

**ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION**

RECEIVED
82550
OCT 06 2020
BOONE COUNTY
PLANNING COMMISSION

Seven (7) copies of submitted drawings are required

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

SECTION A: (To be completed by applicant)

1. Name of Project: Union, KY Mixed-Use, Grammas Investments
2. Location of Project: Corner of US 42 and Brilliance Avenue
3. Total Acreage of Project: 6.113
4. Current Zoning of Property: UTC
5. Proposed Zoning of Property (classification being requested): UTC/UR-2/PD
6. Proposed Use(s) (specify each use):
31,100 sf commercial / retail; 93 apartment units, 12 town homes, parking garage
7. Proposed Building Intensities (specify for each building):
Residential = 20 units per acre
Commercial = GFA / LOT = 0.14
8. Are you applying for any of the following (check all that apply):
 Conditional Use Permit Variance
9. Current Owner: 1995 Grammas Childrens Trust
Address: 1600 Athens Drive
Loveland Ohio 45140
City State Zip Code
Phone Number: (513)907-6111 Fax Number: _____
Email: ngrammas@gmail.com
10. Applicant: Nick Grammas, Grammas Investments
Address: 1600 Athens Drive
Loveland Ohio 45140
City State Zip Code
Phone Number: (513)907-6111 Fax Number: _____
Email: ngrammas@gmail.com
11. Are there any existing buildings on the site: Yes No
If yes, indicate how many: _____

EXHIBIT

“A”

STAFF REPORT

Request of Nick Grammas, Grammas Investments (applicant) for 1995 Grammas Childrens Trust (owner) for a Zoning Map Amendment from Union Town Center (UTC) to Union Town Center/Urban Residential Two/Planned Development (UTC/UR-2/PD) for a 6.113 acre site located on the southeast corner of the US 42/Brilliance Avenue intersection, and on the north side of Mt. Zion Road between the properties at 1764 and 1808 Mt. Zion Road, and between the properties at 1816 and 1838 Mt. Zion Road, Union, Kentucky. The request is for a zone change to allow commercial, multi-family residential, and townhouse uses.

November 18, 2020

PROPOSAL

This application is for a Zoning Map Amendment from Union Town Center (UTC) to Union Town Center/Urban Residential Two/Planned Development (UTC/UR-2/PD) for an approximate 6 acre site located on the southeast corner of the US 42/Brilliance Avenue intersection in Union. The site also has frontage on old Mt. Zion Road in two places, including at the old Mt. Zion Road/Brilliance Avenue intersection near the new roundabout. The proposal is for a zone change to allow commercial, multi-family residential, and townhouse uses. The commercial uses are described in the applicant's narrative as "retail/commercial/restaurant uses" and the multi-family residential units are described as "apartments."

A Concept Development Plan was submitted with this application. It shows a somewhat L-shaped main building which substantially faces Brilliance Avenue. This a four story structure with 31,100 square feet of commercial space on the first floor level, 93 apartment units in the upper levels, and an underground parking garage. A one story "feature restaurant" is proposed near the main building entrance. Outdoor seating areas are indicated near both 'short' ends of the building and on an elevated patio at the rear of the building. Storefront units and intermittent canopies are proposed along the main facades facing Brilliance Avenue. The roofline and footprint of this structure are staggered to create different massings. Two basic patterns of window arrangement and colors are used on every other façade massing. Regarding the design of the main building, the applicant's narrative states, "Through mixing masonry, stone, metal and wood tones, the development balances itself with equal parts traditional and modern touches. Retail, restaurant, and residential entrances are flanked with stone pillars spanned with modern, clean glass storefront systems." Building materials for the main building are not identified on the submitted architectural drawings.

Twelve, three story townhouse units are proposed in the southeast corner of the site. Eight units are proposed to face the extension of Brilliance Avenue and four units are proposed to face the south property line. A combination of gabled and flat roofs are

proposed for the townhouse units (a regular pattern of flat roofs and gabled/pitched roofs is indicated). Sidewalks, stairs, stoops, and raised planters are proposed at the front of the units which face towards Brilliance Avenue. Garages are proposed at the rear of the townhouse units. Building materials for the townhouse units are not identified in the application materials other than a reference to gabled metal roofs in the applicant's narrative.

A 72 space parking lot is proposed at the front of the main building on the corner of the US 42/Brilliance Avenue intersection; a large retaining wall (at or near the right-of-way line) is proposed at this corner and extends along both road frontages. A 121 space parking lot is proposed at the rear of the building and extends southward to old Mt. Zion Road. A 77 space parking garage is proposed in the main building. The front parking area is proposed be accessed by a new curb cut and opening in the median on Brilliance Avenue. The rear parking area and garage are proposed to be accessed through a new curb cut at the Brilliance Avenue/Melody Drive intersection and a new access point on old Mt. Zion Road.

A total of 25 street parking spaces are proposed to be added on Brilliance Avenue within defined parking lanes. The extension of Brilliance Avenue between Melody Lane and old Mt. Zion Road is shown and noted on the illustrative (color) site plan as "City of Union future improvements based on planning consultant." As shown, the Brilliance Avenue connection includes a landscaped median and sidewalks on both sides. A sidewalk system which connects to the public walk along Brilliance Avenue is shown around the main building.

Landscaping is conceptually shown on the illustrative site plan. It shows plantings around the site's perimeter, islands and peninsulas in the vehicular areas, and along the 'long' facades of the main building. The applicant's narrative states that the developer will attempt to preserve as many trees as possible along the common boundary with the adjoining sites which front on old Mt. Zion Road. A conceptual grading plan was included in the submitted plan set.

The proposed density for all dwelling units combined (based on the net site area of 5.24 acres) is 20.04 units per acre. The density before the right-of-way dedication for the Brilliance Avenue extension is 17.18 units per acre. These figures are in addition to the 31,100 square feet of commercial space proposed for the ground floor of the main building.

The application materials, including the Concept Development Plan sheets and a narrative, are attached. A signage plan and Traffic Impact Study have not been submitted.

SITE HISTORY

- 2000 The Union Town Plan, which includes the subject site, was adopted by the City of Union and the Boone County Fiscal Court.
- 2003 The overall Harmony Subdivision Concept Development Plan was conditionally approved by the Boone County Planning Commission for the “short process” outlined in the Union Town Plan upon the recommendation of the Long Range Planning/Comprehensive Plan Committee.

ADJACENT LAND USES AND ZONING

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

- A. A subdivision of attached and detached single family residences (Harmony) is located to the north and northeast (RSE/UTO, SR-1/UTO, and UNO). The vacant site to the immediate north on the opposite side of Brilliance Avenue is approved for 50 “stacked” condominium units.
- B. A row of detached single family residences on frontage lots is located to the east along the north side of old Mt. Zion Road (RSE/UTO).
- C. A medical office and two single family dwelling structures are located to the south on the north side of old Mt. Zion Road. A single family dwelling unit and the Union City Hall are located further to the south on the opposite side of old Mt. Zion Road. (UTC).
- D. A vacant tract is located to the west on the opposite side of US 42 and a row of detached single family dwellings is located to the southwest on the north side of old Mt. Zion Road (UTC). An apartment complex (Affinity of Union) is located to the northwest on the northwest corner of the US 42/Brilliance Avenue intersection (RSE/UTO).

SITE CHARACTERISTICS

The site contains 6.113 acres and has approximately 235 feet of frontage on US 42 and approximately 565 feet of frontage along the existing section of Brilliance Avenue. The site’s two old Mt. Zion Road frontages have a combined total of approximately 120 feet. The topography of the site is uneven with some degree of tangible slope in all parts of the tract. The north and southernmost parts of the site slope to an east-west drainage channel which mostly runs along the south property line of the main part of the tract. The high point is at the top of a broad mound in the north part of the site at approximately el

904, and the low point is at the west end of the east-west drainage channel at approximately el 860.

The site contains no structures and has some significant tree cover, notably along the drainage channel and in the southernmost part of the site. Soil types on the site include Faywood silty clay loam (FcD) and Rossmoyne Silt Loam (RsB and RsC). Public water mains exist in the adjoining Brilliance Avenue, old Mt. Zion Road, and US 42 rights-of-way, and a sanitary sewer gravity main runs across this site. Section 3210 "Functional Roadway Classification" of the Boone County Zoning Regulations identifies US 42 as an arterial roadway. Brilliance Avenue and old Mt. Zion Road are identified as local streets in the Planning Commission's GIS system.

RELATIONSHIP TO COMPREHENSIVE PLAN

The Our Boone County – Plan 2040 Future Land Use Map designates the site as "Commercial." This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The Land Use Element provides the following quotes that relate to the general area.

- A. This section of Boone County contains the City of Union and a substantial portion of Hathaway Road and U.S. 42. In general, this section should experience considerable residential growth due to Union's current residential nature, growth associated with the City of Florence, and improvements to U.S. 42. For these reasons, the 2000 Union Town Plan was prepared by the Boone County Planning Commission, City of Union, and Boone County Fiscal Court. The plan's recommendations are shown on the 2040 Future Land Use Map and also affect the Boone County Zoning Regulations.

The U.S. 42 corridor should experience commercial growth on a smaller scale to mitigate any adverse impacts and to be compatible with surrounding land uses and densities. As defined by the 2000 Union Town Plan, commercial development should occur in neighborhood business district form in specified locations instead of strip style commercial ("20. Union," p. 137).

- B. Improvements to Mt. Zion Road, between the Union city center and the interchange, should be accompanied by water and sewer improvements to accommodate the anticipated residential growth ("20. Union," p. 137).
- C. All major residential developments should provide recreational facilities, or other public facilities, through cooperative efforts between developers, legislative bodies, and other agencies/organizations. These facilities should be designed not only to serve the residents of the specific subdivision but, where appropriate, to

serve surrounding populations in order to mitigate the impacts upon existing facilities. This section of Boone County should develop as a major population area, and sites for recreation and other public facilities should be planned and obtained before prime sites are no longer available or become too costly for acquisition (“20. Union,” p. 137).

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 existing site features to determine positive and useful attributes, as well as features that 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. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined (“Utilization of Existing Vegetation and Topography,” p. 95).
- B. Different residential development densities can occur in Boone County as long as the development is designed in a proper manner and the infrastructure exists (or is planned) to support the development (“Development Layout, Lot Sizes, and Setbacks,” p. 95).
- C. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; where appropriate, 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,” p. 95).
- D. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to soften the visual impacts of the development from adjoining properties and roadways (“Landscaping,” p. 96).

- E. 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. 96).
- F. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and sight distance for access points, adequate spacing 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, arterial or collector streets should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial street system. Connections between and within commercial and industrial developments allow for more efficient provision of transit service. In addition, the amount of travel time saved for services relying on routing (such as school buses, waste collection, mail, and other delivery services) is invaluable, not to mention the importance of simply connecting neighborhoods and people to each other. More importantly, the connectivity between developments promotes safety as emergency response vehicles have multiple ways of gaining access to a property during an emergency (“Access Management,” p. 96).
- G. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways and functional classifications must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. The traditional grid system can provide an alternative to typical suburban design. Parallel and frontage roads should be used to minimize impacts of individual sites on collector and arterial roadways (“Transportation and Pedestrian Network,” p. 97).
- H. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or

distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view (“Design, Signs, and Cultural Resource Preservation,” p. 97).

The Demographics Element provides the following statements that relate to the proposal.

- A. Furthermore, by continuing to monitor the composition of the population, Boone County will be more prepared to provide proper and adequate amenities that encourage them to stay in the county rather than moving elsewhere for their needs to be met. Knowing the makeup of the population will assist in providing the appropriate housing, employment, and retail shopping opportunities to meet their needs at the countywide level as well as within specific areas within the county as development plans and zone change requests are reviewed (“Identify the Needs of the Population,” p. 19).
- B. A variety of multi-family housing options should include apartments, townhouses, patio homes, condominiums, nursing homes, and retirement housing all ranging greatly in price per unit to accommodate a wide range of relative affordability. These types of units are increasing in demand beyond the established urban areas such as Florence and should be encouraged to occur in the unincorporated portions of Boone County as viable options for both the building community and the prospective resident, especially as the county’s land values rise (“Housing Types and Locations,” p. 19).
- C. New residential development, regardless of the type, should be evaluated for its impact on the county’s existing infrastructure and natural environment to ensure that it fits in with existing surrounding development through proper buffering and design. High density developments should be close to thoroughfares and urban services and be sensitively developed in terms of building height, setbacks, mass, and visual impact. A variety of housing opportunities within the established urban (and suburban) areas of Boone County would encourage mixing of different income levels (“Housing Types and Locations,” p. 19).
- D. Established single-family housing areas should not experience an influx of multi-family or duplex construction unless adequate buffering or proper development design can be provided to ease the transition. 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 (“Housing Types and Locations,” p. 20).

- E. 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 (“Housing Types and Locations,” p. 20).
- F. In order to support the densities needed to sustain mass transit and to foster new affordable housing options, average minimum densities should be encouraged for mixed-use, planned developments. This would allow a variety of housing types but also enable a logical progression of intensities. The highest residential densities would be in the activity centers of these mixed-use developments and would include neighborhood commercial, employment, public uses, as well as transit stations or stops (“Housing Types and Locations,” p. 20).
- G. Mixed-use, planned developments that can provide a mix of housing options, commercial opportunities, offices, public uses, recreational uses, and multiple transportation options (i.e. transit, pedestrian, park-and-ride) could be one strategy for meeting this demand for higher density. Areas of employment growth in Boone County should experience development pressure for housing options relative in affordability to the jobs and shopping opportunities being created in the area (“Affordability,” p. 20).
- H. In conclusion, it is essential that the makeup of Boone County’s population be accurately identified in order to make sure that all resident needs and housing opportunities are met and balanced with affordability, proximity to employment and commercial centers, access to educational resources, and proximity to public transportation as needed. Residential development has occurred at a lower density than planned in the Future Land Use Plan over the last several comprehensive plan updates in Boone County and the development has predominantly been in a limited variety of product, typified by mid-to high-range single-family subdivisions at approximately three units per acre. The demand for this product should remain fairly strong throughout the 25 year planning horizon; however, Boone County needs to be open to changes in the market as well as type and design of housing options in the coming years as the demographics of the county evolve (p. 21).

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

- A. Overall, land planning in Boone County should enable the higher density development on developable lands to reduce the pressure on developmentally sensitive areas. This is the most effective way to preserve environmental characteristics of rural Boone County, while reducing air pollution and making transit more feasible and effective. As Boone County's development continues, design will become increasingly important. Attention to water runoff, traffic congestion, and visual impacts will require more attention to mitigate the cumulative impacts of development on the environment ("Conclusions and Recommendation," p. 34).

The Our Boone County – Plan 2040 Goals and Objectives include the following pertinent statements.

- A. Mixing of residential and other land uses shall be encouraged where appropriate ("Overall," Objective 3).
- B. Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems ("Overall," Objective 3).
- C. The unique characteristics of the legislative units and their different development and infrastructure needs should be recognized and accommodated ("Overall," Objective 5).
- D. Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population ("Demographics," Goal A, Objective 3).
- E. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County ("Demographics," Goal A, Objective 4).
- F. A broad range of housing opportunities shall be provided to meet the needs and desires of all household types and shall be balanced with affordability, employment centers, commercial areas, and educational needs ("Demographics," Goal B, Objective 1).
- G. Residential developments shall be evaluated for impact on infrastructure, environment, health and safety considerations, buffering, and design with secondary consideration given to dwelling unit type and density ("Demographics," Goal B, Objective 4).

- H. Mixed use, higher density neighborhoods shall be encouraged near existing or proposed transportation nodes and shall be designed to establish neighborhoods with a mix of retail, public, and recreational uses (“Demographics,” Goal B, Objective 6).
- I. Residential developments shall be encouraged to plan and build in a manner compatible with the general housing density and design planned for the area, with the existing conditions of the site, and significant site features (“Demographics,” Goal B, Objective 8).
- J. Development shall attempt to utilize existing topography and vegetation (including mature trees where possible) and preserve the existing character of the land where practical (“Environment,” Objective 7).
- K. Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses (“Economy,” Goal B).
- L. Compact, efficient development patterns shall be encouraged for industrial, commercial, and office uses with appropriately sized and well maintained buffer spaces between the business use and other land uses (“Economy,” Goal B, Objective 1).
- M. Mixing of commercial and non-commercial uses shall occur in areas where consideration has been given to assure compatibility with surrounding land uses and natural systems (“Economy,” Goal B, Objective 1).
- N. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (“Economy,” Goal B, Objective 3).
- O. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (“Transportation,” Goal A, Objective 1).
- P. Development of mixed use designed to lessen vehicle travel shall be encouraged (“Transportation,” Goal A, Objective 8).
- Q. New connector streets shall be developed where needed and feasible to lessen the dependence on arterial, collector, and local streets (“Transportation,” Goal B, Objective 5).

- R. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops (“Transportation,” Goal B, Objective 6).
- S. Mixed use, higher density neighborhoods shall be designed to accommodate safe pedestrian access to mass transit, major streets and interstates, public facilities, and parks (“Transportation,” Goal B, Objective 8).
- T. New land development shall be closely coordinated with the local transportation system to assure efficiency and continuity within Boone County and with the regional multi-modal transportation system (“Transportation,” Goal B, Objective 9).
- U. Developers of planned, mixed-use neighborhoods shall design such projects so that residential, retail, office, and compatible light-industrial land uses can be served by transit stations or stops, pedestrian and bicycle facilities, open space, and public uses (“Transportation,” Goal C, Objective 4).
- V. Redevelopable and infill sites shall be encouraged to develop as walkable, mixed-use districts (“Transportation,” Goal C, Objective 7).

UNION TOWN PLAN

The “Relationship to the Boone County Comprehensive Plan” section of the Union Town Plan (p. 2) states that the document was:

... drafted to help further define the Comprehensive Plan for this important Study Area. It does not replace the Comprehensive Plan, but is designed to be a furtherance of the Comprehensive Plan’s recommendations.

The 1995 *Boone County Comprehensive Plan* recommended that a detailed specific plan be prepared for the U.S. 42 corridor area because of the anticipated impacts that major road improvements and future provision of sanitary sewer service will have in the Union area. Geographically, the Comprehensive Plan recognizes the importance of the Union area. It is near the center of Boone County, and contains developable land near existing urban and suburban development.

This section (p. 3) states the following regarding high density development.

As the Comprehensive Plan recommends in several elements, high density development should occur adjacent to major arterial corridors such as U.S. 42, with a transition of densities outward. The *Union Town Plan* accomplishes this objective also with the Town Center development area being centered around the intersection of new future arterial roadways, U.S. 42 and Mt. Zion Road.

In addition to recommending architectural design review for business activity development in the corridor, the “Relationship to the Boone County Comprehensive Plan” section (p. 4) concludes with the following language.

As described in the 1998 *Union Town Plan*, the study area contains a unique pastoral and small town character. The planning process indicated that this uniqueness can be incorporated into the future development of the City of Union and the surrounding area, and can result in a development district that is different than any other place in Boone County. In order to promote the Union Town Center area, a conscious effort has been made through the *Union Town Plan* to concentrate future commercial activity into a viable town center and to avoid typical strip-style commercial uses along the realigned U.S. 42 arterial route. While concentrating the commercial activity into a town center, residential development is planned outside this town center. Generally, the *Union Town Plan* and these specific zoning regulations recommend residential development outside the town center in an effort to preserve the unique land characteristics of the area and support the proposed commercial activity of the town center. Planned commercial uses are intended to be local and not regional in scale.

The “2000 Union Town Plan” section (p. 4) states the following regarding the Plan’s objectives.

The preferred land use plan presented is one that is based on the establishment of a formal Town Center, and contains incentives to developers and property owners to develop in a well-designed manner that creates a distinct character for Union, and combats certain characteristic features of suburban sprawl.

This is an incentive-based plan that provides certain advantages in return for the developer addressing certain impacts of proposed development. This plan addresses the issue of sprawl by providing the following:

- * compact town center that offers a mix of uses - possible to live and work in the same community
- * planned street circulation pattern
- * higher density than typical Florence/Union area development
- * higher property values over time because of a sense of place and an “even playing field”
- * free movement on most of U.S. 42 because of managed access and less commercial turning movements
- * better commercial services for future development along Hathaway Road and Mt. Zion Road having the commercial center around the big intersection.

The 2000 Union Town Land Use Plan Map designates the majority of the site as “Town Center (Phase 2).” This designation is described on page 5 of the text as “mixed use including office, public facilities, residential and recreational uses. Commercial uses are permitted once 50% of Phase I is developed.” Regarding the Town Center (Phase 2) designation, the “Design Standards” legend on the Land Use Plan Map states, “parking in rear or side; small front setback; brick and stone construction; buildings to face main road.”

The 2000 Union Town Land Use Plan Map designates much of the southern panhandle portion of the site (part which fronts on old Mt. Zion Road) as “Town Center (Phase 1).” This designation is described on page 5 of the text as “mixed use including commercial, office, public facilities, residential and recreational uses.” Regarding the Town Center (Phase 1) designation, the “Design Standards” legend on the Land Use Plan Map states, “parking in rear or side; small front setback; brick and stone construction; buildings to face main road” (i.e., the same “Design Standards” noted on the Land Use Plan Map apply to both Town Center Phases 1 and 2). The Land Use Plan Map also conceptually shows an east-west running bike path on a portion of the subject tract which would connect to a “pedestrian tunnel built by KDOT” across US 42.

STAFF COMMENTS

1. COMPREHENSIVE PLAN AND UNION TOWN PLAN

The governing bodies need to determine whether the proposal is in agreement with the Our Boone County – Plan 2040 (the adopted Comprehensive Plan), and the Union Town Plan, which was “drafted to help further define the Comprehensive Plan for this important Study Area. It does not replace the Comprehensive Plan, but is designed to be a furtherance of the Comprehensive Plan’s recommendations” (pg. 2).

The Our Boone County – Plan 2040 Future Land Use Map designates the site as “Commercial.” This designation is described as “retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.”

The 2000 Union Town Land Use Plan Map designates the majority of the site as “Town Center (Phase 2)” and much of the southern panhandle portion of the site as “Town Center (Phase 1).” The descriptions for both Town Center Phases 1 and 2 are similar, but they differ in their characterization of commercial uses as follows.

Town Center (Phase 1): Mixed use including commercial, office, public facilities, residential and recreational uses.

Town Center (Phase 2): Mixed use including office, public facilities, residential and recreational uses. Commercial uses are permitted once 50% of Phase I is developed.

In short, the description for Phase 1 includes commercial uses outright, whereas the description for Phase 2 permits commercial uses when the timing or phasing stipulation of “once 50% of Phase I is developed” has been achieved. The 50 percent development threshold for Phase 1 has not been reached at this point in time. Section 2520 “Union Town Center Zone (UTC)” of the Boone County Zoning Regulations states that the 50 percent threshold is not necessarily absolute and can be bypassed through the appropriate review procedures “if the proposed development offers a unique, well designed plan that establishes or reinforces the Town Center Concept beyond the minimum requirements contained in the Union Town Plan.”

The “Design Standards” legend on the 2000 Union Town Land Use Plan Map states, for both Town Center Phases 1 and 2, “parking in rear or side; small front setback; brick and stone construction; buildings to face main road.” These standards are discussed in the PD Overlay Zone Criteria and Development Standards section below (cf., “beyond the minimum requirements contained in the Union Town Plan” phrase mentioned above for waiving the 50% build out stipulation for Phase 1 of the Town Center). Relative to design in general terms, the Comprehensive Plan’s Future Land Use Development Guidelines state:

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. Utility lines should be placed underground wherever possible, and junction boxes screened from public view (“Design, Signs, and Cultural Resource Preservation,” p. 97).

The Comprehensive Plan’s Land Use Element (“20. Union,” p. 137) states, “As defined by the 2000 Union Town Plan, commercial development should occur in neighborhood business district form in specified locations instead of strip style commercial.” This section also refers to the “Union city center” which can be interpreted to mean the Town Center (Phases 1 and 2) shown on the 2000 Union Town Land Use Plan Map. Regarding the Town Center, the Union Town Plan states:

As the Comprehensive Plan recommends in several elements, high density development should occur adjacent to major arterial corridors such as U.S. 42, with a transition of densities outward. The *Union Town Plan* accomplishes this objective also with the Town Center development area being centered around the intersection of new future arterial roadways, U.S. 42 and Mt. Zion Road (p. 3).

The Union Town Plan (p. 4) also states that it addresses sprawl by providing a “compact town center that offers a mix of uses - possible to live and work in the same community” and “higher density than typical Florence/Union area development.”

