

JAN 29 1993

REVIEW NO. _____

APPLICATION FORM ZONING MAP AMENDMENTS

BOONE COUNTY PLANNING COMMISSION
(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Development Walton Properties & Walton Properties II
2. Location of Development NE Corner of Needmore & School Rd.
3. Total Acreage of Site 6.5
4. Current Zoning SR-1
5. Proposed Zoning (classification being requested) UR-1
6. Proposed Uses (please specify each use)
multi-family housing and elderly housing
7. Name of Applicant(s) ERC Properties, Inc.
Phone Number(s) (501) 452-9950
8. Address of Applicant(s) 815 Fort St.
Barling AR 72923
City State Zip
9. Name of Property Owner(s) Albert Hackman, Jr.
Phone Number(s) (606) 331-1068
10. Address of Property Owner(s) 13 Miami Ave.
Ft. Mitchell, KY 41017
City State Zip
11. Proposed Building Intensities (please specify)
8.6 units/acre (family)
6.5 units/acre (elderly)
12. Are there any existing buildings on the site? NO
13. How many? _____
Deed Book 353 Page No. 249 Group No. _____
14. Have you had a pre-application meeting with BCPC staff? yes
15. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- Boone County Water and Sewer District
- Florence Water and Sewer Commission
- Union Light Heat and Power
- Cincinnati Bell
- Owen County Rural Electric
- Boone County Road Department
- Kentucky Transportation Cabinet
- City of Florence Public Works Department
- City of Walton Public Works Department
- Northern Kentucky Health District
- U.S. Soil Conservation Service
- Local School District
- Local Fire District
- Other: _____

(COMPLETE OTHER SIDE OF APPLICATION)

LEGAL DESCRIPTION

WALTON PROPERTIES

PARCEL 1:

Beginning at a stake in the east right-of-way line of the Walton Verona School Rd., said stake being N 8°-15' W, 250 ft. from the intersection of the projected center line of Kentucky Hwy. #16 with the the East right-of-way line of said road; thence with said right-of-way W8°-15'W 619.2 ft. to the point of beginning; thence continuing along said right-of-way 125 ft. to a post; thence leaving the road N 73°-27'E 912.5 ft. to a post; thence S8°E 230.0 ft; thence in a southeasternly direction 925.0 ft. to the point of beginning, containing 4.0 acres more or less.

PARCEL 2:

Lying and being in the City of Walton, Boone County, Kentucky, and being Lots Number Seven(7), Eight(8), Nine (9), Ten(10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), and Fifteen (15) of the Ransler Subdivision as shown on the plat of same recorded in Plat Book 3, page 12 of the Boone County Clerk's records at Burlington, Kentucky.

BOONE COUNTY
PLANNING COMMISSION

RECEIVED
JAN 29 1993

EXHIBIT "A"

STAFF REPORT

Request of ERC PROPERTIES, INC. (APPLICANT) for ALBERT HACKMAN, JR. (OWNER) for a Zoning Map Amendment on a 6.5 acre tract located on the northeast corner of Needmore Street and School Road, Walton, Kentucky.

The request is to rezone the site from Suburban Residential One (SR-1) to Urban Residential One (UR-1) In order to allow the construction of 48 dwelling units.

April 28, 1993

This is the request of ERC Properties, Inc. for a Zoning Map Amendment to change the current zoning designation of Suburban Residential One (SR-1) to Urban Residential One (UR-1) to allow the construction of 48 dwelling units.--The 6.5 acre site is located on the northeast corner of Needmore Street and School Road, Walton, Kentucky. The property is currently owned by Albert Hackman, Jr.

SURROUNDING LAND USES AND ZONING

The properties to the north of this site are zoned Commercial Services (C-3) and Suburban Residential One (SR-1). The zoning districts to the east and south include SR-1 and Public Facilities (PF). The property immediately to the west is zoned C-3.

North:	Commercial (Erlanger Tractor Company and Northern Kentucky Tractor and Equipment) and Woodland.
South:	Low Density Residential (single-family dwelling units along Needmore Street) and Public/Institutional (All Saints Church).
East:	Woodland.
West:	Low Density Residential (single-family dwelling units along School Road).

SITE FEATURES

The existing site is generally open and undeveloped. The site contains a fairly steep slope. At its high point (along Needmore Street), it is at an approximately 895 foot elevation and at its low point (at the northwest corner), it is approximately 850 feet in elevation. No structures currently exist on the site.

The Soil Survey of Boone, Campbell, and Kenton Counties, Kentucky indicates that the soils on this site include Faywood silty clay loam with 6 to 12 percent slopes (FcC) and Faywood silty clay loam with 12 to 20 percent slopes and severely eroded (FdD3). Both soil types are listed as having severe limitations for building locations.

CONCEPT DEVELOPMENT PLAN

The submitted Concept Development Plan illustrates that construction of a 48 unit residential complex. The property is to be developed at an intensity of approximately 7.4 units per acre. Two access points are illustrated from Needmore Street. One driveway will serve the elderly housing portion of the development to be located on the east side of the site. The other driveway is to serve the family portion of the development to be located on the west side of the site.

The elderly housing portion of the development is to contain 24 units consisting of 20 one-bedroom units, 4 two-bedroom units, and an office/community building. The buildings are all one-story high. Thirty-nine parking spaces are to serve this portion of the residential development.

The family portion of the development is to consist of the remaining 24 residential units. It is to consist of 2 one-bedroom handicap accessible units, 18 two-bedroom units, 4 three-bedroom units, and an office building. Forty-nine parking spaces are to serve this portion of the development. The office and handicapped accessible building are to be one-story high and the other three buildings are to be two stories high. A play area will be located in the northwestern corner of the tract to serve the family portion of the development.

