

APPLICATION FORM
ZONING MAP AMENDMENT

BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project St. Henry High School
2. Location of Project Donaldson Highway, Boone County, Kentucky
3. Total Acreage of Site 32.9324
4. Current Zoning of Site UR-1/PD
5. Proposed Zoning (Classification being requested) PF
6. Proposed Uses (please specify each use) New 400 Student High School
7. Names of Applicant(s) Lawrence J. Humpert, Humpert Design
8. Address of Applicant(s) 7410 U.S. 42 Florence KY 41042
9. Name of Property Owner(s) David M. Otte, St. Henry High School
10. Address of Property Owner(s) 3837 Dixie Highway Erlanger KY 41018
11. Proposed Building Intensities (please specify) N/A
12. Are there any existing buildings on the site? No
13. Deed Book 86 Page No. 331 Group No. 2027
14. Are you also applying for: Conditional Use Permit, 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 with in the last several months: Boone County Water and Sewer District, Florence Water and Sewer Commission, Union Light, Heat and Power, Cincinnati Bell, Owen County Rural Electric, Boone County Public Works Department

EXHIBIT "A"

STAFF REPORT

Request of Lawrence J. Humpert (applicant) for David M. Otte, St. Henry High School (owner) for a Zoning Map Amendment on a 32.93 acre site location on the north side of Donaldson Highway across from Marydale, Boone County, Kentucky. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) to Public Facilities (PF) to allow a High School.

August 31, 1994

This is a request for a Zoning Map Amendment for 32.93 acres of land located on the north side of Donaldson road across from Marydale and between Queensway Drive, Peach Tree Lane, and Maple Tree Lane. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) to Public Facilities (PF) to allow a High School. The applicant has submitted a Concept Development Plan (see attached Concept Plan) that shows a high school building (two stories) and a campus that includes a baseball field, a combination softball and soccer field, another soccer field with 400m track around it, three tennis courts and large nature preserve in the northeast corner of the site. The plan also shows the building fronting Donaldson Road with a 300 space parking lot and two access points along Donaldson Road. The application states that the high school will be able to accommodate 400 students. The new high school will replace the existing high school in Elsmere, Kentucky.

Surrounding Zoning and Land Uses (See Map #1-Zoning Map)

- North: North of the site is a Suburban Residential Two (SR-2) district where the Cherry Hill subdivision is located. North of this SR-2 district is an Industrial One (I-1) district where the Mineola Industrial Park is located.
- South: South of the site is a Office Two/Planned Development (O-2/PD) district which is part of the Houston-Donaldson Study Area. Marydale is located in this O-2/PD district.
- East: East of the site is, again, the Suburban Residential Two district where the Cherry Hill subdivision is located. There is also a Commercial Two/Planned Development (C-2/PD) district along Donaldson Road east of the proposed site. Primarily small businesses and single family residences are located in this C-2/PD district.
- West: West of the site is Urban Residential Two (UR-2) district where the apartments are located on Queensway Drive. West of the apartments is a Public Facilities/Planned Development (PF/PD) district where the Mary Queen of Heaven Church is located.

Site Characteristics

The site is basically a rolling wooded area and contains a large swale which is most pronounced near the northeast portion of the site.

Relationship to the Comprehensive Plan (See Map #2-Land Use Map)

The Land Use Map (D-3) of the 1990 Boone County Comprehensive Plan shows the future land use for this site to be Urban Density Residential (UD) with "residential uses that do not exceed twelve dwelling units per acre, unless that development is a Residential Planned Development, or part of an Employment Planned Development." The text of D-3 Turfway - Mineola Area of the 1990 Boone County Comprehensive Plan states the following about the area:

The Cherry Hill subdivision and the apartments along Queensway Drive should remain, and the area bounded by these developments and Donaldson Highway should develop into Urban Density Residential uses. Existing clusters of residential uses along Donaldson Highway, between O'Hara Road and the county line, should redevelop in an integrated commercial fashion involving the combination of existing lots.

In the "Public Facilities" element of the 1990 Boone County Comprehensive Plan under the sub-heading Private Schools the following is stated:

Private schools ease part of the pressure placed on the public schools as new residents come into the county. As the county continues to grow, new private schools can be expected to emerge.

The 1992 Houston-Donaldson Study names the proposed site as Site 20 (see Map #3 Houston-Donaldson Study) the North Donaldson Residential Area and states the following;

Existing Conditions/Site Analysis - This approximately 28 acre area is adjacent to existing residential areas on three sides. It is mostly wooded and contains a large swale which is most pronounced near the northeast portion of the site. The topography and adjacent land uses indicate that urban residential development is appropriate for this site. This use also compliments the nearby planned office uses by providing housing opportunities near the place of employment.

Recommended Uses/Zoning - To make use of the site's extensive wooded area and topography, and to be consistent with adjacent uses, apartment and townhouse units should be developed. Substantial buffer areas of existing vegetation is recommended along the perimeter of the site to reduce the impact of the development. This will leave approximately 20 acres of the site as developable....The site has been discussed by the Covington Diocese as a potential school facility site to serve existing and planned residential development primarily in the Erlanger and Elsmere areas. This Study supports such a use, however, will require that a detailed traffic analysis be performed to determine any special needs for the roadway system. Whether the residential use or a school use be developed, stormwater runoff will be an important item to address at site development stage to avoid increasing drainage problems in Cherry Hill subdivision. The recommended zoning for Site 20 is to be Urban Residential One/Planned Development. Any proposed school or similar facility shall undergo the public hearing process to determine its potential impacts on the road system and adjacent residential uses.

Access/Improvements - To help protect the ability of Donaldson Highway to serve through traffic, this site should be served by one major entrance point on Donaldson Highway. This entrance should be heavily landscaped and provide for emergency access.

Staff Concerns

1. The concept plan shows that existing trees will buffer much of the existing surrounding residential areas. However, it seems that along the Peach Tree Lane border the buffer is very narrow. This buffer should probably be expanded and the ball fields moved south a few feet.
2. Though the projected number of parking spaces (300) surpasses those required by the Boone County Zoning Regulations but considering that the school will not be served by school buses, staff questions whether there is adequate parking for the school.
3. Staff suggests there should be pedestrian accesses to the school grounds for students who might live in the surrounding residential areas. This would lessen the need for some automobile trips to the school.
4. The concept plan shows two access points on Donaldson Road whereas the 1992 Houston-Donaldson Study states " this site should be served by one major entrance point on Donaldson Highway" and that "this entrance should be heavily landscaped and provide for emergency access".

5. The applicant will need to present a detailed traffic study addressing the impact of the school on the roadway system as mandated by the 1992 Houston-Donaldson Study.
6. Staff questions what the final capacity of the school would be if the proposed expansions shown on the drawing were implemented.

Conclusion

The Boone County Planning Commission should evaluate this request for a Zoning Map Amendment on the criteria presented in Section 308, Article #3-Amendment of the Boone County Zoning Regulations.

1. The map amendment is in agreement with the adopted Comprehensive Plan and any specific study designed to further detail the Boone County Comprehensive Plan for the location in question; or
2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted comprehensive plan that substantially alter the area's character.

