

APPLICATION FORM

CHANGE IN CONCEPT DEVELOPMENT PLAN

OR

THE UTILIZATION OF AN UNDERLYING ZONE IN PLANNED DEVELOPMENT

BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

MAY 5 1992

RECEIVED

SECTION A (To be completed by applicant)

1. Check one:

- Change in Concept Dev. Plan
- Utilization of an Underlying Zone in Planned Development

2. Name of Development COUNTRY PLACE TOWNHOUSES

3. Location of Development Boone County

4. Total Acreage of Site 17

5. Current Zoning UR-1/PD

6. Date of Zone Change or Approved Concept Development Plan (if applicable) _____

7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) No

8. Proposed Uses (please specify each use) Multi Family

9. Name of Applicant(s) BAYER BECKER ENGINEERS
Phone Number(s) 261-1113

10. Address of Applicant(s) 14 EAST EIGHTH ST.
BURLINGTON KY 41011
City State Zip

11. Name of Property Owner(s) Burlington Realty & Development, Inc.
Phone Number(s) 586-7734

12. Address of Property Owner(s) P.O. Box 339
Burlington KY 41005
City State Zip

13. Proposed Building Intensities (please specify) _____
8.8 UNITS PER ACRE

14. Are there any existing buildings on the site? No
How many? _____

15. Deed Book 199 Page No. 620 Group No. 2006

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

(COMPLETE OTHER SIDE OF APPLICATION)

EXHIBIT "A"

STAFF REPORT

#3

Request of **Bayer Becker Engineers (applicant)**
for the Utilization of an Underlying Zone
in Planned Development on a 17 acre
Site Located at Hebron Park Drive and
Barbara Drive, Boone County, Kentucky.

MAY 27, 1992

This is an request by Bayer Becker Engineers (applicant) for Burlington Realty & Development, Inc. (owner) for the Utilization of an Underlying Zone in Planned Development to allow the construction of 150 townhomes at the intersection of Barbara Drive and Hebron Park Drive, Boone County, Kentucky. The 17 acre site is zoned Urban Residential One/Planned Development (UR-1/PD). A portion of the site was subject to a previously approved Concept Development Plan. On April 17, 1991, the Boone County Planning Commission approved a Concept Development Plan with conditions (see attached Concept Development and Committee Report). The Boone County Fiscal Court approved the same Concept Development Plan on May 21, 1991 showing 31 townhouses with attached garages. On June 19, 1991, a Preliminary Development Plan was approved by the Boone County Planning Commission on the 4.86 acre site (see attached drawing). On June 19, 1991, the Boone County Planning Commission approved an Improvement Plan to make public improvements to Barbara Drive. Finally, on June 19, 1991, the Boone County Planning Commission approved a Site Plan to construct 10 units on Lot 1 of Ridgeside Townhomes Subdivision (see attached drawing).

Surrounding Land Uses and Zoning

The surrounding land use and zoning of the 17 acre tract are as follows:

- North: Woodland and Medium Density Residential - Suburban Residential Two (SR-2)
- South: Agriculture and Commercial (Hebron Commercial Park, Nor Com, Kids Helping Kids) Commercial Two (C-2), Urban Residential One/Planned Development (UR-1/PD) and Suburban Residential Two (SR-2)
- East: Agriculture and Commercial (Shell Station) - Urban Residential One/Planned Development (UR-1/PD) and Commercial Two (C-2)
- West: Agriculture and Medium Density Residential - Urban Residential One/Planned Development (UR-1/PD) and Suburban Residential Two (SR-2)

Site Features

The site is gently rolling and slopes towards the north and the middle of the property. Major tree stands existing along the northern lot line and in the middle of the property. The soils on the property are predominantly of the Rossmoyne Silt Loam variety with 0-6 percent slope. The site presently is being served by public water and a private sewage treatment plant that is maintained by the Burlington Realty & Development, Incorporated.

Relationship to the Boone County Comprehensive Plan

The 1990 Boone County Comprehensive Plan Future Land Use Map indicates the future use of the property to be Urban Density Residential (UD), which the text describes as "residential uses that do not exceed twelve dwelling units per acres, unless that development is a Residential Planned Development, or part of an Employment Planned Development."

The Plan also describes this general area in more detail. It suggests the following:

"Development in Hebron should remain Suburban Density Residential in nature served by the established, neighborhood commercial uses. High Suburban Density and Urban Density Residential development must have adequate water and sanitary sewer service, and interstate access. These developments should utilize existing woodland vegetation as a buffer from I-275 and as a buffer to the Suburban Density Residential uses of central Hebron." (p. 221-222)

"The KY 20 and KY 237 intersection should contain a variety of commercial and higher density residential uses to establish the location as a future service center connected to the older town of Hebron. Open space and landscaping should be an important part of development design at this important Boone County intersection to give the appearance of coordinated development. Urban Residential uses planned behind the Hebron Commercial Mart development must utilize a site design that incorporates existing vegetation and clusters buildings to enable an adequate visual transition into older single-family areas to the north. These established neighborhoods will eventually be surrounded by commercial, industrial, and higher density development, and need some degree of visual protection." (p. 212)

Country Place Concept Development Plan

The applicant has submitted a Concept Development Plan (see attached copy) showing 21 residential buildings, 150 dwelling units and a clubhouse/tot lot/pool area. The overall density for the 17 acre site is 8.8 dwelling units per acre. Other recreational areas are planned for the site along with a detention pond and a 15 foot buffer area will be maintained around the northern and western property lines.

Staff Concerns

1. Adequate Public Sanitary Sewer - In order to proceed with the construct a 150 townhouse units, the applicant should demonstrate that there is sufficient sanitary sewer capacity at the existing sewage treatment plant located along KY 20.

