

RESOLUTION R-21-020-A

A RESOLUTION OF THE BOONE COUNTY PLANNING COMMISSION RECOMMENDING APPROVAL, WITH CONDITIONS, FOR A REQUEST OF THE DREES COMPANY – MATT MAINS (APPLICANT) FOR WEAVER ROAD PROPERTIES, LLC (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO SUBURBAN RESIDENTIAL TWO/PLANNED DEVELOPMENT (SR-2/PD) FOR THE 3.0733 ACRE SITE LOCATED ON THE NORTH/EAST SIDE OF WEAVER ROAD, APPROXIMATELY 520 FEET SOUTH OF THE WEAVER ROAD/ASCOT DRIVE INTERSECTION, TO THE IMMEDIATE SOUTH OF THE PROPERTIES AT 15 THROUGH 21 TATTERSALL LANE, AND TO THE IMMEDIATE WEST OF THE PROPERTIES AT 901 THROUGH 923 DAPPLE GREY DRIVE, BOONE COUNTY, KENTUCKY (ANNEXATION INTO THE CITY OF FLORENCE IS PENDING) AND THE REQUEST OF THE DREES COMPANY – MATT MAINS (APPLICANT) FOR WEAVER ROAD PROPERTIES, LLC (OWNERS) FOR A ZONING MAP AMENDMENT FROM SUBURBAN RESIDENTIAL ONE (SR-1) AND SUBURBAN RESIDENTIAL TWO (SR-2) TO SUBURBAN RESIDENTIAL TWO/PLANNED DEVELOPMENT (SR-2/PD) FOR THE 16.5410 ACREE SITE LOCATED AT 903 WEAVER ROAD, AND BETWEEN THE PROPERTIES AT 8986 AN 9034 EVERGREEN DRIVE, BOONE COUNTY, KENTUCKY(ANNEXATION INTO THE CITY OF FLORENCE IS PENDING) AND PROVIDING THE RECOMMENDATION BE FORWARDED TO THE BOONE COUNTY FISCAL COURT, BURLINGTON, KENTUCKY AND THE CITY OF FLORENCE, FLORENCE, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive intersection, to the Immediate south of the properties at 15 through 21 Tattersall Lane, and to the Immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (annexation into the City of Florence is pending). In addition, a request for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) was submitted for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone and Florence, Kentucky, which is more particularly described below; and,

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

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

SECTION I

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby recommended for approval, with conditions, this Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane, and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (annexation into the City of Florence is pending). In addition, a request for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) was submitted for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone County and Florence, Kentucky. The real estate which is the subject of this request for Zoning Map Amendments in a Suburban Residential One (SR-1) zone are more particularly described in DEED BOOKS/PAGE NOS. 1081/13, 1097/760, 1095/765, 1090/789, (as supplied by the applicant) as recorded in the Boone County Clerk's office.

SECTION II

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

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

SECTION III

That a copy of this Resolution recommending approval, with conditions, for a Zoning Map Amendment for a zone change from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane,

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and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (annexation into the City of Florence is pending). In addition, a request for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) was submitted for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone and Florence, Kentucky, shall be forwarded to Boone and Florence, Kentucky, having jurisdiction over the property for its action on the recommendation of the Boone County Planning Commission.

PASSED AND APPROVED ON THIS 18TH DAY OF AUGUST, 2021.

APPROVED:



CHARLIE ROLFSEN
CHAIRMAN

ATTEST:



TREVA L. BEAGLE
MANAGER, ADMINISTRATIVE SERVICES

CR/tlb

EXHIBIT

“A”

STAFF REPORT

Request of The Drees Company – Matt Mains (applicant) for Weaver Road Properties, LLC (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane, and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached dwelling units; and the request of The Drees Company – Matt Mains (applicant) for Weaver Road Properties, LLC (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached and detached dwelling units.

July 7, 2021

PROPOSAL AND BACKGROUND

This application is for Zoning Map Amendments for two sites. The first is a change from SR-1 to SR-2/PD for a 3.0733 acre site on the north/east side of Weaver Road adjoining Saddlebrook Farms Subdivision (the "east site"). The second is a change from SR-1 and SR-2 to SR-2/PD for a 16.5410 acre site on the opposite side of the road at 903 Weaver Road (the "west site"). The west site also has frontage on Evergreen Drive. A 10.8 acre portion of the west site is subject to a zone change from SR-1 to SR-2 that was conditionally approved by the Boone County Fiscal Court in 2017 to allow a subdivision for detached single family residences (approval documents are attached). Annexation into the City of Florence is currently pending for both the east and west sites.

A Concept Development Plan was submitted with this request. For the east site, two short streets and six "carriage condominium" buildings which contain 5 units each (30 units total) are shown. The proposed density is 9.76 units per acre. One access point on Weaver Road is indicated. Parking is proposed to be provided in attached garages and in driveways at the individual units. Lot style parking spaces which are perpendicular to the streets are shown in several locations. A landscape concept was provided which labels Buffer Yard A along the east property line and Buffer Yard B along the north property line. A cluster of existing trees is proposed to be retained in the northwest corner of this site. The east site is proposed to contain 1.205 acres of open space (approximately 39% of the site area).

A grid/block configuration is proposed for the street network on the west site. Right-of-

way dedications for two future street connections are proposed along the north boundary. One access point on Weaver Road is shown, which is aligned with the access point for the east site. The west site is proposed to include the following building types:

<u>Carriage Condominiums:</u>	30 units in 5 buildings.
<u>Lifestyle Condominiums:</u>	58 units in 7 buildings.
<u>Townhomes:</u>	20 units in 6 buildings.
<u>Detached single family residences:</u>	2 units on Evergreen Drive.

A total of 110 units with a density of 6.65 units per acre is proposed for the west site. Parking is proposed to be provided in attached garages and in driveways at the individual units. Lot style parking spaces which are perpendicular to the streets are shown in several locations. The landscape concept labels Buffer Yard A along the east part of the north boundary and Buffer Yard B along the west part of the north boundary, in the west open space area (immediately behind the proposed detached single family residences), and along the south boundary. Large clusters of existing trees are proposed to be retained along the Weaver Road frontage and in the open space area in the west part of the site. An amenity area which includes a dog park and a "small playground" is shown in the southeast part of the site. The west site is proposed to contain 7.255 acres of open space (approximately 44% of the site area).

Prototypical front elevations of the proposed attached dwelling buildings are attached. The townhomes are one story structures and the carriage condominiums and lifestyle condominiums are two story structures. All are pitched roof buildings which have secondary gables/roof massings/dormers and use a combination of masonry and siding.

A total of 140 units are proposed for both sites combined (7.14 units per acre). The total open space proposed is 8.46 acres (approximately 43% of the combined site area). The streets are proposed to follow the "residential condominium street" standard in the Boone County Subdivision Regulations (public roads which are 24' wide within 26' rights-of-way). Sidewalks are proposed along one side of all streets. The detention basin locations are depicted on the concept grading plan.

The application materials, including the Concept Development Plan set, architectural concepts, and narrative, are attached. A Traffic Impact Study has not been submitted to date.

ADJACENT LAND USES AND ZONING

The land uses and zoning adjoining the east site include the following:

- A. Detached single family residences are located to the north (Saddlebrook Farms Subdivision; SR-2/PD).
- B. Townhouse style condominiums are located to the east (Saddlebrook Farms Subdivision; SR-2/PD).
- C. A wooded area is located to the south/southeast (UR-2).
- D. Detached single family residences on larger tracts (SR-1 and SR-2), including the "west site," and an office building (C-2), are located to the west on the opposite side of Weaver Road.

The land uses and zoning adjoining the west site include the following:

- A. An office building is located to the north along Weaver Road (C-2) and detached single family residences are located to the north along Evergreen Drive (SR-1). A development of ranch style attached dwelling units is located further to the north and spans between Weaver Road and Evergreen Drive (Villages of Weaver Mill; UR-2).
- B. A vacant tract is located to the east on the opposite side of Weaver Road (the "east site"; SR-1).
- C. Detached single family residences on acreage tracts are located to the immediate south and detached single family residences on subdivision style lots are located further to the south along Clover Hill Road (SR-1).
- D. Detached single family residences are located to the west, northwest, and southwest along Evergreen Drive, Grace Drive, and Mary Lou Drive (SR-1).

SITE CHARACTERISTICS

The east site contains 3.0733 acres and has approximately 725 feet of frontage on Weaver Road. It contains no structures and has tree cover around the majority of the perimeter. The topography generally slopes from east to west. The high point is in the northeast corner of the site at approximately el 904 and the low point is along the Weaver Road frontage at approximately el 880.

The west site contains 16.5410 acres. It has approximately 1,075 feet of frontage on Weaver Road and approximately 175 feet of frontage on Evergreen Drive. It contains a detached single family residence, a historic detached single family residence which has been substantially salvaged, and a detached structure. This site wraps around the adjoining lot and house at 919 Weaver Road on three sides. The site contains a north-south running ridge in the approximate center and north-south running valleys in both the east and west parts. The high point is in the northeast corner of the site at approximately el 902 and the low point is in the southwest corner at approximately el 856.

Soil types on both sites include Jessup silt loam (JeD) and Rossmoyne silt loam (RsB, RsC). A City of Florence water main exists along Weaver Road and a Boone County Water District water main exists along Evergreen Drive. City of Florence sanitary sewer mains exist in several locations around the east site and a Sanitation District 1 sanitary sewer main exists in the west part of the west site. Section 3210 "Functional Roadway Classification" of the Boone County Zoning Regulations identifies Weaver Road as an arterial roadway. The Planning Commission's GIS system identifies Evergreen Drive as a local roadway.

RELATIONSHIP TO COMPREHENSIVE PLAN

The Our Boone County – Plan 2040's Future Land Use Map designates the east site as "Suburban Density Residential" (SD). This designation is described as "single family housing of up to four units per acre." The Future Land Use Map designates the west site as "High Suburban Density Residential" (HSD). This designation is described as "single-family and/or attached housing of up to 8 dwelling units per acre. This classification is typified by townhouse, condominium, and zero-lot line development, and also pertains to existing mobile home parks."

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

- A. The area south of the Saddlebrook Farms Subdivision, along Weaver Road, has developed in an Urban Density Residential manner consistent with this subdivision, with adequate buffering for adjacent to single-family residential uses. The expansion of sanitary sewer lines on Evergreen Road will serve infill sites as well as those who are not currently on public sewer ("16. Florence South," p. 129).
- B. Vehicle stacking problems during rush hours and conflicting left turn movements have become significant problems along the U.S. 42 corridor between the Weaver Road/Hopeful Church and Pleasant Valley Road intersections. The new "jug-handle" intersection design for Weaver Road and U.S. 42 will hopefully address some of these issues. Frontage road and interconnecting parking lots are necessary here to allow vehicles to access existing and future traffic signals.

Access to Weaver Road should be implemented through redevelopment of the former Boone Kenton Warehouse site and adjacent parcels as well as well-planned access to U.S. 42. If improvements are made to Gunpowder Road from U.S. 42 to Mt. Zion Road, more intense land uses could be examined for the property behind Wentz Drive as well as the possibility of having access to Gunpowder Road. If commercial development occurs in this area, it should primarily be accessed from U.S. 42. In addition, improvements to pedestrian access along Weaver Road should be a top priority of the State when making improvements to the road network.

The vacant parcel on Weaver Road between the Grammas strip center and the Weaver Road fire station should develop as a low traffic professional office use. This part of Weaver Road is not suitable for commercial driveway access. In addition, a connector road should be completed from Mt. Zion Road to Weaver Road along the west side of I-75. South of this area should remain Suburban Density Residential in nature. Existing tree stands should be preserved to establish the contrast of this area from the Northern Kentucky Industrial Park, and to decrease noise impacts of I-75 and the airport ("16. Florence South," p. 130).

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

- A. Developments in Boone County should begin with an assessment of existing site features to determine positive and useful attributes, as well as features that should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," p. 95).
- B. Different residential development densities can occur in Boone County as long as the development is designed in a proper manner and the infrastructure exists (or is planned) to support the development. Fluctuations in the economy and housing market should be considered when evaluating uses and design of developments ("Development Layout, Lot Sizes, and Setbacks," p. 95).
- C. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts should be an integral part of the design of proposed projects; where appropriate, existing site features should be used in meeting this guideline.

Developments should provide buffering along public roadways, to soften the visual impact. Appropriate wooded areas and stream valleys should remain as open space within developments and between developments ("Buffering," p. 95).

- D. Developments in Boone County must include landscaping to accompany the proposed project. Retention of existing healthy vegetation is considered a component of landscaping and is encouraged. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas, as well as within open spaces and around structures. Landscaping is intended to soften the visual impacts of the development from adjoining properties and roadways ("Landscaping," p. 96).
- E. Developments along major roadways in Boone County must include landscaping between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," p. 96).
- F. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and sight distance for access points, adequate spacing between access points, shared access points and parking facilities, provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterial or collector streets should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial street system ("Access Management," p. 96).
- G. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets. The traditional grid system can provide an alternative to typical suburban design. Parallel and frontage roads should be used to minimize impacts of individual sites on collector and arterial roadways ("Transportation and Pedestrian Network," p. 97).
- H. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but also connections to adjoining uses where appropriate so commuters will not be forced to rely on just a few main roads to reach their destination, but rather have multiple options; thus reducing

traffic congestion. In addition, public open space and recreation sites should be connected to each other by bicycle and pedestrian paths where appropriate ("Transportation and Pedestrian Network," p. 97).

- I. Developments in Boone County should give consideration to the overall design of the area. Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts of signs on the visual appearance of a development or corridor. Utility lines should be placed underground wherever possible, and junction boxes screened from public view ("Design, Signs, and Cultural Resource Preservation," p. 97).

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

- A. It is clear that Boone County's population will continue to grow older. Therefore, appropriate housing must be provided for the growing elderly population near transit, commercial areas, and public facilities and be consistent with the desires of that segment of the population. This can be addressed by providing multi-family dwellings such as apartments, condominiums, assisted living complexes, and even smaller 1-story single family homes or "granny flat" accessory units to single family homes.

Furthermore, by continuing to monitor the composition of the population, Boone County will be more prepared to provide proper and adequate amenities that encourage them to stay in the county rather than moving elsewhere for their needs to be met. Knowing the makeup of the population will assist in providing the appropriate housing, employment, and retail shopping opportunities to meet their needs at the countywide level as well as within specific areas within the county as development plans and zone change requests are reviewed ("Identify the Needs of the Population," p. 19).

- B. A variety of multi-family housing options should include apartments, townhouses, patio homes, condominiums, nursing homes, and retirement housing all ranging greatly in price per unit to accommodate a wide range of relative affordability. These types of units are increasing in demand beyond the established urban areas such as Florence and should be encouraged to occur in the unincorporated portions of Boone County as viable options for both the building community and the prospective resident, especially as the county's land values rise ("Housing Types and Locations," p. 19).

- C. New residential development, regardless of the type, should be evaluated for its impact on the county's existing infrastructure and natural environment to ensure that it fits in with existing surrounding development through proper buffering and design. High density developments should be close to thoroughfares and urban services and be sensitively developed in terms of building height, setbacks, mass, and visual impact. A variety of housing opportunities within the established urban (and suburban) areas of Boone County would encourage mixing of different income levels. Most new construction of typical single-family housing should be encouraged to occur within undeveloped areas within the established suburban portion of the county in order to take advantage of existing infrastructure and services already in place and avoid placing strain on the more rural transportation network in the undeveloped portions of the county. Consideration must be given to existing conditions that may affect new development in established areas such as adjoining land uses and proximity to the Cincinnati-Northern Kentucky International Airport where commerce and airplane noise may be an issue.

Established single-family housing areas should not experience an influx of multi-family or duplex construction unless adequate buffering or proper development design can be provided to ease the transition. Duplexes are often more successful than multi-family housing in blending in with single-family residential surroundings. Therefore, when buffering is minimal between single-family housing areas and proposed multi-family units, an appropriate transitional area of duplexes may be designed. New subdivision development should include design considerations and gradation of lot sizes to lessen the impact on the character of the area ("Housing Types and Locations," pp. 19-20).

- D. A progression of densities of residential uses from high (multi-family) to low (single family) shall be encouraged. Where traditional progressions of high to low net density are not possible through creative development design, an appropriate and attractive visual transition should be achieved. This could include existing vegetation or new landscaping and/or fencing. Existing vegetation (such as wooded fence rows) should be retained as much as possible to provide buffer strips and stormwater filters ("Housing Types and Locations," p. 20).
- E. In order to support the densities needed to sustain mass transit and to foster new affordable housing options, average minimum densities should be encouraged for mixed-use, planned developments. This would allow a variety of housing types but also enable a logical progression of intensities. The highest residential densities would be in the activity centers of these mixed-use developments and would include neighborhood commercial, employment, public uses, as well as transit stations or stops ("Housing Types and Locations," p. 20).

- F. The demand for more affordable residences, generated by the commercial and industrial employment growth centers, has resulted in the development of many new condominium and apartment complexes. However, attempts at more affordable new construction single-family or apartment developments are often met with localized resistance from the public. Creative site design and architecture can help overcome some of this opposition ("Affordability," p. 20).
- G. In conclusion, it is essential that the makeup of Boone County's population be accurately identified in order to make sure that all resident needs and housing opportunities are met and balanced with affordability, proximity to employment and commercial centers, access to educational resources, and proximity to public transportation as needed.(p. 21).

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

- A. Mixing of residential and other land uses shall be encouraged where appropriate ("Overall," Objective 2).
- B. Boone County shall strive to achieve diversity and balance in land use while protecting natural resources and natural systems ("Overall," Objective 3).
- C. Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population ("Demographics," Goal A, Objective 3).
- D. Provide appropriate services, housing, employment, and shopping opportunities in order to meet the needs of the population in all geographic areas of the County ("Demographics," Goal A, Objective 4).
- E. A broad range of housing opportunities shall be provided to meet the needs and desires of all household types and shall be balanced with affordability, employment centers, commercial areas, and educational needs. The City of Florence acknowledges the need for affordable housing opportunities, but also desires an equal balance of housing options to maintain a diverse city ("Demographics," Goal B, Objective 1).
- F. Residential developments shall be evaluated for impact on infrastructure, environment, health and safety considerations, buffering, and design with secondary consideration given to dwelling unit type and density ("Demographics," Goal B, Objective 4).

- G. Mixed use, higher density neighborhoods shall be encouraged near existing or proposed transportation nodes and shall be designed to establish neighborhoods with a mix of retail, public, and recreational uses ("Demographics," Goal B, Objective 6).
- H. Residential developments shall be encouraged to plan and build in a manner compatible with the general housing density and design planned for the area, with the existing conditions of the site, and significant site features ("Demographics," Goal B, Objective 8).
- I. Housing development shall be phased to coordinate with the provision of infrastructure, services, and education facilities ("Demographics," Goal B, Objective 8).
- J. Development shall utilize existing topography and vegetation (including mature trees) and preserve the existing character of the land ("Environment," Objective 7).
- K. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions ("Transportation," Goal A, Objective 1).
- L. Development of mixed use designed to lessen vehicle travel shall be encouraged ("Transportation," Goal A, Objective 8).
- M. New connector streets shall be developed where needed and feasible to lessen the dependence on arterial, collector, and local streets ("Transportation," Goal B, Objective 5).
- O. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops ("Transportation," Goal B, Objective 6).
- P. Mixed use, higher density neighborhoods shall be designed to accommodate safe pedestrian access to mass transit, major streets and interstates, public facilities, and parks ("Transportation," Goal B, Objective 8).
- Q. Developers of planned, mixed-use neighborhoods shall design such projects so that residential, retail, office, and compatible light-industrial land uses can be served by transit stations or stops, pedestrian and bicycle facilities, open space, and public uses ("Transportation," Goal C, Objective 4).

