

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
BOONE COUNTY FISCAL COURTROOM  
PUBLIC HEARINGS  
SEPTEMBER 5, 2018  
7:30 P.M.**

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**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mr. Greg Breetz  
Mrs. Lori Heilman  
Mr. Mark Hicks  
Mr. Rick Lunnemann  
Mr. Don McMillian  
Mr. Kim Patton  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mr. Brad Shipe  
Mr. Steve Turner, Temporary Presiding Officer  
Mr. Kenny Vaught

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Kim Bunger, Secretary/Treasurer  
Mrs. Janet Kegley

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

Kevin P. Costello, AICP, Executive Director  
Mr. Kevin T. Wall, AICP, Director, Zoning Services  
Mr. Todd K. Morgan, AICP, Senior Planner  
Mr. Robert Jonas, AICP, Director, Planning Services  
Mr. Michael Schwartz

Chairman Rolfsen called the Public Hearing to order at 7:30 P.M. and introduced the first item on the Agenda:

**ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT - Michael Schwartz, Staff**

1. Request of **David M. Blair (applicant)** for **Blair Professional Center (owner)** for a Zoning Map Amendment for a Special Sign District for a 2.04 acre site located at 1821 Florence Pike, Boone County, Kentucky. The request is for a Special Sign District in a Office One (O-1) District to allow an electronic message center on a monument sign.

Staff Member, Michael Schwartz, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The site is 2 acres in size. It is located on the north side of Burlington Pike and the south side of Florence Pike at Taylor Drive. In 2001, there was a Zoning Map Amendment request which changed the zoning of the site from C-3 to O-1 as well as the approval of a Site Plan. In 2002, a sign permit was approved for the existing monument sign. In 2016, a Conditional Use Permit was approved for an electronic message center at Florence Baptist Temple (1898 Florence Pike). He showed an aerial photograph of the site. The site is relatively flat with the exception of the western portion with the location of a detention area. The site is currently zoned Office One (O-1). Mr. Schwartz identified the adjoining zoning and land uses. The 2035 Future Land Use Map identifies the site as Commercial (C). He showed a photograph of the existing sign which is 8 feet tall and 88 square feet of sign area with fixed advertising on both sides of the sign. The middle cabinet is 44 square feet in area and the lower portion of the sign is 24 square feet in size. The lower portion of the sign is proposed to be changed from manual changeable letters to a permanently lit cabinet. The middle area is proposed to be reduced to 40 square feet for the electronic message center and the top part of the sign will remain the same. Mr. Schwartz showed drawings of the proposed sign. He also showed photographs of the site and adjoining properties. The location of the sign is approximately 50 feet from the edge of pavement of KY 18 and approximately 190 feet from the edge of pavement of Taylor Drive. It is important to note that the front of the existing building is oriented towards Burlington Pike (KY 18), whereas the rear of the building is oriented towards Florence Pike. Mr. Schwartz showed a drawing depicting all of the existing electronic message centers along Burlington Pike. He referenced the location of these types of signs at the library, Florence Baptist Temple and at area gas stations.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation? Dr. David Blair, applicant, stated that he is modifying the existing sign by actually reducing the sign area from 4' x 11' to 4' x 10'. He is not changing the height of the sign but just the square footage - slightly less. He would like to add a digital message center.

At this time Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Mr. John Salisbury, 1746 Coachtrail Drive, asked what was the brightness level? Does it automatically dim? Can it do damage to someone who walks up to it like a child? How will they handle vandalism?

Mr. Rob Price, sign contractor, responded that the sign is no different than what is there now. It operates just like the library sign and the Walgreen's sign. These signs are physically lower and are LED. It has a dimming sensor for darkness and lightness. Dr. Blair stated that if vandalism occurred, it would be covered by insurance.

