

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARINGS  
FEBRUARY 1, 2023  
7:30 P.M.**

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Chairman Charlie Rolfsen opened the Public Hearing at 7:30 p.m. and welcomed the audience to the Planning Commission's February 1, 2023 Public Hearings.

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mrs. Pamela Goetting  
Ms. Corrin Gulick, Vice Chairwoman  
Mr. Steve Harper, Temporary Presiding Officer  
Mr. David Hincks  
Mr. Rick Lunnemann  
Mr. Eric Richardson  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mrs. Jackie Steele, Secretary/Treasurer  
Mr. Tom Szurlinski  
Mr. Kenny Vaught

**COMMISSION MEMBERS NOT PRESENT:**

Mrs. Kathy Clark  
Mrs. Janet Kegley  
Mr. Steve Turner

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Michael D. Schwartz, Director, Zoning Services  
Mrs. Alaina Hagenseker, Planner

Chairman Rolfsen introduced the first item on the Agenda.

**ZONING MAP AMENDMENT, Alaina Hagenseker, Staff**

1. Request of **Jack Wells (applicant/owner)** for a Zoning Map Amendment from Rural Suburban Estate (RSE) to Recreation (R) for an approximate 1.2 acre area located along the west side of Ryle Road, approximately 0.9 miles southwest of Beaver Road, having a Parcel Identification Number (PIDN) of 031.00-05-010.00. The request is for a zone change to allow a campground.

Staff Member, Alaina Hagenseker, referred to her PowerPoint presentation. The site is located off Ryle Road. There is an existing camper on the property as well as a shed. The site contains 1.98 acres and is located on the west side of Ryle Road. The site has approximately 110 feet of road frontage. She showed photographs of the site. There was a home on the property. The site is in the flood plain and is surrounded by single family dwelling units. The request is to rezone the site from RSE to Recreation (R) to allow a campground camper. The site is designated for Rural Density Residential (RD) land uses. Pages 2 and 3 of the Staff Report include references to the Comprehensive Plan. A gravel driveway serves the camper. The request is the result of a zoning violation in which the applicant installed a fence and a camper without a principally permitted use or structure. Page 5 of the Staff Report outlines Staff concerns/issues. The first issue is the allowance of a gravel driveway. The applicant can pave it or apply for a waiver. Buffer Yard C would also be required around the perimeter of the site unless a waiver is requested and granted. A comment was received from the public of which is attached to the Staff Report. Staff had a few questions about the proposal. First, would the existing shed be removed? Would the property be turned into a campground for others? What are days and hours of operation? What is the maximum number of campers on the site? Finally, the existing fence must meet the code requirements. It needs to be removed, lowered and a variance needs to be pursued.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with his presentation?

Mr. Jack Wells, applicant, stated that he heard the concerns and wanted to inform the Board that the property deed allows him to have a house trailer or two campers. The gravel driveway is existing. He just added more gravel. He removed a cabin from the property. He cleaned up the property. The only intent for the property is to have one camper on the property. It is not a campground.

Chairman Rolfsen asked if anyone in the audience had any comments or questions?

Mr. Michael Lemox, 12491 Ryle Road, stated that what Mr. Wells is doing doesn't bother him. He doesn't want neighbors as he moved out of the city. He likes quiet. He likes the proposed zoning because it will be quiet – no one living there and it will be quiet. It really isn't a campsite. Mr. Wells causes no harm and keeps the property up.

Mr. Jon Soper, 12640 Ryle Road, stated that he and his wife own 11 lots along Ryle Road including the nasty house next to the property in question. He is in favor of the request. It is a

recreational area. He has lived in the area for 25 years. He had a camper too until he built his house. Properties in the area have been used for personal retreats away from the busy area of the County. Every Sunday morning, you hear guns go off and people don't complain. We are used to fireworks going off. It is a recreational thing. The site had so much trash – tires and barrels. Mr. Wells has done a good job cleaning it up.

Chairman Rolfsen asked if any Commissioners had any questions or comments?

Mr. Schwenke asked what happens years from now? Can we put limitations on the use for the future? Mr. Wells responded that he was okay with a condition limiting the number of campers to 1-2.

Mr. David Smith, 12920 Ryle Road, stated that he has one of the bigger homes along Ryle Road and he expressed a concern that the area would turn into a campground. If you let one, then you have to let another one in along the same road.

