

CHANGE IN CONCEPT DEVELOPMENT PLAN OR

UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT

(Concept Development Plan)
BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

- Change in Concept Development Plan
- Utilization of An Underlying Zone in Planned Development

- a) Public Hearing Submittal (Concept Dev. Plan)
 - b) Long Range Planning Committee Review
- (As stated in the Houston-Donaldson Study)

- 2. Name of Project Rivershore Recreation Facility
- 3. Location of Project 0.4 mi. east of 237 on Route 8 (River Road)
- 4. Total Acreage of Site 118.68 total - 71.0 development
- 5. Current Zoning A-1, SR-1, R and PD
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) September 20, 1988
- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) no
- 8. Proposed Uses (please specify each use) Recreational-athletic fields, boat dock, marina, restaurant, camping, boat storage
- 9. Proposed Building Intensities (please specify) concessions, caretaker residence, maintenance building, boat storage, restaurant
- 10. Have you submitted a Concept Development Plan? yes
- 11. Are you also applying for:
 - Conditional Use Permit
 - Dimensional Variance
- 12. Name of Applicant(s) Jerry Jacobs
Phone Number 586-7161 Fax No.
- 13. Address of Applicant(s) 5173 River Road
Hebron, KY 41048
City State Zip
- 14. Name of Property Owner(s) Conrad Brothers Investors
Phone Number 581-9226 Fax No.
- 15. Address of Property Owner(s) 219 Garrard Street
Covington, KY 41011
City State Zip
- 16. Are there any existing buildings on the site? yes
How many? 1
- 17. Deed Book 566 Page No. 32 Group No. 2002
- 18. Have you had a pre-application meeting with BCPC Staff? yes

(over)

EXHIBIT "A"

STAFF REPORT

Request of Jerry Jacobs (applicant) for Conrad Brothers Investors (owner) for a Change in Concept Development Plan for an approximate 118 acre site, Rivershore Recreation Facility (Rivershore Farms site). The request is to modify the currently approved Concept Development Plan to allow recreational uses in an Agriculture Estate/Suburban Residential One/Recreation/Planned Development (A-2/SR-1/R/PD) zone. The site is located on the north side of KY 8, near KY 237, Boone County, Kentucky.

July 26, 1995

REQUEST

The following is a request for a Change in Concept Development Plan to allow active recreational uses on a 118 acre site that is located on the north side of KY 8, near KY 237, Boone County, Kentucky. The site in question is part of the approximately 413 acre "Rivershore Farms" development that was approved in 1988. The approved Concept Development Plan for Rivershore Farms includes single family residences, multi-family style condominiums, equestrian facilities, a marina, and a recreation complex that includes a pool, tennis courts, and a lake. The approved uses on the specific site in question include: a steeplechase/running track, polo fields, horse stables, low rise housing, and a sewage treatment plant on the western part of the site; a restaurant/clubhouse and an in-land marina in the approximate center of the site; and a riding area and condominiums on the eastern part of the site (refer to attached plan). Public water and sanitary sewers were proposed to be eventually used by the entire Rivershore Farms development.

A Concept Development Plan has been submitted with this request. The Concept Development Plan illustrates: a campground and picnic area, batting cages, ball fields, a volleyball, basketball and horseshoe area, a boat dock, concession areas, a caretaker residence, parking areas, and a driving range that will be converted to ball fields and soccer fields in the future, all on the western part of the site where the equestrian facilities and low rise housing is currently approved. A clubhouse/restaurant, in-land marina, and a boat ramp and storage area are shown in approximately the same location as the currently approved clubhouse/restaurant and in-land marina.

The condominiums that are currently approved for the eastern end of the site are not shown on the Concept Development Plan, thus no changes are contemplated at this time. The submittal materials state that on-site systems will be developed for domestic water and sanitation. A total of three curbcuts are proposed.

The project is proposed to be divided into two phases. The first phase includes all of the uses described above as occurring on the western part of the site (ball fields, campground, etc.). The second phase includes the clubhouse/restaurant, marina, and the conversion of the driving range into ball fields and soccer fields. Phase I is expected to extend over a two to three year time period with the ball fields, concessions, and parking areas ready for use by the spring of 1996.

SITE HISTORY

- 1988** The zone change to A-2/SR-1/R/PD and Concept Development Plan were conditionally approved for the entire Rivershore Farms development. The conditions of approval are attached to this report.
- 1990** The Planning Commission's Technical Committee determined that the development of the equestrian facilities on the subject site as part of Phase II rather than Phase III constituted a minor change in the Concept Development Plan.
- 1995** The Planning Commission's Technical Committee determined that the application at hand constituted a major change in the Concept Development Plan that is subject to the public hearing process.

ADJACENT LAND USES AND ZONING

The land uses and zoning adjacent to the subject site include the following:

- A. The Ohio River to the north.
- B. A wooded area and a farmstead to the west between KY 8 and the Ohio River (A-1).
- C. An undeveloped hillside area to the south of the western part of the site across KY 8 (A-2/SR-1/R/PD). A largely undeveloped hillside area, that includes several low density single family residences, mobile homes and one business, is located to the south of the eastern part of the site across KY 8 (A-1).
- D. An open space area is located to the east of the site between the Ohio River and KY 8 (A-2).
- E. An approximately five acre out parcel, that contains a single family residence, is located in the approximate center of the site, just west of the proposed clubhouse/restaurant (A-1).

SITE CHARACTERISTICS

As mentioned previously, the site in question contains approximately 118 acres. The width of the site between the Ohio River and KY 8 ranges between approximately 400 feet and 1,500 feet. The site has approximately 5,900 feet of frontage along KY 8 and approximately 6,800 feet of frontage along the Ohio River (both figures include the out parcel). The site largely consists of open plain areas that have been cultivated in the past and approximately 80 percent of the site is within the 100 year flood plain (ordinary high water level is 460.2 feet; on the average of once every 100 years, the water level can be expected to reach an elevation of 486 feet; the maximum recorded river level is 510 feet).

Some trees and scrub vegetation exist along the property lines and within drainage areas. A large overhead power transmission line runs along the west property line on the adjoining tract. Soil types on the site include Alluvial land (ALD), Captina silt loam (CaB), Egam silty clay loam (Eg), Hunington fine sandy loam (Hn), Wheeling silt loam (WhB and WhC), and Woolper (WoC); these soils are largely found in flood plains and stream terraces. Public water and sanitary sewer are not currently available on the site.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 1995 Boone County Comprehensive Plan's 2020 Land Use Plan designates the site in question as "Recreational" due to the approved equestrian use of the property. The document describes this designation as "public and commercial outdoor recreation including golf courses, parks, race tracks, etc." The text of the Land Use Element (discussed in Area C-1) states the following about the area:

This section of Boone County has considerable Ohio River frontage, as well as an important residential development along North Bend Road. The Rivershore Farms project, approved in 1988, was designed to develop portions of these areas. However, little has developed on this site through 1995. A recreation area with clustered residential uses is planned between KY 8 and the Ohio River, while High Suburban Density Residential is proposed for portions of the hillside. The remaining portion of the project near North Bend Road is planned for Suburban Residential. Between Rivershore Farms and Taylorsport is a large river plain that is suitable for future athletic fields and similar uses.

"Area C-1" in the Land Use Element also states the following about the area:

Through 1994 there have been no improvements to North Bend Road outside of the I-275 interchange area. Current conditions of North Bend Road in the Francisville area are not suitable for suburban traffic demands. Unlike most developing areas of Boone County, the north river area contains only one primary means of access, being North Bend Road.

The Land Use Element provides the following general statements that relate to the proposal.

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole, rather than levelling and entire site to meet a pre-conceived project design ("Utilization of Existing Vegetation and Topography," pg. 210).
- B. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as greenbelts and open space within developments and between developments ("Buffering," pg. 210).
- C. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways ("Landscaping," pg. 210).
- D. Development in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curbcuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, and provisions for access connections to adjoining properties, and dedication of public right-of-way ("Access Management," pg. 211).
- E. Developments in Boone County should give consideration to the overall design of the project. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention ("Design, Signs, and Historic Preservation," pg. 211).

The Recreation Element generally identifies the Francisville area as one that should be targeted for a district park (Priority Acquisition Areas for Parks map, pg. 120); a district park is described as including "large, lighted, athletic complexes, exhibit buildings, or swimming pool facilities." The Recreation Element also provides the following statements that relate to the proposal.

- A. Substantial increases in recreational interest will be most likely to occur in golfing, jogging/running, picnicking, camping, fishing, motor boating, bicycle touring, nature study, hiking and hunting; moderate increases in recreational interest will likely occur in baseball/softball, volleyball, swimming, horseshoes, open play field activities, canoeing, and horseback riding; slight increases in recreational interest will likely occur in soccer, basketball, football, BMX bicycling, and playground activities ("Trends Analysis," pg. 116).
- B. The greatest recreational needs in Boone County are for bicycling, jogging, hiking, horseback trails, and swimming facilities. Picnic areas and athletic fields are other facilities most notably needed ("Needs Analysis," pg. 117).
- C. Boone County needs to contain a full gamut of recreation opportunities to serve every sector of the population. Individual recreational facilities, however, must be considered as to their impact on liability issues ("Legislative Body Policy," pg. 119).
- D. Lighted outdoor and indoor recreational facilities should be emphasized to maximize usage through night time and/or winter time use of the facilities ("Legislative Body Policy," pg. 121).
- E. Wherever athletic fields are established, the county should create multiple use facilities, i.e., soccer, baseball, football, volleyball, etc., in order to establish comprehensive field complexes. The most efficient location for these complexes is in conjunction with public schools, where usage can be maximized, and adequate parking is typically available ("Recreation Facility Policies," pg. 122).
- F. Boone County's Ohio River shoreline and numerous creeks should be utilized to a greater extent to provide needed boating and fishing access. Proposed private shoreline developments should be encouraged to provide public river access or contribute land to the county or other organization for public access, where appropriate ("Recreation Facility Policies," pg. 122).
- G. The County should participate with semi-public agency land owners to provide campground facilities. Campgrounds should be located in conjunction with, or adjacent to, other public recreational or significant natural features ("Recreation Facility Policies," pg. 122).

The 1995 Boone County Comprehensive Plan Goals and Objectives include the following statements that relate to the proposal.

- A. Proper design principles shall be applied in development ("Overall," Objective #3).
- B. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure shall be maintained or improved as needed ("Overall," Objective #4).
- C. Boone County shall strive to achieve a diversity and balance in competing land uses ("Overall," Objective #6).
- D. The needs of Boone County's population base are accommodated through the provision of orderly growth ("Population," Goal).
- E. New development or redevelopment shall attempt to design sites utilizing existing topography and encourage preservation or the existing character of land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used beneficially where possible ("Environment," Physical Objective #2).
- F. Extra-regional or interstate tourist oriented commercial facilities shall be allowed in appropriate areas when the final mitigated impact is minimal on other land uses ("Recreation and Open Space," Objective #2).
- G. Recreation areas shall be centrally located in their service areas and easily and safely accessible to the population groups they are designed to serve ("Recreation and Open Space," Objective #4).
- H. Marginal development land that contains excessive slopes or is prone to flooding, should be considered for its value as open space. The Ohio River shoreline shall be studied for its potential for recreational development. This development should both retain the ecological integrity of the river area and create sustainable economic opportunities for the citizens of the county ("Recreation and Open Space," Objective #6).
- I. Priority shall be given towards maintaining, protecting, and improving the existing road system ("Transportation," Goal #1, Objective #11).

