

STAFF REPORT

REQUEST OF ASSOCIATED LAND GROUP INC. FOR A REVISION TO A PREVIOUSLY APPROVED CONCEPT DEVELOPMENT PLAN ON PROPERTY OWNED BY JOSEPH L. CLAXON AND TILFORD R. RICHARDSON

August 24, 1988

This is a request of Associated Land Group Inc. to change a previously approved Concept Development Plan to allow an apartment development on a site currently zoned Urban Residential One (UR-1). The 23.246 acre site is part of a larger 30.46 acre tract that was divided in two when the U.S. 25/42 Connector Road was constructed in 1987-88. The other +3 acre remnant is not subject to this request. The previously approved Concept Development Plan was the result of a 1981 Zoning Map Amendment within the City of Florence for the entire 30.46 acre parcel. This approved plan included 225 townhouses for an overall intensity of 7.4 units per acre. The current request is for a 264 two-bedroom rental apartment development for an overall intensity of 11.36 units per acre.

The submitted Concept Development Plan indicates 22 buildings with 12 dwelling units in each. Access to the site is through one drive opposite Tamarack Drive and Evergreen Farms Subdivision. The submitted plan shows a boulevard type entrance with a mail pavilion in the center. No garages are indicated for the units, and the applicant has indicated that the development will be limited to adults. A typical building elevation plan is included in this report.

The southern portion of the site contains a wooded swale that is proposed to remain. Vegetation buffering is noted for the perimeter of the site.

NATURAL FEATURES OF THE SITE

The +23 acre site slopes generally from the north to south where it contains a pronounced creek valley. A swampy area exists near the center of the site. Most of the site is wooded with second growth vegetation, although some mature woodland exists in the southern area.

Soils associations present on the site include Faywood Silty Clay Loam (Fcd) usually found on 12 to 20 percent slopes and two types of Rossmoyne Silt Loam (Rsb and Rsc) usually found on slopes of 0 to 12 percent slopes. The Fcd soils are located in the southern portion of the site and present a hazard of erosion.

SURROUNDING LAND USES AND ZONING

The +3 acre remnant parcel of the original 30.46 acre tract is located east of the new Connector Road and is currently

=====

undeveloped. It is zoned Urban Residential One (UR-1) and is subject to the 1981 approved Concept Development Plan. Also east of the site is Evergreen Farms Subdivision, zoned Suburban Residential One (SR-1).

Southeast of the site is the former Kentucky Raceway property. It is currently zoned Suburban Residential One (SR-1) and Recreation (R), however, is pending a zoning map amendment. The zone change request proposes an area of rental apartments under the proposed zoning of Suburban Residential Two/Planned Development (SR-2/PD) adjacent to the site now under review.

South of the site are several undeveloped parcels and a series of residences along Ridgeview Drive, zoned Suburban Residential One (SR-1). West of the site is the old Boone-Kenton Tobacco Warehouse building and associated buildings. That land is zoned mostly Industrial One (I-1) with the frontage zoned Commercial Two/Planned Development (C-2/PD).

PUBLIC FACILITIES

The U.S. 25/42 Connector Road is slated to be open for full service to U.S. 25 in the fall of 1988. Two sanitary sewer lines exist on the site including a new 12 inch line through the southern end of the site which leads to the sanitation plant on Gunpowder Creek. Water service is available from an existing 8 inch main at Tamarack and Evergreen Drives. In addition, a larger water line may occur from U.S. 42 if the zoning map amendment request on the former Kentucky Raceway site is approved.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 1986 Future Land Use Map shows ultimate development (i.e. development in the year 2010) of this property and adjoining lands as Medium Density Residential which is a general classification for residential developments ranging from three to eight units per acre and commercial along U.S. 42. (See attached map.)

In addition, the text describes the following in reference to the area surrounding the site.

Page L-20 refers to general development along I-75 and north of Mt. Zion Road.

The growth of this area will be impacted in several ways. The major influences will be the Northern Kentucky Industrial Park to the north, the proposed Mt. Zion interchange on I-75, the Hopeful Road connection to the Industrial Park, development pressures along US 25, and

=====

the Southern Railroad Line. Because of the development pressure, all necessary types of infrastructure will increase in scale.

Page L-19 describes the US 42/US 25 Connector Road and other future public improvements.

With the opening of Mt. Zion Road Interchange and road widening to US 25, and the reliever loop from Hopeful Road, truck and car traffic (respectively) will be substantially reduced off of US 42. Truck traffic should not utilize the proposed loop road connecting Hopeful Road to US 25.

Page L-19 and Page L-20 also refer to residential uses in the area.

Residential development within this study area will continue but be moderate. There are only a few pockets of residential land still undeveloped within this area. Infilling of these areas and individual lots within established subdivisions should coordinate and agree with the developments or subdivisions surrounding these buildable areas and lots.

Overall, the existing residential communities must be protected from inappropriate infilling and remain buffered from the increasing industrial and commercial development within the city.

Pages G-5 and G-6 suggest the purpose in designing a land use plan based upon transportation improvements.

1. New transportation networks shall be designed and constructed so as to direct future development consistent with the land use plan.
2. Freeways, major streets and arterials should avoid penetrating viable neighborhoods and in most instances these roadways should form neighborhood boundaries.

Pages H-17 and H-18 discusses types of housing for the future in Boone County:

"A variety of housing opportunities within the established urban areas would encourage some of the wealthier residents to reside there and thus lessen the isolation of different segments of society. Therefore, single-family housing should remain an ingredient of the urban areas instead of being targeted only for rural

=====
areas. Established single-family housing areas in urban settings should not experience an influx of multifamily or duplex construction, however, unless proper and adequate buffering can be provided. Large, left-over parcels in urban service areas are well suited for high density residential uses."

"Multi-family construction will take place increasingly in the Florence-Burlington-Hebron area because of easy access (KY 18, KY 237, and I-275) and the spread of urbanization. High density developments should be close to the thoroughfares to achieve a gradation of densities outlined in the land use plan."

"Multi-family housing should have convenient access to commercial districts. The developments should be designed to offer the shortest trips to the most people."

Pages H-18 and H-19 discuss various densities of housing development in the county:

"High density residential areas should be located sufficiently near and with convenient access to major streets, highways, and shopping and public facilities. Between high density and low density there should be a gradation or a buffer. Existing vegetation (such as wooded fence rows) should be retained as much as possible to provide buffer strips."

Several objectives of the Housing Element also describe future high density residential development:

10. High density development shall occur in locations with immediate or convenient access both to major streets or highways and to shopping and public facilities.
11. Progression of intensities shall be encouraged. Where traditional progressions of high density to low density development cannot be followed, adequate buffering must accompany high density usage.

Page G-3 contains a goal and several objectives for commercial development in Boone County.

The Recreation Element contains the following discussion on page R-13.

=====

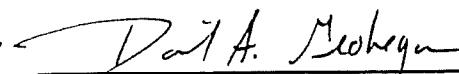
While it is important to preserve the wooded areas in the less developed western part of the county, it is even more imperative to protect the scattered vegetation remaining in the urbanized portions of the eastern uplands for both functional and aesthetic reasons.

STAFF CONCERNS

1. The applicant should provide information on phasing of the development.
2. The applicant has submitted some traffic generation data taken from a similar development. Based on the data being adjusted for this proposed development, a southbound deceleration lane may be needed. Because of the speeds on the new Connector Road, a future left-turn lane may be needed for safety purposes.
3. Even though much of the site contains second growth vegetation, there are several areas that contain mature growth that should be retained. This includes five large oak trees near the north central portion of the site and several spruce trees south of the proposed entrance. The plan does not clearly mark the disturb limits near the southwest corner of the site.
4. No recreation facilities for residents or the general public are shown on the submitted plan.
5. Emergency access between the two western groups of buildings should be considered.
6. Traffic flow and pull-off spots at the mail pavilion area would have to be carefully designed.

