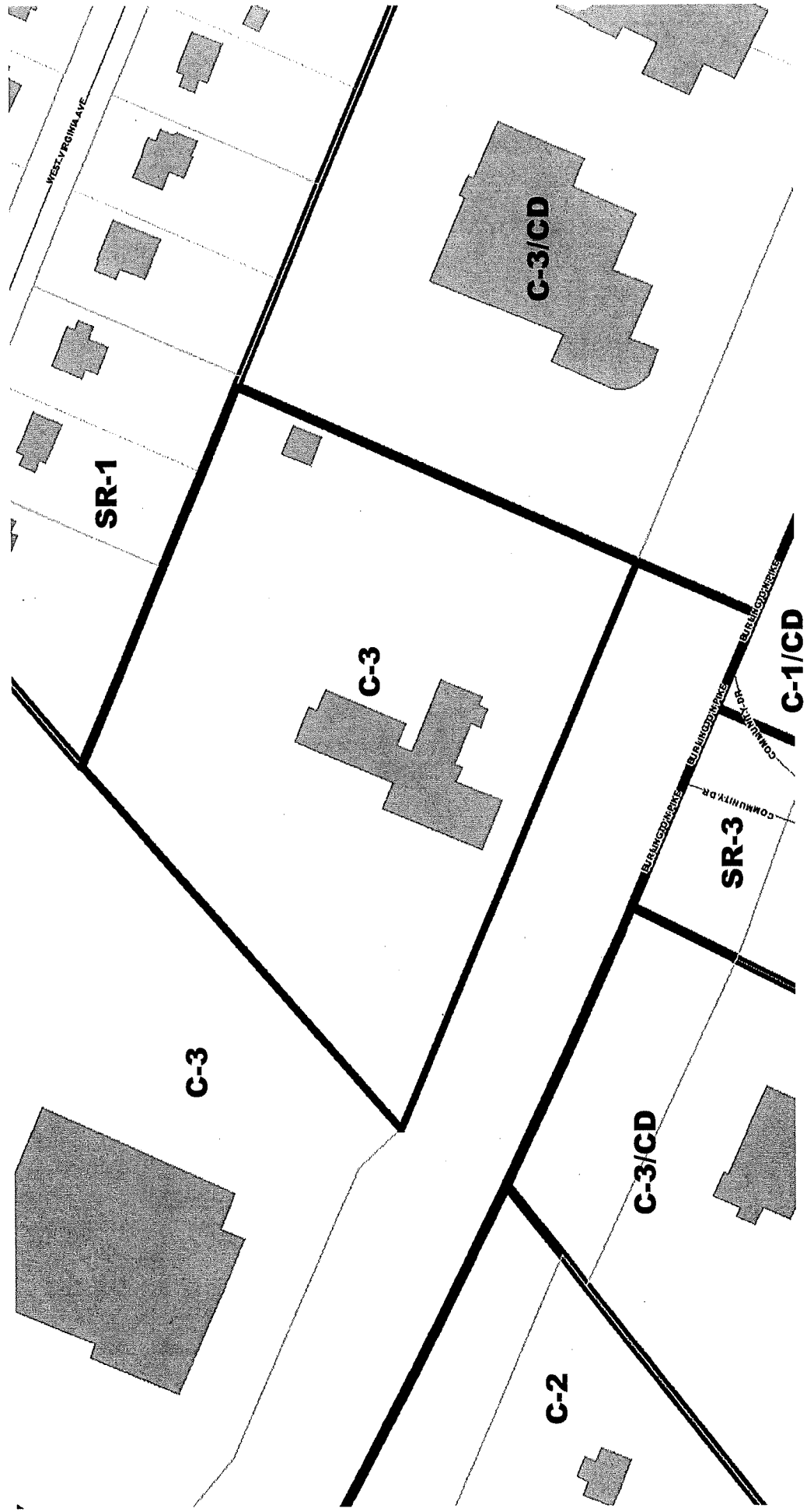
MAL/ss

Attachments:

- Vicinity Map
- Zoning Map
- Applicant's Narrative
- Building Floor Plans
- Zoning Administrator Interpretation Email
- Florence Fire Comments
- Boone County Sheriff Comments
- KYTC Email Comments
- Application



VICINITY MAP



ZONING MAP

**Concept Development Plan & Narrative
1050 Burlington Pike**

Florence Baptist Church would like to make a zoning map amendment to its property located at 1050 Burlington Pike. The property is currently zoned C-3, and the primary use is for a church and its subsequent activities. The request is for a zoning change to PF.

The reason for the amendment request to a PF is that Florence Baptist Church would like to host a k-12 school on the property. There are no plans to build or add to any of the existing buildings now or in the future to accommodate any school.

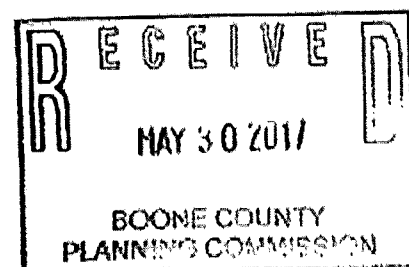
The following is a synopsis of the current usage and plans for future usage of the property that necessitates this request for a zoning map change:

Current Usage:

- Worship services (held on Sundays and Wednesdays)
- Average worship service attendance - 150 - 175
- Small group Bible studies/education (held primarily on Sundays, but also meet throughout the week on a pre-determined basis)
- Offices for the church staff
- Occasional meetings for church-related issues

Future Usage Plans:

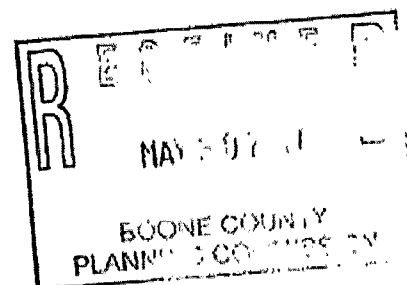
- The church will continue to operate as the primary tenant, and will have priority over the school as it pertains to building usage
- Worship services (held on Sundays and Wednesdays)
- Small group Bible studies/education (held primarily on Sundays, but also meet throughout the week on a pre-determined basis)
- Offices for the church staff
- Occasional meetings for church-related issues
- K-12 school to meet Monday - Friday from 8:00am - 3:00pm (see attached map for room usage)
- Enrollment of school to meet on site - less than 100
- Offices for school administrators
- School board meetings as needed
- School programs (musicals, plays, etc) - will be held in the worship center



