

REQUEST OF  
COMPREHENSIVE CARE CENTERS OF NORTHERN KENTUCKY (APPLICANT)  
FOR  
JAMES A. AND SANDRA S. GALLENSTEIN (OWNERS)  
FOR  
THE UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT

APRIL 26, 1989

This request is for the Utilization of an Underlying Zone in Planned Development. The 2.27 acre site is located on KY 18, directly east of the Boone County Health Center, Florence, Kentucky. The property is currently zoned Office Two / Public Facilities / Planned Development (O-2/PF/PD).

The current zoning was placed on the property as the result of the Parkway Corridor Study, adopted by the Florence City Council on February 10, 1987. The request is to construct an office type building to be used for health care services.

SURROUNDING LAND USES AND ZONING

North -	C-2/PD, several commercial businesses
South -	SR-1, residential neighborhood
East -	C-2/PD, vacant lot, strip retail and office building
West -	O-2/PF/PD, the Boone County Health Center and vacant land

EXISTING FEATURES OF THE SITE

The site is currently vacant, with little vegetation existing. The topography is predominately flat; there is a very slight slope to the rear of the property. The site has been graded at some time in the past, at which time a berm was constructed at the rear of the property. There is a row of mature trees located along the back property line.

Adequate water, electric, and gas utilities are located at the north of the property, running along KY 18. There is a sanitary sewer that also runs along KY 18, but it is too shallow to serve the proposed development. Sewer service therefore will be tied into an existing manhole on the Health Center site. The applicant is working on the necessary easements to make this connection possible.

PLANNED DEVELOPMENT

The Boone County Zoning Regulations allow for Planned Development Overlay zoning districts. The Planned Development Overlay is intended to encourage "a development pattern in harmony with land use density, transportation facilities, community facilities, and objectives of the comprehensive plan". The specific zone was established as a recommendation of the Parkway Corridor Study to insure that this property would be developed in accordance with the study.

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RELATIONSHIP TO COMPREHENSIVE PLAN

The Boone County Comprehensive Plan does not specifically address the type of use being proposed in this application. There are, however, several places where the development of property as related to this site is discussed.

BUSINESS ACTIVITY

"Goal: To provide appropriate locations for industries of businesses compatible with others located in the county." pg. G-3

LAND USE

"Consumer service and traffic oriented developments must be contained to specific areas adjacent to the arterials. The coordination of curb cuts and parking lot tie-ins in the already developed areas must occur in order to maintain a reasonable ease of travel along these roads." pg. L-19

PUBLIC FACILITIES

Health Care Services; "Presently, [Booth Memorial Hospital] is felt to be adequate to meet the county's needs, but the hospital has expressed concern over future needs." pg. PF-24

The site is located within the Parkway Corridor Study area, as indicated on the attached map. The basic concept of the study was to develop a centrally located area that could be developed into a business, cultural, and civic center. The major improvement would be to construct a new roadway to link KY 18 and US 42, which would reduce several traffic problems in the area. The property along KY 18 was recommended to be developed for office and other high density uses.

The design and attention for the location of appropriate buffer areas between the development and the residential areas was also stressed. The development of property within the area was recommended to consist of attractive ground level conditions. The study goes on to state that "open spaces properly landscaped are very desirable..." And, finally, the study recommends that vehicle and pedestrian access should be coordinated and that development of this property provides "a very good opportunity to enhance the pedestrian network."

CONCEPT DEVELOPMENT PLAN

The Concept Development Plan indicates that the building is designed as two sections connected by enclosed walkways (plan attached). This will create a courtyard between the two sections of the building. The northern portion of the structure will have two stories, the southern portion only one story in height.

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One access point is indicated that is in the place of the existing curb cut on KY 18. The applicant has also indicated a willingness to provide access to adjoining properties. Two parking areas, one in the front and one at the rear of the building will provide the majority of the parking.

The rear yard of the property will contain a storm water detention basin. A six foot high, landscaped berm will buffer the development from the adjoining property to the south.

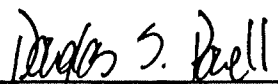
STAFF CONCERNS

The major Staff concern is that the buffering and landscaping to be provided is adequate to separate this use from the residential neighborhood. Similarly, Staff is concerned about any lighting that would be proposed for this development. Care should be taken that lighting not have an impact upon the neighboring residences or shine onto KY 18. Finally, the Staff is concerned that the building be constructed out of materials consistent to the 'city center' theme recommended by the Parkway Corridor Study.