Respectfully submitted,

Dean E. Niemeyer
Planner

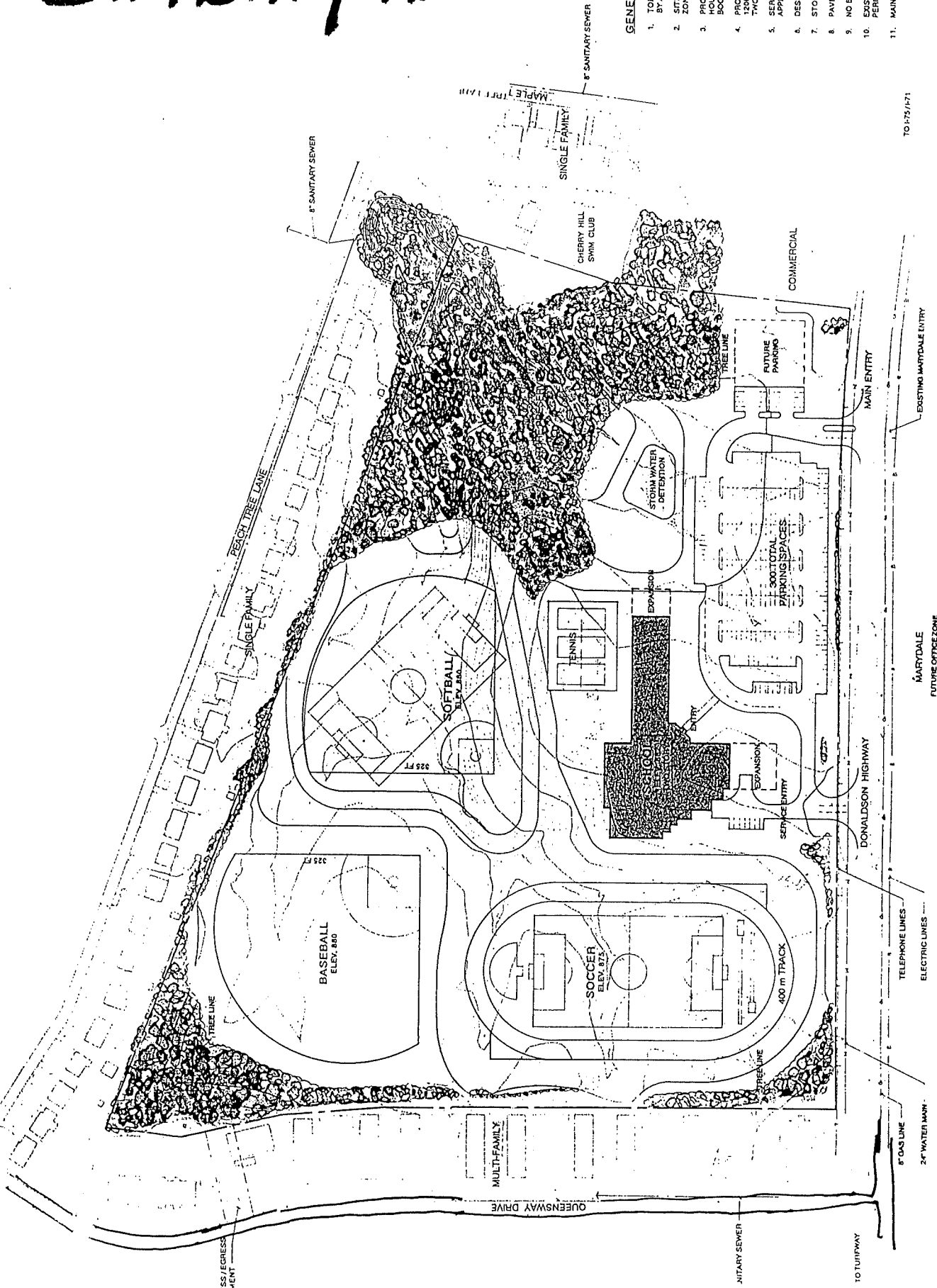


DEN\par

Concept Plan St. Henry H.S.