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

**Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on September 19, 2018 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on October 3, 2018 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 7:40 P.M.**

**APPROVED:**

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**Charlie Rolfsen**  
**Chairman**

**Attest:**

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**Kevin P. Costello, AICP**  
**Executive Director**

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Bessler  
Mr. Greg Breetz  
Mrs. Lori Heilman  
Mr. Mark Hicks  
Mr. Rick Lunnemann  
Mr. Don McMillian  
Mr. Kim Patton  
Mr. Charlie Rolfsen, Chairman  
Mr. Bob Schwenke  
Mr. Brad Shipe  
Mr. Steve Turner, Temporary Presiding Officer  
Mr. Kenny Vaught

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Kim Bunger, Secretary/Treasurer  
Mrs. Janet Kegley

**LEGAL COUNSEL PRESENT:**

Mr. Dale T. Wilson

**STAFF MEMBERS PRESENT:**

Kevin P. Costello, AICP, Executive Director  
Mr. Todd K. Morgan, AICP, Senior Planner  
Mr. Robert Jonas, AICP, Director, Planning Services

Chairman Rolfsen called the Public Hearing to order at 7:41 P.M. and introduced the second item on the Agenda:

**ZONING MAP AMENDMENT AND VARIANCE - Todd Morgan, Staff**

2. Request of **Drees Company - Matt Mains (applicant) for Aylor Investments Limited Partnership, Raymond O. Godsey, Jr., and Akin & Miller Land Developers (owners)** for a Zoning Map Amendment from Rural Suburban (RS) and Suburban Residential One (SR-1) to Suburban Residential Three (SR-3), and a Variance, for a 44.7277 acre site located on the east side of Old North Bend Road, approximately 220 feet south/southeast of the Britt Drive/Old North Bend Road intersection, to the north, south, and east of the properties at 1820 and 1828 Old North Bend Road, at the terminus of Cardinal Way and Grandview Drive, and including the tract at 1846 Old North Bend Road, Boone County, Kentucky. The request is for a zone change to allow attached residential condominiums and a Variance from Section 3645 "Buffer Yards" of the Boone County Zoning Regulations to allow the required perimeter landscape areas to be reduced from Buffer Yard C to Buffer Yard B.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The site is 44.7277 acres in size. It has frontage on Old North Bend Road, Grandview Drive and Cardinal Way. The request involves a Zoning Map Amendment from Rural Suburban (RS) and Suburban Residential One (SR-1) to Suburban Residential Three (SR-3) to allow a townhouse and condominium development. The proposal includes 162 townhouse/condominium dwelling units in 30 different buildings. There are 76 one bedroom units and 86 two bedroom units. The existing residence at 1846 Old North Bend Road will remain on a new lot. The building intensity for the project is 3.64 dwelling units per acre. Access to the development is off Old North Bend Road. Access is also proposed through a connection with Cardinal Way. There is no street connection to Grandview Drive. The streets are proposed to be public, 26 foot right-of-way and 24 feet of pavement. There is a total of 389 parking stalls. There are 236 garage spaces and 153 surface parking spaces.

A second part of the request is a Variance to reduce the perimeter buffer yard requirements along portions of the southeast and southwest property lines. The first one involves a request for Buffer Yard B instead of Buffer Yard C on the southeast line. The second one is along the southwest property line where the single family detached houses are located. Again, the applicant is requesting Buffer Yard B instead of Buffer Yard C. The Variance requests are identified on Pages 1 & 2 of the Staff Report. The submitted Concept Development Plan shows the disturbed limits and minimal grading areas. Significant vegetation is being retained along the perimeter property line. Minimum building setbacks are 30 feet. Setbacks range from 168.6 feet along the northeast property line to 36.2 feet along the southern property line. Mr. Morgan showed architectural renderings of the proposed units. He also showed specific slides of the variance buffer along the southern property line. The variance request is 10 feet thus reducing the buffer yard from 30 feet to 20 feet.