CONCLUSION

In conclusion, the Boone County Planning Commission and the City of Florence will need to review this request in terms of the three criteria necessary to support a zoning map amendment request. Should the request be approved, the 1986 Future Land Use Map would need to be adjusted.



David A. Geohegan
Planner/Plans Examiner

DAG:jdh

The Signature Group

1107 GOLFVIEW DRIVE, CARMEL, IN 46032

MEMORANDUM

K. Costello		DATE 08/03/88
FROM K. Cushman	SUBJECT Overview of, Concept Development Plan Change 23.246A Connector Road, Florence, KY	REF ALGI Analysis

Source(s) :

- : Approval of Ordinance #0-11-81/Original case, March 10, 1981
- : Boone County Zoning Regulations, August 1986
- : Boone County Subdivision Regulations, February 1988
- : Appendices to Boone County Subdivision Regulations
- : Boone County Comprehensive Plan, August 1986
- : Greater Cincinnati International Airport Environmental Assessment (April 1987)
- : Introductory Mtg., with, Boone County Planning Commission
- : U.S.D.A./Soils Survey
- : U.S. 25-42 Conn./ State Hwy. Report
- : F.E.M.A./MAPS (Panel 100 of 150)
- : Northern Kentucky Chamber of Commerce
- : O.K.I.

CONCEPT DEVELOPMENT PLAN CHANGE

The above request for a Concept Dev. Change is a result of the above reading(s) as well as, several significant factors that have created the altering of this site since the zoning approval Case Filed dated, March 10th, 1981, the most obvious being new Connector Road construction and extension of infrastructure to situs. Our intentions are to submit an application as requested by the Boone County Planning Commission for the following reasons:

1. The applicant is requesting a Concept Dev. Change but not a zone change since UR-1. is adequate for the interest of the development firm for this proposal. In response to Section 308/Findings Necessary for Map Amendment, we have determined that items 1 thru, 3 are affirmative and apply to this request, the are:

a) The map amendment being requested will consist of 264 dwelling units calculated on 23.246 acres being the West parcel left from the Connector Road extension. The maximum density for UR-1 in this instance is 279 d.u./A whereas the proposal is for 264 d.u./A.

b) Therefore, the developer has considered that the existing zoning classification of UR-1 is appropriate subject to the approval of the Concept Development Change Amendment being requested.

c) The original site character has been substantially altered since the original Case File Approval of, 3-10-81 by the extension of Connector Road through the development (see attached meets bounds map depicted on form 2.2 of this report). The original zoning was predicated on the parcel being in one tract and not two tracts (s), as being evidenced. Therefore, the intention at present is to develop a multi-family project on the larger tract, as illustrated (see, Section 22).

2) Utilities

- Water 8" Service - Existing, N.E. corner of Tamarack & Evergreen Drive(s). It is contemplated that this service will be extended westward along Tamarack Drive(bored/New Hopeful Rd.) to service the referenced development. This will also permit for the future servicing by the City of Florence, those parcels to the South & West of this proposed development.
- San. 12" Service - Existing, South property line of larger tract(see, sec. 2.2/enclosed).
- STM. "By, Swale" - Existing, (not to exceed existing run-off) to Powder Crk.

3) Environmentally Sensitive Area & Landscaping Plan(s)

- All of the original commitments to this Case File #0-11-81 dealing with the environment & landscaping treatment e.g., setback of 150-200' from the south property line or, creek area & landscaping intensified to North & Northwest property area(s) is expected to remain the same subject to the finished Architects' plan in progress at this time.

4) Restricted State Access Point(s)

- Because entry has been restricted for new access points along New Hopeful Road, properties such as this will need to be developed and/or, combined for access in accordance to the State Highway criteria. In this instance, this development has been granted a single access point and therefore the proposed development will relate well as a apartment project that is able to utilize a common entry point.

5) Topography

- In line with the above statement(s), this site falls Southward at a 40' continuous North to South slope making a single family development unpractical & a multi-family development the only feasible means in which to development this particular topography. Conversely, a townhome project would erode more land area, preserve less open space & would be more costly to develop and/or to offer as sale units than other more suitable townhome or regular terrain site area(s).

6) Market Area & Development Type

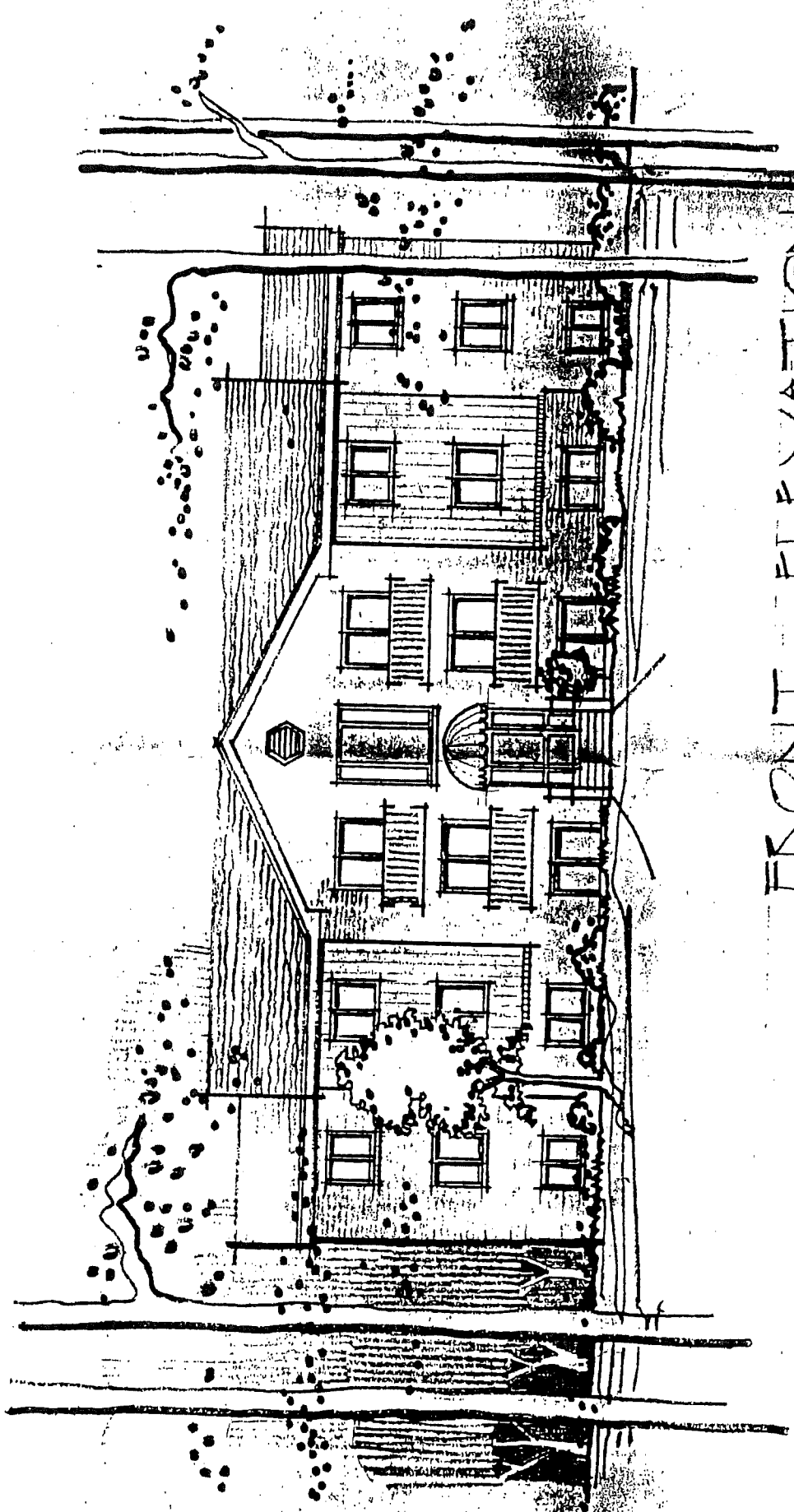
- We believe that a market rate rental, all adult and of an affordable rental range can be marketed for this site area with reasonable success expectancy. Because of the closeness to shopping, industry etc., we feel that the project area will appeal to the all adult & single parent type(s) which will be the intended renters for this development. Additionally the sophistication of infrastructure, lack of improvements (existing) to other locations of Hopeful Road(Northbound), Environ Airport Zone(s)(N & NW), have caused this area to be the best overall site to be considered for multi-family at this time.