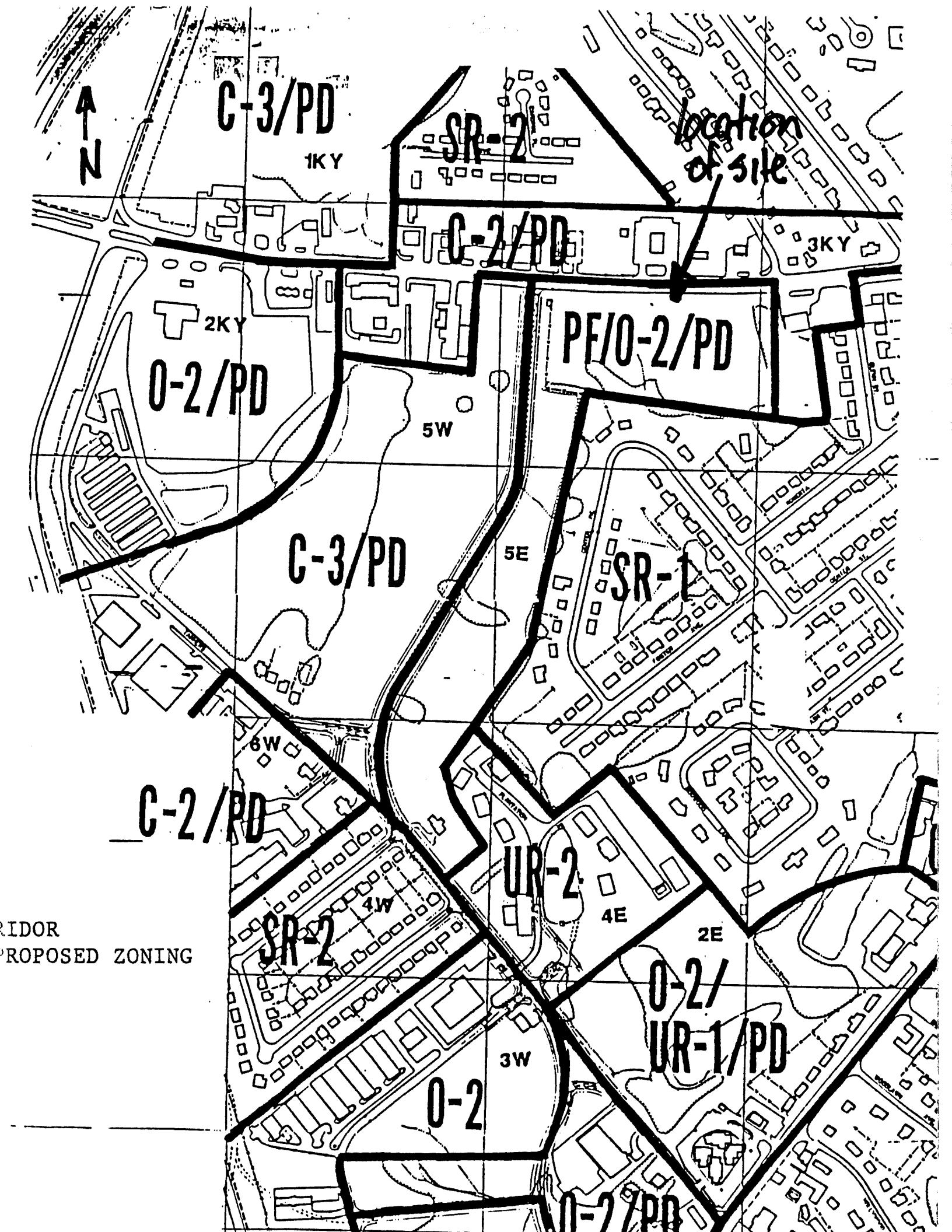
CONCLUSIONS

This request is for the Utilization of an Underlying Zone in a Planned Development, the underlying zone being Public Facilities (PF) and Office Two (O-2). The Boone County Planning Commission needs to view the proposal in relationship to the Parkway Corridor Study and the objectives of Planned Development (Article 15).

Should the request be approved, the Boone County Comprehensive Plan would not need to be amended.

  
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Douglas S. Powell  
Transportation Planner

DSP



C-3/PD

1KY

SR-2

location of site

C-2/PD

3KY

O-2/PD

2KY

PF/O-2/PD

5W

C-3/PD

5E

SR-1

C-2/PD

6W

UR-2

4E

2E

RIDOR  
PROPOSED ZONING

SR-2

4W

O-2/  
UR-1/PD

O-2

3W

O-2/PD

KY. ROUTE 18

EXISTING SIDEWALK

S 89°03'55" W  
61.06'

S 88°02'32" W 104.09'

N  
A

930

925

MULTI-PURPOSE

LOBBY

GROUP RM.

OFFICES

STAIRS

REST RM.

CLINICAL SUPPORT

STAIRS

OFFICES

STAFF LUNGH

OFFICES

OFFICES

2 STORY BUILDING "A"

COURTYARD

COMMUNITY LIFE SKILLS UNIT A

COMMUNITY LIFE SKILLS UNIT B

COMMON RM.

PORCH

COMMUNITY LIFE SKILLS UNIT D

COMMUNITY LIFE SKILLS UNIT C

1 STORY BUILDING "B"

N 10°16'55" W 503.90'

PROPOSED ACCESS

S 5°42'37" E 149.77'

BOONE COUNTY HEALTH CENTER

CONVENIENT F.I.

SAN

PROP. SANITARY SEWER

STM

PROP. STORM SEWER

PROP. 20' EASEMENT

SAN

PROPOSED WATER DETENTION BASIN

6' HIGH EARTH BERM

PROPOSED TREED BUFFER ZONE

S 83°29'38" E 267.81'

40'

CONCEPT DEVELOPMENT PLAN CRITERIA

FOR

BOONE OUTPATIENT CENTER

COMPREHENSIVE CARE CENTERS OF NORTHERN KENTUCKY

April 5, 1989

This report addresses the minimum requirements of the Concept Development Plan, as listed on page 3-2 of the Boone County Zoning Regulations (August 1986 Edition). This report is submitted in conjunction with the Concept Development Plan drawing dated April 5, 1989.

