

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)
SECTION A (To be completed by applicant)

- 1. Name of Project The Fairways at Meadowood
2. Location of Project Northeast quadrant of KY Hwy 18 and KY Hwy 237
3. Total Acreage of Site 82.26 acres
4. Current Zoning of Site R, O-2, C-2
5. Proposed Zoning (Classification being requested) SR-1 / PD Overlay
6. Proposed Uses (please specify each use) Suburban Residential One Planned Development consisting of nine hole golf course and residential community of attached single-family housing
7. Names of Applicant(s) Robert C. Rhein Interests, Inc. / The Drees Company
8. Address of Applicant(s) 7265 Kenwood Road, Suite 220 / 211 Grandview Drive
9. Name of Property Owner(s) Lowell T. Runion
10. Address of Property Owner(s) 5531 Carolina Way
11. Proposed Building Intensities (please specify) 9 hole golf course and clubhouse, 313 attached single-family units, garages, clubhouse, pool, and related amenities.
12. Are there any existing buildings on the site? existing golf course clubhouse
13. Deed Book 678 Page No. 290 Group No. 2025
14. Are you also applying for:
15. Have you submitted a Concept Development Plan? Yes
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water and Sewer District
Florence Water and Sewer Commission
Union Light Heat and Power
Cincinnati Bell
Owen County Rural Electric
Boone County Public Works Department
Kentucky Transportation Cabinet
City of Florence Public Services Department
Boone County Building Department

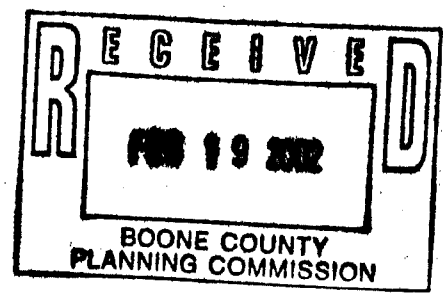


EXHIBIT  
“A”

## STAFF REPORT

Request of **Robert C. Rhein Interests, Inc./The Drees Company** (**applicant**) for **Lowell T. Runion** (**owner**) for a Zoning Map Amendment from Recreation (R), Office Two (O-2), and Commercial Two (C-2) to Suburban Residential One/Planned Development (SR-1/PD) for an 82.26 acre tract generally located on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and along the west side of Limaburg Road between Val Court Drive and Timber Lane, Boone County, Kentucky. The request is for a zone change to allow single family attached dwelling units (townhouses) and a nine hole golf course.

April 3, 2002

This request is for a zone change from Recreation (R), Office Two (O-2), and Commercial Two (C-2) to Suburban Residential One/Planned Development (SR-1/PD) for the southern and eastern portions of the Meadowood Golf Course property. The property owner is committing to retain the northern nine holes of the golf course with this request as indicated on the submitted Concept Development Plan. The majority of this site is currently within the Recreation zone (existing zoning boundaries are shown on the attached zoning map).

The overall density of 3.81 units per acre is based on a total of 313 units on 82.26 acres. A proposed density of 7.84 units per acre is based on the proposed 313 units on the remaining 39.9 acres (without the 42.36 acres for the remaining 9 hole golf course). The project will consist of for sale housing (condominium ownership) including townhomes and carriage home style ranches.

All roads in the development are proposed to be private. Public water and sanitary sewer are proposed for this development. This project will have access from the existing access point at KY 237 and an access point will be constructed at Old Florence Pike. At this time, no traffic signal is proposed for the intersection at KY 237, however the applicant has expressed the desire for a signalized intersection at that location and has agreed to provide the necessary funds for a traffic signal if warranted. Sidewalks/walking paths are shown throughout the development. A community building with swimming pool and parking is proposed near the entrance off KY 237. Storm water is proposed to be handled within the three dry detention basins.

An approximate 50' buffer is shown along the southern and eastern property lines that adjoin the existing residences along Old Florence Pike and the Burlington Oaks Apartments. There is approximately a 200' buffer along the Val Court Townhomes and Hayfield Park Apartments. The pathway system, concept building designs, and streetscape concepts are outlined in the application materials.

### **Site Characteristics**

As noted above, the site contains approximately 82 acres total, having approximately 1,350 feet of road frontage along KY 237 and approximately 75 feet of road frontage along Old Florence Pike. The site is largely open, grassy areas with gently rolling topography, with the exception of the wooded area adjoining the Val Court condominiums. There are also two lakes on the property. Public water is available along both KY 237 and Limaburg Road and sanitary sewer is available through an easement at the southeast corner of the property. Soil types on the site include Jessup silt loam (JeD) and Rossmoyne silt loam (RsB and RsC).

### **Adjacent Zoning and Land Uses**

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

- A. A combination of detached, single family residences, a church, a heavy equipment dealer, two telecommunications towers, and the last phase of Burlington Oaks (currently under construction) are located to the south and southeast along the north side of Old Florence Pike (O-2, C-2, and UR-2). A professional office building and a funeral home are located further to the south between Old Florence Pike and KY 18 (C-1).
- B. Meadowood Green Condominiums are located immediately to the north/northwest of the northern part of the site along the east side of KY 237 (SR-2/PD). A pasture area (with a residence along KY 18) and Stephens Elementary School are located further to the west across KY 237 (SR-2 and PF). A landscape nursery is north of the school (C-2).
- C. The remaining portion of the Meadowood Golf Course is located immediately to the north (R). A subdivision of detached, single family residences is located further to the north and northeast (Meadowood Estates of Tall Trees Subdivision, SR-2/PD).
- D. Several condominium and multi-family residential developments are located to the east between the subject site and Limaburg Road (Val Court, Fairwinds, Hayfield, Sky Harbor Apartments; UR-1).

### **Site History**

The Recreation zoning designation for the golf course site was adopted in 1980 as part of the Official Zoning Map and Zoning Regulations prepared by KZF, Inc. The Commercial Two (C-2) and Office Two (O-2) zones along the southern boundary of the site were created through the 1986 Zoning Update. A small section of the northeast corner of the portion of the golf course at large was rezoned from Recreation (R) to Suburban Residential Two/Planned Development (SR-2/PD) in 1995 to allow four single family residences, including conversion of the former clubhouse to a residence. A Public Hearing

was held on an application to rezone the entire Meadowood Golf Course property (approximately 82 acres) to SR-2/PD on May 24, 2000, however, that application was withdrawn. Another request was submitted for this property and on September 6, 2000, the Planning Commission held a Public Hearing to rezone the property to Urban Residential One (UR-1) for approximately 40 acres or only one half of the golf course property. That application was ultimately denied.

**Relationship to the Boone County Comprehensive Plan**

The 2000 Boone County Comprehensive Plan's 2025 Land Use Element (the "Future Land Use Map") designates the majority of the site for "Recreation" uses and a smaller part of the eastern portion of the site that adjoins the existing multi-family residential developments on Limaburg Road as "Urban Density Residential" (the area that is proposed to remain wooded). The Recreation classification is described by the Land Use Element as "Public and commercial outdoor recreation including golf courses, parks, race tracks, etc." The Urban Density Residential classification is described as "attached housing, generally condominiums or apartments, of over 8 dwelling units per acre."

The text of Land Use Element within the 2000 Boone County Comprehensive Plan refers to this area by stating:

"The area bound by KY 18 to the south, KY 237 to the west, Limaburg Road to the east and Conrad Lane to the north currently contains a variety of uses. This area should continue to develop in a residential fashion, providing low to high density housing opportunities."

The Land Use Element provides the following Future Land Use Development Guidelines that relate to the proposal.

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which 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, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined. ("Utilization of Existing Vegetation and Topography," pg. 158)
  
- B. 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 an integral part of the design of proposed projects; 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 greenbelts and open space within developments

and between developments. Developments proposed adjacent to planned or established greenbelts should provide pedestrian access where appropriate. Specific greenbelt studies should be conducted that examine Boone County's stream valleys and prominent wooded areas as permanent buffers or community separators. Natural green space benefits the community as well as encouraging developers to create innovative developments through clustering of buildings and impermeable area. ("Buffering," pg. 159)

- C. Developments in Boone County must include landscaping to accompany the proposed project. 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 minimize the visual impacts of the development from adjoining properties and roadways. The amount of heat absorbed by impervious cover from sun radiation is decreased by landscaping, which reduces energy costs. Landscaping also helps to purify the air of harmful pollutants, reducing health impacts.

Developments along major roadways in Boone County must include landscaping and/or the use of berms 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," pg. 159)

- D. Developments in Boone County must recognize the potential impacts of associated 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 site distance for access points, adequate space between access points, shared access points and parking facilities, and provisions for access connections to adjoining properties, and dedication of public right-of-way. In subdividing property, arterials or collectors should not be used for direct access to lots, rather a system of local streets should feed into the collector and arterial system. ("Access Management," pg. 159)

- E. Developments in Boone County must be designed, where appropriate, to improve the County's transportation system of roadway classification and function must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Developments 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. Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant or pedestrian use. These networks should not only provide internal paths, but should provide connections to adjoining uses where appropriate. Public open space and recreation sites should be connected by bicycle and pedestrian paths where appropriate.

Transit Oriented Development (TOD) is discussed in detail in the Transportation Element, and should be examined as a future direction in Boone County development patterns. ("Transportation and Pedestrian Network," pp. 159 and 160)

- F. Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact on 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 object 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. Overhead utility lines should be placed underground where possible, and junction boxes screened from public view. Neo-traditional residential and commercial development should be encouraged to provide quality development that blends with the natural or historic character of parts of Boone County. The Comprehensive Plan encourages restoration, renovation and/or adaptive re-use of historically significant structures in Boone County. ("Design, Signs, and Historic Preservation," pg. 160)

The proper application of these guidelines help, in part, to achieve an overall objective of this Comprehensive Plan. This goal states that proper future growth management for Boone County is implemented. As a minimum, proper design and development must include the consideration and application of the above guidelines.

The adopted 2000 Boone County Comprehensive Plan Goals and Objectives include the following pertinent statements:

- A. Proper future growth management for Boone County is implemented ("Overall," Goal).
- B. Boone County shall be viewed as an integral part of the Cincinnati Metropolitan Area ("Overall," Objective 1).
- C. Development issues shall be viewed in terms of promoting overall quality of life. Mixing of residential and other land uses shall be encouraged, within appropriately planned and designed neighborhood developments ("Overall," Objective 2).

- D. Proper design principles shall be applied in development ("Overall," Objective 3).
- E. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be maintained or improved as needed ("Overall," Objective 4).
- F. **Boone County shall strive to achieve both a diversity and balance in land use. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of the general public ("Overall," Objective 6).**
- G. The needs of Boone County's population are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- H. Boone County's development policies shall provide equal opportunity for the establishment of a balanced population regardless of age, race, or socio-economic status ("Population," Objective).
- I. **New development or redevelopment within Boone County is designed, constructed and operated in such a way that the quality of the existing physical environment and social environment are maintained and enhanced. Development within Boone County preserves and promotes a better quality of life ("Environment," Goal).**
- J. **New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used. Residential development design in particular shall minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Physical Objective 2).**
- K. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Social Objective 4).
- L. Safe, environmentally sound, and sanitary housing exists for all Boone County residents ("Housing," Goal).
- M. A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ("Housing," Objective 1).
- N. No housing policy shall have the effect of causing discrimination against any person on the basis of age, race, color, religion, sex, familial status, disability, or national origin ("Housing," Objective 2).

- O. The maintenance of sound existing housing, as well as, the rehabilitation of deteriorating housing shall be encouraged ("Housing," Objective 3).
- P. ***Housing supply in Boone County shall be balanced against present and planned commercial, industrial and primary and secondary education bases ("Housing," Objective 4).***
- Q. In order to offer the citizens of Boone County maximum choice in living environment, residential development shall be judged primarily on density, impact on infrastructure, and development design with only secondary consideration given to the type of dwelling unit ("Housing," Objective 5).
- R. Residential development shall be regulated as to basic health and safety considerations, including: a) proper connections to appropriate public water and sanitary sewer service, sewage disposal units, and telephone and electric lines, and b) properly designed and constructed storm water drainage according to location and use ("Housing," Objective 6).
- S. The interior street system of new residential developments shall insure continuity with adjacent built or planned neighboring areas. Residential developments shall be encouraged to provide interconnections between sections of their developments and with adjacent developments to promote safe and easy transportation access and a sense of neighborhood interaction. Based on certified traffic analysis, collector and sub-collector streets shall be evaluated to determine design without individual lot or driveway access. Lot and home buyers shall have access to approved plans regarding future connections. The interior street system shall also coordinate with and continue the evolving multi-modal transportation system (pedestrian and bicycle facilities, mass transit stops) ("Housing," Objective 8).
- T. New or redeveloped residential areas shall be designed to establish clearly defined neighborhoods with a mix of retail, public and recreational uses. Established neighborhoods shall be protected and enhanced and deteriorated neighborhoods shall be regenerated ("Housing," Objective 9).
- U. Mixed use, higher density neighborhoods shall be encouraged to locate at proposed mass transit stations near commercial districts and public facilities (i.e. parks) and also have convenient access to major streets and highways ("Housing," Objective 10).
- V. Clustering (increasing net density while not altering overall gross usable density) shall be promoted by appropriate incentives in order to preserve green space, scenic views, other identified significant site features, and land for public facilities or recreation. The usability of green space must be carefully reviewed, and the provision of green space must be carefully reviewed, and the provision of green space shall not in itself guarantee an increase of density. Clustered housing, or Open Space Subdivisions shall be permitted not only in planned developments, but in appropriately designed subdivisions under conventional zoning ("Housing," Objective 12).

- W. 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 ("Housing," Objective 13).
- X. Mixed use, higher density neighborhoods shall be designed to accommodate safe pedestrian access to mass transit, access to major streets and highways, public facilities, and parks ("Transportation," 1st Goal, Objective 9).
- Y. New connector streets shall be developed where needed and feasible thus lessening the total dependence on arterial streets. Existing connector streets shall be improved where needed ("Transportation," 2<sup>nd</sup> Goal, Objective 2).
- Z. Redevelopable and infill sites shall be encouraged to develop as walkable, mixed-use districts ("Transportation," 3<sup>rd</sup> Goal, Objective 3).

#### **Staff Comments/Concerns**

1. First, the Planning Commission and Fiscal Court will need to determine whether the proposal is in agreement with the Comprehensive Plan. Highlights of issues dealing with the Comprehensive Plan include:
  - A. The majority of the site is designated by the Future Land Use Map for "Recreation" purposes. A smaller portion of the site along the east property line (adjoining existing multi-family developments along the west side of Limaburg Road) is designated for "Urban Density Residential" purposes. Therefore, approval of this application would require a future amendment to the Future Land Use Map.
  - B. The Land Use Element states "the area bound by KY 18 to the south, KY 237 to the west, Limaburg Road to the east and Conrad Lane to the north currently contains a variety of uses. This area should continue to develop in a residential fashion, providing low to high density housing opportunities."
  - C. The Housing Element states "New subdivisions throughout the west Florence and Burlington areas should provide interconnections between their developments to promote safe and easy transportation access. Overall, the KY 18 Corridor represents a prime opportunity to promote high density residential uses in a transit corridor." (p. 87)

The Planning Commission and Fiscal Court will also need to determine whether the proposal fulfills either of the alternate statutory findings. In this regard, the applicant should explain the appropriateness and inappropriateness of the existing and proposed zones and/or any major changes of an economic, physical, or social nature not anticipated by the Comprehensive Plan that substantially alter the area's character. Relative to a finding of inappropriateness of the existing zoning classification, the decision making bodies should carefully review the uses permitted in the Recreation zone (attached) - some of these uses are potentially intense, while others could negatively affect the character of the area at large.

2. Staff has the following comments relative to the design of the project relative to the Planned Development Standards in Section 1514 of the Zoning Regulations.
  - A. Mixed Use Development and Pedestrian Orientation: This proposal consists of 313 for sale units and a 9 hole golf course. No commercial or industrial uses are proposed with this development.
  - B. Compatibility of Uses: Staff has concluded that the proposed units are compatible with the surrounding residential developments.
  - C. Open Space: Usable open space is something we are not accustomed to seeing, however the northernmost 9 holes of the golf course will be preserved by the property owner as part of this application, a condition of approval, and the owner has also expressed an interest in placing a deed restriction on the remaining 9 holes.
  - D. Multi-Modal Transportation System: The applicant is proposing a covered bus stop on KY 237 with a sidewalk link to the community.
  - E. Preservation of Existing Site Features: The "front nine" consisting of 42.36 acres.
  - F. Landscaping: A 65 foot wide area along the KY 237 frontage, a 50 foot wide area is shown along the southern and eastern property lines, and an approximate 200 foot wide area is shown in the northeast corner of the development for buffering and landscaping. Staff recommends that the buffer yard "A" plants be required where adjacent to residential and buffer yard "B" plants be required where adjacent to commercial.
  - G. Architecture: Conceptual building elevations have been included in the application booklet. Staff has concluded that the proposed building designs relate to similar structures in the immediate area.
  - H. Historic and Prehistoric Features: Staff is not aware of any.

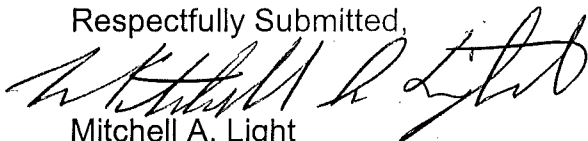
- I. Signage: The only signs proposed are monument style for identification.
  - J. Transportation Connections and Entry Points: Vehicular access will be provided through an existing access point at KY 237 and the addition of a connection at Old Florence Pike. Walking paths are shown throughout the development including connections to KY 237 and Old Florence Pike.
  - K. Conformance with Comprehensive Plan: All planned developments shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations of existing or planned infrastructure.
3. A Traffic Impact Analysis was submitted for this request (attached without appendixes). Staff does not dispute the major findings of the TIA and suggests that the recommendations (pp.20 and 21) be included as conditions of any approval of this application. The report states that "the intersection of the proposed Site/School and KY 237 will not meet any of the signal warrants normally required by the Kentucky Transportation Cabinet. The School has requested a signal, but was denied on the basis of insufficient volume to meet warrants (The proposed development will increase the volume of traffic at the intersection, but will not increase the volume enough to alone warrant a signal)." The developer has indicated that they would be willing to install a signal at their expense. Staff recommends that the Planning Commission require this through a condition of any approval of this application when the warrants are met.
- Greg Sketch, P.E., L.S., Boone County Engineer, has requested that the prior condition regarding Old Florence Pike also be included in any approval of this application (The applicant will construct a two inch surface course on Old Florence Pike between the development entrance and the intersection at KY 18 adjoining the funeral home, subject to approval by the Boone County Engineer).
4. Gary Aman, Project Manager for Sanitation District #1, has indicated that sanitary sewer service is available and that the existing line may need to be upsized (at the cost of the developer) based on the number of proposed units.
  5. Phil Trzop, Boone County Water District, has commented that adequate water is available and this project would provide an additional loop of the water system.
  6. Both the Hebron and Burlington Fire Protection Districts have commented that this plan is still too conceptual to provide an accurate review for the purpose of fire protection.
  7. A response from the Kentucky Transportation Cabinet is attached to the staff report. They are looking at making improvements to the KY 18/KY 237 intersection, and suggest moving the proposed entrance farther east for greater stacking at KY 237.

8. A letter from Mike Schoettelkotte, Drees, to Mike Hibbett, Boone County School District, highlighting the differences between this proposal and others, as well as providing student information.
9. Mr. Runion has sent out letters to the adjoining property owners expressing his willingness to place a deed restriction on the remaining 9 holes (a copy of one of these letters is attached to the Staff Report). Staff would like to point out that the application indicates that the 42.36 acres will remain as a 9 hole golf course and a condition of approval is also another way of restricting the use.

### Conclusion

This request needs to be evaluated by the Boone County Planning Commission and the Boone County Fiscal Court in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3 of the Boone County Zoning Regulations and in terms of the Planned Development requirements as stated in Article 15 of the Zoning Regulations. The Future Land Use Map will need to be amended if these requests are approved.

Respectfully Submitted,

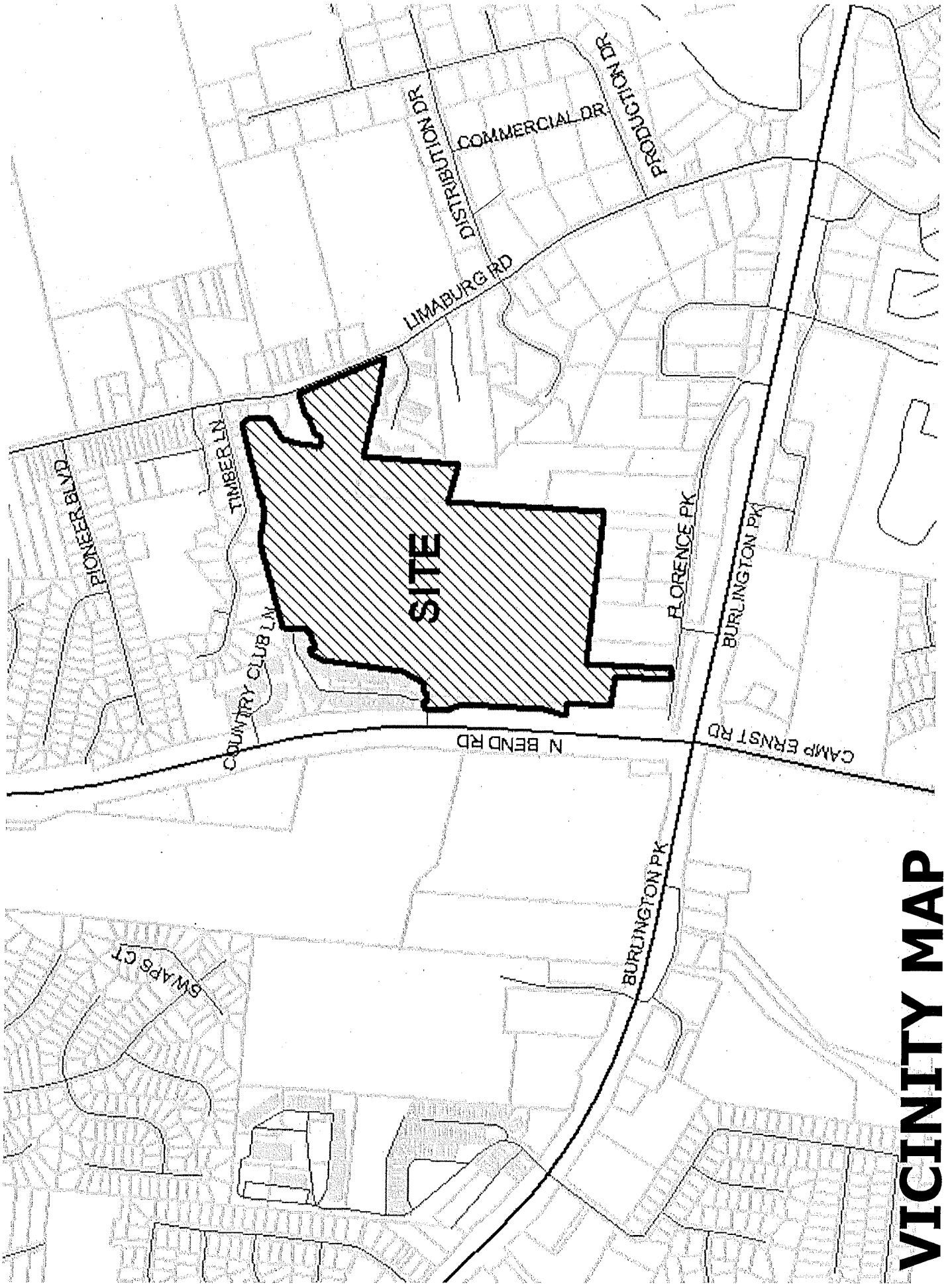


Mitchell A. Light  
Asst. Zoning Administrator/Enforcement Officer

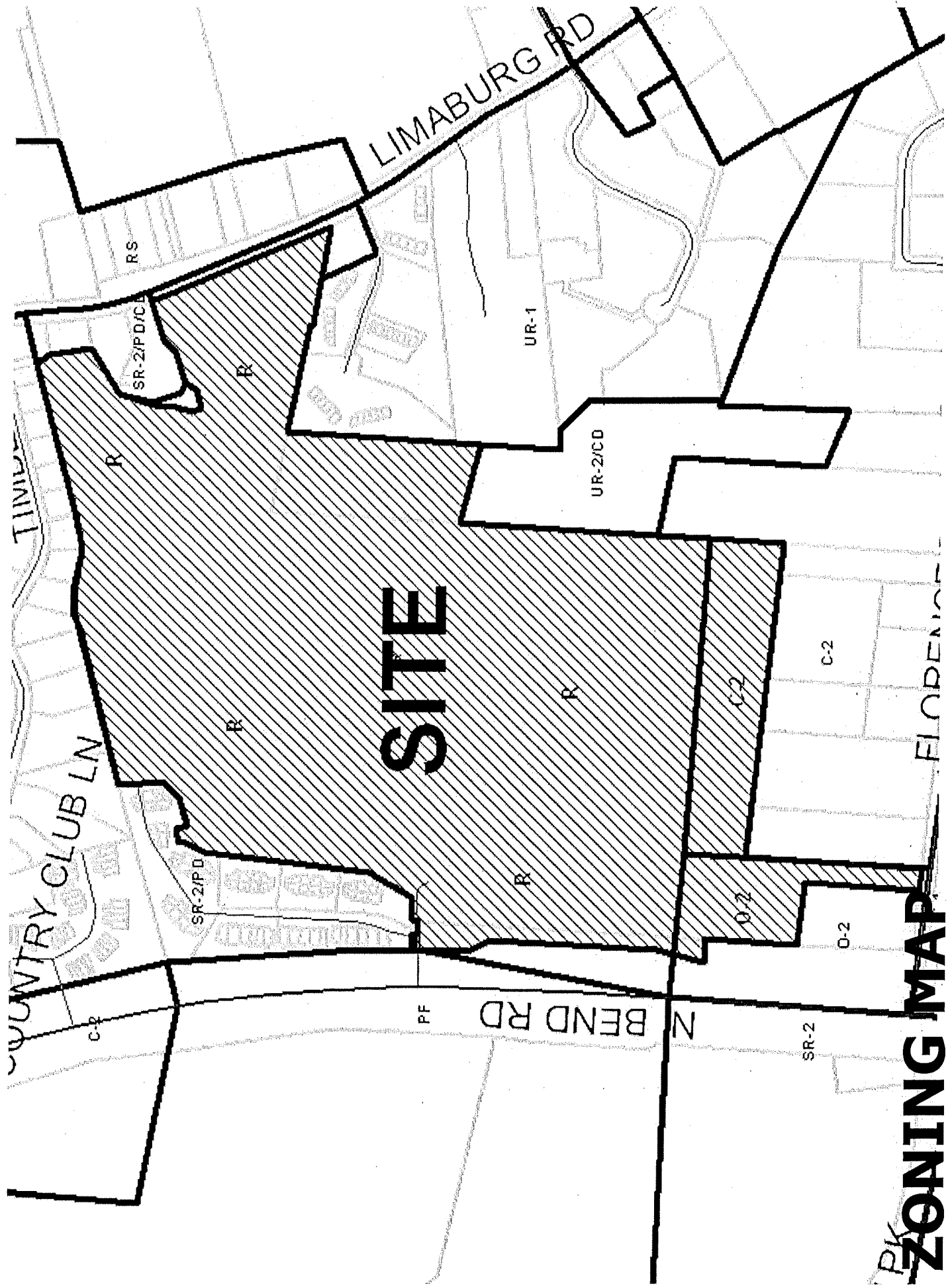
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### Attachments:

- Vicinity Map
- Zoning Map
- Future Land Use Map
- Aerial Photograph
- Existing Topography & Drainage
- Article 7 "Recreation District" of the Boone County Zoning Regulations
- E-Mail from Carol Callan, Transportation Engineer, Kentucky Transportation Cabinet
- Letter from Mike Schoettelkotte, Drees, to Mike Hibbett, Boone County School District
- Copy of letter from Tom Runion to adjoining property owners
- Letters from area residents
- Application materials including Concept Development Plan and Traffic Impact Study (without appendixes)



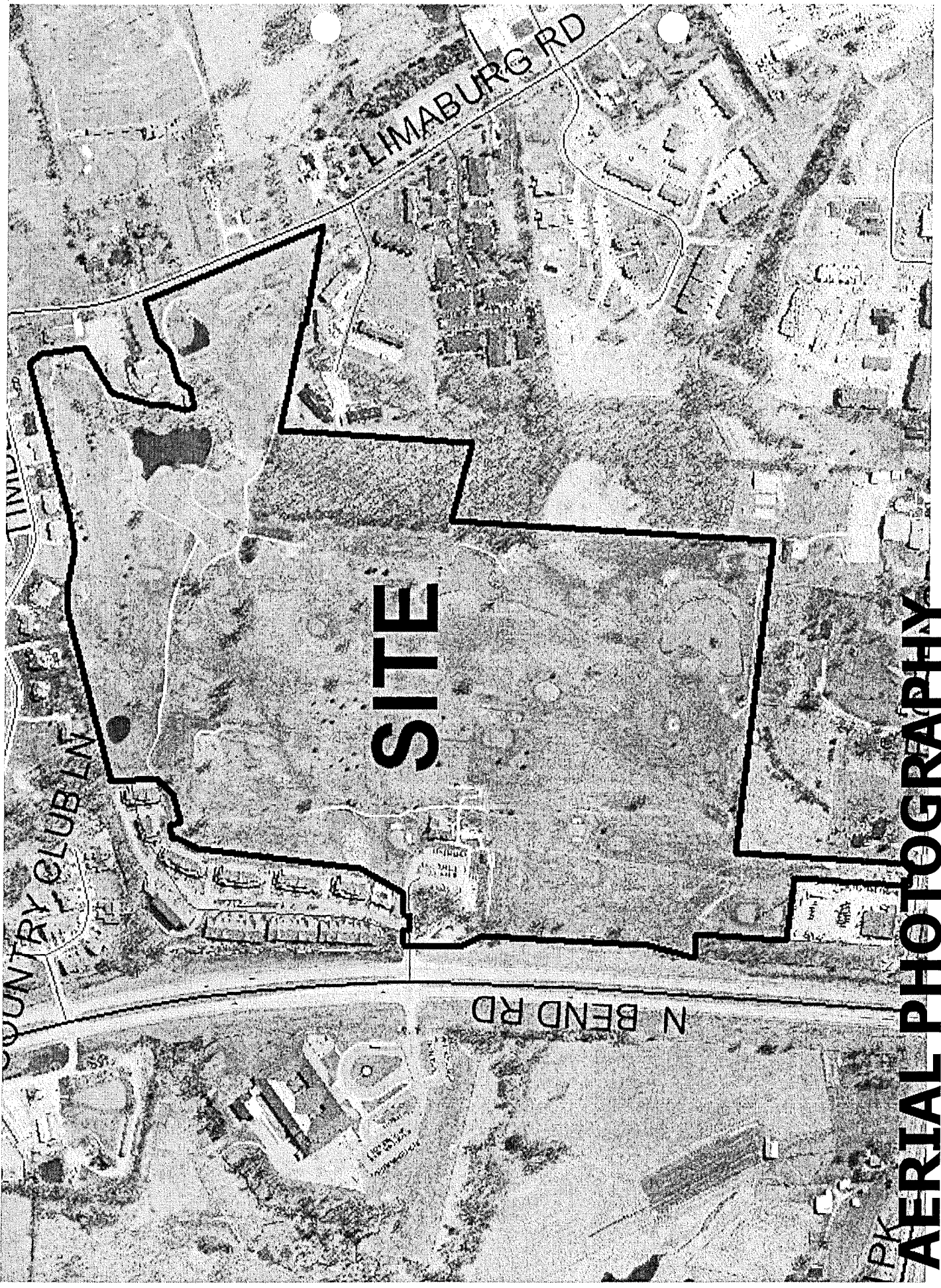
# VICINITY MAP



**SITE**

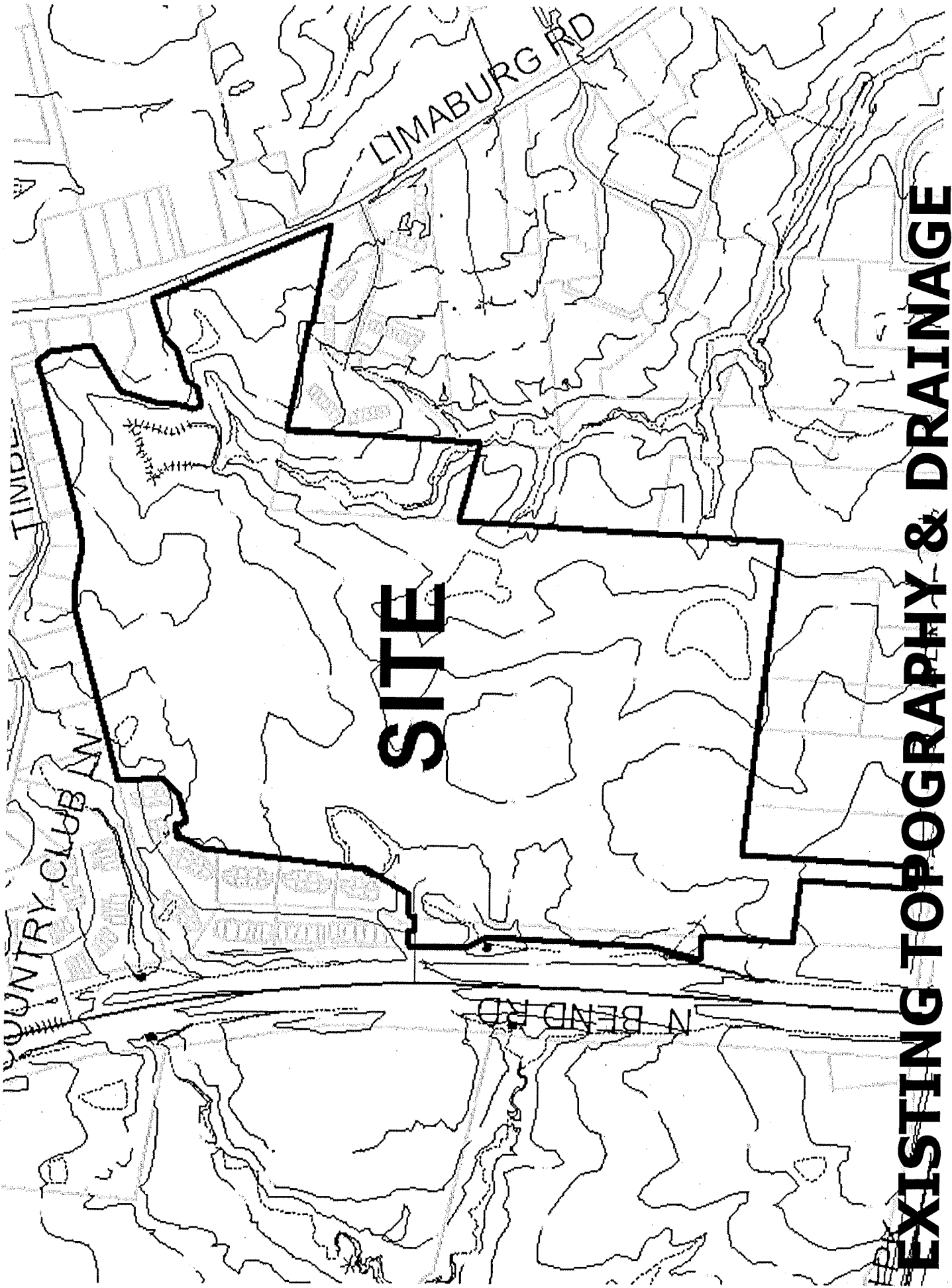
**ZONING MAP**





**SITE**

**AERIAL PHOTOGRAPHY**



**SITE**

**EXISTING TOPOGRAPHY & DRAINAGE**

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## ARTICLE

7

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## RECREATION DISTRICT

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### SECTION 700 RECREATION (R)

The purpose of the Recreation district is to identify, protect, and provide for the use of lands and structures for recreation activities. The purpose is further to ensure compatibility between the scale, extent, character, and location of these uses, surrounding development, local needs for recreation facilities, environmental suitabilities, and the limits of supporting infrastructure.

### SECTION 711

#### Principally Permitted Uses

The following recreation uses are permitted:

1. Libraries, museums, art and craft galleries, conservatories and other cultural exhibits;
2. Planetaria, aquariums, botanical gardens and arboretums, zoos, nature preserves, wildlife habitats and other natural exhibitions;
3. Historic sites and structures, and other monuments and exhibits available for public viewing;
4. Amphitheaters, indoor motion picture theaters, playhouses and other entertainment assemblies;
5. Auditoriums, exhibition halls and other places of public or general assembly;
6. Churches, synagogues, temples and other places of religious assembly for worship;
7. Fairgrounds, miniature golf, arcades, golf driving ranges, batting cages, go-cart tracks and other specialized amusement facilities ;
8. Golf courses, tennis courts, ice skating, roller skating, riding stables, bowling, skiing and tobogganing and other sports activities;
9. Play lots or tot lots, playgrounds, playfields or athletic fields, recreation centers, gymnasiums, clubs and other athletic uses and structures;
10. Swimming beaches and swimming pools;

11. Yachting, boat rentals, boat access sites and other marina activities;
12. Camping, picnicking, hiking areas, trails and other passive recreational uses;
13. ~~Dude ranches~~, youth camps, retreat centers, health resorts, ski resorts, hunting grounds, fishing lakes and fishing lake access, indoor and outdoor target ranges and other resorts;
14. General, leisure, ornamental and other parks, spaces, trails, bikeway systems and similar uses;
15. Recreational vehicle and trailer camps provided such living arrangements are of transient or seasonal use and such facility meets the requirements of K.R.S. Section 219.310 through Section 219.410. Permits as required under K.R.S. 219.310 through 219.410 shall be included with an application for Site Plan Review;
16. Day care centers or nursery schools;
17. Bed and Breakfast Inns.

#### **SECTION 712**

##### **Accessory Uses**

Such uses, buildings and structures customarily incidental and subordinate to any of the permitted uses including:

1. Dwelling units (subject to SR-2 zoning district standards) of the family of the owner-operator and/or resident manager including:
  - a. private garages and parking;
  - b. structures such as fences and walls;
  - c. buildings such as storage sheds, private greenhouses and gazebos;
  - d. storage of a recreational vehicle or unit;
  - e. private swimming pools, saunas, bathhouses and similar accessories;
  - f. Private recreational courts, complexes, or similar recreational activities;
  - g. private stables or other keeping and use of pets and animals;
2. signage (see Article 34);
3. Parking (see Article 33);
4. Temporary buildings incidental to construction;
5. Dwellings or rooming houses for persons employed on the premises on a permanent or seasonal basis to operate, maintain, administer or protect the leisure activity;
6. Country clubs, clubhouses, lodges and similar places of assembly or entertainment;

7. Boarding stables, boat moorage and storage, other vehicle, equipment and personal storage services or lockers and related services;
8. Utility generation, production, storage, treatment and disposal;
9. Emergency medical clinics and similar out-patient services.