2. Adequate Landscaping and Buffering - An effort should be made to maintain the existing tree line on the north and west sides of the site and to screen the rear portions of the proposed buildings.
3. Pedestrian Network - Since the proposed use offers some recreational opportunities, an effort should be made to create a pedestrian network to link the recreational areas with the residential community and to provide a way to walk to the Hebron Park Drive commercial area.

Conclusion

The Boone County Planning Commission should evaluate this request in accordance with Article 15 of the Boone County Zoning Regulations. The purpose and intent of the Planned Development zoning district is described below.

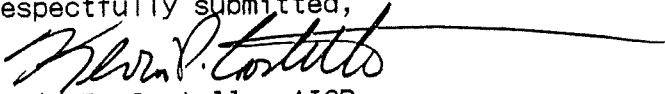
The intent of Article 15 is to provide a permissive and alternative zoning procedure for innovative, mixed use residential, commercial, industrial or other type developments or physical design proposals capable of proving substantial value to the community over the conventional districting and other regulations prescribed as normal course in this order but requiring unique consideration disposition, control and approval. Planned Development (PD) is a special overlay zoning district, which allows some variety among land uses and densities in return for imaginative designs.

The Planned Development zone is intended to encourage:

1. A maximum choice of living environments by allowing a variety of housing and building types and permitting a reduction in lot dimensions, yards, building setbacks, and area requirements;
2. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services;
3. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns;
4. A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets;
5. A development pattern in harmony with land use density, transportation facilities, community facilities, and objectives of the comprehensive plan;

6. A signage package in harmony with the objectives of the Planned Development.

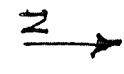
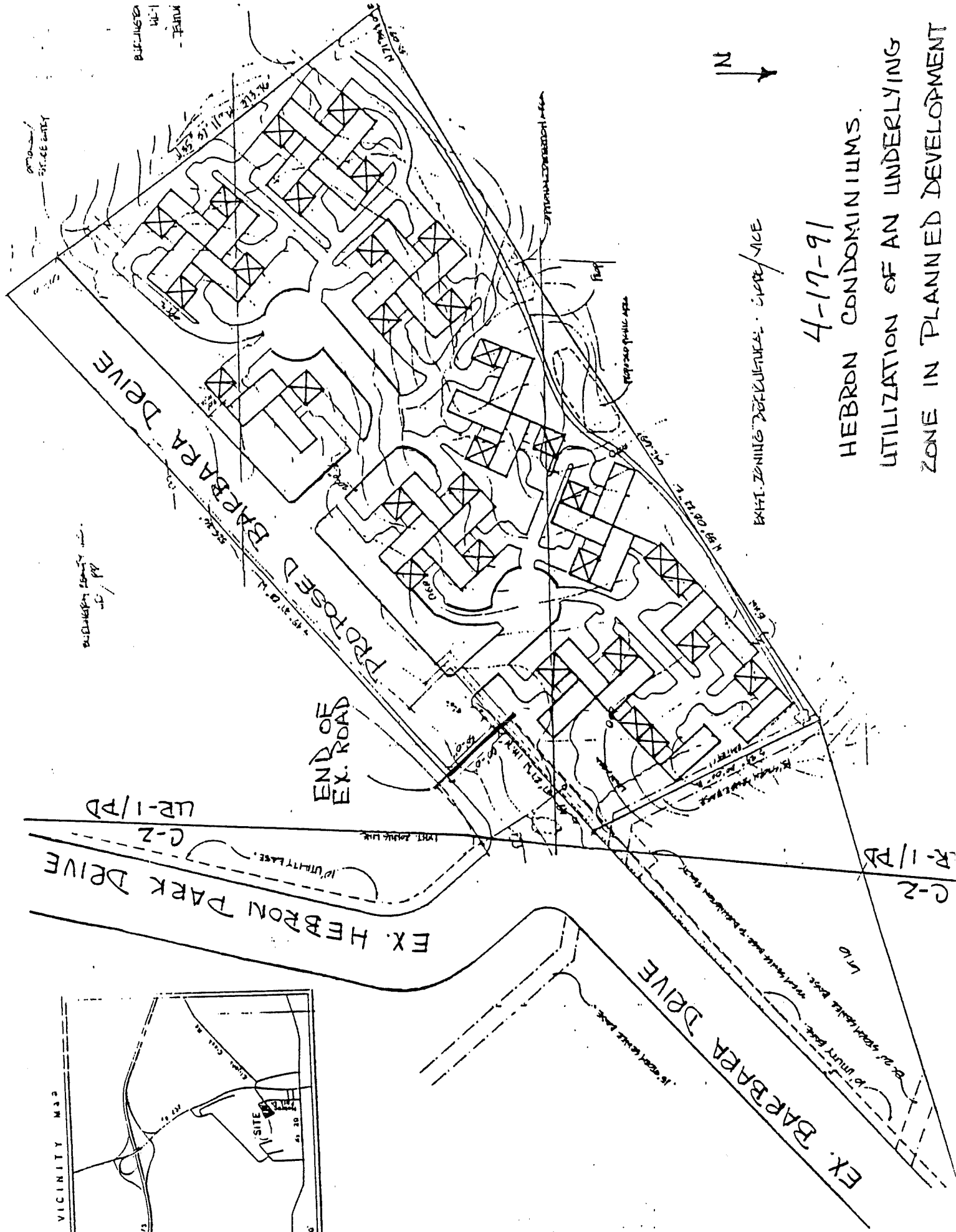
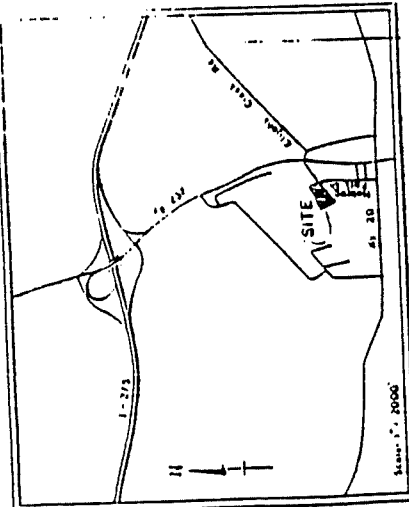
Respectfully submitted,