Chairman Rolfsen replied that each application is treated on an individual basis and knowing the impacts. Just because one is approved doesn't mean that more have to be approved.

Ms. Gulick asked if there was a history of allowing campers in this area? Is there a way to give the applicant an exception without a rezoning request?

Mrs. Hagenseker replied that one of the neighbors complained about the property to the Zoning Enforcement Officer. Campers are accessory in an RSE zoning district. Since there is no principally permitted use on the site, a camper is not permitted. By rezoning the property to Recreation (R), it would allow a camper to be a principally permitted structure or use. The property is located in a flood plain so a permanent structure would be difficult to build.

Mr. Hincks inquired about the property deed? Mr. Wells responded that the deed says he can have a house trailer or 2 campers with permission from the Planning Commission.

Mr. Wilson responded that the deed restriction does not take precedent over zoning. Deed restrictions are not public laws or regulations enacted upon by the Planning Commission and an elected body. The new property owner has to comply with both the deed restrictions and zoning.

Ms. Charlotte Curtis, 10776 Sewell Road, asked what defines a campsite? Is it a moveable camper or trailer? Mrs. Hagenseker read the definition of a recreation vehicle from the current zoning code. Mr. Schwartz explained that existing camper cannot be on a lot by itself. He described a campground. The applicant is only requesting 1-2 campers. It is being designated as a campground because it is a principally permitted use. If the applicant wanted to add more campers and amenities, he would have to go through the Public Hearing process again.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 15, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on March 1, 2023 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 7:53 p.m.

**APPROVED:**

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**Charlie Rolfsen**  
**Chairman**

**Attest:**

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**Kevin P. Costello, AICP**  
**Executive Director**

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mrs. Pamela Goetting  
Ms. Corrin Gulick, Vice Chairwoman  
Mr. Steve Harper, Temporary Presiding Officer  
Mr. David Hincks  
Mr. Rick Lunnemann  
Mr. Eric Richardson  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mrs. Jackie Steele, Secretary/Treasurer  
Mr. Tom Szurlinski  
Mr. Kenny Vaught

**COMMISSION MEMBERS NOT PRESENT:**

Mrs. Kathy Clark  
Mrs. Janet Kegley  
Mr. Steve Turner

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Michael Schwartz, Director, Zoning Services  
Mrs. Alaina Hagenseker, Planner

Chairman Rolfsen introduced the second item on the Agenda at 7:54 p.m.

**CONCEPT DEVELOPMENT PLAN AND ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT, Michael Schwartz, Staff**

2. Request of **7841 Mall Road LLC, per Jerry Atkins (applicant/owner)** for a Concept Development Plan and Zoning Map Amendment for a Special Sign District for an approximate 0.99 acre area located at 7841 Mall Road, Florence, Kentucky, which is zoned Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR). The request is for the redevelopment of the site, utilizing a portion of the right-of-way of Mall Road, and a Special Sign District to modify the requirements of building mounted and free standing signage.

Staff Member, Michael Schwartz, referred to his PowerPoint presentation. The request involves two parts: a Change in Concept Development and a Zoning Map Amendment for a Special Sign District. The site is located at the intersection of Cayton Road and Mall Road. It has 3 frontages – 185 feet along Mall Road, 207 feet along Connector Drive and 213 feet along Cayton Road. Mr. Schwartz described the site history. The site is located within the Mall Road District and information is provided on Page 6 of the Staff Report. The site is occupied by a 7,500 square foot retail/service building with 56 parking spaces. Access is currently provided by Connector Drive. Mr. Schwartz showed photographs of the site and adjoining properties. The site is currently zoned C-2/PD/MR. Page 2 of the Staff Report contains the applicable zoning regulations. The site is located in the 55 DNL for aircraft noise. The Future Land Use Map designates the site for Commercial (C) uses. Pages 3-5 of the Staff Report include references to the Comprehensive Plan. Mall Road is a city maintained road as well as Cayton Road and Connector Drive. Mr. Schwartz showed a photograph of the existing parking lot and Mall Road. This is important because the applicant is requesting to use some of the Mall Road right-of-way since some of the existing parking spaces will be removed due to a minor redevelopment in front of the building. This is identified in the previously approved Minor Site Plan. The existing building will also be refaced. Two free standing signs are also being sought. A Special Sign District is required because only one is allowed. Additional landscaping is planned in front of the building and along Mall Road and Connector Drive. Mr. Schwartz showed various building elevations. The applicant is proposing to remove the signage on the back of the building and replace it with new free standing signs on the sides of the building. These signs are 22.3 feet in height and 40.50 square feet in sign area. They have a mesh screening and are offset from the building about a foot. Normally, two signs are not allowed by code. In the Staff Report, there is a table that describes what exists, what is allowed and what is proposed. On Page 8 of the Staff Report, there are a list of items that are being proposed to be modified. Finally, Staff would like to know whether the City has already indicated that they would issue an encroachment permit.

