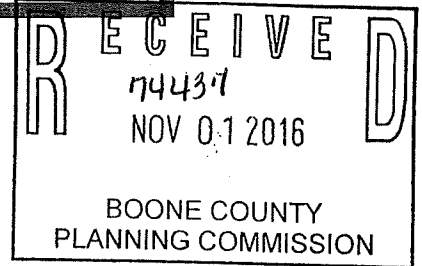


APPLICATION FORM

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)

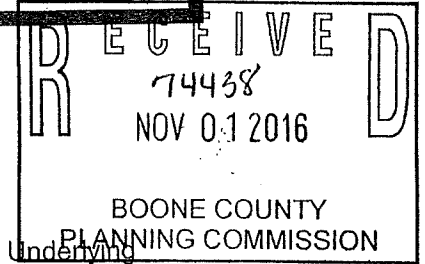
- 1. Name of Project Florence Village Senior Apartments
2. Location of Project 8200 Preakness Drive
3. Total Acreage of Site 7.85 +/-
4. Current Zoning of Site "C-2" Commercial Two
5. Proposed Zoning (Classification being requested) "C-2" / "PD"
6. Proposed Uses (please specify each use) 117 Unit Multi-Family Senior Housing Development
7. Names of Applicant(s) Clover Communities Florence, LLC, an entity to be formed
8. Address of Applicant(s) 348 Harris Hill Road
9. Name of Property Owner(s) Flomed LLC
10. Address of Property Owner(s) 7370 Turfway Road, Suite 100
11. Proposed Building Intensities (please specify) 117 units on 7.85 acres
12. Are there any existing buildings on the site? No
13. Deed Book 660 Page No. 102-107 Group No. 2040 B
14. Are you also applying for:
15. Have you submitted a Concept Development Plan? Yes
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

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

(over)

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN  
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. Check One:
  - Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
  - Change in an Approved Concept Development Plan
  - Long Range Planning **Committee Review** (As stated in the Houston-Donaldson Study)
  - Long Range Planning **Committee Review** (As stated in the Union Town Plan)
  - Zone Change \_\_\_ Technical Design \_\_\_ **Committee Review** of previously approved Concept Development Plan Conditions or Zoning Map Amendment Conditions
  - Zoning Administrator Review** (As stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)
  - Zoning Administrator Review** (As stated in the Mall Road District Study)
2. Name of Project Clover Residential Community
3. Location of Project Preakness Drive (Parcel ID 062.00-09-008.00)
4. Total Acreage of Site 2.899+/- Acres
5. Current Zoning "C-3 / PD / MR"
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) \_\_\_\_\_
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) Mall Road Study
8. Proposed Uses (please specify each use) Portion of multi family building, parking, access drive and ground mounted sign.
9. Proposed Building Intensities (please specify) N/A
10. Have you submitted a Concept Development Plan? Yes
11. Are you also applying for:
  - N/A Conditional Use Permit
  - N/A Dimensional Variance
12. Name of Applicant(s) Anne F. McBride, FAICP  
Phone Number 513-561-6232 Fax No. 513-561-1615 E-Mail amcbride@mcbriededale.com
13. Address of Applicant(s) 5721 Dragon Way, Suite 300  
Cincinnati Ohio 45227  
City State Zip
14. Name of Property Owner(s) Paddock Club 2 LLC  
Phone Number 201-264-8094 Fax No. \_\_\_\_\_ E-Mail adam@spyglasspc.com
15. Address of Property Owner(s) 48 Everett Drive  
De Marest New Jersey 07627-1225  
City State Zip
16. Are there any existing buildings on the site? Yes  
How many? One
17. Deed Book 1008 Page No. 661 Group No. \_\_\_\_\_

(over)

# EXHIBIT

“A”

## STAFF REPORT

Request of **Clover Communities Florence, LLC (applicant)** for **Flomed LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Two/Planned Development (C-2/PD) for an approximate 8.18 acre tract located south of the property at 7800-7932 Connector Drive, north of the terminus of Rosetta Drive, and east of the properties at 40, 42, 44, 48, and 50 Achates Avenue, Boone County, Kentucky (annexation into the City of Florence pending); and the request of **Anne F. McBride, FAICP (applicant)** for **Paddock Club 2 LLC (owner)** for a Concept Development Plan in a Commercial Services/Planned Development/Mall Road Overlay (C-3/PD/MR) zone for an approximate 2.9 acre area located along the west side of Preakness Drive, south of the property at 7800-7932 Connector Drive, and north of the property at 8000 Preakness Drive, Florence, Kentucky. The requests are for a zone change and a Concept Development Plan to allow a multi-family senior housing development on an approximate 11.08 total acre site.

December 7, 2016

### PROPOSAL

This request is for a Zoning Map Amendment from C-2 to C-2/PD for an approximate 8.18 acre tract that is at the dead end of Rosetta Drive and immediately east of the properties between 40 and 50 Achates Avenue, and for a Concept Development Plan in a C-3/PD/MR zone for an approximate 2.9 acre tract that is along the west side of Preakness Drive and north of the Paddock Club multi-family residential development. A request to annex the 8.18 acre tract into the City of Florence is pending and the 2.9 acre area is already within the City of Florence. Both the zone change and Concept Development Plan requests are for a single, multi-family senior housing development on an approximate 11.08 total acre site.

A Concept Development Plan which includes an explanatory narrative was submitted with this application. The site plan shows a single residential building which has three main wings. The building is placed substantially on the 8.18 acre tract that is in the west part of the overall site. This building is three stories high and the project narrative states that the building will have a maximum height of 40 feet. The structure has a 47,057.3 square foot footprint and a total gross floor area of 141,171.9 square feet. It is proposed to contain 119 units with a density of 10.74 units per acre.

The development is proposed to be accessed from Preakness Drive through a driveway that runs across most of the east-west length of the 2.9 acre tract. A driveway with open parking is shown around most of the building's perimeter (aside from the southeast-most corner). Landscape islands are shown throughout the open parking. A sidewalk is

proposed around the entire perimeter of the building.

Five garage buildings which range in size from six to nine parking bays are shown on the east and west sides of the building. Sidewalks are proposed along the side and rear facades of the garages. The total footprint area of the five garage buildings combined is approximately 12,350 square feet. The total building intensity for the 11.08 acre site (153,522 gsf for the multi-family building and garages combined) is 13,856 square feet per acre.

Three storm water basins are proposed and are located in the east part of the site just south of the eastern-most garage, along the north property line, and along the west property line. Public water and sanitary sewer service are proposed to be provided by the City of Florence. The project narrative proposes a ground mounted sign that would have a maximum of 170 square feet in area, have a maximum height of 20 feet, and would meet the design requirements of the Mall Road District Study (a specific design was not included). A photometric plan was included with the application materials which shows a site lighting average of 0.75 footcandles.

A landscape plan was included with the application materials. The landscape plan shows that existing tree cover is proposed to be retained in the east part of the site near the Preakness Drive frontage, along the north side of the entry drive, in the northwest corner of the site, and in the southern part of the site including along the adjoining east and west site boundaries. New buffer yard plantings are shown along the site's perimeter where existing vegetation is not retained. A 6 foot high screen fence (592' long and offset 15' from the property line) is proposed in the buffer yard adjoining the single family residential properties along Achates Avenue to the west. Ornamental plantings are proposed around the perimeter of the building and trees are proposed in the parking lot islands. Smaller plantings than are normally permitted are proposed where a large overhead electric line easement crosses the site, notably along the west property line adjoining the single family residential lots along Achates Avenue, and in the parking lot islands on the north side of the building.

The multi-family residential building is proposed to have a single, continuous ridge line for each of the three main wings and have a hipped roof with a 5/12 pitch. Secondary gables with decorative vents and three story high porch bays are proposed at regular points on each "long" facade. A gabled entry canopy is proposed along the east side of the building. Buff colored hardiplank siding is proposed to cover the majority of the building. Cultured stone is proposed to cover the full three story height of the stairwells at the ends of the building, at the ground floor level of the individual porches, and at the main entry. A cultured stone water table is proposed around the perimeter of the building (height of the bottom window sill). Double hung windows with shutters are illustrated throughout (no shutters on the stone stairwells). Dimensional shingles are proposed for the roofing. The

garage buildings follow the same motif as the multi-family building with the use of a hipped roof, matching hardiplank siding, and cultured stone water table.

Several exceptions to the normal development standards have been requested pursuant to Section 1500 of the Boone County Zoning Regulations. Such exceptions can be evaluated and potentially approved in the PD overlay zone through the Concept Development Plan process. These include:

- A. Section 3325 "Parking Space Requirements" requires a total of 236 parking spaces on the site. A total of 140 parking spaces are proposed (40 garage spaces and 100 surface spaces).
- B. A garage structure near the west property line is proposed to encroach 8.5 feet into the 50 foot setback required by Table 31.1 (41.5' setback is proposed).
- C. As discussed above, smaller ornamental plantings in lieu of the normally required large deciduous, medium deciduous, and evergreen trees are proposed where the overhead power easement crosses the site. This affects the parking lot landscaping in the north part of the site and a portion of the required Buffer Yard D along the west property line (Sections 3625 "Interior Landscaping for Vehicular Use Areas [VUAs]" and 3645 "Buffer Yards").

Though not specifically requested, the Concept Development Plan illustrates a garage structure encroaching approximately 73 feet into the front yard area. The front yard dimension noted on the site plan for the main building is 427.7 feet and the garage is setback approximately 355 feet from the front property line. Section 3153 "Location of Accessory Structures or Use" permits accessory structures such as detached garages in side and rear yards only.

#### SITE HISTORY

The 2.9 acre portion of the site was part of a zone change application from C-2 to C-3 and UR-1 for a 17.7 acre site that was conditionally approved in 1992 (approval documents are attached). The remaining part of the site was developed with the Paddock Club apartment complex.

The Mall Road District Study was adopted by the City of Florence in 2012. The zoning for the 2.9 acre tract was changed from C-3 to C-3/PD/MR at that time. Regarding the 8.18 acre tract that is currently zoned C-2, the Study says "consideration can be given to adding the Mall Road (MR) Overlay District to this unincorporated area's zoning if and when it is annexed into the City of Florence" (p. 1.1). Thus, the 8.18 acre tract is addressed in the

Study from a planning perspective, but it is not subject to the MR overlay zoning requirements.

### ADJACENT LAND USES AND ZONING

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

- A. A multi-tenant commercial center is located to the north (C-2/PD/MR).
- B. A multi-tenant commercial center is located to the east across Preakness Drive (C-2/PD/MR).
- C. An apartment complex (Paddock Club) is located to the south of the 2.9 acre tract that fronts on Preakness Drive, and to the east of the southern half of the 8.18 acre tract (UR-1).
- D. Detached single family residences along Surfwood Drive and the north-south leg of Rosetta Drive are located to the south of the 8.18 acre tract (SR-1).
- E. Yealey Elementary School is located to the southwest (PF).
- F. Detached single family residences along Achates Avenue are located to the west (R1F).

### SITE CHARACTERISTICS

As mentioned above, the overall site contains approximately 11.08 acres. It has 170 feet of frontage along Preakness Drive and approximately 106 feet of frontage along the dead end of the Rosetta Drive right-of-way. The site contains no buildings and is substantially covered with second generation tree cover. A high tension power line runs across the northern part of the site. An intermittent blue line stream exists along the south property line and there is a drainage valley in proximity to the common property line between the two tracts which make up the project site. The topography of the site is moderately sloping overall, with steeper slopes adjoining the intermittent blue line stream and in the drainage valley. The high points of the site are along the Preakness Drive frontage at approximately el 886 and along the north part of the west property line at approximately el 884. The low point (approximately el 830) is at the southern end where the intermittent blue line stream crosses the site. Soil types on the site include Faywood silty clay (FdD3), Jessup silty clay loam (JsD3), and Rossmoyne silt loam (RsB). A public water main exists in the Preakness Drive right-of-way and sanitary sewer mains exist on the subject property along the south and west property lines.

## RELATIONSHIP TO COMPREHENSIVE PLAN

The 2010 Boone County Comprehensive Plan's Future Land Use Map designates the east tract (2.9 acres) as "Urban Density Residential" (UD) and the west tract (8.18 acres) as "Rural Density Residential" (RD). The Urban Density Residential designation is described as "attached housing, generally condominiums or apartments, of over 8 dwelling units per acre." The Rural Density Residential designation is described as "low density residential uses of up to one dwelling unit per acre."

The Land Use Element provides the following quotes that relate to the proposal and/or general area.

- A. The Mall Road area was recommended (through the 2002 Mall Road Corridor Study) to become a new urbanism corridor. The current planning effort for the area, the Mall Road District Study, calls for a dense, well designed, urban style of development that should occur over time. Residential development may be a part of this urban area, but should be located to minimize noise impacts from the interstate and airport. The entire area of Steinberg Drive, Rosetta Drive, Connector Drive, and the I-75 Mall Road ramps should be planned in detail to provide mixed use development that includes a good road connection and traffic circulation between the Pleasant Valley Road corridor and I-75 (2. "Houston-Donaldson/Mall Road," p. 167).
- B. The Mall Road District Study recommends a new direction for Mall Road that included the potential for more entertainment uses, high rise condominium, mixed use, and residential development. This is currently being implemented as part of the Mall Road District Study (2. "Houston-Donaldson/Mall Road," p. 167).
- C. This section of Boone County includes some of the western growth areas of Florence, including Hopeful Church Road and KY 18. It also contains some of the most rapidly growing residential areas in the county, particularly from KY 18 south to Union (3. "Pleasant Valley/Oakbrook," p. 168).

The Land Use Element's Future Land Use Development Guidelines provide the following general comments that relate to the proposal.

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole, rather than 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 ("Utilization of Existing Vegetation and Topography," pp. 161 and 162).

B. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; existing site features should be used in meeting this guideline. Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as open space within developments and between developments. Developments proposed adjacent to planned or established open spaces should provide pedestrian access where appropriate ("Buffering," pp. 162 and 163).

C. 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.

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," p. 163).

D. 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," p. 163).

E. 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 roads 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 ("Transportation and Pedestrian Network," pp. 163 and 164).

- F. 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 ("Design, Signs, and Historic Preservation," p. 164).

The Population Element outlines population estimates based on OKI transportation analysis zone "regions." The population of the "Florence" region where the subject site is located is estimated to change to 32,385 in 2020, and to 34,153 in 2030.

The Business Activity Element states the following regarding the general area.

- A. Four studies, the Houston-Donaldson Study, the Central Florence Strategic Plan, the Main Street Study, and the Mall Road District Study, have defined the scale and type of commercial uses in the City of Florence and surrounding area ("Recommended Areas of Commercial Activity," p. 67).

- B. The Mall Road District is expected to be completed in 2011. It will include a series of recommendations involving land use, zoning, transportation, pedestrian access, parking, design review, signage, and business incentives ("Recommended Areas of Commercial Activity," p. 68).

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

- A. A variety of housing opportunities within the established urban areas and within developing areas would encourage some of the higher income residents to reside there and thus encourage mixing of different income levels. Therefore, single-family housing should remain an ingredient of the urban areas instead of being targeted only for rural or suburban areas. Large, left-over parcels in urban service areas are well suited for planned residential development that includes high density housing. However, established single-family housing areas in urban settings should not experience an influx of multi-family or duplex construction unless adequate buffering or proper development design can be provided. Housing for the elderly population or for those who are handicapped needs to be located near public transit, commercial areas, and public facilities ("Population Needs," p. 79)
- B. Large lot areas, including Union, will see multi-family construction, although this higher density development should occur close to highway arterials and urban services and be sensitively developed in terms of building height, setbacks, mass, and visual impact. Throughout Boone County, high density developments should be close to thoroughfares to achieve a gradation of building site dimensions and land uses outlined in the Future Land Use Plan.

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.

...Duplexes are often more successful than multi-family housing in blending in with single-family residential surroundings. Therefore, when buffering is minimal between single-family housing areas and proposed multi-family units, an appropriate transitional area of duplexes may be designed.

It is important to offer a variety of housing units, not only in terms of economics, but

also because of the county's demographics. As stated previously, the youthful population, divorcees, and elderly often select a multi-family unit or manufactured home to satisfy their housing needs. In the case of the young, this housing provides their first independent housing unit. In order for Boone County to retain its youth, the county must provide both jobs and housing, otherwise, an out-migration of the young and educated population will occur. Divorcees often select multi-family housing immediately following a separation. Elderly select these units for reasons usually related to economics and the need for a secure environment near their daily needs. The variety of multi-family housing includes nursing homes, retirement housing, apartments, townhouses, and condominiums all ranging greatly in price per unit. These types of units are increasing in demand outside of the established urban areas. As the county's population ages and land values rise, the need for higher density residential and planned unit developments will likely increase ("Housing Types," pp. 79 and 80).

- C. 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 needs to be carefully designed.

Housing development density has become an issue of concern to many existing residents in established, large lot subdivisions in suburban Boone County. Many of these areas developed during the 1960's to the 1980's when land prices were relatively low, few utilities were present, the surrounding land was agricultural, and urban/suburban development had not yet extended out to these areas. Many of these older subdivisions contain two-acre lots or larger. By contrast, most new subdivisions in Boone County are developing at around three units per acre and sponsor sewer construction if sanitary sewer is not currently available to the site. The issue arises when these new higher density subdivisions are proposed near established low density areas and centers mainly around development impacts on infrastructure and the residential character of the area ("Housing Densities," p. 81).

- D. New subdivisions throughout the west Florence and Burlington areas should provide interconnections between their developments and adjacent developments to

promote safe and easy transportation access ("Florence/Burlington area," p. 84).

The "Street Connections" section (p. 148) in the Transportation Element lists the following connections that are in the overall area.

- \* Pleasant Valley Road to Hopeful Church Road.
- \* Improvement of Rosetta Drive and connection to I-75 ramps at Mall Road or similar.
- \* Southbound entrance ramp from Mall Road to I-75 (this is also listed as a KYTC Six Year Plan project on page 146).

The 2010 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements.

- A. Proper planning is achieved through accepted land use management tools and coordination with public infrastructure ("Overall," Goal).
- B. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged within appropriately planned and designed neighborhood developments ("Overall," Objective 2).
- C. Proper design principles shall be applied in development ("Overall," Objective 3).
- D. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained, and improved as needed ("Overall," Objective 4).
- E. Boone County shall strive to achieve both a diversity and balance in land use. Land uses 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 6).
- F. The needs of Boone County's population are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- G. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. Development design should minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Objective 2).
- H. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Objective 9).

- I. A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ("Housing," Objective 1).
- J. Housing supply in Boone County shall be balanced against present and planned commercial, industrial, and education needs. Primary and Secondary education capacity shall be evaluated during housing development review ("Housing," Objective 4).
- K. In order to offer the citizens of Boone County maximum choice in living environment, residential developments shall be judged primarily on the impact on infrastructure, buffering, and development design with only secondary consideration given to the type of dwelling units ("Housing," Objective 5).
- L. The interior street system of new residential developments shall insure continuity with adjacent built or planned neighboring areas. Residential developments shall be encouraged to provide interconnections between sections of their developments and with adjacent developments to promote safe and easy transportation access and a sense of neighborhood interaction. Based on certified traffic analysis, collector and sub-collector streets shall be evaluated to determine design without individual lot or driveway access. Lot and home buyers shall have access to approved plans regarding future connections. The interior street system shall also coordinate with and continue the evolving multi-modal transportation system (pedestrian and bicycle facilities, mass transit stops) ("Housing," Objective 8).
- M. New or redeveloped residential areas shall be designed to establish clearly defined neighborhoods with a mix of retail, public, and recreational uses. Established neighborhoods shall be protected and enhanced, and deteriorated neighborhoods shall be regenerated ("Housing," Objective 9).
- N. 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," Objective 10).
- O. 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," Objective 12).

- P. Traditional and innovative design as well as mixed use options shall be encouraged throughout Boone County in order to accommodate market demands (“Housing,” Objective 14).
- Q. Safe, efficient and environmentally sound public services and facilities shall exist for all development (“Public Services and Facilities,” Goal).
- R. Mixed use, higher density neighborhoods shall be designed to accommodate safe pedestrian access to mass transit, major streets and highways, public facilities, and parks (“Transportation,” 1<sup>st</sup> Goal, Objective 9).
- S. 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,” 2<sup>nd</sup> Goal).
- T. New connector streets shall be developed where needed and feasible thus lessening the total dependence on arterial, collector, and local streets. Existing connector streets shall be improved where needed (“Transportation,” 2<sup>nd</sup> Goal, Objective 2).
- U. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops (“Transportation,” 2<sup>nd</sup> Goal, Objective 3).
- V. Redevelopable and infill sites shall be encouraged to develop as walkable, mixed-use districts (“Transportation,” 3<sup>rd</sup> Goal, Objective 3).