STAFF CONCERNS

- 1. Staff is concerned with the potential impact of the proposed uses on the adjacent road system, especially when considering that both KY 8 and KY 237 are two lane, rural highways with little to no shoulders. Further, the currently approved recreation uses for the site generate only a moderate amount of traffic and were intended to serve the residential uses within Rivershore Farms itself. As the applicant's trip generation summary concludes that the development would create 2,142 daily trip ends at full build-out, the average daily traffic count for this section of KY 8 is only 400 and the average daily traffic count for KY 237 just south of KY 8 is 300 (both are 1990 counts).

In addition, the facility would generate notable peak hour traffic in the evenings relative to existing traffic as evidenced by the applicant's summary. As such, the Commission will need to consider whether the provision of turn lanes or other improvements are warranted (turn lanes are currently required under conditions of prior approval). A letter from Robert Hill of the Kentucky Transportation Cabinet, Department of Highways, regarding the existing conditions of KY 8 and KY 237, and the conclusion that the facility will have minimal impact on KY 8 and KY 237, is attached.

2. In addition to traffic, Staff is concerned with other impacts associated with the proposal, especially noise from the athletic matches (spectators and PA systems), the lighting needed for the athletic facilities and parking areas, and the hours of operation for the athletic uses (traffic summary states that peak hours would be from 6:00 PM to 11:00 PM - it is implicit that the site would experience some twenty four hour activity due to the presence of a campground). Therefore, the issues of noise, lighting/glare, and hours of active operation should be addressed by the applicant.
3. When considering the existing and planned character of the area, every attempt should be made to make the development compatible with the adjoining sites, particularly along the KY 8 frontage. As such, Staff recommends that the following issues be examined.
 - A. The existing vegetation should largely be maintained along property lines, the road frontage, and in areas not proposed for disturbance.
 - B. Landscaping for the development has not been specified. In addition to fulfilling the landscaping requirements of Section 3165 and 3170 of the Zoning Regulations, additional groups of various types of large trees should be provided along the KY 8 frontage, and within the site where feasible, as to visually diffuse the development as seen from the roadway.
 - C. Signage for the development has not been specified. When considering the scenic qualities of the area, signage should be limited to monument style signs that are externally illuminated and that have a limited size and height (such as 60 square feet in area and 8 feet in height). Due to the large road frontage, it is appropriate to allow one freestanding sign for each of the three vehicular entrances. When considering the distance of the facilities from the road, building mounted signage that is intended to be seen from the road should be prohibited.
4. As boat storage is not part of the currently approved Concept Development Plan, the nature and extent of the boat storage and whether associated activities such as boat repair are intended should be clarified.
5. As noted above, the current Concept Development Plan for the entire Rivershore Farms development was conditionally approved. As such, the Commission will need to evaluate the applicability of these conditions to the current proposal. In particular, the Commission should pay close attention to the following (refer to attached list of conditions).

Condition #1: Phasing and provision of public improvements.

Condition #2: Stipulations regarding the provision of sanitary sewer.

Condition #3: Geotechnical report for the entire development.

Condition #4: Road improvements to KY 8 and KY 237, including the KY 8/KY 237 intersection and the provision of turn lanes "at entrances to the development."

Condition #5: Necessary permits from appropriate State and Federal agencies.

Condition #8: Changes to the Concept Development Plan must be reviewed by the Planning Commission's Technical Committee to determine whether they constitute major or minor changes.

Condition #12: Marking disturb limits on the site. This condition will need to be modified as it includes a penalty of a reduction in the number of permitted dwelling units should an inappropriate area be disturbed.

6. As stated previously, the applicant has proposed to use on-site systems for both domestic water and sanitation for the project and the current Concept Development Plan was approved under the premise that public water and sewer would be provided. Due to this significant difference, the applicant should address the issue of why such a change is desirable or warranted, as well as outline the feasibility of either type of system on the site in question.
7. As an informational note, the proposal is subject to review by the Army Corps of Engineers, the Kentucky Environmental Protection Agency (Division of Water), and the Boone County Building Department for construction or excavation work in a navigable stream and the 100 year floodplain.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and the Boone County Fiscal Court in terms of the three criteria necessary for approving a Zoning Map Amendment or Change in Concept Development Plan as stated in Article 3, "Amendment" of the Boone County Zoning Regulations, the provisions of Article 15, "Planned Development District," and the potential impacts on the existing and planned uses in the area. The Future Land Use Map would not need to be amended if the Planning Commission and the Fiscal Court approve this request.

Respectfully submitted,

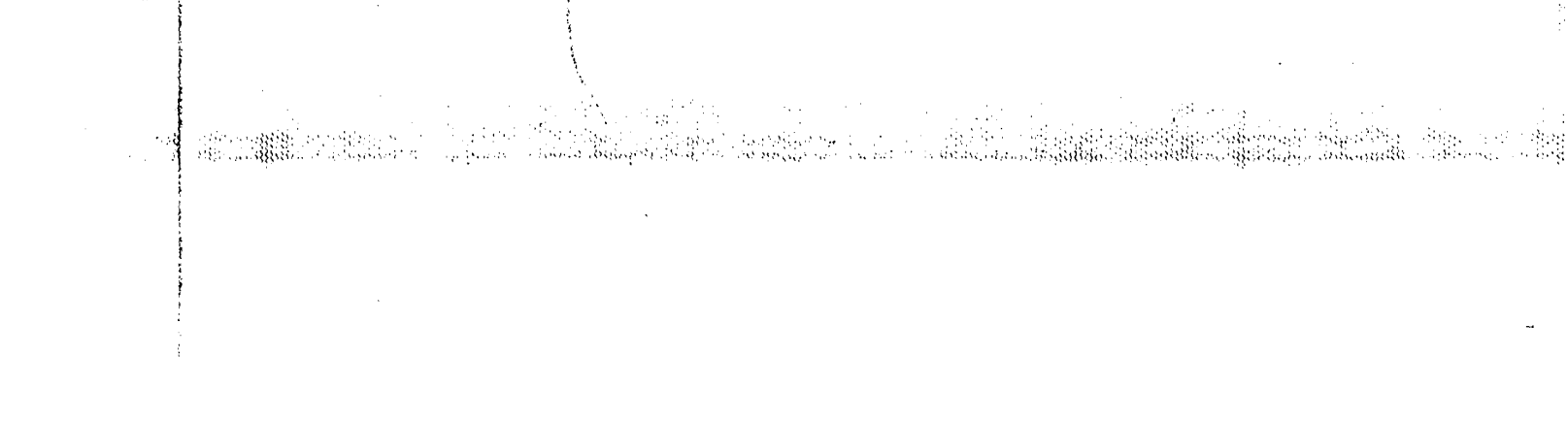


Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW\par

attachments:

- air photo of area
- Zoning Map excerpt
- current Concept Development Plan
- conditions of approval for Rivershore Farms proposal
- letter from Robert Hill, Kentucky Department of Highways
- application materials
- letter from adjoining property owner



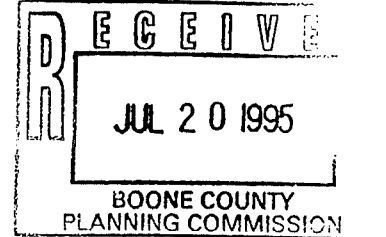


DON C. KELLY, P.E.
SECRETARY OF TRANSPORTATION

JERRY D. ANGLIN
DEPUTY SECRETARY
AND
COMMISSIONER OF HIGHWAYS

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET
DEPARTMENT OF HIGHWAYS, DISTRICT SIX
421-423 BUTTERMILK PIKE & I-75
COVINGTON, KY 41017
606-341-2700
JOE KEARNES
CHIEF DISTRICT ENGINEER
July 19, 1995

BRERETON C. JONES
GOVERNOR



Mr. Kevin T. Wall, Director
Zoning Services
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

Re: Rivershore Recreation Facility
Boone County

Dear Mr. Wall:

We have reviewed your proposed Rivershore Recreation Facility Plan and as requested are providing the following comments:

KY 8 and KY 237 are both 20' wide, 2 lane bituminous roads with narrow shoulders. KY 237 has a number of horizontal curves and a generally rolling grade with a steep grade as it heads down the hill toward KY 8. KY 8 has mostly flat, long horizontal curves with long straightaways and a gently rolling grade. Both roads have several slide areas on them as this entire area is slide prone.

The intersection of KY 8 and KY 237 is not 90 degrees which makes turns difficult and it has limited sight distance. KY 8 has been identified as a bicycle route in the Ohio/Kentucky/Indiana Regional Council of Governments Regional Bicycle Plan.

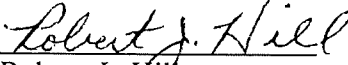
We feel that the type of traffic generated by this facility will have minimal impact on KY 8 and KY 237.

At this time, the Transportation Cabinet has no plans to upgrade or improve either of these routes. If the Planning Commission has plans to make any roadway improvements, such as entrances or turn lanes into this facility, they will need to apply for a permit from the District Six Permits Office. Permit applications shall include a site plan of the facility.

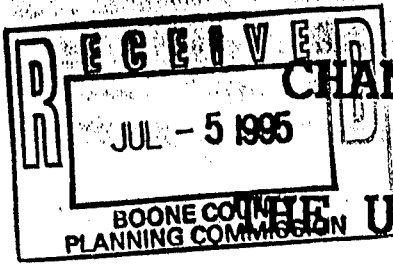
If you have any questions or if we can be of further assistance, please contact the District Six Office.

Yours truly,

J. E. Kearnes,
Chief District Engineer


Robert J. Hill,
Tran Eng Tech III
District Six - Planning

RJH/na
cc: Tom Schomaker
Forrest Rankin



CHANGE IN CONCEPT DEVELOPMENT PLAN

OR

UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT

(Concept Development Plan)
BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:
 - Change in Concept Development Plan
 - Utilization of An Underlying Zone in Planned Development
 - a) Public Hearing Submittal (Concept Dev. Plan)
 - b) Long Range Planning Committee Review
 (As stated in the Houston-Donaldson Study)
2. Name of Project Rivershore Recreation Facility
3. Location of Project 0.4 mi. east of 237 on Route 8 (River Road)
4. Total Acreage of Site 118.63 total - 71.0 development
5. Current Zoning A-1, SR-1, R and PD
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) September 20, 1988
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) no
8. Proposed Uses (please specify each use) Recreational- athletic fields, boat dock, marina, restuarant, camping, boat storage
9. Proposed Building Intensities (please specify) concessions, caretaker residence, maintenance building, boat storage, resturant
10. Have you submitted a Concept Development Plan? yes
11. Are you also applying for:
 - no Conditional Use Permit
 - no Dimensional Variance
12. Name of Applicant(s) Jerry Jacobs
Phone Number 586-7161 Fax No. _____
13. Address of Applicant(s) 5173 River Road
Hebron, KY 41048
City State Zip
14. Name of Property Owner(s) Conrad Brothers Investors
Phone Number 581-9226 Fax No. _____
15. Address of Property Owner(s) 219 Garrard Street
Covington, KY 41011
City State Zip
16. Are there any existing buildings on the site? yes
How many? 1
17. Deed Book 566 Page No. 32 Group No. 2002
18. Have you had a pre-application meeting with BCPC Staff? yes

(over)

19. 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
- Kentucky Transportation Cabinet
- City of Florence Public Services Department
- Boone County Building Department
- Northern Kentucky Health District
- U.S. Soil Conservation Service
- Local School District
- Local Fire District
- Other: _____

20. Concept Development Plan Jurisdiction/Location

- Unincorporated Boone County _____ Walton
- Florence _____ Union

21. Applicant's Signature(s) Jerry Jacobs

22. Property Owner's Signature(s) Jay Douglas Council

SECTION B (To be completed by BCPC Staff)

1. Date Received July 5, 1995 Fee Received 1784.00 R# 7212

2. Check what has been submitted:
 Application Fee _____ Legal Description
 Concept Development Plan _____ Addresses of Adjoining Property Owners

3. 5 No. of copies of plan received **
Is application complete? _____ YES _____ NO

4. Staff Reviewer _____

5. Committee Chairperson _____

6. Scheduled Public Hearing Date _____

7. Boone County Planning Commission Action:
 Approved
 Approved With Conditions
 Denied

8. Other: _____

**** Five (5) Copies Required**

Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(606) 334-2196 Phone
(606) 334-2264 Fax

Note: See Boone County Planning Commission Fee Schedule for Concept Development Plan Fees. An application consists of all fees paid in full, submitted drawings and a completed application form.

