

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

FIVE (5) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project SADDLEBROOK APARTMENTS
2. Location of Project South corner of Ridgeview and Weaver Road
3. Total Acreage of Site 9.71 Acres
4. Current Zoning of Site C-2 / CD
5. Proposed Zoning (Classification being requested) UR-1
6. Proposed Uses (please specify each use) Seven 12-unit apartment buildings (84 units)

- 7. Names of Applicant(s) Premier Real Estate Management, LLC / Calvin M. Akin
Phone No. 262-790-4560 Fax No. E-Mail cal@premier-real-estate.com
8. Address of Applicant(s) 19105 W. Capitol Drive, Suite 200
Brookfield Wisconsin 53045
City State Zip

- 9. Name of Property Owner(s) First Security Trust Bank, Inc
Phone No. Fax No. E-Mail
10. Address of Property Owner(s) 7135 Houston Road
Florence Kentucky 41042
City State Zip

- 11. Proposed Building Intensities (please specify) Seven 12-unit apartment buildings.
84 units on 9.71 acres (8.65 du / acre)

- 12. Are there any existing buildings on the site? no
How many? N/A

- 13. Deed Book 1016 Page No. 420 Group No. 2048B

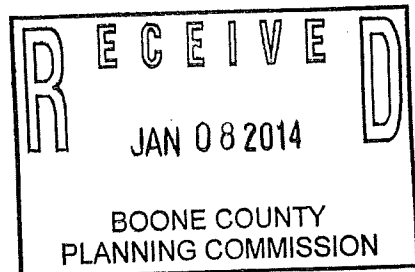
- 14. Are you also applying for:
No Conditional Use Permit
No Dimensional Variance

- 15. Have you submitted a Concept Development Plan? Yes

- 16. Have you had a pre-application meeting with BCPC Staff? Yes

- 17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

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



(over)

**ZONING MAP AMENDMENT  
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- Boone County Building Department
- N/A Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other: \_\_\_\_\_

18. Project Jurisdiction/Location
- Unincorporated Boone County
  - Florence
  - Walton Union

19. ORIGINAL Property Owner's Signature W. White, CEO (see attached)  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

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

**SECTION B.** (To be completed by BCPC Staff)

1. Date Received 1-8-14
2. Review Fee \$2127.65 R# 68154
3. Check what has been submitted:
  - Application
  - Fee
  - Legal Description
  - Concept Development Plan
  - Address of Adjoining Property Owners
  - Number of copies of plan received\*\*
4. Is application complete?  Yes  No
5. Staff Reviewer TODD MORGAN
6. Committee Chairman \_\_\_\_\_
7. Scheduled Public Hearing Date 2/5/14
8. Boone County Planning Commission Action:
  - Approval
  - 3/5/14 Approval with Conditions
  - Denial
9. Other: \_\_\_\_\_

Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
www.boonecountyky.org - Web Page

**NOTE:** An application consists of all fees paid in full, submitted drawings and a completed application form.

**ZONING MAP AMENDMENT  
APPLICATION  
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- Boone County Building Department
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- Local Fire District
- Other: \_\_\_\_\_

18. Project Jurisdiction/Location
- |  |                                 |
|--|---------------------------------|
| <input type="checkbox"/> Unincorporated Boone County | <input type="checkbox"/> Walton |
| <input checked="" type="checkbox"/> Florence         | <input type="checkbox"/> Union  |

19. **ORIGINAL Property Owner's Signature** \_\_\_\_\_  
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

**ORIGINAL Applicant's Signature** Col. M. R. [Signature] (see attached)  
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

**SECTION B** (To be completed by BCPC Staff)

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  - Approval**
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# EXHIBIT

“A”

## STAFF REPORT

Request of **Premier Real Estate Management, LLC/Calvin M. Akin (applicant)** for **First Security Trust Bank, Inc. (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential One (UR-1) for a 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Florence, Kentucky. The request is for a zone change to allow a multi-family residential development.

February 5, 2014

### REQUEST

The applicant has requested a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential One (UR-1) for a 9.71 acre tract. The property has road frontage on Weaver Road and Evergreen Drive and is located across from the Weaver Road/Saddlebrook Lane intersection. The submitted Concept Development Plan shows that seven (7) two-story apartment buildings are proposed. Each building will contain twelve (12) two bedroom apartments and the overall building intensity is 8.65 dwelling units per acre. The project narrative states each unit will have its own exterior entrance. A total of 169 parking spaces are shown on site. Twelve (12) garage spaces are located in each building (12 x 7 = 84) and 85 more exterior parking spaces are located in various parking lots around the buildings. Access to the development is proposed from a shared driveway, with Kentucky Farm Bureau, on Weaver Road and an existing driveway on Evergreen Drive. The submitted renderings show that the buildings will be constructed with approximately 50% brick and 50% siding and asphalt shingle roofs. Garage doors are located on the sides of the buildings and each unit is shown with a porch or balcony.

### RELEVANT SITE HISTORY

In 1988, Boone County Planning Commission and Boone County Fiscal Court approved a Zoning Map Amendment from Recreation (R) and Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) and Commercial Two (C-2) for an approximate 130 acre site located on both sides of the US 25/42 Connector Road (Weaver Road). The approved Concept Plan for the commercial area showed a 60,000 square foot strip center, 4,250 square foot bank, and a 4,500 square foot office (KY Farm Bureau) on the subject property. Access was shown from Ridgeview Drive (became Evergreen Drive) and US 25/42 Connector (Weaver Road). Twenty-five (25) to fifty (50) foot wide landscape buffers were shown between the strip center and Evergreen Drive. Seven conditions of approval were imposed on the development (see attachments).

In 2007, Boone County Planning Commission and the City of Florence approve a Change in an Approved Concept Development Plan allowing a commercial, retail, and office development on an approximate 9.71 acre site. Notes on the plan indicate there will be 18,800 -19,500 square feet of commercial/retail space (lots 2, 3, or 4), a 4,000 to 5,000 square foot corner commercial use (lot 6), a 5,600 to 6,000 square foot daycare (lot 5), and 54,600 to 60,000 square feet of office space (lots 2, 4, or 5). Lot 1 was shown as permanent green space. Access was shown from two curb cuts on Weaver Road and two on Evergreen Drive. One of the conditions required road improvements to be made on Weaver Road and Evergreen Drive before any Certificate of Occupancy were issued (see attachments).

On March 26, 2008, Boone County Planning Commission approves Improvement Plan and Site Plan applications allowing grading, utility work, and installation of a private driveway system.

### SITE CHARACTERISTICS

The 9.71 acre site has approximately 1,328 feet of frontage along Weaver Road, 204 feet of frontage along the southeast side of Evergreen Drive, and 904 feet of frontage along the northeast side of Evergreen Drive. A private driveway exists on the property and it runs between Weaver Road and Evergreen Drive. The access point on Weaver Road is a shared driveway with Kentucky Farm Bureau. Water mains exist along Weaver Road, Evergreen Drive, and the private driveway system. Sanitary sewer mains exist along the private driveway system and the southeastern portion of the site. Overhead utilities bisect the northwest side of the property and are also located along the southwest property lines. Boone County GIS shows the central portion of the site is 900 to 910 feet above sea level and falls to northwest and southeast. Some mature deciduous trees are located between the private driveway system and the homes located at 8940, 8930, and 8912 Evergreen Drive.

### ADJACENT LAND USES AND ZONING

- Northeast: Weaver Road, Single-Family Residential Dwellings in Saddlebrook Farms Subdivision, Trails at Saddlebrook Apartments (SR-2/PD)
- Northwest: Evergreen Drive, Ridgeview Drive, and Single-Family Residential Dwellings (SR-1)
- Southeast: KY Farm Bureau (C-2) and Single-Family Residential Dwellings (SR-1)
- Southwest: Single-Family Residential Dwellings (SR-1)

### RELATIONSHIP TO COMPREHENSIVE PLAN

The 2010 Boone County Comprehensive Plan's "2035 Land Use Plan" designates the site for "Commercial" uses. This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Land Use Element makes the following statements regarding the general area:

- A. The area south of Saddlebrook Farms Subdivision along Weaver Road, has developed in an Urban Density Residential manner consistent with the subdivision, with adequate buffering for adjacent to single-family residential uses. Commercial uses should not expand along the west side of the interstate beyond the self storage facility, and the Lion's Park site should remain as a recreation area (Gunpowder Area, pg. 169).
- B. The vacant parcel between the Grammas strip center and the Weaver Road fire station should develop as a low traffic professional office use. This part of Weaver Road is not suitable for commercial driveway access. In addition, a connector road should be completed from Mt. Zion Road to Weaver Road along the west side of I-75. South of this area should remain Suburban Density Residential in nature. Existing tree stands should be preserved to establish the contrast of this area from the Northern Kentucky Industrial Park, and to decrease noise impacts of I-75 and the airport (Gunpowder Area, pg. 169).

The Land Use Element provides the following Future Land Use Development Guidelines:

- 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 leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined. True Open Space subdivision design should be considered to blend new subdivisions in with areas that have a rural character (Utilization of Existing Vegetation and Topography, pp. 161-162).
- B. As described in the Goals and Objectives, different development densities can occur in Boone County as long as the development is designed in a proper manner and the infrastructure exists or is planned to support the development. The Goals and Objectives also acknowledge that fluctuations in the economy and housing market should be considered when evaluating the uses and design of developments.

Business, commercial, or industrial parks should be designed and developed to allow future residential or other uses to access through them where the corridor may extend to large developable tracts or may provide a future road connection. A roadway that is suitable for mixed use development should serve side streets for businesses rather than serving individual businesses directly, include an urban curb and gutter design, and provide pedestrian amenities and green space along the right-of-way. In this way, future residential development could be developed beyond the initial development, but be readily marketed.

Sanitary sewer issues have larger impact on where development occurs than do the other types of infrastructure in Boone County. The presence of sanitary sewer has a direct impact on the lot sizes of residential development in particular. Most residential development in outlying areas without access to sewer service typically develops on lots that are larger than an acre. In fact, septic system permits almost always require residential lots of greater than one acre to accommodate leach areas. On the other hand, the presence of public sanitary sewer facilities have normally resulted an increased demand for more dense single-family residential development. This development often occurs roughly in the range of three dwelling units per acre - which typifies single family projects in Boone County at this time. There is little development occurring in Boone County between these two general density levels. As pointed out in the Housing Element, this phenomenon often results in different housing and lot characteristics adjacent to each other. In these conditions, proposed residential developments that have smaller lot sizes than surrounding land uses are recommended to utilize the following design mechanisms to address the impacts on existing development.

The proposed development should consider in its design a band of larger lots and setbacks along the affected perimeter of the site adjacent to existing development to provide an adequate transition.

The proposed development should consider a band of development along the existing main roadway in which the houses face the main road to appear rural, and where the lots in this band are larger than those in the balance of the proposed development. Building setbacks and lot frontages should imitate existing setbacks along the road.

Highly visible portions of the proposed development site should consider green space. The style of green space, including tree types, fencing or other similar features should imitate the existing road corridor views. Grandiose subdivision entryways may not be appropriate depending on existing conditions in the corridor.

These recommendations are site specific and should be evaluated on a case-by-case basis. There may be other design mechanisms not identified here that may work in some instances" (Development Layout, Lot Sizes, and Setbacks, pg. 162).

- C. "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 open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate. Natural green space benefits the community as well as encourages developers to create innovative development designs through clustering of buildings and impermeable area. Typically, buffering is required and provided between unlike land uses; however, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer areas should use and supplement existing site features where possible" (Buffering, pp. 162-163).
- D. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. 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. The amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping helps purify the air of harmful pollutants, thus reducing health impacts. It also helps reduce the quantity and improve the quality of storm water runoff, including temperature. The use of bioretention islands (water filtering basins) and grass swales should be used where possible in place of raised islands. Native species are often heartier than nursery stock and should be used wherever possible to minimize pesticides and other high impact forms of maintenance. Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses (Landscaping, pg. 163).

- E. Developments in Boone County must recognize the potential impacts of stormwater runoff. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site. One goal of local storm water programs should be to minimize the amount of storm water generated by decreasing the amount of pavement and encouraging green rooftops. Creating less runoff by increasing on-site infiltration is a method of managing runoff.

Control and mitigation practices for erosion associated with developments must be provided. At a minimum, developments must seed and mulch all graded areas and provide siltation controls. Stormwater management and erosion control measures must be concurrent with site work in order to be effective. Stormwater management officials must also consider the cumulative effects of increased development runoff in watersheds (Stormwater Management and Erosion Control, pg. 163).

- F. Developments 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 curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system. Connections between and within commercial and industrial developments allow for more efficient provision of transit service (Access Management, pg. 163).
- G. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways, and functional classifications must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. The traditional grid system can provide an alternative to typical suburban design. Parallel and frontage road should be used to minimize impacts of individual sites on collector and arterial roadways. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but should provide connections to adjoining uses where appropriate. Public open space and recreation sites should be connected to each other by bicycle and pedestrian paths where appropriate. Transit Oriented Development (TOD) is discussed in detail in the Transportation Element, and should be examined as a future direction in Boone County development patterns (Transportation and Pedestrian Network, pp. 163-164).
- H. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building 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. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Overhead utility lines should be placed underground wherever possible, and junction boxes screened from public view. Neo-traditional residential and commercial development should be encouraged to provide quality development that blends with the natural or historic character of parts of Boone County. This Comprehensive

Plan encourages the restoration, renovation and/or adaptive re-use of historically significant structures in Boone County (Design, Signs, and Historic Preservation, pg. 164).

The Housing Element provides the following comments that relate to the proposal:

- A. Multi-family housing developments should have convenient access to commercial districts or should provide their own supporting commercial uses. The developments should be designed to offer the shortest trips to the most people. High density residential developments help to hold down the cost of individual units due to many variables including lower land cost per unit, lower land development cost and building unit costs per unit. Clustering of the dwelling units allows this by requiring less site work and utility construction. Better design can correlate with more density, and walkable, multi-modal communities. This also provides a supply of affordable housing for county residents (Housing Types, pg. 79).
- B. High density residential areas should be located sufficiently near and with convenient access to major streets, highways, and shopping and public facilities. A progression of densities of residential uses from high (multi-family) to low (single family) shall be encouraged. Where traditional progressions of high to low net density are not possible through creative development design, an appropriate and attractive visual transition should be achieved. This could include existing vegetation or new landscaping and/or fencing. Existing vegetation (such as wooded fence rows) should be retained as much as possible to provide buffer strips and stormwater filters. This serves a dual purpose in that woodland is becoming relatively scarce in the eastern uplands of the county, and these areas buffer different land uses. Housing that is proposed on smaller, remnant tracts need to be carefully designed (Housing Densities, pg. 81).
- C. The areas of greatest projected population growth are in the Richwood/Union, the Burlington area, south along I-75, and in the northern Hebron area. The western and southern sections of Boone County are projected to experience less population growth and less of a housing need. As noted previously, there is a desire of the population to live in rural areas that are convenient to the centers of commercial activity. This suggests a continuation of the outward movement of housing construction from the general Florence area. This movement is accelerated directionally by major thoroughfares such as KY 18, KY 237, US 42 and interstate interchanges. Residential development should occur near established urban or suburban areas (Conclusion, pg. 85).
- D. Development in established areas takes advantage of existing services and minimizes future strain on the transportation network. The Public Facilities Element shows the existing and planned water lines and other services which will influence the locations of new residential construction. The plans for sanitary sewerage for Boone County are of particular importance when high density residential development is reviewed. Stormwater management is becoming a key issue with the extensive residential development in the county, and needs to be addressed creatively to solve runoff and erosion problems, while creating visually appropriate facilities (Conclusion, pg. 85).

The 2010 Boone County Comprehensive Plan's Goals and Objectives include the following pertinent statements:

- A. Boone County shall strive to achieve both a diversity and balance in land use. Land use and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner (Overall, Objective).

- B. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be maintained or improved as needed (Overall, Objective).
- C. Existing vegetation shall be considered as both an important site characteristic and a community resource (Environment, Objective).
- D. The incremental effects of development on the environment, including, but not limited to storm water, erosion, woodlands, streams, and views shall be evaluated and addressed with public involvement (Environment, Objective).
- E. Boone County shall seek an overall combination of land uses (residential, agricultural, commercial, industrial, public, transportation, etc.) that yields a balance between the public revenues generated from those uses and the public expenditures required to support those uses (Economy, Objective).
- F. A broad range of housing opportunities shall be provided which meets the needs and desires for all household types (Housing, Objectives)
- G. Mixed use, higher density neighborhoods shall be encouraged near existing or proposed mass transit areas, commercial districts, and public facilities (i.e. parks) and also have convenient access to major streets and highways (Housing, Objectives).
- H. Residential developments shall be encouraged to plan and build in a manner which is compatible not only with the general housing density and design planned for the area but also with the existing conditions of the site, including the suitability of adjoining lands for appropriate access, and significant site features (Housing, Objectives).
- I. Safe, efficient and environmentally sound public services and facilities shall exist for all development (Public Services and Facilities, Goal).
- J. Existing infrastructure and services (e.g. systems and facilities for: water treatment and distribution, wastewater collection and treatment, natural gas distribution, electric power distribution, communication lines, police and fire services and associated municipal buildings, schools, public roads and storm water management) shall be utilized efficiently. The phasing of proposed development shall demonstrate a means of addressing significant impacts on existing infrastructure and services (Public Services and Facilities, Objective).
- K. The incremental effects of developments on public facilities and services shall be evaluated and addressed (Public Services and Facilities, Objective).
- L. The local transportation system in Boone County shall be maintained and improved so that overall safety and level of service will be enhanced. Inefficiencies in the system will be identified and addressed. New land development shall be closely coordinated with the local transportation system to assure efficiency and continuity with the regional multi-modal transportation system (Transportation, Goal).
- M. Priority shall be given toward maintaining, protecting, and improving the capacity and safety of the existing road system (Transportation, Objective).
- N. Mixed use, higher density neighborhoods shall be designed to accommodate safe pedestrian access to mass transit, access to major streets and highways, public facilities, and parks (Transportation, Objective).

STAFF COMMENTS

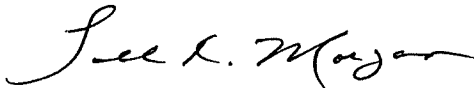
1. Staff has the following comments and concerns regarding the application:
  - A. The development is not utilizing the signalized intersection at Weaver Road and Saddlebrook Lane. Staff believes this would be the safest means of ingress and egress.
  - B. Staff contacted Laura Mitchell, with Kentucky Transportation Cabinet regarding the request and Traffic Study. She indicated that she will provide written comments to Staff prior to the Zone Change Committee meeting.
  - C. Can a floor plan be submitted for a typical building?
  - D. What type of siding is proposed on the upper level of the buildings?
  - E. The applicant indicated all the apartments are two-bedroom units. Can a calculation be provided indicating how many children typically live in such units?
  - F. No outside play areas or amenities are shown on the plan.
  - G. The Boone County Zoning Regulations requires two parking spaces to be provided for each apartment. Staff is concerned that no extra parking is being provided for guests. The applicant should also contact Boone County Building Department and verify how many handicapped parking spaces would be required for the development.
  - H. Will the parking lots be lit? If so, what type of lighting will be used?
  - I. Are outside trash areas being provided? If so, where will they be located and how will they be enclosed?
  - J. Staff would like project engineer to analyze which buildings and/or parking lots could have connections to public sidewalks.
  - K. The Planning Commission and City of Florence need to analyze the Zone Change criteria before acting on the request.
2. The applicant submitted a letter with the application indicating why the current zoning designation of Commercial Two (C-2) is inappropriate (see attachments).
3. A Traffic Study was submitted with the request (see attachments). The study provides turning movement counts for the two unsignalized intersections during AM and PM peak hours and trip generation forecasts for the proposed apartment complex and the previously approved retail/commercial/office development. A comparison table indicates that trip generation for the proposed apartment complex will be significantly lower (73% less for the AM peak and 80% less for the PM peak) than the retail/commercial/office development.

4. The applicant submitted a letter explaining that they will be seeking a landscaping Waiver from the Zoning Administrator if the Zoning Map Amendment application is approved. The Waiver would allow a modified Buffer Yard C to be installed along a 490' property line, which adjoins the Browning, Gauspohl, Pommer, and Kentucky Farm Bureau properties. If approved, the Waiver would allow the majority of the required evergreen and deciduous trees to be relocated the other side of the development driveway because there are overhead utility and water main easements in the buffer area (see attachment).
5. Staff received an email from Fire Marshal Krebs regarding the application (see attachments).
6. Staff received letters from Bill Boyle and Laurie Walton opposing the request (see attachments).

### CONCLUSION

The Zoning Map Amendment request needs to be evaluated by the Boone County Planning Commission and Florence City Council in terms of Article 3 of the Boone County Zoning Regulations and potential impacts on existing and planned uses in the area. The Future Land Use Map will need to be amended if the request is approved.

Respectfully Submitted,



Todd K. Morgan, AICP  
Senior Planner, Zoning Services

TKM/tlb

#### Attachments:

- \*Site Vicinity Map
- \*Concept Development Plans
- \*Building Renderings
- \*Letter From Applicant - Basis for Zone Change
- \*Letter From Applicant - Administrative Waiver for Landscaping
- \*Preliminary Traffic Study
- \*2013 Aerial Map
- \*Topographical Map
- \*Zoning Map
- \*2035 Future Land Use Map
- \*1988 Committee Report, Fiscal Court Conditions, and Concept Development Plans
- \*2007 Condition Letter and Concept Development Plan
- \*Agency Memo
- \*Email from Fire Marshal Krebs
- \*Letter From Bill Boyle
- \*Letter From Laurie Walton
- \*Application

# SITE VICINITY M. P

www.boonecountygis.com



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0 270 540 1,080 1,620 2,160 Feet

1 inch = 600 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



Map by Esri, Inc. 2012



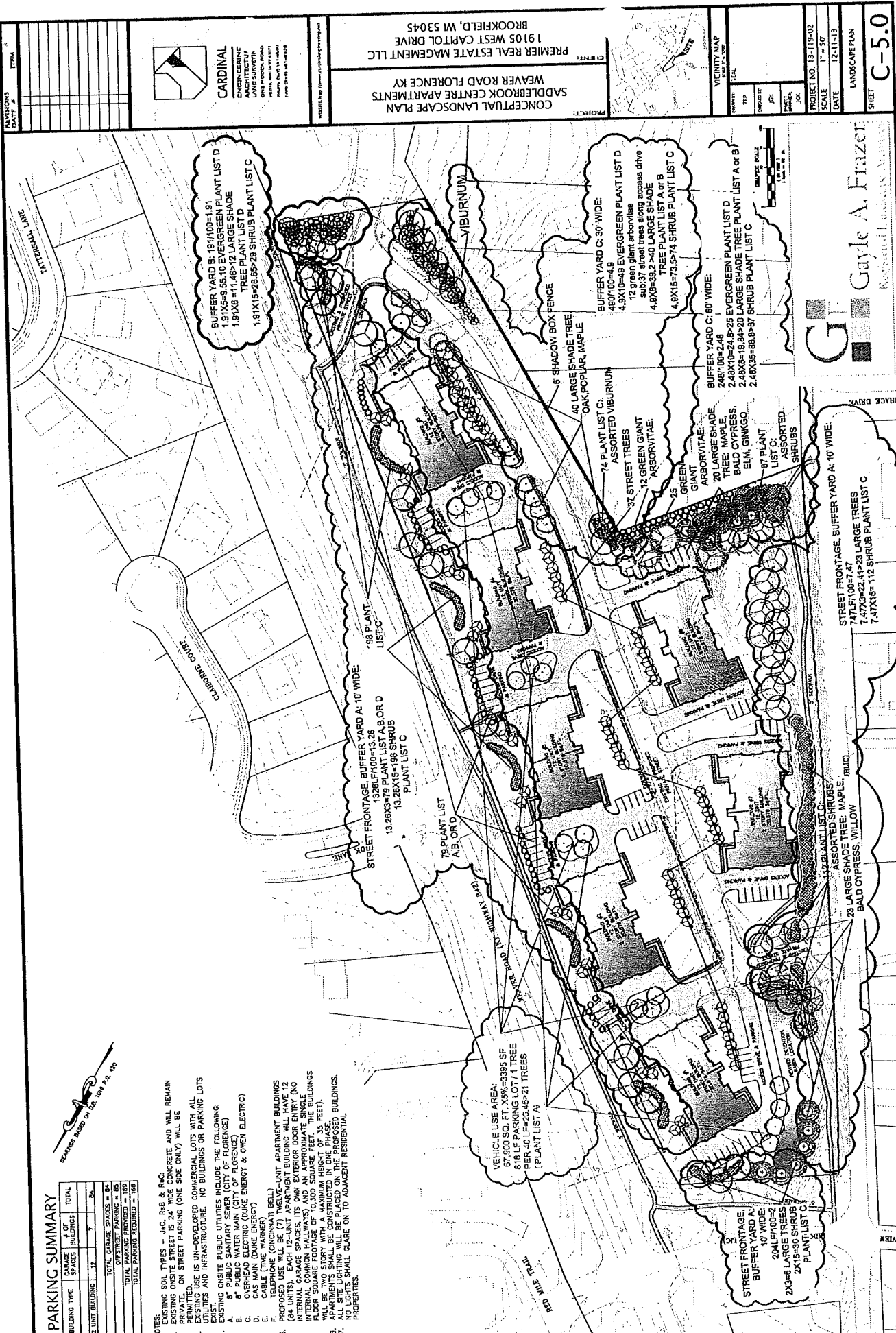




**PARKING SUMMARY**

BUILDING TYPE	SPACES	BUILDINGS	TOTAL
12 UNIT BUILDING	13	7	84
TOTAL GARAGE SPACES	84		
OFF-STREET PARKING	84		
TOTAL PARKING PROVIDED	84		
TOTAL PARKING REQUIRED	108		

- NOTES:
- EXISTING ON-SITE STREET IS 24' WIDE CONCRETE AND WILL REMAIN PRIVATE. ON STREET PARKING (ONE SIDE ONLY) WILL BE PERMITTED. USE IS UN-DEVELOPED COMMERCIAL LOTS WITH ALL UTILITIES AND INFRASTRUCTURE. NO BUILDINGS OR PARKING LOTS EAST.
  - EXISTING ON-SITE PUBLIC UTILITIES INCLUDE THE FOLLOWING:
    - PUBLIC WATER MAIN (CITY OF FLORENCE)
    - PUBLIC WASTE WATER MAIN (CITY OF FLORENCE)
    - OVERHEAD ELECTRIC (DUKE ENERGY & OWEN ELECTRIC)
    - GAS MAIN (DUKE ENERGY)
    - CABLE (THE CINCINNATI BELL)
  - PROPOSED USE WILL BE (7) TWELVE-UNIT APARTMENT BUILDINGS (84 UNITS). EACH 12-UNIT APARTMENT BUILDING WILL HAVE 12 INTERNAL GARAGE SPACES. ITS OWN EXTERIOR APPROXIMATE SINGLE STORY SQUARE FOOTAGE OF 10,300 SQUARE FEET. THE BUILDINGS WILL BE TWO STORY WITH A MAXIMUM HEIGHT OF 35 FEET.
  - APARTMENTS SHALL BE CONSTRUCTED ON THE PROPOSED BUILDINGS.
  - NO LIGHTS SHALL BE PLACED ON THE PROPOSED BUILDINGS.
  - NO LIGHTS SHALL CLARE ON TO ADJACENT RESIDENTIAL PROPERTIES.