## **SECTION 713**

### **Conditional Uses and Criteria**

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is of integral relation to and directly in support of the recreation activity, or b) the use, building or structure is subservient to and not of scale, nature advertisement, trade or other character which will compete, detract or conflict with the principal purpose of the district; c) the activity is necessary to serve the specified public or membership engaged in the principal purpose so long as the service area, use, scale or other character of the activity does not overpower, transient or conflict with the principal purpose of the district or immediate environs surrounding; and d) provided the arrangement of use, building or structure is mutually compatible with the organization or permitted and accessory uses to be protected in the district:

1. Any principally permitted uses of Agriculture (A-1) numbered 1-10;
2. Appropriate protective functions and related services like police and fire;
3. Water parks;
4. Amusement parks;
5. Special training and schooling activities, including target shooting ranges;
6. Cemeteries including mausoleums;
7. Drive-in theaters;
8. Stadiums, arenas, field houses, race tracks for horse, car, motorbike, or other vehicles and other sports assembly uses and structures;
9. Retail sales or service of gasoline, oil marine craft and accessories, grocery items, confectionery, drug and proprietary, art and craft products, books and stationery, antiques, sporting and athletic goods, bait, fuel and ice, bottled gas, cigars and cigarettes, newspapers and magazines, photographic supplies, gifts, novelties, souvenirs and similar products;
10. The operation of eating and drinking establishments including alcoholic beverages;
11. Ferry Boat Landings.

## **SECTION 714**

### **Intensity**

There are no minimum or average intensities common to recreational uses; rather the intensity or use in a recreational district shall be based on the performance standards determined unique to each use and its affected lands. However, all structures associated with any Principally Permitted, Accessory, and/or Conditional use in the Recreation district shall be subject to the C-2 zoning district intensity standards.

**SECTION 715**

**Minimum Size**

There is no minimum size or extent of land common to recreational uses or districts; rather a recreational district may include a single private or public lot of record if the general performance of the specific use and its affected lands so merits.

**SECTION 716**

**Minimum Standards**

The following standards shall apply to any permitted, accessory or conditional use and structure in this district:

1. The operation of any accessory or conditional use shall be pursuant and subservient to the purposes of the normal permitted recreational activity;
2. No use shall include the feeding, sheltering or penning of animals or fowl or the storage of refuse or compost within one hundred (100) feet of any adjacent property not used for agricultural purposes;
3. All uses in a Recreation zone shall be conducted in conformance with Article 30 - Site Plan Review;
4. See Article 31 for dimensional standards.

## Mitch Light

---

**From:** Pat Russ  
**Sent:** Wednesday, March 20, 2002 8:14 AM  
**To:** Mitch Light  
**Subject:** FW: Proposed Development Plan for Meadowood Golf Course, Boone County

-----Original Message-----

From: Carol.Callan@mail.state.ky.us  
[mailto:Carol.Callan@mail.state.ky.us]  
Sent: Tuesday, March 19, 2002 3:05 PM  
To: plancom@boonecountyky.org  
Cc: BillF.Madden@mail.state.ky.us; Richard.Guidi@mail.state.ky.us  
Subject: Proposed Development Plan for Meadowood Golf Course, Boone County

Dear Mr. Light,

We have reviewed above referenced plan. We have the following comments:

1. KYTC is studying improvements for the intersection of KY 237 / KY 18. These improvements include making the intersection grade separated; potentially w/ a urban diamond interchange. This would likely impact the southerly entrance into the proposed development. Design is in the current 6-year plan, but construction for the project is not.
2. Provide a right turn lane for NB KY 237 into the development vs. the taper shown.
3. Consider signage at the entrances to Meadowood & Meadowood Greene. Traffic coming from KY 237 shall be given right of way; we do not want traffic backing up on KY 237.
4. Consider moving the proposed entrance to Meadowood further to the east. While it would not align w/ Meadowood Greene, a greater storage length would be available for vehicles exiting the communities.

If you have any questions, please call.

Regards,

Carol A. Callan, P.E.  
Transportation Engineer

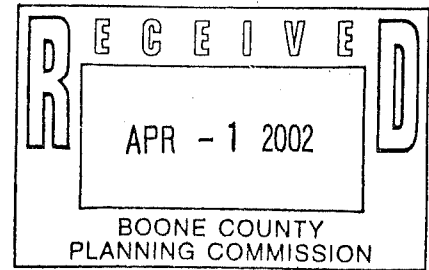
Kentucky Transportation Cabinet  
Dept. of Highways, District 6  
P.O. Box 17130  
421 Buttermilk Pike  
Covington, KY 41017-0130  
859-341-2700 x272



The way better homes are built.<sup>SM</sup>

March 29, 2002

Mr. Michael J. Hibbett, Assistant Superintendent  
Boone County School District  
8330 U.S. Highway 42  
Florence, KY 41042



**Re: Fairways at Meadowood**

Dear Mr. Hibbett:

On behalf of The Drees Company and Robert C. Rhein Interests, Inc., thank you for meeting today to provide us the opportunity to update you on our revised proposal to develop a portion of the Meadowood Golf Course into a condominium community called "The Fairways at Meadowood".

Highlights of the changes from our previous proposal include:

- Decrease in the number of units from 384 to 313 homes.
- No apartments are proposed; all units will be "for-sale" housing, condominium ownership.
- Price range of homes increased up to \$180,000.
- The remaining golf course will be preserved through a restrictive covenant limiting its future use to golf course/open space.

Consistent with our prior proposal, we are committed to work with the Boone County School District to secure a traffic signal on SR 237 at the common intersection of the Meadowood Golf Course and Stephens Elementary School. We have also committed to pay the installation cost for said traffic signal.

From our prior discussions with the school district, we understand your primary concern deals with the impact of new development on the existing school facilities. Based on our knowledge of the condominium buyers at Drees communities and historic enrollment data of the number of school children who reside in comparable condominium communities throughout Greater Cincinnati and Northern Kentucky (see attachments), we are confident of our projection that the number of school children (K-12<sup>th</sup> grades) from this new community of 313 condominium homes will be approximately 23. With the occupancy of homes anticipated to occur over a period of at least six (6) years, the impact to the school district will be an additional 3-4 students per year for a period of approximately six years.


Mr. Michael Hibbett  
March 29, 2002  
Page 2

Additionally from a financial impact standpoint, The Fairways at Meadowood community would have, conservatively, a value of over \$42 million dollars when completed and contribute approximately \$182,000 per year in school taxes based on year 2001 assessments. The tax contribution per resident student would be \$7,900.<sup>00</sup>

We hope our meeting discussion today with the information included in this letter will result in a positive assessment by the School District of our proposal for development of The Fairways at Meadowood.

Thank you for your time and attention to this matter.

Sincerely,



Michael Schoettelkotte  
Administrative Manager  
Land Development

cc: Kevin Costello, Boone County Planning Commission  
Mitch Light, Boone County Planning Commission  
Robert C. Rhein Interests, Inc.

Attachments: (2)

**SCHOOL CHILDREN SURVEY**  
**Townhome / Condominium Communities**

COMMUNITY (1995)	# HOMES	# CHILDREN <sup>1</sup>	CHILDREN/HOME
Lake Princeton	249	43 <sup>2</sup>	0.17
Villages of Beckett Ridge	216	14 <sup>2</sup>	0.06
Tennyson	224	20 <sup>3</sup>	0.09
Copperfield	250	7 <sup>3</sup>	0.03
<b>Surveyed Communities</b>	<b>939</b>	<b>84</b>	<b>0.09</b>

COMMUNITY (1997)	# HOMES	# CHILDREN <sup>1</sup>	CHILDREN/HOME
Vineyard Green	145	1 <sup>4</sup>	0.007
Maple Leaf	126	1 <sup>4</sup>	0.008
Village @ Royal Oak	130	2 <sup>4</sup>	0.015
<b>Surveyed Communities</b>	<b>401</b>	<b>4</b>	<b>0.010</b>

1. School Age Children - Elementary thru High School
  2. Source: Director of Transportation, Lakota School District
  3. Source: Board of Education Administrator, Princeton School District
  4. Source: Transportation Dept., West Clermont School District
-

**SCHOOL CHILDREN SURVEY**  
**Townhome/Condominium Communities**

COMMUNITY (2000)	# HOMES	# CHILDREN <sub>1</sub>	CHILDREN/HOME
SPRINGSIDE	153	2 <sub>2</sub>	0.01
SPRINGHOUSE	122	0 <sub>2</sub>	0
PROSPECT POINT	365	58 <sub>3</sub>	0.16
STONE MILL	80	3 <sub>3</sub>	0.04
CLIFFS @ OAKBROOK	164	12 <sub>4</sub>	0.07
SUMMITS @ OAKBROOK	119	5 <sub>4</sub>	0.04
<b>SURVEYED COMMUNITIES</b>	<b>1003</b>	<b>80</b>	<b>0.08</b>

COMMUNITY (2002)	# HOMES	# CHILDREN <sub>1</sub>	CHILDREN/HOME
CLIFFS @ OAKBROOK	164	9 <sub>4</sub>	0.06
SUMMITS @ OAKBROOK	119	4 <sub>4</sub>	0.03
<b>SURVEYED COMMUNITIES</b>	<b>283</b>	<b>13</b>	<b>0.05</b>

1. School Children Grades K-12
2. Campbell County Board of Education
3. Kenton County Board of Education
4. Boone County Board of Education/Boone County G.I.S.



March 26, 2002

Mr. & Mrs David Butler  
5611 Carolina Way  
Burlington, KY 41005

Dear David & Diane:

Based on my meetings with residents of your community regarding the revised development plan, which is now called The Fairways at Meadowood, it seems to me that the neighboring residents want a guarantee that the adjacent portion of the golf course, which consists of holes 1 through 9 and the clubhouse, will remain as such. Specifically, I have been asked if I would place a deed restriction on this portion of the property to keep it as a golf course or open space.

I am willing to do so if I have your support and can procure approval of the current application for the rezoning of the Meadowood Golf Course. I can commit to putting the following deed restriction on the northerly 42 +/- acres (the 9 hole golf course property) after the zoning approvals are finalized and before the issuance of any building permits for The Fairways at Meadowood development: The northerly 42 +/- acres will be used only for a golf course and/or open space. This restriction will limit the northerly portion of the property to open space or use as a golf course and associated uses such as a clubhouse, restaurant and practice areas. Buildings can include maintenance buildings, golf course restrooms, and a manager's residence, or one single family residence for the property owner, subject to County approval.

To give you a guarantee that this will occur, and that no future residential, commercial or industrial development will take place on the property, I will incorporate this letter in the Conditions of Approval of the proposed rezoning with the Boone County Zoning officials. Any future use would be restricted to uses permitted in the recorded deed restriction as described above.

I trust that, based upon the foregoing, I have your support. If you have any questions, please don't hesitate to give me a call at 586-0422.

Sincerely,

Tom Runion

## Mitch Light

---

**From:** Pat Russ  
**Sent:** Tuesday, April 02, 2002 4:17 PM  
**To:** Mitch Light  
**Subject:** FW: zoning change

-----Original Message-----

**From:** Jean Walters [mailto:mjwalters@mail.earthlink.net]  
**Sent:** Tuesday, April 02, 2002 3:11 PM  
**To:** plancom@boonecountyky.org  
**Subject:** zoning change

I want to express my opposition to the proposed zoning change requested by Dress Builders that would allow Meadow Wood Golf course to become residential housing.

I do not oppose grown in Boone country, but with the existing construction in progress off Oakbrook Dr(the subdivision I live in)-traffic has become an important concern for me.

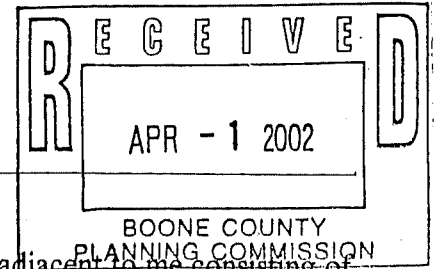
"Build housing and they will come" -no doubt about it, but plans to accommodate the increased traffic need to in place before additional building is allowed.

Thank you,

Jean Walters  
6471 Summerfield Dr.  
Florence, KY 41042

Juno e-mail for [suen10@juno.com](mailto:suen10@juno.com) printed on Friday, March 29, 2002, 15 PM

From: Sue H Neltner <[suen10@juno.com](mailto:suen10@juno.com)>  
To: [plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)  
Date: Fri, 29 Mar 2002 13:14:08 -0800  
Subject: ATTN: KEVIN COSTELLO



I am a resident of the property on Timber Lane in Burlington. The property adjacent to me consisting of a golf course and some condo/apartment development and a club house now has a request for a zone change to allow single family attached dwelling units (townhouses) and a reduction of the golf course to a nine hole course. The property belongs to Mr. Tom Runion.

I am sure you will recall that this zoning change has been requested before, however, the new request has a reduced amount of residential buildings and a plan to keep a nine hole golf course directly behind the residents on Timber Lane.

A meeting was held for all the residents of Timber Lane at the request of Mr. Rhein and Mr. Runion so that they could explain the nature of the zoning request. At the meeting, the residents asked Mr. Runion if he could prepare a deed restriction calling for the nine hole golf course to remain just that or open space. In short, no other residential, commercial or industrial development would be allowed on the property which is hole one through nine on the existing course.

Mr. Runion indicated that he would give that some consideration. He has now published a letter dated March 26, 2002 stating that if he has our support for him to secure approval of the current application for rezoning of Meadowood Golf Course, he will commit to a deed restriction to maintain holes one through nine. The restriction as stated in his letter indicates that he will restrict the northerly portion of the property to open space or use as a golf course and associated uses such as a clubhouse, restaurant and practice areas. Buildings would include maintenance buildings, golf course restrooms, and a manager's residence or one single family residence for the property owner.

He further stated in the letter that he would guarantee this and that the letter will be incorporated in the Conditions of Approval of the proposed rezoning with the Boone County Zoning Officials.

My concern is that he has stated that he would commit to this **after** zoning approvals are finalized and before the issuance of any building permits. I would much prefer and I know that other residents would also prefer that these actions are all inclusive. I am not sure of the legality or what actions would need to be taken to incorporate all of this together, but I am asking for your consideration of this to finalize this zoning request.

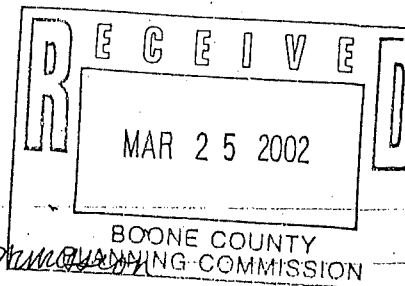
My husband has signed a petition developed by Mr. Runion that states that we agree with the proposed zoning request based on the exception that holes one through nine remain as stated above.

I will send you a copy of Mr. Runion's letter along with a copy of this E-mail for your perusal. I will also send a copy of this to Mr. Mitchell A. Light for his reference.

Thank you for your attention to this matter.

Sue Neltner  
[Suen10@juno.com](mailto:Suen10@juno.com)

Boone Co Planning Commission  
2995 W. Linton St  
Burlington, KY 41005



To: Boone Co Planning Commission

On Tuesday, March 19<sup>th</sup>, I attended a meeting at Meadowood Golf Course put on by the Drees's Co, Blue Inc & Tom Reunion. Drees & Blue said the new plan is to leave a 9 hole Golf Course, No Apts and less Condos than originally requested.

As the meeting drew to a close, Tom Reunion stated that he was willing to put Restrictions on the 9 Hole Golf Course that it would always remain a nine hole golf course.

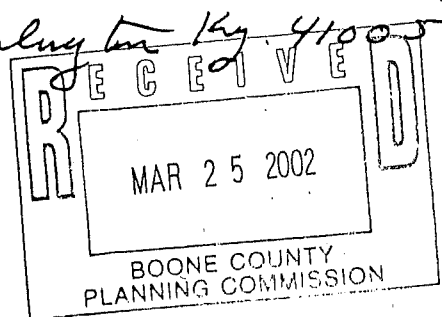
If the restrictions on the Golf Course are implemented,  
then I would no problem with this project.

Sincerely

Mike Fott  
1791 Cumberland  
Burlington KY 41005

Joe. & Barbara De Muzio  
1817 Timber Lane

Burlington Ky 41005



Boone County Planning Commission  
2995 Washington Street  
Burlington Ky 41005  
Attention: Mr. Matchell Light

Dear Mr. Light & commissioners,

This letter is in reference to the Re-Zoning and proposed development of the Meadowood Golf Course, by the Robert C Rhein Interests & the Dress Company.

There was a recent meeting held at the golfcourse clubhouse. After the presentation by Rhine and the Dress representative, the primary concern by the majority of the neighbors, was the future fate of the remaining 9 hole golfcourse or "green spot". After much discussion about this matter, Mr. Tom Runyon, owner & seller of this property agreed to put a deed restriction on the remaining 9 hole course. He felt that this would ease the minds of the neighbors, and guarantee the remaining 9 hole course or "green spot" would always remain just that.

This seemed to be an acceptable proposal to the majority of the neighbors. We are looking forward to him to announce this proposal to the planning commission at the meeting on Wednesday April 3, 2002.

Yours Respectfully  
Johnny De Muzio

## Mitch Light

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**From:** Pat Russ  
**Sent:** Tuesday, March 05, 2002 1:07 PM  
**To:** Kevin Costello; Kevin Wall; Mitch Light  
**Subject:** FW: Development of Meadow Wood Golf Course

-----Original Message-----

From: Aulick, Leslie (GEAE) [mailto:Leslie.Aulick@ae.ge.com]  
Sent: Tuesday, March 05, 2002 12:58 PM  
To: 'Boone County Planning Commision'  
Subject: Development of Meadow Wood Golf Course

I believe your last position on development of Meadowood was that you would not rezone because someone is losing money.

HERE WE GO AGAIN!!!

Last night I attended a presentation of another proposed change of zoning for Meadowood to allow for a development of 313 units and a total of 400 garages. This development would add up to 400 cars or more of traffic at a already over loaded intersection. Plus construction traffic for 6 to 8 years.

This makes no sense. We already have significant growth in traffic and with the further industrial development of 237 we need no more traffic problems then already exist. This contains a proposal to exit traffic on old 18. To reach a light to go east on 18 this traffic will have to go through Flick's parking lot. With greater backups at 237 south to east 18 this will become a shortcut for all traffic and we need to only hope that we have no serious accidents with people in a hurry going through the lot.

As you can tell as a resident of Meadowood Greene Condo's I am against this rezoning. However, as part of the presentation they will propose that the front nine be rezoned as Green Space Golf Course. I would suggest that the entire course be zone in this manner to limit the future use to golf or green space.

We were informed that a proposal was presented to sell the property for use as a cart racing facility. Let's put a stop to these kind of uses in the future and use this opportunity to keep this facility for Boone County.

Leslie Aulick  
5567 Carolina Way  
Burlington, KY  
586-9764

# BARRETT & WEBER

A LEGAL PROFESSIONAL ASSOCIATION

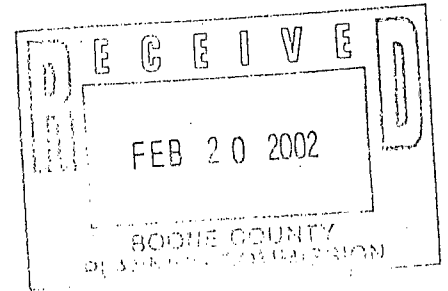
C. FRANCIS BARRETT  
H. PATRICK WEBER  
MICHAEL R. BARRETT  
M. MICHELE FLEMING  
JANET L. BELL  
KENNETH J. ELING  
KARRI K. HAFFNER  
STEPHANIE K. BOWMAN

500 FOURTH & WALNUT CENTRE  
105 EAST FOURTH STREET  
CINCINNATI, OHIO 45202-4015

TELEPHONE (513) 721-2120  
FACSIMILE (513) 721-2139

February 19, 2002

Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005



RE: The Fairways at Meadowood  
(Northeast Quadrant of KY 18 and KY 237)

Dear Commission Members:

On behalf of our respective clients, Robert C. Rhein Interests, Inc. and The Drees Company, two of the finest and most reputable residential developers in the tri-state area, we are pleased to submit this letter in support of the Application for Zoning Map Amendment to rezone the subject 86.26 acres to Suburban Residential One (SR-1) District with a Planned Development (PD) Overlay. Since the Commission is very familiar with this property and the prior submissions, this letter will be limited to describing the salient and more important features of the proposed Concept Plan, which incorporates many modifications and improvements that address the previously expressed concerns and issues.

First and foremost, the modified Concept Plan provides for the preservation of nine holes and the clubhouse of the existing golf course. Additionally, the residential component proposes 313 high-quality single-family attached housing units consisting of townhomes and carriage home style ranches, for an overall density of only 3.81 units per acre.

Considering the character of the area, and especially the intensity of traffic and land uses to the south along KY 18, the impact of KY 237 along the westerly boundary of the site, the Meadowood Green Condominiums to the northwest, Meadowood Estates of Tall Trees subdivision across the north, and the existing Val Court Condominiums and Hayfield Park Apartments to the east, the proposed development is an ideal transitional use. In many respects, it may also be the most appropriate use of the subject property.

With respect to the required findings necessary for a zoning map amendment, which are set forth in Section 308 of the Boone County Zoning Regulations, it is respectfully submitted that the proposed, modified Concept Plan addresses satisfactorily each of the itemized findings, even though only one is required for a map amendment.

# BARRETT & WEBER

A LEGAL PROFESSIONAL ASSOCIATION

Boone County Planning Commission

February 19, 2002

Page 2

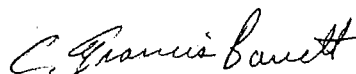
RE: The Fairways at Meadowood  
(Northeast Quadrant of KY 18 and KY 237)

Specifically, the proposed Planned Development respects the Boone County Comprehensive Plan by preserving nine holes of the existing golf course as recreational space and as a buffer for the Meadowood Green Condominiums and the Meadowood Estates of Tall Trees Subdivision single-family homes. Additionally, the proposed zoning classification, Suburban Residential One (SR-1) District with a Planned Development (PD) Overlay, provides for controlled, low-intensity land use that in many respects is better for the community at-large than the existing Recreation (R), the Office Two (O-2), and the Commercial Two (C-2) Zoning District. Moreover, with the economic viability of the golf course in jeopardy, the proposed plan preserves the northern area thereof on one hand for the benefit of the existing adjacent residential uses, while developing the southern area for high-quality single-family residential living in attractive townhomes and carriage homestyle ranches that offer attractive market choices.

In summary, the preservation of a large portion of the site as recreational use to the north and the providing of quality residential housing to the south gives the best of both worlds to the surrounding neighborhood as well as to the community at-large.

Respectfully submitted,

BARRETT & WEBER



C. Francis Barrett  
Attorney for Robert C. Rhein Interests, Inc. and  
The Drees Company

Enclosures

SUPPLEMENTAL REPORT  
THE FAIRWAYS AT MEADOWOOD  
BOONE COUNTY, KENTUCKY

March, 2002



## Introduction

The Drees Company and Robert C. Rhein Interests, Inc. will be developing The Fairways at Meadowood as a joint venture between the two companies. The Drees Company will be the sole builder of the proposed 313 single-family attached homes in The Fairways at Meadowood.

## Proposed Zoning

The area to be rezoned includes the entire property currently comprising the Meadowood Golf Club, the 18 hole public golf course privately owned and operated by Mr. Tom Runion. The request is for the rezoning of the entire 82.26 Acre Meadowood Golf Club from Recreation (R), Office Two (O-2) and Commercial Two (C-2) to Suburban Residential One (SR-1) District with a Planned Development (PD) Overlay. The area comprising the 82.26 Acres to be rezoned is identified on attached Exhibit A.

## Zone Change Plan

The Zone Change Plan for The Fairways at Meadowood includes 313 high-quality single-family attached housing units consisting of townhomes and carriage home style ranches. The total number of units in the Zone Change Plan represents a 18.5% decrease from the total units included in the previous zoning application. An important feature of the revised zoning application is the elimination of all rental units included in the previous zoning application. Another important feature is the preservation of nine holes of the existing Meadowood Golf Club and the existing clubhouse which is designated as Open Space/Golf Course on the Zone Change Plan.

The current Zone Change Plan is much more open and provides more spacing between buildings compared to the plan submitted with the previous zoning application. The overall density of the proposed community is 3.81 units per acre.

The southern and eastern portions of the proposed development are located adjacent to existing properties zoned and partially developed as O-2, C-2 and UR-1. The following developments and their densities, as shown on Exhibit A, are located east of the proposed development.

Burlington Oak Apartments	18 units per acre
Skyharbor Apartments	11.5 units per acre
Hayfield Apartments	12 units per acre

KY Hwy. 237 borders the proposed development on the west side. The proposed high-quality single-family attached housing units are certainly compatible with the adjacent

commercial and multifamily zoning located south and east of the proposed development. A minimum 35' wide buffer has been maintained along the east of west property lines to provide separation between the proposed housing units, KY Hwy. 237 and adjacent properties.

The proposed land uses are consistent with the text of the Comprehensive Plan which states "the area bound by KY 18 to the south, KY 237 to the west, Limaburg Road to the east and Conrad Lane to the north currently contains a variety of uses. This area should continue to develop in a residential fashion, providing low to high density housing opportunities."

The Fairways at Meadowood Zone Change Plan will create an attractive residential community, will be compatible with all of the various surrounding land uses and will have very little impact on the surrounding land uses. The surrounding land uses, including the existing apartment and condominium developments, the existing adjacent roadways, the nearby schools, shopping, churches and parks compliment the residential and open space uses proposed on the Zone Change Plan.

#### Nine Hole Golf Course

As a part of the revised zoning application, 9 golf holes and the clubhouse of the existing Meadowood Golf Club have been preserved. We have specified this area as Open Space/Golf Course to protect against other potential uses for this area. The previous zoning application did not include the remaining 9-hole golf course as part of the zoning application. Under the previous zoning application, the remaining 9-hole golf course retained its Recreation (R) zoning and could have been converted to other uses permitted under the Recreation (R) zone – some of these uses are potentially intense while others could have a negative affect on the character of the area at large

It should also be noted that the south end of the existing 18 hole golf course property includes approximately 9 acres currently zoned Office Two (O-2) and Commercial Two (C-2). If this 9 acres were to be developed for uses permitted under the current zoning and Land Use Plan, 5 of the existing 18 holes at Meadowood Golf Club would be severely affected or eliminated. The 9 acre reduction in golf course acreage would force the elimination of a number of golf holes and would render the remaining acreage unacceptable for an 18 hole golf course.

Since Mr. Runion's purchase of the Meadowood Golf Club in 1989, the economic viability of operating the 18-hole golf course has been altered. As explained by Mr. Runion in his letter attached as Exhibit B, Mr. Runion believes that the financial viability of the golf club during the past several years has been mostly impacted by the addition of several new public courses. With a reduction to a 9-hole course and its upgrading to a quality similar to other public courses in Boone County, Mr. Runion believes that the

new 9-hole golf course will once again become financially viable. Improvements to be made to the remaining 9 holes of the golf club include improved turf maintenance, use of topsoil from the housing development area to upgrade the quality of soil at the course, the transplanting of specimen trees to the remaining 9 holes from the housing development area, the completion of additional golf cart paths and the completion of an expanded irrigation system to obtain 100% coverage on the fairways, tees and greens of the remaining 9 holes.

### Housing Units

The single-family attached housing units will include 98 Carriage Homes with basements, 155 Carriage Homes on slabs and 60 Townhomes on slabs. Each building will include from 4 to 10 single-family housing units. The individual units will vary in size from 1,100 SF to 2,100 SF and are anticipated to sell from approximately \$110,000 to \$180,000. All front elevations of the housing units will be one or two stories in height. The three-story apartments included in the previous zoning application have been eliminated. Attached Exhibit C shows the mix of units within the entire housing area. Floor plans and elevations of the various single-family attached units identified in Exhibit C can be seen in Exhibit D. There will be a total of 968 parking spaces provided including 342 attached garage spaces, a total of 60 scattered detached garage spaces, a total of 224 scattered surface parking spaces and a total of 342 driveway spaces. An additional 20 spaces have been provided at the Community Clubhouse/Pool Facility. All paved areas within the attached single-family housing area, including exterior parking spaces and streets, will be private.

### Community Clubhouse and Swimming Pool

A new private Community Clubhouse and Swimming Pool will be constructed for the benefit of the new homeowners in The Fairways at Meadowood. The pool and the surrounding decking will be designed so that it can comfortably accommodate the mostly adult use generated from the single-family attached housing units. All homeowners will be required to pay fees through the Homeowners Association which will partially be used for the maintenance and operation of the Community Clubhouse and Swimming Pool.

The Community Clubhouse and Swimming Pool will be designed to be a people friendly facility which will address the activity needs within The Fairways of Meadowood community. This facility will be the focal point of the community and will form a gathering place where all homeowners of The Fairways at Meadowood can come together to have fun and socialize. Included as Exhibit E is the elevation and floor plan of the proposed Community Clubhouse.

## Landscaping and Nature Preserve Areas

The existing ingress and egress point off KY Hwy. 237, which currently serves as the entrance into Meadowood Golf Club and also the entrance into the Meadowood Green Condominiums, will be embellished to include substantial monumentation, landscaping, irrigation and lighting. This entry will serve as the main ingress and egress into The Fairways at Meadowood. Some photographs of entryways into some of our other residential communities are attached for your review as Exhibit F.

Open space buffers are located on the east, south and west sides of the community. Some existing vegetation already exists within portions of these open space buffers. Every effort will be made to maintain this existing vegetation. Landscaping will be added to the open space buffer in select areas in order to supplement the existing vegetation. The 9 holes of Meadowood Golf Club being retained by Mr. Runion will serve as an open space buffer between The Fairways at Meadowood and the single family residences located in the Tall Trees Subdivision and the condominiums of Meadowood Green. The single family attached units which are located adjacent to the remaining 9 hole golf course are situated to take advantage of golf course views from the interiors of the units. Some plant materials will be placed at the rear of these units to provide some scattered visual separation between the residential community and the golf course, but the plant materials will not be placed in such a fashion that they screen or buffer the view of the golf course from the housing units.

Subject to approval by the Kentucky Transportation Cabinet, the existing wire fence along the KY Hwy. 237 right-of-way which adjoins the community shall be replaced with a post and rail fence which matches the design of the existing right-of-way fence in place by the Meadowood Green development to the north.

A mixture of evergreens, deciduous trees and shrubs will be placed along the main entry street to supplement the existing trees at the entry which can be preserved during development.

There is an attractive natural area within The Fairways at Meadowood which will be preserved. The natural area is a natural forest area at the northeast corner of the site and west of the existing Val Court Condominiums. We desire to preserve the existing vegetation in this beautiful area and limit the use of this area.

There are two (2) existing lakes on that portion of the overall site where the single-family attached homes will be located. Due to the large amount of silt that has accumulated in the bottom of these lakes, we will not be retaining the lakes as permanent water features. The lakes will be partially filled in and converted to stormwater detention basins.

The Community Clubhouse and Swimming Pool will include substantial landscaping to compliment the appearance of the clubhouse and pool facilities.

The Fairways at Meadowood will incorporate extensive landscaping within the community. A coordinated landscape plan will be prepared for the Community Clubhouse and Swimming Pool and the single-family attached home area within The Fairways at Meadowood in order to establish a highly desirable entry and streetscape so as to achieve a high quality living environment.

### Open Space

The 9-hole golf course that is being retained, the formal landscaped areas, the buffer strips, the 3± acre nature preservation area and the Community Clubhouse and Swimming Pool make up a portion of the overall open space set aside for the enjoyment of the residents of The Fairways at Meadowood. Approximately 65± acres of open space are included in The Fairways at Meadowood, representing 78%± of the total acreage of the site.

The areas included as open space at The Fairways at Meadowood are shown for your review on Exhibit G.

### Homeowners Association

A Homeowners Association will be established to maintain the streets, parking areas, building exteriors and the entire grounds of the single-family attached home site area. All homeowners will be required to be members of the Homeowners Association. The Homeowners Association will be managed by a professional management company.

### Vehicular and Pedestrian Circulation

The main entrance into The Fairways at Meadowood will be the street connection to KY Hwy. 237. This connection will provide good access for all residents of The Fairways at Meadowood to employment centers to the north on KY Hwy. 237, to I-275 to the north and the retail establishments located on KY Hwy. 18. It is anticipated that many of the future residents of the proposed community will work in the developing industrial and office parks located to the north of the site on KY Hwy. 237.

In addition to the main entry into The Fairways at Meadowood off KY Hwy. 237, a secondary ingress and egress has been proposed to Old KY Hwy. 18. It is anticipated that this secondary ingress and egress will be used by residents entering The Fairways at Meadowood from KY Hwy. 18. This secondary ingress and egress will also provide convenient access to retail establishments on Old KY Hwy. 18.

The previous zoning application included a fairly direct private street connection through the community between the entry off KY Hwy. 237 and the secondary ingress and egress at Old KY Hwy. 18. The new plan intentionally eliminates the direct connection while still providing for through traffic and good circulation within the community.

A pedestrian pathway system is planned for The Fairways at Meadowood. This paved path will provide pedestrian access from most all areas within The Fairways at Meadowood to the Community Clubhouse and Swimming Pool and will provide a path system for walking or jogging within the community. The pedestrian pathway system is shown on Exhibit G.

#### Bus Stop

A covered bus stop will be constructed on KY Hwy. 237 near the main entrance to The Fairways at Meadowood in accordance with the requirements of TANK and the Kentucky Transportation Cabinet. A sidewalk link between the bus stop and the community will be provided.

#### Phasing

The development and buildout for the entire project is estimated to take 6-9 years depending upon how the market and economic conditions effect home sales.

#### Subsurface Conditions

The results of a preliminary geotechnical exploration by G.J. Thelen was submitted with the previous rezoning application for your review. The site is suitable for residential development.

#### Traffic Study

Jack Gehrum of Pflum, Klausmeier & Gehrum, has prepared a comprehensive traffic study, a copy of which is attached as Exhibit H. The 18.5% reduction in the total number of units in The Fairways at Meadowood development when compared to the previous zoning application clearly results in reduced traffic load on adjacent roads.

### Off-Site Road Improvements

The following off-site road improvements, as recommended by the Traffic Impact Analysis and by the Boone County Engineer's Office will be made in conjunction with the development of The Fairways at Meadowood:

1. Two exiting lanes from the project will be constructed at the Ky. Hwy. 237 intersection – one left-turn lane and one through/right lane;
2. Subject to approval by the Kentucky Transportation Cabinet, the existing right-turn taper into the site on northbound Ky. Hwy. 237 will be expanded per the Traffic Impact Analysis to include a full storage lane and taper;
3. Subject to approval by the Kentucky Transportation Cabinet, a short left-turn lane will be constructed in the existing median area on eastbound Ky. Hwy. 18 for left turning movements into Old Ky. Hwy. 18 and Old Florence Pike; and
4. Subject to approval by the Boone County Engineer, a two inch (2") surface course overlay will be constructed on Old Florence Pike between the project's secondary entrance and the intersection of Ky. Hwy. 18 adjoining the existing funeral home.

The construction of these road improvements, subject to the appropriate required approvals, were conditions agreed to during the previous zoning application.

### Utilities

Sanitary sewer will be extended to The Fairways at Meadowood site via a sanitary sewer easement in place at the southeast corner of the site. Viox and Viox has verified that downstream capacity is adequate to serve the development of The Fairways of Meadowood.

Existing water mains are located on KY Hwy. 237. This water main will provide county water for The Fairways at Meadowood.

### Employment and Shopping

Residents of The Fairways at Meadowood will have easy access to numerous employment centers located on KY Hwy. 18 and KY Hwy. 237, as shown on Exhibit I. Such employment centers include Airport West Industrial Park, Gateway International Business Park, Lakeland Business Park, Lakeshore Industrial Park, Hebron Industrial

Office Campus and Park West International Industrial Park. Downtown Cincinnati is also readily accessed from the site.

Shopping and retail facilities are available at the new Kroger grocery store on KY Hwy. 237, at the nearby Florence Mall and numerous surrounding convenience, retail and restaurant outlets.

### Schools

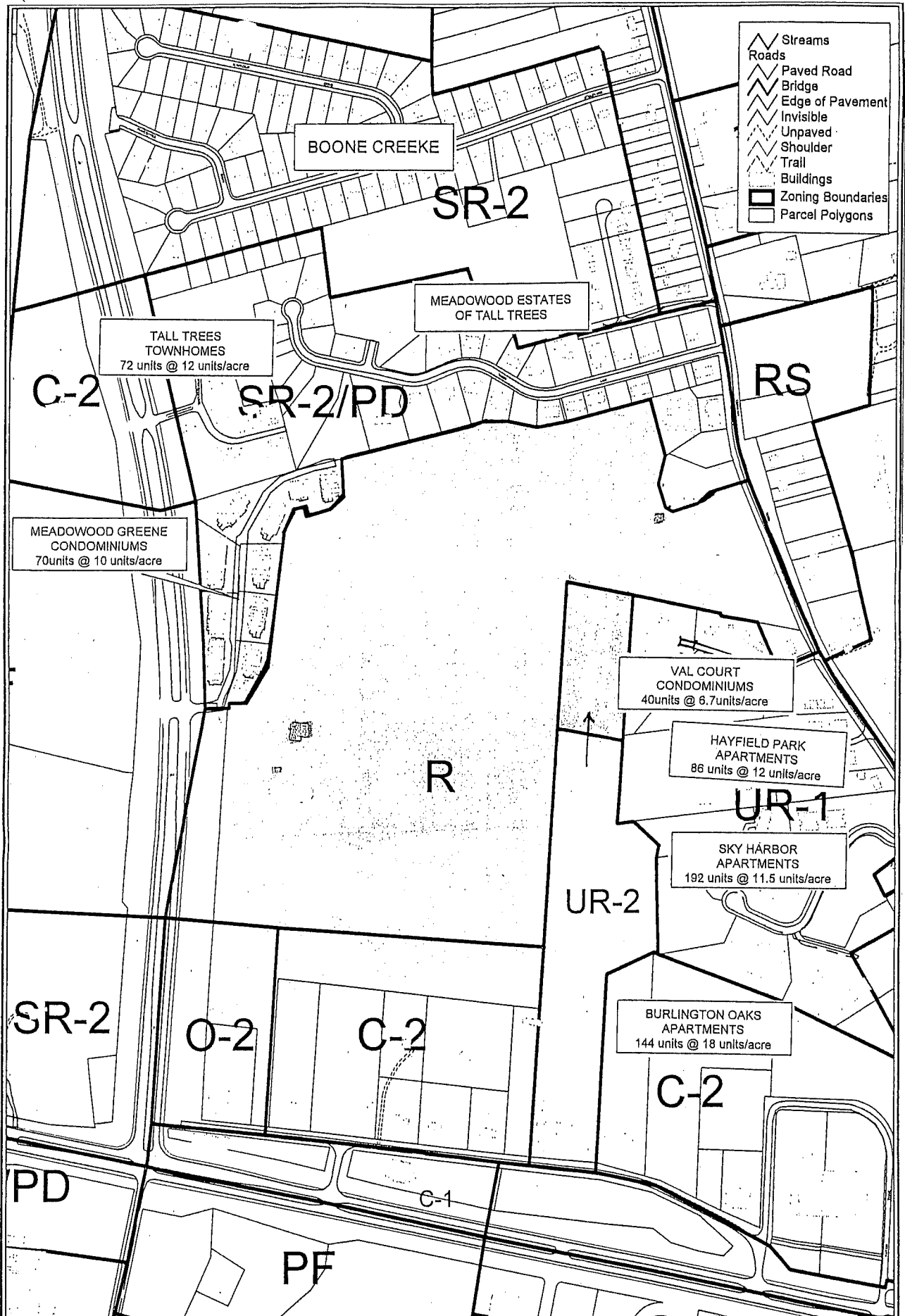
The main entrance to The Fairways at Meadowood is located directly opposite Stephens Elementary School, in close proximity to the Immaculate Heart of Mary School and nearby Conner Middle and High Schools. The number of children expected to be generated by The Fairways at Meadowood community is expected to be low based on statistics in similar type communities developed by The Drees Company. These statistics (refer to Exhibit J) for similar projects show that 92% of the homes in their single-family attached developments have no children, while the average number of children per unit is 0.12. As a result, we believe that the impact of The Fairways of Meadowood development on the local school system should be minimal for a project of this size.