**1. General Site Characteristics:**

The proposed Boone Outpatient Center site is a 2.27 acre tract of land located on the south side of Ky. S.R. 18 (Burlington Pike), approximately one-half mile east of the I-75 interchange. The Property is currently owned by James A. Gallenstein and Sandra Gallenstein.

The topography of the site is generally flat; the land slopes down away from Rt. 18 in the southerly direction approximately 7 feet of height in 400 feet. See Concept Development Plan for existing contours.

Preliminary investigations indicate that the soils consist of a surface layer of topsoil, underlain by 8 to 12 feet of moist, stiff to very stiff cohesive lean clay and fat residual clay. Highly weathered soft shale bedrock is present at 8 to 12 feet below existing grade. Natural site drainage generally sheet flows in a southwesterly and southeasterly direction away from Rt. 18. There are no drainage swales, channels, or creeks present on the site.

The site is generally clear of vegetation. There are several 16" to 20" diameter trees along the eastern and southern property lines.

**2. Transportation Patterns**

The entire northern property line fronts on Ky 18. An existing curb cut onto Ky. 18 is located approximately 20' from the northwest property corner. This curb cut will be improved and utilized as the primary access to the site (and also the only access to Ky. 18). A secondary access could be provided through the parking lot of the Boone County Health Center to the west of the proposed development. Permission must be obtained from the Health Center to install this access.

Internal access consists of a main driveway parallel to the western property line. Two parking lots (one to the north and one to the south of the building) are accessed by this main driveway. A concrete sidewalk will be extended from the existing sidewalk along Rt. 18 to the proposed building entrance(s).

Projected staff load is twenty-six people. Staff parking will be mostly in the rear parking lot; some staff will park in the front parking lot. Visitors and outpatients will account for no more than twenty cars at any point in time. Ten parking spaces along the main driveway, as well as part of the front parking lot will accommodate visitors and patients. In summary, fifty parking spaces will be provided for a maximum anticipated forty-six cars.

### 3. Land Use Characteristics:

The proposed site is currently vacant land.

The proposed use of the land is a facility to provide a variety of psychiatric and counseling services. The provider of these services is the Comprehensive Care Centers of Northern Kentucky.

A basic description of the services to be provided is as follows:

#### 1. ADULT OUTPATIENT SERVICES:

Offices for mental health consultation and interviews with individual patients or small groups. These services also include consultation with mentally retarded patients. The average length of an office visit is one hour. The patients arrive by bus or automobile and are from the local area. These services are presently being offered in a converted residence in Florence.

#### 2. CHILDREN & FAMILY OUTPATIENT SERVICES:

These services are basically the same as those for the adults. These services are presently being offered in a converted residence in Florence.

#### 3. OUTPATIENT SERVICES FOR ADOLESCENT SUBSTANCE ABUSER:

These high school age patients visit the center daily and the services are normally offered to groups. These young people receive these daily services as outpatients in lieu of being admitted as full-time patients in a hospital care unit. These services are currently delivered in rented space in a building located on Turfway Road.

4. PARTIAL HOSPITALIZATION/PSYCHOSOCIAL REHABILITATION SERVICES:

These are adult outpatients who come to the Center on a daily basis, Monday through Friday, for an average of four to six hours per day. These mentally ill patients are in transition from full hospitalization to receiving services as outpatients. They will be learning about job training and how to get along in the community. They are not a threat to those around them. Boone County patients in need of this service must presently make a daily trip to downtown Covington.

5. COMMUNITY LIFE SKILLS UNIT:

These patients receive around-the-clock training and guidance in learning the skills that will improve their ability to live in the community. Their length of stay at the Center varies depending on their individual learning rate. Some of these patients are in the Alternate Intermediate Support (AIS) program for the mentally retarded. Others are dual-diagnosed patients who have more than one affliction, such as mental illness, mental retardation and/or substance abuse. These patients include both adults and adolescents. Currently an apartment in Florence is being used for this service, but the space is inadequate.

Office space for staff providing case management is also required.

Two buildings are proposed for the facility. These two buildings are to be connected with two enclosed walkways, thereby creating a central courtyard space.

Building "A" (to the north) is to be a two-story structure over a basement. This building will house consultation offices, clinical support areas, group therapy rooms, a recreation room, and waiting /lobby area.

Building "B" (to the south) is to be a single-story slab-on-grade structure. This building will contain living quarters for a maximum of twelve patients participating in the Community Life Skills program (as outlined above).

Building "A" will contain approximately 15,300 square feet. Building "B" will contain approximately 6,500 square feet (including connectors). Total development ("A" + "B") equals 21,800 square feet.

4. Utilities and Infrastructure

The site is presently served by a 12" water main, natural gas main, and electric service along Rt. 18. Each of these utilities has the capacity to service the needs of the proposed development.

The existing sanitary sewer along Rt. 18 is too shallow to serve the proposed buildings (unless a lift station is installed). The preferred solution is to extend a gravity sanitary sewer to the existing manhole to the south of the Boone County Health Center. An easement must be obtained from Boone County Public Properties for this sewer.

Existing stormwater drainage is not controlled. Stormwater from the proposed development would be collected in a water detention basin in the southerly area of the site. (see Concept Development Plan). An appropriately sized outlet pipe would connect to a proposed storm sewer pipe which would be installed on the Boone County Health Center property, south of the Health Center building. Similar to the sanitary sewer, an easement must be obtained for the extension of this storm sewer.