Kevin P. Costello, AICP
Assistant Director / Zoning Administrator

KPC:kat

VICINITY MAP



EXIST. UTILITIES: SIDEWALK

4-17-91

HEBRON CONDOMINIUMS.
UTILIZATION OF AN UNDERLYING
ZONE IN PLANNED DEVELOPMENT

COMMITTEE REPORT

#1

TO: Boone County Planning Commission

FROM: Carol Smith, Chairwoman

DATE: April 17, 1991

RE: Request of Raymond Erpenbeck Consulting Engineers (applicant) for Burlington Realty & Development, Inc. (owner) for the Utilization of an Underlying Zone in a Planned Development. The 4.5 acre site is located off Barbara Drive, Boone County, Kentucky and is zoned Urban Residential One/Planned Development (UR-1/PD).

REMARKS:

We, the Committee, based on the statements made and facts gathered at the March 27, 1991 Public Hearing, recommend approval of this request based on the following Findings of Fact and Conditions:

Findings of Fact

1. The Committee believes that the current zoning of Urban Residential-One/Planned Development (UR-1/PD) is appropriate for the site and that the proposed use will not alter the intention of the zoning district. One Principally Permitted Use of the UR-1 zoning district is "Townhouse dwelling units." A density of 12 dwelling units per acre is permitted in this zone and the applicant is proposing a density of only 8 dwelling units per acre.
2. The Boone County Comprehensive Plan Future Land Use Map indicates the future use of the property to be Urban Density Residential (UD), which the text describes as "residential uses that do not exceed twelve dwelling units per acre, unless that development is in a Residential Planned Development, or part of an Employment Planned Development." The Committee believes that the proposed use would be generally compatible with this land use.
3. The Committee also believes that the design of the proposed residential development is appropriate for its Planned Development overlay zone designation which encourages imaginative designs.

Conditions

1. The sidewalk located along the northern side of the existing portion of Barbara Drive will be extended to serve the proposed development. An internal sidewalk system (a combination of sidewalks, walkways, and driveways) will also be constructed within the townhouse development to provide easy access for the residents between townhouses and from the townhouses to the proposed walkway along the northern and southern property lines.

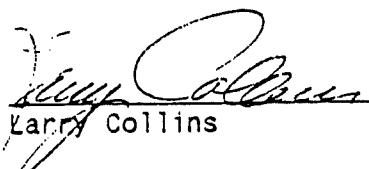
2. The residents of the proposed development will have access to a more extensive recreational facility (ie. club house, swimming pool, tennis courts) in the general area if one is constructed at some point in the future.
3. As part of the Preliminary Development Plan of this project, a more detailed landscaping plan will be submitted by the applicant. In particular, this plan will include combination of landscaping and landscaped berms along the northern and southern property lines to buffer this development from the Suburban Residential-Two (SR-2) zoning district to the north and Barbara Drive.
4. The proposed development will have a minimum of 30 foot front and rear yard setbacks.
5. The proposed access points to the eastern court (court #1) will be located at least 30 feet farther west along Barbara Drive and the western court (court #2) will also be located approximately 30 feet farther west along Barbara Drive.

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.