**Concept Development Plan & Narrative
1050 Burlington Pike**

Other Items to Consider:

- The school has no plans for busing students to the school
- People Load - school enrollment will be well below what the church has on a weekly basis, so there will be no issues with traffic flow, student drop-off, etc
- There are currently two entrances/exits to the property, making traffic flow very easy to manage
- If the school outgrows the space located at 1050 Burlington Pike, they will have to find a new location to meet as there are no plans to build anything on this property



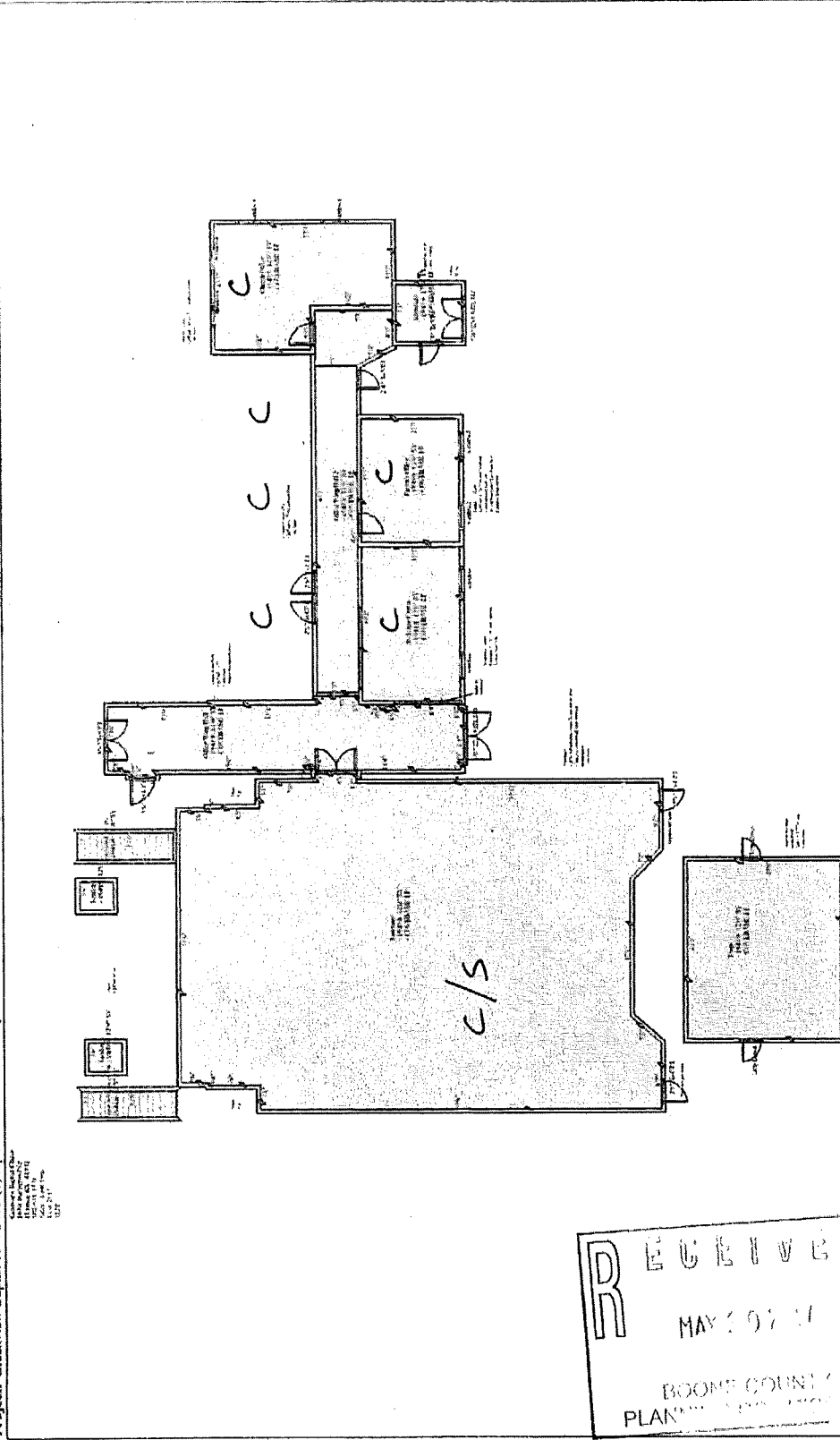
USAGE M-F
C = CHURCH
S = SCHOOL

Prepared by:

Layer: Phase 1 Office and Sanctuary

Project: Greenview Baptist 11-1-2015 (1).dgn

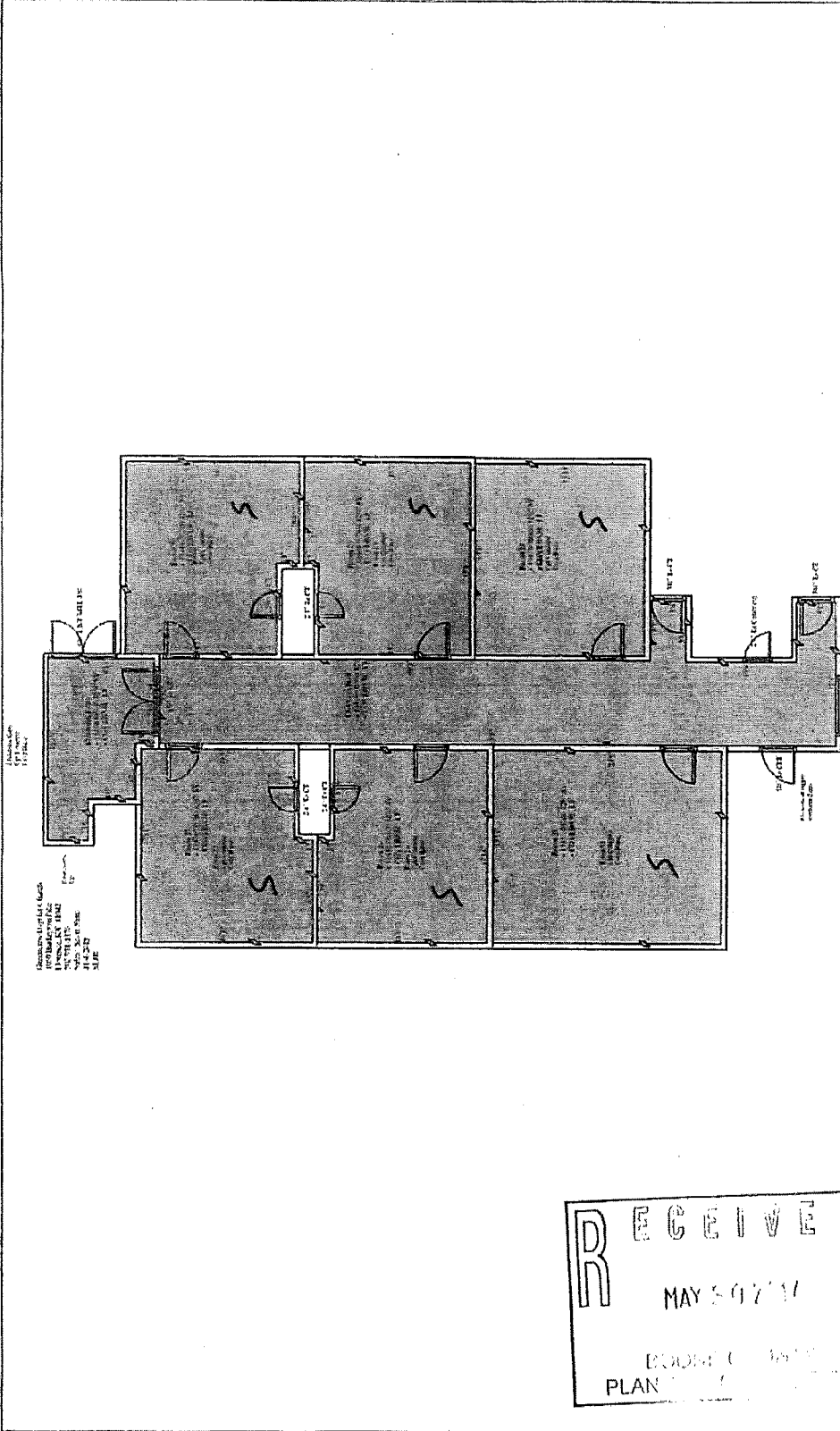
Author: J. J. ...
Date: 12/09/2016



BUILDING FLOOR PLANS 1/4

USAGE M-F
C = CHURCH
S = SCHOOL

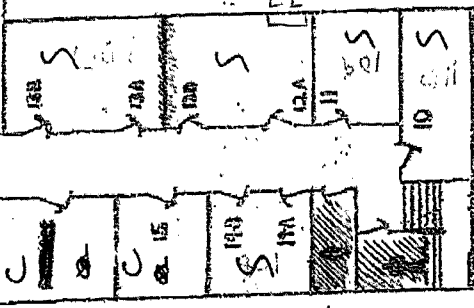
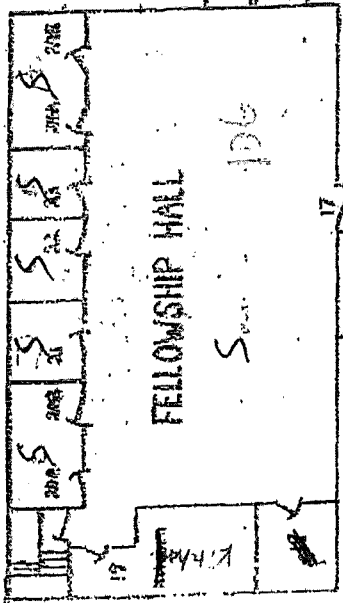
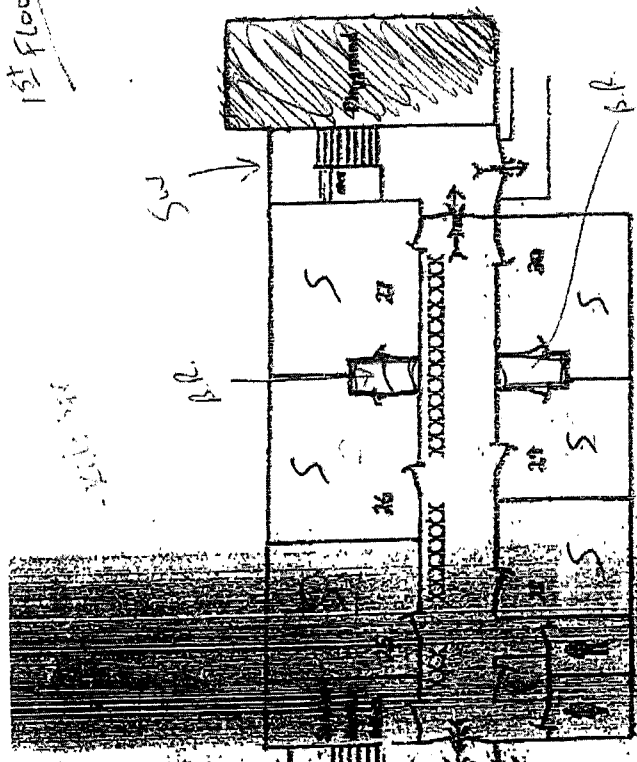
DOWNSTAIRS