Since the Union Town Plan is “designed to be a furtherance of the Comprehensive Plan’s recommendations” (p. 2), and the text of the applicable zoning districts is part of the Union Town Plan itself, the intent of the UTC zone can be used for guidance. Section 2520 of the zoning regulations states:

The purpose of the Union Town Center (UTC) zone district is to allow for a condensed commercial and residential area that is pedestrian scale and creates a sense of place for the surrounding area. Mixed use development with buildings designed to accommodate commercial uses on the first level and office or residential uses on the second level are encouraged. The UTC zone district allows commercial, office and residential uses in a concentrated area which does not promote a continuous or extensive strip of commercial development along the new U.S. 42. The UTC zone district corresponds to the Town Center Land Use Classification on the 2000 Union Town Plan Land Use Map.

For reference purposes, Section 2525 “Intensity” does not have a maximum building intensity standard for commercial or office uses in the UTC zone, but the required intensity for residential uses is a minimum of 3 dwelling units per acre and a maximum of 8 dwelling units per acre. Per Section 972, the maximum intensity for the requested UR-2 zone is 20 dwelling units per acre. Section 1512 “Intensity” allows the building intensity in the PD overlay zone to be increased by up to 50 percent over the maximum amount permitted in the underlying zone (up to 30 dwelling units per acre in this instance). The proposed residential density is 20.04 dwelling units per acre (in addition to the commercial space on the ground floor of the main building).

The Comprehensive Plan’s Demographics Element includes the following sections which pertain to mixed-use and higher density residential development in general

terms. Several of these statements correspond to the Union Town Plan's remarks quoted above.

- A. New residential development, regardless of the type, should be evaluated for its impact on the county's existing infrastructure and natural environment to ensure that it fits in with existing surrounding development through proper buffering and design. High density developments should be close to thoroughfares and urban services and be sensitively developed in terms of building height, setbacks, mass, and visual impact. A variety of housing opportunities within the established urban (and suburban) areas of Boone County would encourage mixing of different income levels ("Housing Types and Locations," p. 19).
- B. 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 ("Housing Types and Locations," p. 20).
- C. In order to support the densities needed to sustain mass transit and to foster new affordable housing options, average minimum densities should be encouraged for mixed-use, planned developments. This would allow a variety of housing types but also enable a logical progression of intensities. The highest residential densities would be in the activity centers of these mixed-use developments and would include neighborhood commercial, employment, public uses, as well as transit stations or stops ("Housing Types and Locations," p. 20).
- D. Mixed-use, planned developments that can provide a mix of housing options, commercial opportunities, offices, public uses, recreational uses, and multiple transportation options (i.e. transit, pedestrian, park-and-ride) could be one strategy for meeting this demand for higher density. Areas of employment growth in Boone County should experience development pressure for housing options relative in affordability to the jobs and shopping opportunities being created in the area ("Affordability," p. 20).

Several of these statements are reinforced by the Comprehensive Plan's Goals and Objectives which are outlined in the body of this report, including providing opportunities for varying types of dwelling units. Proper buffering and the retention

of existing vegetation are also mentioned in the Goals and Objectives and the Future Land Use Development Guidelines. Appropriate transitional uses or progression of densities are discussed in the Future Land Use Development Guidelines.

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 CRITERIA AND DEVELOPMENT STANDARDS

Staff offers the following comments regarding the criteria 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. Applicable standards from the Union Town Plan are also discussed in this section. Exceptions to the normally applicable development standards can potentially be approved in the PD overlay zone per Section 1500 of the zoning regulations.

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." 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 dependence on the automobile," and it outlines a number of potential design solutions for creating a "pedestrian orientation" (reduced setbacks along the street frontages, providing storefront windows, etc.).

Several of the Union Town Plan design standards (regarding street trees, street furniture, vintage street lights, building and parking placement, etc. – see Section 2540 of the zoning regulations) were designed to create a pedestrian environment. As outlined above, the 2000 Union Town Land Use Plan Map states that the Design Standards for the Town Center (Phases 1 and 2) include "parking in rear or side; small front setback; brick and stone construction; buildings to face main road."

The overall use or function aspect of the proposal meets the intent of the UTC zone as stated in Section 2520 relative to a mixed use orientation, both within the development itself and relative to the adjoining properties. Regarding the design

of the project, the parking lot proposed at the front of the lot along Brilliance Avenue and the extensive retaining wall detract from the overall pedestrian orientation (note – like the Design Standards on the 2000 Union Town Land Use Plan Map, Section 2540 does not permit parking in front of the building). The applicant stated that the intent was to separate the commercial and residential parking (commercial in front, residential in back), but the front parking area (72 spaces) does not provide the minimum required number of parking spaces for the commercial space by itself (104 minimum for the retail/office space and potentially more to accommodate eating/drinking establishments).

The proposed configuration separates most of the ground floor commercial frontage from the boulevard and causes the commercial space to function more as a strip center (the broader portion of the front façade is setback approximately 160' from the Brilliance Avenue right-of-way). The large retaining wall also negates the ability to make a pedestrian connection to the sidewalk along US 42. This is an important issue in the overall design because it substantially shifts the relationship between the main building and Brilliance Avenue to an automobile orientation versus a pedestrian orientation. Due to these issues, Staff recommends that the proposal be reconfigured to place all parking at the rear (and interior side if applicable), narrow the space between the front of the main building as a whole and the street, and eliminate or substantially reduce the size of the retaining wall. In contrast, the 8 townhouse units that are proposed along the extension of Brilliance Avenue comfortably meet the objectives of this criterion. The proposed on-street parking and required street trees and sidewalks also contribute to the creation of the pedestrian environment sought by this criterion.

A sidewalk system is shown in the Concept Development Plan set. To more fully meet this criterion, Staff recommends that a sidewalk connection be provided from old Mt. Zion Road and across the rear parking area to a point at or near the rear of the main building. Additionally, sidewalk connections from the 4 southern-most townhouse units to Brilliance Avenue, and from the rear of these units to the internal sidewalk system (on the west side of the island by the townhouse loop drive), are also recommended (refer to Section 3327 of the zoning regulations).

Sidewalks (5' width) are required (and shown) along both sides of the existing and proposed sections of Brilliance Avenue. A 5 foot wide sidewalk is also required along the site's old Mt. Zion Road frontage (not shown), similar to the sidewalk provided at the nearby St. Elizabeth Physician's site.

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. Architecture: The building design is a key issue relative to compatibility, especially when considering the issues raised under #1 above and the fact that the site is on the boundary of the Town Center and adjoins a substantial residential subdivision. This topic is discussed under #7 below.
- B. Landscaping: This topic is discussed under #6 below.
- C. Uses: The application materials describe the proposed uses as apartments, townhomes, and retail/commercial/restaurant uses. Townhouse and apartment dwelling units are permitted in some fashion in both the UTC and UR-2 zones. As noted previously, the maximum intensity in the UTC zone is 8 dwelling units per acre and the maximum intensity in the UR-2 zone is 20 dwelling units per acre, however, up to 30 units per acre is possible when the PD overlay zone is combined with the UR-2 zone (20.04 dwelling units per acre is proposed in addition to the commercial space on the ground floor of the main building).

The specific uses proposed for the ground floor of the main building have not been identified and the applicant should explain this aspect of the proposal in more detail. Staff has not identified any issues with the commercial component of the proposal if the uses are limited to retail, office, and eating and drinking establishments that are principally permitted in the UTC zone, no drive-through facilities are provided, and the parking standards are met. The applicant should also explain whether any of the upper floor units in the main building could be used for non-residential purposes, such as offices, and whether any amplified sound (live bands, prerecorded music, etc.) is intended for the outdoor seating areas.

- D. Lighting: Lighting is not addressed in the application materials. The standards in Section 3316 of the zoning regulations will need to be met. Relative to the UTC zone, Section 2540.9.f states, "Decorative, vintage street lights are required in the UTC zone for all streets at a minimum spacing of at one hundred (100) feet." The existing fixtures along Brilliance Avenue are gaslight style. For the on-site fixtures, Staff recommends that the fixtures themselves be architectural grade, and to help maintain a pedestrian scale and avoid a highway commercial appearance, any freestanding light masts in vehicular areas are recommended to have a maximum height of 15 feet.

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.” For the UTC zone, Section 2540.3 of the zoning regulations requires at least 20 percent of the site to be landscaped or kept in its natural state.

Sheet C200 in the Concept Development Plan set states that 37.5 percent of the site is “green space.” The applicant should explain how the “useable open space” aspect of this criterion will be met. Section 2540.4.b of the zoning regulations requires “some form of a public gathering place, such as a landscaped picnic table area or a decorative bus stop area, that is fronted on at least one (1) side by a public street when the site abuts a public street,” and Section 2540.9.g requires that “decorative waste receptacles and street furniture including benches shall be provided in front of each commercial or office building of over 3000 square feet.” Provision of the features required by these two Union Town Plan standards can be considered in context of this PD criterion. The outdoor patio areas shown on the Concept Development Plan appear to be mostly or exclusively for eating/drinking establishment seating.

4. Multi-Modal Transportation System: Sidewalks are discussed under #1 above. Bike racks are required under Sections 2540.9.e and 3327 of the zoning regulations.

5. Preservation of Existing Site Features: Aside from parts of the drainage corridor along the south property line of the main part of the site, the site is proposed to be cleared. While Section 2540.3 of the zoning regulations requires at least 20 percent of the site to be landscaped or kept in its natural state, the amount of clearing shown is reasonably consistent with the objectives of the UTC zone that are outlined in Section 2520. The applicant should explain the intended design for storm water detention since this could necessitate clearing virtually all of the existing vegetation in the drainage corridor.

6. Landscaping: Landscaping is conceptually shown on the illustrative site plan. The applicant’s narrative states, “The property will have an extensive landscape plan. The Brilliance Avenue extension will include a streetscaped island to continue the Boulevard theme street cross (sic) section.” Unless exceptions are granted through the approval of the current application, all applicable landscaping requirements will need to be met. The following landscaping issues have been identified.

- a. Street trees will need to be provided per Section 2540.9.b (meet spacing and tree installation size requirements; these standards are in addition to the street frontage landscaping required by Section 3620).

- b. All internal vehicular area landscaping requirements in Section 3625 will need to be met (5% of overall vehicular area must be landscaped, maximum 180' spacing between islands/peninsulas, etc.).
- c. The building landscaping requirements in Section 3630 will need to be met where applicable. This is not required for the main building based on the architectural concepts provided, but these concepts do not show all street facing facades. Any building landscaping required for the townhouses can be combined with the street frontage landscaping required by Section 3620.
- d. Depending on how the loading space for the main building is addressed, the loading area may need to be screened per Section 3635.

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." Based on the site's location in the Union Town Center (UTC) zone, it is subject to the standards in the Union Town Plan.

As stated above, the "Design Standards" legend on the 2000 Union Town Land Use Plan Map states, for both Town Center Phases 1 and 2, "parking in rear or side; small front setback; brick and stone construction; buildings to face main road." Staff has the following comments on these standards.

- a. Parking in Rear or Side: The parking lot shown at the front of the site is discussed under #1 above.
- b. Small Front Setback: Small front setbacks are shown at the 'short' ends of the main building, but not for the main building as a whole which negates the street wall effect (part of the overall pedestrian environment) that the regulations are intended to create. This issue is related to the "parking in rear or side" standard and is discussed further under #1 above.
- b. Brick and Stone Construction: Building materials are not identified on the submitted architectural concepts. Regarding the main building, applicant's narrative states, "Through mixing masonry, stone, metal and wood tones, the development balances itself with equal parts traditional and modern touches. Retail, restaurant, and residential entrances are flanked with stone pillars spanned with modern, clean glass storefront systems." The narrative states that the townhouse buildings will use materials similar to those used on the main building. The applicant needs to directly state how the "

- c. and stone construction” standard will be met for all buildings. Additional building material requirements, which are somewhat more flexible than the Design Standards noted on the 2000 Union Town Land Use Plan Map, are outlined in Section 2540.8.a of the zoning regulations.
- d. Buildings to Face Main Road: The main cluster of townhouse units faces Brilliance Avenue. The main building substantially faces Brilliance Avenue versus US 42. Section 2540.6 “Building Orientation” states, “All structures shall front toward existing Mt. Zion Road, proposed Mt. Zion Road, Hathaway Road, old U.S. 42 and new U.S. 42 when the subject site adjoins one of these roads. Any drive-through windows, automatic teller machines, or gasoline pump canopies must be located on the side or rear building facades away from these roadways.” The applicant should explain the rationale for substantially facing the main building towards Brilliance Avenue versus US 42, including any issues related to topography and the site’s horizontal geometry. An exception to this standard can be considered pursuant to Section 1500 of the zoning regulations.

Other issues pertaining to this criterion include the following.

- e. Garages/Loading/Unloading Doors (2540.8.b): The garages for the townhouses and the parking structure entrance are at the rear of the respective buildings and meet this standard. As noted above relative to landscape screening, the location of the loading space for the main building needs to be explained. This standard states that “loading/unloading doors shall not face the road on which the principle structure faces.” Additional loading space requirements are in Section 3311 of the zoning regulations.
- f. Entrance (2540.8.c): This standard states, “All buildings shall have their main entrance on the primary street with an equally defined rear entry from the parking area.” As mentioned above, Section 2540.6 “Building Orientation” requires the main building to “front toward” US 42, but it is substantially oriented towards Brilliance Avenue on the submitted plan. Aside from that issue, a prominent main entrance is proposed on the front façade. An “equally defined rear entry from the parking area” is not apparent on the submitted architectural concepts. The applicant should also explain whether individual storefront entrances are proposed along the front of the building.
- g. Roof (2540.8.e): This standard states, “All residential buildings shall have a sloped or pitched roof.” The roofs on the townhouse units alternate between gabled (pitched) and flat roofs. Although the proposal is partially compliant with this standard under a strict interpretation, the solution is

appropriate for the context and the overall design will produce the intended effect.

- h. Building Height: The main building is proposed to be 4 stories high and the townhouses are proposed to be 3 stories high. The maximum height permitted by Section 2540.2 of the zoning regulations is 50 feet. The applicant needs to verify the height of the structures per the definition of “building height” in Article 40 of the zoning regulations.
- i. Retaining Wall(s): The materials and finishes for the retaining wall(s), and any appurtenant railing, need to be explained.

Aside from the issues noted above, the basic façade composition for all structures is appropriate in context of the planned setting and the objectives of the UTC zone as outlined in Section 2520.

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 applicant’s narrative states, “The developers will submit signage as a separate exhibit when completed, otherwise it will follow all Boone County signage regulations.” No such exhibit has been provided as of this writing. Sufficient information needs to be provided in order for the governing bodies to determine whether or not this criterion has been met. Minimally, the applicant should provide a signage program that identifies the sign types, materials, placement, illumination, and size (and height if applicable) for building mounted signs, directional signs, and any monument sign. For reference, the UTC zone is subject to the requirements in the Union Town Plan Special Sign District (Section 3440.1.D of the zoning regulations).

10. Transportation Connections and Entry Points: The major issue under this criterion is the completion of Brilliance Avenue from its current terminus at the Melody Drive intersection to old Mt. Zion Road near the roundabout. This alignment is shown on the 2000 Union Town Land Use Plan Map. This street connection (including a landscape median and sidewalks on both sides) is shown on the Concept Development Plan, but it is labeled “future” on several plan sheets

and a footnote on the illustrative (color) site plan sheet states, “City of Union future improvements based on planning consultant.”

Section 2540.9.a “Street Connections” of the zoning regulations states, “Street connections shall be provided in accordance with Section 305 - N) Temporary Dead-End Streets and Street Connections to Adjoining Tracts or Areas - of the Boone County Subdivision Regulations.” Under Section 305.N, the developer is responsible for constructing the street connection. Comments from the City of Union include the following statement.

On Grammas Plan Set #1, item 4.1 “Future Brilliance Avenue Extension” has an asterisk which implies the city will complete this connection at a future date. Improvements of this nature are traditionally the responsibility of the developer. We encourage the inclusion of this infrastructure within the project proposal (10/29/20 letter from David Plummer, CAO, is attached).

In short, the developer is responsible for the construction of the Brilliance Avenue extension unless other arrangements are made with the City. The applicant should explain the plan for completing this improvement.

The applicant should also evaluate the possibility of providing driveway connections from the parking area in the southern part of the site to the adjoining properties on old Mt. Zion Road (both initially and if/when these properties are redeveloped in the future). For reference, Section 2540.9.h “Interior Driveway Connections” of the zoning regulations states, “Parking lots for adjacent uses shall be connected.”

Pedestrian connections are discussed under #1 above. This criterion also discusses the demarcation of entry points through the use of landscaping, architectural or sculptural elements, etc. In context of the tighter-knit, mixed-use character/environment that is planned for this site and the surrounding area, such improvements are not critical. If provided, Staff recommends that they be reserved in size and scope.

11. Conformance with Comprehensive Plan: The Comprehensive Plan and Union Town Plan are discussed above.

3. TRAFFIC IMPACT STUDY

A Traffic Impact Study was discussed at the pre-application meetings for this application, but one has not been provided to date. The applicant’s narrative states, “A Traffic Impact Study has been scoped for the project via conversations

with the City of Union and the Kentucky Transportation Cabinet District 6 office.” Relative to this issue, the City of Union provided the following comment.

The addition of the UR-2 zone is likely to increase the density impact allowance from the UTC zone on this parcel. Given traffic volumes and the recent significant growth along US 42, a detailed Traffic Study should be prepared to determine the total impact on the roadways. Such a study will likely qualify signaling the Brilliance Avenue and US 42 intersection (10/29/20 letter from David Plummer, CAO, is attached).

A representative for the applicant has stated that data collection is complete, but a time frame for submission of the TIS has not been provided. The applicant needs to state when the finished study will be submitted for review.

4. OUTSIDE AGENCY COMMENTS

- A. Detailed comments on a variety of issues were provided by the City of Union (10/29/20 letter from David Plummer, CAO, is attached). Staff recommends that the applicant be prepared to discuss these comments at the Zone Change Committee meeting.
- B. Sanitation District 1 provided comments on sanitary and storm sewer issues (10/15/20 e-mail from Andy Aman, Plan Review Manager, is attached).
- C. The Union Fire Protection District has stated, “The Union Fire Protection District has no issues with the zoning amendment request of Grammas Investments for the property at US 42 and Brilliance Avenue” (10/19/20 e-mail from Michael Morgan, Fire Chief, is attached).

Staff has requested comments on the proposal from Boone County Schools, Boone County Water District, and the Kentucky Transportation Cabinet, District 6. 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.

5. DEVELOPMENT STANDARDS

For the applicant's information, an exhaustive site plan type review was not conducted due to the conceptual nature of the proposal. However, Staff has identified several specific requirements that will need to be addressed. These include:

- A. All utilities will need to be underground and any utility boxes visible from street frontages will need to be screened.
- B. The required number of parking spaces will need to be provided. Based on conservative assumptions, the standards can be met, but this may not be the case if high occupancy eating and drinking establishments are proposed.
- C. Accessible parking for the disabled will need to be provided.
- D. The driveway loop for the townhouse cluster scales to approximately 16 feet wide at the narrowest point.
- E. Other than the dedication of right-of-way for the Brilliance Avenue extension, no subdivision of the tract is apparent on the plan. A subdivision of the site into multiple building lots could have ramifications on the plan.

Unless exceptions are approved through the zone change process per Section 1500 "Intent" (PD overlay zone) of the zoning regulations, the project will need to meet all applicable standards at the Subdivision, Site Plan, and Design Review stages.

CONCLUSION

The Boone County Planning Commission and the Union City Commission need to evaluate the proposed zone change 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 in Article 15 of the zoning regulations, the Our Boone County – Plan 2040, the 2000 Union Town Plan, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved.

Respectfully submitted,



Kevin T. Wall, AICP
Director, Zoning Services

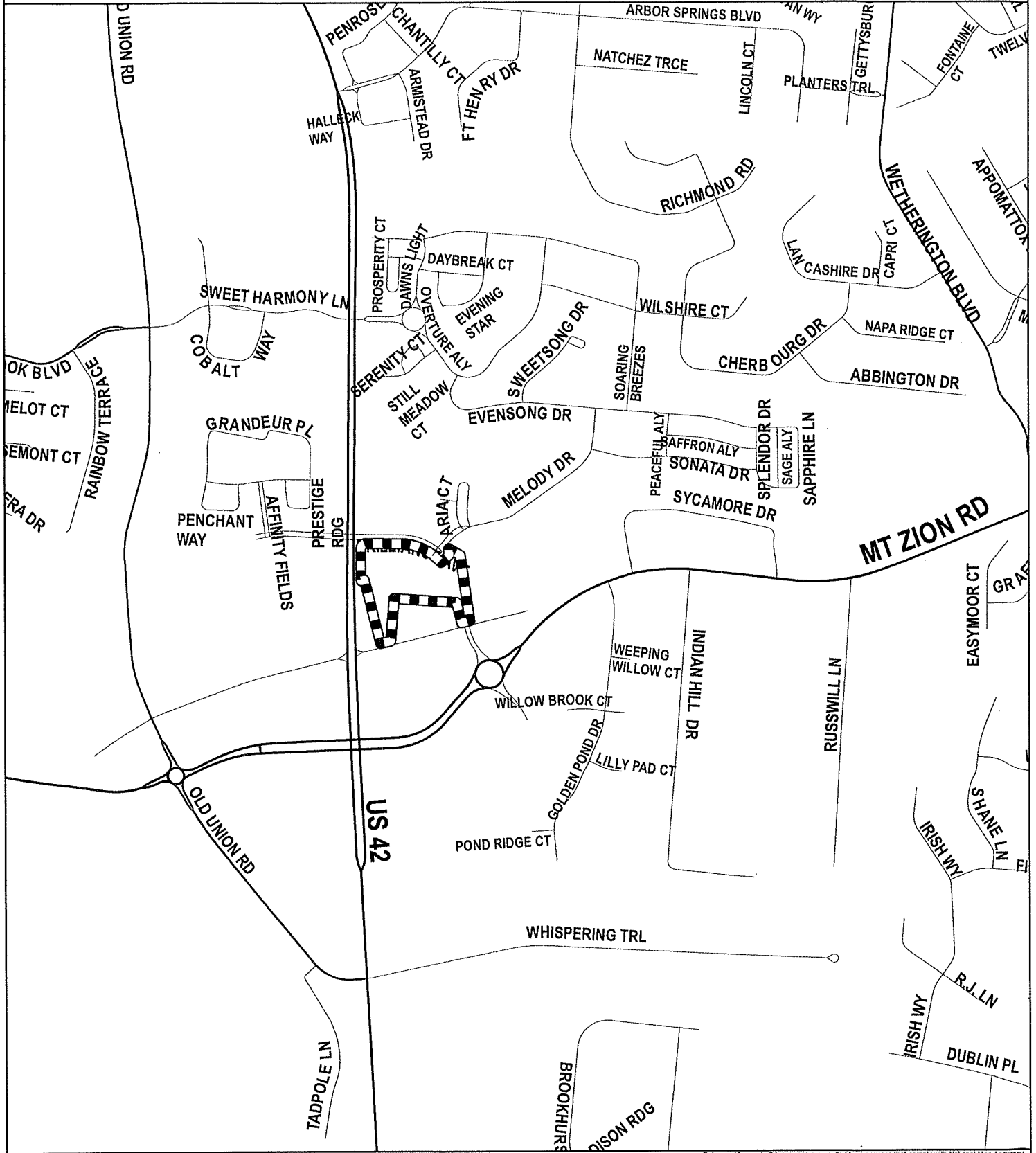
KTW/tlb

Attachments:

- Location map
- Air photo map with zoning
- 2040 Future Land Use Map excerpt
- 2000 Union Town Land Use Plan Map excerpt
- Natural Features map
- 10/29/20 letter from David Plummer, CAO, City of Union
- 10/15/20 e-mail from Andy Aman, Plan Review Manager, SD1
- 10/19/20 e-mail from Fire Chief Michael Morgan, Union Fire Protection District
- Application materials including Concept Development Plan and narrative
- written public comment received to date

Location

www.boonecountygis.com

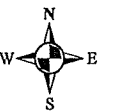


Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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



1 inch = 882 feet



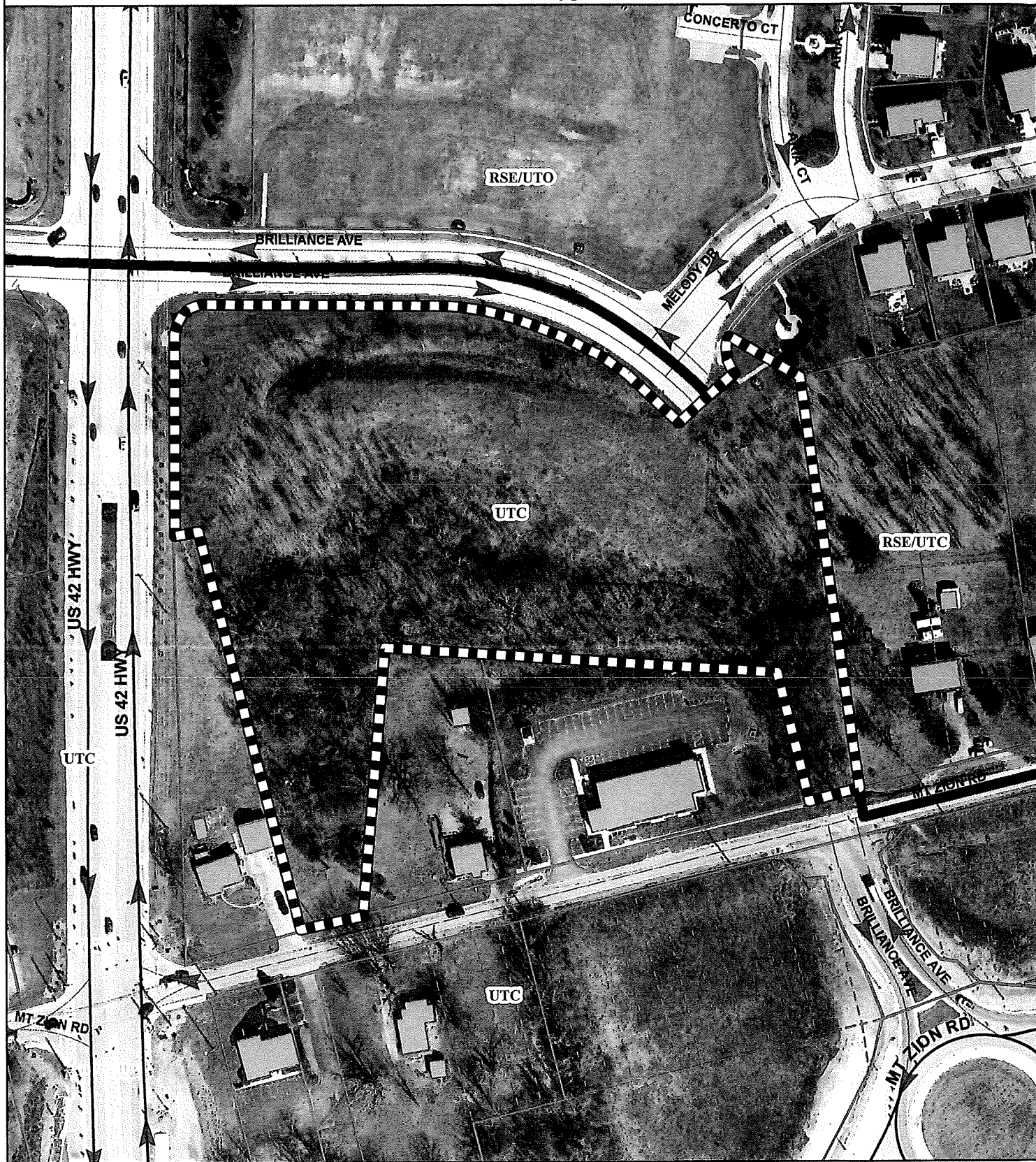
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2020

Map File: *mxd
ArcMap Document: *mxd

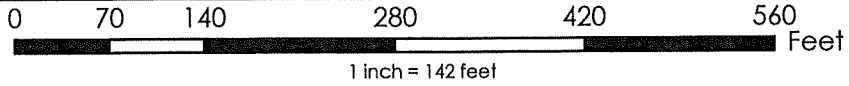
Zoning

www.boonecountygis.com



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

Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.