The residential development will be served by public water and sanitary sewer provisions. An existing 6 inch water line is located along Needmore Street and School Road. A sanitary sewer line also exists along a portion of the northern property line. Gas and electric service are also available to the site.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 1990 Boone County Comprehensive Plan Future Land Use Map indicates the future use of the property to be High Suburban Density Residential (HSD). HSD is described as "residential uses that do not exceed six dwelling units per acre." (p. 199)

The overall goal of the Comprehensive Plan is that:

"Proper future growth management for Boone County is provided for the benefit of its residents." (p. 1)

Several objectives of the Housing Element include:

"A broad range of housing opportunities shall be provided at locations which meet the needs and desires for all household types." (p. 5)

"Residential development shall be regulated as to basic health and safety considerations, including: a) proper connections to appropriate public water and sanitary sewer service, sewage disposal units, and telephone and electric lines, and b) properly designed and constructed storm drainage systems according to location and use."

"New or redeveloped residential areas shall be designed to establish neighborhoods. Established residential neighborhoods shall be protected and enhanced..."

"High gross density development should be encouraged to locate in areas with immediate or convenient access both to major streets or highways and to significant commercial areas and public facilities."

"Progression of intensities shall be encouraged. Where traditional progressions of high net density to low net density development cannot be followed, attention to visual impact and adequate buffering must accompany high net density usage." (p. 6)

This future development of this portion of Walton is also described in particular detail:

"The Walton area should experience gradual commercial, residential, and industrial growth. This growth should result primarily from the Walton Interchange, with its location near the intersection of I-71 and I-75, and proposed extension of I-71." (p. 225)

"The north and central portions of Walton should experience residential growth in response to the employment growth and utility expansion in the area. The suitability of this area for residential use is enhanced by proximity to developing recreation areas and the Walton schools..." (p. 225)

STAFF CONCERNS

1. The minimum setback requirement in the UR-1 zoning district is 30 feet. Five of the proposed buildings are illustrated on the submitted Concept Development Plan with less than 30 feet rear yard setbacks. Article 31 of the Boone County Zoning Regulations also specifies that a minimum of a 20 foot wide landscaped buffer is required between an townhouse, apartment or duplex development and a single-family zoning district. This buffer area is also not illustrated on the submitted Concept Development Plan.
2. The submitted Concept Development Plan illustrates two access points from Needmore Street to the proposed residential development. The Planning Commission should consider the necessity of having two access points serve the development. Article 32 of the Zoning Regulations does state that "Vehicular circulation must be located completely within the property and vehicles within one portion of the development must have access to all other portions without using the adjacent street system." (p. 197)
3. The applicant has indicated that outside lighting will be provided for the residential development. No additional information regarding the anticipated lighting (such as its location, direction or intensity) has been submitted as part of the request.

4. Article 31 of the Boone County Zoning Regulations state that "Detention/retention basins shall be provided for all industrial, commercial, office, public facilities, multi-family and single-family (3.5 units per acre and above) subdivisions and developments." (p. 170) The applicant has not indicated where stormwater management provisions will be provided for on the site.

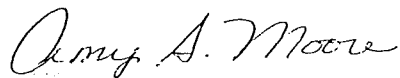
CONCLUSION

The Boone County Planning Commission must evaluate this and all Zoning Map Amendments in terms of the three findings of fact prescribed in Article 3 of the Boone County Zoning Regulations, namely:

1. The map amendment is in agreement with the adopted comprehensive plan and any specific study designed to further the Boone County Comprehensive Plan for the location in question; or
2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted comprehensive plan that substantially alter the area's character.

Should the Planning Commission recommend, and the City of Walton ultimately approve, this request for a Zoning Map Amendment, the Boone County Comprehensive Plan will not need to be altered.