BOONE COUNTY TRANSPORTATION PLAN

The Boone County Transportation Plan includes the following projects that are in the general area.

US 42 Adaptive Signal Control Improvements (Tier 1)

Location: KY 237 (Pleasant Valley Road) to Ewing Boulevard

Type: Traffic Operations

Total Cost: \$820,000

Description: Perform a signal timing and coordination study to examine the existing signal system and potential benefit of introducing adaptive signal controls. Install improvements as recommended.

KY 842 (Richardson Road) Widening and US 25 Intersection Improvements (Tier 2)

Location: US 25 (Dixie Highway) to Boone County Line

Type: Roadway Maintenance/Reconstruction

Total Cost: \$6,030,000

Description: Improve safety and operations at the intersection of KY 842 (Richardson Road) and US 25 (Dixie Highway) and widen KY 842 from west of US 25 to the Boone County Line. Include multi-use paths along both sides of the roadway.

US 25 Widening (Unscheduled Need)

Location: Winning Colors Drive to the bridge over the Norfolk Railroad Crossing

Type: Roadway Widening/Relocation/New Facility

Total Cost: \$47,800,000

Description: Widen US 25 from two to four lanes with multi-use path to improve mobility and reduce congestion. Project does not include the railroad grade separation at KY 536.

STAFF COMMENTS

1. COMPREHENSIVE PLAN AND STATUTORY FINDINGS

The Planning Commission and Florence City Council need to consider the Comprehensive Plan as it relates to this request (cf., Planned Development Criterion #11 in Section 1514 of the Boone County Zoning Regulations). The Our Boone County – Plan 2040's Future Land Use Map designates the east site as "Suburban Density Residential" (SD). This designation is described as "single family housing of up to four units per acre." The Future Land Use Map designates the west site as "High Suburban Density Residential" (HSD). This designation is described as "single-family and/or attached housing of up to 8 dwelling units per acre. This classification is typified by townhouse, condominium, and zero-lot line development, and also pertains to existing mobile home parks."

"Carriage condominium" buildings are proposed on the east site with a density of 9.76 acres. A combination of "carriage condominiums," "lifestyle condominiums," one story townhomes, and detached single family residences are proposed on the west site with a density of 6.65 units per acre. The overall density for the east and west sites combined is 7.14 units per acre. The SR-2 zone permits a maximum density of 8 dwelling units per acre. Per Section 1500 of the zoning regulations, the intensity/density in the Planned Development overlay zone may exceed the maximum permitted by the underlying zone by up to 50 percent (12 units per acre maximum in this instance).

The Land Use Element does not discuss this specific site, but it discusses the area at large. Relative to the Weaver Road area, the "16. Florence South" section states:

- A. The area south of the Saddlebrook Farms Subdivision, along Weaver Road, has developed in an Urban Density Residential manner consistent with this subdivision, with adequate buffering for adjacent to single-family residential uses. The expansion of sanitary sewer lines on Evergreen Road will serve infill sites as well as those who are not currently on public sewer (p. 129).
- B. The vacant parcel on Weaver Road between the Grammas strip center and the Weaver Road fire station should develop as a low traffic professional office use. This part of Weaver Road is not suitable for commercial driveway access. In addition, a connector road should be completed from Mt. Zion Road to Weaver Road along the west side of I-75. South of this area should remain Suburban Density Residential in nature. Existing tree stands should be preserved to establish the contrast of this area from the Northern

Kentucky Industrial Park, and to decrease noise impacts of I-75 and the airport (p. 130).

The "Housing Types and Locations" section of the Our Boone County – Plan 2040's Demographics Element includes the following key sections which pertain to the provision and arrangement of multi-family housing.

- A. A variety of multi-family housing options should include apartments, townhouses, patio homes, condominiums, nursing homes, and retirement housing all ranging greatly in price per unit to accommodate a wide range of relative affordability. These types of units are increasing in demand beyond the established urban areas such as Florence and should be encouraged to occur in the unincorporated portions of Boone County as viable options for both the building community and the prospective resident, especially as the county's land values rise (p. 19).
- B. New residential development, regardless of the type, should be evaluated for its impact on the county's existing infrastructure and natural environment to ensure that it fits in with existing surrounding development through proper buffering and design. High density developments should be close to thoroughfares and urban services and be sensitively developed in terms of building height, setbacks, mass, and visual impact (p. 19).
- C. A progression of densities of residential uses from high (multi-family) to low (single family) shall be encouraged. Where traditional progressions of high to low net density are not possible through creative development design, an appropriate and attractive visual transition should be achieved. This could include existing vegetation or new landscaping and/or fencing. Existing vegetation (such as wooded fence rows) should be retained as much as possible to provide buffer strips and stormwater filters (p. 20).

Several of these statements are reinforced by the Comprehensive Plan's Goals and Objectives which are outlined in the body of this report, including providing opportunities for varying types of dwelling units. Proper buffering, the retention of existing vegetation, and overall design are also mentioned in the Goals and Objectives and the Future Land Use Development Guidelines.

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

substantially alter the area's character.

2. PD OVERLAY ZONE CRITERIA

Staff offers the following comments regarding the standards set forth in Section 1514 "Planned Development Criteria" of the Boone County Zoning Regulations. Concept Development Plan proposals in Planned Developments are to be primarily evaluated against these criteria.

1. Mixed Use Development and Pedestrian Orientation: This criterion states, "Planned developments shall generally have a mixed use orientation (combination of differing types of residential, commercial, public or civic, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites."

One type of attached dwelling structure is proposed for the east site. The existing conditions of this tract (tract size, shape, and location) do not lend themselves to the creation of a true mixed use development, however, the proposed structures are similar to those which immediately adjoin this site in Saddlebrook Farms Subdivision to the east.

Three types of attached dwelling structures, and two lots for detached single family residences along Evergreen Drive, are proposed for the west site. Though not a mixed use development per se, the proposal for this site would diversify uses in the immediate vicinity. Staff's larger concern for both sites is the compatibility of the project with the surrounding area versus whether it can be fully deemed "mixed use."

This criterion also states, "In general, planned developments shall have a pedestrian orientation, where it is possible to live, work, shop, and play in the same immediate vicinity without a required dependence on the automobile." Sidewalks are proposed on one side of the development's streets. Per Section 305.Q "Sidewalks" of the subdivision regulations, sidewalks are required on both sides of all streets.

The sidewalks along the main entry streets for both sites are shown stopping at the right-of-way. They will be need to be extended to or near the pavement for Weaver Road, or future public sidewalks along said road. The 2017 Concept Development Plan for a 10.8 acre portion of the west site included a sidewalk along that site's Weaver Road frontage, and a sidewalk in/along the Weaver Road right-of-way was constructed as part of the nearby Villages of Weaver Mill project. Similarly, the provision of sidewalks along the Weaver Road frontages of both sites

should be considered. Other than along street connections to adjoining properties, Staff has not identified any pedestrian connections to adjoining sites that would be advantageous and/or viable.

2. Compatibility of Uses: This criterion states that "measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent sites." The main compatibility issue identified by Staff is the perimeter landscaping/buffering, including the Weaver Road frontages. A concept landscape plan was provided.

With the exception of a cluster of existing trees that is proposed to be retained in the northwest corner of the east site, the entire tract is proposed to be graded. Landscaping from Buffer Yard A is noted along the east property line adjoining townhouse units and landscaping from Buffer Yard B is noted along the north property line adjoining detached single family residences. Due to the additional density proposed for this site, Staff recommends that both of these buffer yards be enhanced by using mostly a mix of large evergreen trees which, where space is limited, can be substituted for a portion of the normally required shrubs and small ornamental trees. Due to the lack of existing vegetation to be retained and the close proximity of the improvements to the road, Staff recommends that landscaping from Buffer Yard B be provided along the portion of the east site's Weaver Road frontage that is south of the main entry street.

Significant areas of existing vegetation are proposed to be retained on the west site. Buffer Yard A is noted along the east part of the north boundary and Buffer Yard B is noted along the west part of the north boundary, in the west open space area (immediately behind the proposed detached single family residences), and along the south boundary (one story "townhomes" are proposed along the south boundary). Per Section 3645 "Buffer Yards" of the zoning regulations, Buffer Yard B is required along the east part of the north boundary adjoining a C-2 zone and Buffer Yard C is required in the areas where Buffer Yard B is noted, and around the outparcel containing the residence at 919 Weaver Road (the required width for Buffer Yard B or C is not met at several points around this outparcel).

Landscaping is required around the entire perimeter of both sites. Healthy, mature vegetation which is retained can be credited towards the requirements. Unless exceptions are approved through this process per Section 1500 "Intent" (PD overlay zone) of the zoning regulations, all applicable requirements of Article 36 "Landscaping" will need to be met. Staff recommends that the applicant prepare a more detailed landscape concept which addresses the issues noted above for the Zone Change Committee to consider.

The applicant should explain the intended lighting for the project to verify that there will be no undue sources of light pollution on the site. Since the streets are proposed to be publicly dedicated, street lights are required per Section 305.D "Street Lights" of the subdivision regulations.

3. Open Space: This criterion states, "Useable open space(s), in an amount over and above setback and buffer yard areas and open areas required by the underlying zone, shall be provided. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts or other athletic and recreational areas, outdoor areas for the display of sculptural elements, etc."

The east site is proposed to contain 1.205 acres of open space (approximately 39% of the site area). The west site is proposed to contain 7.255 acres of open space (approximately 44% of the site area). The total open space proposed is 8.46 acres (approximately 43% of the combined site area). As stated above, a substantial amount of existing vegetation is proposed to be retained on the west site. An amenity area which includes a dog park, a "small playground," and a path to the street network is proposed in the southeast part of the west site. Staff recommends that additional paths be considered for the open space areas in the east and west portions of the west site.

4. Multi-Modal Transportation System: Sidewalks are discussed under #1 above. Bike racks are required by Section 3327 "Pedestrian/Bicycle Improvements" of the zoning regulations.

5. Preservation of Existing Site Features: Existing vegetation that is proposed to be retained is shown on the concept landscape plan. The largest of these areas, which is in the west part of the west site, scales to approximately 210 feet by 400 feet at the widest points.

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

7. Architecture: This criterion states, "Sites which are subject to architectural requirements through adopted overlay districts or land use studies shall follow said requirements. For all other sites, a consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it." This criterion also states, "For attached or multi-family residential developments and commercial or office developments, the predominant building materials shall have a solid appearance, such as could be achieved with brick, stone, and architectural grade cast concrete products designed to replicate natural materials."

Prototypical front elevations of the proposed attached dwelling buildings are attached. The townhomes are one story structures and the carriage condominiums and lifestyle condominiums are two story structures. All are pitched roof buildings which have secondary gables/roof massings/dormers and use a combination of masonry and siding.

Based on the wording of this criterion, Staff recommends that additional masonry be provided on the townhome prototype. As submitted, the only masonry is a low water table. Elevations for the side and rear facades were not provided for any of the three prototypes. To avoid the creation of utilitarian or comparatively unfinished facades, Staff recommends that the side and rear facades of all attached dwelling prototypes use the same basic detailing and proportions of materials as the front elevations. Due to their visibility, this is especially important for the structures on the east site and Buildings 7, 8, and 16 through 20 on the west site.

8. Historic and Prehistoric Features: Matt Becher, Rural/Open Space Planner, has commented:

The log house (Simeon Tanner House) on the property was recently salvaged by the Wainscotts, who are rebuilding it on their property near Petersburg. However, while they were on site, the property owner gave them the headstone of a 14-month old boy (James Benson Tucker - see attached) buried somewhere on the property in 1842. While James' parents and at least 2 of the 5 other known children were buried in Highland Cemetery, they do not know whether James (and perhaps some others) were buried near the house or elsewhere on the farm.

In discussing this with Historic Preservation Board chair Bridget Striker, we feel a condition requiring an archaeologist to research the cemetery and survey the parcel is wise. We can talk about specifics of what exactly that may include.

These comments have been forwarded to the applicant who has engaged an archaeologist to investigate the possibility of any graves on this site. The applicant should provide a status report for the Planning Commission.

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

signage design guidelines is required for multi-phased projects."

An "entry monument" is shown on the Concept Development Plan at the entrance to the west site. No details regarding this sign were provided. Section 3410 "Entrance Signs Requiring a Permit" of the zoning regulations permits one entrance monument sign that is up to 100 square feet or two entrance monument signs that are up to 50 square feet each. Under either scenario, the maximum height is 8 feet. Staff recommends that any entrance sign(s) follow the requirements of Section 3410 and "visually correlate to the planned architectural theme by the use of consistent design details, materials, and colors" per this criterion.

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

Two street connections are shown along the north boundary of the west site. The first connects to the parking lot at the Kentucky Farm Bureau office building along Weaver Road (C-2 zone) and the other connects to the rear yard areas of residences which are to the north along Evergreen Drive (SR-1 zone, designated as Suburban Density Residential on the 2040 Future Land Use Map).

The 2017 Concept Development Plan for a 10.8 portion of the west site included an east-west connection with traffic calming improvements between Weaver Road and Evergreen Drive, and a north-south connection which was intended to connect with Clover Hill Road to the south. Rob Franxman, P.E., Boone County Engineer, commented that it's his preference to not have a street connection to Evergreen Drive. He also recommended that the two lots for detached single family residences on Evergreen Drive share a curb cut (6/10/21 email is attached).

Staff recommends that the governing bodies further evaluate a north-south route that would eventually connect to Clover Hill Road (approximately 360 feet to the south), similar to the 2017 Concept Development Plan. The intervening tracts contain three existing residences and roughly 13 acres, are zoned SR-1, and are designated by the 2040 Future Land Use Map as partly Suburban Density Residential and partly High Suburban Density Residential. This connection would provide another means of ingress/egress for the west site, the eventual

development of the 13 acre area to the immediate south, and the existing residences along Clover Hill Road. From an overall network standpoint, Staff sees greater value in a connection to Clover Hill Road to the south than the two connections to the north that are shown on the proposed Concept Development Plan.

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

3. OUTSIDE AGENCY COMMENTS

- A. Randy Childress, Florence Fire Marshal, has stated that he has no comments on this application.
- B. James Minckley, P.E., Branch Manager – Engineering Support for the Kentucky Transportation Cabinet, District 6, has provided the following comments:
 - i. This section of Weaver is partially controlled access. Access is allowed only at locations where a designated break in access control is shown on the KYTC highway plans.
 - ii. A traffic impact study will be required.
 - iii. Turn lane requirements to be determined by traffic impact study.
- C. Josh Hunt, Director of Business & Community Development for the City of Florence, commented:

All in all, I am in favor of the project. I know they're working with KYTC on required improvements to Weaver. I am curious to see if a connection to Evergreen would be a requirement or how that was handled when Andy Ammon previously submitted. Most of my comments are utility and site detail related, the City will address those issues at a later time.

The applicant should explain the status of the Traffic Impact Study, and any preliminary traffic related conclusions, for the governing bodies to consider.

- D. Staff has requested comments on the proposal from Boone County Schools. Such comments have not been received as of this writing. Any written comments received from the School District will be forwarded to the Zone Change Committee for review.

4. SITE PLAN AND SUBDIVISION STANDARDS

For the applicant's information, an exhaustive site plan type review was not conducted due to the conceptual nature of the proposal. However, Staff has identified several specific requirements that will need to be addressed. Unless exceptions are approved through the zone change process per Section 1500 "Intent" (PD overlay zone) of the zoning regulations, the project will need to meet all applicable standards at the Site Plan and Subdivision review stages.

CONCLUSION

The Boone County Planning Commission and the Florence City Council need to evaluate this application in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3 "Amendment" of the Boone County Zoning Regulations, Article 15 "Planned Development District" of the Boone County Zoning Regulations, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will need to be amended if this request is approved.

Respectfully submitted,



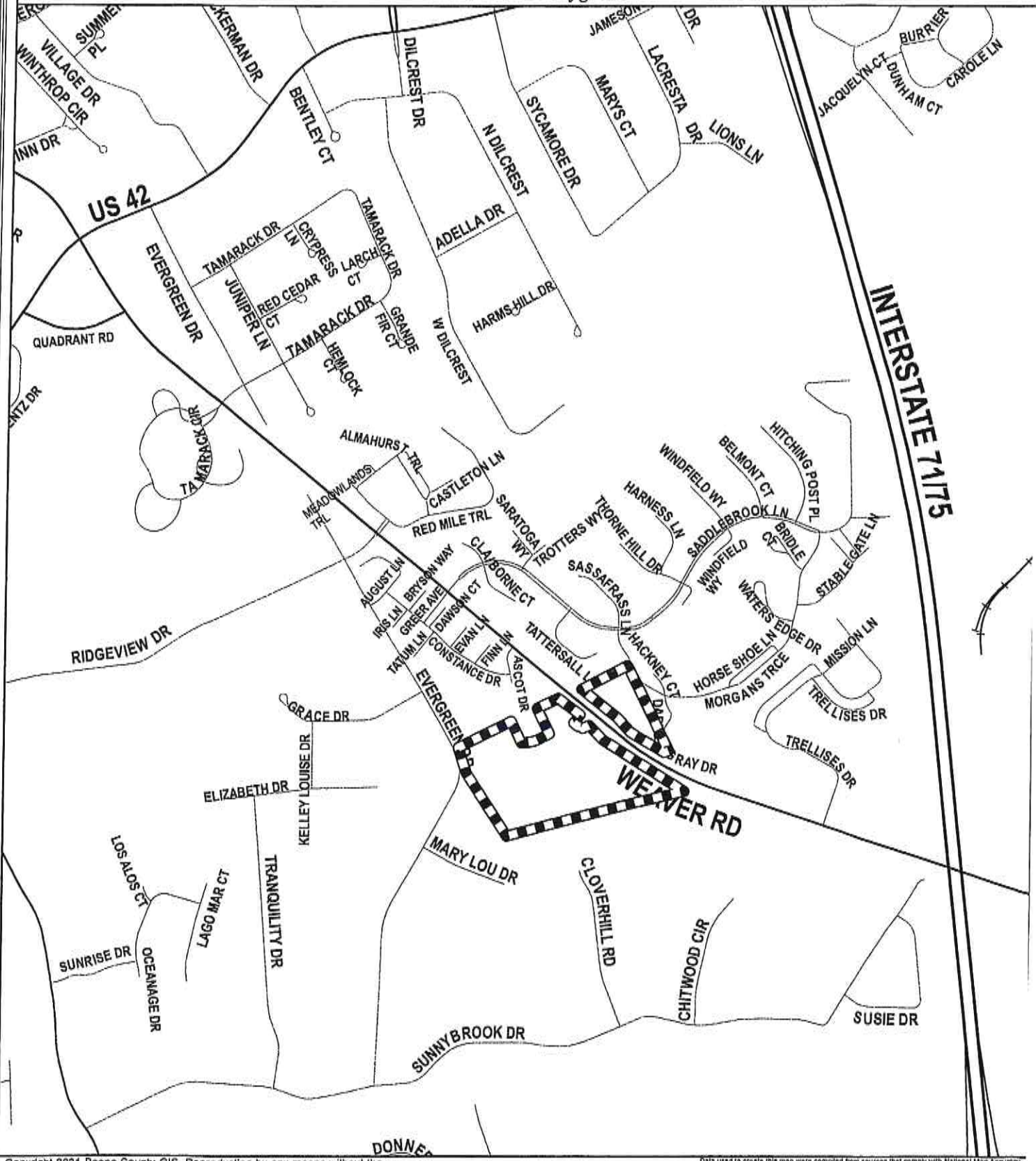
Kevin T. Wall, AICP
Director, Zoning Services