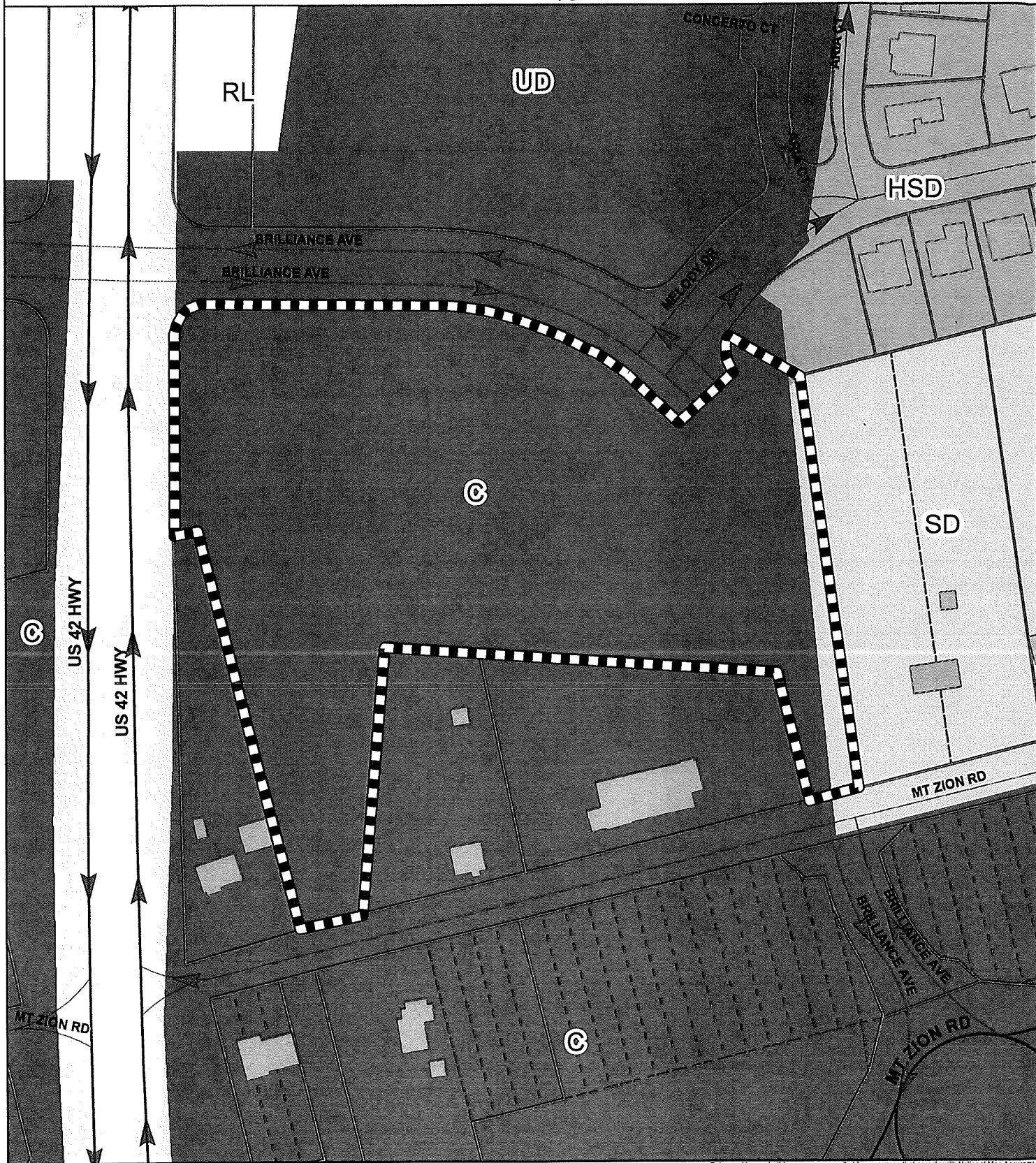
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: xx/xx/2020

ArcMap Document: *.mxd

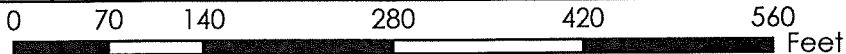
2040 Future Land Use

www.boonecountygis.com



Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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



1 inch = 142 feet



Boone County GIS - Putting Northern Kentucky on the Map

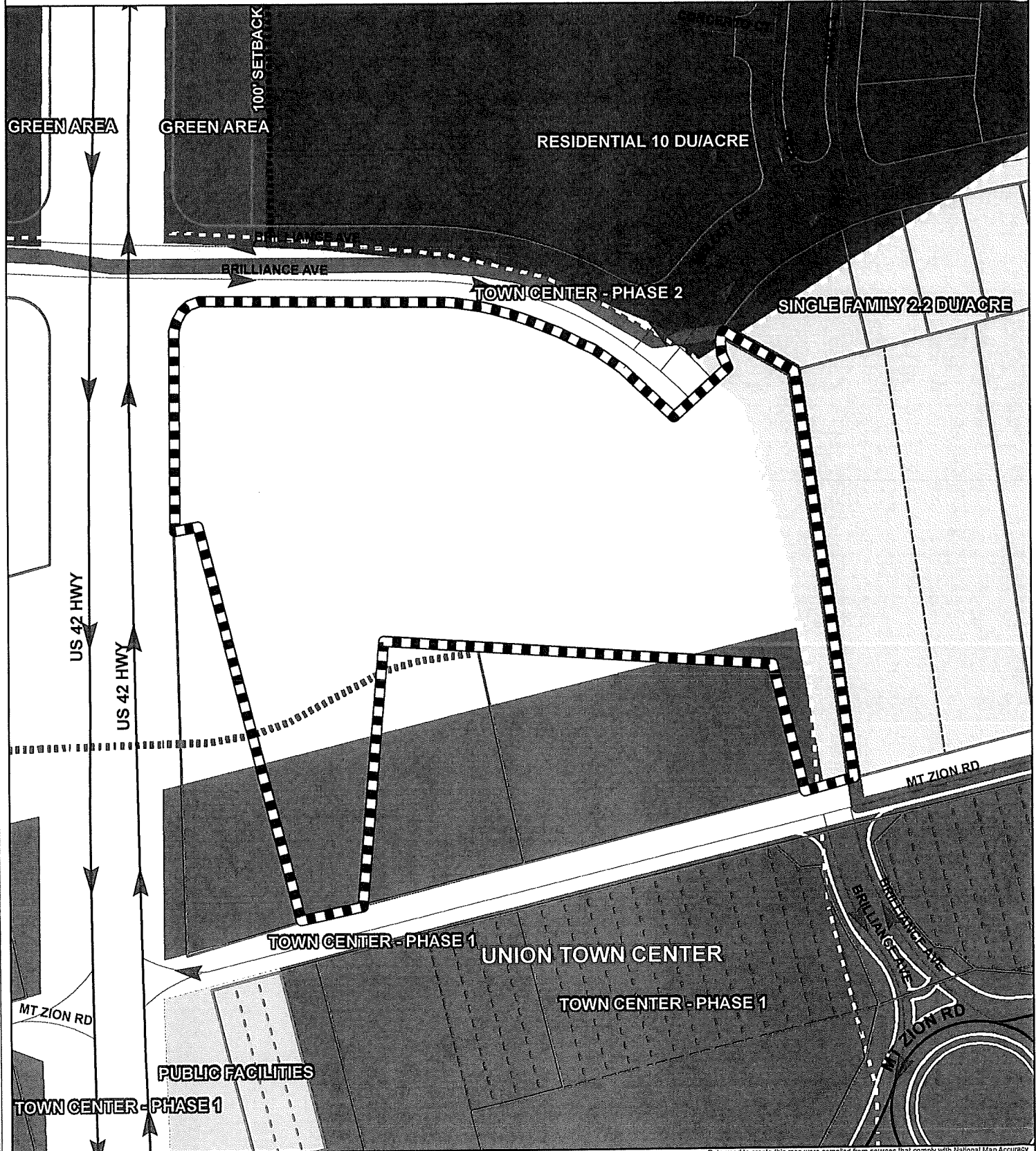


Map Created: xjxx/2020

Model File: C:\Users\jxx\Documents\Map 1105
ArcMap Document: *.mxd

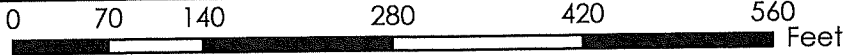
2000 Union Town Land Use Plan Excerpt

www.boonecountygis.com



Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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



1 inch = 142 feet



Boone County GIS - Putting Northern Kentucky on the Map

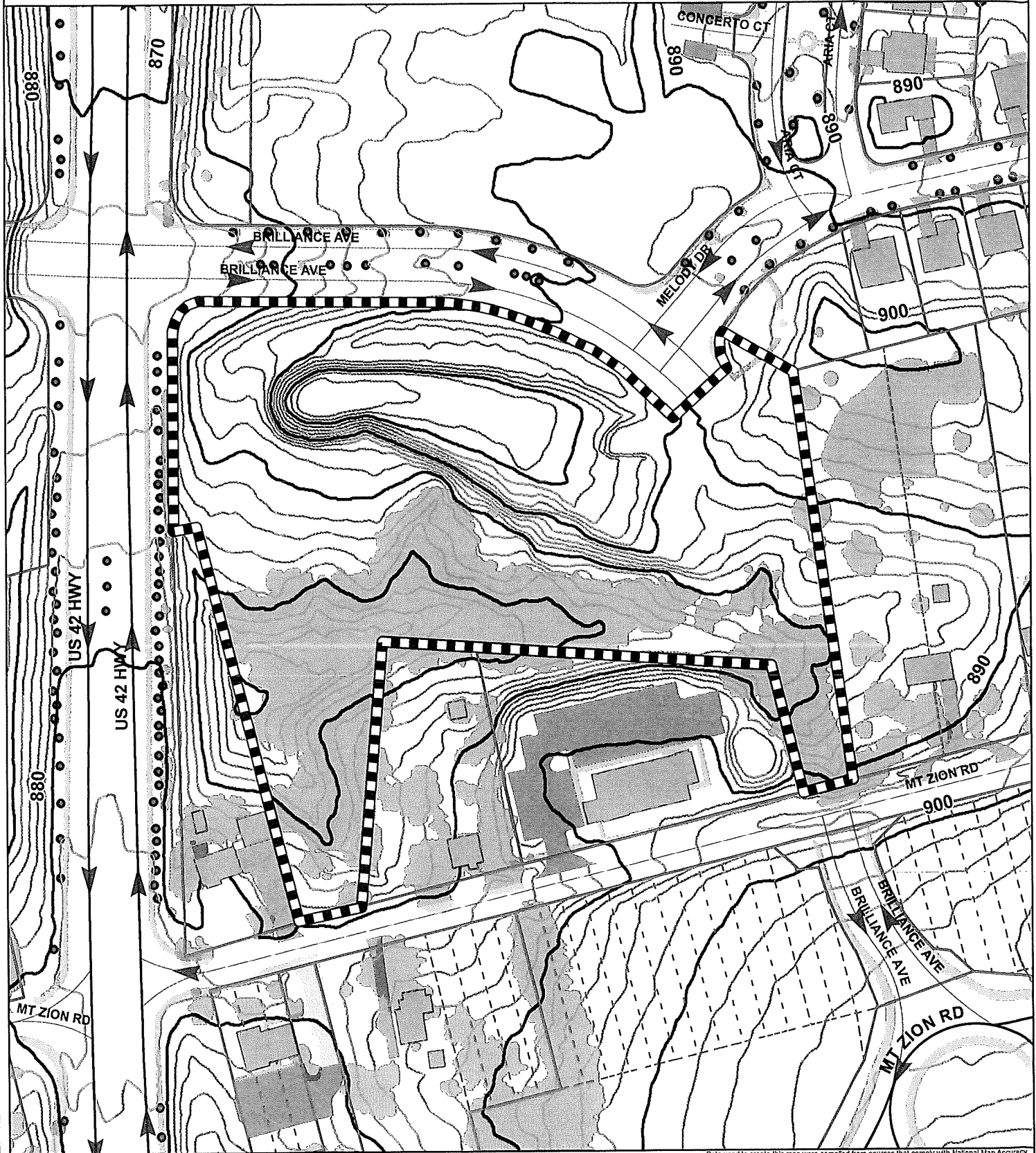


Map Created: xlxz/2020

ArcMap Document: *.mxd

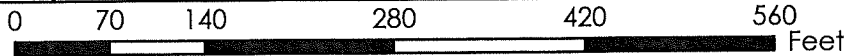
Natural Features

www.boonecountygis.com



Copyright 2020 Boone County GIS. Reproduction by any means without the express permission of the Boone County Planning Commission is prohibited.

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



1 inch = 142 feet



Map Created: xv/xr/2020

Boone County GIS - Putting Northern Kentucky on the Map



Map File: F:\chris\2020\GIS\1941
ArcMap Document: *.mxd

**CITY OF
UNION, KY**

Larry Solomon
MAYOR

10/29/2020

Boone County Planning Commission
2950 Washington Blvd.
Burlington, KY 41005

RE: 1995 Grammas Children's Trust Zoning Map Amendment

This letter is regarding a request from the Boone County Planning Commission (BCPC) staff for comments on the proposed map amendment of the 1995 Grammas Children's Trust property. The application and project have been reviewed by city staff and engineer. We submit this feedback prior to the public hearing scheduled for November 18th at 7:30 pm:

- On Grammas Plan Set #1, item 4.1 "Future Brilliance Avenue Extension" has an asterisk which implies the city will complete this connection at a future date. Improvements of this nature are traditionally the responsibility of the developer. We encourage the inclusion of this infrastructure within the project proposal.
- Brilliance Ave extension should be designed as a Collector Street via minimum county/city standards with exception for modifications allowing some on-street parallel parking and bike paths if compatible. Sidewalks should continue in similar concept from the Harmony Roundabout along Brilliance Ave.
- The sanitary sewer crossing beneath the Brilliance Avenue Extension should be further evaluated structurally or replaced/strengthened due to added earthen fill over the sewer.
- The addition of the UR-2 zone is likely to increase the density impact allowance from the UTC zone on this parcel. Given traffic volumes and the recent significant growth along US 42, a detailed Traffic Study should be prepared to determine the total impact on the roadways. Such a study will likely qualify signaling the Brilliance Ave and US 42 intersection.
- Inclusion of the PD zone overlay implies a deviation from the UTC zoning. The two main sources of this deviation are the orientation of the building and layout of the parking. It is assumed then that the addition of this map amendment will likely allow an exception to these regulations.
- Traffic Median Break adjustments are proposed along the existing Brilliance Avenue for access to the upper parking lot for retail, apartments and/or restaurants. The westbound lane of Brilliance Ave, immediately after Melody Lane, should be widened or an existing median decreased to afford an adequate left turn lane into the mixed-use development.
- All infrastructure on private property including access drives, parking lots, landscaping, sidewalks, storm water detention basin are private and will not be owned and maintained by the city of Union.

- Adequate fire protection be provided, which may include a public water main extension along the Brilliance Ave Extension, fire hydrant spacing along Brilliance Ave and within the mixed-use development for sprinkler systems, as approved by proper authorities including the Union Fire Department.
- The entire lot area is contiguous to, but outside of the Harmony Estates Subdivision. Facilities and recreational opportunities within Harmony Estates will not be available for residents of this Mixed-Use development.

We look forward to the public hearing. If there is any clarification needed concerning any of the points above, please reach out to us at 859-547-1802.

Thank you,



David Plummer
City of Union, CAO

Kevin Wall

From: Aman, Andy <aaman@sd1.org>
Sent: Thursday, October 15, 2020 10:31 AM
To: Kevin Wall
Cc: Haggard, Greg
Subject: Fwd: Grammas Zone Change Application, US 42/Brilliance Avenue in Union
Attachments: Grammas plan set1.pdf; Grammas plan set2.pdf

EXTERNAL MESSAGE

SD1 comments as follows

Union, KY Mixed-use, Grammas Investments

Sanitary

1. A reservation of sanitary sewer capacity must be submitted.
2. The sanitary sewer connection to the existing SD1 sewer will need to be shown and approved by SD1.

Storm

1. This project will require a Land Disturbance Permit with a disturbance of 1-acre and greater.

----- Forwarded message -----

From: Haggard, Greg <ghaggard@sd1.org>
Date: Fri, Oct 9, 2020 at 11:00 AM
Subject: Fwd: Grammas Zone Change Application, US 42/Brilliance Avenue in Union
To: Aman, Andy <aaman@sd1.org>

I didn't see you on Kevin's mailing list.

----- Forwarded message -----

From: Kevin Wall <KWall@boonecountyky.org>
Date: Fri, Oct 9, 2020 at 9:15 AM
Subject: Grammas Zone Change Application, US 42/Brilliance Avenue in Union
To: Haggard, Greg <ghaggard@sd1.org>, David Plummer <davidp@cityofunionky.org>, Ford, Mike <mike.ford@boone.kyschools.us>, boonewater@aol.com <boonewater@aol.com>, Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>, jonlbrown@hotmail.com <jonlbrown@hotmail.com>, mmorgan@unionky911.org <mmorgan@unionky911.org>

Request of **Nick Grammas, Grammas Investments (applicant)** for **1995 Grammas Childrens Trust (owner)** for a Zoning Map Amendment from Union Town Center (UTC) to Union Town Center/Urban Residential Two/Planned Development (UTC/UR-2/PD) for a 6.113 acre site located on the southeast corner of the US 42/Brilliance Avenue intersection, and on the north side of Mt. Zion Road between the properties at 1764 and 1808 Mt. Zion Road, and between the properties at 1816 and 1838 Mt. Zion Road, Union, Kentucky. The request is for a zone change to allow commercial, multi-family residential, and townhouse uses.

Attached please find the application materials for the above referenced zone change application. The proposal is for a combination of commercial, multi-family residential, and townhouse uses. Please review the attached materials and provide any comments that you may have relative to your agency's policies, service abilities, or concerns by Friday 10/30/20. Comments may be e-mailed to me at kwall@boonecountyky.org or faxed to 334-2264. Your input is greatly appreciated.

Thanks,

Kevin T. Wall, AICP CDT CNU-A

Director, Zoning Services

Zoning Administrator

v: 859-334-2196

f: 859-334-2264

www.boonecountyky.org/planning_commission/



--
Greg Haggard

Project Coordinator
Engineering Services Group
SD1
ph 859-578-6763
fax 859-578-6897
email: ghaggard@sd1.org

I am not the Official Custodian of Public Records at SD1. All requests for public records must be sent to SD1's Official Custodian of Records at: 1045 Eaton Dr. Ft. Wright, KY 41017, Attention: Official Custodian of Records; facsimile at (859) 331-2436 or via email to records@sd1.org. Your request will not be forwarded.

--

Andy Aman

Plan Review Manager
SD1
1045 Eaton Dr
Ft. Wright, KY 41017
859-578-6880
aaman@sd1.org
www.sd1.org

Public Records Notice: I am not the Official Custodian of Public Records at SD1. All requests for public records must be sent to SD1's Official Custodian of Records at: 1045 Eaton Dr. Ft. Wright, KY 41017, Attention: Official Custodian of Records; facsimile at (859) 331-2436 or via email to records@sd1.org. **Your request will not be forwarded.**

Cut the clutter. Sign up for e-bills today through our customer portal run by Paymentus, SD1's secure electronic billing provider. Learn more at www.sd1.org.

Public Records Notice: I am not the Official Custodian of Public Records at SD1. All requests for public records must be sent to SD1's Official Custodian of Records at: 1045 Eaton Dr. Ft. Wright, KY 41017, Attention: Official Custodian of Records; facsimile at (859) 331-2436 or via email to records@sd1.org. **Your request will not be forwarded.**

Kevin Wall

From: Morgan, Michael <m.morgan@unionky911.org>
Sent: Monday, October 19, 2020 9:33 AM
To: Kevin Wall
Subject: Grammas Zoning Amendment

EXTERNAL MESSAGE

Kevin,

The Union Fire Protection District has no issues with the zoning amendment request of Grammas Investments for the property at US 42 and Brilliance Avenue.

Thanks,

Michael Morgan, Fire Chief

Union Fire Protection District
9611 U.S. Hwy. 42
Union, KY 41091
859.384.3342 Ext. 102 Office
859.620.0675 Cell

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review, use, distribution, or disclosure by others is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and delete all copies of this message.

SECTION B: (To be completed by Planning Commission staff)

1. Date Received: 10-6-20 Fee Received: \$2,107.70 Receipt #: 82550

2. Number of Copies Received: 7

3. Has the following been submitted (check all that apply):

- Completed Application
- Concept Development Plan
- Legal Description
- Names and Mailing Addresses of Adjacent Property Owners

4. Date the application is Administratively Complete (as defined in KRS 100.211): _____

5. Staff Reviewer: KEVIN WALL

6. Committee Chairperson: _____

7. Scheduled Public Hearing Date: _____

8. Boone County Planning Commission Action: _____ Date of Action: _____

- _____ Approved
- _____ Approved with Conditions
- _____ Denial
- _____ Other

9. Resolution Number: _____

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
www.boonecountyky.org

Additional information for Union Mixed-Use Zoning Map Amendment Submittal

Introduction:

Grammas Development is a local / regional developer with a range of projects in the Greater Cincinnati area. Past projects include commercial and residential developments.