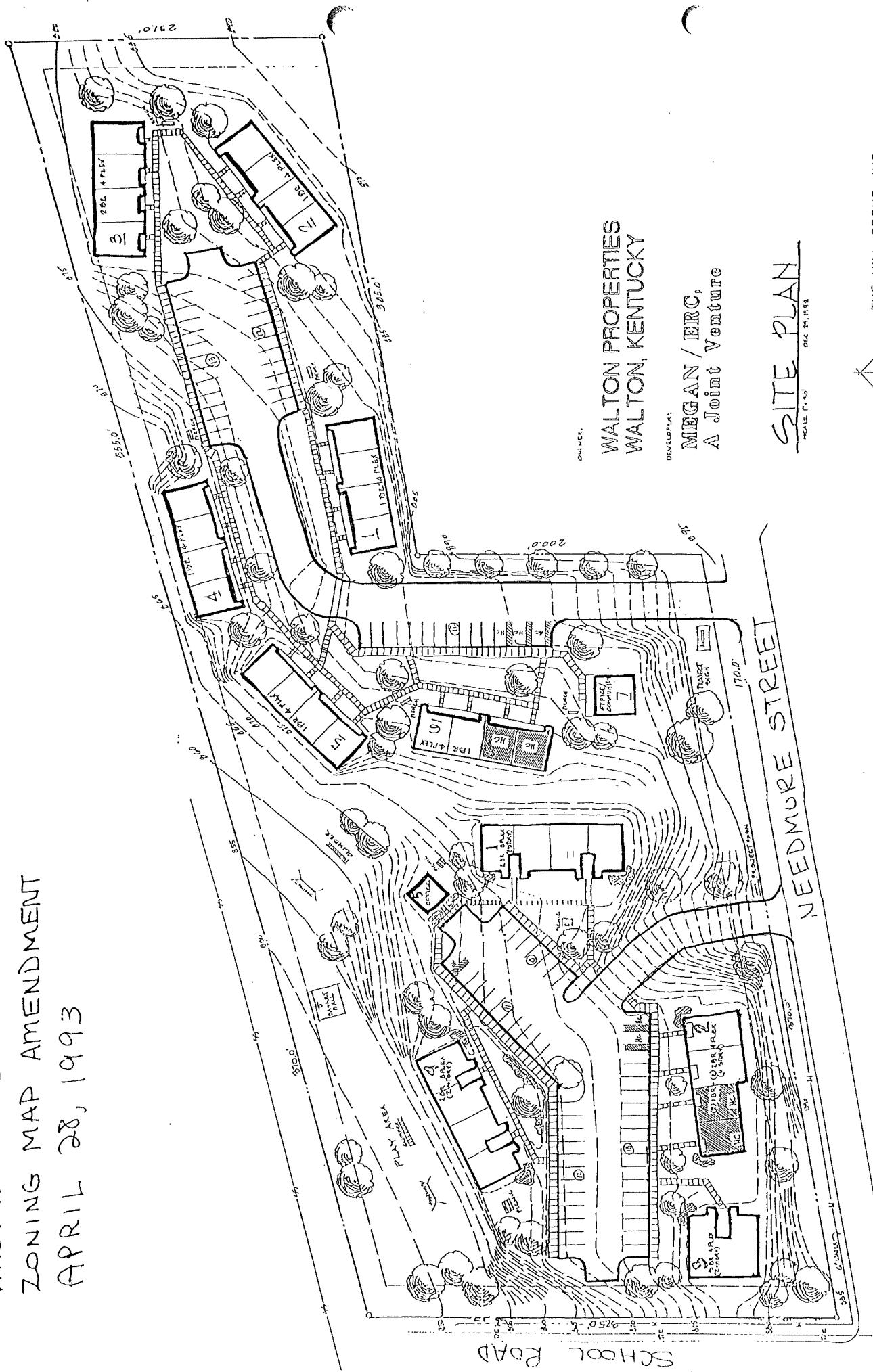
Respectfully Submitted,



Amy S. Moore
Planner II

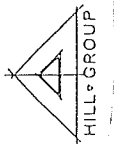
ASM:par

WALTON PROPERTIES AND WALTON PROPERTIES II
 ZONING MAP AMENDMENT
 APRIL 28, 1993



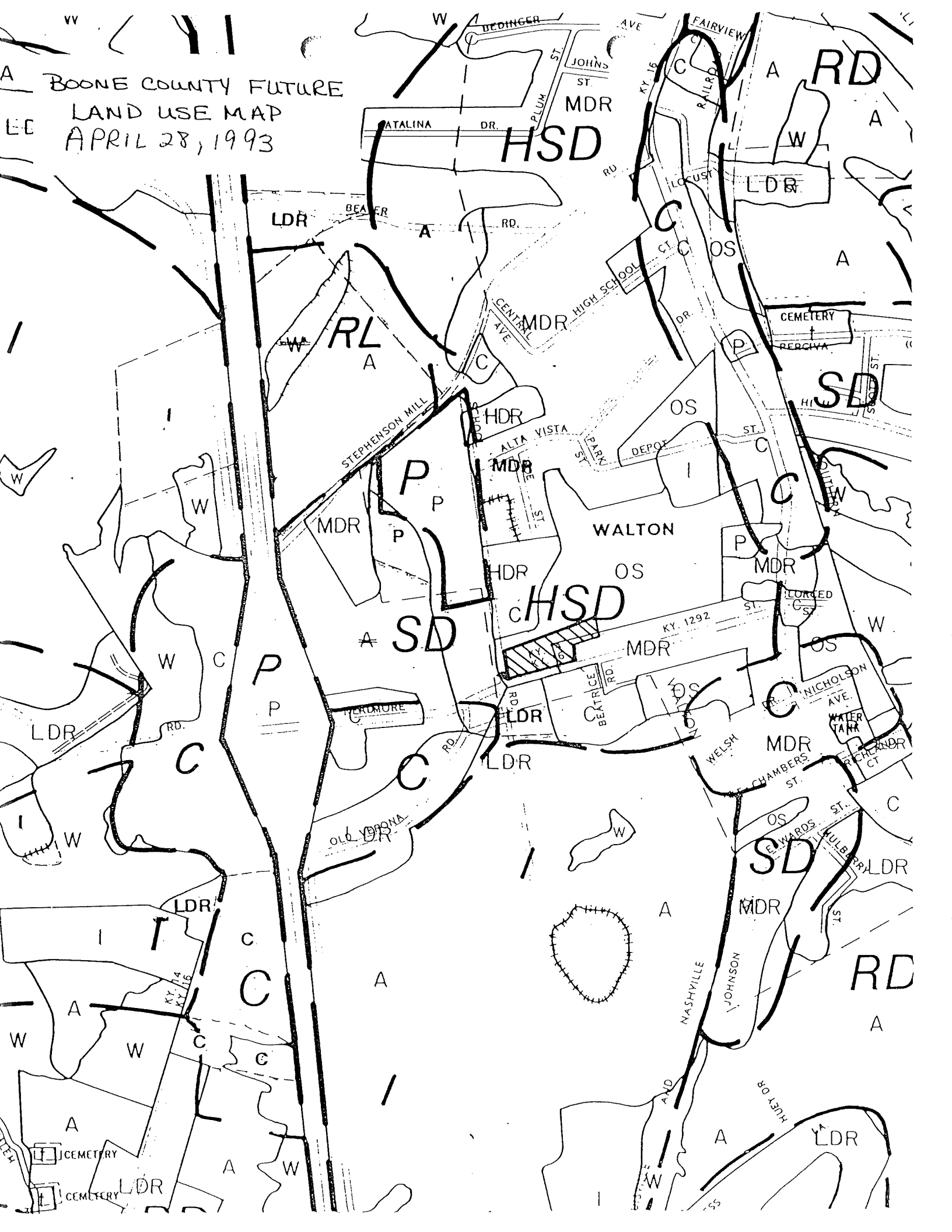
ON FILE
WALTON PROPERTIES
WALTON, KENTUCKY
 DEVELOPER:
MEGAN / ERC,
 A Joint Venture