REVISIONS	DATE	BY

**CARDINAL**  
 ENVIRONMENTAL  
 ARCHITECTURE  
 LANDSCAPE ARCHITECTURE  
 1000 SOUTH 1ST AVENUE  
 SUITE 100  
 FLORENCE, KY 40302  
 PHONE: 502.333.1100  
 WWW.CARDINALARCHITECTURE.COM

**PROJECT:**  
 CONCEPTUAL LANDSCAPE PLAN  
 SADDLEBROOK CENTRE APARTMENTS  
 WEAVER ROAD FLORENCE KY  
 PREMIER REAL ESTATE MAGEMENT LLC  
 19105 WEST CAPITOL DRIVE  
 BROOKFIELD, WI 53045

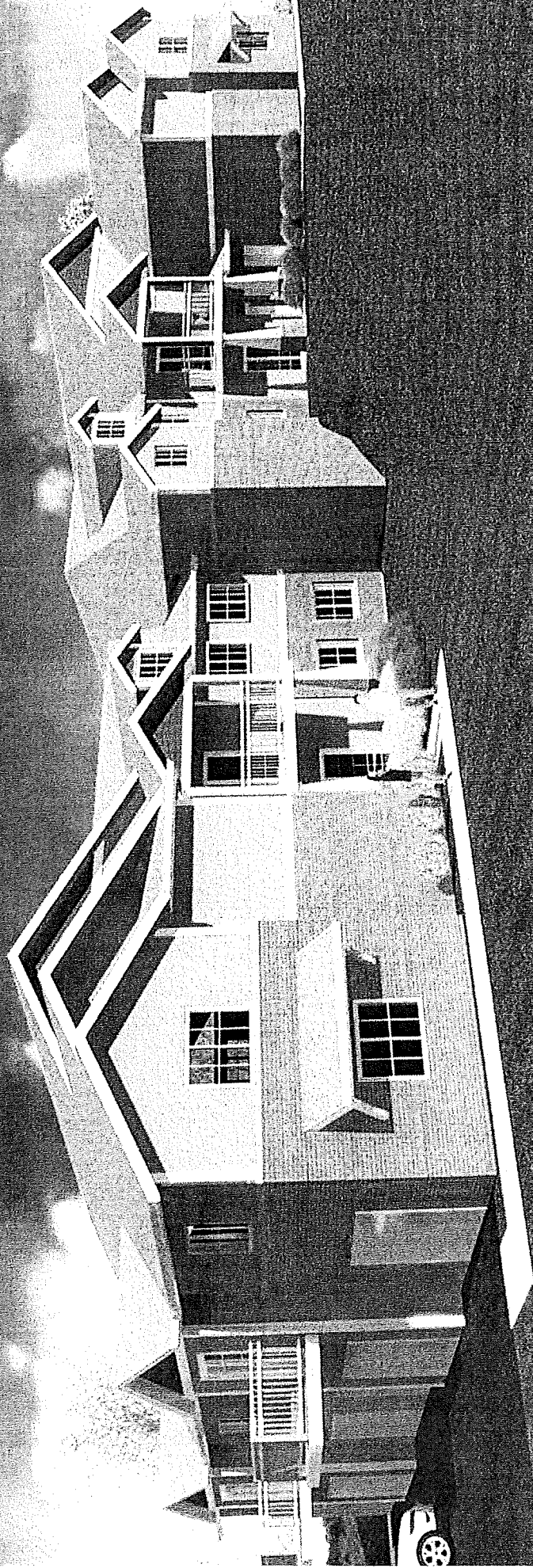
NO.	DATE	DESCRIPTION

**VICINITY MAP**  
 SCALE: 1" = 100'

**PROJECT NO.:** 13-119-02  
**SCALE:** 1" = 30'  
**DATE:** 12-1-13  
**LANDSCAPE PLAN**  
**SHEET:** C-5.0

**G** Gayle A. Frazier  
 Registered Landscape Architect

LEFT FRONT VIEW

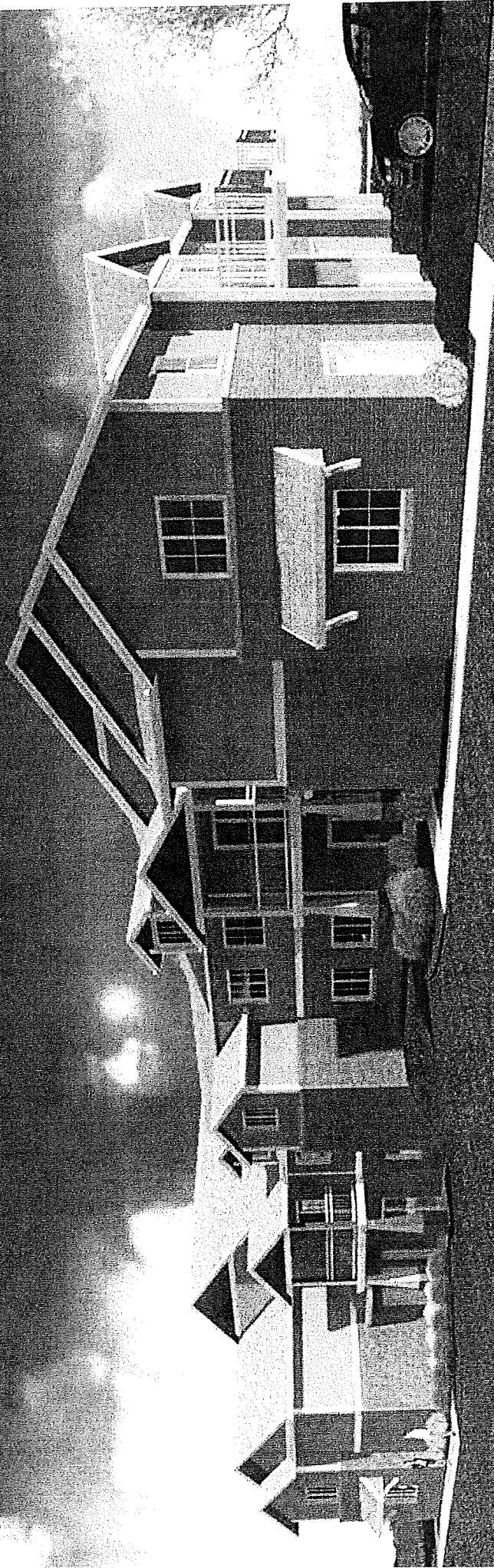


SADDLEBROOK APARTMENT

FLORENCE, KENTUCKY

PREMIER REAL ESTATE MANAGEMENT LLC

LEFT FRONT VIEW



**SADDLEBROOK APARTMENT**

**FLORENCE, KENTUCKY**

**PREMIER REAL ESTATE MANAGEMENT LLC**

END VIEW



SADDLEBROOK APARTMENT

FLORENCE, KENTUCKY

PREMIER REAL ESTATE MANAGEMENT LLC

Basis for Zone Change  
C-2 to UR-1  
Saddlebrook Apartments  
Florence, Kentucky

The area under consideration for a zone change from Commercial Two (C-2) to Urban Residential One (UR-1) is located on the southwest side of Weaver Road just opposite the entrance to Saddlebrook Lane. (southeast of Ridgeview Drive, northeast of Evergreen Drive).

The proposed project consists of seven 12-unit luxury apartment buildings. As seen by the submitted building floor plans, these buildings are not typical apartment buildings. The floor plans are more similar to a condominium since each unit has an exterior entrance. Most apartment buildings provide access to each unit by a common corridor or hallway; however the proposed plans show doors on the perimeter of the building such that there is no common area for access. Furthermore each twelve-unit building contains twelve garages which represents half of the required parking for each building. This type of design gives the developer much flexibility in the future if this project was to be converted to a condominium-type development.

#### LAND USE TO THE NORTHEAST

All land on the opposite side of Weaver Road is residential (both detached residential and attached residential). The 2010 Future Land Use Map calls out these areas as Urban Density Residential (attached housing, condominiums or apartments over 8 dwelling units per acre) and Suburban Density Residential (single family housing up to 4 dwelling units per acre) which is consistent with the current uses and densities of these properties.

#### LAND USE TO THE SOUTHEAST

The land to the southeast of this site is currently used as office, consistent with both the existing zone (C-2) and the 2010 Future Land Use Map which calls for this area as commercial.

#### LAND USE TO THE SOUTHWEST

The land on the opposite side of Evergreen Drive is residential with average lots sizes of approximately 1.25 acres and 90 feet in width which is consistent with the Rural Density Designation on the 2010 Future Land Use Map. The existing zoning designation of SR-1, however allows for densities up to four units per acre and 65' lot widths for detached single family residential in this area.

#### LAND USE TO THE NORTHWEST

The land to the northwest of this site is currently vacant. The 2010 Future Land Use Map calls for this area as commercial which is consistent with the C-2 zoning.

The zoning of the site in question was changed to commercial in 1988 as part of the overall Saddlebrook Farms Development on the opposite side of Weaver Road. There have been many attempts to develop this property during the past 25 years as evidenced by the previously approved site plans, concept development plans and preliminary plats that are on record with the Boone County Planning Commission. The most recent attempt to develop this property resulted in bankruptcy and explains why a bank currently owns the property.

This project is surrounded by a majority of residential development both single family detached and attached and will fit in with the character of the neighborhood. The traffic expected from this project represents approximately 25% of the traffic that would have been expected from the previously approved commercial development plan.

The existing zoning designation of Commercial Two is inappropriate. The proposed zoning designation of Urban Residential One is appropriate for the following reasons:

1. The property has not developed as a commercial project for 25 years.
2. During the 25 years that it has been zoned as commercial both single family detached and attached has been successful on properties immediately adjacent to this site.
3. The most recent attempt to develop the property commercially resulted in bankruptcy.
4. The proposed development is much less intense than the currently approved Concept Development Plan:
  - a. This project will produce only 25% of the traffic that would have been expected from the previously approved Concept Development Plan.
  - b. This project will have less impervious area than the previously approved Concept Development Plan.
  - c. This project will have more open space area than the previously approved Concept Development Plan.
5. The project will be development immediately as residential and will not sit for many years waiting for each commercial lot to develop.

Administrative Waiver for Landscaping  
Saddlebrook Apartments  
Florence, Kentucky

It is the intent of the applicant for this zone change to ask for an administrative waiver during the major site plan review process. This waiver will apply to the south portion of the property that abuts the Browning, Gauspohl, Pommer & Kentucky Farm Bureau Mutual Insurance property. This waiver will pertain to the planting location of the plants and trees and not to the number of plants and trees.

The area between the existing concrete street and these adjoining properties is as narrow as 35 feet wide and contains an existing 20' wide easement for overhead electric and an existing 20' wide easement for a public water main.

The Boone County Zoning Ordinance calls for a Buffer Yard "C" along this property line. Based on the length of this property line and the requirements of Buffer Yard "C", 49 Evergreens, 40 large shade trees and 74 shrubs would be required. Furthermore since the area between the existing street and these adjoining owners is less than 60' in width, a 6' high screening fence is required.

Due to the existing utilities in the area, the large trees and evergreens cannot be planted in this area. Therefore, the applicant has come up with an alternative planting plan using the same number of required trees and plants that we believe meet with the intent of the zoning ordinance and will buffer the adjoining properties. The applicant is proposing to install a 6' high shadow box fence along this fence also. We feel that since the existing grade for the adjoining property is as much as seven feet above the existing concrete street, the shadow box fence will adequately screen the adjoining property owners if it is installed along the property line at the top of the slope. In addition, the nearest residence to this property line is over 200 feet away.

In order to be able to plant the required number of trees and shrubs along this buffer yard, the planting area will be extended northeast across the existing concrete drive and into the front yard of Building #4 and #5. Additionally the remaining hardwood trees will be planted as street trees along the existing concrete street.

Please refer to the enclosed landscape plan for further detail.

## MEMORANDUM PRELIMINARY TRAFFIC ANALYSIS REPORT

**To:** Joe Kramer – Cardinal Engineering  
**FROM:** Jamal A. Adhami, P.E., PTOE – SHA Engineering LLC  
**SUBJECT:** Proposed Apartment Complex- Florence, KY

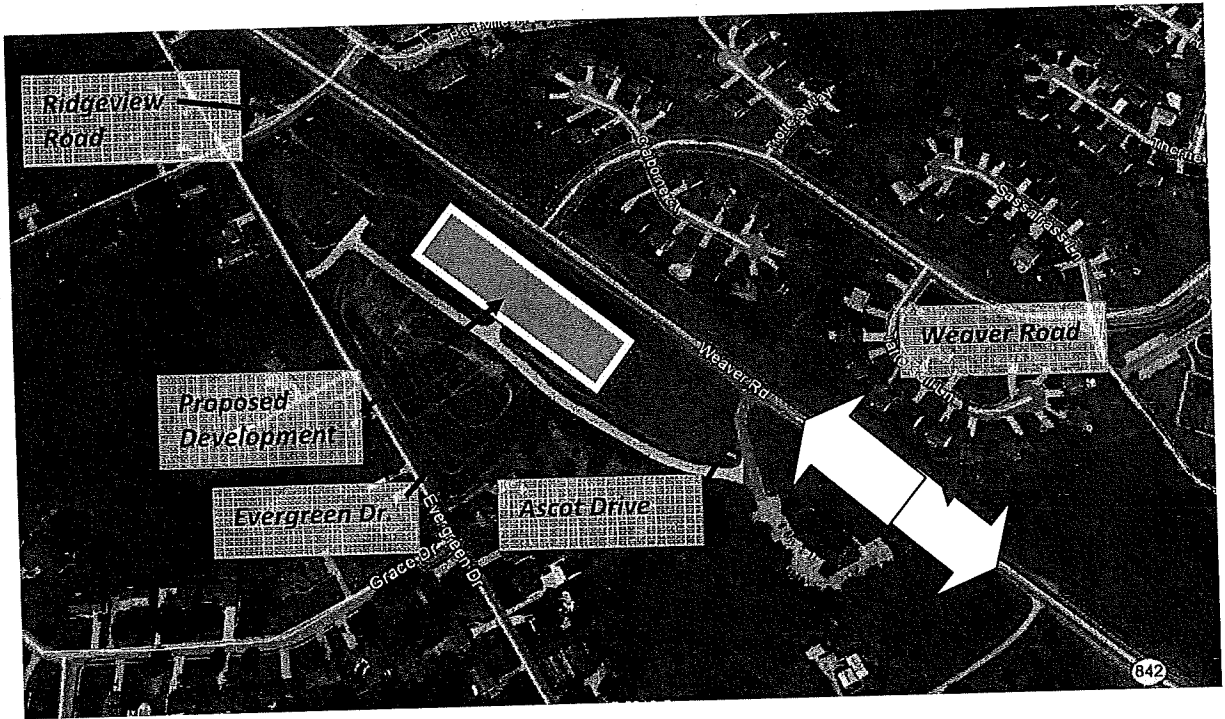
**DATE:** January 08, 2014

### Introduction

This Preliminary Traffic Impact Study was prepared to examine the traffic impact of new apartment complex located on Weaver Road in the City of Florence, KY. The proposed development will include 84 dwelling units. The location of the proposed development was previously planned for Office Buildings, a Shopping Center and Banks. The new development will generate significantly less new trips as compared to what was planned previously. The comparison of new trips between the previously planned development and the proposed apartment complex is provided in subsequent section of this report.

The access to the proposed development will be provided through a driveway on the Evergreen Drive Local Access Road at the east end of the new development. The driveways will provide a connection to the existing roadway network through a couple of unsignalized intersections on Weaver Road; one at Ridgeview Road and the other at Ascot Drive.

Figure 1 below shows the location of the proposed Apartment Complex.

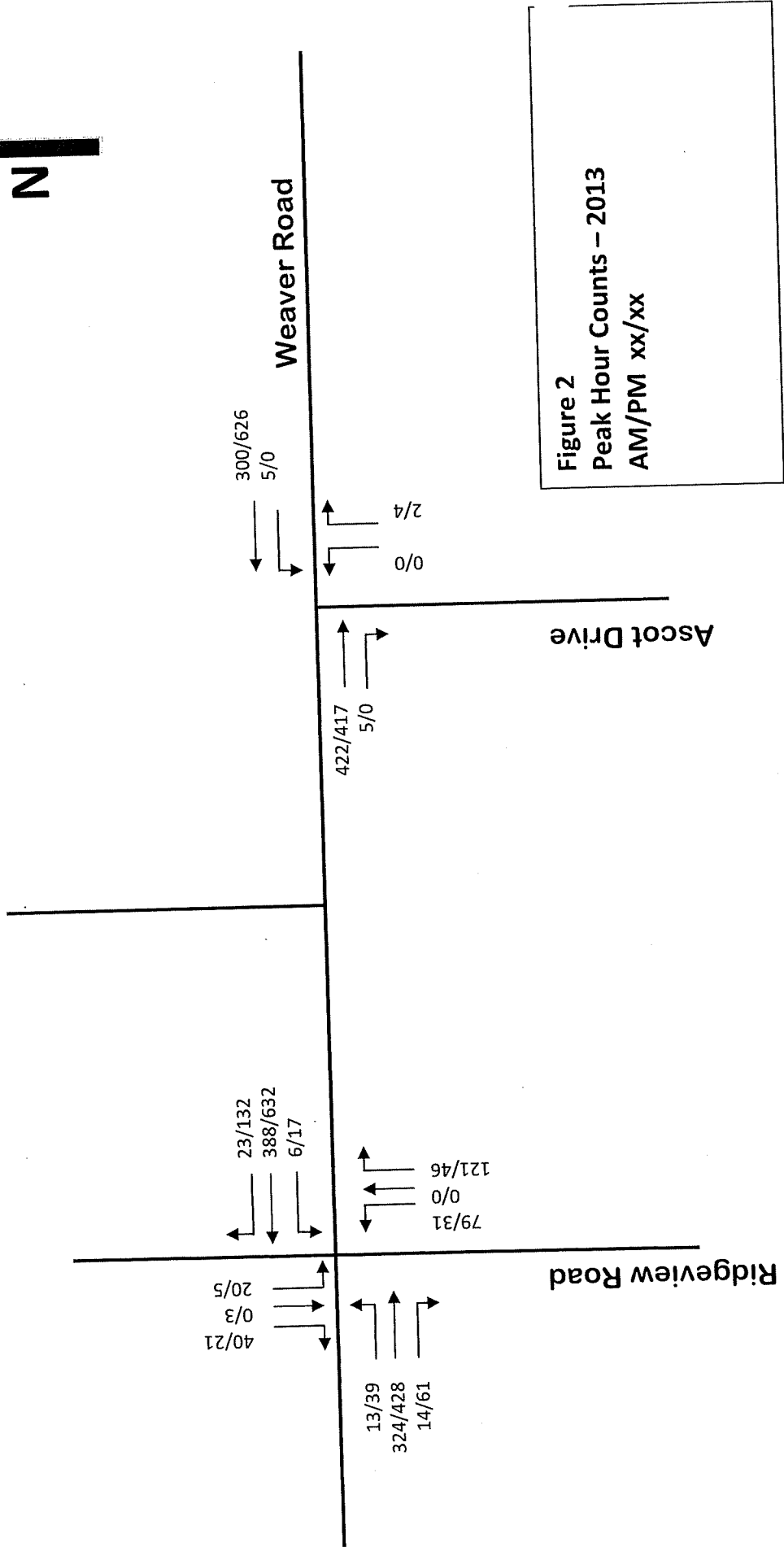


**FIGURE 1 SITE LOCATION**

## Existing Conditions

In the vicinity of the proposed development Weaver Road is a 2-lane roadway posted at 55 mph. The intersection of Weaver Road and Ridge Road is a 4-legged intersection with stop control on the northbound and southbound approaches. Exclusive left and right turn lanes exist on the eastbound and westbound approaches on Weaver Road. The intersection of Weaver Road and Ascot Drive is a T-intersection located at the east end of the proposed development. The intersection is operating with stop control on northbound approach. Under the existing conditions an exclusive lane for the eastbound right turns and westbound left turn does not exist.

Turning Movement Counts were recorded at the two unsignalized intersections. The counts were completed during the AM and PM peak hours and are shown in Figure 2.



**Figure 2**  
**Peak Hour Counts – 2013**  
**AM/PM xx/xx**

**Trip Generations**

New trips were estimated based on the ITE Trip Generation Manual, Ninth Edition. LU Code # 220 (Apartment) was used to estimate the new trips generated by the proposed development.

Table 1 shows the new trips generated by the proposed development.