Chairman Rolfsen asked if AT&T was going to stay in the building? Mr. Schwarz replied yes but was going to move to the other side of the building and only rent half the amount of space. Lens Crafters would move from the Florence Mall to the other vacant tenant space.

Mr. Lunnemann stated that the project is really dependent on whether the City allows the applicant to use the right-of-way for landscaping or parking. To date, the Staff has not received confirmation from the City that they are okay with the applicant's proposal.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Jerry Atkins, applicant, stated that he acquired the building in June, 2021. He tried to acquire it when he developed the Mall Road Shoppes of Florence. He described the history of the area and his work. They are a long-term owner of properties. He spends more money on flowers than Florence Mall. He would like to make the AT&T building to match the Mall Road Shoppes building.

He has worked with Skyline Chili to redo their building. The sidewalk next to the existing building is unsafe. It is too narrow and cars park over it. The City of Florence supports the proposed plan. He will also plant high grass and flowers around the detention pond. On the Starbucks project, his company got permission to use the right-of-way in order to create better circulation. The problem with the site is that it has a back and a front that is seen by the public. To get into the building, you go through the back. If you are driving from Connector Road, one doesn't know the name of the building. There is no signage. Thus, the need for signage for 2 tenants. It is tastefully done. The cylinder sign will be removed from the site. AT&T will rent 4,000 square feet and 3,500 square feet is for Lens Crafters. The side of the building will look better with the signs and additional landscaping.

Mr. Brock MacKay read an email from Mr. Josh Hunt supporting the use of the Mall Road right-of-way.

Chairman Rolfsen asked if anyone in the audience had any comments or questions?

Seeing no one else, Chairman Rolfsen asked if any Commissioners had any questions or comments?

Mr. Harper noted that the lack of signage on Connector Drive is a problem for the public. Whether the proposed type of signs are approved or not, it is a problem.

**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 15, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on March 1, 2023 at 7:00 p.m. in the Fiscal Courtroom.** Chairman Rolfsen closed the Public Hearing at 8:18 p.m.

**APPROVED:**

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**Charlie Rolfsen**  
**Chairman**

**Attest:**

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**Kevin P. Costello, AICP**  
**Executive Director**

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mrs. Pamela Goetting  
Ms. Corrin Gulick, Vice Chairwoman  
Mr. Steve Harper, Temporary Presiding Officer  
Mr. David Hincks  
Mr. Rick Lunnemann  
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**COMMISSION MEMBERS NOT PRESENT:**

Mrs. Kathy Clark  
Mrs. Janet Kegley  
Mr. Steve Turner

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Michael Schwartz, Director, Zoning Services  
Mrs. Alaina Hagenseker, Planner

Chairman Rolfsen introduced the third item on the Agenda at 8:19 p.m.

**ZONING MAP AMENDMENT, Michael Schwartz, Staff**

3. Request of **Erpenbeck Consulting Engineers Inc., per Kevin Boerger (applicant) for Robert J. Lightner (owner)** for a Zoning Map Amendment from Agricultural Estate/Union Town Overlay (A-2/UTO) and Rural Suburban Estates/Union Town Overlay (RSE/UTO) to Public Facilities/Planned Development/Union Town Overlay (PF/PD/UTO) for an approximate 26 acre area located at 9486 Old Union Road, Union and Boone County, Kentucky. The request is for a pre-school, K-12 school, baseball and softball fields, soccer field, tennis courts, and playground area.