INTRODUCTION

Rivershore Recreation Facility is a recreational development located along KY 8 near KY 237 (Figure 1). The site contains 118 acres of river frontage previously owned by Stabil Inc. (Rivershore Farms). The site is bordered by KY 8 on the south and the Ohio River on the north and is slender in shape with a width of approximately 600 feet and length along the Ohio River and KY 8 of approximately 6300 feet.

The proposed recreational development is similar to the previously approved recreational zone for the Rivershore Farm development. The exception to the similarity is that the proposed development is geared more toward the general public through the use of organized league sports activities. The development will be a multipurpose outdoor sports complex to meet the needs of the rapidly growing Boone County area. The sports development will consist of a number of different types of sport activities ranging from softball/baseball, soccer, volleyball, outdoor basketball, golf driving range, boat dock, marina and camping facilities.

The complex will be constructed in several phases as the need for the different activities present themselves. The most direct access to the site would be along I-275 to the Hebron Exit, north on KY 237, 4.2 miles to KY 8, east .4 miles to the site. Several other travel options are available along KY 8 depending on the direction of travel including Tanners Lane, KY 20 or continuing to Ludlow on KY 8.

The land use proposed will utilize largely open space since all activities are outdoor sports related. Several buildings are anticipated for the caretaker house, maintenance garage, concession buildings, boat storage and marina clubhouse/restaurant.

EXISTING CONDITIONS

Site History- The project site was originally zoned for agricultural purposes (A-1) prior to the zoning amendment in 1988. In 1988 the zoning for this site was amended to include recreational use with the planned development overlay of the Rivershore Farms which involved property on the South side of KY 8. The site was approved for use as a horse stables, polo/steeple chase fields, marinas and condominiums. Following the failure of the Rivershore Farm development, Conrad Brothers Investors purchased the portion of the property north of KY 8 in December, 1994.

Surrounding Land Use- The site is bordered by the Ohio River on the north. East, south and west of the site is agricultural land A-1 and A-2 zoning (Figure 2). One 5 acre tract in the center of the development is zoned A-1. The zone change for the Stabil Inc. (Rivershore Farm) development revised the land use on the South side of the property to Agricultural Estate/Suburban Residential One/Recreation/Planned Development (A-2/SR-1/R/PD). This zone change was conditional to the development of the Rivershore Farm as approved by the Boone County Zoning Commission and Fiscal Court.

Natural Features- The proposed development area is primarily a river bottom area consisting of a flood plain area and higher elevation flood plain terraces. The normal river pool elevation is approximately 455 feet as determined by the Ohio River Navigational System- Markland Dam. The 100 year Frequency Flood elevation for the development site is elevation 493 feet. Normal high water elevation is approximately 460 feet. Maximum recorded river level in this area was elevation 510 feet during the 1937 Flood. As can be seen from the attached flood maps (Figure 3) approximately 80 percent of the proposed development site is below the 100 year flood plain boundary and is therefore susceptible to flooding.

Soils and Geology- The site soils are alluvium deposits associated with the Ohio River flooding and glacial deposits (Figure 4). The soil types consist of Egam, Huntington, Captina, Wheeling and Woolper soil series overlaying fine sand and silt deposits. These soils are characterized by relatively level terrain and are fine sandy, silty clay and loam in nature with high levels of permeability. Erosion hazards are slight to moderate depending on the slope and permeability.

Vegetation- Vegetation on the site is mostly grassland as developed from previous agricultural use and site grading for the previously approved polo fields. Larger trees can be found adjacent to property lines and drainage swales. Smaller scrub type trees and brush are found along the river bank and along steeper areas.

PROPOSED RECREATIONAL DEVELOPMENT

The sports complex is being planned as a multi-faceted sporting complex consisting of a variety of activities. The sporting activities will be primarily outdoor activities including softball/baseball fields, volleyball courts, basketball courts, horseshoe pits and soccer fields. The basic operation of the Rivershore complex would be to provide a location for organized teams to gather and play (Figure 5).

The complex would operate from May through September with a variety of games depending on the number of teams registered to play. Week night leagues would be established with various weekend tournaments with outside teams/leagues. Conceivably, the week night leagues would consist of three to four games per field or court lasting 60 to 90 minutes each.

Affiliated facilities would consist of concession stands providing refreshments for spectators and players. Two concession areas are proposed one for the softball/baseball fields and one for volleyball, basketball, and horseshoe pits.

Practice areas for various sports would include batting cages, golf driving range and pitching machines for open field hitting. A play area for the entertainment of children is also being planned.

With the river location, the site is ideal for a campground, boat dock and marina. The campground would be used for overnight guests during weekend tournaments as well as family camping with a riverview sites. The boat dock and marina would provide a location for boat storage, launching and docking facilities.

An on-site year round caretaker is included in the development to maintain grounds and provide security for the facility. If needed for larger tournaments, off duty Boone County police officers and / or sheriff's deputies can be used for security and traffic control.

Project Phasing- The proposed complex would be constructed in two distinct phases.

Phase I - Four ball fields and concession area

- Five sand volleyball courts
- Five Basketball courts
- Five horseshoe pits
- Golf driving range
- Parking and other essential facilities
- Caretaker house and maintenance area
- Boat dock and concession area
- Camp grounds
- Practice facilities

Phase II - Marina

- Clubhouse/Restaurant
- Two ball fields
- Two soccer fields

Phase I is expected to extend over a two to three year period. The greatest emphasis will be on the construction of the softball/baseball fields, concessions area, parking and site utilities ready for use by the spring of 1996.

RELATIONSHIP WITH COMPREHENSIVE PLAN

The concept Development Plan fits in well with the recommended uses for the site as described in the 1995 Boone County Comprehensive Plan. The proposed development accomplished several of the objectives for meeting the recreational goals established in the Comprehensive Plan. Recreational objectives 6 and 10 are accomplished by this development as listed on page 10 of the Plan. The site is along the Ohio River shore line and provides the mixture of recreational uses including open undeveloped areas and river access. Though the development is private it does provide an area for the public to use for recreational activities. This development will aid in relieving the burden of public recreational agencies by providing an alternative which is not dependent upon public funding.

The Comprehensive Plan indicates a moderate increase in interest for softball/baseball, volleyball and horseshoes and a slight increase in interest for soccer and basketball. The Plan indicates the need for athletic fields as discussed in the Demand Analysis on page 117. Additionally it recommends having available lighted outdoor facilities, encouraging private entities to provide recreational land and facilities, provide Ohio River shore line development for public access for boating, fishing and camping as discussed in the Recreational Facilities Policy for Open Space Recommendations on pages 121 and 122.

The Comprehensive Plan specifically recommends a recreational land use for the large river plain areas in the Francisville area as described on page 217. Though the Rivershore Farm project did not succeed, the development of the proposed project is an excellent opportunity to meet the needs as described in the comprehensive plan.

PUBLIC FACILITIES/AGENCY REVIEW

Water and Sanitation- The Boone County Water and Sewer Department was contacted concerning future improvements of the county system in the area of the development site. Presently, a sanitary pump station is located at the intersection of Tanners Lane and KY 8. Watermains have been extended to Conway Hills along KY 237. There are no plans for extending the water or sewer system to the site at this time.

Since no public water and sanitation will be available for the development, on-site systems will be established. A well will be drilled on the site to provide a water source. Water samples will be taken to determine the degree of treatment required. The Health Department has been contacted concerning sanitation requirements. On-site treatment systems will be evaluated to determine the most cost effective system.

Development Permits- Prior to construction of the proposed facilities, State and Federal permits will be acquired as well as the necessary local permits. On-site wastewater treatment facilities will be coordinated with the local health department, Boone County Water and Sewer and the Kentucky Division of Water. The plans for the proposed marina and boat dock will be submitted to the Army Corps of Engineers for the required permits.

TRAFFIC

Traffic projections for the proposed development are listed below. When available, the forecast of traffic volumes were generated based on the ITE Trip Generation Manual. Since there are no ITE land use standards for the various activities, traffic volumes were based on the projected number of sporting events for a given time period and number of participants.

It is anticipated that 50% of the traffic volume will be split between KY 8 to the east and KY 237 to the south. Once the KY 8 traffic travels east, it will further split to Tanners Lane, KY 20 and KY 8.

The peak hour traffic flow for this development will be offset from normal work hour travel times (4 PM to 6 PM). Anticipated peak hour traffic flow for the proposed development will be between the hours of 6 PM to 11 PM.

Traffic Projection Tables Rivershore Recreation Facility

Phase I - Weekday Evening

USE	NO. OF UNITS	DAILY TRIP ENDS	PEAK HOUR IN/OUT
Softball	4 fields	564	70/70
Volleyball	5 courts	128	32/32
Basketball	5 courts	128	32/32
Horseshoes	5 pits	64	16/16
Golf Drvg. Rng.	20 Tees	160	10/10
Prac. Facility		50	10/10
Camping	50 Sites	150	30/10
Total		1244	200/180