Grammas Investments is proposing to develop a 6.113-acre site located at the intersection of U.S. 42 and Brilliance Avenue in Union, Kentucky. The irregular-shaped parcel includes significant frontage to the north along Brilliance Avenue from U.S. 42 to Melody Drive. The Drees Company owns the vacant property to the north of Brilliance Avenue. Harmony residential subdivision (a Drees Company community) is located to the northeast of this parcel, along Melody Drive. In addition, the parcel is bounded by U.S. 42 to the west and single-family residential homes to the east. The south side of the parcel is generally bounded by Mt. Zion Road and abuts three parcels: two parcels consisting of single-family residential homes and one parcel which includes a St. Elizabeth Physicians office building. A full list of adjoining property owners is being submitted as part of the application.

The existing site is zoned Union Town Center (UTC). Through this zoning map amendment application, it is requested that the zoning be amended to UTC/UR-2/PD (Union Town Center/Urban Residential Two/Planned Development District). This zone change will allow Grammas Investments to construct 93 apartment units, 12 townhomes, 31,100 square feet of commercial/retail space, underground parking garage, two parking lots, and other amenities as shown on the concept plan. The 2040 Boone County Future Land Use Map designates this site as Commercial (C). The vacant lot to the north of this site (north side of Brilliance Avenue) is designated as Urban Density Residential (UD).

Relationship of Proposed Zone Change with Comprehensive Plan:

The Union, KY Mixed-Use development is currently part of the Union Town Plan which was adopted in 2000. In 2019, the Boone County Planning Commission adopted the current comprehensive plan for the county, titled, Our Boone County Plan 2040. This project complies with the recommendations of these two documents.

This project provides a well-planned live/work design which is encouraged by both the Union Town Plan and the current comprehensive plan. As more and more people choose to telecommute due to traffic concerns or because of changes caused by COVID-19, the creation of residential and commercial neighborhood developments will provide a desirable housing option. This mixed-use community allows residents, both young and old, to enjoy all the amenities of more urban living. This development presents a walkable destination for residents from within the site, as well as residents from the various surrounding single-family communities.

The apartment building includes first floor commercial/retail/restaurant uses which includes designated space for a feature restaurant with outdoor dining areas. The development includes landscaped pedestrian pathways and outdoor seating/gathering areas.

The site has three points of ingress/egress: Brilliance Avenue (between U.S. 42 and Melody Drive), Brilliance Avenue (intersection of Brilliance and Melody Drive, and Mt. Zion Road (between U.S. 42 and Brilliance Avenue). Due to the irregular shape of the parcel, most of this development will front on

Brilliance Avenue. The large building was intentionally positioned and aligned to partially meet the setbacks designated by UTC, but also allow the commercial parking to be separated from the residential parking. The town homes are pushed close to the street per UTC design intent. Pedestrian connections will be made to existing sidewalks along U.S. 42 and Brilliance Avenue.

The following excerpts from the Boone County Planning Commission's approved 2017 Goals and Objectives are pertinent to the Union, KY Mixed-Use zone change request:

Goal A (Under OVERALL): Boone County is viewed as an integral part of the Greater Cincinnati Region through successful planning.

Objective 1: Currently accepted and innovative design methods, land use management tools, and coordination among agencies as well as with public infrastructure shall be pursued to produce a healthy, well-designed community that supports residents and businesses.

Objective 2: Mixing of residential and other land uses shall be encouraged where appropriate.

Goal A (Under DEMOGRAPHICS): The makeup of Boone County's population is identified and their needs met through orderly growth.

Objective 3: Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population.

Objective 4: Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County.

Goal B (Under DEMOGRAPHICS): Safe, sound, and sanitary housing opportunities exist for all Boone County residents.

Objective 1: A broad range of housing opportunities shall be provided to meet the needs and desires of all household types and shall be balanced with affordability, employment centers, commercial areas, and educational needs.

Objective 4: Residential developments shall be evaluated for impact on infrastructure, environment, health and safety considerations, buffering, and design with secondary consideration given to dwelling unit type and density.

Objective 6: Mixed use, higher density neighborhoods shall be encouraged near existing or proposed transportation nodes and shall be designed to establish neighborhoods with a mix of retail, public, and recreational uses.

Objective 8: Residential developments shall be encouraged to plan and build in a manner compatible with the general housing density and design planned for the area, with the existing conditions of the site, and significant site features.

Goal B (Under ECONOMY): Boone County businesses are developed in appropriate locations and are compatible with surrounding land uses.

Objective 2: Mixing of commercial and non-commercial uses shall occur in areas where consideration has been given to assure compatibility with surrounding land uses and natural systems.

Objective 3: Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking.

Goal A (Under TRANSPORTATION): Boone County shall encourage a functional multi-modal regional transportation system with cooperation between the private and public sectors that is economically and energy efficient, environmentally sound, and equitable.

Objective 8: Development of mixed use designed to lessen vehicle travel shall be encouraged.

On page 19, in Our Boone County Plan 2040 within the section titled, "Demographics", the plan states:

"...in order for Boone County to retain its youth, the county must provide housing choices that complement the educational opportunities, the current job market, and commercial attractions. Otherwise, an out-migration of the young population will occur. A variety of multi-family housing options should include apartments, townhouses, patio homes, condominiums, nursing homes, and retirement housing all ranging greatly in price per unit to accommodate a wide range of relative affordability. These types of units are increasing in demand beyond the established urban areas such as Florence and should be encouraged to occur in the unincorporated portions of Boone County as viable options for both the building community and the prospective resident, especially as the county's land values rise."

On page 61, in Our Boone County Plan 2040 within the section titled, "Economy", the plan states:

"A few trends that are impacting congestion and pollution in a positive way are the slight decrease in travel time to work as well as the steady increase of people working from home (or telecommuting). The shorter the commute time and the fewer number of people who are driving to work can have a positive impact on congestion and pollution. The closer a job is to one's home, the less impact their commute will have on traffic and pollution. In addition, the more people who are able to "telecommute", or work from home, the lessening of traffic congestion and pollution will be even greater."

The Union, KY Mixed Use development is located within Section 20 – "Union", of Our Boone County Plan 2040. The plan states on page 137:

"The U.S. 42 corridor should experience commercial growth on a smaller scale to mitigate any adverse impacts and to be compatible with surrounding land uses and densities. As defined by the 2000 Union Town Plan, commercial development should occur in neighborhood business district form in specified locations instead of strip style commercial."

The Union Town Plan was developed to guide future development to be constructed in a way that combats suburban sprawl. The plan states that developers are encouraged to address the impacts of their development by considering "a compact town center that offers a mix of uses - possible to live and work in the same community," and by creating "higher density than typical Florence/Union area development."

Construction Schedule:

Begin Construction mid 2021 and open in 2022.

Article 15: Planned Development District (PD) Criteria:

1. Mixed Use Development and Pedestrian Orientation: The proposed Grammas Investments development includes apartments, townhomes, and retail/commercial/restaurant uses. In addition, the immediately adjoining properties include single-family homes and professional office. When considering this entire area, this development creates an ideal live/work community.

The irregular shape of the parcel requires the proposed development be oriented to front on Brilliance Avenue. The development is situated to take advantage of, and enhance, the landscaped entrance into Harmony residential subdivision. This pedestrian-friendly development will also improve the walkability for residents within the Harmony community. Pedestrian connections will be made to Harmony, as well as U.S. 42.

2. **Compatibility of Uses:** This development is within the Union Town Center District which encourages compact design and a mixing of uses. The proposed Grammas Investments development will comply with the recommendations of the comprehensive plan and the Union Town Plan. This development introduces a commercial/retail/restaurant component which is currently missing from the surrounding properties (single-family and professional/office).
3. **Open Space:** The Union, KY Mixed Use development includes landscaped pedestrian pathways, as well as landscaped outdoor seating to complement the first floor retail/commercial space. The development also includes open common seating areas as shown on the attached concept plan, including a green roof.
4. **Multi-Modal Transportation System:** This site will have pedestrian connections to U.S. 42 and Brilliance Avenue. In addition, bike racks will be included within the development. There are three points of ingress/egress to the development which will prevent traffic congestion along arterial roads.
5. **Preservation of Existing Site Features:** There are existing mature trees that buffer between the Grammas development and the adjoining single-family parcels and the physicians office building. The developer will preserve as many of those trees as possible along this drainage corridor per the attached concept grading plan.
6. **Landscaping:** Please refer to the attached colored concept plan. The property will have an extensive landscape plan. The Brilliance Avenue extension will include a streetscaped island to continue the Boulevard theme street cross section.
7. **Architecture:** The planned development is designed to respect the surrounding character through texture and color, while still standing apart - much like the iconic images of the many rickhouses scattered throughout the rolling hills of the Kentucky landscape. Simple in form and massing, the mixed-use building aims to use materials that resonate with local and regional traditions. Through mixing masonry, stone, metal and wood tones, the development balances itself with equal parts traditional and modern touches. Retail, restaurant, and residential entrances are flanked with stone pillars spanned with modern, clean glass storefront systems.

The collection of townhomes, adjacent to the mixed-use building, hope to create a unique presence and streetscape yet to be found within the area. Stately, yet familiar and built with similar materials found on the mixed-use building. Gabled metal roofs rhythmically march themselves down the extension of Brilliance Avenue. Garages are neatly tucked underneath each townhome and accessed from behind, through a shared access point within the development.

8. See response to #7 above.
9. Historic and Prehistoric Features: NA
10. Signage: The developers will submit signage as a separate exhibit when completed, otherwise it will follow all Boone County signage regulations.
11. Transportation Connections and Entry Points: Please refer to the pedestrian and street connections as shown in the attached concept plan. A Traffic Impact Study has been scoped for the project via conversations with the City of Union and the Kentucky Transportation Cabinet District 6 office.

US-42 UNION MIXED USE DEVELOPMENT ZONE CHANGE SUBMITTAL

US-42 UNION
BOONE COUNTY, KENTUCKY

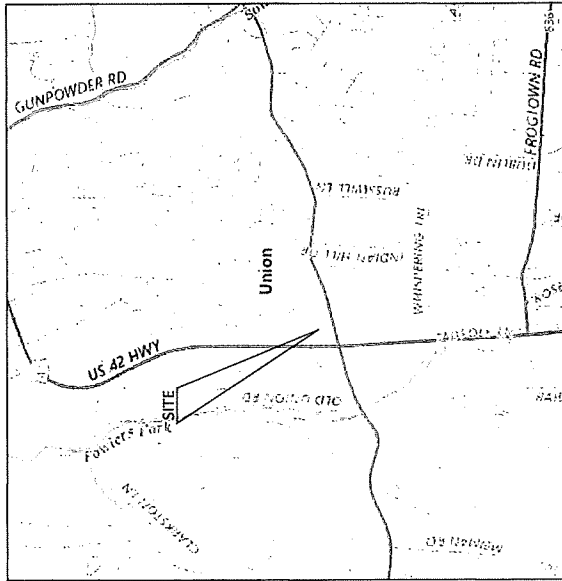
SITE DATA

Parcel ID = 051,00-00-055.19
 Parcel Address = US42 & Brilliance Ave Union, KY 41091
 Current Owner = 1995 Grammas Childrens Trust
 Owner Address = 7817 Cooper Rd STE B Cincinnati, OH 45242
 Deed Reference: D.B. 1035 PG. 881
 Total Acreage of Site = 6.113 AC
 Current Zone = UTC


SITE ZONING DATA

Proposed Zone: UTC/UR-2/PD
 Minimum Lot Size = Multi-Family - N/A
 Existing Lot Size = 6.828 AC
 Proposed Lot Size = 6.828 AC
 Maximum Intensity = 20 d.u. per acre (20*6.82) = 136 d.u.
 Minimum Frontage = 150 FT
 Maximum Height = 50 FT
 Minimum Front Yard Setback = 10 Ft
 Minimum Rear Yard Setback = 20 Ft
 Minimum Side Yard Setback = 5 Ft

Buffer Yard Requirements
 Adjoining UTC = Buffer Yard "A" - 10 Ft
 Adjoining Street Frontage = Buffer Yard "A" - 10 Ft



Sheet Number	Sheet Title
COVER	COVER SHEET
A1	COLOR SITE PLAN
C200	LAYOUT PLAN
C300	GRADING PLAN
C400	RIGHT OF WAY PLAN



VIOX & VIOX
 Civil Engineers, Surveyors, and Landscape Architects
 433 East 4th Street, Suite 200, Cincinnati, OH 45202
 Phone: (513) 533-1234 • Fax: (513) 533-1235
 www.viox.com

US-42 UNION MIXED USE
ZONING PLAN
UNION, BOONE COUNTY, KENTUCKY
COVER SHEET

PROJECT NO.	DATE	SCALE

SITE PLAN

1.1 31,100 SF RETAIL
-1 LEVEL

93 APARTMENT UNITS
-3 LEVELS

77 SPACE GARAGE
-1 LEVEL

1.2 OUTDOOR RESTAURANT
PATIO

1.3 ONE-STORY FEATURE
RESTAURANT

2.1 UPPER PARKING LOT - 72 SPACES
W/ PEDESTRIAN PATHS

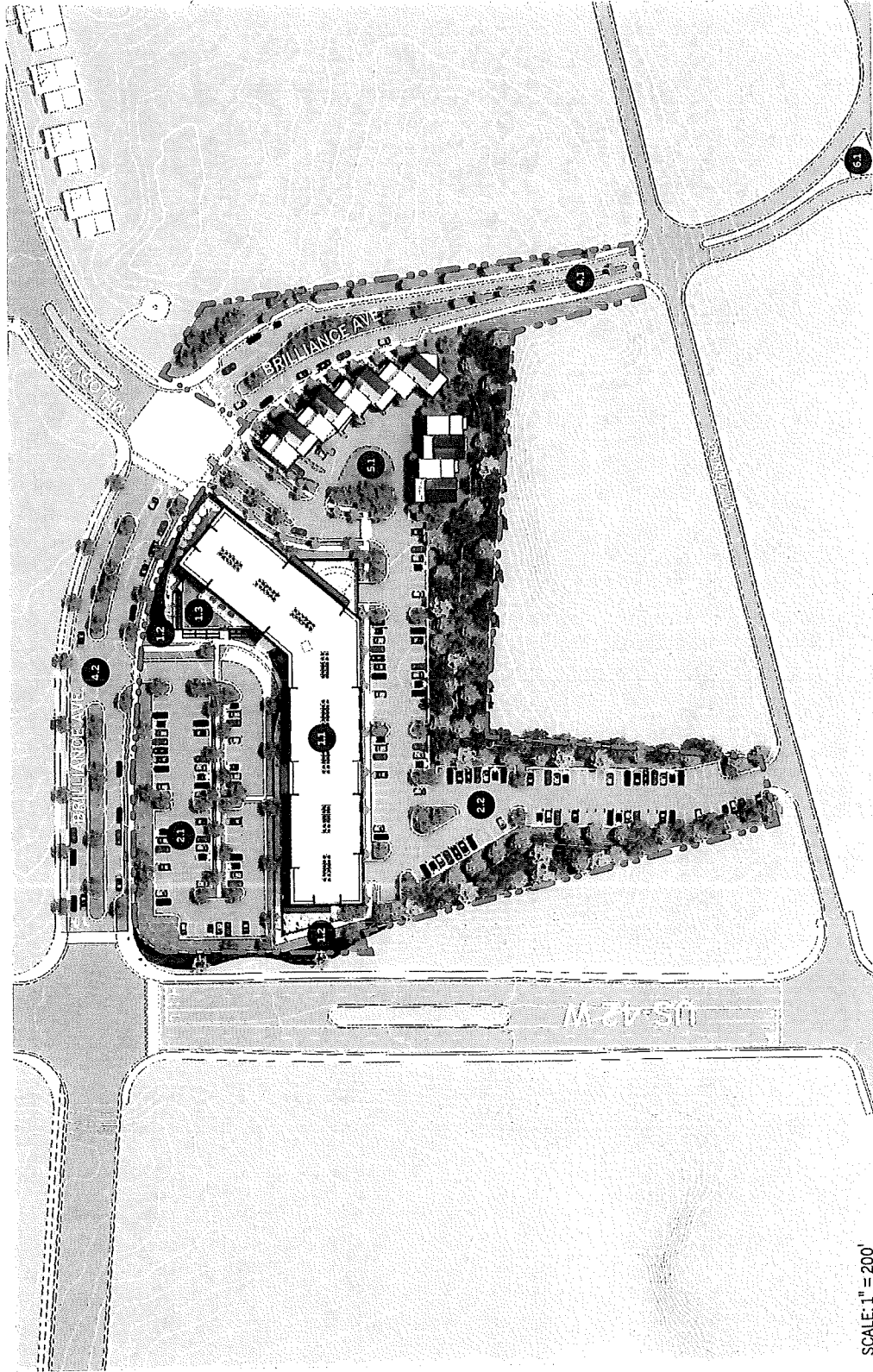
2.2 LOWER PARKING LOT
-119 SPACES

4.1 FUTURE BRILLIANCE AVE.
EXTENSION.

4.2 TRAFFIC MEDIAN
ADJUSTMENTS

5.1 RESIDENTIAL TOWNHOMES (12)

6.1 MT. ZION ROAD - NEW TRAFFIC
CIRCLE



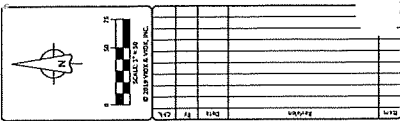
SCALE: 1" = 200'

UNION, KY MIXED-USE
CONCEPT DESIGN

reztark
© 2020 REZTARK DESIGN STUDIO, LLC

SEPTEMBER 30, 2020 — PROJECT 20018



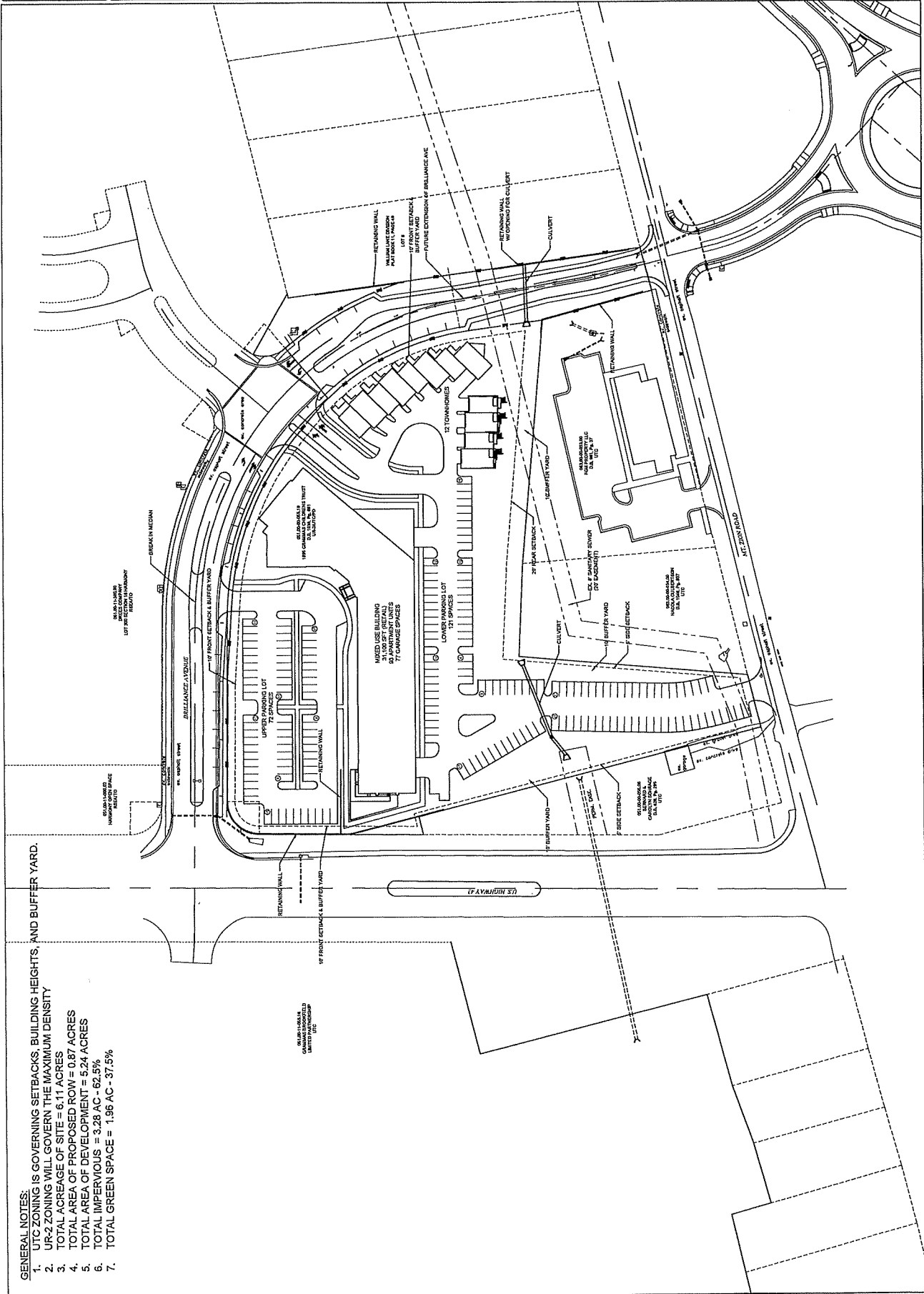


VIOLA & VIOX
 ENGINEERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
 402 East Main Street, Suite 100
 Lexington, Kentucky 40502
 Phone: (606) 253-1100
 Fax: (606) 253-1101
 www.violas.com

US-42 UNION MIXED USE ZONING PLAN
 UNION, BOONE COUNTY, KENTUCKY
 LAYOUT PLAN

PROJECT NO.	DATE
SCALE	DATE
DATE	DATE

C200



- GENERAL NOTES:**
1. UTC ZONING IS GOVERNING SETBACKS, BUILDING HEIGHTS, AND BUFFER YARD.
 2. UR-2 ZONING WILL GOVERN THE MAXIMUM DENSITY.
 3. TOTAL ACREAGE OF SITE = 6.11 ACRES
 4. TOTAL AREA OF PROPOSED ROW = 0.87 ACRES
 5. TOTAL AREA OF DEVELOPMENT = 5.24 ACRES
 6. TOTAL IMPERVIOUS = 3.28 AC - 62.5%
 7. TOTAL GREEN SPACE = 1.96 AC - 37.5%

This plan and the accompanying report were prepared by the undersigned for the purpose of showing the proposed development and the location of the proposed development on the site. The undersigned does not warrant the accuracy of the information provided herein, and the undersigned is not responsible for any errors or omissions in this plan or report. The undersigned is not responsible for any errors or omissions in this plan or report. The undersigned is not responsible for any errors or omissions in this plan or report.