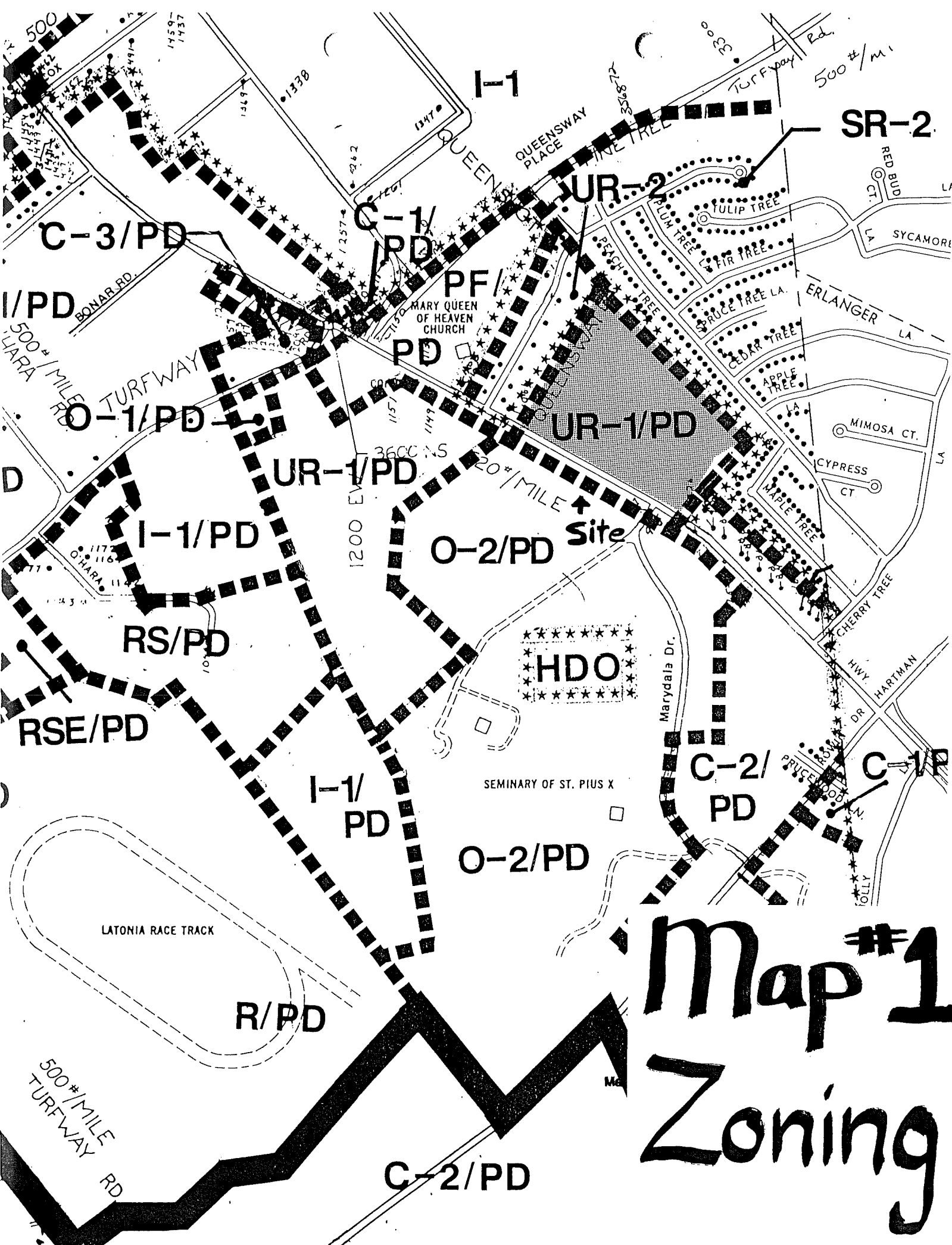
GENERAL NOTES

1. TOPOGRAPHIC BASE PLAN PREPARED BY AERIAL SURVEYS INC. 3/1/25
2. SITE IS 32.934 ACRES AND IS PRESENTLY ZONED UR-1/PD
3. PROPOSED 70' TONE IS SUPPORTED BY THE HOUSTON DONALDSON STUDY IS A REPAIR OF BOONE COUNTY PLANNING COMMISSION
4. PROPOSED SCHOOL BUILDING 40' HEIGHTS, 1200 SEAT CAPACITY, 100' X 100' FT. TWO STORES, 35 FEET HIGH
5. SERVED BY PRIVATE RESIDENT FIRE PROTECTION APPROX. 1/4 MILES AWAY ON TUPPWAY EXTENS.
6. DESIGN INTENT IS TO BALANCE CUT AND FILL ON SITE
7. STORM WATER DETAINED ON-SITE WITH CONCRETE
8. PAVED PARKING AREAS FOR 3,700 CARS
9. NO BUS TRAFFIC ANTICIPATED
10. EXISTING WOODS REMAINS AS NATURE PRESERVE PERIMETER BUFFER AREAS
11. MAIN ACCESS ALIGNS WITH EXISTING MARTYDALE.