Attachments:

- Location map
- Air photo map w/ zoning
- 2040 Future Land Use map excerpt
- Natural Features map
- 4/5/17 Committee Report, Concept Development Plan, and Ordinance No. 2017-10 for Ament/Weaver Road Properties Zone Change
- 6/10/21 e-mail from Rob Franxman, P.E., Boone County Engineer
- Application materials including Concept Development Plan and narrative

Location

www.boonecountygis.com



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1 inch = 917 feet

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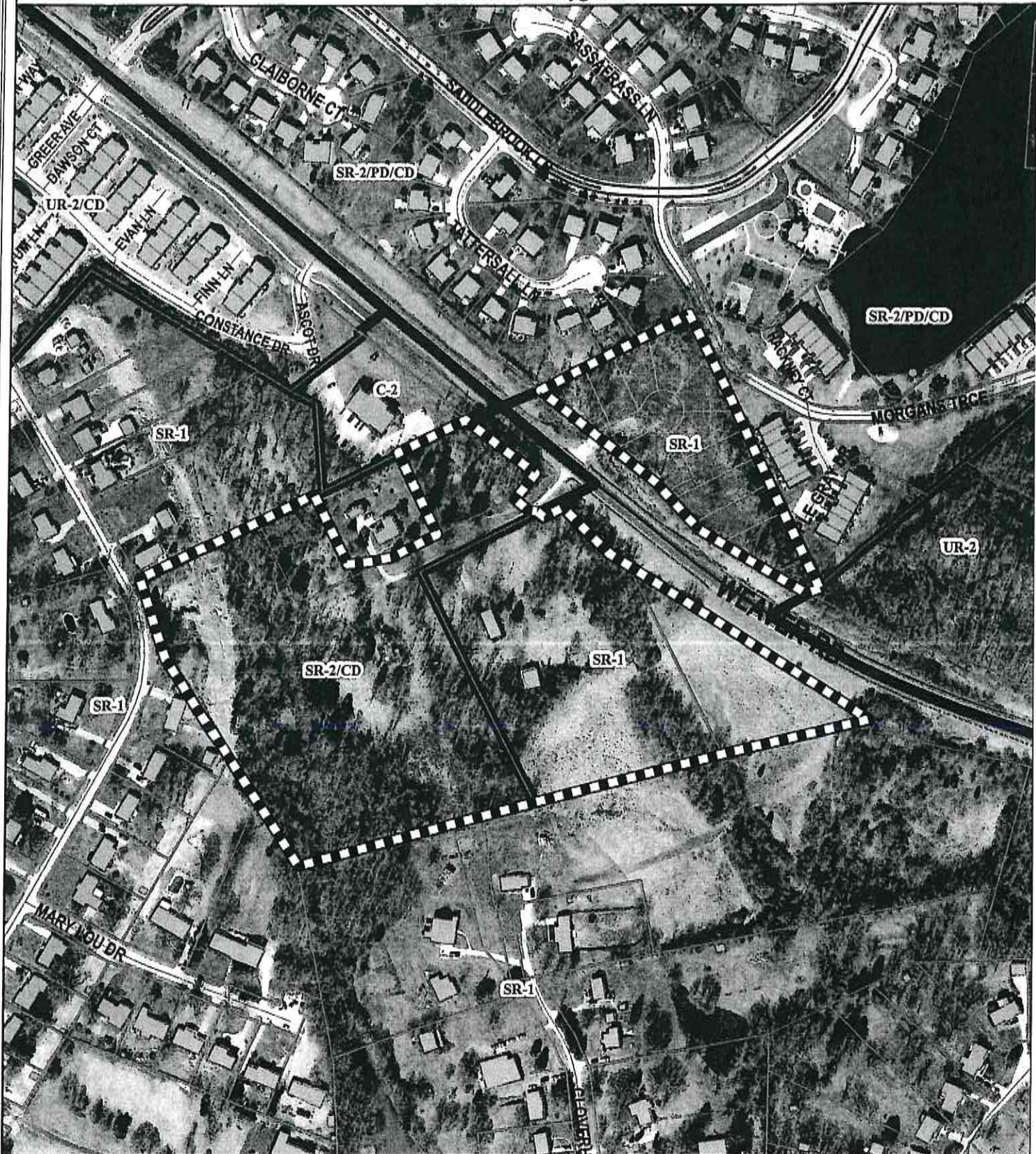


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Map Document: *.mxd

Zoning

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1 inch = 283 feet

Boone County GIS - Putting Northern Kentucky on the Map

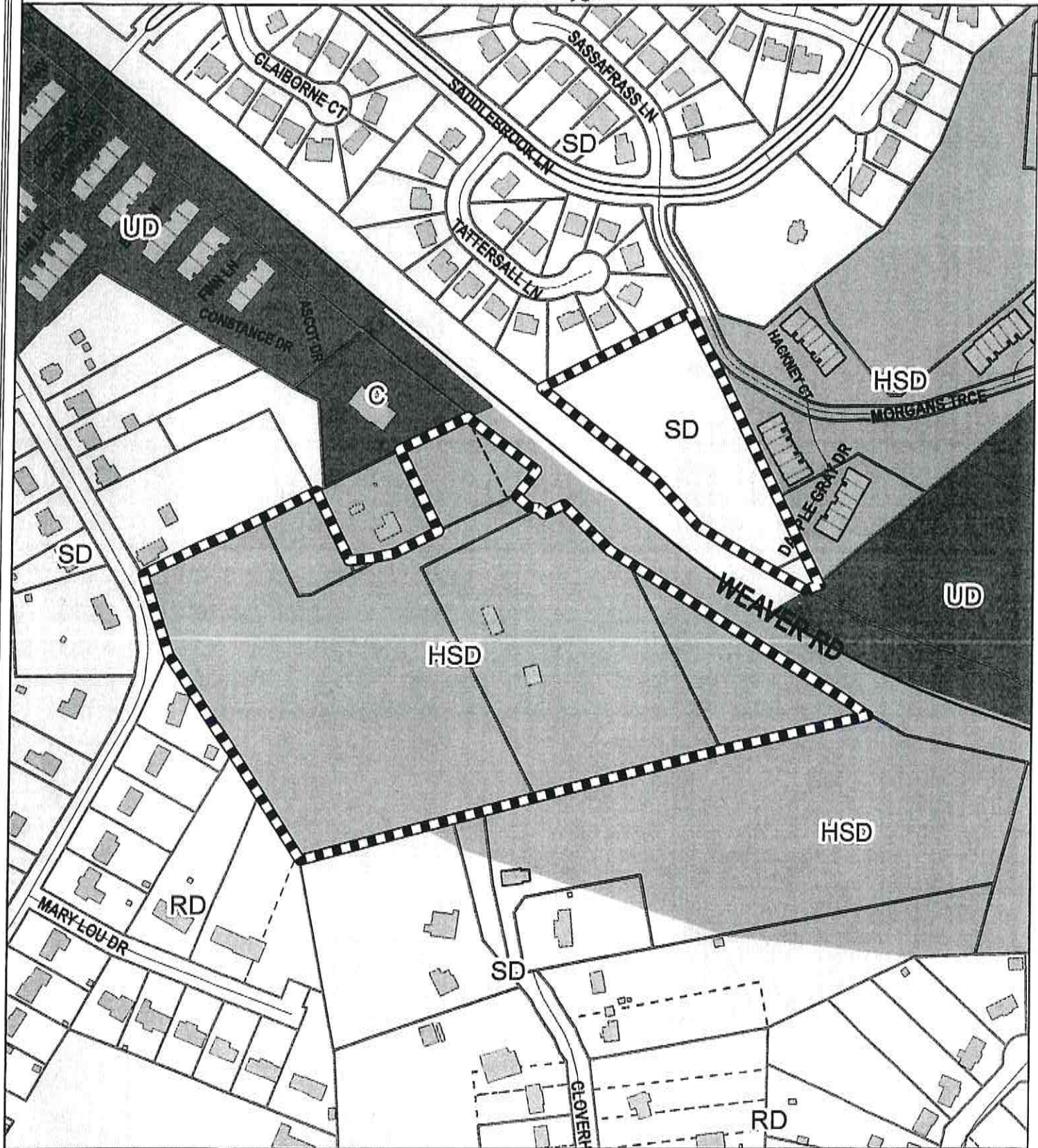


Map Created: 10/10/2021

ArchMap Document: *.mxd

2040 Future Land Use

www.boonecountygis.com



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Boone County GIS - Putting Northern Kentucky on the Map

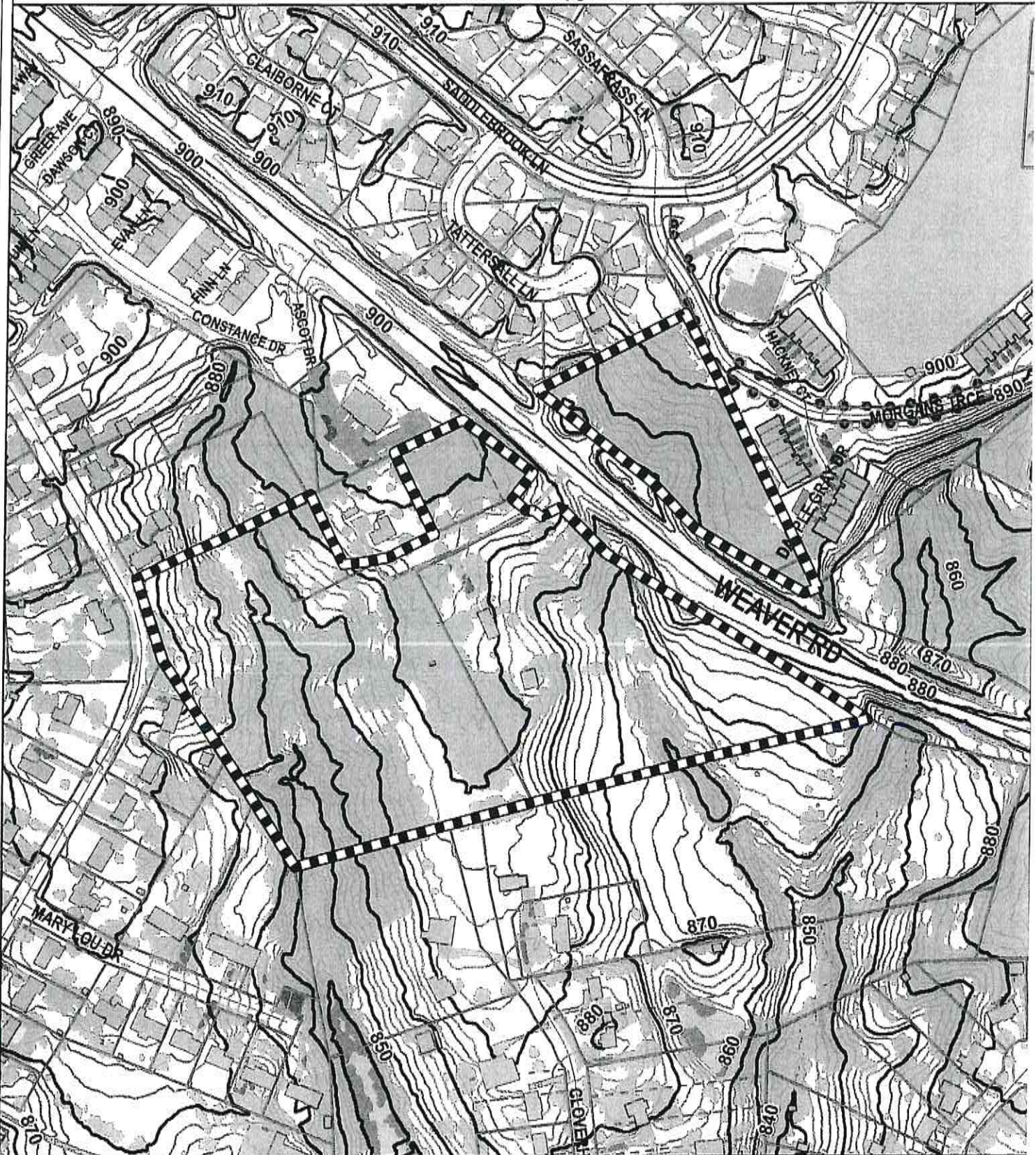
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ArcMap Document: *.mxd

Natural Features

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1 inch = 283 feet

Boone County GIS - Putting Northern Kentucky on the Map



Map Created: 5/10/2021

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ArcMap Document: *.mxd

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Kim Patton, Chairman

DATE: April 5, 2017

RE: Request of **Andrew R. Ament (applicant)** for **Weaver Road Properties, LLC (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential Two (SR-2) for an approximate 10.8 acre site located at 919 Weaver Road and along the east side of Evergreen Drive between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky. The request is for a zone change to allow a subdivision for detached single family residences.

REMARKS:

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

FINDINGS OF FACT

1. The Committee has concluded that the proposed Zoning Map Amendment is in agreement with the 2010 Boone County Comprehensive Plan due to the following reasons.
 - A. The 2010 Boone County Comprehensive Plan's Future Land Use Map designates the majority of the site for "Suburban Residential" (SR) uses. An incidental part of the site in the northeast corner along Weaver Road is designated for "Commercial" (C) uses. The Suburban Residential designation is described as "single family housing of up to four units per acre. This classification does not preclude low density or estate residential developed as a formal subdivision."

The Land Use Element ("5. Gunpowder," p. 169) states "the vacant parcel on Weaver Road between the Grammas strip center and the Weaver Road fire station should develop as a low traffic professional office use. This part of Weaver Road is not suitable for commercial driveway access. In addition, a connector road should be completed from Mt. Zion Road to Weaver Road along the west side of I-75. South of this area should remain Suburban Density Residential in nature." The proposal is for a subdivision of detached single family residences. Per the agreed conditions, the overall density for the development will be capped at 4.02 gross units per acre (42 total building lots), which is in agreement with the Future Land Use Map and the Land Use Element text. In order to accurately determine the density for this site, the applicant clarified that the site contains 10.441 acres.

- B. The Housing Element ("Union/West Florence/West Richwood Area," p. 84) states "future development in this area should be sensitively designed to minimize impact on existing low density residential land uses, and connecting routes that take traffic off existing roadways should be encouraged." Also, the Goals and Objectives ("Housing," Objective 12) state "residential developments shall be encouraged to plan and build in a manner which is compatible not only with the general housing density and design planned for the area but also with the existing conditions of the site, including the suitability of adjoining lands for appropriate access, and significant site features."

Street connections between adjoining properties are advocated by the Future Land Use Development Guidelines ("Access Management," pg. 163 and "Transportation and Pedestrian Network," pp. 163 and 164) and the Goals and Objectives ("Housing," Objective 8 and "Transportation," 2nd Goal, Objectives 2 and 3). Street connections between adjoining developments are also commonly required by Section 305.N "Temporary Dead-End Streets and Street Connections to Adjoining Tracts of Areas" of the Boone County Subdivision Regulations. The retention of existing vegetation is encouraged by the Future Land Use Development Guidelines ("Buffering," pp. 162 and 163 and "Landscaping," p. 163) and the Goals and Objectives ("Environment," Objectives 2 and 9).

The proposed subdivision is designed to function as a transitional development between Weaver Road, which is an arterial roadway, attached and detached residential uses across Weaver Road, an existing office building at the northeast corner of the site along Weaver Road, and suburban and estate density detached single family residential uses to the south and east. The proposal includes a street connection between Weaver Road and Evergreen Drive, and a street connection towards Clover Hill Road to the south. The Weaver Road/Evergreen Drive connector street includes a speed table for traffic calming. The Concept Development Plan (attached), which was revised in response to the testimony and evidence presented at the 3/1/17 Public Hearing, proposes to retain much of the existing tree cover around the perimeter of the site and to orient the houses on the Evergreen Drive facing lots towards said street to better integrate this development with the existing neighborhood.

2. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2010 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

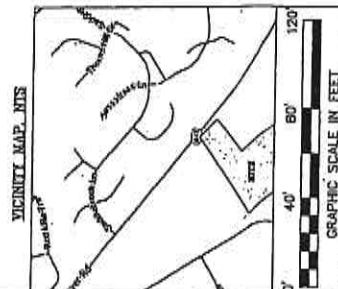
1. The number of dwelling units in this development shall not exceed forty two (42).
2. The storm water detention system shall meet the requirements of Sanitation District #1.
3. The developer shall construct a right hand turn lane on Weaver Road into the development per the Kentucky Transportation Cabinet's standards.
4. The house on Lot 13 (on the northeast corner of the Evergreen Drive and Weaver Road/Evergreen Drive connector street intersection) shall face towards Evergreen Drive.
5. The conceptual street network shall be approved by the Boone County Engineer.
6. The driveways for Lots 13, 15, 21, 22, 27, 33, and 42 shall be placed in the locations conceptually shown on the revised Concept Development Plan. Additionally, the driveway for Lot 7 shall be placed on the east side of the lot to avoid conflicts with the speed table.
7. A speed table shall be provided at the main central intersection (between Lots 7 and 22) as indicated on the revised Concept Development Plan.