SITE PLAN
 SCALE 1"=40'
 DATE 04, 1992



THE HILL GROUP, INC. ARCHITECTS • PLANNERS
 4720 ROGERS AVENUE, SUITE A, FORT SMITH, ARKANSAS 72903
 (501) 484-7346

BOONE COUNTY FUTURE
LAND USE MAP
APRIL 28, 1993



Following a short recess, Chairman Viox introduced the third item on the Agenda:

3. Applicant: ERC Properties, Inc. for
Albert Hackman, Jr. (owner)
Request: Zoning Map Amendment

The request of ERC Properties, Inc. (applicant) for Albert Hackman, Jr. (owner) for a Zoning Map Amendment on a 6.5-acre tract on the northeast corner of Needmore Street and School Street, Walton, Kentucky. The request is to rezone the site from Suburban Residential One (SR-1) to Urban Residential One (UR-1) in order to allow the construction of 48 dwelling units.

Staff Member Amy Moore advised that this is the same request that was before the Commission last month, but four adjoining property owners were not notified and the applicant has elected to have the Public Hearing again. Mrs. Moore presented the Staff Report (see Staff Report).

Mr. David Wallace, speaking in behalf of the owner, Mr. Hackman, and the developer, ERC, Inc., stated that they discovered that the list of adjoining property owners provided to them by the City of Walton was incorrect.

Mr. Wallace stated that the setbacks were probably not drawn to scale. Lighting will be provided, and they can provide the Staff with the schematics. They are willing to work with the Staff and the Commission in regard to traffic. They will work with the local residents and schools in regard to the concerns. The access point to the elderly housing is where it is because they understood that Planning Commissions normally like to match up curb cuts and that is what they did. They feel that there is a definite need for this project in Walton. Market studies, done for financing through Farmers Home Administration, show that there is a definite need in the area. As of September, 1992, there was only one vacancy shown in Walton. Rezoning the property to UR-1 with 7.4 units per acre will be a less intense use than what is proposed under the Comprehensive Plan. The Comprehensive Plan shows HSD, which would allow 6 units per acre. There will be much less traffic generated by this type of development than having six units per acre on the 6.5 acre site.

Mr. Rob Zwick, Parish Council of All Saints Church, and Saint Joseph Academy, stated that he spoke at the last hearing. There were concerns about curb cuts lining up with their school entrance. They had concerns over the width of Needmore Street and the development not being kind to the edge of the road. School buses go down there to Saint Joseph's and the point where they propose to bring their entrance to Needmore Street is a deadend. The buses use Beatrice Street to go out. Needmore is only about 15 feet wide. He suggested upgrading the roadways. He is concerned about the lighting. They want to be sure that the developer will work with them.

Sharon Warren, a resident of Walton since 1980, stated that in 1980 there were two HUD housing facilities there and another has gone up just down

the street from where this one is proposed. She cannot see the need for another 48 HUD units.

Chairman Viox asked if there was anyone else present who wished to speak in regard to this request.

Mr. Murray Childers stated that he spoke with Mr. Zwick after the last meeting and he also visited the site. They were concerned about people taking a shortcut through the school parking area, but he could not see the advantage to someone doing that. He stated that they are open minded about moving the entrances. They have addressed the lighting issue and the stormwater. They did feasibility studies based on the Walton area in regard to the school situation and the additional students. Half of this development is for the elderly. They get a lot of single and young married people in the family units. There can only be two people in a one-bedroom unit and four people in a two-bedroom unit. They are planning four 3-bedroom units which have a maximum capacity of five people. Sons and daughters cannot share a bedroom. He stated that the density is not as great as one might think.

There being no further comments from the audience, Chairman Viox asked if there were any comments or questions from the Commission.


Mr. McMillian stated that he is concerned about the narrow road that is there and the entrance across from the school. The people at the school may want to recommend an access point. The entrance on School Road at the bottom of the hill is in a bad spot. He is concerned about the traffic.

Mr. Neltner questioned the street being 15 feet wide. Mr. Wallace stated that Needmore Street is 15 feet wide and Beatrice Street is about 17 feet wide, and there is no curb and gutter. A lady in the audience commented that two cars cannot pass.


There being no further comments, Chairman Viox stated that the Committee for this request will meet on May 10, 1993 at 7 P.M. in the Staff Office. This item will be on the Agenda for the Business Meeting on May 19, 1993 at 8 P.M..

Chairman Viox closed this Public Hearing.

APPROVED:


William R. Viox, Chairman

Attest:


Jay Hancock, Recording Secretary

BOONE COUNTY PLANNING COMMISSION
BUSINESS MEETING

May 19, 1993 - 8:00 P.M.

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

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett
Mr. William Bailey
Mr. Fred Burch, Vice Chairman
Mr. Phil Damstrom
Mr. Melvin DeLong
Mr. R. N. Greene
Mr. Robert Kirby, Jr.
Mr. Gayle McElroy
Mr. Don McMillian
Mr. Barry Neltner
Mr. Thurman Owens
Mr. Robert Ries
Mr. Ralph Rush
Mrs. Carol Smith
Mr. William Viox, Chairman

COMMISSION MEMBERS NOT PRESENT:

None.