Carol Smith, Chairwoman

Fred Burch



Larry Collins




Phil Damstrom

Rector Jones



Barry Neltner



Floyd Sharp

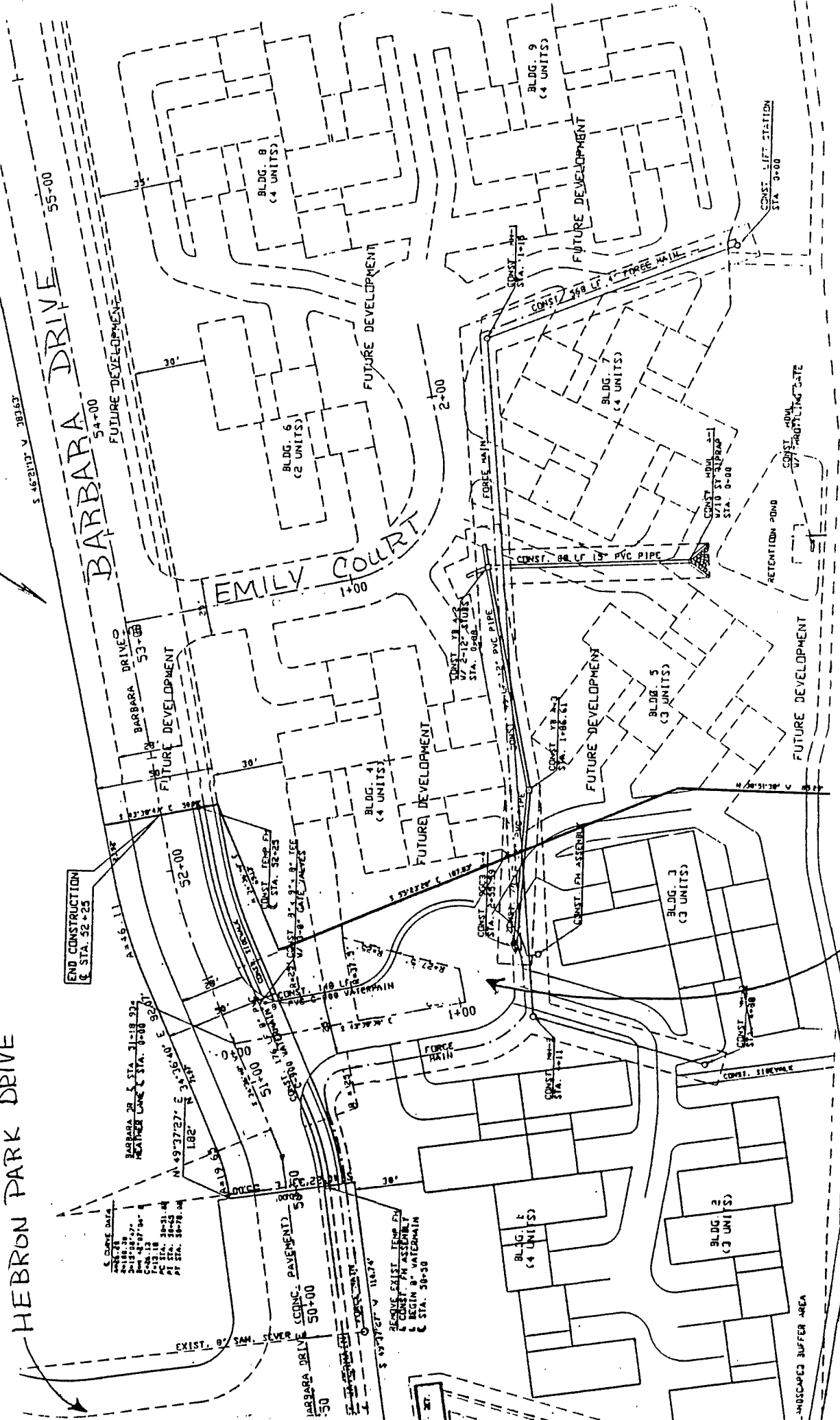
CS:kat

RIDGESIDE TOWNHOMES

PRELIMINARY DEVELOPMENT PLAN AND SITE PLAN

6/19/91

HEBRON PARK DRIVE

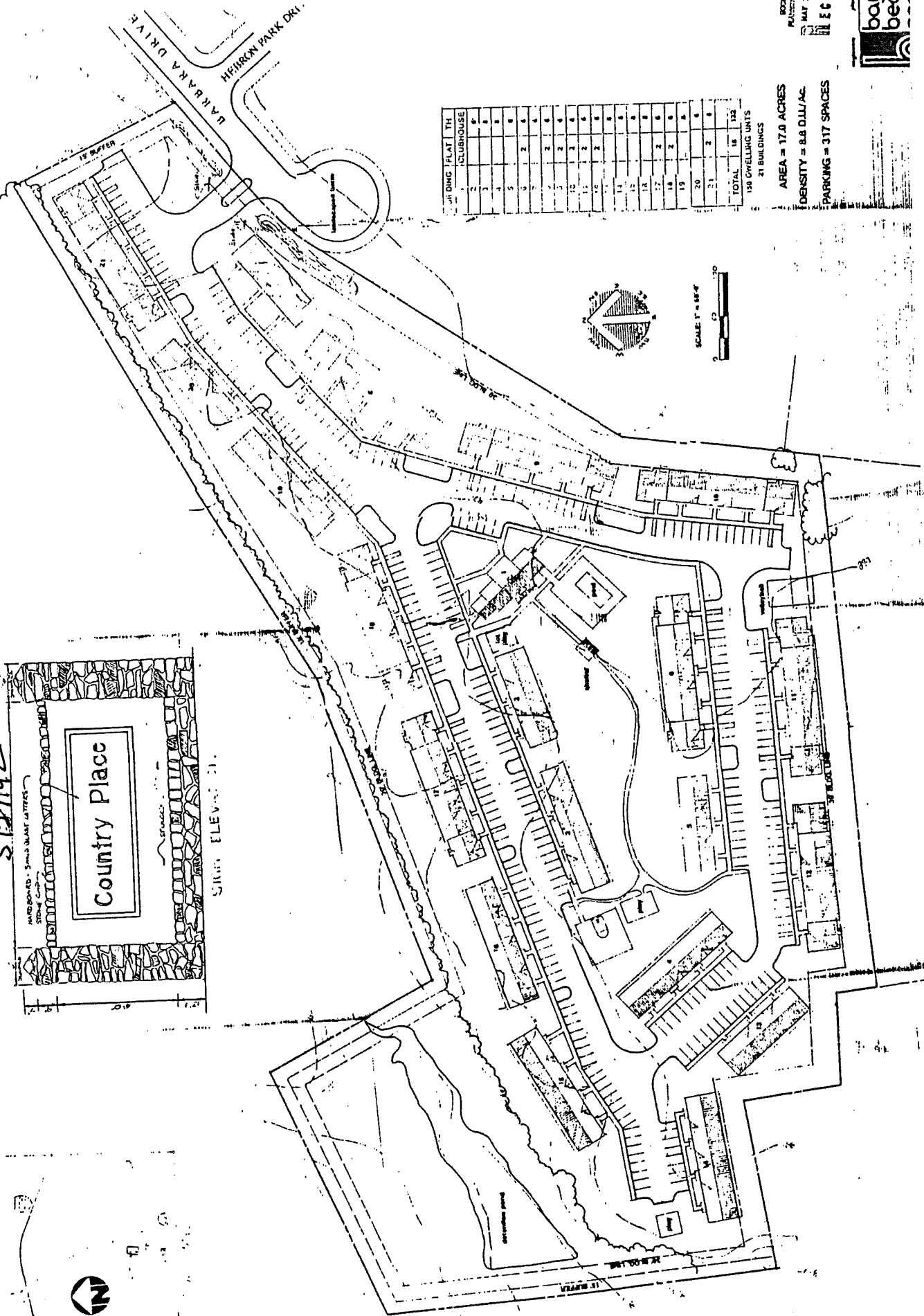
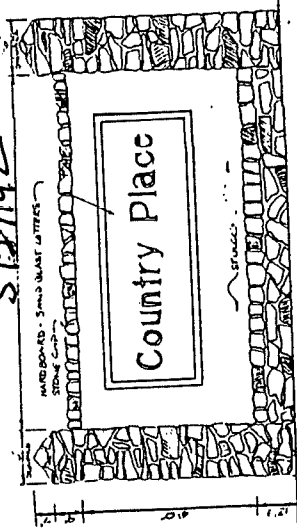