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

CONCEPT DEVELOPMENT PLAN
WEAVER ROAD LLC

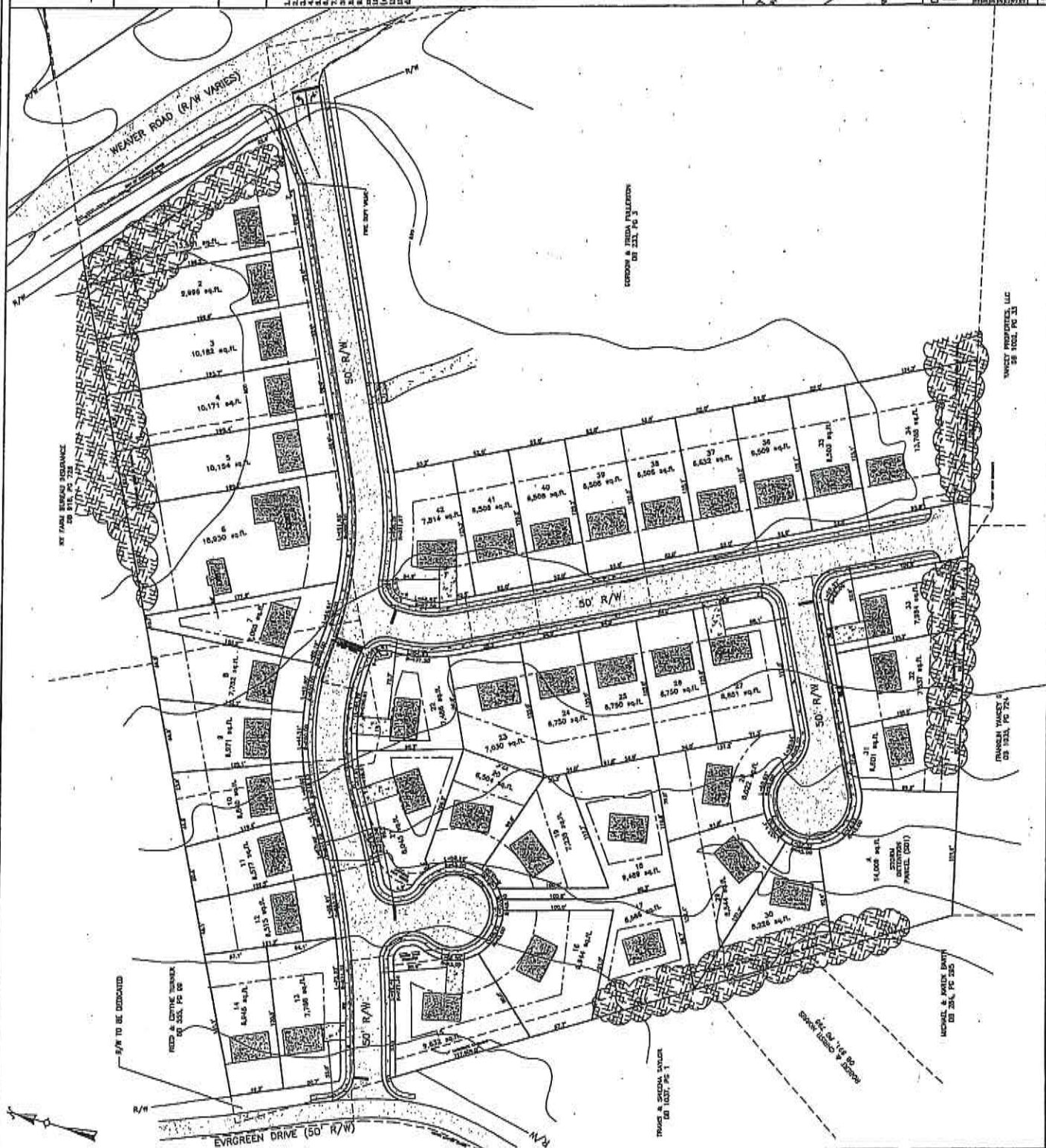
PROPOSAL TO REZONE TO
SUBURBAN RESIDENTIAL TWO

GENERAL NOTES

[illegible]

DATE	NOTE
11-21-2018	First drill
-18-2007	Updated
-30-2017	Revised per study economics
-7-2017	Revised per EPA/IDM
-15-2017	Revised per EPA/IDM

SCALE: 1"=40'	DRAWN: CDM	CHECKED: JPA
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ORDINANCE NO. 2017 – 10

A ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, KENTUCKY, APPROVING THE REQUEST, WITH CONDITIONS, OF ANDREW AMENT (APPLICANT) FOR WEAVER ROAD PROPERTIES, LLC (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO SUBURBAN RESIDENTIAL TWO (SR-2) FOR AN APPROXIMATE 10.8 ACRE SITE LOCATED AT 919 WEAVER ROAD AND ALONG THE EAST SIDE OF EVERGREEN DRIVE BETWEEN THE PROPERTIES AT 8986 AND 9034 EVERGREEN DRIVE, BOONE COUNTY, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Suburban Residential Two (SR-2) for an approximate 10.8 acre site located at 919 Weaver Road and along the east side of Evergreen Drive between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky, which is more particularly described below; and,

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

NOW, THEREFORE BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

Section One

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and is hereby approved, with conditions, this Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Suburban Residential Two (SR-2) for an approximate 10.8 acre site located at 919 Weaver Road and along the east side of Evergreen Drive between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Suburban Residential One (SR-1) zone is more particularly described in DEED BOOK 1081, PAGE NO. 13 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

Section Two

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

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

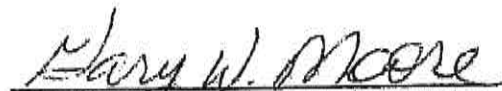
Section Three

This Ordinance shall be in effect and in full force from and after its adoption and publication as provided by law.


Adopted this 20th day of June, 2017

First Reading - the 16th day of May, 2017

Second Reading - the 20th day of June, 2017 Yes 4 No 0


GARY W. MOORE, Judge/Executive
Boone County Fiscal Court

Attest:


Sharon Burcham,
Fiscal Court Clerk

Kevin Wall

From: Robert Franxman
Sent: Thursday, June 10, 2021 9:53 AM
To: Kevin Wall
Subject: RE: Drees/Weaver Road Zone Change Application

Kevin,

From the perspective of Public Works, I would prefer there isn't a street connection to Evergreen Drive. Evergreen Drive is currently being discussed in the traffic safety committee for potential traffic calming devices to alleviate perceived speeding and "cut-thru traffic". While the evaluation is currently not complete; I am fairly certain an additional street connection would at least contribute to traffic volumes on Evergreen.

According to the Drees plan, they would be requesting curb cuts for 2 single family lots. It appears site distances would be adequate and I don't see anything that would specifically preclude access. I understand existing lot conditions will play a large role in building footprint and access location; however, I would like to recommend that the two single family lots be served by a single curb cut if conditions of the lots allow this to take place.

Last, I will point out that the single family lots are directly over the easement area for the new sewer line on Evergreen – I just wanted to be sure the developer was aware of that. (See pic below)

Thanks,
Rob



From: Kevin Wall
Sent: Monday, June 7, 2021 12:25 PM
To: Robert Franxman <rfranxman@boonecountyky.org>
Subject: FW: Drees/Weaver Road Zone Change Application

Regarding street connections, the 2017 concept development plan for a portion of the site on the west side of Weaver Road is attached for reference.

From: Kevin Wall
Sent: Thursday, June 03, 2021 11:14 AM
To: Joshua Hunt; Tom Gagnon; Randy Childress; jonathan brown; Ford, Mike; Brefeld, Linzy M (KYTC-D06); Robert

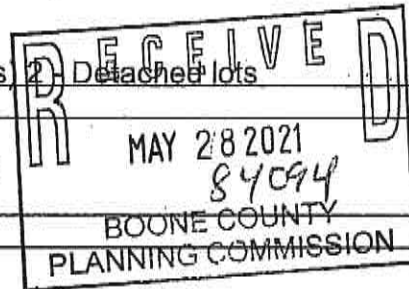
**ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION**

Seven (7) copies of submitted drawings are required

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

SECTION A: (To be completed by applicant)

1. Name of Project: _____
2. Location of Project: 907 Weaver Road
3. Total Acreage of Project: 19.7 Acres
4. Current Zoning of Property: SR-1/SR-2
5. Proposed Zoning of Property (classification being requested): PD SR-2/PD PER 6/1/21 LETTER
6. Proposed Use(s) (specify each use):
138 - Attached homes (Townhomes/Condominiums) 2 - Detached lots
7. Proposed Building Intensities (specify for each building):
7.1 DU/Acre
8. Are you applying for any of the following (check all that apply):
☐ Conditional Use Permit ☐ Variance
9. Current Owner: Weaver Road Properties, LLC
Address: 655 Fair Oaks Ln.
Edgewood KY 41017
City State Zip Code
Phone Number: _____ Fax Number: _____
Email: _____
10. Applicant: The Drees Company - Matt Mains
Address: 211 Grandview Drive
Ft. Mitchell KY 41017
City State Zip Code
Phone Number: 859-578-4324 Fax Number: _____
Email: mmains@dreeshomes.com
11. Are there any existing buildings on the site: ☒ Yes ☐ No 394
If yes, indicate how many: _____



12. D1081/D1097/D1095/D1090 13/760/765/789 4
Deed Book Page Number Group Number

13. Have you had a pre-application meeting with the BCPC staff: ☒ Yes ☐ No

14. Have you submitted a Concept Development Plan: ☒ Yes ☐ No

15. Have you met or discussed your proposed development with any of the following organizations/agencies (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Boone County Building Department | <input type="checkbox"/> Local Fire District |
| <input type="checkbox"/> Boone County Public Works Department | <input type="checkbox"/> Local School District |
| <input type="checkbox"/> Boone County Water District | <input type="checkbox"/> Northern Kentucky Health Department |
| <input type="checkbox"/> Cincinnati Bell | <input type="checkbox"/> Owen Cooperative Electric, Inc. |
| <input type="checkbox"/> Cincinnati/Northern Kentucky International Airport (Kentucky Airport Zoning Commission for height restrictions near the airport) | <input checked="" type="checkbox"/> Sanitation District No. 1 |
| <input type="checkbox"/> Duke Energy | <input type="checkbox"/> USDA NRCS/Boone County Conservation District |
| <input checked="" type="checkbox"/> Florence Public Services Department | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Kentucky Division of Water | |
| <input checked="" type="checkbox"/> Kentucky Transportation Cabinet | |

16. Concept Development Plan Jurisdiction/Location (check all that apply):
☐ Unincorporated Boone ☒ Florence ☐ Walton ☐ Union

17. Waiver of 60 Day Time Requirement by Originator for Final Planning Commission Action:

In accordance with the provisions of KRS 100.211, the applicant(s) and property owner(s) or originator(s) hereby waive the 60 day time limit for the Boone County Planning Commission to take final action on my (our) Zoning Map Amendment/Concept Development Plan application. This time limit waiver is considered effective immediately upon receipt by the Boone County Planning Commission and expires on _____

ORIGINAL Property Owner's Signature: Tad Gregory
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

ORIGINAL Applicant's Signature: Carla Christ
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted)

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

1. Date Received: 5-28- Fee Received: 2,710.⁰⁰ Receipt #: 84094
2. Number of Copies Received: _____
3. Has the following been submitted (check all that apply):
 - ☐ Completed Application
 - ☐ Concept Development Plan
 - ☐ Legal Description
 - ☐ Names and Mailing Addresses of Adjacent Property Owners
4. Date the application is Administratively Complete (as defined in KRS 100.211): _____
5. Staff Reviewer: KWINSWALL
6. Committee Chairperson: _____
7. Scheduled Public Hearing Date: 7/7/21
8. Boone County Planning Commission Action: _____ Date of Action: _____
 - _____ Approved
 - _____ Approved with Conditions
 - _____ Denial
 - _____ Other
9. Resolution Number: _____

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



June 1, 2021

Boone County Planning Commission
Att: Kevin Wall
2950 Washington St. Rm 317
Burlington, KY 41005

Subject: Weaver Road Properties | Proposed rezoning narrative

Dear Sir or Madam,

Drees Homes is proposing 138 attached units and 2 detached units on this 26.45 Acre site. We are requesting the site be rezoned from SR-1 & SR-2 to SR-2/PD. With a strong demand for attached housing in the area, particularly along Weaver road we feel that this type of housing fits extremely well. The site is planned to be annexed into Florence, with the consent to annex recently submitted.

The project is intersected by Weaver road and straddles two different land uses in the comprehensive plan. The larger area South West of Weaver Road falls in the High Suburban Density Residential which allows for up to 8 dwelling units per acre. The section North East of weaver is a remnant of a previous subdivision and is listed as Suburban Density Residential. As a left-over piece of land this section would be difficult to develop independently as a detached community and we believe that combining it with the overall project offers a good transition between the Urban Density to the East and the adjacent Suburban Density. With a gross density of 5.3 Units/Acre (Net density of 7.1 units per acre) for the overall project, this community fits well within the High Suburban Density Category. The additional two detached lots provide a good buffer between the new attached homes and the existing detached community on Evergreen Drive.

When laying out the site we have attempted to avoid existing drainage swales and streams and want to maintain as much of the existing wooded areas as we can. The two pieces combined will retain over 43% of open space that will be maintained by an HOA. In addition to internal walks along the streets we anticipate constructing a small park which is likely to include some play equipment and a dog park area. A conceptual landscape plan has been included which provides

The Drees Company
Corporate Headquarters

211 Grandview Drive
Ft. Mitchell, KY 41017-2790

Phone 859-578-4200
Fax 859-341-5854

dreeshomes.com

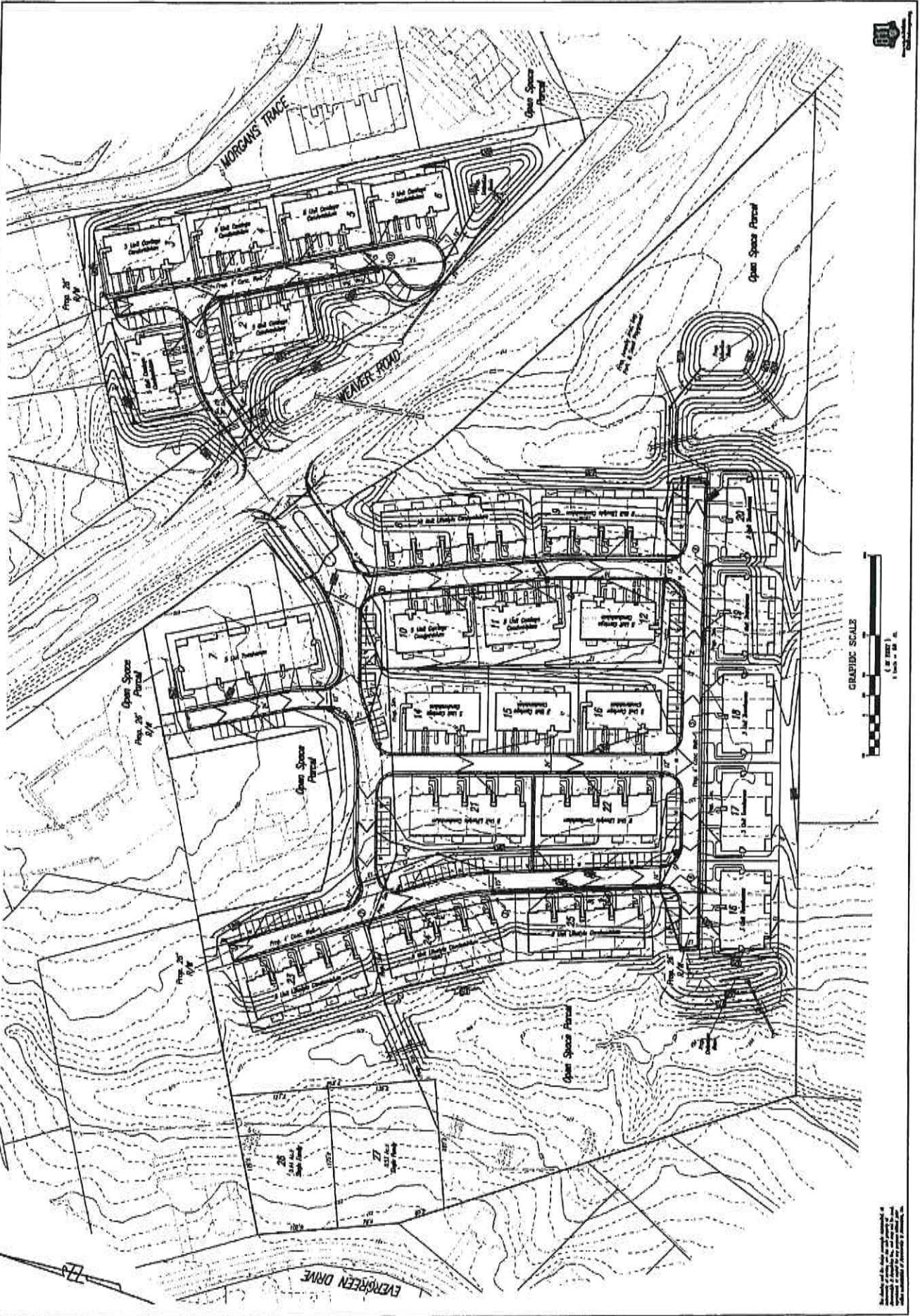
some details on proposed buffers and internal street trees. Each building will be landscaped as constructed and additional details will be provided later in the process.

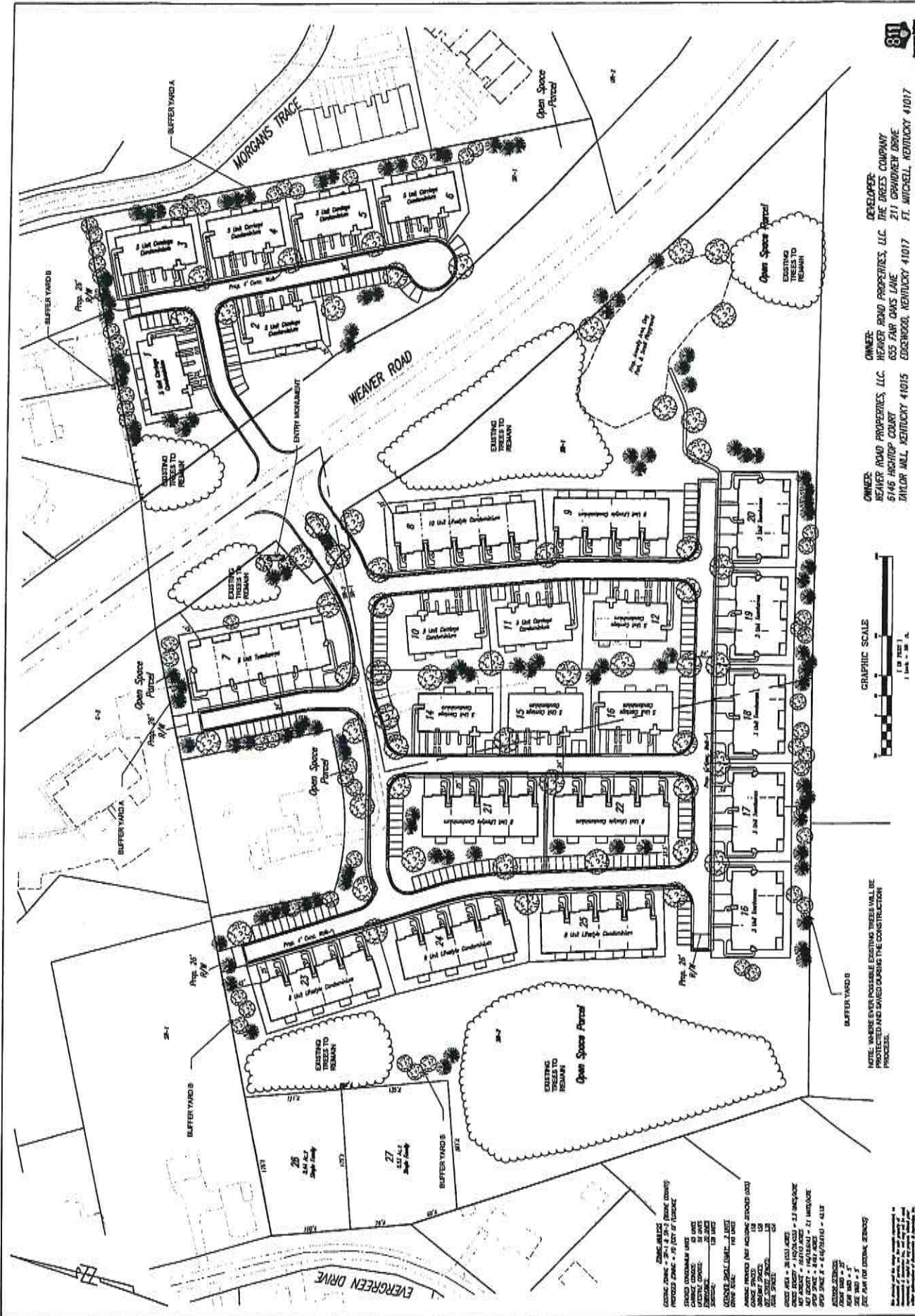
The waterline along Weaver road will be used to serve the entire site and the sanitary sewer will be split between a main next to Weaver and a main running through the North West corner of the site. By keeping the buildings on the higher portions of the site we were able to eliminate the need for a sanitary sewer pump station and gravity sewer the entire site. Once annexed, all utilities and streets will be under the jurisdiction of Florence. We have also initiated a traffic study, with direction from KYTC. It is still in progress, but we anticipate the addition of turn lanes along both sides of Weaver Road.