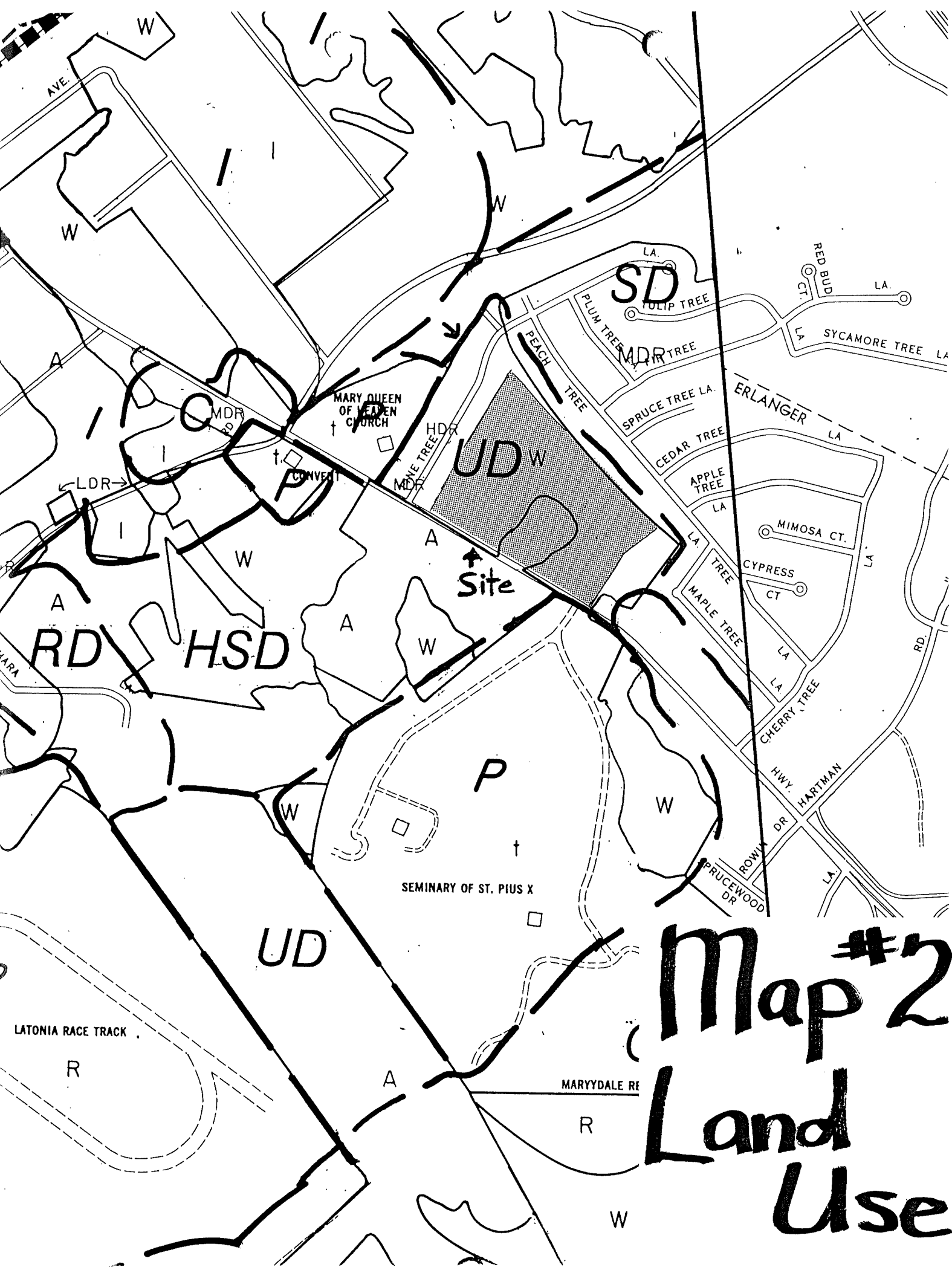
PROPOSED SITE DEVELOPMENT PLAN

DATE: 10/1/25



Map #1

Zoning

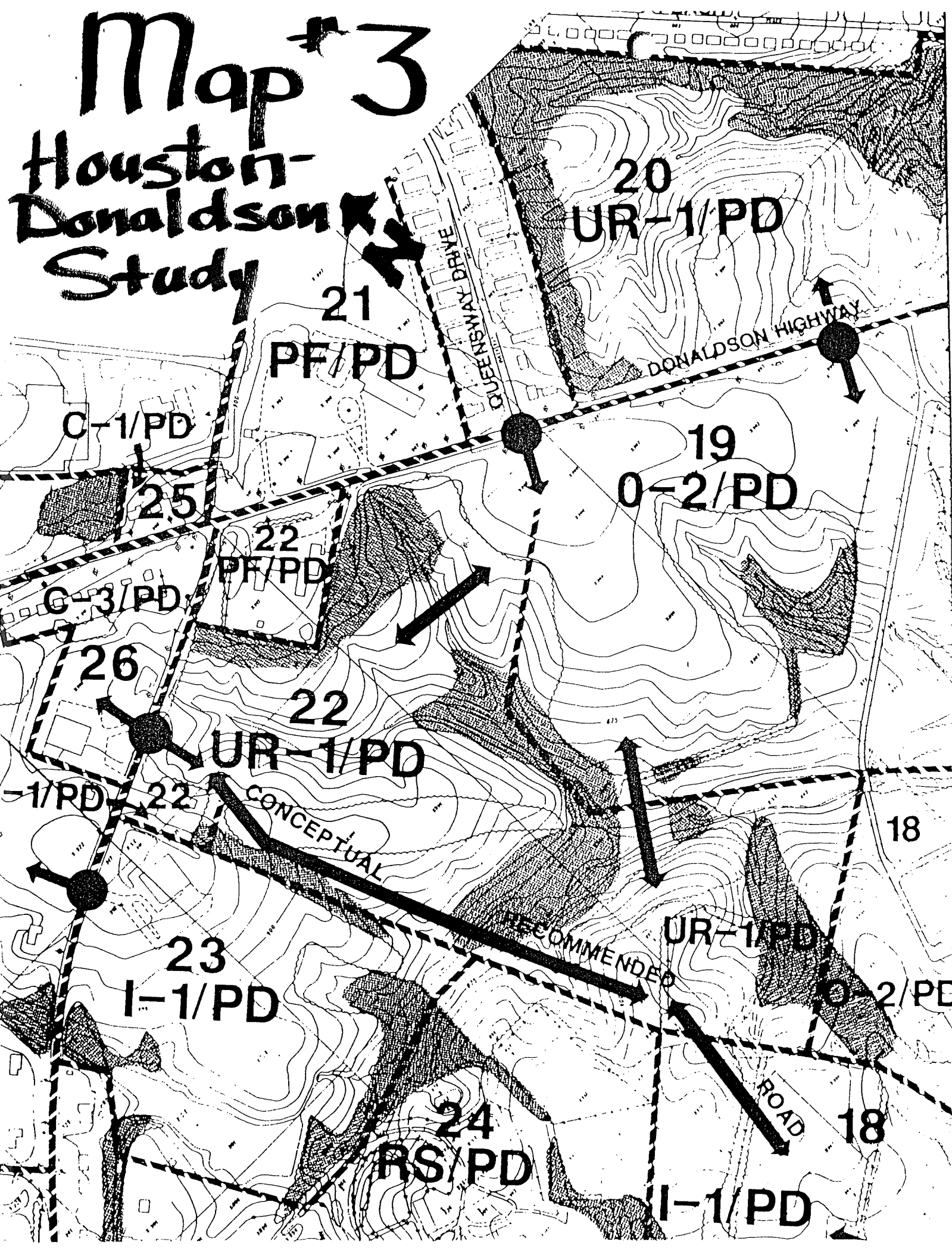


Map #2

Land Use

Map #3

Houston-Donaldson Study



BOONE COUNTY PLANNING COMMISSION

August 31, 1994
7:00 P.M.

PUBLIC HEARINGS

Commission members present: Mr. Damstrom, Mr. Kirby, Jr., Mr. McElroy, Mr. McMillian, Mr. Neltner, Mr. Owens, Mr. Ries, Mr. Rush, Mrs. Schaffer, Mrs. Smith - Secretary/Treasurer, and Mr. Viox - Chairman.

Mr. William Viox, Chairman, called the meeting to order at 7 P.M. and explained the Public Hearing process. The Chairman advised that the Committee Meetings for these items will be on September 12, 1994 at 4 P.M. in the second floor conference room of this building, and these items will be on the Agenda for the Business Meeting on September 21, 1994 at 7 P.M..

Chairman Viox introduced the first item on the Agenda:

1. Applicant: Lawrence J. Humpert for
David M. Otte, St. Henry High School (owner)
Request: Zoning Map Amendment

The request of Lawrence J. Humpert (applicant) for David M. Otte, St. Henry High School (owner) for a Zoning Map Amendment on a 32.93-acre site located on the north side of Donaldson Highway across from Marydale, Boone County, Kentucky. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) to Public Facilities (PF) to allow a high school.

Staff Member Dean Niemeyer presented the Staff Report which included a review of the attachments, a slide presentation, and review of the Site Plan using the overhead projector (see Staff Report). He advised that this development would be a school for 400 students.

Chairman Viox asked for the applicant's presentation.

Mr. Humpert introduced Mr. David Otte, Principal of St. Henry High School.

Mr. David Otte introduced Mr. Jim Berling, the civil engineer, and Mr. Dave Schneider, a member of their development committee. Mr. Otte stated that they believe this is a tremendous opportunity for the high school and all of their district parishes, five of which are in Boone County. It is a tremendous opportunity to provide another quality educational facility for the people in Boone County. He stated that they are currently located in Elsmere, and 65% or more of their students live in Boone County.

Mr. Humpert distributed brochures to the Commission (see Exhibit A, "The Building Crusade", Saint Henry District High School).

Mr. Otte stated that with the growth in the area, this is an opportunity for them to relocate and serve all the people of Boone County and the southwest corner of Kenton County.

Mr. Kirby arrived at this time.

Mr. Humpert presented an exhibit of their Development Plan, and presented the plan for the site using the overhead projector. He stated that their traffic study was delivered to the Planning Commission early this afternoon. They believe, based on that study, that the 300 parking spaces will be adequate. He noted that they do not currently have bus service, and based on St. Henry's parking requirements and existing data, they created the 300 parking spaces. If they did not consider a gymnasium or an athletic event, they would only need about 150 spaces. They have provided twice as much parking as they need on a day-to-day basis. He stated that Mr. Niemeyer described the site well. It is a 32 to 33-acre site. The oldest trees are at the perimeter of the site. The development preserves about 95% of the open area of the site. The building and projected expansion would only take away 5% of the open area of the site. The building was placed toward Donaldson Highway and is far removed from the perimeter residences and apartments with the trees remaining. The ballfields are closer to the residences. It is a rolling site. A great percentage of the trees and the creek have been preserved and will be used for outdoor science studies.

Mr. Humpert stated that the children will be arriving at off peak times. The students arrive about 7:30 A.M. and leave about 2:30 P.M.. All major utilities are available at Donaldson Highway. Sewers are available at Queensway and Peach Tree. Mr. Humpert stated that this use was a recommended use of the site in the Houston-Donaldson Study. Building a building necessitates clearing trees, but they have tried to preserve as many as possible. They will maintain as much natural flow as possible. When the site is done, it will not look like a commercial shopping center. They are retaining the stormwater that the school and parking lot create on site. Less than 5% of the site will be covered with buildings so that the natural drainage will remain. He indicated the stormwater detention area. The site is about one-half mile from the new fire station. They will balance cut and fill on site and will not haul a lot of dirt away or bring dirt to the site. The terracing of the fields has been designed to maintain the existing dirt within the site. They would like to do initial earthwork this fall and to occupy the building as early as December, 1995 and no later than August, 1996. He stated that the traffic study demonstrates that Donaldson Highway is adequate to handle the number of students. This is a positive addition to the community.

Mr. Jim Berling offered to answer any questions.

Mr. Humpert showed a rendering of what the building would look like. The building will be humanistic in scale, of red brick, and in the classical style. The total square footage will be approximately 62,000 square feet and takes up less than 5% of the open area of the site.

Mr. Niemeyer questioned pedestrian access for the students living in the residential areas. Mr. Humpert noted that the Site Plan had been revised to show pathways. The pathways would be gravel and mulch and the children would not have to go out on Donaldson Highway. They have an easement through the apartment area. He indicated the pedestrian access points on the slide. He showed a floor plan of the school and stated that they initially planned for 400 students. They would max out at 600 to 700 students.

Mr. Niemeyer read a letter in opposition to the request from Francis P. Callahan of Maple Tree Lane, who is opposed as they do not want the traffic, noise, clutter, and vandalism of a school. The letter questions the traffic on Donaldson Highway. (See Exhibit B).

Chairman Viox asked if there was anyone else present who wished to speak in favor of the request. There was no response. The Chairman then asked if there was anyone present in opposition to the request or having questions.

Mr. Robert Morris, 751 Peach Tree Lane (the 9th house down), stated that he bought his house because of the woods there. He indicated 27 houses on Peach Tree Lane and questioned where the buffer would be. He stated that he bought there because his backyard is not someone else's backyard. With the airport, the race track, and all the development on Houston Road and Turfway Road, he believes there will be a traffic problem. He would not object so much if they move the ballfield in because of the proximity to the adjacent 13 houses. He asked if the ballfields would be lighted. He noted that 13 of the 27 houses would be affected by the ballfields. He stated that they have not saved any trees because a lot of the trees are his trees.