**Table 1 – Trip Generation – Peak Hour**

Land Use	Unit	Total	AM Peak Hour			PM Peak Hour		
			Enter	Exit	Total	Enter	Exit	Total
220 - Apartments	DW	84	8	35	43	34	18	52
<b>TOTAL TRIPS</b>			<b>8</b>	<b>35</b>	<b>43</b>	<b>34</b>	<b>18</b>	<b>52</b>

**Trip Distribution and Forecast**

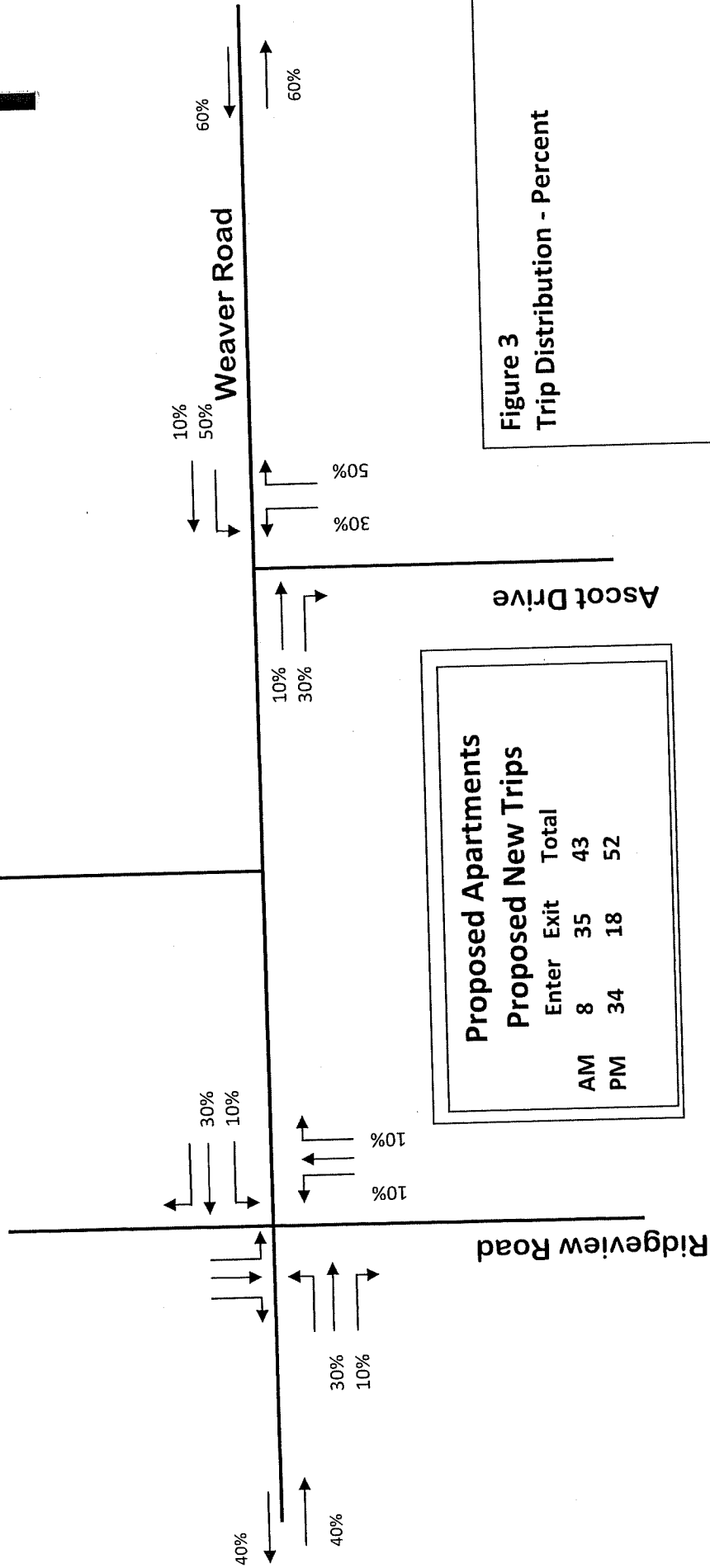
The new trips were distributed to the existing roadways as follows:

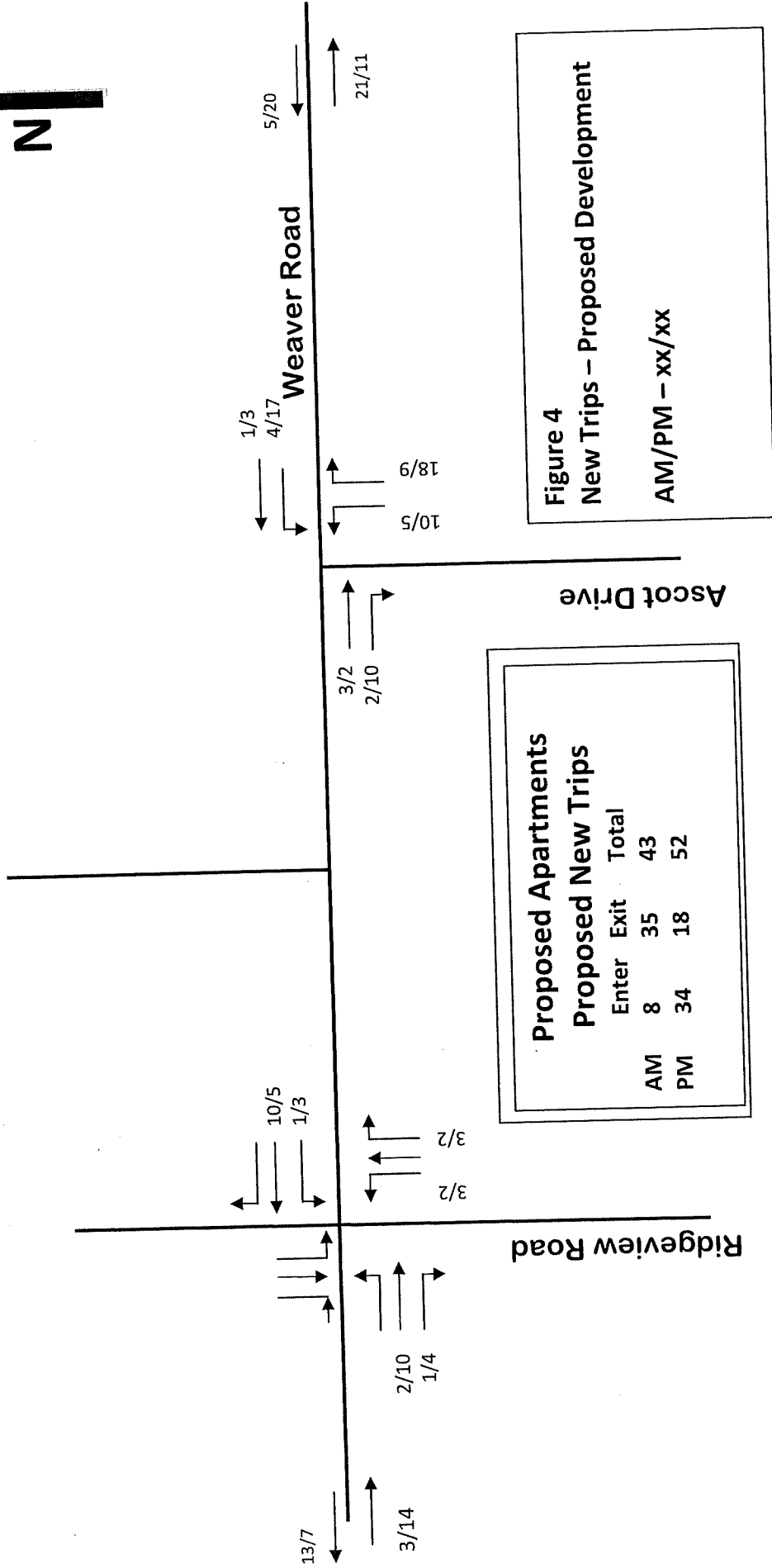
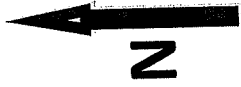
- To /From East - 60%
- To/From West - 40%

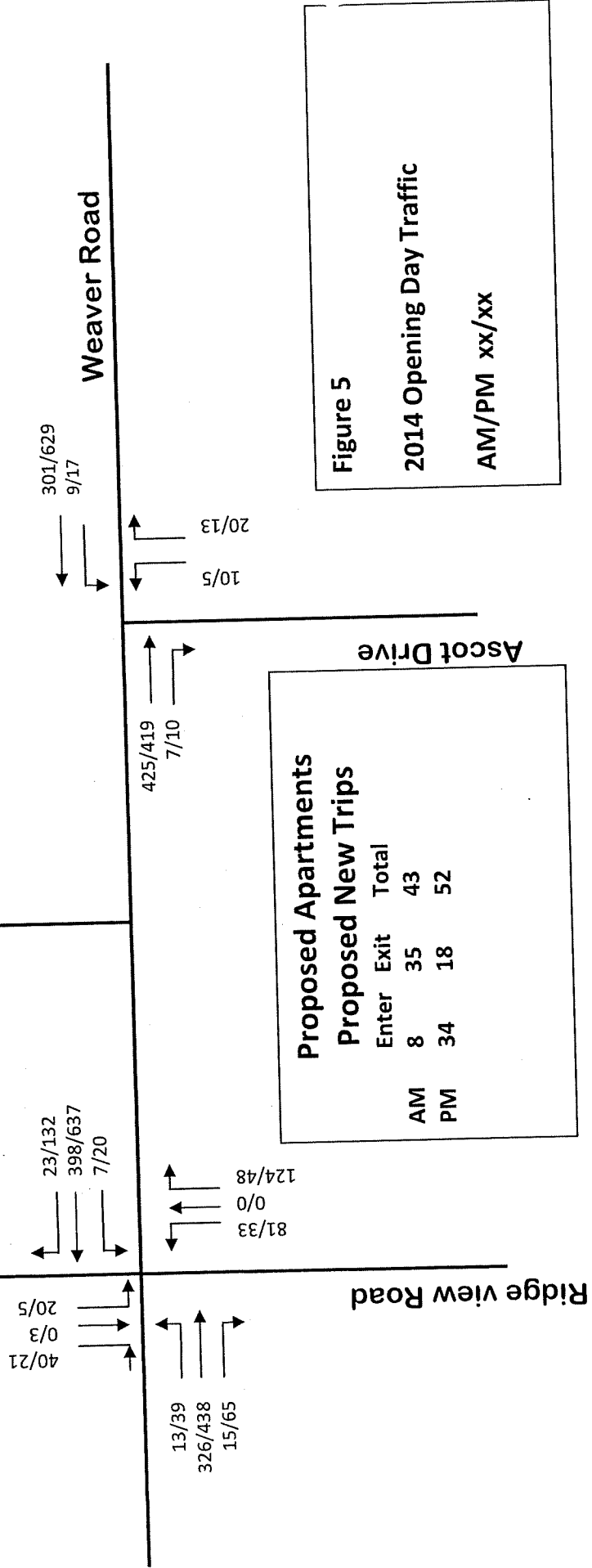
Figure 3 shows the assignment of the new site trips to the adjacent roadways.  
 Figure 5 shows year 2014 Opening Day Build traffic volumes. (Existing traffic counts plus new site trips).

Table 2 provides estimated new trips for the previously planned development. The comparison of the trips provided in Table 1 and 2 shows the new trips generated by the proposed apartment complex are significantly lower (73% less for the AM, and 80% less for the PM Peak Hour) than the estimated trips for the previously planned development.

Land Use	Unit	Total	AM Peak Hour			PM Peak Hour		
			Enter	Exit	Total	Enter	Exit	Total
710-General Office Building	GFA	32980	45	6	51	8	41	49
820 – Shopping Center	GFA	22260	13	8	21	40	43	83
912 – Drive-in Bank	GFA	3000	21	15	36	36	37	73
565 – Day Care Center	GFA	4000	26	23	49	23	26	49
<b>TOTAL TRIPS</b>			<b>105</b>	<b>52</b>	<b>157</b>	<b>107</b>	<b>147</b>	<b>254</b>







**Analysis**

The intersection of Weaver Road and Ascot Drive was analyzed using Highway Capacity Software for the unsignalized intersections. The analysis is completed for the existing counts provided in Figure 2 and 2014 Opening Day traffic provided in Figure 5.

Tables 2 summarize the results of the analysis completed for the existing 2013 traffic as well as 2014 Opening Day Traffic. The results of the capacity analysis provided in these summary tables clearly indicates that the westbound left turns and northbound approach of the intersection are operating at an acceptable Level of Service with and without the traffic generated by the proposed apartment complex.

Ex. Lane Use	Eastbound				Westbound				Northbound			Southbound				Intersection	
	-	-	-	-	LT	-	-	-	LR	-	-	App.	-	-	-		-
2013 - Ex AM	-	-	-	-	A	-	-	-	B	-	-	B	-	-	-	-	-
	-	-	-	-	8.2	-	-	-	11.9	-	-	11.9	-	-	-	-	-
2013 - Ex PM	-	-	-	-	A	-	-	-	B	-	-	B	-	-	-	-	-
	-	-	-	-	8.1	-	-	-	12.4	-	-	12.4	-	-	-	-	-
2014 - AM-Build	-	-	-	-	A	-	-	-	B	-	-	B	-	-	-	-	-
	-	-	-	-	8.2	-	-	-	12.4	-	-	12.4	-	-	-	-	-
2014-PM Build	-	-	-	-	A	-	-	-	B	-	-	B	-	-	-	-	-
	-	-	-	-	8.2	-	-	-	13.7	-	-	13.7	-	-	-	-	-

## Findings and Conclusions

The preceding analysis and recommendations listed below are based on the typical procedure used for evaluating impact of the proposed development on adjacent roadway infrastructure and usual and customary traffic engineering standards.

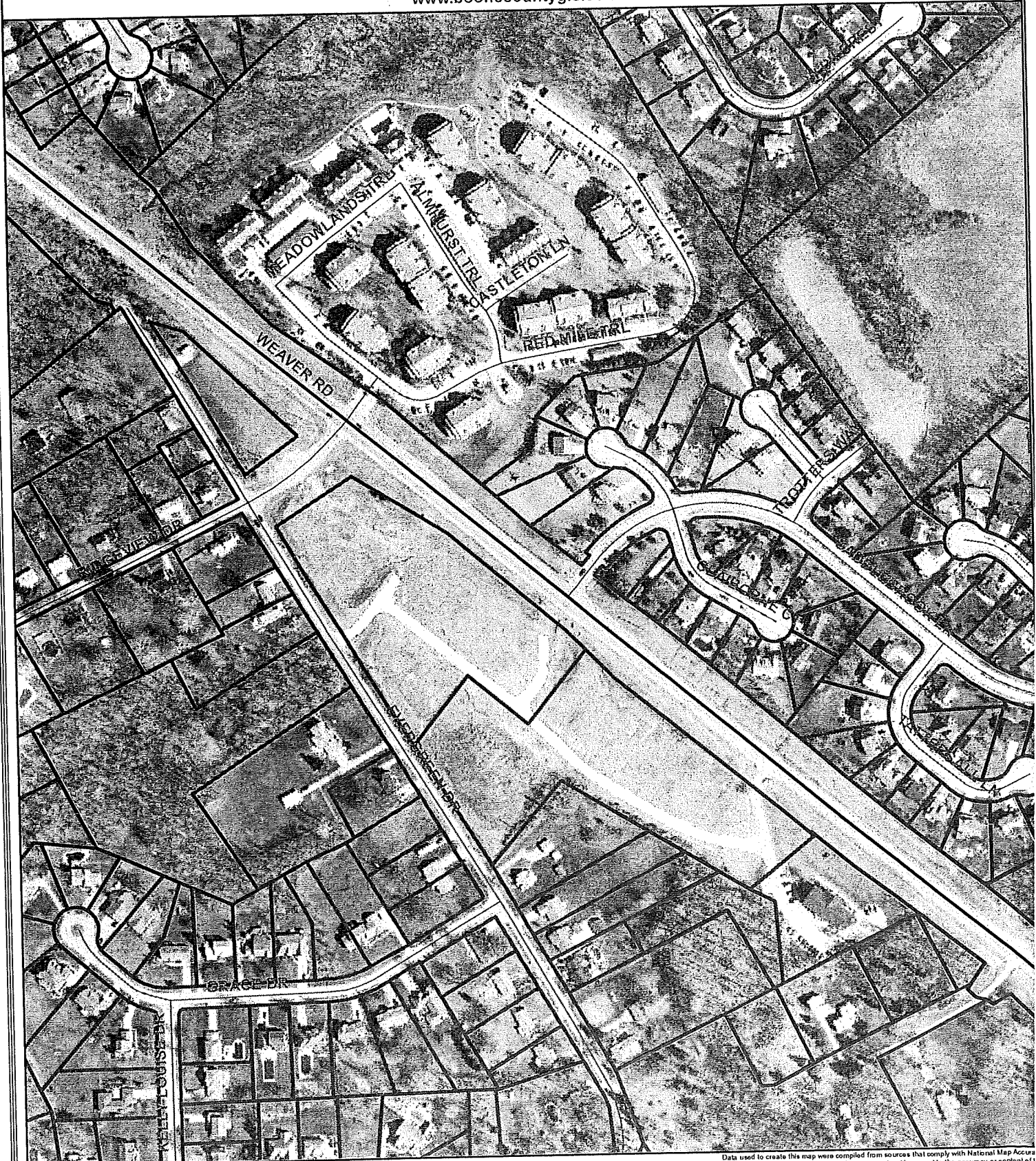
The proposed apartment complex will generate significantly lower trips compared to what was previously proposed for the same location. The AM and PM peak hour traffic volumes are approximately 73% and 80% less than what was estimated for the previously planned development. The total trips 43 and 52 estimated for the AM and PM peak hours are fairly small and less than threshold value of 100 trips typically required for completing a Traffic Impact Study for a new development.

The analysis completed for the intersection of Weaver Road and Ascot Drive indicates that the new trips generated by the proposed development will not have significant impact on the flow of traffic at the intersection. The existing and opening day traffic shows LOS A for the westbound left turn and LOS B for the northbound approach with and without the traffic generated by the proposed development.

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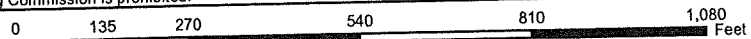
# 2013 AERIAL MAP

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1 inch = 300 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



# TOPOGRAPHICAL MAP

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0 135 270 540 810 1,080 Feet

1 inch = 300 feet

Boone County GIS

"Putting Northern Kentucky on the Map"



Map Date Printed: 10/20/12

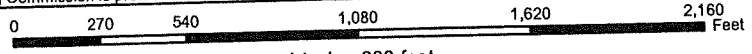
# ZONING MAP

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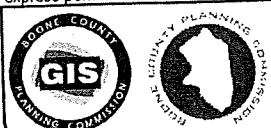
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1 inch = 600 feet

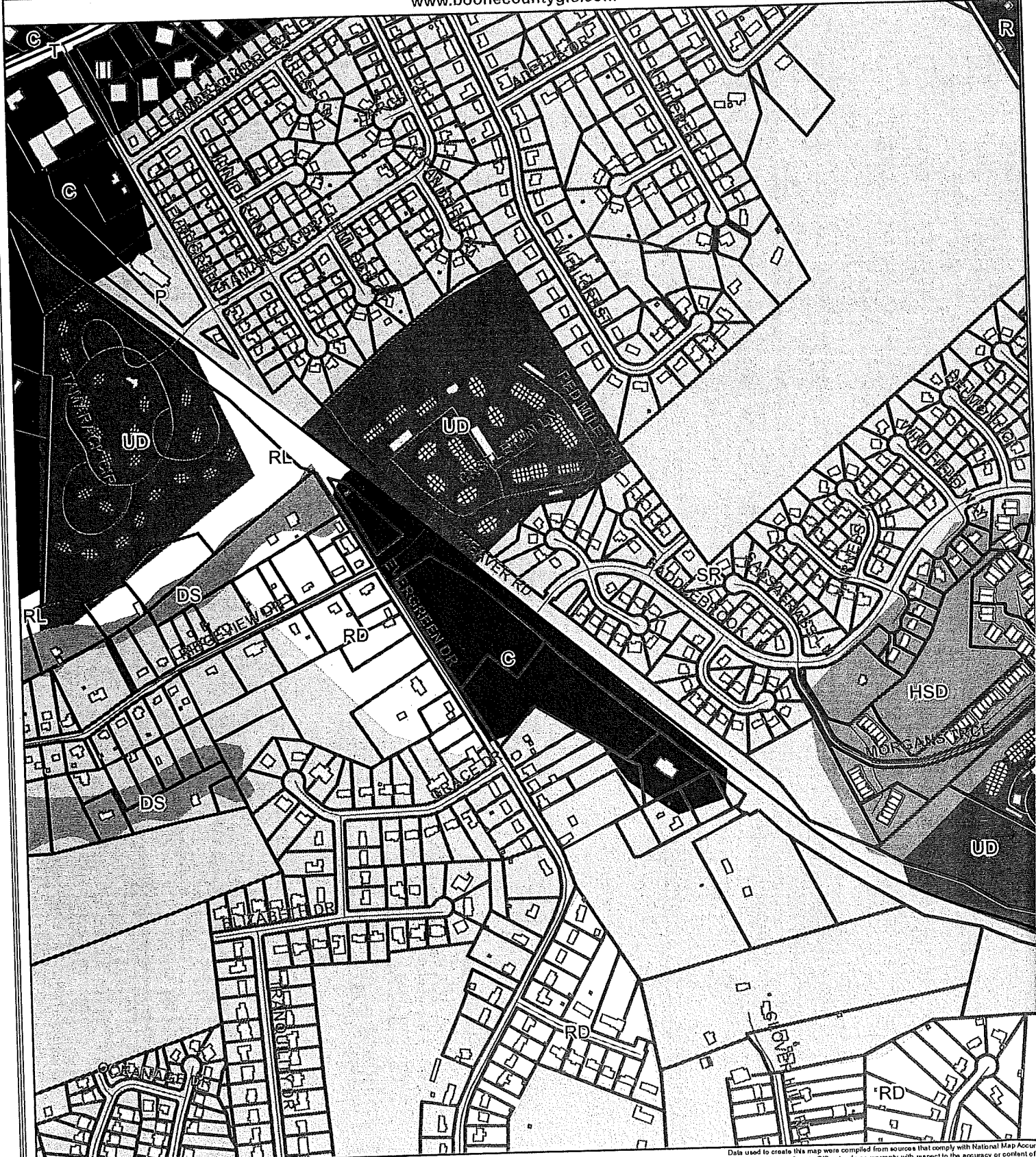
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# 2013 FUTURE LAND USE MAP

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0 270 540 1,080 1,620 2,160 Feet

1 inch = 600 feet

**Boone County GIS**

**"Putting Northern Kentucky on the Map"**



COMMITTEE REPORT

2

TO: Boone County Planning Commission

FROM: Larry Barnett, Chairman

DATE: July 6, 1988

RE: Request of Towne Land Company (applicant) for Banklick Corporation (owner) for a Zoning Map Amendment for a +130 acre site located on both sides of the U.S. 42/25 Connector and west of I-75 (former Kentucky Raceway site), Boone County, Kentucky. The request is to rezone the site from Suburban Residential One (SR-1) and Recreation (R) to Suburban Residential Two / Planned Development (SR-2/PD) and Commercial Two (C-2).

REMARKS:

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

FINDINGS OF FACT

1. The requested zoning map amendment is in conformance with the Boone County Comprehensive Plan. The Future Land Use Map indicates medium density residential for the entire site. The applicant has shown that the residential portion of the development falls within that medium density designation and accomplishes the progression of intensities, buffering, and variety of housing opportunities recommended within established urban areas.

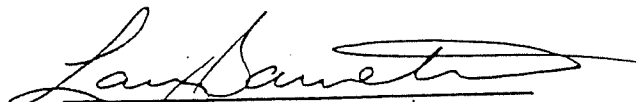
The commercial portion of the development is also in conformance with recommendations of the Boone County Comprehensive Plan. Although the Future Land Use Map does not recommend commercial uses for the specific location they are proposed, the Committee believes that the Goals and Objectives of the Business Activity Element support this portion of the proposed development. Specifically, the Business Activity Element recommends compact, integrated shopping center designs with strategic locations relative to trade areas as well as the mixing of commercial and non-commercial uses in planned developments. References to the Comprehensive Plan are made in the June 22, 1988 Staff Report.


2. The applicant has demonstrated that the existing Recreation (R) zoning is inappropriate to reflect its intended race track usage in a rapidly developing residential area. In addition, the applicant has shown that the requested zoning of Suburban Residential Two/Planned Development (SR-2/PD) and Commercial Two (C-2) achieve a realistic and well designed approach to developing a site while respecting the existing topography, vegetation and existing and planned adjacent land uses.

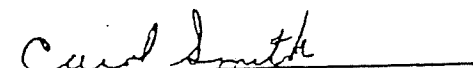
CONDITIONS


The applicant is being asked to agree to include these items as part of the Concept Development Plan in order to clarify the plan presented at the June 22, 1988 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.

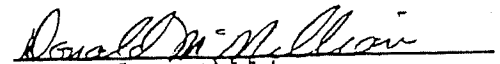
1. In order to achieve safe turning movements on the new US 25/42 Connector Road, the developer shall construct full left-hand turn lanes on the Connector Road at both the main entrance drive and at Ridgeview Drive. At these two intersections, the developer shall also construct deceleration lanes for all approaches, as well as an east bound deceleration lane at the proposed office site. The design and construction of such road improvements shall be phased at the early stages of this development and at subsequent reviews.
2. The location of the proposed entrance drive on Ridgeview Drive shall be moved 100 feet to the west to allow sufficient stacking distances and driver reaction times at the adjacent intersections.
3. Any future Commercial Two (C-2) use proposed for the 2.0 acre outparcel north of Ridgeview Drive shall be required to undergo Concept Development Plan review since no use or site layout are proposed at this time. If for some reason, a legislative body acquires this parcel from the applicant or property owner for public purposes, then the only review deemed necessary would be as required by KRS 100. The applicant is submitting a letter excluding some C-2 uses from the overall commercial area south of Ridgeview Drive. The Committee intends to incorporate this letter into this Committee Report.
4. Section D apartments needs to be developed so as to retain significant stands of mature trees.
5. Recreation facilities proposed for each section of the development shall be constructed as part of the first phase of their respective section.

  
Larry Barnett, Chairman

  
Rector Jones

  
Carol Smith

  
Fred Burgh

  
Donald McMillian



BRUCE FERGUSON  
County Judge — Executive  
(606) 334-2240

R. SCOTT KIMMICH  
Executive Assistant  
(606) 334-2242

ROBERT C. MARTIN  
Director of Administration  
(606) 334-2200

MARILYN K. YOUNG  
Director of Personnel  
(606) 334-2243

OFFICES OF THE FISCAL COURT

P.O. Box 900  
Burlington, KY 41005

PATRICK J. RAVERTY  
Commissioner  
District 1

RONALD ROBINSON  
Commissioner  
District 2

DON DAVIS  
Commissioner  
District 3

LARRY J. CRIGLER  
County Attorney  
(606) 586-9950

September 7, 1988

Mr. Matthew J. Brennan, Agent  
Towne Land Co.  
1055 St. Paul Place  
Cincinnati, Ohio 45202

Dear Mr. Brennan,

Please be advised that your request for a zone change has been approved by the Boone County Fiscal Court with the following conditions having been added to those of the planning Commission.