Phase II Weekday Evening

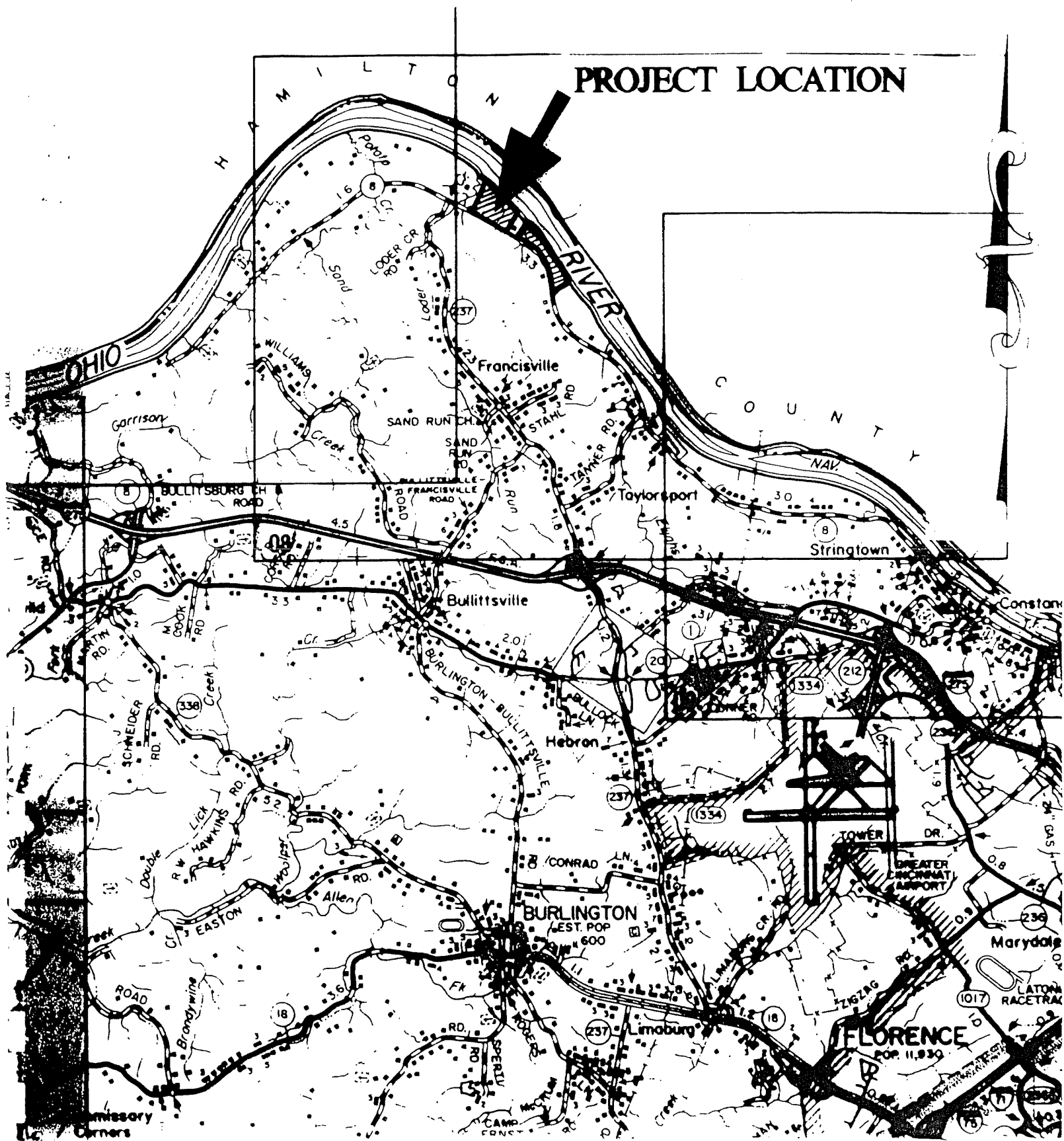
USE	NO. OF UNITS	DAILY TRIP ENDS	PEAK HOUR IN/OUT
Phase I		1244	200/180
Rest./Clbhse.	100 seats	286	11/11
Marina	50 slots	150	3/6
Softball	2 fields	282	35/35
Soccer	2 fields	180	28/28
Total		2142	307/284

FIGURE 1

RIVERSHORE RECREATION FACILITY

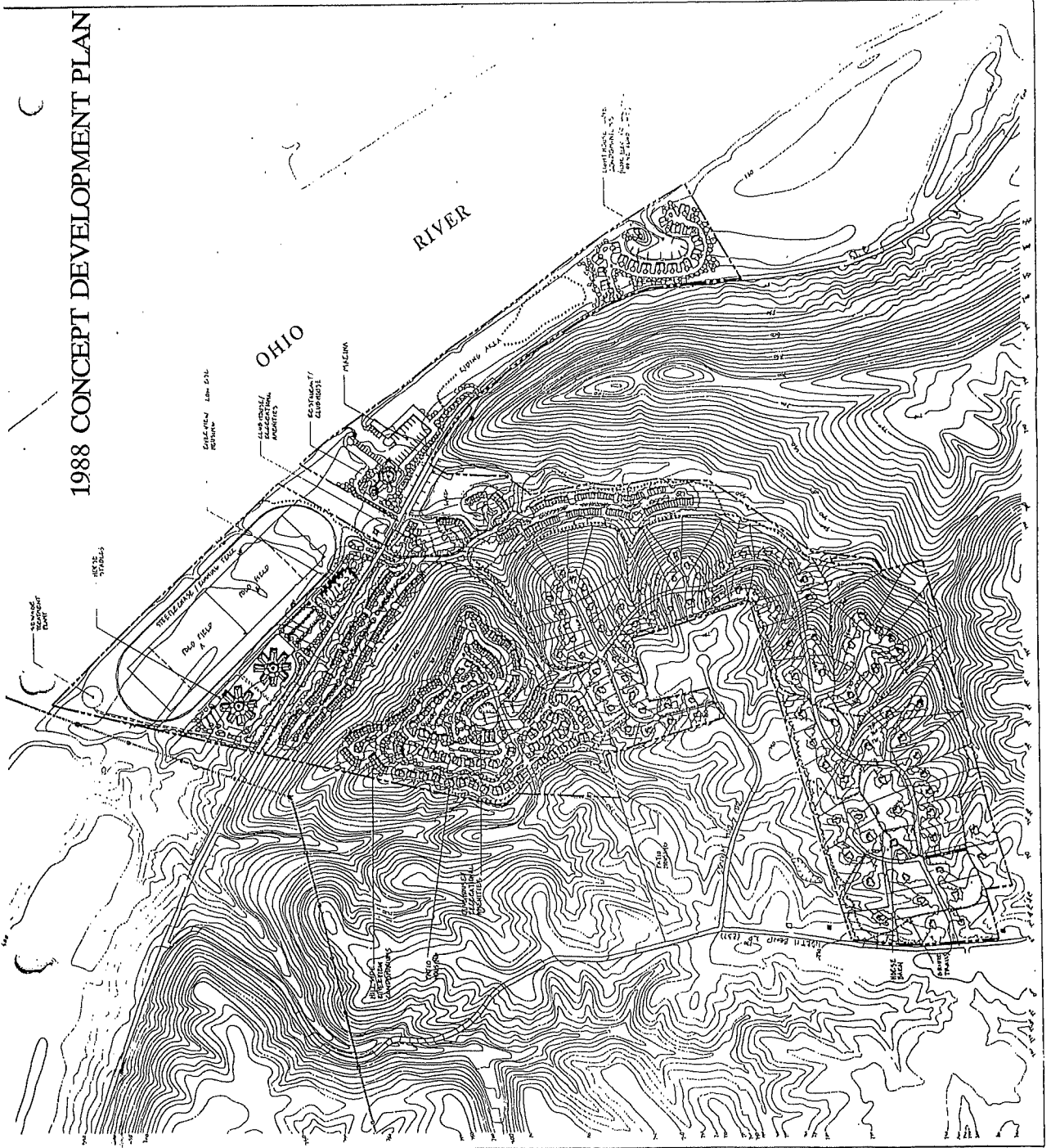
VICINITY MAP


NO SCALE

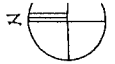


LAND PLAN

1988 CONCEPT DEVELOPMENT PLAN

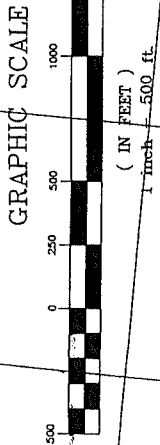
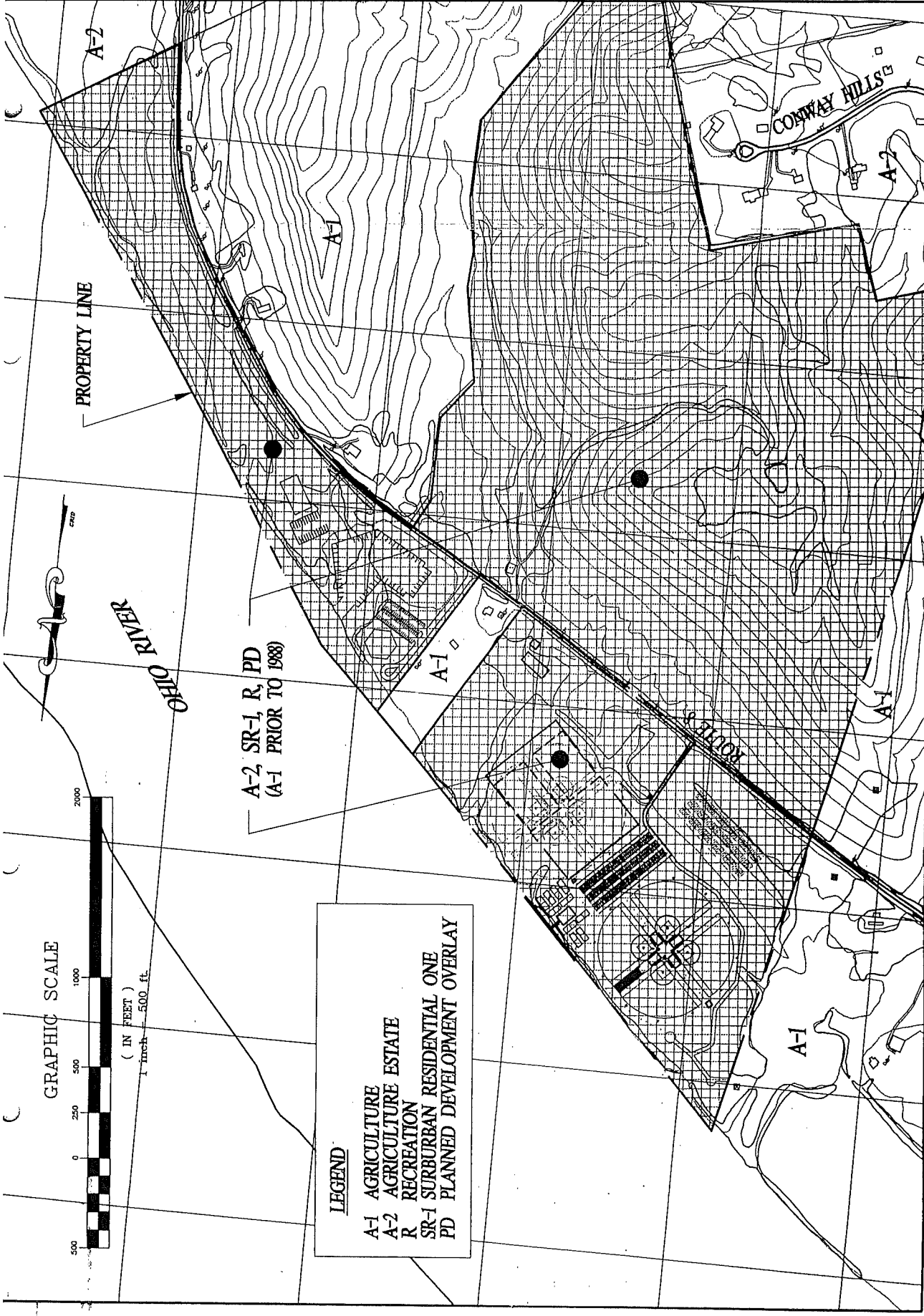