Mr. Stan Barch, 753 Peach Tree, stated that his major concern is losing the woods behind the lot. He questioned how they would convince the teenagers to walk around when his yard is the quickest way through to the school. He would rather have a high school there than a mini mart. He stated that he is generally in favor of the plan, but wants more trees behind his house.

Marlene Hanely, 3428 Maple Tree, stated that she does not object to the school, but is concerned about the sewage system. They have had numerous problems of flooding in early spring and in the fall. She stated that the lines are maintained by Erlanger, but they live in Boone County, and that is part of the problem.

Chairman Viox asked if her concern is in regard to storm or sanitary sewer, or both.

Mrs. Hanely stated that she used to get sewage but they have put plugs in their basement drains. They still get the water.

Ann Weston, 733 Peach Tree, questioned the distance from the back of her fence line up to the buffer zone.

Mr. Bill Swafford, 731 Peach Tree Lane, indicated the location of the Weston House.

Carol Huston, 1066 Donaldson Highway (right next to the site) stated that she has a small day care center and they live on the second floor of the house. She is in favor of the school. She noted a creek or stream and indicated a walkway that they keep trimmed so that the people from the apartment complex do not bother their yard. She is concerned that if the stream is closed up the water will go in her yard. Her neighbor's yard drains into her yard. She likes to keep her yard as dry as possible because of the children. She questioned an open area and asked if it would be another entrance. She stated that when she bought her property 11 years ago she was told that the whole area was zoned Commercial and she could not get a fixed rate mortgage because of that.

Mr. Edward Garrett, legal counsel for the people at 761 Peach Tree Lane (Edward Garrett, Sr. and Delores Garrett), referred to the Staff Concerns and the greenbelt area. He stated that it is proper if possible to shift the athletic developments to the south, particularly if the greenbelt area is compared to the greenbelt area provided in the Houston-Donaldson Study. Where the greenbelt area is skinny is along the back line of the Peach Tree area. He is also concerned about the parking. He believes that 300 spaces is adequate for daytime school activities, but the gymnasium is proposed to seat 1,200 for predominantly nighttime games. He sees overflow parking taking place on streets, particularly Peach Tree Lane, and people using the easements to gain access to the gym. He sees a great opportunity for lingering traffic in and out through the wooded area and a congestion of people in the Cherry Hill area. He stated that Cherry Hill Subdivision was built some time ago with narrow streets and intersection areas being at 90 degree angles. Emergency traffic would be hindered by parking on the street.

Kate Fuell, a resident of Donaldson Highway, asked if the road would be widened or the speed limit reduced. She stated that she takes her life in her hands getting out of her driveway now and with the increased traffic she will have more problems getting out and will need additional time to get to work. The road is two lanes at their house. They also risk getting hit in the rear trying to get in their driveway. She can foresee that there will be accidents.

Miss Howard, 906 Donaldson Highway, indicated an area behind the commercial property which she assumes goes over to the Callahan property. She stated that this area is all grass now and questioned what it will be when the school is there. She stated that they cannot keep kids from playing in the area now and they jump her fence to retrieve balls. She is opposed to the kids coming over her fence.

Mr. Berling referred to the comment regarding sewers failing in rainy weather. He stated that the subject property has a slope to it, which would increase the rate of runoff. He noted a rock bottom channel creek which brings the water quickly to the Howard property. He stated that they will redesign the site with athletic fields at 1% - 1.5% and catch basins and the water will go into the sewer more than it does now. The hard surface areas will have detention areas and they are improving the

stormwater situation. He referred to an area near the day care center where there is storm sewer and headwall coming out from under the highway and advised that the soccer field, like the rest of the development, will have a sophisticated stormwater system with many catch basins and pipes and there will not be a problem in that area in regard to the runoff.

Mr. Humpert stated that they will be reducing the amount of runoff by creating the turf covered fields. Right now there is not a whole lot of grass under the trees, but when the fields are completed, there will be turf and that will take in more of the rain. The runoff situation will be better than it is now. He stated that the overriding concern is the buffer area along Peach Tree Lane. He noted that this is a conceptual plan and stated that they will create a 20-foot buffer on their side of the line of existing trees that will remain. Moving the fields in will allow for the trees and, with the trees on the neighbor's property, there would be a 30-foot buffer. They will shift the fields and get the larger buffer. He stated that when they decided to go to a terraced site it made the site tighter, but they can pull the fields back and get a better buffer for the neighbors. They do not intend at this time to light the fields. He referred to the piping inlet along Donaldson Highway and stated that they would not dam it up and the water will be piped away so that it will not flood the day care center. In regard to the parking, he stated that they were initially to do less parking. Based on existing conditions at St. Henry, they would need 125 to 130 spaces, but they set up the 300 spaces to meet the criteria of the planning ordinance in regard to a gymnasium of 1200 seats. He stated that the requirements generally create more space than you need. They see needing 125 to 130 spaces on a day-to-day basis. In response to the concerns raised about the fence, he indicated a grassy area within the boundaries of their site, near the chiropractor, and stated that it is not their intention to setup a baseball field there.

Dr. Royek stated that his property goes right up to the swim club.

Mr. Humpert stated that he did not have an answer about kids cutting through the Barch property as opposed to going the extra distance over to the easements.

In regard to the widening of Donaldson Highway, Mr. Humpert stated that he does not know what KDOT has in their plans, but he does not anticipate a third lane. He stated that KDOT has talked about a third lane when the Marydale project goes forward. They do not see the school creating a need for the third lane.

Mr. Bill Swafford, a resident of Peach Tree Lane, stated that he is concerned about the buffer behind the properties. He questioned having the fields in that location when they also own Mary Queen of Heaven and Marydale. He asked why the fields cannot be moved to those properties.

Mr. Humpert stated that the students need to go from the athletic facilities to the fields.

Mr. Dave Schneider, speaking as part of the Major Gifts of the Development Committee for the district high school, stated that the district high

school has different ownership than the Diocese or the parish. The district high school serves seven different parishes, five of which are in Boone County. He stated that the Commission knows what is happening in the county and where the growth is. In a survey of all of the parishes, the site chosen was somewhere on Donaldson Road. People are going to work down I-75 and Donaldson Road. He noted that freshmen and sophomores cannot drive and a lot of parents are coming down those roads to work and wanted something in that area. This site was chosen by the district people. The Bishop has turned down any number of offers for the property for multi-family use because he felt that there was a higher and better use of the property to serve the needs of the people in Boone County. The land being given to them probably has a value of close to \$2 million and without that donation they could not build this. They are not putting \$17 million in like what is done when you have tax money. The development is self-sufficient. The first phase is a building. If they do not get enough money, the athletic fields will be low priority. They will work with the concept of getting as much buffering as possible. He stated that there are a lot of people throughout Boone County who have requested this specific site and thanks to a large donation from the Diocese they will be able to start this process. He stated that the request is in agreement with the Comprehensive Plan and the only evidence heard this evening is to that effect.

Chairman Viox asked if there were any comments or questions from the Commission.

Mr. Ries questioned the buffering requirements. Mr. Kevin Costello, AICP, Executive Director, advised that they are pursuing a Public Facilities Zone and there is no requirement, but the Committee can use discretion considering the adjoining use.

Mr. Ries commented that a fence could be put up in consideration of kids cutting through the yard, but he noted that some of them might go over the fence.