- (1) A homeowner's association must be formed and that this association shall be responsible for all common ground in the development, which is not privately held.
- (2) That condition four (4) of the planning and zoning commission require the express written consent of the planning commission before any tree can be removed and that a fee of \$500.00 be levied for the illegal removal of same.

Attached you will find a copy of the ordinance approved and a full listing of the conditions applied by the planning commission and the Fiscal Court.

If you have any questions regarding this matter, please feel free to contact my office.

With kindest regards, I remain

Sincerely yours,

Bruce Ferguson  
County Judge/Executive

BF:rs

3 enclosures

cc: Gerald Newton, P & Z Director

**ESD**

ESD ARCHITECTS/PLANNERS, INC.

FACILITATED PARKING

DEVELOPMENT FOR  
MCNE PROPERTIES, INC.

PLATE 1188B

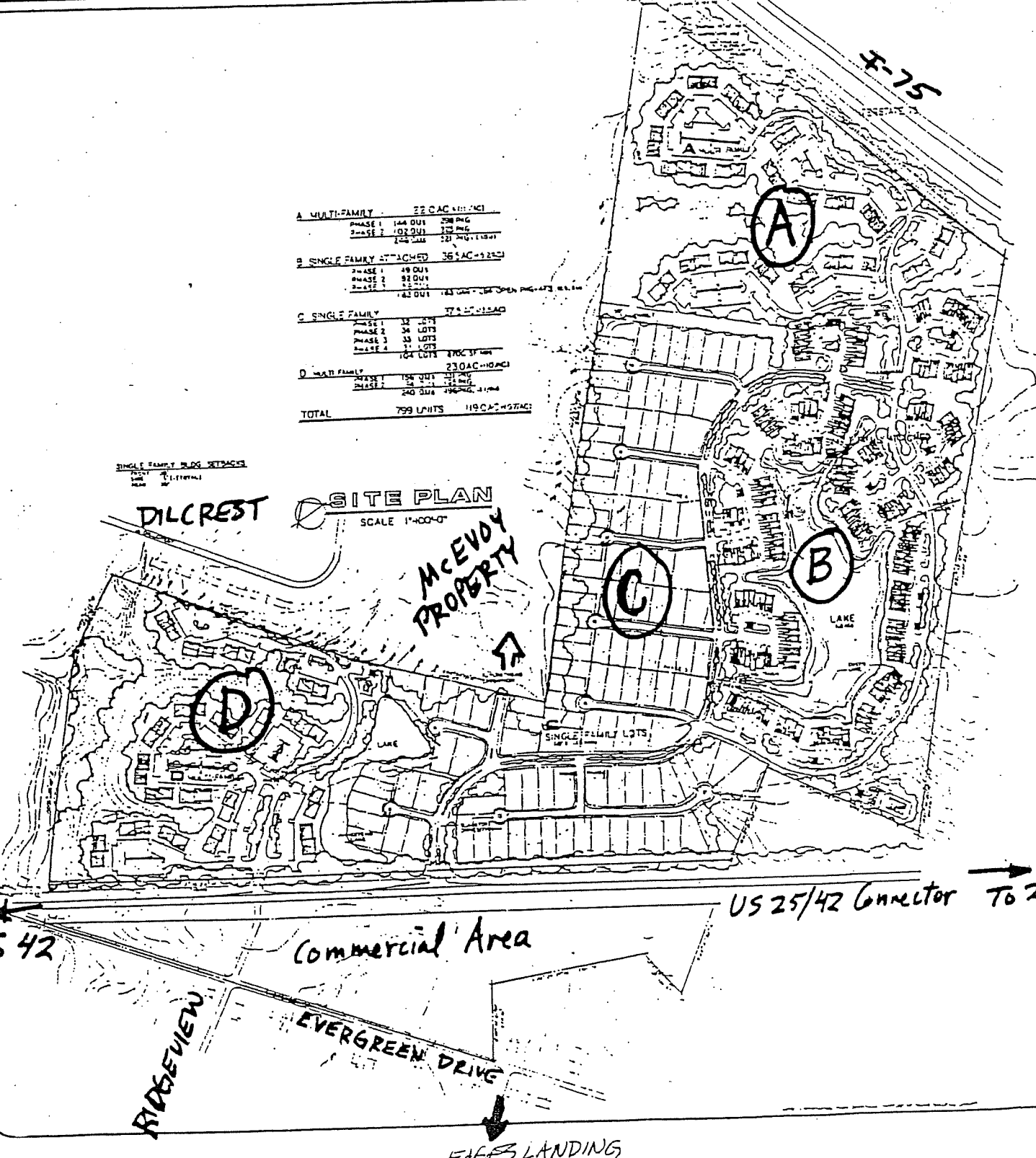
<b>A MULTI-FAMILY</b>	<b>22 AC (48,141)</b>
PHASE 1	144 DUU 250 PIG
PHASE 2	107 DUU 210 PIG
	(42,348) (21,174)
<b>B SINGLE FAMILY ATTACHED</b>	<b>36 AC (8,252)</b>
PHASE 1	49 DUU
PHASE 2	82 DUU
PHASE 3	15 DUU
	(42,348) (21,174) (4,285) (2,142)
<b>C SINGLE FAMILY</b>	<b>37.5 AC (8,540)</b>
PHASE 1	33 LOTS
PHASE 2	34 LOTS
PHASE 3	33 LOTS
PHASE 4	7 LOTS
	(104 LOTS) (170,570)
<b>D MULTI-FAMILY</b>	<b>23.0 AC (5,190)</b>
PHASE 1	156 DUU 151 PIG
PHASE 2	24 DUU 24 PIG
	(240 DUU) (496,800) (24,000)
<b>TOTAL</b>	<b>799 UNITS 119.0 AC (27,142)</b>

SINGLE FAMILY BLDG SETBACKS  
FRONT 10'  
SIDE 5'  
REAR 10'

DILCREST

**SITE PLAN**  
SCALE 1"=400'-0"

MCNEVOY PROPERTY



I-75

A

C

B

D

US 25/42 Connector To 2

To 42

Commercial Area

RIIDGEVIEW

EVERGREEN DRIVE

EDGES LANDING

MAIN RESIDENTIAL DEVELOPMENT

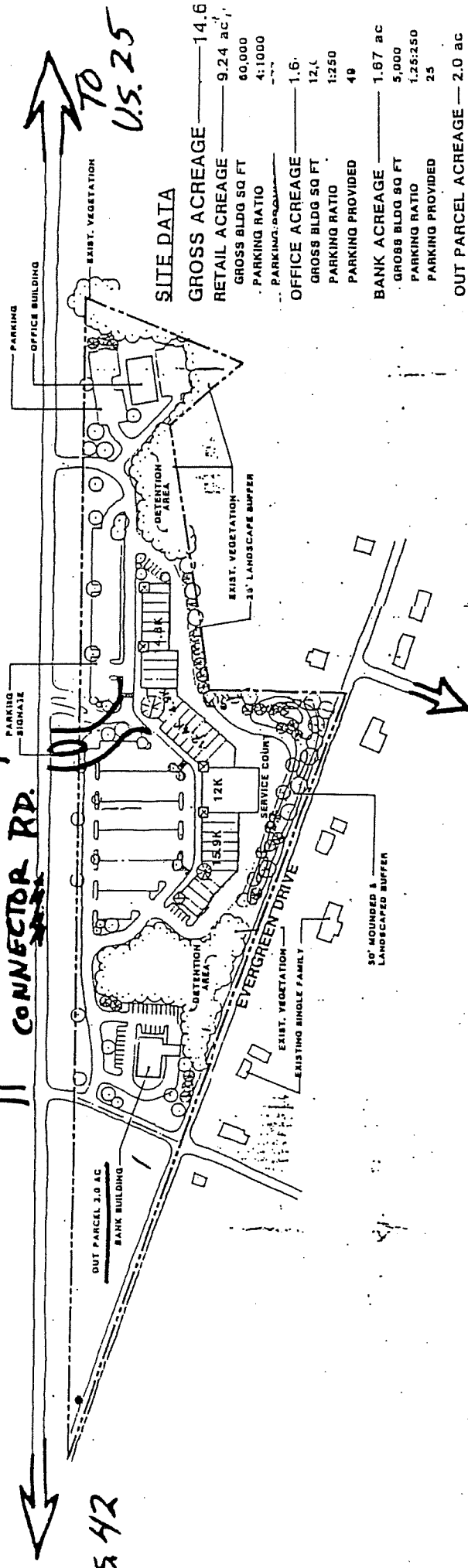
TO ALIGN WITH A SADDLEBROOK DRIVE

SECTION D

CONNECTOR RD.

TO U.S. 25

EAGLES LANDING



SITE DATA

GROSS ACREAGE	14.6
RETAIL ACREAGE	9.24 ac'
GROSS BLDG SQ FT	60,000
PARKING RATIO	4:1000
OFFICE ACREAGE	1.6
GROSS BLDG SQ FT	12,000
PARKING RATIO	1:250
PARKING PROVIDED	49
BANK ACREAGE	1.67 ac
GROSS BLDG SQ FT	5,000
PARKING RATIO	1.25:250
PARKING PROVIDED	25
OUT PARCEL ACREAGE	2.0 ac

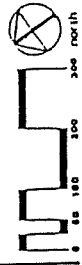
Böhm-NBBJ

35 Newmarket Bay  
Columbus, Ohio 43216  
681/221-1415  
Architecture  
Planning  
Landscape Architecture

SADDLEBROOK CENTER

Towne Land Company  
Boone County, Kentucky

date 6/8/88 proj 88060.00





# BOONE COUNTY PLANNING COMMISSION

[www.boonecountyky.org/pc](http://www.boonecountyky.org/pc)  
[www.boonecountygis.com](http://www.boonecountygis.com)

Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, KY 41005



Phone (859) 334-2196; Fax (859) 334-2264  
[plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)

March 14, 2007

MAR 21 2007

Noll Properties  
c/o – Mr. David Noll  
6 Dartmouth Drive  
Ft. Mitchell, KY 41017

RE: Request of **Noll Properties (applicant)** for **Banklick Corporation (owner)** for a Change in an Approved Concept Development Plan in a Commercial Two (C-2) zone for an approximate 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Boone County (annexation pending into the City of Florence), Kentucky. The request is for a change in an approved Concept Development Plan to allow commercial, retail, and office uses.

Dear Mr. Noll:

The following represents the conditions of approval for the above referenced Concept Development Plan request as agreed to by the Zone Change/Concept Plan Committee. You, as applicant, and an officer of the Banklick Corporation will need to sign the appropriate spaces on the last page of this letter if you are in agreement with the conditions. Please return this original letter to the Boone County Planning Commission office by March 20, 2007.

## CONDITIONS

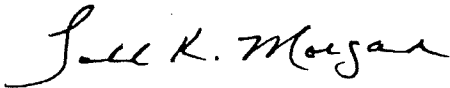
1. The applicant agrees to install the transportation improvements which are shown on the attached traffic control concept plan. The transportation improvements may be modified to maximize sight distance, increase intersection clearance, and align curb cuts and are subject to approval by Boone County Planning Commission, Boone County Public Works, and the Kentucky Transportation Cabinet. All traffic improvements shall be constructed and open to the public before any building in the development is issued a Certificate of Occupancy by the Boone County Building Department.
2. All parking lot lighting shall be directed downwards and inwards toward the site. Light poles shall be limited to a maximum height of twenty (20) feet.

3. The following signage conditions apply to the development:
    - A. The architectural free-standing sign for the development shall be limited to fifteen (15) feet in height.
    - B. Outlot (monument) signs shall not be permitted on lots 4 and 5.
    - C. Building mounted signs are prohibited on the rear (western) facades of lots 4, 5, and 6.
  4. The width of the Evergreen Drive street frontage buffers shall comply with the submitted Concept Development Plan. The portion of the buffer which adjoins the residential area shall contain all Buffer Yard A plantings and a continuous five (5) to six (6) berm. All required large trees shall be evergreen species and small breaks will be permitted in the berm to allow storm water drainage.
  5. Any proposed building in the development, except for a convenience store with accessory gasoline sales, shall be reviewed through a Staff Design Review process which analyzes the following:
    - A. All building facades shall be constructed with natural toned colored brick and shall be consistent with one of the submitted building concepts (see attachment).
    - B. Roof equipment shall not be visible from any public right-of-way or adjoining residential property.
    - C. The buildings on lots 2, 4, 5, and 6 shall have windows and/or doors which are uniformly dispersed on all facades.
    - D. The building on lot 3 shall have windows and/or doors which are uniformly dispersed on the front and side facades.
- Any proposed convenience store with accessory gas sales (lot 6 only) shall be subject to a formal Design Review application. Items to be reviewed are as follows:
- A. All building facades shall be constructed with natural toned colored brick and shall be consistent with one of the submitted building concepts (see attachment).
  - B. The placement of windows and/or doors on the front and sides shall be uniformly dispersed on the front and side facades. Windows and/or doors on the rear facade shall be designed to be to be appropriate for residential adjacency in terms of appearance and lighting impact.
  - C. Roof equipment shall not be visible from any public right-of-way or adjoining residential property.

Mr. David Noll  
March 14, 2007

- D. The gasoline canopy shall be supported with brick columns. The brick used in the columns must match the dominant brick color of the principal structure.
  - E. The gasoline canopy roof shall have a substantial fascia with materials that match the principal structure or a pitched roof.
  - F. The gasoline canopy and pumps shall be an accessory use.
6. Sidewalks shall be required along all development driveways. The sidewalks shall connect to the required sidewalks on Weaver Road and Evergreen Drive.
  7. An attachment list the principally permitted and accessory uses which are allowed in the development.

Sincerely,



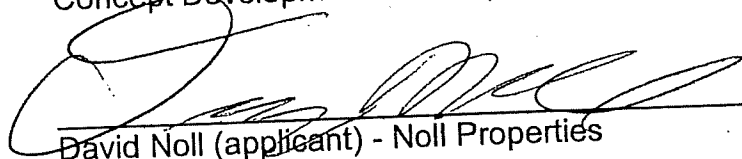
Todd K. Morgan, AICP  
Senior Planner, Zoning Services

TKM\pr

Attachments

AGREEMENTS

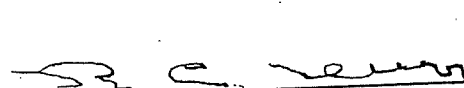
I, David Noll, agree to the listed conditions of approval for the Change in Approved Concept Development for the property which is referenced on the first page of this letter.

  
\_\_\_\_\_  
David Noll (applicant) - Noll Properties

3-20-2007

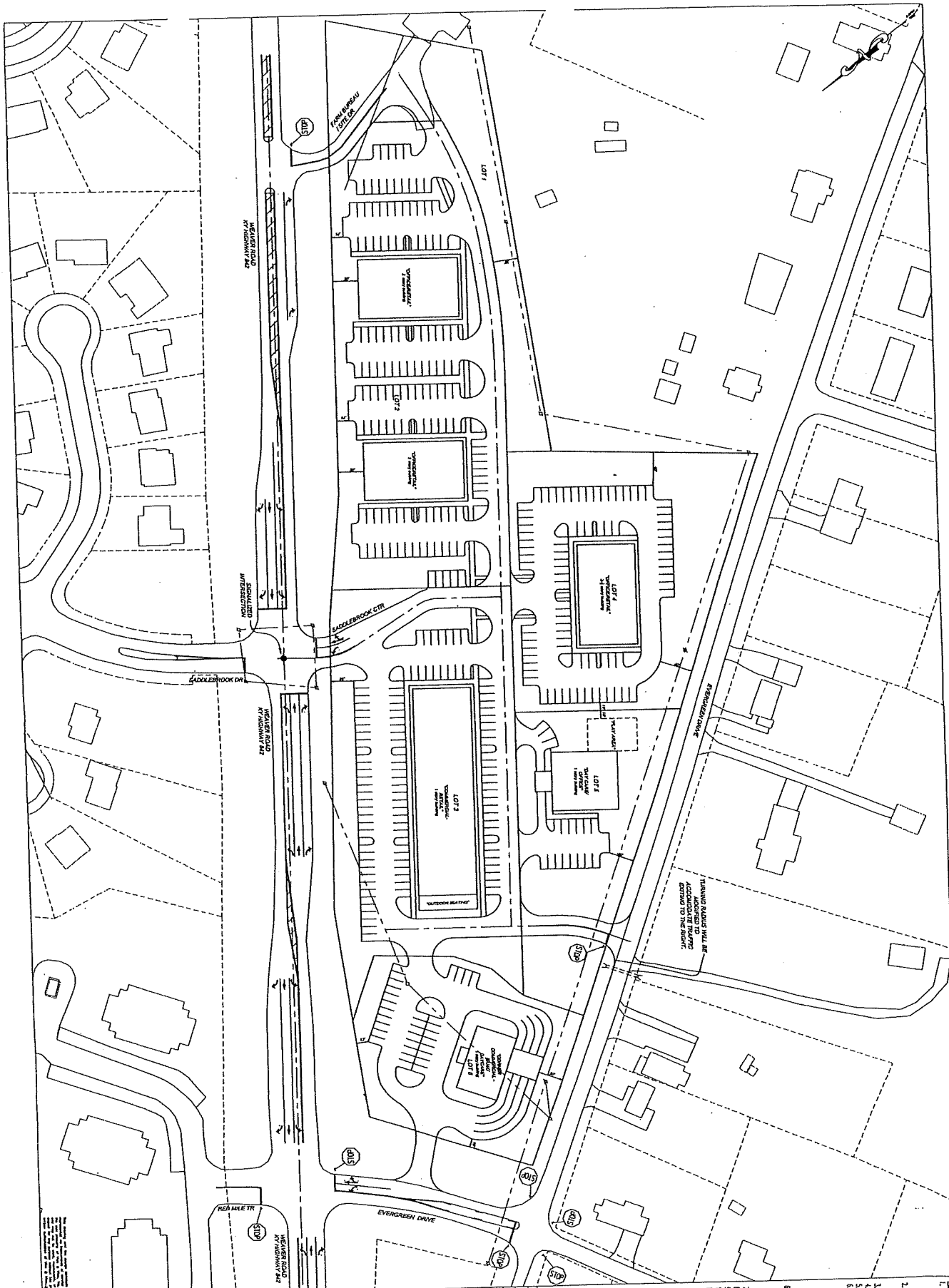
Date

I, R.C. Durr, agree to the listed conditions of approval for the Change in Approved Concept Development for the property which is referenced on the first page of this letter.

  
\_\_\_\_\_  
R.C. Durr - Member of the Banklick Corporation (owner)

3-16-2007

Date



**TRAFFIC CONTROL CONCEPT PLAN**  
**SADDLEBROOK CENTER**  
**FLORENCE, BOONE COUNTY, KENTUCKY**  
(amendations pending)

DATE: 03/15/07  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO.: [Number]  
 SHEET NO.: [Number]  
 TOTAL SHEETS: [Number]  
**PAGE 1**

**RECEIVED**  
 MAR 15 2007  
 BOONE COUNTY  
 PLANNING COMMISSION

1. Owner: [Name]
2. Developer: [Name]
3. Consultant: [Name]
4. Existing Zone: [Code]
5. Proposed Zone: [Code]
6. Proposed Lots: [List]
7. Proposed Uses: [List]
8. Proposed Area: [List]
9. Proposed Area: [List]
10. Proposed Area: [List]
11. Proposed Area: [List]



## BOONE COUNTY PLANNING COMMISSION

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**TO:** Michael Blevins, Boone County Schools  
Peter Glenn, Florence Public Services  
Robert Krebs, Florence Fire/EMS  
Laura Mitchell, Kentucky Transportation Cabinet  
Daniel Rice, Boone County Public Works

**FROM:** Todd K. Morgan, AICP, Senior Planner, Zoning Services

*TKM*

**DATE:** January 13, 2014

**RE:** Request of **Premier Real Estate Management, LLC/Calvin M. Akin (applicant)** for **First Security Trust Bank, Inc. (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential One (UR-1) for a 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Florence, Kentucky. The request is for a zone change to allow a multi-family residential development.

I have enclosed a copy of the Concept Development Plans for the above referenced application. The plans show that seven (7) two-story apartment buildings are proposed on the property. Each building will contain twelve (12) two bedroom apartments. Access to the development is proposed from existing driveways on Weaver Road and Evergreen Drive. The public hearing for this application has been scheduled for February 5, 2014.

Please review this proposal relative to your agency's policies and service abilities and provide any comments in writing to me by January 27, 2014. Please provide a written response, even if your agency has no comments on the proposal. Comments can be e-mailed to [tmorgan@boonecountkyky.org](mailto:tmorgan@boonecountkyky.org) or faxed to (859) 334-2264. Your feedback is greatly appreciated.

## Todd Morgan

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**From:** Robert Krebs <Robert.Krebs@Florence-KY.gov>  
**Sent:** Wednesday, January 15, 2014 4:22 PM  
**To:** Todd Morgan  
**Subject:** Saddlebrook Apartments

The only current comment would be the proposed name of the complex. There are quite a few areas that use Saddlebrook in their name. This may cause confusion in an emergency situation. I do reserve comments on Fire hydrant location and layout on site plan review. I do not see any details on the current plan.

January 27, 2014

Dear Mr. Costello and Boone Co. Planning Commission,

Hello, my name is Bill Boyle. In my absence from being able to attend the commission's meeting to discuss the proposed zoning change for the Premier Real Estate Management's Request for the property on Weaver Road and Evergreen Drive, I am writing to oppose this change in zoning. I am a property owner on Evergreen Drive directly across from the proposed C-2 zone change property to a UR-1. I also own property on Grace Drive which will be heavily impacted by this proposed zone change.

Several years ago, we as a neighborhood were contacted by the owner of this property (Dave Noll) who wanted a zone change to C-2. After much dialogue and guarantees for the type of buildings that would be built on the site and an 8' earth berm with trees on it to separate the commercial from residential on Evergreen Drive, our neighborhoods came out in support of the C-2 zoning. The infrastructure (roads, and utilities) was completed and the project stopped.

I oppose this zone change for the following reasons:

The residents want the appropriate commercial development.

There are more than enough multi-family dwellings on Weaver Road as it currently stands.

The traffic situation at Evergreen and Weaver is not good as it currently stands.

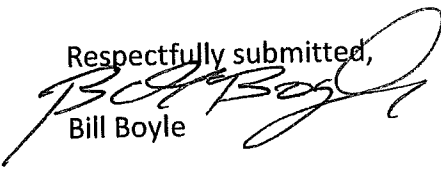
The Boone County Schools are not equipped to handle another multi-family development in this area.

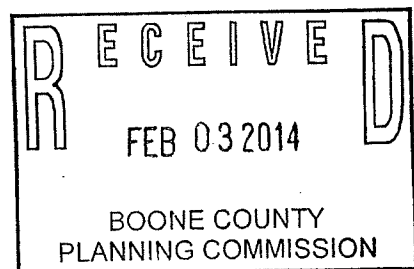
The neighborhood residents do not want the associated crime in the area that comes with more high density multi-family units.

The potential lowering of property values in our neighborhoods.

My property addresses are: 8865 Evergreen Drive, Florence KY 41042 and 788 Grace Drive, Florence KY 41042. Please share this letter with the members of the Boone County Planning Commission and make this letter part of the official record. Should you or any commissioners need to contact me by phone, I can be contacted at 859-816-5855 or by email at [bkboyle@fuse.net](mailto:bkboyle@fuse.net). Thank you and the commission for hearing our concerns and hopefully sticking to the master plan and the current zoning for this property

Respectfully submitted,

  
Bill Boyle



An Open Letter to the Members of the Boone County Planning and Zoning Commission,

RE: *OPPOSITION TO ZONING CHANGE*

My name is Laurie Walton. I reside at 784 Grace Drive in Eagles Landing as well as am a property owner on Evergreen Drive. I am writing to share my concerns about the proposed zoning change for the undeveloped land between Weaver Road and Evergreen Drive from Commercial (C-2) to Urban Residential (UR-1) to accommodate a senior living development.

The project, as currently proposed, seems out of proportion to the property and is not consistent with the values put forth in the current plan and zoning.

While there are a multitude of concerns regarding the impact of a zoning change, I am most concerned about the affect of multifamily housing on property values and overall quality of life.

The change to zoning will affect a very large area directly across the street from property I own as well as not far from my home in Eagles Landing. These new uses will include multifamily rental apartments, intended for lower incomes, built on smaller lots at higher density and are 2 stories high.

Redevelopment is fine. However, I am not for this type of redevelopment. I earnestly desire that you keep the zoning according to the current plan.

I believe that we all can see what problems an Urban Residential multi-family apartment complex will bring to the neighborhood and to the area that we cherish. Like many of my neighbors who desire to have their voices heard, my principal objection is the zoning changes will reduce neighborhood property values and it has long-term dire consequences. It contributes nothing to the revitalization of our community.