RIVERSHORE

F A R M S



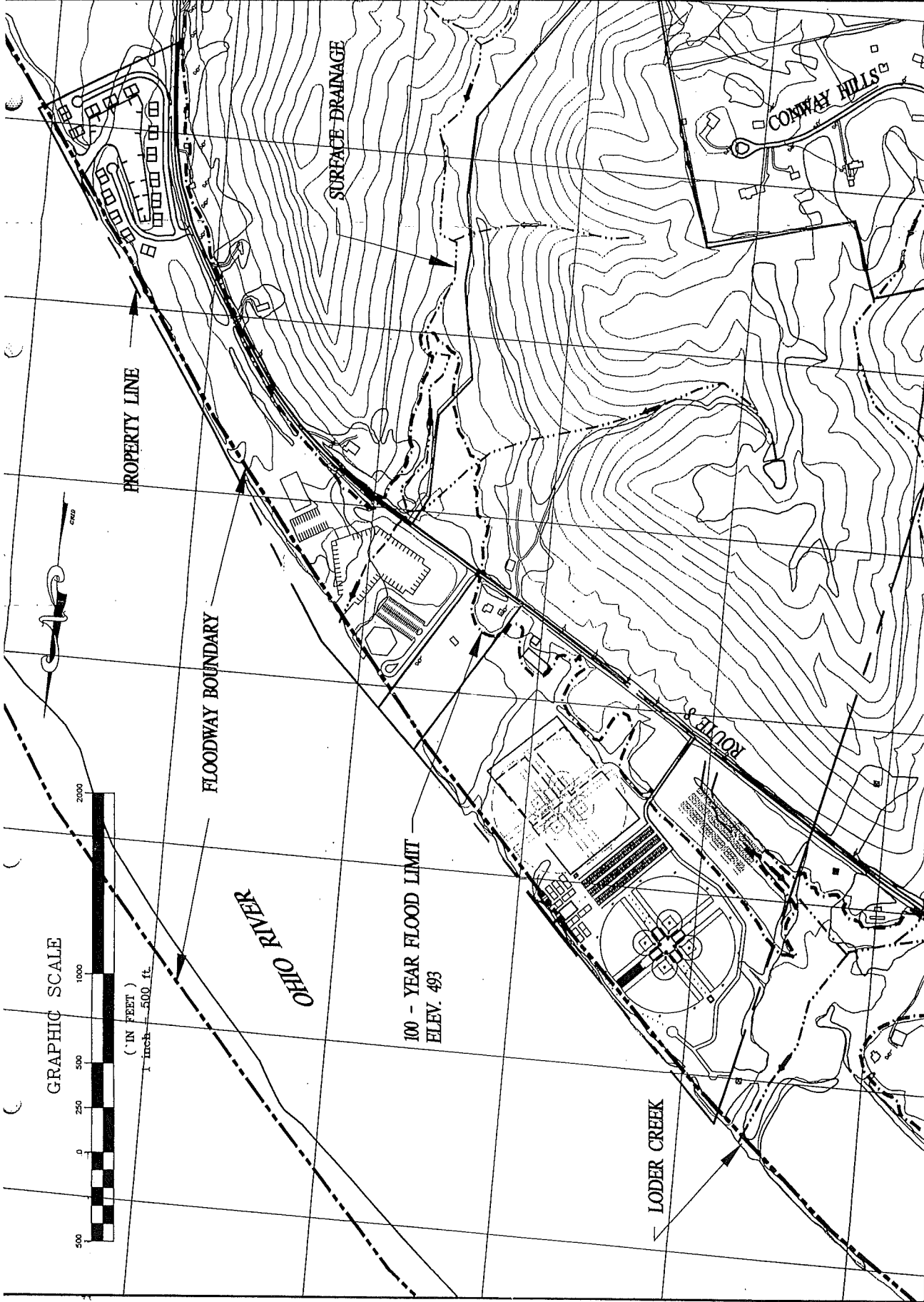
SCALE: 1"=800'

MENELAOS TRIANTAFILLOU & ASSOCIAT
LAND PLANNING & DESIGN, LAND DEVELOPME
7410 MONTECARY RD. CINCINNATI, OHIO 45226



LEGEND

- A-1 AGRICULTURE
- A-2 AGRICULTURE ESTATE
- R RECREATION
- SR-1 SUBURBAN RESIDENTIAL ONE
- PD PLANNED DEVELOPMENT OVERLAY



GRAPHIC SCALE



(IN FEET)
1 inch = 500 ft.

PROPERTY LINE

FLOODWAY BOUNDARY

OHIO RIVER

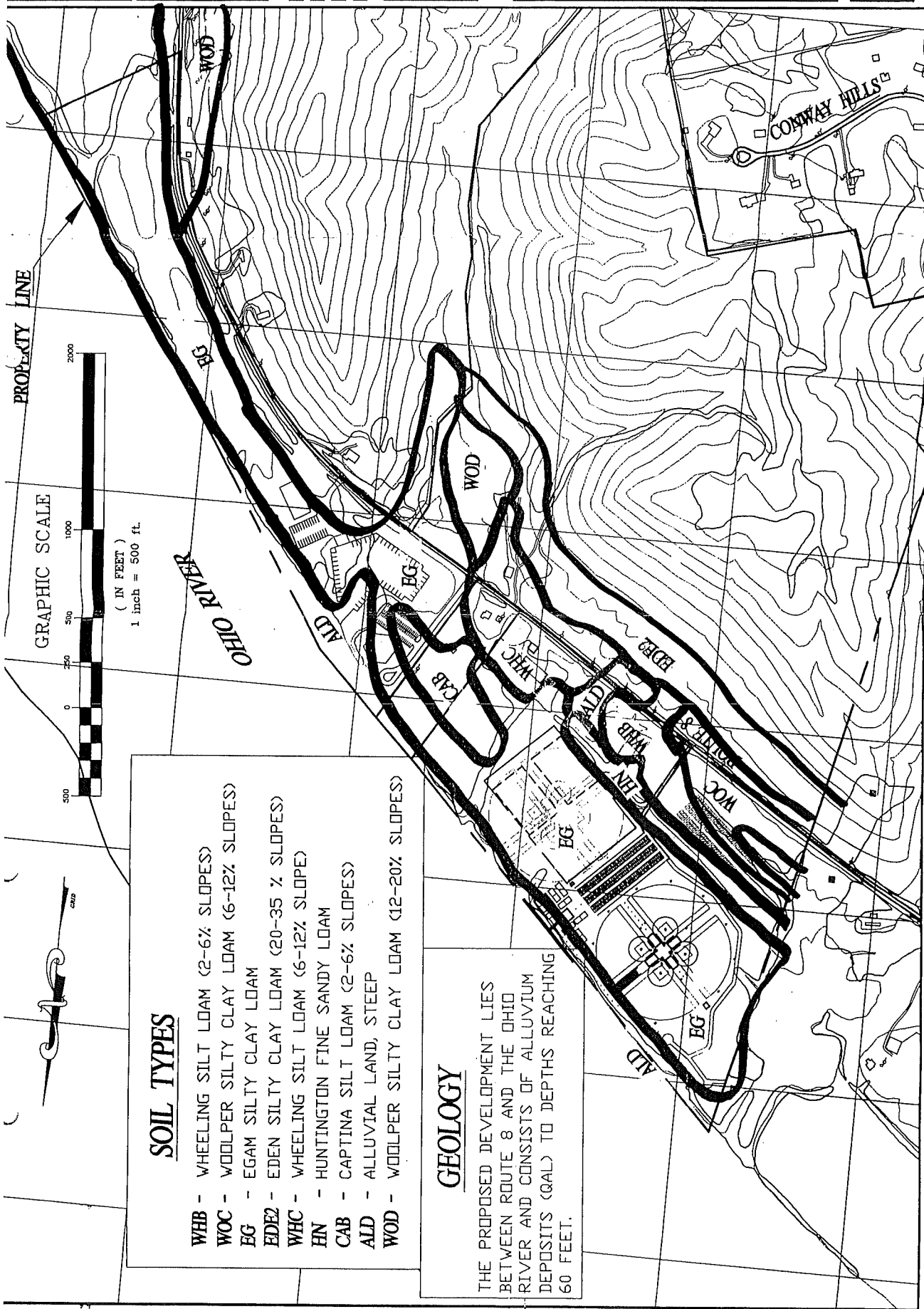
100 - YEAR FLOOD LIMIT
ELEV. 493

SURFACE DRAINAGE

LODER CREEK

ROUTE 8

CONWAY HILLS



SOIL TYPES

- WHB - WHEELING SILT LOAM (2-6% SLOPES)
- WOC - WOOLPER SILTY CLAY LOAM (6-12% SLOPES)
- EG - EGAM SILTY CLAY LOAM
- EDE2 - EDEN SILTY CLAY LOAM (20-35 % SLOPES)
- WHC - WHEELING SILT LOAM (6-12% SLOPE)
- HN - HUNTINGTON FINE SANDY LOAM
- CAB - CAPTINA SILT LOAM (2-6% SLOPES)
- AID - ALLUVIAL LAND, STEEP
- WOD - WOOLPER SILTY CLAY LOAM (12-20% SLOPES)

GEOLOGY

THE PROPOSED DEVELOPMENT LIES BETWEEN ROUTE 8 AND THE OHIO RIVER AND CONSISTS OF ALLUVIUM DEPOSITS (QAL) TO DEPTHS REACHING 60 FEET.