In terms of site history, a zone change was approved in 2005 with conditions for a 47 acre site. It involved 15.2 acres to RS and 31.8 acres to SR-1 and 110 residential lots. The proposed density was 2.45 dwelling units per acre. There was a condition that would not allow grading or construction work to occur until North Bend Road was completed. The topography of the site

falls from 850' above sea level near Old North Bend Road to 760' above sea level where a blue line stream runs through the property. There is a significant amount of vegetation on the site and much of it would be retained. Mr. Morgan showed photos of the site and adjoining properties. The Future Land Use Map designates the majority of the site as Suburban Residential (SR), and smaller areas as Rural Density Residential (RD) and Developmentally Sensitive (DS). Other references to the Comprehensive Plan are mentioned on Pages 4 - 11 of the Staff Report.

Mr. Morgan reminded the Board of the criteria for taking action on a Zoning Map Amendment and Variance request. The Variance request is only decided upon by the Planning Commission.

In terms of Staff comments, the Staff would like the Applicant to address the following:

- A. The zone change and variance criteria.
- B. Is a Traffic Impact Study going to be submitted? One was submitted after the Staff Report was written (See Exhibit 1).
- C. Has a sight distance study been conducted at the Old North Bend Road/Street A intersection? Staff took some photos from proposed intersection and has concerns about sight distance. Staff recommends that the access point be moved to the top of the hill (southwards) if the zone change application is approved.
- D. Is the street connection to Cardinal Way proposed to be full access or gated emergency access? It's likely most residents in the proposed development would use Cardinal Way to access KY 237 and I-275 if it's a full access street. The County Engineer has expressed a concern this could cause impacts on Cardinal Cove Subdivision residents.
- E. Are any amenities (parks, playgrounds, pools, walking trails, sidewalk systems, etc.) being proposed in the development? At a minimum, Staff recommends a sidewalk system should be installed on one side of each of street and also tie into Old North Bend Road and Cardinal Way. Staff anticipates a lot of residents would use the existing sidewalk connection that is located between the terminus of Old North Bend Road and sidewalks on KY 237.
- F. The submitted building renderings only show the front of the buildings. Staff has the following comments:
  - 1. Label the proposed building materials?
  - 2. What are the proposed building materials on the sides and rears of the buildings?
  - 3. Will vinyl or composite siding materials be used on the buildings?
  - 4. The front facade of the Oakmont seems to be constructed entirely of siding. Is this correct?

- G. When is the anticipated construction start time and phasing on the project if the zone change application is approved?

Mr. Morgan referred to the intent section and standards of the SR-3 zoning district as noted on Page 12 of the Staff Report.

He also sent out an Agency Memo and received comments back from Hebron Fire Protection District, Kentucky Transportation Cabinet, Boone County Public Works, and Sanitation District No. 1. These comments are attached to the Staff Report. In addition, Mr. Morgan noted the following road projects that are currently under construction or being planned in the North Hebron area:

- A. Adding lanes to Worldwide Boulevard and KY 237 - Construction has started and is expected to be complete by June 2019.
- B. Adding Lanes to KY 237 between Cardinal Way and Graves Road - The road design is expected to be complete in 2019. See the attached description of the project from the 2017 Boone County Transportation Plan.
- C. I-275/Graves Road - The Interchange Justification Study is being reviewed by the Federal Highway Administration. Final design plans are anticipated by February 2019. See the attached description of the project from the 2017 Boone County Transportation Plan.

Further, Staff recommends the following issues should be analyzed:

- A. The proposed project consists of attached condominiums and townhouses. The "Suburban Residential" (SR) future land use designation is defined 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."
- B. The proposed building intensity of 3.64 dwelling units per acre complies with the "Suburban Residential" future land use designation. On the other hand, this project is more dense than the 2004 zone change approval (2.45 dwelling units per acre).
- C. The proposed plan shows that grading will be minimal and significant tree lines in "Developmentally Sensitive" areas will be preserved. On the other hand, a buffer yard Variance is being sought to reduce portions of the required buffers along the southeast and southwest property lines from 30' in width to 20' in width.
- D. The timing of the project versus the road improvements that are planned for the North Hebron area.

Staff Comment #6 deals with the zone change and variance criteria that the Planning Commission and the Fiscal Court should consider. Staff Comment #7 deals with the fact that the Planning

Commission only takes final action on the Variance application.