#### MALL ROAD DISTRICT STUDY

The subject site (both tracts) are within Area 7 in the Mall Road District Study, Plan Recommendations Report. As stated above, the Study was adopted by the City of Florence in 2012. The zoning for the 2.9 acre tract that fronts on Preakness Drive was changed from C-3 to C-3/PD/MR at that time. Regarding the 8.18 acre tract that is currently zoned C-2, the Study says “consideration can be given to adding the Mall Road (MR) Overlay District to this unincorporated area’s zoning if and when it is annexed into the City of Florence” (p. 1.1). Thus, the 8.18 acre tract is addressed in the Study from a planning perspective, but it is not subject to the MR overlay zoning requirements.

Chapter 2 “Recommended Development Concepts and Development Review Process” states the following regarding Area 7. The Area 6 text referenced in this section is attached.

The existing Paddock Club Apartment complex is anticipated to remain. The undeveloped section of the Area should be configured in a grid pattern which extends from Area 6 as discussed above. The eastern part of this undeveloped section is recommended to contain a transitional combination of multi-use or mixed-use buildings that house office, commercial, and potentially residential uses.

The western part of this undeveloped section is recommended for any type(s) of freestanding residential structures within a close knit traditional neighborhood setting, provided multi-story structures are provided. The physical layout of both sections should front buildings close to the internal streets/drives and include integral curb walks and street trees. Parking and vehicular areas should largely be placed to the side and rear of buildings.

A gated emergency access drive between this Area and Utterback Creek Road is recommended. A street connection for routine public use is not recommended at this point. A hard surfaced pedestrian connection with substantial lighting should be provided between this Area and the Yealey Elementary School campus to the west. At least one hard surfaced pedestrian connection with substantial lighting should be provided between this Area or Area 6 and Achates Avenue. Existing tree cover along the common boundaries between this Area and the adjoining properties outside of the overall Study Area should be maintained as part of the required buffering (p. 2.13).

Chapter 6 “Transportation and Connectivity Improvements” includes the following improvements that are in the immediate area (key map is attached).

Connector Drive (Map ID 2) is recommended to be better delineated and improved, and extended to Area 5 by Phantom Fireworks.

Steinberg Drive (Map ID 3) is recommended to be widened into a “two way, grand boulevard entrance” and be extended into a regular grid street network to the west.

Preakness Drive/Rosetta Drive Connection (Map ID 11) is recommended to provide a direct route between Hopeful Church Road and Connector Drive.

Area 6 or 7 Pedestrian Connection to Achates Avenue (Map ID P1) is recommended to provide a route between the subject site or Area 6 to the north and Achates Avenue to the west.

Area 7 Pedestrian Connection to the Yealey Elementary School Campus (Map ID P2) is recommended to provide a route between the subject site and the school campus.

The Study's objectives are outlined on pages 1.1 and 1.3.

### BOONE COUNTY TRANSPORTATION PLAN 2030

Exhibit 6-7 "Year 2030 Traffic Volumes and Levels of Service - Recommended Transportation Plan Network" (p. 6-10) identifies the projected level of service for Mall Road as "C". Exhibit 6-9 "Year 2030 Recommended Transportation Plan Levels of Service - Arterials" (p. 6-13) also recommends LOS C for Mall Road.

Exhibit 6-14 "Connector Streets and Roads" (pg. 6-22) illustrates a "controlled access connector" street or road between Pleasant Valley Road and Hopeful Church Road through the proximity of the recently approved Villages of Florence site. It also illustrates a "controlled access connector" street or road between Hopeful Church Road and the mid block I-71/75 ramps on Mall Road through the proximity of Rosetta Drive and Preakness Drive.

### STAFF COMMENTS

#### 1. COMPREHENSIVE PLAN AND MALL ROAD DISTRICT STUDY

The governing bodies need to determine whether the proposal is in agreement with the 2010 Boone County Comprehensive Plan and the Mall Road District Study, Plan Recommendations Report, which "is a land use and zoning study for the Mall Road district which has a 20 year plan horizon" (p. 1.1) and is referenced in the Comprehensive Plan.

The 2010 Boone County Comprehensive Plan's Future Land Use Map designates the east tract (2.9 acres) as "Urban Density Residential" (UD) and the west tract (8.18 acres) as "Rural Density Residential" (RD). The Urban Density Residential designation is described as "attached housing, generally condominiums or apartments, of over 8 dwelling units per acre." The Rural Density Residential designation is described as "low density residential uses of up to one dwelling unit per acre." The west tract that is designated as Rural Density Residential on the Future Land Use Map is currently in unincorporated Boone County and has a pending request for annexation into the City of Florence. The site can connect to the City's utilities if the annexation request is granted. This tract adjoins the City of Florence on four sides.

The Comprehensive Plan's Land Use Element largely references the Mall Road District Study when discussing this general area. Specifically, this Element states "the Mall Road area was recommended (through the 2002 Mall Road Corridor Study) to become a new urbanism corridor. The current planning effort for the area, the Mall Road District Study, calls for a dense, well designed, urban style of development that should occur over time. Residential development may be a part of this urban area, but should be located to minimize noise impacts from the interstate and airport. The entire area of Steinberg Drive, Rosetta Drive, Connector Drive, and the I-75 Mall Road ramps should be planned in detail to provide mixed use development that includes a good road connection and traffic circulation between the Pleasant Valley Road corridor and I-75" (2. "Houston-Donaldson/Mall Road," p. 167). This Element also states "the Mall Road District Study recommends a new direction for Mall Road that included the potential for more entertainment uses, high rise condominium, mixed use, and residential development. This is currently being implemented as part of the Mall Road District Study" (p. 167).

The Business Activity Element mentions the Mall Road District Study, but is less specific than the Land Use Element. This Element simply states "four studies, the Houston-Donaldson Study, the Central Florence Strategic Plan, the Main Street Study, and the Mall Road District Study, have defined the scale and type of commercial uses in the City of Florence and surrounding area" (p. 67) and "the Mall Road District is expected to be completed in 2011. It will include a series of recommendations involving land use, zoning, transportation, pedestrian access, parking, design review, signage, and business incentives" (p. 68).

As discussed above, the site is in Area 7 in the Mall Road District Study, Plan Recommendations Report. The 2.9 acre tract along Preakness Drive is within the MR overlay district. The western 8.18 acre tract is not within the MR overlay zone nor is it requested at this time. The Study acknowledged that the MR overlay district could be added to the 8.18 acre tract if/when it was annexed into the City. Regarding Area 7, Chapter 2 "Recommended Development Concepts and Development Review Process" states "the undeveloped section of the Area should be configured in a grid pattern which extends from Area 6 as discussed above (note - Area 6 is to the immediate north and east). The eastern part of this undeveloped section is recommended to contain a transitional combination of multi-use or mixed-use buildings that house office, commercial, and potentially residential uses" (p. 2.13). It also states "the western part of this undeveloped section is recommended for any type(s) of freestanding residential structures within a close knit traditional neighborhood setting, provided multi-story structures are provided. The physical layout of both sections should front buildings close to the internal streets/drives and include integral curb walks and street trees. Parking and vehicular areas should largely be placed to the side and rear of buildings" (p. 2.13). In short,

the Mall Road District Study envisions a mixed use, multi-building/multi-user development in a neighborhood setting, and which interconnects with the adjoining sites, versus a standalone, single-building/single-user project.

The Population Element forecasts an increase in population for the OKI transportation analysis zone region in question. This forecast is for the region at large and should not, in and of itself, be construed to endorse a particular land use or intensity on a specific parcel.

The Housing Element makes the following statements that apply to multi-family residential and higher density developments, and access management.

- A. "Throughout Boone County, high density developments should be close to thoroughfares to achieve a gradation of building site dimensions and land uses outlined in the Future Land Use Plan" ("Housing Types," p. 79).
- B. "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," p. 79 and 80).
- C. "Elderly select these units for reasons usually related to economics and the need for a secure environment near their daily needs. The variety of multi-family housing includes nursing homes, retirement housing, apartments, townhouses, and condominiums all ranging greatly in price per unit. These types of units are increasing in demand outside of the established urban areas. As the county's population ages and land values rise, the need for higher density residential and planned unit developments will likely increase" ("Housing Types," p. 80).
- D. "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" ("Housing Densities," pg. 81). This is reinforced by the Goals and Objectives which state "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," Objective 10).

- E. "New subdivisions throughout the west Florence and Burlington areas should provide interconnections between their developments and adjacent developments to promote safe and easy transportation access" ("Florence/Burlington area," pg. 84). This is reinforced by the Goals and Objectives which state "proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops" ("Transportation," 2<sup>nd</sup> Goal, Objective 3).

The Comprehensive Plan, Boone County Transportation Plan 2030, and the Mall Road District Study, Plan Recommendations Report recommend several transportation improvements in the immediate area. The Comprehensive Plan's Transportation Element lists a street connection described as "improvement of Rosetta Drive and connection to I-75 ramps at Mall Road or similar" (p. 148). Exhibit 6-14 "Connector Streets and Roads" (pg. 6-22) in the Boone County Transportation Plan 2030 illustrates a "controlled access connector" street or road between Hopeful Church Road and the mid block I-71/75 ramps on Mall Road through the proximity of Rosetta Drive and Preakness Drive. Chapter 6 "Transportation and Connectivity Improvements" in the Mall Road District Study, Plan Recommendations Report includes a street connection described as "Preakness Drive/Rosetta Drive Connection" (Map ID 11; key map is attached). These recommendations could potentially be implemented with a single alignment/project

The Mall Road District Study, Plan Recommendations Report recommends a gated emergency access drive between the subject site and Utterback Creek Road/Rosetta Drive. It also recommends a pedestrian connection between Area 7 (subject area), or Area 6 to the north, and Achates Avenue, and a pedestrian connection between the subject site and the Yealey Elementary School campus (p. 2.13).

The governing bodies will also need to consider the alternate statutory findings for the requested zone change of whether the current zoning is inappropriate and the proposed zoning is appropriate, and whether there have been changes of an economic, physical, or social nature not anticipated in the comprehensive plan that substantially alter the area's character.

## 2. PD OVERLAY ZONE STANDARDS

Staff offers the following comments regarding the standards set forth in Section 1514 "Planned Development Criteria" of the Boone County Zoning Regulations. Concept Development Plan proposals in Planned Developments are to be primarily evaluated against these criteria. Pertinent standards and recommendations from the Mall Road District Study, Plan Recommendations Report are also discussed.

1. Mixed Use Development and Pedestrian Orientation: This criterion states "planned developments shall generally have a mixed use orientation (combination of differing types of residential, commercial, public or civic, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites." The proposal is for a single multi-family residential building (a standalone project) and is not a mixed use development.

While there is not a mixed use orientation on this specific site, the multi-family residential use would help diversify uses in the immediate area and would act as an intermediary or transitional use between the commercial buildings to the north and east and the detached single family residences along Achates Avenue to the west (the Mall Road District Study anticipates substantial redevelopment on some of the adjoining sites). As discussed above, the Mall Road District Study envisions a combination of multi-use or mixed-use buildings configured in a grid pattern which extends from Area 6 to the north and east which transition to multi-story residential buildings in "a close knit traditional neighborhood setting" (i.e., multiple buildings which dovetail with the adjoining sites versus one self contained development, or "integrated" versus "detached"). Thus, this criterion and the Mall Road District Study recommendations pertain to both the overall development concept as well as specific types of improvements. The Concept Development Plan shows a large front yard area along Preakness Drive which conceivably could be developed at some point in the future. Additional development in this area and immediately along Preakness Drive would help create the "close knit" character sought by Mall Road District Study. The applicant should explain whether or not any future development is intended for the east part of the site.

This criterion also states "in general, planned developments shall have a pedestrian orientation, where it is possible to live, work, shop, and play in the same immediate vicinity without a required dependance on the automobile." A handicap accessible sidewalk link between the building, parking, and Preakness Drive is required by Section 3327 of the zoning regulations and these walks are typically placed along the driveway (the required walk is not shown on the Concept Development Plan).

The Area 7 text in the Mall Road District Study recommends integral curb walks along internal streets/drives.

As discussed above, the Mall Road District Study recommendations emphasize connectivity with the adjoining areas through a grid pattern and through pedestrian connections to the Achates Avenue area and the Yealey Elementary School campus. A driveway connection(s) can be considered to the site to the north which could initially function as an emergency access until that site redevelops. Regarding the recommended pedestrian connections, the lot between the southwest corner of the site and Achates Avenue is owned by the City, and could be evaluated as a sidewalk route. The presumption behind the pedestrian connection recommendations is that the subject site would be designed as a multi-use/mixed use neighborhood with multiple buildings, which is more conducive to outside pedestrian traffic moving through the project than a single building residential development. The connection to the Yealey campus assumes that there would be school age children living on this site. The connections and alternate transportation modes (i.e., walkability) are particularly important in light of the substantial reduction in parking that was requested with this application.

This criterion also discusses the creation of a pedestrian environment through the overall design of the project through reduced setbacks along the street frontages, providing storefront windows, and the like. Because the buildings are substantially setback from Preakness Drive (closest building is setback approximately 355') and the overall project is not designed as a "neighborhood," this portion of the criterion does not substantially correlate to the proposal as it is currently designed, but would relate to any future building(s) that could be proposed in the east part of the site in the future.

2. Compatibility of Uses: This criterion states that "measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites." Staff has identified the following issues related to this criterion.

A. Height, Size, and Bulk: Based on the combination of the height, size, and bulk of the building, the proposed facility is substantially larger than the existing single family residences to the west along Achates Avenue and the multi-family residential buildings in the Paddock Club development to the south. The issue of how the proposal relates to the adjoining properties to the south and west pertains more to "packaging" than to density or intensity - multiple, smaller buildings with a comparable number of units and floor area would better assimilate with the adjoining residential properties and potentially lessen the level of disturbance on the site.

- B. Landscaping/Buffering: The landscape plan shows that existing tree cover is proposed to be retained in the east part of the site near the Preakness Drive frontage, along the north side of the entry drive, in the northwest corner of the site, and in the southern part of the site including along the adjoining east and west site boundaries. New buffer yard plantings are shown along the site's perimeter where existing vegetation is not retained.

The submitted landscape plan meets the requirements of Article 36 of the zoning regulations at the concept level with two exceptions. The first exception is that no landscaping is shown along the north property line near Preakness Drive for a span of approximately 70 feet. The proposed yard area between the driveway and the north property line is approximately 3 feet wide (10' wide Buffer Yard A per Section 3645 is required). This is based on the location of an existing driveway apron that was constructed with the street itself in the 1990s, but the location of the apron and driveway can be adjusted so that the landscaping requirements are met along the north property line.

The second exception is a reduction in the size of plantings in the overhead power easement. As explained above, smaller ornamental plantings in lieu of the normally required large deciduous, medium deciduous, and evergreen trees are proposed where the overhead power easement crosses the site. This affects the parking lot landscaping in the north part of the site and a portion of the required Buffer Yard D along the west property line (Sections 3625 "Interior Landscaping for Vehicular Use Areas [VUAs]" and 3645 "Buffer Yards"). The submitted landscape plan notes "proposed plant material in utility easement cannot exceed 16' at maturity, per utility provider." Such restrictions are common for overhead utility easements. The governing bodies will need to consider the project in context of the inherent landscape/buffer limitation in the power easement. This issue is discussed further in the "Requested Exceptions" section below.

- C. Lighting: A photometric plan was included with the application and the project narrative states that lighting on the site shall use "residential coach style fixtures mounted at 15 feet." The footcandle measurements on the photometric plan appear unrealistically low, so the applicant should check the model and report the findings at the Zone Change Committee meeting.
- D. Multi-Family Residential Use: "Multi-family and/or attached dwelling units" are listed as a Conditional Use in the underlying C-2 and C-3 zones. The multi-family residential use can be considered and potentially approved through the Concept Development Plan process pursuant to Section 1511 "Permitted

Uses" (PD overlay zone). From the standpoint of use or function, multi-family residential structures are endorsed by the Mall Road District Study provided the overall land use recommendations and development standards are followed.

3. Open Space: This criterion states "useable open space(s), in an amount over and above setback and buffer yard areas and open areas required by the underlying zone, shall be provided. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc." As stated above, a garage structure near the west property line is proposed to encroach 8.5 feet into the 50 foot setback required by Table 31.1 (41.5' setback is proposed), and the main driveway encroaches into the required Buffer Yard A along the north property line near Preakness Drive. Otherwise, the proposal exceeds the minimum setback and buffer yard width requirements. The underlying C-2 and C-3 zones, and the MR overlay zone, do not have minimum open space requirements aside from the setback and buffer yard standards. The applicant has reported that approximately 70 percent of the site is proposed for landscape/open space.

Although a substantial amount of open space is proposed, it is not clear whether any of it is intended to be useable. Conceivably, passive facilities such as a walking path could be provided on the site at large and more active amenities could be provided in the courtyard area along the west side of the building.

4. Multi-Modal Transportation System: Sidewalks and pedestrian connections are discussed under #1 above. A bike rack is required under Section 3327 of the zoning regulations. There is an existing multi-use path on the opposite side of Preakness Drive and the site is within walking distance of the TANK park and ride facility on Heights Boulevard.

5. Preservation of Existing Site Features: Substantial disturbance is proposed, which is at least partly due to the fact that a single building with a consistent ground floor elevation is indicated on the plan. The creek which exists along the south property line is to remain undisturbed. Existing tree cover is proposed to be retained in the east part of the site near the Preakness Drive frontage, along the north side of the entry drive, in the northwest corner of the site, and in the southern part of the site including along the adjoining east and west site boundaries. An important issue to consider relative to this criterion is the fact that substantial disturbance (grading and removal of existing vegetation) is proposed along the west property line between the proposed buildings and vehicular areas on the subject site and the single family residential properties along Achates Avenue to the west. The recommendations for Area 7 in the Mall Road District Study state "existing tree cover along the common boundaries between this Area and the adjoining properties

outside of the overall Study Area should be maintained as part of the required buffering” (p. 2.13).

6. Landscaping: Landscaping is discussed under #2 above.

7. Architecture: This criterion states “sites which are subject to architectural requirements through adopted overlay districts or land use studies shall follow said requirements. For all other sites, a consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it.” The criterion also discusses representative styles which could be used to fulfill this section. As stated above, the 2.9 acre tract along Preakness Drive is within the MR overlay district and the entire site is within the Mall Road District Study area. Sites within the MR overlay district are subject to the Architectural Design requirements in Chapter 4 of the Study.

This criterion also states “for attached or multi-family residential developments and commercial or office developments, the predominant building materials shall have a solid appearance, such as could be achieved with brick, stone, and architectural grade cast concrete products designed to replicate natural materials. Roof designs shall have a finished appearance through the use of three dimensional pitched roof forms with architectural grade roofing and/or the use of defined parapets with cornice lines. Long building facades and roof planes shall be interrupted through the use of three dimensional jogs in the building footprint and secondary roof forms such as hips, dormers, and gables. Such buildings shall include architectural detailing for cosmetic enhancement, largely use natural colors, and use a consistent design treatment on all facades.” These statements correlate to the Architectural Design requirements in Chapter 4 of the Mall Road District Study. For comparative purposes, the “Building Materials” section of the Study states “the primary exterior wall materials shall include brick, architectural grade CMU, stone, tile, or concrete which is formed to have a unit masonry appearance. These materials shall have an integral color. Other materials such as EIFS/stucco, architectural grade metals, wood or cement board siding, glass block, and precast concrete may be used for trim, detailing, and incidental or secondary wall areas.”

The multi-family structure as currently proposed has long, continuous ridge lines, a repetitive facade composition, and uses hardiplank siding for the vast majority of the building. An incidental amount of stone veneer is shown. The shortest building wing is approximately 165 feet long and the longest wing is approximately 405 feet long. The garage structures use the same basic motif as the apartment building.

Based on the this criterion, Staff recommends that the building design be further developed. The main issue is to replace the large amounts of hardiplank siding with materials that have a "solid appearance, such as could be achieved with brick, stone, and architectural grade cast concrete products designed to replicate natural materials" and to provide detailing which would refine the overall design and reduce the mechanical repetition currently illustrated. More pronounced changes in the three dimensional envelope (jogs in the footprint, more substantial variations in the roof lines and secondary massings, etc.) and greater emphasis on the building entries should also be evaluated. The provision of multiple apartment buildings would also help in this regard as well as more closely follow the land use recommendations of the Mall Road District Study. The importance of the building design is emphasized by the fact that not all of the normally required large plantings can be provided in the west buffer yard due to the overhead power easement, and the fact that substantial redevelopment, which is intended to meet the Mall Road District Study requirements, is planned for the area (these issues also relate to #2 "Compatibility of Uses" discussed above).

8. Historic and Prehistoric Features: Staff is not aware of any historic or prehistoric features on the site.

9. Signage: This criterion states "a consistent signage theme shall be provided within a planned development. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height. Signage shall visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors. The use of signage design guidelines is required for multi-phased projects."

The project narrative proposes a ground mounted sign that would have a maximum area of 170 square feet in area, have a maximum height of 20 feet, and would meet the design requirements of the Mall Road District Study. A specific design was not included with the application materials. When considering that the proposal is for a residential project on a local street with a speed limit of 20 mph, the requested size and height is excessive and is more customary for a shopping center that is located on a larger-scale, higher volume road.