**RIVERSIDE
RECREATION
FACILITY**

RIVER ROAD
HERREN, KY

**CLINARD
BROTHERS
INVESTORS**

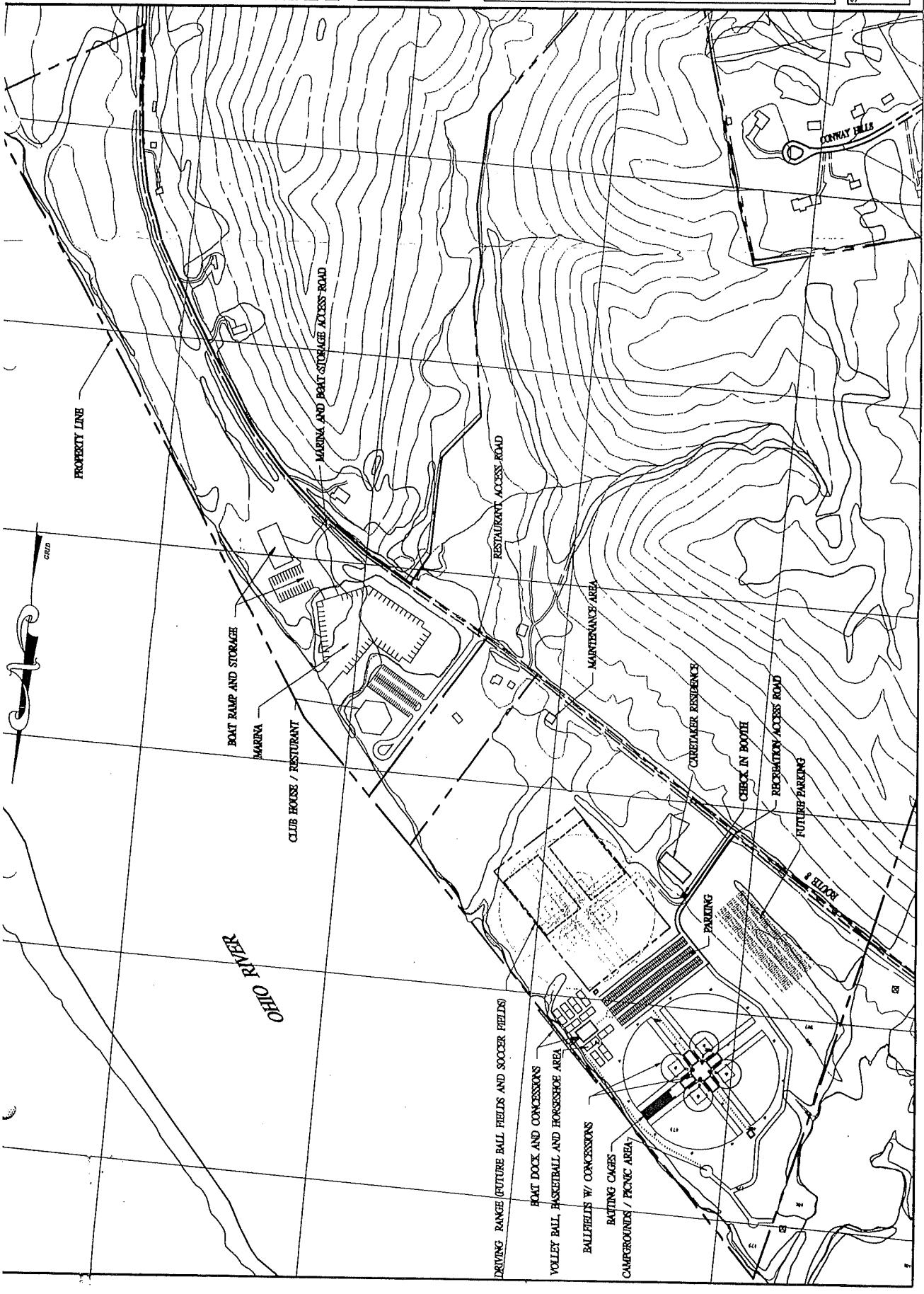
218 GARDNER STREET
COWARTON, KY 41011

PROJECT NUMBER: 89-1
 DRAWN BY: CDD
 CHECKED BY: CR
 DATE: 7/1/85

116.6902 ACRE SITI
 KY ROUTE 8
 DEED BOOK 566
 PAGE 32
 BOONE COUNTY, KY

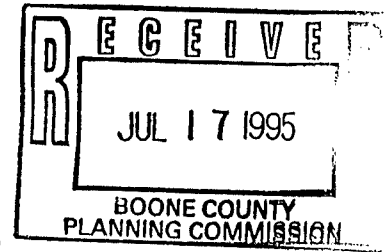
PROPOSED LAND USE

SHEET NUMBER
FIGURE 5



Drees

"The Good Neighbor Builder™ . . . Since 1928"



July 13, 1995

Mr. Kevin Wall, Director Zoning Services
Boone Co. Planning Commission
2995 Washington St.
Burlington, KY 41005

Re: Conrad Brothers Investors Proposal

Dear Mr. Wall:

The Drees Company has reviewed the Concept Plan and Project Summary for the "Rivershore Recreation Facility" and has concluded that the Concept Plan change as described in the proposal would be a proper use of the subject property consistent with the Comprehensive Plan, the recreational needs of the area and the limitations of the site due to its susceptibility to periodic flooding. On that basis we would encourage the Planning Commission to act favorably upon the application, subject to the resolution of certain "operational" issues.

Those "operational" issues which are of concern to The Drees Company as an adjacent owner of property across Route 8 which overlooks this development are as follows:

1. Maintaining the rural picturesque quality along Route 8;
2. Control of off-site glare from lighting during night time operation;
3. Control of sound emanating from P.A. systems and other on-site sources;
4. Reasonable hours of operation after dark;
5. Adequate on-site hard surface parking; and
6. Proper handling of on-site sanitation and garbage.

With these issues properly addressed through the direction of the Planning Commission, the proposal can be an asset to Boone County.

Thank you for the opportunity to comment on the proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Schoettelkotte". The signature is written in a cursive, flowing style.

Michael Schoettelkotte, Administrative Manager
Land Development

MS/lh

cc: Conrad Brothers Investors

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING

July 26, 1995
7:00 P.M.

PUBLIC HEARINGS

Commission members present: Mrs. Arnett, Mr. Kirby, Mr. McKinney, Mr. McMillian, Mr. Neltner, Mr. Ries, Mrs. Schaffer, Mrs. Smith-Secretary/Treasurer and Mr. Viox-Chairman.

Mr. William Viox, Chairman, called the meeting to order at 7:03 P.M. He advised that the items on the Agenda would be heard in the following order: Item 1, Item 3 and Item 2. The Committee Meetings for these items will be on August 7, 1995, at 4:00 P.M. in the second floor Conference Room in the Boone County Administration Building. The Chairman explained the Public Hearing process and introduced the first item on the Agenda:

1. Applicant: Jerry Jacobs for Conrad Brothers; Kevin Wall, Staff

Request: Change in Concept Development Plan - Phil Danstrom, Chairman;
Kevin Wall, Staff

The request of Jerry Jacobs (applicant) for Conrad Brothers Investors, (owner) for a Change in Concept Development Plan for an approximate 118 acre site, Rivershore Recreation Facility (Rivershore Farms site) The request is to modify the currently approved Concept Development Plan to allow athletic fields available for use by the general public and an Agricultural Estate/Suburban Residential One/Recreation/Planned Development [A-2/SR-1/R/PD] zone. The site is located on the north side of KY 8, Boone County, Kentucky, near KY 237.

Staff Member Kevin Wall presented the Staff Report which included a slide presentation (see Staff Report).

Greg Bretz, representing Jerry Jacobs and Conrad Brothers Investors, as a technical consultant in this project, stated that the comprehensive plan explains that it would be for recreational development. We have great opportunity for the county to meet some needs such as a sports complex for softball, volleyball, basketball, horseshoes, soccer, and things of that nature. Those activities are explained in Phase 1. Phase 2 involves a

marina, a clubhouse and a restaurant. These amenities will enhance the area and meet the wishes and requirements of the comprehensive plan.

Giles Conrad, developer, stated that they will do a good job and it will be a place to be proud of. They will not hurt any neighbors and they will take care of everybody. He notes that this project is good for his company, for Mr. Jacobs and for the community.

Greg Bretz noted that some parks got started and fell apart during the construction phase and didn't make a good show of quality development. There will be four fields with backstops and enhanced areas (covered areas) for the dugouts. The concession stand will be a sound structure that will be there for many years to come. They are looking into league play and are hoping to get as many leagues as possible. The interest generated from these fields will determine when the remaining fields will be completed. They estimate roughly 3-4 years. They are trying to forecast the growth of Boone County in this area, and the potential along 237. They think these fields will suit the needs of the people in this area.

Carol O'Brien stated that she lives in the farmhouse in the middle. She reports that she favors this plan. She has two questions: 1. Where are the septic systems going to be placed? and, 2. Will alcohol be sold at the concessions? She is concerned because there have been fatal accidents along there because of alcohol. She reports that drag racing does occur in that area and she has witnessed several fatal accidents.

Susan Cabot, the Historic Preservation Planner for the Boone County Historic Preservation Review Board, stated that in 1992 there was a pipeline project that went through this site. There was an initial archeological survey done in the flood plain area. The flood plain area is a very common place in Boone County to locate prehistoric Indian remains. During the survey for the pipeline there were over 20 prehistoric and historic archeological sites located that were determined potentially eligible for listing in the National Register. What the pipeline company did was slightly alter their route. Those sites are still there. Overall, the Historic Preservation Review Board believes that the proposed plan would be good for the area, but are concerned about what will happen with those sites, and would like to request that some archeological survey be undertaken by the applicant, especially in the areas that are going to be the most disturbed. Within the sports complex there will be some areas that really won't require a lot of digging and won't be real disturbed. The review Board would like to work with the applicant on that. Additionally, aside from the archeological concerns, Route 8 is a real special place in Boone County now. It's a place that is one of the most popular places to take out-of-town visitors, it is probably the most popular bike route in the tri-state area. The Review Board submitted a project to designate Route 8 as a Kentucky Scenic Byway,

and that is currently under consideration by the Department of Transportation. They want this development to be compatible with the existing character of Route 8, which is what the developers want to see happen. They request that special measures be taken, and perhaps, special restrictions be placed by the Commission that assures that that will happen and this continues to be a quality area for Boone County.

Ralph O'Brien noted that the bicycle route is very heavily used on weekdays and very much used on weekends. It is kind of hazardous now. He encourages the Commission to petition the State, or whoever is in charge of such ventures, to consider a bicycle route parallel with the state route. He noted that he thinks Conrad's development concept is very well planned and that the compatibility with the natural existence and beauty of that area would be maintained by this development plan, but encourages the Commission to consider the traffic in the development.

Mrs. Arnett requested the applicant to respond to concern #6 regarding the on-site systems used as opposed to the public water sewage system.

Greg Bretz reported that their investigation shows no service to this area. They have contacted the Board of Health to get some idea of what system they need to use. That system will be designed to handle the volume that is expected at these facilities. They do hope the water quality is sufficient, but they realize that there is a possibility they might have to treat the water. Those items will be researched as required.

Chairman Viox asked what would be the location of the sewer system.

Greg Bretz stated that they have looked at two areas. Eighty percent of the site lies within the flood plain area which limits the location of a treatment system to be below the flood plain area. The southwest corner was the area initially researched for the location. They might depend on the Board of Health's requirements.

Greg Bretz stated they are having concessions with alcohol.

Greg Bretz stated that if any federal monies are used in the project, archeological studies are required. He suggests that the Historical Society contact the owners. He doesn't know what has been done and doesn't know how many sites are actually on this property.

Greg Bretz reported that the bike route would be a concern of the County. He agrees that a lot of bikers use this route. He suggests that the County look into some soft of path for these people.

Chairman Viox noted that there are some letters attached to the packet regarding lighting in the area.

Greg Bretz recognized the letter from Drees, who owns the property to the south, does not have immediate plans to follow through with the concept. Their overall comment was positive and they recommended that the site be approved. Their major concerns were the lighting, the noise and parking. Lighting systems have been looked into. They are considering shading and costs. For safety concerns, they will be installing a PA system to be used for announcements. It will not be used for game announcements (play-by-play). Adequate parking areas will be available. They have 300 parking spaces in the initial development. This should be sufficient for the first phase. Future parking lots are planned. Hours of operation are not yet planned. They are hoping for 3-4 games per evening with a time frame between 6:00 P.M. and 11:00 P.M. on week nights. During tournament play, the activities will start earlier in the morning.

Chairman Viox stated that Ms. Cabot's concern about the application for the Kentucky Scenic Byway corresponds with "Maintaining rural picturesque quality along Route 8." from the Drees letter.

Greg Bretz responded that any type of development will change the picturesque view of any area and in this development. With the location of the fields being down on the lower areas by the river, there will be a concession stand and a dock area. Considering the area involved, there will be very little construction. The athletic fields themselves promote green space.

Mr. Neltner asked what type of campgrounds will be near the western part of the site.

Greg Bretz stated that the campground concept was initially intended for the ball players who would spend the night during tournaments. Now we are looking at the idea of providing camping to be listed with AAA which would allow camping year round.

Mr. Neltner noted the road network in the campground area, it appears that one of the roads is out of the property line.

Greg Bretz responded that this area was discussed with the owners of that area about additional camping. There has been no progress in that area.

Mr. Neltner asked if the campground would be protected by trees.

Greg Bretz stated that the initial idea is to develop a campground with some landscaping. They haven't come up with any landscaping. He also reports that they are planning about 50 campsites. They haven't been laid out yet as to size. They have to meet with AAA for size requirements. The ball field is their primary concern at this time.

Greg Bretz noted that the submitted hydrology map included the initial condominiums and river support. That is false information. We can scratch that off.

Mr. Wilson explained the process for Committee Meeting.

There being no further comments, Chairman Viox stated that the Committee Meeting for this item will be on August 7, 1995, at 4:00 P.M. in the second floor conference room of the Administration Building. Possible action will be August 16, 1995, at 8:00 P.M. in this room.

The Chairman closed this public hearing.

APPROVED:



William R. Viox, Chairman

Attest:



Ann Sitavich
Substitute Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING
BOONE COUNTY ADMINISTRATION BUILDING
August 16, 1995
8 P.M.