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Approval of the Minutes:

Chairman Viox stated that each Commission member had received a copy of the Minutes of the Business Meeting of May 5, 1993. He asked if there were any comments or corrections.

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

Public Hearing Minutes show that they were proposing 122 lots and by this Committee Report that number is being reduced to "not to exceed 100 lots".

Mr. Bailey stated that there was discussion about having access to KY 18 from the back of this development. Mr. Hayes referred Mr. Bailey to Condition #1 of the Committee Report which indicates that they would provide future connections to the north (which would be the KY 18 access) to the east, and to the west.

Mr. Owens moved by Resolution to the Fiscal Court that the request be approved with conditions, based on the Committee Report. Mr. Burch seconded the motion.

Mr. Kirby stated that he would abstain from voting as he is involved in this project.

Chairman Viox asked for a vote on the motion made by Mr. Owens. All voting members were in favor. Mr. Kirby abstained. The motion carried by a vote of 14 in favor with one abstention.

4. Zoning Map Amendment

The request of ERC Properties, Inc. (applicant) for Albert Hackman, Jr. (owner) for a Zoning Map Amendment on a 6.5-acre tract located on the northeast corner of Needmore Street and School Street, Walton, Kentucky. The request is to rezone the site from Suburban Residential One (SR-1) to Urban Residential One (UR-1) in order to allow the construction of 48 dwelling units.

Staff Member Jeff Hayes displayed the Committee Report using the overhead projector (see Committee Report). The Committee Report recommended approval of the request based on the findings of fact, subject to conditions.

Mr. Kirby moved by Resolution to the City of Walton that the request be approved with conditions, based on the Committee Report. Mrs. Smith seconded the motion.

Mr. DeLong stated that, according to the Public Hearing Minutes, there was a question about the width of the road. He noted that one of the conditions was to use Schoolhouse Road and questioned if this was satisfactory.

Mr. Hayes stated that these concerns would be addressed at Site Plan Review. Mr. DeLong stated that they cannot be handled at the Site Plan Review stage and should be addressed now. He is not satisfied with the way this is and does not see an answer to it.

There being no further comments, Chairman Viox asked for a vote on the motion made by Mr. Kirby which found Mrs. Arnett, Mr. Bailey, Mr. Burch, Mr. Damstrom, Mr. Greene, Mr. Kirby, Mr. McElroy, Mr. McMillian, Mr. Neltner, Mr. Owens, Mr. Ries, Mr. Rush, Mrs. Smith and Chairman Viox in favor. Mr. DeLong was opposed. The motion carried by a vote of 14 to 1.

EXHIBIT "B"

STAFF REPORT

Request of ERC PROPERTIES, INC. (APPLICANT) for
ALBERT HACKMAN, JR. (OWNER) for a Zoning Map Amendment
on a 6.5 acre tract located on the northeast corner of
Needmore Street and School Road, Walton, Kentucky.

The request is to rezone the site from
Suburban Residential One (SR-1) to Urban Residential One (UR-1)
In order to allow the construction of 48 dwelling units.

April 28, 1993

This is the request of ERC Properties, Inc. for a Zoning Map Amendment to change the current zoning designation of Suburban Residential One (SR-1) to Urban Residential One (UR-1) to allow the construction of 48 dwelling units. The 6.5 acre site is located on the northeast corner of Needmore Street and School Road, Walton, Kentucky. The property is currently owned by Albert Hackman, Jr.

SURROUNDING LAND USES AND ZONING

The properties to the north of this site are zoned Commercial Services (C-3) and Suburban Residential One (SR-1). The zoning districts to the east and south include SR-1 and Public Facilities (PF). The property immediately to the west is zoned C-3.

- North: Commercial (Erlanger Tractor Company and Northern Kentucky Tractor and Equipment) and Woodland.
- South: Low Density Residential (single-family dwelling units along Needmore Street) and Public/Institutional (All Saints Church).
- East: Woodland.
- West: Low Density Residential (single-family dwelling units along School Road).

SITE FEATURES

The existing site is generally open and undeveloped. The site contains a fairly steep slope. At its high point (along Needmore Street), it is at an approximately 895 foot elevation and at its low point (at the northwest corner), it is approximately 850 feet in elevation. No structures currently exist on the site.

The Soil Survey of Boone, Campbell, and Kenton Counties, Kentucky indicates that the soils on this site include Faywood silty clay loam with 6 to 12 percent slopes (FcC) and Faywood silty clay loam with 12 to 20 percent slopes and severely eroded (FdD3). Both soil types are listed as having severe limitations for building locations.

CONCEPT DEVELOPMENT PLAN

The submitted Concept Development Plan illustrates that construction of a 48 unit residential complex. The property is to be developed at an intensity of approximately 7.4 units per acre. Two access points are illustrated from Needmore Street. One driveway will serve the elderly housing portion of the development to be located on the east side of the site. The other driveway is to serve the family portion of the development to be located on the west side of the site.

The elderly housing portion of the development is to contain 24 units consisting of 20 one-bedroom units, 4 two-bedroom units, and an office/community building. The buildings are all one-story high. Thirty-nine parking spaces are to serve this portion of the residential development.

The family portion of the development is to consist of the remaining 24 residential units. It is to consist of 2 one-bedroom handicap accessible units, 18 two-bedroom units, 4 three-bedroom units, and an office building. Forty-nine parking spaces are to serve this portion of the development. The office and handicapped accessible building are to be one-story high and the other three buildings are to be two stories high. A play area will be located in the northwestern corner of the tract to serve the family portion of the development.