HEATHER COURT

SIDEWALK

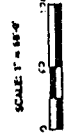
HEATHER COURT

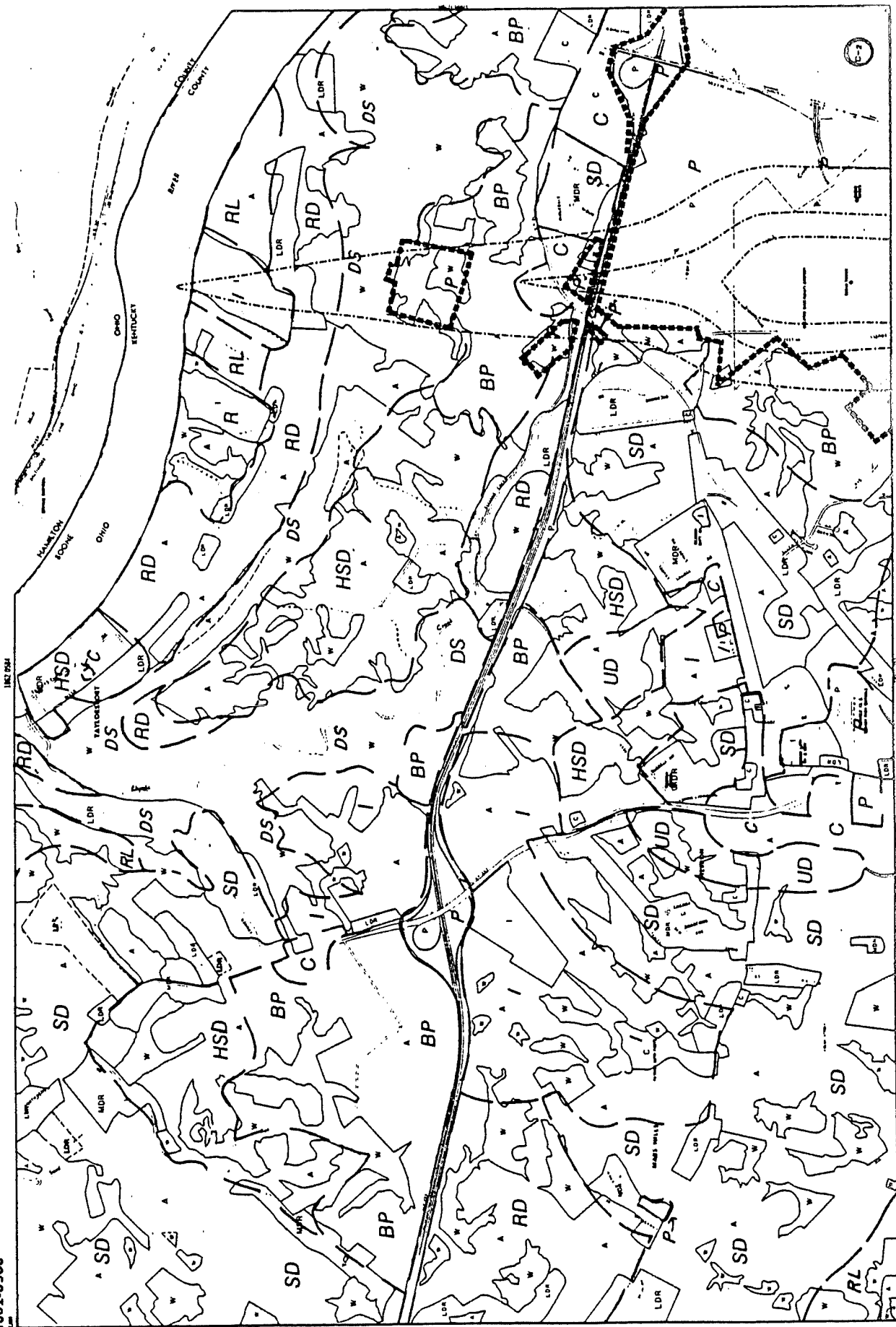
COUNTRY PLACE CONCEPT DEVELOPMENT PLAN
5/27/92



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TOTAL	158	158	158

AREA = 17.0 ACRES
DENSITY = 8.8 D.U./AC
PARKING = 317 SPACES





1862-0568

BOONE COUNTY PLANNING COMMISSION

PUBLIC HEARING ITEM #3

May 27, 1992

Chairman Viox introduced the third item on the Agenda, which was heard last:

3. Applicant: Bayer Becker Engineers for
Burlington Realty and Development, Inc. (owner)
Request: Utilization of an Underlying Zone in Planned Development

The request of Bayer Becker Engineers (applicant) for Burlington Realty and Development, Inc. (owner) for the Utilization of an Underlying Zone in Planned Development on a 17-acre site located near the intersection of Barbara Drive and Hebron Park Drive, Boone County, Kentucky. The proposed use is 150 townhouses and the site is zoned Urban Residential One/Planned Development (UR-1/PD).