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

Mr. Matt Mains, applicant for The Drees Company, introduced the Woodlands project and noted that he met with the community or the adjacent property owners. His company developed Thornwilde Subdivision and the proposed site is nearby. They have been developing Thornwilde for 20 years and are coming to a close. The site is close to Remke's Market, the future library, the Park and Ride lot, etc. The SR-3 request allows Drees to build residential owned townhouse and condominiums. The rezoning allows Drees to be more flexible in design to help minimize the development's impact - less earth moving and preservation of trees/drainage ways. There is also a shift in demographics where there is market demand for this style of home/lifestyle.

In terms of demographics, there are 9,321 residents living north of I-275 to the Ohio River, of which 2,877 are over the age of 45 (31%). The proposed type of housing is appealing to empty nesters, single parents and young professionals. Currently, there are only 144 active MLS listings in the area with only 6 of them being lifestyle or condo listings. It is consistent with the Comprehensive Plan - Suburban Residential (SR), up to 4 dwelling units per acre (3.64). It does not fit High Density Residential of up to 8 dwelling units per acre. This type of housing meets the needs of an aging population, provides a broad range of housing opportunities, encourages home ownership, clusters housing to maintain open space and is located in close proximity to stores, restaurants, library, etc. The proposed development is limited to the ridges and takes advantage of the topography. Drees would prefer that the Cardinal Way access be for emergency purposes only. The condominiums are located on the south side and the townhomes are located on the north side. They are requesting the Variance in order to minimize the grading work. Drees offered to provide more plantings in the Variance area.

Mr. Mains showed elevations of the proposed entrance, the townhouse section, condominium section, Blair Drive view, Grandview Drive view and Cardinal Way view. The project will have 57.66% (25.79 acres) of open space. The open space will be HOA maintained. He showed photographs of building architecture, building materials and street furniture from Harmony subdivision. It will be the same product. There will also be some other types of designs. He showed some interior pictures. The proposed condominium homes will range from 1,759 - 2,084 square feet with a base price of \$200,000. The proposed townhome unit will range in size from 2,002 - 2,811 square feet with a base price of \$270,000 with options at about \$30,000. The average sales price in Harmony has been \$317,000 and the average sales price in Arcadia is \$304,277.

In terms of traffic impact, there was a traffic report conducted by a traffic engineer. There was a comparison between what was previously approved and what is proposed. The type of homes proposed typically produce less kids therefore, there are less peak hour trips. There is no difference between the 2 housing types in the peak hours. It is reasonable to assume the new subdivision trips will not adversely impact Levels of Service or safe travel on the public roadway system. Much of the existing traffic problem is the bottleneck of KY 237. There are planned improvements underway on KY 237. Amenities will include a walking trail, retention basin and an

entry monument. There will be a sidewalk on one side of the internal streets and a nature trail. There will be a pedestrian connection to Cardinal Cove and a sidewalk out to Old North Bend. They could make a connection to their frontage along Old North Bend.

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

Mr. J.J. Miller, 10847 Omaha Trace, stated that he is in favor of the request. He and his partner, Buck Akin, developed Parlor Grove Subdivision. There is a huge need for higher density developments, even lower income type, due to the type of businesses coming to the county. There is not enough housing in the area to meet the needs of employees. It will not impact the existing single family homes. He is part of the application as they are providing access to the sanitary sewer line and have 4 acres of leftover land. Drees will build a product that will not detract from what he has created in the past. It will not detract from Parlor Grove Subdivision.

Mr. Raymond Godsey, 1846 North Bend Road, stated that he is one of the sellers. About 8 - 10 years ago he had a builder that was going to build on the subject property. The Planning Commission controlled development of the site by not allowing it to occur until KY 237 was rebuilt. However, the developer had problems. The proposed project is a good one, mainly for the elderly and for those without kids. It will go very well in the area. It won't add more traffic to the area.