Mr. McMillian noted that this is a two-lane highway and a decel lane is not shown. Mr. Berling advised that there will be a decel lane on both entrances. The Highway Department has not reviewed the plans yet, but he is sure the decel lanes will be there. He noted that this is a Concept Plan.

Mr. Neltner asked if the county would be obligated to provide bus service to the school. Mr. Otte advised that they have not pursued this with Boone County as it is two years before they take occupancy. They can pursue it. He stated that they had preliminary talks a few years ago and the county indicated things like crossing it own subdistrict lines. He stated that it would be premature to line up bus service. He noted that the state budget allows \$5 million this year for busing for private schools. He believes the county is experiencing problems with busing now. They do not have busing at St. Henry now and are not counting on any busing at this time. He stated that busing would reduce the traffic flow.

Mr. Neltner noted that busing would also cause the 300 parking spaces to be more in excess. He questioned sound insulation because of the

proximity to the airport. He asked if the school would be air-conditioned so that the windows would not have to be open.

Mr. Humpert stated that air-conditioning is in their initial budget. The walls and roof will have insulation, but they do not anticipate any sound insulation beyond that.

Mr. Neltner questioned the phasing. He noted that the primary phase would be the school building and the parking, and the fields could be done at a later time. He asked if the fields would remain unspoiled initially and the trees would stay. Mr. Humpert stated that if the money is not in for the grading, the grading will not take place. The building is the first priority. He stated that they hope to be able to afford what is shown on the plan. Mr. Neltner noted that if they do not get the funding, the residents could have more buffer for a few years. Mr. Humpert agreed.

Mr. Schneider advised that they are seeking in-kind services from people and if someone would have a grader available, they would not turn it down.

Mr. Otte stated that they have to raise the money themselves. They have to raise \$4.5 million. They do not have tax money to build the school. Their first priority is with education, not baseball, and they would build the school first. As money or donated services become available, other facilities would be built on the site.

Mr. Humpert advised that their present enrollment is 380 children. He noted that a new Ryle or Scott High School is designed for four times that number.

Mr. Damstrom questioned the LDN on the site and what it would be in 2003. Mr. Costello advised that he had looked at the old map and will provide this information to the Committee. Mr. Niemeyer stated that it is outside the 65 LDN.

Mr. Damstrom questioned the entrance. He noted that the Houston-Donaldson Study shows it should be one access. Mr. Niemeyer commented that they would have the distance to allow two access points. Mr. Damstrom questioned the distance between the two access points. Mr. Berling estimated the distance to be 800 feet. Mr. Humpert noted that they are beyond the minimum.

Mr. Costello explained that the property was zoned for multi-family use and there is usually one entrance serving a condominium project. He stated that with this being a public facility, possibly there should be two access points.

Mrs. Schaffer stated that she is concerned about the buffering and questioned if the property is wooded enough that 20 feet is sufficient. The audience advised that it is.

Mrs. Schaffer agreed with Mr. Ries that a fence would be a good idea. She noted that the Concept Plan says 300 parking spaces and asked if this number includes the future. Mr. Humpert advised that it does not.

Mrs. Schaffer questioned the impact on Donaldson Road. Mr. Niemeyer advised that there is a traffic study. Mr. Costello stated that when they did the Houston-Donaldson Study they did traffic projections. This site was slated for residential use at that time and they will now have to compare the trip generation for this use versus what was factored in (multi-family use).

Mrs. Schaffer questioned the stormwater and grading. Mr. Humpert indicated the high points on the site and stated that they are not changing the flow of the stormwater. Mrs. Schaffer asked if it would be retained so that it does not burden the storm sewer or the residents. Mr. Humpert advised that it will be retained in the retention pond at a rate that Planning and Zoning requires where they add hard surface.

Mrs. Schaffer stated that the applicant's comments in regard to the lights and buffering should be in writing. She questioned football. She asked if the area is served by TANK and noted that St. Henry is served by TAN and located on Dixie Highway.

Mr. Schneider advised that the Transit Authority made a proposal this year to Fiscal Court to serve the airport by Donaldson Highway and a determination was made that the funds were not available. He stated that the service provided to Boone County is a decision of the Fiscal Court and this development may be a catalyst to help them make that decision.

Mrs. Schaffer asked if they would put in aprons for the buses at that time. Mr. Berling stated that that could be done.

Mrs. Schaffer asked if action would be a commitment to the Development Plan or if the Commission will only be voting on the zone change. Counselor Wilson stated that the conditions stated this evening would be reduced to writing if the Committee chooses and would become part of the Development Plan. He noted that the Commission's action can be changed by the Fiscal Court.

Mr. Damstrom asked if this development will necessitate a light at the entrance to the school. Mr. Humpert stated that they have aligned their entrance with Marydale and they would like to see a light there. They see the people arriving at the school using this entrance and the other entrance being a service entrance.

Mr. McMillian commented that the speed would be reduced to 25 MPH. Mr. Rush advised that all schools, public and private, would be under the same guidelines for speed zones.

Mr. Berling commented that there is so much construction going on at the airport and the construction entrance being off Donaldson Road contributes to the traffic being experienced now.

Mr. McMillian asked how far the school is off the main highway where they do not have a school zone. Mr. Rush stated that it is about 1,000 feet at Ockerman. Mr. Humpert stated that they are about 400 feet off Donaldson.

Counselor Wilson advised that this request will go to the Committee and they may review the record and may pose questions to the applicant. The Committee will then put together a report, which may contain conditions. The Commission will vote on a recommendation for or against the application and that recommendation will go to the Fiscal Court for their final action.


Carol Huston stated that when she bought her property 11 years ago they said it was Commercial and that is why they did not give her a fixed rate loan, and it is being said now that it is Urban Residential. She stated that her property was not a day care center when she bought it.

Counselor Wilson advised that the Commission does not get into the issue of interest rates. He stated that even though her property was not zoned Commercial, the lending institution may have said it was a commercial use. He advised that county wide zoning is looked at every five years and her property might have been altered as part of that general area. Mr. Costello suggested that Mrs. Huston contact the office and he will explain the zoning of her property to her.

There being no further comments, Chairman Viox stated that the Committee Meeting for this item will be on September 12, at 4 P.M.. This item will be on the Agenda for the Business Meeting on September 21, 1994 at 7 P.M..

The Chairman closed this Public Hearing.

APPROVED:



William R. Viox, Chairman

Attest:



Jan Hancock, Recording Secretary

8-14-94

BOONE COUNTY PLANNING COMMISSION
ATTN: DEAN NIEMEYER

I AM UNABLE TO ATTEND THE PUBLIC HEARING ON 8/31/94 RE THE REQUEST TO REZONE A 32.93 ACRE SITE ON Donaldson Hwy FROM URBAN RESIDENTIAL ONE/PLANNED DEVELOPMENT (UR-1PD) TO Public Facilities (PF) TO ALLOW A High School. BUT FOR THE RECORD

I AM OPPOSED TO THE CHANGE.

I MOVED TO 701 MAPLE TREE LANE IN FEB. 1967 TO GET AWAY FROM THE TRAFFIC, NOISE, CLUTTER AND VANDALISM OF A High School ON Dixie Highway in PARK HILLS. I DON'T WANT TO BE CLOSE TO ANOTHER ONE.

IN ADDITION, HAVE YOU BEEN ON Houston, Donaldson & Turnaway Roads LATELY. WHERE ARE WE GOING TO PUT ANY MORE TRAFFIC?

