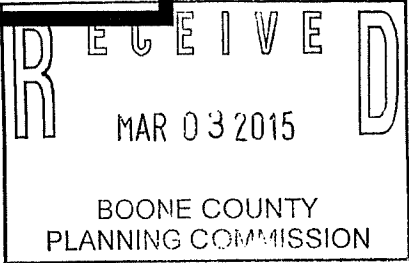


APPLICATION FORM

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 Residences at Ascot Glen
2. Location of Project +/- 9.70 acres on Weaver Rd, Florence, Ky (parcels 062.00-060.06 and 07)
3. Total Acreage of Site +/- 9.70 acres
4. Current Zoning of Site Commercial
5. Proposed Zoning (Classification being requested) UR 2
6. Proposed Uses (please specify each use) New construction of apartment community including related amenities including a pool, clubhouse, fitness area, etc.
7. Names of Applicant(s) BRG Realty Group, LLC
8. Address of Applicant(s) 7265 Kenwood Road, Suite 111 Cincinnati Ohio 45236
9. Name of Property Owner(s) Commonwealth Bank & Trust Company
10. Address of Property Owner(s) 7135 Houston Road Florence Kentucky 41017
11. Proposed Building Intensities (please specify) 172 apartment units consisting of a mix of 1 and 2 bedroom apartments in 7 buildings on the site
12. Are there any existing buildings on the site? No
13. Deed Book D1016 Page No. 420 Group No. 2048-B
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:

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

**ADDENDUM TO ZONING MAP AMENDMENT OR
CONCEPT DEVELOPMENT PLAN APPLICATION
CURRENTLY UNDER REVIEW BY THE BOONE COUNTY PLANNING COMMISSION**

***Waiver of 60 Day Time Requirement by Originator
for Final Planning Commission Action***

1. Name of Project Residences at Ascot Glen
2. Location of Project +/- 9.70 acres on Weaver Rd. Florence, Ky (Parcels 062.00-060.06 and .07)
3. Names of Applicant(s) BRG Realty Group, LLC
Phone No. 513.936.5960 x118 Fax No. 513.936.4151 E-Mail agiannella@brgapartments.com
4. Address of Applicant(s) 7265 Kenwood Road, Suite 111

<u>Cincinnati</u>	<u>Ohio</u>	<u>45236</u>
City	State	Zip
5. Name of Property Owner(s) Commonwealth Bank & Trust Company

In accordance with the provisions in KRS 100.211, the applicant(s) and property owner(s) or originators above, hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment and/or Concept Development Plan* application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on June 10, 2015.

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

ORIGINAL Applicant's Signature Andrew R. Giannella, Vice President of
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted), BRG Realty Group, LLC
Andrew R. Giannella

Note:

*The 60-day time limit applies to Concept Development Plan applications if the site was originally subject to a Zoning Map Amendment request as part of an individual request, county-wide Zoning Update or a land use/zoning study or plan.

**ADDENDUM TO ZONING MAP AMENDMENT OR
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6. ORIGINAL Property Owner's Signature [Signature] *Senior Vice President*
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted) *Commonwealth Bank & Trust*
- ORIGINAL Applicant's Signature [Signature] *Vice President of*
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted) *BRG Realty Group, LLC*
Andrew R. Giannella

Note:

*The 60-day time limit applies to Concept Development Plan applications if the site was originally subject to a Zoning Map Amendment request as part of an individual request, county-wide Zoning Update or a land use/zoning study or plan.

EXHIBIT

“A”

STAFF REPORT

Request of **BRG Realty Group, LLC (applicant)** for **Commonwealth Bank & Trust Company (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential Two (UR-2) for an approximate 9.7 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.

April 1, 2015

REQUEST

The applicant has requested a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential Two (UR-2) for a 9.71 acre tract. The property has road frontage on Weaver Road and Evergreen Drive and is across from the Weaver Road/Saddlebrook Lane signalized intersection. The Concept Plan shows nine (9) three-story apartment buildings. The buildings will contain one hundred and twenty-four (124) two bedroom units, forty-eight (48) one bedroom units, and a clubhouse. The apartment buildings are 42'-2" tall and the clubhouse is 46'-8" tall. The building intensity is 17.71 dwelling units per acre. The plans also show 7 parking garages, which can accommodate 44 vehicles, 287 parking stalls, a pool, a trash compactor, and detention basin. The main development entrance will utilize the Weaver Road/Saddlebrook Lane signalized intersection. Secondary access is proposed from the Kentucky Farm Bureau driveway on Weaver Road and an existing driveway on Evergreen Drive. The elevation drawings show the apartments will be constructed with brick, stone veneer, vinyl siding, shake siding, vinyl shutters, and asphalt shingle roofs. The parking garages are shown with vinyl siding, overhead garage doors, and asphalt shingle roofs. The trash compactor is shown with split face concrete block and wood composite gates.

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 curb cuts 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.

On April 22, 2014, the City of Florence passed a Municipal Order (MO-5-14) overriding a recommendation of approval from Boone County Planning Commission regarding the rezoning of the property from Commercial Two (C-2) to Urban Residential One (UR-1). The Municipal Order was passed after the applicant submitted a letter withdrawing their request. The submitted Concept Development Plan showed seven (7) two-story apartment buildings were proposed and each building would contain twelve (12) two bedroom apartments (overall building intensity of 8.65 dwelling units per acre). Access to the development was proposed from a shared driveway, with Kentucky Farm Bureau, on Weaver Road and an existing driveway on Evergreen Drive.

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 & 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. The Planning Commission and City of Florence need to analyze the findings necessary for granting a Zoning Map Amendment as listed in Section 308 of the Zoning Regulations.

The applicant submitted a letter with the application indicating why the current zoning designation of Commercial Two (C-2) is inappropriate (see attachments).

2. Staff prepared the following table so the building intensity of the proposed apartment complex could be compared to other apartment complexes in the immediate area.

DEVELOPMENT	MULTI-FAMILY UNITS	ACREAGE	BUILDING INTENSITY
ASCOT GLEN (PROPOSED)	172	9.71	17.71 D.U. PER ACRE
WEAVER FARM APARTMENTS	264	23.246	11.36 D.U. PER ACRE
TRAILS AT SADDLEBROOK	227	23.12	9.82 D.U. PER ACRE
TRELLISES APARTMENTS	301	18.953	15.88 D.U. PER ACRE

3. A Traffic Study was submitted with the request and the entire document is part of the record. The introduction, trip generations, and findings and conclusions sections have been copied and are included in the Staff Report. The study provides turning movement counts for the three 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 (41% less for the AM peak and 46% less for the PM peak) than the retail/commercial/office development.

The Study recommends the following improvements are recommended at the intersection of Weaver Road, Saddlebrook Lane, and the proposed access drive.

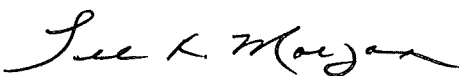
- A. An exclusive left turn lane for westbound traffic on Weaver Road that is turning south into the development. The turn lane should be 150 long, not including the taper.
 - B. The northbound approach on the proposed access drive should be constructed to provide an exclusive left turn lane and a lane shared for through traffic and right turns.
 - C. The existing traffic signal should be modified with a signal head for the northbound approach. Also, the traffic signal head for the westbound approach may have to be adjusted or replaced.
 - D. Pavement markings and signage within the limits of the project.
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. The Boone County Zoning Regulations requires 320 parking spaces in the development (2 spaces per two bedroom unit and 1.5 spaces per 1 bedroom unit). The plans show 331 spaces will be provided.

6. A note on the plans indicates that all lighting will be placed on the proposed buildings and will not cause glare issues on adjacent residential properties.
7. Staff received emails from Kentucky Transportation Cabinet, Boone County Public Works, Boone County Schools, and Florence Fire Department regarding the request. The emails are attached to the Staff Report.
8. Staff would like the applicant to address the following questions:
 - A. Can a right hand deceleration lane be added on Weaver Road at the main entrance?
 - B. Can the exclusive left hand turn lane at the outbound approach be lengthened to allow one or two more vehicles to stack?
 - C. Can the vinyl siding on the apartment building be replaced with Hardieplank lap siding?
 - D. Is the shake siding proposed on the buildings a vinyl product?
 - E. The trash compactor plans are not consistent. Sheet L-5 shows the sides and rear will be constructed with CMU and Sheet L-7 shows they will be constructed with cultured stone. Which plan is being proposed? Is the cultured stone veneer the same product that is being used on the apartment buildings?
 - F. The garage/mail kiosk plans on Sheets L-4 and A-8.1 are not consistent. Sheet L-4 shows they will be constructed with vinyl siding and Sheet A-8.1 shows they will be constructed with stucco and cultured stone. Which plan is being proposed? Staff recommends that all the garage/mail kiosk buildings be consistent and contain large percentages of brick or stone which correlate to the apartment buildings. Two of the garages will be highly visible from Weaver Road.
 - G. What hours will the pool be open?
 - H. Has Duke Energy approved the landscaping and fencing that is shown in their utility easements?

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

Attachments:

- *Site Vicinity Map
- *Concept Development Plans (Site Layout, Floor Plans, Landscaping, Building Elevations)
- *Letter From Applicant - Basis for Zone Change
- *Letter From Applicant - Administrative Waiver for Landscaping
- *Introduction, Trip Generation, and Finding and Conclusion Sections From Submitted 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
- *2014 Concept Development Plan
- *Agency Memo
- *Email from Scott Pennington, Boone County Public Works
- *Email from Fire Marshal Krebs, Florence Fire Department
- *Email from Matt Bogen, Kentucky Transportation Cabinet
- *Email from Eric McArtor, Boone County Schools
- *Application

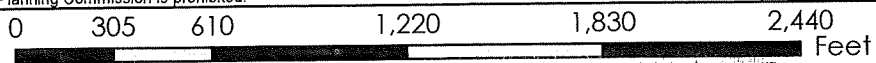
SITE VICINITY MAP

www.boonecountygis.com



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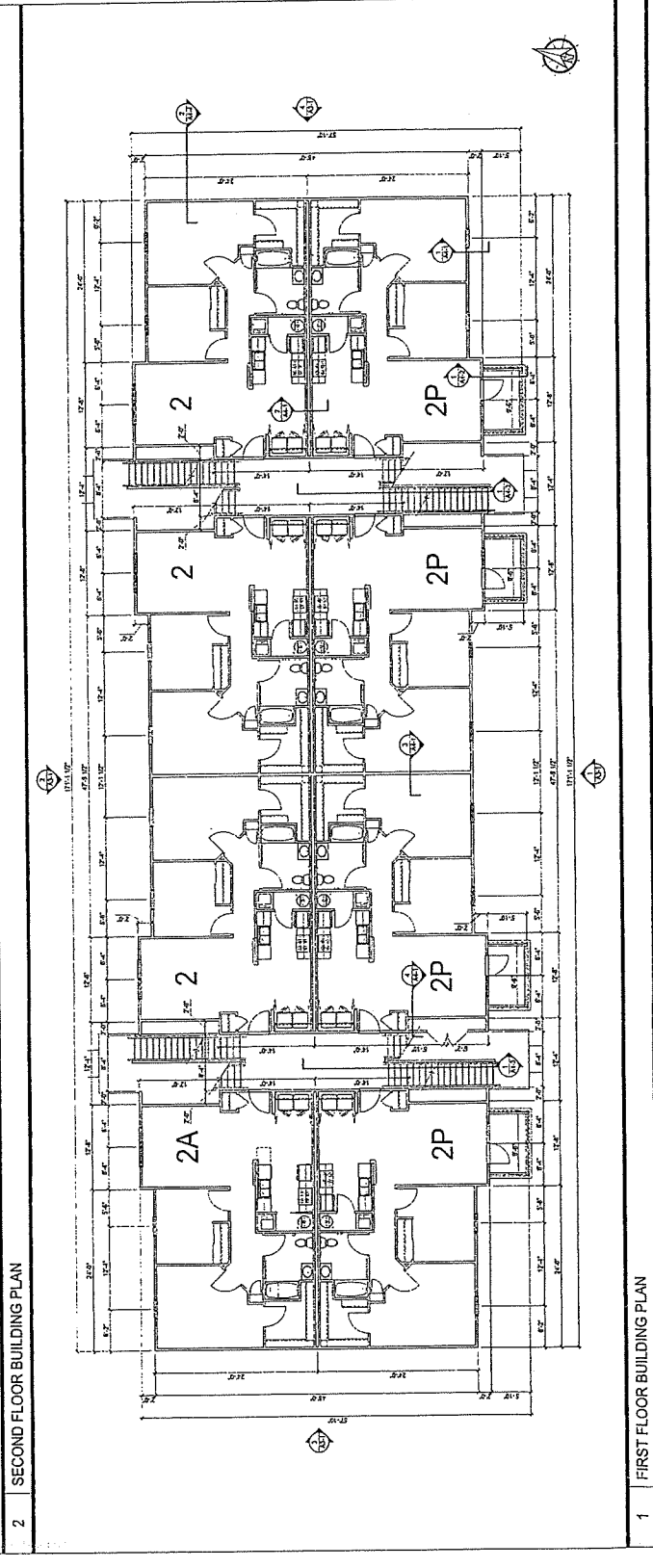
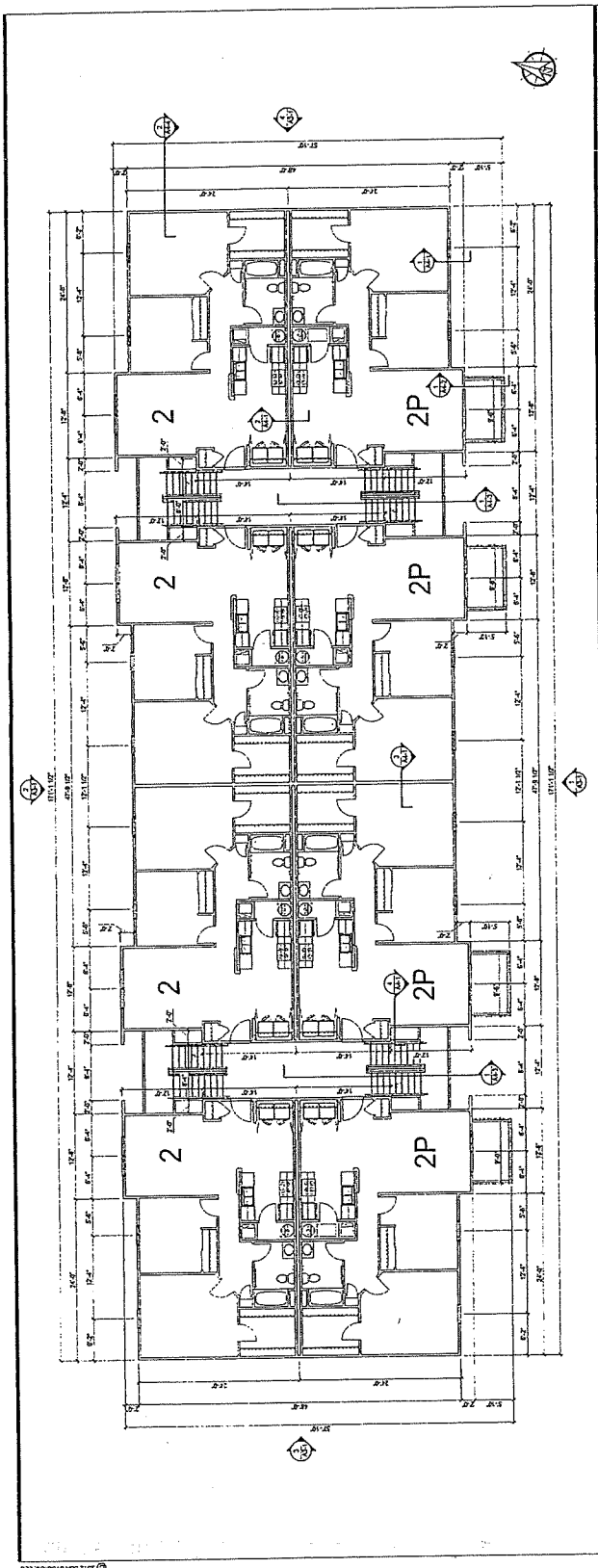
Data used to create this map were compiled from sources that comply with National Map Accuracy Standards. Boone County GIS extends no warranty with respect to the accuracy or content of the information provided by this map. This map should be used for general planning purposes only.

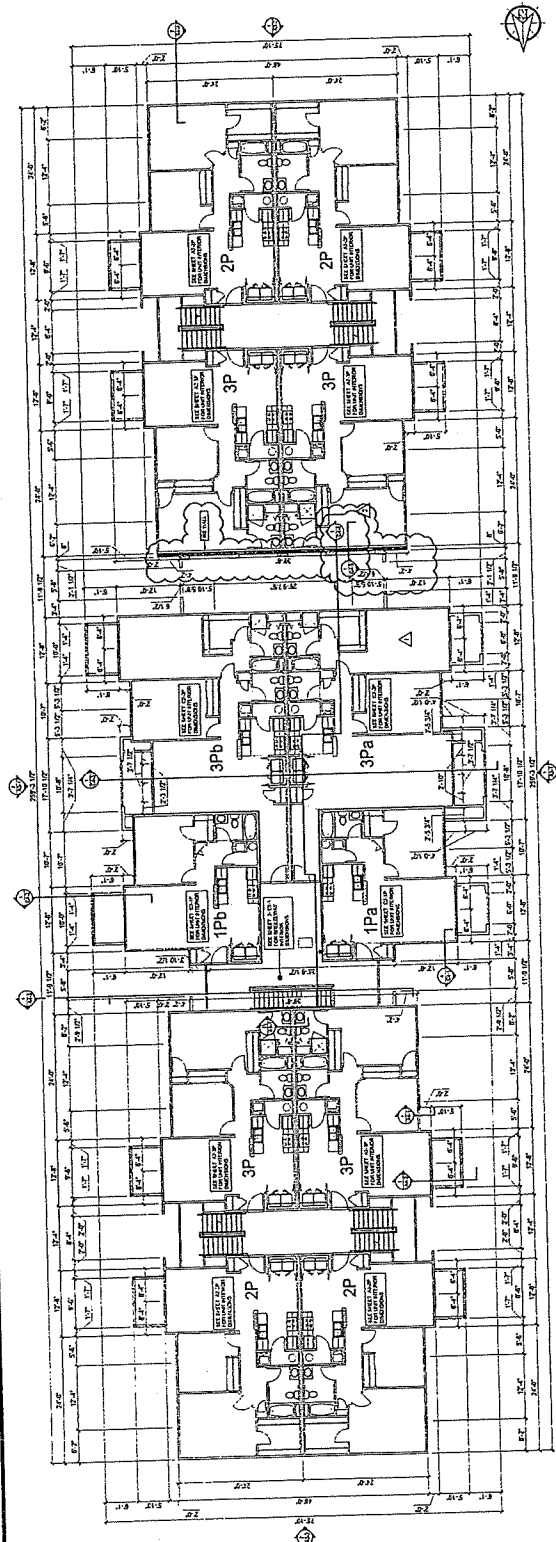


Boone County GIS - Putting Northern Kentucky on the Map

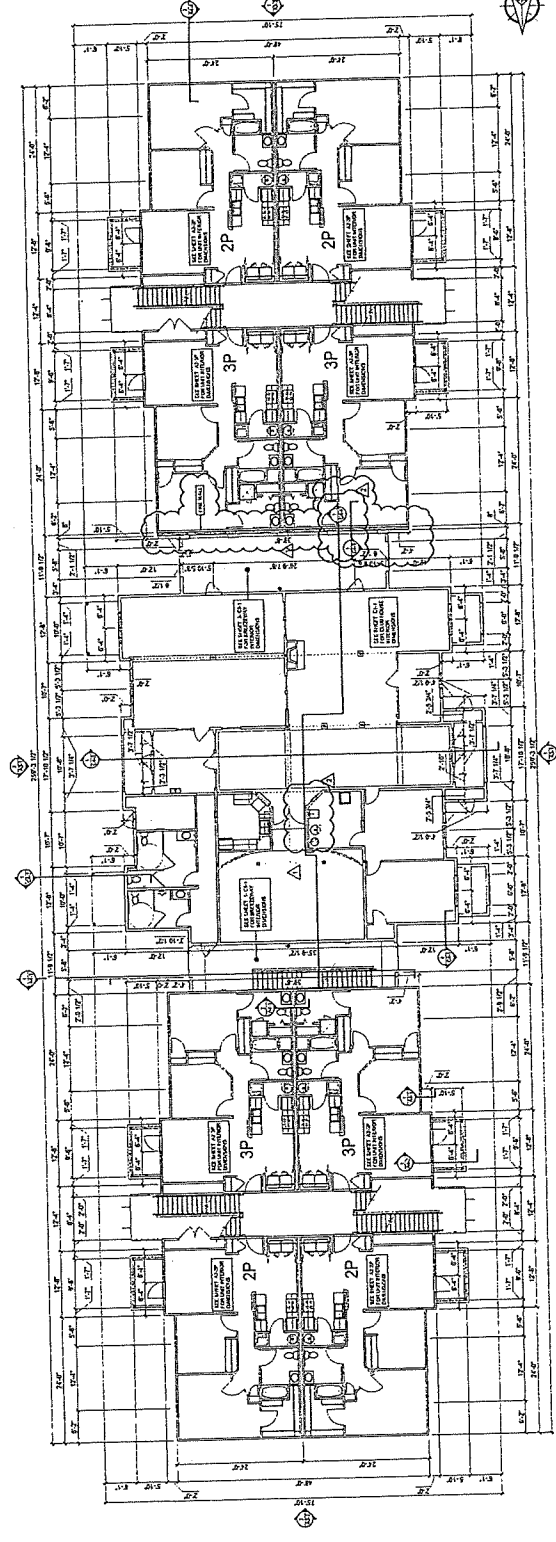
Map Created: 07/01/2013
ArchMap Document: BooneMap (file).mxd

<p>UNIT LEGEND</p> <p>1 ONE BEDROOM, ONE BATHROOM STANDARD 1A ONE BEDROOM, ONE BATHROOM PREMIUM 2 TWO BEDROOM, ONE BATHROOM STANDARD 2A TWO BEDROOM, ONE BATHROOM PREMIUM 3 TWO BEDROOM, TWO BATHROOM STANDARD 3A TWO BEDROOM, TWO BATHROOM PREMIUM</p>							
<p>BUILDING PLANS NOTES</p> <p>1. SEE SHEET 02 FOR UNIT TYPES AND SIZES 2. SEE SHEET 01 FOR ENRICHED BREEZEWAY PLANS 3. SEE SHEET 03 FOR ENRICHED BREEZEWAY PLANS</p>							
<p>FOUR POINTE BUILDING # 02 PREPARED FOR: METRO DEVELOPMENT</p>							
<p>SB STUDIOS ARCHITECTURAL DESIGN 814-562-7761 WWW.SB-STUDIOS.COM</p>							
<p>24 TWO BEDROOM A-4.0</p>							





2 2ND FLOOR BUILDING PLAN



1 1ST FLOOR BUILDING PLAN

UNIT LEGEND

- 1. ONE BEDROOM, ONE BATHROOM (STANDARD)
- 2. ONE BEDROOM, ONE BATHROOM (PREMIUM)
- 3. ONE BEDROOM, ONE BATHROOM (ACCESSIBLE)
- 4. TWO BEDROOM, ONE BATHROOM (STANDARD)
- 5. TWO BEDROOM, ONE BATHROOM (PREMIUM)
- 6. TWO BEDROOM, ONE BATHROOM (ACCESSIBLE)
- 7. TWO BEDROOM, TWO BATHROOM (STANDARD)
- 8. TWO BEDROOM, TWO BATHROOM (PREMIUM)
- 9. TWO BEDROOM, TWO BATHROOM (ACCESSIBLE)

BUILDING PLANS NOTES

1. SEE UNIT PLANS FOR INTERIOR DIMENSIONS.
2. SEE SHEET A5-1 FOR ENHANCED WALKWAY PHASE.
3. SEE SHEET A5-2 FOR ENHANCED WALKWAY PHASE.
4. DATE: ISSUED WITH CHANGE DESCRIPTION
5. 08.28.2014 REV. P.E. REVISIONS FOR PERMIT SET
6. 11.11.2014 REV. P.E. REVISIONS FOR PERMIT SET
7. 12.23.2014 REV. P.E. REVISIONS FOR PERMIT SET

FOUR POINTE
BUILDING 01-CLUB HOUSE
PREPARED FOR:



CLUB HOUSE BUILDING

A-6.0

ROOF PLAN CODED NOTES

1. ROOF NODES VENT 1/4" TO 3/8" INCHES PER 100 SF OF ROOF AREA.
2. ROOF NODES VENT 1/4" TO 3/8" INCHES PER 100 SF OF ROOF AREA. SEE SCHEDULE FOR MORE INFORMATION.
3. USE ONE INCH JOIST FOR GABLE END ROOF. OTHER JOISTING FOR ROOF IS RELATIVE TO MAIN ROOF.
4. LINE OF CONSTRUCTION WALL IS CUT OFF AT THE END OF THE ROOF.
5. 2" x 4" ALUMINUM DOWNSPOUT.
6. ROOF FIN VENT.

UNIT ATTIC VENTILATION

ATTIC VENT: 1/4" TO 3/8" INCHES PER 100 SF OF ROOF AREA. SEE SCHEDULE FOR MORE INFORMATION.

ROOF NODES VENT 1/4" TO 3/8" INCHES PER 100 SF OF ROOF AREA. SEE SCHEDULE FOR MORE INFORMATION.

USE ONE INCH JOIST FOR GABLE END ROOF. OTHER JOISTING FOR ROOF IS RELATIVE TO MAIN ROOF.

LINE OF CONSTRUCTION WALL IS CUT OFF AT THE END OF THE ROOF.

2" x 4" ALUMINUM DOWNSPOUT.

ROOF FIN VENT.