Ms. Debbie Busching, 1586 Grandview Drive, stated that she does not have a problem with the project as long as the developer keeps the units as condominiums/townhouses and not apartments. They have a good buffer and she doesn't want any more units than what is planned. Somebody will build there and it looks good to her.

Mr. Frank Dichiaro, President of Cardinal Cove HOA, 1910 Robins Run, stated that the HOA agreed with the Drees Company in limiting access to Cardinal Way for emergency purposes only. It should be gated or else everyone from the proposed development will travel through to Cardinal Cove Subdivision to get to the roundabout. It is shorter than other access points. The HOA is opposed to the buffer variance request because of how close to the parking lot and buildings are to their subdivision. The 30 foot buffer requirement should be held and not reduced. They could move the buildings.

Mr. Justin Steinhard, 2283 Britt Drive, asked if the secondary entrance is closed off, does the road become a private drive? Mr. Costello replied no. Cardinal Way was set up to connect to the proposed site. The original plan for the site showed a street connection between both properties. With the new application, the Planning Commission will determine if the street connection to Cardinal Way is still appropriate based upon the density and subdivision layout. The proposed streets are to be public according to the developers. Mr. Morgan said that everyone should review Mr. Pennigton's email. Boone County Public Works will not accept the streets as proposed because of all the parking spaces that are adjacent to the right-of-way.

Mr. Joseph Caywood, 1906 Robins Run, questioned empty nesters since there will be a new library. He expressed a concern about traffic. He goes to work at 7:00 p.m. and when he pulls out

of the subdivision, people speed up so he can't get out. He is located close to the site and he is not in favor of the request.

Mr. John Schaffer, 2181 Blair Drive, reminded everyone that the Planning Commission already approved 2 strip malls and a high density residential project in the front of Thornwilde Subdivision and River's Pointe Subdivision. KY 237 is the only access and it is a 2 lane road. If the traffic backs up during peak times, fire trucks won't get through the area. Plus there is Amazon which makes KY 237 impassable from mid-November to mid-January. The lane additions only address Amazon and not the residential area. In addition, there is no guarantee that the units will be owner-occupied versus renters or apartments. The buffer could be improved if they take units out and move some of the units. Why not go back to lower density residential?

Mr. Mark Nichols, 1529 Jolee Drive, referred to the SR-3 zoning district requirements in Article 9 of the Zoning Regulations. He noted that an SR-3 zoning district should be located in urban entities with adequate infrastructure. The area is made up of Rural Suburban Estates to the north, west and east and SR-1 to the south. The area is not urban currently or planned to be in the future. Based upon the definition of Article 9, the proposed project cannot meet the requirements of SR-3. The second concern is safety. Traffic from the 162 units and 220 units from Parlor Grove Subdivision will use Old North Bend Road. A total of 382 units will use Old North Bend Road and use the second roundabout. It would be logical to direct the traffic through Cardinal Way (75 lots) and the proposed subdivision (162 units) to even out the traffic going in 2 different directions. It would be a better balance since there are only 2 lanes between the roundabouts. In addition, there are no sidewalks on Old North Bend Road. There should be sidewalks to allow residents to walk to the new library.

Ms. Barbara Jacobson, 2346 Grandview Court, stated that everyone in the room is against the request. Multi-family homes do not meet the needs of empty nesters and retirees. They don't want multi-levels. There are a lot of homes for sale in Thornwilde Subdivision. Traffic is a concern. One cannot get out of Cardinal Cove Subdivision at times. There will be more than 120 new cars or trips from this project. Retirees still drive in the early morning. Property values have declined in Thornwilde Subdivision. The project will affect her property values even though it doesn't adjoin. Drees really impacted Thornwilde Subdivision by allowing the strip mall and multi-family housing. The project is not Harmony or Arcadia. It is inappropriate because of Parlor Grove and Cardinal Cove Subdivisions. It should be single-family houses. Put the roads in first to solve traffic problems.