FRANCIS P. CALLAHAN
701 MAPLE TREE LN.
ERLANGER, Ky 41018-1107

BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING
September 21, 1994
7:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 7:05 P.M..

COMMISSION MEMBERS PRESENT:

Mr. William Bailey
Mr. Phil Damstrom
Mr. Robert Kirby, Jr.
Mr. Gayle McElroy
Mr. Barry Neltner
Mr. Thurman Owens
Mr. Robert Ries
Mr. Ralph Rush
Mrs. Linda Schaffer
Mr. William Viox, Chairman
Mr. Earl White

COMMISSION MEMBERS NOT PRESENT:

Mrs. Judy Arnett
Mr. Fred Burch, Vice Chairman
Mr. Don McMillian
Mrs. Carol Smith, Secretary/Treasurer

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin Costello, AICP, Executive Director
Mr. Dave Geohegan, AICP
Mr. Jeff Hayes
Ms. Jan Hancock, Secretary
Mr. Dean Niemeyer
Mr. Kevin Wall

Damstrom, Mr. Kirby, Mr. McElroy, and Mr. Neltner were opposed. The motion carried by a vote of 6 to 5.

Counselor Wilson advised that the Commission's action is a recommendation to the Fiscal Court and they may go along with the recommendation or override it.

3. Zoning Map Amendment

The request of Lawrence J. Humpert (applicant) for David M. Otte, St. Henry High School (owner) for a Zoning Map Amendment on a 32.93-acre site located on the north side of Donaldson Highway across from Marydale, Boone County, Kentucky. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) to Public Facilities (PF) to allow a high school.

Staff Member Dean Niemeyer read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). The applicant and owner have signed the letter agreeing to the conditions.

Mr. Owens moved by resolution to the Boone County Fiscal Court that the request be approved based on the Committee Report. Mrs. Schaffer seconded the motion.

Mr. Kirby referred to Condition #2 and questioned the sanitary waste going into the Cherry Hill treatment facility. Chairman Viox advised that it is going through their lines. Mr. Kirby noted that there will not be a private treatment plant.

Chairman Viox asked for a vote on the motion made by Mr. Owens and it carried unanimously.

Chairman Viox introduced Mr. Kevin Wall, the new Director of Zoning Services.

Chairman Viox advised that the meeting was scheduled for 7 P.M. this evening as there is a panel discussion at the Holiday Inn in regard to the merger of city/county services. Mr. Costello will be the last speaker there this evening.

Chairman Viox asked Mr. Neltner, Temporary Presiding Officer, to chair the meeting at this time and left to attend the meeting at the Holiday Inn.

Mr. Neltner chaired the meeting and introduced the fourth item on the Agenda:

4. Zoning Map Amendment

The request of Security Self Storage (applicant) for Siebert Enterprises (owner) for a Zoning Map Amendment on a 4.10-acre site located along I-75 near the end of Steilen Drive, Florence, Kentucky. The request is to rezone the site from Recreation (R) to Commercial Services (C-3) to allow additional self storage warehouses.

EXHIBIT "B"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Thurman Owens, Chairman

DATE: September 21, 1994

RE:

Request of Lawrence J. Humpert (applicant) for David M. Otte, St. Henry High School (owner) for a Zoning Map Amendment on a 32.93 acre site location on the north side of Donaldson Highway across from Marydale, Boone County, Kentucky. The request is to rezone the site from Urban Residential One/Planned Development (UR-1/PD) to Public Facilities (PF) to allow a High School.

REMARKS:

We, the Committee, recommend approval based on following findings of fact and with the following conditions:

Findings of Fact

1. The 1992 Houston-Donaldson Study names the proposed site as Site 20-the North Donaldson Residential Area and states the following;

The site has been discussed by the Covington Diocese as a potential school facility site to serve existing and planned residential development primarily in the Erlanger and Elsmere areas. This Study supports such a use, however, will require that a detailed traffic analysis be performed to determine any special needs for the roadway system. Whether the residential use or a school use be developed, stormwater runoff will be an important item to address at site development stage to avoid increasing drainage problems in Cherry Hill subdivision.

Substantial buffer areas of existing vegetation is recommended along the perimeter of the site to reduce the impact of the development. This will leave approximately 20 acres of the site as developable.

2. The applicant has completed a traffic study for the proposed site. The study suggests that "the additional traffic generated to the area for the 1996-97 school year will be 250-300 cars per day". The study further suggests that "approximately 125-150 (cars) will remain on site". The study also proposes that "the only need for improvements would be the addition of a traffic light at the main entrance" on Donaldson Road across from the Marydale entrance.

3. In the "Public Facilities" element of the 1990 Boone County Comprehensive Plan, under the sub-heading Private Schools, the following is stated:


Private schools ease part of the pressure placed on the public schools as new residents come into the county. As the county continues to grow, new private schools can be expected to emerge.

4. The concept plan is for a school that will initially accommodate 400 students, and with future growth it will allow for a total of 600 to 700 students.


Conditions

1. The applicant will maintain a buffer of a minimum of 20 feet of the existing trees along its northern edge with Peach Tree Lane. This will probably necessitate locating the playing fields for the high school farther south on the site.
2. The proposed sanitary sewer system serving the site shall be designed and constructed so as to not negatively impact the existing sanitary sewer system in Cherry Hill Subdivision.
3. The applicant/owners will shall provide a right turning lane and a left turning lane on Donaldson Road at the main entry to the high school. The design of the turning lanes will be built to specifications prescribed by the Kentucky Transportation Cabinet (KTC), District Six office. If the KTC identifies that a traffic light is warranted at the main entrance to the high school, the applicant/owners will be responsible for its installation as well.
4. The applicant/owners will install pedestrian paths from Queensway Drive and the Cherry Hill Swim Club parking lot as shown on the revised concept plan.

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.