5. Relationship of the Proposed Utilization of the Underlying Zone with Comprehensive Plan

The Boone County Comprehensive Plan is divided into ten general categories, each of which is addressed below:

- a. Population: The population of Boone County has grown tremendously in the last twenty years. The population is still increasing, and is expected to continue to grow. As general population numbers increase, the number of people needing specialized psychiatric care and counseling also grows. Facilities such as the Boone Outpatient Center are needed to serve these growing public health needs. The proposed facility is to be built on a site that is centrally located in the Florence area, thereby reaching a large population base.
- b. Environment: The comprehensive Plan addresses both the physical and social factors of a proposed development. From the physical environmental aspect, the proposed development is appropriately located in an area of commercial development. The site is relatively flat and clear of vegetation. The site is not prone to flooding. Site drainage will be controlled by a water detention basin. Soils are capable of supporting the buildings on spread footings. A treed buffer zone is proposed as a separation between the new development and the existing residential area to the south of the site.

From a social point of view, the Boone Outpatient Center is proposed on a centrally located site easily accessible to the users. The Boone County Health Center and several other medical professional buildings along Rt. 18 indicate this area is appropriate for professional service functions.

The proposed Tanners Parkway will be developed with buildings to serve the needs of the general public and government. The proposed development is compatible with this new district of public facilities.

- c. Economy: The Boone Outpatient Center will not have a significant impact on the economy of the region. Most of the people who will be employed at the facility are already working for Comprehensive Care at various facilities scattered throughout Boone County. The proposed facility will consolidate the various functions into one central location.
- d. Transportation: The proposed site fronts on Ky 18, which is listed as a "minor arterial street". The Comprehensive Plan recommends that "greater intensities of development should occur on the arterials". It is also beneficial for this facility to be located on a bus route.

Except for day-long parking by employees, traffic flow at the new development will average less than ten cars per hour. The single access to Rt. 18 will easily accommodate this traffic flow.

- e. Business Activity: As noted previously, the Boone Outpatient Center will not have a significant impact on business activity or employment. It is worth noting that one function of this facility, the Community Life Skills Program, teaches skills that improve a patient's ability to live and work in the community.
- f. Housing: The proposed site is located in an O-2/P-F/P.D. Zone. This area is proposed for commercial, office, and public facility development. The site is not best used for full-time residential development. Building "B" of the proposed facility will provide short-term living quarters for patients who receive around-the-clock training and guidance in learning the skills needed to live and function in normal society.
- g. Public Facilities and Services: The Comprehensive Plan notes that "the county's health care facilities are presently well concentrated in the urbanized area." The Boone Outpatient Center is an important element in the overall health program of the County. A new centrally located facility will consolidate existing services and, in general, improve Comprehensive Care's ability to perform a needed service for the community.
- h. Recreation: The proposed project will not affect the current or proposed recreational areas in the County.
- i. Agriculture: The proposed site is not in an Agriculture zone; the land in this area is too valuable for farming to be a viable use.
- j. Land Use: Boone county has zoned the proposed site as O-2/P-F/P.D. The Boone County Zoning Regulations list "Physician and dental services" as Principally Permitted Users in an "O-2" Zone. Also, the Regulations list "Hospitals, sanitariums, convalescents and rest homes and related health facilities" as Principally Permitted Uses in a "PF" Zone. The proposed use of the site is very compatible with the existing zoning.

In addition to Boone County Zoning Regulations, the Parkway Corridor Study was completed in February, 1986, as a guide to

In addition to Boone County Zoning Regulations, the Parkway Corridor Study was completed in February, 1986, as a guide to land use in the area near the proposed "Tanners Parkway". The proposed site is within the Parkway Corridor Study Area. The Study recommends "the provision of a wide range of urban functions and land uses appropriate for a city center." The Boone Outpatient Center is the type of facility that works best in a central location in a city center. Although the Center is not used every day by the general public, many people in the area will make use of the facility. It is also beneficial for the Center to be located on a public transportation route. The Corridor Study recommends integration of proposed projects with the surrounding buildings, roads, driveways, and walkways. The proposed building will be low rise and architecturally compatible with the adjoining Boone County Health Center. A connecting driveway is proposed to connect to the Health Center parking lot. On a pedestrian level, sidewalks are proposed from Rt. 18 to the new building, as well as to the west to the Health Center.

In summation, the Boone Outpatient Center of Comprehensive Care of Northern Kentucky is an appropriate use of the proposed site.



EXHIBIT "A"

DEED

BOOK 300 PAGE 191

Know All Men By These Presents:

CLERK'S OFFICE  
SHORT FORM  
★  
DEED

Prepared by  
Larry W. Pease, L.

75-a  
De

That FLORENCE E. BECKETT, unmarried, and WILLIAM NELSON BECKETT and JOANN BECKETT, his Wife

for and in consideration of \$75,000.00 to them paid by the grantees herein, the receipt of which is acknowledged, do bargain, sell, and convey to:

JAMES A. GALLENGSTEIN and SANDRA S. GALLENGSTEIN, his Wife, for and during their joint and natural lives with the remainder in fee simple to the survivor of them, his or her

heirs and assigns forever, the following described Real Estate, in the City of Florence; Boone County of ~~Kentucky~~ and Commonwealth of Kentucky, to-wit: Group No. 2041

Present Street Address Kentucky 18 Plat No.