Ms. Joanne Ellena, 1718 Grandview Drive, stated that the animals have no where to go. There was also a cyclist killed by the old Flick's store not long ago. Traffic safety is an issue. There are 2 proposed strip malls, Toebben's development, 163 apartments in Thornwilde Subdivision, a new library, Graves Road issues and the 2 roundabouts that are a mess. Now they are going to add 162 more units (300 cars). She is ready to move.

Mr. John Salisbury, 1746 Coachtrail Drive, stated that he lived in Thornwilde Subdivision and moved to Rivershore Farms. The trails in Thornwilde are not well kept. There are a lot of homes for sale in Hebron listed in the MLS. The traffic issue has not been objectively discussed. The developer has not used mobile data. Any traffic study without mobile data is not accurate. It

becomes subjective. Mr. Salisbury reviewed the criteria for acting on a variance request. The project does affect the character of the general vicinity. He offered to do a mobile traffic study with good data at no charge.

Mr. Greg Ripberger, 1236 Rivermeade Drive, noted that half of the development in the area hasn't occurred so one cannot say it will work. The project looks great but once it gets approved, it may become a problem just like Thornwilde Subdivision with the change in the number of apartments - 163 now. He alluded that a Board member stated that if people showed up at a previous hearing, then he or she may have not voted for the request. The good news is that people are here now, so don't approve it. Originally, the site was approved pending the improvements to North Bend Road. It makes sense to allow the other projects to be built before the Board approves the pending project. By that time, one will know the true impact and what we are dealing with in terms of impact - traffic, sanitary sewer and water.

Mr. Barry Riehle, 2219 Kyle Drive, asked when the widening of KY 237 from Tanner Road to Graves Road will occur and the I-275/Graves Road Interchange? Mr. Costello replied there is no date for construction. The KY 237 widening project is currently being designed and both projects are a priority. Mr. Riehle asked what is the construction schedule of the project? He asked what is the process of increasing the number of dwelling units or developing in the HOA area? Mr. Costello responded that there would be conditions regarding the maximum number of units and if the applicant wanted to increase the maximum number later, they would have to go through the process again. Mr. Riehle inquired what is the likelihood of approving a new plan? Mr. Costello replied that it depends on the individual application and the impact of the changes. In some cases, the Board has approved changes and in other cases, the Board has denied the changes. Chairman Rolfsen also stated that the Board can set a condition that the units are condominiums and not apartments as agreed to by the applicant. He reminded everyone that the Planning Commission is a recommending body to the Boone County Fiscal Court. The Fiscal Court has the final approval/disapproval of the zone change request.

Mr. Jim McGuire, 1592 Grandview Drive, asked how do they keep this project from being a "bait and switch" like the project down the road? Mr. Costello explained that everyone has the right to come through the process if they want to propose a change. The applicant is requesting a zone change to build condominiums. Mr. Costello further stated that originally the Planning Commission approved a zone change to build the single-family detached units of the site. By law, a developer could build the single-family detached residential subdivision now without a zone change. However, the Drees Company is interested in building condominiums, thus the need for a zone change. Mr. Costello explained that the Planning Commission enforces the conditions set forth in the approval process. This includes the Concept Development Plan and the recording the conditions in the County Clerk's office.

Mr. Bill Kinsler, 2349 Grandview Court, stated that his house is located on the back side of Parlor Grove Subdivision and they have had on-going water pressure issues for a number of years. Will the additional 162 units affect this existing problem? Mr. Costello stated that a letter was sent to the Boone County Water District about this project and we received no comment to date.

Mr. Justin Steinhard, 2283 Britt Drive, asked whether an environmental impact study for this site

has been completed? There are 55 gallon drums, fire pits and other materials on the property. There are also empty paint cans on the property. Before any decision is made on this request there should be an extensive environmental study and not just a few soil samples. It should be done above and below the surface. Due diligence on the front end will prevent any long term impact.

Mr. David Miller, 1523 Jolee, asked whether anyone on the Board has a business or personal connection to The Drees Company? Mr. Wilson, attorney, replied that the members are appointed by the Judge Executive and the 3 mayors subject to approval of the City Councils and the Fiscal Court. If any of the Board members have a disqualifying interest, they always come forward and let the others know. There is no vote at tonight's meeting. The request will go to a Committee of the Commission who will make a recommendation in the form of a report to the full Board. If any Board member has an issue, they will abstain from voting at that time.