Summary Statement

This project will be marketed as an "all adult" community thereby, contributing to the tax base but not population of that sector of the community. Instead, the young adult population will be serviced so that, housing from within the community and not outside the community, will service the needs of the Greater Boone County Market Area. Adequacy of utilities, treatment of environment, landscaping etc., have also be evaluated so that, the end project will interface with existing improvements and not be a demand on those improvements not sophisticated at this time. Accordingly, we are looking for a favorable review of this proposal as review(s) are made.

Enc.

cc: File Copy



FRONT ELEVATION
SCALE 1/8" = 1'-0"

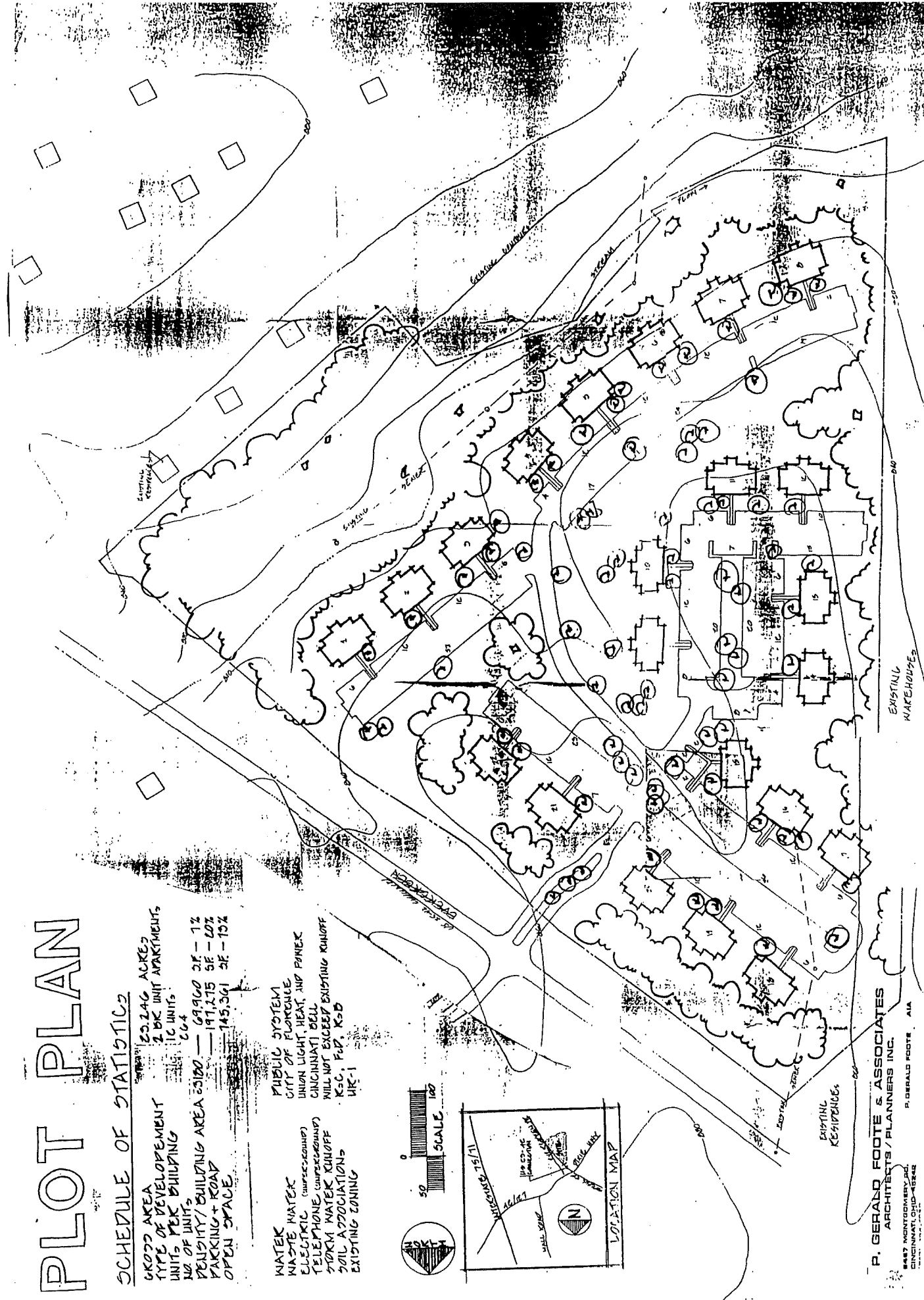
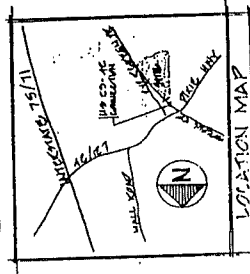
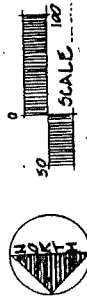
PLOT PLAN

SCHEDULE OF STATISTICS

GROSS AREA 25,246 ACRES
 TYPE OF DEVELOPMENT 2 BK UNIT APARTMENTS
 UNITS PER BUILDING 10 UNITS
 NO OF UNITS 204
 PENITENT/BUILDING AREA 63100 — 69,900 SF — 12
 PARKING + ROAD 191,175 SF — 20%
 OPEN SPACE 145,361 SF — 15%

WATER
 WASTE WATER (MUNICIPAL)
 ELECTRIC (MUNICIPAL)
 TELEPHONE (MUNICIPAL)
 STORM WATER RUNOFF
 SOIL ASSOCIATIONS
 EXISTING ZONING

PUBLIC SYSTEM
 CITY OF CINCINNATI
 UNION LIGHT, HEAT, AND POWER
 CINCINNATI BELL
 WILL NOT EXCEED EXISTING RUNOFF
 K-5C, P-2, K-5D
 HK-1



P. GERALD FOOTE & ASSOCIATES
 ARCHITECTS / PLANNERS INC.
 6457 UNIVERSITY AVE.
 CINCINNATI, OHIO 45224
 P. GERALD FOOTE, AIA