Mr. Fred Burch, Vice Chairman, called the meeting to order at 8:05 P.M..

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett
Mr. William Bailey
Mr. Fred Burch, Vice Chairman
Mr. Phil Damstrom
Mr. Robert Kirby, Jr.
Mr. Mike McKinney
Mr. Don McMillian
Mr. Bob Millay
Mr. Barry Neltner
Mr. Robert Ries
Mr. Ralph Rush
Mrs. Linda Schaffer
Mr. William Viox, Chairman (arrived at Item #4)

COMMISSION MEMBERS NOT PRESENT:

Mrs. Carol Smith, Secretary/Treasurer
Mr. Earl White

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Ms. Susan Cabot, Historic Preservation
Mr. Jeff Hayes, AICP
Ms. Jan Hancock, Secretary
Mr. Mitch Light
Mr. Kevin Wall, AICP

There being no discussion, Mr. Kirby moved by resolution to the Boone County Fiscal Court that the request be approved based on the Staff and Committee Reports. Mr. Ries seconded the motion and it carried unanimously.

5. Change in Concept Development Plan

The request of Jerry Jacobs (applicant) for Conrad Brothers Investors (owner) for a Change in Concept Development Plan for an approximate 118 acre site, Rivershore Recreation Facility (Rivershore Farms site). The request is to modify the currently approved Concept Development Plan to allow athletic fields available for use by the general public in an Agricultural Estate/Suburban Residential One/Recreation/Planned Development (A-2/SR-2/R/PD) Zone. The site is on the north side of KY 8 near KY 237, Boone County, Kentucky.

Staff Member Kevin Wall advised that the Committee met just prior to the Business Meeting. He presented that Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). He stated that the applicant has signed a statement agreeing to the conditions. He advised that Mr. McKinney did not sign the Committee Report as he did not agree with it.

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

Mr. Ries stated that the Commissioners did not receive a copy of the Committee report and, therefore, he cannot refer back to what was read by Mr. Wall. He questioned the lights. He noted that it was said that there would be a game going on at midnight and commented that some softball games can go two and a half hours. He questioned if there would be lights on until 2:30 A.M..

Mr. Damstrom advised that the last game can not start past 10:15 P.M. and 12 o'clock on the weekends. Mr. Burch advised that the ballfields are hundreds and hundreds of feet away and it is 700 feet to Route 8. He stated that there can be no houses until the other side of the road and there is nothing there now -- although there could be in the future.

Mr. Ries advised that at the Public Hearing people were concerned about the lights. He stated that if those people were present and knew the lights could be on until 2:30 A.M. on the weekends, that could be very disturbing to them. He stated that you can be very far from a baseball field and still see the bright lights.

Mrs. Schaffer stated that someone requested that the PA system be limited to emergencies and not used for game calls. Mr. Burch advised that the Committee has been assured that that will be the situation. Mrs. Schaffer stated that it is important for it to be a condition.

Mrs. Schaffer questioned no outdoor boat or trailer storage or it if will be limited. She asked if the applicant would be willing to dedicate a

ten-foot strip for the bicycle path parallel to the road. She noted that there is a road shown from the camping area to the adjacent area -- which would indicate expansion.

Mr. Jay Conrad stated that the PA system will be used for emergencies -- such as a car blocking other cars. He stated that he worked at a ball park and they used the PA system to say who is on what field and who the home team and visitors were, but that was the extent of it.

Mr. Burch asked if they call the games on the PA system. Mr. Conrad replied "no".

Mrs. Schaffer questioned boat and trailer storage.

Mr. Burch stated that the marina and the restaurant are in Phase II and the applicants have agreed to do nothing in Phase II until agreements are worked out between the Planning Commission and the state historic agency.

Mrs. Schaffer questioned the camping ground. Mr. Burch advised that it is in Phase I. Mrs. Schaffer stated that there could be storage of trailers there.

Mr. Conrad stated that it will be a short term campground for tournaments. Campers will stay the weekend and leave. It is a place to stay overnight.

Mr. Burch noted that there is agreement that they will buffer with various vegetation and trees.

Mr. McMillian asked if there is any intention of expanding the camping area. Mr. Conrad advised that there is open ground there that they are thinking of for tent campers. The Crisler property of about 1.5 acres is there and it is intended for tent campers. Mr. McMillian commented "not like River Ridge". Mr. Conrad responded "no". Mr. Conrad added that out towards the ballfield is for RV's. Mr. Wall advised that River Ridge was brought up in the Committee Meeting several times and the Committee was assured that that would not be the result.

Mr. Conrad stated that he has no plans for the tent campers to stay the week.

Mr. McKinney stated that he is concerned about the campground. He stated that this is billed as a Concept Plan modification to allow athletic fields -- which is one of the smaller uses of the plan. One of the more busy uses will be the campgrounds. He stated that there has been no discussion regarding restrictions and at the Public Hearing it was mentioned by the applicant that they were working with AAA to generate a program to get campers directed to the campground -- which does not have a relationship to softball. He questioned how many campers they want to attract for games with only four softball fields. He questioned who can say, if this property is sold next week or next year, that the owners of River Ridge will not buy it and have long term camping. It also opens the door to an expansion of the camping. He stated that he asked at the Committee Meeting how the current zoning exists to allow mobile homes and campers and there has been no information back on that question. Mr.

Burch replied that he did not recall the question being asked. Mr. McKinney stated that this is a very intensive use. He stated that it is difficult to understand how the money for utilities would be spent to accommodate softball for a three-month season out of every 12 months -- and the natural progression would be to allow people to pay rent and leave their camper there all year. He stated that it was brought up at the Committee Meeting that this is part of the scenic Route 8 and there might be a lot of travel trailers using the campground. He is in favor of the ball complex, but is concerned about the portion related to the campground area and the travel trailers.

Mrs. Arnett asked if the Commission has to act at this time and noted that the Commissioners do not have a copy of the Committee Report.

Mr. Wall advised that there is a time problem. When a project is in the PD overlay, the Commission has 30 days after the hearing to make a decision -- unless the applicant is willing to waive the time limitations.

Mr. Ries stated that it is difficult for the Commissioners to consider all the information without having a Committee Report in front of them. The Commissioner's have nothing to refer to. He recommended a deferral -- if the applicant will waive the time limitations -- so that the Commissioners can read the Committee Report and make an intelligent decision. He advised that he was here early to read the Committee Report, but it was not available. Mr. Burch advised that that was due to the fact that the Commission has 30 days to act on the request without agreement from the applicant to extend the time. Mr. Ries questioned why the request has taken so long. Mr. Burch advised that the request was delayed primarily due to archaeological matters on the site. The applicant and the Historic Preservation Officer were not able to come to terms at the first Committee Meeting and the matter was postponed. At the time, the Committee thought it was 90 days -- but because it is a PD, it is only 30 days. The Committee met this evening prior to the Business Meeting and it was agreed that the developers would not do any grading or work in the area of the archaeological concerns, but they could go ahead and do the ballfields and camping areas without affecting that area -- which is primarily the area of the marina and restaurant. He stated that they cannot go east of the O'Brien property due to possible archaeological situations. If those issues had not come up, there would have been a report from the first Committee meeting and it would have been sent out in the mail. The 30 days will be up on August 26. Mr. Ries stated that he understands the problems, but it is nice to have a Committee Report in front of you.

Chairman Viox stated that the Commission could take a short recess and the Committee Report could be copied and handed out.

Mr. Ries stated that he thinks this could have been done in 30 days. Chairman Viox stated that he does not know of any other Planning Commission in Greater Cincinnati that hands out Committee Reports. The report is done verbally and the Staff makes their recommendations. Most of the Planning Commissions have a Public Hearing, and then it is closed and they have a meeting and vote. He questioned where they sometimes come up with their findings. Chairman Viox stated that this is an instance where we have 30 days and we are down to the wire.

Mr. Burch stated that the issue that held it up had nothing to do with the issues this evening -- the lighting, sound, etc. -- it was the archaeological situation on the site. The Committee did not know about the 30-day situation until the last minute. The Committee felt that it was necessary to have a report this evening and that is why they met just prior to the Business Meeting. He stated that Mr. Wall asked him if he should take more time and make copies for everyone and he told him that there would not be time to read the report and not to take the time to do it.

Mr. Kirby stated that the Committee Report said the lighting would be limited to one foot candle light at the road -- which is pretty bright. Mr. Millay stated that one foot candle is very little light. Mr. Wall read from the Committee Report in this regard. Mr. Burch stated that the light is on the other side of Route 8 before any residential housing can happen.

Mr. Kirby stated that the other side of Route 8 is 30 or 40 feet, which is not much. He stated that lighting diagrams go down to one-tenth of a foot candle and one foot candle is a measurable amount. He questioned the PA system and stated that in the river valley the sound carries quite a bit and neighbors across the river are also affected. He asked if the applicant would be willing to say that the PA system is strictly a limited use. Mr. Conrad replied "yes" and added that it is very minimal impact. Mr. Kirby asked that it be a condition. Counselor Wilson advised that to be enforceable, it would have to be in writing. Mr. Conrad replied "that's fine". Mr. Burch stated that an addition will be made to the Committee Report in this regard and noted that the applicant has indicated that he will be willing to sign it.

Mrs. Schaffer stated that the adjacent property is A-1 and in A-1 there can be storage of recreational vehicles as an accessory use. She questioned the bike path being a condition. She asked if there had been an answer to the question raised by Mr. McKinney in regard to the mobile homes.

In response to a request from Chairman Viox, Mr. Wall read the conditions again.

Chairman Viox questioned, in regard to Mr. McKinney's concern, if the applicant would agree to a time period for a mobile home -- such as a week or two weeks. Mr. Conrad replied "one week is fine". Chairman Viox suggested a condition that an RV cannot remain on the premises for more than one week whether inhabited or uninhabited. Counselor Wilson advised that a legitimate basis for that condition is that it would be in keeping with the primary use of the zone change for recreational and not for housing.

Mr. McKinney questioned storage of uninhabited RV's. He noted that people could rent in 52 increments to get around the one-week restriction. Chairman Viox explained that he is saying that any RV must leave the premises after a week.

Mr. McKinney stated that his concern is that once this is allowed it will spread. He believes Mr. Conrad will do a good job -- but he will not have it forever. He stated that the people at River Ridge Park thought they were going to do something special when they started, but it is a blight.

Chairman Viox stated that the condition would be one week with the language to be determined by Counselor Wilson and Mr. Wall. Mr. Wall added the condition to the Committee Report.

Mr. Burch stated that there have been two additions to the Committee Report (1) in regard to the one-week stay for campers and (2) in regard to the PA system not to be used to call the games. He asked for a vote on the motion made by Mr. Millay to approve the request based on the Committee Report. A vote on the motion found Mrs. Arnett, Mr. Bailey, Mr. Burch, Mr. Damstrom, Mr. Kirby, Mr. McMillian, Mr. Millay, Mr. Rush, Mrs. Schaffer, and Chairman Viox in favor. Mr. McKinney and Mr. Ries were opposed. The motion carried by a vote of 10 to 2.

Chairman Viox chaired the meeting at this time and introduced Item #6:

6. Houston-Donaldson Study Review

The request of the Long-Range Planning/Comp Plan Committee to determine the review process for Karate Fitness America and Florence Advanced Pre-School (applicants) as outlined in the Houston-Donaldson Study. The 1.5-acre site is located at 7450 Woodspoint Drive, Florence, Kentucky and is zoned Commercial Services/Planned Development (C-3/PD).