The Mall Road District Study's standards for outlot monument signs are fitting to the setting and scale of Preakness Drive. The core requirements are a maximum height of 8 feet, a maximum area of 60 square feet, the base and sides must use materials and design details that match the building, and the top of the sign must have an architectural feature or finish, such as a gable, arch, or pediment. For comparison purposes, the adjoining Paddock Club multi-family residential development has two matching entry monuments (one on each side of main

driveway), each of which consists of a 12 square foot routed placard on a stone wall.

10. Transportation Connections and Entry Points: This criterion states “the provision of transportation connections (street connections, pedestrian paths, multi-purpose trails, sidewalks, and bicycle facilities) shall be provided in all planned development unless physically unfeasible or unsafe. This shall include connections to adjoining properties and developments, and inter-connectivity within the development itself, and contain minimal use of cul-de-sacs or other dead-end types of streets only when necessary.”

A sidewalk connection to Preakness Drive per Section 3327 of the zoning regulations, sidewalk connections to Achatas Avenue (from this site or Area 6 to the north) and the Yealey Elementary School campus, and a driveway connection(s) to the site to the north are discussed under #1 “Mixed Use Development and Pedestrian Orientation” above. The Area 7 text in Chapter 2 of the Mall Road District Study recommends a gated emergency access for this site from Utterback Creek Road/Rosetta Drive. Based on the plan presented, Staff recommends that a connection(s) to the site to the north be pursued instead of the Utterback Creek Road/Rosetta Drive emergency access so that potentially disruptive grading and tree removal is avoided. This connection(s) could also be integrated into a future redevelopment of the adjoining site. Regarding demarcation of the entry point, signage comments are outlined above.

11. Conformance with Comprehensive Plan: The Comprehensive Plan is discussed above.

### 3. REQUESTED EXCEPTIONS

As outlined in the “Proposal” section, several exceptions to the normal development standards have been requested with this application pursuant to Section 1500. Such exceptions can be evaluated and potentially approved in the PD overlay zone through the Concept Development Plan process. These include:

- A. Section 3325 “Parking Space Requirements” requires a total of 236 parking spaces on the site. A total of 140 parking spaces are proposed to serve 119 units (40 garage spaces and 100 surface spaces). This is a ratio of 1.18 parking spaces per unit. An explanation for this reduction is outlined in the project narrative. Additionally, the applicant provided a table of parking information for comparable projects (market rate for seniors) that are managed by the same developer. This table indicates that the proposed ratio of 1.18 parking spaces per unit is sufficient for the intended occupants.

Staff's concern regarding the reduction is not whether it will effectively serve the intended senior market, but that it would not provide sufficient parking if this developer or a different owner wanted to rent to non-senior households in the future.

- B. A garage structure near the west property line is proposed to encroach 8.5 feet into the 50 foot setback required by Table 31.1 (41.5' setback is proposed). Based on the grade difference from the adjoining single family residential lots along Achates Avenue, the one story height of the garage structure, and the fact that the Buffer Yard D requirements would still be met in the affected area, Staff has no comment on this reduction.
- C. Smaller ornamental plantings in lieu of the normally required large deciduous, medium deciduous, and evergreen trees are proposed where the overhead power easement crosses the site. This affects the parking lot landscaping in the north part of the site and a portion of the required Buffer Yard D along the west property line (Sections 3625 "Interior Landscaping for Vehicular Use Areas [VUAs]" and 3645 "Buffer Yards"). The submitted landscape plan notes "proposed plant material in utility easement cannot exceed 16' at maturity, per utility provider." The larger issue with this exception is the provision of effective buffering for the single family residences along Achates Avenue to the west, and it is an issue that would apply to the underlying C-2 zone for this tract regardless of the specific proposal. In addition to the proposed landscaping and grading, Staff recommends that the governing bodies evaluate the overall design of the project (arrangement, building design, size/scale, etc.) as it relates to visibility from the residential properties to the west.
- D. Though not specifically requested, the Concept Development Plan illustrates a garage structure encroaching approximately 73 feet into the front yard area. The front yard dimension noted on the site plan for the main building is 427.7 feet and the garage is setback approximately 355 feet from the front property line. Section 3153 "Location of Accessory Structures or Use" permits accessory structures such as detached garages in side and rear yards only. Based on the substantial setback from Preakness Drive proposed, this issue is not significant to Staff provided the larger design issues outlined above are addressed.

#### 4. FLORENCE FIRE/EMS COMMENTS

Comments from Kevin Vogelpohl, Fire Marshall with the Florence Fire/EMS Department, are outlined in the attached 11/8/16 memorandum.

5. OTHER OUTSIDE AGENCY COMMENTS

Staff has requested comments on the proposal from Boone County Schools and the Florence City Administration. Such comments have not been received as of this writing. Any written comments received from these agencies will be forwarded to the Zone Change Committee for review.

6. OTHER ISSUES

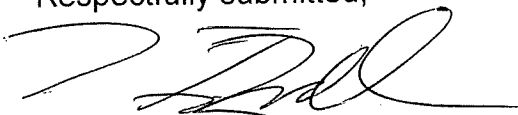
Staff has identified the following issues relative to the detailed requirements of the Boone County Zoning Regulations and the Mall Road District Study.

- A. The curb walks along the building frontages scale to 5 feet in width. The required width is either 6 feet or 4 feet if wheel blocks are provided.
- B. The Mall Road District Study outlines standards for site furniture and screening of mechanical equipment, dumpsters, and loading areas.
- C. The Mall Road District Study requires all new utilities to be placed underground.
- D. For the applicant's information, an exhaustive site plan type review was not conducted at this point. The project will need to meet all applicable development standards at the site plan stage.

CONCLUSION

The Boone County Planning Commission and the City of Florence need to evaluate the requests in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3 "Amendment" of the Boone County Zoning Regulations, the Planned Development requirements stated in Article 15 of the zoning regulations, the 2010 Boone County Comprehensive Plan, the Mall Road District Study, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will need to be amended to reflect Urban Density Residential uses for the western (8.18 acre) tract if these requests are approved.

Respectfully submitted,



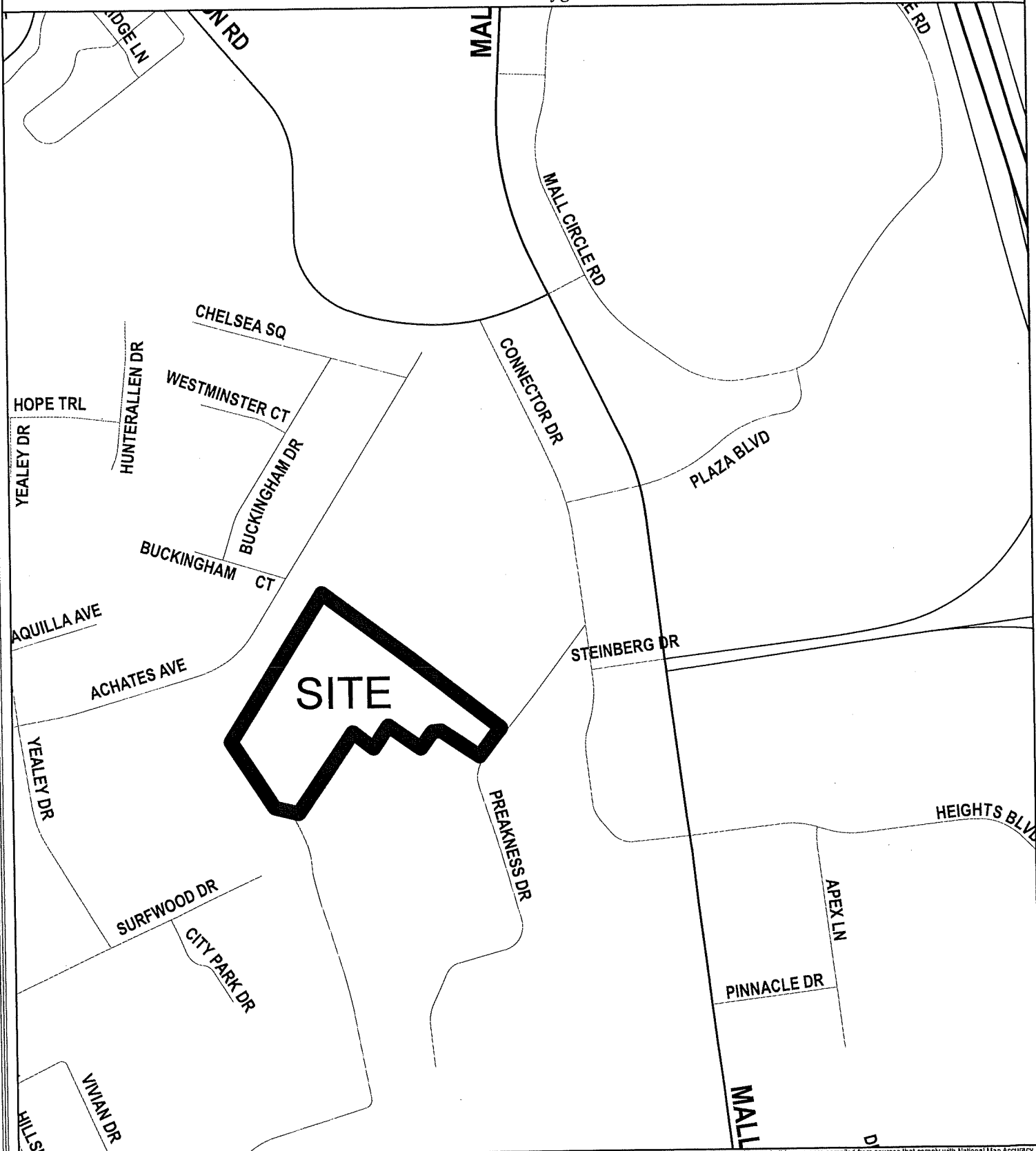
Kevin T. Wall, AICP  
Director, Zoning Services

Attachments:

- Location Map
- Aerial Photograph with Zoning
- 2035 Future Land Use Map Excerpt
- Topographic Map
- 1992 Concept Development Plan, 4/15/92 Committee Report, Resolution R-92-009-A, City of Florence Ordinance No. 0-21-92, 7/7/92 Fiscal Court Minutes
- Mall Road District Study Sub-District Areas Map, Area 6 and Area 7 Text, Mall Road District Study Transportation Improvements Map
- 11/8/16 Memo from Kevin Vogelpohl, Fire Marshall, Florence Fire/EMS Department
- Application Materials including Concept Development Plan, Project Narrative, and Plan Sheets

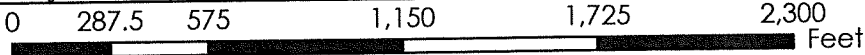
# Location

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1 inch = 566 feet



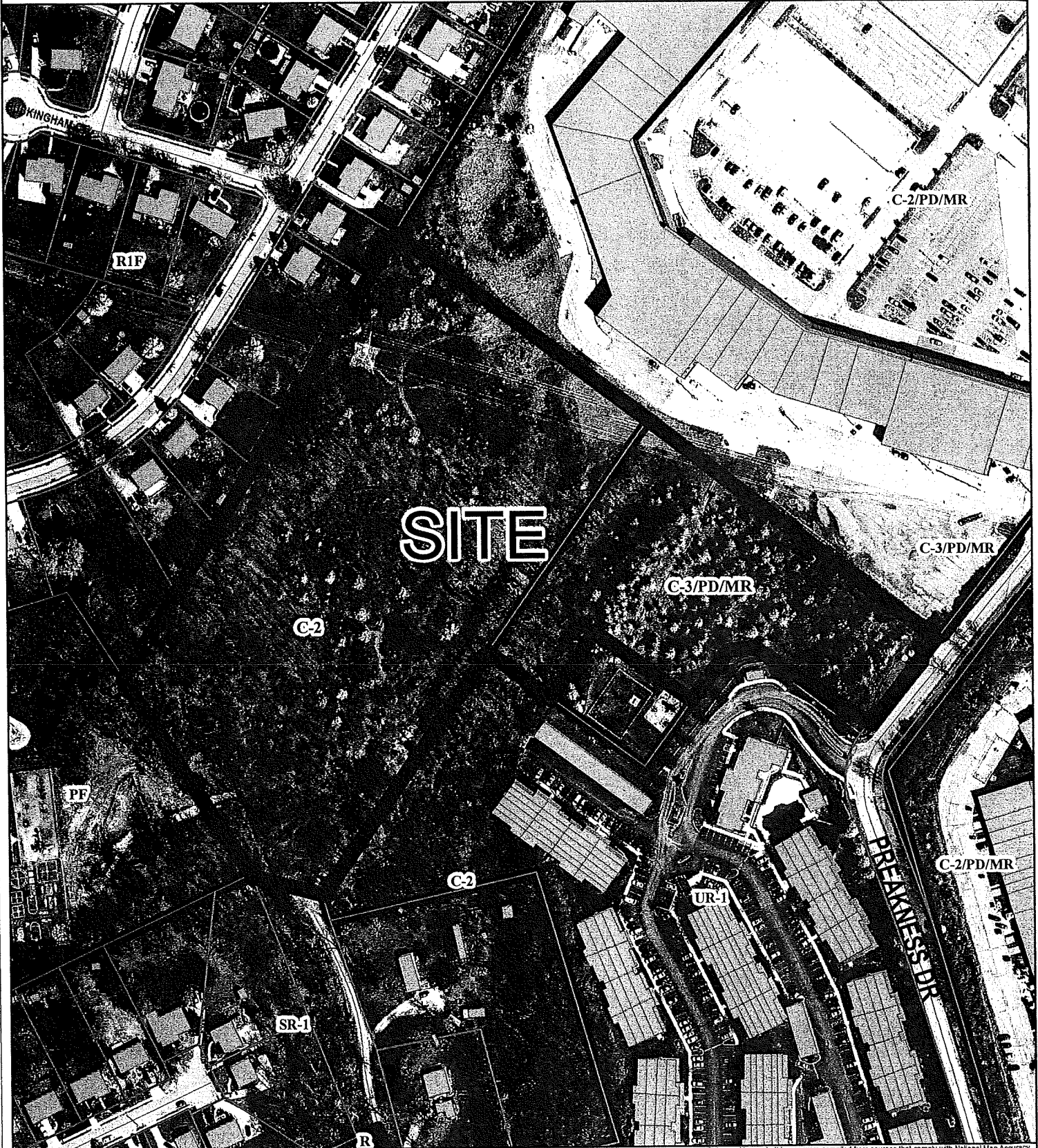
**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2015

ArcMap Document: BooneMap (file).mxd

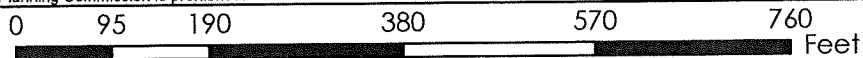
# Zoning

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1 inch = 189 feet

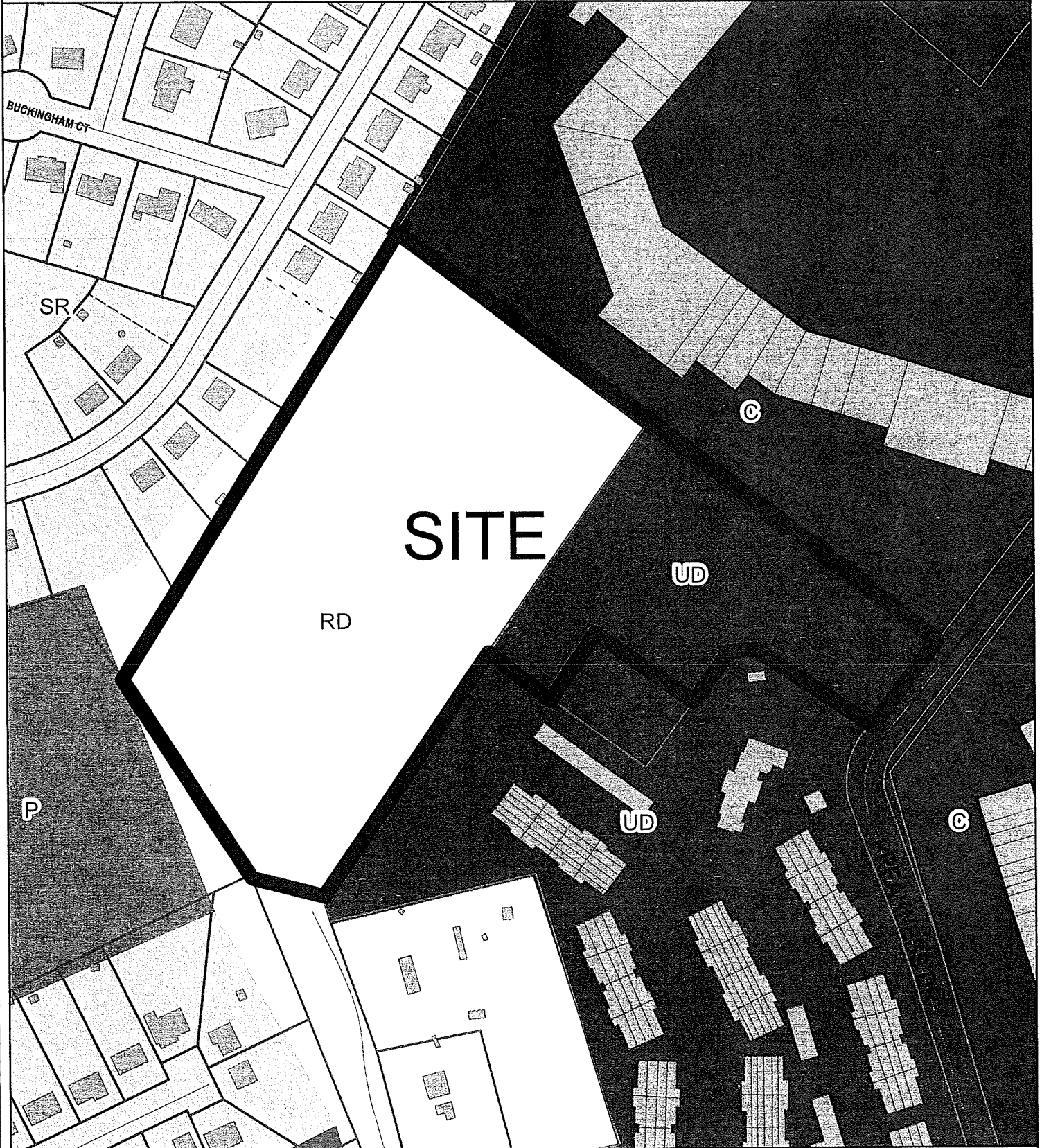


**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2015  
ArcMap Document: BooneMap (ite).mxd

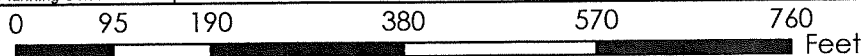
# Future Land Use

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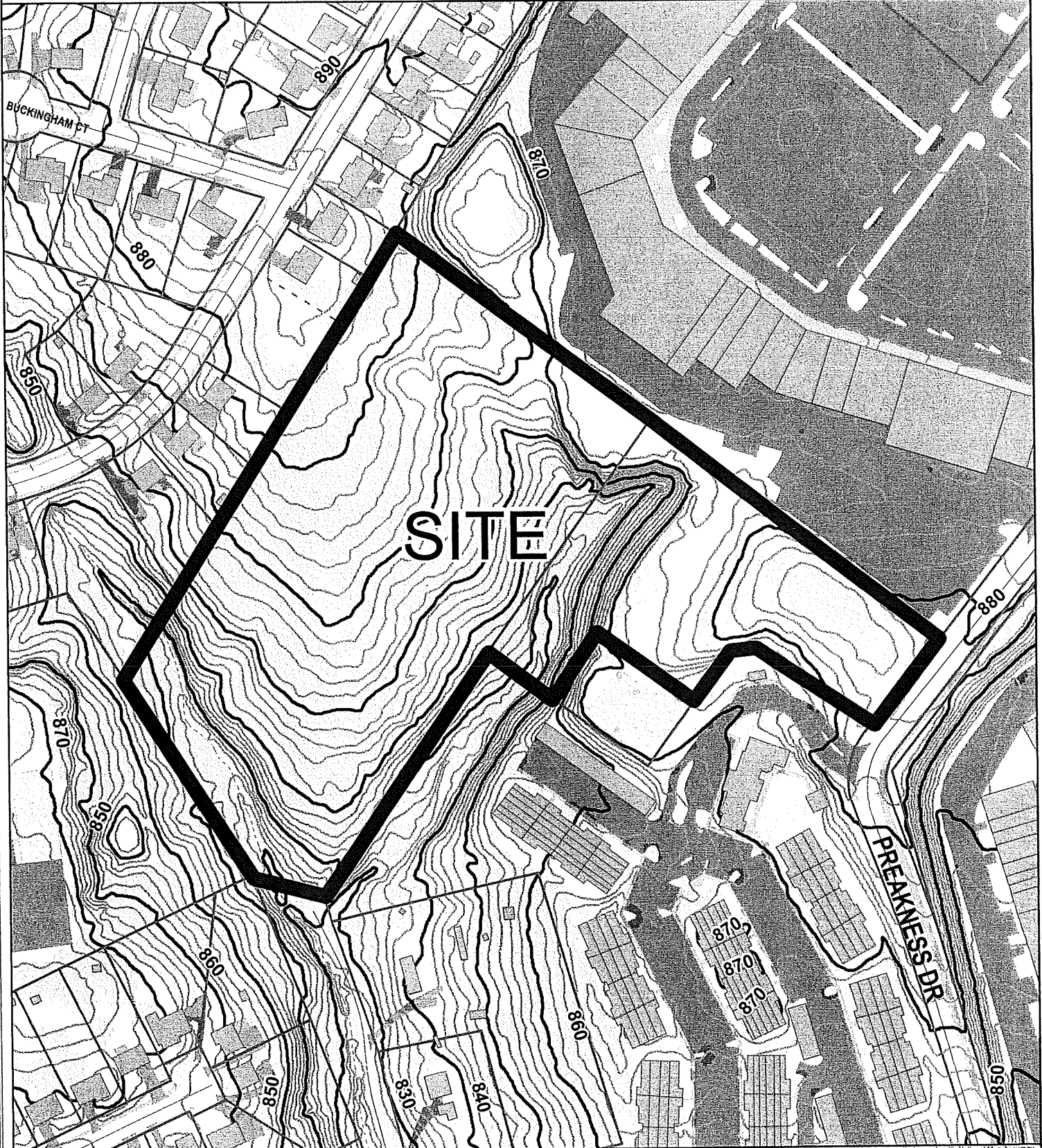
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**Boone County GIS - Putting Northern Kentucky on the Map**



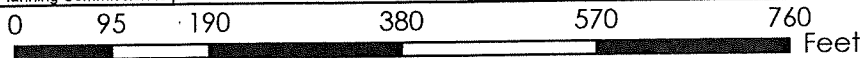
# Topography

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**Boone County GIS - Putting Northern Kentucky on the Map**

Map Created: 01/01/2015  
ArchMap Document: BooneMap (ite) mxd



## COMMITTEE REPORT

#2

TO: Boone County Planning Commission

FROM: Barry Neltner, Chairman

DATE: April 15, 1992

RE: Request of R.J. Schlosser, Esq. (applicant) for Chelsea Moore Company (owner) for a Zoning Map Amendment on a 17.7 acre site located off Connector Drive, Florence and in unincorporated Boone County. The request is to rezone the site from Commercial Two (C-2) to Commercial Services (C-3) and Urban Residential One (UR-1) in order to allow mini-warehouses and apartments.