Union, KY Mixed-Use

CONCEPT DESIGN

UNION, KY MIXED-USE | CONCEPT DESIGN | SEPTEMBER 22, 2020
© 2020 REZTARK DESIGN STUDIO, LLC



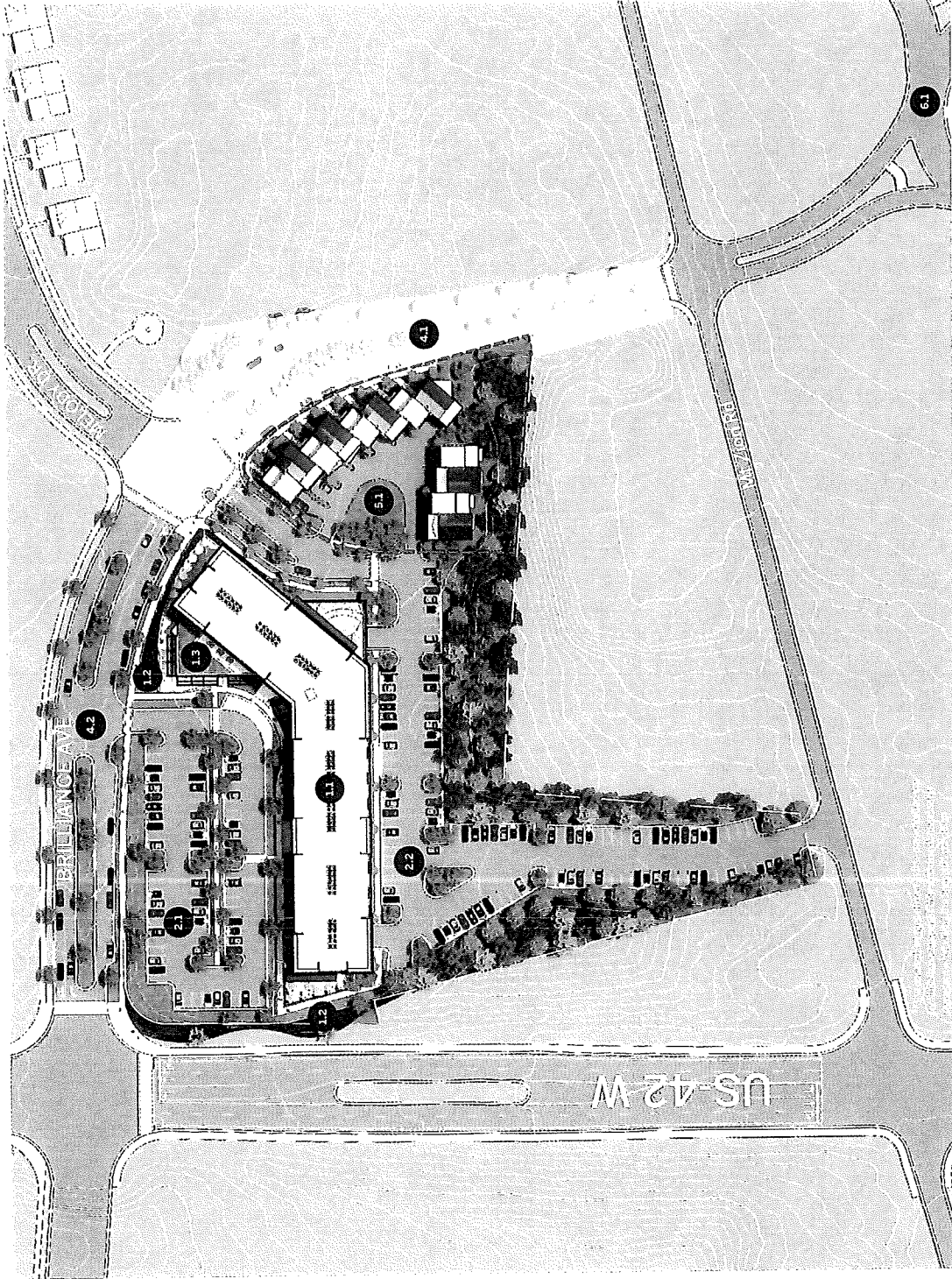
VIOX&VIOX
City Engineers, Planners, and Landscape Architects

reztark

SITE PLAN

- 1.1 31,100 SF RETAIL
-1 LEVEL
- 1.2 93 APARTMENT UNITS
-3 LEVELS
- 1.3 77 SPACE GARAGE BELOW
-1 LEVEL
- 1.4 OUTDOOR RESTAURANT
PATIOS
- 1.5 1 STORY FEATURE
RESTAURANT
- 2.1 72 SPACE UPPER LOT W/
PEDESTRIAN PATHS
- 2.2 119 SPACE LOWER LOT
- 4.1 FUTURE BRILLIANCE AVE.
EXTENSION.*
- 4.2 TRAFFIC MEDIUM
ADJUSTMENTS
- 5.1 RESIDENTIAL TOWNHOMES
- 6.1 MT. ZION ROAD - NEW
TRAFFIC CIRCLE

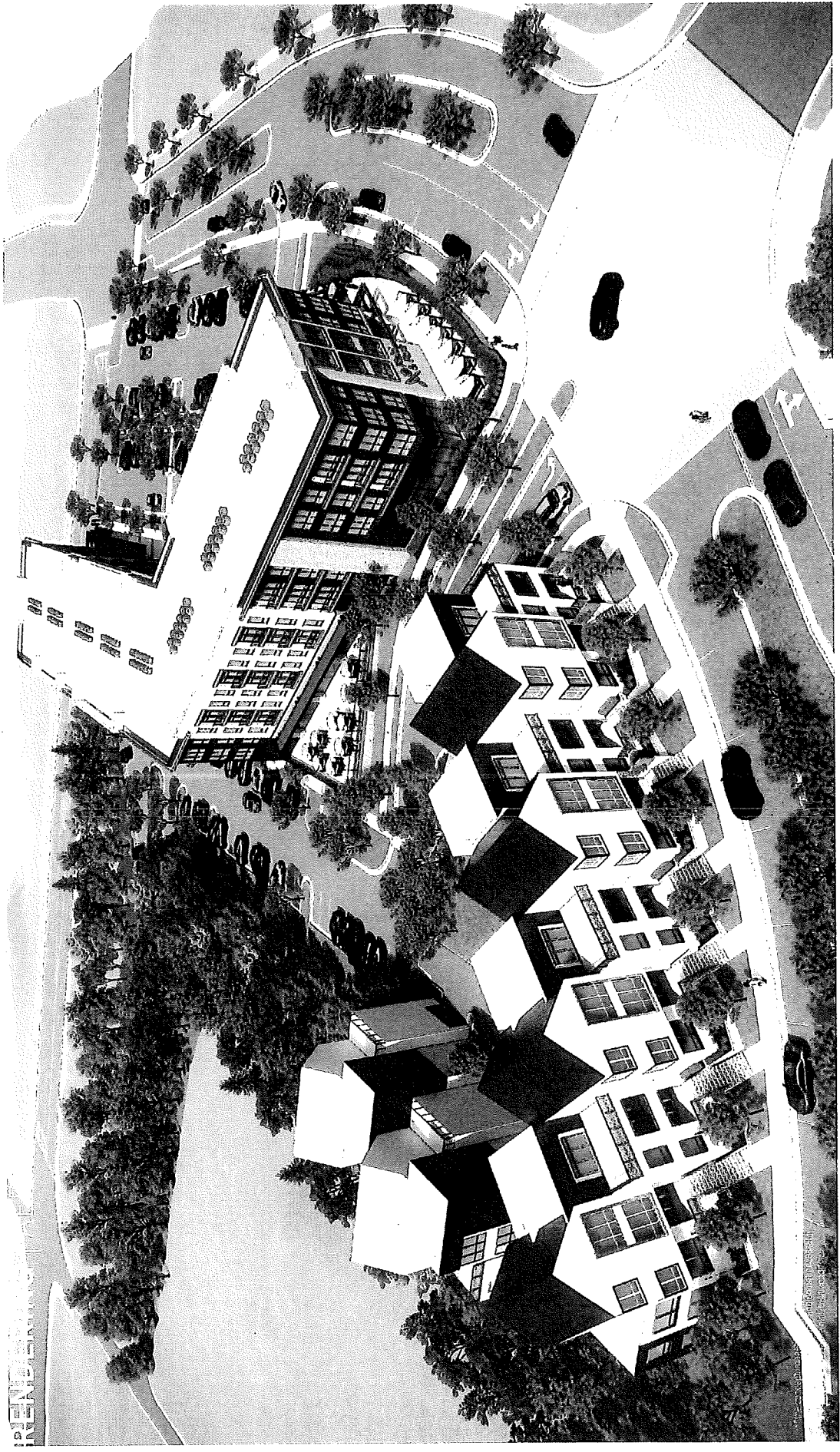
*CITY OF UNION FUTURE
IMPROVEMENTS BASED ON
PLANNING CONSULTANT





VIOX & VIOX
CONCEPT DESIGN AND LANDSCAPE ARCHITECTURE

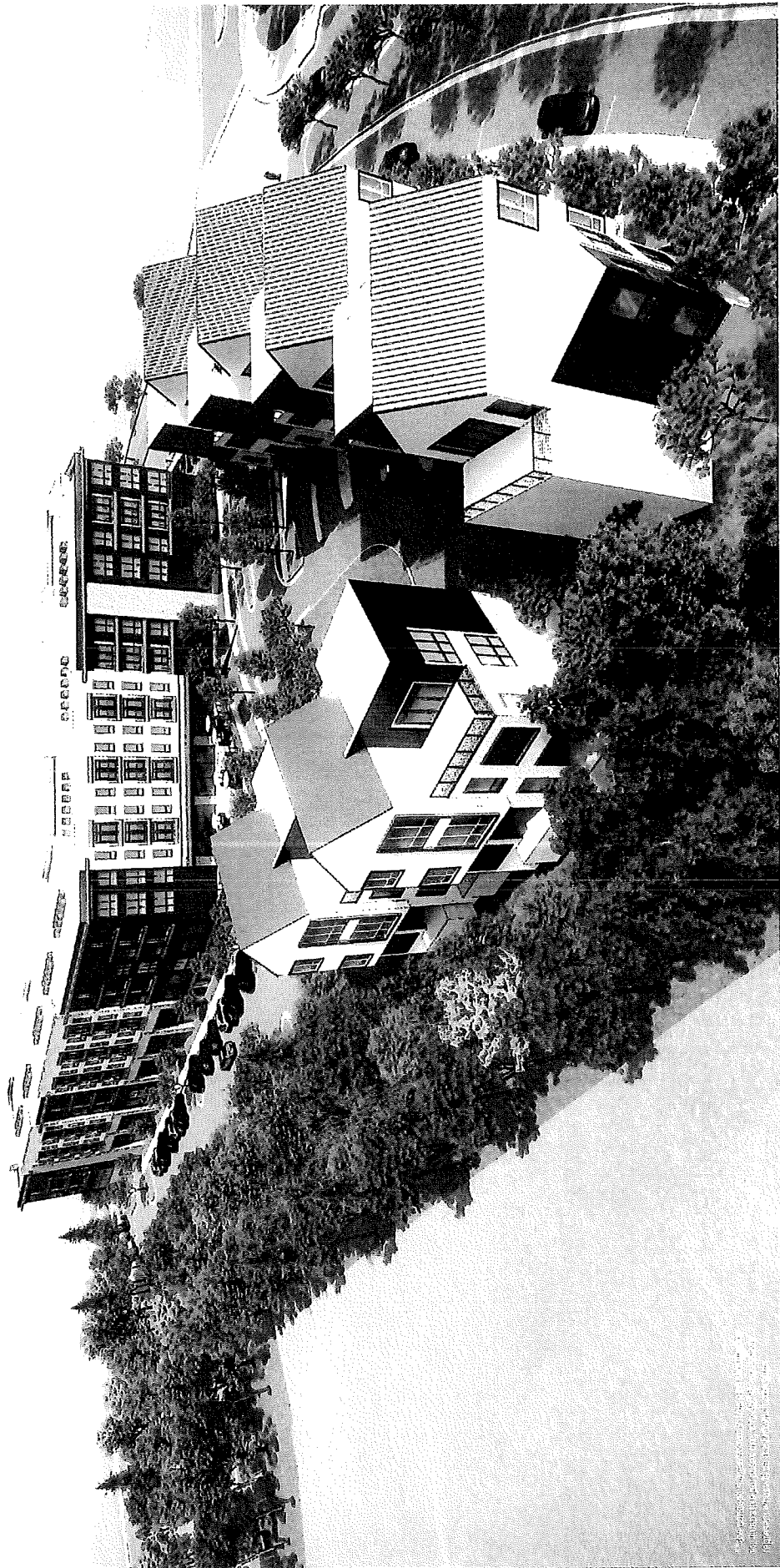
reztark



VOIX & VIOX
Civil Engineers, Surveyors, and Landscape Architects

reztark

RENDERING | AERIAL C



UNION, KY MIXED-USE | CONCEPT DESIGN | SEPTEMBER 22, 2020
© 2020 REZTARK DESIGN STUDIO, LLC

RENDERING | FROM BRILLIANCE





RENDERING BY REZTARK

UNION, KY MIXED-USE | CONCEPT DESIGN | SEPTEMBER 22, 2020
 © 2020 REZTARK DESIGN STUDIO, LLC



Kevin Wall

From: Bernard F. Schrage <bschrage1@hotmail.com>
Sent: Thursday, November 12, 2020 1:37 PM
To: Kevin Wall
Subject: Regarding Grammas Zone Change Application

EXTERNAL MESSAGE

From: Bernard F. Schrage
1838 Mt. Zion Rd.
Union, Ky 41091

To: Kevin T. Wall and Committee Members

I have no problem with the zoning change for the development. My concerns are the ingress/egress between the properties of 1816 and my property of 1838 Mt. Zion Rd. I was told by David Goehagan when US 42 was finished, that there would be no excess allowed between these properties. Due to the fact that it is less than 400 ft from the intersection of US 42. At that time the restrictions of new excess were 400 ft apart unless pre-existing. I have lived here on my property for 24 years and there has never been excess to the .74 acre parcel between these properties. After speaking with Mr. Wall, he explained that what is now old Mt. Zion Rd. is considered a side street, now that it is not a direct route to I 75/71, that the 400 ft restriction is no longer in effect. This ingress/egress will put roads and traffic on three sides of my property. The application indicates the site has three points of ingress/egress: Brilliance Avenue (between US 42 and Melody Drive), Brilliance Avenue (Intersection of Brilliance and Melody Drive), and MT. Zion Rd. (between US 42 and Brilliance Ave.). What I am understanding on the Mt. Zion Rd. (between US 42 and Brilliance Ave.) is the ingress/egress from new Mt. Zion Rd. roundabout to the development. There is also frontage on US 42 behind my property and Brilliance Avenue which could be an ingress/egress or a right in/right out. The application does not mention the ingress/egress between 1816 and 1838 properties but the development plan shows it. Due to the location of of the Emergency System on US 42 north/northeast of Brilliance Avenue and include the Sherriff department, excess to the development would be Brilliance Avenue or from the roundabout on new MT. Zion into the development east of St. Elizabeth Physicians. I am asking that the ingress/egress between the properties of 1816 and 1838 on what I'll say Old Mt. Zion Rd. be denied. My other concern is, will my property remain utc/residential or fall under the development zoning.

Thank You,
Bernard F. Schrage

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
PUBLIC HEARING
NOVEMBER 18, 2020
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:30 p.m. and welcomed everyone to the Planning Commission's November 18, 2020 Public Hearing via Live Video Teleconference.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Hellman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mrs. Katie Nolan
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Tom Szurlinski

COMMISSION MEMBERS NOT PRESENT:

Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. John Harney, GISP, GIS System Administrator

Chairman Rolfsen introduced the only item on the Agenda at 7:30 p.m.

ZONING MAP AMENDMENT – Kevin Wall, Staff

1. Request of **Nick Grammas, Grammas Investments (applicant)** for **1995 Grammas Childrens Trust (owner)** for a Zoning Map Amendment from Union Town Center (UTC) to Union Town Center/Urban Residential Two/Planned Development (UTC/UR-2/PD) for a 6.113 acre site located on the southeast corner of the US 42/Brilliance Avenue intersection, and on the north side of Mt. Zion Road between the properties at 1764 and 1808 Mt. Zion Road, and between the properties at 1816 and 1838 Mt. Zion Road, Union, Kentucky. The request is for a zone change to allow commercial, multi-family residential, and townhouse uses.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation. This is a Zone Change request from Union Town Center (UTC) to Union Town Center/Urban Residential Two/Planned Development (UTC/UR-2/PD). The site is located on the southeast corner of U.S. 42 and Brilliance Avenue. It also has frontage in two places off Old Mt. Zion Road. Brilliance Avenue dead ends at the intersection of Melody Drive. The site is currently undeveloped and has a lot of tree cover on the south side. The Comprehensive Plan's Future Land Use Map designates the site as Commercial (C). The site is located in the Union Town Plan area. It is mostly in Phase 2 of the Union Town Center Plan. A small portion of the site is in Phase 1 of the Union Town Center Plan.

In regard to the submitted Concept Development Plan, the proposed "L" shaped building is 4 stories tall with 31,100 square feet of retail space. It has 93 apartment units with surface parking spaces and an underground parking garage. There are 4 outdoor seating areas. There are also 12 three-story townhouse units planned at the southeastern corner of the site. A 77 space parking garage is proposed along with a 72 space parking lot in the retail area and a 121 space parking lot in the rear of the large building. Twenty-five street parking spaces are also being provided. An access is being proposed through a median cut on Brilliance Avenue as well as at the intersection with Melody Drive and on old Mt. Zion Road. A conceptual landscaping plan has been submitted. The residential net density is about 20 dwelling units per acre. Mr. Wall showed a sample of building elevations as well as photographs of the site and adjoining properties. He also introduced the applicant's signage plan. It shows 4 monument signs.

In terms of Staff Comments, the first one deals with the Boone County Comprehensive Plan and the Union Town Plan. The Union Town Plan designates this site for Union Town Center Phase 2 and Phase 1. Phase 2 has a stipulation that development can't occur in the phase until 50% of Phase 1 is completed. Section 2520 of the code states that the 50% threshold is not necessarily absolute and can be bypassed through the appropriate review procedures so long as the project is well designed and reinforces the Town Center concept. The Design Standards for both phases require parking in rear or on the side, small front setbacks, brick and stone construction and buildings facing the main road. For reference purposes, Section 2525, "Intensity" does not have a maximum building intensity standard for commercial or office uses in the UTC zone, but it has a minimum of 3 dwelling units per acre and a maximum of 8 dwelling units per acre for residential

uses. The UR-2 zone allows up to 20 dwelling units per acre but with the PD overlay zone, it would allow the proposed 20.04 dwelling units per acre.

In regard to the PD overlay zone and Development Standards, mixed use development with retail on the bottom floor and residential on the top floors is suggested. The project meets this standard but doesn't meet the pedestrian requirement with a large parking lot and a retaining wall in front. Mr. Wall offered suggestions to meet these requirements by reconfiguring the parking, possibly having smaller, multiple buildings, grading and sidewalk changes. The applicant should clarify the proposed non-residential uses. Mr. Wall noted that 20% of the site needs to be landscaped or be left in its natural state. The applicant should explain how much of the 37.5% green space is useable. Sidewalks and bike racks must be provided in order to meet the multi-modal requirements. The applicant should explain the intended design for storm water detention since it could necessitate clearing all of the existing vegetation. Mr. Wall identified the 4 issues related to landscaping on Pages 20-21 of the Staff Report. He also referred to the 10 main points of the Building Architecture on Pages 21-23 of the Staff Report. Four free standing signs are proposed with about 231 square feet. Normally, fewer and smaller signs are permitted in the Union Town Plan. Directional signs are permitted but are much smaller.

Mr. Wall noted that it is the developer's responsibility to extend Brilliance Avenue to old Mt. Zion Road. In addition, there are requirements to make driveways connect to adjoining properties on Old Mt. Zion Road. In regard to a Traffic Impact Study, data has been collected and it needs to be completed for review by the City of Union and the Kentucky Transportation Cabinet. Comments have been received by the City of Union, Sanitation District 1 and the Union Fire Protection District only. Mr. Wall noted the specific Development Standards that apply to the subject site – underground utilities, the number of parking spaces, accessible parking for the disabled, the width of the driveway loop for the townhouse cluster and potential subdivision issues.

The Boone County Planning Commission and the Union City Commission need to evaluate the proposed zone change in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in the Boone County Zoning Regulations, the Planned Development requirements in Article 15 of the zoning regulations, the Comprehensive Plan, the 2000 Union Town Plan, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved. Mr. Wall stated that he received comments from adjoining property owner Mr. Bernard Schrage. The letter is included in the Staff Report.

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

Mr. Brock MacKay, Viox & Viox, Inc., referred to his PowerPoint presentation and explained that Grammas Investments, Inc. started in the 1970s in commercial and residential development in Southwestern Ohio and Northern Kentucky. Nick Grammas has been head of the firm for over 20 years. Reztark is a full service architectural design studio specializing in master planning, urban planning, architecture, interior design, industrial design, graphic design and branding. The firm mostly focuses on multi-family, senior living, retail, workplace and hospitality markets. Grammas Investments Projects consists of Montgomery Commons and Village Green in Fairfield.

Reztark has previously done mixed-use retail and residential projects. The subject site is 6.113 acres in size. The proposed uses fit in the Union Town Center but it is a matter of density. The UR-2 Zoning District is an add on to the UTC Zoning District. The proposed PD also gives flexibility on the layout. There is no maximum on the square footage of commercial use other than meeting the parking requirements. However, the present zoning of UTC only allows a maximum of 8 residential units per acre. The Future Land Use Map is one dimensional as it doesn't show retail on one floor and residential on the top floors. Mr. MacKay referred to the purpose of the Union Town Center (UTC) zoning district, where it encourages multi-level, mixed uses designed at a pedestrian scale. It can be retail on the bottom floor with office and residential uses on the above floors. Mr. MacKay felt that the proposal really meets that language. The Union Town Plan is really trying to protect against standard commercial strip center or big box development. Mr. MacKay reviewed the Concept Development Plan. The "L" shaped building will have 31,100 square feet of retail space and 93 apartments. It will have a parking garage underneath the building on the back side. The residential and retail traffic will be separated. That is why some parking is located in front of the building. It has to do with safety and privacy. Parking in front is important as it makes the retail space more viable. The site is challenging because it fronts U.S. 42, Brilliance Avenue and Old Mt. Zion Road. Brilliance Avenue has the most road frontage and has a curve. The position of the "L" shaped building faces both U.S. 42 and Brilliance Avenue but mostly Brilliance Avenue. There is a one story restaurant and patio area that is located next to Brilliance Avenue. The Brilliance Avenue connection is very important to the project. More discussion will have to occur about the design of the road extension. The City of Union has been working with Gresham Smith to advise them in implementing the Union Town Center zoning. One of the recommendations was allowing on-street parking. That is what is proposed and will be further evaluated. Landscaped islands are being proposed to be extended on Brilliance Avenue. Twelve townhomes are also being proposed on the site.

Mr. Dean Lutton, Reztark Design Studio, stated there are topography challenges for the site that influence the layout and overall design. There is a 16 foot grade change from U.S. 42 to Melody Drive. At the first curb cut off Brilliance, they are 14 feet higher than the intersection at U.S. 42. They have found that the crossing of vehicular and pedestrian traffic usually limits the success of a mixed use development. Residents prefer a safe and secured entrance and private parking. It has to be easily accessible. Commercial patrons need easy access to their storefronts. The main entrance to U.S. 42 sits below the site and is not a pedestrian oriented road. The ends of the building will be geared towards restaurants because of the outdoor dining and seating areas. Brilliance Avenue is one lane but the width is wider than for one lane. They are proposing to widen the street to allow parallel parking and a single drive aisle or lane. They also would like to narrow the intersection for street calming purposes and pedestrian walkability. Part of the median on Brilliance Avenue will have to be removed to allow left turning movements to the retail area. The townhouse area encourages pedestrian access from U.S. 42. He suggested a possible staircase from the sidewalk on U.S. 42 to a sidewalk leading to the retail area. It could be located near the intersection crosswalk across U.S. 42 and Brilliance Avenue. He showed a close-up drawing of the main entrance to the residential area opposite of Melody Drive. The intersection has stained concrete. The proposed townhomes are located next to the street with parallel parking on the street. A patio area is proposed on the back side of the larger building for outdoor dining and could also be used as an amenity for the residents. The top of the one story restaurant has a green roof for outdoor space for the residents. Mr. Lutton showed a building elevation on

the backside of the project. The parking garage will be used for residents only. He noted there was a comment about not having a sufficient amount of parking for the retail and at the same time making the development have a pedestrian orientation. The rear parking lot can serve as an overflow parking lot if needed from the planned retail uses. Mr. Brett Kratzer, Reztark, stated that when they originally met with Gresham Smith, they had shown more parking in front for the retail (104 spaces). Instead, it was recommended that they turn the area into a walkable connected space. As a result, they eliminated a front row of parking and widened the sidewalk in front of the retail space. The lost parking could be recouped from the proposed street parking. The Study suggests U.S. 42 be the front walkable entrance to the development. Mr. Lutton disagreed as the speed of the traffic doesn't allow a pedestrian feel. Brilliance Avenue is more appropriate to have the pedestrian streetscape or feel. By putting a 4 story building next to Brilliance Avenue, it would have a dramatic impact or be overly imposing on the Harmony tract across Brilliance Avenue. That tract will have 10 dwelling units per acre. The planned single story restaurant pad will draw pedestrians to the area. It will also allow building density to occur on the site which the Study recommends. Retail needs convenient parking for it to be successful. The retail also needs customers and the proposed units and neighboring housing will help support the retail. If the retail faced U.S. 42, parking would have to be in the rear and the entrance has to be next to the parking lot for the retail to be successful. The result is that the back of the building would face U.S. 42 and this would not be a walkable development and an architectural solution. Pedestrians prefer not to be walking along high speed routes like U.S. 42. The east-west building orientation opens up the pedestrian orientation from Brilliance Avenue and U.S. 42.