Mailing Address 433 Johnson St., Covington, Ky.

Beginning at a point in the south right-of-way line of relocated KY 18, fifty feet right of station 26 - 78.4 and in the east property line of the original line of Florence Beckett Deed 294, Page 143 of the Boone County records at Burlington, Kentucky; thence S 88° 02' 32" W along a chord of said R/W 104.09 feet to a point; thence continuing along said R/W S 89° 03' 55" W 61.06 feet to a point in the west property line of Beckett's thence S 5° 42' 37" E along said west property line 449.77 feet to Turner's property thence S 83° 29' 38" E along the south property line of Beckett's 267.81 to the southeast corner of Beckett's property; thence N 16° 48' 35" W along the east property line 503.90 feet to the place of beginning; containing 2.2718 acres and being all of the remaining property as described in Deed 294, Page 143 of the Boone County records.

Subject to easements of record.

Being the same property conveyed to Florence E. Beckett and William Nelson Beckett by Deed dated the 12th day of June, 1982 and recorded in Deed Book 294, Page 143 of the Boone County Clerk's records at Burlington, Kentucky, and also being the same property (after deducting out conveyances) conveyed to Florence E. Beckett by Deed dated the 4th day of March, 1948 and recorded in Deed Book 89, Page 397 of the Boone County Clerk's records at Burlington, Kentucky.

Together with all the PRIVILEGES AND APPURTENANCES to the same belonging.

TO HAVE AND TO HOLD the same to the said

JAMES A. GALLENGSTEIN and SANDRA S. GALLENGSTEIN, his Wife, for and during their joint and natural lives with the remainder in fee simple to the survivor of them, his or her

heirs and assigns, forever, the Grantor s their heirs, executors and administrators, HEREBY COVENANTING with the grantees their heirs and assigns, that the TITLE so conveyed is CLEAR, FREE AND UNINCUMBERED, and that they will WARRANT AND DEFEND the same against all legal claims whatsoever.

EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

Public Hearing Item #2  
April 26, 1989

Page 1

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Chairman Viox opened the Public Hearing for the last item on the Agenda:

2. Applicant: Comprehensive Care Centers of Northern Kentucky  
for James and Sandra Gallenstein (owners)

Request: Concept Development Plan

This was a Public Hearing on the request of Comprehensive Care Centers of Northern Kentucky (applicant) for James and Sandra Gallenstein (owners) for the Utilization of an Underlying Zone in Planned Development located south of KY 18 and directly east of the Boone Health Center, Florence, Kentucky. The 2.27-acre site is zoned Office Two/Public Facilities/Planned Development (O-2/PF/PD).

Transportation Planner, Doug Powell, presented the Staff Report which included a slide presentation (see Staff Report).

The Chairman asked if there was a representative of the applicant present.

Mr. Bruce Sanders, Architect with Burgess & Niple, stated that he was present in behalf of the request and Dr. Willett, President of Comprehensive Care Centers, and Mr. William Rinehart, also an architect with Burgess & Niple, were present. Mr. Sanders stated that this is a two-part development. The first part is approximately 15,000 sq. ft., two-stories high, and is connected to structures to the rear of the property. There is an existing curb cut on KY 18. There will be parking to the north, west, and south of the facility. There is a buffer zone to the south to separate the development from the existing residential uses. There will be a six-foot high berm and a double row of pine trees per Boone County specifications. The site is immediately east of the Boone County Health Center. The site is generally clear of vegetation with several large trees on the south and southeast border which they will attempt to save. A secondary access to the site would be via the parking lot with permission from Boone County Public Properties. The proposed use of the facility is a variety of psychiatric and counseling services. The current zoning permits physician and dental services as a Principally Permitted Use and these uses are medically related. Hospitals and sanitariums and related health facilities are Principally Permitted Uses in the Public Facilities Zone. Mr. Sanders added that the Parkway Corridor Study is tied to development in this area. The site lies within its boundaries and is recommended for a wide range of urban functions and related uses. He stated that the outpatient facility works best in a central location. This building would be low-rise and architecturally compatible with the adjoining health center. He stated that the Boone outpatient center is an appropriate use in this area.

Dr. Willett stated that most of the services proposed for the facility already exist in the county and he noted where these services are currently provided on Main Street and Turfway Road. They would be bringing their outpatient office facilities into one location. There would be a place for people to recognize and this would also enable the staff to support each other in working with the mentally disturbed individuals. There will be offices for those who work with the patients who are now in double offices in Covington. Their services cover five counties and it would be appropriate for them to have offices in Florence. The building will meet the fire and safety codes.

Chairman Viox stated that he is concerned that the parking lot appears to be higher than the berm and there may be a problem with a glare from the lighting at night, as well as the headlights.

Mr. Sanders stated that there is no accurate topographical survey. They do not intend to elevate the parking lot. The lighting would be directed away from the residential property. Dr. Willett added that the facility is only open one night a week and is always closed by 9 P.M.

The Chairman asked if there was anyone else present who wished to speak in regard to this request.