Thank you for your time and we look forward to continuing with this process through Boone County and the City of Florence. Should you have any questions please contact me.

Regards,

Matt Mains





TOWNHOME

Ventura *New from the Architect*



Calabasas II

Ventura A

Calabasas II

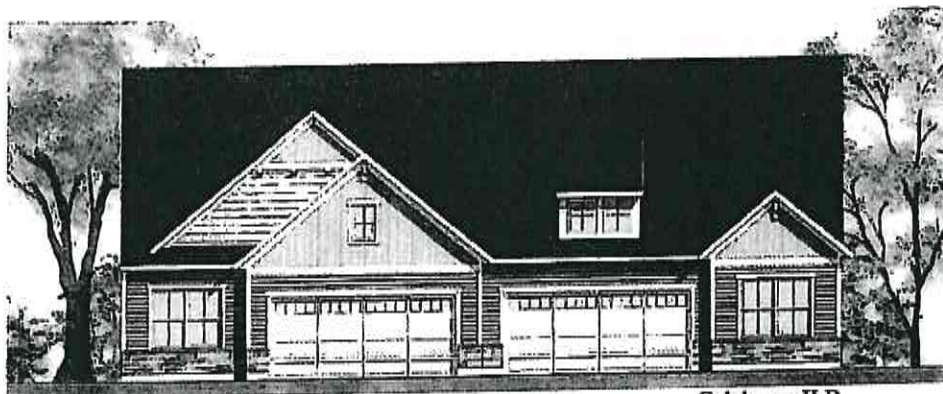
The elevations and floor plans in this brochure show optional items.

Drees
HOMES. **20**
YEARS

TOWNHOME

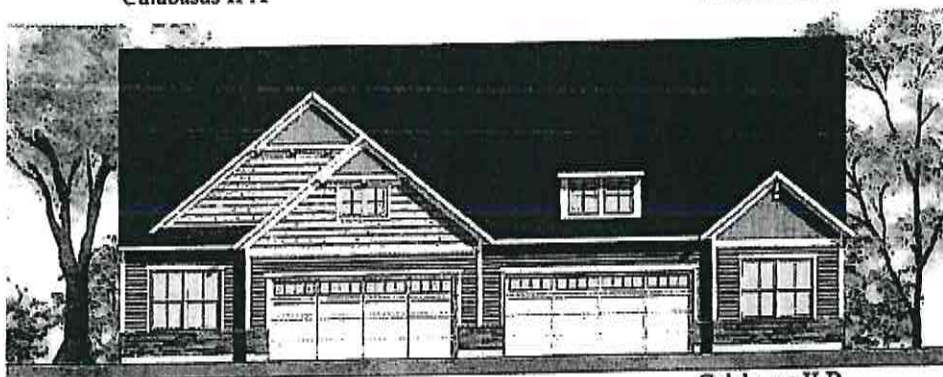
Calabasas II

New from the Architect



Calabasas II A

Calabasas II B



Calabasas II C

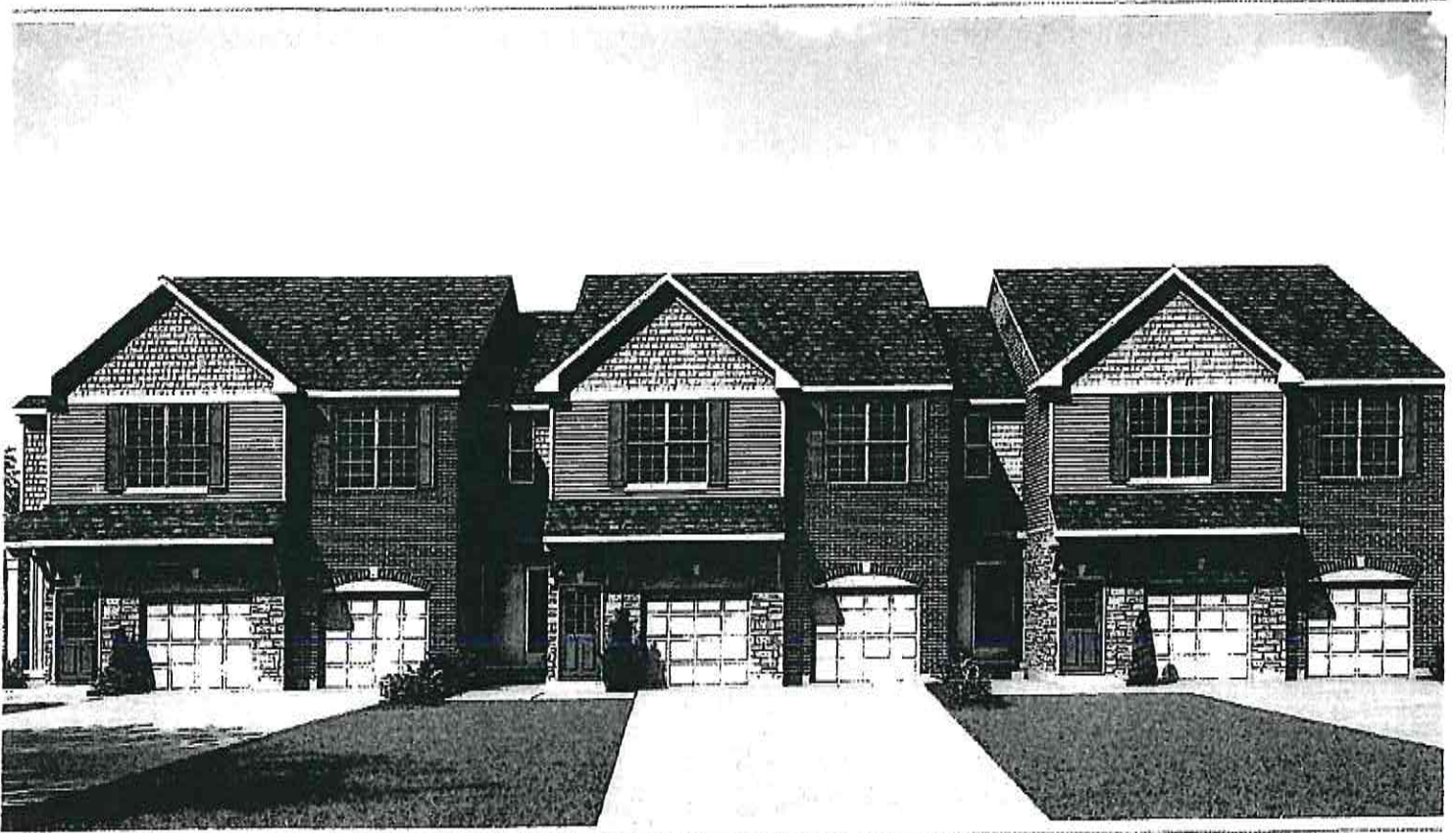
Calabasas II D

The elevations and floor plans in this brochure show exterior details.

drees 
HOMES. YEARS

LIFESTYLE

Gramercy



Gramercy A

Una casa a due piani con garage e giardino privato.

Drees
HOMES.  YEARS

LIFESTYLE

Tribeca



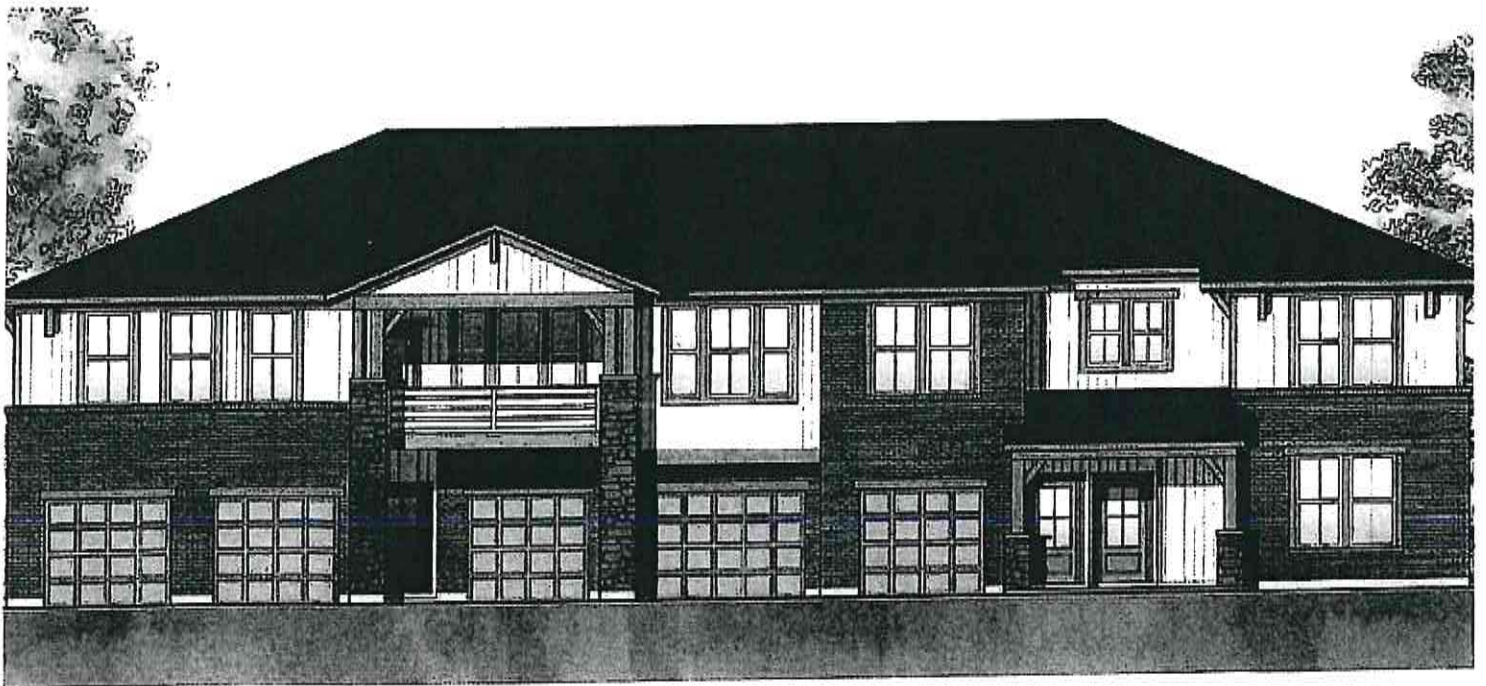
Tribeca A

The illustration may differ from the actual product.

Drees
HOMES  **20**
YEARS

CARRIAGE

Tucson
New from the Architect

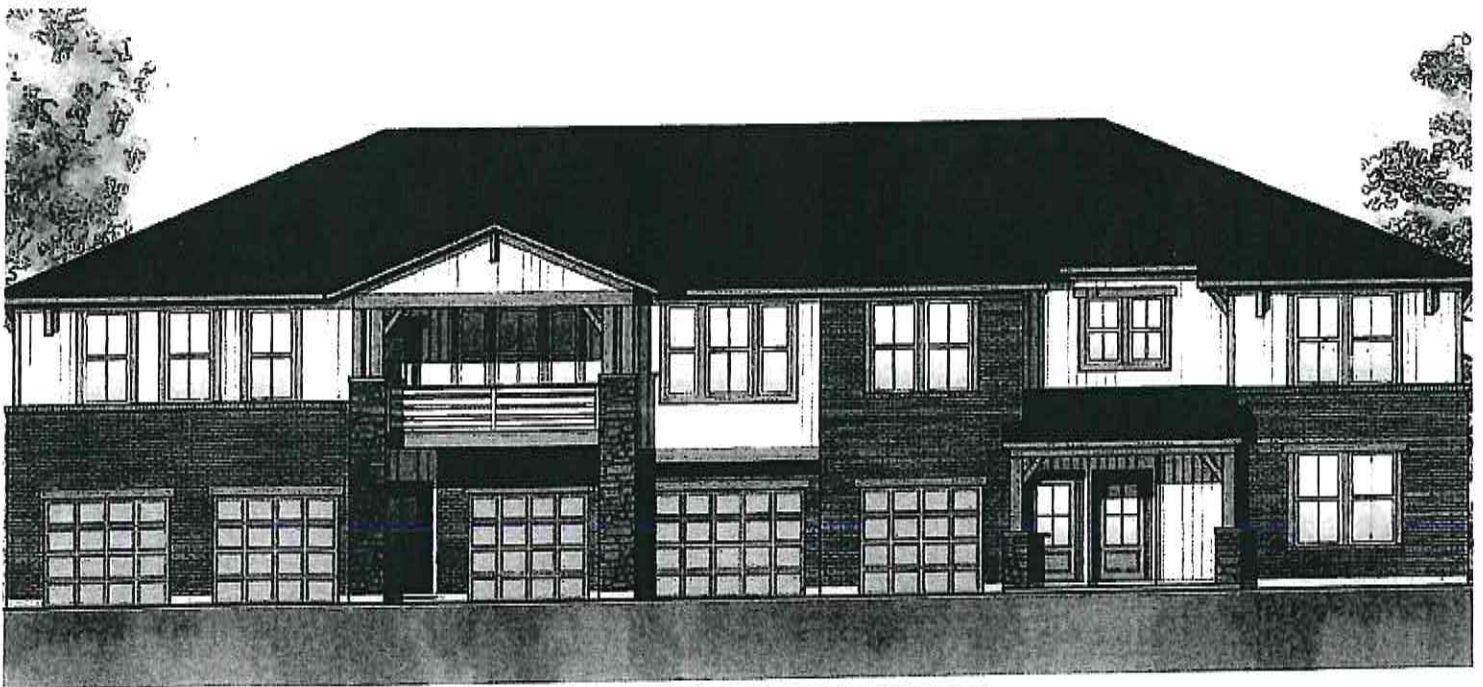


The elevations and floor plans in this brochure show optional items.

drees
HOMES. 26 YEARS

CARRIAGE

Teton
New from the Architect



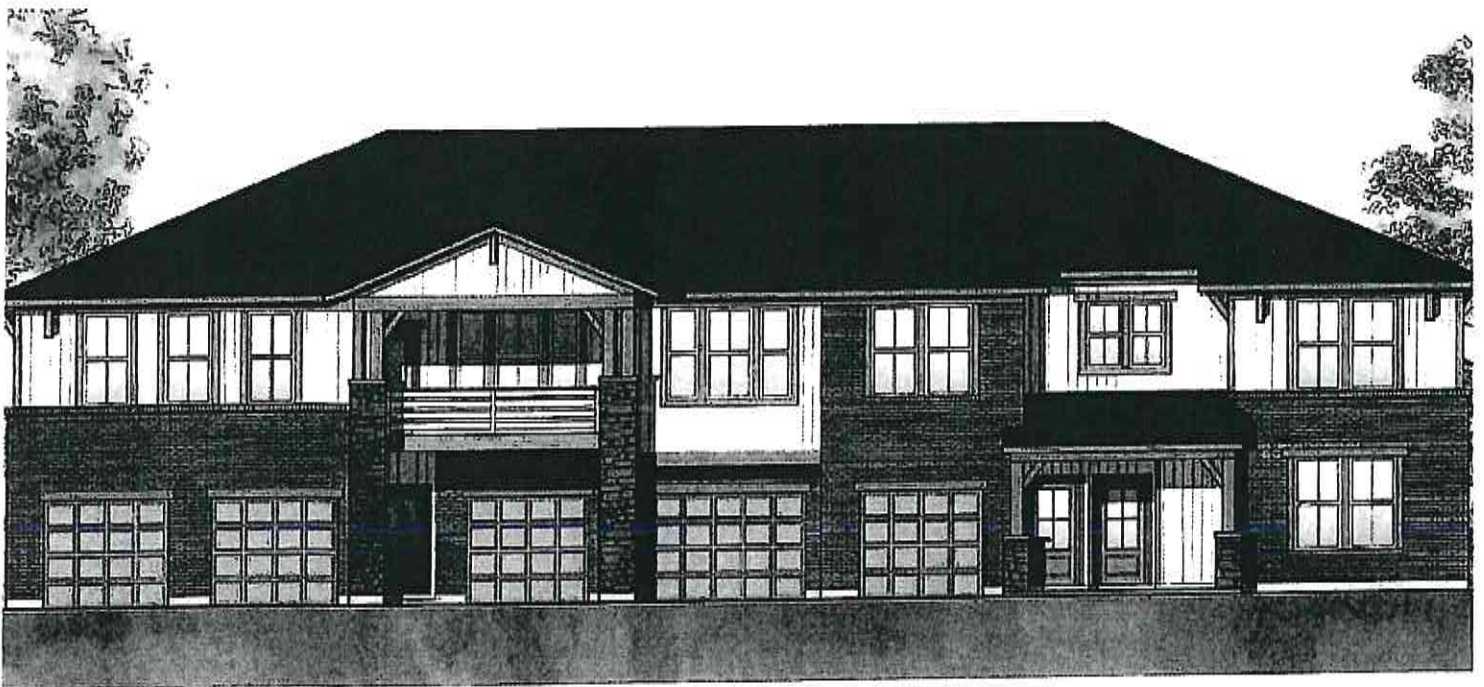
The elevations and floor plans in this brochure show optional items.

drees 
HOMES. YEARS

CARRIAGE

Taos

New from the Architect



The elevations and floor plans in this brochure show optional items.

Drees
HOMES. 25 YEARS

CARRIAGE

Cascade
New from the Architect

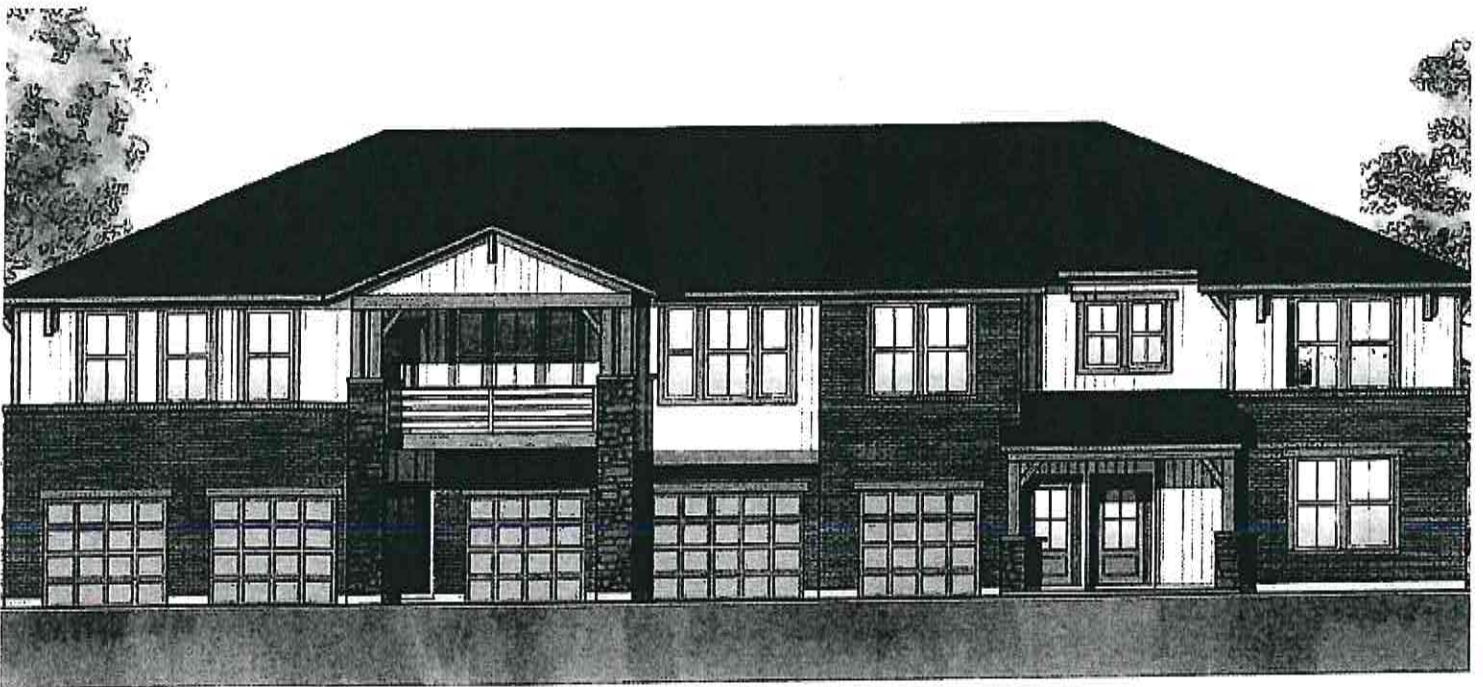


The elevations and floor plans in this brochure show optional items.