Some of the Boone County residents who spoke at the public hearings on the previous zoning application voiced their concern about difficulty getting into and out of Stephens Elementary School located on KY Hwy. 237 directly across from the main entrance to The Fairways at Meadowood. Boone County Schools has approached the Kentucky Transportation Cabinet in the past with a request for a traffic light at the entrance to Stephens Elementary but this traffic light was denied because there were insufficient warrants for a new light. It is our desire to again approach the Kentucky Transportation Cabinet, with the assistance of Boone County Schools, with a proposal for a traffic light at the intersection. We will finance the construction of the traffic light, upon the approval of the Kentucky Transportation Cabinet.

### Summary

The new zone change request for the Meadowood Golf Club property addresses the concerns of Staff, Planning Commission and surrounding residents expressed during hearings for our previous Zone Change request. The Fairways at Meadowood concept plan is sensitive to and compatible with the various surrounding land uses and will provide quality single-family attached housing for existing and future residents of Boone County.





 SITE TO BE REZONED

350 0 350 Feet

1 Inch equals 350 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
April 20, 2000





March 15, 2002

Members of the Boone County  
Planning Commission  
2995 Washington Street  
Burlington, KY 41005

Re: The Fairways at Meadowood

Dear Commissioners:

The Drees Company and Robert C. Rhein Interests, Inc. have revised their plans for the development of my Meadowood Golf Course property. I will be retaining 9 holes and the clubhouse of the existing Meadowood Golf Club, and the balance will be developed as single-family attached housing units. In order to address previous concerns expressed about the continued use of a portion of my property as a golf course, I have agreed to include the 9 holes and the clubhouse that I am retaining as a part of the new zoning application, designating the 9 holes and clubhouse as Open Space/Golf Course. Designating the 9 holes to be retained by me as Open Space/Golf Course effectively protects these golf holes from other potential uses allowed under the existing Recreation zoning.

I have owned and operated Meadowood Golf Club since 1989. I have operated at a loss for the last six years and will not break even in the future due to a decrease in rounds played at the course. Meadowood Golf Club cannot survive as an 18 hole golf course, and I am forced to make a change.

In the early nineties, following my purchase of the course, there were 54 new golf holes built with tax dollars in Boone and Kenton Counties. All of the new county courses are extremely high quality facilities and provide great recreational benefits for the general public. As positive as these new county facilities have been for the general public, they have had a devastating economic impact on Meadowood Golf Club. The number of golf rounds played at Meadowood Golf Club decreased from 43,497 in 1990, which was prior to the completion of the new 54 county golf holes, to 28,111 in 1996, which was following their completion. The attached graph shows more clearly the number of rounds played by year at Meadowood Golf Club since 1990 and demonstrates the direct relationship between the number of rounds played and the timing of the completion of the new county built golf courses.

I have done an extensive feasibility study for an upgraded 9 hole golf course on the site. My study showed that the majority of all rounds played at Meadowood Golf Club are 9 hole rounds, and in particular, all of our league play consists of 9 hole rounds. Even though I would be decreasing the number of golf holes by 50%, I believe I can retain 75% to 80% of my current

Boone County Planning Commission

March 15, 2002

Page 2

customers. Considering also that my operating expenses would decrease since I will be maintaining 9 holes of golf instead of 18 holes, a 9 hole course will allow me to operate an economically viable business while simultaneously providing a desirable recreation amenity for those in the immediate area as well as all of the residents in Boone County. Improvements that I will be making to the 9 hole course include improvements in turf quality and maintenance, new trees and other landscaping, additional golf cart paths and expanded irrigation facilities so that all greens, tees and fairways on the 9 holes would be irrigated.

I have discussed the new plan with a considerable number of players and residents in the immediate area, and the mass majority overwhelmingly support the plan.

I feel extremely fortunate to have Robert C. Rhein Interests, Inc. and The Drees Company as developers and builder of the residential portion of the site. Both companies have impeccable reputations, with major projects throughout Northern Kentucky and Greater Cincinnati.

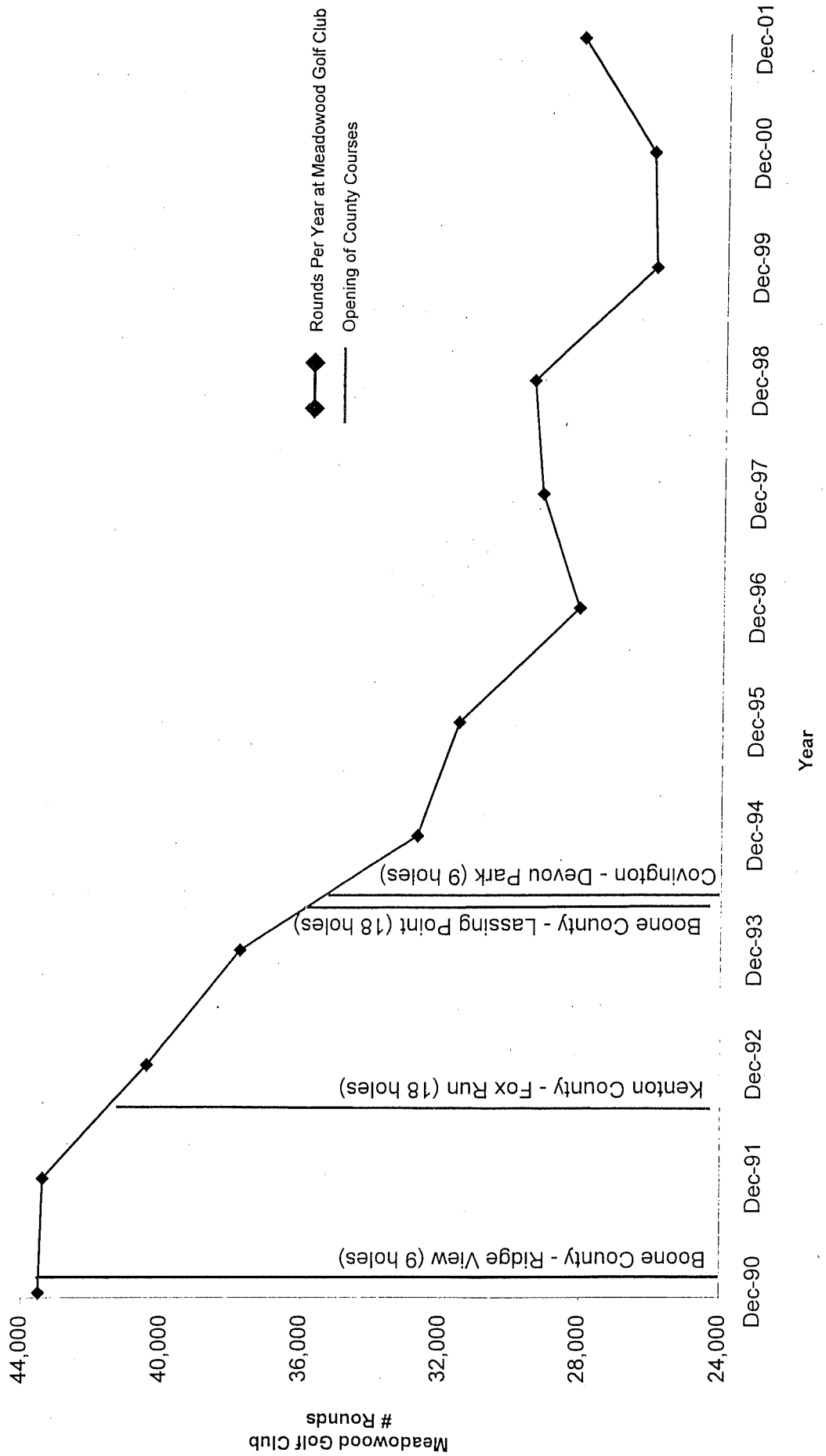
I urge you to consider the above facts as you review the merits of the new zoning application.

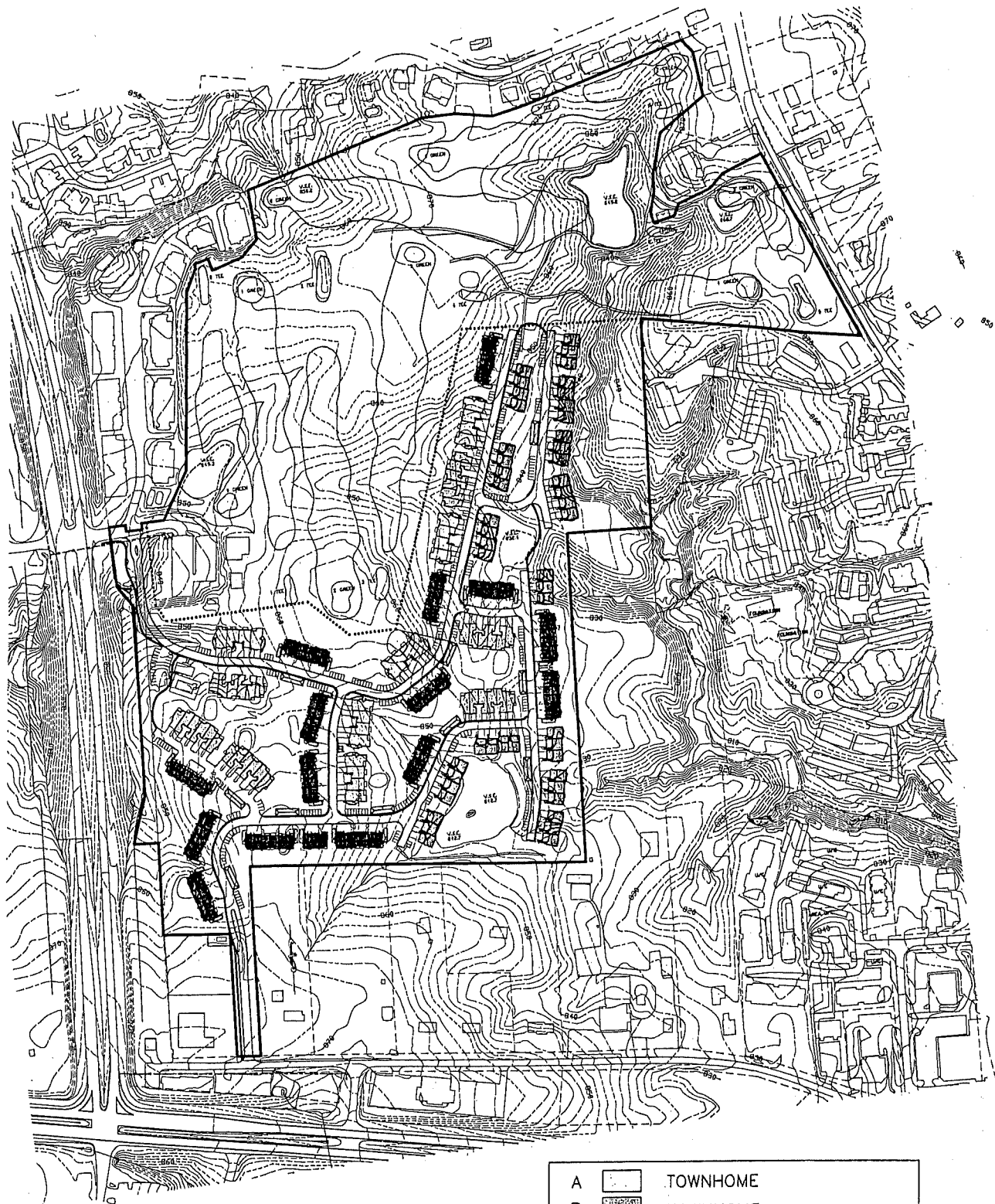
Sincerely,

A handwritten signature in black ink, appearing to read "Tom Runion", with a stylized flourish at the end.

Tom Runion

# Meadowood Golf Club Rounds Per Year 1990 through 2001



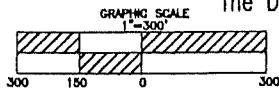


A		TOWNHOME
B		TOWNHOME
C		CARRIAGE HOME
D		CARRIAGE HOME

PROPOSED HOUSING TYPES

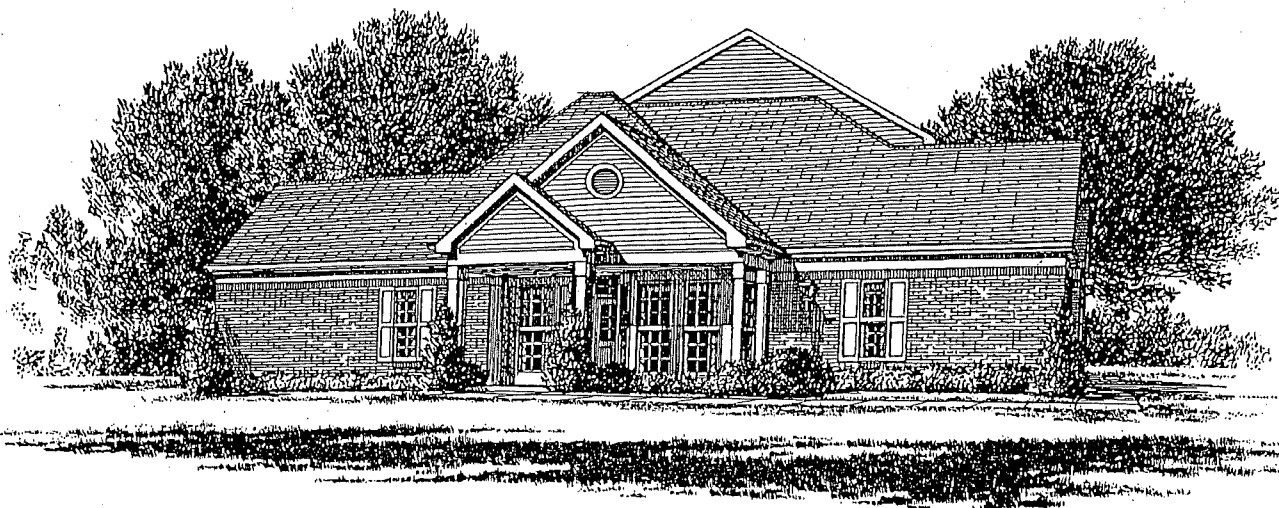
# *FAIRWAYS AT MEADOWOOD*

BOONE COUNTY, KENTUCKY      MARCH 8, 2002  
 The Drees Company & Robert C. Rhein Interests, Inc.      Ft. Mithcell, KY.



**W VIOX & VIOX, INC.**  
 Engineers • Surveyors • Landscape Architects  
 498 Ekamp Road      Tel: 858-777-3283  
 Granger, Kentucky 41018      Fax: 858-777-8452  
 e-mail: viox@aol.com

*The*  
**D**unsmoor  
*Towne Home*



**Drees**

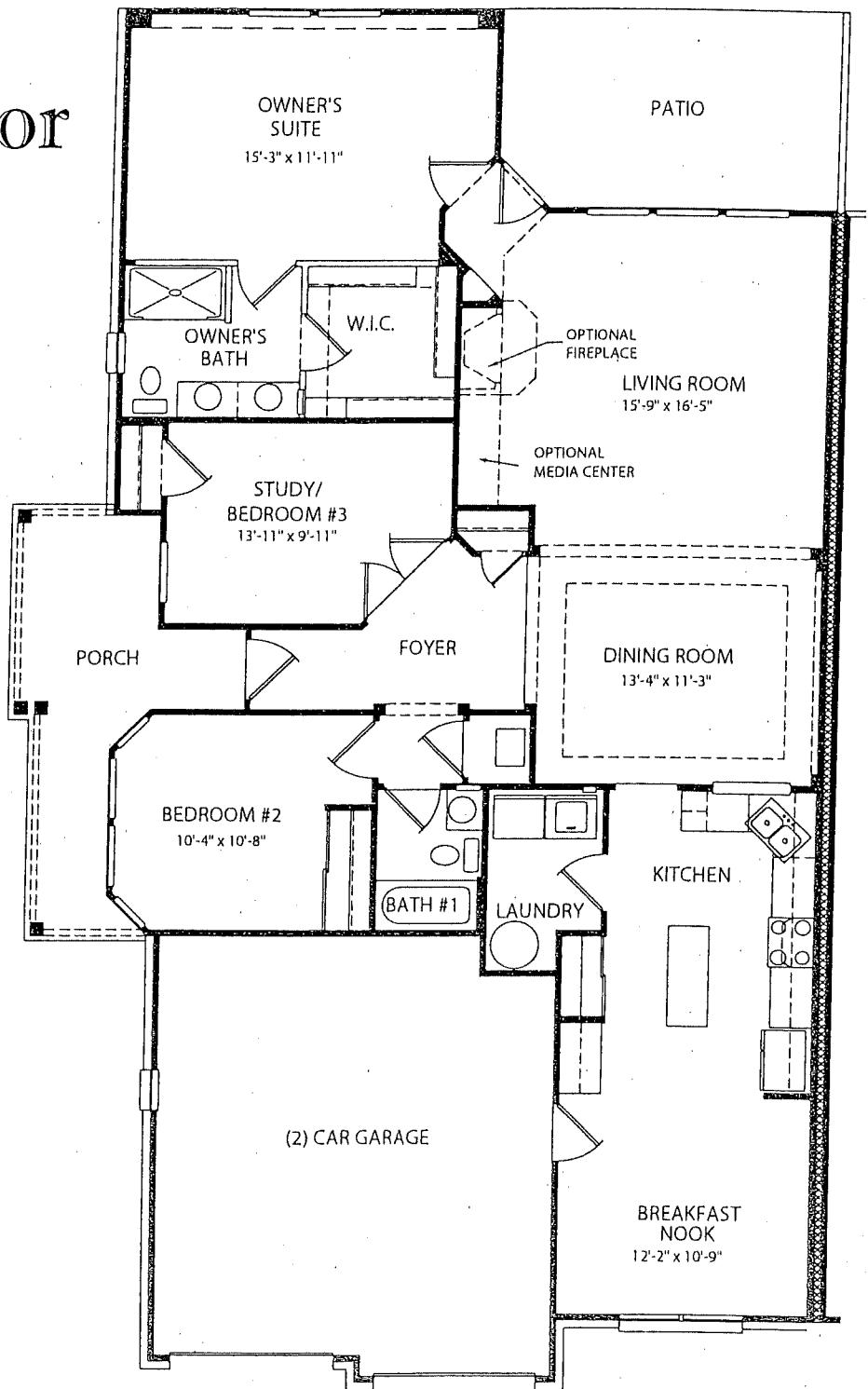
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# The Dunsmoor

*Towne Home*



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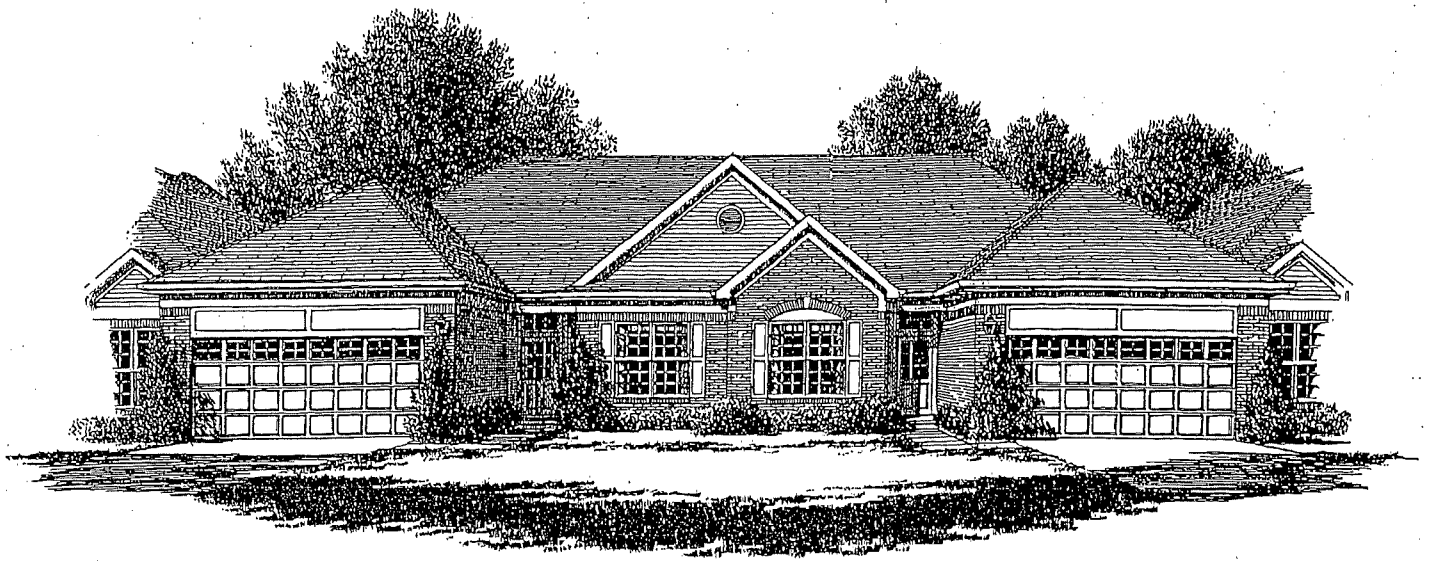


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*The*  
**Wedgewood**  
*Towne Home*



**Drees**

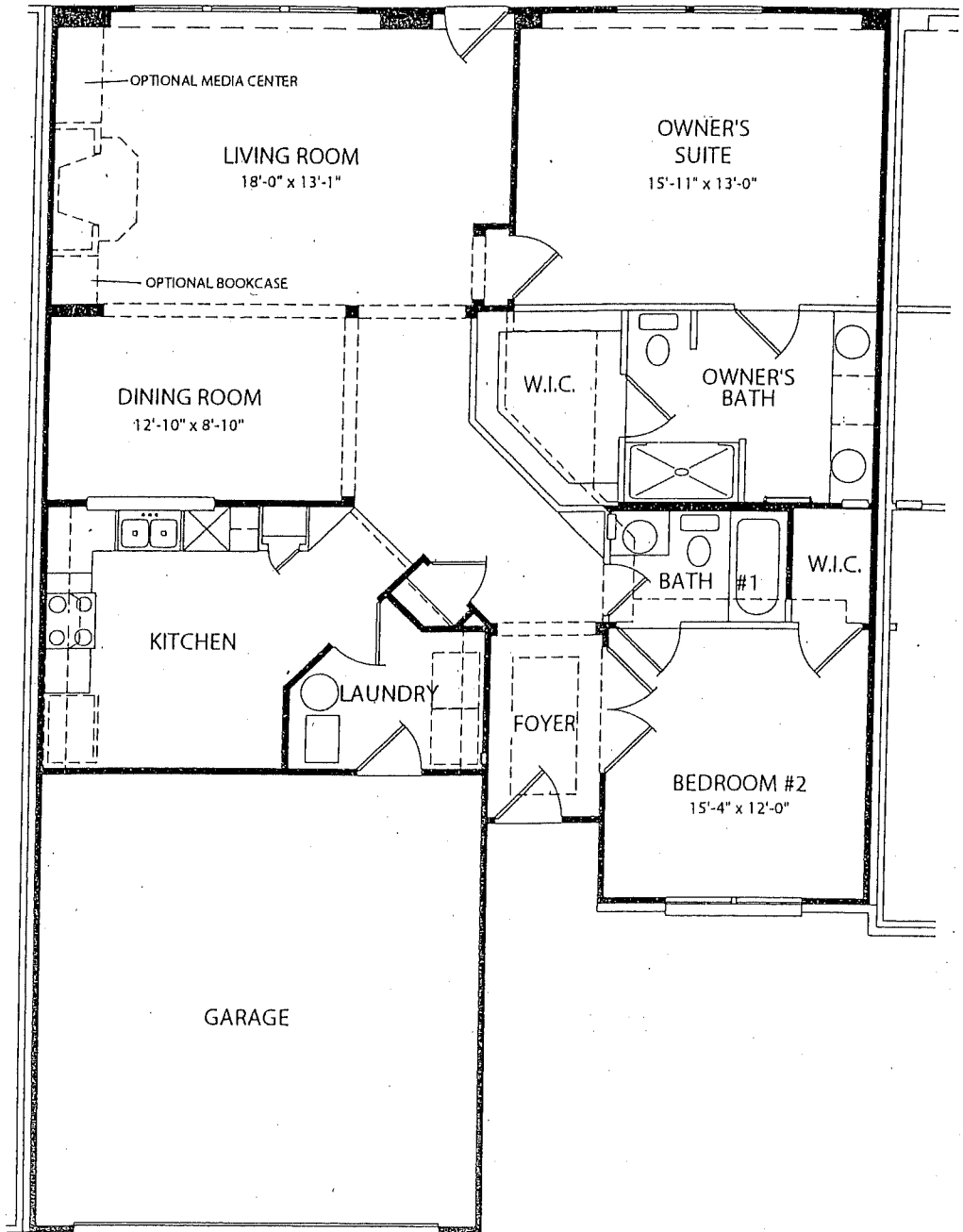
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# The Wedgewood

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# The Courtland

*Towne Home*



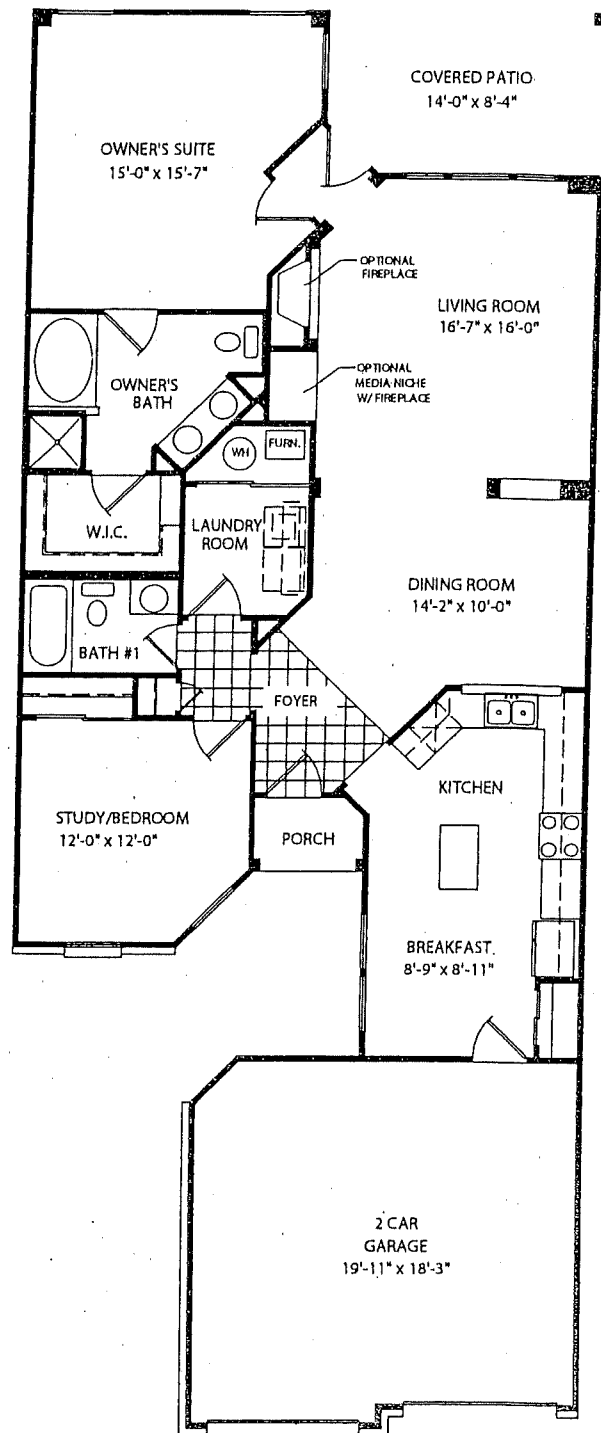
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# The Courtland Towne Home



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1/02



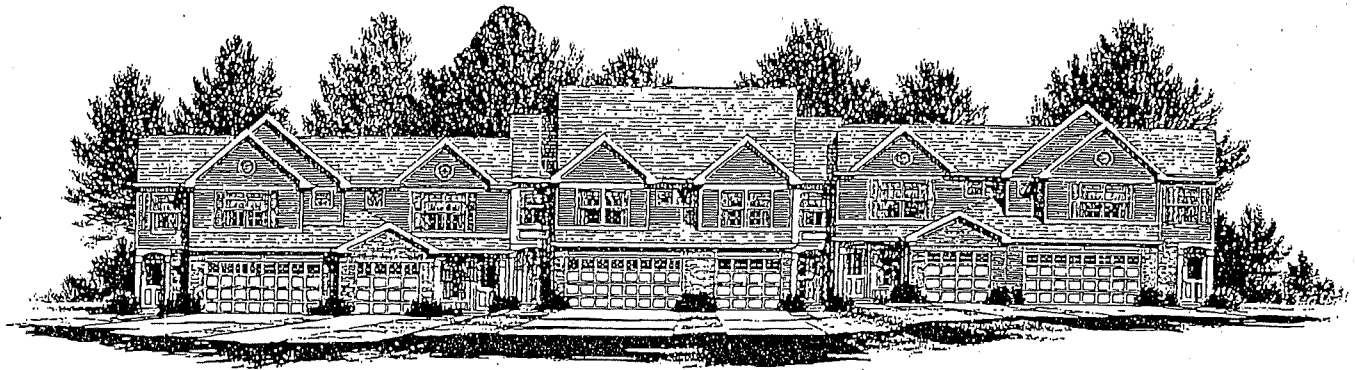
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# The Southwick II

*Towne Home*



## The Heritage Series



### Exterior Features:

- Covered porch welcomes guests •
- Shutters and panel trim accent entry way •
- 2 car garage

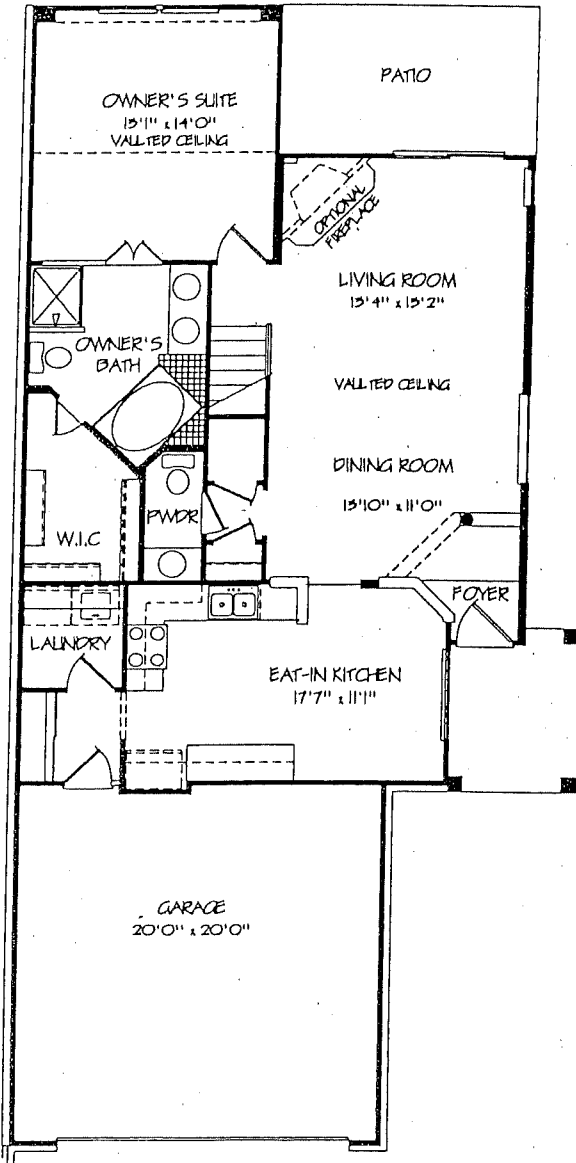


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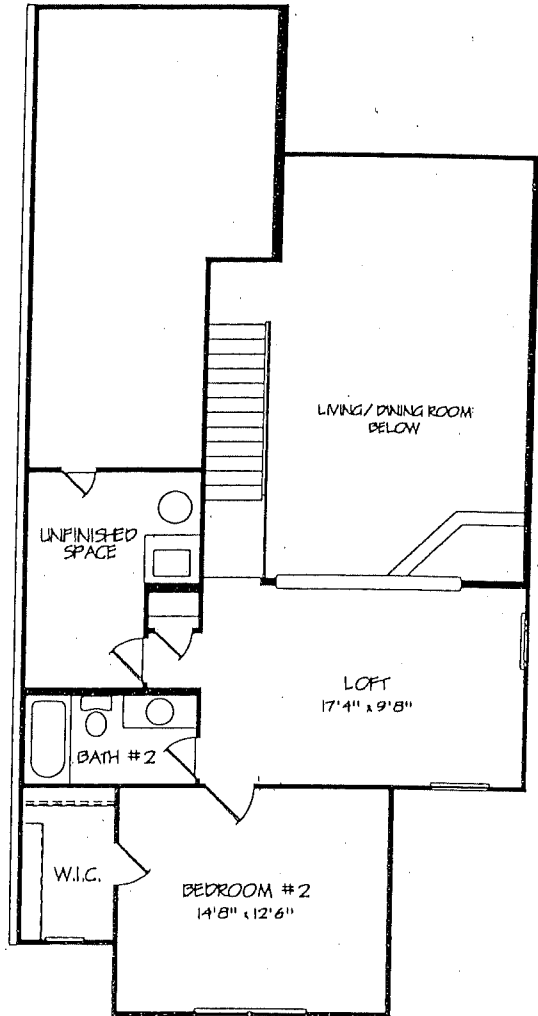
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# The Southwick II

## Towne Home



Main Level



Second Level

### Interior Features:

- Vaulted ceiling in Living Room • First floor
- Owner's Suite • First floor laundry •
- Vaulted ceiling in Owner's Suite

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9/00



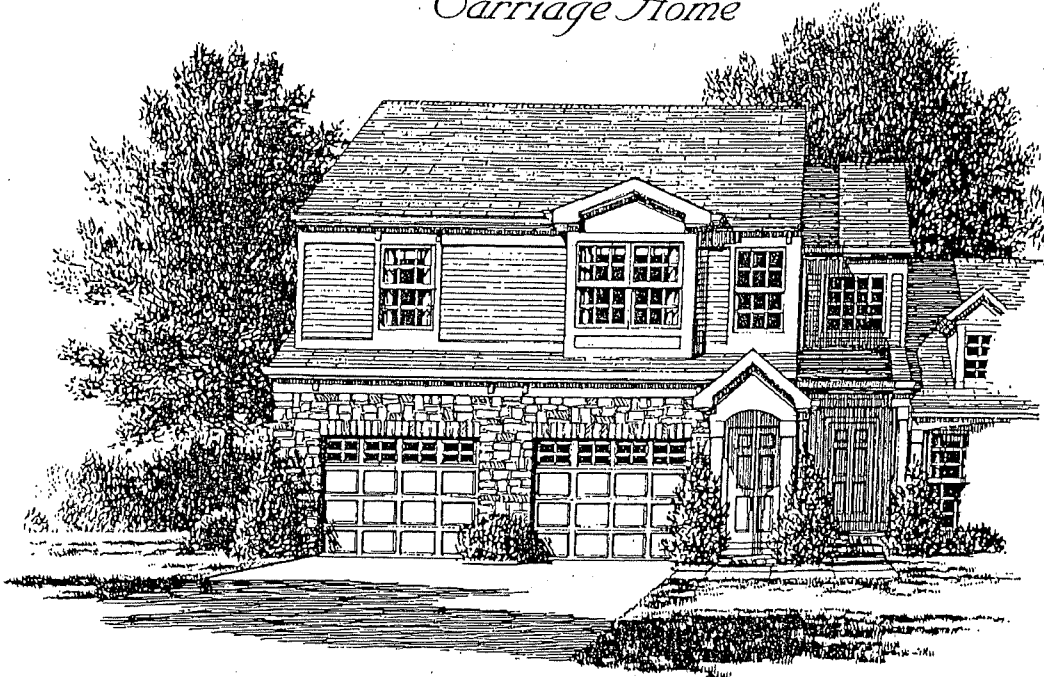
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# The Glen Oak