UNIT LEGEND

ONE BEDROOM, ONE BATHROOM STANDARD
 W/ ONE BEDROOM, ONE BATHROOM PREMIUM
 1A. ONE BEDROOM, ONE BATHROOM ACCESSIBLE
 2A. TWO BEDROOM, ONE BATHROOM PREMIUM
 3A. TWO BEDROOM, ONE BATHROOM ACCESSIBLE
 3B. TWO BEDROOM, TWO BATHROOM STANDARD
 3C. TWO BEDROOM, TWO BATHROOM PREMIUM
 3D. TWO BEDROOM, TWO BATHROOM ACCESSIBLE

BUILDING PLANS NOTES

1. SEE UNIT PLANS FOR INTERIOR DIMENSIONS.
2. SEE SHEET A-1 FOR FINISHED FLOOR FINISHES.

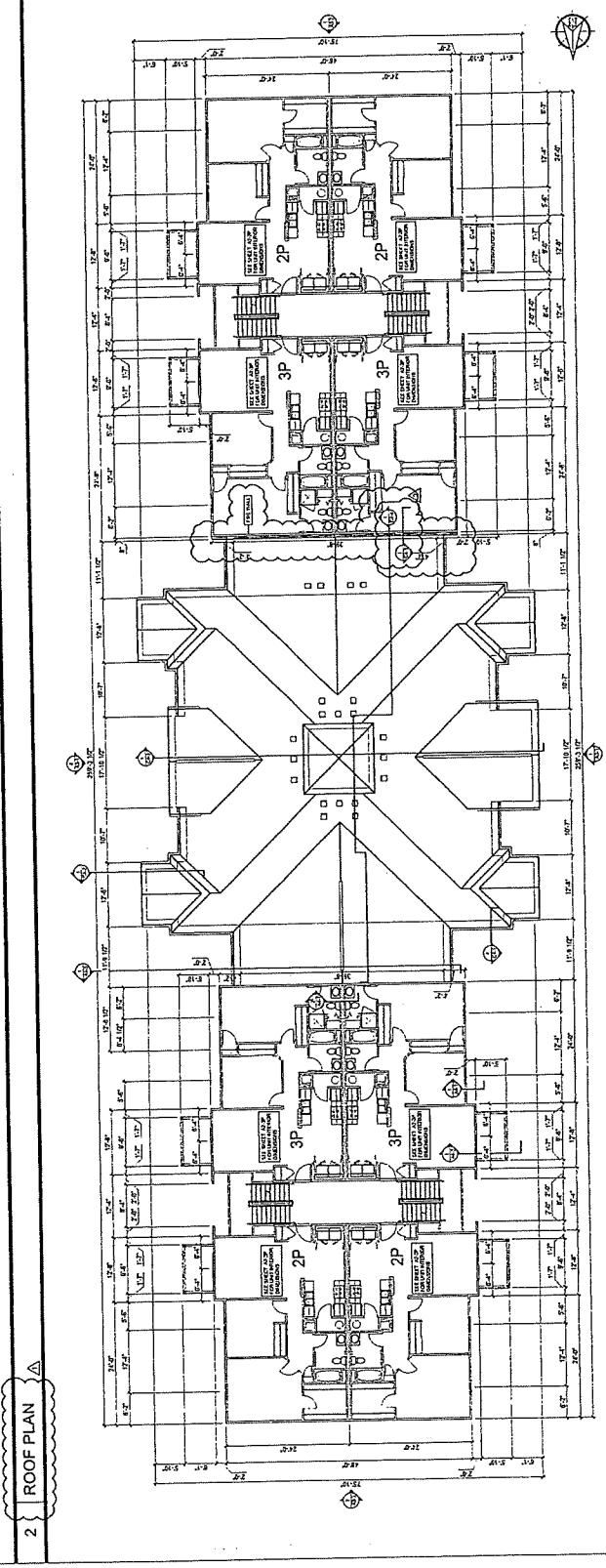
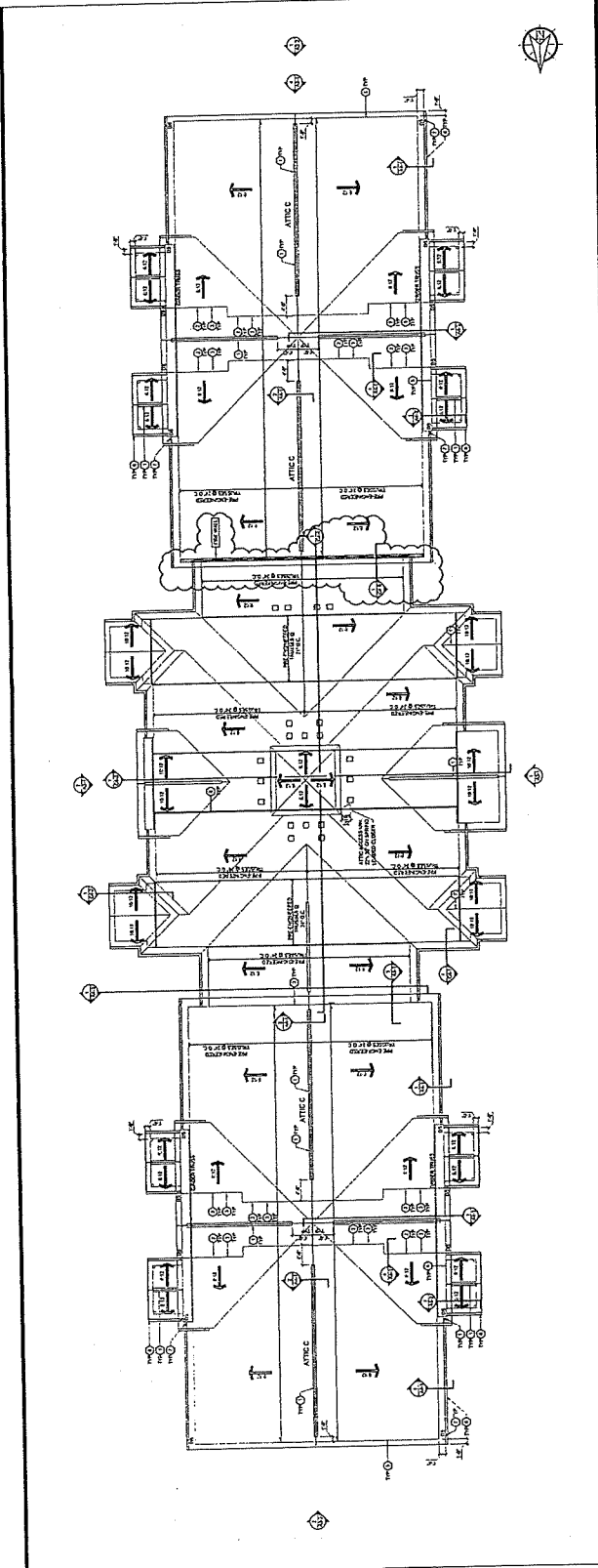
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 11-20-2014 REV. A-13. REVISIONS FOR PERMIT SET
 11-20-2014 REV. A-14. REVISIONS FOR PERMIT SET

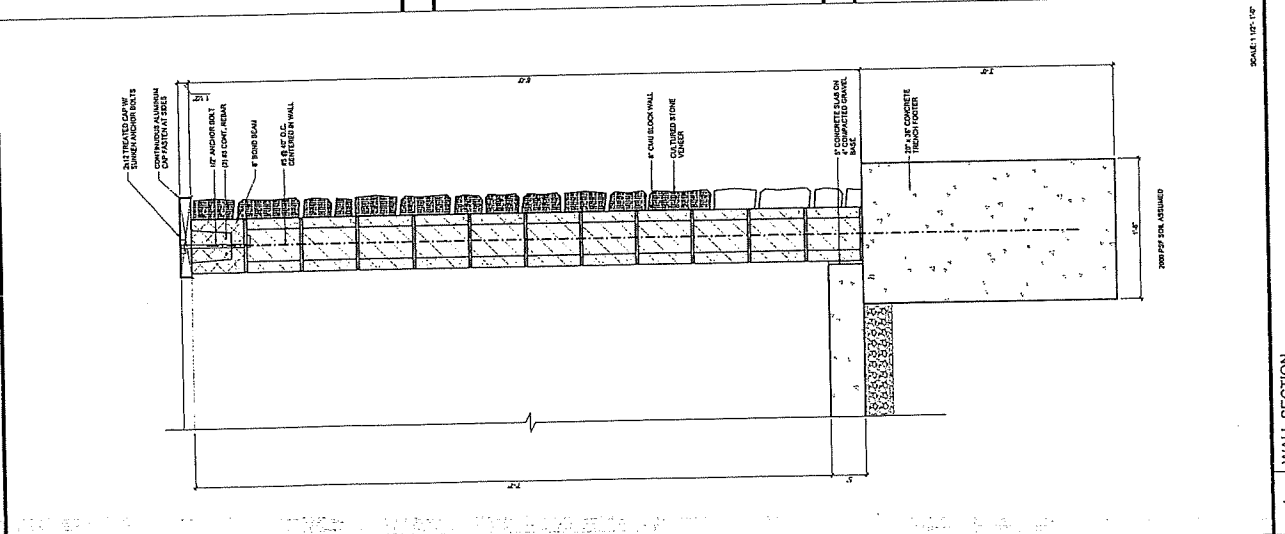
FOUR POINT
 BUILDING 01-CLUB HOUSE
 PREPARED FOR:
METRO DEVELOPMENT

SBA STUDIOS
 ARCHITECTURAL DESIGN
 414.592.2761 WWW.SBASTUDIOS.COM

CLUB HOUSE BUILDING

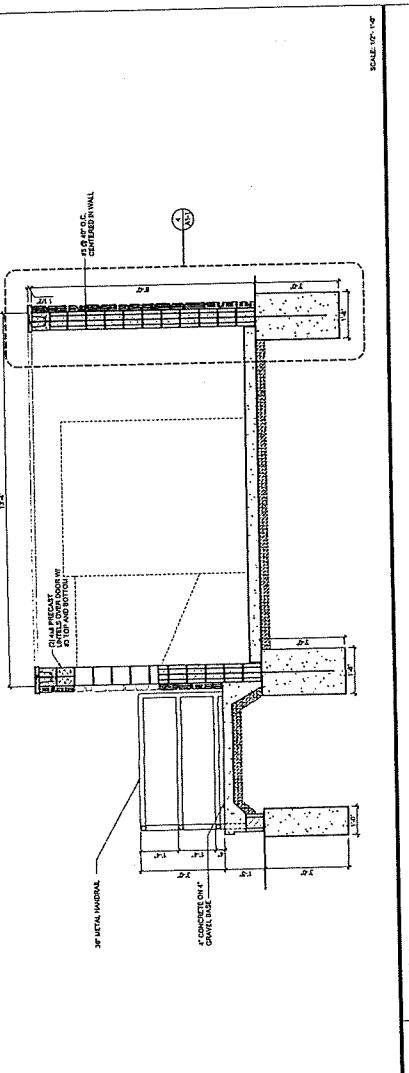
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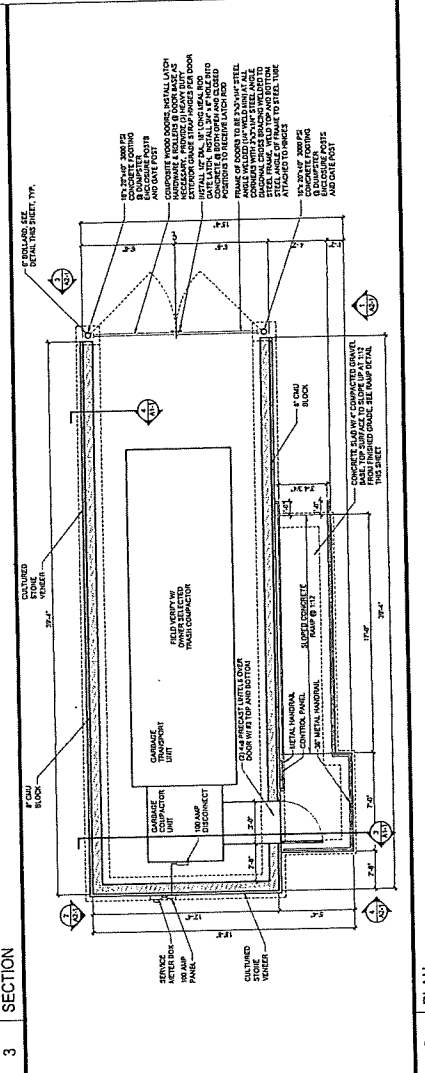
4 WALL SECTION

SCALE: 1/4\"/>



3 SECTION

SCALE: 1/4\"/>



2 PLAN

STRUCTURAL LEGEND

- 1. TRUSS / JOIST / RAFTERS / BEAMS / COLUMNS
- 2. FLOORING
- 3. WALLS / PARTITIONS
- 4. CEILING / SOFFIT
- 5. ROOFING
- 6. EXTERIOR FINISHES (EIFS, STUCCO, etc.)
- 7. INTERIOR FINISHES (PAINT, etc.)
- 8. GLAZING
- 9. MECHANICAL / ELECTRICAL / PLUMBING
- 10. FLOOR FINISHES (CARPET, TILE, etc.)
- 11. FOUNDATION
- 12. CONCRETE
- 13. MASONRY
- 14. METAL
- 15. WOOD
- 16. OTHER

THE RESERVE AT WALNUT CREEK
TRASH COMPACTOR
PREPARED FOR:



S&B STUDIOS
ARCHITECTURAL DESIGN
611.582.3741 WWW.S&B-STUDIOS.COM
TRASH COMPACTOR

A-7.1

1 FOUNDATION PLAN

SCALE: 1/4\"/>

FOUNDATION CODED NOTES

1. CONCRETE SHALL BE COMPACTED TO 95% RELATIVE DENSITY.
2. PROVIDE SUFFICIENT REINFORCING.
3. CURING SHALL BE MAINTAINED FOR 7 DAYS.
4. ALL FOUNDATION WALLS SHALL BE FINISHED WITH INTERIOR FINISH.
5. HOLD DOWN FOUNDATION WALL, POOR SLAB THROUGH.

FLOOR PLAN CODED NOTES

1. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
2. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
3. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
4. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
5. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
6. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
7. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
8. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
9. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
10. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.

ROOF PLAN CODED NOTES

1. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
2. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
3. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
4. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
5. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
6. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
7. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
8. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
9. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
10. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.

ELECTRICAL PANEL

TYPE	SYMBOL	DESCRIPTION
1	(Symbol)	120V AMP PANEL
2	(Symbol)	120V AMP PANEL
3	(Symbol)	120V AMP PANEL
4	(Symbol)	120V AMP PANEL
5	(Symbol)	120V AMP PANEL
6	(Symbol)	120V AMP PANEL
7	(Symbol)	120V AMP PANEL
8	(Symbol)	120V AMP PANEL
9	(Symbol)	120V AMP PANEL
10	(Symbol)	120V AMP PANEL

STRUCTURAL LEGEND

- 1. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
- 2. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
- 3. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
- 4. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
- 5. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
- 6. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
- 7. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
- 8. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
- 9. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.
- 10. 2x4 STUD WALL, 1/2" GYPSUM BOARD ONE SIDE.

DATE _____

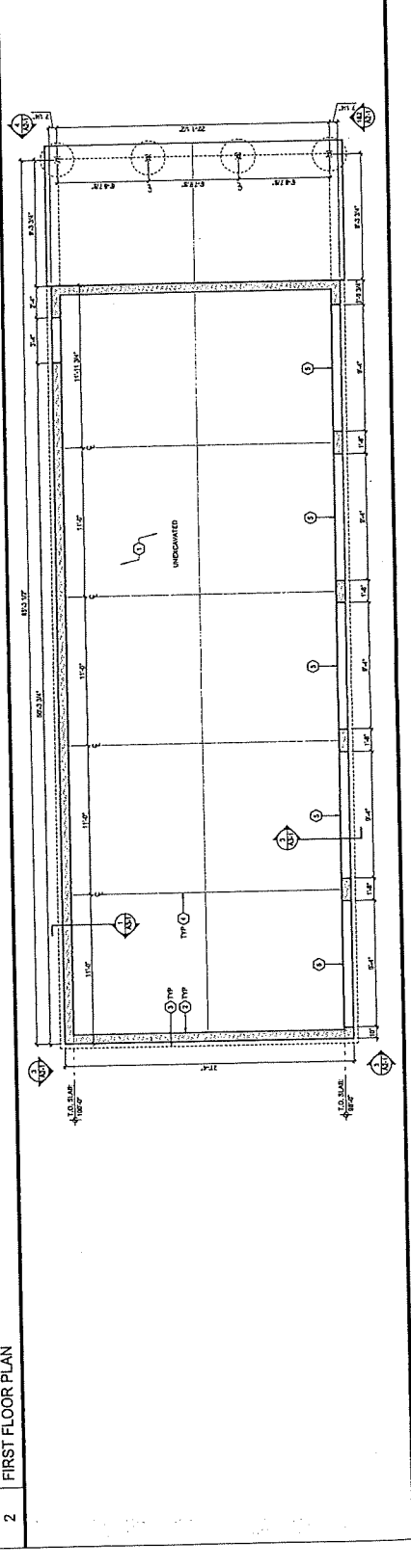
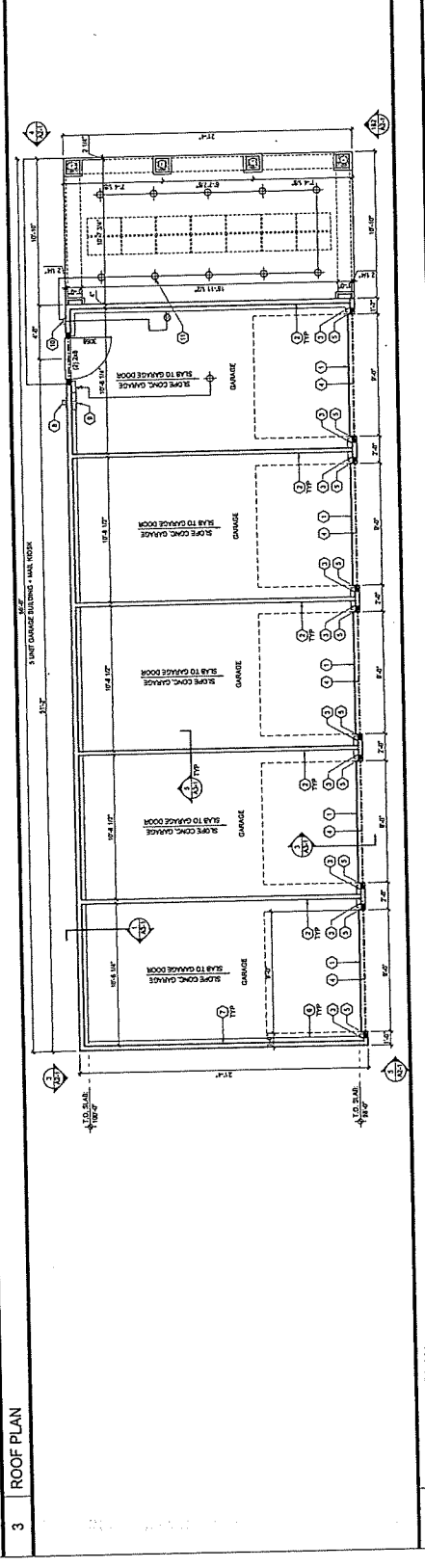
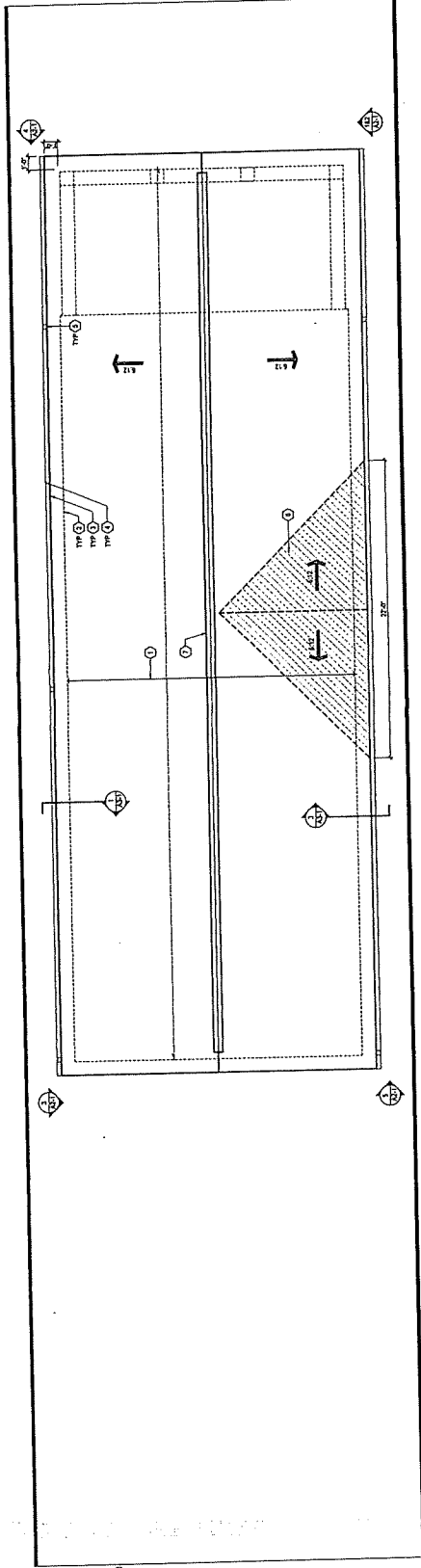
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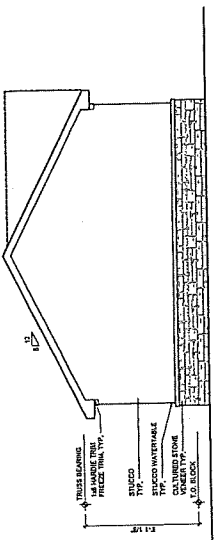
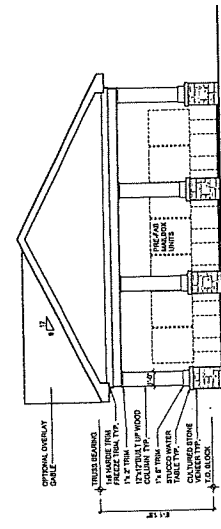
THE RESIDENCES AT CENTRAL PARK
MAIL KIOSK / GARAGE
PREPARED FOR:



GARAGE PLANS

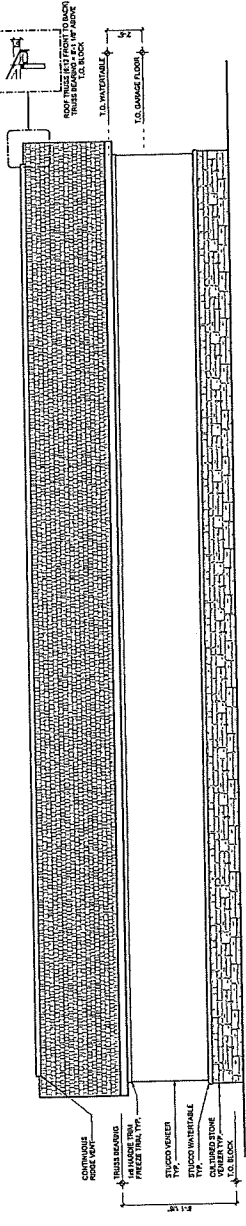
A-8.0



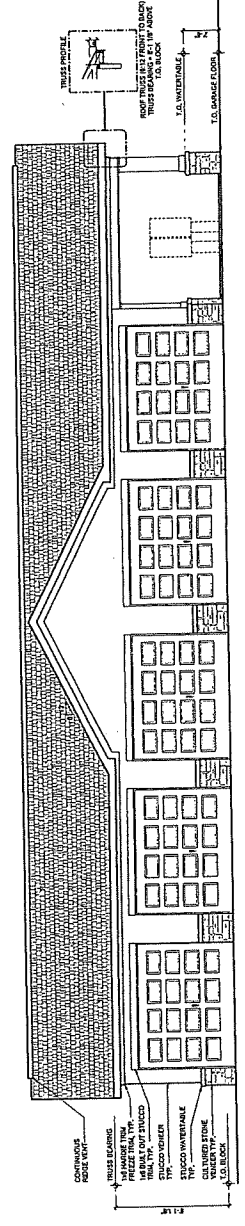


4 SIDE ELEVATION

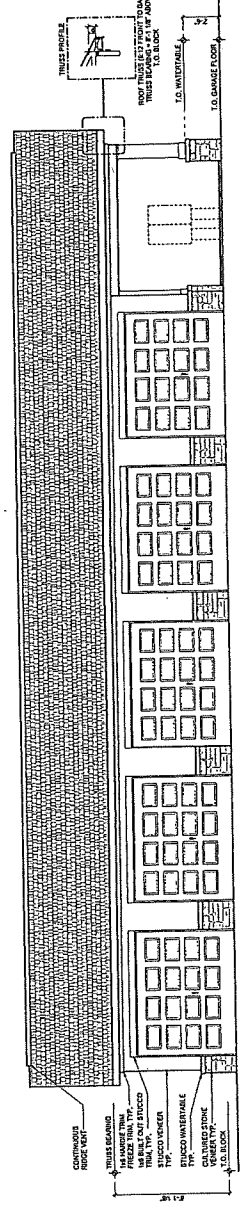
5 SIDE ELEVATION



3 REAR ELEVATION

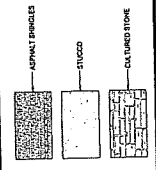


2 FRONT ELEVATION W/ OPTIONAL GABLES



1 FRONT ELEVATION

ELEVATION MATERIAL LEGEND



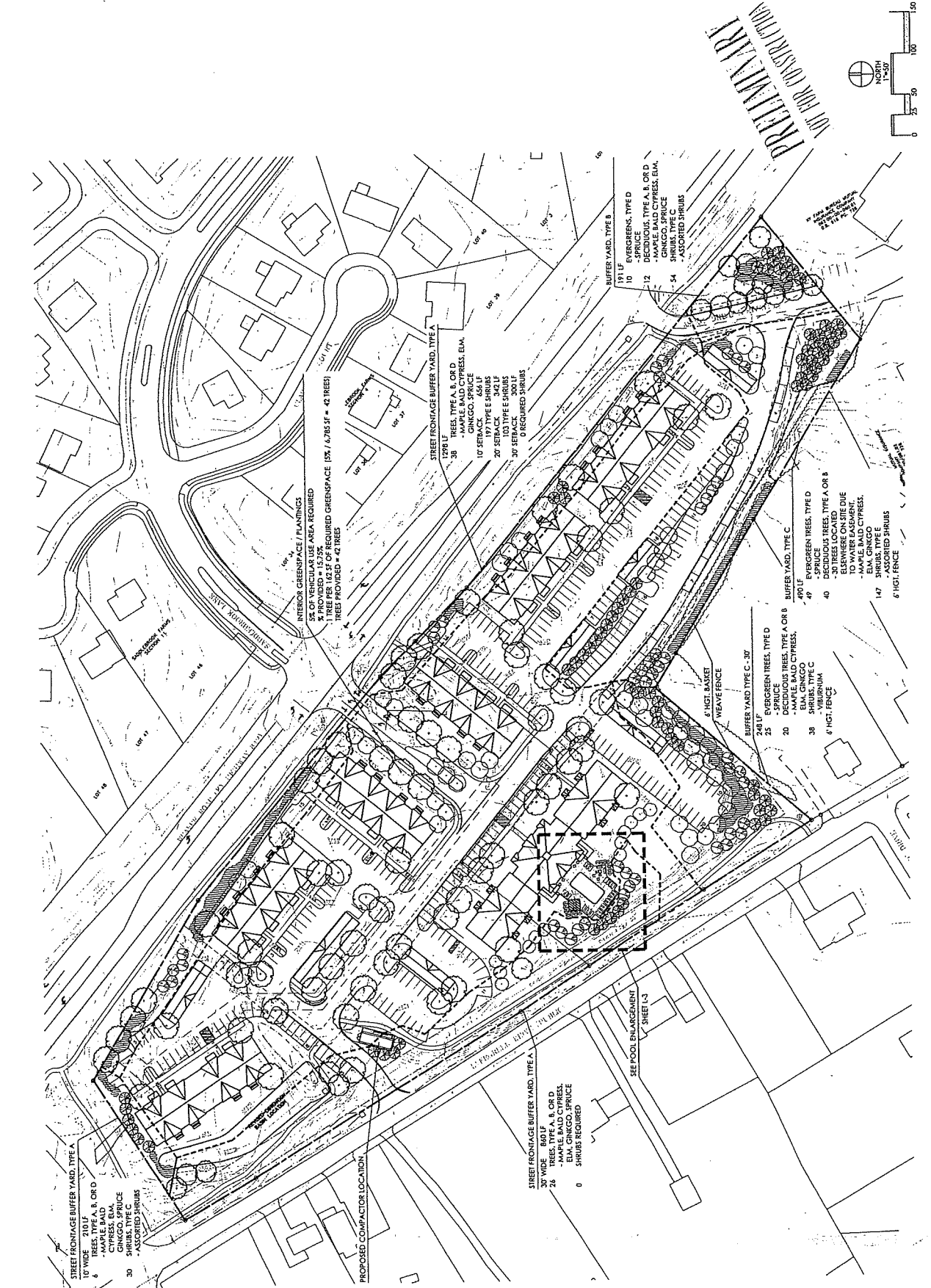
DATE	ISSUED WITH CHANGE DESCRIPTION

THE RESIDENCES AT CENTRAL PARK
MAIL KIOSK / GARAGE
PREPARED FOR:



GARAGE PLANS

A-8.1



STREET FRONTAGE BUFFER YARD, TYPE A
 10' WIDE - 210 LF
 6 TREES TYPE A, B, OR D
 30 SHRUBS TYPE C
 50 GINKGO, SPRUCE
 50 MAPLE BALD CYPRESS, ELM
 50 ASSORTED SHRUBS

INTERIOR GREENSPACE / PLANTINGS
 5% OF VEHICULAR USE AREA REQUIRED
 5% PROVIDED = 15,250 SF
 40 REQUIRED GREENSPACE (5% / 1,263 SF = 40 TREES)
 40 TREES PROVIDED = 40 TREES

STREET FRONTAGE BUFFER YARD, TYPE A
 10' WIDE - 170 LF
 6 TREES TYPE A, B, OR D
 30 SHRUBS TYPE C
 50 GINKGO, SPRUCE
 50 MAPLE BALD CYPRESS, ELM
 50 ASSORTED SHRUBS

STREET FRONTAGE BUFFER YARD, TYPE B
 10' WIDE - 170 LF
 10 EVERGREENS, TYPE D
 10 SPRUCE, TYPE A, B, OR D
 12 DECIDUOUS TREES, TYPE A OR B
 50 GINKGO, SPRUCE
 50 SHRUBS, TYPE C
 50 ASSORTED SHRUBS

STREET FRONTAGE BUFFER YARD, TYPE A
 30' WIDE - 80 LF
 6 TREES TYPE A, B, OR D
 30 SHRUBS TYPE C
 50 GINKGO, SPRUCE
 50 MAPLE BALD CYPRESS, ELM
 50 ASSORTED SHRUBS

STREET FRONTAGE BUFFER YARD, TYPE C
 30' WIDE - 30 LF
 6 TREES TYPE A, B, OR D
 30 SHRUBS TYPE C
 50 GINKGO, SPRUCE
 50 MAPLE BALD CYPRESS, ELM
 50 ASSORTED SHRUBS

STREET FRONTAGE BUFFER YARD, TYPE C
 30' WIDE - 30 LF
 6 TREES TYPE A, B, OR D
 30 SHRUBS TYPE C
 50 GINKGO, SPRUCE
 50 MAPLE BALD CYPRESS, ELM
 50 ASSORTED SHRUBS

SEE POOL ENCLOSURE
 SHEET L-3

PROPOSED COMPACTOR LOCATION

8' HGT. BASKET WEAVE FENCE

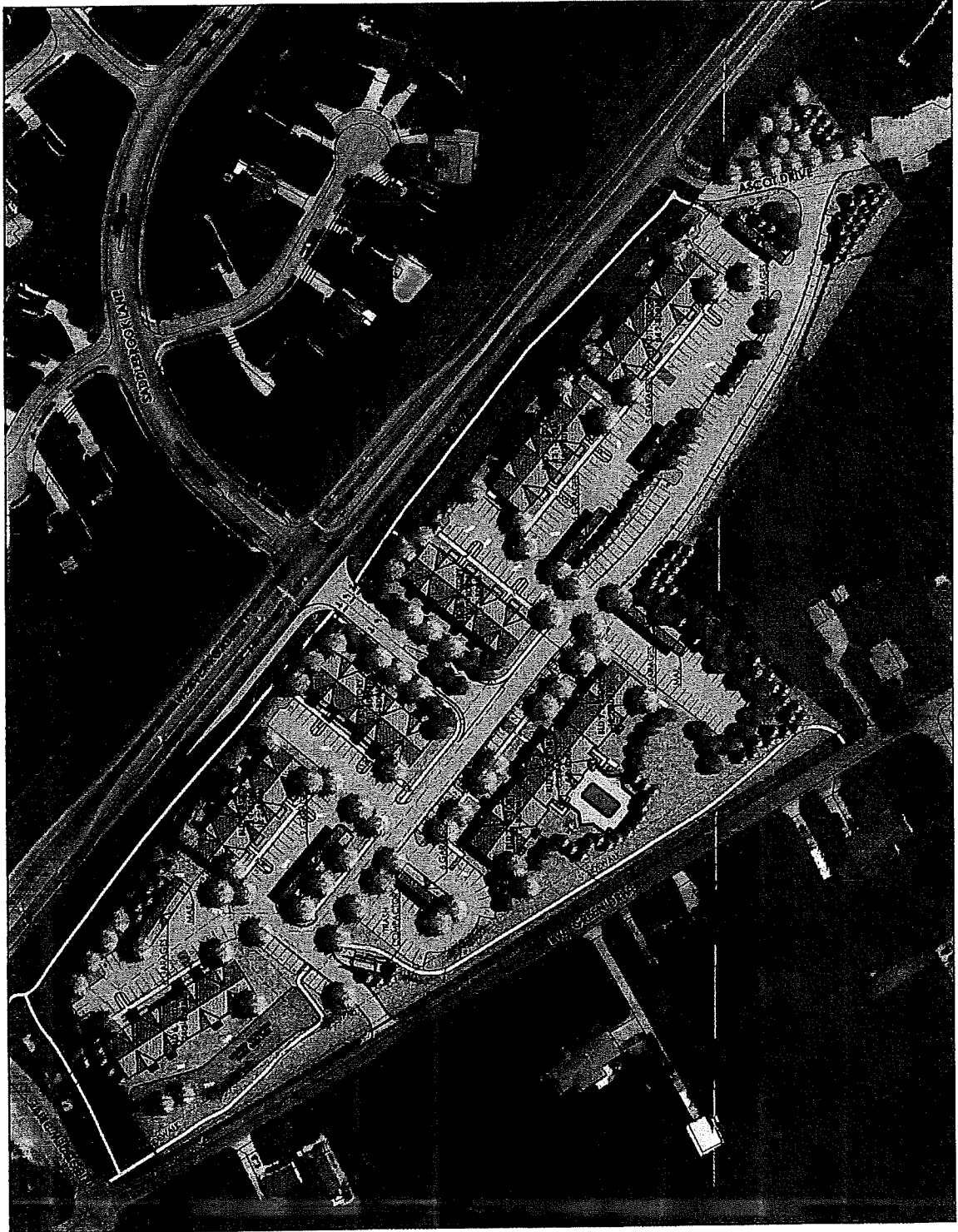
8' HGT. FENCE

147 ASSORTED SHRUBS

147 ASSORTED SHRUBS

147 ASSORTED SHRUBS

REVISIONS	ILLUSTRATIVE MASTER PLAN	THE RESIDENCES AT ASCOT GLEN PREPARED BY BRG REALTY GROUP, LLC 7745 REDWOOD ROAD SUITE 111 CINCINNATI, OHIO 45238	Paris Planning & Design LAND PLANNERS 2144 W. 9TH STREET SUITE 200 CINCINNATI, OHIO 45219 www.parisplanning.com	DATE 3/3/15	PROJECT 14108	SHEET	L-2



NO.	DATE	DESCRIPTION

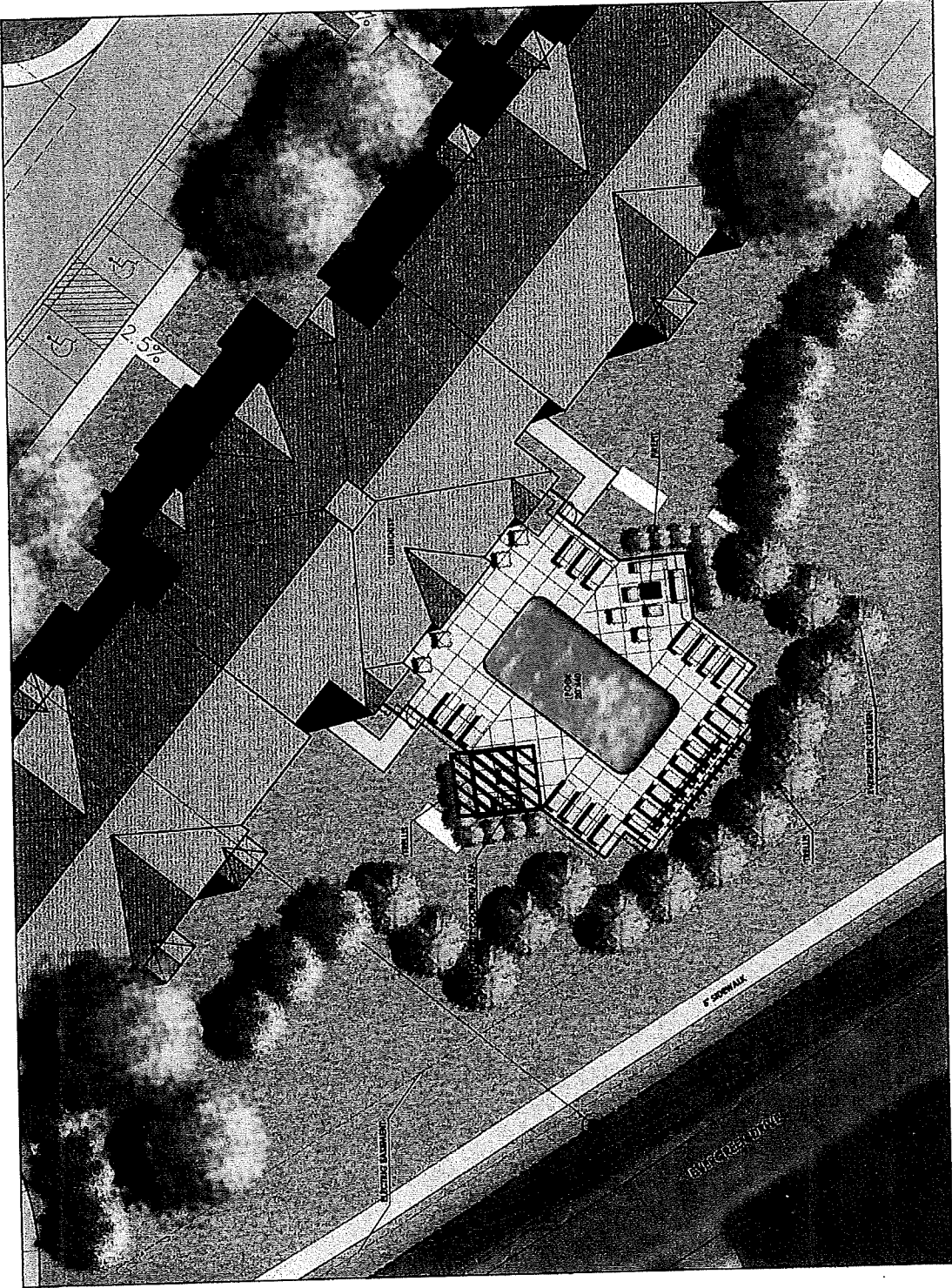
ILLUSTRATIVE
CLUBHOUSE PLAN

THE RESIDENCES AT
ASCOT GLEN
MAYFIELD
BRG REALTY GROUP, LLC
7345 KENWOOD ROAD SUITE 111
CHICAGO, OHIO 43025

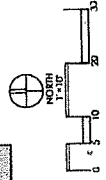
Louis Planning & Design
LANDSCAPE ARCHITECTS
1100 EAST 17TH
COLUMBUS, OH 43219
PHONE: 614.291.1111
WWW.LOUISPANNING.COM

DATE	3/3/15
PROJECT	14108
SHEET	

L-3



NO COPY FOR THE
OWNER



REVISIONS

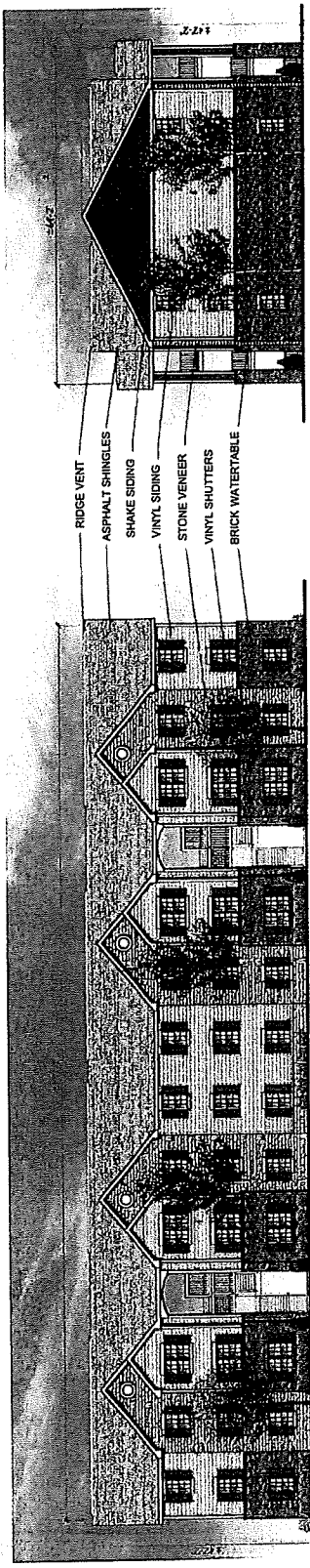
BUILDING
ELEVATIONS

THE RESIDENCES AT
ASCOT GLEN
RESIDENCES
BRG REALTY GROUP, LLC
7245 REYNOLD ROAD, SUITE 111
CINCINNATI, OHIO 45225

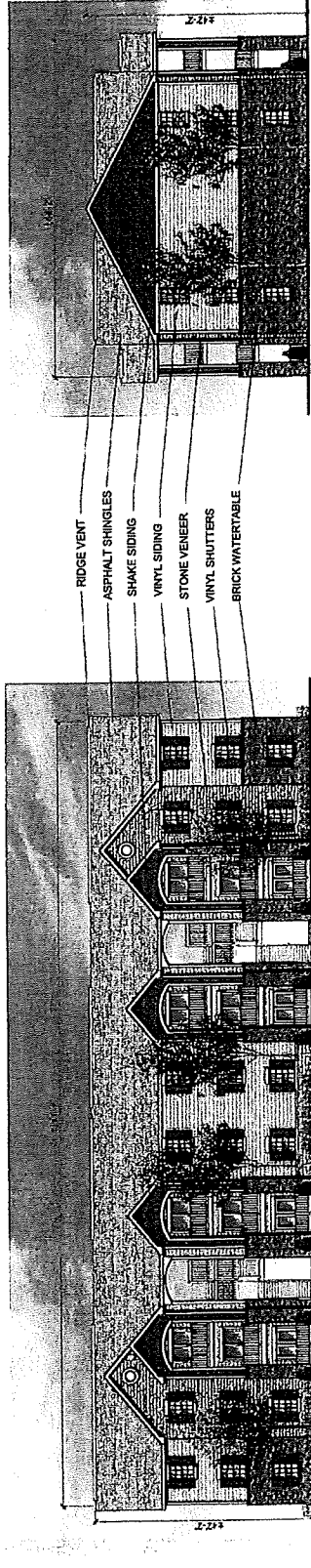
Paris Planning & Design
LAND PLANNING ARCHITECTURE
10000 W. WILSON AVENUE
SUITE 100
CINCINNATI, OH 45241
P: 513.447.1811
WWW.PARISPLANNING.COM

DATE	3/21/15
PROJECT	1410B
SHEET	

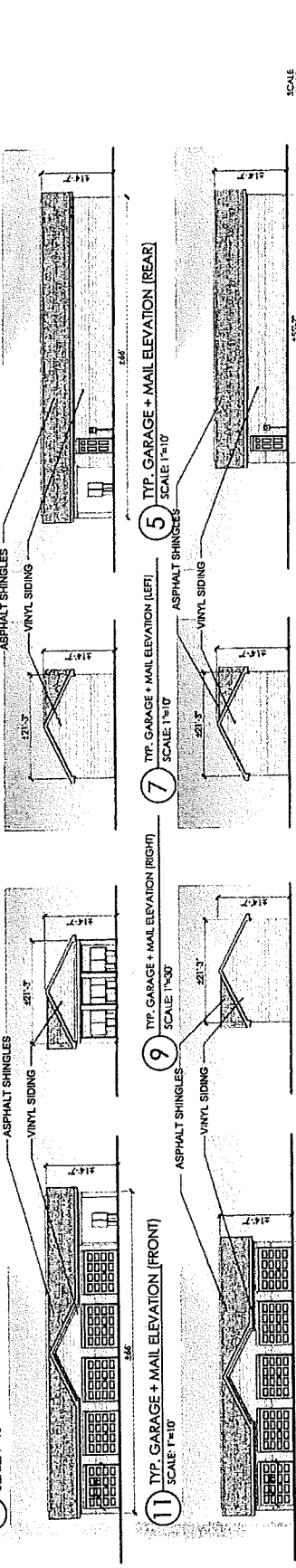
L-4



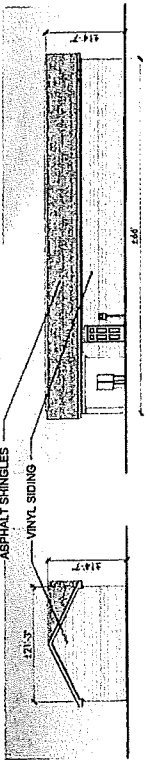
1 TYP. 3-STORY BLD W/ 24 2-BD UNITS ELEVATION (SIDE)
SCALE: 1"=10'



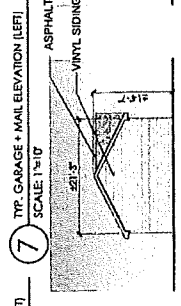
2 TYP. 3-STORY BLD W/ 12 1-BD & 12 2-BD UNITS ELEVATION (SIDE)
SCALE: 1"=10'



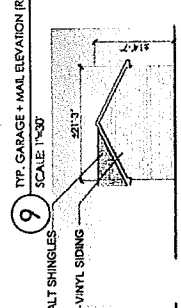
3 TYP. 3-STORY BLD W/ 12 1-BD & 12 2-BD UNITS ELEVATION (FRONT AND REAR MATERIALS TO MATCH)
SCALE: 1"=10'



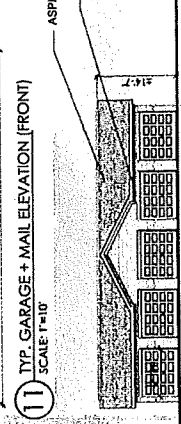
5 TYP. GARAGE + MAIL ELEVATION (REAR)
SCALE: 1"=10'



7 TYP. GARAGE + MAIL ELEVATION (LEFT)
SCALE: 1"=10'



9 TYP. GARAGE + MAIL ELEVATION (RIGHT)
SCALE: 1"=30'



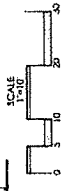
11 TYP. GARAGE + MAIL ELEVATION (FRONT)
SCALE: 1"=10'



12 TYP. GARAGE ELEVATION (FRONT)
SCALE: 1"=10'

8 TYP. GARAGE ELEVATION (LEFT)
SCALE: 1"=10'

6 TYP. GARAGE ELEVATION (REAR)
SCALE: 1"=10'



REVISIONS

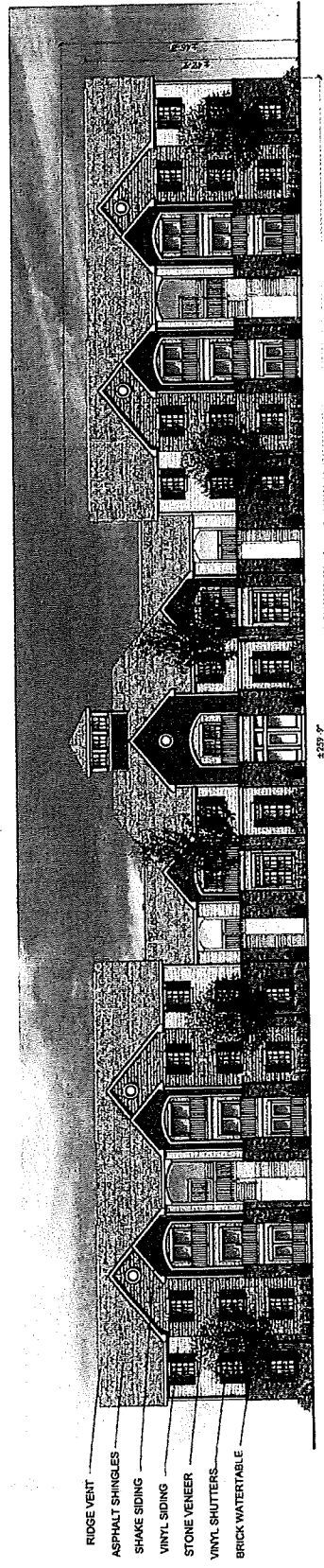
CLUB HOUSE AND TRASH COMPACTOR ELEVATIONS

THE RESIDENCES AT
 ASCOT GLEN
 A DEVELOPMENT BY
 BRG REALTY GROUP, LLC
 7245 KENWOOD ROAD, SUITE 111
 CHICAGO, OHIO 43021

Paris Planning & Design
 LAND PLANNING & ARCHITECTURE
 214 N. 5th Street
 Columbus, OH 43215
 614.447.1144
 www.parisplanninganddesign.com

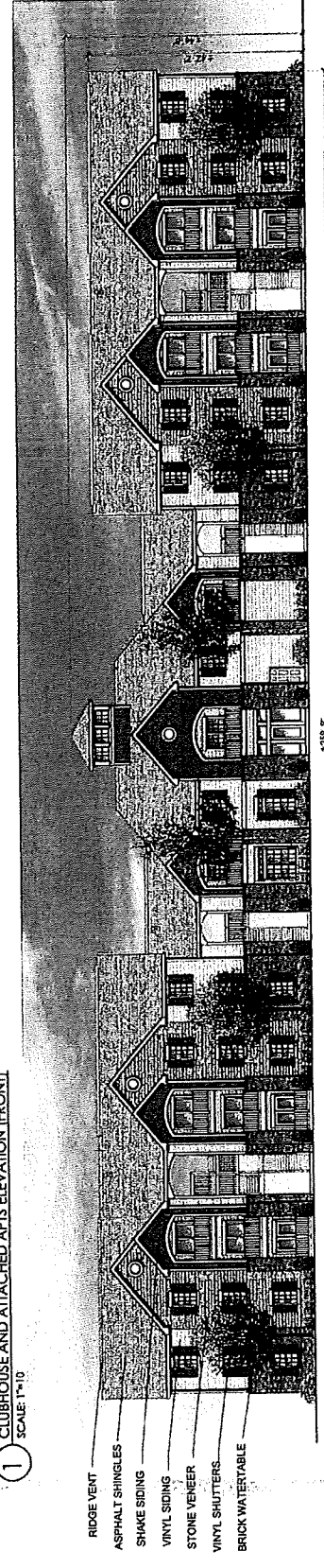
DATE	3/2/15
PROJECT	14108
SHEET	

L-5



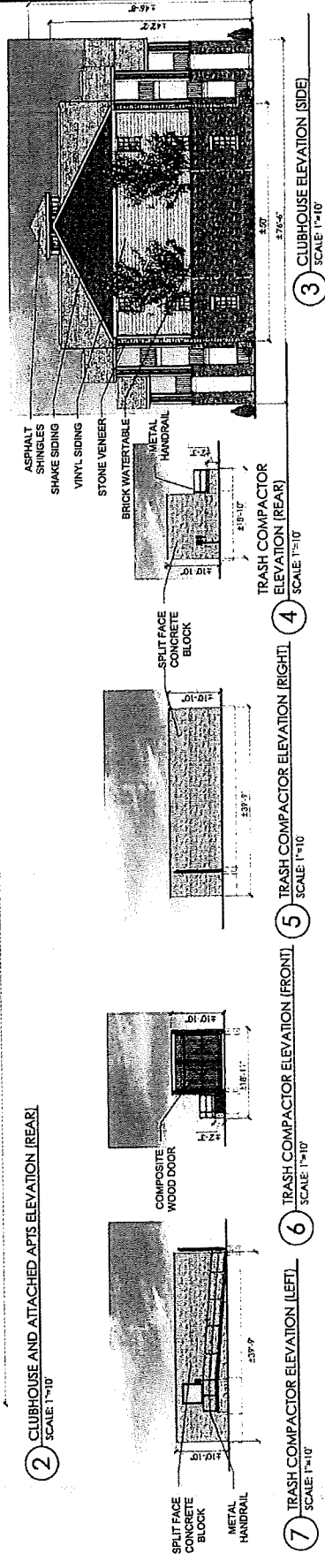
- RIDGE VENT
- ASPHALT SHINGLES
- SHAKE SIDING
- VINYL SIDING
- STONE VENEER
- VINYL SHUTTERS
- BRICK WATERTABLE

1 CLUBHOUSE AND ATTACHED APTS ELEVATION [FRONT]
 SCALE: 1"=10'



- RIDGE VENT
- ASPHALT SHINGLES
- SHAKE SIDING
- VINYL SIDING
- STONE VENEER
- VINYL SHUTTERS
- BRICK WATERTABLE

2 CLUBHOUSE AND ATTACHED APTS ELEVATION [REAR]
 SCALE: 1"=10'



- SPLIT FACE CONCRETE BLOCK
- METAL HANDRAIL

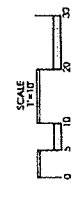
7 TRASH COMPACTOR ELEVATION [LEFT]
 SCALE: 1"=10'

6 TRASH COMPACTOR ELEVATION [FRONT]
 SCALE: 1"=10'

5 TRASH COMPACTOR ELEVATION [RIGHT]
 SCALE: 1"=10'

4 TRASH COMPACTOR ELEVATION [REAR]
 SCALE: 1"=10'

3 CLUBHOUSE ELEVATION [SIDE]
 SCALE: 1"=10'



Basis for Zone Change
C-2 to UR-2
The Residences at Ascot Glen
Florence, Kentucky

The area under consideration for a zone change from Commercial Two (C-2) to Urban Residential One (UR-2) 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 172 apartment units, 48 one bedroom units and 124 two bedroom units. In addition there are 44 garage units provided in 7 garage buildings. This proposal has a central community building and pool as indicated on the plan.