Drees 
HOMES **20** YEARS

CARRIAGE

Arcadia
New from the Architect



The elevations and floor plans in this brochure show optional items.

Drees
HOMES. 20 YEARS

COMMISSION MEMBERS PRESENT:

Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Mrs. Lori Heilman
Mrs. Jackie Steele

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen introduced the second item on the Agenda at 9:00 p.m.

ZONING MAP AMENDMENT – Kevin Wall, Staff

2. Request of The Drees Company – Matt Mains (applicant) for Weaver Road Properties, LLC (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane, and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached dwelling units; and the request of The Drees Company – Matt Mains (applicant) for Weaver Road Properties, LLC (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached and detached dwelling units.

Mr. Kevin Wall referred to his PowerPoint presentation. The request involves two sites and two Zone Change applications. Both sites are located east and west of Weaver Road. The west site fronts on Weaver Road and Evergreen Drive. The east site is about three acres. That request is from SR-1 to SR-2/PD. The west site is 16.5 acres in size. That request is from SR-1 and SR-2 to SR-2/PD. In 2017, there was a zone change for part of the west site for single-family residences. The project was never built.

The 2040 Future Land Use Map shows the east site as Suburban Density Residential (SD) and the west site is designated High Suburban Density Residential (HSD up to eight units per acre). Mr. Wall showed the 2017 Concept Development Plan, which included single-family lots. The east side includes 30 Carriage condominiums. It is 9.6 dwelling units per acre. On the other side of Weaver Road, there are 110 units planned. It includes single story and two story units. The applicant has also proposed two single-family homes along Evergreen Drive. There is no planned street connection between Evergreen Drive and Weaver Road. Two street connections are planned to the north on the west site. On the west site, the applicant is proposing leaving some fairly large vegetation. There is a planned dog park and playground on the west site. Mr. Wall showed drawings of the proposed residences. He also showed photographs of both sites and adjacent properties.

In terms of Staff comments, Mr. Wall mentioned that the first comment pertains to the stating requirements for reviewing zone change applications. There are references to the Comprehensive Plan and the Boone County Transportation Plan in the Staff Report. It includes a discussion of unit types and density, as well as how the request relates to the SR-2 zone and the PD requirements. There is also references to the Demographic Element. This includes a discussion of attached units and multi-family housing. Mr. Wall mentioned Section 1514 of the Zoning

Regulations. This section deals with the eleven PD criteria. The first deals with mixed use orientation. The units planned for the east site are similar to the ones that exist in Saddlebrook Subdivision. The planned west site now diversifies those uses that already exist in that area. Sidewalks are proposed on one side of all the streets. The applicant is proposing public streets per the condominium specifications. Sidewalks are planned on the main entry drive. They stop short and must be extended to and along Weaver Road, similar to the Villages of Weaver Mill project already built on Weaver Road. The second big concern is the perimeter buffer yard. It is recommended that the applicant use mostly evergreen trees on the north and west property lines on the east site. Also, there is a 25-foot electric easement on the property, which may affect any buffer. On the west side, there is a substantial buffer already in place. Buffer Yard B and C will have to be provided on the west site due to the number of units. The landscape plans need to be revised before the Committee Meeting in a couple of weeks. There will be 8.46 acres of open space. Some of the existing vegetation will be preserved on the western site. Mr. Wall suggested offering more masonry on the one story townhome unit. He also suggested using the same material on all sides of a proposed building so there isn't a blank look. Mr. Wall also mentioned that there may be one or more graves on the western site according to Matt Becher. Mr. Becher suggested a condition should the Planning Commission recommend approval of the project. Mr. Wall referred to his Staff Report regarding the two street connections. County Engineer Rob Franxman suggested that a connection not occur between Weaver Road and Evergreen Drive. This would include connections to the north and south (Cloverhill Drive). Mr. Wall included comments from the City of Florence and the Kentucky Transportation Cabinet in the Staff Report. He asked the applicant what was the status of the Traffic Impact Study (TIS). No comments were received from the Boone County School District. Mr. Wall concluded his presentation by noting the three criteria for taking action on a zone change request. He also mentions that if approved, the Future Land Use Map would need to be amended. Mr. Wall noted that letter from Ms. Heinke Lillenstein has been distributed to the Board.

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

Mr. Matt Mains, applicant for The Drees Company, showed a Power Point presentation and stated that the project involves two parcels but it is considered one development. The property was split by Weaver Road years ago. A previous developer cleared the property on the east side. Mr. Mains referred to the 2010 Comprehensive Plan that states the area south of Saddlebrook Farms should develop in an urban density residential manner. Their desire is to have it develop in a High Suburban Density Residential (HSD) manner. This allows attached units up to eight dwelling units per acre. The development will be annexed in the City of Florence. There will be a total of 140 units – townhomes, condominium units and carriage style homes. A Traffic Impact Study has been started and is being reviewed by the Kentucky Transportation Cabinet. Preliminary recommendations include a left turn on both sides of Weaver Road. They will comply with that or with what the Kentucky Transportation Cabinet requires. It is less about the traffic and more about the speed limit on Weaver Road. They will install an entry monument feature/sign. They will also install sidewalks and will explore one on Weaver Road. They are willing to review the landscaping plan. He noted that they will have to move the buildings on the eastern side because of incorrect easement information. As a result, they will probably have to lose a five unit building. This will

allow them to provide a sufficient buffer. He showed some examples of building architecture. Unit prices will be from \$240,000 to \$370,000. There will be 60 carriage homes, 58 life style homes, 20 townhomes and 2 detached lot homes. The total acreage of both sides is 19.61 acres. The density is 7.1 units/acre. There will be 8.46 acres of open space (43%). There will also be street lighting on the interior. He agreed that the high impact areas should be looked at in terms of improving or adding building materials. Finally, Mr. Mains stated that he is open to sharing driveways for the two planned houses on Evergreen Drive. He concluded his presentation by saying that he was excited about the project and was available to answer any questions.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the Zoning Map Amendment request?

Ms. Heinke Lillenstein, Morgan's Trace, stated that she submitted a letter. The east site adjoins her property. She has enjoyed the existing buffer from her unit on Weaver Road. She requested that mature trees be retained as much as possible and that Drees provide fencing along their mutual property lines to add to the buffer. She expressed a concern about more traffic on Weaver Road as well as water pressure.

Ms. Lori Bailey, 9134 Evergreen Drive, stated that she has a list of concerns from people on Evergreen Drive and Mary Lou Drive. She expressed a concern on where kids will go to school who live in the new development? There is a capacity issue at Ockerman Elementary. Could there be more streetlights installed on Weaver Road? There is a need to install sidewalks on Weaver Road. She also expressed a concern about Evergreen Drive traffic. It is a cut through to get to Sunnybrook and Gunpowder Roads. People ride their bikes and walk their dogs in the street since there are no sidewalks on Evergreen Drive. Everyone on the petition list is not for the development even though she is not necessarily against development. She submitted a copy of the petition (see Exhibit 1).

Mr. Costello noted the need for sidewalks on Weaver Road due to recent pedestrian deaths/accidents. He also noted that the State extended a sidewalk on Weaver Road as a result of the Jughandle project and the City of Florence received a grant to install a sidewalk on Weaver Road from approximately the fire station area to Saddlebrook Drive. In addition, the developer was required to install a sidewalk as part of the Weaver Mill project.

Mr. Ted Sandlin, 9065 Evergreen Drive, asked whether residents living on Evergreen Drive would be staring at two story units? Will the existing trees remain to shield the view? The other concern is the traffic at U.S. 42 and Weaver Road. The traffic back-ups all the time.

Mr. Tom Ford, 9167 Evergreen Drive, asked how the two lots on Evergreen Drive will be annexed? Are they annexing Evergreen Drive? Mr. Costello replied that the two lots are contiguous to the attached unit area. Mr. Mains responded that the annexation goes with the property line. The property owner is requesting it and consenting to it. Mr. Ford suggested adding speed bumps to Evergreen Drive because of the traffic speeds.

Ms. Brenda Baldwin, 913 Tattersall Lane, stated that her house on the cul-de-sac is the closest. What is the impact of the overhead utility line and sanitary sewer line in terms of the planned buffer? Will the trees be removed?

Ms. Joann Chaplin, 9158 Evergreen Drive, stated that she was almost hit on Weaver Road. It is scary and it is a highway now. We don't have enough stoplights. Weaver Road is a bad road.

Mr. Paul Riggs, 9062 Evergreen Drive, reaffirmed that the developer will not access Evergreen Drive other than the two proposed lots.

Mr. Sandlin, 9093 Evergreen Drive, asked if there has to be two ingress/egress points from a subdivision? Chairman Rolfsen replied there is no requirement. It is suggested only and not recommended if it makes it worse. Mary Lou Drive has one way in and one way out.

Mr. Costello mentioned that it will be interesting to see if the State requires a traffic signal elsewhere on Weaver Road due to the volume of traffic. The submitted traffic study should address this especially as the proposed development is located on both sides of Weaver Road.

Mr. Mains stated that they will have to re-assess the east site due to the new location of the utility easement. It will affect the buffer area. The connection to the sanitary sewer will not affect the residents on Dapple Grey. The hope is to retain a lot of the mature trees but will also have to provide detention areas. He will comply with putting sidewalks on Weaver Road. They will retain a lot of trees on the west site due to the stream channel with the exception of a sanitary sewer line to provide a natural buffer along to Evergreen Drive. The PD approach allows them to commit to a plan. He offered to supplement the existing tree area, if necessary, in order to provide an adequate buffer. If anyone is interested in seeing the type of units to be built on the west site, they can visit the Preston development.

Chairman Rolfsen asked if any of the Board Members had any questions or comments?

Mr. McMillian asked if there was a limit on curb cuts off Weaver Road? Mr. Mains responded that the Kentucky Transportation Cabinet has seen the plan and the agency wants Drees to submit a traffic study. Mr. McMillian stated there needs to be more than one-way in and out. Mr. Costello inquired about a possible connection to the Farm Bureau property. Mr. Mains stated that perhaps an emergency access could be provided. Mr. Mains committed to talk to them about a secondary emergency access.

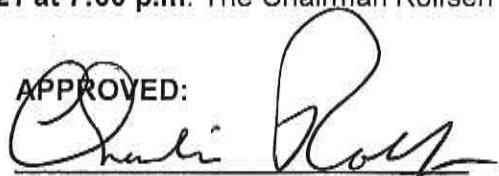
Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on July 21, 2021 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on August 4, 2021 at 7:00 p.m. The Chairman Rolfsen closed the Public Hearing at 10:06 p.m.

Attest:



Kevin P. Costello, AICP
Executive Director

APPROVED:



Charlie Rolfsen
Chairman

WE THE FOLLOWING LISTED PEOPLE DO NOT WANT TO BE
REZONED FOR APARTMENTS

NAME	ADDRESS
Eugene F Harsch	9185 Evergreen Dr
Wanda Harsch	9185 Evergreen
Roger W. Harsch	9237 Evergreen
Joyce Simpson	9237 Evergreen
Kim Wilson	9237 Evergreen
Man Henry	9365 Evergreen
Mr. Harsch	9294 Evergreen
Arthur Merrill	
Emily DeMay	9255 Evergreen
Judy Zilliox	9254 EVERGREEN
Dwayne Smith	9176 Evergreen
Heese M. Lenardick	9176 EVERGREEN
Janne Chapin	9158 Evergreen Dr
Jim Schmitt	9221 EVERGREEN DR
Tom White	9148 Evergreen Dr
Sherry Riess	9148 Evergreen Dr
Lori Bailey (John Bailey)	9134 Evergreen Drive
Willie E Fielder	779 Mary Lou Dr
Charles A Hedrick	771 Mary Lou Dr
Jackie Mueller	749 Mary Lou Dr
Craig Barth	758 Mary Lou Dr
Karen Barth	758 Mary Lou Dr
Opal Cu	9074 Evergreen
Patty Riggs	9062 Evergreen

Paul Riggs		9062 Evergreen Dr
Lee Hickey		9034 Evergreen Dr
Reed Turner		8981 Evergreen Dr
William Krebs	513-205-4941	8912 Evergreen Dr
Tiler Wright	859-298-8705	8925 Evergreen Dr
Tim Schaffeld	859 878 5456	8978 Evergreen Dr
Renee Nillen	504 9080221	8945 Evergreen Dr

Theresa Weber	859-866-6392	8961 Evergreen Dr
Tracy Hester	859-802-0021	8961 Evergreen Dr
Donnie Jackson	859-250-4914	8975 Evergreen Dr
IED Sandlin	859-803-0465	9065 Evergreen
Joe Schroer	859-866-1795	9077 Evergreen
Dennis Allen	815-353-0438	9093 Evergreen
Brian Dunwoody	859-393-2012	9120 Evergreen
David Yates	859-283-9093	9125 Evergreen
Susan Yates	859-283-9093	9125 Evergreen Dr
Thomas Yates	859-634-9861	9167 EVERGREEN DR

7/7/21

My name is Lori Bailey. I live at 9134 Evergreen Drive, two houses away from your proposed outlet onto Evergreen. I have 2 children, ages 9 and 6. And I'm here to represent the neighbors in this list as well as countless others whom I've spoken to who are unaware of this proposal but will most definitely be affected by this. I'd like to address our collective list of concerns regarding this proposed development

Where will the kids be going to school? OES is already bursting at the seams.

What is the plan for the traffic on Weaver? Jug handle has made this all worse than before so added in all this traffic won't help it.

What is the plan for the traffic on Evergreen? No side walks. No speed humps. No stop signs. So much speeding.

Kids can't ride bikes or take walks on Evergreen because of traffic and speeders. Now they are taking away Mary Lou?

Traffic has already seemed to have doubled if not more since the jug handle traffic and the 1 story apartments in evergreen/weaver. If there are 138 townhomes going in, they will almost all have at least one car if not more. Add in food delivery, maintenance, visitors and construction traffic that this will bring and the horrible traffic patterns on weaver, our street will be overloaded.

There are no city street lights on the street unless individual persons have paid for them. Making being on the street dangerous at night.

Every house spoken to on that list was against this proposal.

Annexing to Florence does nothing for the residents established on Evergreen Drive as many are Boone County. So a higher crime rate with no Florence Police Support.

Speed trackers that are sporadically put up when someone calls are always put up when there is construction traffic. First the sewer pipes. Then the house being built on Evergreen. So the readings are in accurate because the construction traffic is constantly slowing down exactly where the monitor is.

Boone County Sheriff has said they will not ticket anyone under 40 mph. 15 over where children are present and trying to play!

Townhouses on Evergreen Rd on other side of Weaver are trashy.

Invest in neighborhoods that are already established before adding more people.

From a business stand point it's easy to see that developments are necessary. But from the neighborhood that will be effected, we strongly urge you to reconsider this potential development.

July 2, 2021

Boone County Planning Commission

Attention Kevin Wall

To Whom It May Concern:

It is our understanding that Drees Homes has submitted a Zoning Map Amendment Application which is scheduled for a Public Hearing on July 7, 2021.

Drees is proposing to build 136 attached units on two parcels of land on Weaver Road in Florence. The smaller of the parcels is adjoining the Morgan's Trace community, which is a part of Saddlebrook Farms. Since the proposed plan will be impacting our properties, Morgan's Trace is very interested and concerned regarding the proposed plans.

In the introductory letter from Matt Mans he notes Drees' plan to provide a "good buffer between the new attached homes and the existing homes on Evergreen Drive", but no mention is made of doing the same for the existing homes on Dapple Grey Drive in the Morgan's Trace community. Since those 30 homes will be on a much smaller piece of land, this issue is of great concern to us. We have always had the buffer of trees behind our homes and are concerned that this buffer will be lost. In reviewing the concept plan for the landscaping proposal, Drees refers to "buffer yard", but this looks to be nothing more than sparse plantings.

Our request is that as many of the mature trees be retained as possible between our two properties and that Drees be required to construct fencing along our mutual property line. This would provide privacy and a buffer for both communities.

A further concern regarding the increase of another 138 living units on Weaver Road is the continual decrease in water pressure as more homes are built. This issue needs to be addressed by the county prior to the completion of the new homes. Sidewalks have previously been proposed and promised but to date there are only bits and pieces. The need for sidewalks will only increase as there will be more traffic on Weaver Road.

Thank you for your time and attention. If there are further questions I would be happy to address them and can be reached at 716-474-7711 or at drhlillen@gmail.com. I look forward to an amicable relationship between the new Drees community and Morgan's Trace.

Sincerely yours,

Dr. Heinke Lillenstein

President of Morgan's Trace HOA

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
FIRST FLOOR FISCAL COURTROOM
BUSINESS MEETING
AUGUST 4, 2021
7:00 P.M.**

Chairman Rolfsen opened the Business Meeting at 7:00 p.m. and welcomed the audience to the Planning Commission's August 4, 2021 Business Meeting. Chairman Rolfsen then invited everyone to join him in reciting the Pledge of Allegiance.

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mrs. Jackie Steele
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Kim Bunger, Secretary/Treasurer
Mrs. Pamela Goetting
Mrs. Lori Heilman

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin Wall, Director, Zoning Services
Mr. Michael Schwartz, Planner

APPROVAL OF THE MINUTES:

Chairman Rolfsen stated that the Commissioners received copies of the Minutes from the July 21, 2021 Business Meeting. Chairman Rolfsen asked if there were any other comments or corrections?

Mr. Lunnemann moved to approve the Minutes as presented. Mrs. Steele seconded the motion and it carried unanimously.

BILLS:

Mr. Kevin P. Costello, AICP, Executive Director, advised the Commissioners of the **Bills to be Paid**, which included a list of **Expenses** and **Salaries and Benefits** for a time period between July 8, 2021 and August 4, 2021.