Mr. Ryan Johnson, Reztark Design Studio, discussed the building materials and stated that he felt the project was in line with the Union Town Plan guidelines. Suggested materials are quality materials, masonry stone, metal and siding products, fiber cement and not vinyl. The proposed materials are similar to what has been used in the area. The owner wants to use low maintenance materials (e.g. brick and stone). Mr. Brock MacKay showed a preliminary grading and utility plan. He noted that the owner conducted a virtual workshop with the Harmony HOA on October 22, 2020. Forty-six residents participated. A primary concern was non-Harmony residents using their neighborhood amenities. Mr. MacKay responded that the developer would educate their new residents that Harmony has private facilities and perhaps Union would develop a park in the future. There was a concern voiced about traffic flow and needing a connection to the roundabout. Mr. MacKay stated that they are performing a traffic study to make sure of what is the best way to make the connection. It would also address the need for any turn lanes. Other concerns included commercial tenant hours of operation and noise. The position of the building helps reduce the potential for noise. Other final comments relate to building architecture, layout, scale, materials, colors, etc. There were several positive comments including that it seems to be in line with the Town Center Plan. In regard to the Traffic Impact Study, they have already had preliminary discussions with the City of Union and the Kentucky Transportation Cabinet and they have collected data at several of the key intersections.

Mr. Lutton explained the branding of the project. Arcadia is a place holder name. Signage will be simple in terms of size and materials. Four signs are proposed for the 2 types of uses. All the signs are proposed at each entrance – U.S. 42, Brilliance Avenue and Old Mt. Zion Road. The signs will be externally lit.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the Zoning Map Amendment request? Seeing no one, Chairman Rolfsen asked if there was a separate entrance off old Mt. Zion Road to the development? Mr. MacKay replied yes. Brilliance Avenue would be extended south to old Mt. Zion Road. It would be a City street. Mr. Costello added that in order to the development to be successful, the extension of Brilliance Avenue has to occur. It leads to the new roundabout. It is what the Union Town Plan recommends. It will help the retail by allowing traffic from new Mt. Zion Road to travel directly into the area. The Planning Commission expects this to be done and typically the developer builds this road. Mr. MacKay responded that it was the same understanding that the developer had. Mr. Nick Grammas, Grammas Investments, stated that he has been talking to the City or the Mayor for the past 4-5 months. He understands that the road has to be built. It is just a question of who will pay for it – the City, jointly funded or funded through TIF Funds. Mr. Costello stressed that the Planning Commission doesn't care who builds it but that it is built from the very beginning of the project. It is a critical component of the project. The Drees Company built Brilliance Avenue on both sides of U.S. 42 when the residential construction started. Chairman Rolfsen asked how much of the 31,100 square feet of retail will be for restaurant use? Mr. Dean Lutton replied that the ends of the buildings will be restaurants as well as the back triangle area. It would be from 9,000 – 12,000 square feet of restaurant space.

Ms. Gulick stated that she thought the entrances were confusing – one for retail and one for residential. Will people get confused with using the main entrance for the retail use if coming from Mt. Zion Road? Will a left turn lane be needed to the retail area? What are the differences in traffic volumes in that area? Also, there is no second access out of the front parking lot. Mr. MacKay replied that the turn lane analysis will be included in the Traffic Study. If someone accidentally turns into the main entrance and is going to retail, it is okay. Customers can walk around the building to get to the retail. The rear parking lot is not a dead end parking lot. There is only one curb cut serving the retail due to the topography and close proximity to the intersection. The good news is that they created a loop within the parking lot so traffic can circulate. It is a small enough parking lot that one ingress/egress is good enough. Mr. Lutton stated that signage near each entrance will help direct traffic. Generally, shoppers will turn into entrances when they see store fronts. The proposed one story restaurant will serve as a symbol of the retail area since it is located so close to the entrance.

Mr. Harper stated that he was impressed with the thought that went into designing the project. It is a complicated project. There may be many more details to be worked out but he is impressed with it.

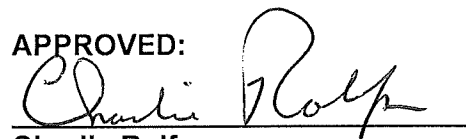
Mrs. Nolan stated that she was definitely impressed with the submitted plan. She inquired about outdoor gathering space. Mrs. Nolan asked if the developer considered a pedestrian connection to old Mt. Zion Road in case there is any future open space in that area? It would be another way to get to the south other than U.S. 42. Mr. Johnson responded that it could be looked at further for safe pedestrian access. Mrs. Nolan noted that in her discussion with the City, she thought it was important to get the first main focal point developed and then expand out, why isn't this occurring? It is less interest? Mr. MacKay responded that the property owner has a larger site across the street. For a variety of reasons, the market and the subject site is the right size. It is a good first step. They are creating some open space with the outdoor areas and the riparian areas. Mr. Grammas added that the project will kick start the town center on the north side of

new Mt. Zion Road. There could be another phase on the other side of U.S. 42 with a 23 acre site.

Chairman Rolfsen asked how many stories are the townhouses? Mr. Lutton replied that they are 3 stories with an integrated garage. The first story will be half garage and half livable area and then 2 occupiable floors. There will also be a roof deck amenity on the top level. Chairman Rolfsen asked how many bedrooms are in the apartments? Mr. Johnson replied that it will be 1, 2 or 3 bedroom apartments. It will be a ratio of 40%, 50% and 10% for 1, 2 and 3 bedrooms. The trend today is that the third bedroom is usually an office versus a bedroom for children.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on December 2, 2020 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on December 16, 2020 at 7:00 p.m. If someone wants to observe the Committee Meeting please contact the office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 8:58 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Patton, Chairman

DATE : December 16, 2020

RE: Request of **Nick Grammas, Grammas Investments (applicant)** for **1995 Grammas Childrens Trust (owner)** for a Zoning Map Amendment from Union Town Center (UTC) to Union Town Center/Urban Residential Two/Planned Development (UTC/UR-2/PD) for a 6.113 acre site located on the southeast corner of the US 42/Brilliance Avenue intersection, and on the north side of Mt. Zion Road between the properties at 1764 and 1808 Mt. Zion Road, and between the properties at 1816 and 1838 Mt. Zion Road, Union, Kentucky. The request is for a zone change to allow commercial, multi-family residential, and townhouse uses.

REMARKS:

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

FINDINGS OF FACT

1. The Committee has concluded that the proposed Zoning Map Amendment and accompanying Concept Development Plan are in agreement with the Our Boone County – Plan 2040, which is the adopted Comprehensive Plan, and the Union Town Plan, which “is designed to be a furtherance of the Comprehensive Plan’s recommendations” (p. 2), due to the following reasons.

A. The Our Boone County – Plan 2040 Future Land Use Map designates the site as “Commercial.” This designation is described as “retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc.” The Commercial designation is applied to the vast majority of the Union Town Center (UTC) zone, which is a mixed use district.

The 2000 Union Town Land Use Plan Map designates the majority of the site as “Town Center (Phase 2)” and much of the southern panhandle portion of the site as “Town Center (Phase 1).” The descriptions for both Town Center phases advocate mixed use development which includes commercial, office, public facilities, residential and recreational uses. The proposal is for a four story mixed use building with commercial and multi-family residential uses and a cluster of twelve townhouse units.

The Union Town Plan's description for "Town Center (Phase 2)" states that "commercial uses are permitted once 50% of Phase I is developed" (p. 5). The 50 percent development threshold for Phase 1 has not been reached at this point in time. Section 2520 "Union Town Center Zone (UTC)" of the Boone County Zoning Regulations states that the 50 percent threshold is not necessarily absolute and can be bypassed "if the proposed development offers a unique, well designed plan that establishes or reinforces the Town Center." The Committee has determined that the proposal meets this stipulation.

- B. The Comprehensive Plan's Land Use Element ("20. Union," p. 137) states, "As defined by the 2000 Union Town Plan, commercial development should occur in neighborhood business district form in specified locations instead of strip style commercial." This section also refers to the "Union city center" which can be interpreted to mean the Town Center (Phases 1 and 2) shown on the 2000 Union Town Land Use Plan Map. Regarding the Town Center, the Union Town Plan states:

As the Comprehensive Plan recommends in several elements, high density development should occur adjacent to major arterial corridors such as U.S. 42, with a transition of densities outward. The *Union Town Plan* accomplishes this objective also with the Town Center development area being centered around the intersection of new future arterial roadways, U.S. 42 and Mt. Zion Road (p. 3).

The Union Town Plan (p. 4) also states that it addresses sprawl by providing a "compact town center that offers a mix of uses - possible to live and work in the same community" and "higher density than typical Florence/Union area development."

Based on the design and combination of uses, the Committee has determined that the proposal will substantially contribute to the planned "compact town center that offers a mix of uses" in a "neighborhood business district form." The site is located on the southeast corner of the US 42/Brilliance Avenue intersection and the proposed dwelling unit density is 20.04 units per acre. Thus, a higher density mixed use development will be concentrated on US 42, a major arterial or thoroughfare, and in the planned town center as sought by the Union Town Plan.

- C. Like the Union Town Plan, the Comprehensive Plan's Demographics Element ("Housing Types and Locations," p. 19; "Housing Types and Locations," p. 20; "Housing Types and Locations," p. 20; and "Affordability,"

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Nick Grammas/Grammas Investments

December 16, 2020

Page 3

p. 20) recommends that mixed use and high density development be provided in certain circumstances, particularly when a site is in proximity to a thoroughfare and urban services. Based on the explanation provided above, the Committee has concluded that the proposed mixed use, higher residential density development is in agreement with the Demographics Element.

- D. The Committee has concluded that the proposal is in agreement with the applicable Future Land Use Development Guidelines outlined in the Comprehensive Plan and the Goals and Objectives. Specific references to the Guidelines and Goals and Objectives are outlined in the staff report for this request and generally correspond to the criteria in Section 1514 "Planned Development Criteria" and the applicable standards in Section 2540 "Design Standards for UTC, UC, and UNO Zoning Districts" of the Boone County Zoning Regulations which are discussed under #2 below.
2. The Committee has concluded that the Concept Development Plan, coupled with the agreed conditions, fulfills the applicable requirements of Article 15 "Planned Development District," including Section 1514 "Planned Development Criteria," and the applicable standards from Section 2540 "Design Standards for UTC, UC, and UNO Zoning Districts," both of the Boone County Zoning Regulations.

Several exceptions to the normally applicable zoning requirements have been requested. First, the required intensity for residential uses in the UTC zone per Section 2525 is a minimum of 3 dwelling units per acre and a maximum of 8 dwelling units per acre. Per Section 972, the maximum intensity for the requested UR-2 zone is 20 dwelling units per acre. Section 1512 "Intensity" allows the building intensity in the PD overlay zone to be increased by up to 50 percent over the maximum amount permitted in the underlying zone (up to 30 dwelling units per acre in this instance). The Committee has determined that the proposed residential density of 20.04 dwelling units per acre (in addition to the commercial space on the ground floor of the main building) is warranted per Section 1500 "Intent" (Planned Development District) of the zoning regulations based on the proposed design and amenities.

Second, the "Design Standards" legend on the 2000 Union Town Land Use Plan Map for both Town Center Phases 1 and 2, and Section 2540 of the zoning regulations, require small front setbacks, parking to be placed at the side or rear, and the main building to be oriented towards US 42. A parking area is proposed at the front of the main building, a substantial part of the main building is setback approximately 160 feet from the Brilliance Avenue right-of-way, and the main building is largely oriented towards Brilliance Avenue versus US 42. The Committee

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

Nick Grammas/Grammas Investments

December 16, 2020

Page 4

has determined that exceptions to these standards are warranted per Section 1500 of the zoning regulations based on the "creative and high quality design" proposed, compatibility with other projects in the area that were approved under the Union Town Plan, and compatibility with the adjoining US 42 and Brilliance Avenue street frontages.

3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the Our Boone County - 2040 Plan, the Union Town Plan, and Article 15 "Planned Development District" of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The development shall follow the submitted Concept Development Plan set except where modified by the agreed conditions outlined below.
2. The Brilliance Avenue street connection shown in the Concept Development Plan set shall be constructed in its entirety and dedicated to the City of Union before any buildings in this development are occupied.
3. The following sidewalks and sidewalk connections shall be provided.
 - A. A 5 foot wide sidewalk shall be provided along the site's Old Mt. Zion Road frontage, in or near the road right-of-way.
 - B. A sidewalk connection shall be provided from the sidewalk along Old Mt. Zion Road and across the rear parking area to a point at or near the rear of the main building.
 - C. A sidewalk connection shall be provided from the four southernmost townhouse units to the public sidewalk along Brilliance Avenue.
 - D. A sidewalk connection shall be provided from the rear of the four southernmost townhouse units to the internal sidewalk system (on the west side of the island by the townhouse loop drive).
 - E. A staircase and/or ramps into the site shall be provided between the US 42/Brilliance Avenue intersection and the northwest corner of the main building.

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

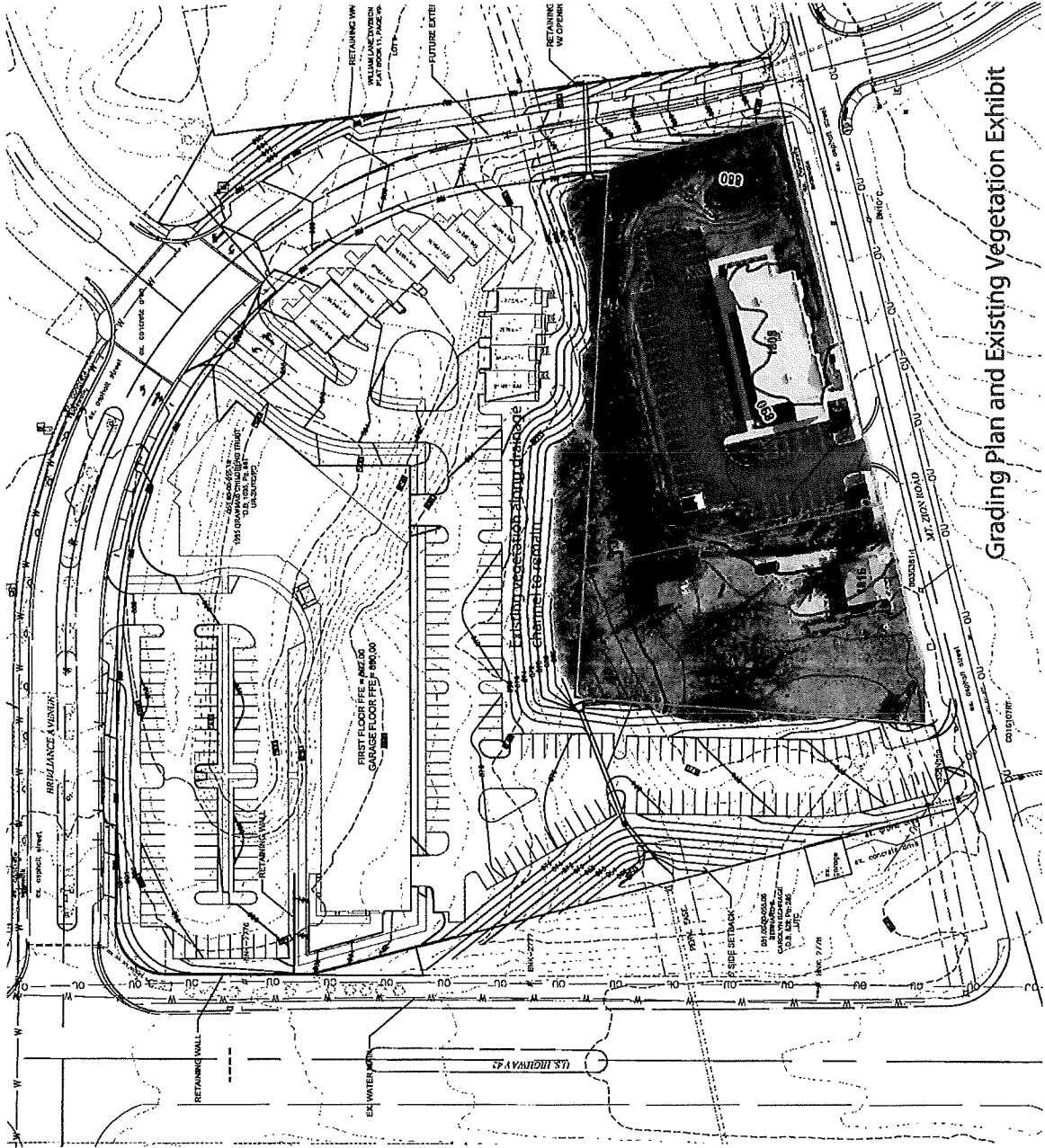
Nick Grammas/Grammas Investments

December 16, 2020

Page 5

4. No drive-through facilities are permitted in this development.
5. Street lights shall be provided per Section 2540.9.f of the Boone County Zoning Regulations. On-site lighting shall use architectural grade fixtures and be in the warm spectrum. On-site freestanding light masts shall have a maximum height of 15 feet.
6. The existing vegetation shown on the air photo portion of the attached "Grading Plan and Existing Vegetation Exhibit" shall be retained.
7. All applicable landscaping standards (Article 36 and Section 2540 of the Boone County Zoning Regulations) shall be fulfilled.
8. The building materials, aside from glass, shall be limited to stone, brick, cement board, and metal. Brick and stone shall be used at street level and cement board shall only be used on the upper levels. Brick and stone shall be the visually dominant building materials, including on the upper levels in the overall composition, but they are not required to be the main or principal materials from a quantitative or percentage standpoint.
9. Freestanding signs shall follow the two attached "Signage Concepts" sheets. Building mounted signs shall follow the applicable standards in the Union Town Plan Special Sign District (Section 3440.D of the Boone County Zoning Regulations).
10. The property owner shall permit a driveway connection from the parking area in the south part of the subject site to the adjoining lot on the northeast corner of the US 42/Old Mt. Zion Road intersection (1838 Old Mt. Zion Road) provided the adjoining lot redevelops with a compatible use(s). The adjoining property owner shall be financially responsible for the construction of the driveway connection and shall replace, on the adjoining lot, any parking spaces lost on the subject site as a result of the driveway connection.

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



Grading Plan and Existing Vegetation Exhibit

RETAINING WALL
WILLIAMSON DESIGN
PLAT BOOK 11, PAGE 766
LOT 78

FUTURE EXITE!

RETAINING
WALL

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT

BRILLIANCE AVENUE

RETAINING WALL

EXISTING WATER

U.S. HIGHWAY 70

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

EXISTING CONCRETE DRIVE
CHANGING TO ASPHALT
LOT 77

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

RETAINING WALL

SIGNAGE | CONCEPTS

Locations



VOIX & VOIX
Civil Engineers, Surveyors, and Landscape Architects

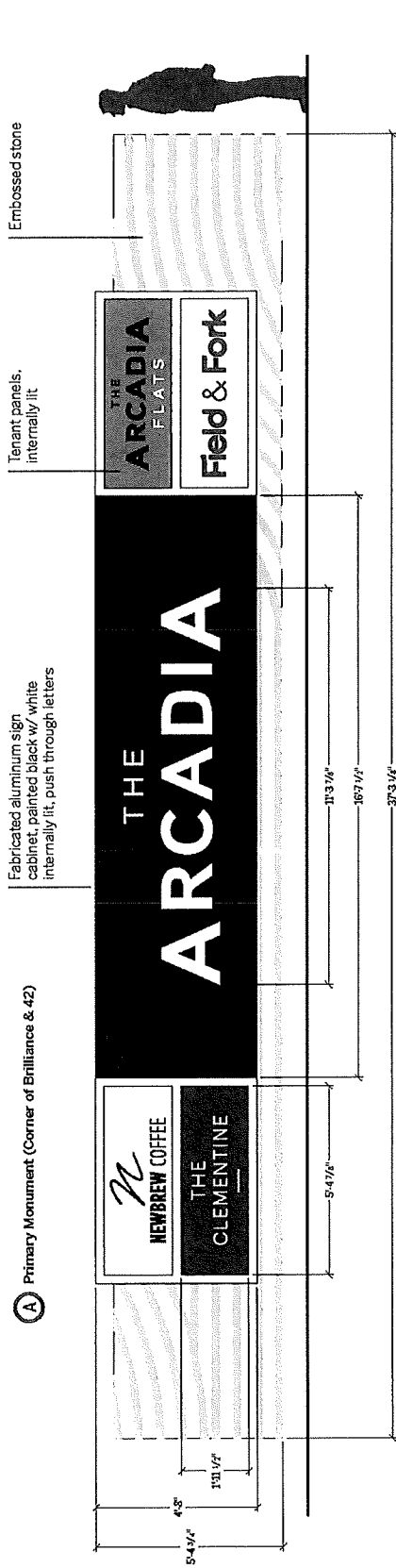
reztark



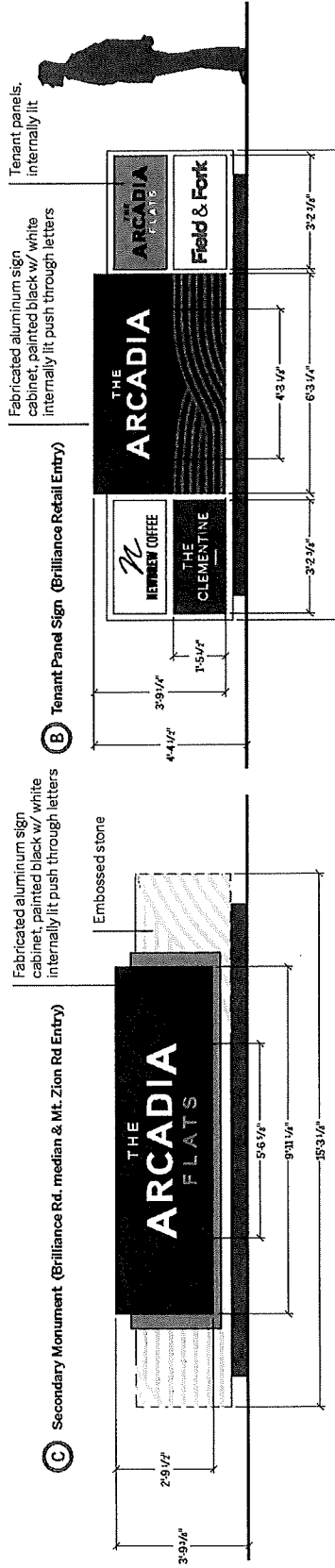
SIGNAGE | CONCEPTS

Monument, Tenant & Directional

(A) Primary Monument (Corner of Brilliance & 42)



(C) Secondary Monument (Brilliance Rd. median & Mt. Zion Rd Entry)



ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Kim Patton, Chairman

DATE: December 2, 2020

ZONING MAP AMENDMENT – Kim Patton, Chairman, Kevin Wall, Staff

1. Request of **Nick Grammas, Grammas Investments (applicant)** for **1995 Grammas Childrens Trust (owner)** for a Zoning Map Amendment from Union Town Center (UTC) to Union Town Center/Urban Residential Two/Planned Development (UTC/UR-2/PD) for a 6.113 acre site located on the southeast corner of the US 42/Brilliance Avenue intersection, and on the north side of Mt. Zion Road between the properties at 1764 and 1808 Mt. Zion Road, and between the properties at 1816 and 1838 Mt. Zion Road, Union, Kentucky. The request is for a zone change to allow commercial, multi-family residential, and townhouse uses.

REMARKS:

We, the Committee Members were present via live video teleconference 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.

Kim Bunger
For Project Absent
Against Project
Abstain Deferred

Lori Heilman (Alternate)
For Project Absent
Against Project
Abstain Deferred

Janet Kegley
For Project Absent
Against Project
Abstain Deferred

Steve Turner (Alternate)
For Project Absent
Against Project
Abstain Deferred


Rick Lunnemann
For Project Absent
Against Project
Abstain Deferred

Randy Bessler (Alternate)
For Project Absent
Against Project
Abstain Deferred

Kim Patton (Chairman)
For Project Absent
Against Project
Abstain Deferred

Katie Nolan (Alternate)
For Project Absent
Against Project
Abstain Deferred

Brad Shipe
For Project Absent
Against Project
Abstain Deferred


Recorded Vote by Kevin Wall,
AICP, Director Zoning Services

TOTAL: DEFERRED 4 FOR PROJECT ABSENT
 AGAINST PROJECT ABSTAIN

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
PUBLIC HEARING
NOVEMBER 18, 2020
7:30 P.M.**

Chairman Rolfsen opened the Public Hearing at 7:30 p.m. and welcomed everyone to the Planning Commission's November 18, 2020 Public Hearing via Live Video Teleconference.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Hellman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mrs. Katie Nolan
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Tom Szurlinski

COMMISSION MEMBERS NOT PRESENT:

Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. John Harney, GISP, GIS System Administrator

Chairman Rolfsen introduced the only item on the Agenda at 7:30 p.m.