Assistant Director, Kevin Costello, presented the Staff Report which included a slide presentation (see Staff Report). He distributed to the Commission pictures provided by the applicant of a similar project in Campbell County.

Chairman Viox asked for the applicant's presentation.

Mr. Jay Bayer of Bayer Becker Engineers introduced Mr. Robert Kirby, Jr., the property owner. Using a drawing, Mr. Bayer indicated existing Barbara Drive and stated that it will be extended approximately 150 feet. They will construct a cul-de-sac. Sidewalks will be constructed along Barbara Drive. The entrance to the development would come off Barbara Drive. They will have 150 townhome units. The water is on Barbara Drive and there is adequate flow and pressure. The electric and gas lines terminate at Barbara Drive. The sewage treatment plant will be expanded. They started the expansion process about two months ago and it is in process in Frankfurt. There will be a walkway system from Barbara Drive looping all of the buildings and connecting to the clubhouse facility. They will have play areas with equipment, a swimming pool, and volleyball. They will have an internal stormwater detention system that will drain into the detention basin indicated on the drawing. He indicated the wooded areas and stated that they will save as many trees as possible. They will maintain the trees around the vicinity of the detention basin. Any trees taken out of the buffer zone will be replaced with adequate buffer.

Mr. Bayer referred to the Comprehensive Plan, Population Section, and stated that from 1990 to 2000 the population increase is about 15.5%. This project will help meet that need. Under the Goals and Objectives Section, Item 1, he stated that the Plan indicates the need for a broad range of housing opportunities and this project will provide that. He referred to Page 2 of the Staff Report under Relationship to the Boone County Comprehensive Plan citing the second paragraph "The KY 20 and KY

237 intersection should contain a variety of commercial and higher density residential uses to establish the location as a future service center connected to the older town of Hebron." He stated that the commercial is in the front and they are adding the residential at the back, and there will be a walkway linking them.

Mr. Bayer stated that in the plan submitted last spring, the density was about 8 units per acre, and they are now at 8.8 units per acre. Under the PD Overlay, the allowable number of units is 18 per acre.

Mr. Ed Volz, 2162 Petersburg, stated that he had not seen the layout for the development or how close it is to his property.

Chairman Viox asked Mr. Volz if he received a letter to an adjoining property owner. Mr. Volz replied "no". Mrs. Volz stated that they live next door to the Shields. Mr. Volz stated that this was their first knowledge of the development. He is concerned about the water situation. He stated that the creek runs right behind his house.

Mr. Bayer indicated the detention basin and stated that it has been preliminarily sized. The dam height would be about four feet. The basin would be dry in non-storm periods. They do not expect to do any earthwork in the area of the detention basin and the wooded areas will be maintained.

Mr. Volz stated that a small creek runs across his property and crosses KY 20. In a hard rain, the water is running about a foot deep (he indicated the depth with his hands). He questioned what this development would do to the water. He requested a copy of the Staff Report and one was provided for him.

Mr. John Van Erp of Coral Drive stated that he is concerned about the treatment plant. Chairman Viox advised that the treatment plant is not being moved.

Mr. Van Erp questioned if these would be low income homes. Mr. Costello stated that the submitted pictures describe the floor plans. He stated that he was informed that they will be three bedroom townhomes and they will be rentals.

Mrs. Volz stated that their property is next door to the property that is adjacent in the rear. The water is coming through their property at such force that the trees have been killed. She questioned how this development would affect the people across the street on the south side of KY 20 who have a water problem. She stated that the neighbors have contributed money for an attorney for a class action suit about the water that is coming in their backyards. She would like to know about a traffic study. She stated that KY 237 and KY 18 are busy. She knows people that live across the street from the sewage treatment plant and there are three homes that cannot sleep because of the noise. She questioned the mature trees.

Mr. Bayer stated that their plan is to hold the back of the units up so that they can flow the gravity there and not have a lift station. He

indicated the tree buffer and stated that any trees that are taken out will be replaced according to the zoning text. He believes there will be very little grading in the area of the detention basin and they will not have to take out the trees.

Chairman Viox asked Mr. Bayer to address the water flow.

Mr. Bayer stated that the storm water system will be designed per the Subdivision Regulations and the Zoning Regulations. They will have an internal collection system that will flow into the detention basin. The downstream runoff will be theoretically the same. They will not be increasing the flow downstream. The level in the detention basin will slowly rise to 4 or 5 feet and then run down. They should not be increasing the drainage towards KY 20. They will grade for the most part so that the site drains towards the north and, if anything, the drainage toward KY 20 will be less. He stated that the traffic that will be generated would be about an ADT of 1,050 and a peak hour would be about 116. They should not be impacting the surrounding neighborhoods and the access would be off of Barbara onto KY 237.

Mr. Volz raised additional questions concerning the location of the site. Mr. Costello reviewed the aerial photograph with him for clarification.

Mrs. Volz questioned where the water from the exiting treatment plant goes. Mr. Kirby, Jr. stated that at the present time the effluent discharges into the stream on the south side of KY 20.

Chairman Viox asked if there were any comments or questions from the Commission.

Mr. Sharp questioned what would be used to replace the mature trees that they take out. Mr. Bayer stated that they would replace anything within the required buffer with 6-foot pines, or whatever is required. He stated that they would be mature trees and they would make this up with the proper spacing of six-foot pines.

Mr. DeLong questioned the alignment of the street going into the development. He noted the entrance going into the retail section on the east side with this development being on the west side. He questioned why the entrances do not line up more closely, and why they do not have their entrance further down.