R E C E I V E
 MAY 29 1971
 BUILDING DEPARTMENT
 PLAN

BUILDING FLOOR PLANS 3/4

1st Floor

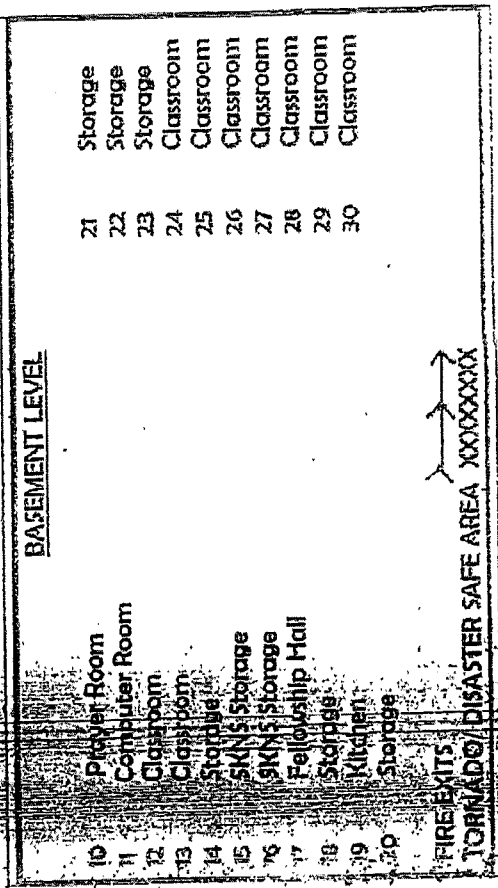


PLANN
MAY 30 2011

USAGE - 1ST FLOOR

C = CHURCH

S = SCHOOL



BASEMENT LEVEL

- 10 Prayer Room
- 11 Computer Room
- 12 Classroom
- 13 Classroom
- 14 Storage
- 15 Storage
- 16 Storage
- 17 Fellowship Hall
- 18 Storage
- 19 Kitchen
- 20 Storage
- 21 Storage
- 22 Storage
- 23 Storage
- 24 Classroom
- 25 Classroom
- 26 Classroom
- 27 Classroom
- 28 Classroom
- 29 Classroom
- 30 Classroom

FIRE EXITS
TORNADO/DISASTER SAFE AREA XXXXXXXX

E.E. = Emergency Exit

F = Facilities

SW = Storage

BR = Bathroom

BUILDING FLOOR PLANS 4/4

Kevin Wall

From: Kevin Wall
Sent: Thursday, May 04, 2017 3:42 PM
To: 'Tavis McNair'
Subject: Florence Baptist Church - Schools at 1050 Burlington Pike and 642 Mt. Zion Road

Dr. McNair:

I have evaluated the school proposals for both the 1050 Burlington Pike and 642 Mt. Zion Road locations. 1050 Burlington Pike is in a Commercial Services (C-3) zone and 642 Mt. Zion Road is in a Suburban Residential One (SR-1) zone. A Conditional Use Permit was granted by the Boone County Board of Adjustment in 2000 to permit the church at the Mt. Zion Road location. Based upon a review of the zoning regulations, both schools as explained in the materials that you provided fall under a use category described as "primary, elementary, middle and junior high, secondary, and high schools." This category is Principally Permitted Use #3 in the Public Facilities (PF) zone, but it is not listed as any type of permitted use in the C-3 and SR-1 zones which apply to the two properties in question. In order to operate the schools at either of these two locations, a zone change to Public Facilities (PF) would need to be granted through the formal Zoning Map Amendment process. This is a multi-step public hearing process which takes between four and five months to complete. For informational purposes, churches are also a Principally Permitted Use in the PF zone. Please feel free to contact me with any questions.

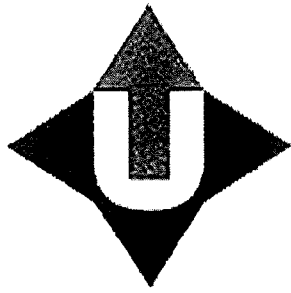
Sincerely,

Kevin T. Wall, AICP CDT CNU-A
Director, Zoning Services
Zoning Administrator
v: 859-334-2196
f: 859-334-2264
www.boonecountky.org/planning_commission/



BOONE COUNTY
PLANNING COMMISSION

ZONING ADMINISTRATOR INTERPRETATION



UnionPointeAcademy

To Whomever It May Concern:

Union Pointe Academy is a non-traditional school using a blended learning approach for education. We use an online program for our curriculum in addition to teacher-taught instruction.

During the day, our population varies due to the fact that some of our students are not full time students. These are the factors that separate us from a typical school setting:

- We work with students who may be only part time
- Some of our students also attend vocational school
- Many of our students are considered homeschool and may attend only classes that their families choose
- Depending on the student's status, some of the work could be completed at home
- Some students also attend a cooperative of families off campus who are homeschooled

We also have full time students who follow a more traditional schedule and are taught through a blended learning approach. Our school was designed to serve all students. As a new academy, we offer a full selection of classes, each student has an individual learning plan, all students work at their own pace, and programs for dyslexic students are offered to help struggling students to read.

We are currently leasing space from Florence Baptist Church at 1050 Burlington Pike until we are able to purchase land and build a permanent school. It is not our desire or plan to remain permanently at the current location even though it serves us well at this time.

Jim Skoog	Administrator
Chad Caddell	Principal
Sheila Levi	Curriculum Director

Kevin Wall

From: Tavis McNair <TMcNair@florencebaptist.org>
Sent: Wednesday, May 03, 2017 6:02 PM
To: Kevin Wall
Subject: Re: Florence Baptist Church - Zoning

Kevin,

I misspoke on my earlier email. Union Pointe Academy is ONLY 1-12, there is no Kindergarten, nor are there any current plans to have one.

I apologize for the misinformation.

thanks,
tavis

On May 3, 2017, at 1:40 PM, Tavis McNair <TMcNair@florencebaptist.org> wrote:

Kevin,

Union Pointe Academy is k-12, but most of their grades are combined. They don't have separate classes for each grade. It is also my understanding that a good number of their high school students only take a few classes each week (college style) and are not there full-time.

They have stated that if they get big enough to have separate classes for each grade, then they would certainly have to find a different location to meet, as our Burlington Pike Campus would not be able to host them.

tavis

On May 3, 2017, at 1:34 PM, Kevin Wall <KWall@boonecountyky.org> wrote:

Dr. McNair:

Do you know the grade levels that would be taught at Union Pointe Academy? I didn't see them mentioned in the materials that you forwarded.

