

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARING
OCTOBER 3, 2018
7:30 P.M.**

COMMISSION MEMBERS PRESENT:

Mr. Greg Breetz
Mr. Kim Bunger, Secretary/Treasurer
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Don McMillian
Mr. Kim Patton
Mr. Charlie Rolfsen, Chairman
Mr. Brad Shipe
Mr. Steve Turner, Temporary Presiding Officer
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Bessler
Mr. Steve Harper
Mr. Mark Hicks
Mr. Rick Lunnemann
Mr. Bob Schwenke

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen called the Public Hearing to order at 8:12 P.M. and introduced the first item on the Agenda:

ZONING MAP AMENDMENT - Todd Morgan, Staff

1. Request of **Steven Berling (applicant)** for **Cathy Dryden, John Dryden, Cynthia Schroeder, and Jerry Inskeep (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Public Facilities (PF) for a 14.86 acre site located on the east side of Gunpowder Road, approximately 40 feet north of the Gunpowder Road/Ridgeview Drive intersection, approximately 25 feet south of the Gunpowder Road/Bill Wentz Drive intersection, and including the property at 8756 Gunpowder Road, Boone County, Kentucky (annexation into the City of Florence pending). The request is for a zone change to permit memory care, assisted living, and senior housing.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The 14.86 acre site is located off Gunpowder Road. The request involves changing the current zoning of Suburban Residential One (SR-1) to Public Facilities (PF) to allow an elderly housing facility. The site is currently located in unincorporated Boone County and the applicant is pursuing annexation into the City of Florence. The Concept Development Plan shows a 93,754 square foot assisted living and memory care building with 106 beds (77 assisted living and 29 memory care). The memory care wing will be single story and will be located on the western side of the building. The assisted living wing will be 3 stories in height and will be located on the eastern side. There will also be 7 independent living townhouses on the site. Each building contains 4 two bedroom units. Access to the site will be from Gunpowder Road - close to Ridgeview Drive. The proposed building also has 2 courtyards. Mr. Morgan showed elevations or perspectives of the memory care and assisted living units. The maximum height of the proposed building is 43' - 11 7/8". Building materials include cement siding and stone veneer. The proposed townhouse buildings will utilize the same building materials and have garages. The site drops from the middle of the property to Gunpowder Road. A creek runs through the site. Mr. Morgan described the surrounding zoning and land uses. It includes senior housing zoning and commercial zoning.

The site is currently heavily wooded and has a residence on it. He showed photographs of the site and surrounding properties. The site has several overhead utility lines that will have to be relocated. Mr. Morgan expressed a concern for sight distance due to the elevation of Gunpowder Road. He asked the Kentucky Transportation Cabinet to provide comments on the application. The proposed access is located close to Ridgeview Drive. The Future Land Use Map designates the site as Suburban Residential (SR), Rural Lands (RL) and Developmentally Sensitive (DS). Mr. Morgan stated that references to the Comprehensive Plan are stated on pages 2-10 of the Staff Report.

In terms of Staff Comments, elderly housing facilities are defined in Article 40 of the Boone County Zoning Regulations. Staff would like the applicant to address the following questions regarding the proposed facility:

1. Are residents required to be a certain age before they can live in the facility? If so, how is this enforced?
2. Have trip generation figures for the proposed facility been prepared and submitted

- to the Kentucky Transportation Cabinet for review? If so, can these figures be submitted to the Planning Commission?
3. Have sight distances from the proposed access point been analyzed? Section 3217 of the Boone County Zoning Regulations requires minimum sight distances to meet specifications of the Kentucky Transportation Cabinet Highway Design Manual.
 4. Are sidewalks or a bicycle/pedestrian path being proposed along the Gunpowder Road frontage? Staff would like to note that a bicycle/pedestrian path exists between Bill Wentz Drive and US 42 and that sidewalks exist on the west side of Bill Wentz Drive.
 5. Could a masonry knee wall be added to the south elevation of the building (memory care wing area)? Can masonry also be added to the townhouse buildings because they are highly visible from Gunpowder Road (Buildings 6 & 7)?
 6. Has exterior lighting been analyzed (heights of light poles and fixtures and location of any spot lights)?
 7. Staff would like the applicant to revise the plan and show all striped parking and garage spaces to meet the zoning code.
 8. Two different Concept Development Plan options have been approved for the adjoining property to the north. One of the options allow a 3-story senior apartment building and the other allows two multi-tenant office/commercial buildings. Staff would like the applicant to address if they would be willing to connect the two parking lots if the apartment option is constructed on the adjoining property.
 9. The applicant needs to assess whether they meet the 50 foot setback requirement in the townhouse area due to the construction of decks. It needs to be verified.
 10. Staff sent an agency memo and received comments back from Florence Public Services, Florence, Florence Fire/EMS, and Kentucky Transportation Cabinet. These comments are attached to the Staff Report.
 11. Staff has attached a chart of all the senior housing facilities in Boone County. Notes have been added if the facility is still under construction or approved and not constructed.

In conclusion, Mr. Morgan included the criteria for approving or denying a Zoning Map Amendment request in the Staff Report.