### REMARKS:

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

#### Findings of Fact

1. This request is in conformance with the Comprehensive Plan, which recommends Urban Density residential for the site. In addition, the proposed development includes the Mall Road to Hopeful Road connection that is recommended by the Comprehensive Plan and special studies.
2. The existing zoning of Commercial Two is inappropriate, because of the lack of visibility of the site, and the potential traffic impacts of commercial uses on the site entrances.

#### 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 March 25, 1992 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.


1. Any proposed uses, other than the mini-warehouses, on the C-3 portion of the site shall require evaluation through the Approval of a Concept Development Plan process.
2. The portions of the proposed mini-warehouses facing the public street and facing the Florence Medical Arts access easement shall be of brick construction to be consistent with the proposed apartment architecture. In addition, any chainlink fencing around the mini-warehouse site shall contain dark vinyl coating to minimize the visual impact.
3. Buffering shall include a minimum of 30 feet wide on the eastern edge of the site. This buffer area shall contain existing vegetation. If the developer must remove any existing trees within the interior 10 feet of the buffer, they shall be replaced. The disturbed limits shown on the submitted Concept Development Plan shall constitute the minimum adjacent to the Rosetta Lane area. The final buffer in this area will be a minimum of 30 feet, and include replacement vegetation if existing vegetation must be disturbed. Some additional vegetation may required along the backs of the proposed apartment buildings in Phase I and Phase III if needed to help soften the visual impact of three level buildings on this area. The


proposed graded area between the mini-warehouses and the Florence Medical Arts Property shall be replanted with approximately 15 trees of the minimum size specified in the proposed 1992 Boone County Zoning Regulations. The Committee encourages the developer to attempt to retain some of the existing large trees in this particular area.

4. The development will provide for a public road connection from Connector Drive to Rosetta Drive. At a minimum, the developer shall reserve the necessary right-of-way for future construction of the road to Rosetta Drive. Should the City of Florence and Planning Commission determine through the zoning map amendment process that the road connection is feasible and should be made, the developer will construct that portion of the road on the site during Phase III, as long as public improvements are made simultaneously to Rosetta Drive in an appropriate time frame.
5. The design of the proposed public road should be such that high speeds are discouraged, and pedestrian safety is maximized. This should include full stop-sign controls on one or more of the interior intersections. All driveways shall be coordinated, and one driveway will be eliminated from each the volleyball area and the clubhouse area on the submitted Concept Development Plan.
6. The developer agrees to work with the City of Florence if intersection improvements are needed at Connector Drive.
7. Site lighting will be the minimum necessary for security purposes.
8. All grading limits will be clearly marked by snow fence or similar, and inspected by Planning Commission staff prior to site work.
9. The proposed mini-warehouses will include a landscape buffer along the public road, and perimeter landscaping consistent with the proposed 1992 Boone County Zoning Regulations between the proposed buildings and the access easement to the Florence Medical Arts property.
10. The proposed entrance to the mini-warehouse section shall be designed to also provide for the entrance to the Florence Medical Arts property access easement, in order to minimize driveway cuts on the public road.
11. Storm water detention shall be provided for in the first phase of construction. The developer agrees to utilize alternate stormwater calculation formulas in place of the Rational Method, and potentially detain more water than required to avoid aggravating existing problems downstream.
12. All utility lines will be underground.

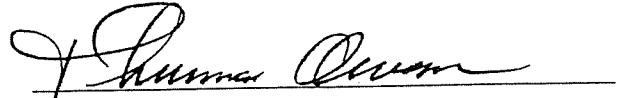
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

  
\_\_\_\_\_  
Barry Nettner, Chairman

  
\_\_\_\_\_  
Phil Damstrom

  
\_\_\_\_\_  
Floyd Sharp

\_\_\_\_\_  
Fred Burch

  
\_\_\_\_\_  
Thurman Owens

\_\_\_\_\_  
Carol Smith

BN:kat

**RESOLUTION R-92-009-A**

**A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL FOR A ZONING MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY ZONING MAP, SUCH MAP AMENDMENT BEING REQUESTED BY R.J. SCHLOSSER, ESO. (APPLICANT) FOR CHELSEA MOORE COMPANY (OWNER) AND SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM COMMERCIAL TWO (C-2) TO COMMERCIAL SERVICES (C-3) AND URBAN RESIDENTIAL ONE (UR-1) ON A 17.7 ACRE SITE GENERALLY LOCATED OFF CONNECTOR DRIVE FLORENCE AND IN UNINCORPORATED BOONE COUNTY, KENTUCKY, AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE BOONE COUNTY FISCAL COURT, BURLINGTON, KENTUCKY AND THE CITY OF FLORENCE, FLORENCE, KENTUCKY.**

**WHEREAS,** the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Commercial Two (C-2) to Commercial Services (C-3) and Urban Residential One (UR-1) for a 17.7 acre site generally located off Connector Drive, Florence and in unincorporated Boone County, Kentucky, which is more particularly described below; and,

**WHEREAS,** the Boone County Planning Commission as the planning unit for the unincorporated area of Boone County and the City of Florence, Kentucky was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made a finding recommending approval for the Zoning Map Amendment.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOONE COUNTY PLANNING COMMISSION AS FOLLOWS:**

**SECTION I**

That the Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby recommended for approval, this Zoning Map Amendment being a zone change from Commercial Two (C-2) to Commercial Services (C-3) and Urban Residential One (UR-1) for a 17.7 acre site generally located off Connector Drive, Florence and in unincorporated Boone County, Kentucky. The real estate which is the subject of this Zoning Map Amendment recommendation for approval is more particularly described in DEED BOOK 290, PAGE 189, GROUP NO. 2040A (as supplied by the applicant) in the Boone County Clerk's office.

**SECTION II**

That as a basis for the recommendation of approval for the Zoning Map Amendment request are the findings of fact and conditions of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Resolution and marked as "Exhibit A."

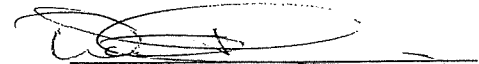
The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and marked as "Exhibit B."

**SECTION III**

That a copy of this Resolution recommending approval of a Zoning Map Amendment for a zone change from Commercial Two (C-2) to Commercial Services (C-3) and Urban Residential One (UR-1) for a 17.7 acre site generally located off Connector Drive, Florence and unincorporated Boone County, Kentucky, shall be forwarded to the Boone County Fiscal Court, Burlington, Kentucky and the City of Florence, Florence, Kentucky having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.


**PASSED AND APPROVED ON THIS 6TH DAY OF MAY, 1992.**

**APPROVED:**



**WILLIAM R. VIOX  
CHAIRMAN**

**ATTEST:**



**PATRICIA A. RUSS  
SECRETARY**

WRV:par

ORDINANCE NO. O-21-92

AN ORDINANCE ADOPTING AND APPROVING A REZONING OF CERTAIN REAL ESTATE LOCATED IN THE CITY OF FLORENCE, KENTUCKY, FOR AN APPROXIMATE 20.2 ACRE SITE FROM ITS PRESENT ZONE OF COMMERCIAL TWO (C-2) TO URBAN RESIDENTIAL ONE (UR-1) AND COMMERCIAL THREE (C-3), SUBJECT TO A CONCEPT DEVELOPMENT PLAN, THIS PROPERTY BEING LOCATED NEAR THE CONNECTOR DRIVE/ROSETTA DRIVE/UTTERBACK ROAD AREA IN THE CITY OF FLORENCE, KENTUCKY. (CHELSEA MOORE COMPANY)

WHEREAS, the City of Florence, Kentucky, is a member of a county-wide planning unit, known as the Boone County Planning Commission, and

WHEREAS, the Boone County Planning Commission has recommended that a requested zone change for an approximate 20.2 acre parcel located near the Connector Drive/Rosetta Drive/Utterback Road area in the City of Florence, Kentucky, be granted, subject to an agreed concept development plan, this zone change being from the current zoning of Commercial Two (C-2) to Urban Residential One (UR-1) and Commercial Three (C-3) zones, and

WHEREAS, the recommendation from the Boone County Planning Commission is based upon certain findings which have been reviewed by the City Council of Florence, Kentucky.

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

SECTION I

That the requested zone change for the real estate which is more particularly described below shall be and is hereby approved to rezone an approximate 20.2 acre parcel to Urban Residential One (UR-1) and Commercial Three (C-3) zoning classifications, subject to an agreed concept development plan. The subject real estate is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference as if fully set out.

SECTION II

That the zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be amended or changed to reflect the rezoning of the subject property.

SECTION III

That the recommendation of the Boone County Planning Commission regarding this zone change and its concept development

plan shall be and is hereby adopted and approved by the City Council of Florence, Kentucky, which accepts the findings of the Boone County Planning Commission.

SECTION IV

That this rezoning is subject to the conditions and provisions of the zone change request, including the development plan as presented before the Boone County Planning Commission and agreed to by the applicant/property owner. This zone change is conditioned upon the foregoing as provisions agreed to as part of the development plan.

SECTION V

In the event that this rezoning of this property should be held invalid by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map and comprehensive plan provisions as they are severable from this rezoning on this particular piece of property, and are intended to continue to have effect regardless of any invalidity relating to this particular rezoning.

SECTION VI

Publication of this Ordinance is hereby authorized to be by summary publication, in accordance with Kentucky law.

PASSED AND APPROVED ON FIRST READING THIS 13<sup>rd</sup> DAY OF June, 1992.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 14<sup>th</sup> DAY OF July, 1992.

APPROVED:

*Erlynn Kalk*  
MAYOR

ATTEST:

*Patricia L. Conner*  
CITY CLERK

MINUTES  
BOONE COUNTY FISCAL COURT  
JULY 7, 1992  
10:00 A.M.

ORDINANCE NO. 520.1A - SPEED LIMITS

Commissioner Davis moved, seconded by Commissioner Meihaus, to approve on second reading, Ordinance No. 520.1A, an ordinance of the Boone County Fiscal Court to establish speed limits upon county roads within Boone County, Kentucky. Attorney Crigler advised this ordinance should be reviewed every six months. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "B "

ORDINANCE NO. 920.236 - SCHLOSSER/CHELSEA MOORE

Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve on second reading Ordinance No. 920.236, an ordinance of the Boone County Fiscal Court recommending approval for a zoning map amendment to the Boone County, Kentucky Zoning Map, such map amendment being requested by R. J. Schlosser, Esq. (Applicant) for Chelsea Moore Company (Owner) and such map amendment being a zone change from Commercial Two (C-2) to Commercial Services (C-3) and Urban Residential One (UR-1) on a 17.7 acre site generally located off Connector Drive, Florence and in unincorporated Boone County, Kentucky as recommended unanimously by the Boone County Planning Commission via Resolution No. R-92-009-A. Judge Lucas called for a vote on the motion, ALL PRESENT VOTING AYE. Exhibit "C"

ITEM V.

PERSONNEL MATTERS

Ms. Marilyn Kruempelman, Personnel Director, presented several recommendations to the Fiscal Court.

Commissioner Patrick moved, seconded by Commissioner Davis, to approve the recommendation effective July 1, 1992, that promotional pay increases, in effect for the Police Department, will be rescinded from previous court action, in that each promotion will be considered on a case by case basis. Persons who take a new position with the County in all departments will be placed in a Grade/Step that is according to experience and years of service. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Meihaus moved, seconded by Commissioner Davis, to approve the recommendation of the Police Merit Board that Police Officer Michael Jarman and Police Officer Michael Hall be promoted to the position of Sergeant effective July 1, 1992. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Davis requested the Department Head reappointments be deferred as he would like an Executive Session to discuss the newly created positions.

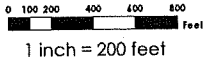
Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve the appointment of Jeri Wege to the position of Secretary I, at the Grade/Step of 4A, \$6.75 per hour. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Patrick moved, seconded by Commissioner Davis, to approve the appointment of Kathleen Brunot to the position of Summer Program Leader at the Grade/Step of S/A, \$4.83 per hour. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Davis moved, seconded by Commissioner Meihaus, to approve the Job Description of Assistant Building Inspector. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

It was the consensus of the court to defer the Job Descriptions of Director of Public Services and Field Superintendent till after Executive Session.

Commissioner Patrick moved, seconded by Commissioner Davis, to approve the appointment of Ernie Biddle to the position of Temporary Mechanic II at the Grade/Step of 7/C, \$9.46 per hour. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

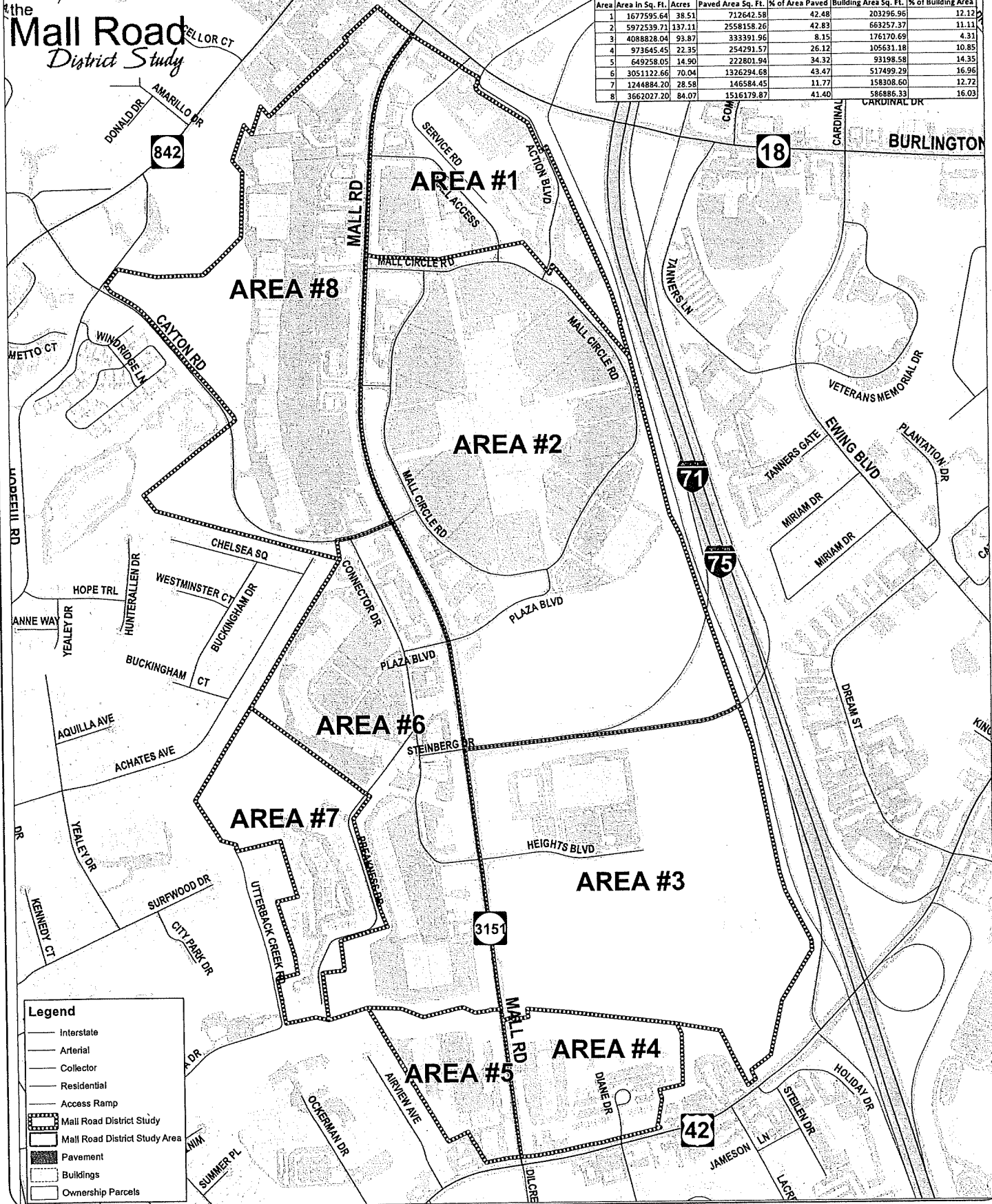


# Mall Road District Study Sub-District Areas



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Area	Area In Sq. Ft.	Acres	Paved Area Sq. Ft.	% of Area Paved	Building Area Sq. Ft.	% of Building Area
1	1677595.64	38.51	712642.58	42.48	203296.96	12.12
2	5972539.71	137.11	2558158.26	42.83	663257.37	11.11
3	4088828.04	93.87	333391.96	8.15	176170.69	4.31
4	973645.45	22.35	254291.57	26.12	105631.18	10.85
5	649258.05	14.90	222801.94	34.32	93198.58	14.35
6	3051122.66	70.04	1326294.68	43.47	517499.29	16.96
7	1244884.20	28.58	146584.45	11.77	158308.60	12.72
8	3662027.20	84.07	1516179.87	41.40	586886.33	16.03



**Legend**

- Interstate
- Arterial
- Collector
- Residential
- Access Ramp
- ▭ Mall Road District Study
- ▭ Mall Road District Study Area
- ▭ Pavement
- ▭ Buildings
- ▭ Ownership Parcels

residential project should have attached and/or multi-family units.

- The site could be redeveloped for commercial and office uses that are Principally Permitted in the C-2 zone provided they do not include outside storage or display and all business functions occur indoors. Under this option, residential uses are appropriate except for on the ground floors of buildings that immediately front Mall Road. Additionally, buildings will need to be arranged so that a direct viewshed from Mall Road is provided for commercial building frontages that are not located immediately along the road.

The physical layout of either option should front buildings close to Mall Road and the internal streets/drives, include integral curb walks, and street trees. Parking and vehicular areas should largely be placed to the rear of buildings and away from Mall Road. Existing tree cover along the north boundary, west boundary, and at the southwest corner of this Area, should be maintained as part of the required buffering.

A connection between this Area and the sites at/near the northeast corner of the US 42/Airview Drive should be evaluated as part of any redevelopment. A combination vehicular and pedestrian connection should be made between this Area and Area 6 to the north as an extension of the Connector Drive alignment, provided it is feasible due to the creek crossing, and grade and alignment issues. These connections are also mentioned in Chapter 6.