Thanks,

June 20, 2017

Boone County Planning Commission
C/o Mitch Light
2950 Washington St, Room 317
Burlington, KY 41005

Mr. Light,

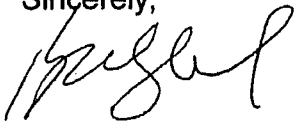
In reference to your memo concerning the request of Florence Baptist Church for a zone change at 1050 Burlington Pike, I have the following comments:

1. In reference to the zone change from C2 to PF, there are no immediate concerns with parking, access, grade or otherwise.
2. The only concerns from this office are the ability of the current structure to be brought up to the current standards for life safety and code adherence for an educational occupancy. There is only one exit from the upper level, through the church from the school area. There are no elevators, the fire alarm system is inoperable and the structure needs to be evaluated to determine if suppression is required, which will require utility improvements.

I understand that these concerns noted in (2) above relate more to a Building Department concern, yet I feel they need to be addressed prior to any zone change taking place. Therefore, if the change is approved, it will not allow the school to continue as it has been for the last year with no working fire alarm system, inefficient egress and questionable fire protection features.

If you have any questions please feel free to contact me at (859)647-5660.

Sincerely,



Kevin Vogelpohl
Battalion Chief/Fire Marshal

Mitch Light

From: Bill Mark
Sent: Friday, June 23, 2017 12:04 PM
To: Mitch Light
Cc: Jason Noel
Subject: Zoning Amendment Request

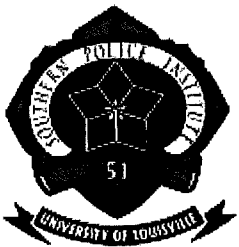
Mitch,

I received your memo regarding the request from Florence Baptist regarding their plan for a school at the facility on KY18. While the traffic flow for the school is no greater than for church services, consideration needs to be given to the time of day for student drop off and dismissal. There is far more traffic on KY18 on weekday mornings than on Wednesday evenings or Sundays. Additionally, increased vehicular traffic from the Grand at Florence could affect traffic flow at Florence Baptist since Community Dr. is directly across the street.

I have forwarded your memo to Sgt. Noel in our traffic unit with a request that one of his staff do a complete traffic assessment.

Thanks,
Bill

Major Bill Mark
Patrol Division Commander
Boone County Sheriff's Department
3000 Conrad Lane
Burlington, KY 41005
Office: (859) 334-2175
Desk: (859) 334-2269
bmark@boonecountkyky.org



102nd A.O.C.

"It is a fine thing to have ability, but the ability to discover ability in others is the true test."

-Lou Holtz

Mitch Light

From: Bogen, Matthew (KYTC-D06) <Matthew.Bogen@ky.gov>
Sent: Monday, June 19, 2017 1:50 PM
To: Mitch Light
Subject: Zone change memos

Mitch,

Responses to the memos you sent on 6/9/17:

Florence Baptist Church/School – No KYTC permits required for proposed zoning change. School will not meet warrants for school zone flashing beacons and speed limit reduction until attendance reaches 100 students or more.

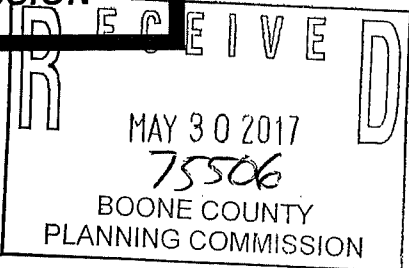
Christ's Chapel Assembly of God – Sign must remain outside of State ROW. No other comments.

Thanks,

Matt Bogen, PE
KYTC District 6
Permits Section Supervisor
Phone: (859) 341-2700 x307
Cell: (859) 462-8718

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 GREENVIEW CAMPUS TO PF
2. Location of Project 1050 BURLINGTON PIKE FLORENCE, KY 41042
3. Total Acreage of Site 3.07
4. Current Zoning of Site C-3
5. Proposed Zoning (Classification being requested) PF
6. Proposed Uses (please specify each use) CHURCH WORSHIP & CHURCH ACTIVITIES
K-12 SCHOOL MOCTING M-F
7. Names of Applicant(s) FLORENCE BAPTIST CHURCH
Phone No. 859.371.7141 Fax No. — E-Mail TMCNAIR@FLORENCEBAPTIST.ORG
8. Address of Applicant(s) PO Box 456
FLORENCE KY 41022
City State Zip
9. Name of Property Owner(s) FLORENCE BAPTIST CHURCH
Phone No. 859.371.7141 Fax No. — E-Mail TMCNAIR@FLORENCEBAPTIST.ORG
10. Address of Property Owner(s) PO Box 456
FLORENCE KY 41022
City State Zip
11. Proposed Building Intensities (please specify) NO NEW CONSTRUCTION IS PLANNED
12. Are there any existing buildings on the site? YES
How many? 2
13. Deed Book 158 Page No. 29 Group No. 2033 A
14. Are you also applying for:
NO Conditional Use Permit
NO Dimensional Variance
15. Have you submitted a Concept Development Plan? YES
16. Have you had a pre-application meeting with BCPC Staff? YES
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

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

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Patton, Chairman

DATE: August 2, 2017

RE: Request of **Florence Baptist Church (owner)** for a Zoning Map Amendment from Commercial Services (C-3) to Public Facilities (PF) for a 3.07 acre tract located at 1050 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow a K-12 school to operate within the existing church.

REMARKS:

We, the Committee, recommend approval of the above referenced request based on the following findings of fact:

FINDINGS OF FACT

1. The 2010 Boone County Comprehensive Plan's "2035 Future Land Use Plan" designates the site for Public/Institutional uses. This designation is described as "Government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc."
2. The Committee has concluded that the proposal is in agreement with the following 2010 Boone County Comprehensive Plan's Goals and Objectives:
 - 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. 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).
 - D. The needs of Boone County's population are measured and fulfilled through the provision of orderly growth ("Population," Goal).
 - E. Safe, efficient and environmentally sound public services and facilities shall exist for all development ("Public Services and Facilities," Goal).
 - F. 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).