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

Mr. Tony Schautz, Legacy Living, stated that his company is proposing a senior living facility with 3 components - assisted living, independent living and memory care. His company has developed these types of facilities in the Tri-State area and offered references. They would like to bring their services to the Florence area, which is badly needed. He noted that the company's age requirement is at least 55 years old. The average age for independent living is 77-79 years old. The average age for assisted living is 83 years old. The average age for memory care is just over 90 years old. They confirm the age requirement with background checks - birth date, social security number, etc. There will be no kids.

Mr. Al Wurster is a partner with Legacy Living and a contractor based out of Indianapolis. His company primarily builds hospitals and buildings for the health care industry and senior living. They have a similar project under construction in Jasper, Indiana.

Mr. Ben Rawlins, OMS Architects, stated that the townhomes, and main building, are clustered on the site for 2 reasons: 1) provides easy access for the residents to obtain services and 2) minimizes the grading work on the site. They want to keep as many trees as possible.

Mr. Steve Berling, engineer for the project, stated the site is nice but challenging. It is tight. The property is located off Gunpowder Road in the transition area of many lanes to 2 lanes. There is a 7 foot pipe culvert in the area. He offered to look into the sidewalks/bike paths. An Owen Electric line runs through the site and it will have to be rerouted. He noted that he is within a foot of adequate sight distance for the entrance of Gunpowder Road. The entrance may have to be shifted a little bit to the north to obtain adequate sight distance. The main reason why the proposed entrance is located towards the south is because of the vertical slope. To get the site to balance, it is recommended to keep the site as high as possible so they don't have to haul dirt from the site. The grade of the driveway is about 7-8 %.

Mr. Costello inquired about extending the southbound left turn lane? Mr. Berling replied that he didn't think it would be necessary. Mr. Costello emphasized the amount of traffic on Gunpowder Road. A lot of traffic uses Ridgeview as a cut through to Evergreen Drive. Mr. Berling responded that their traffic is not during peak times. The shift changes occur during off-peak times and most people who live there don't drive. No comments have been received by the Kentucky Transportation Cabinet. Mr. Costello stated that it is a busy travel corridor. Gunpowder Road will be widened in the future but there is no construction funding in the 6 year plan.

Mr. Dusing mentioned that they will be providing additional trip generation data to the State. Gunpowder Road is a busy road during peak hours. There are 28 independent living units with 56 trips per day plus workers and visitors. He stated the site is located far out for a turn area. Mr. Dusing encouraged the Board to review the project narrative. The project is unique in that the independent living has emergency capability with access to help that is already provided to the assisted living residents. The proposed use is a transition from the commercial along US 42 and the single family residential located along Ridgeview Drive. The layout of the site preserves some of the trees that will serve as a natural buffer. The site is no longer rural with commercial, industrial and urban residential next to it. The project is unique because the company is doing it for profit and the site will be annexed by the City of Florence. The City of Florence would like the bike path and the layout is adequate for the fire department. The project will serve people who have lived in

Boone County all their lives so they can stay in Boone County.

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

Seeing no one, Chairman Rolfsen asked if the other 13 facilities are identical to the one proposed? Mr. Tony Schautz replied that the one facility in Jasper, Indiana is a bit smaller. It is 113 units versus 128 units. The layout is almost identical. The other facilities in Ft. Wayne, Louisville, Lexington, Georgetown and Cincinnati are similar. Mr. Rolfsen asked what was the distance between the proposed entrance and Ridgeview Drive? Mr. Berling responded about 150 feet. What about entering the property from Bill Wentz Drive? Mr. Berling replied that the empty parcel is currently not available to them. They are interested in acquiring the adjacent property. It could provide a safer entrance and they wouldn't have to build a long and steep driveway. The realtor for the adjoining property owner is aware of their interest.

Mr. Bunger asked the applicant to explain the single family units. Mr. Schautz replied that the townhomes are 4-plexes and about 50% of their people will have a car and will drive that car to the grocery store one day a week. The townhomes are connected with the main building by phone and wi-fi. They have a zone system to help monitor emergency responses. They manage the medical needs of their residents. Individual and group transportation will also be available for the residents living in the townhomes. They would also be entitled to one meal a day while living in the independent living. Mr. Bunger asked what medical services are offered on site? Mr. Schautz responded that they will have a wellness department with a registered nurse or a licensed practical nurse and certified nursing assistants primarily to assist with taking medications. The first shift will have 15 employees working at the same time 7 days a week. A similar amount of employees will work both the second and third shifts.

Mr. McMillian inquired about having 2 access roads? Mr. Schautz replied that they have one off Gunpowder Road. They have 2 stubs planned for fire truck turnarounds. McMillian stated that one can get in but there is only one way out. If the entrance is blocked due to an accident what happens if there is another emergency at the facility? Mr. Schautz explained that the Fire Department was pleased with the design. He noted there is a stub on the north side of the site and it could be extended dependent on what is developed next door. It could happen if the adjacent property develops in accordance with the approved plans. It would be nice for the residents to walk to the CVS store and retail center without having to walk along Gunpowder Road. Mr. Morgan showed the approved plans for the adjacent property and noted that it would be easy to extend the driveway through both properties. It is uncertain whether the project on the adjacent parcel will be built since it is a tax credit project.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on October 17, 2018 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on November 7, 2018 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:55 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director