EXPENSES:

Accounting Fees	\$ 1,734.48
Attorney Fees	4,200.00
Auto Expense	101.69
Consultant/Professional Svcs Fees	3,745.00
Filing Fees (CLURS)	1,050.00
Legal Ads/Recruitment	281.38
Miscellaneous Expense	259.30
Office & Board Meeting Supplies	1,477.10
Office Equipment / Expense	10,312.61
Postage Expense	500.00
Printing/Pub/Dues/Subscriptions	<u>1,083.00</u>

TOTAL: \$ 24,744.56

SALARIES AND BENEFITS:

FICA-BCPC Portion	\$ 5,799.72
Health/Dental/Life/LTD	12,646.38
Retirement – BCPC Portion	26,378.67
Salaries – Staff Expenses	79,514.62
Salaries – BCPC & BOA	<u>1,125.00</u>

TOTAL: \$125,464.39

GRAND TOTAL: \$150,208.95

Mr. McMillian moved that the bills (expenses and salaries and benefits) be approved and paid as presented and indicated approval of those items, which have been previously paid. Mr. Patton seconded the motion and it carried unanimously.

CHANGE IN CONCEPT DEVELOPMENT PLAN – Rick Lunnemann, Chairman, Todd Morgan, Staff

1. Request of **Nick Brenner, Real Estate Representative, Menard, Inc. (applicant)** for **Menard, Inc. (owner)** for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) zone for a 17.157 acre site located at 5000 Apex Lane, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit additional building mounted signage and modifications to the building design.

Mrs. Kegley moved to defer the request until September 1, 2021. Mr. Lunnemann seconded the motion and it passed unanimously. Chairman Rolfsen announced that the Committee Meeting for the request will be held on August 18, 2021 at 5:00 p.m.

ZONING MAP AMENDMENT – Janet Kegley, Chairman, Michael Schwartz, Staff

2. Request of **Steve Berling (applicant)** for **Eric Deters and Mary Deters (owners)** for a Zoning Map Amendment from Agricultural Estate (A-2) and Rural Suburban (RS) to Industrial One (I-1) for the approximate 37 acre tract located on the south side of Walton-Nicholson Road, approximately 150 feet east of the Walton-Nicholson Road/Mullen Drive intersection, to the immediate south and west of the property at 217 Walton-Nicholson Road, and at the western terminus of Malbec Lane, Boone County, Kentucky. The request is for a zone change to allow landscape, construction, and nursery uses.

Staff Member, Michael Schwartz showed a revised Concept Development Plan that depicted a reduced zone change area of 13.25 acres. The revised Plan shows no planting bed. All of the activity on the site will occur north of the existing ponds. He read the Committee Report, which recommended approval based upon Findings of Fact (see Committee Report) and Conditions. He noted the Committee voted unanimously to approve the request with Mrs. Kegley, Mr. Lunnemann and Ms. Gulick voting in favor of the request.

At this time, Chairman Rolfsen asked if anyone wanted to speak in favor or against the request?

Mr. Steve Berling, applicant, stated that he was available to answer any questions.

Seeing no further comments, Chairman Rolfsen asked if there was a motion to take action? **Mrs. Kegley moved to approve the Zoning Map Amendment by Resolution to the Boone County Fiscal Court based upon the Committee Report and subject to the Findings of Fact and Conditions. Ms. Gulick seconded the motion.**

Chairman Rolfsen asked if the applicant would need to go to the Board of Adjustment for a greenhouse? Mr. Schwartz responded that it depends on whether the proposed use is considered an agricultural use or an agricultural exemption (setbacks only). If it involves a greenhouse, it is then considered a nursery and a zone change would be required or a Board of Adjustment submittal.

Mr. McMilliann inquired on whether the property was located in the City of Walton? Mr. Schwartz replied that the site is located in Unincorporated Boone County. The applicant does not intend to annex the property into the City of Walton.

Mr. Szurlinski stated that he appreciated the work of the Committee, Staff and the applicant as he had some concerns about the development and the revised plan addressed those concerns.

Chairman Rolfsen asked for a vote on the original motion made by Mrs. Kegley and seconded by Ms. Gulick. The motion passed unanimously.

ZONING MAP AMENDMENT – Rick Lunnemann, Chairman, Kevin Wall, Staff

3. Request of The Drees Company – Matt Mains (applicant) for Weaver Road Properties, LLC (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane, and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached dwelling units; and the request of The Drees Company – Matt Mains (applicant) for Weaver Road Properties, LLC (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached and detached dwelling units.

Staff Member, Kevin Wall, read the Committee Report, which recommended approval based upon Findings of Fact (see Committee Report) and Conditions. He noted there was a revised Concept Development Plan in which the applicant dropped a building as well as increased the setbacks and buffer yards along Saddlebrook Subdivision. He noted the Committee voted unanimously to approve the request with Mr. Lunnemann, Ms. Gulick and Mrs. Kegley voting in favor of the request.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the zone change request?

Mr. Alex Martin, The Drees Company, stated that his company agrees with all of the conditions.

Chairman Rolfsen asked how many total units Drees is proposing to build? Mr. Wall replied 135 units.

Ms. Heinke Lillenstein, President of the Morgan Trace HOA, inquired on whether fencing was considered? Mr. Wall responded that the Committee increased the size of the buffer yard and the plantings. Mr. Lunnemann thought that it was sufficient. Mr. Martin stated that a fence was not warranted since they increased the setback and increased the buffer yard.

Mr. Lunnemann moved to approve the Zoning Map Amendment by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and Conditions. He also requested that the Planning Commission's recommendation be sent to the Boone County Fiscal Court in case the annexation does not go through. Mr. Harper seconded the motion.

Mr. McMillian inquired about another way in and out of the development? Mr. Martin replied that one of the conditions deals with working with the Kentucky Farm Bureau in order to construct an emergency drive. They have contacted the Farm Bureau and they are reviewing the Drees request. Drees will construct the emergency access to the property line. To date, they don't have an agreement. They will do anything they can do to make the connection. They can't control someone else's property. Mr. Costello explained that whenever the Farm Bureau makes a request before the Planning Commission, we can't request the connection if it is not made previously. Mr. Martin also noted that the divided entrance serves as another way to get in and out of the site. Mr. Wilson stated that it is an agreed condition of a zone change. If they can't abide by it, they would have to resubmit.

Mr. Schwenke stated that it has to be a workable situation. It is not good enough if they don't get the adjacent property owner to agree to connect. Mr. Wilson replied that the Zoning Administrator will make the decision on whether the applicant meets the condition or not. Mr. Lunnemann stated that this condition is standard to what we have written previously. The applicant doesn't own the adjacent property so they can't be required to build it on someone else's property. Mr. Schwenke stated that it could be a road to nowhere. Mr. Martin explained that they have given their plans to corporate office and they are reviewing their plans. They haven't said no. Mr. McMillian stated we need safety. Mrs. Steele asked if a traffic signal was going to be installed. Mr. Martin replied they have not heard from the State. They are planning for stop signs. Mr. Schwenke asked should we vote on this request now without answers? Mr. Costello responded there is a time limit.

Seeing no further comments, **Chairman Rolfsen asked for a vote on the original motion made by Mr. Lunnemann and seconded by Mr. Harper. The motion found Mr. Bessler, Ms. Gulick, Mr. Harper, Mrs. Kegley, Mr. Lunnemann, Mr. Patton, Mr. Rolfson, Mrs. Steele, Mr. Szurlinski and Mr. Turner voting in favor of the request and Mr. McMillian and Mr. Schwenke voting against the request. The motion passes by a vote of 10 to 2.**

CHANGE IN CONCEPT DEVELOPMENT PLAN – Corin Gulick, Chairwoman, Todd Morgan, Staff

4. Request of **Kathy Hinkebein (applicant)** for **Gomez Family LLC – Octavio Correria (owner)** for a Change in Approved Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) zone for a 2.78 acre site located on the east side of Bill Wentz Drive, between the properties located at 8509 and 8519 US 42, Florence, Kentucky. The request is for a Change in an Approved Concept Development Plan to permit a car wash and a restaurant.

Staff Member, Kevin Wall stated there are 2 versions of the Concept Development Plan. He read the Committee Report, which recommended approval based upon Findings of Fact (see Committee Report) and Conditions. He noted the Committee voted unanimously to approve the

request with Mrs. Kegley, Mr. Lunnemann and Ms. Gulick voting in favor of the request. Chairman Rolfsen asked if there was anyone who wanted to speak in favor or against the request.

Seeing no further comments, Chairman Rolfsen asked if there was a motion to take action? **Ms. Gulick moved to approve the Zoning Map Amendment by Resolution to the City of Florence based upon the Committee Report and subject to the Findings of Fact and Conditions. Mr. Szurlinski seconded the motion and it passed unanimously.**

TECHNICAL/DESIGN REVIEW – Lori Heilman, Chairwoman, Kevin Wall, Staff

5. Comfort Inn – 7454 Turfway Road

Staff Member, Kevin Wall, referred to a Power Point presentation. The site is located at the corner of Hansel Avenue and Turfway Road. The building was originally a Red Roof Inn and the proposal is to change the building colors. The proposal is to change the colors to gray and white. There are 3 options for roofing – keep it as is or choose either a Sand Castle color or Estate Gray color.

The Technical/Design Review Committee met prior to the Business Meeting and voted unanimously to approve the request as submitted with the 3 options for the roof.

Chairman Rolfsen asked if there was a motion to act on the request? Mr. Harper moved to approve the request based upon the Technical/Design Review Committee recommendation as presented. Mr. Lunnemann seconded the motion and it passed unanimously.

NEW BUSINESS:

CONCEPT DEVELOPMENT PLAN – Michael Schwartz, Staff

6. Request of **Viox & Viox, Inc. (applicant)** for **315 Burlington Trust (owner)** for a Concept Development Plan in a Office Two/Planned Development/Parkway Corridor Study Overlay (O-2/PD/PO) zone for a 0.698 acre site located on the south side of Burlington Pike, approximately 235 feet west of the Burlington Pike/Ewing Boulevard intersection, and between the properties at 7673 and 7777 Burlington Pike, Florence, Kentucky. The request is for a Concept Development Plan to permit a motor vehicle sales delivery/pick-up location.

Ms. Gulick moved to schedule the Public Hearing for Item #6 on September 1, 2021 at 7:30 p.m. Mr. Schwenke seconded the motion and it passed unanimously.

EXECUTIVE DIRECTOR'S REPORT:

No Report

COMMITTEE REPORTS:

AIRPORT: Mr. Bessler
No Report

ADMINISTRATIVE/PERSONNEL: Mr. Lunnemann
No Report

ENFORCEMENT: Mr. Bunger
No Report

LONG RANGE PLANNING/COMPREHENSIVE PLAN: Mr. Schwenke
No Report

TECHNICAL/DESIGN REVIEW: Mrs. Heilman
No Report

EXECUTIVE: Chairman Rolfsen
No Report

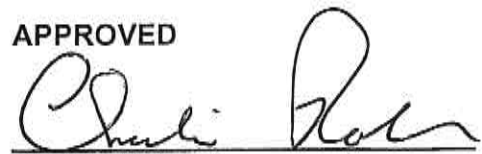
CHAIRMAN: Chairman Rolfsen
No Report

OKI: Mr. Patton
No Report

OTHER:

There being no further business to come before the Planning Commission, Mr. Harper moved to adjourn the meeting. Mr. McMillian seconded the motion and it passed unanimously. The meeting was adjourned at 7:45 P.M.

APPROVED



Charlie Rolfsen
Chairman

Attest:



Kevin P. Costello, AICP
Executive Director

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Rick Lunnemann, Chairman

DATE: August 4, 2021

RE: Request of **The Drees Company – Matt Mains (applicant)** for **Weaver Road Properties, LLC (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane, and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached dwelling units; and the request of **The Drees Company – Matt Mains (applicant)** for **Weaver Road Properties, LLC (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached and detached dwelling units.

REMARKS:

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

FINDINGS OF FACT

1. The Committee has concluded that the proposed Zoning Map Amendments are in agreement with the Our Boone County – Plan 2040, which is the adopted Comprehensive Plan, due to the following reasons.

The Our Boone County – Plan 2040's Future Land Use Map designates the site on the east side of Weaver Road as "Suburban Density Residential" (SD). This designation is described as "single family housing of up to four units per acre." The Future Land Use Map designates the site on the west side of Weaver Road as "High Suburban Density Residential" (HSD). This designation is described as "single-

family and/or attached housing of up to 8 dwelling units per acre. This classification is typified by townhouse, condominium, and zero-lot line development, and also pertains to existing mobile home parks."

The proposal, which was revised in accordance with the testimony and evidence presented at the July 7, 2021 Public Hearing, is largely for attached dwelling units, with two detached single family dwelling units proposed along Evergreen Drive, with an overall density of 6.88 units per acre. The density proposed for the site on the east side of Weaver Road is 8.13 units per acre and the density proposed for the site on the west side of Weaver Road is 6.65 units per acre.

The Land Use Element does not discuss this specific site, but it does discuss the area at large. The "16. Florence South" section of the Land Use Element states:

The area south of the Saddlebrook Farms Subdivision, along Weaver Road, has developed in an Urban Density Residential manner consistent with this subdivision, with adequate buffering for adjacent to single-family residential uses. The expansion of sanitary sewer lines on Evergreen Road will serve infill sites as well as those who are not currently on public sewer (p. 129).

This section of the Land Use Element also states, "Existing tree stands should be preserved to establish the contrast of this area from the Northern Kentucky Industrial Park, and to decrease noise impacts of I-75 and the airport" (p. 130).

The site on the east side of Weaver Road directly adjoins the area that is designated for Urban Density Residential uses by both the Land Use Element and the Future Land Use Map. The site on the west side of Weaver Road is partly directly across the road from this Urban Density Residential area. Per the Concept Development Plan that was revised in accordance with the testimony and evidence presented at the presented at the Public Hearing, adequate buffering for adjacent uses will be provided on both zone change sites. This buffering includes significant areas of existing tree stands which will be retained. The landscape buffer scheme shown on the revised Concept Development Plan, which includes the retention of significant, existing vegetation, agrees with the provisions outlined in the Comprehensive Plan's Future Land Use Development Guidelines ("Utilization of Existing Vegetation and Topography," p. 95; "Buffering," p. 95; and "Landscaping," p. 96) and the Goals and Objectives ("Demographics," Goals B, Objective 8).

The attached dwelling units proposed for the site on the east side of Weaver Road will function as a transitional use between the existing detached single family residences to the immediate north and the planned Urban Density Residential uses

to the immediate south. The attached dwelling units proposed for the site on the west side of Weaver Road will function as a transitional use between the existing office building to the immediate north and the planned Rural Density Residential and Suburban Density Residential uses to the south and east. Additionally, the two detached single family residences proposed along the Evergreen Drive frontage will function as transitional uses to the existing detached single family residences along said road. These transitional uses, or progression of densities, are in agreement with the Comprehensive Plan's Demographics Element ("Housing Types and Locations," pp. 19-20).

The Demographics Element ("Housing Types and Locations," p. 19) states, "A variety of multi-family housing options should include apartments, townhouses, patio homes, condominiums, nursing homes, and retirement housing all ranging greatly in price per unit to accommodate a wide range of relative affordability," and "a variety of housing opportunities within the established urban (and suburban) areas of Boone County would encourage mixing of different income levels." The proposal includes three different styles of buildings for attached dwelling units which will help diversify and expand housing opportunities in the community per the Demographics Element's direction.

The revised Concept Development Plan includes a significant amount of open space. The site on the east side of Weaver Road is proposed to include 1.205 acres of open space (approximately 39.2% of the site area), and the site on the west side of Weaver Road is proposed to include 7.255 acres of open space (approximately 43.9% of the site area). The total open space proposed for both sites combined is 8.46 acres (approximately 43.1% of the combined site area). The open space for the site on the west side of Weaver Road includes an amenity area which contains a dog park and a playground. Based on these facts, the proposed open space and amenities are in agreement with the Comprehensive Plan's Demographics Element which advocates "proper and adequate amenities" ("Identify the Needs of the Population," p. 19), the Future Land Use Development Guidelines ("Utilization of Existing Vegetation and Topography," p. 95), and the Goals and Objectives ("Demographics," Goal A, Objective 3).

The Future Land Use Development Guidelines ("Design, Signs, and Cultural Resource Preservation," p. 97) state:

Site, landscape, and building design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact of the

proposed use. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention.

Per the changes made by the applicant in response to the testimony and evidence presented at the Public Hearing, and the agreed conditions, the design of the attached dwelling unit buildings and overall landscaping will be appropriate for, and compatible with, the surrounding uses.

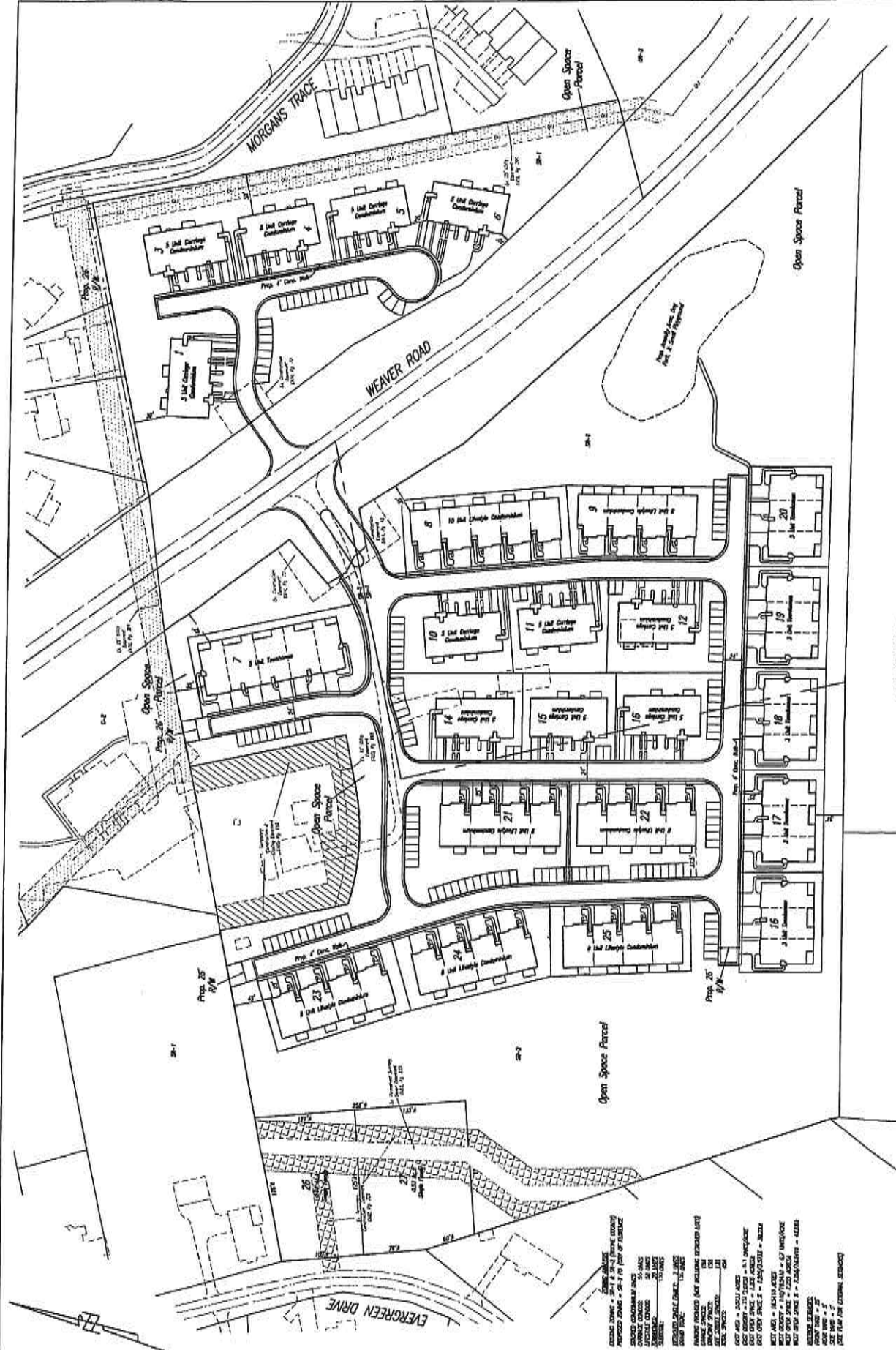
2. As stated above, the Comprehensive Plan's Future Land Use Map designates the site on the east side of Weaver Road as "Suburban Density Residential" (SD). This site is relatively small (approximately 3 acres) and narrow (depth ranges between approximately 30' and 360'). This site also has an irregular shape and expansive frontage (approximately 725 feet) on Weaver Road, which is a State highway. Due to these facts, the Committee has determined that this site is not conducive to, or appropriate for, a development of detached single family residences, but it is conducive to, and appropriate for, the proposed attached dwelling unit proposal as shown on the proposed Concept Development Plan. Thus, the Committee has determined that the existing zoning classification is inappropriate and that the proposed zoning classification is appropriate.
3. The Committee has concluded that the Concept Development Plan fulfills the applicable requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations, including Section 1514 "Planned Development Criteria."
4. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the Our Boone County – Plan 2040 and Article 15 "Planned Development District" of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The development shall follow the attached Concept Development Plan set which was revised in response to the testimony and evidence presented at the Public Hearing for this request, except where modified by the agreed conditions outlined below. The attached Concept Development Plan set includes a "Site Layout" sheet, two sheets labeled as "Planting Plan," and a sheet entitled, "Architecture, Drees Homes" (four sheets total).