The residential development will be served by public water and sanitary sewer provisions. An existing 6 inch water line is located along Needmore Street and School Road. A sanitary sewer line also exists along a portion of the northern property line. Gas and electric service are also available to the site.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 1990 Boone County Comprehensive Plan Future Land Use Map indicates the future use of the property to be High Suburban Density Residential (HSD). HSD is described as "residential uses that do not exceed six dwelling units per acre." (p. 199)

The overall goal of the Comprehensive Plan is that:

"Proper future growth management for Boone County is provided for the benefit of its residents." (p. 1)

Several objectives of the Housing Element include:

"A broad range of housing opportunities shall be provided at locations which meet the needs and desires for all household types." (p. 5)

"Residential development shall be regulated as to basic health and safety considerations, including: a) proper connections to appropriate public water and sanitary sewer service, sewage disposal units, and telephone and electric lines, and b) properly designed and constructed storm drainage systems according to location and use."

"New or redeveloped residential areas shall be designed to establish neighborhoods. Established residential neighborhoods shall be protected and enhanced..."

"High gross density development should be encouraged to locate in areas with immediate or convenient access both to major streets or highways and to significant commercial areas and public facilities."

"Progression of intensities shall be encouraged. Where traditional progressions of high net density to low net density development cannot be followed, attention to visual impact and adequate buffering must accompany high net density usage." (p. 6)

This future development of this portion of Walton is also described in particular detail:

"The Walton area should experience gradual commercial, residential, and industrial growth. This growth should result primarily from the Walton Interchange, with its location near the intersection of I-71 and I-75, and proposed extension of I-71." (p. 225)

"The north and central portions of Walton should experience residential growth in response to the employment growth and utility expansion in the area. The suitability of this area for residential use is enhanced by proximity to developing recreation areas and the Walton schools..." (p. 225)

STAFF CONCERNS

1. The minimum setback requirement in the UR-1 zoning district is 30 feet. Five of the proposed buildings are illustrated on the submitted Concept Development Plan with less than 30 feet rear yard setbacks. Article 31 of the Boone County Zoning Regulations also specifies that a minimum of a 20 foot wide landscaped buffer is required between an townhouse, apartment or duplex development and a single-family zoning district. This buffer area is also not illustrated on the submitted Concept Development Plan.
2. The submitted Concept Development Plan illustrates two access points from Needmore Street to the proposed residential development. The Planning Commission should consider the necessity of having two access points serve the development. Article 32 of the Zoning Regulations does state that "Vehicular circulation must be located completely within the property and vehicles within one portion of the development must have access to all other portions without using the adjacent street system." (p. 197)
3. The applicant has indicated that outside lighting will be provided for the residential development. No additional information regarding the anticipated lighting (such as its location, direction or intensity) has been submitted as part of the request.

4. Article 31 of the Boone County Zoning Regulations state that "Detention/retention basins shall be provided for all industrial, commercial, office, public facilities, multi-family and single-family (3.5 units per acre and above) subdivisions and developments." (p. 170) The applicant has not indicated where stormwater management provisions will be provided for on the site.

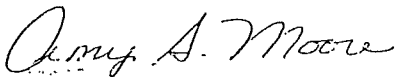
CONCLUSION

The Boone County Planning Commission must evaluate this and all Zoning Map Amendments in terms of the three findings of fact prescribed in Article 3 of the Boone County Zoning Regulations, namely:

1. The map amendment is in agreement with the adopted comprehensive plan and any specific study designed to further the Boone County Comprehensive Plan for the location in question; or
2. The existing zoning classification is inappropriate and that the proposed zoning classification is appropriate; or
3. There have been major changes of an economic, physical, or social nature not anticipated in the adopted comprehensive plan that substantially alter the area's character.

Should the Planning Commission recommend, and the City of Walton ultimately approve, this request for a Zoning Map Amendment, the Boone County Comprehensive Plan will not need to be altered.

Respectfully Submitted,



Amy S. Moore
Planner II

ASM:par

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Gayle McElroy, Chairman

DATE: May 19, 1993

RE: Request of ERC Properties, Inc. (applicant) for Albert Hackman, Jr. (owner) for a Zoning Map Amendment on a 6.5 acre tract located on the northeast corner of Needmore Street and School Street, Walton, Kentucky. The request is to rezone the site from Suburban Residential One (SR-1) to Urban Residential One (UR-1) in order to allow the construction of 48 dwelling units.

REMARKS:

We, the Committee, based on the statements made and facts gathered at the April 28, 1993 Public Hearing, recommend approval of this request based on the following Findings of Fact and subject to the following Condition:

Findings of Fact

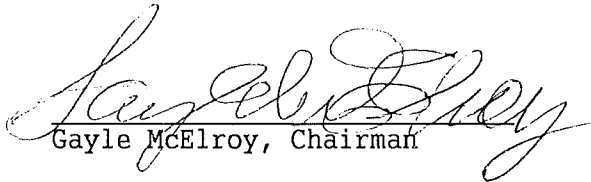
1. The Committee believes that the existing zoning classification is inappropriate and the proposed zoning classification is appropriate. The proposed zoning should provide an adequate progression of intensities between the commercial and residential zoning districts that surround the site.
2. The Boone County Comprehensive Plan states that "High gross density development should be encouraged to locate in areas with immediate or convenient access both to major streets or highways.." The site is located in close proximity to Mary Grubbs Highway and I-71. The Committee also believes that with the proposed Condition, that traffic should be directed toward these major thoroughfares and away from utilizing Beatrice Street and Needmore Street to the east.