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 50% 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 Two 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 approximately 50% 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
The Residences at Ascot Glen
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 property line. 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 around the parking area of Building #1 and #2. 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.

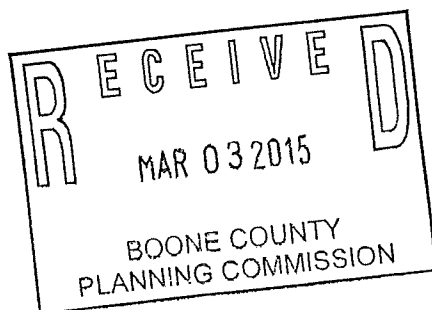
**TRAFFIC IMPACT STUDY
FOR
THE RESIDENCES AT ASCOT GLEN**

**WEAVER ROAD (KY 842)
FLORENCE, KENTUCKY**

Prepared For:
Cardinal Engineering Corporation
One Mooock Road
Wilder, Kentucky 41071

February 27, 2015

SHA Engineering, LLC



1. Introduction

This Traffic Impact Study was prepared to examine the traffic impact of a new apartment complex located on Weaver Road in the City of Florence, KY. The proposed development will include 174 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 a subsequent section of this report.

The access to the proposed development will be provided through a proposed access drive on Weaver Road across from Saddlebrook Lane. The existing intersection of Weaver Road and Saddlebrook Lane is operating with a traffic signal. The proposed access drive will serve as the fourth leg of the intersection. The proposed development will also use the existing unsignalized intersections of Weaver Road at Ascot Drive and Ridgeview Road, however it is expected that only a small percentage of drivers will use these locations.

Figure 1 below shows the location of the proposed Apartment Complex and the site plan is included in Appendix A

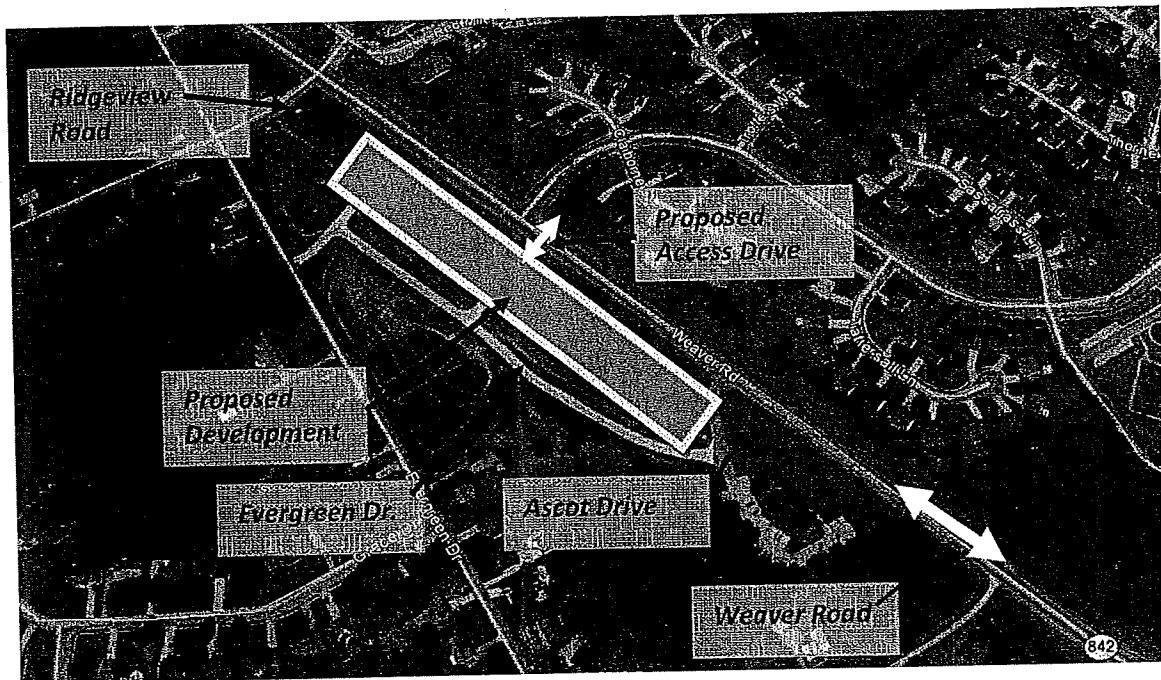


FIGURE 1 SITE LOCATION

The Traffic Impact Study will include the evaluation of the following intersection location.

- Weaver Road and Saddletbrook Lane
- Weaver Road and Ridgeview Road
- Weaver Road and Ascot Drive.

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	172	19	75	94	77	42	119
TOTAL TRIPS			19	75	94	77	42	119

Trip Distribution and Forecast

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

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

Figure 3 shows the percentage of trip assignments and Figure 4 shows the new site trips to the adjacent roadways.

The existing turning movement counts shown in Figure 2 were combined with the traffic volumes shown in Figure 4 to obtain 2015 Opening Day Build traffic volumes, shown in Figure 5.

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 (41% and 46% of the previous development for the AM and PM Peak Hours respectively) than the estimated trips for the previously planned development.

Table 2 – Estimated Trips – 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
TOTAL TRIPS			105	52	157	107	147	254

The Build scenario for the year 2025 traffic volumes were obtained by combing the estimated No-Build traffic volumes in Figure 6 and the new trips shown in Figure 4. Figure 7 shows the 2025 traffic volumes for the build scenarios.

4. Findings and Conclusions

The preceding analysis and recommendations listed below are based on the typical procedure used for evaluating the impact of the proposed development on the 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 41% and 46% less than what was estimated for the previously planned development. The total trips 94 and 119 estimated for the AM and PM peak hours.

The main access to the proposed development is located on Weaver Road across from Saddlebrook Lane. The intersection is operating with a traffic signal and is expected to be used by the majority of new trips generated by the proposed development. The analysis at this intersection shows that the new trips generated by the proposed development will not have significant impact on the flow of traffic through the intersection. The intersection will continue to operate at LOS C, showing efficient flow of traffic.

The turn lane warrants examined for the westbound left turn from Weaver Road to Proposed Access Drive indicates that an exclusive turn lane is warranted.

The analysis completed at the intersection of Weaver Road and Ascot Drive shows acceptable flow of traffic for all scenarios. The northbound approach along Ascot Drive operates at LOS B during the AM peak period and shows LOS C during PM peak period.

The analysis completed at the intersection of Weaver Road and Ridgeview Road with 2025 AM peak hour show a LOS E for the northbound approach, for the No-Build as well as Build scenarios. The analysis for the northbound approach for the 2025 PM peak hour volume shows a LOS F for the No-Build and Build scenarios. The intersection is operating with stop control on northbound and southbound approaches, the increase in the delays are observed as the traffic volumes increased for 2025 scenarios and number of gaps available reduces for making the left and right turns from the side streets.

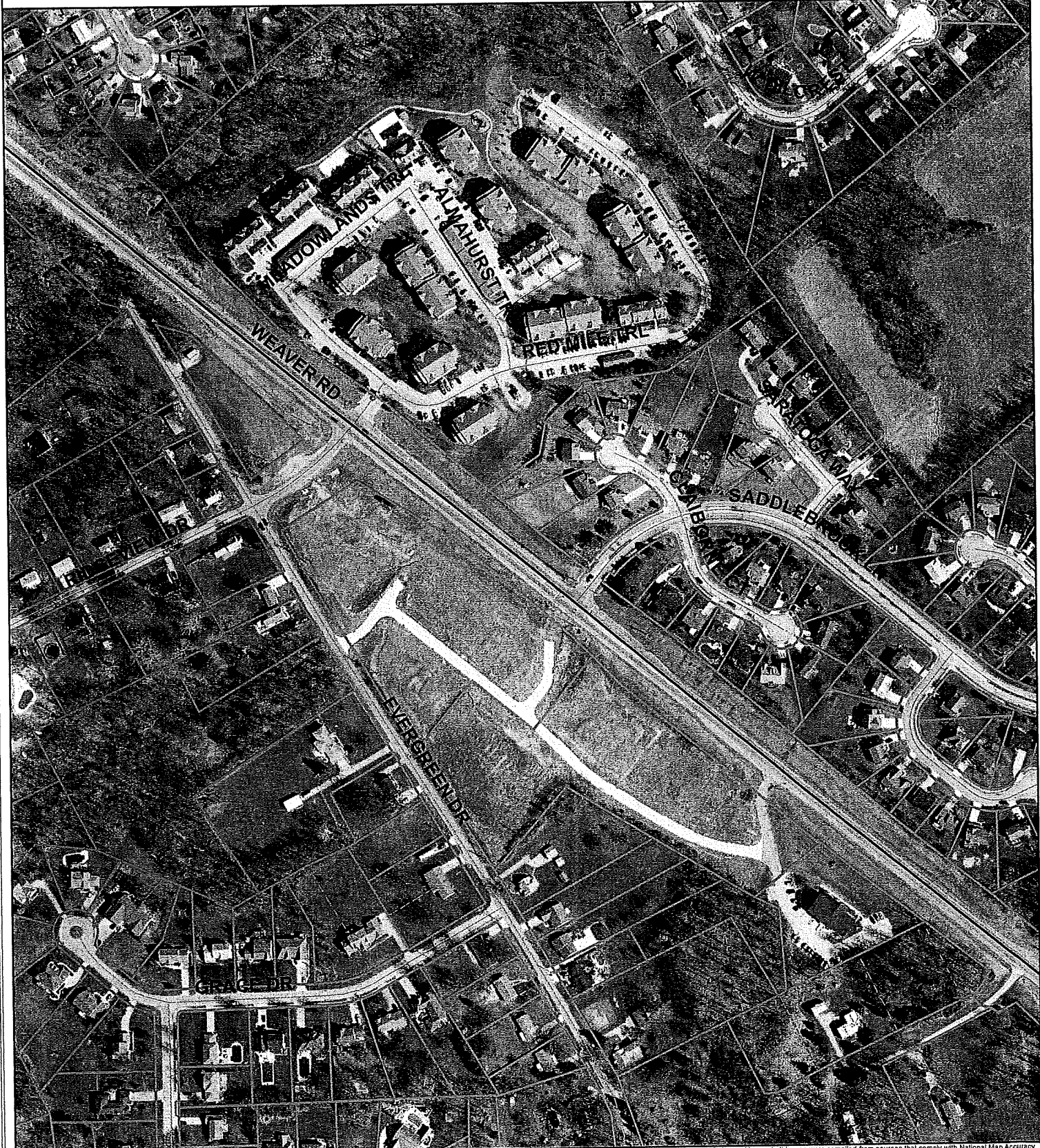
Recommendations

Based on the conclusions the following improvements are recommended at the intersection of Weaver Road and Saddlebrook Lane/Proposed Access Drive:

-
1. An exclusive lane for the westbound left turn from Weaver Road to south on the Proposed Access Drive should be constructed. The turn lane should be 150 feet long, not including the taper.
 2. The northbound approach on the Proposed Access Drive should be constructed to provide an exclusive left turn lane and a lane shared for the through and right turns.
 3. The existing traffic signal should be modified to provide a signal head for the northbound approach. Also, the traffic signal head for the westbound approach may have to be adjusted/replaced due to the modified lane use for the westbound approach.
 4. Pavement markings and signage within the limits of the project should be modified in accordance with changes in the geometry recommended along Weaver Road as well as on the northbound approach.
 5. All modifications should be made in accordance with the standards followed by the Kentucky Transportation Cabinet.

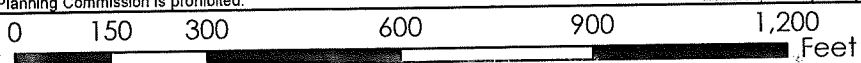
2013 AERIAL MA.

www.boonecountygis.com

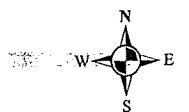


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1 inch = 300 feet



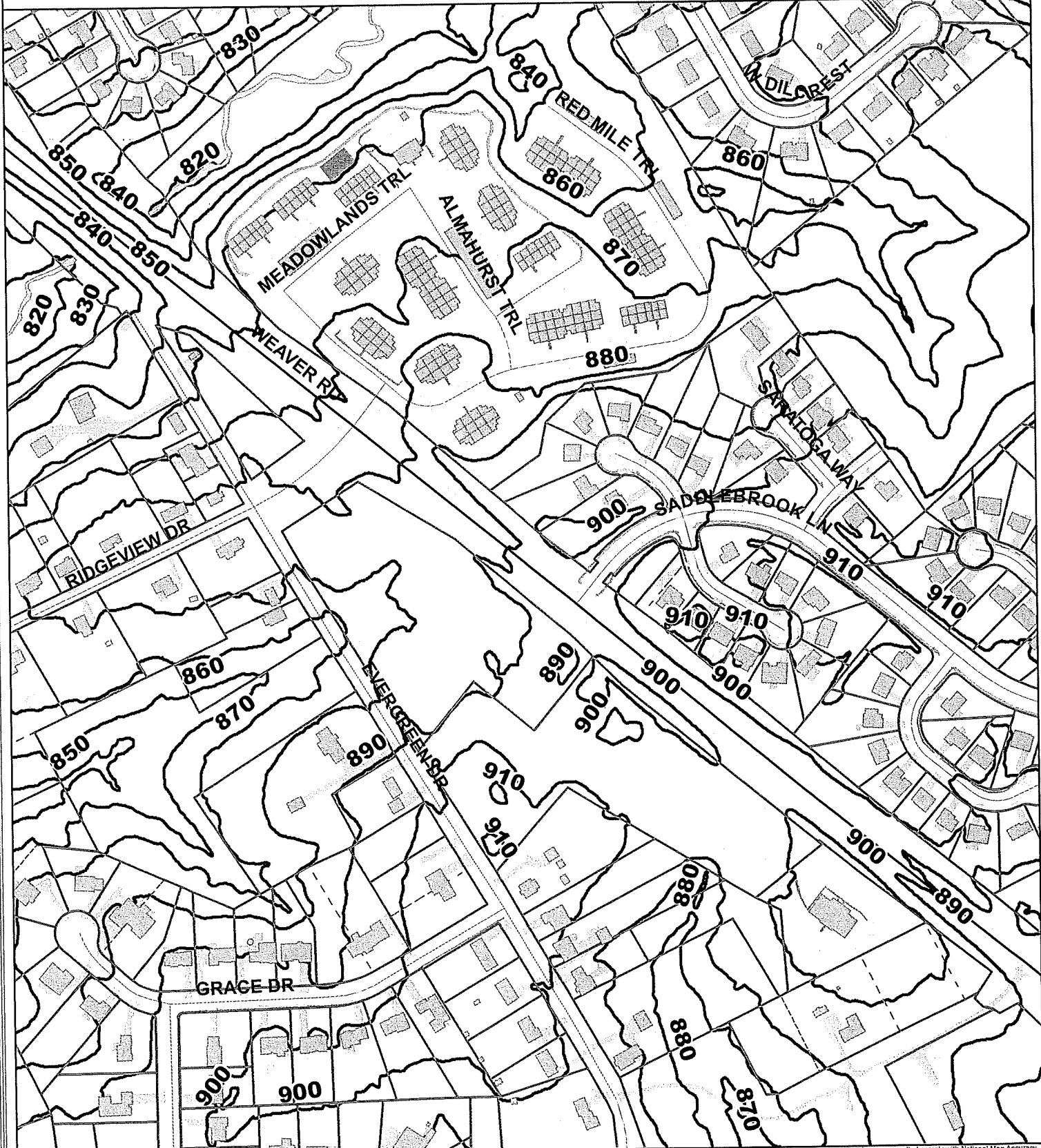
Boone County GIS - Putting Northern Kentucky on the Map

Boone County GIS
ArcMap Document: BooneMap (10e).mxd

Map Created: 07/01/2013

TOPOGRAPHICAL MAP

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0 150 300 600 900 1,200 Feet

1 inch = 300 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

Map Document: BooneMap (16).mxd

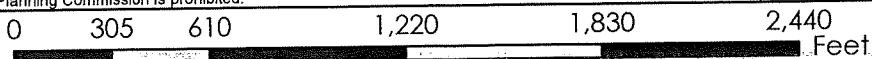
ZONING MAP

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1 inch = 600 feet



Map Created: 07/01/2013

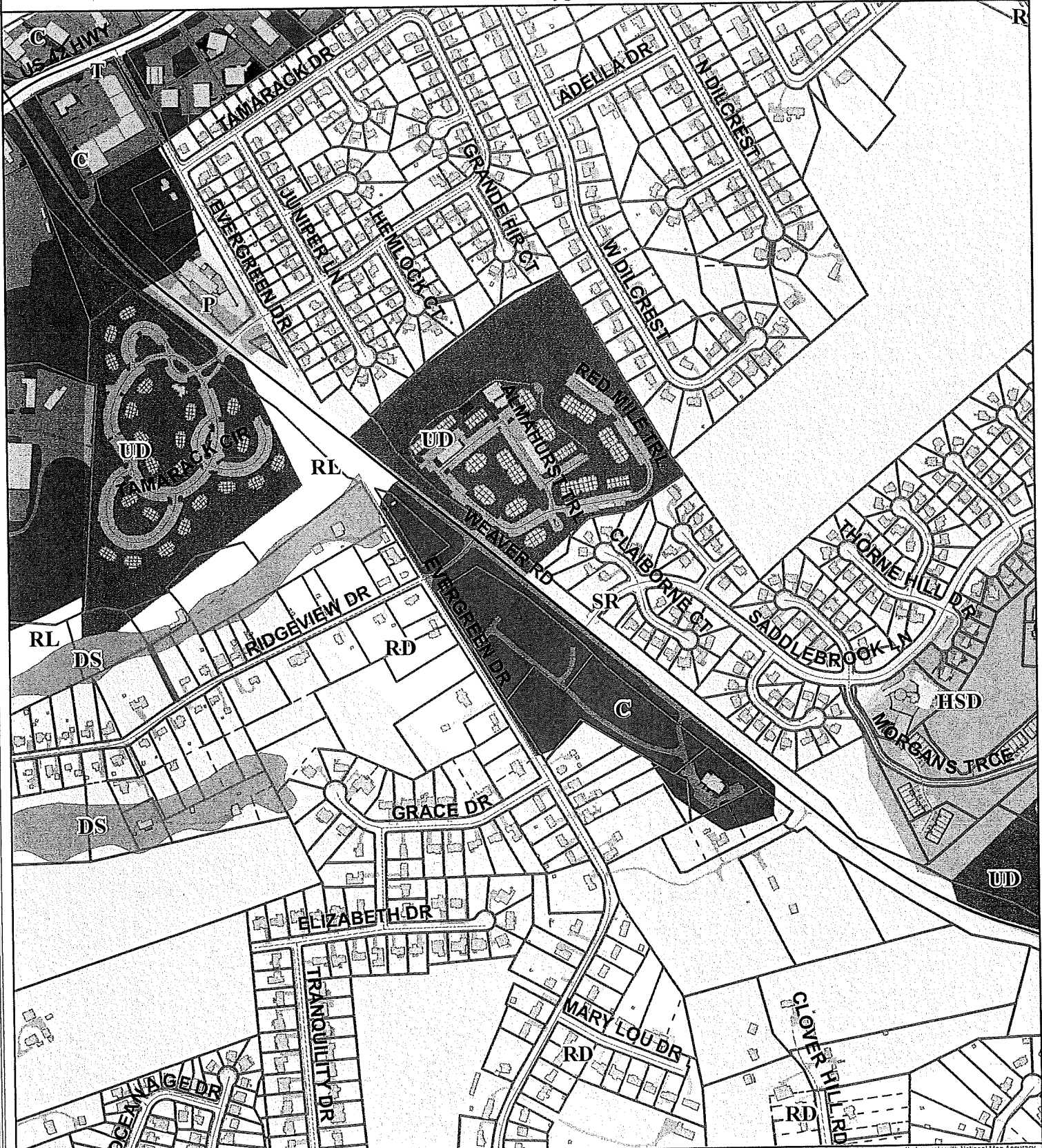
Boone County GIS - Putting Northern Kentucky on the Map



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ArcMap Document: BooneMap (M8).mxd

2030 FUTURE LAND USE MAP

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0 305 610 1,220 1,830 2,440 Feet

1 inch = 600 feet



Map Created: 07/01/2013

Boone County GIS - Putting Northern Kentucky on the Map

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ArcMap Document: BooneMap (file).mxd

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.

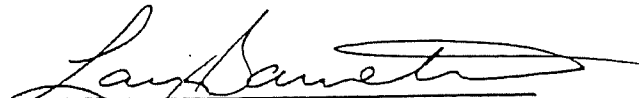
The commercial portion of the development is also in conformance with recommendations of the Boone County Comprehensive Plan. Although the Future Land Use Map does not recommend commercial uses for the specific location they are proposed, the Committee believes that the Goals and Objectives of the Business 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.

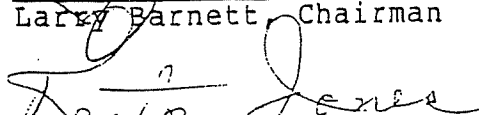
2. The applicant has demonstrated that the existing Recreation (R) zoning is inappropriate to reflect its intended race track usage in a rapidly developing residential area. In addition, the applicant has shown that the requested zoning of Suburban Residential Two/Planned Development (SR-2/PD) and Commercial 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.

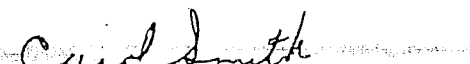
CONDITIONS


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.

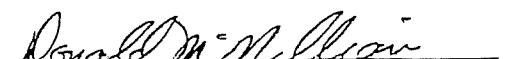
1. In order to achieve safe turning movements on the new US 25/42 Connector Road, the developer shall construct full left-hand turn lanes on the Connector Road at both the main entrance drive and at Ridgeview Drive. At these two intersections, the developer shall also construct deceleration lanes for 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.

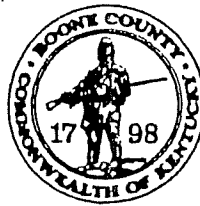

Larry Barnett, Chairman


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.

RESIDENTIAL PHASE

DEVELOPMENT FOR
TDANE PROPERTIES, INC.

1988 Concept Dev. Plan

A MULTI-FAMILY		22 GAC (111/101)
PHASE 1	144 DUU	258 PAF
PHASE 2	102 DUU	219 PAF
	246 DUU	477 PAF (1.187)
B SINGLE FAMILY ATTACHED		36 SAC (125/125)
PHASE 1	49 DUU	
PHASE 2	82 DUU	
PHASE 3	45 DUU	
	176 DUU	783 GAC (1.04 OPEN PHASES 2, 3, 4)
C SINGLE FAMILY		174 LOTS (110/110)
PHASE 1	32 LOTS	
PHASE 2	34 LOTS	
PHASE 3	33 LOTS	
PHASE 4	17 LOTS	
	104 LOTS	2766 SF (1.1)
D MULTI-FAMILY		23 GAC (110/110)
PHASE 1	126 DUU	231 PAF
PHASE 2	126 DUU	231 PAF
	252 DUU	462 PAF (1.1)
TOTAL	799 UNITS	119 GAC (1.187)

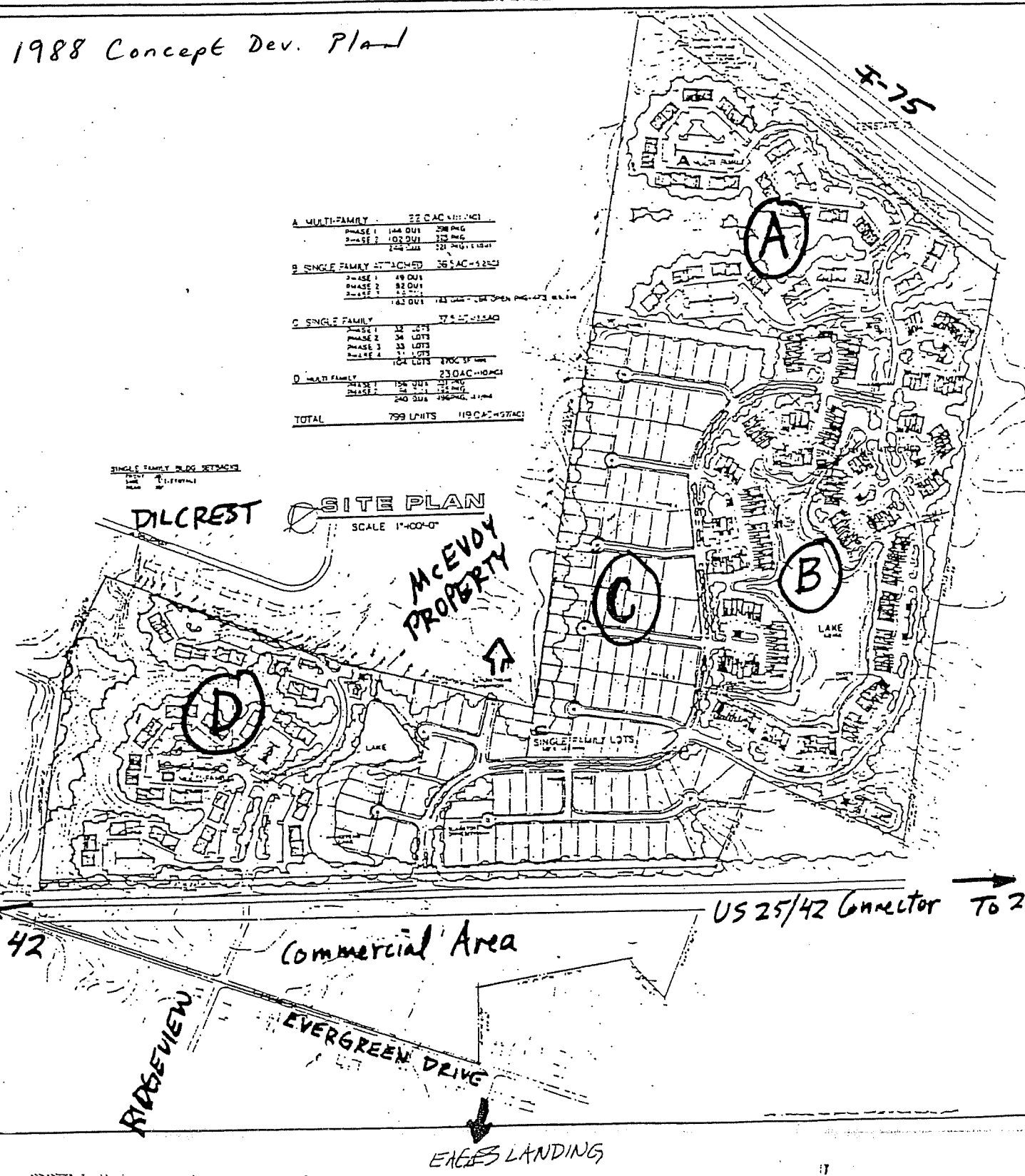
SINGLE FAMILY BLDG SETBACKS

DILCREST

SITE PLAN

SCALE 1"=100'-0"

MCEVOD
PROPERTY



US 25/42 Connector TO 2

TO 42

Commercial Area

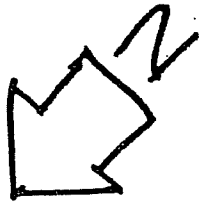
RIDGEVIEW

EVERGREEN DRIVE

EAGES LANDING

1988 Concept Dev. Plan

MAIN RESIDENTIAL DEVELOPMENT



SECTION D

TO ALIGN WITH A SADDLE BROOK DRIVE

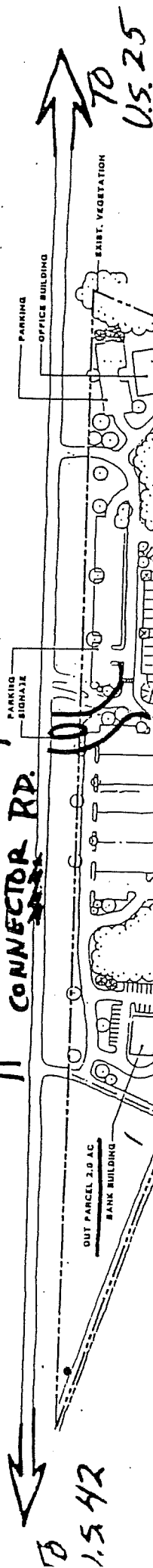
CONNECTOR RD.