2. An emergency access driveway shall be constructed between the terminus of the street in the northeast corner of the site on the west side of Weaver Road (adjoining Building 7) to the common property line with the adjoining Kentucky Farm Bureau site (957 Weaver Road).
3. Sidewalks will be provided on both sides of the proposed streets in accordance with Section 305.Q "Sidewalks" of the Boone County Subdivision Regulations.
4. The following shall be accomplished relative to landscaping.
 - A. Between 60 percent and 70 percent of the trees in the buffer yard along the east property line of the site on the east side of Weaver Road shall be evergreen varieties.
 - B. The required buffer yard plantings shall be provided along the entirety of the south property line of the site on the west side of Weaver Road where no existing tree cover is proposed to be retained.
 - C. All evergreen trees required by Section 3645 "Buffer Yards" of the Boone County Zoning Regulations shall be provided in the buffer yards noted as "Buffer Yard C" in the attached Concept Development Plan set. As many large deciduous trees and medium deciduous trees as can reasonably fit in these buffer yards shall also be provided.
5. Masonry which matches the proposed water tables shall be provided on the façade planes surrounding the overhead doors on the "Townhome" building model.
6. Masonry, which is similar in detail and proportions as the respective front facades, shall be provided on the building facades designated as "high impact side/rear facades" in the attached Concept Development Plan set.

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



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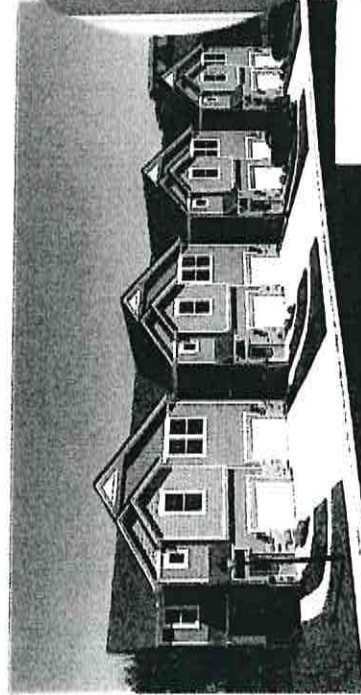
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555 FAIR OAKS LAKE
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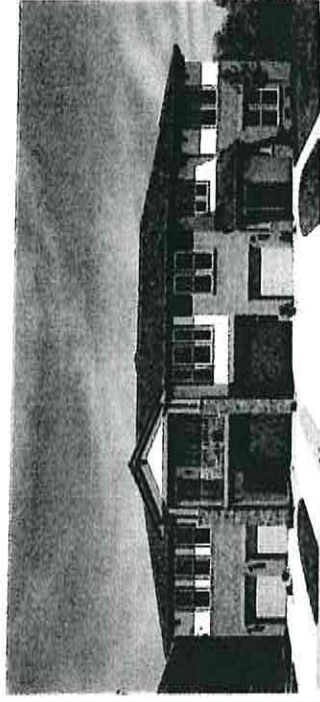
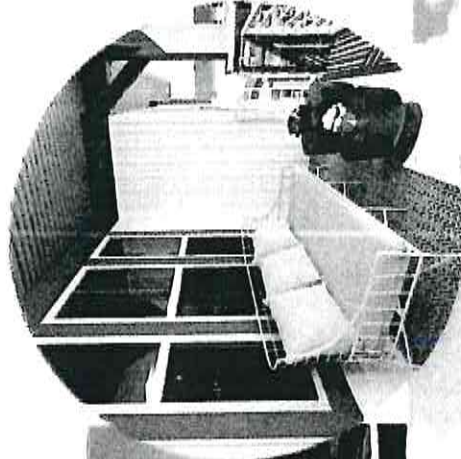
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FT. MITCHELL, KENTUCKY 41012

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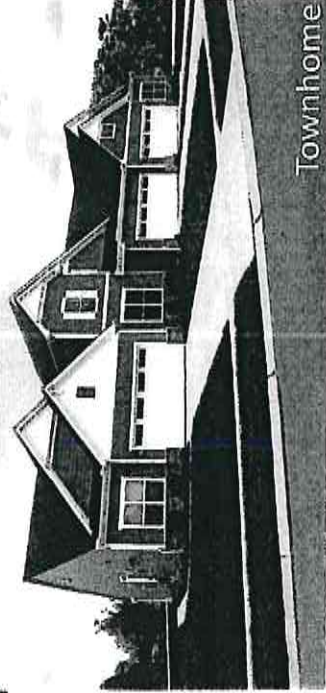
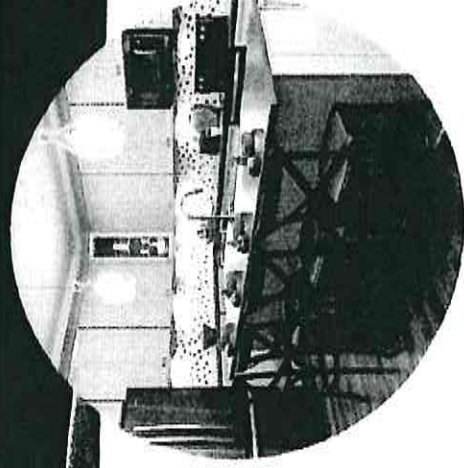
Architecture **Drees** HOMES



Lifestyle



Carriage



Townhome

Sales Prices from \$240,000 to \$370,000

Square Footage ranges from 1,250 to 2,350

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission
FROM: Rick Lunnemann, Chairman
DATE: July 21, 2021

ZONING MAP AMENDMENT – Rick Lunnemann, Chairman, Kevin Wall, Staff

2. Request of **The Drees Company – Matt Mains (applicant)** for **Weaver Road Properties, LLC (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane, and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached dwelling units; and the request of **The Drees Company – Matt Mains (applicant)** for **Weaver Road Properties, LLC (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached and detached dwelling units.

REMARKS:

We, the Committee Members were present via live video teleconference at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Kim Bunger

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Corrin Gulick

For Project ☒ Absent _____
Against Project _____
Abstain _____ Deferred _____

Janet Kegley

For Project ☒ Absent _____
Against Project _____
Abstain _____ Deferred _____

Randy Bessler (Alternate)

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Rick Lunnemann (Chairman)


For Project ☒ Absent _____
Against Project _____
Abstain _____ Deferred _____

Steve Turner (Alternate)

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____

Kim Patton

For Project _____ Absent _____
Against Project _____
Abstain _____ Deferred _____


Recorded by Kevin Wall, AICP,
Director, Zoning Services

TOTAL: _____ DEFERRED 3 FOR PROJECT _____ ABSENT
_____ AGAINST PROJECT _____ ABSTAIN

COMMISSION MEMBERS PRESENT:

Ms. Corrin Gulick
Mr. Steve Harper
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Kim Patton, Vice Chairman
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Tom Szurlinski
Mr. Steve Turner, Temporary Presiding Officer

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Mrs. Lori Heilman
Mrs. Jackie Steele

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Mr. Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen introduced the second item on the Agenda at 9:00 p.m.

ZONING MAP AMENDMENT – Kevin Wall, Staff

2. Request of **The Drees Company – Matt Mains (applicant)** for **Weaver Road Properties, LLC (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development (SR-2/PD) for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane, and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached dwelling units; and the request of **The Drees Company – Matt Mains (applicant)** for **Weaver Road Properties, LLC (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky (annexation into the City of Florence is pending). The request is for a zone change to allow attached and detached dwelling units.

Mr. Kevin Wall referred to his PowerPoint presentation. The request involves two sites and two Zone Change applications. Both sites are located east and west of Weaver Road. The west site fronts on Weaver Road and Evergreen Drive. The east site is about three acres. That request is from SR-1 to SR-2/PD. The west site is 16.5 acres in size. That request is from SR-1 and SR-2 to SR-2/PD. In 2017, there was a zone change for part of the west site for single-family residences. The project was never built.

The 2040 Future Land Use Map shows the east site as Suburban Density Residential (SD) and the west site is designated High Suburban Density Residential (HSD up to eight units per acre). Mr. Wall showed the 2017 Concept Development Plan, which included single-family lots. The east side includes 30 Carriage condominiums. It is 9.6 dwelling units per acre. On the other side of Weaver Road, there are 110 units planned. It includes single story and two story units. The applicant has also proposed two single-family homes along Evergreen Drive. There is no planned street connection between Evergreen Drive and Weaver Road. Two street connections are planned to the north on the west site. On the west site, the applicant is proposing leaving some fairly large vegetation. There is a planned dog park and playground on the west site. Mr. Wall showed drawings of the proposed residences. He also showed photographs of both sites and adjacent properties.

In terms of Staff comments, Mr. Wall mentioned that the first comment pertains to the stating requirements for reviewing zone change applications. There are references to the Comprehensive Plan and the Boone County Transportation Plan in the Staff Report. It includes a discussion of unit types and density, as well as how the request relates to the SR-2 zone and the PD requirements. There is also references to the Demographic Element. This includes a discussion of attached units and multi-family housing. Mr. Wall mentioned Section 1514 of the Zoning

Regulations. This section deals with the eleven PD criteria. The first deals with mixed use orientation. The units planned for the east site are similar to the ones that exist in Saddlebrook Subdivision. The planned west site now diversifies those uses that already exist in that area. Sidewalks are proposed on one side of all the streets. The applicant is proposing public streets per the condominium specifications. Sidewalks are planned on the main entry drive. They stop short and must be extended to and along Weaver Road, similar to the Villages of Weaver Mill project already built on Weaver Road. The second big concern is the perimeter buffer yard. It is recommended that the applicant use mostly evergreen trees on the north and west property lines on the east site. Also, there is a 25-foot electric easement on the property, which may affect any buffer. On the west side, there is a substantial buffer already in place. Buffer Yard B and C will have to be provided on the west site due to the number of units. The landscape plans needs to be revised before the Committee Meeting in a couple of weeks. There will be 8.46 acres of open space. Some of the existing vegetation will be preserved on the western site. Mr. Wall suggested offering more masonry on the one story townhome unit. He also suggested using the same material on all sides of a proposed building so there isn't a blank look. Mr. Wall also mentioned that there may be one or more graves on the western site according to Matt Becher. Mr. Becher suggested a condition should the Planning Commission recommend approval of the project. Mr. Wall referred to his Staff Report regarding the two street connections. County Engineer Rob Franxman suggested that a connection not occur between Weaver Road and Evergreen Drive. This would include connections to the north and south (Cloverhill Drive). Mr. Wall included comments from the City of Florence and the Kentucky Transportation Cabinet in the Staff Report. He asked the applicant what was the status of the Traffic Impact Study (TIS). No comments were received from the Boone County School District. Mr. Wall concluded his presentation by noting the three criteria for taking action on a zone change request. He also mentions that if approved, the Future Land Use Map would need to be amended. Mr. Wall noted that letter from Ms. Heinke Lillenstein has been distributed to the Board.

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

Mr. Matt Mains, applicant for The Drees Company, showed a Power Point presentation and stated that the project involves two parcels but it is considered one development. The property was split by Weaver Road years ago. A previous developer cleared the property on the east side. Mr. Mains referred to the 2010 Comprehensive Plan that states the area south of Saddlebrook Farms should develop in an urban density residential manner. Their desire is to have it develop in a High Suburban Density Residential (HSD) manner. This allows attached units up to eight dwelling units per acre. The development will be annexed in the City of Florence. There will be a total of 140 units – townhomes, condominium units and carriage style homes. A Traffic Impact Study has been started and is being reviewed by the Kentucky Transportation Cabinet. Preliminary recommendations include a left turn on both sides of Weaver Road. They will comply with that or with what the Kentucky Transportation Cabinet requires. It is less about the traffic and more about the speed limit on Weaver Road. They will install an entry monument feature/sign. They will also install sidewalks and will explore one on Weaver Road. They are willing to review the landscaping plan. He noted that they will have to move the buildings on the eastern side because of incorrect easement information. As a result, they will probably have to lose a five unit building. This will

allow them to provide a sufficient buffer. He showed some examples of building architecture. Unit prices will be from \$240,000 to \$370,000. There will be 60 carriage homes, 58 life style homes, 20 townhomes and 2 detached lot homes. The total acreage of both sides is 19.61 acres. The density is 7.1 units/acre. There will be 8.46 acres of open space (43%). There will also be street lighting on the interior. He agreed that the high impact areas should be looked at in terms of improving or adding building materials. Finally, Mr. Mains stated that he is open to sharing driveways for the two planned houses on Evergreen Drive. He concluded his presentation by saying that he was excited about the project and was available to answer any questions.

At this time, Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the Zoning Map Amendment request?

Ms. Heinke Lillenstein, Morgan's Trace, stated that she submitted a letter. The east site adjoins her property. She has enjoyed the existing buffer from her unit on Weaver Road. She requested that mature trees be retained as much as possible and that Drees provide fencing along their mutual property lines to add to the buffer. She expressed a concern about more traffic on Weaver Road as well as water pressure.

Ms. Lori Bailey, 9134 Evergreen Drive, stated that she has a list of concerns from people on Evergreen Drive and Mary Lou Drive. She expressed a concern on where kids will go to school who live in the new development? There is a capacity issue at Ockerman Elementary. Could there be more streetlights installed on Weaver Road? There is a need to install sidewalks on Weaver Road. She also expressed a concern about Evergreen Drive traffic. It is a cut through to get to Sunnybrook and Gunpowder Roads. People ride their bikes and walk their dogs in the street since there are no sidewalks on Evergreen Drive. Everyone on the petition list is not for the development even though she is not necessarily against development. She submitted a copy of the petition (see Exhibit 1).

Mr. Costello noted the need for sidewalks on Weaver Road due to recent pedestrian deaths/accidents. He also noted that the State extended a sidewalk on Weaver Road as a result of the Jughandle project and the City of Florence received a grant to install a sidewalk on Weaver Road from approximately the fire station area to Saddlebrook Drive. In addition, the developer was required to install a sidewalk as part of the Weaver Mill project.

Mr. Ted Sandlin, 9065 Evergreen Drive, asked whether residents living on Evergreen Drive would be staring at two story units? Will the existing trees remain to shield the view? The other concern is the traffic at U.S. 42 and Weaver Road. The traffic back-ups all the time.

Mr. Tom Ford, 9167 Evergreen Drive, asked how the two lots on Evergreen Drive will be annexed? Are they annexing Evergreen Drive? Mr. Costello replied that the two lots are contiguous to the attached unit area. Mr. Mains responded that the annexation goes with the property line. The property owner is requesting it and consenting to it. Mr. Ford suggested adding speed bumps to Evergreen Drive because of the traffic speeds.

Ms. Brenda Baldwin, 913 Tattersall Lane, stated that her house on the cul-de-sac is the closest. What is the impact of the overhead utility line and sanitary sewer line in terms of the planned buffer? Will the trees be removed?

Ms. Joann Chaplin, 9158 Evergreen Drove, stated that she was almost hit on Weaver Road. It is scary and it is a highway now. We don't have enough stoplights. Weaver Road is a bad road.

Mr. Paul Riggs, 9062 Evergreen Drive, reaffirmed that the developer will not access Evergreen Drive other than the two proposed lots.

Mr. Sandlin, 9093 Evergreen Drive, asked if there has to be two ingress/egress points from a subdivision? Chairman Rolfsen replied there is no requirement. It is suggested only and not recommended if it makes it worse. Mary Lou Drive has one way in and one way out.

Mr. Costello mentioned that it will be interesting to see if the State requires a traffic signal elsewhere on Weaver Road due to the volume of traffic. The submitted traffic study should address this especially as the proposed development is located on both sides of Weaver Road.

Mr. Mains stated that they will have to re-assess the east site due to the new location of the utility easement. It will affect the buffer area. The connection to the sanitary sewer will not affect the residents on Dapple Grey. The hope is to retain a lot of the mature trees but will also have to provide detention areas. He will comply with putting sidewalks on Weaver Road. They will retain a lot of trees on the west site due to the stream channel with the exception of a sanitary sewer line to provide a natural buffer along to Evergreen Drive. The PD approach allows them to commit to a plan. He offered to supplement the existing tree area, if necessary, in order to provide an adequate buffer. If anyone is interested in seeing the type of units to be built on the west site, they can visit the Preston development.

Chairman Rolfsen asked if any of the Board Members had any questions or comments?

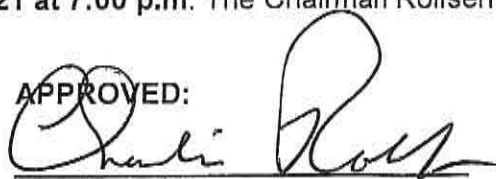
Mr. McMillian asked if there was a limit on curb cuts off Weaver Road? Mr. Mains responded that the Kentucky Transportation Cabinet has seen the plan and the agency wants Drees to submit a traffic study. Mr. McMillian stated there needs to be more than one-way in and out. Mr. Costello inquired about a possible connection to the Farm Bureau property. Mr. Mains stated that perhaps an emergency access could be provided. Mr. Mains committed to talk to them about a secondary emergency access.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on July 21, 2021 at 5:00 P.M. This item will be on the Agenda for the Business Meeting on August 4, 2021 at 7:00 p.m. The Chairman Rolfsen closed the Public Hearing at 10:06 p.m.

Attest:


Kevin P. Costello, AICP
Executive Director

APPROVED:


Charlie Rolfsen
Chairman