### **Area 6**

Substantial redevelopment is recommended to occur in this Area, especially to the north of the Florence Center property. This will involve widening Steinberg Drive into a two way, grand boulevard entrance, reconfiguring the streets and properties around the Armed Forces Recruiting Building into a regular grid, and providing a viewshed to the west from Mall Road and the I-71/75 off ramp. Steinberg Drive is initially envisioned to contain four lanes, at least for the section between Mall Road and Connector Drive, with sidewalks that are at least 8 feet wide on both sides of the street, regularly spaced decorative street lamps, and matched street trees. The area north of Steinberg Drive is recommended to be redeveloped or further developed with a combination of office and commercial uses that are Principally Permitted in the underlying C-2 zone along Mall Road and Connector Drive, provided they do not include outside storage or display and all business functions occur indoors. Residential uses are also appropriate in these office/commercial buildings, except for on ground floors. These office and commercial uses should transition westward through a tier of multi-use or mixed-use buildings and to attached and/or multi-family residential structures in the west part of this Area. This section should include at least one formal public gathering space which can be used for outdoor events and which can provide a viewshed into the site from Mall Road (a "civic space plaza" per Chapter 4).

This portion of Area 6 should be arranged in a grid or grid-like configuration which extends into the undeveloped portions of Area 7. If public streets are not used, shared private development streets/driveways should be provided for the main internal access corridors. Existing tree cover along the west boundary of this Area should be maintained as part of the required buffering. At least one hard surfaced pedestrian connection with substantial lighting should be provided between this Area or Area 7 and Achatas Avenue. A common architectural theme for either the overall Area or recognizable phases within it should be provided.

The physical layout of the area north of Steinberg Drive should front buildings close to internal streets, include integral curb walks, street trees, and separate parking lanes along the streets. Parking and vehicular areas should largely be placed to the rear of buildings along alleys or driveways which serve a comparable function. Buildings will need to be arranged so that direct viewsheds from Mall Road are provided for commercial building frontages that are not located immediately along the road.

The existing Florence Center development is anticipated to remain. If redevelopment does occur on this site, it should follow the basic use and layout scheme recommended above for the area north of Steinberg Drive, and include multiple connections with Preakness Drive. Additional development and redevelopment of outlots along Mall Road is recommended, with storefronts and pedestrian entrances facing the street(s). Outlot buildings should be placed in close proximity to Mall Road with parking placed substantially to the side and rear of the lots. Pedestrian improvements such as gathering spaces, seating, low-scaled lighting, and street trees are recommended along public sidewalks. No direct lot access should occur on Mall Road. Shared access points should be provided, as well as vehicular and separate, defined pedestrian connections between adjoining lots and buildings.

The lots on both the northwest and southwest corners of the Steinberg Drive/Mall Road intersection are "Impact Sites" per the Impact Site Map on page 2.16, contingent upon the widening of Steinberg Drive as discussed above. Any redevelopment of either site should: place the building immediately at the road intersection without any intervening vehicular areas; include a multiple story building (or high parapet or other means to provide additional height to a single level building) to create a larger scale and to anchor the building to the intersection; include broad storefronts or other form of substantial fenestration on both street frontages; and include unique, high quality signature architectural design which uses visually substantive building materials.

The entire alignment of Connector Drive through this Area should be improved as a single identifiable alignment with one standard street section design, sidewalks on both sides of the street, and the elimination or drastic reduction in the amount of minor parking lot driveways that intersect with it. This standard alignment should span between Cayton Road at the north to the south boundary of this Area, and should be included within the

recommended vehicular and pedestrian connection to Area 5, provided it is feasible as discussed in the Area 5 text. This scope of work may also include reconfiguring the current southern-most alignment of Connector Drive between Florence Center and the Mall Road/Heights Boulevard intersection from a radial curve to a T intersection.

### **Area 7**

The existing Paddock Club Apartment complex is anticipated to remain. The undeveloped section of the Area should be configured in a grid pattern which extends from Area 6 as discussed above. The eastern part of this undeveloped section is recommended to contain a transitional combination of multi-use or mixed-use buildings that house office, commercial, and potentially residential uses.

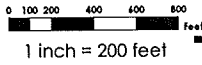
The western part of this undeveloped section is recommended for any type(s) of freestanding residential structures within a close knit traditional neighborhood setting, provided multi-story structures are provided. The physical layout of both sections should front buildings close to the internal streets/drives and include integral curb walks and street trees. Parking and vehicular areas should largely be placed to the side and rear of buildings.

A gated emergency access drive between this Area and Utterback Creek Road is recommended. A street connection for routine public use is not recommended at this point. A hard surfaced pedestrian connection with substantial lighting should be provided between this Area and the Yealey Elementary School campus to the west. At least one hard surfaced pedestrian connection with substantial lighting should be provided between this Area or Area 6 and Achates Avenue. Existing tree cover along the common boundaries between this Area and the adjoining properties outside of the overall Study Area should be maintained as part of the required buffering.

### **Area 8**

Substantial new development and/or redevelopment is recommended to occur in the Area, particularly from north to south between the Mall Access road at the north end of Florence Marketplace in Area 1 and Cayton Road. The Florence Square portion of this Area, combined with Area 2 across Mall Road, should be reinforced as the main activity center in the overall Study Area.

A combination of office and commercial uses that are Principally Permitted in the underlying C-2 zone are recommended, provided they do not include outside storage or display and all business functions occur indoors. Residential uses are also appropriate in these office/commercial buildings, except for on ground floors. These office and commercial uses should transition westward through a tier of multi-use or mixed-use buildings and to attached and/or multi-family residential structures in the west part of this

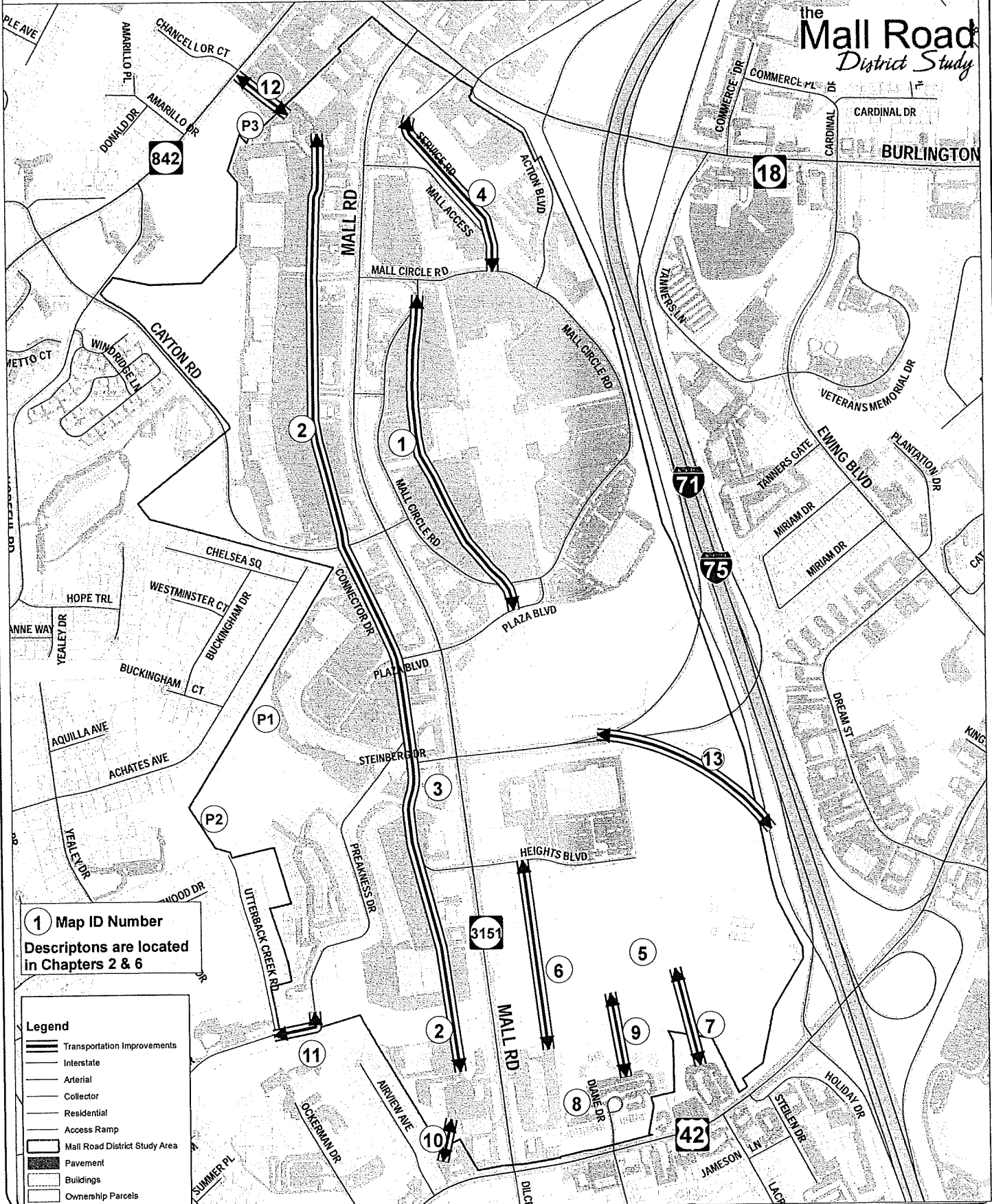


# Mall Road District Study Transportation Improvements



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the  
Mall Road  
District Study



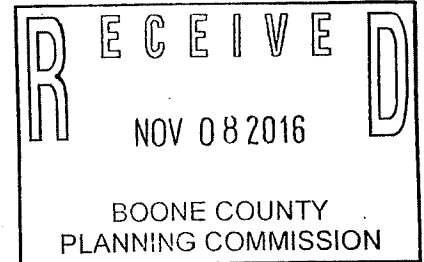
1 Map ID Number  
Descriptions are located  
in Chapters 2 & 6

- Legend**
- Transportation Improvements
  - Interstate
  - Arterial
  - Collector
  - Residential
  - Access Ramp
  - Mall Road District Study Area
  - Pavement
  - Buildings
  - Ownership Parcels

---

**To:** Kevin Wall, Boone County Planning Commission  
**From:** Kevin Vogelwohl, Fire Marshal  
**Date:** 11/8/16  
**Re:** Florence Village Senior Apartments on Preakness Drive

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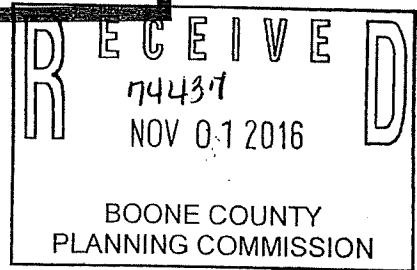
Upon reviewing the documentation and plans for the above mentioned Concept Development Plan for the 119-Unit Senior Living complex, the Florence Fire/EMS Department has the following requests and concerns:

1. The listed size of the fire protection line is 6" in diameter. With overall size of the building and due to the fact that it will be constructed entirely in the wood frame construction typing, we request that the fire line be upgraded to 8" in diameter. Also, the fire line currently on the plans provided stops on the west side of the building mid-way as well as on the south side of the building. We would require that the fire line be looped entirely around the building so as to provide a consistent pressure and source with no dead-ends.
2. There are only 3 fire hydrants listed on the currently provided plans. We would require a fire hydrant on the east side of the building, where the main entrance turns to the right to circumnavigate the building, one on the north side where currently indicated on the plans, one on the west side where currently indicated, and two on the south side; one where currently indicated and one at the dead end of the parking lot on the south side.
3. There are no public hydrant locations noted on the public water main (12" main indicated on the plans). We need the location noted as we may require an additional hydrant added to ensure that the fire department connection that will be located at the meter pit will have adequate water supply from the public main within 50' as is our requirement. Also, the location of that hydrant should be so that once connected to it and the fire department connection, the hoses will not block the entrance to the property, as there is only one way in/out.
4. The FDC (Fire Department Connection) should be noted as being located at the meter pit located at the entrance at Preakness Drive. It should be a 5" Storz FDC.

5. The pavement type and specifications should be developed in order to ensure the capability to withstand the weight of the current fleet of fire apparatus utilized by the Florence Fire/EMS Department. The current standard of 4" of asphalt pavement does not allow for a consistently stable surface to operate heavy apparatus on in the event of an emergency. Apparatus "sinking" into the pavement has happened in the past. We would request the addition of at least 1" of pavement or more to ensure a stronger surface.

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 Florence Village Senior Apartments
2. Location of Project 8200 Preakness Drive
3. Total Acreage of Site 7.85 +/-
4. Current Zoning of Site "C-2" Commercial Two
5. Proposed Zoning (Classification being requested) "C-2" / "PD"
6. Proposed Uses (please specify each use) 117 Unit Multi-Family Senior Housing Development
7. Names of Applicant(s) Clover Communities Florence, LLC, an entity to be formed
8. Address of Applicant(s) 348 Harris Hill Road
9. Name of Property Owner(s) Flomed LLC
10. Address of Property Owner(s) 7370 Turfway Road, Suite 100
11. Proposed Building Intensities (please specify) 117 units on 7.85 acres
12. Are there any existing buildings on the site? No
13. Deed Book 660 Page No. 102-107 Group No. 2040 B
14. Are you also applying for:
15. Have you submitted a Concept Development Plan? Yes
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

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

**ZONING MAP AMENDMENT  
APPLICATION  
PAGE 2**

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

18. Project Jurisdiction/Location  
 Unincorporated Boone County  
 \_\_\_\_\_ Florence Being Annexed

- \_\_\_\_\_ Walton  
 \_\_\_\_\_ Union

19. ORIGINAL Property Owner's Signature

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

*James J. Generali*  
 FLOMED, LLC  
 CLONED COMMUNITIES FLORENCE, LLC AUTHORIZED MEMBER

- ORIGINAL Applicant's Signature

(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

*[Signature]*  
 MANAGER

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

1. Date Received 11/1/16
2. Review Fee \$ 2,439.00 (R# 1443)
3. Check what has been submitted:
  - Application
  - Fee
  - Legal Description
  - Concept Development Plan
  - Address of Adjoining Property Owners
  - Number of Copies of Plan Received\*\*
4. Date Application is **Administratively Complete** as Defined in KRS 100.211
5. Staff Reviewer KEVIN WALL
6. Committee Chairman 12/7/16
7. Scheduled Public Hearing Date 12/7/16
8. Boone County Planning Commission Action:
  - \_\_\_\_\_ Approval
  - \_\_\_\_\_ Approval with Conditions
  - \_\_\_\_\_ Denial
9. Other: \_\_\_\_\_ Resolution # \_\_\_\_\_

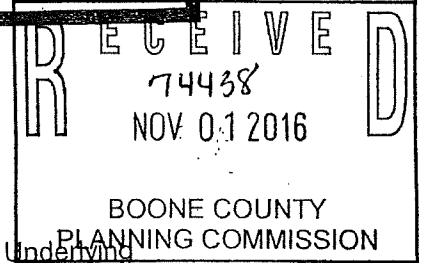
Boone County Planning Commission  
 Boone County Administration Building  
 2950 Washington Street, Room 317  
 P.O. Box 958  
 Burlington, Kentucky 41005  
 (859) 334-2196 - Phone  
 (859) 334-2264 - Fax  
 plancom@boonecountyky.org - E-mail  
 www.boonecountyky.org - Web Page

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

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN  
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. Check One:
  - Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
  - Change in an Approved Concept Development Plan
  - Long Range Planning **Committee Review** (As stated in the Houston-Donaldson Study)
  - Long Range Planning **Committee Review** (As stated in the Union Town Plan)
  - Zone Change \_\_\_ Technical Design \_\_\_ **Committee Review** of previously approved Concept Development Plan Conditions or Zoning Map Amendment Conditions
  - Zoning Administrator Review** (As stated in the Central Florence Strategic Plan, An Update of the Parkway Corridor Study)
  - Zoning Administrator Review** (As stated in the Mall Road District Study)
2. Name of Project Clover Residential Community
3. Location of Project Preakness Drive (Parcel ID 062.00-09-008.00)
4. Total Acreage of Site 2.899+/- Acres
5. Current Zoning "C-3/PD/MR"
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) \_\_\_\_\_
7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) Mall Road Study
8. Proposed Uses (please specify each use) Portion of multi family building, parking, access drive and ground mounted sign.
9. Proposed Building Intensities (please specify) N/A
10. Have you submitted a Concept Development Plan? Yes
11. Are you also applying for:
  - N/A Conditional Use Permit
  - N/A Dimensional Variance
12. Name of Applicant(s) Anne F. McBride, FAICP  
Phone Number 513-561-6232 Fax No. 513-561-1615 E-Mail amcbride@mcbridedale.com
13. Address of Applicant(s) 5721 Dragon Way, Suite 300  
Cincinnati Ohio 45227  
City State Zip
14. Name of Property Owner(s) Paddock Club 2 LLC  
Phone Number 201-264-8094 Fax No. \_\_\_\_\_ E-Mail adam@spiegelsec.com
15. Address of Property Owner(s) 48 Everett Drive  
De Marest New Jersey 07627-1225  
City State Zip
16. Are there any existing buildings on the site? Yes  
How many? One
17. Deed Book 1008 Page No. 661 Group No. \_\_\_\_\_

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

19. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- Boone County Water District
- Florence Public Services Dept.
- Duke Energy
- Sanitation District #1
- Cincinnati Bell
- Owen Electric Cooperative, Inc.
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- Boone County Building Department
- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other: \_\_\_\_\_

20. Concept Development Plan Jurisdiction/Location  
 Unincorporated Boone County       Walton  
 Florence       Union

21. ORIGINAL Property Owner's Signature [Signature]  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

22. ORIGINAL Applicant's Signature [Signature]  
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

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

1. Date Received 11/1/16 Fee Received \$2,340.00 PH 74438
2. Check what has been submitted:  
 Application       Fee       Legal Description  
 Concept Development Plan       Addresses of Adjoining Property Owners  
 No. of copies of plan received \*\*
3.  Date Application is Administratively Complete as Defined in KRS 100.211
4. Staff Reviewer Karin White
5. Committee Chairperson \_\_\_\_\_
6. Scheduled Public Hearing Date 12/7/16
7. Boone County Planning Commission Action:  
 Approved       Approved With Conditions  
 Denied       Resolution #
8. Other: \_\_\_\_\_

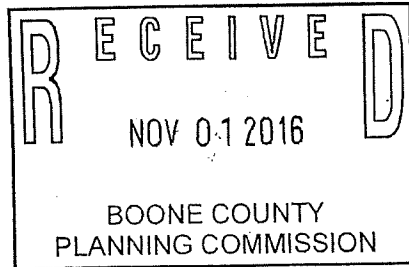
Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, Kentucky 41005  
Phone (859) 334-2196 - Fax (859) 334-2264  
plancom@boonecountyky.org - E-Mail  
www.boonecountyky.org - Web Page

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



November 1, 2016

Mr. Kevin T. Wall, AICP  
Zoning Administrator  
Boone County Planning Commission  
Boone County Administration Building  
2950 Washington Street, Room 317  
Burlington, KY 41005



Via Hand Delivered

RE: Clover Residential Development  
Preakness Drive

Dear Kevin:

As we have discussed, Clover Construction Management has obtained options from two property owners to buy 11.08+/- acres of property on Preakness Road in the City of Florence, and in Unincorporated Boone County. Clover is proposing to develop the site as a 119 unit senior residential community. The development would consist of 8.18+/- acres of property (PID# 062.00-00-030.00) owned by Flomed, LLC and located within Unincorporated Boone County. A zone map amendment is being requested to amend the zoning from "C-2" to "C-2"/"PD" for the property. A petition to annex the 8.18+/- acres into the City of Florence has been filed. The development would also include 2.9+/- acres of PID# 062.00-00-09.008.00 (contains a total of 3.343+/- acres) which is owned by Paddock Club, LLC. A Concept Plan review and approval is being requested for the 2.9+/- acres, which are zoned "C-3"/"PD"/"MR", and is located in the City of Florence. Should the requests be approved and the development move forward, the parcels would be consolidated.

Enclosed is the following information for your use and review:

- 1) Zone Map Amendment Application for the 8.18+/- acres executed by Flomed, LLC;
- 2) Concept Plan Application for the 2.9+/- acres executed by Paddock Club, LLC;
- 3) List of adjacent property owners to the 8.18+/- acre parcel;
- 4) List of adjacent property owners to the 2.9+/- acre parcel;
- 5) Twelve copies of the following:
  - a) Existing Conditions Survey;
  - b) Concept Development Plan;
  - c) Concept Grading Plan;

*Planning • Zoning • Development Services*

- d) Concept Utility Plan;
  - e) Landscape Plans;
  - f) Photometric Lighting Plan; and
  - g) Building Elevations
- 6) Metes and Bounds for the 2.9+/- acres;
  - 7) Metes and Bounds for the 8.18+/- acres;
  - 8) Application fee of \$2,340.00 for the Concept Plan Review; and
  - 9) Application fee of \$2,445.60 for the Zone Map Amendment.