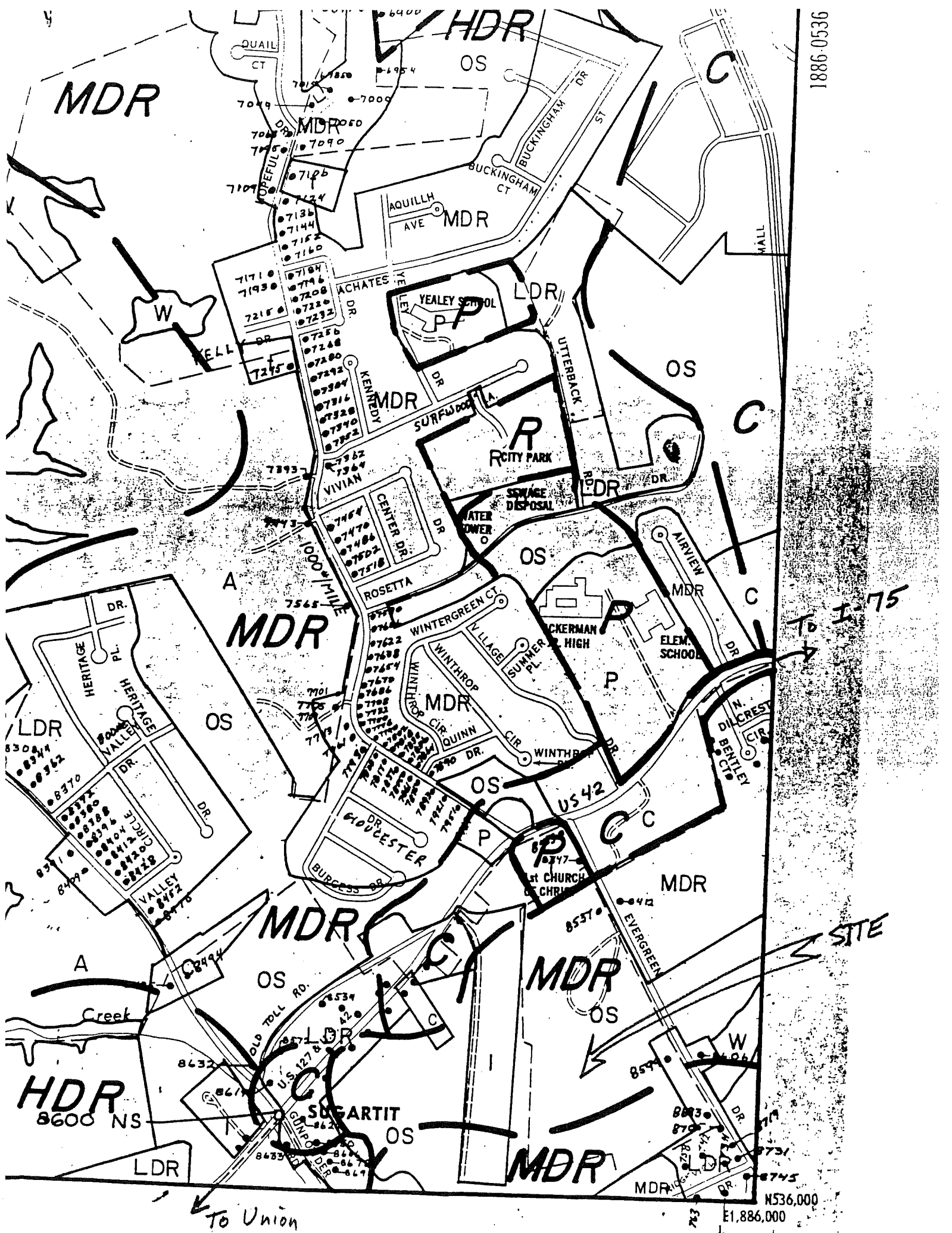
139
704
6
8
139

US 42

EVERGREEN FARMS

RIDGEVIEW

25-42 CONNECTOR RD.



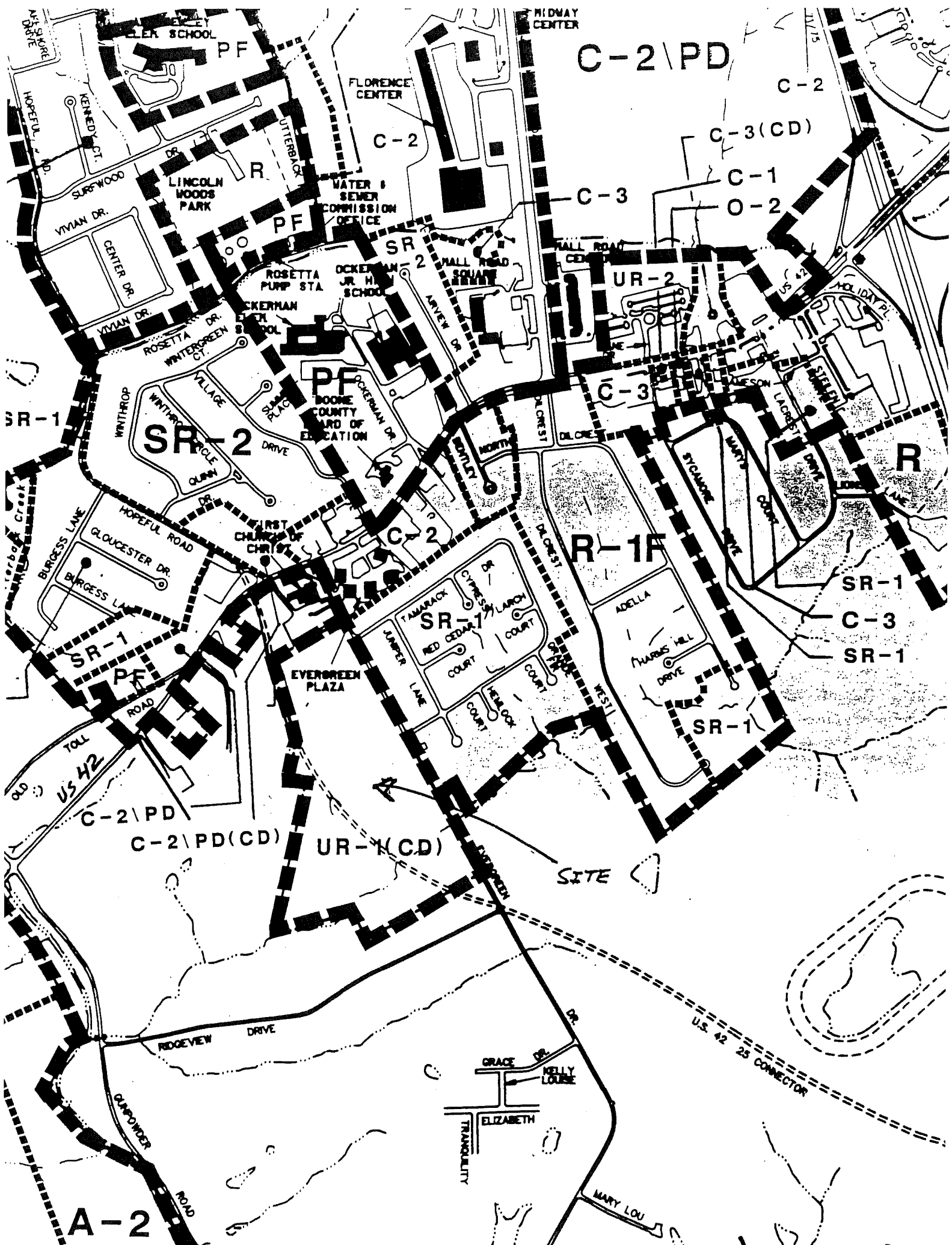
To I-75

SITE

To Union

N536,000

E1,886,000



C-2|PD

C-2

C-3(CD)

C-1

O-2

C-3

C-3

R-1F

SR-1

C-3

SR-1

SR-1

SR-2

C-2

C-2|PD

C-2|PD(CD)

UR-1(CD)