While the project raises many potential issues, I am particularly concerned about its impact on traffic safety. With 84 units, the facilities will likely house at least 168 residents, with additional staff. Visitors, healthcare providers and therapists, delivery trucks and more will result in a steady stream of traffic in and out. There is little doubt that the increased traffic will impact school transportation, commutes to US Highway 42, US 25 and the Industrial Park as well as general traffic on the Weaver Road corridor. The amount of traffic could be of serious concern, especially around morning and evening commute and rush hour. Further, it has been suggested that seniors trying to negotiate the already congested Weaver Road traffic could be a nightmare.

When we consider the additional traffic likely to result from a development of this magnitude, I am more convinced that this decision needs extensive research to determine the number of trips this proposed facility would generate per day. Has a traffic study been conducted to determine feasibility and impact? If so, would you please make the findings available upon request?

I urge you to oppose this massive change to the Weaver Road and Evergreen Drive site. Weaver Road is a critical roadway for all those in our community and increasing the congestion will reduce the level of safety and quality of life for all residents.

Further, the fiscal situation has the chance to worsen considerably in the future. Many multi-family facilities already are having a hard time operating at capacity. If, down the road, it is no longer economically viable to have a senior living facility and the property becomes apartments, this could really impact the state of the neighborhood 24 hours a day, 7 days a week, 365 days a year in a way that would be unsafe and not fit the character of the current neighborhood.

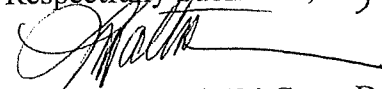
Disappointed that only a handful of those residents affected by this decision received formal notification of such, here are a few snapshots of concerns to illustrate how wrong this type of project is for a neighborhood such as ours, as well as our entire community:

- We are concerned about the scale of the buildings: the footprint – too big for this site
- We are concerned about the height of the buildings: two stories – too tall
- We are concerned about traffic into and out of the apartment complex – both at Weaver Road and Evergreen Drive
- We are concerned that the driveway entrance placement will result in traffic hazards, especially for those coming into and out of Evergreen Drive, along with creating havoc during high traffic times, evenings as well as during inclement weather.
- We are concerned about parking – anticipating that parking will spill into adjoining neighborhoods, especially on holidays, creating too much traffic and noise on existing residential streets and for the neighbors.
- We are concerned that if this starts as senior housing, it could become a general housing apartment building. We are already concerned about lack of parking; if the building morphs into a general housing apartment complex, parking will be far inadequate.
- We are equally concerned by its potential impact on services. The impact on emergency response will not be insignificant and the additional stress will certainly have an impact on the community as a whole.

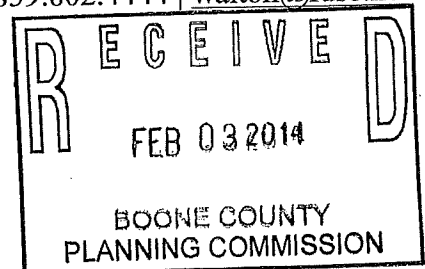
Approval of this project will require zoning changes and numerous variances. I urge you to reject this plan and to vote against this rezoning when it is brought before you, which is clearly not consistent with the values of Boone County as well as the City of Florence.

Honor the comprehensive plan for the area and keep the character of our community alive. Thank you for listening to my concerns.

Respectfully Submitted,



Laurie Walton | 784 Grace Drive | Florence, Kentucky 41042 | 859.802.4444 | [walton@fuse.net](mailto:walton@fuse.net)



APPLICATION FORM

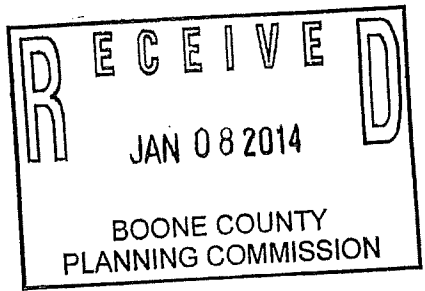
ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

FIVE (5) COPIES OF SUBMITTED DRAWINGS ARE REQUIRED
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project SADDLEBROOK APARTMENTS
2. Location of Project South corner of Ridgeview and Weaver Road
3. Total Acreage of Site 9.71 Acres
4. Current Zoning of Site C-2 / CD
5. Proposed Zoning (Classification being requested) UR-1
6. Proposed Uses (please specify each use) Seven 12-unit apartment buildings (84 units)
7. Names of Applicant(s) Premier Real Estate Management, LLC / Calvin M. Akin
8. Address of Applicant(s) 19105 W. Capitol Drive, Suite 200
9. Name of Property Owner(s) First Security Trust Bank, Inc
10. Address of Property Owner(s) 7135 Houston Road
11. Proposed Building Intensities (please specify) Seven 12-unit apartment buildings.
12. Are there any existing buildings on the site? no
13. Deed Book 1016 Page No. 420 Group No. 2048B
14. Are you also applying for:
15. Have you submitted a Concept Development Plan? Yes
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

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



**EXHIBIT**

**“B”**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: March 5, 2014

RE: Request of Premier Real Estate Management, LLC/Calvin M. Akin (applicant) for First Security Trust Bank, Inc. (owner) for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential One (UR-1) for a 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Florence, Kentucky. The request is for a zone change to allow a multi-family residential development.

### REMARKS:

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

### FINDINGS OF FACT

1. The Committee has concluded that the existing zoning classification of Commercial Two (C-2) is inappropriate and that the proposed zoning classification of Urban Residential One (UR-1) is appropriate due to the following reasons:
  - A. Although the 2035 Future Land Use Map from the Boone County Comprehensive Plan forecasts the site for commercial uses there are passages that support a multi-family residential project being developed on the subject site or immediate area.

The following Goals and Objectives are found in the Comprehensive Plan:

- A broad range of housing opportunities shall be provided which meets the needs and desires for all household types (Housing, Objectives)
- Residential developments shall be encouraged to plan and build in a manner which is compatible not only with the general housing density and design planned for the area but also with the existing conditions of the site, including the suitability of adjoining lands for appropriate access, and significant site features (Housing, Objectives).

The Land Use Element's Future Land Use Development Guidelines states that "different development densities can occur in Boone County as long as the development is designed in a proper manner and the infrastructure exists or is planned to support the development. The Goals and Objectives also acknowledge

that fluctuations in the economy and housing market should be considered when evaluating the uses and design of developments" (Development Layout, Lot Sizes, and Setbacks, pg. 162).

The Land Use Element text states that "the area south of Saddlebrook Farms Subdivision along Weaver Road, has developed in an Urban Density Residential manner consistent with the subdivision, with adequate buffering for adjacent to single-family residential uses" (Gunpowder Area, pg. 169).

The Housing Element states that "high density residential areas should be located sufficiently near and with convenient access to major streets, highways, and shopping and public facilities. A progression of densities of residential uses from high (multi-family) to low (single family) shall be encouraged. Where traditional progressions of high to low net density are not possible through creative development design, an appropriate and attractive visual transition should be achieved. This could include existing vegetation or new landscaping and/or fencing" (Housing Densities, pg. 81).

The Committee found that the proposed apartment development, with the agreed conditions, will be consistent with other multi-family developments in the corridor in terms of building and landscaping design, overall compatibility, and placement by Weaver Road and single-family residences. The site is conveniently located to major streets (Weaver Road, US 42, Dixie Highway, Mt. Zion Road), highways (I-71/75) and shopping (US 42 and Mall Road).

B. The applicant submitted a "basis for the zone change" which was included in the February 5, 2014 Staff Report. The letter states that the existing zoning designation of Commercial Two (C-2) is inappropriate and the proposed zoning designation of Urban Residential (UR-1) is appropriate for the following reasons:

- The property has not been developed as a commercial project for 25 years.
- During the 25 years that the property has been zoned commercial both single-family and attached residential developments have been successful on properties immediately adjacent to the subject site.
- The most recent attempt to develop the property commercially resulted in bankruptcy.
- The proposed development is much less intense than the currently approved Concept Development Plan:

This project will produce only 25% of the traffic that would have been expected from the previously approved Concept Development Plan.

This project will have less impervious area than the previously approved Concept Development Plan.

This project will have more open space than the previously approved Concept Development Plan.

- The project will develop immediately as residential and will not sit for many years waiting for each commercial lot to develop.
2. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2010 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with the conditions.

### CONDITIONS

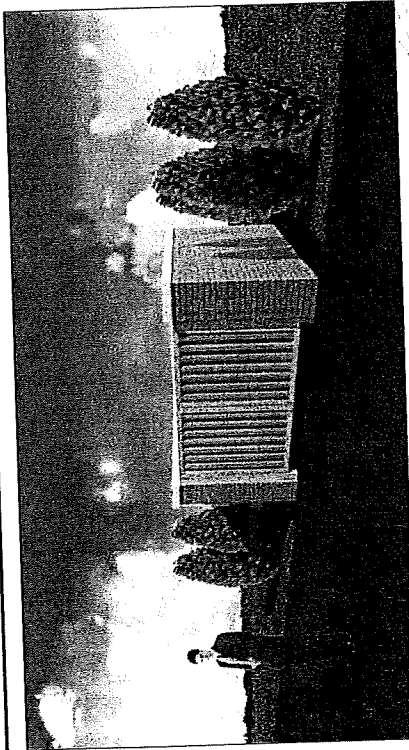
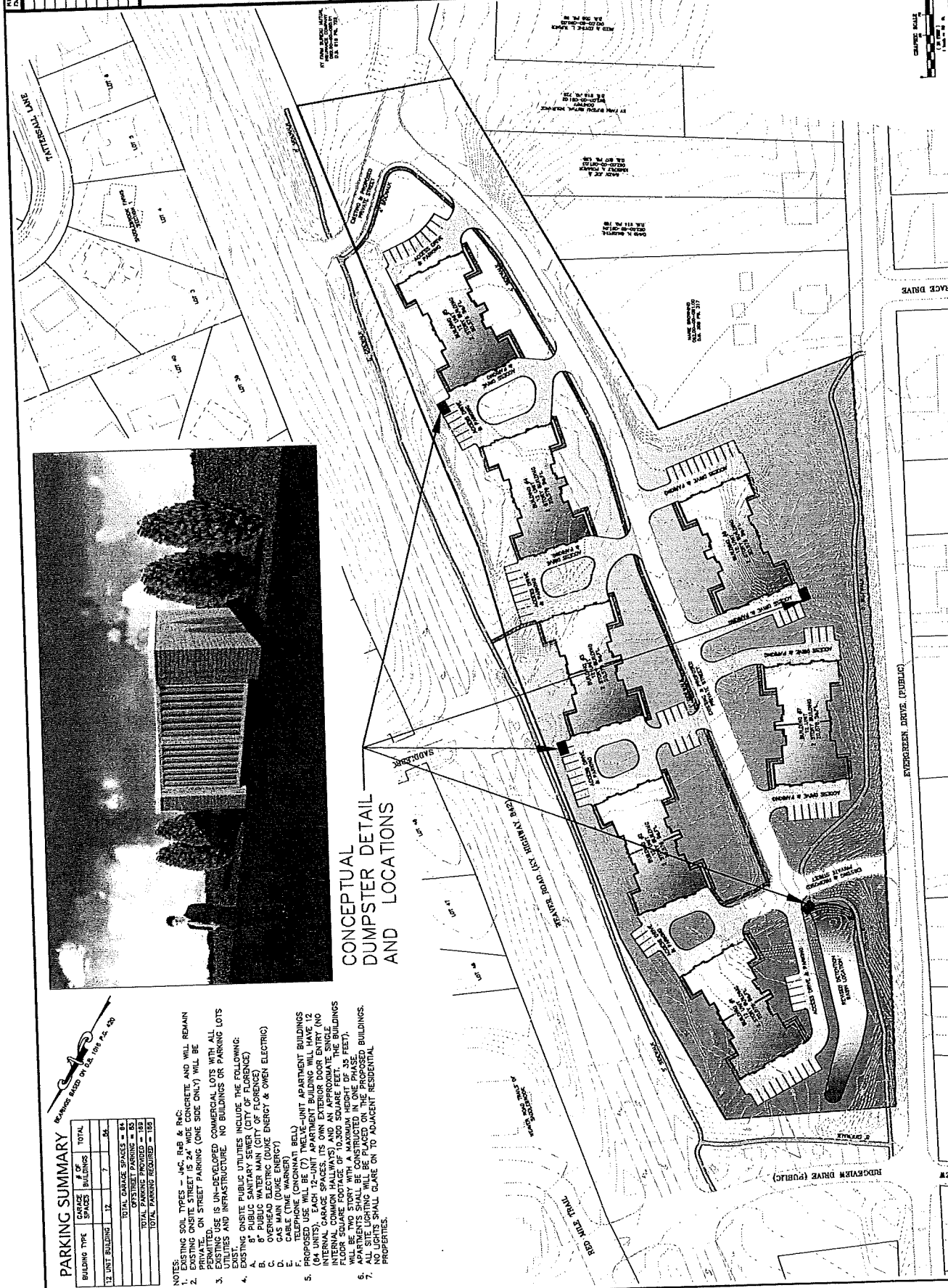
1. The approval is based on the attached Concept Development Plan, floor plans, and building renderings. The building rendering show that the buildings will be constructed with brick, vinyl siding, and vinyl shake shingles in the gable areas.
2. A minimum of ten (10) additional guest parking spaces shall be provided on site.
3. Boat, trailer, or other recreational vehicle parking shall be prohibited in the development.
4. The parking lots shall be illuminated by wall packs and/or fixtures located on the apartment buildings. No light poles shall be permitted in the parking lots.
5. A continuous four (4) foot wide sidewalk system shall be provided on both sides of the main development driveway. The sidewalks shall be located between the Kentucky Farm Bureau driveway and the T intersection in the development driveway. No other sidewalks shall be required in the development or along the public street frontages.
6. A maximum of four (4) trash dumpsters shall be permitted in the development and approximately located per the Concept Development Plan. The front and sides of the enclosures shall use brick that matches the apartment buildings and the gates shall be solid metal or a solid composite material painted per the Concept Development Plan. Landscaping shall be provided to the sides and rear when the dumpster placement allows it.
7. Horse style fencing shall be installed in the Weaver Road right-of-way if Kentucky Transportation Cabinet is agreeable. It shall match the fencing that is located in front of Trails of Saddlebrook on Weaver Road. The fencing shall be maintained and kept in a newly constructed appearance.
8. A playground shall be provided in the development and it shall be constructed per the attached exhibit.

ZONE CHANGE/CONCEPT DEVELOPMENT PLAN COMMITTEE REPORT  
Premier Real Estate Management, LLC/First Security Trust Bank, Inc.  
March 5, 2014

9. A left hand turn lane shall be provided at the development entrance on Weaver Road per the attached email from Laura Mitchell (Kentucky Transportation Cabinet) and in accordance with the second alternative described in the email from Scott Pennington (Boone County Public Works). The turn lane shall be constructed and open to the public before the first apartment unit is occupied.

A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change/Concept Development Plan Committee Vote.

<b>PROJECT:</b> ZONE CHANGE PLAN SADDLEBROOK CENTRE APARTMENTS WEAVER ROAD FLORENCE KY	<b>CLIENT:</b> PREMIER REAL ESTATE MAGEMENT LLC 19105 WEST CAPITOL DRIVE BROOKFIELD, WI 53045
<b>PROJECT:</b> SADDLEBROOK CENTRE APARTMENTS WEAVER ROAD FLORENCE KY	<b>PROJECT:</b> SADDLEBROOK CENTRE APARTMENTS WEAVER ROAD FLORENCE KY
<b>PROJECT:</b> SADDLEBROOK CENTRE APARTMENTS WEAVER ROAD FLORENCE KY	<b>PROJECT:</b> SADDLEBROOK CENTRE APARTMENTS WEAVER ROAD FLORENCE KY



**CONCEPTUAL  
DUMPSTER DETAIL  
AND LOCATIONS**

**PARKING SUMMARY**

BUILDING TYPE	SPACES	# OF BUILDINGS	TOTAL
12 UNIT BUILDING	12	7	84
TOTAL GARAGE SPACES = 84			
OFF-STREET PARKING = 85			
TOTAL PARKING PROVIDED = 169			
TOTAL PARKING REQUIRED = 158			

- NOTES:**
- EXISTING SOIL TYPES - JNC, R4B & R4C.
  - EXISTING ON-SITE STREET IS 24" WIDE CONCRETE AND WILL REMAIN PRIVATE. ON-STREET PARKING (ONE SIDE ONLY) WILL BE PROVIDED.
  - USE IS UN-DEVELOPED COMMERCIAL LOTS WITH ALL UTILITIES AND INFRASTRUCTURE. NO BUILDINGS OR PARKING LOTS EXISTING.
  - EXISTING ON-SITE PUBLIC UTILITIES INCLUDE THE FOLLOWING:
    - 8" PUBLIC SANITARY SEWER (CITY OF FLORENCE)
    - 8" PUBLIC WATER MAIN (CITY OF FLORENCE)
    - OVERHEAD ELECTRIC (DUKE ENERGY & OHEN ELECTRIC)
    - CAS # 17 (CITY OF FLORENCE)
    - CAS # 17 (CITY OF FLORENCE)
    - TELEPHONE (CHONNATI BELL)
  - PROPOSED USE WILL BE (7) TWELVE-UNIT APARTMENT BUILDINGS (84 UNITS). EACH 12-UNIT BUILDING WILL HAVE 12 INTERNAL COMMON HALLWAYS AND AN APPROXIMATE SINGLE FLOOR SQUARE FOOTAGE OF 10,300 SQUARE FEET (13 FEET<sup>2</sup>) WILL BE TWO STORY WITH CONSTRUCTION IN ONE PHASE.
  - ALL SITE LIGHTING WILL BE PLACED ON THE PROPOSED BUILDINGS. NO LIGHTS SHALL CLARE ON TO ADJACENT RESIDENTIAL PROPERTIES.



PROJECT NO. 13-113-02  
 SCALE 1" = 50'  
 DATE 12-11-13  
 SHEET C-6.0

CONCEPT PLAN

CONCEPT PLAN

CONCEPT PLAN

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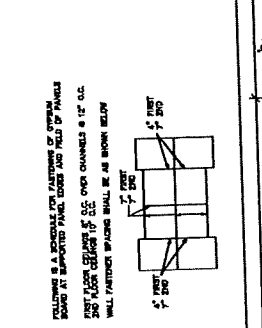
CONCEPT PLAN

CONCEPT PLAN

CONCEPT PLAN

**NOTES - FIRE ALARM SYSTEM**

1. EACH UNIT MUST HAVE A FIRE ALARM STATION LOCATED AT THE EXIT OF THE UNIT ON THE FIRST FLOOR AND LOCATED IN HALL AT SECOND FLOOR.
2. EACH UNIT FIRE ALARM STATION SHALL BE DIRECTLY AND PERMANENTLY WIRED TO A COMMON UNWITTED CIRCUIT AND BE PROVIDED BY A BACKUP POWER SOURCE.
3. A BATTERY OPERATED DEVICE SHALL BE LOCATED IN THE UNIT'S ROOM AND SHALL BE WIRED TO AN UNWITTED POWER ALARM.
4. THE FIRE ALARM STATION SHALL BE LOCATED IN THE UNIT'S ROOM AND SHALL BE WIRED TO AN UNWITTED POWER ALARM.
5. CONCORD SMOKE CARBON MONOXIDE DETECTOR.



**NOTES**

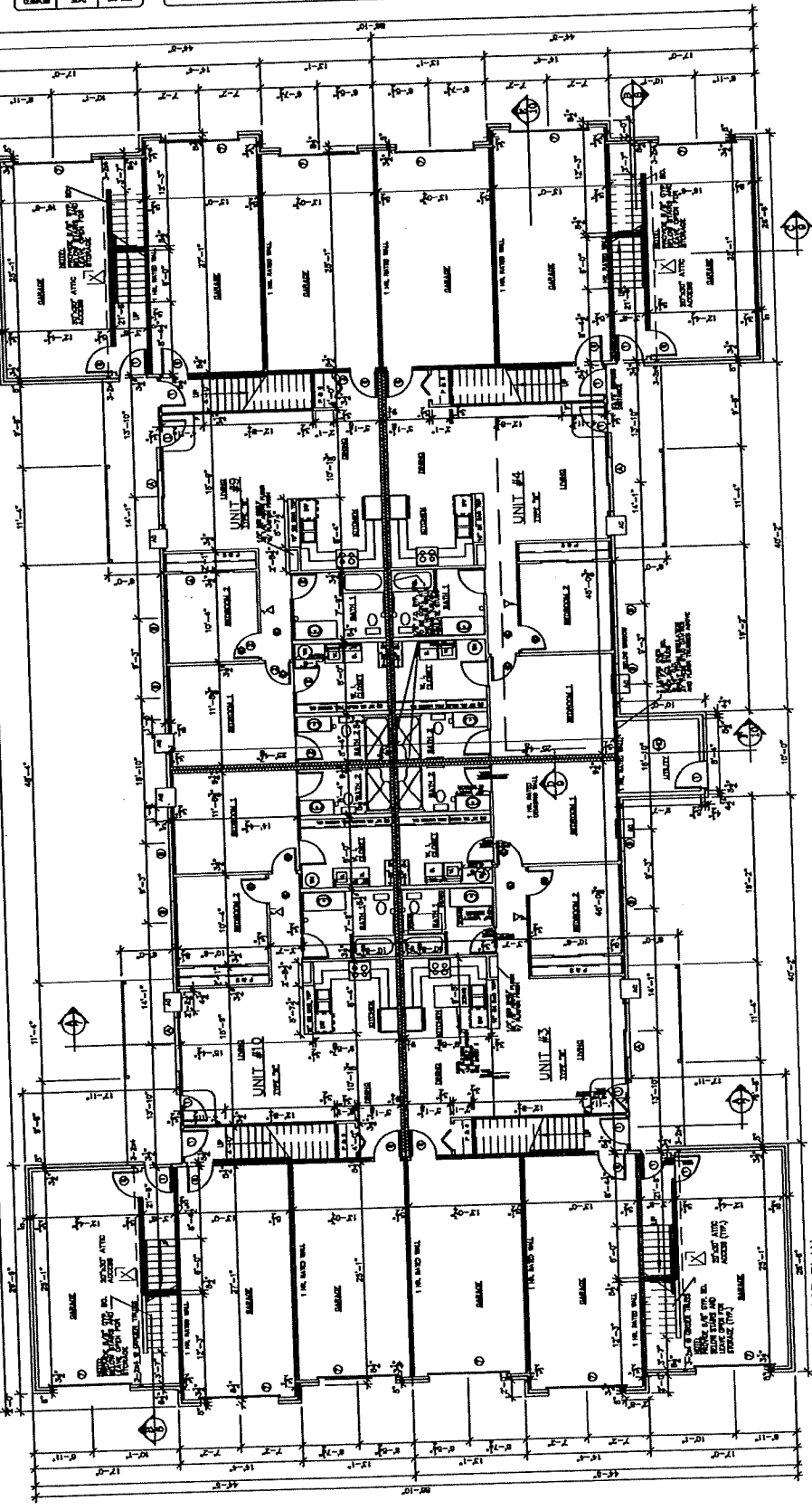
1. ALL WALLS BETWEEN UNITS SHALL BE 1/2" MIN. FIRE RATED.
2. EXTERIOR DOOR SHALL BE TYPE 17 PER ASTM D575.
3. UN - VERDELAN OR METALAM ALSO THURNTONHAM LK.
4. HEADINGS MADE UP OF WOOD SHALL BE INSTALLED BETWEEN PORTS. SPACES OF 1/8" BETWEEN PORTS ARE NOT PERMITTED.
5. PROVIDE MIN. DOUBLE GASKETED CHANGES TO ALL GROOVES. THESE BEARING PROVIDE MIN THREE FOLD PORTS.
6. PROVIDE SMOKE BLOWING IN THE FIRST FLOOR UNITS.
7. UNITS TUBS AND SHOWERS AT SECOND FLOOR SHALL BE 1/2" MIN. RATED OVER INSULATION PER ADA SPEC PER-108 PER LOCAL ASH. AS APPLICABLE TO ALL SECOND FLOOR TUBS OF UNITS IN WOODWORK UNITS.
8. ALL OTHER LUMBER - 3/4" SHIP LAP OR BETTER.

**NOTES**

1. BARNEYS - ALL HANDRAILS TO WITHSTAND 200 LB (DOWN) LOAD APPLIED IN ANY DIRECTION. BARNEYS SHALL BE INSTALLED AT TOP AND BOTTOM STEP.
2. BARNEYS - ALL HANDRAILS ON FIRST FLOOR SHALL BE LAYED OUT AS SHOWN ON DRAWING FOR PARALLEL APPROACH TO TUB AND VANITY.
3. PROVIDE BLOWING IN FIRST FLOOR BATHROOMS FOR UNITS WITH TUBS.
4. LUMBER FOR DOORS, HEADERS, BAYNETS, AND OTHER STRUCTURAL JOISTS SHALL BE 2" X 4" MIN. UNLESS OTHERWISE NOTED.
5. PROVIDE A NORMAL CLEAR OPENING OF 36".