OFFICE BUILDING

PARKING SIGNAGE

OUT PARCEL 2.0 AC BANK BUILDING

TO 1.542



SITE DATA

GROSS ACREAGE	14.6
RETAIL ACREAGE	9.24 ac.
GROSS BLDG SQ. FT	90,000
PARKING RATIO	4:1000
PARKING PROVIDED	366
OFFICE ACREAGE	1.6
GROSS BLDG SQ. FT	12,100
PARKING RATIO	1:250
PARKING PROVIDED	49
BANK ACREAGE	1.87 ac
GROSS BLDG SQ. FT	5,000
PARKING RATIO	1:25:250
PARKING PROVIDED	25
OUT PARCEL ACREAGE	2.0 ac

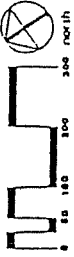
Böhm-NBBJ

55 Main Street
Boone, KY 40406
Architects
Planning
Landscape Architecture

SADDLEBROOK CENTER

Towne Land Company
Boone County, Kentucky

Date 8/8/88 Proj 89050.00
Rev. _____ Draw _____

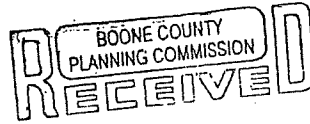




BOONE COUNTY PLANNING COMMISSION

www.boonecountyky.org/pc
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

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:

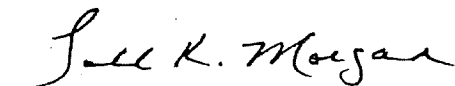
- A. All building facades shall be constructed with natural toned colored brick and shall be consistent with one of the submitted building concepts (see attachment).
- B. The placement of windows and/or doors on the front and sides shall be uniformly dispersed on the front and side facades. Windows and/or 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

Page 3

- 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,



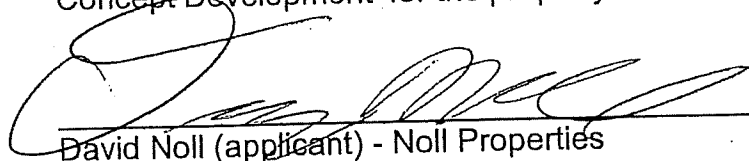
Todd K. Morgan, AICP
Senior Planner, Zoning Services

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

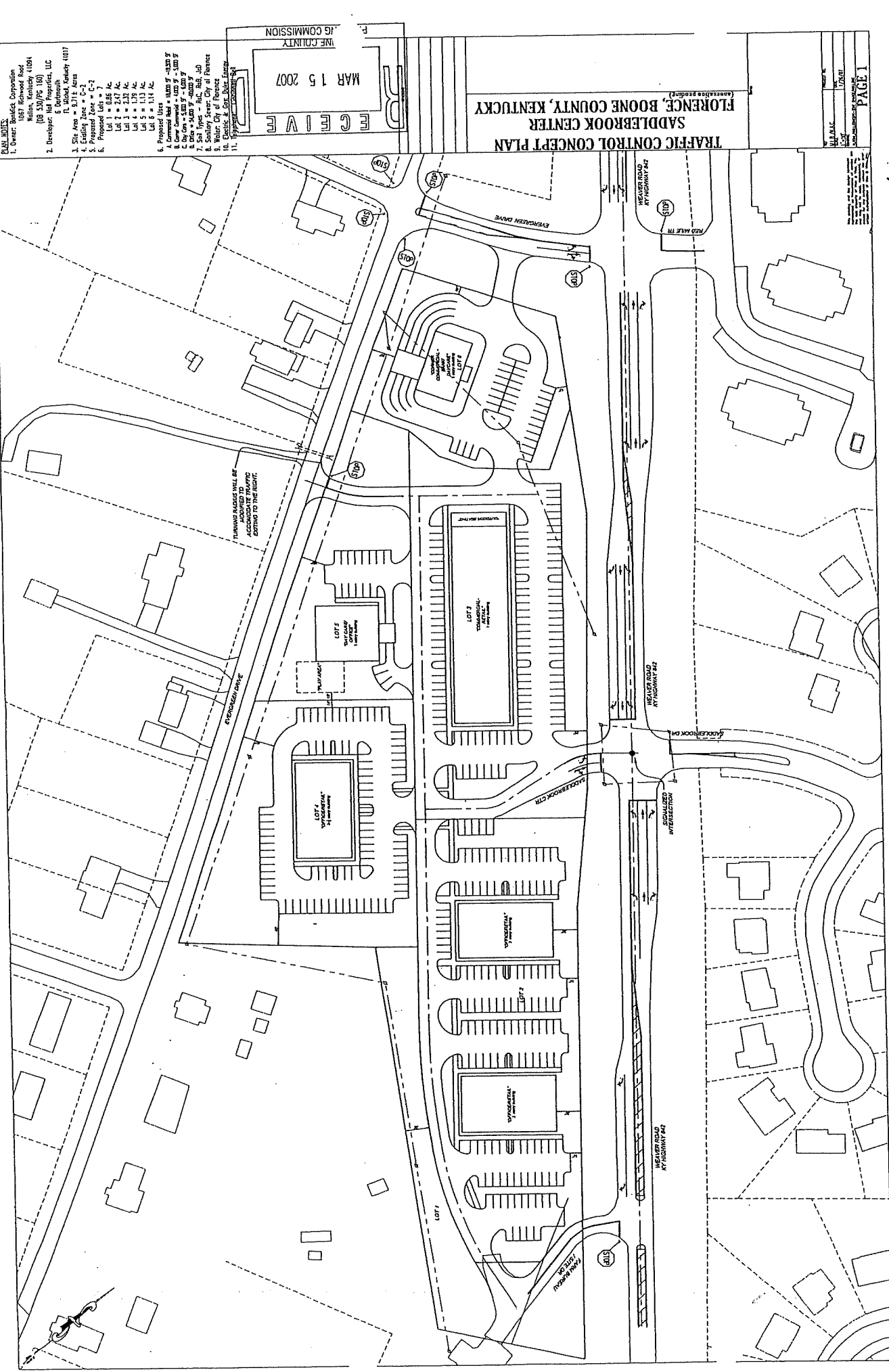
I, R.C. Durr, agree to the listed conditions of approval for the Change in Approved Concept Development for the property which is referenced on the first page of this letter.



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

3-16-2007

Date



- PLAN NOTES**
1. Owner: Bendick Corporation
1077 Richmond Road
Waller, Kentucky 40381
(502) 330-7100
 2. Developer: Bendick, LLC
Barnesville, KY
 3. Site Area = 5.712 Acres
 4. Existing Zoning = C-1
 5. Proposed Lots = 5
 6. Proposed Uses:
 - a. Lot 1 = 0.856 Ac.
 - b. Lot 2 = 2.47 Ac.
 - c. Lot 3 = 1.72 Ac.
 - d. Lot 4 = 0.37 Ac.
 - e. Lot 5 = 1.13 Ac.
 - f. Lot 6 = 1.14 Ac.
 7. Proposed Uses: 1,000 sq. ft. - 1,000 sq. ft.
 8. Proposed Uses: 1,000 sq. ft. - 1,000 sq. ft.
 9. City Ord. = 180.9 - 180.9
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REC'D
MAR 15 2007
PLANNING COMMISSION

TRAFFIC CONTROL CONCEPT PLAN
SADDLEBROOK CENTER
FLORENCE, BOONE COUNTY, KENTUCKY

DATE: 1/20/07
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
PAGE 1

2007 Concept Dev. Plan



BOONE COUNTY PLANNING COMMISSION

www.boonecountyky.org/pc
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

TO: Eric McArtor, Boone County Schools
Josh Hunt, Florence Public Services
Robert Krebs, Florence Fire/EMS
Ed Thompson, Kentucky Transportation Cabinet
Daniel Rice, Boone County Public Works

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

DATE: March 5, 2015

RE: Request of **BRG Realty Group, LLC (applicant)** for **Commonwealth Bank & Trust Company (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential Two (UR-2) for an approximate 9.7 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 nine (9) three-story apartment buildings are being proposed. 124 units are two bedroom apartments and 48 units are one bedroom apartments. Access to the development is proposed from a new driveway directly across from the Weaver Road/Saddlebrook Lane signalized intersection and existing driveways on Weaver Road and Evergreen Drive. The public hearing for this application will be scheduled for April 1, 2015.

Please review this proposal relative to your agency's policies and service abilities and provide any comments in writing to me by March 23, 2015. Please provide a written response, even if your agency has no comments on the proposal. Comments can be e-mailed to tmorgan@boonecountyky.org or faxed to (859) 334-2264. Your feedback is greatly appreciated.

Todd Morgan

From: Todd Morgan
Sent: Monday, March 09, 2015 12:06 PM
To: Scott Pennington
Subject: RE: BRG Realty Group - Zoning Map Amendment - Weaver Rd/Saddlebrook Ln/Evergreen Dr

Scott,

I just put a copy of the traffic study in your mailbox and Karen will get it the next time she gets your mail. I will forward you a copy of KYTC's response once it is received and include your drainage comment in my Staff Report.

Thanks,

Todd
859-334-2196

From: Scott Pennington
Sent: Monday, March 09, 2015 11:44 AM
To: Todd Morgan
Cc: Daniel Rice
Subject: BRG Realty Group - Zoning Map Amendment - Weaver Rd/Saddlebrook Ln/Evergreen Dr

Todd,

Following up on this item for Daniel, I have no issue w/ the proposed development. With primary access to the development occurring at the signalized intersection at the Weaver Rd/Saddlebrook Ln intersection, I do not foresee any issues w/ the connection at Evergreen Dr (a county street). I would like to see a traffic study for the proposed development as well as KYTC's response once it is available.

One minor note, please have them verify the existing drainage system tied to the cross-drain at Evergreen Drive is functioning properly. I believe there had been issues in the past w/ that system clogging up as a result of lack of maintenance.

Thank you.

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

Todd Morgan

From: Robert Krebs <Robert.Krebs@Florence-KY.gov>
Sent: Wednesday, March 18, 2015 8:28 AM
To: Todd Morgan
Subject: Ascot

I reviewed your information for this Zone change. The only comment at this time to the dead end at Building #6. Some type of turn-around would be helpful as this would be a long way to back a unit up to get out.

Bob

Todd Morgan

From: Bogen, Matthew (KYTC-D06) <Matthew.Bogen@ky.gov>
Sent: Friday, March 27, 2015 10:41 AM
To: Todd Morgan; Jamal Adhami
Cc: Minckley, James (KYTC-D06); Thompson, Ed (KYTC-D06); Arlinghaus, Matt (KYTC-D06)
Subject: Residences of Ascot Glen

Todd/Jamal,

District 6 has reviewed the TIS for the Residences of Ascot Glen. Based on the traffic volumes and turn lane calculations in the report, KYTC agrees that a WB left turn lane is warranted at the intersection of Weaver Rd. and Saddlebrook Ln. Although a 150' turn lane is proposed in the report, the KYTC turn lane warrant spreadsheet requires a minimum turn lane length of 295' (340' recommended).

Also, the EB right turn lane at Weaver and Saddlebrook falls just short of meeting warrants. Due to the fact that it is on the borderline (and considering existing traffic conditions in this area), KYTC requests that a right turn lane be added at this location.

Please feel free to contact the office if you have any questions.

Thanks,

Matt Bogen, PE
KYTC District 6
Traffic Section
Phone: (859) 341-2700 x303
Cell: (859) 462-8718

Todd Morgan

From: McArtor, Eric <eric.mcartor@boone.kyschools.us>
Sent: Friday, March 27, 2015 11:24 AM
To: Todd Morgan

Todd,

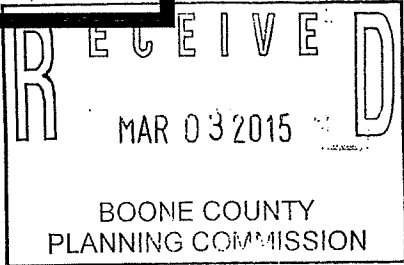
In reviewing the plans for the Weaver Road project the district sees no problem for the project to move forward.

Thank you,

Eric K. McArtor, Chief Operating Officer /Deputy Superintendent
Boone County Schools
8330 U.S. Hwy 42
Florence, KY 41042
Phone (859) 282-2369
FAX (859) 282-3312
Cell (859) 760-0462

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 Residences at Ascot Glen
2. Location of Project +/- 9.70 acres on Weaver Rd, Florence, Ky (parcels 062.00-060.06 and 07)
3. Total Acreage of Site +/- 9.70 acres
4. Current Zoning of Site Commercial
5. Proposed Zoning (Classification being requested) UR 2
6. Proposed Uses (please specify each use) New construction of apartment community including related amenities including a pool, clubhouse, fitness area, etc.
7. Names of Applicant(s) BRG Realty Group, LLC
8. Address of Applicant(s) 7265 Kenwood Road, Suite 111 Cincinnati Ohio 45236
9. Name of Property Owner(s) Commonwealth Bank & Trust Company
10. Address of Property Owner(s) 7135 Houston Road Florence Kentucky 41017
11. Proposed Building Intensities (please specify) 172 apartment units consisting of a mix of 1 and 2 bedroom apartments in 7 buildings on the site
12. Are there any existing buildings on the site? No
13. Deed Book D1016 Page No. 420 Group No. 2048-B
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:

- NA Boone County Water District
Y Florence Public Services Dept.
NA Duke Energy
NA Sanitation District #1
Cincinnati Bell
Y Owen Electric Cooperative, Inc.
Boone County Public Works Department
Y Kentucky Transportation Cabinet
NA 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: May 6, 2015

RE: Request of **BRG Realty Group, LLC (applicant)** for **Commonwealth Bank & Trust Company (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential Two (UR-2) for an approximate 9.7 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 denial of the above referenced request based on the following findings of fact:

FINDINGS OF FACT

1. The proposal is not in agreement with the Boone County Comprehensive Plan for the following reasons:
 - A. The Comprehensive Plan's 2035 Future Land Use Map designates the site for Commercial uses. This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."
 - B. One of the Land Use Element's "Future Land Use Developments Guidelines" states that 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).

The Committee determined that the size, scale, and intensity of the 3-story apartment development will create visual and potential activity impacts on the adjoining single-family residential dwellings and lots on Evergreen Drive for the following reasons:

- The submitted plans show the proposed building density is 17.71 dwelling units per acre (172 units on 9.71 acres of land). This would be the highest density residential project in the Weaver Road corridor.
- The larger freestanding apartment buildings (buildings 1 and 6) are approximately 64' long, 170' wide, and 42' tall. The attached apartments and clubhouse (buildings 7, 8, and 9) at the rear of the site are approximately 76½' long, 260' wide, and 47' tall. The size, scale, and intensity of the proposed development is not compatible with the adjoining single-family dwellings located on Evergreen Drive because the proposal does not include a building scale step down or transition which would make the apartment buildings more compatible with the adjoining single-family residential dwellings. The lack of a building transition cannot be effectively addressed by landscaping alone.
- The application materials indicate that the applicant would seek a buffer waiver from the Zoning Administrator if the Zoning Map Amendment application was approved. This Waiver would allow portions of the required buffer (Buffer Yard C) adjoining the Krebs, Gausepohl, Pommier, and KY Farm Bureau properties to be reduced beneath the 30' width standard and allow some of the required plantings to be located further into the site because of utility easements. The Committee is opposed to the requested Waiver because the full buffer width and required plantings are needed along the affected property line to properly buffer the height and scale of the proposed apartment buildings from adjoining single-family residential properties. The Concept Development Plan did not effectively address buffering in this portion of the site, especially when considering the size, scale, and intensity of the buildings, and the activity levels generated by the development.
- The location of the pool and outdoor commons area (as described by the applicant's team at the public hearing) could create noise impacts.

The Committee also reviewed the 2014 record of the Premier Real Estate Management (applicant)/First Security Trust Bank (owner) Zoning Map Amendment request, in which the Planning Commission recommended rezoning the subject site from Commercial Two (C-2) to Urban Residential One (UR-1) with

conditions to the City of Florence. The Committee noted the following differences between that proposal and the current proposal in terms of intensity, scale, size, and compatibility with the adjoining properties on Evergreen Drive.

- The proposed building intensity was 8.65 dwelling units per acre (84 two bedroom apartments on 9.71 acres of land).
- Each of the 8 apartment buildings were two-stories tall and 20,576 square feet in area. The submitted floor plans showed each building would have 88'-10" x 147'-4" footprint.
- The development contained significantly more green space.

- C. The Housing Element states that "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" (Housing Types, pg. 79).

A 1988 Zoning Map Amendment approval specifically rezoned the subject site to C-2 so the Trails of Saddlebrook, Saddlebrook Farms, and other residential developments in the Weaver Road/Evergreen Drive corridor would have their own supporting commercial uses. This commercial area would also support Northern Kentucky Industrial Park. A 2007 Change in Approved Concept Development Plan approval changed the layout of the site from a 60,000 square foot commercial strip and a bank to five (5) buildable outlots which would contain office and commercial uses.

- D. The proposal is not in agreement with the following Goals and Objectives:

- 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).

The Committee determined the development sidewalk system would not connect to other sidewalks on adjoining properties, mass transit stops, or US 42. As expressed during the 4/1/15 Public Hearing, the lack of sidewalks in the immediate area is a public safety concern.

2. No facts have been identified which legitimately support a finding that the existing zoning classification is inappropriate at this time and that the proposed zoning classification is appropriate. Regardless of the comments made by the applicant, the commercial uses planned for the site are appropriate uses and would provide nearby residences with supporting commercial uses. The site infrastructure has already been built and designed to serve commercial land uses. The fact that the site does not have commercial uses due to past economic conditions does not mean the existing zoning classification is inappropriate.

3. No facts have been identified which legitimately support a finding that there have been major changes of an economic, physical, or social nature not anticipated in the comprehensive plan that substantially alter the area's character.

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.

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARINGS
APRIL 1, 2015
7:30 P.M.**

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Greg Breetz
Mr. Mike Ford, Vice Chairman
Ms. Lori Heilman
Mr. Mark Hicks
Mr. Jim Longano
Mr. Don McMillian
Mr. Kim Patton
Ms. Lisa Reeves
Mr. Charlie Reynolds
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Kim Bunger, Secretary/Treasurer
Mrs. Janet Kegley

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen called the Public Hearings to order at 7:30 P.M. and introduced the first item on the Agenda:

ZONING MAP AMENDMENT - Todd Morgan, Staff

1. Request of **BRG Realty Group, LLC (applicant)** for **Commonwealth Bank & Trust Company (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential Two (UR-2) for an approximate 9.7 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 9.7 acre tract is located at Weaver Road and Evergreen Drive. It is also located across the street from the signalized Saddlebrook Lane intersection and in the city limits of Florence. A Concept Development Plan was submitted with the request. The request is to rezone the property from Commercial Two (C-2) to Urban Residential Two (UR-2) to allow 9 apartment buildings and 172 units. Building #8 also has a clubhouse with apartments above it. The plan shows 48 one-bedroom apartments and 124 two-bedroom units. The overall density of the project is 17.71 dwelling units per acre and includes 7 parking garages. The site has 331 parking spaces, which includes the garage spaces. Primary access will be through an existing signalized intersection off Weaver Road. It will include a designated left turn lane. Improvements to Weaver Road are included with a left turn lane. A secondary access off Evergreen Drive will be utilized. Another access will be shared with the Farm Bureau building. Mr. Morgan showed elevations of the proposed buildings. The buildings will be 3 stories in height. Building materials will be vinyl, brick and stone veneer. Shake shingles will also be installed. Mr. Morgan gave an overview of the site's history. The site was rezoned to commercial in 1988. The 1988 plan showed a 60,000 square foot commercial strip center, a 4,500 square foot office building (Farm Bureau) and a future 4,250 square foot bank. There was also a 2 acre outlot located across from Evergreen Drive. In 2007, Noll Properties submitted a request for a Change in Concept Development Plan for the commercial area. It allowed for up to 11,500 square feet of commercial/retail space, up to 60,000 square feet of office, a 6,010 square foot day care facility and up to a 5,000 square foot corner commercial use along with several road improvements. Conditions required improvements to be made to Evergreen Drive and Weaver Road. The road network and utilities were installed on the site. In 2014, there was a Zone Change request from Commercial Two (C-2) to Urban Residential One (UR-1) to allow 84 two bedroom apartments (8.65 dwelling units per acre). The Planning Commission recommended approval to the City of Florence but the applicant eventually withdrew the request. The primary reason why the request was withdrawn was the fact that the City wanted the applicant to relocate the main entrance to align with the Saddlebrook Lane signalized intersection. Mr. Morgan showed photographs of the previous building elevations. Mr. Morgan described the surrounding land uses and zoning, which included single-family and multi-family uses. He showed photographs of the site and surrounding area. Mr. Morgan stated that the subject site is forecasted for Commercial uses in the Boone County Comprehensive Plan's Land Use Element. Other references to the Comprehensive Plan are identified in the Staff Report.

In terms of Staff Comments, Mr. Morgan referred to the bottom of page 7 in the Staff Report. Action on a Zoning Map Amendment requires findings as noted in Section 308 of the Zoning Regulations. He noted that the applicant submitted a letter indicating why the current zoning of the property, Commercial Two (C-2), is inappropriate. Mr. Morgan explained that he prepared a building intensity chart. Below are the building intensities.

1. Ascot Glen (proposed development) - 17.71 dwelling units/acre
2. Weaver Farms - 11.36 dwelling units/acre
3. Trails of Saddlebrook - 9.82 dwelling units/acre
4. Trellises - 15.88 dwelling units/acre

Mr. Morgan noted that a Traffic Study was submitted with the request. The entire document is part of the record. Portions of it are included in the Staff Report - introductions, trip generation figures and the findings/conclusions. The study provides turning movement counts for the three 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 (41% less for the AM peak and 46% less for the PM peak) than the retail/commercial/office development.

The Study recommends the following improvements at the intersection of Weaver Road, Saddlebrook Lane, and the proposed access drive.

1. An exclusive left turn lane for westbound traffic on Weaver Road that is turning south into the development. The turn lane should be 150 long, not including the taper.
2. The northbound approach on the proposed access drive should be constructed to provide an exclusive left turn lane and a lane shared for through traffic and right turns.
3. The existing traffic signal should be modified with a signal head for the northbound approach. Also, the traffic signal head for the westbound approach may have to be adjusted or replaced.
4. Pavement markings and signage within the limits of the project.

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 driveway because there are overhead utility and water main easements in the buffer area (see attachment).

Mr. Morgan explained that the Boone County Zoning Regulations require 320 parking spaces in the development (2 spaces per two bedroom unit and 1.5 spaces per 1 bedroom unit). The plans show 331 spaces. A note on the plans indicates that all lighting will be placed on the proposed buildings and will not cause glare issues on adjacent residential properties. Staff received emails from Kentucky Transportation Cabinet, Boone County Public Works, Boone County Schools, and Florence Fire Department regarding the request. The emails are attached to the Staff Report. The Boone County Public Works Department had no issue with the development but would like the applicant to verify the cross drain at Evergreen Drive is functioning properly. Boone County Schools had no issue with the project moving forward as presented. The Florence Fire District indicated that they wanted a vehicle turn around near Building #6. The Kentucky Transportation Cabinet is requiring the left turn lane

taper be extended to be 340 feet in length and is recommending a right turn dedication lane be provided on Weaver Road.

Staff would like the applicant to address the following questions:

1. Can a right turn deceleration lane be added on Weaver Road at the main entrance?
2. Can the exclusive left turn lane at the outbound approach be lengthened to allow one or two more vehicles to stack?
3. Can the vinyl siding on the apartment building be replaced with Hardieplank lap siding?
4. Is the shake siding proposed on the buildings a vinyl product?
5. The trash compactor plans are not consistent. Sheet L-5 shows the sides and rear will be constructed with CMU and Sheet L-7 shows they will be constructed with cultured stone. Which plan is being proposed? Is the cultured stone veneer the same product that is being used on the apartment buildings?
6. The garage/mail kiosk plans on Sheets L-4 and A-8.1 are not consistent. Sheet L-4 shows they will be constructed with vinyl siding and Sheet A-8.1 shows they will be constructed with stucco and cultured stone. Which plan is being proposed? Staff recommends that all the garage/mail kiosk buildings be consistent and contain large percentages of brick or stone which correlate to the apartment buildings. Two of the garages will be highly visible from Weaver Road.
7. What hours will the pool be open?
8. Has Duke Energy approved the landscaping and fencing that is shown in their utility easements?