SITE

A-2

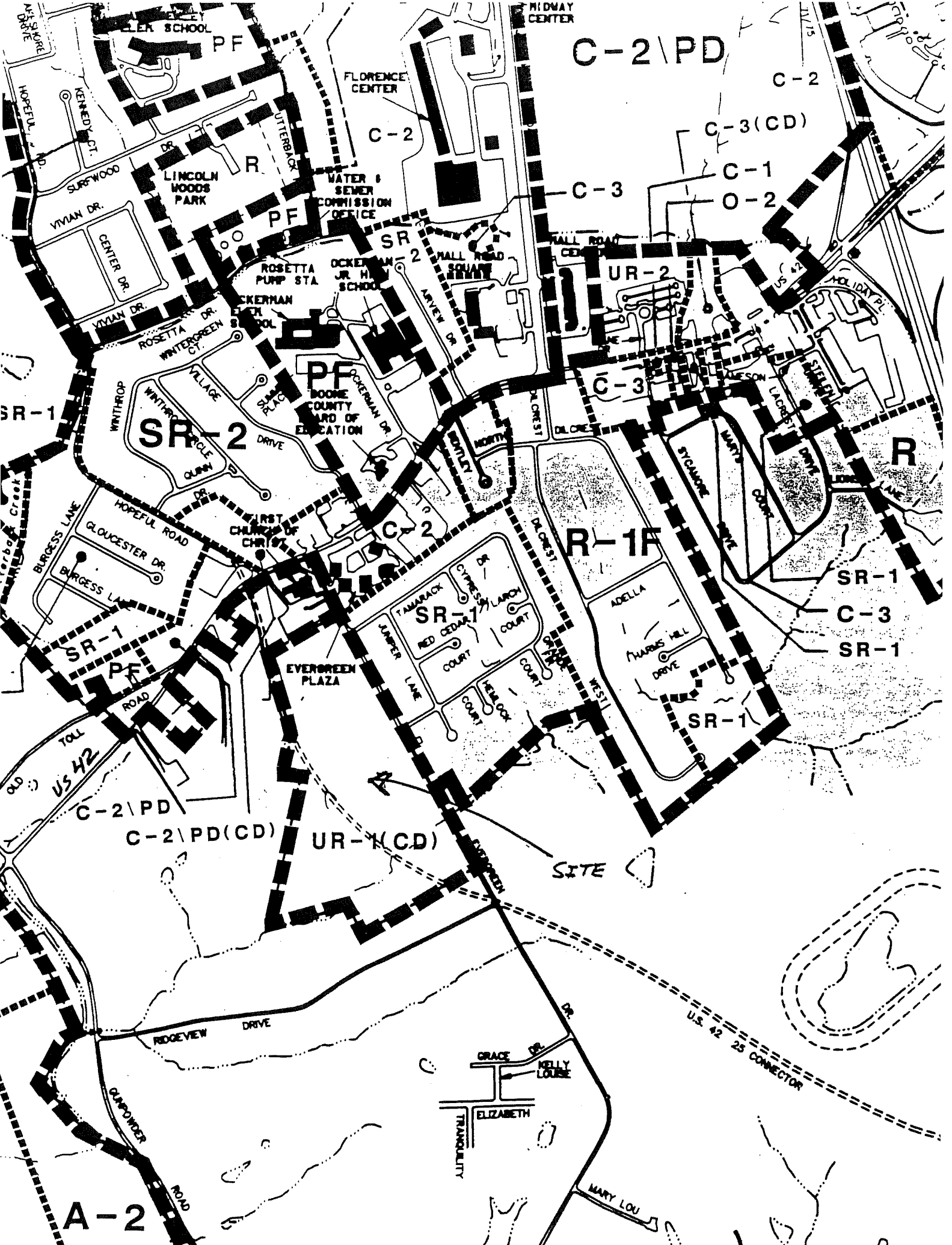
GRACE KELLY LOUISE

ELIZABETH

TRANQUILITY

MARY LOU

U.S. 42 25 CONNECTOR



- Boone County Planning Commission
- City of Florence Board of Adjustment
- Boone County Board of Adjustment

- City of Union Board of Adjustment
- City of Walton Board of Adjustment
- Zoning Enforcement Officer

FOR:

- Zoning Text Amendment
- Comprehensive Plan Change
- Preliminary Plat Review
- Conditional Use Permit
- Concept Development Plan Change
- Preliminary Development Plan
- Change of Non-Conforming Use
- Design Review Board and Certificate of Appropriateness
- Zoning Map Amendment
- Planned Development Overlay Change
- Improvement Plat Review
- Final or Deed Plat Review
- Site Plan Review
- Historic District Overlay
- Appeal or Variance
- Sign or Zoning Permit

Applicant: ASSOCIATED LAND GROUP INC. (ALGI) Owner per to parents.
 Address: 3840 WOODRIDGE BLVD. Agent
FAIRFIELD, OHIO 45014 Telephone: 513 874 5360

Location: (APPROX.) - 900' SO. OF U.S. 42 ALONG NEW HOPEFUL ROAD (WEST SIDE) IN FLORENCE, KY.
 Name of Property Owner: JOSEPH L. CLAXON AND TILFORD R. RICHARDSON

Address of Property Owner: 121 COLONIAL DR. Flo Ky 41042
 Zoning District: UR-1 Area in Acres: 23.246 Tract A) 21/100
26.201A Tract B) 3/100
 Deed Book: 267 Page Number: 184,185 Group Number: 2048

Description of Request: CONCEPT DEVELOPMENT PLAN CHANGE

Applicant's Signature: [Signature]
 Property Owner's Signature: [Signature]

FOR PLANNING COMMISSION USE ONLY

Application Fee: _____ Date Received: _____ By: _____
 Referred To: Dave G. Meeting Date: PH 8/24th at 7:00
 Action Taken: _____ Date of Action: _____

7:00
24th

Jerry Dusing

EXHIBIT "A"

SANTORO ENGINEERING COMPANY

SURVEYING • PLANNING • DESIGN • ENGINEERING • MANAGEMENT

1501 Cincinnati-Batavia Road

Batavia, Ohio 45103

Telephone (513) 732-2561

July 27, 1988

Subject: Description of Real Estate
23.246 Acre Tract
Florence, Kentucky
Group No. 2048A

Real estate situated in Boone County, Kentucky and being more particularly described as follows:

Commencing at the point of intersection of the centerline of Ridgeview Drive and the centerline of Evergreen Drive, as now constructed; thence N 30° - 55' - 53" W along Evergreen Drive 527.26 feet to a point; thence leaving Evergreen Drive S 51° - 37' - 02" W 23.90 feet to a point in the westerly right-of-way line of said Evergreen Drive, said point being the real POINT OF BEGINNING of this described real estate; thence from said point of beginning, leaving said westerly right-of-way line S 51° - 37' - 02" W 570.91 feet to a point; thence N 37° - 00' - 16" W 120.00 feet to a point; thence S 74° - 59' - 30" W 226.00 feet to a point; thence S 43° - 41' - 32" W 194.00 feet to a point; thence S 37° - 32' - 46" E 24.90 feet to a point; thence S 68° - 24' - 06" W 218.72 feet to a point; thence N 80° - 33' - 49" W 102.37 feet to a point; thence S 75° - 20' - 41" W 78.81 feet to a point; thence N 3° - 38' - 34" E 1031.16 feet to a point; thence N 86° - 50' - 26" W 41.46 feet to a point; thence N 3° - 58' - 41" E 280.86 feet to a point; thence N 52° - 07' - 08" E 233.43 feet to a point in the westerly Control of Access and Right-of-Way line of U.S. 25-U.S. 42 Connector; thence along said Control of Access and Right-of-Way line the following six (6) courses: S 51° - 02' - 10" E 42.44 feet, S 50° - 37' - 32" E 400.94 feet, S 43° - 31' - 23" E 201.56 feet, S 53° - 30' - 38" E 200.25 feet, S 44° - 56' - 15" E 452.24 feet and S 73° - 50' - 48" E 38.53 feet to a point in the westerly right-of-way line of Evergreen Drive; thence S 31° - 43' - 51" E along said westerly right-of-way line of Evergreen Drive, 19.87 feet to the POINT OF BEGINNING of this described real estate containing 23.246 acres of land, more or less.

EXHIBIT "B"

BOONE COUNTY PLANNING COMMISSION

August 24, 1988

PUBLIC HEARINGS

Mr. Larry Barnett, Vice Chairman, called the meeting to order at 7:10 P.M.. Following an explanation of the Public Hearing process, Mr. Barnett advised that Agenda Item #3, the request of Charles H. Deters for a Revision of a previously approved Concept Development Plan for a 1.7-acre site at the northeast quadrant of Hopeful Road and U.S. 42 had been postponed until September 28, 1988.

Mr. Barnett introduced the first item on the Agenda:

1. Applicant: Associated Land Group, Inc. for Joseph L. Claxon and Tilford R. Richardson (owners)
Request: Concept Development Plan

This was a Public Hearing on the request of Associated Land Group, Inc. (applicant) for Joseph L. Claxon and Tilford R. Richardson (owners) for a revision of a previously approved Concept Development Plan for a 23.24-acre site located west of the new U.S. 25/42 Connector Road and south of U.S. 42, Florence, Kentucky. The site is zoned Urban Residential One (UR-1) and the proposed use is the construction of 264 apartment units.