ZONING MAP AMENDMENT – Kevin Wall, Staff

1. Request of **Nick Grammas, Grammas Investments (applicant) for 1995 Grammas Childrens Trust (owner)** for a Zoning Map Amendment from Union Town Center (UTC) to Union Town Center/Urban Residential Two/Planned Development (UTC/UR-2/PD) for a 6.113 acre site located on the southeast corner of the US 42/Brilliance Avenue intersection, and on the north side of Mt. Zion Road between the properties at 1764 and 1808 Mt. Zion Road, and between the properties at 1816 and 1838 Mt. Zion Road, Union, Kentucky. The request is for a zone change to allow commercial, multi-family residential, and townhouse uses.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation. This is a Zone Change request from Union Town Center (UTC) to Union Town Center/Urban Residential Two/Planned Development (UTC/UR-2/PD). The site is located on the southeast corner of U.S. 42 and Brilliance Avenue. It also has frontage in two places off Old Mt. Zion Road. Brilliance Avenue dead ends at the intersection of Melody Drive. The site is currently undeveloped and has a lot of tree cover on the south side. The Comprehensive Plan's Future Land Use Map designates the site as Commercial (C). The site is located in the Union Town Plan area. It is mostly in Phase 2 of the Union Town Center Plan. A small portion of the site is in Phase 1 of the Union Town Center Plan.

In regard to the submitted Concept Development Plan, the proposed "L" shaped building is 4 stories tall with 31,100 square feet of retail space. It has 93 apartment units with surface parking spaces and an underground parking garage. There are 4 outdoor seating areas. There are also 12 three-story townhouse units planned at the southeastern corner of the site. A 77 space parking garage is proposed along with a 72 space parking lot in the retail area and a 121 space parking lot in the rear of the large building. Twenty-five street parking spaces are also being provided. An access is being proposed through a median cut on Brilliance Avenue as well as at the intersection with Melody Drive and on old Mt. Zion Road. A conceptual landscaping plan has been submitted. The residential net density is about 20 dwelling units per acre. Mr. Wall showed a sample of building elevations as well as photographs of the site and adjoining properties. He also introduced the applicant's signage plan. It shows 4 monument signs.

In terms of Staff Comments, the first one deals with the Boone County Comprehensive Plan and the Union Town Plan. The Union Town Plan designates this site for Union Town Center Phase 2 and Phase 1. Phase 2 has a stipulation that development can't occur in the phase until 50% of Phase 1 is completed. Section 2520 of the code states that the 50% threshold is not necessarily absolute and can be bypassed through the appropriate review procedures so long as the project is well designed and reinforces the Town Center concept. The Design Standards for both phases require parking in rear or on the side, small front setbacks, brick and stone construction and buildings facing the main road. For reference purposes, Section 2525, "Intensity" does not have a maximum building intensity standard for commercial or office uses in the UTC zone, but it has a minimum of 3 dwelling units per acre and a maximum of 8 dwelling units per acre for residential

uses. The UR-2 zone allows up to 20 dwelling units per acre but with the PD overlay zone, it would allow the proposed 20.04 dwelling units per acre.

In regard to the PD overlay zone and Development Standards, mixed use development with retail on the bottom floor and residential on the top floors is suggested. The project meets this standard but doesn't meet the pedestrian requirement with a large parking lot and a retaining wall in front. Mr. Wall offered suggestions to meet these requirements by reconfiguring the parking, possibly having smaller, multiple buildings, grading and sidewalk changes. The applicant should clarify the proposed non-residential uses. Mr. Wall noted that 20% of the site needs to be landscaped or be left in its natural state. The applicant should explain how much of the 37.5% green space is useable. Sidewalks and bike racks must be provided in order to meet the multi-modal requirements. The applicant should explain the intended design for storm water detention since it could necessitate clearing all of the existing vegetation. Mr. Wall identified the 4 issues related to landscaping on Pages 20-21 of the Staff Report. He also referred to the 10 main points of the Building Architecture on Pages 21-23 of the Staff Report. Four free standing signs are proposed with about 231 square feet. Normally, fewer and smaller signs are permitted in the Union Town Plan. Directional signs are permitted but are much smaller.

Mr. Wall noted that it is the developer's responsibility to extend Brilliance Avenue to old Mt. Zion Road. In addition, there are requirements to make driveways connect to adjoining properties on Old Mt. Zion Road. In regard to a Traffic Impact Study, data has been collected and it needs to be completed for review by the City of Union and the Kentucky Transportation Cabinet. Comments have been received by the City of Union, Sanitation District 1 and the Union Fire Protection District only. Mr. Wall noted the specific Development Standards that apply to the subject site – underground utilities, the number of parking spaces, accessible parking for the disabled, the width of the driveway loop for the townhouse cluster and potential subdivision issues.

The Boone County Planning Commission and the Union City Commission need to evaluate the proposed zone change in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in the Boone County Zoning Regulations, the Planned Development requirements in Article 15 of the zoning regulations, the Comprehensive Plan, the 2000 Union Town Plan, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved. Mr. Wall stated that he received comments from adjoining property owner Mr. Bernard Schrage. The letter is included in the Staff Report.

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

Mr. Brock MacKay, Viox & Viox, Inc., referred to his PowerPoint presentation and explained that Grammas Investments, Inc. started in the 1970s in commercial and residential development in Southwestern Ohio and Northern Kentucky. Nick Grammas has been head of the firm for over 20 years. Reztark is a full service architectural design studio specializing in master planning, urban planning, architecture, interior design, industrial design, graphic design and branding. The firm mostly focuses on multi-family, senior living, retail, workplace and hospitality markets. Grammas Investments Projects consists of Montgomery Commons and Village Green in Fairfield.

Reztark has previously done mixed-use retail and residential projects. The subject site is 6.113 acres in size. The proposed uses fit in the Union Town Center but it is a matter of density. The UR-2 Zoning District is an add on to the UTC Zoning District. The proposed PD also gives flexibility on the layout. There is no maximum on the square footage of commercial use other than meeting the parking requirements. However, the present zoning of UTC only allows a maximum of 8 residential units per acre. The Future Land Use Map is one dimensional as it doesn't show retail on one floor and residential on the top floors. Mr. MacKay referred to the purpose of the Union Town Center (UTC) zoning district, where it encourages multi-level, mixed uses designed at a pedestrian scale. It can be retail on the bottom floor with office and residential uses on the above floors. Mr. MacKay felt that the proposal really meets that language. The Union Town Plan is really trying to protect against standard commercial strip center or big box development. Mr. MacKay reviewed the Concept Development Plan. The "L" shaped building will have 31,100 square feet of retail space and 93 apartments. It will have a parking garage underneath the building on the back side. The residential and retail traffic will be separated. That is why some parking is located in front of the building. It has to do with safety and privacy. Parking in front is important as it makes the retail space more viable. The site is challenging because it fronts U.S. 42, Brilliance Avenue and Old Mt. Zion Road. Brilliance Avenue has the most road frontage and has a curve. The position of the "L" shaped building faces both U.S. 42 and Brilliance Avenue but mostly Brilliance Avenue. There is a one story restaurant and patio area that is located next to Brilliance Avenue. The Brilliance Avenue connection is very important to the project. More discussion will have to occur about the design of the road extension. The City of Union has been working with Gresham Smith to advise them in implementing the Union Town Center zoning. One of the recommendations was allowing on-street parking. That is what is proposed and will be further evaluated. Landscaped islands are being proposed to be extended on Brilliance Avenue. Twelve townhomes are also being proposed on the site.

Mr. Dean Lutton, Reztark Design Studio, stated there are topography challenges for the site that influence the layout and overall design. There is a 16 foot grade change from U.S. 42 to Melody Drive. At the first curb cut off Brilliance, they are 14 feet higher than the intersection at U.S. 42. They have found that the crossing of vehicular and pedestrian traffic usually limits the success of a mixed use development. Residents prefer a safe and secured entrance and private parking. It has to be easily accessible. Commercial patrons need easy access to their storefronts. The main entrance to U.S. 42 sits below the site and is not a pedestrian oriented road. The ends of the building will be geared towards restaurants because of the outdoor dining and seating areas. Brilliance Avenue is one lane but the width is wider than for one lane. They are proposing to widen the street to allow parallel parking and a single drive aisle or lane. They also would like to narrow the intersection for street calming purposes and pedestrian walkability. Part of the median on Brilliance Avenue will have to be removed to allow left turning movements to the retail area. The townhouse area encourages pedestrian access from U.S. 42. He suggested a possible staircase from the sidewalk on U.S. 42 to a sidewalk leading to the retail area. It could be located near the intersection crosswalk across U.S. 42 and Brilliance Avenue. He showed a close-up drawing of the main entrance to the residential area opposite of Melody Drive. The intersection has stained concrete. The proposed townhomes are located next to the street with parallel parking on the street. A patio area is proposed on the back side of the larger building for outdoor dining and could also be used as an amenity for the residents. The top of the one story restaurant has a green roof for outdoor space for the residents. Mr. Lutton showed a building elevation on

the backside of the project. The parking garage will be used for residents only. He noted there was a comment about not having a sufficient amount of parking for the retail and at the same time making the development have a pedestrian orientation. The rear parking lot can serve as an overflow parking lot if needed from the planned retail uses. Mr. Brett Kratzer, Reztark, stated that when they originally met with Gresham Smith, they had shown more parking in front for the retail (104 spaces). Instead, it was recommended that they turn the area into a walkable connected space. As a result, they eliminated a front row of parking and widened the sidewalk in front of the retail space. The lost parking could be recouped from the proposed street parking. The Study suggests U.S. 42 be the front walkable entrance to the development. Mr. Lutton disagreed as the speed of the traffic doesn't allow a pedestrian feel. Brilliance Avenue is more appropriate to have the pedestrian streetscape or feel. By putting a 4 story building next to Brilliance Avenue, it would have a dramatic impact or be overly imposing on the Harmony tract across Brilliance Avenue. That tract will have 10 dwelling units per acre. The planned single story restaurant pad will draw pedestrians to the area. It will also allow building density to occur on the site which the Study recommends. Retail needs convenient parking for it to be successful. The retail also needs customers and the proposed units and neighboring housing will help support the retail. If the retail faced U.S. 42, parking would have to be in the rear and the entrance has to be next to the parking lot for the retail to be successful. The result is that the back of the building would face U.S. 42 and this would not be a walkable development and an architectural solution. Pedestrians prefer not to be walking along high speed routes like U.S. 42. The east-west building orientation opens up the pedestrian orientation from Brilliance Avenue and U.S. 42.

Mr. Ryan Johnson, Reztark Design Studio, discussed the building materials and stated that he felt the project was in line with the Union Town Plan guidelines. Suggested materials are quality materials, masonry stone, metal and siding products, fiber cement and not vinyl. The proposed materials are similar to what has been used in the area. The owner wants to use low maintenance materials (e.g. brick and stone). Mr. Brock MacKay showed a preliminary grading and utility plan. He noted that the owner conducted a virtual workshop with the Harmony HOA on October 22, 2020. Forty-six residents participated. A primary concern was non-Harmony residents using their neighborhood amenities. Mr. MacKay responded that the developer would educate their new residents that Harmony has private facilities and perhaps Union would develop a park in the future. There was a concern voiced about traffic flow and needing a connection to the roundabout. Mr. MacKay stated that they are performing a traffic study to make sure of what is the best way to make the connection. It would also address the need for any turn lanes. Other concerns included commercial tenant hours of operation and noise. The position of the building helps reduce the potential for noise. Other final comments relate to building architecture, layout, scale, materials, colors, etc. There were several positive comments including that it seems to be in line with the Town Center Plan. In regard to the Traffic Impact Study, they have already had preliminary discussions with the City of Union and the Kentucky Transportation Cabinet and they have collected data at several of the key intersections.

Mr. Lutton explained the branding of the project. Arcadia is a place holder name. Signage will be simple in terms of size and materials. Four signs are proposed for the 2 types of uses. All the signs are proposed at each entrance – U.S. 42, Brilliance Avenue and Old Mt. Zion Road. The signs will be externally lit.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the Zoning Map Amendment request? Seeing no one, Chairman Rolfsen asked if there was a separate entrance off old Mt. Zion Road to the development? Mr. MacKay replied yes. Brilliance Avenue would be extended south to old Mt. Zion Road. It would be a City street. Mr. Costello added that in order to the development to be successful, the extension of Brilliance Avenue has to occur. It leads to the new roundabout. It is what the Union Town Plan recommends. It will help the retail by allowing traffic from new Mt. Zion Road to travel directly into the area. The Planning Commission expects this to be done and typically the developer builds this road. Mr. MacKay responded that it was the same understanding that the developer had. Mr. Nick Grammas, Grammas Investments, stated that he has been talking to the City or the Mayor for the past 4-5 months. He understands that the road has to be built. It is just a question of who will pay for it – the City, jointly funded or funded through TIF Funds. Mr. Costello stressed that the Planning Commission doesn't care who builds it but that it is built from the very beginning of the project. It is a critical component of the project. The Drees Company built Brilliance Avenue on both sides of U.S. 42 when the residential construction started. Chairman Rolfsen asked how much of the 31,100 square feet of retail will be for restaurant use? Mr. Dean Lutton replied that the ends of the buildings will be restaurants as well as the back triangle area. It would be from 9,000 – 12,000 square feet of restaurant space.

Ms. Gulick stated that she thought the entrances were confusing – one for retail and one for residential. Will people get confused with using the main entrance for the retail use if coming from Mt. Zion Road? Will a left turn lane be needed to the retail area? What are the differences in traffic volumes in that area? Also, there is no second access out of the front parking lot. Mr. MacKay replied that the turn lane analysis will be included in the Traffic Study. If someone accidentally turns into the main entrance and is going to retail, it is okay. Customers can walk around the building to get to the retail. The rear parking lot is not a dead end parking lot. There is only one curb cut serving the retail due to the topography and close proximity to the intersection. The good news is that they created a loop within the parking lot so traffic can circulate. It is a small enough parking lot that one ingress/egress is good enough. Mr. Lutton stated that signage near each entrance will help direct traffic. Generally, shoppers will turn into entrances when they see store fronts. The proposed one story restaurant will serve as a symbol of the retail area since it is located so close to the entrance.

Mr. Harper stated that he was impressed with the thought that went into designing the project. It is a complicated project. There may be many more details to be worked out but he is impressed with it.

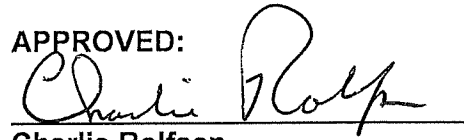
Mrs. Nolan stated that she was definitely impressed with the submitted plan. She inquired about outdoor gathering space. Mrs. Nolan asked if the developer considered a pedestrian connection to old Mt. Zion Road in case there is any future open space in that area? It would be another way to get to the south other than U.S. 42. Mr. Johnson responded that it could be looked at further for safe pedestrian access. Mrs. Nolan noted that in her discussion with the City, she thought it was important to get the first main focal point developed and then expand out, why isn't this occurring? It is less interest? Mr. MacKay responded that the property owner has a larger site across the street. For a variety of reasons, the market and the subject site is the right size. It is a good first step. They are creating some open space with the outdoor areas and the riparian areas. Mr. Grammas added that the project will kick start the town center on the north side of

new Mt. Zion Road. There could be another phase on the other side of U.S. 42 with a 23 acre site.

Chairman Rolfsen asked how many stories are the townhouses? Mr. Lutton replied that they are 3 stories with an integrated garage. The first story will be half garage and half livable area and then 2 occupiable floors. There will also be a roof deck amenity on the top level. Chairman Rolfsen asked how many bedrooms are in the apartments? Mr. Johnson replied that it will be 1, 2 or 3 bedroom apartments. It will be a ratio of 40%, 50% and 10% for 1, 2 and 3 bedrooms. The trend today is that the third bedroom is usually an office versus a bedroom for children.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on December 2, 2020 at 5:00 P.M. via Live Video Teleconference. This item will be on the Agenda for the Business Meeting on December 16, 2020 at 7:00 p.m. If someone wants to observe the Committee Meeting please contact the office and provide the necessary information for logging into the meeting. The Chairman closed the Public Hearing at 8:58 p.m.

APPROVED:



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

**BOONE COUNTY PLANNING COMMISSION
VIA LIVE VIDEO TELECONFERENCE
BURLINGTON, KENTUCKY
BUSINESS MEETING
DECEMBER 16, 2020
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:01 p.m. and welcomed everyone to the Planning Commission's December 16, 2020 Business Meeting. The Boone County Planning Commission, pursuant to KRS 61.826, Kentucky Senate Bill 150 and OAG 20-05, is conducting its regularly scheduled meeting on Wednesday, December 16, 2020 at 7:00 p.m. via live video teleconference. This meeting format has been necessitated due to the state of emergency regarding the threats to public health presented by the novel Coronavirus (COVID-19) pandemic.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mrs. Katie Nolan
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Brad Shipe

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Robert A. Jonas, AICP, Director, Planning Services
Mr. John Harney, GISP, GIS Systems Administrator

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the December 2, 2020 Business Meeting and Public Hearings. Chairman Rolfsen asked if there were any other comments or corrections? **Mr. Patton moved to approve the Minutes as presented. Mr. Bessler seconded the motion and it carried unanimously.**

ZONING MAP AMENDMENT – Kim Patton, Chairman, Kevin Wall, Staff

1. Request of **Nick Grammas, Grammas Investments (applicant) for 1995 Grammas Childrens Trust (owner)** for a Zoning Map Amendment from Union Town Center (UTC) to Union Town Center/Urban Residential Two/Planned Development (UTC/UR-2/PD) for a 6.113 acre site located on the southeast corner of the US 42/Brilliance Avenue intersection, and on the north side of Mt. Zion Road between the properties at 1764 and 1808 Mt. Zion Road, and between the properties at 1816 and 1838 Mt. Zion Road, Union, Kentucky. The request is for a zone change to allow commercial, multi-family residential, and townhouse uses.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval based upon Findings of Fact and subject to Conditions (see Committee Report). He gave a summary of the Findings of Fact. Mr. Wall noted the Committee voted unanimously to approve the request with Mr. Bunger, Mrs. Kegley, Mr. Lunnemann and Mr. Patton voting in favor of the request.

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

Mr. Brock MacKay, Viox & Viox, Inc., stated that he looks forward to kickstarting the Union Town Center with the project. His team is available to answer any final questions.

Seeing no one else, Chairman Rolfsen asked if there was a motion to take action? **Mr. Patton moved to approve the Zoning Map Amendment by Resolution to the City of Union based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Harper seconded the motion and it passed unanimously.**

EXECUTIVE DIRECTOR'S REPORT:

Mr. Kevin P. Costello, AICP, stated that the Planning Commission must appoint its representative to the OKI Board of Directors for 2021. **Mr. McMillian moved to appoint Mr. Patton to be the Planning Commission's representative to the OKI Board of Directors for 2021. Mr. Harper seconded the motion and it passed unanimously.** Mr. Costello noted that Mr. Harper was reappointed to the Planning Commission and Judge Moore has appointed a new Board member to the Planning Commission to replace Katie Nolan effective January 1, 2021. Judge Moore will also be appointing someone to replace Mr. Shipe effective January 1, 2021. Mr. Costello mentioned the partial opening of Pleasant Valley Road starting tomorrow. Traffic will be routed over the new bridge. The Boone County School District approved the redistricting plan for the new Steeplechase Elementary School scheduled to open in August, 2021. Work continues on updating both the Boone County and Walton-Verona School Districts' Master Facilities Plan.

Mr. Costello reminded Board members of the Planning Commission's annual election of officers to be held on January 6, 2021. If anyone is interested in serving as an officer, contact either Bob Schwenke or Janet Kegley by January 3rd as they serve on the Nominating Committee. Mr. Costello stated that Staff is currently working on a revised schedule and a list of remaining work tasks for the 2020-2021 Zoning Update. Due to COVID-19 and other office activities, the work on the 2020-2021 Zoning Update has been moving forward at a slower pace. We expect the work to pick up in early 2021. That project is being supervised by the Long Range Planning/Comprehensive Plan Committee with the hope of having live or virtual Public Workshops in late Spring. In addition, the City of Florence has expressed interest in having the Planning Commission complete the update of the Florence Main Street Study by formulating changes to the Boone County Zoning Regulations (both text and map). The goal is to update the regulations in an effort to make the area more economically viable and attractive for new businesses and residents living in the area. This work will complement the work already performed by the City of Florence in an effort to update the original study. Mr. Matt Becher will be the Staff person assigned to lead the project.

Chairman Rolfsen asked how wide was the new Pleasant Valley Roadbridge? Mr. Costello responded that it will have to support 5 lanes of traffic. Ms. Gulick inquired about traffic signals at Bluestem Drive? Mr. Costello responded that he will have to check with the Kentucky Transportation Cabinet. Our office has the construction drawings for the road but he doesn't think the proposed traffic signals are on the drawings.

CHAIRMAN'S REPORT:

Chairman Rolfsen thanked Mrs. Nolan for her year of service to the Planning Commission. Mrs. Nolan said that she hoped to continue working with the Planning Commission while she sits on the SD-1 Board.

OTHER: None

There being no further business to come before the Planning Commission, **Mr. Patton moved to adjourn the meeting. Mr. Bunger seconded the motion. The meeting was adjourned by unanimous consent at 7:24 P.M.**

APPROVED



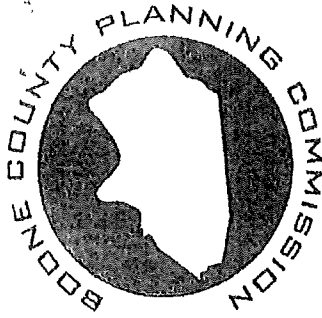
Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

SUPPORTING INFORMATION



BOONE COUNTY PLANNING COMMISSION

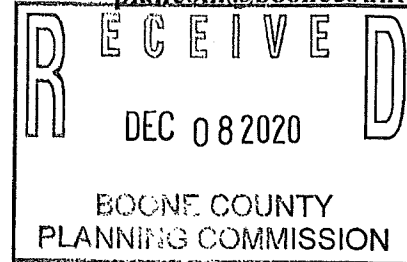
www.boonecountyky.org/pc
www.boonecountygis.com

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

Phone (859) 334-2196; Fax (859) 334-2264
plancom@boonecountyky.org

December 7, 2020

Mr. Nick Grammas
Grammas Investments
1600 Athens Drive
Loveland, OH 45140



RE: Recommended Conditions of Approval for Grammas Investments/1995 Grammas Childrens Trust Zoning Map Amendment Application from UTC to UTC/UR-2/PD for 6.113 Acre Site on Southeast Corner of US 42/Brilliance Avenue Intersection, Union, Kentucky

Dear Mr. Grammas:

The following represents the recommended conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change Committee at their December 2, 2020 meeting. If you, as the property owner's authorized representative agree to these conditions, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office by Friday, December 11, 2020.

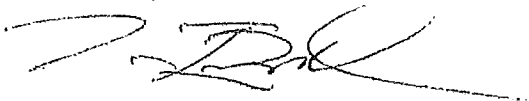
CONDITIONS

1. The development shall follow the submitted Concept Development Plan set except where modified by the agreed conditions outlined below.
2. The Brilliance Avenue street connection shown in the Concept Development Plan set shall be constructed in its entirety and dedicated to the City of Union before any buildings in this development are occupied.
3. The following sidewalks and sidewalk connections shall be provided.
 - A. A 5 foot wide sidewalk shall be provided along the site's Old Mt. Zion Road frontage, in or near the road right-of-way.
 - B. A sidewalk connection shall be provided from the sidewalk along Old Mt. Zion Road and across the rear parking area to a point at or near the rear of the main building.
 - C. A sidewalk connection shall be provided from the four southernmost townhouse units to the public sidewalk along Brilliance Avenue.

Mr. Nick Grammas
December 7, 2020
Page 2

- D. A sidewalk connection shall be provided from the rear of the four southernmost townhouse units to the internal sidewalk system (on the west side of the island by the townhouse loop drive).
 - E. A staircase and/or ramps into the site shall be provided between the US 42/Brilliance Avenue intersection and the northwest corner of the main building.
4. No drive-through facilities are permitted in this development.
 5. Street lights shall be provided per Section 2540.9.f of the Boone County Zoning Regulations. On-site lighting shall use architectural grade fixtures and be in the warm spectrum. On-site freestanding light masts shall have a maximum height of 15 feet.
 6. The existing vegetation shown on the air photo portion of the attached "Grading Plan and Existing Vegetation Exhibit" shall be retained.
 7. All applicable landscaping standards (Article 36 and Section 2540 of the Boone County Zoning Regulations) shall be fulfilled.
 8. The building materials, aside from glass, shall be limited to stone, brick, cement board, and metal. Brick and stone shall be used at street level and cement board shall only be used on the upper levels. Brick and stone shall be the visually dominant building materials, including on the upper levels in the overall composition, but they are not required to be the main or principal materials from a quantitative or percentage standpoint.
 9. Freestanding signs shall follow the two attached "Signage Concepts" sheets. Building mounted signs shall follow the applicable standards in the Union Town Plan Special Sign District (Section 3440.D of the Boone County Zoning Regulations).
 10. The property owner shall permit a driveway connection from the parking area in the south part of the subject site to the adjoining lot on the northeast corner of the US 42/Old Mt. Zion Road intersection (1838 Old Mt. Zion Road) provided the adjoining lot redevelops with a compatible use(s). The adjoining property owner shall be financially responsible for the construction of the driveway connection and shall replace, on the adjoining lot, any parking spaces lost on the subject site as a result of the driveway connection.