Mr. Morgan concluded his presentation by stating that the Planning Commission and the City of Florence need to evaluate the request in terms of criteria identified Article 3 of the Boone County Zoning Regulations. Mr. Morgan noted that the Planning Commission received a letter from Marcia Geier in opposition to the project (see Exhibit A).

Chairman Rolfsen asked if the applicant was ready to proceed with his presentation?

Mr. Joe Thomas, Metro Development of Central Ohio, explained that the proposed project is a joint venture with BRG Realty. The site is good since it already has underground utilities and street structure. The submitted plan represents a layout around the existing streets and utilities. They are able to use 90% of the existing infrastructure. The site will include a 4,500 square foot clubhouse. There will be a movie theater, exercise facility, office/business area and a gaming room. Directly behind the clubhouse is a large resort style pool as well as a firepit, barbecue grills, lounge areas and a large open space area. There are 4 units above the clubhouse and 12 units adjacent to the clubhouse on either side. Each other building has 24 units with a mixture of 1-2 bedroom units (680-1,030 square feet in size). The average monthly rent will be from

\$825.00 - \$1,050.00. A typical renter is a young professional and the development will have approximately 1.5 persons per unit.

Mr. Thomas stated that his Company will install a right turn deceleration lane and extend the left turning lane taper on Weaver Road. They will look at changing the vinyl siding with the hardie plank siding. The shake siding is a vinyl product. They will make the trash compactor plans consistent. The hours for the pool will be 10:00 a.m. to 8:00 p.m. When final engineering of the site has been completed, they will seek approval from Duke Energy to put landscaping in the utility easement. Mr. Thomas indicated that they met with the City Staff, Planning Commission Staff and neighbors surrounding the property. It was a good meeting. They have committed to installing a sidewalk along Weaver Road.

Mr. Andy Gianella, BRG Realty, stated that they own and manage just under 7,000 apartment units including about 700 units in Florence. The units in Florence are older workforce type housing. BRG Realty is a buy and hold company. They try to provide safe, clean and affordable housing. BRG Realty has purchased two developments from Metro Development in Columbus, Ohio. They have another one under contract. Metro Development has built over 30,000 units in Central Ohio. Mr. Gianella stated that the proposed project will not be subsidized or Section 8 housing. Their current portfolio has about 5% Section 8 housing. In terms of density, he offered to make the recommended improvements to Weaver Road. In order to do these improvements, a 12 inch water line must be relocated to accommodate the road improvements and install a sidewalk. Mr. Gianella stated that Metro Development will build the project and BRG Realty will own it. He stated that BRG Realty owns Crown Court, Wentworth Estates, Oakwood Apartments and Florence Apartments.

Mr. Joe Kramer, Cardinal Engineering, stated that they will commit to the road improvements as stated by the Kentucky Transportation Cabinet. The applicant is working with City officials regarding the relocation of the 12 inch water line. He offered to examine the cross drain on Evergreen Drive to make sure it is functioning properly. He will meet with Florence Fire officials to examine the turning radius for large fire trucks.

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

Mr. Rodney Foltz, 928 Sunnybrook Drive, stated that Weaver Road is a mess. There were 3 fatalities and a lot of accidents. BRG Realty owns several lower income apartment developments. They are not well maintained. What happens if the new apartments don't get rented? Then, the owner begins to fill the units with anyone. They don't want a vacant building. The connection to Evergreen Drive leads to a lane and half road (Sunnybrook Drive). Traffic is extremely bad in this area. More traffic will use this route. The setting is country-like, with larger lots and acreage. The proposed use doesn't fit the location or the surrounding uses. He stated that he doesn't want the project to happen.

Mrs. Laurie Walton, 784 Grace Drive, submitted a letter (see Exhibit B) opposing the request. She noted that the Planning Commission previously determined that a more neighborly commercial development is most desirable for the site. The C-2 zoning has already been endorsed by previous County Master planning efforts. It was expected to be a good transition with brick buildings, office space, a day care facility and a neighborhood restaurant. The

concerns mentioned are no way directed towards Metro Development or the BRG Realty groups. Both groups are transparent and communicative. The proposed project not only affects Eagle's Landing Subdivision and other adjoining properties, but also all of us that call Boone County home. The effects of this decision will not only be felt in the short term but also in the years to come. The Planning Commission should consider 3 questions: 1.) If this development would be proposed in your neighborhood, what would be your concerns?, 2.) What are the value added properties of this proposal? What value does it bring to Boone County's standard of living? What does it bring to our schools? What value does it bring to our neighborhoods?, and 3.) What are the long term effects to Boone County, Florence and specifically the Weaver Road neighborhood, should the project be approved.

Mr. Earl Litton, 775 Grace Drove, stated that he has lived at his house for 28 years. In terms of safety, one must look at infrastructure and present road conditions. One of government's responsibilities is to keep citizens safe. Weaver Road is one of the most crash prone minor highways in Northern Kentucky. With Gateway College and Brighton Center, traffic has increased creating more congestion. There have been 208 accidents on Weaver Road from 2009 to March, 2015, including 33 involving injuries. Two children and one adult were killed on Weaver Road a few weeks ago. Mr. Litton showed photographs of the existing Weaver Road. There are no paved walkways or sidewalks. There are 2.2 wrecks per week on Weaver Road. It is hard to image more traffic from the proposed project on Weaver Road. The Fire/EMS service tries to navigate through the U.S. 42 intersection. Residents from the existing apartments often walk along Weaver Road with no sidewalks. Weaver Road and Evergreen Drive needs sidewalks, stop lights and traffic turning lanes. The 55 mph speed limit on Weaver Road should be reduced to 35 mph after the Farm Bureau office. There are potholes and erosion on Weaver Road. There is a funded transportation improvement to Weaver Road but it only involves the intersection. Bids for this project won't happen to 2016. Nothing has been offered to improve Weaver Road. He encouraged Boone County and Florence to initiate improvements to Weaver Road. The existing problems need to be corrected first before allowing more people and cars.

Mr. David Gausepohl, 8930 Evergreen Drive, expressed a concern about the density of the project. It is the highest in the region. If approved, there would be 964 apartments on Weaver Road. The project will generate approximately \$2 million per year but only will be taxed on the value of the property. There is no tax on the rental. It is not an on-going entity of commercial businesses with a variety of business taxes. Would the property taxes alone lower the cost of providing public services to the site? What are the occupancy rates of the other apartment complexes that the applicant owns? Is there a real need for these apartments? There will be a lot of people living close to the single family residences. What about pool noise? What about tents for parties? What about lighting being directed towards the development versus neighbors? Will the berms that screen Weaver Road go away? Who will maintain the sidewalks?

Ms. Lauren Krebs, 8912 Evergreen Drive, stated that the proposed project would be in their side and rear yards. When she bought the parcel, she thought the site would develop as commercial. A six foot fence will not provide enough privacy even with planned landscaping. It will affect their property.

Mt. Bill Boyle, 788 Grace Drive, stated that he owns 2 parcels on Evergreen Drive directly across the development. Why would it be important enough to change the zoning when it was agreed upon years ago and it is not consistent with the Comprehensive Plan? The Weaver

Road corridor already has 3 major apartment complexes whose density places a burden on the infrastructure and safety in the area. The Boone County Comprehensive Plan has the parcel in question designated for commercial use. The County has developed in a manner that is conducive to the needs of the residents. The commercial zoning was put there to serve the existing and future residents. It was not intended to be an apartment complex. The neighbors in the area were contacted previously and supported Noll Builders in their effort to develop the site as commercial. Mr. Boyle requested that the Planning Commission not approve the Zone Change application and simply keep the site commercial based upon the Comprehensive Plan.

Mr. Jeff March, CEO of BRG Realty, stated that they are local owners and operators. They have owned properties in Florence for over 20 years. They are in better shape today than 20 years ago. BRG Realty stated that buying existing properties has evolved into a business. They own 30 communities throughout the tri-state, a couple in Columbus and one in Louisville. In his experience, they have only sold 2 assets in 25 years. His company is financially sound with substantial reserves allocated to improving properties. Mr. March stated that he agreed with the neighbors about traffic whether it means a right turn onto Evergreen Drive or a reduced speed limit because they would also live in the neighborhood. The traffic counts would be higher if the commercial zoning stayed in place. The proposed project would consist of 258 residents or 1.5 persons per unit. The project is \$14 million and it is good for the local economy. The development will have 5 full-time people paying a payroll tax and a tax on the LLC. They pay a lot of taxes in Florence. From an operational standpoint, they perform background checks in all of their communities. The income level for the projected renter will be \$40,000 - \$70,000 a year.

Ms. Shelley Foltz, 940 Sunnybrook Drive, stated that she is retired and enjoys her quiet and peaceful neighborhood. It is a country setting and she loves it. If the project is approved, how long of a time period will the development take to complete including the sidewalks on Weaver Road and Evergreen Drive? Where will the sidewalks be located? Will there be another traffic signal at Evergreen Drive and Weaver Road?

Mr. Rodney Foltz asked why the applicant didn't meet with all of the neighbors and not just some of them? It seems like it was only the people who lived in the immediate area. The project is affecting people further out.

Mr. Greg Isaacs, 9212 Kelley Louise Drive, stated that with the proposed development it may cause an increase in cut through traffic from Evergreen Drive to Sunnybrook Drive. It is a back access to the Kroger store. If you don't live in the neighborhood, you won't pay attention to the posted speed limit. If the property stayed commercial, most traffic will enter and exit at the same location.

Mr. Bill Boyle stated that something has to be done with Weaver Road regardless of the proposed development. There needs to be a right turn lane off Weaver Road at Evergreen Drive. There also needs to be sidewalks on Weaver Road. Residents from these communities are walking up to U.S. 42 to shop. The proposed sidewalk from the development needs to be continued to U.S. 42.

At this time, Chairman Rolfsen asked if the Board Members had any questions or comments?

Mr. Hicks stated that the apartments create new traffic versus the commercial zoning that captures traffic. If you build a new apartment, you are bringing new people to the area.

Mr. Ford asked what is the plan for sidewalks for the proposed development? Mr. Morgan responded that the Concept Development Plan shows a sidewalk on Weaver Road and on Evergreen Drive. It doesn't connect to anything.

Chairman Rolfsen asked if the connection to Evergreen Drive was critical to the developer since there are two other ways to get out of the development? Mr. Morgan replied that he wanted to consult with the Florence Fire Department before rendering an opinion.

Mr. Patton asked how much commercial was located southeast of the site? Mr. Morgan responded that he would provide that information at the Committee Meeting.

Mr. Turner asked if it would be appropriate to have a gate on the Evergreen Drive access? It could only be accessed by the fire department.

Mr. Andrew Gianella stated that they are willing to have a gated access off Evergreen Drive. He noted that it would be an 8-12 month construction period with a potential start date in the Fall of 2015 and completion by the Summer of 2016. The only access to the pool area is through the clubhouse.

Mr. Reynolds asked the applicant to describe their plans for the area where the overhead utility is located. Mr. Thomas replied that the existing overhead utility line prevents them from increasing the size of the berm and trees. There will be a 6 foot high privacy fence with a shadow box design and an additional buffer. The finished grade itself is below Weaver Road and the residences. There is an existing berm located in the area. No shade trees can be planted in the area but evergreen shrubs might be able to be planted. Mr. Thomas also stated they can install a guardrail and a sign at the end of a sidewalk to prevent trespassing.

Mr. Schwenke asked if there were any future improvements planned for Weaver Road? Mr. Costello responded that the County has been talking with the Kentucky Transportation Cabinet about sidewalks. There is a planned sidewalk improvement at the U.S. 42 intersection. It will be installed from U.S. 42 to the Weaver Farms development. The remaining area will require grant funding that the County, City of Florence or the State may pursue in the future. Weaver Road was built in 1989 and it primarily served Northern Kentucky Industrial Park at the time it was built. The design of the road is rural, unlike Hopeful Church Road and Houston Road. The bridge over I-75 limits the expansion of Weaver Road.

Mr. Longano asked about the lengths of the apartment lease and renewal provisions? Mr. Gianella replied that the typical lease length is one year and they occasionally do a 6 month lease or a 2 year lease.

Chairman Rolfsen asked if the occupancy level dropped, would they allow subsidize housing? Mr. Gianella responded as long as it is lawful, they would record a covenant on the ground that is in favor of the adjacent property owners. They are a long-term owner and have never defaulted on a loan. They make sure they are in a good financial position.

Chairman Rolfsen inquired about BRG Realty's occupancy rate? Mr. Gianella replied they are just over 92% occupancy with over 7,000 units.

Mr. Breetz asked if the applicant had any recreational amenities included in the design of the development? Mr. Gianella responded no and that the amenities are more adult driven, such as the pool, theater, business office and work out area.

Chairman Rolfsen asked what is the percentage of units that will have children? Mr. Gianella replied that out of 172 units, there will be 20-40 children in the entire development. Mr. Ford responded that is what the School Board projected.

Mr. Hicks asked if the Public Hearing record from the previous application be included as part of the record from tonight's Public Hearing? Mr. Costello responded, yes. Mr. Hicks asked if Mr. Brandstetter had an contingency Committee Report from the previous application since he voted no? Mr. Morgan replied that he would check.

Mr Dale Wilson asked Mr. Hicks if he wanted tonight's Public Hearing minutes to reflect the record from the previous application? Mr. Hicks answered yes.

There being no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on April 15, 2015 at 5:00 P.M. in this room. This item will be on the Agenda for the Business Meeting on May 6, 2015 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:52 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

Exhibit A - Letter dated April 1, 2015 from Marcia Geier
Exhibit B - Letter dated April 1, 2015 from Laurie Walton

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

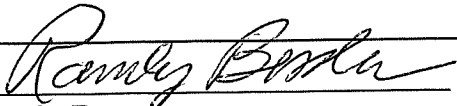
DATE: April 15, 2015

ZONING MAP AMENDMENT - Kim Bunger, Chairman, Todd Morgan, Staff

1. Request of **BRG Realty Group, LLC (applicant)** for **Commonwealth Bank & Trust Company (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential Two (UR-2) for an approximate 9.7 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.



Randy Bessler

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred



Kim Patton

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred

Greg Breetz

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

Charlie Reynolds (Alternate)

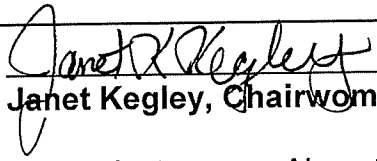
For Project ___ Absent ___
Against Project ___

Kim Bunger, Chairman

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

Jim Longano, (Alternate)

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___



Janet Kegley, Chairwoman

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred

Mark Hicks (Alternate)

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

TOTAL: 3 DEFERRED ___ FOR PROJECT ___ ABSENT
___ AGAINST PROJECT ___ ABSTAIN

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Janet Kegley, Chairwoman

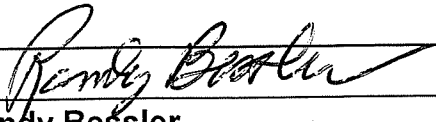
DATE: April 29, 2015

ZONING MAP AMENDMENT - Janet Kegley, Chairwoman, Todd Morgan, Staff

1. Request of **BRG Realty Group, LLC (applicant)** for **Commonwealth Bank & Trust Company (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Urban Residential Two (UR-2) for an approximate 9.7 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.

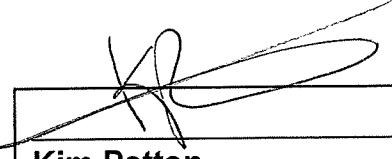
REMARKS:

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.



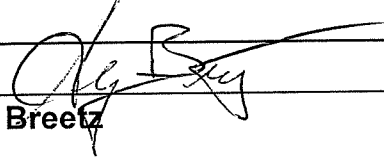
Randy Bessler

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___



Kim Patton

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

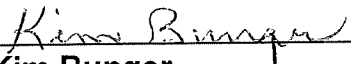


Greg Breetz

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

Charlie Reynolds (Alternate)

For Project ___ Absent ___
Against Project ___



Kim Bunger

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

Jim Longano, (Alternate)

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

Janet Kegley, Chairwoman

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

Mark Hicks (Alternate)

For Project ___ Absent ___
Against Project ___
Abstain ___ Deferred ___

TOTAL: ___ DEFERRED ___ FOR PROJECT ___ ABSENT
4 AGAINST PROJECT ___ ABSTAIN

SUPPORTING INFORMATION

ZONE CHANGE
C-2 TO UR-2
THE RESIDENCES AT ASCOT GLEN

Lying in the City of Florence, Boone County, Kentucky, southwest of Weaver Road (State Route 842), northeast of Evergreen Drive, southeast of Ridgeview Drive, more particularly described as follows:

Beginning at the intersection of the centerline of Evergreen Drive and the extension of the common line of First Security Trust Bank, Inc. (D.B. 1016 P.G. 420) and Marie Browning (D.B. 305 P.G. 317);

Thence with the centerline of Evergreen Drive, the following four (4) calls:

North 31°53'53" West a distance of 163.08 feet to a point;
North 32°38'08" West a distance of 267.40 feet to a point;
North 31°06'01" West a distance of 381.16 feet to a point;
North 29°31'12" West a distance of 99.59 feet to a point at the intersection of the centerline of Evergreen Drive and the extension of the northwest property line of said First Security Bank;

Thence leaving said centerline of Evergreen Drive and with the northwest property line of First Security Bank, North 57°22'41" East a distance of 323.60 feet to a point in the centerline of Weaver Road (State Route 842);

Thence with the centerline of Weaver Road, South 50°38'52" East a distance of 1312.19 feet to the intersection of the southeast line of said First Security Bank and Weaver Road;

Thence with said southeast line, South 51°44'09" West a distance of 267.70 feet to a point in the line of Kentucky Farm Bureau Mutual Insurance Company (D.B. 918 P.G. 728);

Thence with said Kentucky Farm Bureau in part, Randy Joe & Kimberly A. Pommer (D.B. 807 P.G. 438) in part, David H. Gauspohl (D.B. 914 P.G. 769) in part and Marie Browning (D.B. 305 P.G. 317), North 58°52'17" West a distance of 490.70 feet to a point;

Thence continuing with said Browning South 41°07'01" West a distance of 274.73 feet to the POINT OF BEGINNING.

Said parcel contains 12.318 acres.

5
422
RETURN TO:

Arnzen, Molloy & Storm

After Recording, Please Return To

MASTER COMMISSIONER DEED

ARNZEN, MOLLOY & STORM P.S.C.

600 Greenup Street

Covington, Kentucky 41011

Phone 606/451-6100

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.

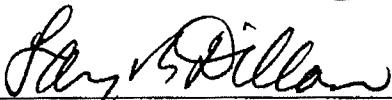
Beginning at an iron pin (existing) in the northeasterly side of Evergreen Drive 25.00 feet as measured perpendicular to the Centerline at the common corner of the Banklick Corporation (Deed Book 530 page 160) and Eleanor Dameron (Deed Book 305 page 317); thence with said right of way line N 31-53-53 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.

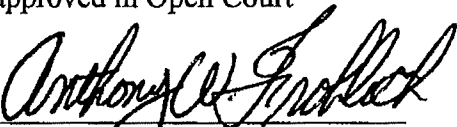
THE SAID COMMISSIONER conveys all of the right, title and interest of the parties aforesaid in and to said property and warrants the title thereto so far as he is authorized by the judgment, orders and proceedings in said cause, and no further; but he does not bind himself personally by anything contained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

Witness, the hand of the said Commissioner, this 7th 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

COMMONWEALTH OF KENTUCKY, BOONE CIRCUIT COURT

FIRST SECURITY TRUST BANK, INC.
PLAINTIFF(S)

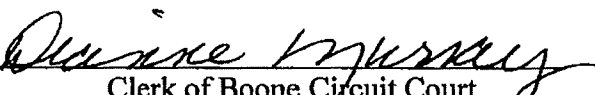
No. 12-CI-00705

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 Feb, 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
41042

GRANTOR (SELLER) COMMISSIONER, BOONE CIRCUIT COURT
GRANTOR MAILING ADDRESS: 6025 ROGERS LANE BURLINGTON, KENTUCKY 41005

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 GRANTOR (SELLER)
 PRINT NAME: ROBERT A. ALEXANDER 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 466843)

[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



MUNICIPAL ORDER NO. MO-15-15

A MUNICIPAL ORDER ADOPTING AND APPROVING A RECOMMENDATION FROM THE BOONE COUNTY PLANNING COMMISSION CONTAINED IN RESOLUTION NO. R-15-006D TO DENY THE REQUEST OF BRG REALTY GROUP, LLC (APPLICANT) FOR COMMONWEALTH BANK & TRUST COMPANY (OWNER) FOR A ZONING MAP AMENDMENT FROM COMMERCIAL TWO (C-2) TO URBAN RESIDENTIAL TWO (UR-2) FOR AN APPROXIMATE 9.7 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 MULTIFAMILY RESIDENTIAL DEVELOPMENT.

WHEREAS, the Boone County Planning Commission considered the request described above and adopted Resolution No. R-15-006D recommending to the City that such request be denied; and

WHEREAS, the City Council received and considered the record of proceedings before the Boone County Planning Commission and determined that the Record contained adequate information for consideration of the recommendation and that no need existed for an additional public hearing.

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

SECTION I

That the recommendation of the Boone County Planning Commission contained in Resolution No. R-15-006D to deny the request described above is hereby adopted and approved based upon the information and findings contained in the Planning Commission Record.

SECTION II

That the appropriate officials of the City are hereby authorized and directed to take such actions as are necessary to effectuate this Order.

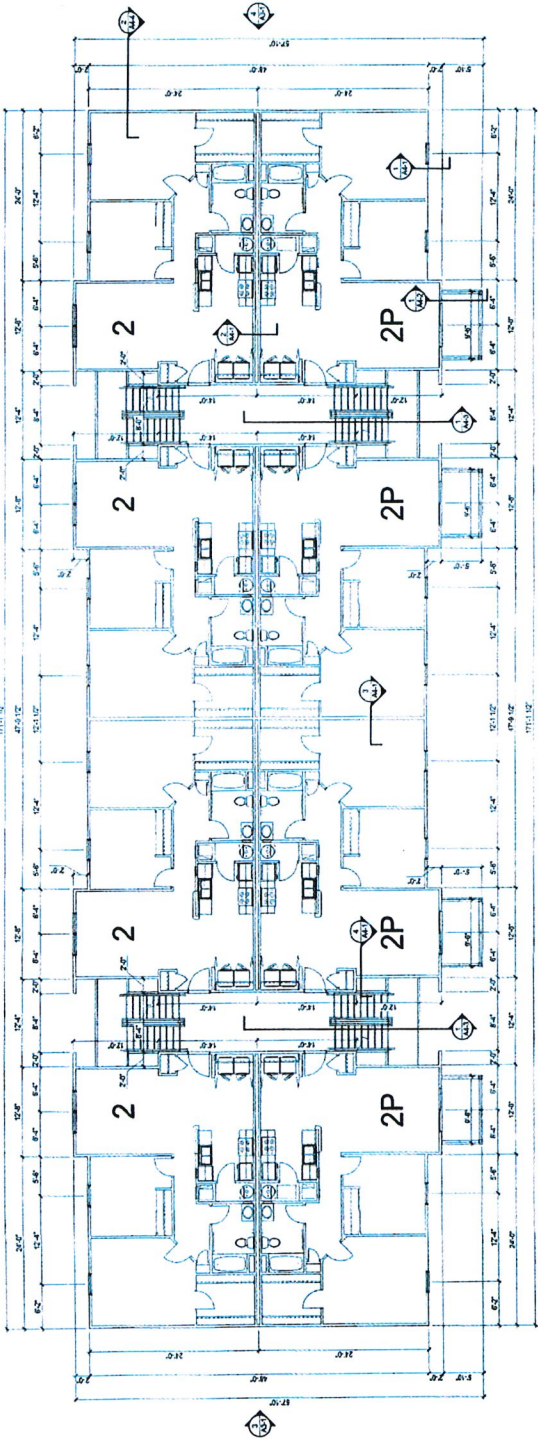
PASSED AND APPROVED ON THIS 14th DAY OF July, 2015.

APPROVED:

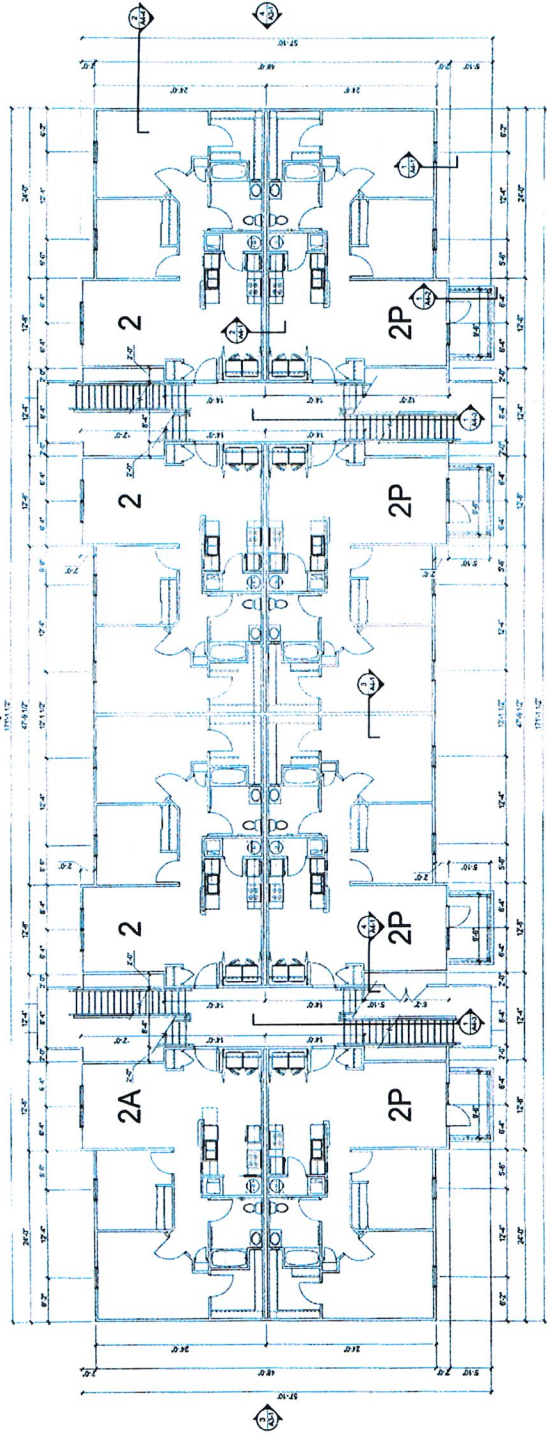
Dean & White
MAYOR

ATTEST:

[Signature]
CITY CLERK



2 SECOND FLOOR BUILDING PLAN



1 FIRST FLOOR BUILDING PLAN

UNIT LEGEND

- 1. ONE BEDROOM, ONE BATHROOM STANDARD
- 1A. ONE BEDROOM, ONE BATHROOM TYPE "X"
- 2. TWO BEDROOM, ONE BATHROOM STANDARD
- 2A. TWO BEDROOM, ONE BATHROOM TYPE "X"
- 3. TWO BEDROOM, TWO BATHROOM STANDARD
- 3A. TWO BEDROOM, TWO BATHROOM TYPE "X"
- 3P. TWO BEDROOM, TWO BATHROOM PREMIUM
- 3PA. TWO BEDROOM, TWO BATHROOM TYPE "X"

BUILDING PLANS NOTES

- 1. SEE UNIT PLANS FOR INTERIOR DIMENSIONS.
- 2. SEE UNIT PLANS FOR EXTERIOR DIMENSIONS.
- 3. SEE UNIT PLANS FOR FINISH SCHEDULES.