Staff Member, Dave Geohegan, presented the Staff Report which included a slide presentation.

Mr. Dusing, attorney for the applicant, advised that representatives of the applicant's engineer, architect, and realtor were present. He discussed the history of the site as indicated in the Staff Report. He advised that the zone was changed in 1981 based on the Comprehensive Plan change. At that time, the property was only served by Evergreen Drive. Since 1981, there have been major physical, social, and economic changes in the area. They are not asking for a zone change, only a modification of the previous plan. He displayed a copy of the previously approved Concept Development Plan. He stated that the property is bisected by the new connector road and there is a permanent connection to Evergreen Drive. He noted the location of residential and commercial uses adjacent to the site, with Evergreen Farm Subdivision being to the north and east of the site. The connector road buffers the west side of the development. The site now consists of approximately 23 acres, as opposed to the original 30 acres, due to the right-of-way for the connector road. The Highway Department only allowed one curb cut for this

site, when there had been two approved curb cuts on Evergreen Drive. Since 1981, the 12" sewer line has been approved and serves the site. Other utilities are also available. Mr. Dusing stated that there are twenty to thirty foot slopes to buffer Ridgeview Drive and existing vegetation will be maintained. There is approximately 350 feet of buffer, which he indicated on a drawing, to a minimum of approximately 145 feet of buffer. The development will have two-bedroom units, with 7% of the site under roof. Over 73% of the site is open space. Mr. Dusing addressed the Staff's concerns (see Staff Report). He stated that they do not have a problem with the deceleration lane from U.S. 42 to the entrance of the site and the shoulder of the road will accommodate it. Their traffic data has been submitted to Dave Geohegan. He stated that A.L.G.I. (the applicant) has developed comparable sites in the Cincinnati area and would be willing to provide a tour of the developments. They performed traffic counts at the other developments and found there to be about 33 to 35 cars per hour during peak hours, which he stated is about one per minute. Mr. Dusing stated that this would be an all-adult community and displayed an artist's rendering of the proposed buildings. The project will be phased. Phase I involves about one-half the project. Build out would be 24 to 36 months. They are agreeable to a condition regarding emergency access and to a connection to the back roadway of the development, possibly using gates at other times. He stated that the site was formerly a nursery and has some mature trees. There is a swamp on the site which may have previously been a lake. The site is laid out for natural drainage and surface water drainage will not adversely affect the creek. Their goal is maximization of green space and buffer. He stated that there is a demand for the type of dwelling unit proposed.

At this time, Mr. Geohegan completed the Staff Report.

Mr. Barnett asked if there was anyone present who wished to speak in behalf of this request. There being no response, he asked if there was anyone present in opposition or having questions.

Mr. Albert Yelton questioned the accuracy of the drawing presented by Mr. Dusing. He indicated the location of his property and neighboring properties in relation to the site. He stated that there is no where near the amount of green space on this side of the creek that they are indicating. He stated that the area of the Ryan homes and the racetrack area were zoned Recreation and homes have been built on them. The areas zoned for recreation are gone and this is the only spot left for recreation. He stated that the current plan involves less space and more families, since there will now be 264 homes. The creek will be flooding onto his property due to all the buildings and paving. He stated that there are too many empty apartment units in Florence at this time and questioned the need for the additional 264 units. He asked if there was a law against all-adult communities and if this could become a family community. He stated that there will be traffic problems with people cutting through to the mall. He stated that the drawing shown by Mr. Dusing is misleading.

Mr. Newton discussed the previous zoning of the site and adjacent sites, including the racetrack. He advised that the developer would be required to follow the controls of the City of Florence in regard to the drainage.

Mr. Dusing indicated the property line of the site on an aerial photograph in response to Mr. Yelton's concerns. He stated that adult-only communities are legal. Mr. Dusing agreed to further clarify the boundary lines for Mr. Yelton following the meeting.

Mr. Newton advised that a scale drawing attached to the Staff Report indicates the creek as described by Mr. Yelton and provided a copy for him.

Mr. Paul Fibbian, a resident of Evergreen Farms, requested the location of other sites developed by the applicant as he intends to visit them. He stated that the state is undecided if they will have the intersection coming out of Evergreen Drive open or not. He noted that Towne Properties will be developing to the north. He stated that the traffic problems may be improved if this site is developed as single-family residential. He questioned when the traffic study was done. He added that it now takes one-half hour to get from the expressway to Evergreen Drive after work. He questioned the proposed rents for the units and whether it would be young professionals or retired persons. He questioned how he could obtain a copy of the Concept Development Plan and the information presented this evening.

Mr. Newton advised Mr. Fibbian how to obtain the information he requested. He advised that Mrs. Smith is Chairperson for the Committee.

Mr. Dusing provided the addresses of the other developments and a copy of the Concept Development Plan. In response to the questions regarding traffic, he advised that the 33 cars per hour is a trip generation figure. He advised the the current Concept Development Plan of 225 units would involve 4.5 people per unit, but the proposed Plan would generate about 300 less people. The project will cost about \$8.5 million and will be designed to be competitive with the Vineyard and Oakbrook. He has talked with Mr. Rich Gweedy at the Department of Highways and was advised that a decision has not yet been made in regard to the entrance off Evergreen Drive, but the Highway Department wants it to be permanent. It was not built as a temporary access.

Mr. Fibbian stated that if the traffic is backed up at the light, it will be a cut-through. He noted that tractor trailers may also cut through.

Ms. Debbie Sever stated that there is wildlife in the area where the development is proposed.

Mr. Ted Hunter stated that Tamarack Drive appears to have been programmed to accommodate this development, noting that it runs off of Evergreen Drive and back to it. He stated that the extension of Tamarack Drive should be cut off.

Mr. Tony Homan, a resident of Evergreen Drive, stated that the Connector Road cannot accommodate the development on the racetrack site and this development.

Mr. Yelton added that there is wildlife in the area.

Mr. Damstrom questioned the density of the site in relation to the Comprehensive Plan.

Mr. Geohegan noted that the Comprehensive Plan involves a 25-year horizon, and indicates 3 to 8 units per acre. The proposed development is 11.4 units per acre. The Development Plan approved in 1981 was about 7.4 units per acre.

Mr. Neltner questioned the "adults only" community. He noted that if this could not be upheld, then recreational facilities would definitely be needed. He added that he would like the issue of the boundaries clarified.

Mr. Dusing emphasized that "adults only" is legal at this time. He stated that the intent of a Concept Development Plan is to show the concept, which is that the buffer is many times wider than what is needed. They intend to maintain the integrity of the ravine and buffer the existing houses. They would be willing to discuss recreational facilities at the Committee Meeting.

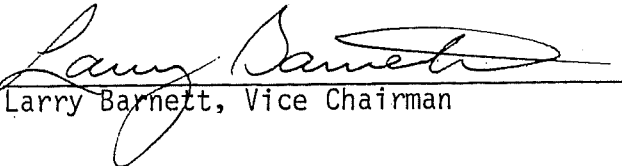
Mrs. Bushelman asked that the applicant submit official letters from the Department of Transportation in regard to the access.

Mr. Dusing stated that he would give the Commission the letter. He indicated the location of the right-of-way on the drawing and stated that it is dedicated on the condemnation deed.

Mr. Barnett asked if the artist's rendering of the buildings would be submitted as part of the Concept Plan. Mr. Dusing stated that it would.

There being no further comments, Mr. Barnett advised that this item will be on the Agenda for the September 7, 1988 Business Meeting at 8 P.M. and closed this Public Hearing.

APPROVED:


Larry Barnett, Vice Chairman

ATTEST:


Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

September 21, 1988 8:00 P.M.