Staff Member, Michael Schwartz, referred to his PowerPoint presentation. The 26 acre site is located on the west side of Old Union Road and about 400 feet north of the intersection of Westbrook Boulevard and Sweet Harmony Lane. The site has 634 feet of road frontage along Old Union Road and a blue line perennial stream is located along the eastern side of the property. About 24 acres of the site is located in the City of Union, while the remaining 1.4 acres is located in unincorporated Boone County. Currently, there are two barns and two ponds on the subject property. A mature tree stand exists along the southern property line. The site has an existing curb cut onto Old Union Road. A majority of the site is zone A-2/UTO and a very small portion of the site is zoned RSE/UTO. Mr. Schwartz described the surrounding land uses and zoning. Pages 1 and 2 of the Staff Report include the applicable regulations that are pertinent to the project. The site sits at an 802 elevation along Old Union Road and rises to 878 on the west side of the property. The 2040 Future Land Use Map designates this site for Rural Density Residential (RD) and Suburban Density Residential (SR) land uses. Pages 3-5 of the Staff Report include references to the Comprehensive Plan. Old Union Road is a city owned and maintained street. The Union Town Plan provides more specificity. The first 200 feet of the site is planned to be a green area for open space. The next 600 feet is proposed to be single family residential uses not to exceed 1 unit per acre. The remaining area is planned to be used for residential with 2.2 units per acre. Within the green area is the potential for a walking trail. The Union Town Plan also sets forth a 400 foot building setback along Old Union Road. Mr. Schwartz showed photographs of the site and adjoining properties including the offset of Children's Way and the existing curb serving the site.

The submitted Concept Development Plan identifies the construction of a school building, off street parking, outdoor fields, stormwater detention, open space along the stream and access from the existing curb cut. The applicant has provided a project narrative. The proposed school will be K-12 with a full buildout capacity of 500 students. No lighting is proposed for the outdoor fields. Trees will be retained along the southern property line of no less than 30 feet. Pages 6 and 7 of the Staff Report provide an analysis of the project in relation to the zoning regulations. Comments from outside agencies can be found on Page 7 and 8 of the Staff Report. Page 8 outlines a list of requested items to be modified by the PD regulations. Page 8 and 9 of the Staff Report include a list of Staff Concerns including whether the existing bridge can accommodate the weight of school buses and a lot of traffic including emergency vehicles. Second, should the existing curb cut be aligned with Children's Way. Also, is the drop off of students sufficiently planned on the site? The applicant just submitted a drawing earlier today. Mr. Schwartz noted that Staff has received a number of emails and they have been provided to the commission members. Most of the emails are against the project but there are some that are in favor of it. Mr. Schwartz stated that about 8-10 acres are designated at the 1 unit per acre while 13 acres are designated at the 2.2 units per acre.

Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Jim Skoog, co-founder of Union Pointe Academy, noted that they have been in existence for 8 years. He gave an overview of why the school is embarking on this adventure. He noted America's literacy problem. It is a national epidemic. Recent SAT/ACT test scores are lower now than in 1991. He also noted lower national and state literacy test scores. One contributing factor to these lower scores is dyslexia. One in 5 children have dyslexia. It is imperative that these students learn how to read. Union Pointe Academy is a bridge to their academic success. Many successful adults are dyslexic. Union Point Academy serves dyslexic, gifted and traditional students. Potters Ranch also provides services during the Summer and Learning Curve is an available tutoring service. Currently, 67 students are at the existing school location. They provide training workshops to teachers and childcare personnel. He gave some examples of their student's successes. They offer small class sizes and students learn at their own pace. Union Pointe Academy services K-12 students. The proposed project will house Union Pointe Academy and the Learning Curve. Currently, they meet at Florence Baptist Church. They lease their classrooms and must accommodate church services at the same time. They are not affiliated with the Church and the Church does not provide funds for their operation. Most of their teachers live in the Union area. The submitted plan will be implemented in stages. The maximum student population is 500. Athletic fields for baseball, tennis, softball, etc. will be built. Initially, the school will start out small with the building serving 200 students. They will be responsible and strategic in rolling out their phases of development.