*Carriage Home*



Elevation A



Elevation B

**Drees**

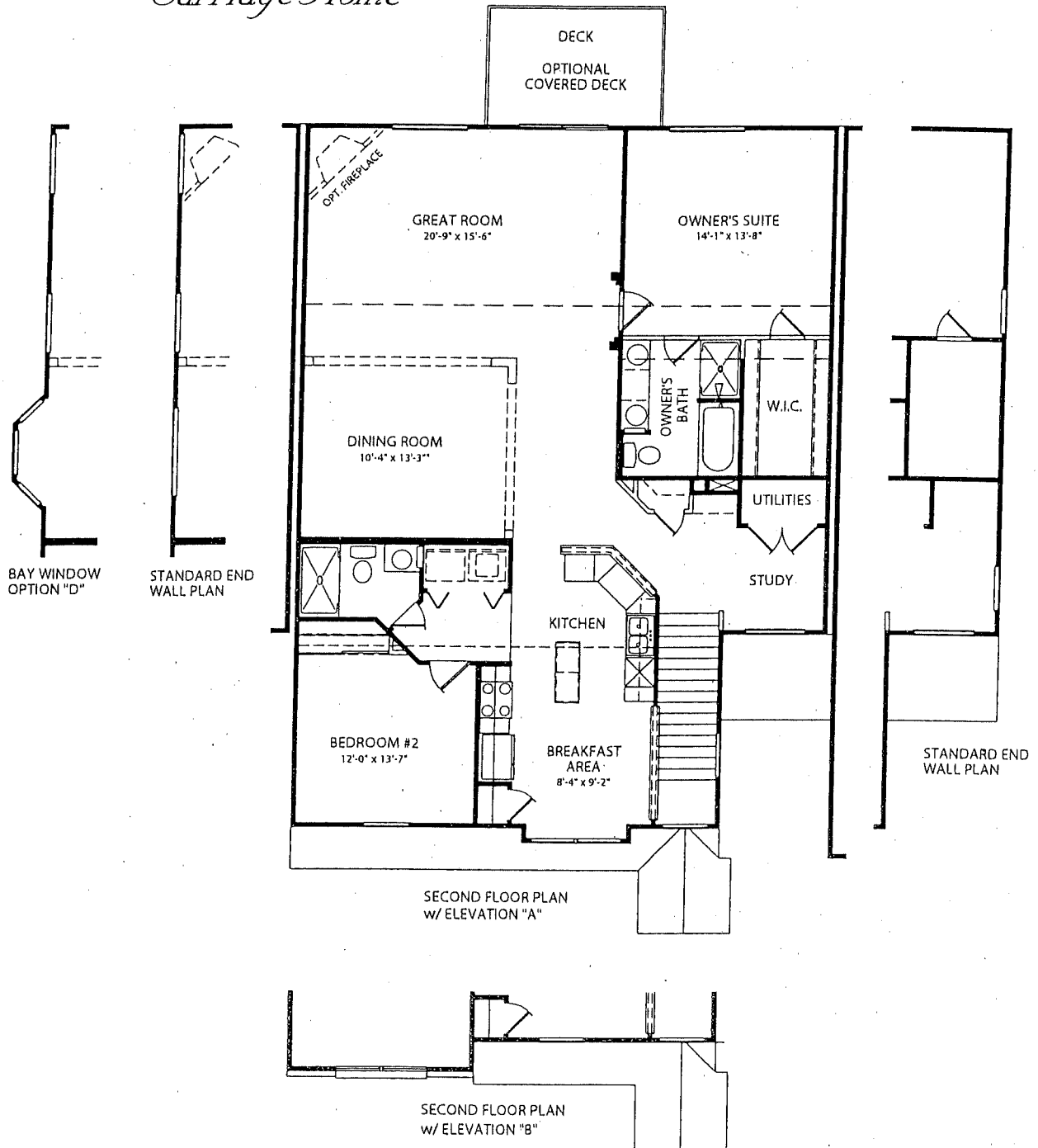
C



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# The Glen Oak

## Carriage Home



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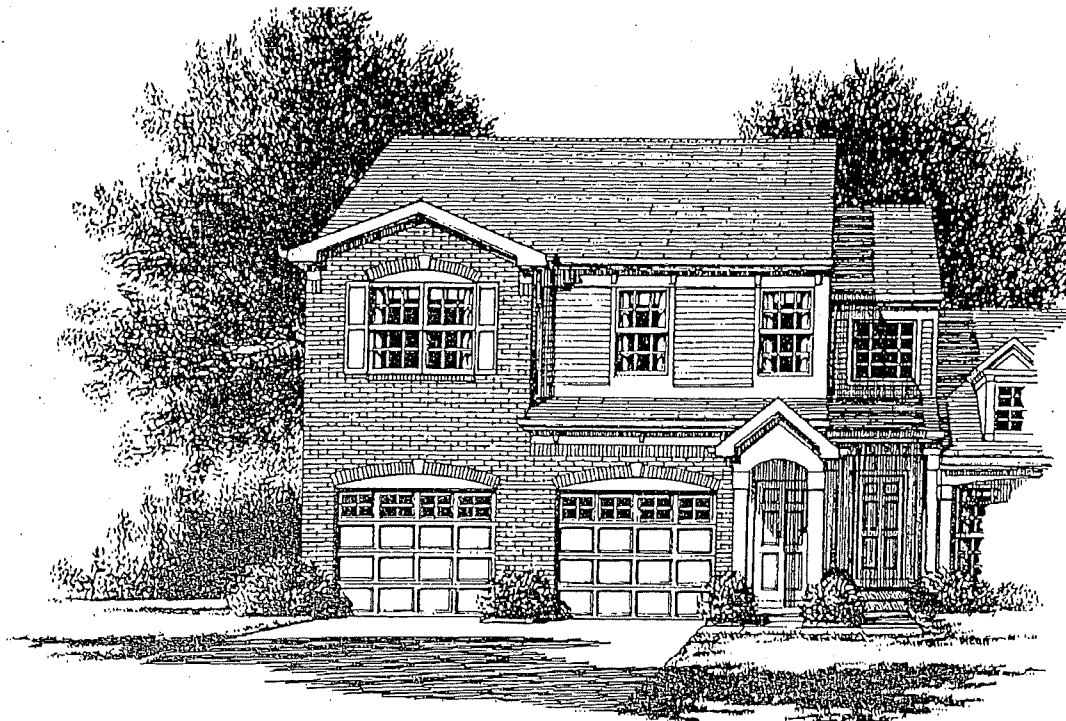
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# The Live Oak Carriage Home



Elevation A



Elevation B

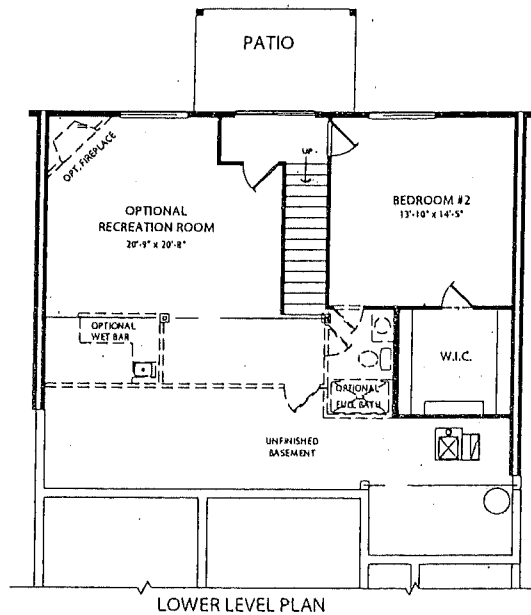
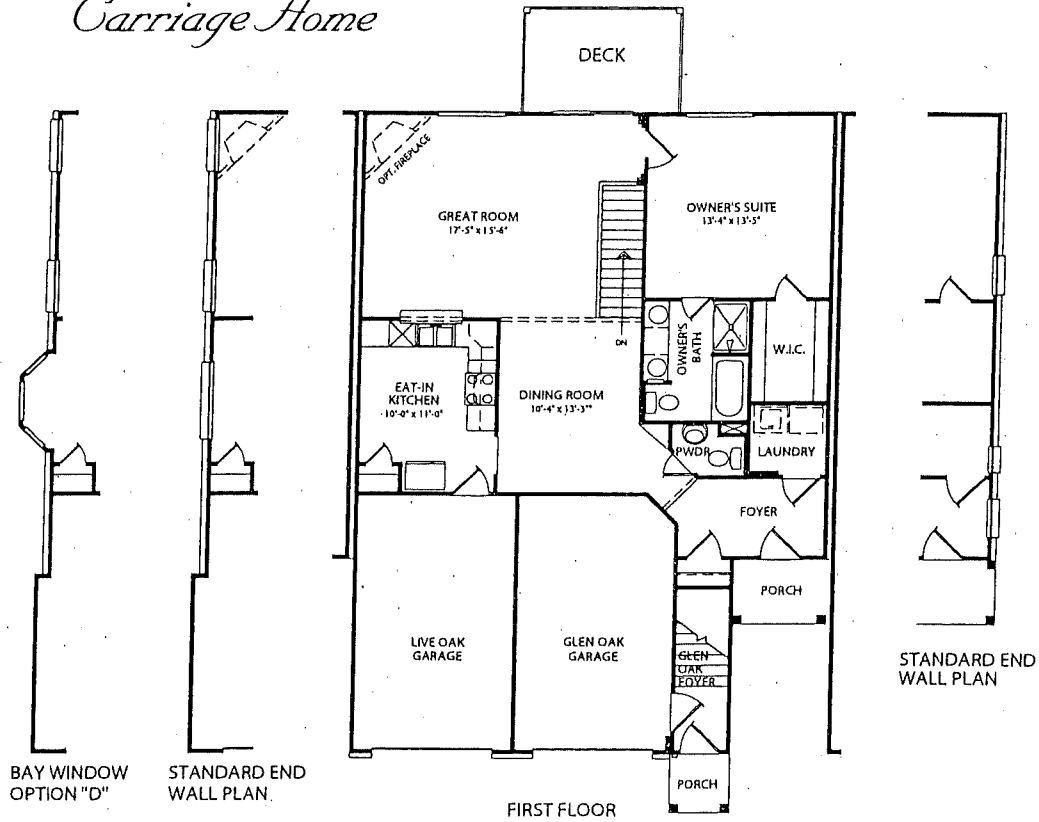
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# The Live Oak Carriage Home



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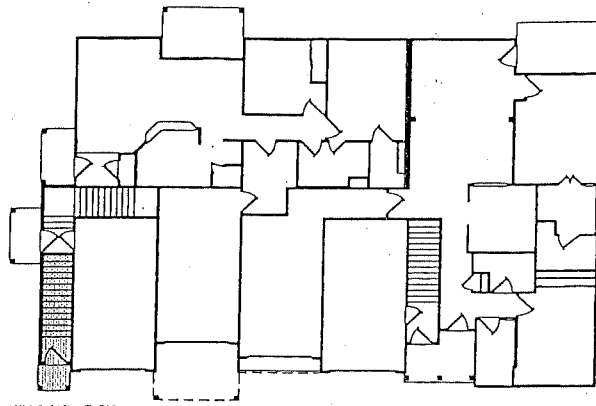
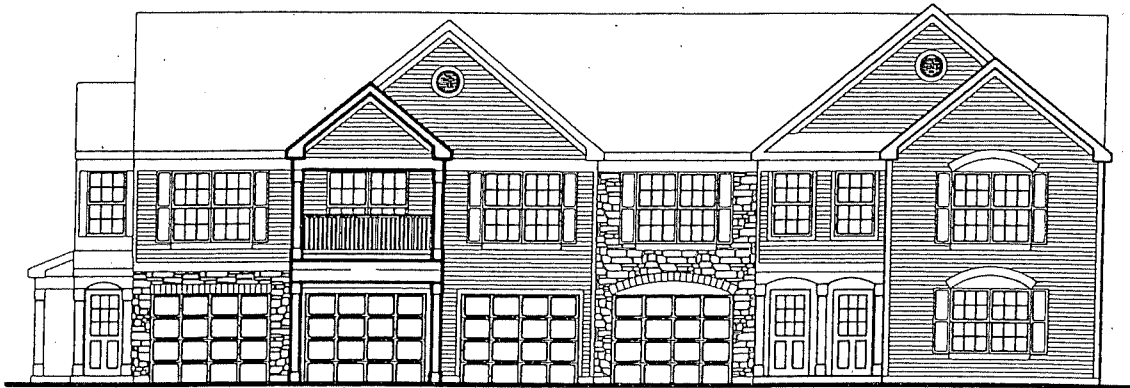
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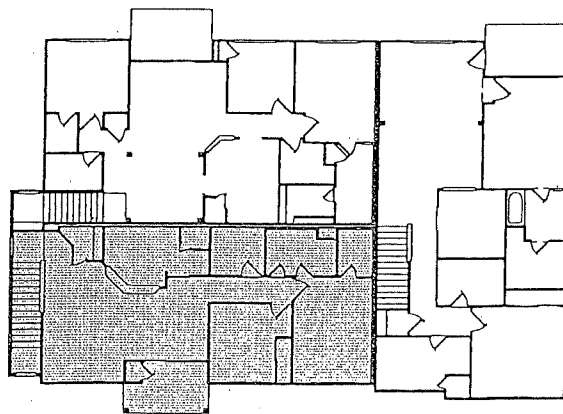


# The Bayberry

Carriage Home



FIRST FLOOR



SECOND FLOOR

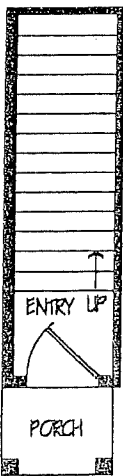
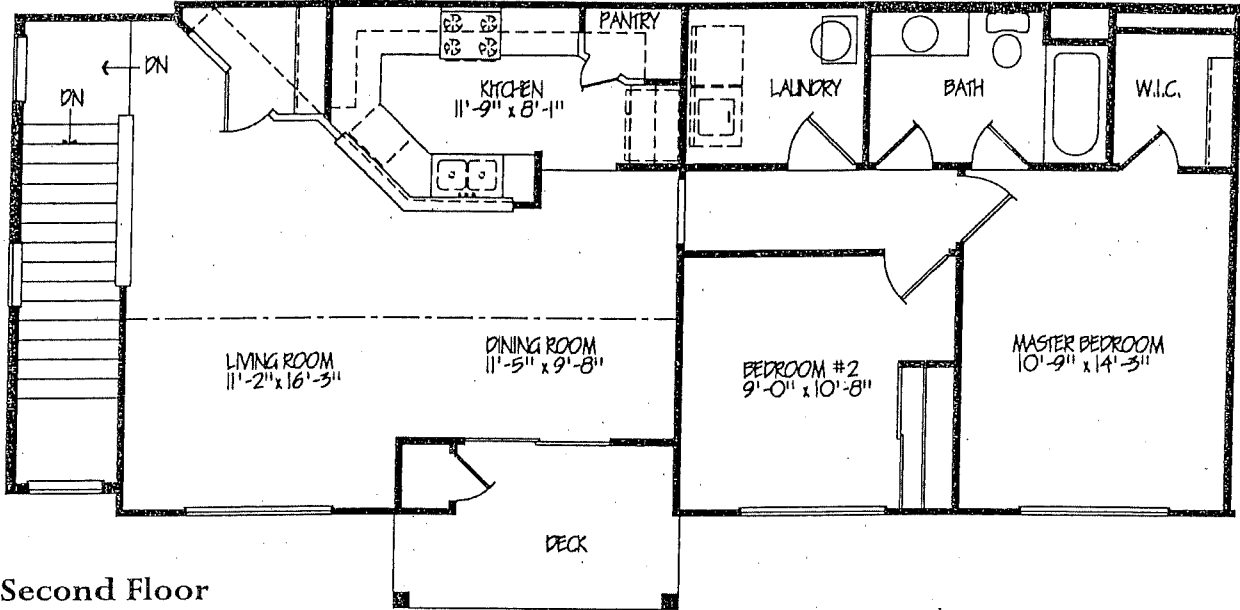
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# The Bayberry

## Carriage Home



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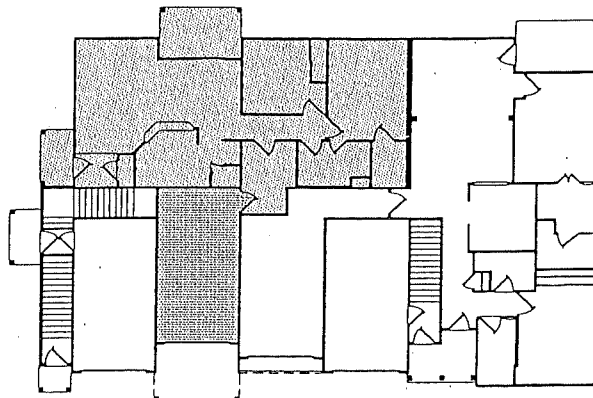
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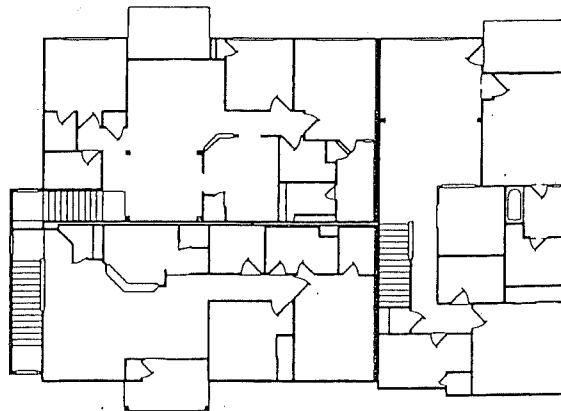


# The Heatherton

Carriage Home



FIRST FLOOR



SECOND FLOOR

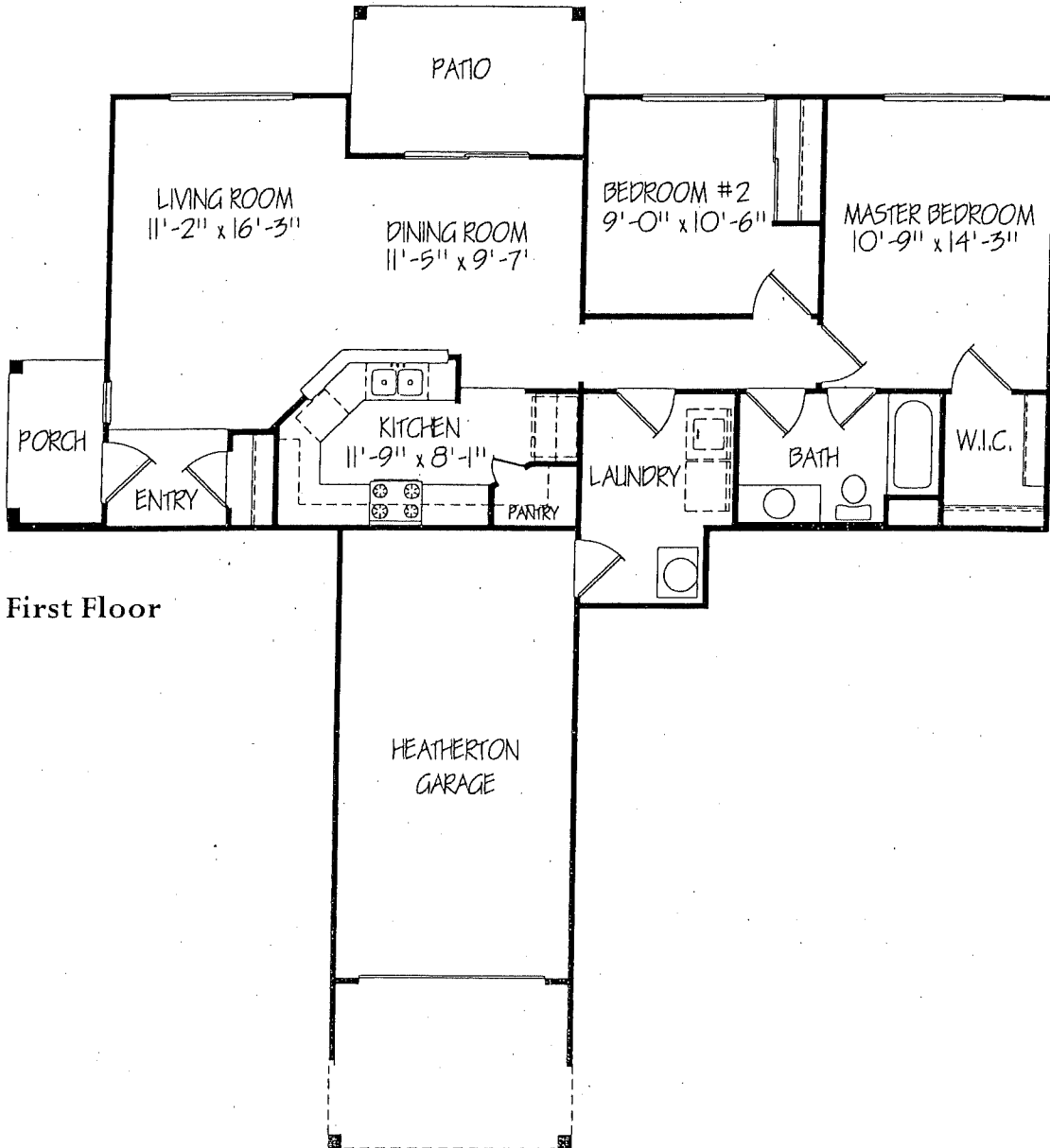
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# The Heatherton

## Carriage Home



First Floor

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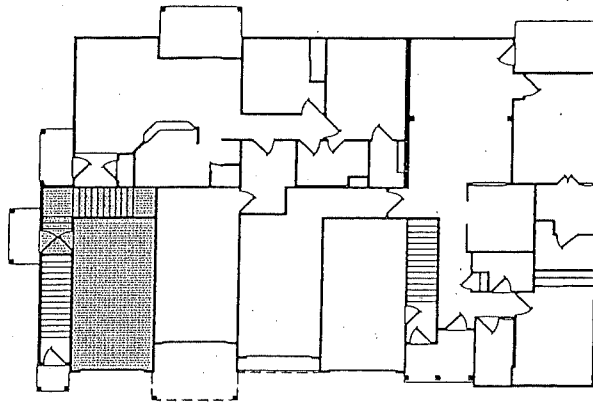
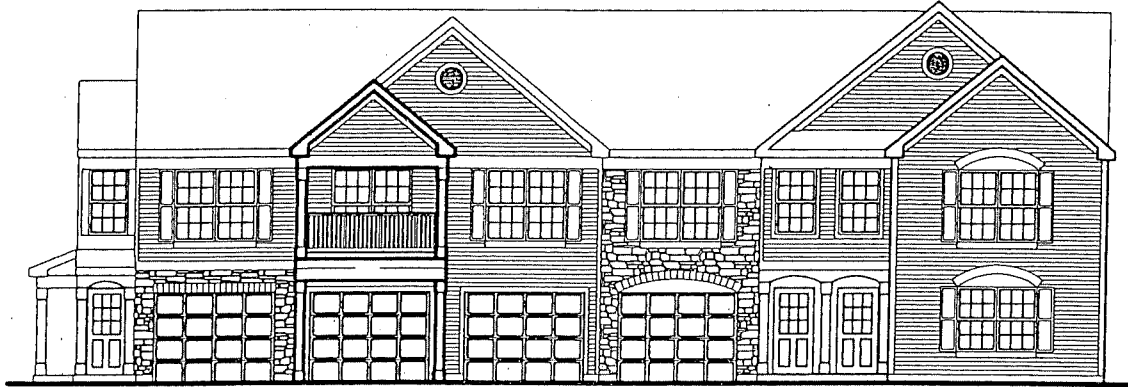
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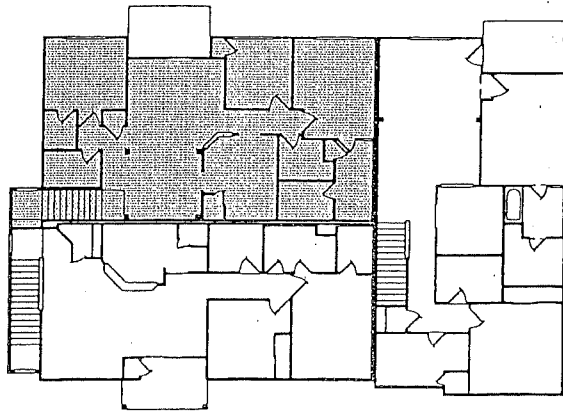


# The Cottonwood

Carriage Home



FIRST FLOOR



SECOND FLOOR

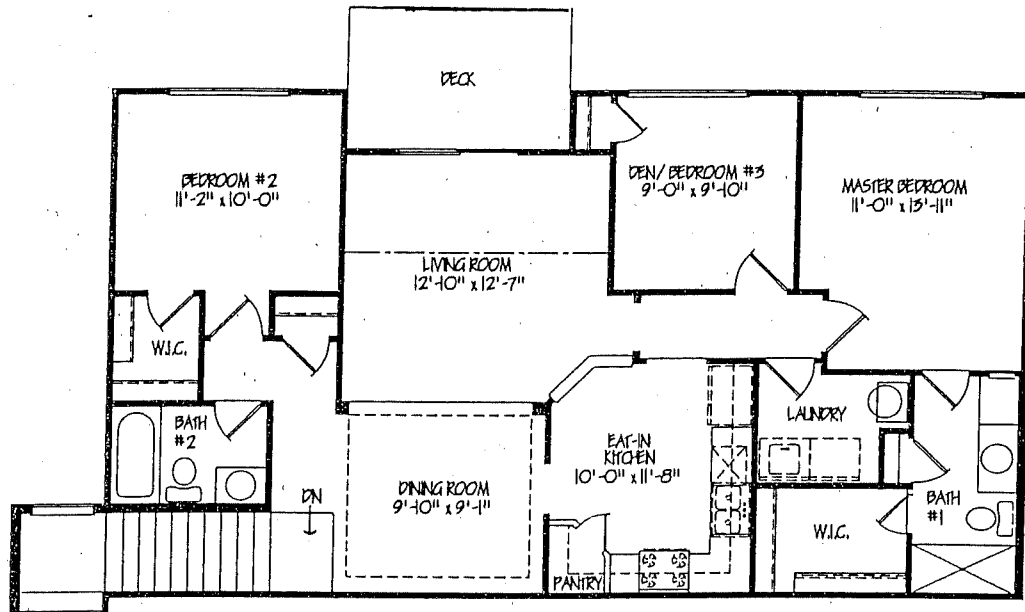


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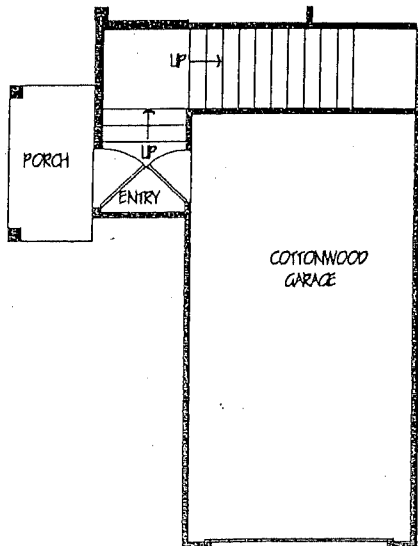
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# The Cottonwood

## Carriage Home



Second Floor



First Floor

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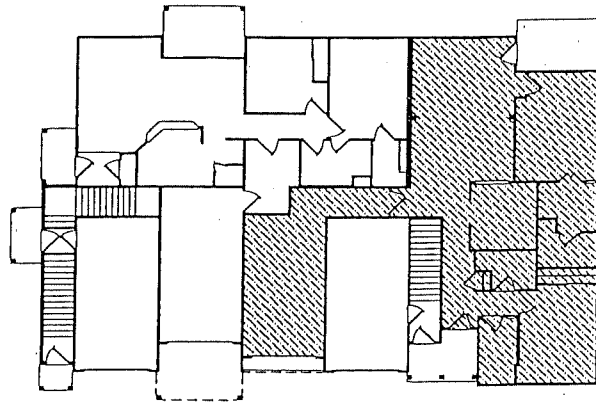
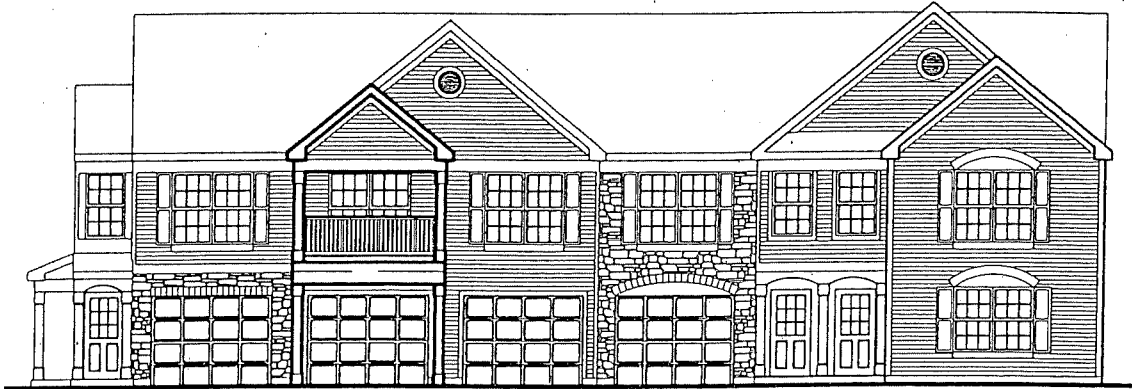
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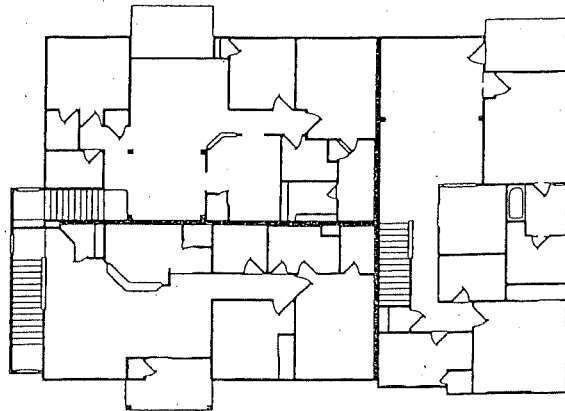
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# The Cherrywood Carriage Home



FIRST FLOOR



SECOND FLOOR

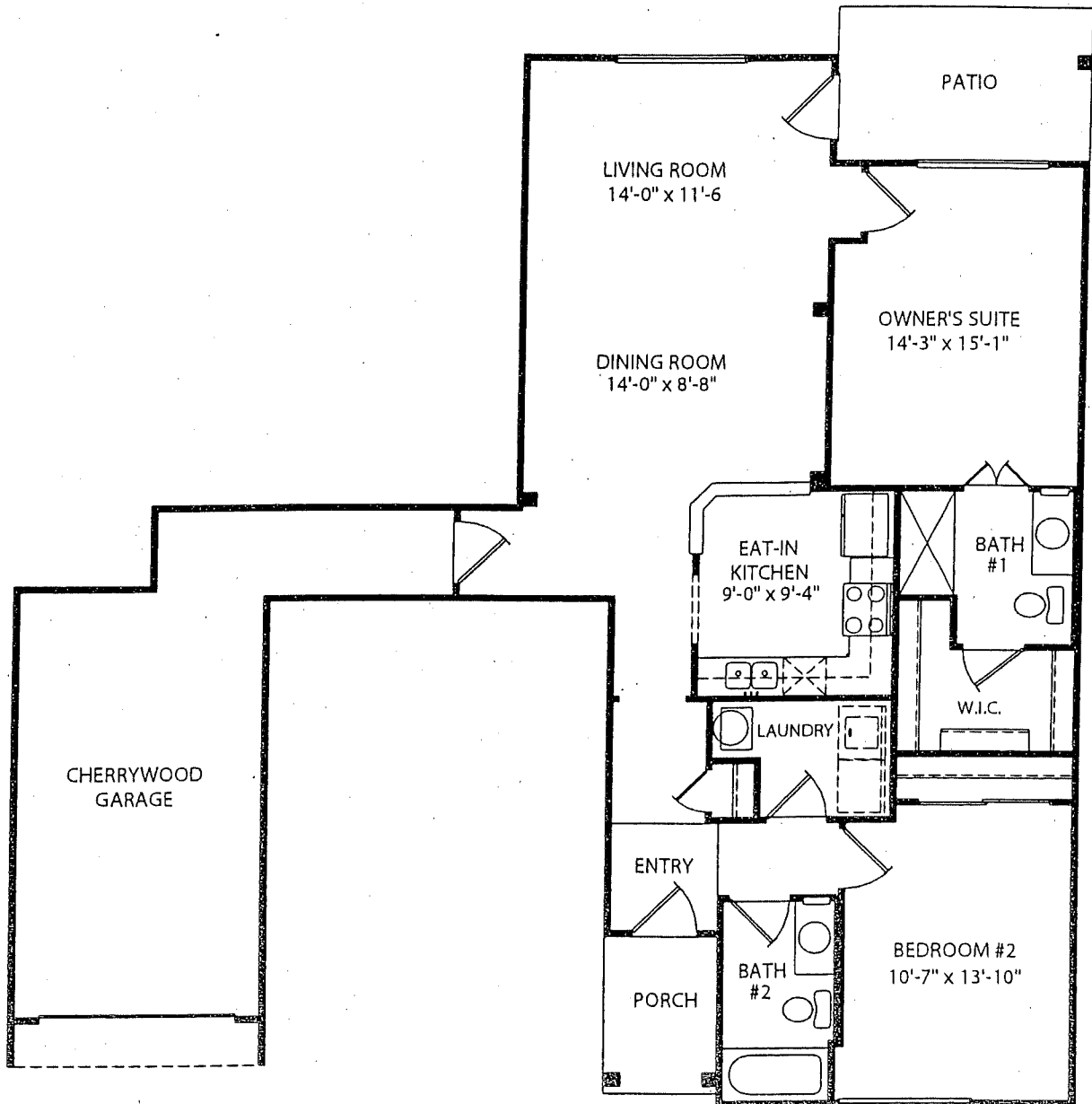


The way better homes are built.<sup>SM</sup>

D

# The Cherrywood

## Carriage Home



First Floor

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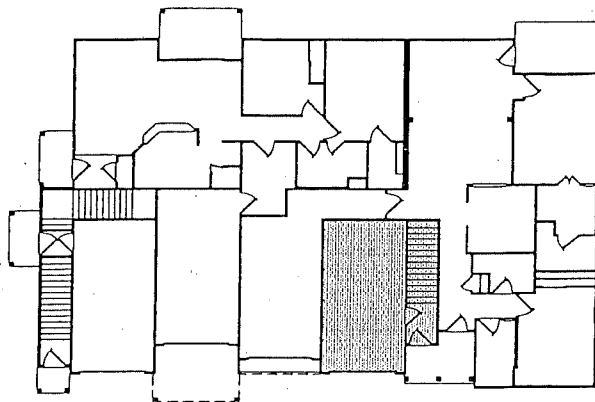
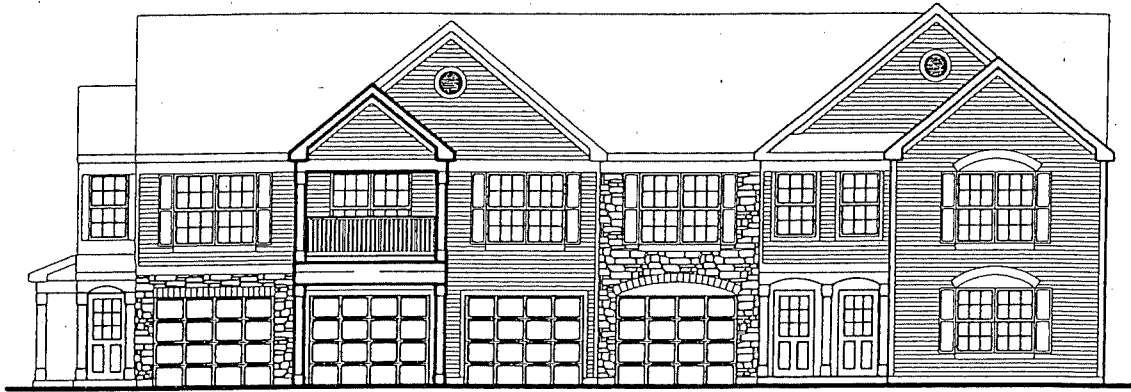
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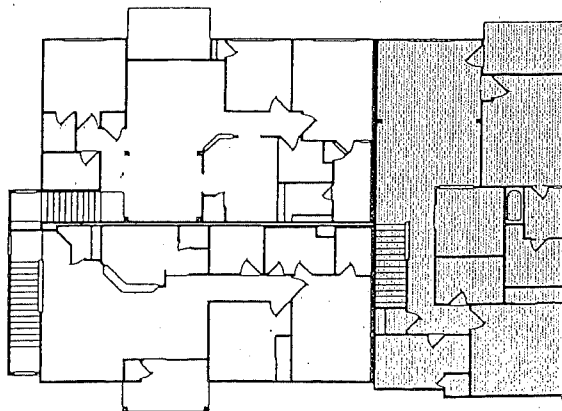


# The Bayhedge

Carriage Home



FIRST FLOOR



SECOND FLOOR

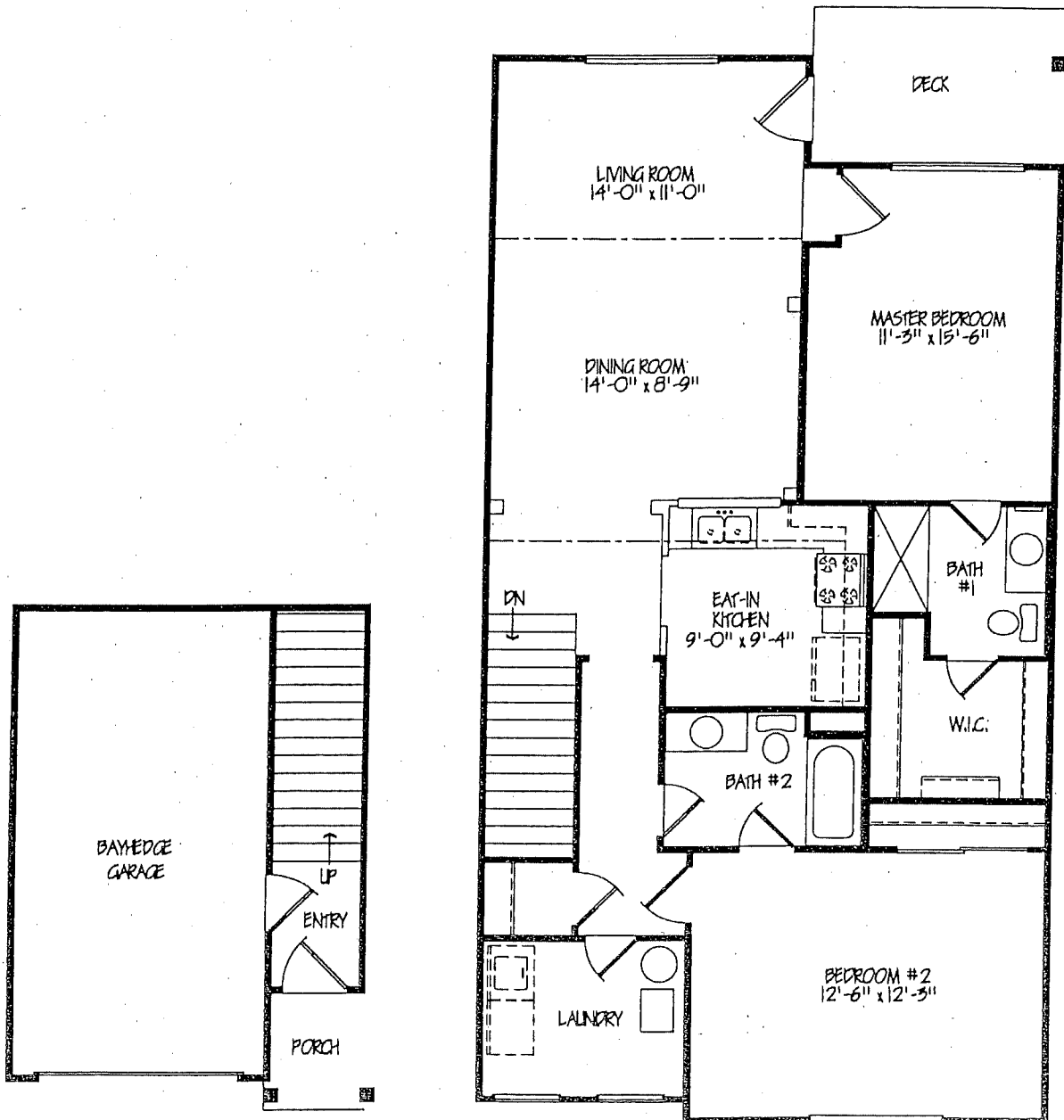


The way better homes are built.<sup>SM</sup>

D

# The Bayhedge

## Carriage Home



First Floor

Second Floor

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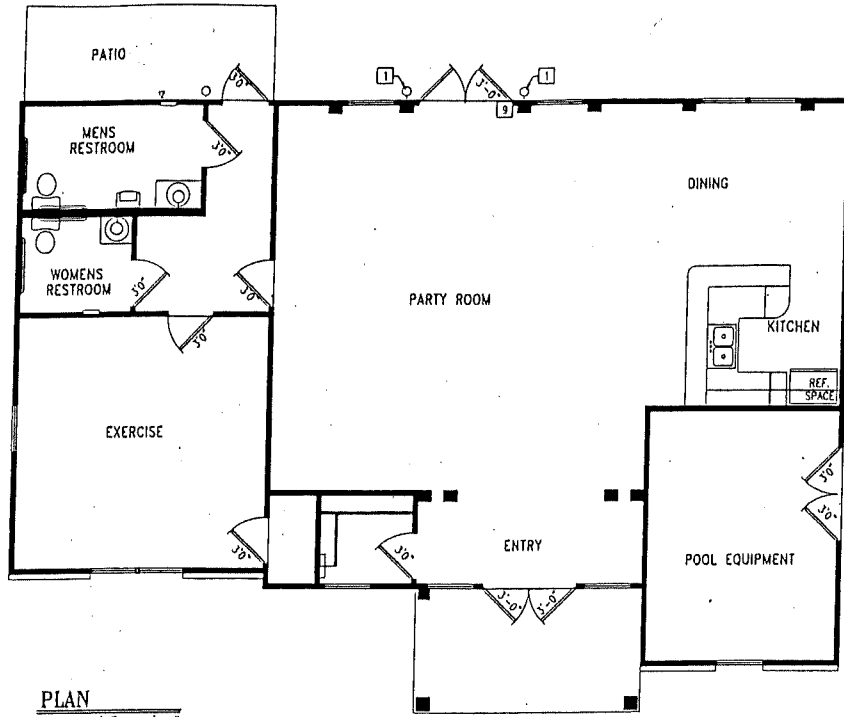