Mr. William Viox, Chairman, called the meeting to order at 8:05 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Larry Barnett, Vice Chairman
Mr. Fred Burch
Mrs. Rita Bushelman
Mr. Lawrence Collins
Mr. Phil Damstrom
Mr. Melvin DeLong
Mr. Rector Jones
Mr. Don McMillian
Mr. Charles Moore
Mr. Barry Neltner
Mr. Ralph Rush
Mr. Floyd Sharp
Mrs. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

Mr. R. N. Greene
Mrs. Carol Smith

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Chairman Viox noted that each member had received a copy of the Minutes of the Business Meeting of September 7, 1988 and asked if there were any comments or corrections.

Mr. Collins noted that on Page 14, he had made a motion for approval of the request of Hicks & Mann, Inc. for Site Plan Review. However, the agreement that merchandise would not be displayed prior to paving had not been kept and he was withdrawing his motion for approval.

Chairman Viox asked Mr. Nienaber and Mr. Reed if they each wished to make a final comment.

Mr. Nienaber thanked the Commission for their time.

Mr. Reed stated that the Comprehensive Plan recommends this property for medium-density use and this is a maximum density use. The site is surrounded by residential properties. The access points are in a 45 MPH speed limit zone. He questioned why they need a pole sign. He stated that there is no close fire department. He stated that if this is a neighborhood gas station, then why do they need six pumps and 36 hoses. He asked if C-3 Zoning would not be appropriate for this purpose. They feel that the zone change should be denied.

- Mr. Barnett moved by resolution to the appropriate fiscal body that the request be approved based on the Staff Report and the original Committee Report, including the conditions. Mr. Burch seconded the motion.

Mr. Moore stated that he had voted not to deny the request because he does not feel that denial due to a signed letter being three hours late is appropriate. A project should be considered on its merits.

Chairman Viox asked for a roll call vote on the motion made by Mr. Barnett which found Mr. Barnett, Mr. Burch, Mr. Collins, Mr. Damstrom, Mr. Jones, Mr. McMillian, Mr. Neltner, and Mr. Rush in favor. Mrs. Bushelman, Mr. DeLong, Mr. Moore, Mr. Sharp, and Chairman Viox were opposed. The motion carried.

Counselor Wilson advised that the Commission will make a recommendation to the Fiscal Court for their final action.

2. Concept Development Plan

The request of Associated Land Group, Inc. (applicant) for Joseph L. Claxon and Tilford R. Richardson (owners) for a revision of a previously approved Concept Development Plan for a 23.24-acre site located west of the new U.S. 25/42 Connector Road and south of U.S. 42, Florence, Kentucky. The site is zoned Urban Residential One (UR-1) and the proposed use is the construction of 264 apartment units.

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). Mr. Newton stated that a letter had been received from Mr. Dusing indicating their agreement to the conditions.

Chairman Viox stated that a Public Hearing had been held in regard to this request to gather the facts. He stated that a spokesman for the community may briefly summarize their position.

Mr. Albert Yelton asked for clarification regarding the emergency access. Chairman Viox reread that portion of the Committee Report for him and stated that there would be a paved or grassy area available for emergency vehicles that would probably be chained shut.

Mr. Yelton stated that he had notified the Committee that the President had signed a law which would not allow discrimination against children and the handicapped. The development will need recreational space for children.

Chairman Viox stated that this consideration had been addressed in the Committee Report.

Mr. Yelton commented on the number of available single-family and multi-family units in Florence, as well as the traffic. Chairman Viox advised that the Public Hearing is the appropriate time for these comments.

Mrs. Victoria Fibbe questioned how the road could handle 264 apartment units when it could not handle access for the townhouses.

Mr. Newton advised that what Mrs. Fibbe is referring to is a Finding of Fact in the review of the 1981 Concept Development Plan. He stated that the review at that time did not include the U.S. 25/42 Connector Road as it had not been laid out.

Mrs. Fibbe stated that there has been no change since 1981. She stated that if the emergency access is chained up, it will take time to make it accessible during an emergency.

There being no further discussion, Mr. Moore moved that the request be approved based on the Committee Report presented and that a resolution be sent to the City of Florence. Mr. Jones seconded the motion and it carried unanimously.

3. Zoning Map Amendment

The request of Raymond Erpenbeck (applicant) for DBS Corporation and KSK Enterprises (owners) for a Zoning Map Amendment for an 18-acre (approx.) site located west of KY 237 and 1.75 miles north of I-275, Boone County, Kentucky. The request is to rezone the site from Agriculture (A-1), Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One (SR-1).

Mr. Gerald Newton, Director, read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report). He stated that a letter has been received from the applicant indicating his agreement to the conditions.

EXHIBIT "C"

COMMITTEE REPORT

2

TO: Boone County Planning Commission

FROM: Rector Jones, Chairman

DATE: September 21, 1988

RE: Request of Associated Land Group, Inc. (applicant) for Joseph L. Claxon and Tilford R. Richardson (owners) for a revision of a previously approved Concept Development Plan for a 23.24 acre site located west of the new U.S. 25/U.S 42 Connector Road and south of U.S. 42, Florence, Kentucky. The site is zoned Urban Residential One (UR-1) and the proposed use is the construction of 264 apartment units.

REMARKS:

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

FINDINGS OF FACT

1. The proposed Concept Development Plan is in agreement with the text, and goals and objectives of the Boone County Comprehensive Plan's Housing Element. The Housing Element recommends that high density residential development occur in areas with easy accessibility to arterial roads, commercial areas, and public services. In addition, the Land Use Element recommends that high density land uses be located within the defined urban form and be served by sufficient public facilities. The Committee believes this site's proximity to major road ways and improvements, as well as commercial areas lend it to the proposed development. Specific references to the Comprehensive Plan are made in the August 24, 1988 Staff Report.

2. The existing zoning of Urban Residential One (UR-1) with the approved Concept Development of 225 townhouses is inappropriate to reflect the unique topography, vegetation and access of the site. Because of the construction of US 25/42 Connector Road, the approved townhouse plan does not provide for adequate road access or a workable layout considering the unique topography of the site.

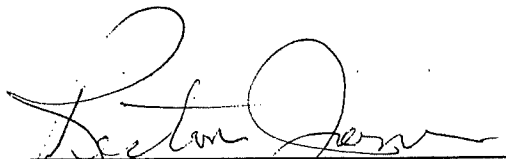
The proposed zoning of Urban Residential One (UR-1) with the attached Concept Development Plan is appropriate in that access coordinates with the new road system of the area and the plan permits substantial residential development while respecting the site's unique shape, its topography on the south, and its natural vegetation.

3. The 12 inch sanitary sewer line through the south end of the site and water service to the site are two developments that have occurred since the 1981 approval of the townhouse plan. The 8 inch water line between Evergreen Drive and the new Connector Road was not foreseen in the 1986 Boone County Comprehensive Plan. In the Committee's opinion, these items add to the suitability of the site for high density residential land use.


=====

CONDITIONS


1. The development shall include a sidewalk system that connects buildings within the development and parallels the main driveway system.
2. Separate groupings of apartment buildings shall be joined where appropriate by emergency access connections in addition to the main drives. A second curb cut granted by the State of Kentucky on the new Connector Road shall be developed as an emergency access only, as per cooperation with the Florence Fire District.
3. The developer shall construct as part of the first phase a deceleration lane for southbound US 25/42 Connector Road. Dimensions of the lane will be determined at site plan review.
4. Five large oak trees in the north-central portion of the site shall be retained as well as appropriate existing vegetation around the perimeter.
5. The development shall include designated recreation areas that include facilities such as a walking path with benches, a picnic area, space for volleyball or badminton, and/or similar amenities. If, in the future, the development includes children, the owner at that time shall be required to provide sufficient recreation facilities to serve the resident population. This shall include a children's playground as a minimum in addition to the previous facilities.
6. All dumpsters will be well screened from view. Detailed drawings of the enclosures shall be submitted at Site Plan Review.