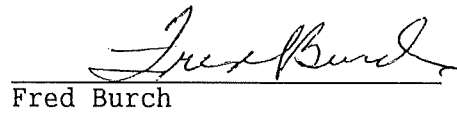
The applicant is being asked to include the following condition as part of the revised Concept Development Plan (presented at the Public Hearing) in order to address concerns and clarify questions raised at the April 28, 1993 Public Hearing.

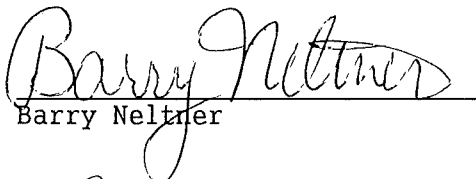
Condition

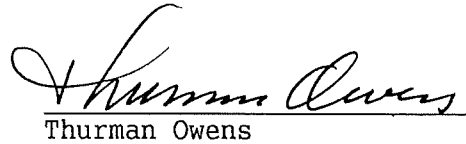
1. The eastern entrance to the site will be designed to direct traffic to the west in order to utilize School Road and not Beatrice Street located to the south of the site. During Site Plan review, the applicant will work with the Planning Commission staff to design this access point similar to the attached illustration.

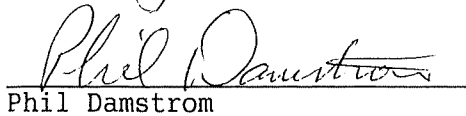
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