3. Based on the recent residential and commercial developments (The Grand at Florence apartment community, Dunkin' Donuts, etc.) along this section of Burlington Pike (KY 18) the Committee recommends that the Boone County Fiscal Court request the Kentucky Transportation Cabinet conduct a speed study to determine if the current 45 mph speed limit in the immediate area is still appropriate.
4. The Committee has concluded that limiting the number of students to 120 total will allow for an average of 10 students per grade and that the school will meet warrants at 100 students for the Kentucky Transportation Cabinet to install school zone flashing beacons and a speed limit reduction for safety purposes.

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.

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
July 5, 2017
7:30 P.M.**

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Greg Breetz
Mr. Kim Bungler, Secretary/Treasurer
Mr. Mark Hicks
Mrs. Janet Kegley
Mr. Don McMillian
Ms. Jamie Nieves
Mr. Kim Patton
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mrs. Lori Heilman
Ms. Lisa Reeves
Mr. Charlie Reynolds

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Mitchell A. Light, Asst. Zoning Administrator

Chairman Rolfsen called the Public Hearing to order at 8:26 P.M. and introduced the first item on the Agenda:

ZONING MAP AMENDMENT - Mitch Light, Staff

1. Request of **Florence Baptist Church (owner)** for a Zoning Map Amendment from Commercial Services (C-3) to Public Facilities (PF) for a 3.07 acre tract located at 1050 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow a K-12 school to operate within the existing church.

Staff Member, Mitch Light, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). Mr. Light explained that the application involves changing the zoning of the property in order to allow a K-12 school to operate in the existing church building. A narrative outlining the request is attached to the Staff Report. Anticipated enrollment for the school in the Fall, 2017 is 50 students. The applicant has stated that 100 students would be the maximum number. At that point, the school would have to find another place to meet. School hours will be 8:00 a.m. to 3:00 p.m. Monday through Friday. Mr. Light identified the adjoining zoning and land uses, which included two car dealerships, single family residences and apartments. The 2010 Boone County Comprehensive Plan's Future Land Use Map designates the site as Public/Institutional (P). This designation is described as "government offices, schools, libraries, churches, cemeteries, fairgrounds, maintenance areas, etc." The Land Use Element text within the 2010 Boone County Comprehensive Plan (Houston-Donaldson/Mall Road) makes no specific reference to this site. Mr. Light showed photographs of the subject site and the area. He also showed 4 different floor plans of the proposed use.

In terms of Staff Comments, Mr. Light explained that the applicant's narrative states that the school will operate within the existing church building and that no building addition is necessary. If, in the future, the church/school needs to expand the building square footage for the school, a Change in the Approved Concept Development Plan will be required. The narrative addresses the following: maximum number of students: 100 (anticipated enrollment for the Fall of 2017 is 50); Anticipated school hours: 8 to 3 Monday - Friday; Any athletic fields or recess yards proposed? Nothing in addition to the existing playground behind the church; No busses are proposed and the parents would use a similar traffic pattern that the church uses - enter through the main entrance and exit through the westernmost access point next to Zimmer Dodge/Chrysler.

Staff received comments regarding the proposal from the Kentucky Transportation Cabinet, Florence Fire, and the Boone County Sheriff. Their comments are attached to the Staff Report.

In conclusion, the request needs to be evaluated by the Boone County Planning Commission and Boone County Fiscal Court in terms of Article 3 of the Boone County Zoning Regulations, the appropriate planning documents noted herein, and the potential impacts on existing and planned uses in the area. The Future Land Use Map will not need to be amended if the request is approved.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation? Mr. Tavis McNair, Florence Baptist Church, distributed a handout that describes the church's request (see Exhibit A). The main reason why they want the zone change is that they want to make a positive impact in the community. Sometimes it is under the radar where people

may not know if Florence Baptist Church is involved in a project. Florence Baptist Church merged with Greenview Baptist Church about a year and a half ago. They have seen some growth and are happy to keep a church in the area. They have also allowed schools to use their Mt. Zion Road campus for graduation ceremonies and athletic banquets. They also open their facilities for voting purposes. A few months ago, Florence Baptist Church approved the Union Pointe Academy to relocate their school to 1050 Burlington Pike. For a number of years, there has been a preschool at Greenview Baptist Church (Sunshine Corner Preschool). It no longer exists but the building is set up for classrooms. It is a strategic decision for the church. By shifting to a public facility zone, it will allow the church to continue to operate while allowing the school to function. Mr. Chad Caddell, Principal, Union Pointe Academy, stated that the current enrollment is 50 and could grow to 100. They operate a co-educational private Christian school grades 1-12. They are accredited through the National Association of Private Schools. The school caters to families who need a different type of school to help and reach a variety of kids. They have a dyslexia program where kids are taught to read. They also help students who struggle with anxiety. They offer a less stressful learning environment. They have a small teacher/student ratio. They use an on-line learning curriculum called Odysseyware. It is certified based on Kentucky Educational Standards. They do on-line learning and live student/teacher interactions. It allows students to work at their own pace.

At this time Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Ms. Catherine Zimmer, 3265 Madonna Drive, Edgewood, inquired about the Vance property across the street. Is it going to be a Dunkin' Donuts store? Mr. Light responded yes. She expressed a concern about traffic. Several times a year, there is a bad wreck near their car dealership. People fly down KY 18. Will more people be pulling in and out off KY 18 be a problem? People have been hit leaving her business. Has there been any consideration of a traffic pattern? Mr. Costello noted there has always been a preschool located in the church facility. There are many entrances where traffic can travel onto KY 18. The speed limit is 45 miles per hour in the area. Perhaps a speed study could be conducted? Could there be a school zone? Mr. Costello stated that Judge Moore would have to request a speed study. Chairman Rolfsen asked if it could help if the second entrance would be limited to right turn only? Mr. John Zimmer replied that the second entrance is only a single lane. A traffic study of traffic flow should be done. Mr. Zimmer asked could they just come out on the main drive?