Mr. Ed Drennan, attorney representing Mr. Terry Godsey, the adjacent property owner to the rear, was present. Mr. Drennan stated that the property owner leveled the entire area and disturbed the vegetation without the permission of the Planning Commission. Mr. Godsey is not opposed to the development of the area and the proper use of the property. He is concerned about the buffering of the residential neighborhood. A six-foot berm is not much of a buffer. Mr. Godsey is also concerned about the proposed retention pond in the back. He questioned who would put up a fence to protect the children and the residents. He stated that the facility will contain a community life skills unit. People who are currently living in apartments will be moving into the site with problems of mental retardation or substance abuse. He asked why an entire section could not be used as a buffer zone with more trees and the berm. Many of the trees to the rear of the property were planted by Mr. Godsey for buffer. Due to the topography, he is concerned that the water will run to the rear of the property. The retention pond may not be effective. He stated that it does not take more than a few inches of water for a child to drown. Mr. Drennan asked why ground level lighting could not be used due to the concern over lighting disturbing adjoining residential areas. The Parkway Corridor Study indicates the land for business, not residential, as well as civic centers. Live-in patients may not be appropriate in this zone.

Mr. Sanders advised that water retention is required by the county. The water retention basin is not a standing pool of water and is dry during normal times. There may be running water during a hard rain. It is designed for fifty-year storm. They feel that the buffer zone will be

adequate. The people staying in the four units would not be full-time, permanent residents. They will live there for a short term, probably six months, to learn life skills.

Mr. Willett stated that they want to be good neighbors. They will do whatever they can to be accepted. They do have limited resources to be considered. They are very quiet and there will be very little coming and going. They maintain their property. He stated that they have not yet purchased the land. Mr. Willett stated that the operation of the facility will primarily during the day, evening sessions would ent no later that 9:00 p.m.

There being no further comments from the audience, the Chairman asked if there were any comments from the Commission.

In response to questions from Mr. Jones regarding the land between this property and the Convenient, Mr. Costello advised that it is zoned C-2/PD. The Chairman stated that there appears to be sufficient land for another project. Mr. Powell believed that the owner of the property is Dorothy Fightmaster. He has spoken with her and she was informed of this public hearing, but chose not to attend.

Mr. Neltner questioned the trees at the rear property line. Mr. Sanders advised that they will not be grading in that area and the trees will not be disturbed.

Mr. Collins questioned if this was a government body and Dr. Willett advised that it is a non-for-profit corporation which receives no tax dollars. The patients often have their fees paid by governmental bodies.

Chairman Viox questioned what type of patients would be housed on the site.

Dr. Willett advised that they serve individuals who have difficulty living in the community due to mental or emotional problems. The staff is with them all the time and during the day they are in training programs. As they blend into the community, they get them an apartment or in with a family so that they can survive in the community. These are people from this community. They have been doing this for eight years and it works well. They are currently doing it in an apartment within the city. They do not cause problems or create difficulties.

Mr. Sharp questioned access management and Mr. Powell advised that he has no problem with the current location of the driveways. They will try to tie in with the Health Center if the Health Center will permit it. He stated that he believes the interconnecting parking lots will suffice. Access to the property to the east was brought up as a concern of Staff. The applicant has not actually agreed, but was advised that this would be brought up as a concern of Staff. The applicant has not actually agreed, but was advised that this would be brought up and further discussed at the Committee level.

Mr. Neltner questioned the screening of the dumpster. Mr. Sanders stated that it could be easily screened.

In response to a question from Mr. Damstrom, Dr. Willett advised that there will be between 20 and 25 employees.

The Chairman asked if there were any further comments or questions.

Mr. Drennan stated that in the Parkway Corridor Study there was discussion of an access road to the rear of the properties to the park.

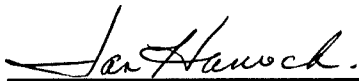
There being no further discussion, the Chairman advised that this item will be on the Agenda for the Business Meeting on May 3, 1989 at 8 P.M. and closed this Public Hearing.

APPROVED:



William R. Viox, Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

May 3, 1989

8:00 P.M.

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Mr. William Viox, Chairman, called the meeting to order at 8 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Fred Burch, Vice Chairman  
Mrs. Rita Bushelman  
Mr. Lawrence Collins  
Mr. Phil Damstrom  
Mr. Melvin DeLong  
Mr. R. N. Greene  
Mr. Rector Jones  
Mr. Don McMillian  
Mr. Charles Moore  
Mr. Barry Neltner  
Mr. Ralph Rush  
Mr. Floyd Sharp  
Mrs. Carol Smith  
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. Larry Barnett

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received copies of the Minutes of the Business Meeting of April 19, 1989 and the Public Hearings of April 26, 1989. He asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. McMillian moved that they be approved as mailed. Mr. Jones seconded the motion and it carried unanimously.

2. Concept Development Plan

The request of Comprehensive Care Centers of Northern Kentucky (applicant) for James and Sandra Gallenstein (owners) for the Utilization of an Underlying Zone in Planned development. The 2.27-acre site is located south of KY 18 and directly east of the Boone County Health Center, Florence, Kentucky, and is zoned Office Two/Public Facilities/Planned Development (O-2/PF/PD).

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). He stated that a letter agreeing to the conditions had been signed by Dr. J. Emmanuel Willett for Comprehensive Care Centers of Northern Kentucky. A copy of the letter was included with the Commissioners' packets.

Mr. DeLong moved by resolution to the City of Florence that the request be approved based on the Staff and Committee Reports and the Public Hearing minutes. Mr. Neltner seconded the motion.