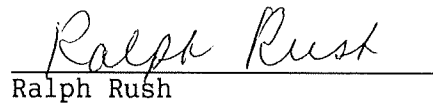

Gayle McElroy, Chairman



Fred Burch

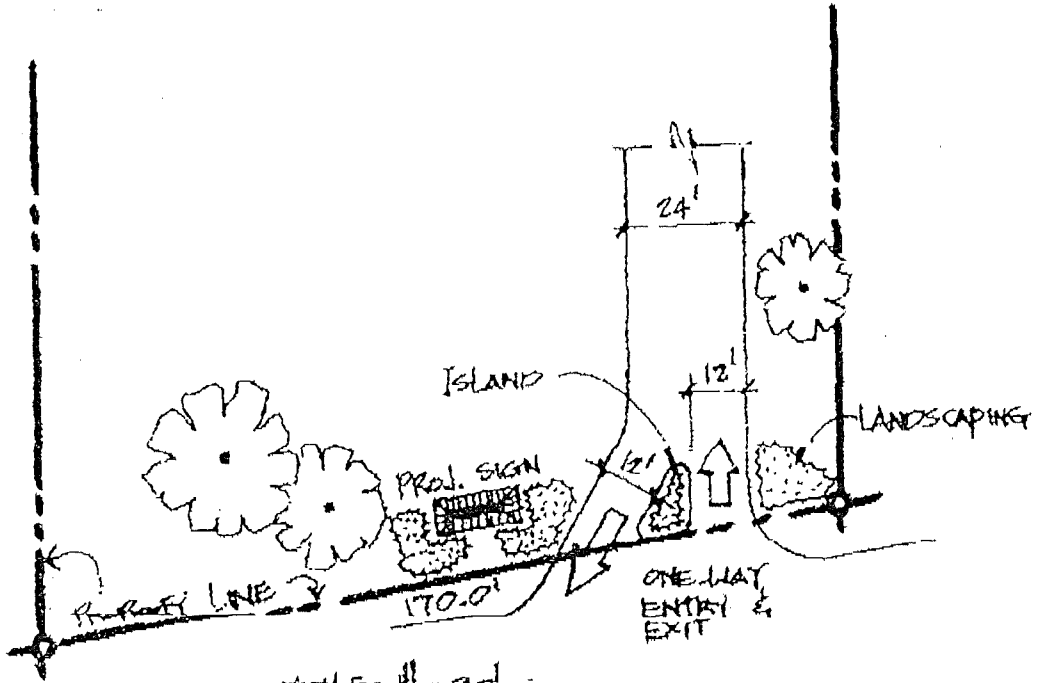

Barry Neltner


Thurman Owens


Phil Damstrom


Ralph Rush


Carol Smith



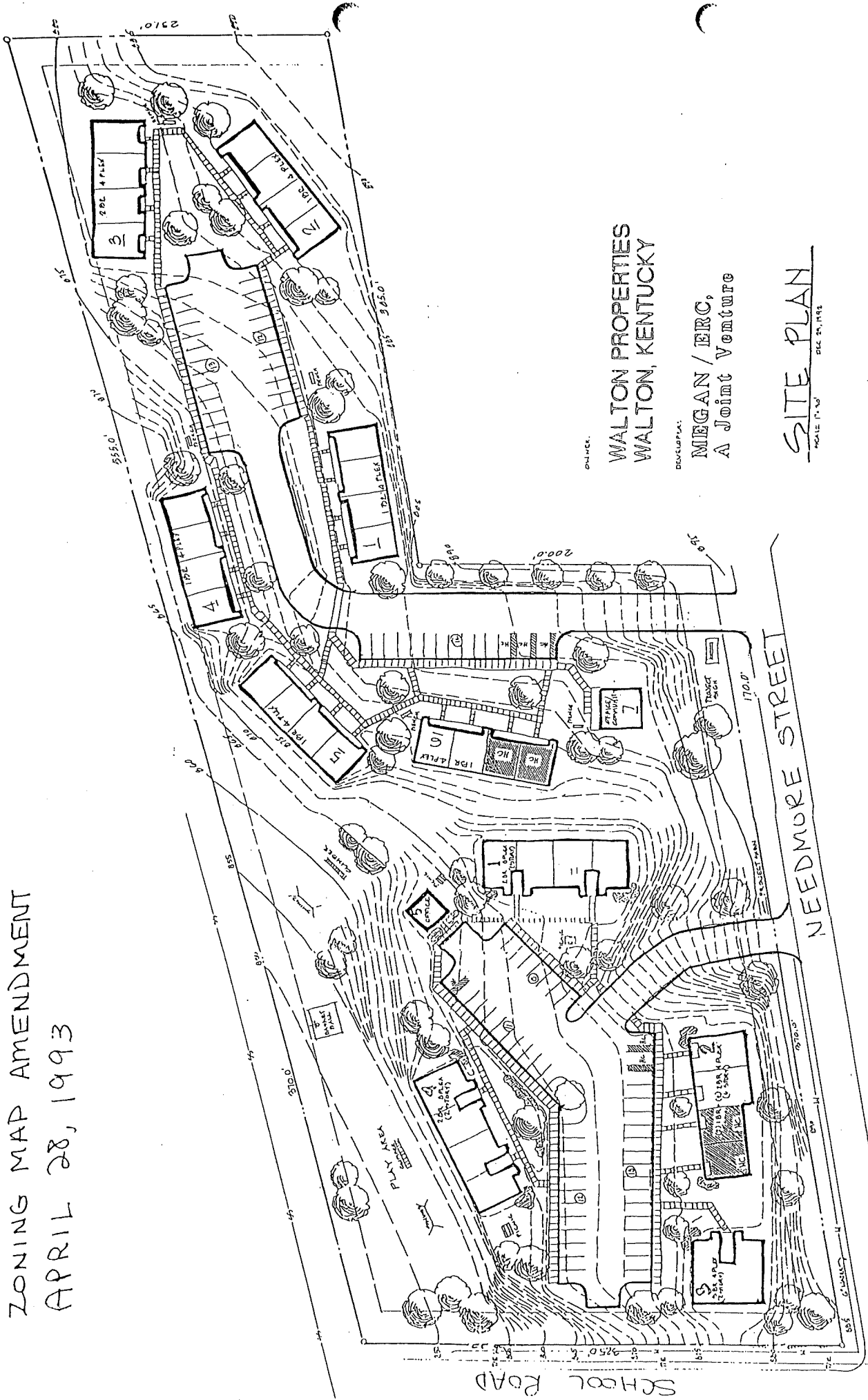
SCALE: 1/4" = 30'

PROPOSED REVISIONS FOR ENTRY

WALTON PROPERTIES II
 WALTON, KENTUCKY

5-12-93

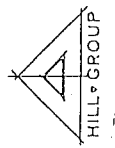
ZONING MAP AMENDMENT
 APRIL 28, 1993



OWNER:
**WALTON PROPERTIES
 WALTON, KENTUCKY**

DEVELOPER:
**MEGAN / ERC,
 A Joint Venture**

SITE PLAN
 SCALE 1" = 40'
 DEC. 29, 1993



THE HILL GROUP, INC. ARCHITECTS • PLANNERS
 4720 ROGERS AVENUE, SUITE A, FORT SMITH, ARKANSAS 72903
 (501) 484-7345

CITY OF WALTON, KENTUCKY
ORDINANCE NO. 1993-13

AN ORDINANCE APPROVING AND ADOPTING A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO URBAN RESIDENTIAL ONE (UR-1) FOR A 6.5 ACRE SITE GENERALLY LOCATED ON THE NORTHEAST CORNER OF NEEDMORE STREET AND SCHOOL STREET, WALTON, KENTUCKY.

WHEREAS, the City of Walton, Kentucky is a legislative body member of the Boone County Planning Commission, a joint and county-wide planning unit or commission established under Chapter 100 of the Kentucky Revised Statutes, and;

WHEREAS, the City of Walton, Kentucky has received a recommendation from the Boone County Planning Commission for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Urban Residential One (UR-1) for a 6.5 acre site generally located on the northeast corner of Needmore Street and School Street, Walton, Kentucky, which is more particularly described below, and;

WHEREAS, the City of Walton, Kentucky, has recognized the public hearings conducted by the Boone County Planning Commission, and its findings of fact recommending approval of the proposed zoning map amendment to the Boone County Zoning Map, and;

WHEREAS, the City of Walton, Kentucky deems it necessary to enact this Ordinance to preserve and protect the health, safety and convenience of the inhabitants of the City of Walton, Kentucky, pursuant to the City of Walton's legal authority, including but not limited to K.R.S. Chapter 100;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, as follows:

SECTION I

The request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby approved and adopted, with one condition, this Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Urban Residential One (UR-1) for a 6.5 acre site generally located on the northeast corner of Needmore Street and School Street, Walton, Kentucky. The real estate which is the

subject of this Zoning Map Amendment in a Suburban Residential One (SR-1) zone is more particularly described in DEED BOOK 353, PAGE NO. 249 (as supplied by the applicant) as recorded in the Boone County Clerk's Office.

SECTION II

As a basis for the approval and adoption of this Zoning Map Amendment, the findings of fact and condition of the Boone County Planning Commission as set forth in its minutes and official records for this request are hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit A."

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

SECTION III

In the event this Amendment to the Boone County Zoning Map is held invalid by any Court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, including the zoning map, or comprehensive plan, as the continued validity of these other zoning regulations, the zoning map and comprehensive and zoning regulations are severable from this matter and are intended to continue in effect regardless of this amendment.

FIRST READING: June 14, 1993

SECOND READING: July 12, 1993

APPROVED:

William M. King
WILLIAM M. KING, Mayor

ATTEST:

Ruth Glenn
RUTH GLENN, City Clerk