**NOTES**

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8. ALL OTHER LUMBER - 3/4" SHIP LAP OR BETTER.



FIRST FLOOR PLAN  
SCALE: 3/16" = 1'-0"



LEFT FRONT VIEW

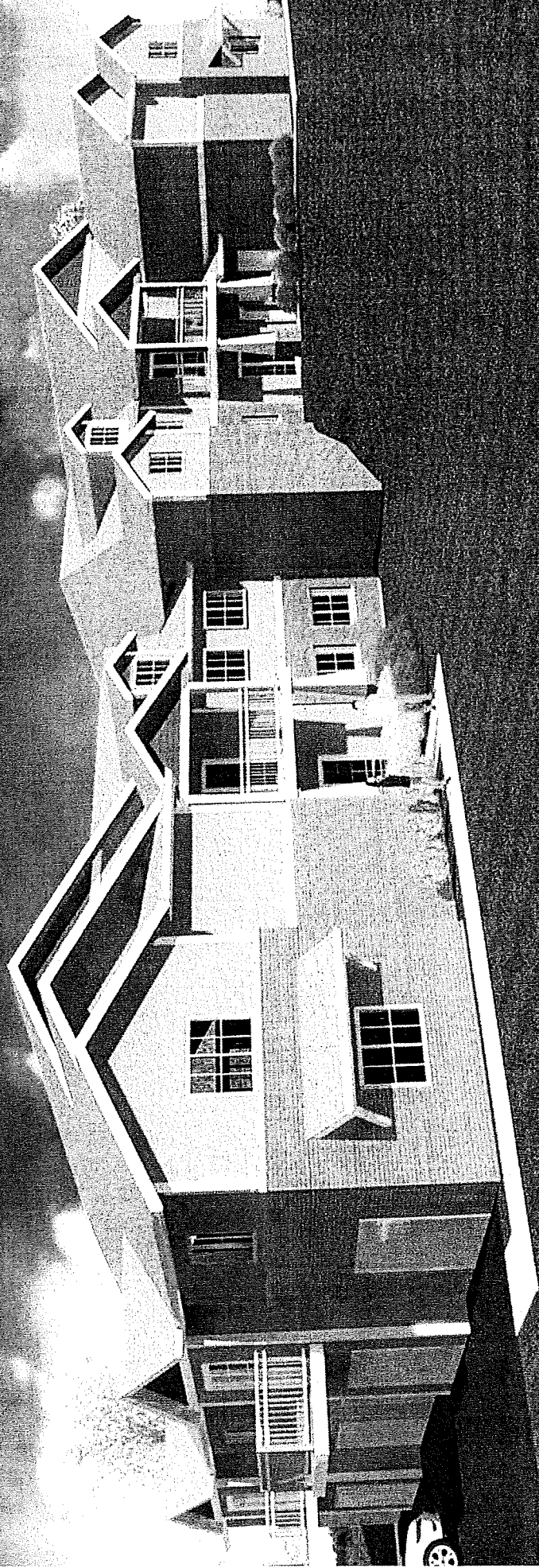


SADDLEBROOK APARTMENT

FLORENCE, KENTUCKY

PREMIER REAL ESTATE MANAGEMENT LLC

LEFT FRONT VIEW

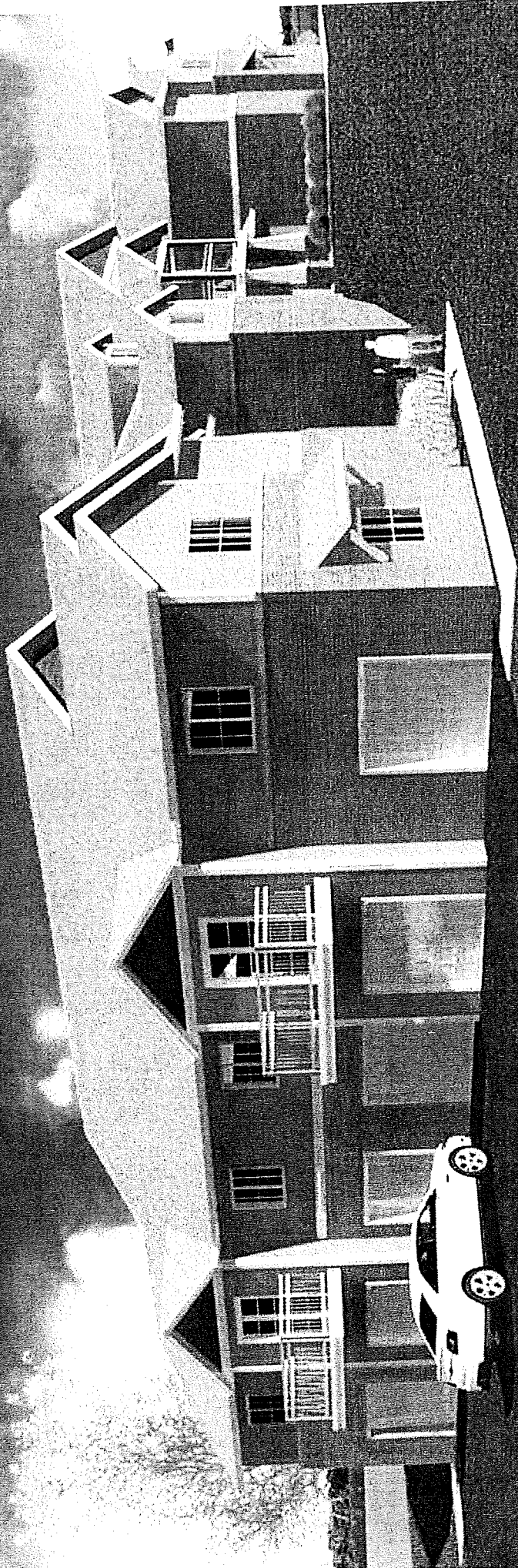


SADDLEBROOK APARTMENT

FLORENCE, KENTUCKY

PREMIER REAL ESTATE MANAGEMENT LLC

END VIEW



**SADDLEBROOK APARTMENT**  
**FLORENCE, KENTUCKY**  
**PREMIER REAL ESTATE MANAGEMENT LLC**



## Todd Morgan

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**From:** Mitchell, Laura (KYTC-D06) <Laura.Mitchell@ky.gov>  
**Sent:** Friday, February 14, 2014 10:14 AM  
**To:** Todd Morgan  
**Subject:** Boone County - Saddlebrook - KY 842

Hi Todd,

Per our discussion this morning – we met with the engineers representing the developers for the Saddlebrook Apartments located on KY 842 at Evergreen on Thursday, February 6<sup>th</sup>. We notified them that should they plan on connecting to the existing Farm Bureau driveway, we will require that they build a left turn lane into their entrance on KY 842. Should they chose not to connect to the Farm Bureau Driveway – no improvements on KY 842 would be necessary.

Please let me know if you have any questions or need any further clarification.

Have a nice weekend!  
Laura

**Laura T. Mitchell, P.E.**  
Permits Supervisor  
District 6, Covington  
Kentucky Transportation Cabinet  
[Laura.Mitchell@ky.gov](mailto:Laura.Mitchell@ky.gov)

## Todd Morgan

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**From:** Scott Pennington  
**Sent:** Wednesday, February 19, 2014 4:32 PM  
**To:** Todd Morgan  
**Subject:** FW: Boone County - Saddlebrook - KY 842

Todd,

Upon reviewing the information concerning the Saddlebrook Centre Apartments Zone Change Proposal, I have the following comments:

It would be helpful to know the raw counts and the time period for the traffic counts in the SHA Engineering Traffic Analysis Report.

As far as the proposed street connections, my recommendation would be to proceed w/ the connection to the signalized intersection at Saddlebrook Ln as proposed w/ the original commercial development. With the added traffic and the posted speed limit on Weaver Rd, I believe that connection is the safest alternative.

As a second alternative, the connection at Evergreen Drive/Ridgeview Drive would be acceptable w/ the added connection to Ascot Drive and Weaver Road. In concurrence w/ KYTC, the intersection would require improvements along w/ the added left turn lane on Weaver Road.

With either of those two alternatives, improvements to Evergreen Drive and Ridgeview Drive may not be necessary, but cores of the existing pavements would be helpful to rule out necessary improvements.

If you need further info, please let me know.

Thanks.

Scott D. Pennington, P.E.  
County Engineer/Director of Public Works  
Boone County Public Works  
[spennington@boonecountyky.org](mailto:spennington@boonecountyky.org)  
(O) 859-334-3600

**From:** Scott Pennington  
**Sent:** Wednesday, February 19, 2014 1:18 PM  
**To:** Todd Morgan  
**Subject:** RE: Boone County - Saddlebrook - KY 842

Todd,

I just keep playing phone tag w/ Laura. I was even up at D-6 earlier and still couldn't catch her b/c she was in a meeting. I'll get something to you one way or the other by 4 or 4:30.

Thanks.

Scott D. Pennington, P.E.  
County Engineer/Director of Public Works

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

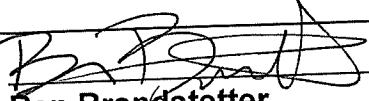
DATE: February 19, 2014

RE: **ZONING MAP AMENDMENT - Todd Morgan, Staff**


Request of **Premier Real Estate Management, LLC/Calvin M. Akin (applicant)** for **First Security Trust Bank, Inc. (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential One (UR-1) for a 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Florence, Kentucky. The request is for a zone change to allow a multi-family residential development.

### REMARKS:

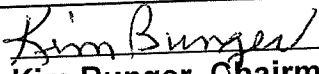
We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

  
\_\_\_\_\_  
**Ben Brandstetter**

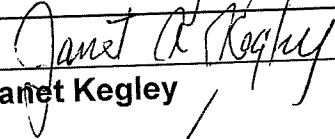
For Project \_\_\_\_ Absent \_\_\_\_  
Against Project  Deferred \_\_\_\_  
Abstain \_\_\_\_

  
\_\_\_\_\_  
**Greg Breetz**

For Project  Absent \_\_\_\_  
Against Project \_\_\_\_ Deferred \_\_\_\_  
Abstain \_\_\_\_

  
\_\_\_\_\_  
**Kim Bunger, Chairman**

For Project  Absent \_\_\_\_  
Against Project \_\_\_\_ Deferred \_\_\_\_  
Abstain \_\_\_\_

  
\_\_\_\_\_  
**Janet Kegley**

For Project  Absent \_\_\_\_  
Against Project \_\_\_\_ Deferred \_\_\_\_  
Abstain \_\_\_\_

\_\_\_\_\_  
**Susan Schultz**

For Project \_\_\_\_ Absent \_\_\_\_  
Against Project \_\_\_\_ Deferred \_\_\_\_  
Abstain \_\_\_\_

\_\_\_\_\_  
**Charlie Reynolds (Alternate)**

For Project \_\_\_\_ Absent \_\_\_\_  
Against Project \_\_\_\_ Deferred \_\_\_\_  
Abstain \_\_\_\_

\_\_\_\_\_  
**Mark Hicks (Alternate)**

For Project \_\_\_\_ Absent \_\_\_\_  
Against Project \_\_\_\_ Deferred \_\_\_\_  
Abstain \_\_\_\_

\_\_\_\_\_  
**Jim Longano (Alternate)**

For Project \_\_\_\_ Absent \_\_\_\_  
Against Project \_\_\_\_ Deferred \_\_\_\_  
Abstain \_\_\_\_

**TOTAL:** \_\_\_\_ DEFERRED \_\_\_\_ FOR PROJECT \_\_\_\_ ABSENT \_\_\_\_  
\_\_\_\_ AGAINST PROJECT \_\_\_\_ ABSTAIN \_\_\_\_

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARINGS  
FEBRUARY 5, 2014  
7:30 P.M.**

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**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mr. Ben Brandstetter, Temporary Presiding Officer  
Mr. Greg Breetz  
Mr. Kim Bunger, Secretary/Treasurer  
Mr. Mike Ford, Vice Chairman  
Mr. Mark Hicks  
Mrs. Janet Kegley  
Mr. Jim Longano  
Ms. Lisa Reeves  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Don McMillian  
Mr. Charlie Reynolds  
Ms. Susan Schultz  
Mr. Steve Turner

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin P. Costello, AICP, Executive Director  
Mr. Mitchell A. Light, Asst. Zoning Administrator/ZEO  
Mr. Todd Morgan, AICP, Senior Planner

Chairman Rolfsen called the Public Hearing to order at 7:33 P.M. and introduced the first item on the Agenda:

ZONING MAP AMENDMENT - Todd Morgan, Staff

1. Request of Premier Real Estate Management, LLC/Calvin M. Akin (applicant) for First Security Trust Bank, Inc. (owner) for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential One (UR-1) for a 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Florence, Kentucky. The request is for a zone change to allow a multi-family residential development.

Staff member, Todd Morgan, presented the Staff Report, which included a Powerpoint presentation (see Staff Report). The 9.71 acre site has frontage on Weaver Road and Evergreen Drive. The property is located within the city limits of Florence. The applicant is requesting a zone change from Commercial Two (C-2) to Urban Residential one (UR-1) to allow apartments. The submitted Concept Development Plan shows 7 two-story apartment buildings for a total of 84 apartment units. Each building would contain 12 two-bedroom apartments. The overall building intensity would be 8.65 dwelling units per acre. Each building has 12 garage spaces. There is an additional 85 parking spaces for a total of 169 parking spaces. Access to the site is through a shared driveway with Kentucky Farm Bureau and one access point off Evergreen Drive. The existing street network was constructed years ago but no buildings were built on the site. The applicant is trying to utilize the existing street. Mr. Morgan showed some renderings of the proposed buildings. The proposed buildings are approximately 50% brick and 50% vinyl siding with asphalt shingle roofs. Each unit has a balcony or patio and will also have its own exterior entrance.

Mr. Morgan also reviewed the site history. In 1988, there was a zone change for Saddlebrook Farms - a residential subdivision with a commercial area. The site at the time was 130 acres in size and the zone change involved going from Recreation ® and Suburban Residential One (SR-1) to Suburban Residential Two / Planned Development (SR-2/PD) and Commercial Two (C-2). The approved Concept Development Plan showed a 60,000 square foot commercial strip center, a 4,500 square foot office and a 4,250 square foot bank. There was also a 2 acre site across the Evergreen Drive connector which required an applicant to go through the Public Hearing process for any future use of the property. In 2007, a Change in an Approved Concept Development Plan was approved by the Planning Commission and the City of Florence, which showed the new access across from the entrance of Saddlebrook Lane at a signalized intersection. In addition, intersection improvements were required on Evergreen Drive and on Weaver Road before any commercial building could be constructed. The 2007 Concept Development Plan showed 6 lots, up to 19,500 square feet of commercial buildings, up to 60,000 square feet of office, a 6,000 square foot day care, and up to a 5,000 square foot commercial use on lot 6. Mr. Morgan continued to describe the topography of the site and adjacent zoning and land uses. Mr. Morgan explained that a small portion of one of the driveways on the site would be removed to construct a building. Mr. Morgan showed photographs of the site and adjacent properties.

Mr. Morgan reviewed the request in relation to the Comprehensive Plan. The site is forecasted for commercial use. He referred to the Land Use Element on page 2 and the Housing Element on page 6. There are references to multi-family housing and access to commercial districts as providing their own supporting commercial uses. He also referred to the Goals and Objectives

of the Comprehensive Plan as stated on pages 6 - 7 of the Staff Report. Mr. Morgan mentioned several comments and Staff concerns. First, the development is not utilizing the signalized intersection at Weaver Road and Saddlebrook Lane. Staff believes this would be the safest means of ingress and egress. Second, Staff contacted the Kentucky Transportation Cabinet about the applicant's traffic study and comments will be received prior to the Zone Change Committee meeting. Third, can a unit floor plan be submitted by the applicant for a typical building? Fourth, can a calculation be provided indicating how many children typically live in such units? Fifth, no outside play areas or amenities are shown on the plan. Sixth, Staff is concerned that no extra parking is being provided for guests and verification is needed for handicapped spaces. Seventh, how will the parking lots be lit? If so, what type of lighting will be used? Eighth, are outside trash areas being provided? If so, where will they be located and how will they be enclosed? Ninth, which buildings and/or parking lots could have connections to public sidewalks? Tenth, both the Planning Commission and the City of Florence need to analyze the zone change criteria before acting on the request. Mr. Morgan noted that the applicant did submit a letter indicating the reason for granting the zone change. A traffic study was also submitted with the request. The study provides turning movement counts for the two unsignalized intersections during AM and PM peak hours and trip generation forecasts for the proposed apartment complex and the previously approved retail/commercial/office development. A comparison table indicates that trip generation for the proposed apartment complex will be significantly lower (73% less for the AM peak and 80% less for the PM peak) than the retail/commercial/office development. In addition, the applicant submitted a letter explaining that they will be seeking a landscaping Waiver from the Zoning Administrator if the Zoning Map Amendment application is approved. The Waiver would allow a modified Buffer Yard C to be installed along a 490' property line, which adjoins the Browning, Gauspohl, Pommer, and Kentucky Farm Bureau properties. If approved, the Waiver would allow the majority of the required evergreen and deciduous trees to be relocated to the other side of the development street because there are overhead utility and water main easements in the buffer area.

Mr. Morgan stated that he received an e-mail message from Fire Marshall Krebs regarding the request and it is attached to the Staff Report along with letters of opposition from Mr. Bill Boyle and Ms. Laurie Walton. Mr. Morgan concluded that if the Planning Commission and City of Florence approve the Zoning Map Amendment request, the Future Land Use map would need to be amended.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation? Mr. Joe Kramer, Cardinal Engineering, stated that he was representing the applicant, Premier Real Estate Management, LLC. Mr. Kramer explained that the project is luxury apartments, but they are designed like condominiums because they have separate entrances and have direct access to their own garage. The site began with a Zone Change in the 80s as part of the Saddlebrook project. The site was designated as commercial and in the last 25 years, there have been many attempts to develop the site as commercial through various Concept Development Plans and Change in Concept Development Plans and the site went through bankruptcy. The bank currently owns the site. Mr. Kramer stated that they are trying to use the existing infrastructure - water, sewer, and electric. A lot of the elements that were in the approved Concept Development Plans are included in the submitted Concept Development Plan. There are sidewalks and pedestrian access. Mr. Kramer explained that there is one sidewalk proposed to connect to Weaver Road opposite of the Saddlebrook Farms entrance. There are no other sidewalks along Weaver Road because of an existing berm. The

intent is to keep the buildings low at grade. The berm is located between Weaver Road and the proposed buildings. With regard to the southern portion of the site, two buildings will sit low to the ground and the berm sits higher. The layout for the residential is similar to the layout for the commercial. According to their traffic study, the proposed uses generate about 80% less traffic than the approved commercial uses. It is the main reason why they choose not to use the signalized intersection. Mr. Kramer stated that they are meeting with the Kentucky Transportation Cabinet later in the week to discuss the project to make sure they comply with the state encroachment requirements. He indicated that the developer will submit a floor plan showing each unit layout. All of the units will be 2 bedroom. The project meets the minimum amount of parking spaces. Parking is not an issue. The current street that runs through the site is 25 feet in width. It is not a public street. Parking is allowed on one side of the street. There is plenty of on-street parking. The parking lots will be lit and the buildings will have wall pack fixtures. Outside trash areas will be provided and the location of them will be provided at Committee Meeting. Any additional sidewalk connections will be at the expense of the buffering. The submitted landscape plan is very busy. The plan from a plant/tree unit count meets the requirements of the Boone County Zoning Regulations. Part of the landscaped area is located underneath the utility lines. A special type of tree usually has to be planted in this area. A six foot high shadow box type fence is being proposed to be installed in this area at the top of the berm slope. The berm sits 6 - 7 feet higher than the road, so it should help the residents in the area. The trees will be located on the downward side of the berm closest to the proposed buildings, while the fence will sit on top of the berm underneath the utility line. Mr. Kramer stated that he feels that the existing zoning of Commercial Two (C-2) is inappropriate and that the proposed zoning of Urban Residential One (UR-1) is appropriate because the property hasn't developed in the last 25 years. In addition, there have been some successful apartment complexes built in the area. The submitted plan will reduce the traffic from what is currently permitted by 80%. The plan also has much less impervious area than a commercial development. They are utilizing the existing detention basin and will be reconfiguring it to meet the new uses and layout. There is much more open space with the proposed uses. Another advantage is that the applicant will develop the site all at once versus a commercial developer that will take more time with each lot.

Mr. Chris Slater, Premier Real Estate Management LLC, stated that the project will be all two bedroom units. Since the type of unit won't generate a lot of kids, they are not proposing a playground or an outdoor amenity. Basketball courts attract people from other sites. Mr. Slater described the interior of the units with stainless steel appliances, garbage disposals, dishwashers, refrigerators, wood floors, etc. The rents will be in the \$900/month range. In response to a question from Chairman Rolfsen, Mr. Slater replied that they purchased the Greens of Turfway in 2009. It was a Section 42 property with 88 town homes. It is no longer in the Section 42 program. It is now a market rate property. Roofs have been replaced along with new asphalt and landscaping. It is 100% occupied and the site is under renovation. The rent for these units are in the \$800 range. The units have no garages but they are made of brick. It was this property that led them to look at the property in question. Mr. Slater stated that his company doesn't have units in Kentucky that are like the ones being proposed since they are based in Wisconsin. They do own 5 properties elsewhere in Kentucky and one across the river. Mr. Slater stated that their residents are young professionals, seniors, and young married couples. He doesn't anticipate larger families moving in. The maximum occupancy per unit is 4 individuals. Chairman Rolfsen asked if they had any other data related to resident population based upon the design of units from similar type of developments? Mr. Slater stated that he would provide that information at the Committee Meeting.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Michael A. Thornton, 9268 Tranquility Drive, asked if there were any planned road improvements for Weaver Road and Evergreen Drive with this project? Mr. Costello responded that the Staff was waiting to hear from the State and the County on whether they were going to require any improvements. Without access to the signal, the traffic would be distributed differently. Mr. Thornton asked why would sidewalks be required if there are none along Weaver Road? Mr. Morgan responded that with any commercial development, sidewalks are required unless they are waived by the Zoning Administrator. Mr. Kramer stated he just mimicked the previous development to include the sidewalk along Weaver Road. Mr. Costello also noted that the original plan was for the residents in Saddlebrook Subdivision to visit the commercial area by using a sidewalk system. Eventually a sidewalk may be extended along Weaver Road from U.S. 42 as a result of an intersection reconstruction project. Mr. Thornton said that he doesn't understand the traffic numbers. If there are 169 parking spaces and the traffic is split in half, going to the Farm Bureau and to Evergreen Drive exits, there will be 85 vehicles using the access point during peak times. There will be a major headache and back-up at each access location. On the back side of Evergreen Drive, he has doubts about the screening. The dip on Evergreen Drive is problematic especially in bad weather. When the weather is dicey, there is only one track to travel. There are poor sight lines. It is the first time he has heard that brick and vinyl apartments are referred to as "luxury". There was a reason why the property was zoned for commercial. It makes sense especially with the existing traffic signal. The old plan doesn't create a headache like all of the apartment buildings will do. Mr. Thornton stated that he spoke to a number of people - residents who have lived in the area since the 60s and no one thinks the project is a good idea. It would be a major change to the area. The area is not hurting for apartment space. Mr. Thornton submitted a petition (see exhibit).

Mr. Lou Wyllie, 8624 Saratoga Way, stated that he has lived in Saddlebrook Subdivision for over 20 years. He has been involved in his Home Owners Association (HOA) and other projects in Saddlebrook. He expressed a concern from the residents of Saddlebrook Subdivision that the proposed development has a lack of recreational amenities. In Saddlebrook Farms, there are 247 units of which 151 are single-family dwelling units and 96 are condos. Mr. Wyllie gave an overview of the number of condos and apartments in the area. Overall, there are 981 units in the Saddlebrook area. There is a saturation of apartments in the area. All four neighborhoods of Saddlebrook have more than adequate personal parking, pools, and clubhouses. All of the apartments have walking or outside sports, walkways for jogging, volleyball courts, playgrounds, extra outside storage, on-site management services, on-site maintenance services, laundry facilities, fitness centers, and business centers. Of the four complexes, Saddlebrook Farms and at least one of the apartment complexes have basketball courts, tennis courts, patio and grill picnic facilities, and planned community events. Saddlebrook Farms by itself has a lake, gazebo and a fishing pier. Other amenities included in the area are bike paths, bike racks, dog parks, car washing facilities and sun decks. The Trails of Saddlebrook and Trellises apartment complexes have very nice amenities. They compliment Saddlebrook Farms. All of the mentioned facilities are private and are maintained by and funded by HOA dues. There is a community type feeling. The project as presented will not result in a stable neighborhood and a sense of community. The proposed sidewalk to Weaver Road opposite the entrance to Saddlebrook will encourage residents from the proposed development to use Saddlebrook amenities and facilities because none are proposed on their site. Young people will travel

across the street and use their safe and secure bike paths and trails. Their play areas are open and not locked down. Parents won't tell their kids not to play on their recreational facilities.