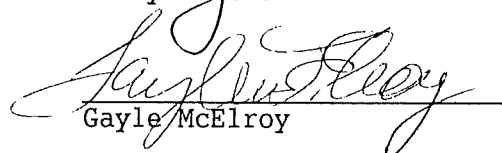

Thurman Owens, Chairman

Fred Burch


Phil Damstrom

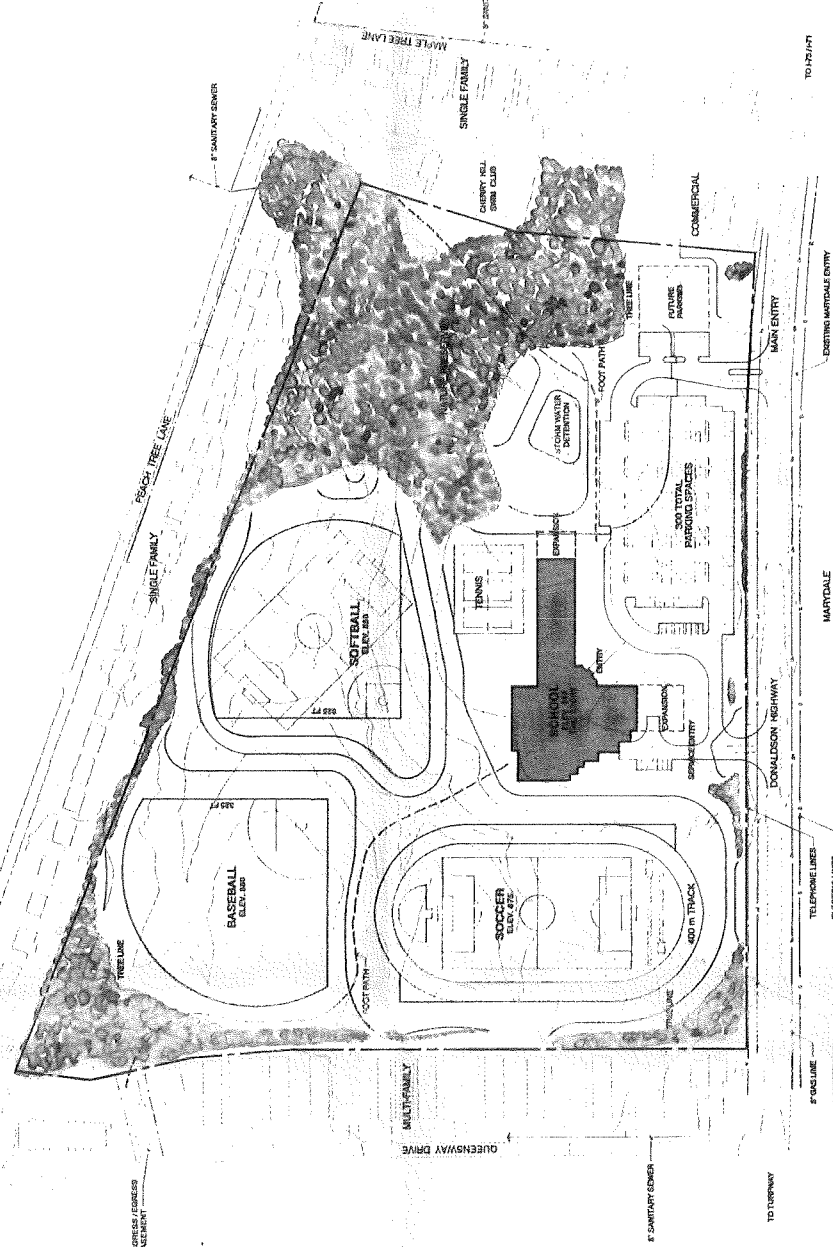

Barry Neltner


William Bailey


Gayle McElroy

- GENERAL NOTES**
1. TOPOGRAPHIC BASE PLAN PREPARED BY FERNAL SURVEYS INC. 3/1/78
 2. SITE IS 22.22 ACRES AND IS PRESENTLY COUNTRYSIDE
 3. THIS DEVELOPMENT IS SUBMITTED TO THE BOONE COUNTY PLANNING COMMISSION FOR REVIEW AND APPROVAL
 4. PROPOSED SCHOOL BUILDING: 400 STUDENTS, 100,000 SQ. FT. (100,000 SQ. FT. TOTAL) TWO STORES, 32 FEET HIGH
 5. SCHED BY POINT PLANNING FIRE PROTECTION DISTRICT OFFICE. 2" SIZES AWAY ON TURBINE EXTENSION
 6. SCHED BY POINT PLANNING FIRE PROTECTION DISTRICT OFFICE. 2" SIZES AWAY ON TURBINE EXTENSION
 7. STEPS TO BE DETAINED ON SITE WITH CONTROLLED DISCHARGE
 8. PAVED PARKING AREAS FOR 336 CARS
 9. NO BEST TRAFFIC ANTICIPATED
 10. EXISTING WOODS REMAINS AS NATURE PRESERVE AND PROTECTED BUFFER AREAS
 11. MAIN ACCESS ALONG WITH EXISTING MARSDALE ACCESS

APPROVED
 Staff: *[Signature]*
 Date: 8/2/84
 Boone County
 Planning Commission



PROPOSED SITE DEVELOPMENT PLAN
 1" = 100'-0"



MINUTES
BOONE COUNTY FISCAL COURT
November 22, 1994
5:30 P.M.

410.5. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "B"

ORDINANCE NO. 710.4 - PARKS

Judge Lucas read a summary of Ordinance No. 710.4 and declared a Public Hearing open at 5:43 p.m. As there was no opposition, Judge Lucas declared the Public Hearing closed at 5:44. Commissioner Meihaus moved, seconded by Commissioner Campbell, to approve on Second Reading Ordinance No. 710.4, an ordinance relating to the use of the Boone County Parks and repealing Ordinance Nos. 710.1, 710.2, 710.2A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "C"

ORDINANCE NO. 1010.12 - GRASS AND/OR WEEDS

Judge Lucas read a summary of Ordinance No. 1010.12 and declared a Public Hearing open at 5:45 p.m. As there was no opposition, Judge Lucas declared the Public Hearing closed at 5:46. Commissioner Campbell moved, seconded by Commissioner Patrick, to approve on Second Reading Ordinance No. 1010.12, an ordinance of the Boone County Fiscal Court relating to failure to mow grass and/or weeds and repealing Ordinance Nos. 1010.2 AND 1010.2A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "D"

ORDINANCE NO. 920.294 - HUMPERT/ST. HENRY HIGH SCHOOL

Judge Lucas read a summary of Ordinance No. 920.294 and declared a Public Hearing open at 5:47 p.m. As there was no opposition, Judge Lucas declared the Public Hearing closed at 5:48. Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve on Second Reading Ordinance No. 920.294, an ordinance of the Boone County Fiscal Court recommending approval for a request of Lawrence J. Humpert (Applicant) for David M. Otte, St. Henry High School (Owner) for a Zoning Map Amendment, such Zoning Map Amendment being a zone change from Urban Residential One/Planned Development (UR-1/PD) to Public Facilities (PF) for a 32.93 acre site generally located on the north side of Donaldson Highway across from Marydale, Boone County, Kentucky, as recommended unanimously by the Boone County Planning Commission via Resolution No. R-94-040-A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "E"

ORDINANCE NO. 920.295 - RICHWOOD LAND, INC./TA OPERATING CORPORATION

Judge Lucas read a summary of Ordinance No. 920.295 and declared a Public Hearing open at 5:48 p.m. As there was no opposition, Judge Lucas declared the Public Hearing closed at 5:49. Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve on Second Reading Ordinance No. 920.295, an ordinance of the Boone County Fiscal Court recommending approval for a request of Richwood Land, Inc. (Applicant) for TA Operating Corporation (Owners) for a Zoning Map Amendment, such Zoning Map Amendment being a zone change from Rural Suburban (RS) to Commercial Services (C-3) for a 2.23 acre site, generally located at the northeast corner of KY 338 and I-75, Boone County, Kentucky, recommended unanimously by the Boone County Planning Commission via Resolution No. R-94-032-A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "F"

ORDINANCE NO. 920.296 - BERLING/FRAZIER AND DOROTHY ESCUE

Judge Lucas read a summary of Ordinance No. 920.296 and declared a Public Hearing open at 5:50 p.m.

Jim Berling, applicant, and Jerry Dusing, attorney representing the applicant, were present to answer questions. Commissioner Patrick asked if an alternative route was being considered in lieu of Bullock Lane. Mr. Berling advised accessibility on Kentucky 20 is being considered and access to Kentucky 237 is also being explored.

Mr. John Burton and Mr. Harvey Richardson, members of the Technical Advisory Subcommittee of the Noise Abatement Committee were present and expressed concerns about zone changes that will allow a development in or near the 65 LDN (noise contour areas). Mr. Richardson said full disclosure should be mandatory to potential buyers near a noise contour corridor. Mr. Richardson presented the court with a petition of adjacent property owners opposing the zone change request. Exhibit "G" Mr.