Mr. Jim Boggs, 1828 Old North Bend Road and 1820 Old North Bend Road, stated that one of his concerns is the buffer yard variance. The street will be close to his shed. He prefers the 30 foot buffer yard. He has lived there for 10 years and prefers the privacy. He doesn't want to see all the cars coming around the curve everyday. It is only fair that they install the maximum amount of shrubbery required. The area now has dead trees. He prefers the single-family housing but, if not, he wants to maintain the right buffer.

Mr. Cecil Young, 2173 Blair Drive, explained that a school bus has to cross over into 2 lanes to pull out of Parlor Grove Subdivision. It is not an issue now because there isn't any traffic but it will be if the project is built. There is some deception of who will live in the proposed units. Amazon Prime will be coming to the area. Not many single mothers can afford a \$200,000 home. Not too many retired people will want to live in a condo where somebody lives above them. Old people like it quiet. He recommended that the project not be considered until the I-275/Graves Road Interchange is constructed. If the project does move forward, there should be restrictions on the HOA that the project stays the way it is presented. The units cannot be purchased and rented out. Stop signs should be installed before the Parlor Grove entrance to slow people down on a narrow road. Pedestrians walking across the cross walks on KY 237 will back up the traffic.

Mr. Aaron Ellis, 1909 Oriole Court, stated he bought his house 3 months ago and has 3 children. Even though he only has one way in and out of the subdivision, people still drive fast on Cardinal Way. He doesn't allow his kids to ride their bikes on the sidewalks along Cardinal Way. Even if the emergency connection is built, it will be a doorway to change it in the future to a regular roadway. It is too easy to change if there is a problem at the other entrance. His main concern is the connector road and the safety of his kids.

Mr. Don Foltz, 1742 Hempfling Place, stated that due to traffic it takes his kids an hour to get to the IHM school. The units will have kids because of the good schools.

Mr. Matt Anderson, 2177 Blair Drive, stated that he interacts with pedestrians every day while driving in the area. Old North Bend doesn't have sidewalks. People use the road as a sidewalk. More housing in the area will cause a problem unless a sidewalk is installed. It is not 1990 but rather 2018 and sidewalks should be installed.

Ms. Lee Adamcik, 2191 Blair Drive, stated that she was not in favor of the request. The current single-family plan is the right fit. Sidewalks are critical on Old North Bend Road. Will the power lines on Old North Bend Road be addressed? Will they be buried. There are also power outages in the area.

Mr. Costello explained that Old North Bend is owned and maintained by the County and they would be responsible for constructing a new sidewalk. There is a program the County has in regard to installing sidewalks. That matter would involve approaching the Fiscal Court. He mentioned that burying utility lines along Old North Bend Road would cost millions. The power company will determine adequacy of power lines and connections.

Ms. Barbara Jacobson, 2346 Grandin Court, restated that she is opposed to the project. Single-family housing is appropriate for the area. There are existing homes there. Empty nesters don't want multi-story housing and the proposed project is deceptive. It is not senior living.

Ms. Joanna Ellena, 1718 Grandview Drive, stated she paid top dollar for her house and cannot get that amount today. With new people coming into the area, they can buy houses in Parlor Grove. They are not selling that fast. She doesn't see the need for the project because many homes are available.

Mr. Tom Barry, 1579 Brandon Drive, asked how many subdivisions have the Planning Commission approved in the area in the last 36 months? How many subdivisions are being processed now and what is it doing to the infrastructure? How many houses have been approved for the next 5 years? Mr. Costello responded that he doesn't have current figures available but there is a list of subdivisions and number of housing units on the Planning Commission's web page under "Active Subdivisions." He also explained that the State had those figures when they designed KY 237.