Mr. Sharp questioned who would determine what is excessive glare from the lights. Mr. Newton advised that this would be part of the review by the Staff and the Site Plan Committee. Mr. Neltner noted that the eliminated parking spaces will keep the lighting further away from the residences.

There being no further discussion, the Chairman asked for a vote on the motion made by Mr. DeLong and it carried unanimously.

3. Site Plan Review

The request of Michael T. Hamberg (applicant) for Thomas Greene (owner) for Site Plan Review to construct a 4,000 sq. ft. addition to Snuggy's Waterbed located at 8011 Mall Road, Florence, Kentucky. The 0.936-acre site is zoned Commercial Two (C-2).

Staff Member, Tom Breidenstein, presented the Staff Report (see Staff Report).

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the Staff Report.

There being no discussion, Mr. Sharp moved that the request be approved based on the Staff and Committee Reports. Mr. Collins seconded the motion and it carried unanimously.

EXHIBIT "C"

DP

COMMITTEE REPORT

#2

TO: Boone County Planning Commission

FROM: Barry Neltner, Committee Chairman

DATE: May 3, 1989

RE: Request of Comprehensive Care Centers of Northern Kentucky (applicant) for James and Sandra Gallenstein (owners) for the Utilization of an Underlying Zone in Planned Development located south of KY 18 and directly east of the Boone County Health Center, Florence, Kentucky. The 2.27 acre site is zoned Office Two/Public Facilities/Planned Development (O-2/PF/PD).

REMARKS:

We, the Committee, based on the statements made and facts gathered at the April 26, 1989 Public Hearing, recommend approval of this request. The Utilization of an Underlying Zone in Planned Development is based on the submitted Concept Development Plan, the following findings of fact, and subject to the following conditions.

Findings of Fact

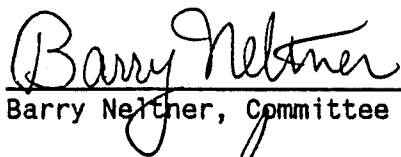
1. The proposed use of this property is in conformance with the 1986 Boone County Comprehensive Plan. The Plan calls for compatible land uses to be grouped together; it is appropriate that the proposed use of health related services should be next to the Boone County Health Center. At the same time, the Concept Development Plan is sensitive to the residential area to the rear of the property. Other references to the Comprehensive Plan are contained in the Staff Report.
2. The proposed use of this property is in conformance with the Parkway Corridor Study, adopted by the Florence City Council on February 10, 1987. The proposed use is very appropriate as part of the 'city center' concept recommended by the Study. Other references to the Parkway Corridor Study are contained in the Staff Report.
3. The subject property is zoned O-2/PF/PD. The Planned Development overlay was placed on the property to insure it was developed in compliance with the recommendations of the Parkway Corridor Study. The submitted Concept Development Plan and conditions agreed to by the applicant insure that the site will be developed in accordance with the Study, and Article 15 (Planned Development) of the Boone County Planning Regulations.

The applicant is being asked to include the following conditions as part of the submitted Concept Development Plan in order to address concerns and clarify questions raised at the April 26, 1989 Public Hearing.

=====

Conditions

1. The applicant shall clearly mark the disturb limits on the Site Plan phase of development. Existing trees along the property line shall not be disturbed and will be maintained by the applicant.
2. The applicant shall construct an earthen berm at the rear of the property, 6 feet in height. Landscaping consisting of two staggered rows of 8 foot white pine trees will be planted on 12 foot centers along the berm and maintained by the applicant.
3. The applicant shall insure that outside lighting will be of an intensity and direction that does not create excessive glare onto adjoining properties and right-of-ways. The location of proposed lighting shall be included as part of the Site Plan Review.
4. The applicant shall relocate the dumpster to a site closer to the building, the location and necessary screening to be determined at the Site Plan stage.
5. The applicant shall agree to provide access to adjoining properties when they develop, provided that the uses are compatible.
6. The applicant shall agree to eliminate the southernmost 11 parking spaces indicated on the submitted Concept Development Plan.



Barry Nelton, Committee Chairman

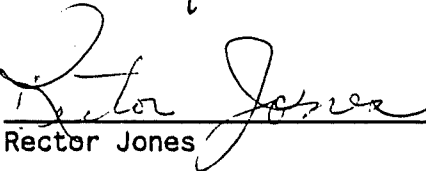
\_\_\_\_\_  
Larry Barnett



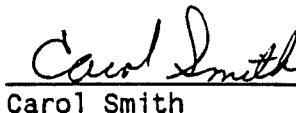
Fred Burch



Phil Damstrom



Rector Jones



Carol Smith

BN:jdh

# BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY ADMINISTRATION BUILDING

P.O. BOX 697 — 2950 WASHINGTON STREET

BURLINGTON, KENTUCKY 41005

(606) 334-2196

FAX (606) 334-2264

MR. GERALD A. NEWTON  
DIRECTOR

MR. D. T. WILSON  
ATTORNEY

MR. WILLIAM R. VIOX  
CHAIRMAN

MR. FRED BURCH  
VICE CHAIRMAN

MRS. CAROL SMITH  
SECRETARY-TREASURER

May 2, 1989

Mr. Bruce Sanders, R.A.  
Burgess & Niple, Limited  
2734 Chancellor Drive  
Suite 205  
Crestview Hills, KY 41017

RE: Conditions of approval for the request of Comprehensive Care Centers of Northern Kentucky (applicant) for James and Sandra Gallenstein (owners) for the Utilization of an Underlying Zone in Planned Development located south of KY 18 and directly east of the Boone County Health Center, Florence, Kentucky. The 2.27 acre site is zoned Office Two/Public Facilities/Planned Development (O-2/PF/PD).