Mr. Bayer stated that the entrance could be moved if the Commission has a problem with it. Mr. Kirby, Jr. reviewed the streets on the drawing and stated that they wanted to avoid having the residential intersection straight ahead of an all-the-time-traveled street. The detention area is the area straight ahead of the street and their underground detention basin would be under the entranceway, which would present maintenance problems later. He noted the lot on the corner and stated that the spacing is far enough from the intersection that it meets the requirements. An access to that lot would probably line up with the other access. If they move the proposed curb cut there and then put in another access, it would not line up to the lot. He stated that that is why the entrance is not directly across from Hebron Park Drive.

Mr. DeLong questioned the detention basin and if these would be future buildable lots. Mr. Bayer stated that they do not see that area being used for anything other than a green space around the detention basin. He added that the grades are rough there.

Mr. DeLong stated that it may be desirable to have some fencing around the detention area as water five feet deep may be dangerous.


Mr. Neltner questioned the recreational facilities shown as red boxes on the drawing. Mr. Bayer indicated each of the areas and stated that there will be a play area with equipment, a basketball court, a swimming pool, a volleyball court, and a clubhouse.

Mr. McMillian referred to the entrance and stated that if there is traffic coming out ahead, it will bottleneck the entrance into Hebron Park Drive. He asked if the area on the other side (indicated on the drawing to be to the southeast of this development) is developed. Mr. Bayer replied "no". Mr. McMillian asked if there is any access management -- any drive to connect the two areas. Mr. Bayer replied "no" and stated that they did not feel that they needed an interior link between the two areas. Mr. Bayer stated that the vacant area has access off KY 20 and KY 237.

Mr. Folz questioned the average rent of the units. Mr. Tom Nurrey of CB Commercial Real Estate stated that the rents would be about \$580 per month. This is under an affordable housing program, but it is not necessarily low income. The tenants have to pay the market rate. The rents are not subsidized.

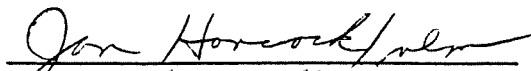
There being no further comments, Chairman Viox stated that this item will be on the Agenda for the Business Meeting on June 17, 1992 at 8 P.M. and closed this Public Hearing.

APPROVED:



William R. Viox, Chairman

Attest:



Jan Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING

June 17, 1992 8:00 P.M.

Mr. Fred Burch, Vice Chairman, called the meeting to order at 8:15 P.M..

COMMISSION MEMBERS PRESENT:

Mr. Fred Burch, Vice Chairman
Mr. R. N. Greene
Mr. Melvin DeLong
Mr. Robert Kirby, Jr.
Mr. Don McMillian
Mr. Barry Neltner
Mr. Thurman Owens
Mr. Robert Ries
Mr. Ralph Rush
Mr. Floyd Sharp
Mrs. Carol Smith, Secretary/Treasurer

COMMISSION MEMBERS NOT PRESENT:

Mr. Lawrence Collins
Mr. Phil Damstrom
Mr. Rector Jones
Mr. William Viox, Chairman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Mr. Burch stated that each Commission member had received a copy of the Minutes of the Business Meeting of June 3, 1992. He asked if there were any comments or corrections.

There being no changes to the Minutes, Mr. Rush moved that they be approved as mailed. Mr. McMillian seconded the motion and it carried unanimously.

UNFINISHED BUSINESS:

1. Zoning Map Amendment

The request of Wal-Mart Stores, Inc. (owner) for a Zoning Map Amendment on a 10.36-acre parcel on Lot #15 of Turfway Business Park, Florence, Kentucky. The request is to rezone the site from Industrial One/Planned Development (I-1/PD) to Commercial Two/Planned Development (C-2/PD) to allow a 28,008 sq. ft. building addition.

Mr. Neltner read the Committee Report for Mr. Damstrom, Committee Chairman, who was not present. The Committee report recommended approval of the request based on the findings of fact (see Committee Report).

There being no discussion, Mr. Kirby moved by resolution to the City of Florence that the request be approved based on the Committee Report. Mr. Sharp seconded the motion and it carried unanimously.

Counselor Wilson advised that the Commission's action is a recommendation to the Florence City Council and interested parties should follow up with them.

2. Utilization of an Underlying Zone in Planned Development

The request of Bayer Becker Engineers (applicant) for Burlington Realty and Development, Inc. (owner) for the Utilization of an Underlying Zone in Planned Development on a 17-acre site near the intersection of Barbara Drive and Hebron Park Drive, Boone County, Kentucky. The proposed use is 150 townhouses. The site is zoned Urban Residential One/Planned Development (UR-1/PD).

Mrs. Smith read the Committee Report which recommended approval of the request based on the findings of fact, but subject to conditions (see Committee Report).

There being no discussion, Mr. Sharp moved by resolution to the Fiscal Court that the request be approved based on the Committee Report. Mr. Owens seconded the motion.

Mr. Costello advised that the applicant and property owner have signed the letter agreeing to the conditions.

Mr. Kirby stated that he would abstain from voting in regard to this application as he is the property owner.

Mr. Burch asked for a vote on the motion made by Mr. Sharp which found all voting members in favor. Mr. Kirby abstained. The motion carried.

Counselor Wilson advised that the Commission's action is a recommendation to the Fiscal Court and interested parties should follow up with them.

EXHIBIT "B"

COMMITTEE REPORT

#2

TO: Boone County Planning Commission

FROM: Carol Smith, Chairman

DATE: June 17, 1992

RE: Request of Bayer Becker Engineers (applicant) for Burlington Realty and Development, Inc. (owner) for the Utilization of an Underlying Zone in Planned Development on a 17 acre site located near the intersection of Barbara Drive and Hebron Park Drive, Boone County, Kentucky. The proposed use is 150 townhouses and the site is zoned Urban Residential One/Planned Development (UR-1/PD).