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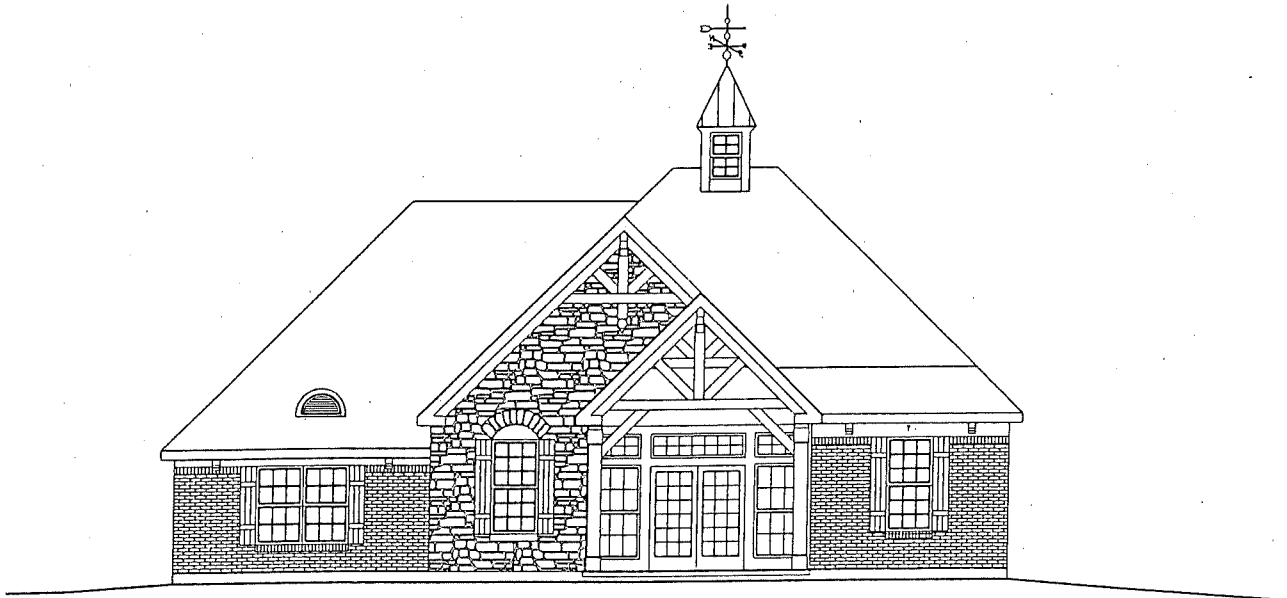
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**PLAN**  
SCALE 1/8" = 1'-0"



**FRONT ELEVATION**  
SCALE 1/8" = 1'-0"

COMMUNITY BUILDING

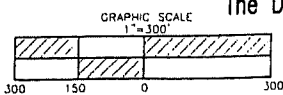
***FAIRWAYS AT MEADOWOOD***

BOONE COUNTY, KENTUCKY

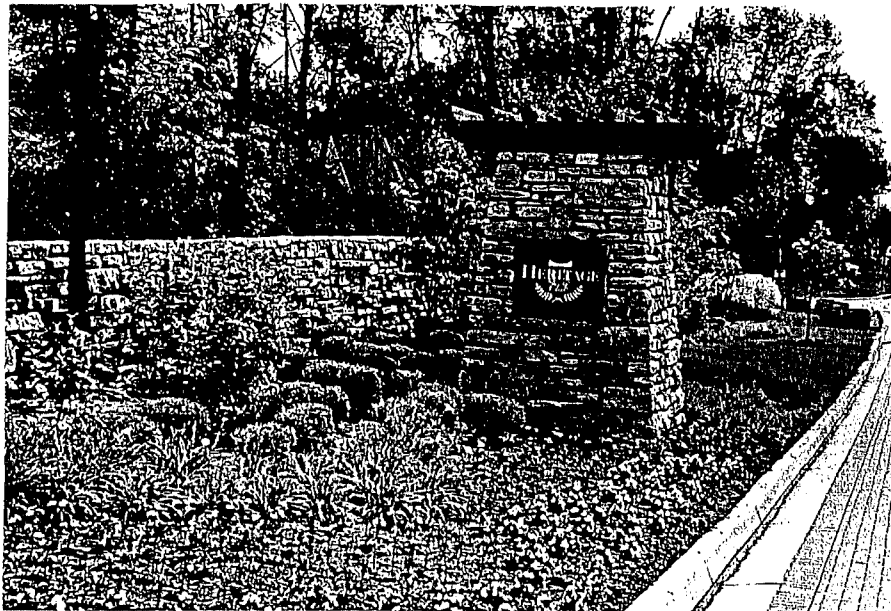
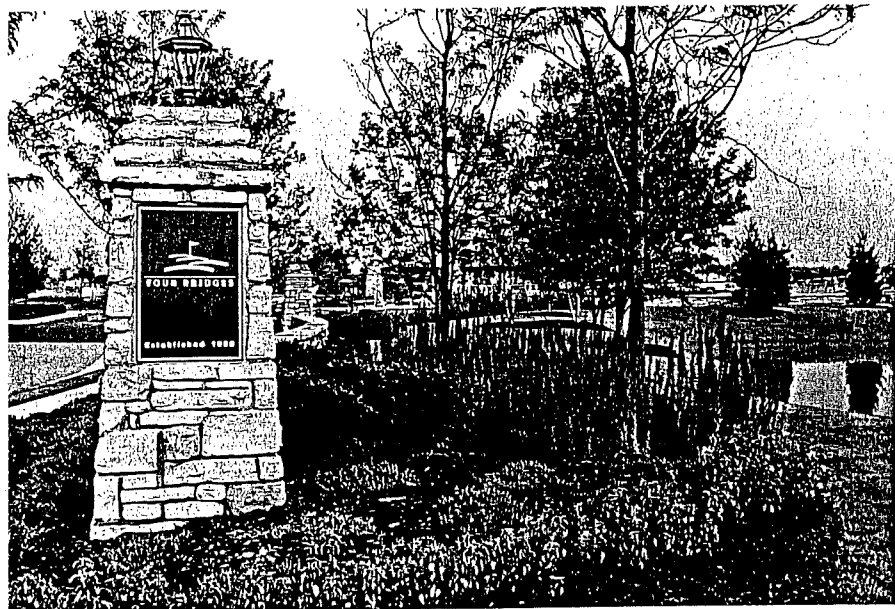
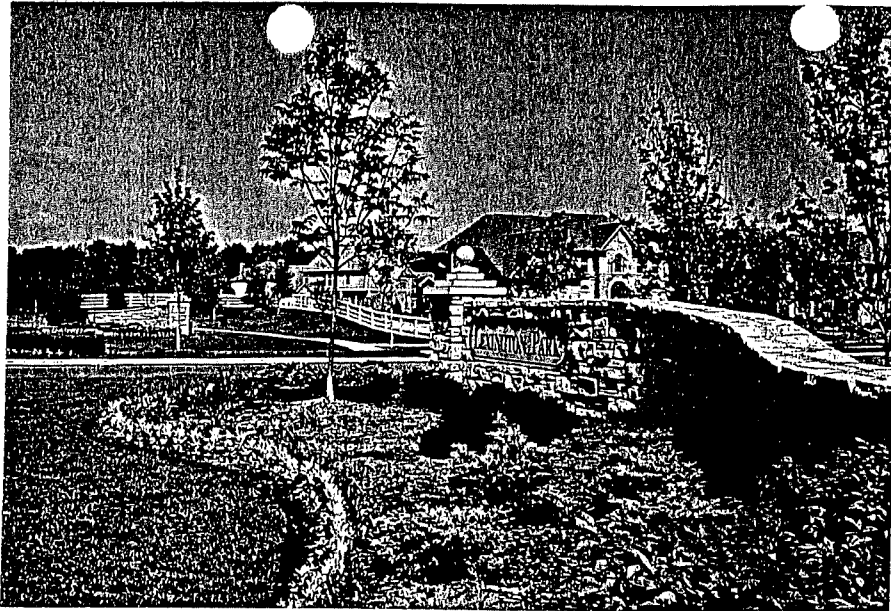
MARCH 8, 2002

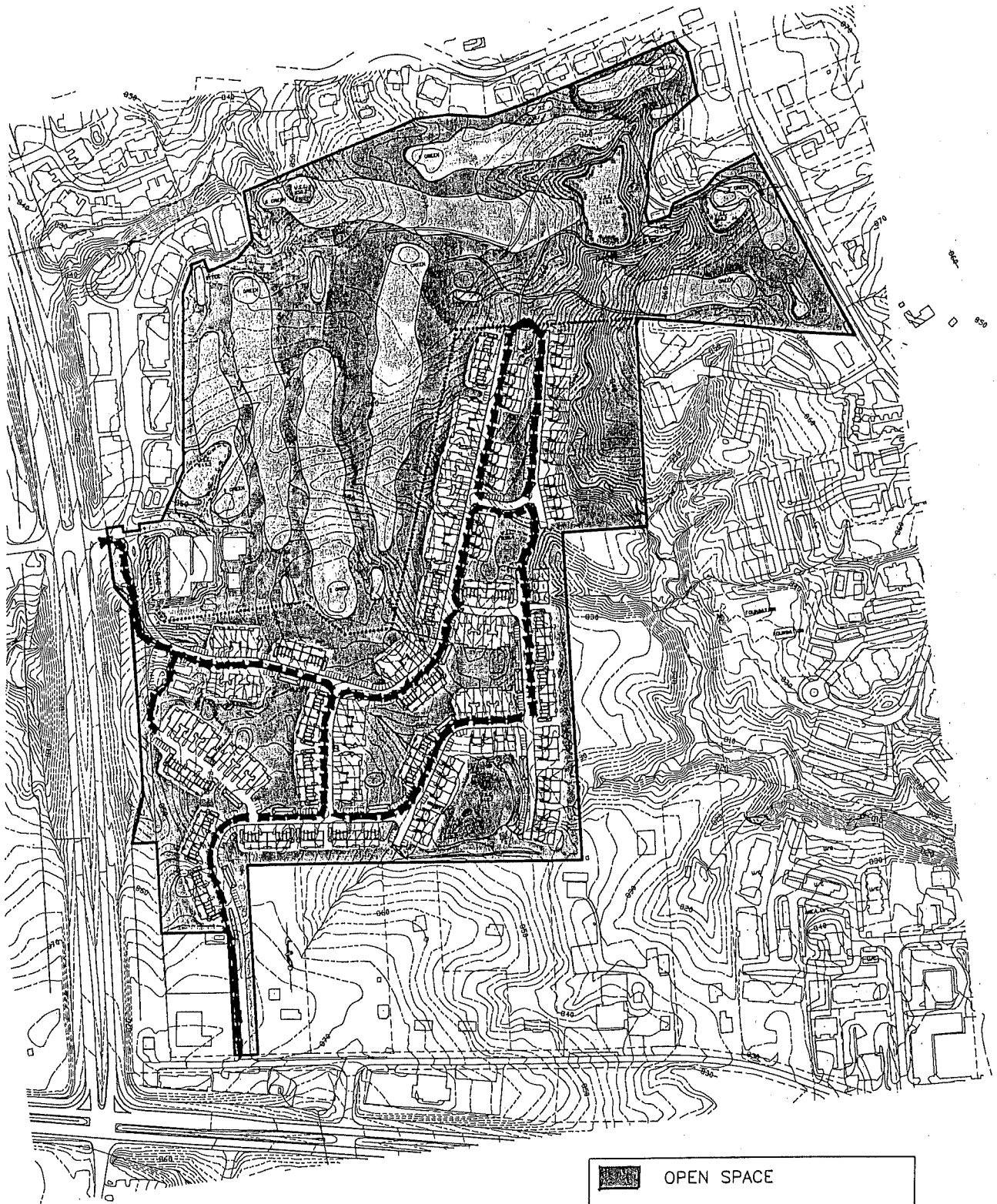
The Drees Company & Robert C. Rhein Intrests, Inc.

Ft. Mithcell, KY.



**W VIOX & VIOX, INC.**  
Engineers • Surveyors • Landscape Architects  
146 Oringer Road      Tel: 859-727-3253  
Elmopur, Kentucky 41015      Fax: 859-727-3152  
e-mail: vvo@viox.net

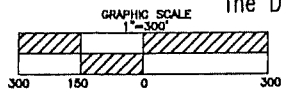




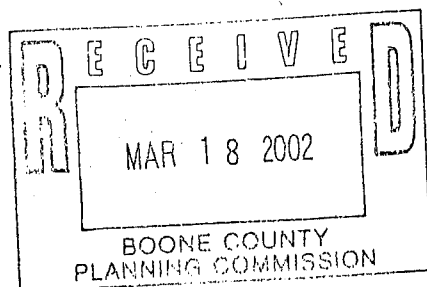
OPEN SPACE

# *FAIRWAYS AT MEADOWOOD*

BOONE COUNTY, KENTUCKY      MARCH 8, 2002  
 The Drees Company & Robert C. Rhein Intrests, Inc.      Ft. Mithcell, KY.



**W VIOX & VIOX, INC.**  
 Engineers • Surveyors • Landscape Architects  
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 Erlanger, Kentucky 41018      Fax: 858-777-8442  
 e-mail: [info@viox.com](mailto:info@viox.com)



## **EXHIBIT H**

**Traffic Impact Analysis  
Fairways at Meadowood  
KY 237  
Boone County, Kentucky**

15 March 2002

Prepared For:

**Robert C. Rhein Interests, Inc.**  
7265 Kenwood Road, Suite 200  
Cincinnati, Ohio 45236-4411

Prepared By:

**Pflum, Klausmeier & Gehrum Consultants, Inc.**  
5533 Fair Lane  
Cincinnati, Ohio 45227  
513.272.5533

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## *Appendices*

- Appendix A - 24-Hour Automatic Traffic Machine Counts and Turning Movement Counts
- Appendix B – Existing Traffic Level of Service Analysis Sheets
- Appendix C - “Opening Day” Traffic Level of Service Analysis Summary Sheets

## *Introduction*

The purpose of this report is to provide a traffic impact analysis as part of a zone change request for a proposed condominium development. The site development is located on the Meadowood Golf Course property on the east side of KY 237, north of Old Florence Pike.

The proposed development will provide 313 condominium units and retain a nine-hole golf course on the north end.

Access to the development is to occur at the existing Golf Course/Meadowood Green residential units intersection on KY 237 with a secondary access to Old Florence Pike.

Figure 1 illustrates the proposed Site Development Plan for the residential condominium portion of the project.



**FIGURE 1**  
**SITE DEVELOPMENT PLAN**

## *Development History*

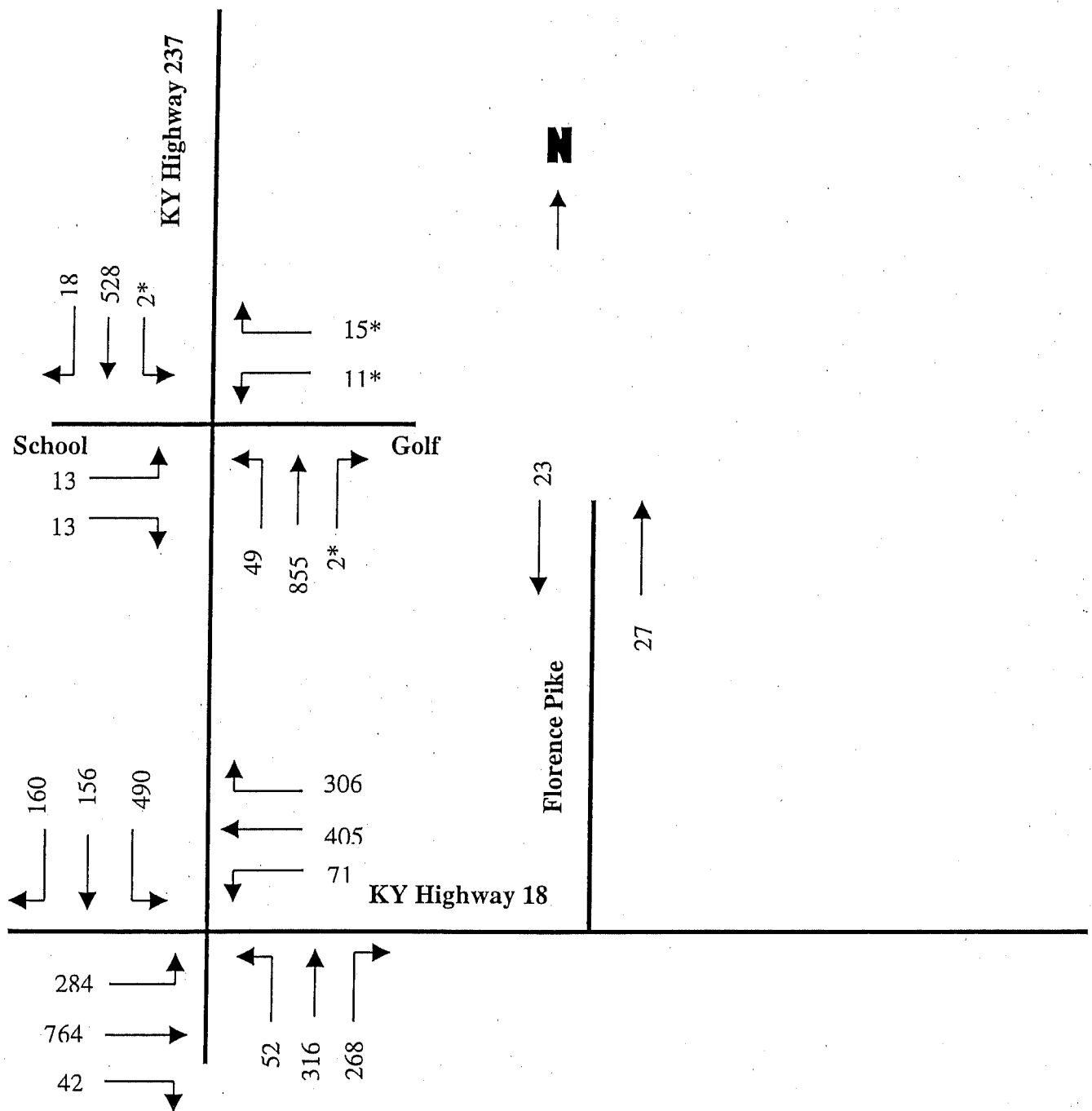
Back in late 2000, a previous Plan was proposed for this site and included a traffic impact study. The major differences in the current proposed Plan from the previous one is as follows:

- 1) All residential units will be condominiums, no apartments;
- 2) The total number of units has been reduced from 384 units to 313 units;
- 3) The previous Plan called for the 384 units on 39.9 acres for a density of 9.62 units/acre. The golf course will be part of the current Plan PD as “golf course/open space”. The density for the current Plan is 3.8 units/acres; and
- 4) The routing of the interior roadway system connecting KY 237 and Old Florence Pike has changed and is much less direct between the two access points.

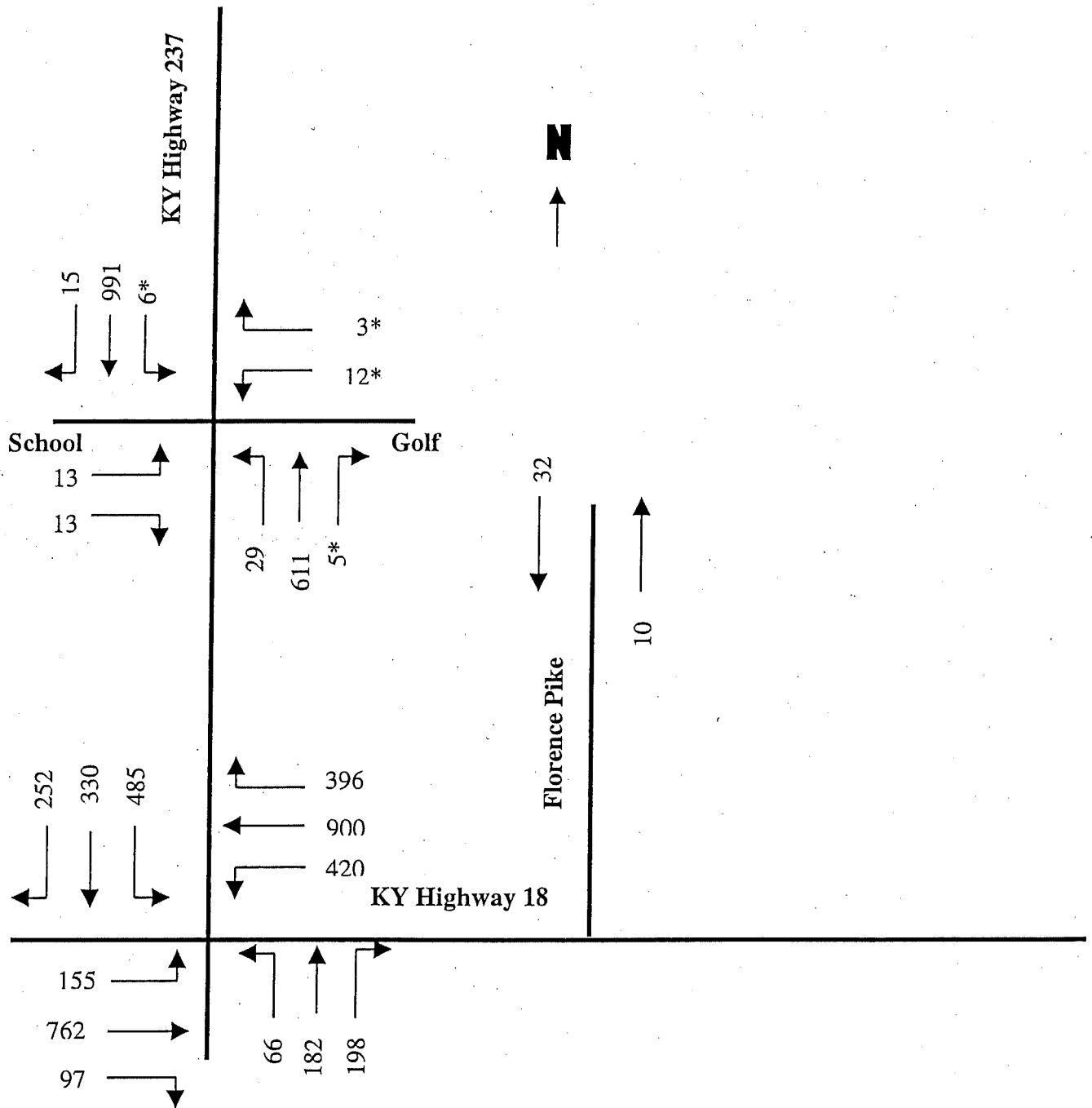
## *Existing Traffic Conditions*

KY 237 is a north/south, four-lane boulevard arterial. The proposed site access is an existing intersection with northbound and southbound center left-turn lanes. A short northbound right-turn lane is also available at the Golf entry.

In order to update the existing traffic volume data available, new AM and PM intersection turning movement counts were conducted on Thursday, March 7, 2002 at the KY 18/KY 237 intersection. Figures 2 and 3 illustrate the updated AM and PM peak hour traffic conditions. Appendix A contains the actual count data.



**FIGURE 2**  
**AM PEAK HOUR**  
**EXISTING TRAVEL PATTERNS**



\*movements to and from the golf course have been eliminated.

**FIGURE 3**  
**PM PEAK HOUR**  
**EXISTING TRAVEL PATTERNS**

# *Existing Capacity Analysis*

Level of Service (LOS), as defined in the most recent Highway Capacity Manual (HCM) is a function of average delay encountered by the motorist. Delay, of course, is a measure of driver discomfort, frustration, fuel consumption and the cost of lost travel time. Levels of service are given in terms of average delay per vehicle for signalized and unsignalized intersections. The criteria that is used by the American Association of State Highway and Transportation Officials (AASHTO) and the Kentucky Transportation Cabinet (KYTC) for signalized and unsignalized intersections is as follows:

### LEVEL OF SERVICE CRITERIA FOR SIGNALIZED INTERSECTIONS\*

Level of Service*	Average Delay/Vehicle (Second)	Description
A	>10.0	Most vehicles do not stop at all.
B	>10.1 to ≤20.0	More vehicles stop than for LOS A.
C	>20.1 to ≤35.0	The number of vehicles stopping is significant, although many pass through without stopping.
D	>35.1 to ≤55.0	Many vehicles stop. Individual cycle failures are noticeable.
E	>55.1 to ≤80.0	Considered to be the limit of acceptable delay. Individual cycle failures are frequent.
F	>80.0	Unacceptable delay.

\*“LOS “C” and “D” are generally accepted as a reasonable design criteria. LOS “E” and “F” are generally unacceptable.

---

**LEVEL OF SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS**

---

Level of Service*	Average Total Delay Second/Vehicle	Expected Delay
A	$\leq 10$	Little or no delay.
B	$> 10$ and $\leq 15$	Short traffic delays.
C	$> 15$ and $\leq 25$	Average traffic delays.
D	$> 25$ and $\leq 35$	Long traffic delays.
E	$> 35$ and $\leq 50$	Very long traffic delays.
F	$> 50$	Volume exceeds capacity.

---

Based on the existing counts shown in Figures 2 and 3, Level of Service capacity analyses were performed at the intersections of KY 237/KY 18, KY Highway 237/Site Access Drive.

The intersection of KY 237/KY 18 currently registers extensive delays for many of the intersection movements. Any additional traffic through this intersection will obviously add to these delays. Therefore, attempts were made at various timing, phasing and lane usage scenarios to provide for an improved existing level of service at this intersection. None of those attempts were successful. Discussions with the KTC confirm that the intersections in this area of KY 18 are known to have problems with very few solutions. As all critical movements are currently provided with independent approach lanes and two lanes of through traffic already exists for the east and westbound movements.

Over the last two years, several independent traffic studies have been conducted to develop improvements to the KY 18/KY 237 intersection problems.

The first of these studies was conducted by Woolpert LLP at the request of Boone County. The results of this study recommended that additional turn lanes and modified signal timing be made to improve the conditions, however these solutions would not improve the overall level of service significantly beyond the present conditions.

A second study has been conducted by the Kentucky Transportation Cabinet. The conclusion of this most recent study was that an urban diamond interchange type design would be necessary to adequately improve the traffic conditions. This new interchange improvement has been included in the highway six year improvement schedule with public hearings scheduled later this year.

The intersection of KY 237/Site Drive was analyzed to determine the existing LOS at this location. The wide center median provides room for two or three left-turning vehicles from the side streets to cross one direction of traffic before having to complete their left-turn movement to join the traffic flow. The AM and PM peak hour LOS analyses indicate acceptable conditions, although the delay is the longest for the eastbound and westbound left turns onto KY 237, LOS "C". The southbound left-turn movements are LOS "A" during both the peak hours. Appendix B contains the existing LOS runs.

# *Traffic Forecast Analysis*

The total number of trips to be generated by the proposed residential development during an average weekday was estimated using empirical data consistent with similar types of proposed land uses. The Institute of Transportation Engineer's (ITE) Trip Generation Manual, Sixth Edition, was used as a basic source of reference. The following land use codes as appropriate informational sources for use in this analysis (see Appendix C).

**Table 1**

**Forecast Trip Generation<sup>1</sup>**

ITE Land Use & Code	Dwelling	Weekday	AM Peak			PM Peak		
			In	Out	Total	In	Out	Total
Golf Course (#430)	9 Holes	322	16	4	20	11	14	25
Residential Condo/ Townhouse (#230)	313	1717	21	105	126	106	52	158
<b>Total</b>		<b>2039</b>	<b>37</b>	<b>109</b>	<b>146</b>	<b>117</b>	<b>66</b>	<b>183</b>

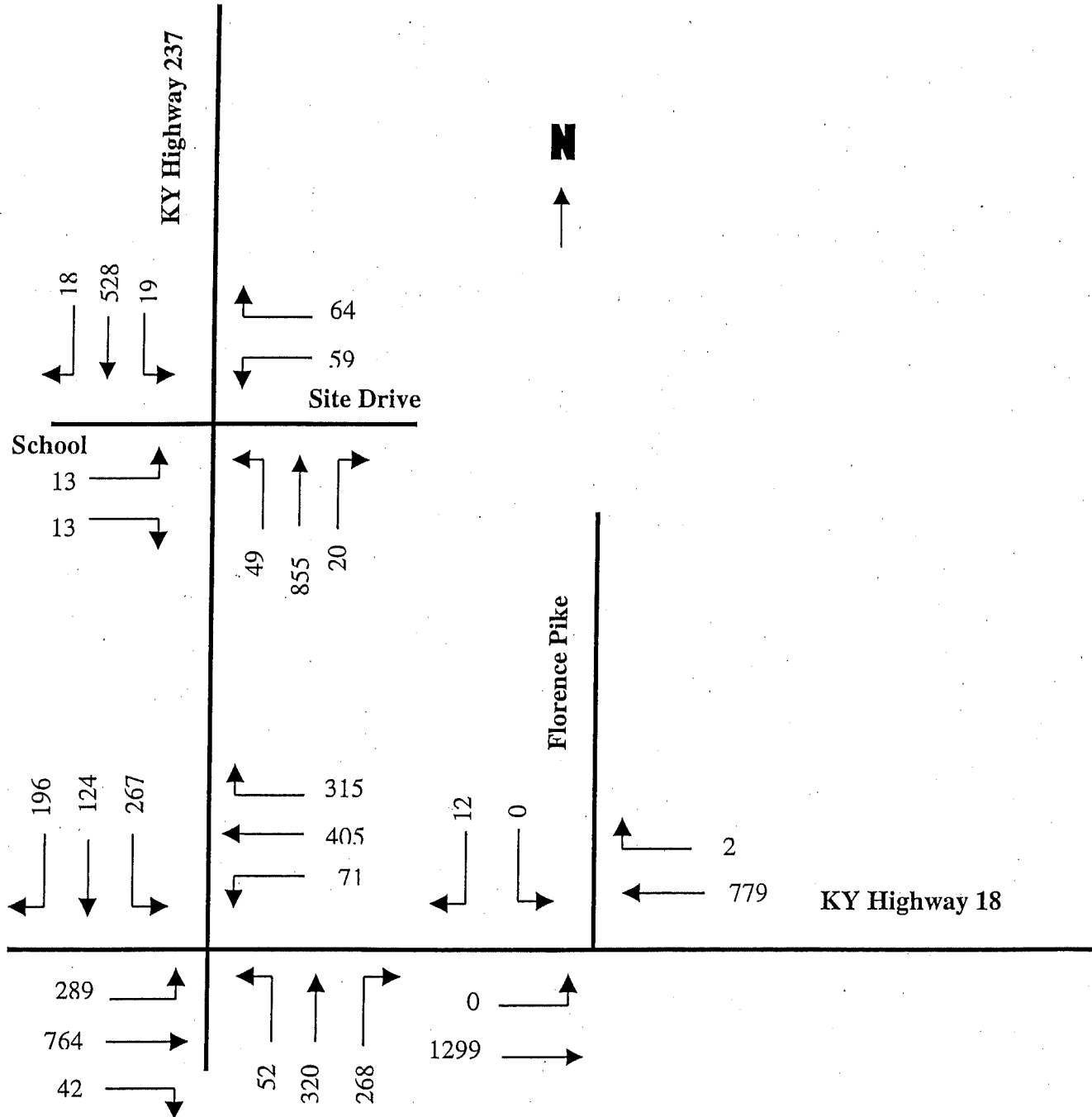
<sup>1</sup> Trip Generation Manual, Institute of Transportation Engineers, Sixth Edition. See Appendix C.

## *“Opening Day” Trip Distribution/Assignment*

The assignment/trip distribution of the forecasted new trips to and from the proposed development site during the peak hour periods was made on the basis of the proposed site development layout. In the previous study, the Boone County Planning staff requested a distribution of fifty (50) percent to and from the south be used for the analysis.

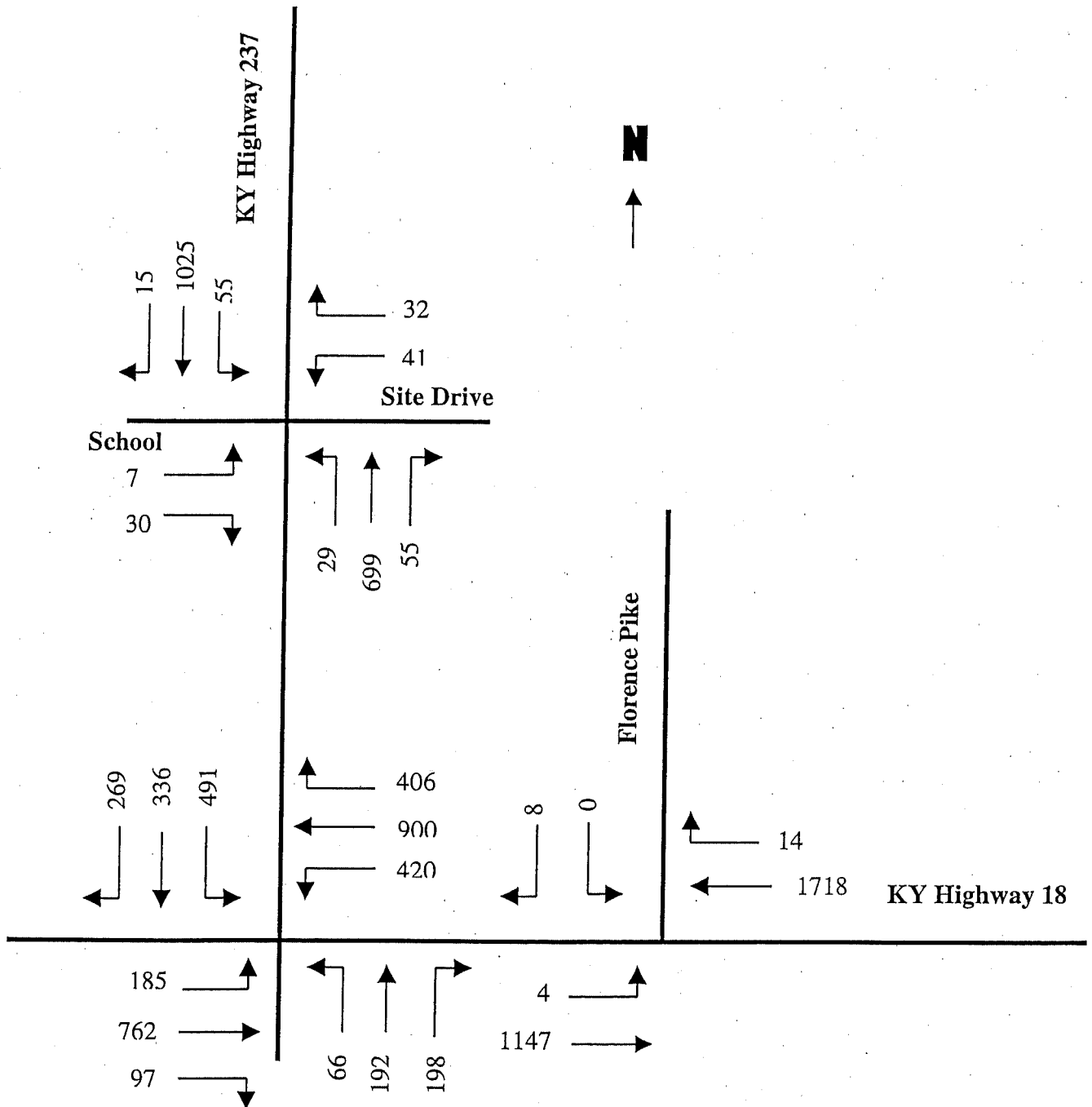
For the purposes of this Study, a distribution of fifty (50) percent to and from the south was used.

Although outbound left-turning movements can occur from the site drive onto KY 18, no trips were routed that direction during the analysis periods as that movement would be extremely difficult and have a long delay during peak hours. The Study recognizes that left-turn movements are possible at other times of the day. Figures 4 and 5 illustrate the forecast AM and PM peak hour total “Opening Day” traffic volumes.



\*movements to and from the golf course have been eliminated.

**FIGURE 4**  
**AM PEAK HOUR**  
**EXISTING PLUS SITE DEVELOPMENT VOLUMES**



\*movements to and from the golf course have been eliminated.

**FIGURE 5**  
**PM PEAK HOUR**  
**EXISTING PLUS SITE DEVELOPMENT VOLUMES**

## *Site Generated Traffic Impact Analysis*

The addition of the project traffic to the KY 18/KY 237 intersection does not reduce the level of service of the various movements other than those already failing. A variety of geometric improvements were tested in the previous study analysis to determine what type of improvements would be necessary at this intersection.

The first test provided for dual left-turn lanes southbound on KY 237 to replace the present shared left/thru and using a split phase for the north/south movements. The overall LOS intersection improvement was negligible.

A second test, which also added dual westbound left-turn lanes to KY 18 was shown to improve this heavy movement but to accomplish this change it is necessary to widen Camp Ernst Road to have two southbound lanes. The current plans by the KYTC to initiate an urban diamond interchange offers the best improvement.