People will park in their parking lots and use their basketball courts. The submitted plan is grossly ignoring the need for amenities and recreation. Mr. Wyllie admitted that they have a reasonable amount of non-residents that use their lake and basketball courts. He noted that he has some non-residents that come through his front yard but it is manageable. The same would hold true with the Trellises property as people occasionally visit the lake. They are not the Saddlebrook Police Department. They have some vandalism and litter problems but it is minor. Again, the concern is when you have a group of energetic young people, there is often a need to release energy. Those people will find a need to use their facilities. Mr. Wyllie stated he is not opposed to apartments but does not like the idea of no true amenities or recreational facilities. If it was provided, people wouldn't trespass. He also referenced to the monthly rents at the Trellises apartment complex and others ranging from \$809.00 to \$999.00/month and they have amenities.

Mr Bob Hahn, stated that he is a local real estate agent and he owns property on the southwest side of the site. He noted that the design engineer maximized the use of the property. There is no room for the expansion of Weaver Road in the future. Mr. Hahn expressed a concern about the watershed. Originally, the site was a V shape with a pond on it. When the site was under construction, there was an issue about the storm water crossing Evergreen Drive. The County installed a culvert and it has caused erosion on his property and it might still happen with the new layout of buildings. On the southwest corner, there is a detention pond located on a high side. He questioned how the applicant will get the bulk of the water from the northeast side through the valley to the detention pond. The proposed detention pond is almost double in size as to the one originally built. There is much more water being generated. The water from the detention pond would be released onto his property and along Ridgeview. It ultimately ends up into Gunpowder Creek. He also expressed a concern about the headlights from the project shining onto his property. This would not occur if the project was developed for commercial purposes as businesses close at night.

Mr. Terry Sorg asked if the proposed development has anything to do with government subsidized housing? Mr. Slater responded no and they are not seeking any tax financing. It is a conventional or market rate development.

Mr. Leon Sample, 9277 Tranquility Drive, asked why the applicant didn't have a floor plan? Sometimes you can make two bedrooms set up for roommates. Will it be two families living in each unit especially if there are 2 bathrooms?

Ms. Laurie Walton, 784 Grace Drive, stated she submitted a letter expressing several concerns about the proposed development. A Urban Residential multi-family complex brings many problems to the neighborhood. Ms. Walton asked what percentage of properties that the developer owns is government subsidized housing? Mr. Slater responded that he didn't have a percentage but they do accept housing vouchers for some of their tenants at some of their properties. The rents are the same. They don't have a full Section 8 property, but they do accept vouchers. Ms. Walton stated that the Planning Commissions decision not only affects the area, but it also affects everyone who calls Boone County home. This decision will be felt in the short-term and the long-term. She encouraged the Board Members to consider 3 questions.

First, if this was proposed in your neighborhood, what would your concerns be? Second, what are the value added properties of this proposal? What does it add to the standard of living, schools, and neighborhood? Third, what are the long-term benefits to Boone County, Florence and Weaver Road should the Planning Commission decide to approve the project?

Mr. Lou Wyllie expressed a concern about the name of the project, Saddlebrook Centre Apartments, since it is not attached to Saddlebrook Subdivision and has no amenities.

Mr. Thornton questioned the condition or slope of Evergreen Drive and left turning improvements. Traffic has difficulty stopping when weather is bad. If traffic is added, it will become worse. If one looks at the size of the site (under 10 acres), it will have an inordinately negative impact on a much larger area.

Mr. Rock Hicks, 9211 Kelley Louise, inquired about the school impact. There is no true study of the development and its impact on the schools. What will be the number of students coming from this development? Kids from this development will go to Ockerman Elementary and it is crowded. Students were placed in a classroom that used to be a teacher's lounge. He asked Mr. Ford how would this affect the district? Mr. Ford stated that the School District uses a calculation based on the number of students typically coming out of housing communities, whether it will be single-family communities or multi-family communities. He stated that he would need to know more about the type of community being proposed and a typical floor plan to determine the number of students that could potentially impact Ockerman Elementary and RA Jones Middle School. Mr. Wilson responded that Mr. Ford is not the only person making the decision, but rather the whole Board. Mr. Costello mentioned there is an obligation by the applicant to provide the information to the Planning Commission based upon similar experiences and projects. In addition, the School District has a lot of experience projecting student figures from similar types and size developments. Mr. Hicks stated that the developer has not provided the information to the public. Mr. Costello replied that is the reason why the Planning Commission doesn't vote on the same night as the Public Hearing. The Planning Commission will make a well informed decision.

Ms. Peggy Scally, 822 Elizabeth Drive, stated that the existing street within the development is already being used as a through street.

At this time, Chairman Rolfsen asked if the Board members had any questions or thoughts?

Mr. Longano asked if there were any conditions pertaining to commercial uses from the 1988 approval? Mr. Morgan responded there was an office building where the Farm Bureau building is located, a bank and a retail strip center. The retail strip center allowed various C-2 uses.

Mr. Hicks asked about the applicant stating there was less traffic compared with the approved commercial uses. What about drive-by traffic or people living in the area? Can the Staff look at this study? The applicant is adding cars that were not there in the first place. Mr. Costello responded that it is referred to as "captured" traffic since one lives or works in the area and may stop by a commercial business. The traffic counts must be examined in the peak hour and residential peak traffic is early morning and late afternoon versus commercial activity, which is more spread out.

Mr. Bunger inquired whether the applicant would consider rearranging the buildings to accommodate the access point directly across Saddlebrook Lane? Would the developer be interested in joining the Saddlebrook Farms HOA to use the amenities and recreational facilities? If not, would they consider adding those amenities on their site?

Mr. Schwenke reminded the applicant to bring detailed plans about storm water to the Committee Meeting. Mr. Kramer replied that all of the utilities to the site have already been installed. The storm water facilities are already in place that drain to the detention basin. There is a portion of the street that doesn't drain to the detention. Mr. Kramer stated he will bring elevation drawings to the Committee Meeting.

There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on February 19, 2014 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on March 5, 2014 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:48 P.M.

APPROVED:

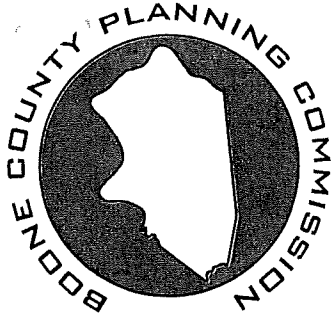
\_\_\_\_\_  
Charlie Rolfsen  
Chairman

Attest:

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

Exhibit - Petition against the request

# SUPPORTING INFORMATION



# BOONE COUNTY PLANNING COMMISSION

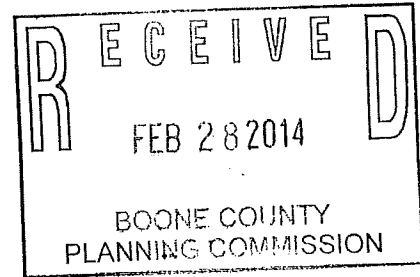
[www.boonecountyky.org/pc](http://www.boonecountyky.org/pc)  
[www.boonecountygis.com](http://www.boonecountygis.com)

Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264  
[plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)

February 26, 2014

Mr. Bill Beitler, CEO  
First Security Trust Bank  
7135 Houston Road  
Florence, KY 41042



RE: Request of **Premier Real Estate Management, LLC/Calvin M. Akin (applicant)** for **First Security Trust Bank, Inc. (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential One (UR-1) for a 9.71 acre site located on the south/west side of Weaver Road across from Saddlebrook Lane, on the south and east sides of Evergreen Drive, to the northwest of the property at 957 Weaver Road, to the north and east of the property at 8912 Evergreen Drive, and to the east of the properties at 8930 and 8940 Evergreen Drive, Florence, Kentucky. The request is for a zone change to allow a multi-family residential development.

Dear Mr. Beitler:

The following represents the conditions of approval for the above referenced application as agreed to by the applicant's team and Boone County Planning Commission's Zone Change/Concept Development Plan Committee. Please sign the appropriate line on the last page of this letter if you are in agreement with the conditions. Please return this letter to the Boone County Planning Commission office by March 3, 2014.

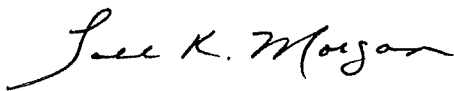
## CONDITIONS

1. The approval is based on the attached Concept Development Plan, floor plans, and building renderings. The building rendering show that the buildings will be constructed with brick, vinyl siding, and vinyl shake shingles in the gable areas.
2. A minimum of ten (10) additional guest parking spaces shall be provided on site.
3. Boat, trailer, or other recreational vehicle parking shall be prohibited in the development.

Mr. Bill Beitler  
February 26, 2014  
Page 2

4. The parking lots shall be illuminated by wall packs and/or fixtures located on the apartment buildings. No light poles shall be permitted in the parking lots.
5. A continuous four (4) foot wide sidewalk system shall be provided on both sides of the main development driveway. The sidewalks shall be located between the Kentucky Farm Bureau driveway and the T intersection in the development driveway. No other sidewalks shall be required in the development or along the public street frontages.
6. A maximum of four (4) trash dumpsters shall be permitted in the development and approximately located per the Concept Development Plan. The front and sides of the enclosures shall use brick that matches the apartment buildings and the gates shall be solid metal or a solid composite material painted per the Concept Development Plan. Landscaping shall be provided to the sides and rear when the dumpster placement allows it.
7. Horse style fencing shall be installed in the Weaver Road right-of-way if Kentucky Transportation Cabinet is agreeable. It shall match the fencing that is located in front of Trails of Saddlebrook on Weaver Road. The fencing shall be maintained and kept in a newly constructed appearance.
8. A playground shall be provided in the development and it shall be constructed per the attached exhibit.
9. A left hand turn lane shall be provided at the development entrance on Weaver Road per the attached email from Laura Mitchell (Kentucky Transportation Cabinet) and in accordance with the second alternative described in the email from Scott Pennington (Boone County Public Works). The turn lane shall be constructed and open to the public before the first apartment unit is occupied.

Sincerely,



Todd K. Morgan, AICP  
Senior Planner, Zoning Services

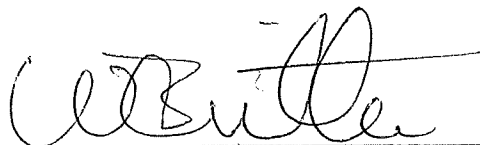
TKM/tlb

cc: Mr. Calvin M. Akin & Mr. Chris Slater  
Mr. Joe Kramer, P.E., P.L.S.

Mr. Bill Beitler  
February 26, 2014  
Page 3

AGREEMENT

I, Bill Beitler, do hereby agree to the listed conditions of approval for the Zoning Map Amendment application which is described on the first page of this letter.



2-28-14

---

Mr. Bill Beitler, CEO  
First Security Trust Bank

Date

TRIP	
TRAVEL	
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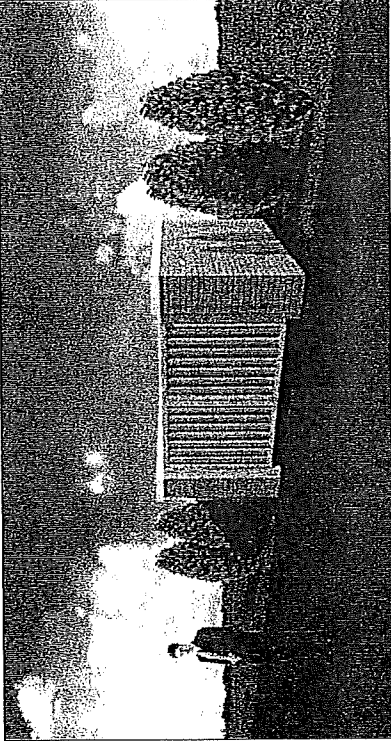
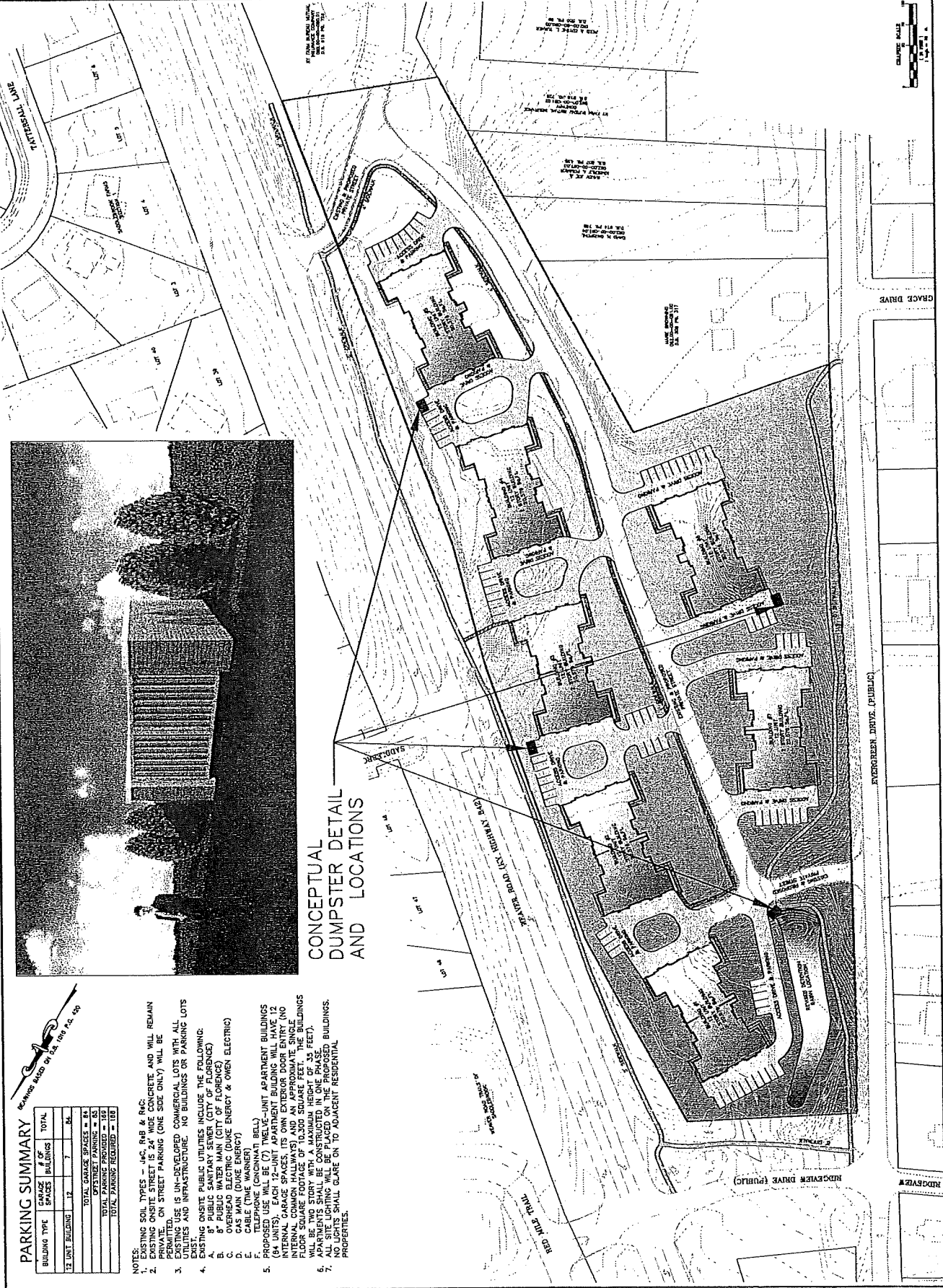
**CARDINAL**  
ENGINEERING  
ARCHITECTURE  
PLANNING  
19105 WEST CAPITOL DRIVE  
BROOKFIELD, WISCONSIN 53045  
TEL: 414.437.1100  
WWW.CARDINAL-ARCH.COM

PROJECT: ZONE CHANGE PLAN  
SADDLEBROOK CENTRE APARTMENTS  
WEAVER ROAD FLORENCE KY

CLIENT: PREMIER REAL ESTATE MANAGEMENT LLC  
19105 WEST CAPITOL DRIVE  
BROOKFIELD, WISCONSIN 53045



PROJECT NO. 13-119-02  
SCALE 1" = 50'  
DATE 12-11-13  
CONCEPT PLAN



**CONCEPTUAL  
DUMPSTER DETAIL  
AND LOCATIONS**

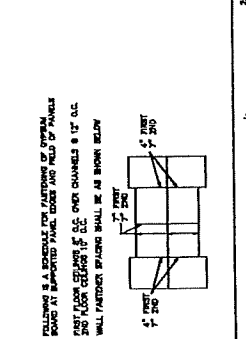
**PARKING SUMMARY**

BUILDING TYPE	SPACES	BUILDINGS	TOTAL
12 UNIT BUILDING	12	7	84
TOTAL GARAGE SPACES	12		12
CONCRETE SPACES	12		12
CONCRETE SPACES	12		12
TOTAL PARKING PROVIDED	12		12
TOTAL PARKING REQUIRED	12		12

- NOTES:
- EXISTING SOIL TYPES - IJC, R4B & R4C.
  - EXISTING ON-SITE STREET IS 24' WIDE CONCRETE AND WILL REMAIN PRIVATE. ON STREET PARKING (ONE SIDE ONLY) WILL BE PERMITTED.
  - THIS IS UN-DEVELOPED COMMERCIAL LOTS WITH ALL UTILITIES AND INFRASTRUCTURE. NO BUILDINGS OR PARKING LOTS EXIST.
  - EXISTING PUBLIC UTILITIES INCLUDE THE FOLLOWING:
    - A. 8" PUBLIC SANITARY SEWER (CITY OF FLORENCE)
    - B. 8" PUBLIC WATER MAIN (CITY OF FLORENCE)
    - C. OVERHEAD ELECTRIC (DUKE ENERGY & OWEN ELECTRIC)
    - D. GAS MAIN (DUKE ENERGY)
    - E. TELEPHONE (CONCRETE BELL)
  - PROPOSED USE WILL BE (7) TWELVE-UNIT APARTMENT BUILDINGS (84 UNITS). EACH 12-UNIT APARTMENT BUILDING WILL HAVE 12 INTERNAL GARAGE SPACES, ITS OWN EXTERIOR DRIVE, SINGLE DRIVE, AND A FLOOR SQUARE FOOTAGE OF 10,200 SQUARE FEET. THE BUILDINGS WILL BE TWO STORY WITH A MAXIMUM HEIGHT OF 35 FEET.
  - APARTMENTS SHALL BE CONSTRUCTED IN ONE-STORED BUILDINGS.
  - NO LIGHTS SHALL CLARE ON TO ADJACENT RESIDENTIAL PROPERTIES.

**NOTES - FIRE ALARM SYSTEM**

- EACH LIVING UNIT SHALL HAVE A FIRE ALARM STATION LOCATED AT THE DOOR OF THE UNIT ON THE SECOND FLOOR. THE FIRE ALARM STATION SHALL BE A WIRELESS STATION WITH A BATTERY LOCATED IN WALL AT SECOND FLOOR LEVEL.
- ALL BATTERY STATIONS SHALL BE DIRECTLY AND PERMANENTLY WIRED TO A POWER UNINTERRUPTED CREDIT AND BE PROVIDED A 7 DAY BATTERY SOURCE.
- A 20 AMPERE CIRCUIT BREAKER SHALL BE PROVIDED FOR EACH FIRE ALARM STATION.
- SMOKE DETECTORS SHALL BE LOCATED IN THE UTILITY ROOM AND SHALL BE WIRED TO AN INTERCONNECTED POINT BACKUP.
- SMOKE ALARM SHALL BE WIRED TO AN INTERCONNECTED POINT BACKUP.
- SMOKE ALARM SHALL BE WIRED TO AN INTERCONNECTED POINT BACKUP.
- SMOKE ALARM SHALL BE WIRED TO AN INTERCONNECTED POINT BACKUP.
- SMOKE ALARM SHALL BE WIRED TO AN INTERCONNECTED POINT BACKUP.



6. ALL WALLS BETWEEN UNITS SHALL BE 1 HOUR FIRE RATED. CONSTRUCTION SHALL BE 1" CONCRETE OVER 2" GYPSUM BOARD OR 1" CONCRETE OVER 2" GYPSUM BOARD WITH 1/2" AIR SPACE.

7. U.I. - VERTICAL ON MICROFILM ALSO UNDERSTANDING L.S. HEADERS MADE UP OF MULTIPLE PILES OF 2" X 4" LUMBER. BRACES OF PILES BETWEEN POINTS ARE NOT PERMITTED. PROVIDE MIN. 2" SPACING BETWEEN PILES. PROVIDE MIN. 2" SPACING BETWEEN PILES. PROVIDE MIN. 2" SPACING BETWEEN PILES. PROVIDE MIN. 2" SPACING BETWEEN PILES.

8. PROVIDE SLOD BLOCCING IN THE FIRST FLOOR TRUSS SPACE BETWEEN POSTS.

9. UNLESS SHOWN OTHERWISE, ALL WALLS SHALL BE 5/8" MIN. THICK. UNLESS SHOWN OTHERWISE, ALL WALLS SHALL BE 5/8" MIN. THICK. UNLESS SHOWN OTHERWISE, ALL WALLS SHALL BE 5/8" MIN. THICK.

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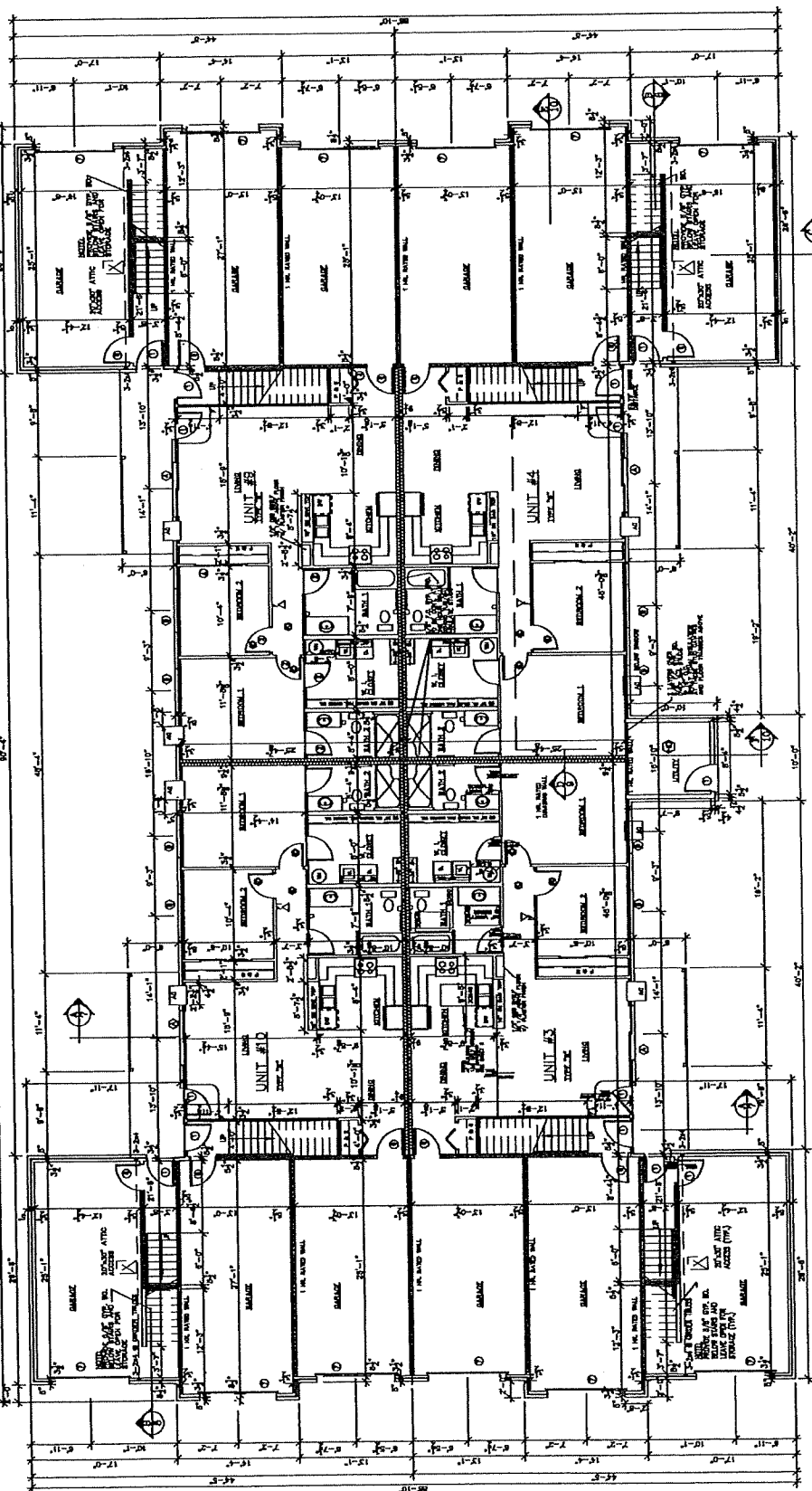
12. UNLESS SHOWN OTHERWISE, ALL WALLS SHALL BE 5/8" MIN. THICK. UNLESS SHOWN OTHERWISE, ALL WALLS SHALL BE 5/8" MIN. THICK. UNLESS SHOWN OTHERWISE, ALL WALLS SHALL BE 5/8" MIN. THICK.