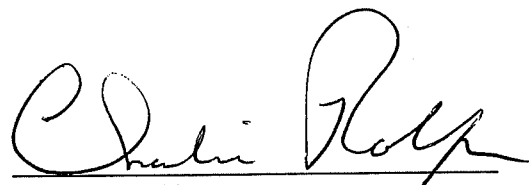
Mr. Light stated that the flashing beacon school light will not be installed until attendance reaches 100 students.

At this time, Chairman Rolfsen asked if any Board Members had any comments or questions? Mr. McMillian inquired on whether a driveway could be extended through the other dealership? Mr. Light explained it could work if Mazda/Volkswagon would give permission. It would allow traffic to utilize a traffic signal. Chairman Rolfsen asked if the applicant could not utilize the single lane entrance? Mr. McNair responded yes. Mr. Patton asked how the applicant arrived at 100 students since it seems there is more room in the church? Mr. McNair replied that it had more to do with size of the classrooms and the vision of Union Pointe Academy. They have a smaller teacher/student ratio on purpose. Their goal is to have a 10 to 1 ratio. The building will still serve

as a satellite church. The use is primarily a church. Currently, the building sits empty. Mr. Patton suggested increasing the total number of students to 120 given the design of the existing building and the ideal teacher/student ratio. Mr. McNair replied that he would be in agreement since they would like to maximize their options. They used 100 students because that figure was provided to them by Union Pointe Academy.

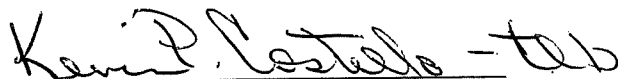
Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on July 19, 2017 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on August 2, 2017 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:50 P.M.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

Exhibit A - Handout (Map Amendment 1050 Burlington Pike)

**Map Amendment
1050 Burlington Pike**

Reason for the zoning change:

- One of the primary goals of Florence Baptist Church is to make a positive impact on our community:
 - This led us to merge with Greenview Baptist Church about 2 years ago
 - This led us to partner with local schools to allow them to use our facility at 642 Mt Zion Road for: graduation ceremonies, baccalaureates, and athletic banquets
 - This led us to allow our facilities to be used by the county for voting precincts
- Union Pointe Academy approached us about the possibility of hosting them at our facility at 1050 Burlington Pike:
 - This felt like a natural match, since we believe in their vision and how they are aiming to make a positive impact on our community by offering a unique educational experience
 - Also, since Sunshine Preschool used to meet at 1050 Burlington Pike, we felt like we would have no problems hosting a school
- By making the map amendment, we believe that Florence Baptist Church is in a better position to continue to positively impact our community:
 - PF allows the church to continue to operate as a church (our primary concern)
 - PF allows the church to do unique things in our community that being zoned a commercial property does not allow (like hosting a school)

Items to Consider:

- Scope:
 - There are no plans to build or add to the current building on the property. If the school outgrows the building as it currently sits, they will have to find a new location in which to meet (max capacity is about 100 students)
 - Florence Baptist Church has about 150 - 200 people on its property on a given Sunday, therefore we do not anticipate any issues related to parking or traffic flow
 - UPA does not use busses, nor do they intend to in the future
- Building Usage:
 - Sunshine Preschool met at 1050 Burlington Pike for a number of years
 - The church would continue to have priority over the school, but since the church is currently only using the building on Sundays (and throughout the week for office space only), we feel that allowing UPA to use it Monday - Friday makes a lot of sense

Bottom Line:

- We believe that changing to a PF zoning status will allow the church to continue to function as a church and, at the same time, allow us to make a positive impact in our community by being able to utilize our building in unique ways

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Patton, Chairman

DATE: July 19, 2017

ZONING MAP AMENDMENT - Kim Patton, Chairman, Mitch Light, Staff

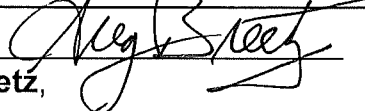
2. Request of Florence Baptist Church (owner) for a Zoning Map Amendment from Commercial Services (C-3) to Public Facilities (PF) for a 3.07 acre tract located at 1050 Burlington Pike, Boone County, Kentucky. The request is for a zone change to allow a K-12 school to operate within the existing church.

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.

Florence Baptist - Mt. Zion

July 19, 2017



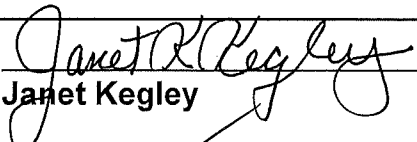
Greg Breetz,
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____



Steve Turner
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____


Kim Bunger
 For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Randy Bessler (Alternate)
 For Project _____ Absent _____
 Against Project _____



Janet Kegley
 For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Lori Heilman, (Alternate)
 For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____



Kim Patton, Chairman
 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

Map Amendment 1050 Burlington Pike

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Bottom Line:

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DEED 18

KNOW ALL MEN BY THESE PRESENTS: That

ELDON ASHCRAFT, LLOYD CAMPBELL and SAM ALLEN, as Trustees of the Florence Baptist Church, Florence, Kentucky

for and in consideration of One Dollar (\$1.00), cash in hand paid, and other good and valuable consideration to them paid by the Greenview Baptist Church

the receipt whereof is hereby acknowledged, do es hereby bargain, sell and convey to the said Robert Ammon, William Noel and F. N. McWhorter as Trustees of the Greenview Baptist Church, their

successors

and assigns forever, the following described real estate, lying and being in Boone County, Kentucky to-wit: About 1 1/2 miles West of Florence on Highway 18:

BEGINNING at a point in the north right of way line of Route 18 at the southeast corner of Nathan L. Wilson and Betty Wilson; thence south-eastwardly along same right of way line 300 feet to a point and corner with Coleman (Now W. P. Hollis); thence at right angles to same right of way line and northeastwardly 481.35 feet to a point; thence north-westwardly 217.8 feet to a corner in Dringenberg's line; thence south-westwardly with Dringenberg's line 181.72 feet to a point in said Dringenberg's line and corner with Nathan L. Wilson and Betty Wilson; thence southwestwardly with Wilson's line 318 feet to the place of BEGINNING, and being a combination under one boundary of R. P. Coleman's unrecorded subdivision Plat and being Lots Nos. 2-3-4.