Considering the "opening day" existing plus site generated volumes of traffic as shown in Figures 4 and 5, a level of service capacity analysis was performed for the intersection of KY 237/Site Drive. The resulting LOS analyses have been provided in Appendix D. The Level of Service values for the left-turn movements on KY 237 into the project remain the same (LOS "A") as the present conditions. The westbound exiting movements change from an existing LOS value of "D" to a LOS "E" during the morning peak hour. <sup>2</sup>

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<sup>2</sup> It should be noted that compared to the previous Traffic Impact Analysis done for this site and dated 23 August 2000, the "opening day" existing plus site generated volumes of traffic for the westbound exiting movement have decreased 25% to 30% due mostly to the decrease in the number of units planned for the site. The change in the Level of Service value for the westbound exiting movements, compared to the former Traffic Impact Analysis dated 23 August, 2000, is a result of revisions to the Highway Capacity calculations adopted by KYTC since August, 2000 on how the calculation is done to establish the Level of Service values. If residents exiting the proposed development to KY 18 experience delays, they have the option of accessing KY 18 via the secondary ingress and egress being provided to Old Florence Pike.

## *Left-Turn*

### *Storage Lane Analysis*

The intersection of KY 237 and the site access drive is expected to generate 49 southbound left-turn movements during the PM peak hour period. A separate left-turn lane presently exists in the median area. Under the site full build-out PM peak hour conditions, the maximum queue length left-turn storage requirement would be 100 feet. The existing storage lane is 268 feet long and has a 210-foot taper.

According to AASHTO design standards, the existing southbound storage and taper length will be adequate to handle the proposed Fairways of Meadowood.

## *Traffic Signal Warrant Analysis*

In order to determine the possibility of having signal operation at the intersection of the proposed Site drive and KY 237, a traffic signal warrant analysis was conducted to determine if a signal would be justified.

The determination of the need for a traffic signal at a particular location is based upon whether or not the traffic signalization is warranted. Since traffic signals are considered to be one of the most restrictive of the traditional traffic control devices, they should be used only where less restrictive signage or markings do not provide the required level of control or safety. It is the responsibility of the Kentucky Transportation Cabinet to determine whether this location can be best served by the use of traffic signal control.

As provided for in the Manual of Uniform Traffic Control Devices, Millennium Edition, traffic control signals should not be installed unless one or more of the signal warrants of that Manual are met. The warrants represent the minimum levels at which signal operations may be desirable.

Of course, when a traffic signal is indicated as being warranted and is installed, the signal and all related traffic control devices and markings shall be installed according to the standards set forth in the Manual of Uniform Traffic Control Devices. In addition, there must be adequate supervision of the operation of the signal as well as maintenance of the signal and all of its related devices, including pavement markings.

An investigation for signal installation considers the need for traffic signal control where applicable and, at least, performs an analysis of the factors contained in the following eight warrants, as described in the Manual.

1. Eight-Hour Vehicular Volume;
2. Four-Hour Vehicular Volume;
3. Peak Hour;
4. Pedestrian Volume;
5. School Crossing;
6. Coordinated Signal System;
7. Crash Experience; and
8. Roadway Network.

Warrants #1 and #2 are the primary volume warrants that are most often required for installing traffic signals. The KYTC normally provides for signal installation only after meeting Warrant #1. Provisions of signals meeting only the remaining warrants are generally approved only when severe safety conditions exist or can be expected.

Because of the residential land use proposed by this project, a preliminary Warrant #1 analysis was done at the site access drive using the AM peak hour outbound trips as provided in Figure 4. Based on these highest hour volumes, Warrant #1 would not be satisfied. Using the forecasted "opening day" AM and PM traffic volumes, an analysis was performed for Warrant #3 at the site drive and KY 237 to see if this Peak Hour Warrant would be satisfied.

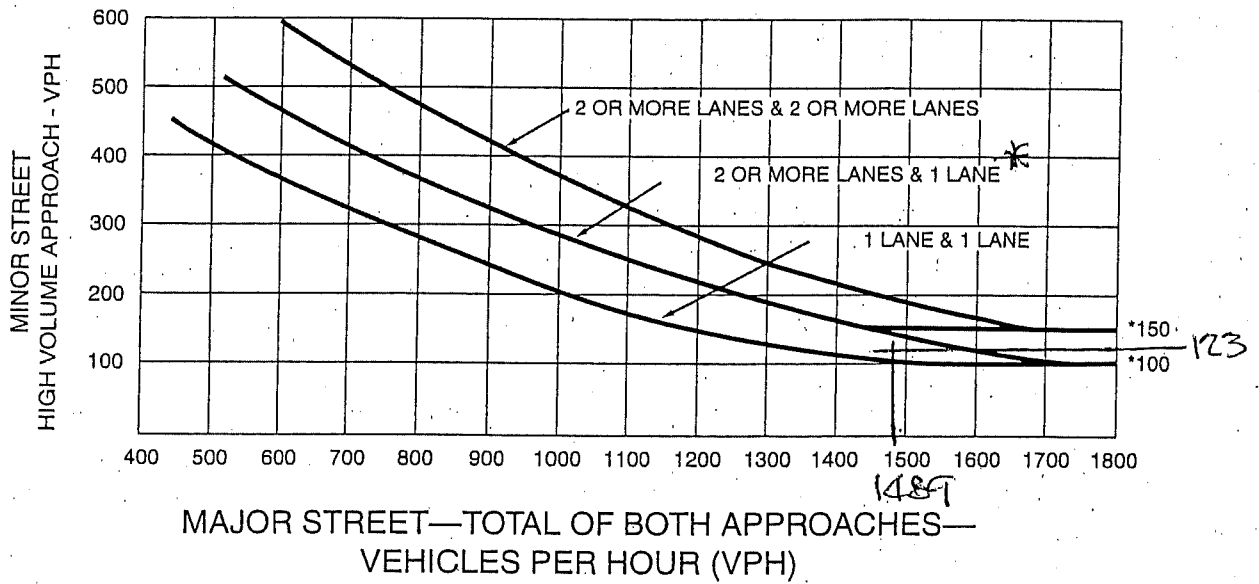
### ***Warrant #3 – Peak Hour Volume***

The Peak Hour Volume warrant is intended for application when traffic conditions are such that for one hour of the day minor-street traffic suffers undue delay in entering or crossing the major street.

The Peak Hour Volume warrant is satisfied when the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the higher-volume minor-street approach (one direction only) for one hour (any four consecutive 15-minute periods) of an average day falls above the curve in Figure 6 for the existing combination of approach lanes.

This warrant is not satisfied for the subject intersection.

It is important to note that when considering the need for a signal at this intersection, the KYTC has indicated that the present school traffic does not meet warrants.



\*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

**FIGURE 6**  
**PEAK HOUR VOLUME WARRANT**  
**KY 237 AND SITE ACCESS DRIVE**

## *Conclusion & Recommendations*

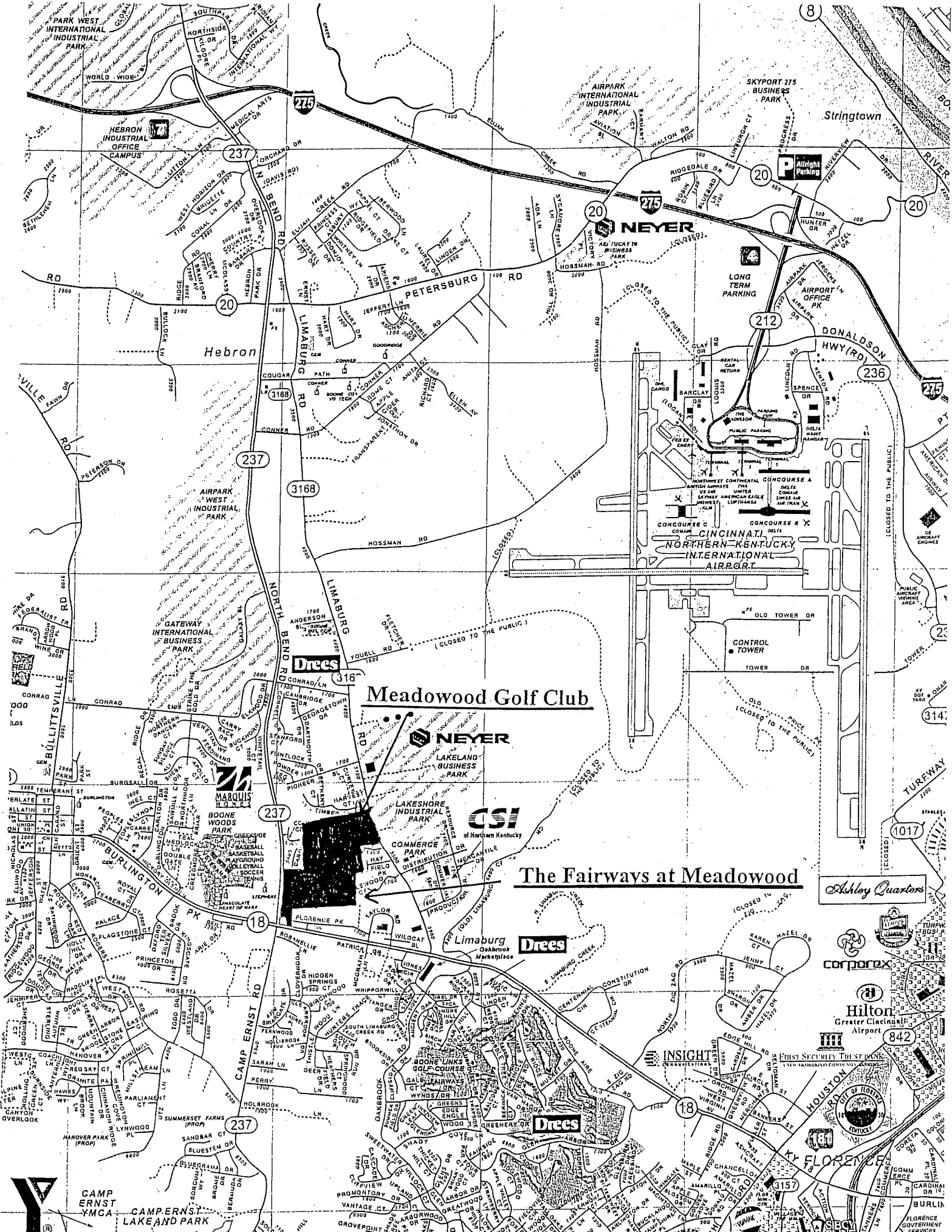
The preceding analysis of the proposed 313 unit residential condominium development and nine-hole golf course indicates the following conclusions and recommendations.

- The present intersections of KY 237 and Site Drive will require that two exiting lanes be provided; one left-turn lane and one through/right lane. The present pavement width is 35 feet at KY 237. Currently a right-turn taper exists northbound on KY 237 for the Site Drive. This taper is 148 feet in length. To accommodate the added project traffic, it is recommended that a full storage lane 100- foot long with a 175-foot deceleration taper be provided.
- The existing KY 237 southbound left-turn lane is currently 478 feet in length and is more than adequate to accommodate the proposed project.
- The peak hour analysis of trips to be generated at the Old KY Highway 18 and Old Florence Road access with KY 18 is not expected to be used very much by project traffic during the peak hours. This access will not be restricted however, and left turns in and out will occur. Although a median break currently exists on KY 18, it is recommended that a short (approximately 50 feet in length) eastbound left-turn lane be provided.

- The intersection of the proposed Site/School and KY 237 will not meet any of the signal warrants normally required by the Kentucky Transportation Cabinet. The School had requested a signal, but was denied on the basis of insufficient volume to meet warrants.<sup>3</sup>
- The intersection of KY 237 and KY 18 is currently operating with long delays on many of the individual movements. The addition of the proposed project traffic will certainly have a small impact, however, the actual LOS cannot be specifically defined. The level of improvement necessary to achieve any overall significant operational improvements, for either the existing conditions or future conditions, is presently being addressed by the creation of an urban diamond interchange design. The project is currently incorporated in the six-year improvement plan.

---

<sup>3</sup> The proposed development will increase the volume of traffic at the intersection, but will not increase the volume enough to alone warrant a signal.



**Drees**

### Meadowood Golf Club

**NEYER**

LAKELAND BUSINESS PARK

**CSI**  
of Northern Kentucky

### The Fairways at Meadowood

**Drees**

Limaburg Oaksbrook Marketplace

**Drees**

*Ashley Quarters*

**corporex**

**Hilton**  
Greater Cincinnati Airport

**INSIGHT**

**HOLISTO**

**FLORANCE**

**BURLIN**

**FLORANCE**  
GOVERNMENT SERVICES

**Y**  
CAMP ERNST YMCA  
CAMP ERNST LAKE AND PARK

## OWNER PROFILE – DREES HOMES

DESCRIPTION	SINGLE FAMILY	CONDOMINIUM / TOWNE HOME
Households with no children (1)	39%	92%
Single, widowed or divorced head of household (1)	7%	58%
Female head of household (1)	4%	42%
Avg. # children per household (1)	1.03	0.12
Age of buyers (majority) (1)	30-50 years (70.3%)	Under 30 & Over 50 years (61%)
Average household size (1)	2.95	1.58
Peak Hour Trips	1/Home (2)	0.5/Home (1)

Sources:     (1)   Survey of Drees Company homebuyers  
                   (2)   ITE Trip Generation Manual

## Demographics Drees Owners / Renters

	Carriage	Towne	Single Family
Average Household Size	1.48	1.64	3.07
Single, widowed or divorced	59%	46%	6%
Households with no children	90%	88%	37%
Average # of children/household	0.08	0.11	1.13
% between 30-49	28%	36%	71%
Mean # of baths	2	2.5	2.5
Mean # of bedrooms	2	2	4
Average Square Feet	1,256	1,522	2,200

Report compiled from current renter statistics (4/00) and past homebuyers

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A**

**April 3, 2002  
7:30 P.M.**

**PUBLIC HEARING**

**Commission Members Present:** Mr. Barlow, Mr. Hicks - Chairman, Mrs. Kegley, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, Mr. White, and Mrs. Wilson - Secretary/Treasurer.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

**Legal Counsel Present:** Mr. Dale Wilson

Mr. Mark Hicks, Chairman, called the meeting to order at 7:33 PM. Following an explanation of the Public Hearing process, the Chairman introduced the item on the Agenda:

1.     **Applicant:**     **Robert C. Rhein Interests, Inc./The Drees Company**

**Request:**        **Zoning Map Amendment**

**The request of Robert C. Rhein Interests, Inc./The Drees Company (applicant) for Lowell T. Runion (owner) for a Zoning Map Amendment from Recreation (R), Office Two (O-2), and Commercial Two (C-2) to Suburban Residential One/Planned Development (SR-1/PD) for an 82.26 acre tract generally located on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and along the west side of Limaburg Road between Val Court Drive and Timber Lane, Boone County, Kentucky. The request is for a zone change to allow single-family attached dwelling units (townhouses) and a nine-hole golf course.**

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Attorney C. Francis Barrett with Barrett & Weber at Suite 500, 105 East Fourth Street, Cincinnati, OH was present representing the applicant, a joint venture of Robert C. Rhein Interests, Inc. and The Drees Company. Mr. Barrett introduced the applicant's team: Ms. Karri K. Haffner, an associate attorney with a masters degree in community planning; Mr. Lowell Runion, a resident of Meadowood Greene condominiums and owner/operator of Meadowood Golf Course; Mr. Alex Taraseato, Senior Vice President of Robert C. Rhein Interests; Mr. Mike Schottelkotte, Administrative Manager in charge of Land Development for The Drees Company; Mr. Ray Neverovich, Division Manager of the Townhomes Division of The Drees Company; and Mr. Jack Gehrum with Pflum, Klausmeier & Gehrum.

Mr. Barrett stated that this is a high quality development consistent with the Goals and tenets of the Comprehensive Plan and is appropriate considering the character of the area and surrounding land uses, existing conditions, and current economic conditions related to the operations of the golf course. He stated that the Staff Report was complete and accurate, which will shorten their presentation and number of speakers, but they will be available for questions. He stated that the site consists of 82.26 acres and 64.66 acres (over 78%) of the site is open space. He stated that the Traffic Study attached to the Staff Report has been accepted by Staff. Mr. Barrett stated that the development of the property under the existing zoning would generate substantially more traffic than the proposed development under SR-1/PD and he will submit a handout from Mr. Gehrum confirming that fact. Mr. Barrett stated that the proposed development incorporates the northern nine holes of the golf course (the first nine holes), which provides a tremendous buffer for the adjoining residential properties. The golf course use will be a specific use restricted to the site and no other uses in the Recreational zone will be permitted. Mr. Runion has agreed to a restrictive covenant that runs with the land in perpetuity and is enforceable by the abutting property owners. He stated that they have only 313 units on 82.26 acres, which is a low-density development of 3.8 units per acre – which is substantially less than the surrounding land uses and less than the type of high-density development typically found on a corridor such as KY 18. Mr. Barrett presented an exhibit showing the site colored yellow and indicated the surrounding zoning in the area. He reviewed the exhibit and stated that most of the site was zoned "R" because there was an existing golf course. He noted C-2 and O-2 zoning on the southern part of the site and C-2, SR-2/PD, UR-1, and U-2 in the surrounding district. He stated that there are a number of other uses permitted in the "R" zone which are more intensive and would not be desirable in this location, including zoos, motion picture theaters, entertainment assemblies, places of general assembly, fairgrounds, miniature golf, arcades, go cart tracks, roller skating, bowling alleys, youth camps, indoor/outdoor target ranges, recreational vehicle/trailer camps, and bed & breakfasts. These uses are more intensive than the proposed use and would not be desirable in this location, which demonstrates the inappropriateness of the "R" zoning. Mr. Barrett presented and reviewed an exhibit of the zoning with an overlay of the zoning lines. He noted a red line representing the zoning line of the

office and commercial districts and stated that at least five, and possibly six, holes of golf would be lost if the property were developed under the existing zoning and the balance were left as "R" -- which establishes the inappropriateness of the existing zoning. Mr. Barrett presented an exhibit prepared by Mr. Runion that shows the economic change that has occurred to justify a map amendment. The exhibit shows the declining play of rounds of golf from 1990 to 2001. Mr. Barrett stated that there are 171 public golf holes in Boone and Kenton Counties, 36 of which are privately owned golf courses that are open to the public -- 18 of which are in Boone County at Meadowood Golf Course and the other 18 are in Kenton County. He stated that 136 holes are publicly owned by the city or county. Reviewing an exhibit, he stated that there was one privately owned public golf course in Boone County, but in 1990 -- 1995 fifty-four new golf holes came in and play declined at Meadowood. Of the fifty-four new golf holes, twenty-seven were in Boone County and twenty-seven were in Kenton County. All were owned and operated by public entities. During that period, the golf business started to even out and in some cases there was zero growth. He stated that having additional public facilities has been a benefit for the public, but it has had devastating consequences on Meadowood Golf Course. There has been a decrease in the number of rounds played from 44,500 to 26,000 and revenues fell off \$136,000 per year since 1992. He stated that it is not economically feasible to operate an 18-hole golf course. A nine-hole golf course at this location is economically feasible and Mr. Runion is willing to sign a Restrictive Covenant that would run with the land, benefit the abutting property owners, and be enforceable by them to keep nine holes as a golf course or open space to perpetuity. He stated that approximately 70% - 75% of the play on the course is 9-hole play with 25% - 30% being 18-hole play. Mr. Barrett presented an exhibit of the prior Site Plan for 384 units, 248 of which were apartments. He stated that there are no apartments in the proposed development. He stated that the previous density was 9.6 units per acre and now they are at 3.8 units per acre. He presented an exhibit of the proposed Site Plan "Fairways of Meadowood" and stated that there are a number of significant changes. The intensity of development is far less than would normally be on a corridor like KY 237 or KY 18 and it is an excellent transition between the commercial property to the south and the residential property to the north. The golf course is included in the plan and can be preserved to perpetuity with the Restrictive Covenant. He stated that all of the three-story buildings in the prior plan have been eliminated and the buildings are a maximum of two stories. It is all single-family attached owner-occupied units which are aesthetically pleasing. Using an exhibit, Mr. Barrett indicated Meadowood Greene Condominium development, which is ten units per acre. To the north is Meadowood Estates of Tall Trees Townhomes at twelve units per acre. He stated that Boone Creek to the north is 113 lots of single-family at three units per acre, Val Court Condominiums is at 6.7 units per acre, Hayfield Park Apartments is at 12 units per acre, and Sky Harbor Apartments is at 11.5 units per acre. He stated that this is an ideal transitional use of extremely low density. With the protection of the Restrictive Covenant, it is the best possible circumstance for the abutting property owners. He presented a letter from Mr.

Runion asking the abutting property owners to agree to the zone change with the deed restriction on the remaining nine holes. He noted that there are eighteen lots and he has signatures from twelve, which are indicated by red dots on the map. Mr. Barrett submitted (see Exhibit 3) a petition signed by the property owners with an attached map showing the eighteen properties that abut on the north side of the golf course that would be the beneficiaries of the Restrictive Covenant. He stated that the most beneficial aspect of the development is the high quality of the proposed single-family housing. He stated that the residents of Meadowood Greene Condominiums were concerned about the impact of the construction traffic from KY 237 to the site and the developer has committed to attempting to acquire a separate construction entrance and Mr. Gehrum will make that application to the Kentucky Department of Transportation. If that application is not approved, then after the second year it is agreeable that Old KY 18 would be used for access – which they are agreeable to as a condition of approval. He stated that Mr. Runion has attempted to meet with all the adjoining single-family homeowners and is committed to recording a Restrictive Covenant that runs with the land in their favor, which they may enforce and restrict the property to golf course use or open space to perpetuity – which can also be a condition of approval.

Mr. Mike Schottelkotte stated that he was unable to give his Power Point presentation due to compatibility issues with the computer and projector. (Note: Mr. Schottelkotte provided the CD to Staff Member Mitch Light who will print the slides and make them available – Exhibit 4). Mr. Schottelkotte noted that attached to the Staff Report are floor plans and elevations of the various homes they will build in the community. He reviewed the differences between townhome, condominium and single-family home buyers (see “Owner Profile – Drees Homes” attached to the Staff Report). He noted that “children” are ages 0 to 21 and only about 60% would therefore be school age children. He stated that the development would be a partnership between Robert C. Rhein Interests and The Drees Company. The Drees Company will be the builder and marketer of the homes. Attached to the Staff Report is information identifying the types of products they will build on the site. He stated that there are basically two types of buildings – (1) two types of carriage homes and (2) townhomes. He noted Exhibit C attached to the Staff Report which shows where the different units will be located on the site – the units are mixed throughout the community to take advantage of the topography. He reviewed Exhibit D attached to the Staff Report in regard to Carriage Homes. He stated that they are on-grade slab, two-story buildings and the units are typically two-bedrooms (1,000 – 1,300 square feet). There is a unit with an additional room as a den. All of the Carriage Homes have garages – those that do not have attached garages will have detached garages available. There will be more garages than there are units that do not have an attached garage as in many communities they have requests for additional garage space. The price range of the Carriage Homes will be \$110,000’s to \$130,000’s. Each unit will have its own separate access from outside directly into the unit and the garages connect into the homes. It is a ranch style residence (all on the first

floor or all on the second floor). There is also a cross between Townhome and Carriage Home with a lower level walkout at the rear so that the home on the first floor is the first floor and the lower level. The other unit is the second floor above the garage and above the first floor unit. They range from 1,400 to 1,600 square feet and from \$130,000 to \$150,000. They all have one-car attached garages and are typically two bedrooms and two bathrooms.

Mrs. Wilson left the meeting at this time.

Mr. Schottelkotte stated that the other product is the townhomes, which are a combination of one and two stories and range in size from 1,400 to 1,700 square feet. Most of them are two bedroom units, but there is a unit with an additional den. They all have two-car garages and two bathrooms. He stated that the community is oriented toward empty nesters, retirees, or couples. They historically have very few children in these communities. He noted the information attached to the Staff Report regarding the number of school children in typical Drees developments (see "School Children Survey"). He stated that The Drees Company will construct a community building on the site. All of the residents will be members of the Condominium Association. It will be a year-round facility with meeting room, exercise room, and pool. There will be a parking facility for the community building area. He indicated on the map the location of the community facility with clubhouse and pool. He stated that The Drees Company establishes the management of the Condominium Association that will hire a professional management company to be responsible for the exterior maintenance of the homes and yards and for snow removal in the community. He stated that there will be 60 townhomes, 98 carriage homes with walk-out lower level, and 155 carriage homes built slab on grade. The total value of the community when complete will be over \$42 million. Mr. Schottelkotte apologized for not being able to present the Power Point presentation. He submitted pictures of the slides that would have been presented (see Exhibit 4).

Mr. Costello stated that the slides will be printed and anyone who wishes to see them should contact the Staff Office.

Mr. Barrett offered to answer any questions. He reviewed the Site Plan and stated that the open space is 78.6% of the entire site and even if the 42 acres of the golf course is taken out, the open space still exceeds the developed area. There is 64.66 acres of open space including the golf course and 22.3 acres of open space exclusive of the golf course. He stated that the units only cover 7.8 acres and the streets and parking cover 9.8 acres. It is a very attractive, low-density land use in terms of impact on the community and traffic, which is minimal. He stated that single-family property owners to the north, or condominium owners to the west, or residential owners to the east will have locked into perpetuity green space/open space for a golf course. He stated that an abutting property owner asked if she could be the first speaker from the public. This concluded the applicant's presentation.

The Chairman asked Counselor Wilson to address jurisdiction of the Planning Commission in regard to the deed restriction for the golf course. Counselor Wilson advised that the prior application did not have the golf course included in the application and, therefore, the Planning Commission could not attached conditions regarding the golf course continuing in the future. The golf course is part of the current application and, independent of the deed restriction, the Planning Commission can (with the agreement of the applicant) impose conditions regarding the continued use of the property for a golf course – however, without deed restrictions, in the future another application could be made to seek modification of the condition. He stated that deed restrictions are separate and, even if the conditions were modified, the deed restrictions would continue to have effect and persons having the right to enforce them would not be relying only on the zone change in order to have the golf course continue. He explained that the Planning Commission does not enforce private deed restrictions. A private deed restriction is not a public regulation enacted as public law – it is a private regulation that those persons identified in the deed restriction would have the right to enforce. The Planning Commission does not enforce it.

The Chairman asked if the person identified by Mr. Barrett wished to speak.

Ms. Kathlyn Reinstatler, 5574 Carolina Way, a resident of Meadowood Greene and a Board member of the Association, stated that she is in favor of the plans submitted. She stated that there will be less density, no apartments, homeownership, and the front nine-hole golf course will stay. She stated that Boone County is growing and with added employment comes the need for housing. She stated that there will be inconveniences and traffic, but not everyone enters or leaves the community at the same time. She and her husband visited Darlington Farms on KY 18 which is three hundred units and one entrance and there was no back-up of traffic. She stated that voting for this proposal will stop the worry of what might be there in the future. To her knowledge, there is no opposition from Meadowood Greene.

The Chairman asked if there was anyone else present who wished to speak in favor of the request.

Mr. John Di Muzio, 1817 Timber Lane in Meadowood Estates, stated that their property line is about thirty feet from the eighth green. He stated that he is also representing John and Norma Robertson of 1763 Harvest Court who could not be here this evening. He stated that there is a conglomerate of development that surrounds the golf course – used car lots, grocery stores, industrial park, single-family, multi-family, and large equipment facilities. They feel that keeping a green spot in the center of all that is essential to Boone County. The deed restriction is the closest thing to a guarantee that the nine holes will remain a green spot or a golf course and, if it is incorporated into the application, then both of their families approve of the new development.

Mr. Chad Ertman, 5692 Carolina Way, stated that he lives right on the golf course and he is in favor of the request. It is a good compromise. He does not want a zoo or an arcade or a motion picture theater there. He is concerned about the buildings facing his building and does not want to see vinyl facing the golf course. He is concerned about golf balls hitting other peoples' properties. He stated that nine years to build out the project is a lot of years to be building, but overall he is in favor.

The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present who wished to speak in opposition to the request.

Mr. Joe Fisher, 7106 Sweetwater Drive in Oakbrook, stated that he is concerned about property values. He stated that traditionally developments like this drive down the value of his home and others like it as people will find that they can purchase new construction cheaper with owner financing. He stated that he is on the Board for Oakbrook and they read Common Grounds Magazine which coined the phrase "boom sprawl" as a term for uncontrolled development or areas that grow at higher than traditional rates and have dramatically increased crime rates. He does not see any benefit to this development. There is already an enormous amount of housing in the area. He would be in favor of having a zoo there.

Mr. Joe Mardis, 1812 Timber Lane, stated that he addressed the Planning Commission previously and wants to reenter his remarks (see Exhibit 5). He stated that his parents live on the same street and his comments also reflect their ideas. He stated that the overall Goal of the Boone County Comprehensive Plan is proper growth management and the second objective says that development issues shall be viewed in terms of promoting overall quality of life. The proposed zone change is in opposition to that objective. He stated that traffic has gotten worse. He has a child that goes on the bus to school and his other children will also go on the school bus and he is concerned about the concrete trucks on Limaburg Road hitting a school bus. He has safety concerns relative to ingress and egress. The proposed development is right across from a school. He stated that access drives are just another place for traffic. He questioned where the traffic will go. KY 18 is even more congested. He stated that concessions have been made, but there will be nine years of noise pollution.

Mr. Steve Niehaus, 1743 Timber Lane, questioned enforcement of the deed restriction. He asked if it would have to be in the deeds of the people who buy the Carriage Homes. How will the deed restriction work? Counselor Wilson advised that the Planning Commission will not have the enforcement power. He stated that the applicant has represented that they will identify owners of properties that will have the authority to enforce the deed restriction. His understanding is that the deed restriction of record will identify the property and the owners of the properties that will have the right to enforce it. Mr. Niehaus stated that he needs a

definitive answer as to how they will give him enforceability of a deed restriction and, if they cannot, then it should be in the deed of everyone who buys a Carriage Home. He stated that he has no standing as a resident of Timber Lane to enforce the deed restriction. He feels that the Planning Commission needs to find out how a person enforces the deed restriction – such as a real estate lawyer who can enforce the deed restriction. He questioned how the Planning Commission enforces conditions. Counselor Wilson advised that if the request is approved, there will be written conditions that the applicant and owner will have to agree to, and they will then go with the recommendation to the legislative body. Mr. Costello stated that a Land Use Restriction is recorded in the County Clerk's Office that speaks to the conditions. He stated that the Planning Commission enforces the conditions in many ways – when they come back with the Development Plans to start construction, we make sure they are complying with the conditions. If they are not complying, the Planning Commission has the authority to cite them to district court and if they cannot resolve it, there will be a trial. Mr. Niehaus asked if the Planning Commission will get an independent party to make sure the deed restriction is enforceable. He stated that the grantor could grant it and take it back. Mr. Costello responded that the Planning Commission has the right to require deed restrictions to be recorded as a condition – which the applicant and Fiscal Court would have to agree to – and it would have to be an effective deed restriction.

Mrs. Elizabeth Boyers, 1788 Timber Lane, stated that her daughter (a junior at Conner High School) was eager to speak, but is away on spring break. She has another daughter at Conner Middle School. She stated that the schools are way over capacity and have classes in trailers. Her daughter does not feel safe because the halls are so crowded. She stated that it was brought up that Mr. Runion could not make money. She stated that in the past year sales have gone up a bit, which shows he has done some work to the golf course. She stated that if he wants to take nine holes, then eventually he will get the other nine too. She stated that he could have more golfers with eighteen holes than nine since people who want to play another round do not want to play the same nine holes over again.

Ms. Carol Niehaus, 1743 Timber Lane, submitted statements from two neighbors who were unable to attend the meeting this evening (see Exhibits 6 and 7). Ms. Niehaus asked that the records of the previous Public Hearings be entered into the record of these proceedings as things have not changed much and a lot of the statements and research are still good information. She asked that the Planning Commission refresh its memory by going over some of those items. Ms. Niehaus read and submitted her comments in the form of three questions with answers (see Exhibit 9).

Col. Richard Neufang, 1846 Timber Lane, stated that little has changed from what transpired two years ago with the exception of the deed restriction, which is dubious. If the deed restriction can be worked out, he is fine – otherwise he is opposed.

Mr. Chad Carpenter, 1932 Florence Pike, stated that he owns commercial property on the south side of the proposed development. He referred to Page 9 of the Staff Report and questioned Buffer Yard A plants and Buffer Yard B plants. What are those plants? He asked if the change would move the commercial zoning line down towards KY 18. He questioned how this zone change would affect the zoning of the commercial property around the development. He stated that 300+ units will be six hundred more cars on KY 18 and KY 237, which is not safe. He questioned where they will put the extra garages. He stated that the last Carriage Homes built in this area were in Oakbrook at the Summits and they are not sold yet. He questioned how his property would be affected by the zone change.

Mr. Ray Harris, 1491 Greenery Drive, stated that he owns property to the south and wants to make sure that the C-2 zoning on the south side does not change. He asked if the zoning would change just on the Runion property. Mr. Costello responded "that is correct".

Mr. Jim Vonderhaar, 4823 Dartmouth Drive, submitted a newspaper clipping of a letter to the editor about how dangerous Limaburg Road is (see Exhibit 9). He believes that eventually this development will come out on Limaburg Road. He questioned The Drees Company being the only builder in the subdivision. He lives in a Drees Subdivision and they are not the only builder.

The Chairman asked if there was anyone else present who wished to speak. There being no response, he asked if there were any comments or questions from the Commissioners.

Mr. McMillian noted that the applicant said these would be single-family homes but he did not see any single-family homes in the pictures. Mr. Barrett responded that they are single-family attached homes. Mr. McMillian questioned the difference between the type of unit where one person lives above someone else and apartments. Mr. Schottelkotte responded that it is an ownership issue – they are not rented units they are owner-occupied. He stated that with certain styles, there is one resident living above another in condominium type ownership. Mr. McMillian stated that they are not single-family residences. Mr. Schottelkotte responded that they are single-family attached residences.

Mr. Reynolds noted that the applicant said there would be 313 units on 80 acres. He stated that the entire development including the golf course is 80 acres, but they are not developing the golf course so it would be 313 units on 40 acres. Mr. Barrett stated that the developed portion is 40 acres.

Mr. Schwenke stated that there is a lot of interest in the deed restriction on the nine-hole golf course. He asked for further explanation. Mr. Barrett responded that the Declaration of Restrictive Covenant would be signed by the owner, Mr.

Runion, and would specify that he is restricting his property to a golf course or open space. It would state that it runs with the land and is for the benefit of the abutting property owners, which gives them the right to enforce it. He stated that if it is a condition of the development, there is valued consideration and it is enforceable as a property right. He stated that they have no problem with anyone obtaining legal counsel to review it or help draft it. The intent is that it be binding on the property and run with the land to perpetuity. It would be placed of record and be a matter of public knowledge. Mr. Costello asked if they could provide a draft version for the Committee to review. Mr. Barrett responded "yes".

Mr. Reynolds questioned the zoning of the golf course and what other uses could go there. Mr. Barrett responded that the zoning would be part of the PD Overlay and it would be as shown on the Site Plan. He stated that a Planned Development has to show specified uses and it is part of the Development Plan. He stated that it is enforceable and would have to be maintained as shown from a zoning perspective. Mr. Costello stated that the golf course serves as open space and possibly in the future the county would be interested in buying it for a park. He stated that he believes the concern is "or open space" because in theory there could be a private recreational open space versus the golf course use. He stated that the Committee and the Planning Commission will have to look at the exact wording of the Deed Restriction. It may be that they will use just the words "golf course".

Mr. McMillian asked if The Drees Company is buying the entire site. Mr. Schottelkotte responded that The Drees Company is entering into a partnership agreement with Robert C. Rhein Interests, Inc. to jointly develop the property. The Drees Company will purchase building lots from the partnership, build the homes, and sell the homes to the buyers. Mr. Runion would retain ownership of the portion of the site that the golf course would be on and the partnership would purchase the portion of the property that is to be developed for residential use. The home buyers would be brought into the Condominium Association and the Board of Directors of the Condominium Association would hire the management company to oversee the day-to-day maintenance of the grounds, etc. within the area of the condominiums. In response to additional questions from Mr. McMillian, Mr. Schottelkotte stated that Mr. Runion would have no ownership of the homes. The nine-hole golf course is included as part of the plan under the Planned Unit Development Zone and is part of the overall plan of the community. Approval is based on what is shown on the plan, which is the golf course, which would freeze it so that the use of that area is "golf course". Mr. McMillian questioned why the zoning of the golf course would be changed. Mr. Schottelkotte responded that it is a more restrictive use of the property than the current "R" zoning. The use of the area would be limited to golf course in the future, but under the existing zoning there is a wide variety of other uses that may not be desirable in the area if it remained zoned "R". Mr. McMillian stated that the applicant is asking for a zone change on property that does not need a zone change. Mr. Schottelkotte explained that the concept was to add a level of

protection that the property would remain a golf course. In the prior proposals, the golf course was not part of the zone change and there was no commitment that could be given to the Planning Commission and county that the property would remain as a golf course. They have included it as part of the plan so that it is specified for that particular use. Additionally, Mr. Runion has agreed to a deed restriction for golf course/open space purposes.

Mr. McMillian stated that he is concerned that the applicant talked about all the green space they are leaving and that they are only building three units per acre – but the area they are building on is only 44 acres, which was not brought up.

Mrs. Poston asked that the Committee be provided with copies of the Public Hearing records from the last requests for a zone change. Chairman Hicks agreed.

In response to a question from Mrs. Poston, Mr. Light explained that Buffer Yard B is greater than Buffer Yard A (Article 37 of the Zoning Regulations). Mr. Schwenke referred to the comments made by Mr. Carpenter regarding his commercial property. He stated that with the current zoning, he has C-2 adjoining his property which could be changed to SR-1/PD – what effect would that have on the required buffer if he develops his property? Mr. Light responded that with if the property develops as C-2, currently Buffer Yard A would be required, at least on the rear property line. Buffer Yard A would be a 10-foot buffer. A change to SR1-/PD would affect his property with another fifteen feet of buffer yard and additional plantings (Buffer Yard C).

Mrs. Poston stated that the buildings are mostly brick and stone in the front and questioned what the back sides will look like. Mr. Schottelkotte responded that they vary depending on the design standards established for the different communities. Mrs. Poston asked if there will be vinyl on the back sides of the buildings. Mr. Schottelkotte responded that they are open to discussion.

Mr. White asked that Mr. Runion attend the Committee meeting. Mr. Runion indicated his agreement.

Mr. Barlow asked if the three dry retention ponds will be fenced. Mr. Alex Taraseato with Robert C. Rhein Interests, Inc. responded that the existing lakes will be pumped out and filled to be shallow basins to detain water one or two feet deep and a fence will not be required.

Mr. Barlow stated that there appears to be 560 open parking spaces. He asked if there will be any restriction on parking in the driveways. Will the 560 parking spaces be available for full-time parking? Mr. Schottelkotte responded that the parking spaces Mr. Barlow is referring to include driveways into the garages and additional off-street parking areas for visitors. He stated that typically condominium communities do not have a requirement that people park in their

garages at all times and there is the potential that some of the surface parking spaces would have automobiles parked in them from time to time.

Mr. Poe questioned the locations of the detached garages. Mr. Schottelkotte indicated them on the plan in various locations throughout the community.