Mr. Justin Steinhard, 2283 Britt Drive, stated that the previous plan really could only accommodate about 37 - 50 homes due to the topography. The proposal shows 162 units which really affects the topography. It won't be 4 dwelling units per acre.

Ms. Mary Keller, President, Rivershore Farms, HOA, stated that the recommendation should be to reduce the number of units and make all the accommodations that the developer would have to meet. The Rivershore Farms HOA does not endorse adding more units at this time.

At this time, Mr. Bob Rothert, Abercrombie and Associates, responded to the questions and comments. In regard to the water, there would be a connection to KY 237 and Cardinal Way. The proposed use doesn't generate as much as single-family uses even with the increase in the number of units. Underground power would be looped to Cardinal Way. Duke Power does the design for the lines. He stated that he hasn't contacted the water district or power company about capacity issues.

Mr. Mains, the Drees Company, stated that they would start the project in the Fall 2019 and it would be a 5 - 9 year development schedule. They have completed a Phase I environmental study of the site and a stream/wet land survey. They are going to preserve the stream. All junk from the site will be removed. Geotechnical work will be conducted at a certain point to test the soils and

their suitability for the development. They have no intention of building or renting apartments. They are open to any conditions to resident ownership but he doesn't know if it can be restricted like Parlor Grove Subdivision. Mr. Mains offered to work with the County Engineer about the streets being public. The traffic figures are not arbitrary numbers. It refers to peak traffic hours. Those figures are similar to the figures from the previous approval. The other traffic issues in the area are under the jurisdiction of the Kentucky Transportation Cabinet. Drees is willing to install crosswalks and sidewalks on their frontage along Old North Bend Road. There is a lot of market research that goes into the type of housing Drees would like to build. Maybe it is the empty nester, maybe it is not. It includes young professional and single parents. It is maintenance free living.

At this time, Chairman Rolfsen asked if any Board members had questions or comments?

Mr. Hicks inquired about sidewalks along Old North Bend Road? Mr. Mains replied they would evaluate all their frontage for a possible sidewalk along Old North Bend Road.

Chairman Rolfsen asked about the variance request and how many homes are impacted? Mr. Morgan responded that it affects Mr. Boggs property and 4 other property owners along Cardinal Way.

Mr. Patton stated that from an environmental standpoint, the proposed project is doing less disturbance as recommended in the Comprehensive Plan. He asked the applicant to look at the cul-de-sac again and maybe there is a happy medium to disturb some of the area and move a pod down and a parking area so the variance would not be needed. It seems disproportionate that Cardinal Cove is feeling the impact and not Parlor Grove. For the audience, the state never funds road projects ahead of schedule. Boone County only gets 17 cents back for every dollar sent to Frankfort. He also encouraged the audience to participate in the Comprehensive Plan update. We are trying to balance property rights and we told the property owners that they couldn't develop the property for 8 years or until KY 237 was reconstructed.

Mr. Schwenke inquired about fire protections and turning ladder trucks around in the proposed project. How big are the cul-de-sacs? Mr. Rothert replied that the cul-de-sacs are 65 foot diameter. Mr. Schwenke asked the applicant to discuss the project with the fire chief to make sure it is designed with the proper turning radius.

Mr. Breetz asked where the sanitary sewer connection will be? Mr. Rothert responded one connection will be to Cardinal Way and one to the north side of the property. Some trees will have to be removed for the construction of the sanitary sewer. He asked to see a plan of disturbed limits for construction of the utilities at the Committee meeting.

Mr. Lunnemann asked the applicant to show a plan on how to address the installation of sidewalks along their frontage on Old North Bend Road. What about any amenities for the project? Mr. Mains replied due to the size of the planned community, a pool and clubhouse are not feasible. They will have a walking trail, sidewalks and a pocket park.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on September 19, 2018 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on October 3, 2018 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 9:55 P.M.

**APPROVED:**

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**Charlie Rolfsen**  
**Chairman**

**Attest:**

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**Kevin P. Costello, AICP**  
**Executive Director**

Exhibits:

1. Traffic Memorandum - John E. Pflum, P.E.