#	DATE	ISSUED WITH CHANGE DESCRIPTION
1	08.28.2011	REV. A02. REVISIONS FOR PERMIT SET
2	11.11.2011	REV. A03. REVISIONS FOR PERMIT SET
3	12.28.2011	REV. A04. REVISIONS FOR PERMIT SET

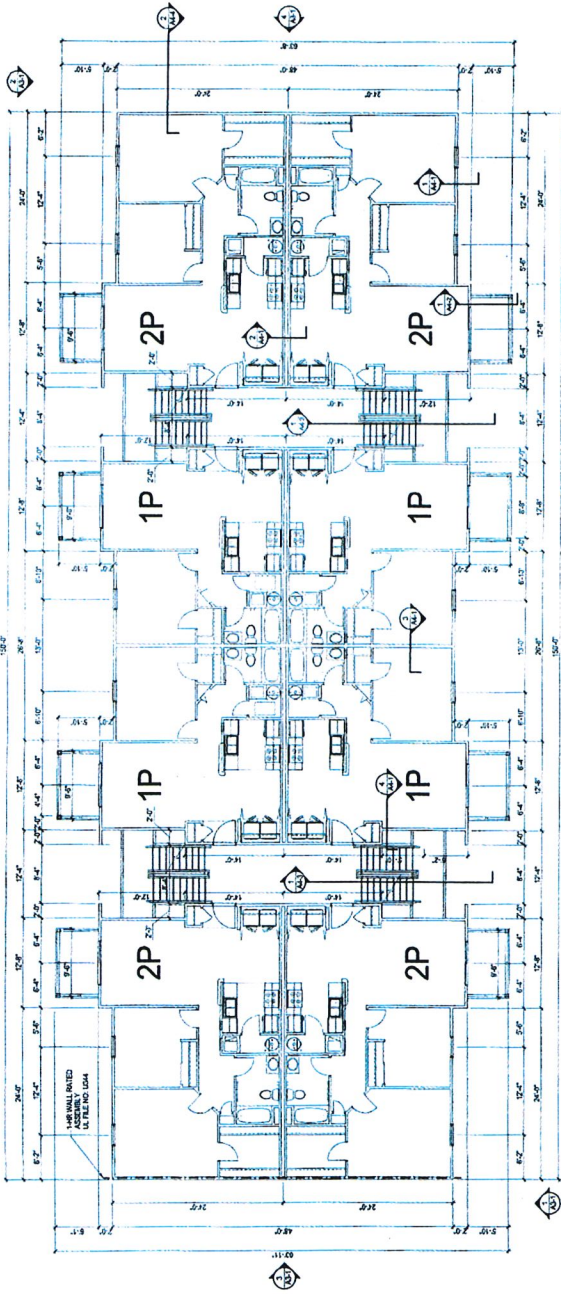
FOUR POINT
BUILDING # 02
PREPARED FOR:



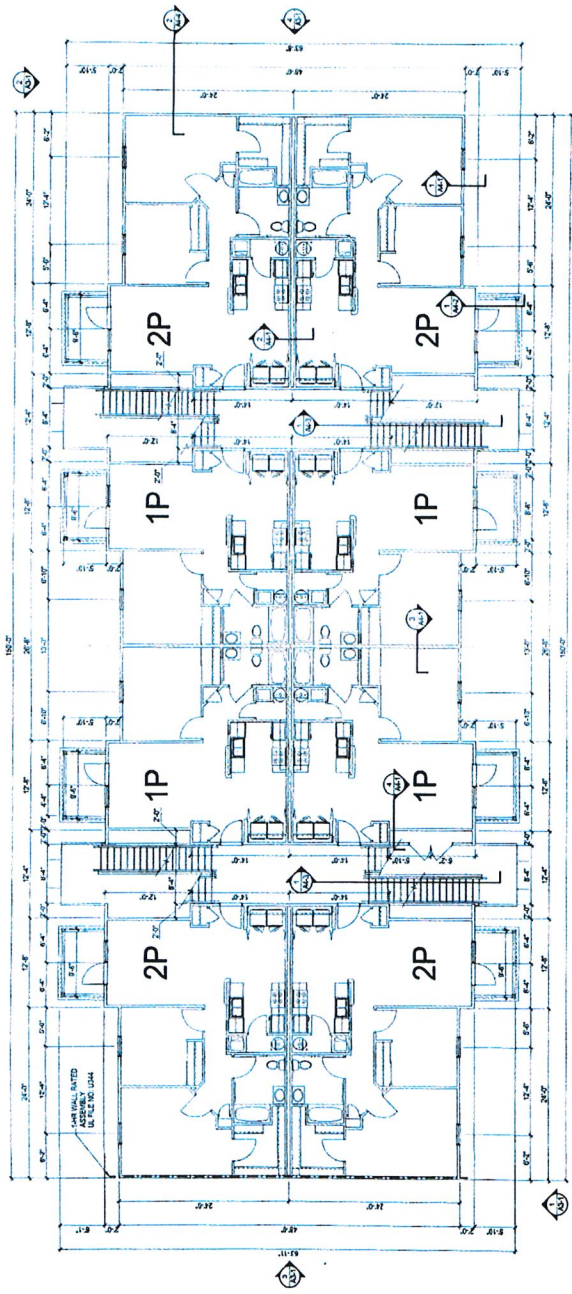
SBA STUDIOS
ARCHITECTURAL DESIGN
415.620.7761 WWW.SBA-STUDIOS.COM

24 TWO BEDROOM

A-4.0



2 SECOND FLOOR BUILDING PLAN



1 FIRST FLOOR BUILDING PLAN

UNIT LEGEND

- 1. ONE BEDROOM, ONE BATHROOM STANDARD
- 1P. ONE BEDROOM, ONE BATHROOM PREMIUM
- 1A. ONE BEDROOM, ONE BATHROOM TYPE 'A'
- 2. TWO BEDROOMS, ONE BATHROOM STANDARD
- 2P. TWO BEDROOMS, ONE BATHROOM PREMIUM
- 2A. TWO BEDROOMS, ONE BATHROOM TYPE 'A'
- 3. TWO BEDROOMS, TWO BATHROOM STANDARD
- 3P. TWO BEDROOMS, TWO BATHROOM PREMIUM
- 3A. TWO BEDROOMS, TWO BATHROOM TYPE 'A'

BUILDING PLANS NOTES

- 1. SEE UNIT PLANS FOR INTERIOR FINISHES.
- 2. SEE SHEET A-1 FOR ENLARGED BEDROOM PLANS.

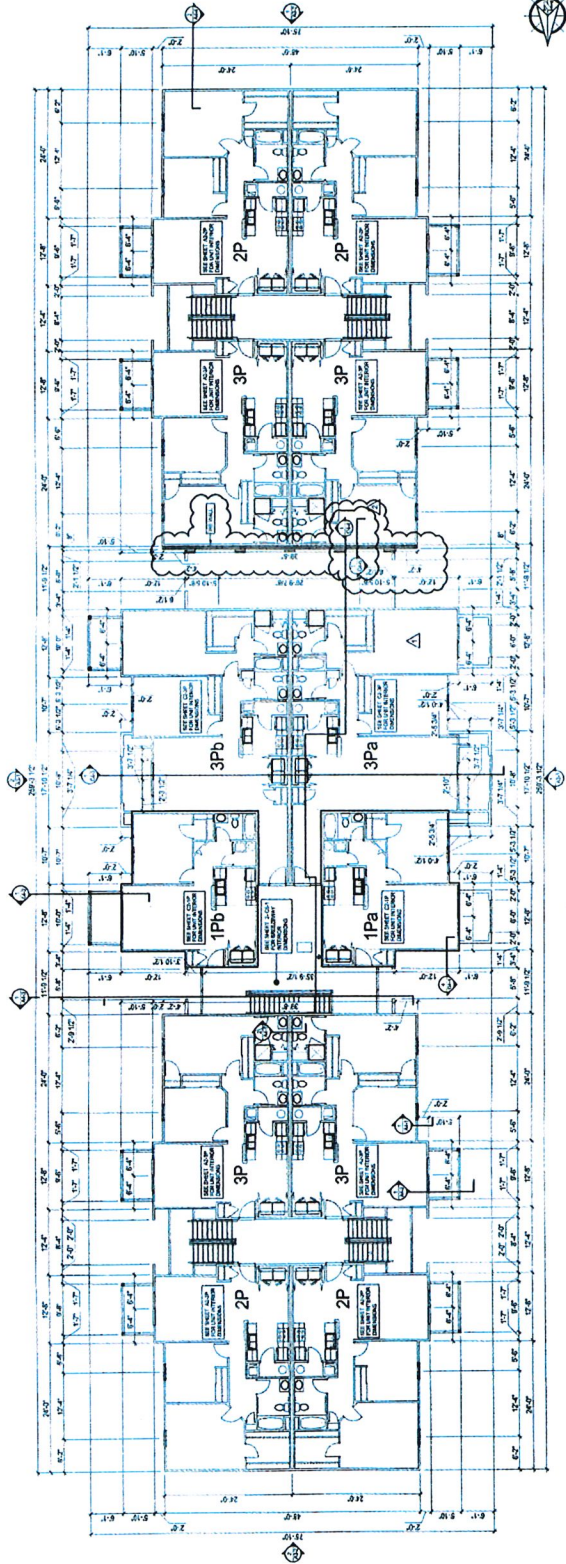
NO.	DATE	ISSUED FOR CHANGE DESCRIPTION
1	10/23/2014	REV. A-C. REVISIONS FOR PERMIT SET
2	11/13/2014	REV. A-C. REVISIONS FOR PERMIT SET
3	12/22/2014	REV. A-C. REVISIONS FOR PERMIT SET

FOUR POINTE
BUILDING # 04
PREPARED FOR:

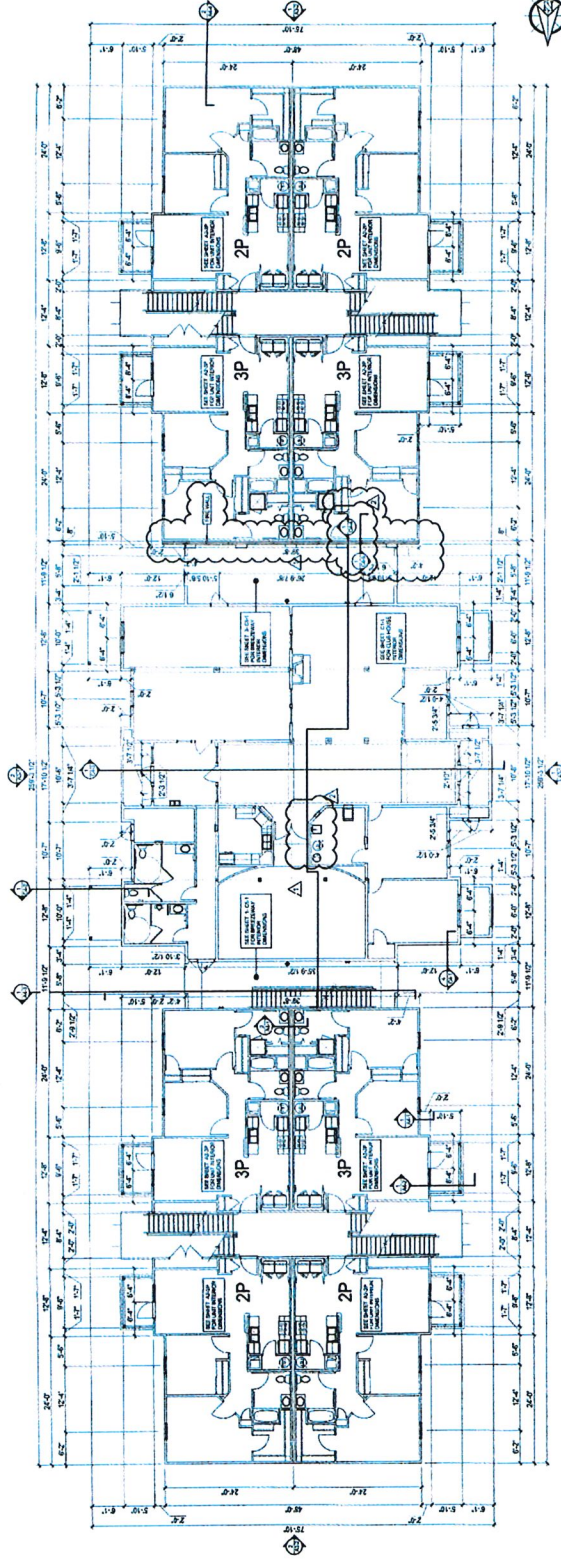


12 TWO BEDROOM
12 ONE BEDROOM

A-5.0



2 2ND FLOOR BUILDING PLAN



1 1ST FLOOR BUILDING PLAN

UNIT LEGEND

- 1. ONE BEDROOM, ONE BATHROOM STANDARD
- 1A. ONE BEDROOM, ONE BATHROOM ACCESSIBLE
- 2. TWO BEDROOM, ONE BATHROOM STANDARD
- 2A. TWO BEDROOM, ONE BATHROOM PREMIUM
- 2B. TWO BEDROOM, ONE BATHROOM ACCESSIBLE
- 3. TWO BEDROOM, TWO BATHROOM STANDARD
- 3A. TWO BEDROOM, TWO BATHROOM PREMIUM
- 3B. TWO BEDROOM, TWO BATHROOM ACCESSIBLE

BUILDING PLANS NOTES

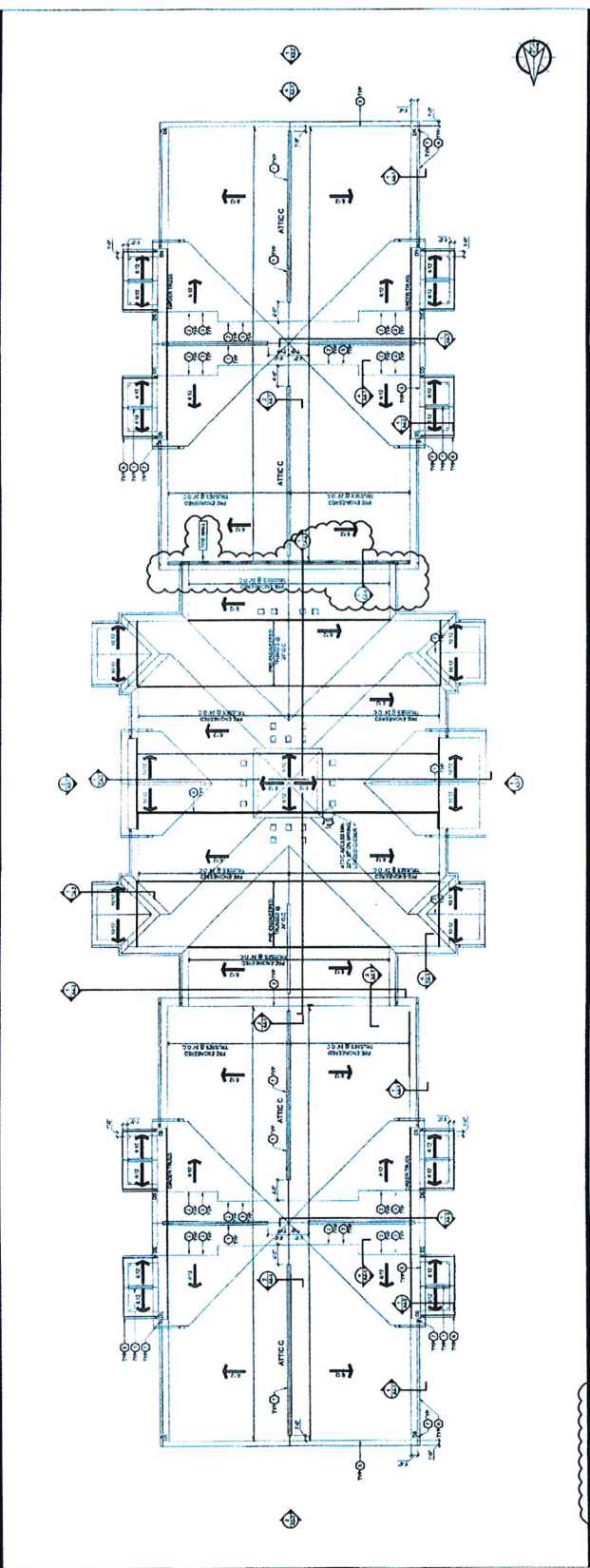
- 1. SEE LAYOUT PLANS FOR INTERIOR DIMENSIONS.
- 2. SEE SHEET A-11 FOR ENLARGED BREZEWAY PLANS.
- 4. DATE: SUBMITTED WITH CHANGE DESCRIPTION
- 10/28/2014 | REV. #01: REVISIONS FOR PERMIT SET
- 11/11/2014 | REV. #02: REVISIONS FOR PERMIT SET
- 11/11/2014 | REV. #03: REVISIONS FOR PERMIT SET
- 10/30/2014 | REV. #04: REVISIONS FOR PERMIT SET

FOUR POINTE
BUILDING 01-CLUB HOUSE
PREPARED FOR:



CLUB HOUSE BUILDING

A-6.0



2 ROOF PLAN

ROOF PLAN CODED NOTES

1. ROOF RIDGE VENT MIN 18 INCHES PER FOOT.
2. DECK SEE ANZ.
3. 1" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.
4. 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.
5. 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.
6. 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.
7. 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.
8. 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.
9. 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.
10. 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

UNIT ATTIC VENTILATION

ATTIC:

1. PROVIDE 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

2. PROVIDE 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

3. PROVIDE 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

4. PROVIDE 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

5. PROVIDE 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

6. PROVIDE 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

7. PROVIDE 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

8. PROVIDE 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

9. PROVIDE 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

10. PROVIDE 1/2" X 4" FLOORING TO EXTERIOR WALL BELOW. PROVIDE 1/2" OVER ONE SIDE FOR DRAINAGE STOP.

UNIT LEGEND

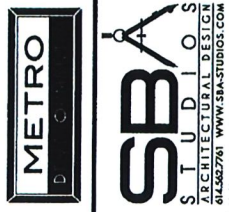
1. ONE BEDROOM, ONE BATHROOM STANDARD
- 1A. ONE BEDROOM, ONE BATHROOM ACCESSIBLE
2. TWO BEDROOM, ONE BATHROOM STANDARD
- 2P. TWO BEDROOM, ONE BATHROOM PREMIUM
3. TWO BEDROOM, ONE BATHROOM ACCESSIBLE
- 3P. TWO BEDROOM, ONE BATHROOM PREMIUM
4. TWO BEDROOM, TWO BATHROOM STANDARD
- 4P. TWO BEDROOM, TWO BATHROOM PREMIUM
5. TWO BEDROOM, TWO BATHROOM ACCESSIBLE
- 5P. TWO BEDROOM, TWO BATHROOM PREMIUM

BUILDING PLANS NOTES

1. SEE UNIT PLANS FOR INTERIOR DIMENSIONS.
2. SEE SHEET A-11 FOR ENLARGED BREEZEWAY PLANS.

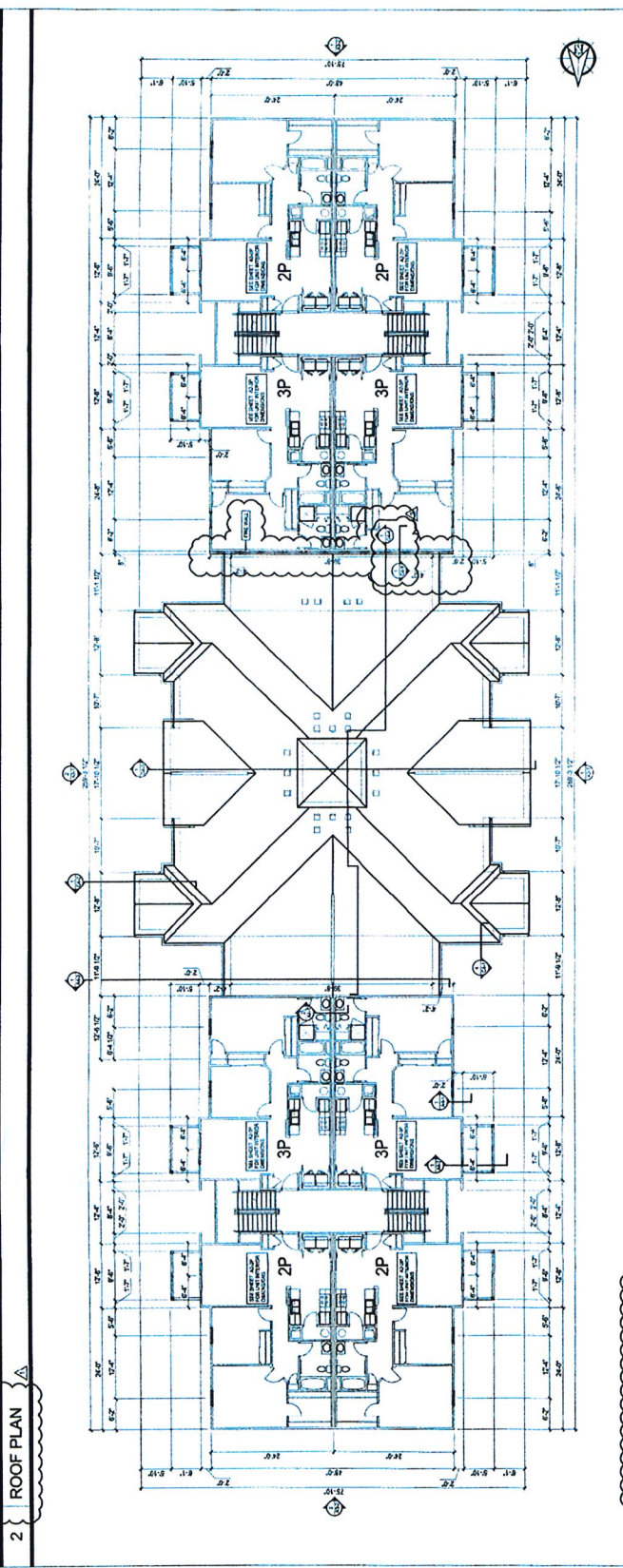
DATE: 03/28/2014 | **REV. A:** REVISIONS FOR PERMIT SET
 11/11/2014 | **REV. B:** REVISIONS FOR PERMIT SET
 12/22/2014 | **REV. C:** REVISIONS FOR PERMIT SET

FOUR POINTE
BUILDING 01-CLUB HOUSE
 PREPARED FOR:

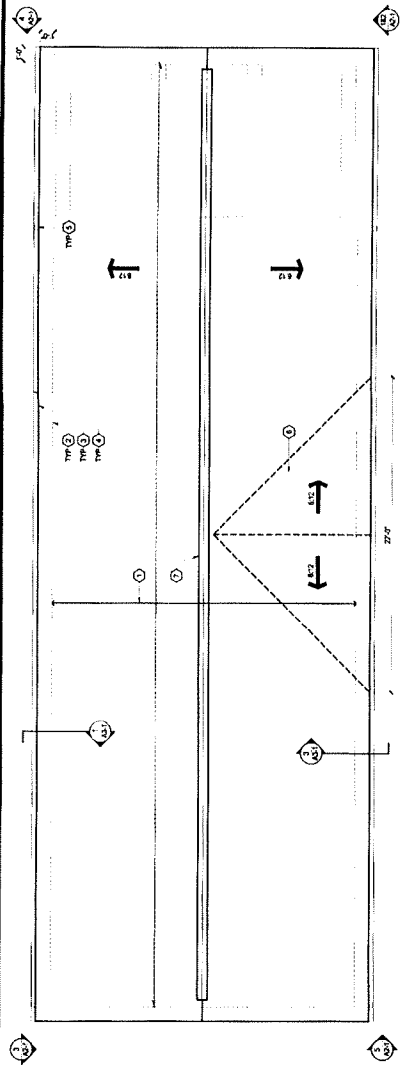


CLUB HOUSE BUILDING

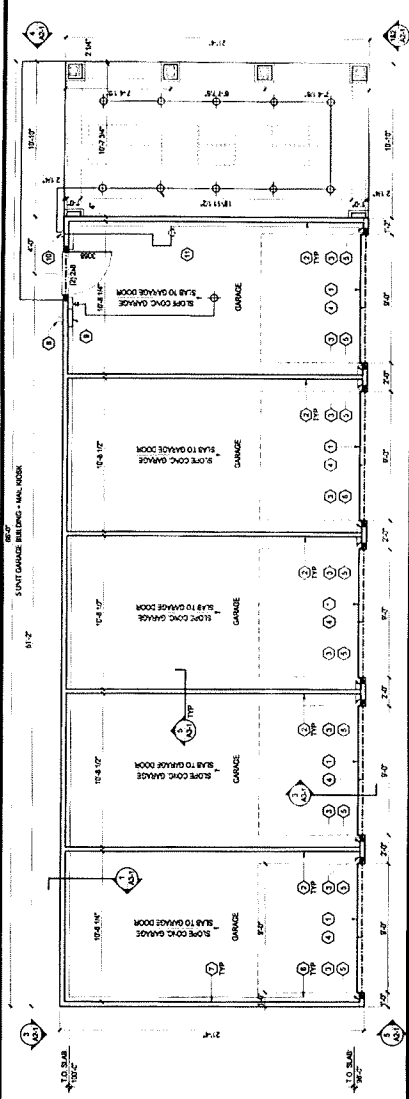
A-6.1



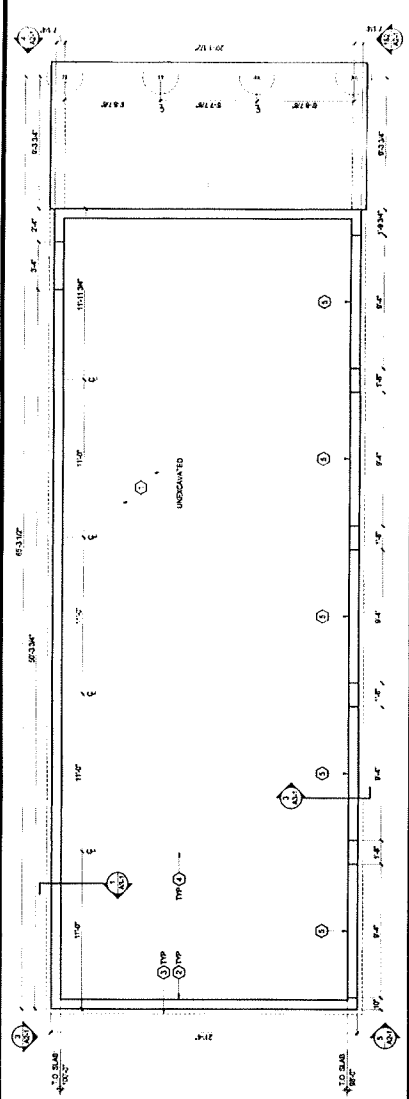
1 THIRD FLOOR BUILDING PLAN



3 ROOF PLAN



2 FIRST FLOOR PLAN



1 FOUNDATION PLAN

FOUNDATION CODED NOTES

- CONCRETE SHALL BE PLACED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- CONCRETE SHALL BE PLACED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- CONCRETE SHALL BE PLACED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- CONCRETE SHALL BE PLACED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- CONCRETE SHALL BE PLACED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.