Staff Member Mitch Light advised that there are two Committee Reports in regard to this request. He presented Committee Report #6 which recommended that the proposal in regard to the karate school at 7450 Woodspoint Drive follow the short review process described in the Houston-Donaldson Study based on the findings of fact, but subject to conditions (see Committee Report).

In response to a question from Mrs. Schaffer, Mr. Light explained that the first Committee Report (#6) is in regard to the karate school at 7450 Woodspoint Drive only and the second Committee Report (#6A) is in regard to the karate school at 7450 Woodspoint Drive and the advanced pre-school at 7490 Woodspoint Drive, which are on the same lot. The applicant wants to have 7450 Woodspoint Drive as the karate school and had to come back before the Commission because there was a use approved for that site that they want to change with the short process. The other application is for the two uses for the site, which changes the intensity -- and there are questions about that, and they need to go through the long process. There are two applications and two uses proposed for the site in Committee Report #6A.

Mrs. Schaffer questioned why the requests cannot be done with one Committee Report. Mr. Damstrom explained that the Committee agreed with one application and not with the other. Mr. McKinney advised that the application the Committee agreed with was for the karate school only and that it can go through the short process.

EXHIBIT "B"

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Phil Damstrom, Chairman

DATE: August 16, 1995

RE: Request of Jerry Jacobs (applicant) for Conrad Brothers Investors (owner) for a Change in Concept Development Plan for an approximate 118 acre site, **Rivershore Recreation Facility** (Rivershore Farms site). The request is to modify the currently approved Concept Development Plan to allow recreational uses in an Agriculture Estate/Suburban Residential One/Recreation/Planned Development (A-2/SR-1/R/PD) zone. The site is located on the north side of KY 8, near KY 237, Boone County, Kentucky.

REMARKS:

We, the Committee, recommend approval of the above referenced request based upon the following findings of fact and with the following conditions:


FINDINGS OF FACT

1. The Committee has concluded that the proposed Change in Concept Development Plan is in agreement with the 1995 Boone County Comprehensive Plan, which designates the site for Recreational uses, and that the proposal is in agreement with the objectives of Article 15 "Planned Development District" of the Boone County Zoning Regulations. In addition, the proposal is in agreement with the Comprehensive Plan's direction regarding the provision of multi-purpose outdoor recreational/athletic field complexes and the provision of campgrounds in conjunction with public recreational facilities. The Committee also recognizes that the proposal complies the Comprehensive Plan's objectives regarding the use of the Ohio riverfront area for recreational and open space purposes.
2. The Committee has concluded that the proposed marina and clubhouse/restaurant shown on the proposed Concept Development Plan are substantively the same as those already approved for the site in question.
3. The attached conditions are necessary to achieve consistency with the Boone County Comprehensive Plan and Article 15 "Planned Development District" of the Boone County Zoning Regulations, and to mitigate foreseeable community impacts that might be created by the proposal that would affect the uses on the project site and the varying uses adjacent to the project site. The applicant has signed a letter agreeing to these conditions.

CONDITIONS


The applicable conditions are listed in the attached document that is marked as "Rivershore Recreation Facility, Conditions of ~~Approval~~ **FOR COMMITTEE REVIEW MEETING, AUGUST 16, 1995.**"

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.



Phil Damstrom, Chairman

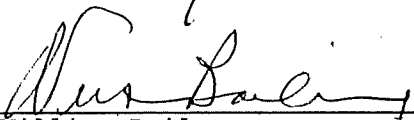
Barry Neltner



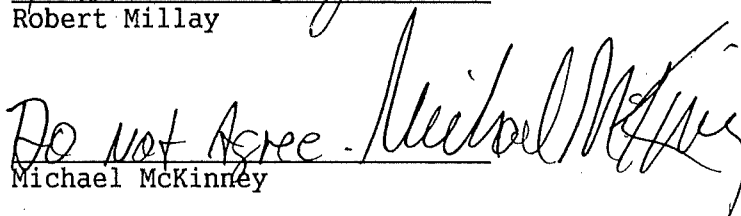
Fred Burch



Robert Millay



William Bailey



Do not Agree - Michael McKinney
Michael McKinney

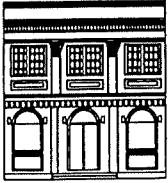
KTW/par

RIVERSHORE RECREATION FACILITY
CONDITIONS FOR COMMITTEE REVIEW MEETING
AUGUST 16, 1995

1. Lighting for the ballfield areas shall consist of metal halide type illumination and shall be controlled to where there will be no measurable light (less than 1 foot candle) at or beyond the right of way lines of KY 8 (River Road).
2. All athletic activities shall be restricted so that no game shall begin after 10:15 PM on weekdays and 12:00 AM (midnight) on weekends.
3. For the purpose of screening the campground area, landscaping shall be provided that consists of one row of evergreen trees that have a planting height of 6 feet and that are spaced 15 feet apart, and one row of deciduous trees that have a 2 inch caliper planting size that are spaced 25 feet apart. The landscaping screen shall begin at the westerly property line approximately 750 feet south of the northwest property corner thence southeast along the southern extents of the proposed campground for a distance of approximately 90 feet; thence in a northeasterly direction 25 feet northwest of and along the northwest fence lines of the proposed ballfields a distance of 500 feet. Said screen shall be retained from all boundaries designated as ingress/egress and buildings for a distance of 20 feet.
4. The developer agrees to continue to work with Staff and the State Historic Preservation Office regarding any grading work and associated archaeological work in Phase II (marina and restaurant/clubhouse area) until an agreement can be reached between the developer, Historic Preservation Planner, and the State Historic Preservation Office regarding such work.
5. The PA system shall be used only for urgent matters, such as emergencies, and shall not be used for providing commentaries for games in progress.
6. To further the purposes of the Recreation zone as an appropriate location for temporary and transient dwellings, recreational vehicles or campers may be kept in the campground for a maximum of one week and then must be removed from the site, regardless of whether they are inhabited or uninhabited.

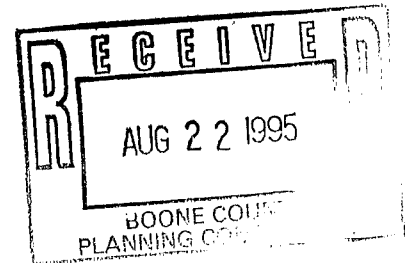
SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005
606-334-2196 FAX 606-334-2264

August 17, 1995



Mr. Jerry Jacobs
5173 River Road
Hebron, KY 41048

RE: Conditions of Approval for Change in Concept Development Plan;
Rivershore Recreation Facility, KY 8 near KY 237, Boone
County, Kentucky

Dear Mr Jacobs:

The following represents the conditions of approval for the above referenced application as agreed by you, Mr. Conrad, and the Planning Commission at the Commission's Business Meeting held on August 16, 1995. Please sign in the space provided below so that the application may be forwarded to the Boone County Fiscal Court in an expedient manner.


Conditions of Approval

1. Lighting for the ballfield areas shall consist of metal halide type illumination and shall be controlled to where there will be no measurable light (less than 1 foot candle) at or beyond the right of way lines of KY 8 (River Road).
2. All athletic activities shall be restricted so that no game shall begin after 10:15 PM on weekdays and 12:00 AM (midnight) on weekends.
3. For the purpose of screening the campground area, landscaping shall be provided that consists of one row of evergreen trees that have a planting height of 6 feet and that are spaced 15 feet apart, and one row of deciduous trees that have a 2 inch caliper planting size that are spaced 25 feet apart. The landscaping screen shall begin at the westerly property line approximately 750 feet south of the northwest property corner thence southeast along the southern extents of the proposed campground for a distance of approximately 90 feet; thence in a northeasterly direction 25 feet northwest of and along the northwest fence lines of the proposed ballfields a distance of 500 feet. Said screen shall be retained from all boundaries designated as ingress/egress and buildings for a distance of 20 feet.

Mr. Jerry Jacobs
August 17, 1995
Page 2

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5. The PA system shall be used only for urgent matters, such as emergencies, and shall not be used for providing commentaries for games in progress.
6. To further the purposes of the Recreation zone as an appropriate location for temporary and transient dwellings, recreational vehicles or campers may be kept in the campground for a maximum of one week and then must be removed from the site, regardless of whether they are inhabited or uninhabited.

Sincerely,

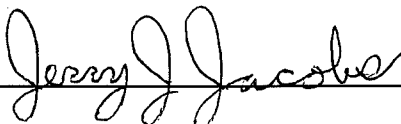


Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

Agreement

I, the applicant, agree to the above listed conditions of approval for the requested Change in Concept Development Plan for Rivershore Recreation Facility, north side of KY 8 near KY 237, Boone County, Kentucky.

Jerry Jacobs, Applicant  8/19/95
Date

MINUTES
BOONE COUNTY FISCAL COURT
September 26, 1995
5:30 P.M.

determined that more time was needed to research this matter. Judge Lucas closed the Public hearing at 7:20 p.m.

Commissioner Meihaus then moved, seconded by Commissioner Patrick, to defer Second Reading of Ordinance No. 920.320, an ordinance of the Boone County Fiscal Court to consider the request of Smith, Stevens, & Young, Inc. (Applicant) for Industrial Developments International (Owner) for a change in an approved Concept Development Plan, with conditions, in an Industrial One/Office Two/Commercial Services/Planned Development (I-1/O-2/C-3/PD) zone for an approximate 11 acre site known as Lots 2 and 3, Airport Exchange Business Park, Boone County, Kentucky, as recommended unanimously by the Boone County Planning Commission via Resolution No. R-95-032-A, to Tuesday, October 17, 5:30 p.m., and to direct the Fiscal Court Clerk to readvertise Second Reading for that time. Judge Lucas called for a vote of the motion, Commissioner Campbell voted NO, ALL OTHER PRESENT VOTING AYE.

Judge Lucas asked that each party limit their presentation to fifteen minutes at Second Reading on October 17th.

ORDINANCE NO. 920.321 - JERRY JACOBS/CONRAD BROTHERS INVESTORS

Judge Lucas read a summary of Ordinance No. 920.321 and declared a Public Hearing open at 7:22 p.m. Subsequent to a very brief discussion, Judge Lucas closed the Public Hearing at 7:24 p. m.

Commissioner Patrick moved, seconded by Commissioner Campbell, to approve on Second Reading Ordinance No. 920.321, an ordinance of the Boone County Fiscal Court to consider the request of Jerry Jacobs (Applicant) for Conrad Brothers Investors (Owner) for a change in an approved Concept Development Plan, with conditions, in an Agricultural Estate/Suburban Residential One/Recreation/Planned Development (A-2/SR-1/R/PD) zone for an approximate 118 acre site, Rivershore Recreation Facility, located on the north side of KY 8 near KY 237, Boone County, Kentucky, as recommended by the Boone County Planning Commission (10-2) via Resolution No. R-95-033-A. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING. Exhibit "B"

ORDINANCE NO. 920.283A - ARLINGHAUS

Judge Lucas read a summary of Ordinance No. 920.283A and declared a Public Hearing open at 7:27 p.m. Hearing no discussion, Judge Lucas closed the Public Hearing at 7:28 p. m.

Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve on Second Reading Ordinance No. 920.283A, an ordinance of the Boone County Fiscal Court amending Ordinance No. 920.283, to approve the recommendation, to remove Condition #4 previously required by the Fiscal Court when adopting Ordinance No. 920.283 (Boone County Planning Commission Resolution No. R-94-022-A) on September 7, 1994. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "C"