Additionally I am enclosing a CD with all of the plan information. Also enclosed is a copy of the Annexation request to the City of Florence.

It is my understanding that this matter will be considered by the Boone County Planning Commission at a Public Hearing on December 7, 2016. Should you have any questions or need additional information, please do not hesitate to call me.

Sincerely,



Anne F. McBride, FAICP

AFM/ss

Enc

cc: Clover Construction

MDC #3699

Clover Senior Residential Development  
Preakness Drive

Clover has obtained options from Paddock Club, LLC and Flomed, LLC to purchase 11.08+/- acres of property with frontage on Preakness Drive (PID# 062.00-00-030.00 and a portion of 062.00-09-0080.00). The western 8.18+/- acres of the development is zoned "C-2" and is located in Unincorporated Boone County. A zone map amendment to "PD" is being requested for the 8.18+/- acres and annexation to the City of Florence, for the parcel has been initiated. The 8.18 acres would contain the majority of the proposed 119 unit senior residential development. The proposed three story building would contain a total of 141,171.9 square feet. A total of 140 parking spaces are proposed, with 40 of these spaces being located in garages. The eastern 2.9+/- acres is zoned "C-3"/"PD"/"MR" and is located in the City of Florence. Concept Development Plan approval is requested to allow access to the residential development, signage on Preakness Drive and for the construction of a portion of the residential building, parking area and garages along with landscaping.

Clover Construction Management, which is based in Williamsville, New York, is a company that specializes in developing housing opportunities for the senior population and has existing projects or developments under construction in a variety of states including New York, Connecticut, Pennsylvania, and Ohio. With sites currently underway in Cincinnati, Hamilton, and Fairfield, Clover has identified a need for market rate senior housing in Florence. The typical Clover resident comes from a five mile radius of the development. They are seniors who want to remain in their community close to family, friends, religious places of worship, and medical providers, but who no longer want the responsibility of living in their own home or condominium.

The 11.08+/- acre site is proposed to be developed with 119 age restricted residences which would include 114 two-bedroom units and 5 one-bedroom units. Each unit in the 3-story building will feature a full kitchen complete with all stainless steel appliances and a breakfast bar. Access to a private patio or balcony is available to every residence. The sprinklered units, which will only be available to those 55 years of age and older, will also feature safety pull cords in bathrooms and bedrooms, and can be converted to be handicapped accessible. To assure residents' security, the front desk will be staffed from 9:00 AM to 5:00 PM, Monday through Friday. After that time a pass key will be required to enter the building which will also have a TV-monitored entry system. In addition, Maintenance Staff is on call 24 hours a day, seven days a week.

The development will have a community room on the first floor that will feature a kitchen, library, and sitting area with a common patio area adjacent. The second level will have a community family room and the beauty salon while the third floor is the location of the game room. In addition to each unit having laundry facilities, a central laundry facility is also available along with trash collection. Planned activities for Clover residents will include trips and outings, parties, movie nights, and other social activities. Water, heat, and cable are included in the monthly rent which is anticipated to range from \$995.00 to \$1,150.00 per month, depending on the unit selected.

The building will be a 3-story wood framed structure. The facades are designed to provide aesthetically pleasant residential proportions rather than an institutional feel. They boast a combination of hardiplank siding and cultured stone on visible elevations done in complementary color schemes. With a hip roof system and contrasting, multi-sized gables interplaying with the apartment patios, a pleasant texture to the facades avoids the flat institution feel of some developments. Along with warm hardiplank multi-colored siding, the facades are complemented with double-hung windows, many of which are accented with decorative shutters done in a contrasting color. The gables are highlighted with an accent colored board and batten siding to add to the texture of the building. Half-round windows and decorative railings highlight the main entrance for ease of access and the building is topped off with a 5:12 pitched roof covered in architectural asphalt shingles. The building is designed to stress energy efficiency and create pleasant aesthetics for residents.

The development will have one point of access from Preakness Drive. A total of 100 surface parking spaces and an additional 40 garage spaces will serve the development, for a total of 140 parking spaces. Clover's experience in senior housing has taught them that the typical Clover resident has one vehicle with a few couples still having two cars. Parking has been placed around the building to make it convenient to the residents. Senior housing developments, as confirmed in the ITE Trip Generation Manual, are low volume traffic generators. Lighting for the development is designed to create a secure environment using residential coach style fixtures mounted at 15 feet. Light trespass from the site will not be an issue as indicated on the attached photometric plan, which meets the requirements of the Zoning Resolution.

To allow for the residential development to proceed in the "C-2" and "C-3" Districts, a Conditional Use is being requested pursuant to Sections 1023(8) and 1033(6). Per the General Standards applicable to all Conditional Uses (Section 262), we believe the following to be consistent with the proposed Clover development:

- 1) The proposed senior housing development is consistent with the general standards and objectives of the Comprehensive Plan. The eastern portion of the site is consistent with the Comprehensive Plan "Urban Density Residential" land use designation. The western portion of the site is designated "Rural Density Residential" in the Comprehensive Plan, which is not reflective of the zoning of the site ("C-2") or the surrounding zoning and land uses to the site nor does it reflect the site's land locked status. We believe the intent of the Comprehensive Plan was to provide a transitional land use from the more intense commercial uses to the east of the site for compatibility with the residential land uses to the west of the property.
- 2) The senior housing development has been designed on the site to be harmonious with adjacent uses. The residential building is located a minimum of 106 feet from the west property line adjacent to residential uses and 95 feet from commercial uses to the north. The building is a minimum of 103' from adjacent multi-family uses to the south. The building is designed using hardiplank siding, stone accents and a shingled pitch roof, and contains architectural details that reflect the area. The proposed development is more appropriate for the area than most of uses permitted as of right under the existing "C-2" and "C-3" zoning.

- 3) The proposed senior development will not be hazardous to any existing or future neighboring uses. The Clover development is age restricted assuring that it will be a quiet residential use with low traffic volumes. The proposed use will be much less “hazardous” to adjacent residential uses than the commercial development permitted under the existing zoning.
- 4) The development site is adequately serviced by water, sanitary sewer, storm water management, fire and police protection, refuse disposal and access. There will be no school age children within the development.
- 5) The proposed Clover development will not create excessive additional requirements at public costs for services that would be detrimental to the welfare of the community.
- 6) The residential community will not produce noise, smoke, dust, fumes, odors or excessive traffic that would be problematic for the area.
- 7) The access to the development from Preakness Drive will be designed so as to not interfere with traffic or surrounding roadways.

Development Review Request:

Intensity: The C-2 District allows 12,000-15,000 square feet per acre. The “PD” District (Section 1512) provides for a 50% increase in intensity increasing the intensity permitted to 18,000 to 22,500 square feet per acre. The proposed development contains 141,171.9 square feet, a portion of which is in the “C-3” District. Based on the 8.18 acres zoned “C-2, the development would be allowed 184,050 square feet of development area, without including the “C-3” property.

Building Height: The “C-2” and “C-3” District allows for a maximum building height of 50’. The proposed building has a maximum height of 40 feet.

Yard Setbacks:

Front Yard: The “C-2” District has a 30’ front yard setback, while the “C-3” District has a 50’ front yard setback. The proposed building is set back over 427 feet from Preakness Drive.

Side Yard: The “C-2” and “C-3” Districts require a 10’ side yard unless adjacent to specific districts which do not apply to the site. The minimum side yard provided is 95 feet.

Rear Yard: A 20 foot rear yard is required in the “C-2” and “C-3” Districts unless adjacent to specific districts. The property to the west which abuts the rear yard is zoned “R-1F” which requires a 50 foot setback. A minimum rear yard of 41.5’ is being requested at the corner of one garage building. The residential building is set back a minimum of 106.2 feet and the vast majority of the garage building in

question exceeds the required 50 foot setback. The area of the reduced setback will be heavily landscaped and includes a six foot tall fence.

Landscape Requirements:

There are a number of areas where consideration is being requested to allow existing mature vegetation to remain and substituted for required new plant material. The established plant material is at least the depth, if not greater, of the buffer yard. A second request is being made to include an existing utility easement within a buffer yard. On one required buffer yard (#3), a request is also being made to provide plant material shorter than required as it is located in the utility easement. All of these requests are detailed on the Landscape Plan, which is Sheet 6 of 9 (LS-1).

Parking:

Section 33.9 of the Zoning Code requires that 1.5 parking spaces be provided for Studio and one bedroom multi-family dwellings, and 2 spaces be provided for two bedroom multi-family dwellings. The 5 one bedroom units proposed would require 8 parking spaces, while the 114 two bedroom units would require 228 parking spaces for a total of 236 parking spaces. Clover is proposing a total of 140 parking spaces to serve the proposed 119 residential units. Clover's experience in providing senior housing indicates that some residents come to the development without a car or give up their car while residing there. A few residents come with two cars, but the vast majority of residents have one car. The American Planning Association "Parking Standards" (PAS Report 510-511) confirms at a maximum that 0.5 to 0.75 spaces are needed for 1 bedroom units and 1 space per 2 bedroom units are warranted. Based on these requirements, 118 spaces would be required.

Signage:

The proposed ground mounted sign will comply with the provisions of the Mall Road Study in that:

- The development will have one ground mounted sign.
- The sign shall not be taller than 20'.
- The sign will not contain more than 170 square feet.
- The sign will meet the design requirements of the Mall Road Study.

Summary:

Clover believes that the proposed senior housing development will not only provide an additional opportunity for Florence residents to “age in place”, but will create a far superior transitional land use than those permitted by the existing commercial zoning. The 11.08 acres will be utilized as a quiet residential community with low traffic generation and minimal impact on adjacent properties. The development of an age restricted independent living community in Florence creates one more option for those who no longer wish to be home owners but want to remain in Florence with their family, friends, places of worship, and other amenities that make Florence home.

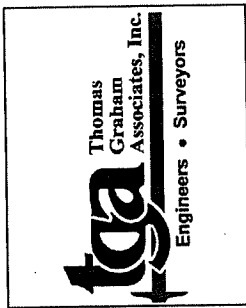
# PARKING RATIO SURVEY DATA



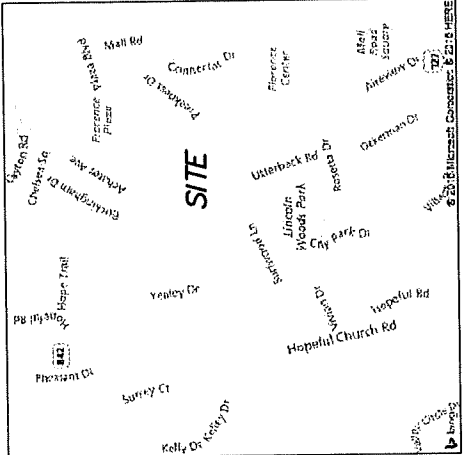
Community	Number of Units	Number of Occupants	Average Occupants Per Unit	Parking Spaces	Parking Spaces Per Unit	Number of Occupants that own a Car	Parking Space Utilization
Brighton Square	153	170	1.11	155	1.01	119	77%
Buckley Square	131	144	1.10	131	1.00	92	70%
Crestmount	164	198	1.21	174	1.06	136	78%
Green Ridge	119	134	1.13	102	0.86	82	80%
Harborcreek	119	151	1.27	104	0.87	89	86%
Lancaster Commons	131	136	1.04	142	1.08	99	70%
Morgan Square	119	140	1.18	150	1.26	125	83%
New Hartford	125	156	1.25	129	1.03	99	77%
Orchard Place	113	117	1.04	125	1.11	83	66%
Reynolds Pointe	125	162	1.30	158	1.26	130	82%
Sandra Lane	109	127	1.17	109	1.00	87	80%
Seneca Pointe	116	131	1.13	122	1.05	90	74%
SouthPointe	120	142	1.18	137	1.14	103	75%
Sweet Home	116	138	1.19	107	0.92	94	88%
Turtle Creek	123	176	1.43	162	1.32	125	77%
Union Square	107	120	1.12	155	1.45	128	83%
<b>Total/Average</b>	<b>1990</b>	<b>2342</b>	<b>1.18</b>	<b>2162</b>	<b>1.09</b>	<b>1681</b>	<b>78%</b>

RECEIVED  
 NOV 16 2016  
 BOONE COUNTY  
 PLANNING COMMISSION

**PLAT OF 8.1853 ACRES**  
**TO BE ANNEXED BY FLORENCE, KENTUCKY**  
**BOONE COUNTY**  
**COMMONWEALTH OF KENTUCKY**  
**EAST OF ACHATES AVENUE, WEST OF PREAKNESS DRIVE**  
**& NORTH OF UTTERBACK ROAD (ROSETTA DRIVE)**  
**NOVEMBER 1, 2016**  
**SCALE 1" = 200'**



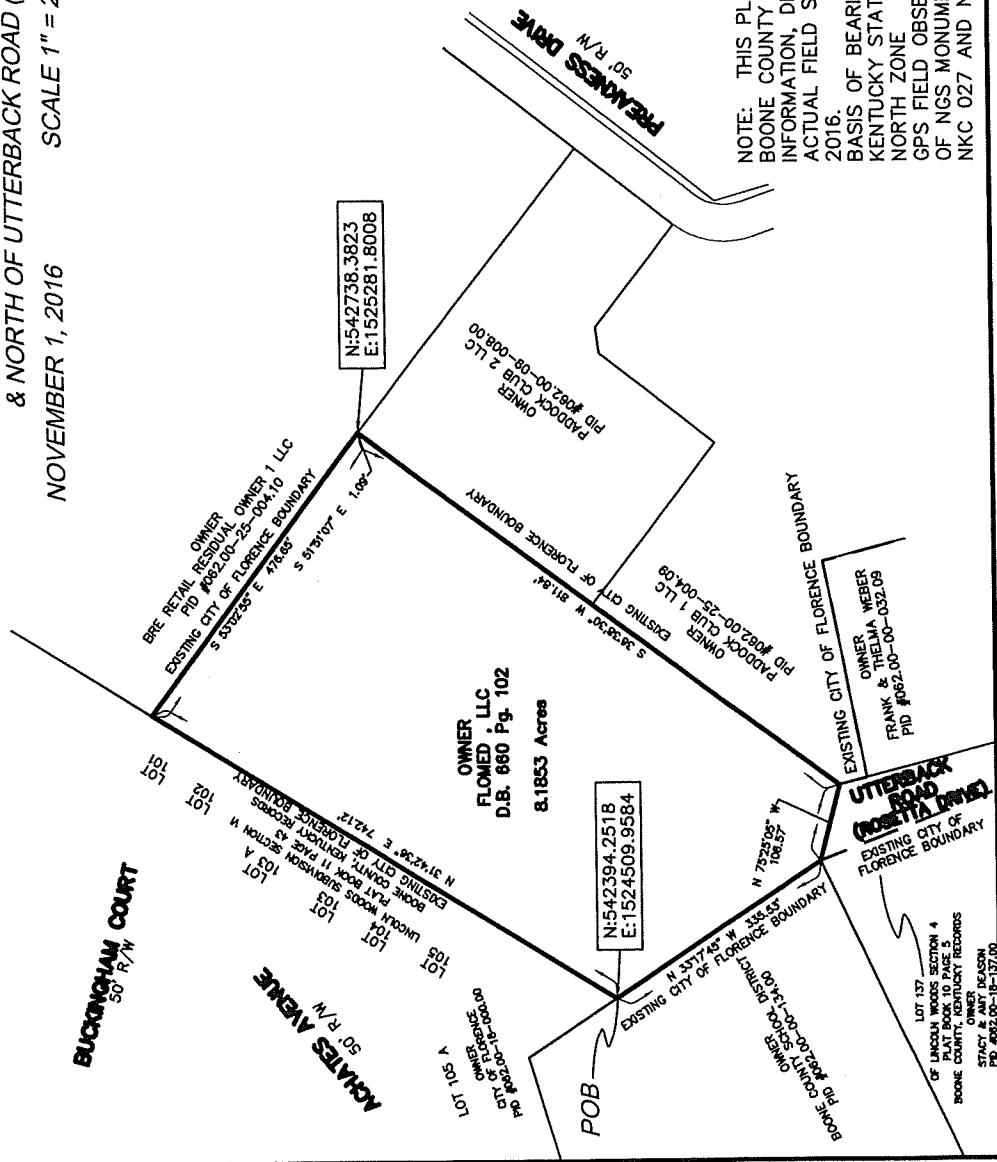
803 Compton Road  
 Suite A  
 Cincinnati, OH 45231  
 Tel: 513.521.4760  
 Fax: 513.521.2439



GRAPHIC SCALE

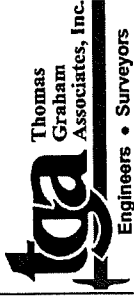


NOTE: THIS PLAT WAS PREPARED USING EXISTING  
 BOONE COUNTY PLANNING COMMISSION GIS  
 INFORMATION, DEEDS, AND PLATS OF RECORD.  
 ACTUAL FIELD SURVEY WAS COMPLETED IN AUGUST,  
 2016.  
 BASIS OF BEARINGS:  
 KENTUCKY STATE PLANE COORDINATE SYSTEM - 200  
 NORTH ZONE  
 GPS FIELD OBSERVATION  
 OF NGS MONUMENTS:  
 NKC 027 AND NKC 417 AZ MK



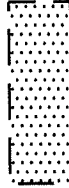
PLAT OF 8.1853 ACRES  
 TO BE ARE-ZONED BY BOONE COUNTY PLANNING COMMISSION  
 ZONE C-2 TO C-2/PD

BOONE COUNTY  
 COMMONWEALTH OF KENTUCKY  
 EAST OF ACHATES AVENUE, WEST OF PREAKNESS DRIVE  
 & NORTH OF UTTERBACK ROAD (ROSETTA DRIVE)  
 NOVEMBER 1, 2016 SCALE 1" = 200'



803 Compton Road  
 Suite A  
 Cincinnati, OH 45231  
 Tel: 513.521.4760  
 Fax: 513.521.2439

INDICATES AREA TO BE RE-ZONED  
 FROM C-2 TO C-2/PD



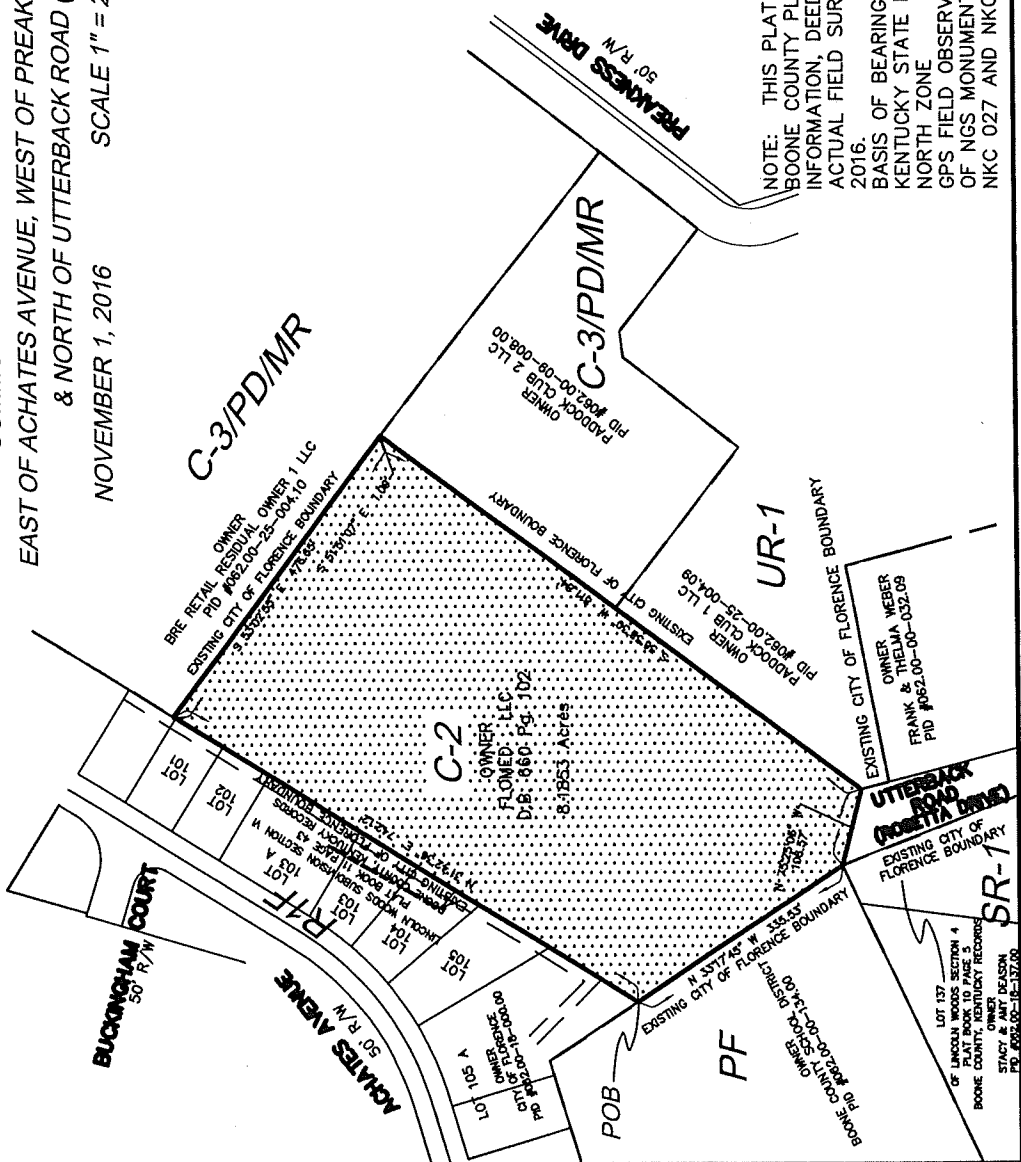
GRAPHIC SCALE



1" = 200'

NOTE: THIS PLAT WAS PREPARED USING EXISTING BOONE COUNTY PLANNING COMMISSION GIS INFORMATION, DEEDS, AND PLATS OF RECORD. ACTUAL FIELD SURVEY WAS COMPLETED IN AUGUST, 2016.