FLOOR PLAN CODED NOTES

- FINISH FLOOR SHALL BE FINISHED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- FINISH FLOOR SHALL BE FINISHED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- FINISH FLOOR SHALL BE FINISHED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- FINISH FLOOR SHALL BE FINISHED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- FINISH FLOOR SHALL BE FINISHED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.

ROOF PLAN CODED NOTES

- ROOF SHALL BE FINISHED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- ROOF SHALL BE FINISHED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- ROOF SHALL BE FINISHED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- ROOF SHALL BE FINISHED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.
- ROOF SHALL BE FINISHED WITH 1/2" MINIMUM FILL AND WORK BARRIER PROVIDE FINISHED FLOOR FINISH TO MATCH EXISTING.

ELECTRICAL PANEL

NO.	DESCRIPTION
1	120 AMP PANEL
2	120 AMP PANEL
3	120 AMP PANEL
4	120 AMP PANEL
5	120 AMP PANEL
6	120 AMP PANEL
7	120 AMP PANEL
8	120 AMP PANEL
9	120 AMP PANEL
10	120 AMP PANEL
11	120 AMP PANEL
12	120 AMP PANEL
13	120 AMP PANEL
14	120 AMP PANEL
15	120 AMP PANEL
16	120 AMP PANEL
17	120 AMP PANEL
18	120 AMP PANEL
19	120 AMP PANEL
20	120 AMP PANEL

STRUCTURAL LEGEND

THIN WALL: 4" MINIMUM THICKNESS
 EXTENT OF STRUCTURE
 SOLID BLOCKING
 STEEL BEAM: USE PLAN FOR SIZE
 STEEL COLUMN: USE PLAN FOR SIZE
 STEEL COLUMN: USE PLAN FOR SIZE
 POINT LOAD LOCATION
 DIRECTION OF RIB PITCH

SEE SHEET AS-1 FOR GENERAL STRUCTURAL NOTES
 ALL WOOD MEMBERS SHALL BE FLUSH TO FACE UNLESS OTHERWISE NOTED.
 ALL WOOD MEMBERS SHALL BE FLUSH TO FACE UNLESS OTHERWISE NOTED.
 ALL WOOD MEMBERS SHALL BE FLUSH TO FACE UNLESS OTHERWISE NOTED.

DATE: ISSUED WITH CHANGE DESCRIPTION

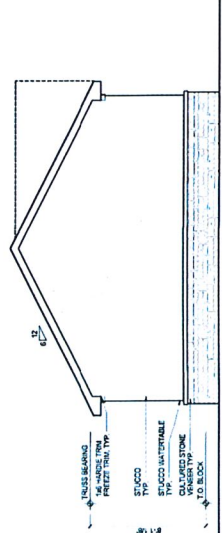
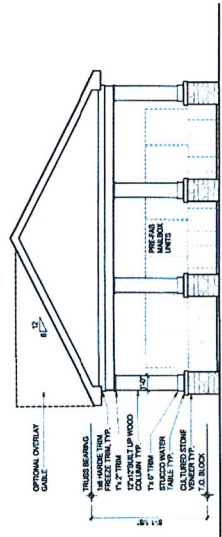
THE RESIDENCES AT CENTRAL PARK
 MAIL KIOSK / GARAGE
 PREPARED FOR:

METRO

SBA STUDIOS
 ARCHITECTURAL DESIGN
 614.562.7768 WWW.SBA-STUDIOS.COM

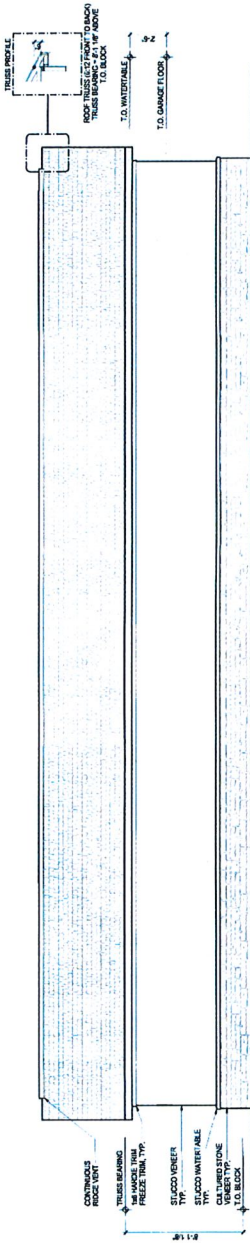
GARAGE PLANS

A-8.0

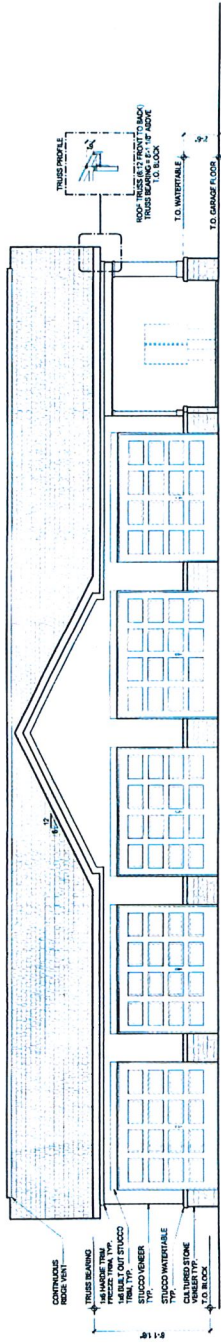


4 SIDE ELEVATION

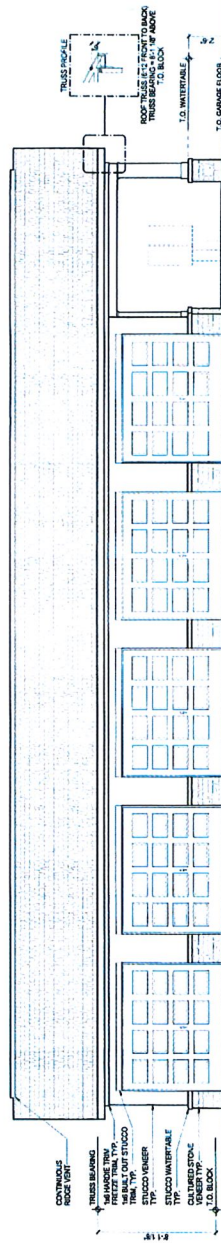
5 SIDE ELEVATION



3 REAR ELEVATION

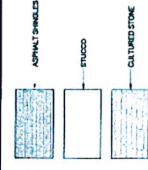


2 FRONT ELEVATION W/ OPTIONAL GABLES



1 FRONT ELEVATION

ELEVATION MATERIAL LEGEND



DATE ISSUED WITH CHANGE DESCRIPTION

THE RESIDENCES AT CENTRAL PARK
MAIL KIOSK / GARAGE
PREPARED FOR

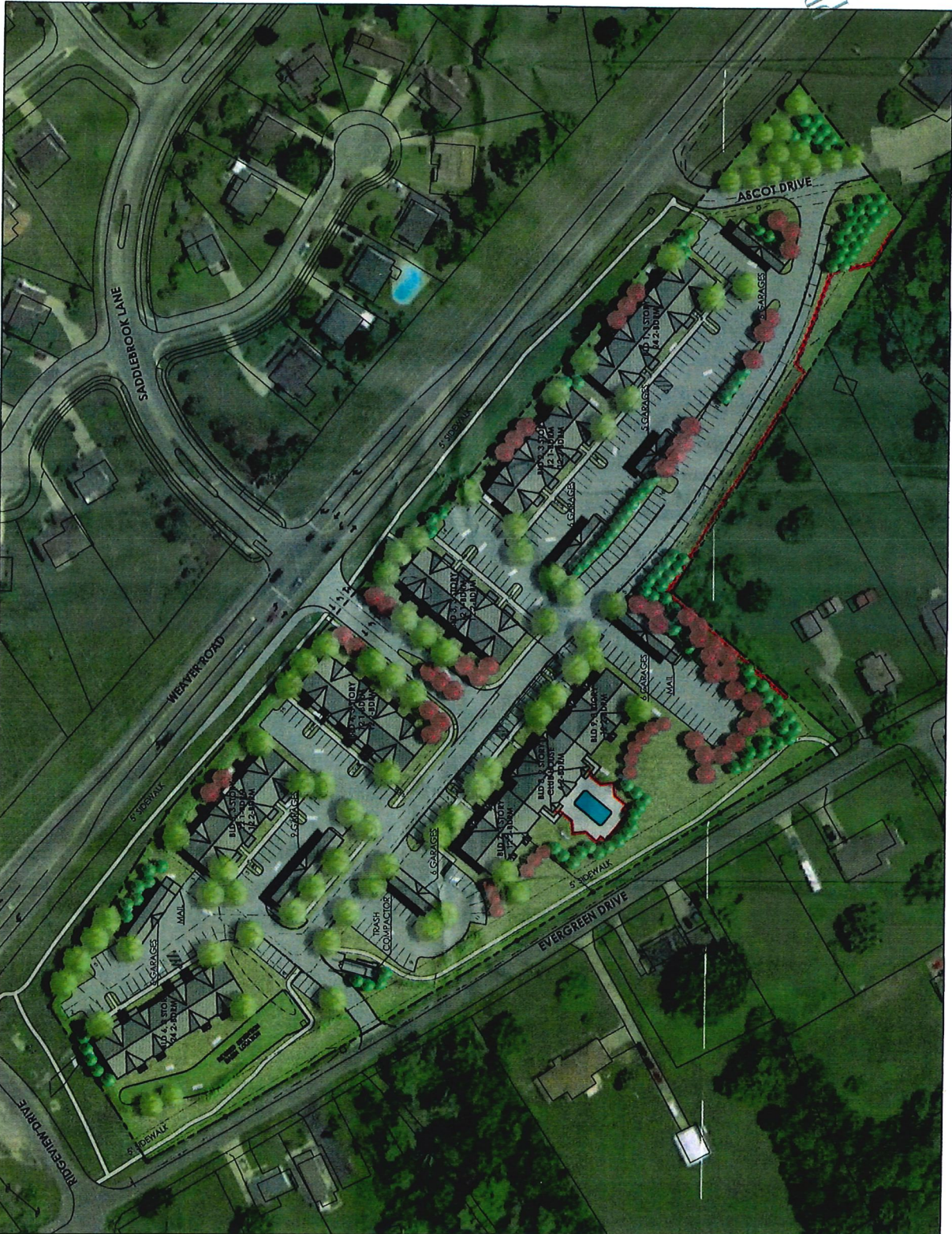


GARAGE PLANS

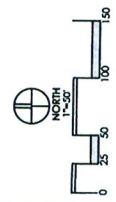
A-8.1



REVISIONS	THE RESIDENCES AT ASCOT GLEN PREPARED FOR BRG REALTY GROUP, LLC 7345 KENWOOD ROAD, SUITE 111 CINCINNATI, OHIO 45238	Paris Planning & Design LANDSCAPE ARCHITECTURE LANDSCAPE ARCHITECTURE www.parisplanninganddesign.com Suite 401 Columbus, OH 43215 P (614) 447-1844 D (614) 526-5944	DATE 3/9/15
			PROJECT 14108
			SHEET
			L-2



PRELIMINARY



REVISIONS

ILLUSTRATIVE
CLUBHOUSE PLAN

THE RESIDENCES AT
ASCOT GLEN
PREPARED FOR
BRG REALTY GROUP, LLC
7765 FENWOOD ROAD, SUITE 111
CHICHAHUA, OHIO 43236

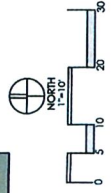
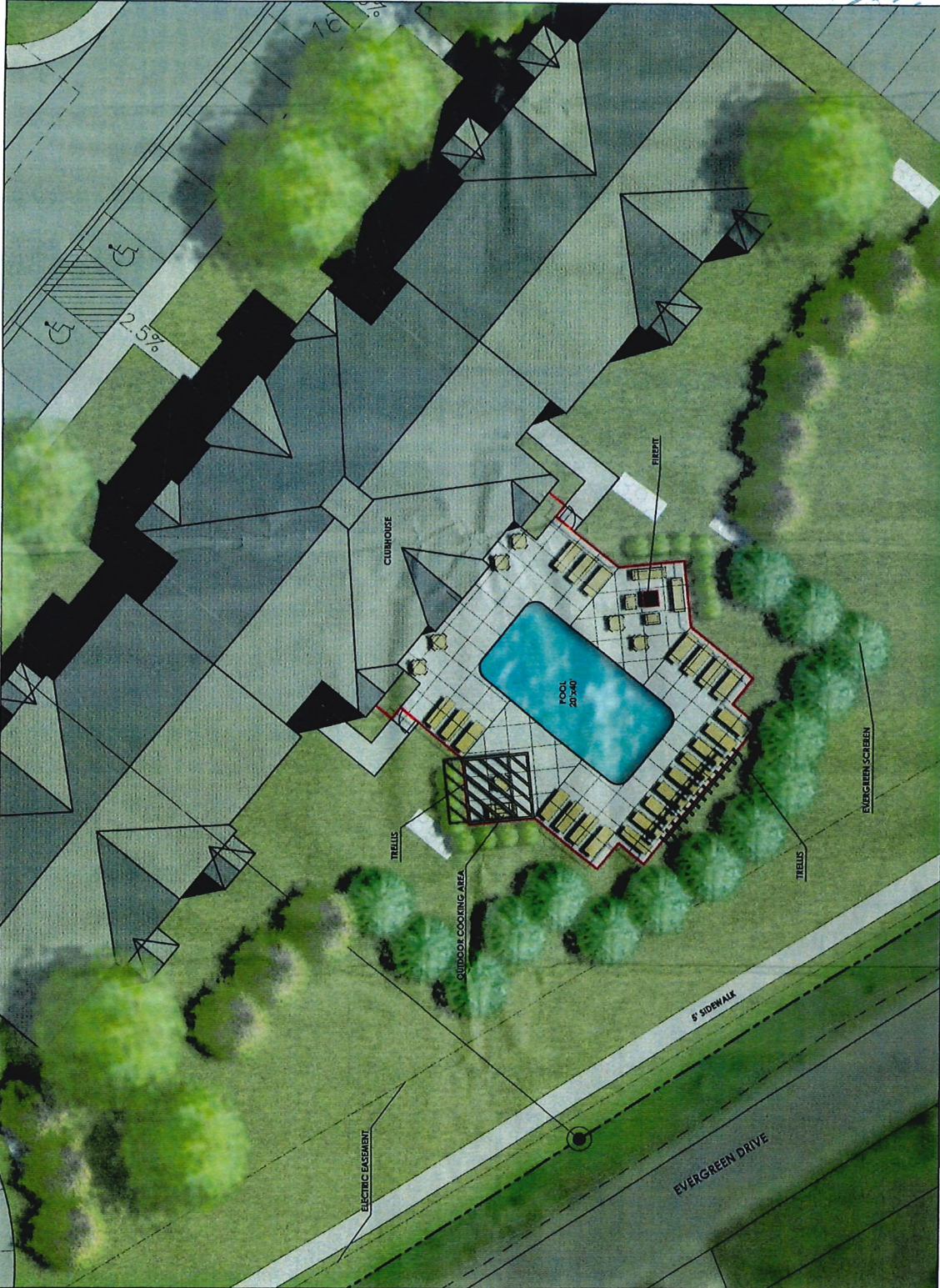
Paris Planning & Design
LAND PLANNING * LANDSCAPE ARCHITECTURE
Suite 401
Columbus, OH 43215
www.parisplanninganddesign.com
P: 614.427.1884
F: 614.427.1884

DATE 3/3/15

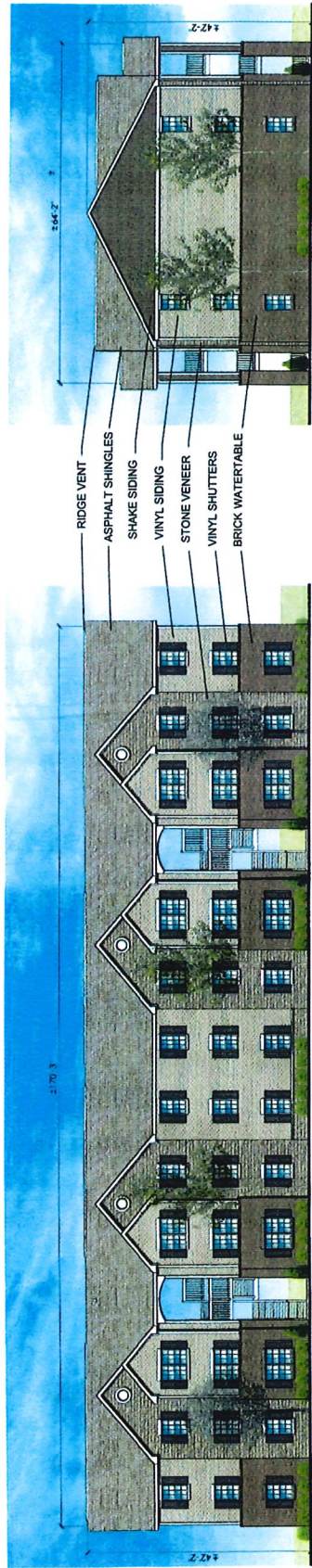
PROJECT 14108

SHEET

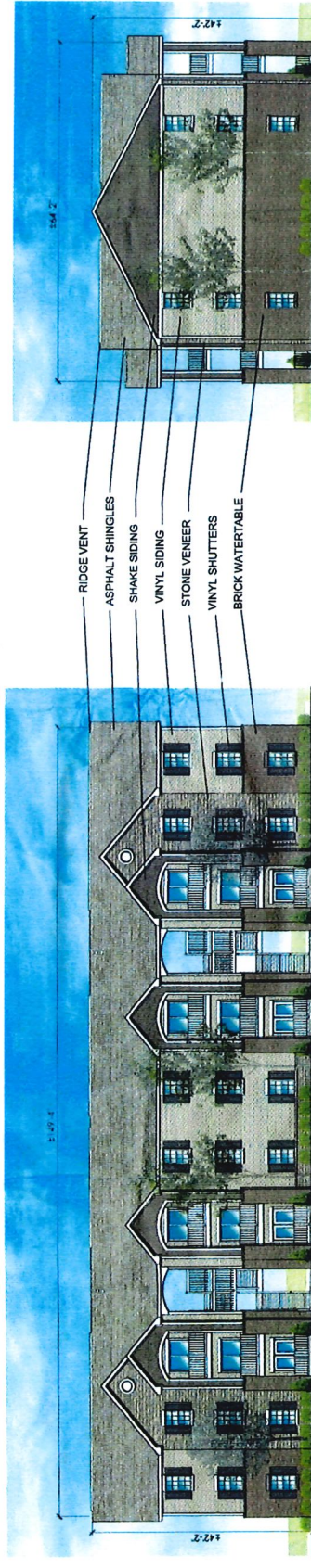
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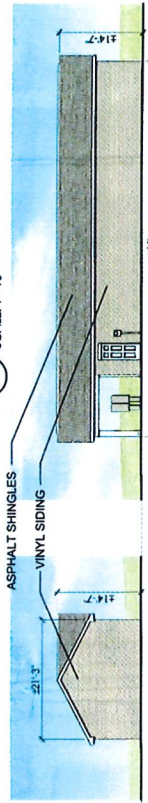
FOR CONSTRUCTION



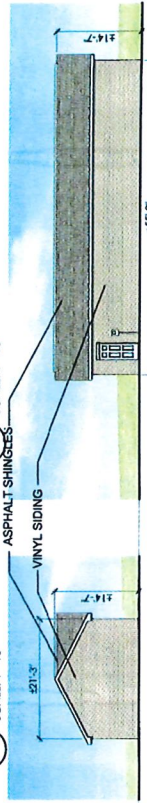
1 TYP. 3-STORY BLD W/ 24 2-BD UNITS ELEVATION (SIDE)
SCALE: 1"=10'



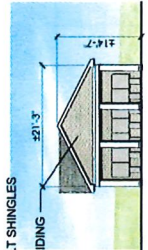
2 TYP. 3-STORY BLD W/ 12 1-BD & 12 2-BD UNITS ELEVATION (SIDE)
SCALE: 1"=10'



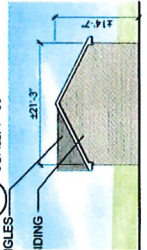
5 TYP. GARAGE + MAIL ELEVATION (REAR)
SCALE: 1"=10'



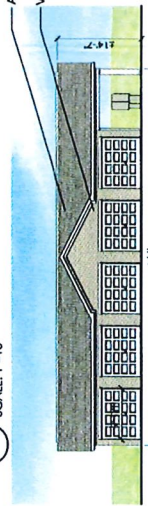
6 TYP. GARAGE ELEVATION (REAR)
SCALE: 1"=10'



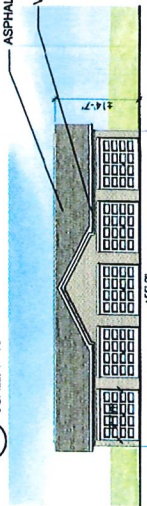
7 TYP. GARAGE + MAIL ELEVATION (LEFT)
SCALE: 1"=10'



8 TYP. GARAGE ELEVATION (LEFT)
SCALE: 1"=10'



9 TYP. GARAGE + MAIL ELEVATION (RIGHT)
SCALE: 1"=30'



10 TYP. GARAGE ELEVATION (RIGHT)
SCALE: 1"=30'

4 TYP. 3-STORY BLD W/ 12 1-BD & 12 2-BD UNITS ELEVATION (FRONT AND REAR MATERIALS TO MATCH)
SCALE: 1"=10'

11 TYP. GARAGE + MAIL ELEVATION (FRONT)
SCALE: 1"=10'

12 TYP. GARAGE ELEVATION (FRONT)
SCALE: 1"=10'

REVISIONS	DATE	DESCRIPTION

THE RESIDENCES AT
ASCOT GLEN
RESIDENCES
BRG REALTY GROUP, LLC
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DATE	3/2/15
PROJECT	14108
SHEET	

L-4

REVISIONS	

CLUB HOUSE AND
TRASH
COMPACTOR
ELEVATIONS

THE RESIDENCES AT
ASCOT GLEN
MEMORIAL
BRG REALTY GROUP, LLC
7255 KENWOOD ROAD, SUITE 111
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DATE	3/27/15
PROJECT	14108
SHEET	

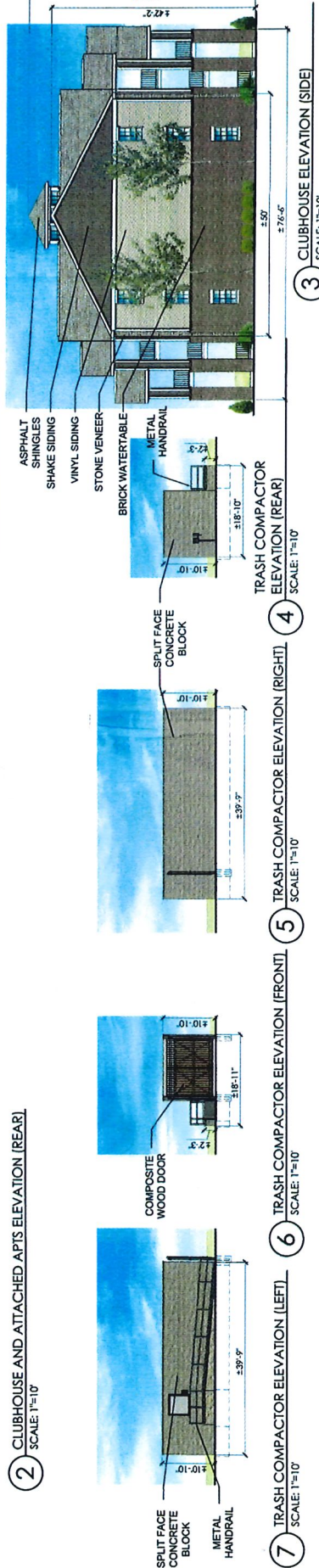
L-5



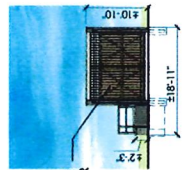
1 CLUBHOUSE AND ATTACHED APTS ELEVATION [FRONT]
SCALE: 1"=10'



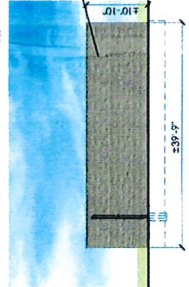
2 CLUBHOUSE AND ATTACHED APTS ELEVATION [REAR]
SCALE: 1"=10'



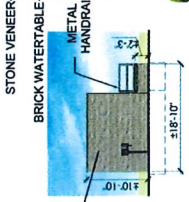
7 TRASH COMPACTOR ELEVATION (LEFT)
SCALE: 1"=10'



6 TRASH COMPACTOR ELEVATION (FRONT)
SCALE: 1"=10'



5 TRASH COMPACTOR ELEVATION (RIGHT)
SCALE: 1"=10'



4 TRASH COMPACTOR ELEVATION (REAR)
SCALE: 1"=10'



3 CLUBHOUSE ELEVATION (SIDE)
SCALE: 1"=10'