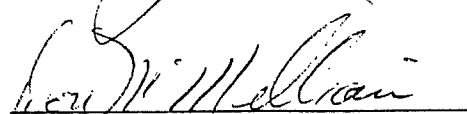
Rector Jones, Chairman



Larry Barnett



Fred Burch



Donald McMillian

Barry Neltner

Carol Smith

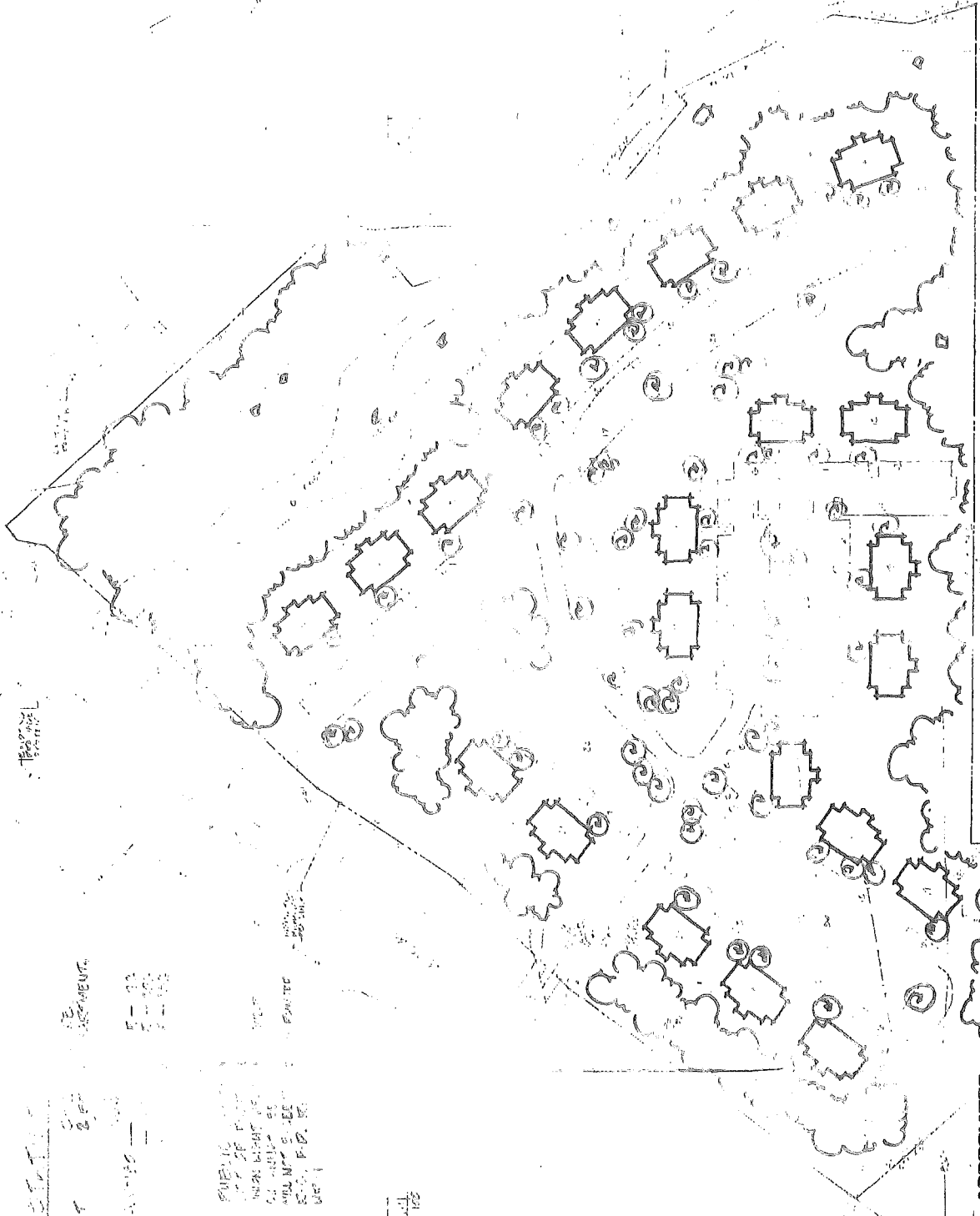
RJ:jdh

PLOT PLAN

1. AREA OF SITE
 2. TYPE OF DEVELOPMENT
 3. UNITS PER BUILDING
 4. NO. OF UNITS
 5. TYPE OF UNIT
 6. PARKING - ROADS
 7. OPEN SPACE

8. PUBLIC UTILITIES
 9. WATER
 10. SEWER
 11. GAS
 12. TELEPHONE
 13. CABLE TV
 14. FLOOD ZONE
 15. EROSION CONTROL
 16. LANDSCAPE ARCHITECTURE
 17. TRAFFIC SIGNAGE
 18. LIGHTING
 19. SECURITY

20. WATER
 21. WASTE WATER
 22. ELECTRIC
 23. TELEPHONE
 24. CABLE TV
 25. FLOOD ZONE
 26. EROSION CONTROL
 27. LANDSCAPE ARCHITECTURE
 28. TRAFFIC SIGNAGE
 29. LIGHTING
 30. SECURITY



P. GERALD FOOTÉ & ASSOCIATES
 ARCHITECTS / PLANNERS INC.
 6427 MONTGOMERY RD.
 BIRMINGHAM, AL 35206
 (205) 968-1000



ORDINANCE NO. 0489

AN ORDINANCE APPROVING AND ADOPTING A REVISION OF A PREVIOUSLY APPROVED CONCEPT DEVELOPMENT PLAN AS CONDITIONS TO URBAN RESIDENTIAL ONE (UR-1) ZONING FOR CERTAIN REAL ESTATE LOCATED ON THE WEST SIDE OF THE NEW U.S. 25-42 CONNECTOR ROAD SOUTH OF U.S. HIGHWAY 42 IN FLORENCE, KENTUCKY. (ASSOCIATED LAND GROUP, INC.-CLAXON AND RICHARDSON PROPERTY)

WHEREAS, property comprising 23.24 acres located west of U.S. 25-42 Connector Road and south of U.S. 42 in Florence, Kentucky, has previously been granted an Urban Residential One (UR-1) zoning classification, subject to the terms and provisions of a Concept Development Plan, this property being part of approximately 30 acres receiving this prior approval, and

WHEREAS, a proposal has been made by the property owners to revise the Concept Development Plan as conditions to the UR-1 zoning classification, such changes including an increase in intensity to 264 units, and

WHEREAS, the Boone County Planning Commission has conducted a public hearing and made a recommendation pursuant to Chapter 100 of the Kentucky Revised Statutes for approval of this Concept Development Plan revision.

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

SECTION I

That the Concept Development Plan revision as submitted and recommended for approval by the Boone County Planning Commission for certain property comprising 23.24 acres west of U.S. 25-42 Connector Road and south of U.S. 42 in Florence, Kentucky, shall be and the same is hereby approved and adopted, subject to all terms and provisions of the Development Plan which have been agreed to by the property owner.

SECTION II

The real estate which is the subject of this Concept Development Plan revision is more particularly described in Exhibit "A", attached hereto and incorporated as if fully set out.

SECTION III

The terms and provisions of the revised Concept Development Plan shall serve as conditions of the Urban Residential One (UR-1) zoning classification for this property, and shall include the Committee Report and its conditions set forth therein, a copy of which is attached and marked as Exhibit "B". The contents of the Concept Development Plan serving as conditions to the zoning classification shall also include those documents and graphics included with the application of the property owners.

SECTION IV

The findings of the Boone County Planning Commission recommending approval of this revision to the Concept Development Plan shall be and same are hereby adopted and approved as the findings of the City of Florence, Kentucky.

PASSED AND APPROVED ON FIRST READING THIS 24th DAY OF January, 1989.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 14th DAY OF February, 1989.

APPROVED:
Boyer W. Boyer
MAYOR

ATTEST:

Stacy Conrad
CITY CLERK