BASIS OF BEARINGS:  
 KENTUCKY STATE PLANE COORDINATE SYSTEM - NORTH ZONE  
 GPS FIELD OBSERVATION  
 OF NGS MONUMENTS:  
 NKC 027 AND NKC 417 AZ MK



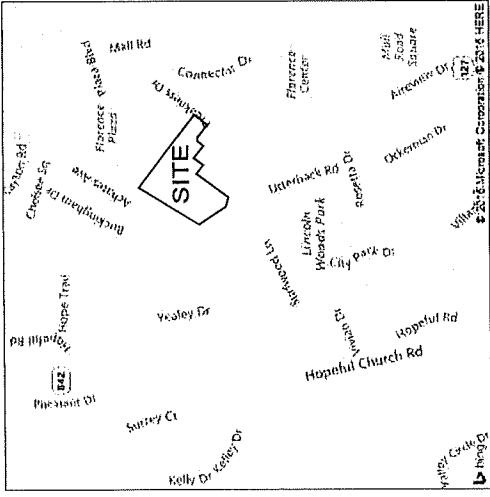
# COVER SHEET CONCEPT DEVELOPMENT PLANS FOR FLORENCE COMMONS SENIOR APARTMENTS PREAKNESS DRIVE CITY OF FLORENCE BOONE COUNTY COMMONWEALTH OF KENTUCKY

**10a**  
**THOMAS GRAHAM ASSOCIATES, INC.**  
 • Engineers  
 • Surveyors  
 803 Compton Road  
 Cincinnati, Ohio 45231  
 Telephone: (513) 521-4760  
 Fax: (513) 521-2439

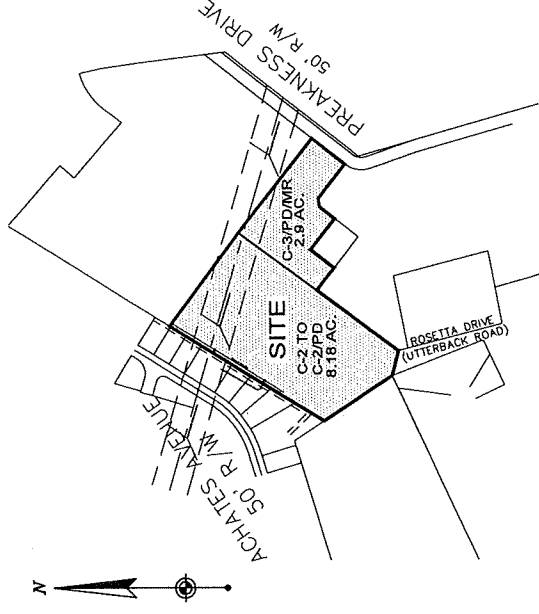
Date: NOV. 1, 2016  
 Scale: AS SHOWN  
 Job No.: 2806

Revisions	Date

**PROJECT BENCHMARK**  
 ALL ELEVATIONS ARE BASED ON  
 THE NATIONAL GRID SYSTEM -  
 KENTUCKY STATE PLANE COORDINATE SYSTEM -  
 NORTH ZONE  
 GROUND ELEVATIONS  
 ARE MEASUREMENTS  
 NKC 027 AND NKC 417 AZ MK



**VICINITY MAP**  
 NOT TO SCALE



**SITE MAP**  
 SCALE 1" = 200'

**ZONING**  
 EXISTING C-2 (8.18 ACRES) AND C-3/PD/MR (2.9 ACRES)  
 PROPOSED C-2/PD (8.18 ACRES)

**OWNER**  
 CLOVER RESIDENTIAL DEVELOPMENT  
 348 HARRIS HILL ROAD  
 WITHAMSVILLE, NEW YORK 14221

**DEVELOPER**  
 CLOVER RESIDENTIAL DEVELOPMENT  
 348 HARRIS HILL ROAD  
 WITHAMSVILLE, NEW YORK 14221

**ENGINEER/SURVEYOR**  
 THOMAS GRAHAM ASSOCIATES, INC.  
 803 COMPTON ROAD, SUITE A  
 CINCINNATI, OHIO 45231-3819  
 ATTN: TIM GREIVE, P.E.  
 (513) 521-4760  
 FAX (513) 521-2439

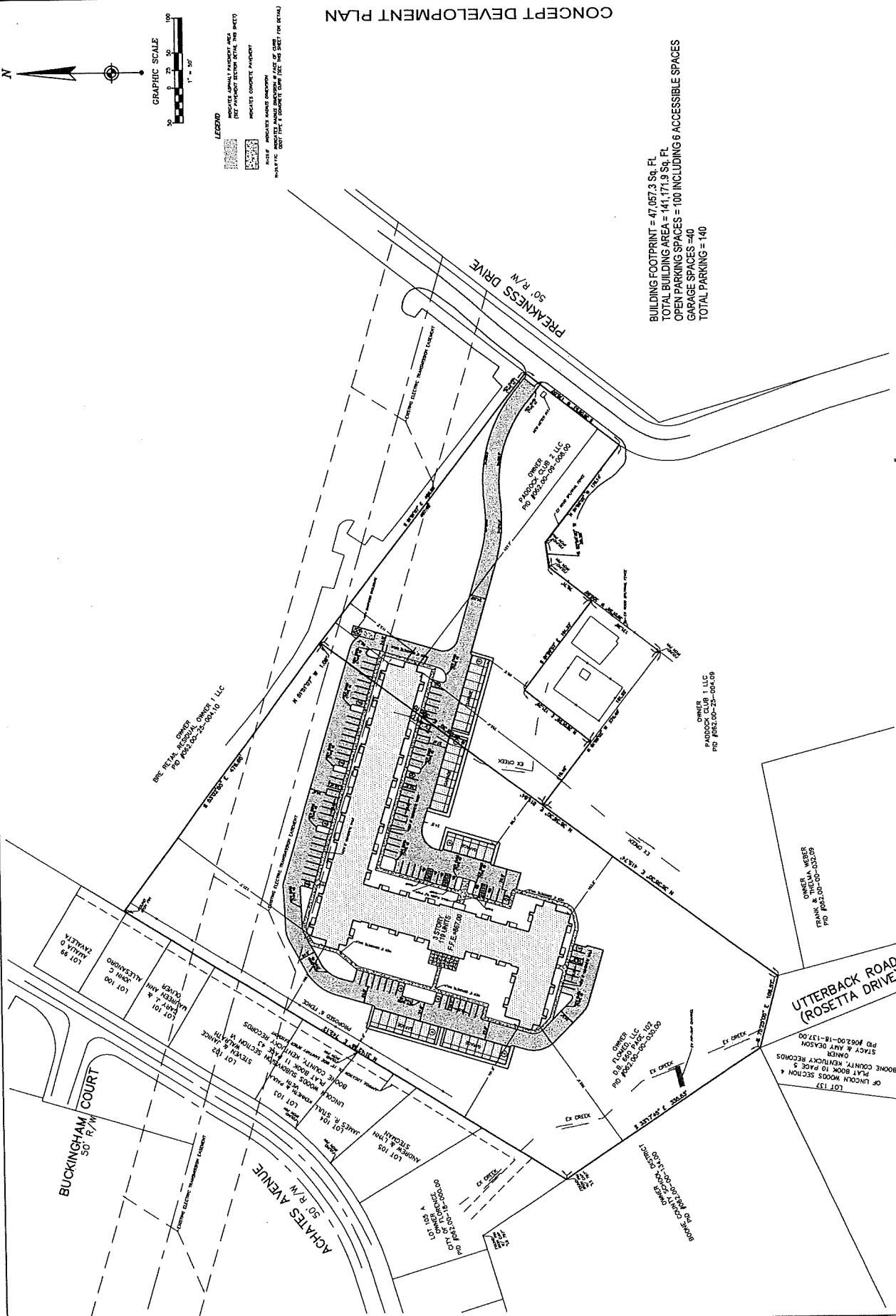
**SHEET INDEX**

SHEET 1	C 0.1	COVER SHEET
SHEET 2	C 0.2	EXISTING CONDITIONS
SHEET 3	C 1.0	CONCEPT DEVELOPMENT PLAN
SHEET 4	C 2.0	CONCEPT GRADING PLAN
SHEET 5	C 3.0	CONCEPT UTILITY PLAN
SHEET 6	LS1	CONCEPT LANDSCAPE PLAN
SHEET 7	LS2	CONCEPT LANDSCAPE PLAN
SHEET 8	L1	CONCEPT LIGHTING PLAN
SHEET 9	BE1	BUILDING ELEVATIONS



**CONCEPT DEVELOPMENT PLAN**

BUILDING FOOTPRINT = 47,057.3 Sq. Ft.  
 TOTAL BUILDING AREA = 141,177.9 Sq. Ft.  
 OPEN PARKING SPACES = 100 INCLUDING 6 ACCESSIBLE SPACES  
 GARAGE SPACES = 40  
 TOTAL PARKING = 140



**LEGEND**

- EXISTING BUILDING FOOTPRINT AND EXISTING PARKING SPACES
- PROPOSED CONCRETE PAVEMENT
- PROPOSED ASPHALT DRIVEWAY
- PROPOSED ASPHALT DRIVEWAY WITH CURB
- PROPOSED ASPHALT DRIVEWAY WITH CURB AND SIDEWALK
- PROPOSED ASPHALT DRIVEWAY WITH CURB AND SIDEWALK AND BIKEWAY
- PROPOSED ASPHALT DRIVEWAY WITH CURB AND SIDEWALK AND BIKEWAY AND LANDSCAPE
- PROPOSED ASPHALT DRIVEWAY WITH CURB AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND LIGHT FIXTURES
- PROPOSED ASPHALT DRIVEWAY WITH CURB AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND LIGHT FIXTURES AND SIGNAGE
- PROPOSED ASPHALT DRIVEWAY WITH CURB AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND LIGHT FIXTURES AND SIGNAGE AND FURNITURE
- PROPOSED ASPHALT DRIVEWAY WITH CURB AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND LIGHT FIXTURES AND SIGNAGE AND FURNITURE AND PLANTING
- PROPOSED ASPHALT DRIVEWAY WITH CURB AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND LIGHT FIXTURES AND SIGNAGE AND FURNITURE AND PLANTING AND UTILITIES
- PROPOSED ASPHALT DRIVEWAY WITH CURB AND SIDEWALK AND BIKEWAY AND LANDSCAPE AND LIGHT FIXTURES AND SIGNAGE AND FURNITURE AND PLANTING AND UTILITIES AND OTHER

**APPROVAL STAMP**

DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

**(TYPE & CURB)**

SEE PLAN FOR CURB AND SIDEWALK DETAILS

NOTE: This plan is a conceptual site plan and is not intended to be used for construction. It is intended to show the general location and layout of the proposed building and parking spaces. The final design and construction shall be subject to the approval of the appropriate authorities. The owner and developer shall be responsible for obtaining all necessary permits and approvals. The plan is based on the information provided and is not intended to be used for any other purpose.



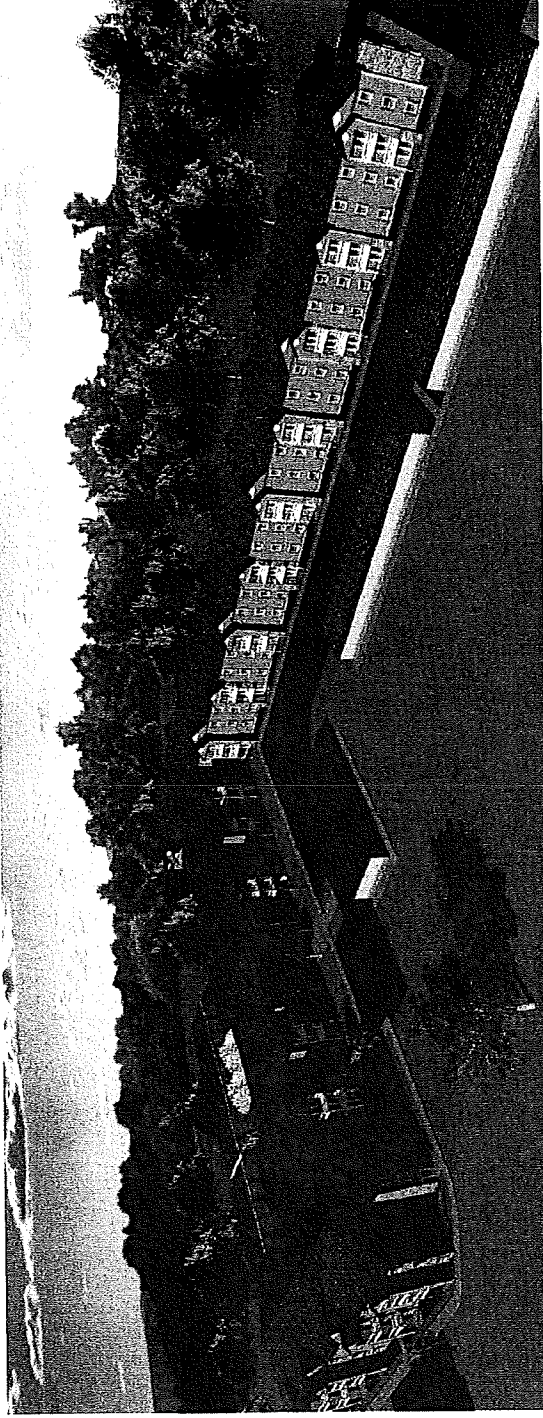






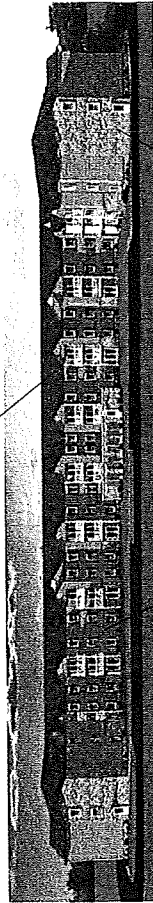






1 AERIAL PERSPECTIVE

APPLY FINISHES OVER THE EXPOSED FILL



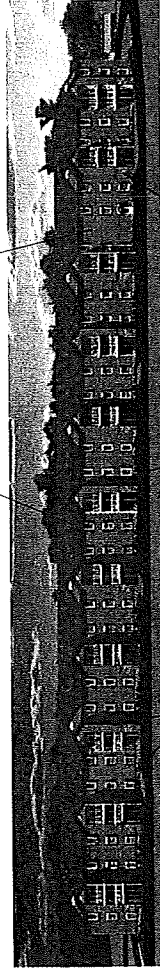
2 WEST ELEVATION

APPLY FINISHES OVER THE EXPOSED FILL

MINERAL WASH STONE COLOR #

APPLY FINISHES OVER THE EXPOSED FILL

MINERAL WASH STONE COLOR #



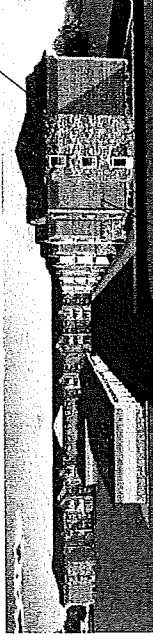
3 NORTH ELEVATION

APPLY FINISHES OVER THE EXPOSED FILL

MINERAL WASH STONE COLOR #

APPLY FINISHES OVER THE EXPOSED FILL

MINERAL WASH STONE COLOR #



4 EAST ELEVATION

APPLY FINISHES OVER THE EXPOSED FILL

MINERAL WASH STONE COLOR #

APPLY FINISHES OVER THE EXPOSED FILL

MINERAL WASH STONE COLOR #



5 SOUTH ELEVATION

APPLY FINISHES OVER THE EXPOSED FILL

MINERAL WASH STONE COLOR #

# FLORENCE SENIOR HOUSING

FLORENCE, KENTUCKY

**MASSACHUSETTS ARCHITECTS**  
 1276051  
 10/15/2016  
 © 2016 MASSACHUSETTS ARCHITECTS P.C.

BEI  
 BUILDING ELEVATIONS  
 Sheet 9 of 9

**EXHIBIT**

**“B”**

**THE FOLLOWING FINDINGS FOR DENIAL WERE PRESENTED TO AND VOTED UPON BY THE FULL PLANNING COMMISSION AT ITS JANUARY 4, 2017 BUSINESS MEETING.**

**FINDINGS FOR DENIAL**

Request of **Clover Communities Florence, LLC (applicant)** for **Flomed LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Two/Planned Development (C-2/PD) for an approximate 8.18 acre tract located south of the property at 7800-7932 Connector Drive, north of the terminus of Rosetta Drive, and east of the properties at 40, 42, 44, 48, and 50 Achates Avenue, Boone County, Kentucky (annexation into the City of Florence pending); and the request of **Anne F. McBride, FAICP (applicant)** for **Paddock Club 2 LLC (owner)** for a Concept Development Plan in a Commercial Services/Planned Development/Mall Road Overlay (C-3/PD/MR) zone for an approximate 2.9 acre area located along the west side of Preakness Drive, south of the property at 7800-7932 Connector Drive, and north of the property at 8000 Preakness Drive, Florence, Kentucky. The requests are for a zone change and a Concept Development Plan to allow a multi-family senior housing development on an approximate 11.08 total acre site.

January 4, 2017

REMARKS:

The Boone County Planning Commission conducted a Public Hearing regarding these applications on December 7, 2016. The applicants were present at this Public Hearing. Notice of this Public Hearing was given in accordance with the requirements of KRS 100 and the Boone County Zoning Regulations. Comments regarding the proposal and its relationship to KRS 100, the 2010 Boone County Comprehensive Plan, the Mall Road District Study, Plan Recommendations Report, and the requirements of Article 15 "Planned Development District (PD)" of the Boone County Zoning Regulations were provided in a written staff report. Written comments were received from Kevin Vogelphol, Fire Marshal for the Florence Fire/EMS Department, and were referenced in the staff report. Additionally, testimony was received from several members of the public, as well as questions and comments from the Planning Commissioners. The applicants also spoke at this Public Hearing. The Public Hearing was then closed.

The Planning Commission's Zone Change Committee met on December 21, 2016 to review the testimony and evidence received at the December 7, 2016 Public Hearing, and to formulate a recommendation on the applications to the full Planning Commission. The applicants were present at this meeting. The Committee concluded at this meeting that the proposal did not adequately fulfill or address all applicable requirements, standards, and/or recommendations of KRS 100, the 2010 Boone County Comprehensive Plan, the Mall Road District Study, Plan Recommendations Report, Article 15 "Planned Development

District (PD)" of the Boone County Zoning Regulations and the Florence Fire Department. In turn, the Zone Change Committee voted to table or defer action on these applications until January 18, 2017 to give the applicants an opportunity to revise or further develop the proposal.

The applicants were advised at the end of this meeting by the Planning Commission's staff that an additional, written time waiver signed by the originator(s) would need to be provided since the initial time waiver would expire on January 5, 2017. An additional time waiver would allow the Zone Change Committee to further review the proposal, including any additional information or revisions made in response to the Public Hearing testimony and evidence, and formulate a recommendation to the full Planning Commission. The follow-up Zone Change Committee meeting has been scheduled for January 18, 2017, and the full Planning Commission has been scheduled to act on these applications on February 1, 2017.

Based on the outstanding issues that were raised at the Public Hearing for these requests which have not been adequately or properly resolved, the Zone Change Committee is not in a position to recommend approval or conditional approval at this time. Outstanding issues include the architectural design of the buildings, emergency access around the site, and vehicular and pedestrian access connections to adjoining property(ies). Several issues, such as proper landscape buffering along the west property line which adjoins detached single residences that face Achates Avenue, the realignment of the main driveway from Preakness Drive which would allow for proper landscape buffering along the north property line, signage, and an option for potentially necessary future parking, were resolved in principle but not formulated into actual conditions that were agreed to by the property owners.

**ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE**

TO: Boone County Planning Commission

FROM: Kim Bunger, Chairman

DATE: December 21, 2016

**ZONING MAP AMENDMENT AND CONCEPT DEVELOPMENT PLAN - Kim Bunger, Chairman,  
Kevin Wall, Staff**

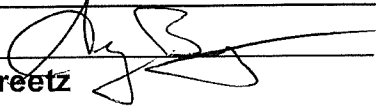
2. Request of **Clover Communities Florence, LLC (applicant)** for **Flomed LLC (owner)** for a Zoning Map Amendment from Commercial Two (C-2) to Commercial Two/Planned Development (C-2/PD) for an approximate 8.18 acre tract located south of the property at 7800-7932 Connector Drive, north of the terminus of Rosetta Drive, and east of the properties at 40, 42, 44, 48, and 50 Achates Avenue, Boone County, Kentucky (Annexation into the City of Florence pending); and the request of **Anne F. McBride, FAICP (applicant)** for **Paddock Club 2 LLC (owner)** for a Concept Development Plan in a Commercial Services/Planned Development/Mall Road Overlay (C-3/PD/MR) zone for an approximate 2.9 acre area located along the west side of Preakness Drive, south of the property at 7800-7932 Connector Drive, and north of the property at 8000 Preakness Drive, Florence, Kentucky. The requests are for a zone change and a Concept Development Plan to allow a multi-family senior housing development on an approximate 11.08 total acre site.

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.

**Clover Communities/McBride**

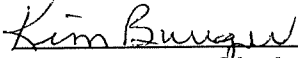
December 21, 2016

  
**Greg Breetz**

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

**Steve Turner**

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

  
**Kim Bunger, Chairman**

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

**Randy Bessler (Alternate)**


For Project \_\_\_ Absent \_\_\_  
 Against Project \_\_\_

**Janet Kegley**

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

**Lisa Heilman, (Alternate)**

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

  
**Kim Patton**

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

**Mark Hicks (Alternate)**

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

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

# **SUPPORTING INFORMATION**

November 1, 2016

---

**Legal Description:** 8.1853 Acres to be Annexed & Re-Zoned by Florence, Kentucky

Situated in the commonwealth of Kentucky, County of Boone and being more particularly described as follows:

Beginning at the southwest corner of Lot 105A as shown in Lincoln Woods Subdivision-Section VI and recorded in Plat Book 11, Page 43 of the Boone County Records; thence with the east line of said Lincoln Woods Subdivision-Section VI, North  $31^{\circ} 42' 36''$  East, 742.12 feet; thence departing the said east line of Lincoln Woods Subdivision-Section VI, South  $53^{\circ} 02' 55''$  East, 476.55 feet; thence South  $51^{\circ} 51' 07''$  East, 1.09 feet; thence South  $36^{\circ} 38' 30''$  West, 811.84 feet; thence North  $75^{\circ} 25' 05''$  West, 106.57 feet to the northeast corner of Lot 137 of Lincoln Woods Subdivision-Section 4, as recorded in Plat Book 10, Page 5 of the Boone County Records; thence departing the said northeast corner of Lot 137 of Lincoln Woods Subdivision-Section 4, North  $33^{\circ} 17' 45''$  West, 335.53 feet to the Point of Beginning.

The above described tract contains 8.1853 Acres of land and is subject to all easements and restrictions of record.

This description was prepared by Robert J. Trenkamp, Registered Land Surveyor in Kentucky #8304.

November 1, 2016

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**Legal Description:** 11.0847 Acres

Situated in the commonwealth of Kentucky, County of Boone and being more particularly described as follows:

Beginning at the southwest corner of Lot 105A as shown in Lincoln Woods Subdivision-Section VI and recorded in Plat Book 11, Page 43 of the Boone County Records; thence with the east line of said Lincoln Woods Subdivision-Section VI, North  $31^{\circ} 42' 36''$  East, 742.12 feet; thence departing the said east line of Lincoln Woods Subdivision-Section VI, South  $53^{\circ} 02' 55''$  East, 476.55 feet; thence South  $51^{\circ} 51' 07''$  East, 1.09 feet; thence South  $51^{\circ} 51' 07''$  East, 487.49 feet the West Right-of-Way line of Preakness Drive; thence with the said West Right-of-Way line of Preakness Drive, South  $38^{\circ} 08' 53''$  West, 170.00 feet; thence departing the said West Right-of-Way line of Preakness Drive, North  $51^{\circ} 58' 02''$  West, 176.14 feet to a found iron pin; thence South  $82^{\circ} 54' 40''$  West, 35.29 feet to a found iron pin; thence South  $38^{\circ} 01' 58''$  West, 78.71 feet; thence North  $51^{\circ} 58' 03''$  West, 161.33 feet; thence South  $38^{\circ} 01' 58''$  West, 121.29 feet; thence North  $51^{\circ} 58' 02''$  West, 115.16 feet; thence South  $36^{\circ} 38' 30''$  West, 415.74 feet; thence North  $75^{\circ} 25' 05''$  West, 106.57 feet to the northeast corner of Lot 137 of Lincoln Woods Subdivision-Section 4, as recorded in Plat Book 10, Page 5 of the Boone County Records; thence departing the said northeast corner of Lot 137 of Lincoln Woods Subdivision-Section 4, North  $33^{\circ} 17' 45''$  West, 335.53 feet to the Point of Beginning.

The above described tract contains 11.0847 Acres of land and is subject to all easements and restrictions of record.

This description was prepared by Robert J. Trenkamp, Registered Land Surveyor in Kentucky #8304.

2  
4  
2/11

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** is made and entered into as of August 1, 2012, between **Mid-America Apartment Communities, Inc.**, a Tennessee corporation, successor-by-merger with Flournoy Development Company, a Georgia corporation, hereinafter referred to as the Grantor, whose address is 6584 Poplar Avenue, Memphis, Tennessee 38138, hereinafter referred to as the Grantor and **Paddock Club 2 LLC**, a Kentucky limited liability company, whose address is 1 McKittrick Court, Old Tappan, NJ 07675, hereinafter referred to as the Grantee, which address is the in care of address for purposes of 2012 real property taxes.

**WITNESSETH**

For a total consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Grantor grants and conveys to Grantee, in fee simple with covenant of Special Warranty their respective interest in the real property located at 8000 Preakness Drive, Florence, Kentucky 41042, and more particularly described on Exhibit A attached hereto and made a part hereof (the "Property").

Grantor covenants and warrants specially the Property and will forever warrant and defend the Property against the claims and demands of Grantor and all persons claiming by, through or under Grantor (excluding claims arising out of the matters set forth on Exhibit B), but no other. This conveyance is made subject to those matters set forth on Exhibit B attached hereto and made a part hereof.

TO HAVE AND TO HOLD the Property with the appurtenances, estate, title and interest thereto belonging to Grantee, her heirs and assigns forever.

And Grantor does covenant with Grantee that Grantor is lawfully seized and possessed of the Property in fee simple and Grantor has a good right to convey the Property.

1. Consideration Certificate

The parties hereto state that the full consideration paid for the property is \$150,000.00. The Grantee joins in this deed for the purpose of certifying the consideration pursuant to KRS Chapter 382.

**Boone County  
D1008 PG 661**

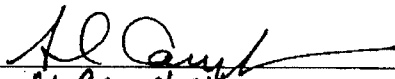
RETURN TO: *Angela Moley + Storm*

Return to: Fidelity National Title Group  
9500 Ormsby Station Road, S. 302  
Louisville, KY 40223

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date first set forth above, but actually on the date set forth below.

**GRANTOR:**

Mid-America Apartment Communities, Inc.,  
a Tennessee corporation

By:   
Name: Al Campbell  
Title: EVP + CFO

**GRANTEE:**

Paddock Club 2 LLC,  
a Kentucky limited liability company

By: Spyglass – The Paddock Club LLC,  
a Kentucky limited liability company  
Its: Sole Member

By: \_\_\_\_\_  
Name: Adam Cohen  
Title: Manager

**EXHIBIT A**  
**TO SPECIAL WARRANTY DEED**

Located in Boone County, Kentucky:

Group 2040 **A**

Situated in the City of Florence, County of Boone, State of Kentucky and being 3.3431 acre parcel of land more particularly described as follows:

Begin by measuring from a concrete point set in the West right-of-way line of Connector Drive, said point being the Southern terminus of said drive as shown on the plat of Florence Plaza C.M. Section 3, Plat Book 15, Page 39, thence along the West right-of-way of Connector Drive North 07°31'16" West, 84.58 feet; thence leaving said right-of-way South 37°47'09" West, 555.67 feet to the True Point of Beginning;

thence from the True Point of Beginning South 37°47'09" West, 170.00 feet;

thence North 52°19'46" West, 176.14 feet;

thence South 82°32'56" West, 35.29 feet;

thence South 37°40'14" West, 200.00 feet;

thence North 52°19'46" West, 276.49 feet;

thence North 36°16'46" East, 395.12 feet;

thence South 52°19'46" feet to the point of beginning;

Containing 3.3431 acres of land and subject to all easements and right-of-ways of record.

The above description was prepared by Jay F. Bayer, Registered land Surveyor #2916 in the State of Kentucky, January, 1994.

**EXHIBIT B**  
**TO SPECIAL WARRANTY DEED**

1. State, County and School taxes for the year 2012 and subsequent years, not yet due and payable.
2. City of Florence taxes for the year 2012 and subsequent years, not yet due and payable.
3. Easement to Ohio Valley Electric Corporation recorded in Deed Book 106, Page 450, in the Office of Clerk of Boone County, Kentucky.
4. Easement to Consolidated Telephone Company recorded in Miscellaneous Book 12, Page 491, said records.
5. Cross Easement Agreement between Chelsea Moore Corporation, an Ohio corporation, and Philip R. Duke & Associates, No. 28, an Indiana limited partnership, recorded in Easement Book 11, Page 205, as modified by Modification of Easements recorded in Easement Book 13, Page 92, said records.
6. Easement Agreement for ingress and egress purposes between Chelsea Moore Corporation and Philip R. Duke & Associates, No. 28, an Indiana limited partnership, and Florence Medical Arts Center, Inc., a Kentucky corporation, recorded in Easement Book 15, Page 11, said records.
7. Items shown on Survey of Davis J. Kuethe, PLS, Buck & Clark Job No. 1201200198, dated June 19, 2012, last revised July 12, 2012.

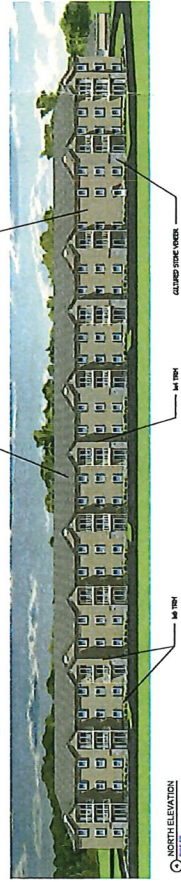
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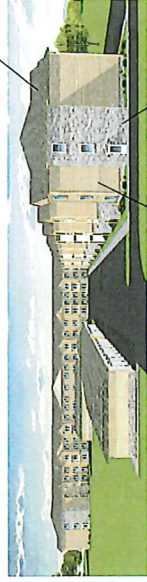
01 AERIAL PERSPECTIVE



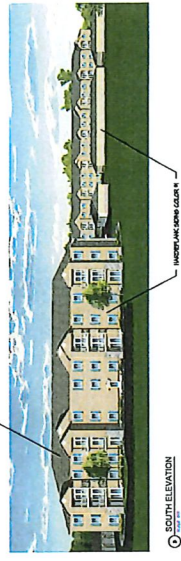
02 WEST ELEVATION



03 NORTH ELEVATION



04 EAST ELEVATION



05 SOUTH ELEVATION

# FLORENCE SENIOR HOUSING

## FLORENCE, KENTUCKY

Clover Senior Residential Development  
Preakness Drive

Clover has obtained options from Paddock Club, LLC and Flomed, LLC to purchase 11.08+/- acres of property with frontage on Preakness Drive (PID# 062.00-00-030.00 and a portion of 062.00-09-0080.00). The western 8.18+/- acres of the development is zoned "C-2" and is located in Unincorporated Boone County. A zone map amendment to "PD" is being requested for the 8.18+/- acres and annexation to the City of Florence, for the parcel has been initiated. The 8.18 acres would contain the majority of the proposed 119 unit senior residential development. The proposed three story building would contain a total of 141,171.9 square feet. A total of 140 parking spaces are proposed, with 40 of these spaces being located in garages. The eastern 2.9+/- acres is zoned "C-3"/"PD"/"MR" and is located in the City of Florence. Concept Development Plan approval is requested to allow access to the residential development, signage on Preakness Drive and for the construction of a portion of the residential building, parking area and garages along with landscaping.

Clover Construction Management, which is based in Williamsville, New York, is a company that specializes in developing housing opportunities for the senior population and has existing projects or developments under construction in a variety of states including New York, Connecticut, Pennsylvania, and Ohio. With sites currently underway in Cincinnati, Hamilton, and Fairfield, Clover has identified a need for market rate senior housing in Florence. The typical Clover resident comes from a five mile radius of the development. They are seniors who want to remain in their community close to family, friends, religious places of worship, and medical providers, but who no longer want the responsibility of living in their own home or condominium.

The 11.08+/- acre site is proposed to be developed with 119 age restricted residences which would include 114 two-bedroom units and 5 one-bedroom units. Each unit in the 3-story building will feature a full kitchen complete with all stainless steel appliances and a breakfast bar. Access to a private patio or balcony is available to every residence. The sprinklered units, which will only be available to those 55 years of age and older, will also feature safety pull cords in bathrooms and bedrooms, and can be converted to be handicapped accessible. To assure residents' security, the front desk will be staffed from 9:00 AM to 5:00 PM, Monday through Friday. After that time a pass key will be required to enter the building which will also have a TV-monitored entry system. In addition, Maintenance Staff is on call 24 hours a day, seven days a week.

The development will have a community room on the first floor that will feature a kitchen, library, and sitting area with a common patio area adjacent. The second level will have a community family room and the beauty salon while the third floor is the location of the game room. In addition to each unit having laundry facilities, a central laundry facility is also available along with trash collection. Planned activities for Clover residents will include trips and outings, parties, movie nights, and other social activities. Water, heat, and cable are included in the monthly rent which is anticipated to range from \$995.00 to \$1,150.00 per month, depending on the unit selected.

The building will be a 3-story wood framed structure. The facades are designed to provide aesthetically pleasant residential proportions rather than an institutional feel. They boast a combination of hardiplank siding and cultured stone on visible elevations done in complementary color schemes. With a hip roof system and contrasting, multi-sized gables interplaying with the apartment patios, a pleasant texture to the facades avoids the flat institution feel of some developments. Along with warm hardiplank multi-colored siding, the facades are complemented with double-hung windows, many of which are accented with decorative shutters done in a contrasting color. The gables are highlighted with an accent colored board and batten siding to add to the texture of the building. Half-round windows and decorative railings highlight the main entrance for ease of access and the building is topped off with a 5:12 pitched roof covered in architectural asphalt shingles. The building is designed to stress energy efficiency and create pleasant aesthetics for residents.

The development will have one point of access from Preakness Drive. A total of 100 surface parking spaces and an additional 40 garage spaces will serve the development, for a total of 140 parking spaces. Clover's experience in senior housing has taught them that the typical Clover resident has one vehicle with a few couples still having two cars. Parking has been placed around the building to make it convenient to the residents. Senior housing developments, as confirmed in the ITE Trip Generation Manual, are low volume traffic generators. Lighting for the development is designed to create a secure environment using residential coach style fixtures mounted at 15 feet. Light trespass from the site will not be an issue as indicated on the attached photometric plan, which meets the requirements of the Zoning Resolution.

To allow for the residential development to proceed in the "C-2" and "C-3" Districts, a Conditional Use is being requested pursuant to Sections 1023(8) and 1033(6). Per the General Standards applicable to all Conditional Uses (Section 262), we believe the following to be consistent with the proposed Clover development:

- 1) The proposed senior housing development is consistent with the general standards and objectives of the Comprehensive Plan. The eastern portion of the site is consistent with the Comprehensive Plan "Urban Density Residential" land use designation. The western portion of the site is designated "Rural Density Residential" in the Comprehensive Plan, which is not reflective of the zoning of the site ("C-2") or the surrounding zoning and land uses to the site nor does it reflect the site's land locked status. We believe the intent of the Comprehensive Plan was to provide a transitional land use from the more intense commercial uses to the east of the site for compatibility with the residential land uses to the west of the property.
- 2) The senior housing development has been designed on the site to be harmonious with adjacent uses. The residential building is located a minimum of 106 feet from the west property line adjacent to residential uses and 95 feet from commercial uses to the north. The building is a minimum of 103' from adjacent multi-family uses to the south. The building is designed using hardiplank siding, stone accents and a shingled pitch roof, and contains architectural details that reflect the area. The proposed development is more appropriate for the area than most of uses permitted as of right under the existing "C-2" and "C-3" zoning.

- 3) The proposed senior development will not be hazardous to any existing or future neighboring uses. The Clover development is age restricted assuring that it will be a quiet residential use with low traffic volumes. The proposed use will be much less “hazardous” to adjacent residential uses than the commercial development permitted under the existing zoning.
- 4) The development site is adequately serviced by water, sanitary sewer, storm water management, fire and police protection, refuse disposal and access. There will be no school age children within the development.
- 5) The proposed Clover development will not create excessive additional requirements at public costs for services that would be detrimental to the welfare of the community.
- 6) The residential community will not produce noise, smoke, dust, fumes, odors or excessive traffic that would be problematic for the area.
- 7) The access to the development from Preakness Drive will be designed so as to not interfere with traffic or surrounding roadways.

Development Review Request:

Intensity: The C-2 District allows 12,000-15,000 square feet per acre. The “PD” District (Section 1512) provides for a 50% increase in intensity increasing the intensity permitted to 18,000 to 22,500 square feet per acre. The proposed development contains 141,171,9 square feet, a portion of which is in the “C-3” District. Based on the 8.18 acres zoned “C-2, the development would be allowed 184,050 square feet of development area, without including the “C-3” property.

Building Height: The “C-2” and “C-3” District allows for a maximum building height of 50’. The proposed building has a maximum height of 40 feet.

Yard Setbacks: Front Yard: The “C-2” District has a 30’ front yard setback, while the “C-3” District has a 50’ front yard setback. The proposed building is set back over 427 feet from Preakness Drive.  
Side Yard: The “C-2” and “C-3” Districts require a 10’ side yard unless adjacent to specific districts which do not apply to the site. The minimum side yard provided is 95 feet.  
Rear Yard: A 20 foot rear yard is required in the “C-2” and “C-3” Districts unless adjacent to specific districts. The property to the west which abuts the rear yard is zoned “R-1F” which requires a 50 foot setback. A minimum rear yard of 41.5’ is being requested at the corner of one garage building. The residential building is set back a minimum of 106.2 feet and the vast majority of the garage building in

question exceeds the required 50 foot setback. The area of the reduced setback will be heavily landscaped and includes a six foot tall fence.

Landscape Requirements:

There are a number of areas where consideration is being requested to allow existing mature vegetation to remain and substituted for required new plant material. The established plant material is at least the depth, if not greater, of the buffer yard. A second request is being made to include an existing utility easement within a buffer yard. On one required buffer yard (#3), a request is also being made to provide plant material shorter than required as it is located in the utility easement. All of these requests are detailed on the Landscape Plan, which is Sheet 6 of 9 (LS-1).

Parking:

Section 33.9 of the Zoning Code requires that 1.5 parking spaces be provided for Studio and one bedroom multi-family dwellings, and 2 spaces be provided for two bedroom multi-family dwellings. The 5 one bedroom units proposed would require 8 parking spaces, while the 114 two bedroom units would require 228 parking spaces for a total of 236 parking spaces. Clover is proposing a total of 140 parking spaces to serve the proposed 119 residential units. Clover's experience in providing senior housing indicates that some residents come to the development without a car or give up their car while residing there. A few residents come with two cars, but the vast majority of residents have one car. The American Planning Association "Parking Standards" (PAS Report 510-511) confirms at a maximum that 0.5 to 0.75 spaces are needed for 1 bedroom units and 1 space per 2 bedroom units are warranted. Based on these requirements, 118 spaces would be required.

Signage:

The proposed ground mounted sign will comply with the provisions of the Mall Road Study in that:

- The development will have one ground mounted sign.
- The sign shall not be taller than 20'.
- The sign will not contain more than 170 square feet.
- The sign will meet the design requirements of the Mall Road Study.

Summary:

Clover believes that the proposed senior housing development will not only provide an additional opportunity for Florence residents to “age in place”, but will create a far superior transitional land use than those permitted by the existing commercial zoning. The 11.08 acres will be utilized as a quiet residential community with low traffic generation and minimal impact on adjacent properties. The development of an age restricted independent living community in Florence creates one more option for those who no longer wish to be home owners but want to remain in Florence with their family, friends, places of worship, and other amenities that make Florence home.