Sincerely,



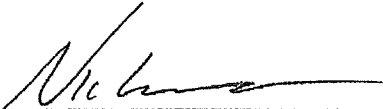
Kevin T. Wall, AICP
Director, Zoning Services

enclosures

Mr. Nick Grammas
December 7, 2020
Page 3

AGREEMENT

I, the authorized representative of the property owner of the 6.113 acre site located on the southeast corner of the US 42/Brilliance Avenue intersection, Union, Kentucky, agree to the conditions listed herein for the above referenced Zoning Map Amendment application.

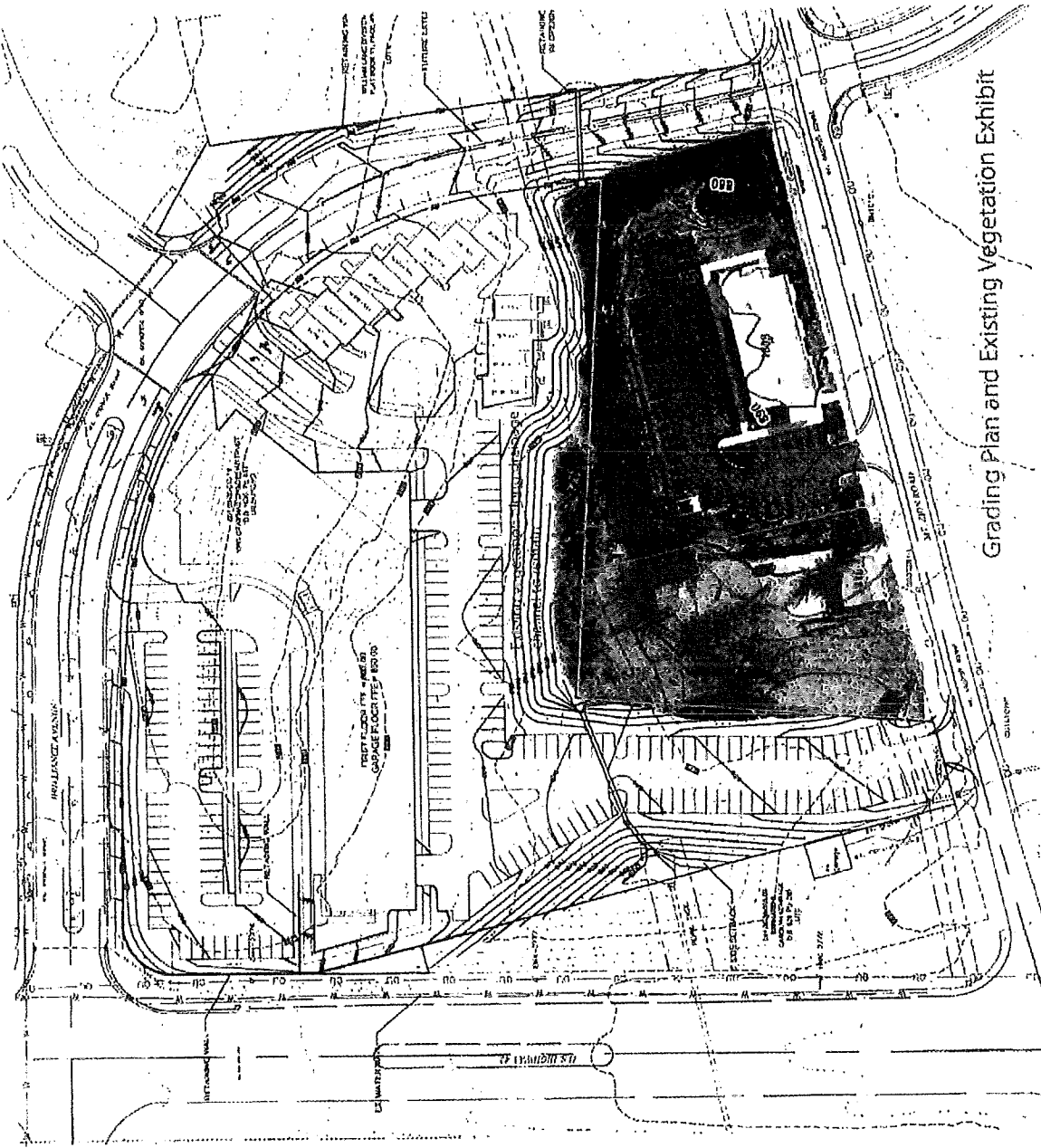


12-8-20

Nick Grammas

Date

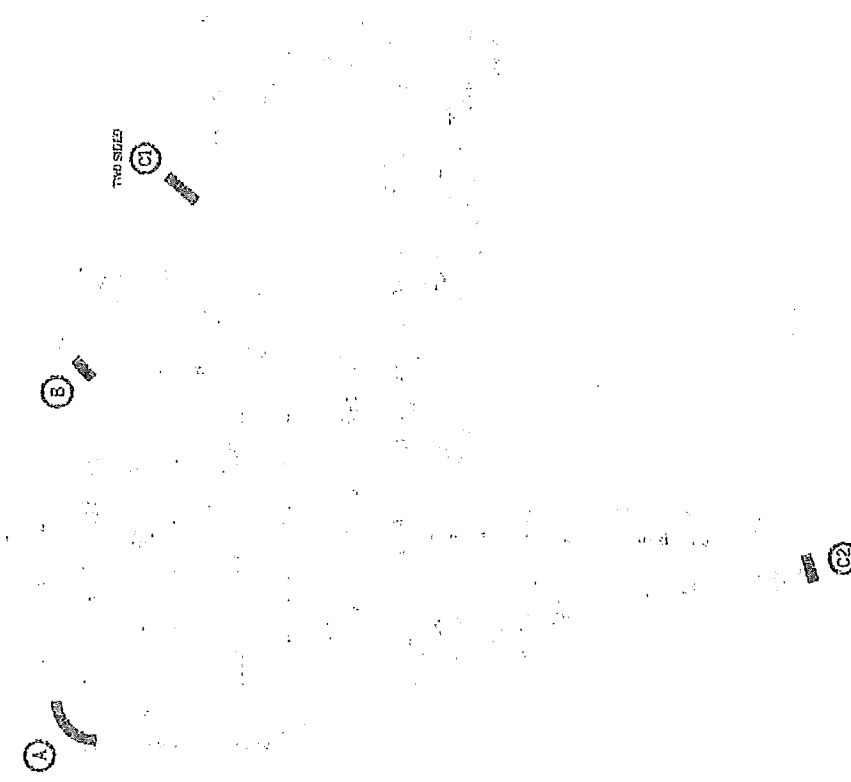
Authorized Representative for Grammas Investments and 1995 Grammas Childrens Trust



Grading Plan and Existing Vegetation Exhibit

SIGNAGE | CONCEPTS

Locations

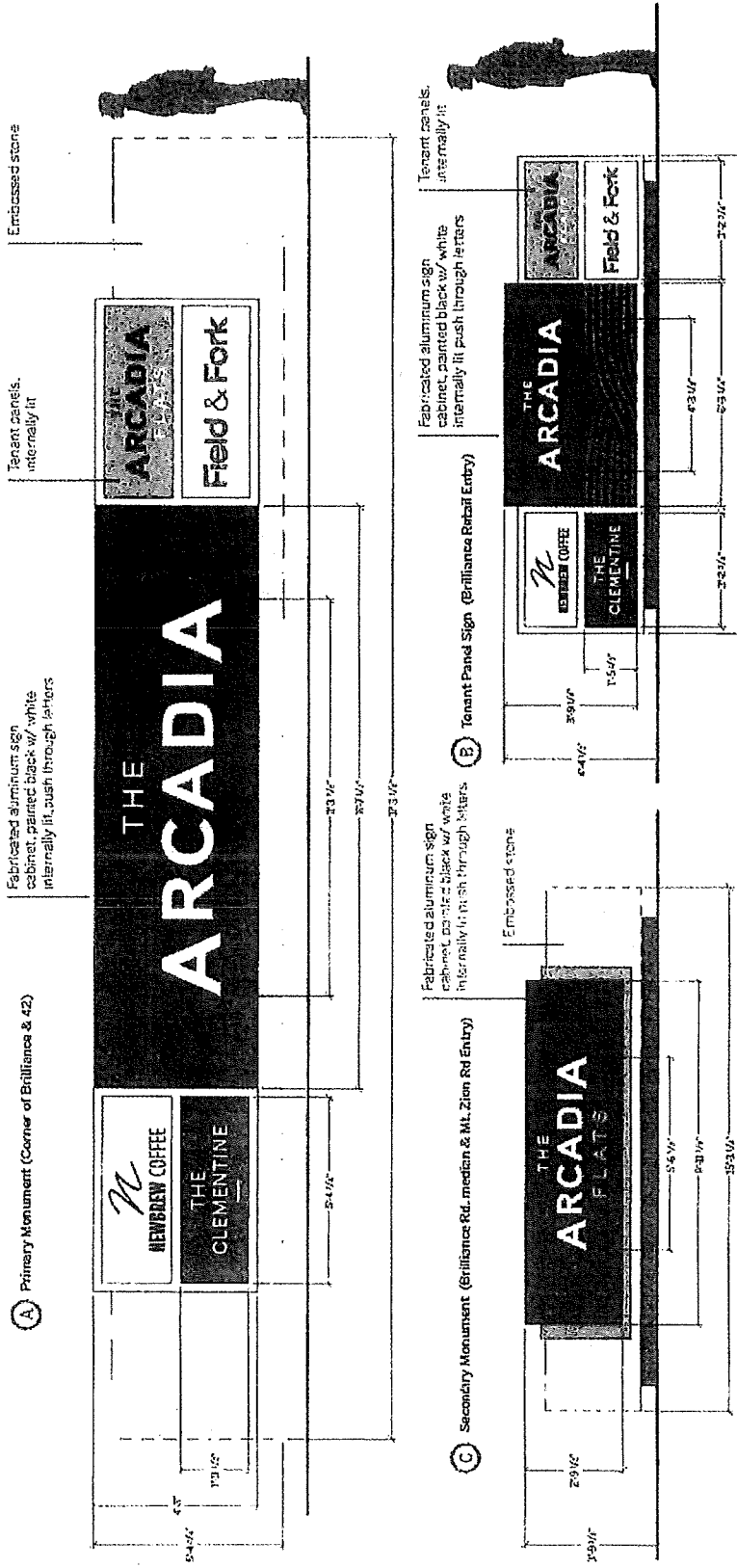


UNION, KY MIXED-USE | CONCEPT DESIGN | NOVEMBER 16, 2020
© 2020 HOK COMPANY. ALL RIGHTS RESERVED.



SIGNAGE | CONCEPTS

Monument, Tenant & Directional



UNION, KY MIXED-USE | CONCEPT DESIGN | NOVEMBER 16, 2020
 © 2020 REZTARK & VOXX & VIOX, LLC

Kevin Wall

From: Nick Grammas <ngrammas@gmail.com>
Sent: Tuesday, December 08, 2020 12:44 PM
To: Sara Smith
Cc: Kevin Wall
Subject: Re: CONDITION LETTER signed copy
Attachments: 20201208102300_001.pdf; ATT00001.htm

EXTERNAL MESSAGE

CITY OF UNION, KENTUCKY
ORDINANCE NO. 2021- 02

AN ORDINANCE OF THE CITY OF UNION, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF NICK GRAMMAS, GRAMMAS INVESTMENTS APPLICATION FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT TO THE BOONE COUNTY ZONING MAP BEING A ZONE CHANGE FROM UNION TOWN CENTER (UTC) ZONE TO UNION TOWN CENTER/URBAN RESIDENTIAL TWO/PLANNED DEVELOPMENT (UTC/UR-2/PD) FOR AN APPROXIMATE 6.113 ACRE SITE LOCATED ON THE SOUTHEAST CORNER OF THE U.S. 42/BRILLIANCE AVENUE INTERSECTION, UNION, KENTUCKY

WHEREAS, the City of Union, Kentucky is a member of the county-wide planning unit, having a county-wide planning commission know as the Boone County Planning Commission; and

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 for a for an approximate 6.113 acre site located on the southeast corner of the U.S. 42/Brilliance Avenue Intersection, Union, Kentucky, and;

WHEREAS, the Boone County Planning Commission as the planning unit for the City of Union, Kentucky was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the Zoning Map Amendment; and

WHEREAS, the Boone County Planning Commission by Resolution No. R-20-020-Arecommended approval of the rezoning described above, with conditions; and

WHEREAS, the recommendation of the Boone County Planning Commission is based upon certain findings and conditions attached to its Resolution, all of which have been reviewed by the City Commission for the City of Union, Kentucky; and

WHEREAS, the Union City Commission desires to affirm and approve the recommendation of the Boone County Planning Commission pursuant to K.R.S. 100.211 within ninety (90) days of the Planning Commission's final action and grant the application of the Zoning Map Amendment, with conditions.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF UNION, KENTUCKY as

follows:

SECTION I

That the request for a change in the Zoning Map Amendment being a Zone Change for an approximate 6.113 acre site located on the southeast corner of the U.S. 42/Brilliance Avenue Intersection, Union, Kentucky, shall be and is hereby approved, with conditions, as set forth in the Boone County Planning Commission's Resolution R-20-020-A, which includes, but is not limited to, their Findings of Fact and Description of the real estate which is the subject of this Ordinance and is attached hereto and marked Exhibit "A" and incorporated herein by reference.

SECTION II

If approval for Zoning Map Amendment shall be held invalid, in whole or in part, by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map, or comprehensive plan provisions as they are severable from this Ordinance and they are intended to have effect regardless of any invalidity relating to this particular Ordinance.

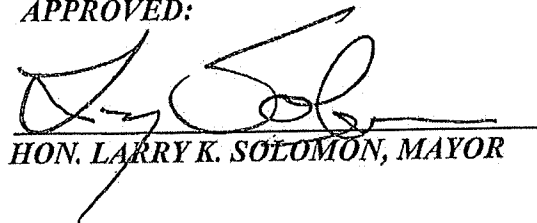
SECTION III

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

PASSED AND APPROVED ON FIRST READING this the 11th day of January, 2021.

PASSED AND APPROVED ON SECOND READING this 1st day of February, 2021.

APPROVED:


HON. LARRY K. SOLOMON, MAYOR

ATTEST:

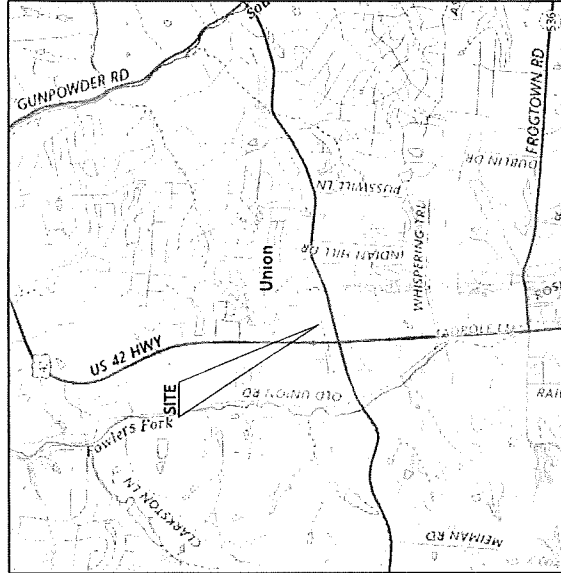
Christy Everman

**CHRISTY EVERMAN
CITY CLERK/TREASURER**

US-42 UNION MIXED USE DEVELOPMENT ZONE CHANGE SUBMITTAL

APPROVED
 Sub: [Signature]
 Date: 11/14/10
 By: [Signature]
 Planning Commission
 Boone County

US-42 UNION
 BOONE COUNTY, KENTUCKY



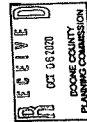
VICINITY MAP
 SCALE: NTS

SITE DATA

Parcel ID = 051.00.00-055.19
 Parcel Address = US42 & Brilliance Ave Union, KY 41091
 Current Owner = 1995 Grammas Childrens Trust
 Owner Address = 7817 Cooper Rd STE B Cincinnati, OH 45242
 Deed Reference: D.B. 1035 PG. 891
 Total Acreage of Site = 6.113 Ac.
 Current Zone = UTC

SITE ZONING DATA

Proposed Zone: UTC/UR-2/PD
 Minimum Lot Size = 1/4 Acre - Family - N/A
 Existing Lot Size = 6.828 Ac.
 Maximum Intensity = 20 d.u. per acre (20*6.82) = 136 d.u.
 Minimum Frontage = 150 FT
 Maximum Height = 50 FT
 Minimum Front Yard Setback = 10 Ft
 Minimum Rear Yard Setback = 20 Ft
 Minimum Side Side Yard Setback = 5 Ft
 Buffer Yard Requirements
 Adjoining UTC = Buffer Yard "A" - 10 Ft
 Adjoining Street Frontage = Buffer Yard "A" - 10 Ft



Sheet List Table

Sheet Number	Sheet Title
COVER	COVER SHEET
A1	COLOR SITE PLAN
C200	LAYOUT PLAN
C300	GRADING PLAN
C400	RIGHT OF WAY PLAN

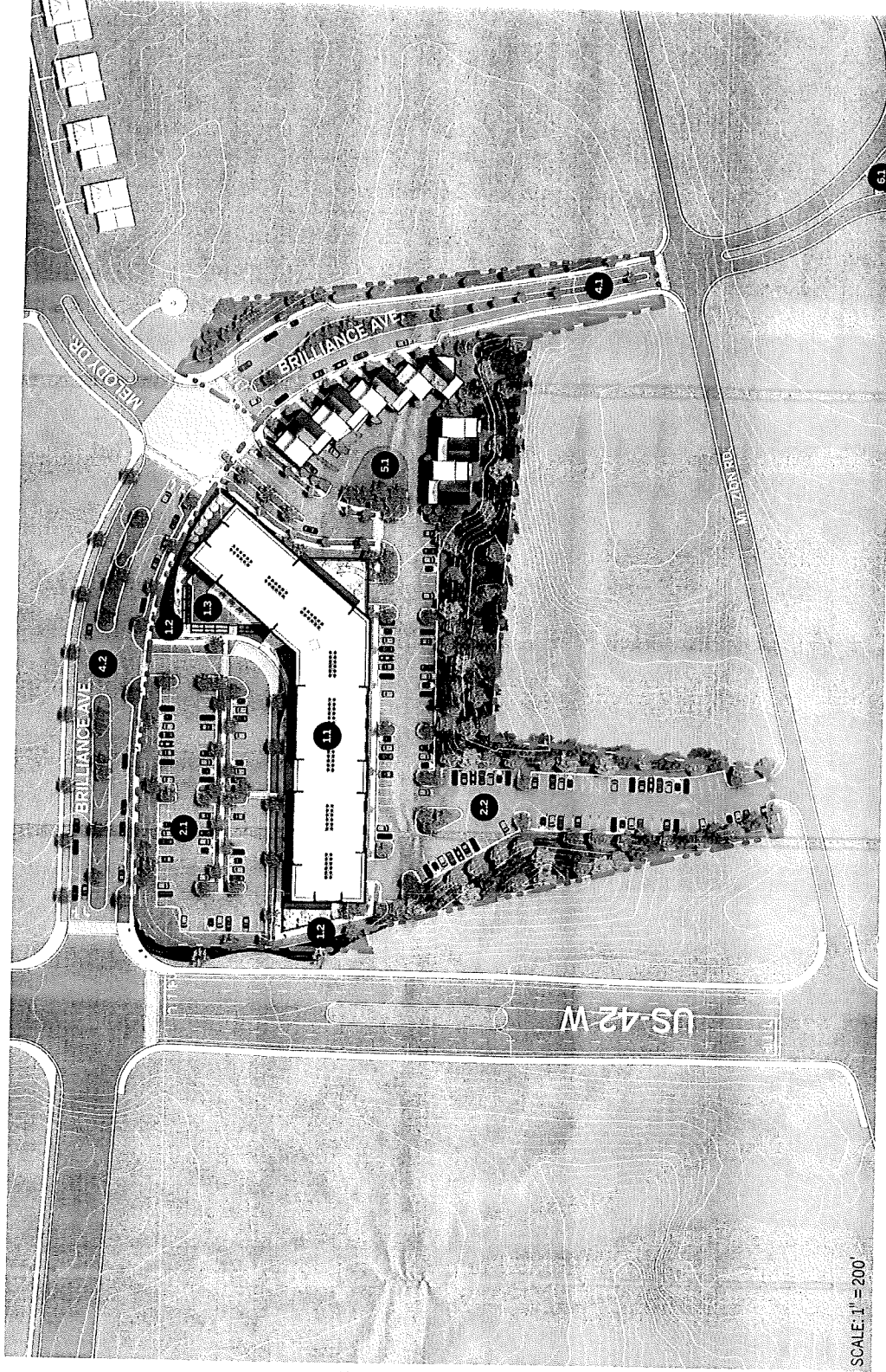
VIOXX & VIOX
 Civil Engineers, Surveyors, and Landscape Architects
 408 Lexington Road - Lexington, Kentucky 40518
 Lexington (606) 271-2222 Fax (606) 271-1000
 WWW.VIOXX.COM

US-42 UNION MIXED USE
 ZONING PLAN
 UNION, BOONE COUNTY, KENTUCKY
 COVER SHEET

Project No.	100700
Date	10/06/10
Scale	
Sheet	COVER

SITE PLAN

- 1.1** 31,100 SF RETAIL
-1 LEVEL
- 93 APARTMENT UNITS
-3 LEVELS
- 77 SPACE GARAGE
-1 LEVEL
- 1.2** OUTDOOR RESTAURANT
PATIOS
- 1.3** ONE-STORY FEATURE
RESTAURANT
- 2.1** UPPER PARKING LOT - 72 SPACES
W/ PEDESTRIAN PATHS
- 2.2** LOWER PARKING LOT
-119 SPACES
- 4.1** FUTURE BRILLIANCE AVE.
EXTENSION.
- 4.2** TRAFFIC MEDIAN
ADJUSTMENTS
- 5.1** RESIDENTIAL TOWNHOMES (12)
- 6.1** MT. ZION ROAD - NEW TRAFFIC
CIRCLE



SCALE: 1" = 200'



UNION, KY MIXED-USE
CONCEPT DESIGN

Union, KY Mixed-Use

CONCEPT DESIGN

UNION, KY MIXED-USE | CONCEPT DESIGN | SEPTEMBER 22, 2020

© 2020 REZTARK DESIGN STUDIO, LLC



SITE PLAN

- 1.1 31,100 SF RETAIL
-1 LEVEL
- 1.2 93 APARTMENT UNITS
-3 LEVELS
- 1.3 77 SPACE GARAGE BELOW
-1 LEVEL
- 1.2 OUTDOOR RESTAURANT
PATIOS
- 1.3 1 STORY FEATURE
RESTAURANT
- 2.1 72 SPACE UPPER LOT W/
PEDESTRIAN PATHS
- 2.2 119 SPACE LOWER LOT
- 4.1 FUTURE BRILLIANCE AVE.
EXTENSION.*
- 4.2 TRAFFIC MEDIAN
ADJUSTMENTS
- 5.1 RESIDENTIAL TOWNHOMES
- 6.1 MT. ZION ROAD - NEW
TRAFFIC CIRCLE

*CITY OF UNION FUTURE
IMPROVEMENTS BASED ON
PLANNING CONSULTANT





RENDERING | AERIAL

© 2020 REZTARK DESIGN STUDIO, LLC

RENDERING AERIAL B



RENDERING | AERIAL C



This concept images show in this presentation are for illustrative purposes only. All architectural appearance is subject to change without notice.

UNION, KY MIXED-USE | CONCEPT DESIGN | SEPTEMBER 22, 2020
© 2020 REZTARK DESIGN STUDIO, LLC



VOXX & VOXX
Civil Engineers, Surveyors, and Landscape Architects

reztark

RENDERING | FROM BRILLIANCE





RENDERING AERIAL