Mr. Kevin Berger, Engineer with Erpenbeck Consulting Engineers, stated that the overall plan is to construct a 55,000 square foot, multi-level building with a 16,000 square foot gym. It will also include athletic facilities – a baseball field, softball field, soccer field, tennis court and a playground. There will be 3 phases to the project. The first phase will be the initial school building and parking lot. The second phase will be the gym and additional parking. The final phase will include the expansion of the school and parking to accommodate growth. The tennis court will be built last. The applicant submitted a traffic circulation plan for a parent drop off and pick up loop at the school before there is overflow onto Old Union Road. The proposed building will sit 700-800 feet back from Old Union Road. The existing tree line on the south side of the site will be retained as much as possible. Some grading will have to take place especially with the athletic fields. The creek will be untouched. There will be no lights for the athletic fields.

Chairman Rolfsen asked if anyone in the audience had any comments or questions?

Mr. Eric Farris, Taylor Mill, described what Union Pointe Academy has meant to him and his family as his son attends school. He is currently in the 8<sup>th</sup> grade. The school has changed their life. Union needs this school and so does Boone County. His son doesn't fit into a nice neat box. He supports the re-zoning. It provides more educational opportunities. Please vote yes.

Chairman Rolfsen stated that he appreciates the comments about the school's operation and meaning to the community but the comments should address the land use and development impacts. Will the proposed project work on this particular parcel?

Ms. Bridget Trumble, 11028 Appaloosa Drive, supports the school as her son has dyslexia. She understands that the proposed project will be a big change for the neighbors if the project is approved. The school is a better option now versus some other land use in the future. It could be a lot of houses versus what it is today – farmland. It could also be an extension of Children's Hospital. It will generate some traffic but not like a full subdivision. Mr. Lightner takes care of his properties like Potter Ranch and even the church where the school is currently located. The school has been in existence for 8 years and it only has 100 students. It will take some time to reach 200 students. There will be things put into place to address the impact. Traffic won't be a problem. There will be outdoor activities with fields and not houses. It is the best thing for the region.

Ms. Eileen Jones, 948 Appleblossom Drive, Villa Hills, stated that her letter is in the packet. Her husband is a physician who practices in Boone County. She taught at New Haven Elementary. Her son attended Union Pointe Academy because of Attention Deficit Hyperactivity Disorder (ADHD). Union Pointe Academy can provide a value to the community as another educational option bringing up the value of housing like all good schools. The Boone County Schools don't have the resources to provide the type of services that Union Pointe Academy provides. The proposed school could help other Boone County schools in the area. The houses that back up to the school won't see it that much. They will be looking at the streets. They probably won't have 500 students. That is a large number of students.

Mr. Jeff Lawson, 1957 Rosemont Court stated that he isn't totally against the project. Union Pointe Academy is doing good work. He agreed with Pages 8 and 9, Section C of the Staff Report. The applicant has not addressed Old Union Road given the amount of future traffic from the Promenade project. There is no plan to increase capacity of that road. One has seen what has happened with St. Tim's during the day and Ryle at night. He is not against the school but is against the way it is designed. The applicant hasn't addressed the 400 foot requirement. He would like the Board to delay its decision until more is known about the road expansion and the impact of the Promenade project.

Ms. Sheila Scalf, 437 Withers Lane, stated that she lives off the Richwood exit and it is a nightmare. It is a safety issue. It is getting out of control. Boone County is growing too much and too fast. There are a lot of road construction projects going on. They are not completed. It is out of control. Many things should be paused. Is this the only place where the school can go? Is property being given to them for the school?

Ms. Jill Charles, 9105 Diamond Trace, stated some of her backyard is adjacent to the site in question. What she thinks of the project should have more weight than what someone in Villa Hills or Walton thinks. She submitted a 10 page letter outlining the reasons why she opposes the zone change. She is concerned about the visual intrusion of the development especially in the winter from the back of her lot. Even if there is a barrier, there still is a noise problem. It is a school for 500 kids. Kids scream. She can hear the Ryle band practice. There will be noise from the athletic fields. Many people chose Westbrook to get away from the noise. She would be happy if they put in residential at the current density instead of what is being proposed. The use is not in

the updated Comprehensive Plan. She didn't know about the project until the sign went up on the property. She doesn't want to live by a school. It is like living next to a zoo. She didn't think she would have a problem selling her home to an empty nester like herself. It will be more difficult with a school in the backyard. She will take a financial hit. There is plenty of available land to put the school. It is the location that is a problem.

Mr. Rob Derring, 9481 Rainbow Terrace, stated that his home is closest to the property line. He expressed a concern about reducing the side yard setback from 50 feet to 26 feet to allow the ball fields. It allows them to expand the parking lot in the future. It is closer to his house. He is adamantly against it.