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14. UNLESS SHOWN OTHERWISE, ALL WALLS SHALL BE 5/8" MIN. THICK. UNLESS SHOWN OTHERWISE, ALL WALLS SHALL BE 5/8" MIN. THICK. UNLESS SHOWN OTHERWISE, ALL WALLS SHALL BE 5/8" MIN. THICK.

**NOTES:**

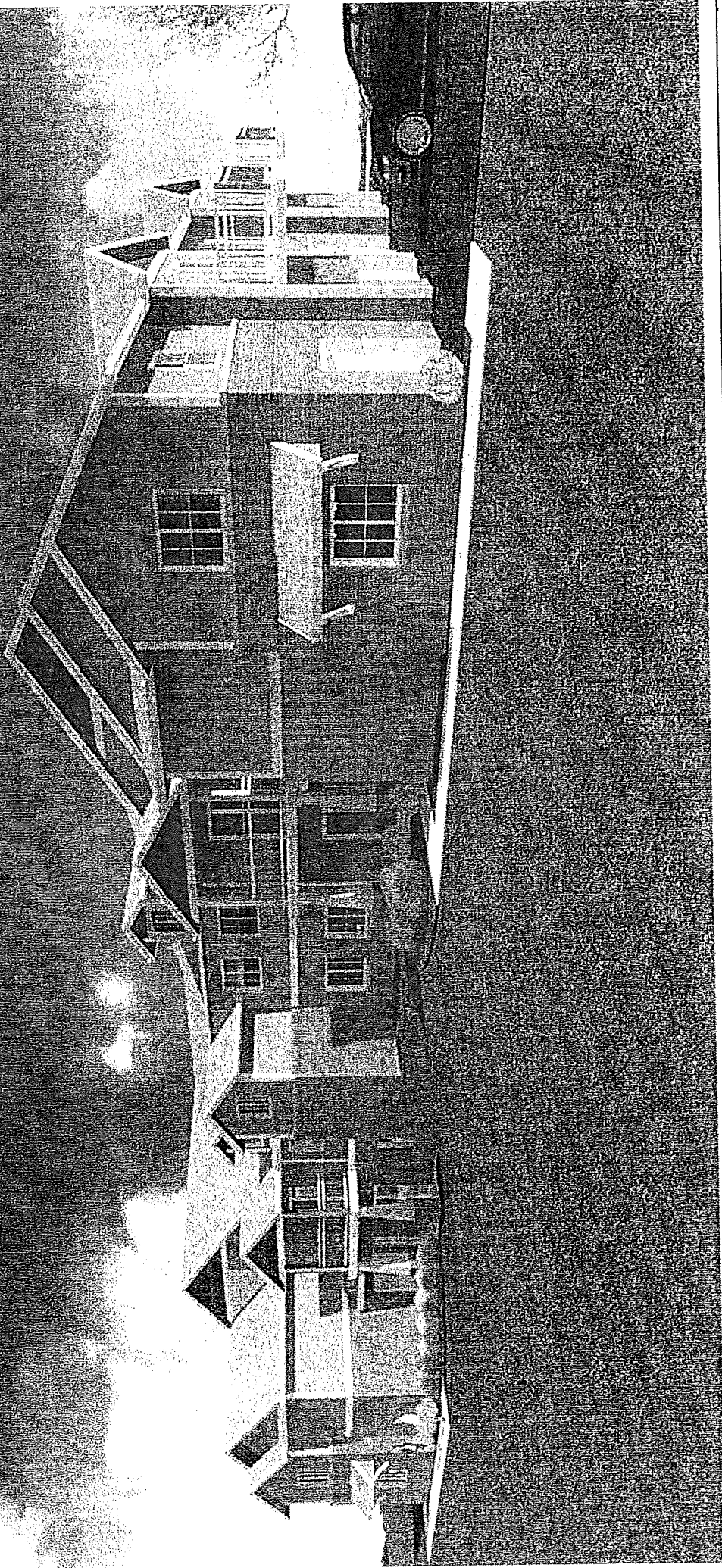
- STAIR HANDRAILS - ALL HANDRAILS TO WITHSTAND 200 LBS. POINT LOAD. ALL HANDRAILS TO PROVIDE 36" CLEARANCE AT TOP AND BOTTOM STEP.
- BATHROOMS - ALL BATHROOMS ON FIRST FLOOR SHALL BE PROVIDED WITH A 30" CLEARANCE FOR PARALLEL ACCESS TO THE AND WORTH.
- DOORS - ALL FIRST FLOOR DOORS SHALL BE A MIN. OF 2'-0" TO PROVIDE A NOMINAL CLEAR OPENING OF 32".
- LUMBER FOR JOISTS, RAFTERS, BATTENS, AND OTHER PLAYS FOR ROOF TRUSS SHALL BE 2" X 6" OR 2" X 8" UNLESS SHOWN OTHERWISE. ALL LUMBER TO BE YELLOW PINE OR BETTER. ALL OTHER LUMBER - SPF 200 GRADE OR BETTER.



FIRST FLOOR PLAN  
 SCALE: 3/16" = 1'-0"



LEFT FRONT VIEW



SADDLEBROOK APARTMENT

FLORENCE, KENTUCKY

PREMIER REAL ESTATE MANAGEMENT LLC

LEFT FRONT VIEW

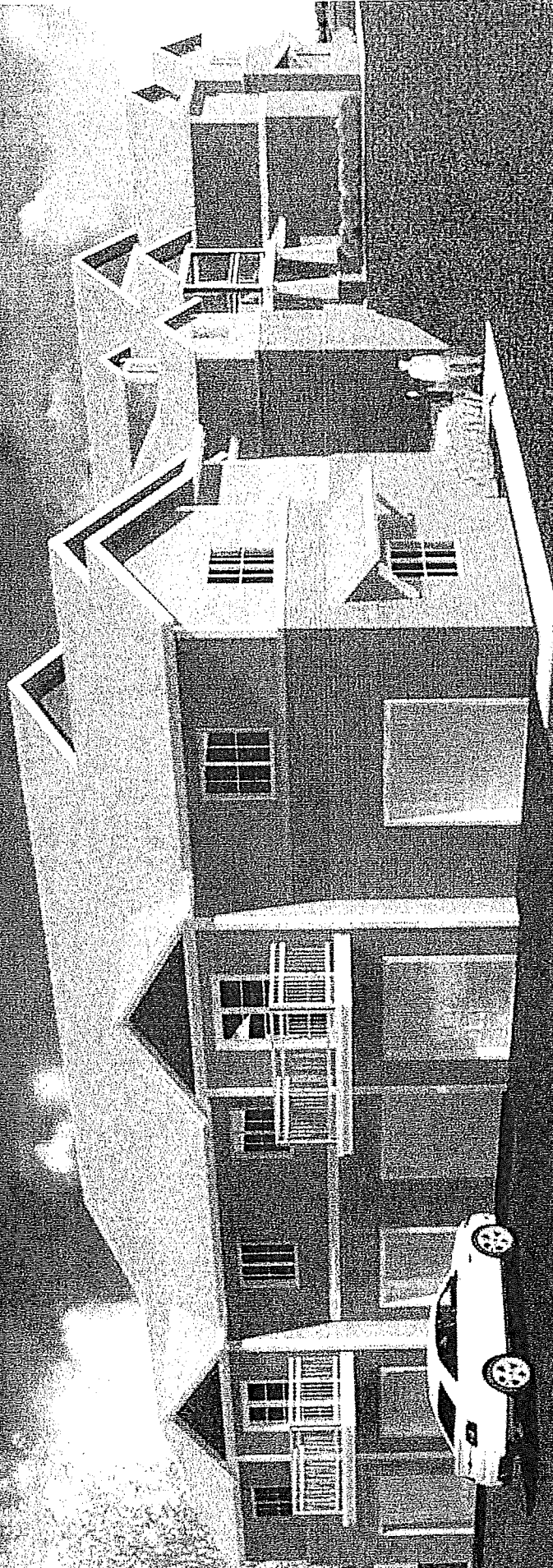


SADDLEBROOK APARTMENT

FLORENCE, KENTUCKY

PREMIER REAL ESTATE MANAGEMENT LLC

END VIEW



SADDLEBROOK APARTMENT

FLORENCE, KENTUCKY

PREMIER REAL ESTATE MANAGEMENT LLC



## Todd Morgan

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**From:** Mitchell, Laura (KYTC-D06) <Laura.Mitchell@ky.gov>  
**Sent:** Friday, February 14, 2014 10:14 AM  
**To:** Todd Morgan  
**Subject:** Boone County - Saddlebrook - KY 842

Hi Todd,

Per our discussion this morning – we met with the engineers representing the developers for the Saddlebrook Apartments located on KY 842 at Evergreen on Thursday, February 6<sup>th</sup>. We notified them that should they plan on connecting to the existing Farm Bureau driveway, we will require that they build a left turn lane into their entrance on KY 842. Should they chose not to connect to the Farm Bureau Driveway – no improvements on KY 842 would be necessary.

Please let me know if you have any questions or need any further clarification.

Have a nice weekend!  
Laura

**Laura T. Mitchell, P.E.**  
Permits Supervisor  
District 6, Covington  
Kentucky Transportation Cabinet  
[Laura.Mitchell@ky.gov](mailto:Laura.Mitchell@ky.gov)

## Todd Morgan

---

**From:** Scott Pennington  
**Sent:** Wednesday, February 19, 2014 4:32 PM  
**To:** Todd Morgan  
**Subject:** FW: Boone County - Saddlebrook - KY 842

Todd,

Upon reviewing the information concerning the Saddlebrook Centre Apartments Zone Change Proposal, I have the following comments:

It would be helpful to know the raw counts and the time period for the traffic counts in the SHA Engineering Traffic Analysis Report.

As far as the proposed street connections, my recommendation would be to proceed w/ the connection to the signalized intersection at Saddlebrook Ln as proposed w/ the original commercial development. With the added traffic and the posted speed limit on Weaver Rd, I believe that connection is the safest alternative.

As a second alternative, the connection at Evergreen Drive/Ridgeview Drive would be acceptable w/ the added connection to Ascot Drive and Weaver Road. In concurrence w/ KYTC, the intersection would require improvements along w/ the added left turn lane on Weaver Road.

With either of those two alternatives, improvements to Evergreen Drive and Ridgeview Drive may not be necessary, but cores of the existing pavements would be helpful to rule out necessary improvements.

If you need further info, please let me know.

Thanks.

Scott D. Pennington, P.E.  
County Engineer/Director of Public Works  
Boone County Public Works  
[spennington@boonecountyky.org](mailto:spennington@boonecountyky.org)  
(O) 859-334-3600

**From:** Scott Pennington  
**Sent:** Wednesday, February 19, 2014 1:18 PM  
**To:** Todd Morgan  
**Subject:** RE: Boone County - Saddlebrook - KY 842

Todd,

I just keep playing phone tag w/ Laura. I was even up at D-6 earlier and still couldn't catch her b/c she was in a meeting. I'll get something to you one way or the other by 4 or 4:30.

Thanks.

Scott D. Pennington, P.E.  
County Engineer/Director of Public Works

5  
2  
RETURN TO:

Arnzen, Molloy & Stoern

After Recording, Please Return To

**MASTER COMMISSIONER DEED**

ARNZEN, MOLLOY & STORM P.S.C.

600 Greenup Street

Covington, Kentucky 41011

Phone 659/451-6100

Whereas, The Boone Circuit Court on  
OCTOBER 16, 2012 rendered a Judgment in the Action of

FIRST SECURITY TRUST BANK, INC.  
PLAINTIFF(S)

vs { Case No. 12-CI-00705

SADDLEBROOK CENTRE, LLC  
DAVID J. NOLL  
CHRISTINE M. NOLL  
PETER COLGAN, III  
TOWN MARK, INC. D/B/A TOWN MARK REALTY  
STEVEN NOLL  
JEAN NOLL  
R.C. DURR HOLDINGS, LTD. CO.  
COUNTY OF BOONE  
DEFENDANT(S)

directing the sale of the property hereby conveyed, which sale was accordingly made to PLAINTIFF for \$975,000.00 on JANUARY 10, 2013, and was reported JANUARY 10, 2013, by the Commissioner of this Court, and the Court on JANUARY 22, 2013, confirmed that report, and directed the undersigned to convey to the Grantee herein named, the property hereinafter described.

Now, therefore, in consideration of these premises, the Commissioner of the Boone Circuit Court, hereby Aliens and Conveys unto: FIRST SECURITY TRUST BANK, INC., its successors and assigns forever

All the right, title and interest of all of the parties to the lawsuit involved herein who are before the Court including, but not limited to: FIRST SECURITY TRUST BANK, INC.; SADDLEBROOK CENTRE, LLC; DAVID J. NOLL; CHRISTINE M. NOLL; PETER COLGAN, III; TOWN MARK, INC. D/B/A TOWN MARK REALTY; STEVEN NOLL; JEAN NOLL; R.C. DURR HOLDINGS, LTD. CO.; COUNTY OF BOONE

Boone County  
D1016 PG 420

In and to the following described Real Estate, in the City of Florence, County of Boone and more particularly described as follows;

Group No. 2048-B

Parcel 1

Description of 5.000 Acres

Located in Boone county Kentucky lying on the southwesterly side of Weaver Road and the northeasterly side of Evergreen Drive and is more particularly described as follows:

Unless otherwise stated any monument referred to herein as an iron pin (set) is 1/2 inch diameter rebar eighteen inches in length with a plastic cap stamped "PLS 3357". All bearing referred to herein are based upon Saddlebrook Center Subdivision.

Beginning at an iron pin (existing) in the northeasterly side of Evergreen Drive 25.00 feet as measured perpendicular to the centerline at the common corner of the Banklick Corporation ( Deed Book 530 page 160) and Eleanor Dameron ( Deed Book 305 Page 317) thence with said right of way line N 31-53-53 W 155.61 Feet to an iron pin (set) thence N 32-38-08 W 166.73 feet to an iron pin (set) thence leaving said right of way line with a new division line of the Banklick Corporation's property N 39-16-21 E 200.03 feet to an iron pin (set) thence S 50-43-36 E 175.76 feet to an iron pin (set) thence N 39-17-42 E 212.27 feet to an iron pin (set) in the southwesterly right of way line of Weaver Road; Thence with said right of way line S 44-56-15 E 90.33 feet to an iron pin (set) thence S 50-38-52 E 575.00 feet to an iron pin (existing) at the common corner of the Banklick Corporation and the Kentucky Farm Bureau Insurance company ( Deed Book 918 Page 119) thence leaving said right of way line with the common line of the Banklick Corporation and the Kentucky Farm Bureau Insurance Company S 51-44-09 W 190.91 feet to an iron pin (set) in the common line of another parcel owned by the Kentucky Farm Bureau Insurance Company ( Deed Book 918 page 728) thence with the common line of the Banklick Corporation the Kentucky Farm Bureau Insurance Company Randy Pommier ( Deed Book 807 page 438), David Gauspohl ( Deed Book 914 page 769) and Eleanor Dameron (Deed Book 305 page 317) N 58-52-17 W 490.70 feet to an iron pin (existing ) at the common corner of the Banklick Corporation and Eleanor Dameron thence with the common line of the Banklick Corporation and Eleanor Dameron S 41-07-01 W 248.59 feet to the point of beginning containing 5.00 acres and being subject to all right of ways and easements of record.

Parcel II

Description of 4.710 Acres

Located in Boone County Kentucky lying on the southwesterly side of Weaver Road and the Northeasterly side of Evergreen Drive and is more particularly described as follows:

Unless otherwise stated any monument referred to herein as an Iron pin (set) is 1/2 inch diameter rebar eighteen inches in length with a plastic cap stamped "PLS 3357". All bearing referred to herein are based upon Saddlebrook Center Subdivision.

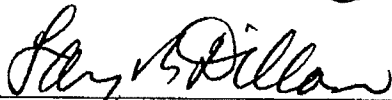
Beginning at an iron pin (existing) in the northeasterly side of Evergreen Drive 25.00 feet as measured perpendicular to the Centerline at the common corner of the Banklick Corporation (Deed Book 530 page 160) and Eleanor Dameron ( Deed Book 305 page 317); thence with said right of way line N 31-53-53 W 155.61 feet to an iron pin (set) thence N 32-38-08 W 166.73 feet to an iron pin (set) at the TRUE POINT OF BEGINNING; thence continuing with said right of way line N 32-38-08 W 100.50 feet to a point; thence N 31-06-01 W 380.48 feet to a point thence N 29-31-12 W 100.60 feet to an iron pin (set) at the right of way intersection of Evergreen Drive and Ridgeview Drive thence with said right of way line of Ridgeway Drive N 57-22-41 E. 203.91 feet to an iron pin (set) in the Southwesterly right of way line of Weaver Road; thence with the said right of way line S 58-37-08 E 252.45 feet to an iron pin (set) thence S 49-49-47 E 350.05 feet to an iron pin (set) thence S 44-56-15 E 60.42 feet to an iron pin (set) thence leaving said right of way line with a new division line S 39-17-42 W 212.27 feet to an iron pin (set) thence N 50-43-36 W 175.76 feet to an iron pin (set) thence S 39-16-21 W 200.03 feet to the TRUE POINT OF BEGINNING containing 4.710 acres and being subject to all right of ways and easements of record.

The above reference Parcel 1 and Parcel II Being all of the same property conveyed to Saddlebrook Centre LLC by virtue of Deed Book 939 page 740 of the Boone County Clerk's records at Burlington, Kentucky.

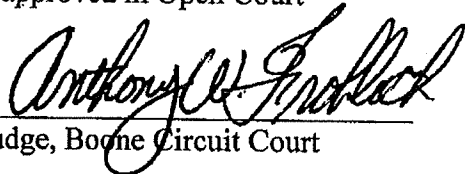
**TO HAVE AND TO HOLD SAID PROPERTY WITH APPURTENANCES unto the said FIRST SECURITY TRUST BANK, INC., its successors and assigns forever.**

THE SAID COMMISSIONER conveys all of the right, title and interest of the parties aforesaid in and to said property and warrants the title thereto so far as he is authorized by the judgment, orders and proceedings in said cause, and no further; but he does not bind himself personally by anything contained herein, in any event whatsoever.

Witness, the hand of the said Commissioner, this 7<sup>th</sup> day of February, 2013.

  
\_\_\_\_\_  
Larry B. Dillon, Master Commissioner  
Gregory W. McDowell, Deputy Commissioner

Acknowledged, examined and  
approved in Open Court

  
\_\_\_\_\_  
Judge, Boone Circuit Court

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**COMMONWEALTH OF KENTUCKY, BOONE CIRCUIT COURT**

**FIRST SECURITY TRUST BANK, INC.**  
PLAINTIFF(S)

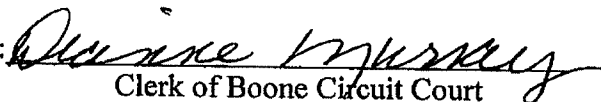
No. 12-CI-00705

VERSUS

**SADDLEBROOK CENTRE, LLC, ET AL**  
DEFENDANT(S)

I, DIANNE MURRAY, Clerk of the Boone Circuit Court, do hereby certify that this Deed, by the Commissioner of said Court, was this day, presented in open Court by the Commissioner, and was by him duly acknowledged to be his act and deed; and the said Deed, having been examined by the Court, was approved and confirmed, and so endorsed by the Judge, and ordered to be transmitted, and duly certified to the Clerk of the Boone County Court for record, which is now done accordingly.

Given under my hand, this 11 day of July, 2013.

ATTEST:   
Clerk of Boone Circuit Court

, Deputy Clerk

KENTUCKY CERTIFICATE/AFFIDAVIT

PROPERTY ADDRESS: 9.71 ACRES WEAVER ROAD FLORENCE, KY 41042

GRANTEE (PURCHASER) FIRST SECURITY TRUST BANK, INC.

GRANTEE MAILING ADDRESS/IN-CARE-OF: 7135 HOUSTON ROAD, FLORENCE, KY

GRANTOR (SELLER) COMMISSIONER, BOONE CIRCUIT COURT

GRANTOR MAILING ADDRESS: 6025 ROGERS LANE BURLINGTON, KENTUCKY 41005

41042

COMES NOW THE ABOVE-NAMED GRANTEE(S) AND GRANTOR(S) AND, AFTER BEING DULY CAUTIONED AND SWORN, STATE AS FOLLOWS:

1. THAT THE MAILING ADDRESSES FOR THE GRANTEE AND GRANTOR SET FORTH ABOVE ARE TRUE AND CORRECT.
2. THAT THE CONSIDERATION SET FORTH ABOVE IS THE FULL CONSIDERATION PAID FOR THE PROPERTY DESCRIBED ABOVE.

GRANTEE

BY: [Signature]

TITLE: SENIOR VICE PRESIDENT

PRINT NAME: ROBERT A. ALEXANDER

[Signature]

GRANTOR (SELLER)

COMMISSIONER, BOONE CIRCUIT COURT

STATE OF KENTUCKY, COUNTY OF BOONE: SCT.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME THIS 7th DAY OF February, 2013 BY THE ABOVE NAMED GRANTOR, COMMISSIONER, OF THE BOONE CIRCUIT COURT.

MY COMMISSION EXPIRES:

KAREN ANGEL (Commission Expires: 9-17-2013 ID 402919)

JESSICA SCHMIDT (TRUMP) (Commission Expires: 5-4-2016 ID 466643)

[Signature]

NOTARY PUBLIC, STATE AT LARGE

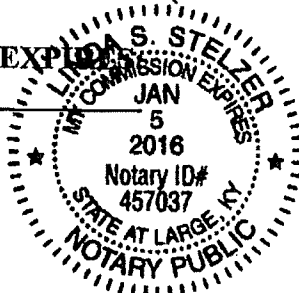
STATE OF Kentucky, COUNTY OF Boone, SCT.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME THIS 14 DAY OF February, 2013, BY THE ABOVE GRANTEE(S)

Robert A. Alexander

(Print Grantee(s) Name)

MY COMMISSION EXPIRES:



[Signature]

NOTARY PUBLIC, STATE AT LARGE

This Instrument Prepared By:



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Larry B. Dillon, Master Commissioner  
Gregory W. McDowell, Deputy Commissioner  
Master Commissioner's Office  
Boone Circuit Court  
6025 Rogers Lane  
Burlington, Kentucky 41005

Boone County  
D1016 PG 424

DOCUMENT NO: 619188  
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COUNTY: BOONE COUNTY CLERK  
DEPUTY CLERK: STACY ROKINS  
BOOK D1016 PAGES 420 - 424

MUNICIPAL ORDER NO. MO-5-14

A MUNICIPAL ORDER OVERRIDING A RECOMMENDATION OF APPROVAL FROM THE BOONE COUNTY PLANNING COMMISSION OF THE APPLICATION OF PREMIER REAL ESTATE MANAGEMENT, LLC, FOR A ZONE CHANGE FROM COMMERCIAL (C-2) TO URBAN RESIDENTIAL ONE (UR-1) FOR A 9.71 ACRE SITE LOCATED ON THE SOUTH SIDE OF WEAVER ROAD ACROSS FROM SADDLEBROOK LANE. SUCH APPROVAL IS OVERRIDDEN BASED UPON WITHDRAWAL BY THE APPLICANT OF ITS ZONE CHANGE REQUEST.

WHEREAS, by Resolution R-14-005-A, the Boone County Planning Commission recommended approval of a zone change request by Premier Real Estate Management, LLC, to allow multi-family residential development of a 9.71 acre site on the south side of Weaver Road across from Saddlebrook Lane; and

WHEREAS, the Applicant, by letter dated April 21, 2014, a copy of which is attached hereto as Exhibit "A", has withdrawn its application and the Planning Commission's recommendation of approval.

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

SECTION I

That the withdrawal by Premier Real Estate Management, LLC, of the zone change request described above is hereby accepted.

SECTION II

That the recommendation of approval contained in Boone County Planning Commission Resolution No. R-14-005-A is hereby overridden and made null and void, based upon such withdrawal.

PASSED AND APPROVED ON THIS 22<sup>nd</sup> DAY OF April, 2014.

APPROVED:

Deane E. White  
MAYOR

ATTEST:

[Signature]  
CITY CLERK

  
**PREMIER**  
REAL ESTATE MANAGEMENT, LLC

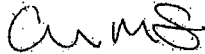
19105 West Carroll Drive, Suite 200 ■ Brookfield, Wisconsin 53045 ■ 262.790.4560 ■ Fax 262.790.4570

April 21<sup>st</sup> 2014

To Whom It May Concern,

We are formally withdrawing our approval request for the development of 84 apartment units on the 9.71 acre vacant site located on the south side of Weaver Road Across from Saddle Brook Lane.

Best Regards,



Chris Slater

BROKERAGE ■ REAL ESTATE MANAGEMENT ■ DEVELOPMENT