Chairman Hicks stated that the question of vinyl siding was one of the issues brought up by the public and will be discussed in Committee. He stated that Mr. Barrett will try to get a draft of the deed restriction in time for the Committee meeting. He asked if access to Limaburg Road is likely to occur. Mr. Schottelkotte responded that there is no access proposed to Limaburg Road. He stated that the property that would be residential development does not adjoin Limaburg Road and it is on the portion of the property that would be retained by Mr. Runion for the golf course.

Chairman Hicks stated that the minutes from the earlier applications will be available for the Zone Change Committee to review. He asked if the applicant wished to respond to any of the comments made.

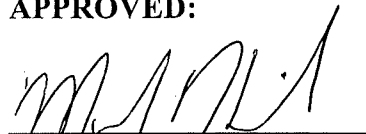
In response to Mr. Fisher's comment regarding property values, Mr. Barrett stated that Mr. Schottelkotte's presentation showed that the prices and quality of the units will enhance property values in the area. He stated that this being a low-density project should have a positive economic benefit. In regard to sprawl and uncontrolled growth, he stated that this is a low-density development. In response to Mr. Mardis' comments regarding traffic and the duration of the development, he stated that the traffic impact generated by this development is less than would be generated under the existing zoning. He stated that they anticipate no conflict with Stephens Elementary School. The school would like a traffic light and, if it can be secured from The Kentucky Department of Transportation, they are willing to pay for it and that can be a condition. In regard to Mr. Niehaus' concerns about enforcement of the restrictive covenant, he stated that there is no better protection for abutting property owners than a restrictive covenant and everyone would be best served by another attorney reviewing it to see that it protects the abutting property owners. He stated that there is greater control and greater restriction by developing the site as proposed with the PD Overlay than under the present zoning. In regard to the concern raised about the overcrowding of the schools, he stated that Mr. Schottelkotte's presentation showed that this is typically a type of development that does not have school children and the impact should be minimal. In regard to the concern about the golf course being profitable, he stated that he believes they have demonstrated the economic unfeasibility of it. He stated that with the restrictive covenant, there is the highest level of protection that the nine-holes to the north will never be taken, but leaving it zoned as it is there is no protection. He stated that there was a request that the statements from the prior requests be incorporated and a comment that things have not changed much – but they have changed dramatically with the low-density development, no apartments, no three-story buildings, owner-occupied, and all of the other controls

making this the best possible development. In response to the questions raised by Ms. Niehaus (Exhibit 8) he stated that this development will fill a niche in the market for seniors, singles, and couples without children and be an excellent transitional use. He stated that development of the property under the existing zoning would place a tremendous strain on the infrastructure and be more intensive and less desirable for the adjoining property owners and the community at large. In regard to Ms. Niehaus' question concerning destroying existing resources, he stated that the restrictive covenant locks it up as recreational space of the highest quality to perpetuity. He stated that Recreational use does not mean open space and there could be theaters, go-carts, etc. under the existing zoning, which would not be appropriate in this location. He stated that developing the property under the existing zoning would eliminate nine holes of the golf course because on the back nine 5 or 6 holes would be in the Office and Commercial districts. Mr. Barrett stated that they will prepare the proposed Restrictive Covenant and make it available to Staff and the neighbors, and they hope that independent counsel will review it. He stated that the amount of traffic generated by this development is far less than the existing zoning allows.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on April 24, 2002 at 5 PM in the Fiscal Courtroom on the second floor of this building. This item will be on the Agenda for the Business Meeting on May 1, 2002 at 6:00 PM and this will be noted at the Committee Meeting. He stated that the Committee Meeting is open to the public, but no new information or testimony will be permitted.

The Chairman closed this Public Hearing at 9:58 PM.

**APPROVED:**

  
\_\_\_\_\_  
**Mark Hicks, Chairman**

**Attest:**

  
\_\_\_\_\_  
**Jan Hancock, Recording Secretary**

**Exhibits**

- 1. Exhibits presented by the applicant (copies attached to Staff Report)**
- 2. Information prepared by Mr. Jack Gehrum re: traffic generation from existing and proposed development as referenced by Mr. Barrett**
- 3. Petition with an attached map showing the beneficiaries of the Restrictive Covenant (red dots indicate the twelve who have signed the petition)**

4. Pictures and CD submitted by Mr. Schottelkotte/slides to be made
5. Comments by Joe Mardis
6. Comments from Don and Carole Valentine, 1724 Timber Lane, in opposition to the application.
7. Comments from Arthur and Vicki Rayhle, 1863 Timber Lane.
8. Comments from Carol Niehaus
9. Letter to the editor submitted by Jim Vonderhaar

April 3, 2002

To: Boone County Planning Commission

From: Tom Runion

Petition, Meadowood Estates

I attempted to talk to all property owners on the south side of Timber lane, Burlington Ky. (18 lots adjacent to Meadowood Golf Course)

I ask each property owner if they would sign the attached petition stating that they are not opposed to the proposed zone change with the stipulation that I execute a golf course, open space deed restriction on the remaining 9 holes.

Summary:

Total Lots 18

Signatures 12

Not at Home 1

*J. V. Runion*  
4/3/2002

MEADOWOOD ESTATES, GOLF COURSE LOTS

PETITION

NOT OPPOSED TO THE PROPOSED ZONE CHANGE  
AMENDMENT FOR THE MEADOWOOD GOLF COURSE  
(WITH GOLF COURSE OPEN SPACE DEED RESTRICTION)

DATE	SIGNATURE	PRINTED NAME	ADDRESS
3/28/02	<i>Thomas R. Catanzaro</i>	Tom + SANDY CATANZARO	5353 LIMABURG RD LOT 44+4
3-28-02	<i>James Sparks</i>	JIM + JEAN SPARKS	1771 TIMBER LANE
3-28-02	<i>James Sparks</i>	JIM + JEAN SPARKS	LOT 33 TIMBER LANE 525 1331
3-28-02	<i>William R. Heller</i>	Bill AND Billie	1723 TIMBER LANE
3-28-02	<i>Michael G. Foetz</i>	MICHAEL G. FOETZ	1757 Timber Lane 647-2729
3-29-02	<i>Jenny J. Kennedy</i>	JENNY J. KENNEDY	1783 TIMBER LN.
3-30-02	<i>John Robertson</i>	JOHN ROBERTSON	LOT 32 Timber Lane 525-8411
3-30-02	<i>Dave Henderson</i>	DAVE HENDERSON	LOT 30 " " "
3-30-02	<i>Obie Henderson</i>	OBIE HENDERSON	LOT 18 TIMBER LN Building 1111
4-2-02	<i>Carl R. Pellillo</i>	5327 Limaburg Rd	371-9625
4-3-02	<i>John J. Myers</i>	1812 Timber	371-6988

- OVER -

**PETITION**

**NOT OPPOSED TO THE PROPOSED ZONE CHANGE  
AMENDMENT FOR THE MEADOWOOD GOLF COURSE  
(WITH GOLF COURSE OPEN SPACE DEED RESTRICTION)**

**DATE**

**SIGNATURE**

**PRINTED NAME**

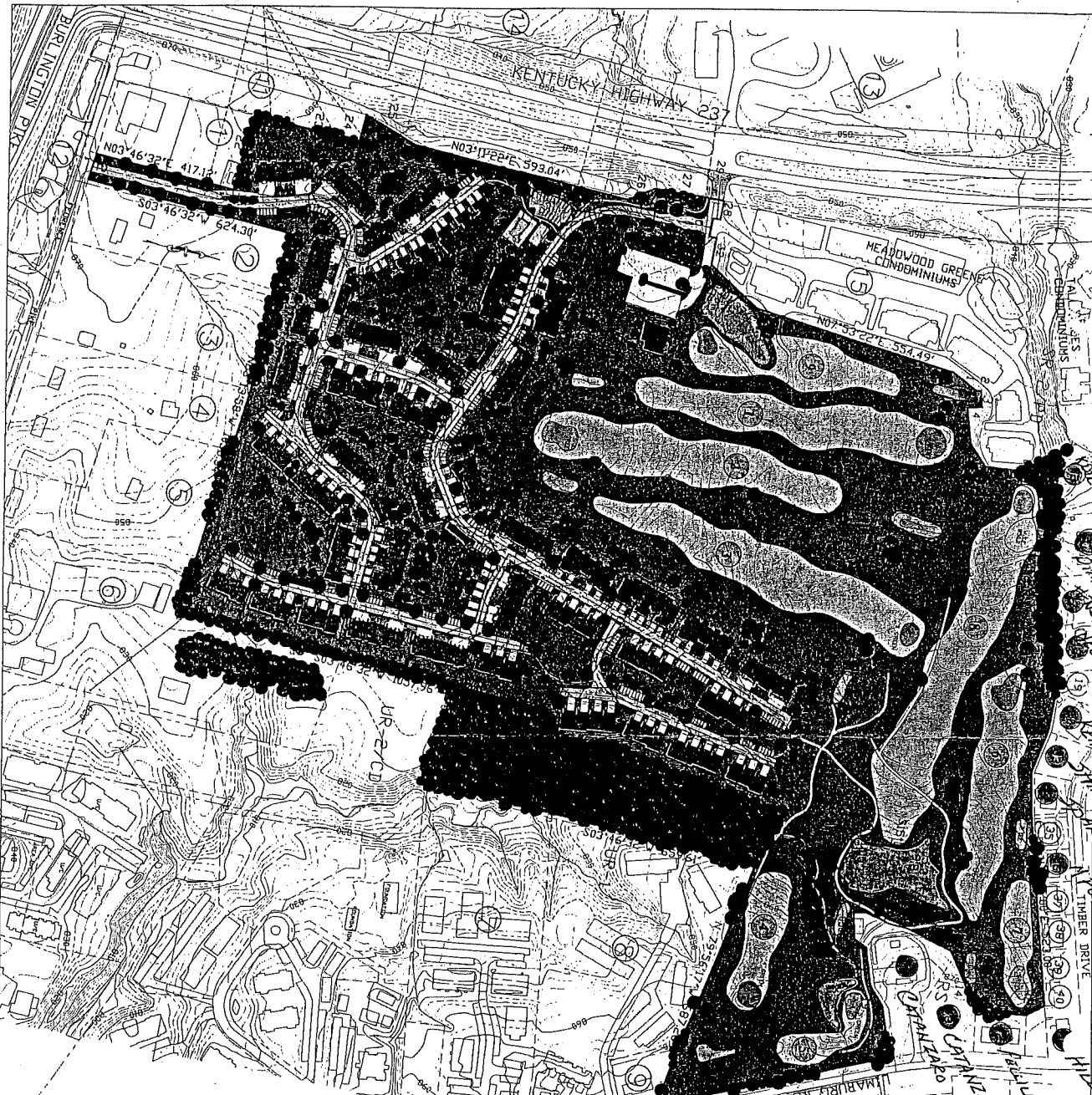
**ADDRESS**

3-28-02


*Michael P. Neltner*

MICHAEL P NELTNER

647-998  
1805 TIMBERLAKE



**ZONE CHANGE PLAN**  
 FOR  
**FAIRWAYS AT MEADOWOOD**  
 BURLINGTON, BOONE COUNTY, KENTUCKY  
 SCALE - 1"=100'    FEBRUARY 19, 2002  
**W VIOX & VIOX, INC.**  
 411 New River Road  
 Lexington, Kentucky 40503  
 Phone: 606/277-4333  
 Fax: 606/277-4333  
 www.viox.com


**PETITION STAMPED**

- THE OWNERS AT MEADOWOOD**
1. Owner: Laurel L. Baker
  2. Manager: Robert C. Nash, Robert Inc. and
  3. 211 Enterprise Blvd.
  4. 211 Enterprise Blvd.
  5. 211 Enterprise Blvd.
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  31. 211 Enterprise Blvd.
  32. 211 Enterprise Blvd.
- ADJOINING OWNERS**
1. NERVA, 232 E. 80.32
  2. MERION HARRIS, 342/272
  3. VERNON HARRIS, 408/231
  4. RAY HARRIS JR., 521/718
  5. FLORENCE BAPTIST TEMPLE
  6. HAYFIELD PARK APARTMENTS
  7. ROBERT ST. THOMAS
  8. MICHAEL GREGG, 586/225
  9. JOHN DUNLAP, 517/225
  10. BOONE COUNTY SCHOOLS DISTRICT FINANCIAL
  11. LUCILE STEPHENS
  12. DAY MONROD, 557/176
  13. SUE H. NELTNER, 424/231
  14. MICHAEL D. FOLTZ, 589/248
  15. JAMES SPARKS, 517/161
  16. JR. ENTERPRISES, INC./754
  17. JAMES SPARKS, 517/161
  18. MICHAEL G. FOLTZ, 589/191
  19. JOHN MANDIS, 529/215
  20. DOTTIE BRASHCUM, 682/222
  21. WILLIAM HILLYER
  22. WIKI PELLATI, 780/288
  23. THOMAS CAVANZARE
- PROPERTY LINE TABLE**
1. N89°14'52"E 80.32'
  2. N23°20'57"E 42.00'
  3. N13°30'58"E 40.00'
  4. S13°30'58"E 40.00'
  5. N1°41'13"E 100.00'
  6. N85°23'15"E 44.78'
  7. N02°27'55"W 154.44'
  8. S73°20'04"E 117.30'
  9. S27°06'55"E 154.00'
  10. S27°06'55"E 154.00'
  11. S27°06'55"E 154.00'
  12. S27°06'55"E 154.00'
  13. S27°06'55"E 154.00'
  14. S85°45'55"W 173.86'
  15. S10°24'52"E 108.34'
  16. N22°21'59"E 107.00'
  17. N22°21'59"E 107.00'
  18. N22°21'59"E 107.00'
  19. N22°21'59"E 107.00'
  20. N22°21'59"E 107.00'
  21. N22°21'59"E 107.00'
  22. N22°21'59"E 107.00'
  23. N22°21'59"E 107.00'
  24. N22°21'59"E 107.00'
  25. N22°21'59"E 107.00'
  26. N22°21'59"E 107.00'
  27. N22°21'59"E 107.00'
  28. N22°21'59"E 107.00'
  29. S01°12'22"W 20.00'
  30. N01°12'22"E 20.00'
  31. N01°12'22"E 20.00'
  32. S89°47'28"E 70.50'
- NOTES:**
1. The 100' wide easement is shown on the plan.
  2. The 100' wide easement is shown on the plan.
  3. The 100' wide easement is shown on the plan.
  4. The 100' wide easement is shown on the plan.
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  31. The 100' wide easement is shown on the plan.
  32. The 100' wide easement is shown on the plan.

# Fairways at Meadowood

- A Development Partnership of
  - Robert C. Rhein Interests Inc.
  - The Drees Company
- Home design, construction and marketing by The Drees Company

KENTUCKY HIGHWAY 237

MEADOWOOD GREENS  
CONDOMINIUMS

ALL TREES  
CONDOMINIUMS

TIMBER DRIVE

HARRIS ROAD

N03°46'32"E 417.12'

N03°11'22"E 593.04'

S03°46'32"W 624.00'

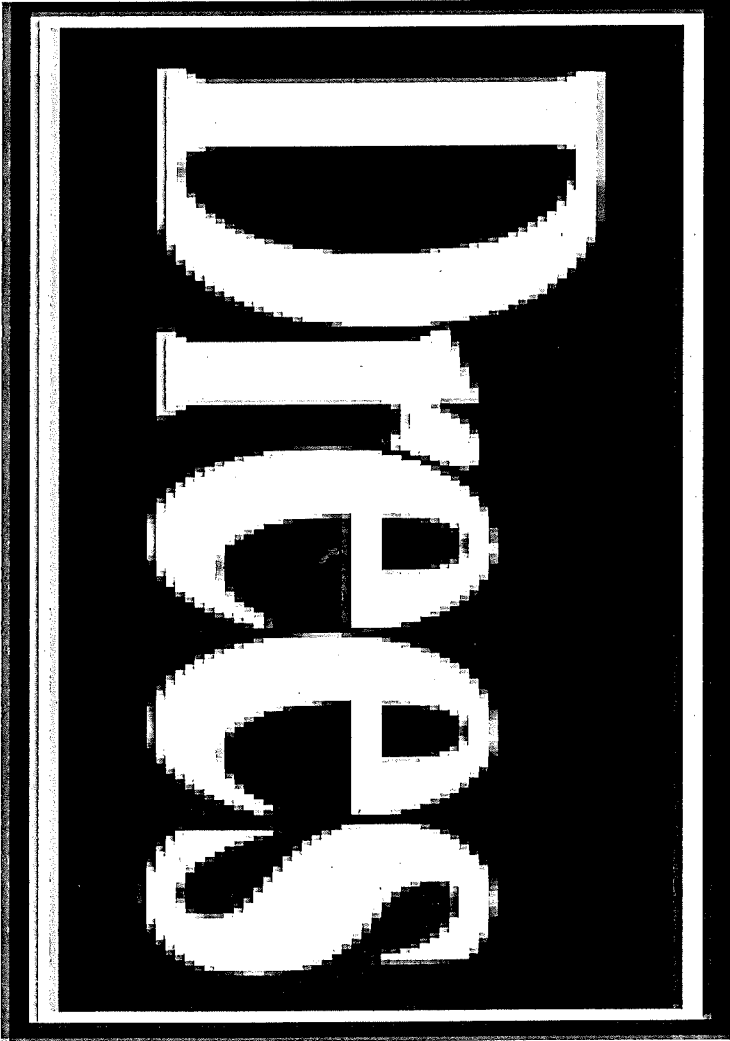
N07°53'22"E 554.49'

UR-2-C-D

UR-1

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

THEY'VE GOT TO GO  
AND LEAVE THEM  
AND LEAVE THEM  
AND LEAVE THEM



A	TOWN-HOME
B	TOWNHOME
C	CARRIAGE HOME
D	CARRIAGE HOME



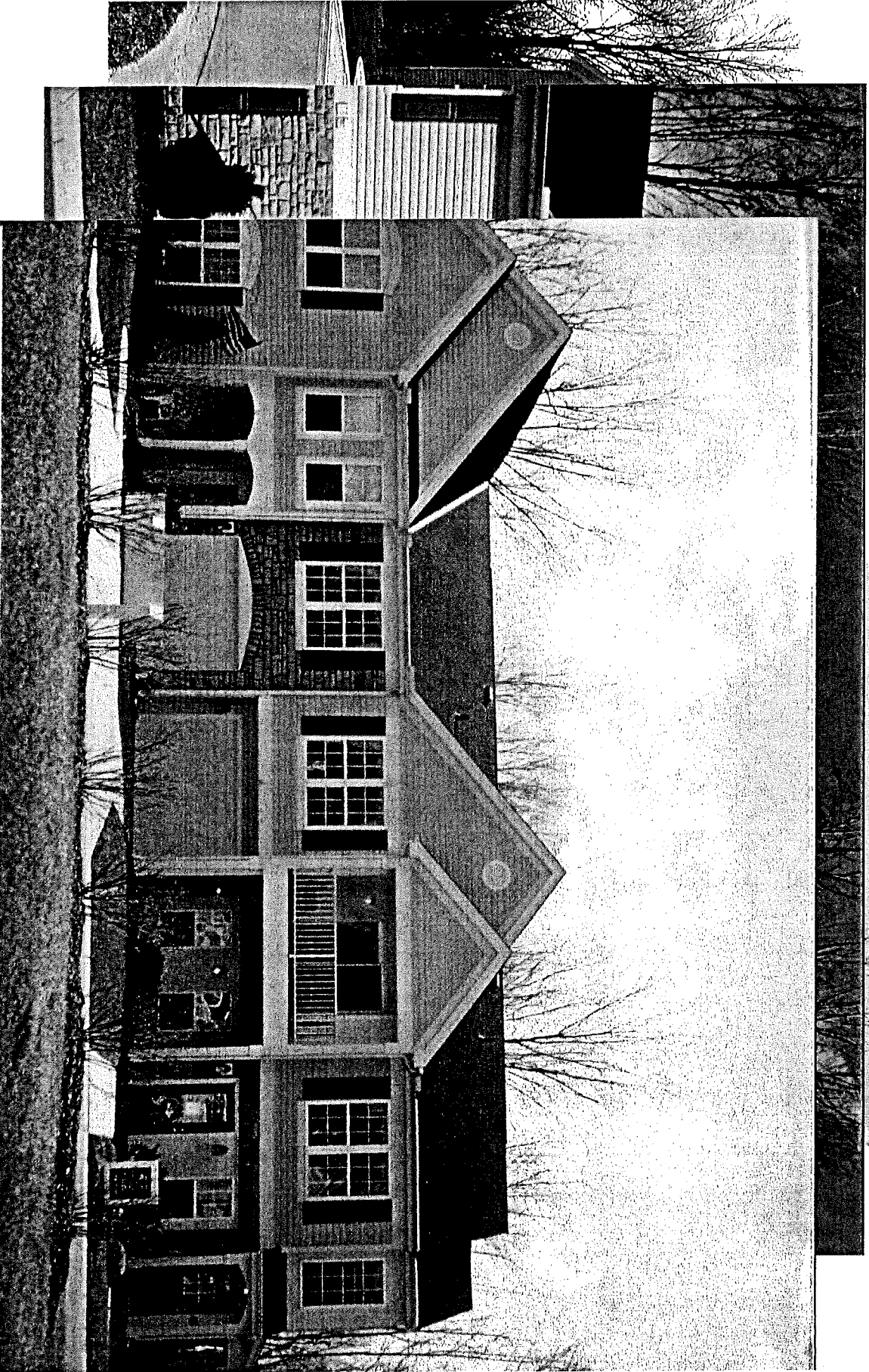
# Fairways at Meadowood

- A life style community featuring Drees Townehomes and Carriage Homes
- Variety of home styles, floor plans and price ranges
- Condominium ownership

# Fairways at Meadowood

- Carriage Homes (type I)
  - 2-story elevation
  - slab on-grade
  - home size: 1,000-1,300 sq. ft.
  - 2 bedrooms, some w/den
  - 1 and 2 baths
  - 1 car garage (most attached)
  - price range: \$110,000-\$130,000

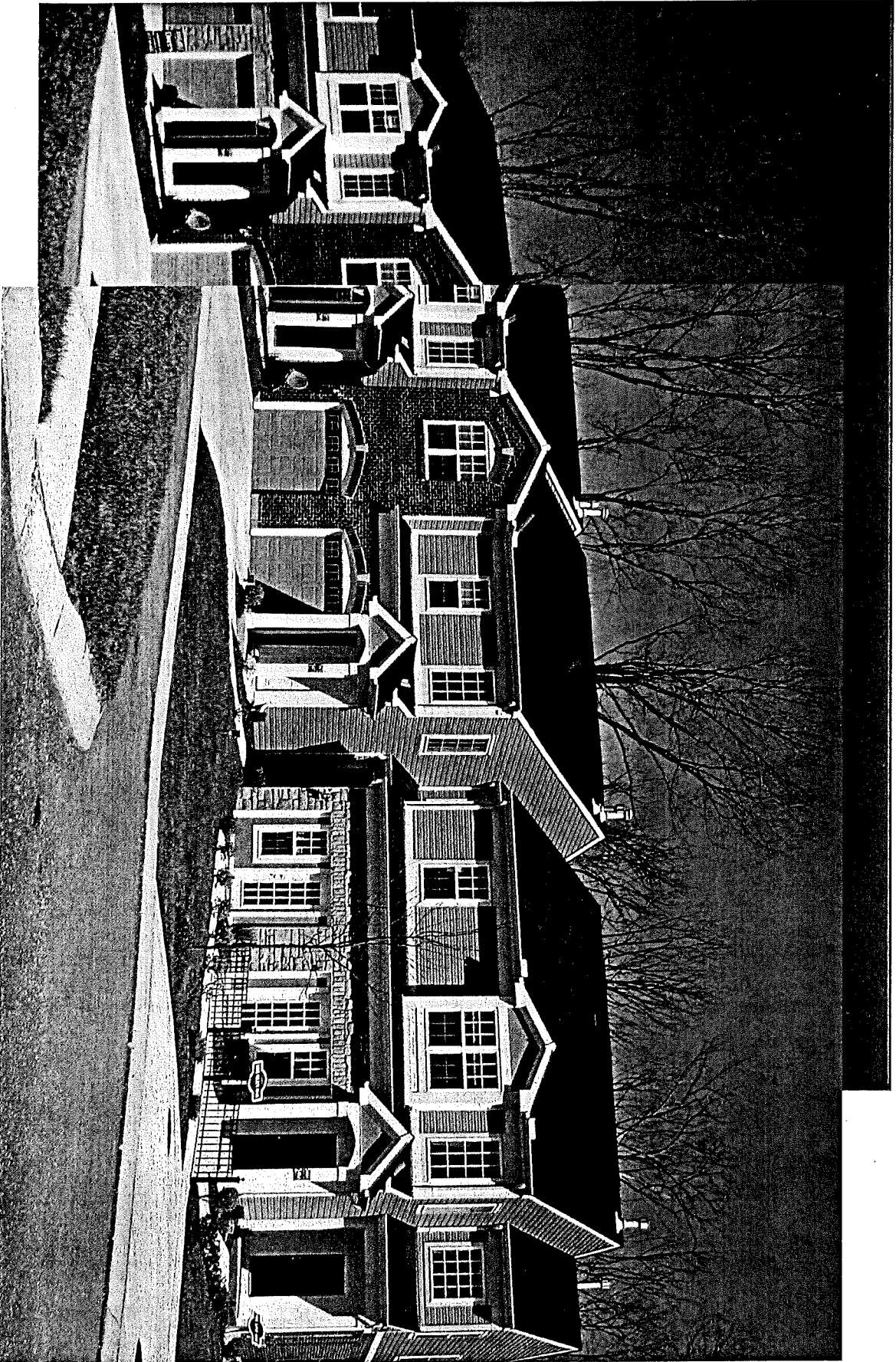
# Carriage Homes (type I)



# Fairways at Meadowood

- Carriage Homes (type II)
  - 2-story elevation (front)
  - lower level walkout (rear)
  - home size: 1,400-1,660 sq. ft.
  - 2 bedrooms
  - 2 baths
  - 1 car attached garage
  - price range: \$130,000-\$150,000

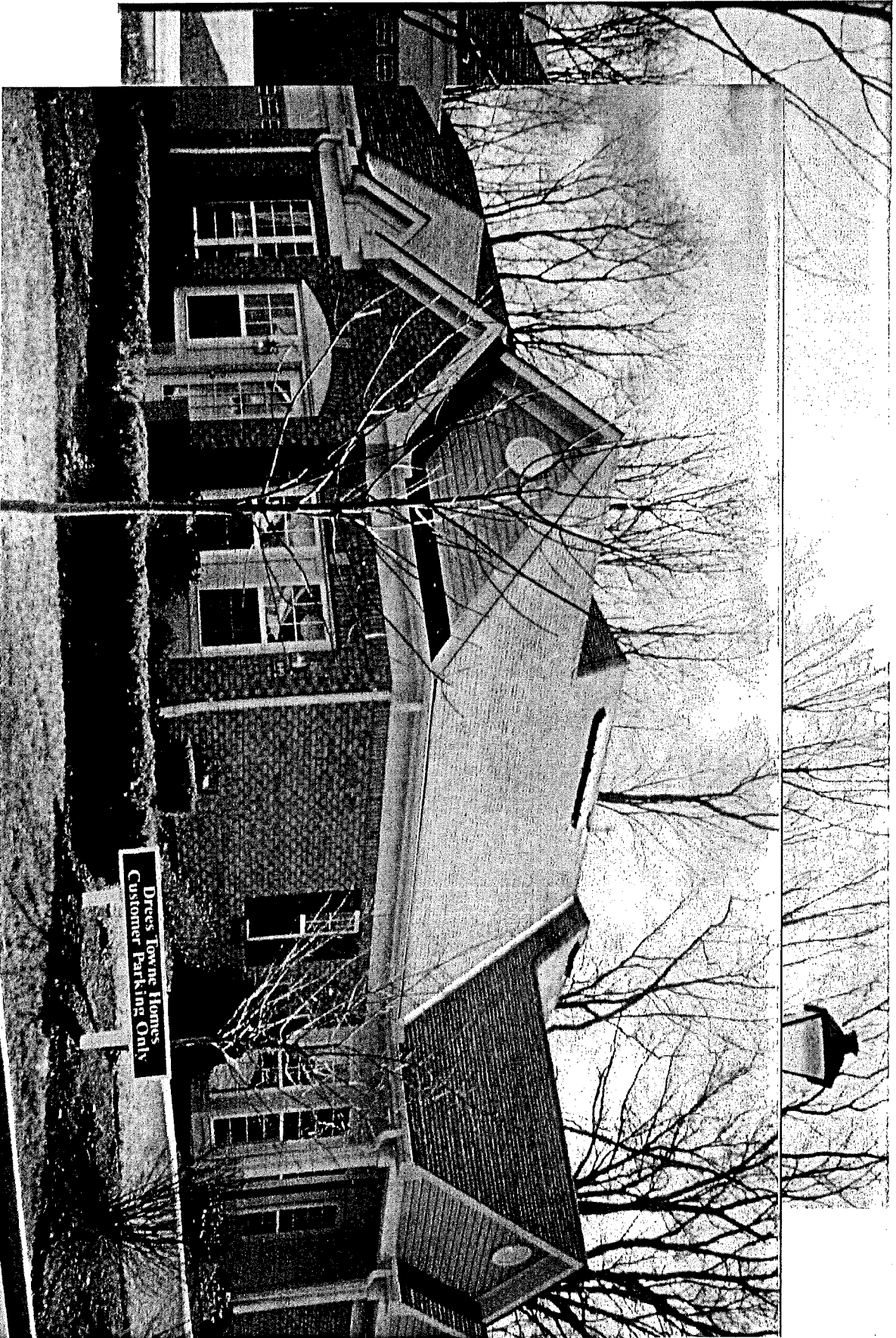
# Carriage Homes (type II)



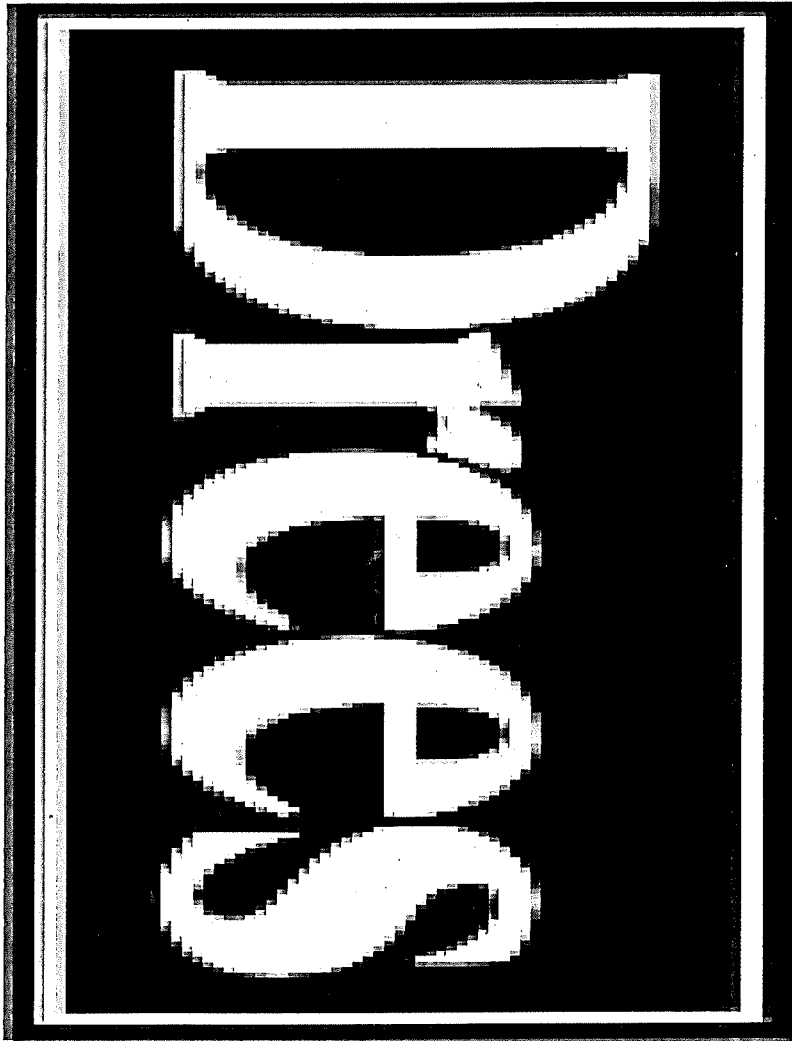
# Fairways at Meadowood

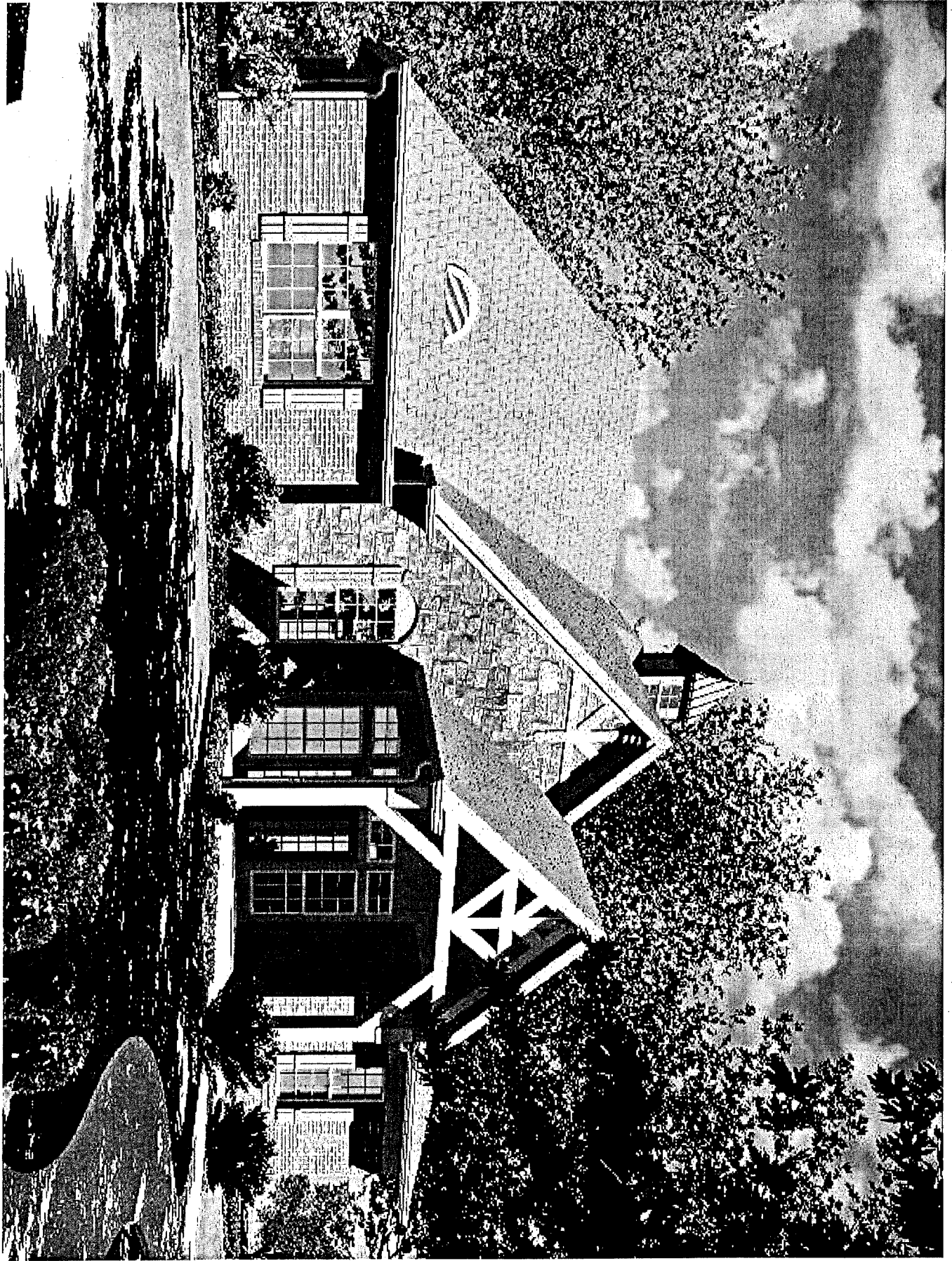
- Townhomes
  - 1 and 2-story elevations
  - slab on-grade
  - home size: 1,400-1,700 sq. ft.
  - 2 bedrooms, some w/den
  - 2 baths
  - 2 car attached garage
  - price range: \$150,000-\$180,000

# Townehomes



THE WAY DOCTORS ARE BUILT





SCALE 1/8" = 1'-0"

Hello, my name is Joe Mardis and I live at 1812 Timber Lane, Burlington with my wife, Carrie and our children, Adam, Andrew, and Alexander. I have addressed the Commission at prior public hearings held in the past on this same issue, and I wish to re-enter my remarks at that time along with my comments relative to this new proposal.

My parents John and Rose also live on the same street and I think my comments reflect their ideas in regard to this matter.

\*\*\*\*\*

The stated *Overall Goal* of the Boone County Comprehensive Plan is to see that, "proper future growth management for Boone County is implemented." [2000 Adopted Goals and Objectives, Boone County Comprehensive Plan] The *Second Objective* of the overall goals states: "Development issues shall be viewed in terms of promoting overall quality of life." We are here to state that the proposed zoning change before this Commission will be in direct opposition to that objective.

Traffic has **not** gotten better, but worse. An increase of 300-plus households, with the potential for an additional 400 or 500 vehicles, adjacent to the intersection of KY 237 and 18 will be a nightmare. Increased traffic delays, coupled with the loss of green space, cannot help but contribute to an already alarming level of air pollution, present in this region according to the federal government.

Safety concerns relative to the ingress and egress drive, which would serve this community and which lies opposite the school, have not been solved. The state highway department has refused a traffic light at this spot, and developers do not promise a change in that situation.

Overtaxed law enforcement, fire and emergency personnel are unable to keep pace with the rapid growth and development the county is experiencing. Overcrowded schools, and waiting lists for parochial schools, are elements which indicate the almost explosive population growth in this geographical area.

Once again, this situation is in direct contradiction to the Comprehensive Plan which states in its *Fourth Objective*: "Future growth shall be accompanied by adequate infrastructure and services." If existing services are lagging behind this badly, how can we hope to play catch-up when growth is taking place at such a maddening pace?? Desirability of properties will begin to decrease as the facts about traffic jams and overcrowded schools become well-known. The attractiveness of Boone County relative to work and residence will decline if gridlock and increased crime are allowed to become a way of life.

Another key element which local government can provide to enrich the residents' "quality of life" is the availability of parks and outdoor recreation facilities. Results of a market questionnaire for the Boone County Parks System were recently reported in the *What's Happening in Boone County*. It stated: "As the population grows, the demand for

park land, recreation facilities and programs will expand." It is contradictory to think that the County, which is growing in every way imaginable, in every direction possible, would re-zone a long-established, outdoor recreational facility into another residential development. While creating **more need** for facilities with more residents, those very facilities which **are currently established** would be cut in half by the proposed development.