REMARKS:

We, the Committee, based on the statements made and facts gathered at the May 27, 1992 Public Hearing, recommend approval of this request based on the following Findings of Fact and Conditions:

FINDINGS OF FACT

1. The Committee believes that the current zoning of Urban Residential One/Planned Development is appropriate for the site and that the proposed use will not alter the intention of the zoning district. The proposed density of the residential development is approximately 8.8 dwelling units per acre, and this residential density serves as a transitional buffer from the adjacent commercial uses to the single-family residential land uses.
2. The Boone County Comprehensive Plan Future Land Use Map indicates the future use of the property to be Urban Density Residential (UD), which the text describes as "residential uses that do not exceed twelve dwelling units per acre, unless that development is in a Residential Planned Development, or part of an Employment Planned Development." The Committee believes that the proposed townhouse residential use is compatible with the land use described in the text and offers a different type of a residential unit for the Hebron area.


CONDITIONS

The applicant is being asked to agree to include these items as part of the Concept Development Plan in order to clarify the plan presented at the May 27, 1992 Public Hearing. Further, these conditions are intended to clarify the suitable uses and development for the presented plan.

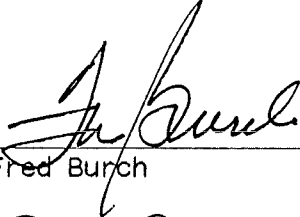
1. The proposed stormwater system for the site shall meet the design requirements of the Boone County Subdivision Regulations and the Boone County Zoning Regulations.

2. The proposed development shall include all recreational features indicated on the Concept Development Plan as well as a pedestrian network to link the residential use to the neighboring commercial uses.
3. The owner of the sanitary sewer treatment plant shall submit appropriate local and/or state permits for expansion of the existing private sanitary sewer treatment plant. If in the future, public sanitary sewer service is available to serve the site, the owner of the sanitary sewer treatment plant shall be required to tie into the public sanitary sewer system. Such a connection would be consistent with the Boone County Comprehensive Plan and the Master Sewer Plan of the Boone County Water and Sewer District.
4. As part of Site Plan Review, a more detailed landscaping plan shall be submitted by the applicant or project developer. In particular, this plan shall indicate the preservation of existing trees where possible along the northern and western boundary lines along with new landscaping features within the site and around the perimeter of the site. Additional landscaping features may need to be planted along the northern and western property lines in order to meet the zoning requirements.

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.

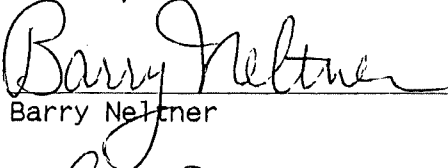


Carol Smith, Chairman




Fred Burch

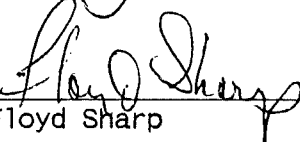
Phil Damstrom



Barry Neltner



Thurman Owens



Floyd Sharp

MINUTES
BOONE COUNTY FISCAL COURT
AUGUST 18, 1992
5:00 P.M.

dated August 17, 1992. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "C" & "D"

ITEM IV. PERSONNEL MATTERS

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

Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve the appointment of Barbara Preston to the position of Part Time Seasonal Kennel Worker at the Grade/Step of 3/A, \$6.13 per hour. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Patrick moved, seconded by Commissioner Davis, to approve the appointment of Robert Edmonds to the position of Part Time Seasonal Animal Control Officer at the Grade/Step of 4/A, \$6.75 per hour. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Meihaus moved, seconded by Commissioner Patrick, to approve the upgrade of Mary Shinkle, Disaster & Emergency Services, from Secretary II to Secretary III at the Grade/Step of 6/C, \$8.59 per hour effective August 17, 1992. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE.

Commissioner Davis requested that sick leave buy back be looked into as one employee has nearly 400 hours sick leave accumulated. Commissioner Davis said in the past he was not for the buy back, however, he said he has changed his mind.

Commissioner Patrick suggested that an employee with perfect attendance for one year be granted extra vacation days.

After some discussion, it was the consensus of the court that Mr. Jim Collins, County Administrator, look into this matter further.

Commissioner Davis suggested that any action taken be retroactive to this date.

Commissioner Patrick also asked that the department heads be asked for their input.

Mr. Collins said he would like to see some sort of short term/long term disability program. Mr. Collins said he will look into this matter and what ever course of action the court takes will be retroactive to August 18, 1992.

ITEM V. ORDINANCES & RESOLUTIONS

ORDINANCE NO. 920.239 - BAYER-BECKER/BURLINGTON REALTY

Commissioner Patrick moved, seconded by Commissioner Meihaus, to approve on second reading Ordinance 920.239, an ordinance of the Boone County Fiscal Court recommending approval for a request of Bayer-Becker Engineers (Applicant) for Burlington Realty & Development, Inc. (Owner) for a utilization of an underlying zone in planned development in an Urban Residential One/Planned Development (UR-1/PD) zone for a 17 acre site generally located near the Intersection of Barbara Drive and Hebron Park Drive, Boone County, Kentucky, as recommended unanimously by the Boone County Planning Commission via Resolution No. R-92-014-A.

It was the consensus of the court that the necessary permit had been secured from the state regarding the septic system based on the documents placed in the Commissioners' packets.

Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "E"

RESOLUTION NO. R-08-18-92-01- ASSISTED HOUSING

Commissioner Davis moved, seconded by Commissioner Patrick, to approve Resolution No. R-08-18-92-01, a resolution authorizing execution of a Section 8 Annual Contributions Contract No. A-3217. Judge Lucas called for a vote of the motion, ALL PRESENT VOTING AYE. Exhibit "F"