RESTRICTION:

No hogs shall be kept on any of these lots at anytime and all future conveyance of any lot or lots herein shall recite this restriction.



Being the same property conveyed to the Grantor s by Richard E. Eubanks and Gladys Eubanks by deed dated 31st day of January 19 57 and recorded in deed book 131 page 500 , in the

office of the Clerk of the Boone County Court, Burlington, Kentucky. Together with all the privileges and appurtenances to the same belonging. To have and to hold the same to the said Greenview Baptist Church, their

LEGAL DESCRIPTION

FOR LAND USE RESTRICTION SEE MISC BK 19 PG 21
13

MAY 30 1957
BOONE COUNTY
PLANNING COMMISSION

30 successors

hereby assigns forever, with covenants of general warranty.

In witness whereof the said ELDON ASHCRAFT, LLOYD CAMPBELL and SAM ALLEN, as Trustees of the Florence Baptist Church, have

hereunto set their hands this 3rd day of May, 1963.

I hereby certify that I prepared the foregoing instrument.

This 3rd day of May, 1963

Raymond R. Vincent, Attorney at Law, Florence, Ky.

Eldon Ashcraft, Lloyd Campbell, Sam Allen, Trustees of FLORENCE BAPTIST CHURCH

STATE OF KENTUCKY, SCT. County of Boone.

I, Arthur Tanner, Jr., a Notary Public in and for the county and state aforesaid, do certify that the foregoing instrument of writing from Eldon Ashcraft, et al., Trustees

to Robert Ammon, William Noel and F. N. McWhorter, Trustees of the Greenview Baptist Church was this day presented to me in my county by the parties and then and there acknowledged by the said Eldon Ashcraft, Lloyd Campbell, and Sam Allen, Trustees of the Florence Baptist Church

its, and their act and deed. Whereupon the same and this certificate are certified to the proper office for record.

Given under my hand and seal of office this 3rd day of May, 1963

My commission expires 3 15 66

Arthur Tanner Jr., Notary Public.

Recorded in Deed Book No. 158 Page 29 Recording \$ 8.50 Stamps \$ 14.30 M.P. 72 Pk.

RECEIVED C. D. BENSON BOONE CO. CLERK MAY 10 1963 PM 5:44

WARRANTY DEED TRUSTEES OF THE FLORENCE BAPTIST CHURCH TO TRUSTEES OF THE GREENVIEW BAPTIST CHURCH

STATE OF KENTUCKY, SCT. County of BOONE.

I, C. D. BENSON, Clerk of the County Court in and for the County and State aforesaid, do certify that the foregoing instrument of writing from TRUSTEES OF THE FLORENCE BAPTIST CHURCH to TRUSTEES of GREENVIEW BAPTIST CHURCH,

was this 10th day of May, 1963, produced to me, certified as above and lodged for record at 1:44 o'clock P. M.

Whereupon, the same with foregoing and this certificate have been duly recorded in my office. Given under my hand, this 10th day of May, 1963,

C. D. Benson, Clerk By Alberta O. Greene, D. C.

MAY 30 2017 BOONE COUNTY PLANNING COMMISSION

Florence Baptist Church ZMA Presentation to BCFC - 9/19/2017

Location and size of tract, adjacent zoning and land uses.

The applicant is requesting this zone change to allow a K-12 school to operate within the existing church. A narrative outlining their request is attached to the Staff Report. Anticipated enrollment for the fall of 2017 is 50 students. The applicant states that 100 students would be the maximum number and at that point the school would have to find another place to meet. The school hours are proposed 8:00 a.m. to 3:00 p.m. Monday - Friday.

The applicant and property owner did agree, on the record, to a maximum number of 120 students.

Based on the recent residential and commercial developments (The Grand at Florence apartment community, Dunkin' Donuts, etc.) along this section of Burlington Pike (KY 18) the Committee recommends that the Boone County Fiscal Court request the Kentucky Transportation Cabinet conduct a speed study to determine if the current 45 mph speed limit in the immediate area is still appropriate.

The Zone Change Committee recommended Approval by a unanimous 4-0 vote to the full Planning Commission and the full Planning Commission voted unanimously 12-0 to forward that recommendation on to the you, the Fiscal Court.

Respond to any questions in a succinct and direct manner.

Sch. of bldg. to Comm. Flng

ORDINANCE NO. 2017 - 19

AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT APPROVING A REQUEST OF FLORENCE BAPTIST CHURCH (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM COMMERCIAL SERVICES (C-3) TO PUBLIC FACILITIES (PF) FOR A 3.07 ACRE SITE LOCATED AT 1050 BURLINGTON PIKE, BOONE COUNTY, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Commercial Services (C-3) to Public Facilities (PF) for a 3.07 acre site located at 1050 Burlington Pike, Boone County, Kentucky, which is more particularly described below; and

WHEREAS, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval for the Zoning Map Amendment.

NOW, THEREFORE BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:

Section One

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby approved, this Zoning Map Amendment being a zone change from Commercial Services (C-3) to Public Facilities (PF) for a 3.07 acre site located at 1050 Burlington Pike, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Commercial Services (C-3) zone is more particularly described in Deed Book 158, Page No. 29 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

That a basis for this approval for a Zoning Map Amendment are the findings of fact of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Ordinance and are marked as "Exhibit A."

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

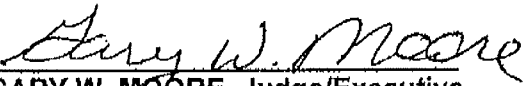
Section Three

This Ordinance shall be in effect and in full force from and after its adoption and publication as provided by law.


Adopted this 17th day of October, 2017

First Reading - the 19th day of September, 2017

Second Reading - the 17th day of October, 2017 Yes 4 No 0


GARY W. MOORE, Judge/Executive
Boone County Fiscal Court

Attest:


Sharon Burcham,
Fiscal Court Clerk