Dear Mr. Sanders:

The following represents the conditions being considered by the Zone Change Committee as additions to your submitted Concept Development Plan. The applicant, J. Emmanuel Willet, Ph.D. of Comprehensive Care Centers of Northern Kentucky (or an officer of the organization) will need to sign this form if the conditions are acceptable.

We ask that this form be returned no later than noon, Wednesday May 3, 1989 to our office. The request is on the agenda to be acted upon by the Boone County Planning Commission at their Wednesday night meeting, which you should plan to attend. Please contact me if you have any questions.

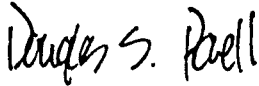
## Conditions

1. The applicant shall clearly mark the disturb limits on the Site Plan phase of development. Existing trees along the property line shall not be disturbed and will be maintained by the applicant.
2. The applicant shall construct an earthen berm at the rear of the property, 6 feet in height. Landscaping consisting of two staggered rows of 8 foot white pine trees will be planted on 12 foot centers along the berm and maintained by the applicant.
3. The applicant shall insure that outside lighting will be of an intensity and direction that does not create excessive glare onto adjoining properties and right-of-ways. The location of proposed lighting shall be included as part of the Site Plan Review.

Mr. Bruce Sanders  
May 2, 1989  
Page Two

4. The applicant shall relocate the dumpster to a site closer to the building, the location and necessary screening to be determined at the Site Plan stage.
5. The applicant shall agree to provide access to adjoining properties when they develop, provided that the uses are compatible.
6. The applicant shall agree to eliminate the southernmost 11 parking spaces indicated on the submitted Concept Development Plan.

Sincerely,



Douglas S. Powell  
Transportation Planner

I, the applicant, agree to the above listed conditions for approval of the request for the Utilization of an Underlying Zone in Planned Development.

 for  
Comprehensive Care Centers of Northern Kentucky



P + Z

ORDINANCE NO. 02189

AN ORDINANCE ADOPTING AND APPROVING THE UTILIZATION OF AN UNDERLYING ZONE THAT ZONE BEING OFFICE TWO/PUBLIC FACILITY/PLANNED DEVELOPMENT (O-2/PF/PD) ON A 2.27 ACRE SITE GENERALLY LOCATED SOUTH OF KENTUCKY 18 AND DIRECTLY EAST OF THE BOONE COUNTY HEALTH CENTER, FLORENCE, KENTUCKY. (COMPREHENSIVE CARE PROPERTY) R-23-89

WHEREAS, the City of Florence, Kentucky, is a member of a county wide planning unit, known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission has recommended that a request of Comprehensive Care Centers of Northern Kentucky for James and Sandra Gallenstein (Owners) for the utilization of an underlying zone be granted, and

WHEREAS, the recommendation from the Boone County Planning Commission is based upon certain findings and conditions attached to its resolution of recommendation, all of which have been reviewed by the City Council of Florence, Kentucky.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY AS FOLLOWS:

SECTION I

That the request for the real estate which is more particularly described below shall be and is hereby approved for the utilization of an underlying zone in an office two/public facility/planned development (O-2/PF/PD) on a 2.27 acre site. The real estate which is the subject of this request for approval for the utilization of an underlying zone in an office two/public facility/planned development (O-2/PF/PD) zone is more particularly described in attached Exhibit "A".

SECTION II

That this approval is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including the committee report made a part of that recommendation, a copy of that recommendation and

committee report being attached, marked Exhibit "B" and incorporated herein as if fully set out, such recommendation being in the form of Resolution No. R-23-89 of the Boone County Planning Commission along with the committee report, both of which are dated May 3, 1989.

SECTION III

That this approval of use of the underlying zone is subject to the conditions as set forth in Exhibit "B" of the committee report.

SECTION IV

Publication of this ordinance is hereby authorized to be by summary publication, in accordance with Kentucky law.

PASSED AND APPROVED ON FIRST READING THIS 8<sup>th</sup> DAY OF August, 1989.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 22<sup>ND</sup> DAY OF August, 1989.

APPROVED:

Bryson R. Rife  
MAYOR

ATTEST:

Patricia L. Conrad  
CITY CLERK

Beginning at a point in the south right-of-way line of relocated KY 18, fifty feet right of station 26 - 78.4 and in the east property line of the original line of Florence Beckett Deed 294, Page 143 of the Boone County records at Burlington, Kentucky; thence S 88° 02' 32" W along a chord of said R/W 104.09 feet to a point; thence continuing along said R/W S 89° 03' 55" W 61.06 feet to a point in the west property line of Beckett's thence S 5° 42' 37" E along said west property line 449.77 feet to Turner's property thence S 83° 29' 38" E along the south property line of Beckett's 267.81 to the southeast corner of Beckett's property; thence N 16° 48' 35" W along the east property line 503.90 feet to the place of beginning: containing 2.2718 acres and being all of the remaining property as described in Deed 294, Page 143 of the Boone County records.