Ms. Lina Shuffs, 9400 Riviera Drive, stated that the people in favor of the project were not from Union and those against were from Union. The applicant needs to find a site where there are no houses. The proposed project will affect wildlife in the area – birds. There is a lot of traffic in the area with Orleans and more to come with the Promenade.

Mr. James Javins, 9209 Brookridge Lane, expressed a concern about congestion in the area. There will be more housing west of Westbrook Boulevard. There are no planned improvements leaving Westbrook Subdivision.

Ms. Eva Davis, 9393 Westbrook Boulevard, stated that she likes the Union area and its planned future development. She thought the area would be all residential. Traffic remains to be a concern especially at Old Union Road and U.S. 42. The school will only help people who can afford it. If the school was allowed, there should be a turn lane built. It should be at the expense of the school. The traffic could cause problems for the Promenade at certain times of the day. The 3 story building doesn't fit in with the residential character of the area. Could the school flip their plan around? The area is growing too fast.

Mr. Troy Powell, 9542 Rainbow Terrace, expressed a concern about light pollution. Will the parking lots have lights and be on all night?

Mr. Rick Newman, 2231 Clarkston Lane, stated that he owns 60 acres that are adjacent to the site. One of his concerns is the stream that runs in front of his house. The stream continues to flood with increased development. The parking lot is full of oil and it eventually drains into the stream. With the full capacity of the school, there could be up to 1,000 trips to pick-up and drop off students in the course of a day. The school has a single entrance and it could be a problem if there is an emergency and the single access is blocked because of a hostile event. There is also a creek to cross. Light pollution is also a concern.

Chairman Rolfsen asked if the existing bridge ever flooded? Mr. Newman responded sometimes. The existing bridge will have to be rebuilt and elevated above U.S. 42.

Ms. Amber Raih, 9205 Brookridge Lane, stated that she abuts the site. She is against the project due to safety and traffic concerns. She agreed with everyone else.

Mr. Maciejewski, 9507 Symphony Court, expressed a concern about vehicle back up from dropping off students. He has experienced this at other schools. It will be way more than 50 vehicles at one time. There will be a bottle neck on Old Union Road. It will be a safety problem. The roadways are inadequate to serve the development.

Mr. Don McKay, 9100 Diamond Trace, stated that he once lived behind Erpenbeck Elementary. One time, he had to call the police because kids were skateboarding on the roof of the school. It was a constant problem and it is the reason why he moved away from that area.

Ms. Charlotte Curtis, 10776 Sewell Road, stated that she doesn't live near the school. She expressed a concern about the stormwater and fencing in the area. In addition, the drop off area is in the parking lot and that is dangerous. The roads must be wide enough to accommodate more two-way traffic.

Ms. Diana Javins, 9209 Brookridge Lane, stated that she finds it hard to believe that the athletic fields will not be lit because there will be games. What are the hours in which fields will be used? How will the Boone County Schools bus system be affected?

Chairman Rolfsen asked if any Commissioners had any questions or comments?

Ms. Gulick asked to see a plan for traffic at the Committee Meeting. How many vehicles will there be and how will the 500 students be queued around the school? How will it affect the vehicles already located in the parking lot and kids walking to the school from these cars? Are there any busing or van systems? What about turning lanes on Old Union Road? How will they affect the queuing?

Chairman Rolfsen asked the applicant to address the width, strength, and height of the existing bridge.

Mr. Lunnemann asked what will the school look like and what will be the number of stories?

Chairman Rolfsen asked why the athletic fields will be built when the school only has 100 students? Will the fields be leased out to others or be used exclusively by Union Pointe Academy?

Mr. Hincks expressed a concern about the choke point for a single access or curb cut. How can that be alleviated?

Ms. Gulick asked if the school was going to fence the property in its entirety?

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 15, 2023 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on March 1, 2023 at 7:00 p.m. in the Fiscal Courtroom. Chairman Rolfsen closed the Public Hearing at 9:52 p.m.

**APPROVED:**

\_\_\_\_\_  
**Charlie Rolfsen**  
**Chairman**

**Attest:**

\_\_\_\_\_  
**Kevin P. Costello, AICP**  
**Executive Director**