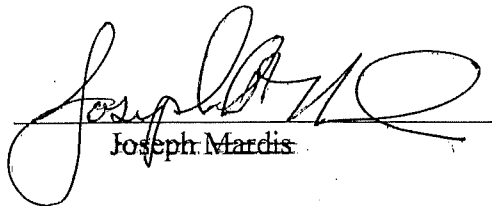
The *Second Objective* of the Overall Goals, at the second sentence states: "Mixing of residential and other land uses shall be encouraged . . ." Meadowood Golf Course and its immediate vicinity is situated in the area designated as C-3 on the Boone County land use map. I am compelled to point out to the public and the Planning Commission that section C-3 already contains more diversification and examples of different types of land use than almost any other section on the map. From the edge of the golf course property, it is a mere two blocks to the door of a factory. Furthermore, since the last public hearing on the second application for rezoning, a **new** industrial park has been established adjacent to the golf course. Surrounding the course and adjacent to it are newer, expensive homes as well as older, more modest ones. The area also includes apartments, townhomes, business parks, a used car lot and a school.

For the County to now rezone one of the small amounts of greens pace left in this section will be to seriously degrade and deteriorate that "quality of life" currently enjoyed by all the residents of the area.

For this reason we urge the following:

- 1.) Refusal of the request to rezone;
- 2.) Business analysis to determine if this course could be successfully operated as a golf course by a commercial entity or by the County;
- 3.) Feasibility study to determine if this area could be maintained as a park or general outdoor recreation area.

To do anything less is to deny the stated goals and objectives of this County relative to zoning and the planned and appropriate use of land and facilities for the citizens.

  
Joseph Mardis

April 2, 2002

TO: WHOM IT MAY CONCERN  
FROM: DON & CAROLE VALENTINE  
1724 TIMBER LANE  
BURLINGTON, KY 41005  
SUBJECT: GOLF COURSE PROJECT

It is with regret that we cannot attend the meeting to be held tomorrow evening, April 3<sup>rd</sup> as we have another commitment that is unavoidable.

Let it be known that we strongly oppose the plans Mr. Runion has for this community. It appears he is relentless in his endeavor to proceed with his plans as his sight is apparently on the monetary rewards such a project could offer.

Boone County is no longer the county we once held so dear to our hearts; the reason being too much development and too much interest in the amount of revenue such developments provide.

We have enough to contend with living so close to the Airport and do not need the additional aggravation of more traffic and more people in this location.

Please consider our concern regarding Mr. Runion's plans and we can only hope that you will see this as a problem and show some compassion for those families living on Timber Lane. We are proud of our subdivision and have invested much in our homes and do not wish that they depreciate by allowing Mr. Runion to be successful in his plans by creating a forest of "buildings" that would be less appealing than the homes on Timber Lane.

Again, please give this serious thought. I have many reasons why this development should not be permitted and have voiced my concerns to my neighbors who will address them at the meeting Wednesday evening.

Thank you.

*Don Valentine*  
*Carole Valentine*

Arthur S. Rayhle  
Vicki L. Rayhle  
1863 Timber Lane  
Burlington, KY  
41005-9273

## MEADOW GOLF COURSE

We apologize for not being able to attend tonight's meeting. For health reasons, my doctor insists that I avoid stressful situations. So I certainly don't want to waste my time, money, and energy beating a dead horse.

As I recall, we addressed this issue two years ago and received a favorable decision. What happened? Do our elected officials have a lapse of memory, or was that just a rehearsal.

I haven't voted for quite a few years because it didn't take me long to realize that whether you vote or not, the quality of the elected official never changes. Until citizens learn to distinguish between the symptom and the disease, they will be addressing these same issues time and time again. I may not be as smart as our politicians, but I have the common sense not to waste my time, money, and energy fighting issues when the disease is being funded by my tax money. In this case, Mr. Runyon and Mr. Rhein are the symptoms and our elected officials whose salary we pay are the disease. It's all about money.

**My solution on how to put this issue to bed once and for all, is for Boone County to split the cost for the purchase of the entire golf course with Mr. Rhein, making the approximate 50 acres adjacent to Limaburg and Timber Lane a lifetime golf course or public park purient to the quality of life the citizens of Boone County expect and deserve. Mr. Rhein could then develop the remaining parcel, if he meets the standards expected by the neighboring citizens.**

It's apparent that few of our elected officials ever travel Limaburg Road or they would know the experience of meeting an oncoming 40 ton concrete truck or a large 18 wheeler. They have broken down the outside edges of each lane to a point where it is almost impossible to keep a vehicle in it's respected lane. Only tunnel vision or obscurity would prevent some one from noticing the potential catastrophic possibilities that could occur if this condition is not corrected.

**My suggestion for this problem would be to construct a four lane road just North of Conrad Lane, extending East from Route 237 to a point past King Trucking, proceeding south past the industrial park to a point opposite the entrance to Oakbrook. Close Limaburg at Conrad and restrict traffic on Conrad and Limaburg to residential traffic with the exception of commercial deliveries to residents serviced by these two arteries or businesses with a limaburg Road address.**

I always believed that a good offense is the best defense. If any of the concerned citizens present tonight are interested in the development of a county support group whose purpose is to seek out potential qualified candidates who will protect our interests without falling submissive to outside influences, please contact me, Art Rayhle, at (859) 816-3700 or arthur1861@aol.com . Activities and Duties will include sight committees, and campaign fund raisers such as dinners, dances, and other functions for the purpose of promoting worthy candidates for elected offices. And best of all, it beats coming to meetings like this to defend yourself against the same people whose salary is paid by your taxes. There are some elected and appointed officials in Boone County starting at the top and working down that do not belong there (My opinion), and a new batch running in the next election, of which a few, don't need to be there either (My opinion). **BE A DRIVING FORCE! FEED THE HORSE, DON'T SHOVEL THE MANURE!**

Date April 3, 2002

Arthur S. Rayle

Vicki L. Rayle

1.) Is the proposed change going to *provide new resources*, either residential or otherwise, that the county as a whole, or this vicinity of the county, is in need of?

No. Within a few-mile radius of the Meadowood Golf Club, there are six apartment complexes containing hundreds of units. In addition, four condominium communities comprised of townhomes, carriage and patio homes in all price ranges are to be found there. Most importantly, zoning is already in place along the KY 18 corridor to provide even more such high-density housing. Single-family homes complete the picture for that balance of different types of housing which creates diversity. We have that "balanced population regardless of age, race, or socio-economic status" which is referred to in the Population Objective of the Planning Commission's Goals and Objectives.

2.) Will the proposed change *preserve existing resources*, either residential or otherwise, that the county as a whole, or this vicinity of the county in particular, has need of?

No. Existing resources of infrastructure, schools, public service personnel and equipment are taxed to the max. Additional burdens at this time are unwise for this area, and will compromise the quality of life for current residents. The Commission's Fourth Objective states: "Future growth shall be accompanied by adequate infrastructure and services."

3.) Will the proposed zoning change *deplete existing resources*, either residential or otherwise, that the county as a whole, or this vicinity of the county in particular, has need of?

Yes. An existing recreational area will be compromised. One that would cost 3 to 5 million dollars to replace, according to one golf course construction and design company [Ranger Golf, golf course builders @ [www.Ranger-Golf.com](http://www.Ranger-Golf.com)]. Greenspace will be cut in half. An important building block within this sector will be lost -- one upon which this Commission based earlier decisions to *allow* high-density housing, industrial parks, public buildings and commercial enterprises. "Mixing of residential and other land uses shall be encouraged." So states the Second Objective of the Overall Goals at sentence number two. Taking this ingredient out of the recipe at this late date will surely not enhance the golfers' games, the residents' homes, or the drivers' commute.

Vote "No" to rezoning and "Yes" to a bright future for this County.

Carol Fickman  
1743 Timber Ln  
Burlington, KY  
41005

## LETTERS

# Limaburg Road dangerous for drivers

To the editor of *The Post*:

On Jan. 19, my parents were involved in an accident on Limaburg Road across from the golf course. This accident maimed the 17-year-old girl who lost control of her car and slammed into my parents. On Feb. 16, my 81-year-old father died, most likely as a result of the trauma caused by the accident. It's a tragedy for all the families involved. But, it was preventable.

In 1964, I was involved in an accident in the identical spot of my parents' accident. I was thrown from my boyfriend's vehicle into the soft mud at the edge of the golf course. My boyfriend got off with a head cut. The other driver wasn't hurt too badly either, but then in the 1960s, most of the guys drove 1950s 'tanks' (cars that were laden with steel bodies and lots of chrome). A year or so after graduation, we lost one of Boone County's Class of '65 members to a wreck at that same spot. My sister-in-law lost her brother at almost that same spot a few years later. My first husband had a bad wreck on Limaburg Road, as did my brother. My grandfather was killed at Limaburg Road and Ky. 19 in 1974.

### How to write

We welcome opinions from our readers.

#### Send letters to:

Letters to the Editor

The Kentucky Post

P.O. Box 2678  
Covington, Ky.  
41012

Or E-mail to:  
kyedits@  
cincypost.com

Or fax to:  
859-291-2525

hauling goods to industrial parks and businesses along Limaburg Road, and cement trucks hauling cement to the many new housing developments springing up. This road has not been safe for 40 years and is certainly not capable of handling the amount and type of traffic that traverses it today.

While back in Boone County to help bury my father, I drove on Limaburg Road and noticed deep tracks in the soft mud where trucks had run off the road and into the deep ditches that lie on either side of the road.

This road is a 19th Century "horse-and-buggy" road. It is narrow with no shoulders and deep drop-offs into the ditches. Yet, this road is used by large, tractor-trailer trucks

At the least, the road needs to be widened to two lanes with a center left-turn lane and wide shoulders with the ditches eliminated and replaced by underground culverts to carry runoff water.

And while they're at it, Ky. 20 (Petersburg Road) could use some widening also. With thousands of people moving into Boone County, something needs to be done about the highway infrastructure. How about charging the developers a "road infrastructure fee" on each house they build so that roads can be widened to carry the additional traffic these large developments create?

How many more people will be maimed or killed on Limaburg Road before the state decides to spend the money to bring it into the 21st Century?

Having wide lanes, a center left-turn lane, wide shoulders, no drop-offs, etc. might have prevented that 17-year-old from losing control of her car. It might have saved my father's life and kept the girl from being critically injured.

Clare Go  
Phoenix

dsberry  
X-1-ARIZ.

EXHIBIT  
"B"

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Earl White, Chairman

DATE: June 5, 2002

RE: Request of **Robert C. Rhein Interests, Inc./The Drees Company (applicant)** for **Lowell T. Runion (owner)** for a Zoning Map Amendment from Recreation (R), Office Two (O-2), and Commercial Two (C-2) to Suburban Residential One/Planned Development (SR-1/PD) for an 82.26 acre tract generally located on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and along the west side of Limaburg Road between Val Court Drive and Timber Lane; Boone County, Kentucky. The request is for a zone change to allow single family attached dwelling units (townhouses) and a nine hole golf course.

### 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 and Concept Development Plan are in agreement with the 2000 Boone County Comprehensive Plan. Specifically, the Committee has found that:
  - A. Although the Future Land Use Map designates the majority of the site as Recreation due to the presence of the existing Golf Course, part of the site is designated as Urban Density Residential. This project includes a Golf Course/Open Space Area as part of the request which meets the Recreation designation. Due to the conceptual nature of the Future Land Use Map, it is reasonable to conclude that the remainder of the site in question is appropriate for proposed residential uses that are compatible with like uses neighboring the project site when considering that the Land Use Element states "the area bound by KY 18 to the south, KY 237 to the west, Limaburg Road to the east and Conrad Lane to the north currently contains a variety of uses. This area should continue to develop in a residential fashion, providing low to high density housing opportunities."

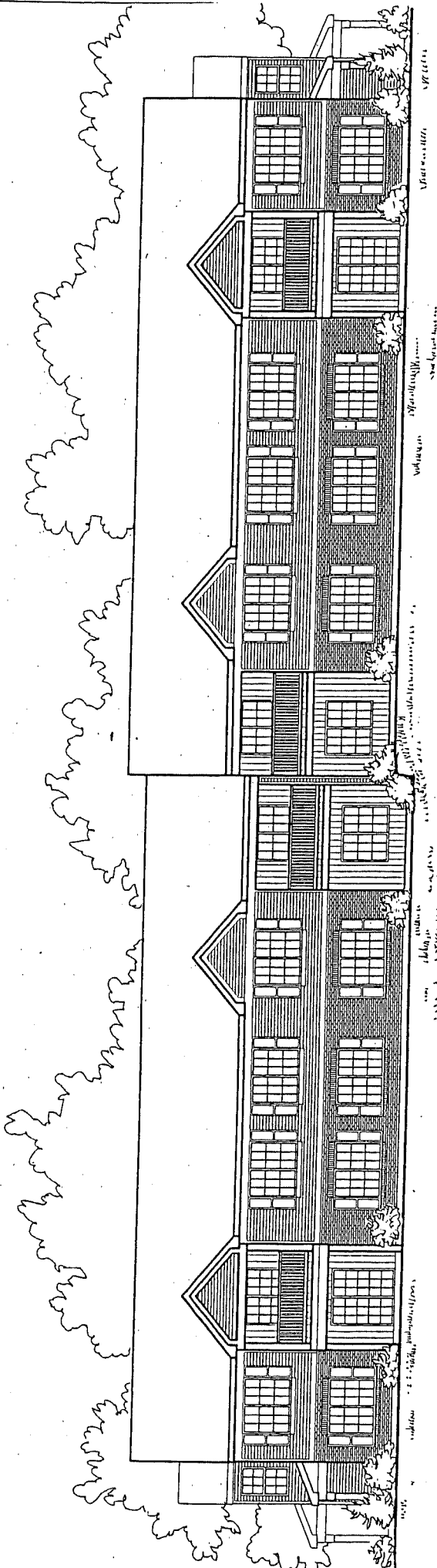
- B. The Land Use Element also states that "due to the impacts of noise, industrial uses are recommended along the east side of Limaburg Road, from Hossman Road south to KY 18." Thus, Limaburg Road is considered by the Comprehensive Plan to be a boundary line between industrial and residential uses, with the site in question being within the defined residential area.
  - C. the Housing Element states "new subdivisions throughout the west Florence and Burlington areas should provide interconnections between their developments and adjacent developments to promote safe and easy transportation access. Overall, the KY 18 corridor represents a prime opportunity to promote high density residential uses in a transit corridor." The subject site is an infill site within the immediate Burlington area and is along the KY 18 corridor. As discussed above, the site is appropriate for Urban Density Residential uses based on other aspects of the Comprehensive Plan.
  - D. The Business Activity Element states "the commercial development in this area (Limaburg area) should coordinate closely with the projected high and medium density residential development to form a more coherent community rather than just a strip extending out of Florence." The site in question is near, and adjoins, existing and planned commercial development in the Limaburg area.
  - E. Based on the facts outlined in points A through D above, the Committee has concluded that higher density, attached housing, or "Urban Density Residential" uses as they are described by the Comprehensive Plan, are land uses that were specifically contemplated by the Comprehensive Plan for the area in question.
  - F. The Committee has concluded that the proposal, with the agreed conditions outlined below, demonstrate agreement with the Land Use Element's Future Land Use Development Guidelines as well as the applicable Goals and Objectives.
2. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any 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 applicant will construct a bus stop on KY 237 near the main site entrance in accordance with the requirements of TANK and the Kentucky Transportation Cabinet. The applicant will provide a sidewalk link between the bus stop and the proposed Fairways at Meadowood project.
2. The applicant will construct, at their expense, a traffic signal at the four way intersection of KY 237, Stephens Elementary School, and the main site entrance drive for this development, subject to approval by the Kentucky Transportation Cabinet. The applicant, Planning Commission, and Fiscal Court will actively pursue signalization of this intersection with the Kentucky Transportation Cabinet.
3. The applicant will coordinate the repair and/or resurfacing of Old Florence Pike with the Boone County Engineer for the area between the development entrance and the intersection at KY 18 adjoining the funeral home.
4. The existing wire fence along KY 237 right-of-way which adjoins the project site shall be replaced with a post and rail fence that matches the design of the existing right-of-way fence for the Meadowood Green development to the north along KY 237, subject to approval by the Kentucky Transportation Cabinet.
5. A 10 foot strip along the southern property line will remain Commercial Two (C-2) or Office Two (O-2), as applicable, for the purposes of Buffer Yard requirements for future development of those adjacent properties zoned C-2 or O-2. Within that 10 foot strip, the applicant will install the plant materials required in the Buffer Yard "B" in Article 37 of the Boone County Zoning Regulations.
6. The construction traffic will use the existing access point on KY 237 for a period not to exceed two (2) years after the commencement of construction of the first condominium unit. After the two (2) year period, the developer shall install and maintain a construction entrance on the south side of the site from Old Florence Pike.
7. The applicant will construct all of the private streets within the development to the public street specifications as per the Boone County Subdivision Regulations with regard to materials and thickness.

8. The applicant restricts the remaining 39.01 acres to remain a 9 hole golf course or "Open Space." The applicant agrees that the term "Open Space" for the purposes of this application "shall be defined to include but not necessarily limited to a golf course, recreational areas such as hiking trails, bicycle paths, walkways and walking areas, athletic fields and play fields consisting primarily of greenspace, woods and other natural vegetation, landscaped areas, farming and agricultural land and/or other areas set aside for gardens, fields, or horticulture, a public or private park, or the green areas of an estate or foundation, and all related and accessory uses with respect to the foregoing, and any other land that is generally unimproved."
9. The exterior appearance of the condominium buildings will reflect the design submitted by the Drees Company at the May 29, 2002, Zone Change Committee Meeting (see Attachment 1).
10. Within ninety (90) days as part of final approval of any subdivision plat, or site plan, whichever occurs first, the applicant shall prepare and submit a protective covenant to the Planning Commission for review and approval, including the review thereof by the attorney for the Planning Commission as to form, and thereafter the covenant shall be recorded by the applicant with the Boone County Clerk. The covenant shall be based upon the draft copy that was submitted to the zone change committee and will run with the land restricting the 39.01 acres, which are currently used as the northern nine (9) holes of the Meadowood Golf Club, to a golf course consisting of 9 holes and related and accessory uses or as other "Open Space" for the benefit of the abutting single-family lots and condominium units.

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.



REAR ELEVATION

**Drees**

THE DREES COMPANY  
 2311 Grandview Drive, Fort Mitchell, Kentucky 40127 Phone (502) 578-0200  
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STD. BY: BREW BRUMMER  
 CHK. BY: XXX  
 STD. DATE: 12-17-97  
 DATE OF LAST REV: 2-22-00 DGB

SHEET DESCRIPTION  
 REAR ELEVATIONS



SERIES:  
 HOUSE 10 UNIT BUILDING  
 10-UNIT-ELEV.dwg 05/21/02 5:04:47 pm EST

JOB #:  
 DATE ISSUED:  
 SHEET NO:

ATTACHMENT A

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A**

**April 3, 2002  
7:30 P.M.**

**PUBLIC HEARING**

**Commission Members Present:** Mr. Barlow, Mr. Hicks - Chairman, Mrs. Kegley, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, Mr. White, and Mrs. Wilson - Secretary/Treasurer.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; and Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

**Legal Counsel Present:** Mr. Dale Wilson

Mr. Mark Hicks, Chairman, called the meeting to order at 7:33 PM. Following an explanation of the Public Hearing process, the Chairman introduced the item on the Agenda:

1. **Applicant:** Robert C. Rhein Interests, Inc./The Drees Company

**Request:** Zoning Map Amendment

The request of Robert C. Rhein Interests, Inc./The Drees Company (applicant) for Lowell T. Runion (owner) for a Zoning Map Amendment from Recreation (R), Office Two (O-2), and Commercial Two (C-2) to Suburban Residential One/Planned Development (SR-1/PD) for an 82.26 acre tract generally located on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and along the west side of Limaburg Road between Val Court Drive and Timber Lane, Boone County, Kentucky. The request is for a zone change to allow single-family attached dwelling units (townhouses) and a nine-hole golf course.

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Attorney C. Francis Barrett with Barrett & Weber at Suite 500, 105 East Fourth Street, Cincinnati, OH was present representing the applicant, a joint venture of Robert C. Rhein Interests, Inc. and The Drees Company. Mr. Barrett introduced the applicant's team: Ms. Karri K. Haffner, an associate attorney with a masters degree in community planning; Mr. Lowell Runion, a resident of Meadowood Greene condominiums and owner/operator of Meadowood Golf Course; Mr. Alex Taraseato, Senior Vice President of Robert C. Rhein Interests; Mr. Mike Schottelkotte, Administrative Manager in charge of Land Development for The Drees Company; Mr. Ray Neverovich, Division Manager of the Townhomes Division of The Drees Company; and Mr. Jack Gehrum with Pflum, Klausmeier & Gehrum.

Mr. Barrett stated that this is a high quality development consistent with the Goals and tenets of the Comprehensive Plan and is appropriate considering the character of the area and surrounding land uses, existing conditions, and current economic conditions related to the operations of the golf course. He stated that the Staff Report was complete and accurate, which will shorten their presentation and number of speakers, but they will be available for questions. He stated that the site consists of 82.26 acres and 64.66 acres (over 78%) of the site is open space. He stated that the Traffic Study attached to the Staff Report has been accepted by Staff. Mr. Barrett stated that the development of the property under the existing zoning would generate substantially more traffic than the proposed development under SR-1/PD and he will submit a handout from Mr. Gehrum confirming that fact. Mr. Barrett stated that the proposed development incorporates the northern nine holes of the golf course (the first nine holes), which provides a tremendous buffer for the adjoining residential properties. The golf course use will be a specific use restricted to the site and no other uses in the Recreational zone will be permitted. Mr. Runion has agreed to a restrictive covenant that runs with the land in perpetuity and is enforceable by the abutting property owners. He stated that they have only 313 units on 82.26 acres, which is a low-density development of 3.8 units per acre – which is substantially less than the surrounding land uses and less than the type of high-density development typically found on a corridor such as KY 18. Mr. Barrett presented an exhibit showing the site colored yellow and indicated the surrounding zoning in the area. He reviewed the exhibit and stated that most of the site was zoned "R" because there was an existing golf course. He noted C-2 and O-2 zoning on the southern part of the site and C-2, SR-2/PD, UR-1, and U-2 in the surrounding district. He stated that there are a number of other uses permitted in the "R" zone which are more intensive and would not be desirable in this location, including zoos, motion picture theaters, entertainment assemblies, places of general assembly, fairgrounds, miniature golf, arcades, go cart tracks, roller skating, bowling alleys, youth camps, indoor/outdoor target ranges, recreational vehicle/trailer camps, and bed & breakfasts. These uses are more intensive than the proposed use and would not be desirable in this location, which demonstrates the inappropriateness of the "R" zoning. Mr. Barrett presented and reviewed an exhibit of the zoning with an overlay of the zoning lines. He noted a red line representing the zoning line of the

office and commercial districts and stated that at least five, and possibly six, holes of golf would be lost if the property were developed under the existing zoning and the balance were left as "R" -- which establishes the inappropriateness of the existing zoning. Mr. Barrett presented an exhibit prepared by Mr. Runion that shows the economic change that has occurred to justify a map amendment. The exhibit shows the declining play of rounds of golf from 1990 to 2001. Mr. Barrett stated that there are 171 public golf holes in Boone and Kenton Counties, 36 of which are privately owned golf courses that are open to the public -- 18 of which are in Boone County at Meadowood Golf Course and the other 18 are in Kenton County. He stated that 136 holes are publicly owned by the city or county. Reviewing an exhibit, he stated that there was one privately owned public golf course in Boone County, but in 1990 -- 1995 fifty-four new golf holes came in and play declined at Meadowood. Of the fifty-four new golf holes, twenty-seven were in Boone County and twenty-seven were in Kenton County. All were owned and operated by public entities. During that period, the golf business started to even out and in some cases there was zero growth. He stated that having additional public facilities has been a benefit for the public, but it has had devastating consequences on Meadowood Golf Course. There has been a decrease in the number of rounds played from 44,500 to 26,000 and revenues fell off \$136,000 per year since 1992. He stated that it is not economically feasible to operate an 18-hole golf course. A nine-hole golf course at this location is economically feasible and Mr. Runion is willing to sign a Restrictive Covenant that would run with the land, benefit the abutting property owners, and be enforceable by them to keep nine holes as a golf course or open space to perpetuity. He stated that approximately 70% - 75% of the play on the course is 9-hole play with 25% - 30% being 18-hole play. Mr. Barrett presented an exhibit of the prior Site Plan for 384 units, 248 of which were apartments. He stated that there are no apartments in the proposed development. He stated that the previous density was 9.6 units per acre and now they are at 3.8 units per acre. He presented an exhibit of the proposed Site Plan "Fairways of Meadowood" and stated that there are a number of significant changes. The intensity of development is far less than would normally be on a corridor like KY 237 or KY 18 and it is an excellent transition between the commercial property to the south and the residential property to the north. The golf course is included in the plan and can be preserved to perpetuity with the Restrictive Covenant. He stated that all of the three-story buildings in the prior plan have been eliminated and the buildings are a maximum of two stories. It is all single-family attached owner-occupied units which are aesthetically pleasing. Using an exhibit, Mr. Barrett indicated Meadowood Greene Condominium development, which is ten units per acre. To the north is Meadowood Estates of Tall Trees Townhomes at twelve units per acre. He stated that Boone Creek to the north is 113 lots of single-family at three units per acre, Val Court Condominiums is at 6.7 units per acre, Hayfield Park Apartments is at 12 units per acre, and Sky Harbor Apartments is at 11.5 units per acre. He stated that this is an ideal transitional use of extremely low density. With the protection of the Restrictive Covenant, it is the best possible circumstance for the abutting property owners. He presented a letter from Mr.

Runion asking the abutting property owners to agree to the zone change with the deed restriction on the remaining nine holes. He noted that there are eighteen lots and he has signatures from twelve, which are indicated by red dots on the map. Mr. Barrett submitted (see Exhibit 3) a petition signed by the property owners with an attached map showing the eighteen properties that abut on the north side of the golf course that would be the beneficiaries of the Restrictive Covenant. He stated that the most beneficial aspect of the development is the high quality of the proposed single-family housing. He stated that the residents of Meadowood Greene Condominiums were concerned about the impact of the construction traffic from KY 237 to the site and the developer has committed to attempting to acquire a separate construction entrance and Mr. Gehrum will make that application to the Kentucky Department of Transportation. If that application is not approved, then after the second year it is agreeable that Old KY 18 would be used for access – which they are agreeable to as a condition of approval. He stated that Mr. Runion has attempted to meet with all the adjoining single-family homeowners and is committed to recording a Restrictive Covenant that runs with the land in their favor, which they may enforce and restrict the property to golf course use or open space to perpetuity – which can also be a condition of approval.

Mr. Mike Schottelkotte stated that he was unable to give his Power Point presentation due to compatibility issues with the computer and projector. (Note: Mr. Schottelkotte provided the CD to Staff Member Mitch Light who will print the slides and make them available – Exhibit 4). Mr. Schottelkotte noted that attached to the Staff Report are floor plans and elevations of the various homes they will build in the community. He reviewed the differences between townhome, condominium and single-family home buyers (see “Owner Profile – Drees Homes” attached to the Staff Report). He noted that “children” are ages 0 to 21 and only about 60% would therefore be school age children. He stated that the development would be a partnership between Robert C. Rhein Interests and The Drees Company. The Drees Company will be the builder and marketer of the homes. Attached to the Staff Report is information identifying the types of products they will build on the site. He stated that there are basically two types of buildings – (1) two types of carriage homes and (2) townhomes. He noted Exhibit C attached to the Staff Report which shows where the different units will be located on the site – the units are mixed throughout the community to take advantage of the topography. He reviewed Exhibit D attached to the Staff Report in regard to Carriage Homes. He stated that they are on-grade slab, two-story buildings and the units are typically two-bedrooms (1,000 – 1,300 square feet). There is a unit with an additional room as a den. All of the Carriage Homes have garages – those that do not have attached garages will have detached garages available. There will be more garages than there are units that do not have an attached garage as in many communities they have requests for additional garage space. The price range of the Carriage Homes will be \$110,000’s to \$130,000’s. Each unit will have its own separate access from outside directly into the unit and the garages connect into the homes. It is a ranch style residence (all on the first

floor or all on the second floor). There is also a cross between Townhome and Carriage Home with a lower level walkout at the rear so that the home on the first floor is the first floor and the lower level. The other unit is the second floor above the garage and above the first floor unit. They range from 1,400 to 1,600 square feet and from \$130,000 to \$150,000. They all have one-car attached garages and are typically two bedrooms and two bathrooms.

Mrs. Wilson left the meeting at this time.

Mr. Schottelkotte stated that the other product is the townhomes, which are a combination of one and two stories and range in size from 1,400 to 1,700 square feet. Most of them are two bedroom units, but there is a unit with an additional den. They all have two-car garages and two bathrooms. He stated that the community is oriented toward empty nesters, retirees, or couples. They historically have very few children in these communities. He noted the information attached to the Staff Report regarding the number of school children in typical Drees developments (see "School Children Survey"). He stated that The Drees Company will construct a community building on the site. All of the residents will be members of the Condominium Association. It will be a year-round facility with meeting room, exercise room, and pool. There will be a parking facility for the community building area. He indicated on the map the location of the community facility with clubhouse and pool. He stated that The Drees Company establishes the management of the Condominium Association that will hire a professional management company to be responsible for the exterior maintenance of the homes and yards and for snow removal in the community. He stated that there will be 60 townhomes, 98 carriage homes with walk-out lower level, and 155 carriage homes built slab on grade. The total value of the community when complete will be over \$42 million. Mr. Schottelkotte apologized for not being able to present the Power Point presentation. He submitted pictures of the slides that would have been presented (see Exhibit 4).

Mr. Costello stated that the slides will be printed and anyone who wishes to see them should contact the Staff Office.

Mr. Barrett offered to answer any questions. He reviewed the Site Plan and stated that the open space is 78.6% of the entire site and even if the 42 acres of the golf course is taken out, the open space still exceeds the developed area. There is 64.66 acres of open space including the golf course and 22.3 acres of open space exclusive of the golf course. He stated that the units only cover 7.8 acres and the streets and parking cover 9.8 acres. It is a very attractive, low-density land use in terms of impact on the community and traffic, which is minimal. He stated that single-family property owners to the north, or condominium owners to the west, or residential owners to the east will have locked into perpetuity green space/open space for a golf course. He stated that an abutting property owner asked if she could be the first speaker from the public. This concluded the applicant's presentation.

The Chairman asked Counselor Wilson to address jurisdiction of the Planning Commission in regard to the deed restriction for the golf course. Counselor Wilson advised that the prior application did not have the golf course included in the application and, therefore, the Planning Commission could not attached conditions regarding the golf course continuing in the future. The golf course is part of the current application and, independent of the deed restriction, the Planning Commission can (with the agreement of the applicant) impose conditions regarding the continued use of the property for a golf course – however, without deed restrictions, in the future another application could be made to seek modification of the condition. He stated that deed restrictions are separate and, even if the conditions were modified, the deed restrictions would continue to have effect and persons having the right to enforce them would not be relying only on the zone change in order to have the golf course continue. He explained that the Planning Commission does not enforce private deed restrictions. A private deed restriction is not a public regulation enacted as public law – it is a private regulation that those persons identified in the deed restriction would have the right to enforce. The Planning Commission does not enforce it.

The Chairman asked if the person identified by Mr. Barrett wished to speak.

Ms. Kathlyn Reinstatler, 5574 Carolina Way, a resident of Meadowood Greene and a Board member of the Association, stated that she is in favor of the plans submitted. She stated that there will be less density, no apartments, homeownership, and the front nine-hole golf course will stay. She stated that Boone County is growing and with added employment comes the need for housing. She stated that there will be inconveniences and traffic, but not everyone enters or leaves the community at the same time. She and her husband visited Darlington Farms on KY 18 which is three hundred units and one entrance and there was no back-up of traffic. She stated that voting for this proposal will stop the worry of what might be there in the future. To her knowledge, there is no opposition from Meadowood Greene.

The Chairman asked if there was anyone else present who wished to speak in favor of the request.

Mr. John Di Muzio, 1817 Timber Lane in Meadowood Estates, stated that their property line is about thirty feet from the eighth green. He stated that he is also representing John and Norma Robertson of 1763 Harvest Court who could not be here this evening. He stated that there is a conglomerate of development that surrounds the golf course – used car lots, grocery stores, industrial park, single-family, multi-family, and large equipment facilities. They feel that keeping a green spot in the center of all that is essential to Boone County. The deed restriction is the closest thing to a guarantee that the nine holes will remain a green spot or a golf course and, if it is incorporated into the application, then both of their families approve of the new development.

Mr. Chad Ertman, 5692 Carolina Way, stated that he lives right on the golf course and he is in favor of the request. It is a good compromise. He does not want a zoo or an arcade or a motion picture theater there. He is concerned about the buildings facing his building and does not want to see vinyl facing the golf course. He is concerned about golf balls hitting other peoples' properties. He stated that nine years to build out the project is a lot of years to be building, but overall he is in favor.

The Chairman asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked if there was anyone present who wished to speak in opposition to the request.

Mr. Joe Fisher, 7106 Sweetwater Drive in Oakbrook, stated that he is concerned about property values. He stated that traditionally developments like this drive down the value of his home and others like it as people will find that they can purchase new construction cheaper with owner financing. He stated that he is on the Board for Oakbrook and they read Common Grounds Magazine which coined the phrase "boom sprawl" as a term for uncontrolled development or areas that grow at higher than traditional rates and have dramatically increased crime rates. He does not see any benefit to this development. There is already an enormous amount of housing in the area. He would be in favor of having a zoo there.

Mr. Joe Mardis, 1812 Timber Lane, stated that he addressed the Planning Commission previously and wants to reenter his remarks (see Exhibit 5). He stated that his parents live on the same street and his comments also reflect their ideas. He stated that the overall Goal of the Boone County Comprehensive Plan is proper growth management and the second objective says that development issues shall be viewed in terms of promoting overall quality of life. The proposed zone change is in opposition to that objective. He stated that traffic has gotten worse. He has a child that goes on the bus to school and his other children will also go on the school bus and he is concerned about the concrete trucks on Limaburg Road hitting a school bus. He has safety concerns relative to ingress and egress. The proposed development is right across from a school. He stated that access drives are just another place for traffic. He questioned where the traffic will go. KY 18 is even more congested. He stated that concessions have been made, but there will be nine years of noise pollution.

Mr. Steve Niehaus, 1743 Timber Lane, questioned enforcement of the deed restriction. He asked if it would have to be in the deeds of the people who buy the Carriage Homes. How will the deed restriction work? Counselor Wilson advised that the Planning Commission will not have the enforcement power. He stated that the applicant has represented that they will identify owners of properties that will have the authority to enforce the deed restriction. His understanding is that the deed restriction of record will identify the property and the owners of the properties that will have the right to enforce it. Mr. Niehaus stated that he needs a

definitive answer as to how they will give him enforceability of a deed restriction and, if they cannot, then it should be in the deed of everyone who buys a Carriage Home. He stated that he has no standing as a resident of Timber Lane to enforce the deed restriction. He feels that the Planning Commission needs to find out how a person enforces the deed restriction – such as a real estate lawyer who can enforce the deed restriction. He questioned how the Planning Commission enforces conditions. Counselor Wilson advised that if the request is approved, there will be written conditions that the applicant and owner will have to agree to, and they will then go with the recommendation to the legislative body. Mr. Costello stated that a Land Use Restriction is recorded in the County Clerk's Office that speaks to the conditions. He stated that the Planning Commission enforces the conditions in many ways – when they come back with the Development Plans to start construction, we make sure they are complying with the conditions. If they are not complying, the Planning Commission has the authority to cite them to district court and if they cannot resolve it, there will be a trial. Mr. Niehaus asked if the Planning Commission will get an independent party to make sure the deed restriction is enforceable. He stated that the grantor could grant it and take it back. Mr. Costello responded that the Planning Commission has the right to require deed restrictions to be recorded as a condition – which the applicant and Fiscal Court would have to agree to – and it would have to be an effective deed restriction.

Mrs. Elizabeth Boyers, 1788 Timber Lane, stated that her daughter (a junior at Conner High School) was eager to speak, but is away on spring break. She has another daughter at Conner Middle School. She stated that the schools are way over capacity and have classes in trailers. He daughter does not feel safe because the halls are so crowded. She stated that it was brought up that Mr. Runion could not make money. She stated that in the past year sales have gone up a bit, which shows he has done some work to the golf course. She stated that if he wants to take nine holes, then eventually he will get the other nine too. She stated that he could have more golfers with eighteen holes than nine since people who want to play another round do not want to play the same nine holes over again.

Ms. Carol Niehaus, 1743 Timber Lane, submitted statements from two neighbors who were unable to attend the meeting this evening (see Exhibits 6 and 7). Ms. Niehaus asked that the records of the previous Public Hearings be entered into the record of these proceedings as things have not changed much and a lot of the statements and research are still good information. She asked that the Planning Commission refresh its memory by going over some of those items. Ms. Niehaus read and submitted her comments in the form of three questions with answers (see Exhibit 9).

Col. Richard Neufang, 1846 Timber Lane, stated that little has changed from what transpired two years ago with the exception of the deed restriction, which is dubious. If the deed restriction can be worked out, he is fine – otherwise he is opposed.

Mr. Chad Carpenter, 1932 Florence Pike, stated that he owns commercial property on the south side of the proposed development. He referred to Page 9 of the Staff Report and questioned Buffer Yard A plants and Buffer Yard B plants. What are those plants? He asked if the change would move the commercial zoning line down towards KY 18. He questioned how this zone change would affect the zoning of the commercial property around the development. He stated that 300+ units will be six hundred more cars on KY 18 and KY 237, which is not safe. He questioned where they will put the extra garages. He stated that the last Carriage Homes built in this area were in Oakbrook at the Summits and they are not sold yet. He questioned how his property would be affected by the zone change.

Mr. Ray Harris, 1491 Greenery Drive, stated that he owns property to the south and wants to make sure that the C-2 zoning on the south side does not change. He asked if the zoning would change just on the Runion property. Mr. Costello responded "that is correct".

Mr. Jim Vonderhaar, 4823 Dartmouth Drive, submitted a newspaper clipping of a letter to the editor about how dangerous Limaburg Road is (see Exhibit 9). He believes that eventually this development will come out on Limaburg Road. He questioned The Drees Company being the only builder in the subdivision. He lives in a Drees Subdivision and they are not the only builder.

The Chairman asked if there was anyone else present who wished to speak. There being no response, he asked if there were any comments or questions from the Commissioners.

Mr. McMillian noted that the applicant said these would be single-family homes but he did not see any single-family homes in the pictures. Mr. Barrett responded that they are single-family attached homes. Mr. McMillian questioned the difference between the type of unit where one person lives above someone else and apartments. Mr. Schottelkotte responded that it is an ownership issue – they are not rented units they are owner-occupied. He stated that with certain styles, there is one resident living above another in condominium type ownership. Mr. McMillian stated that they are not single-family residences. Mr. Schottelkotte responded that they are single-family attached residences.

Mr. Reynolds noted that the applicant said there would be 313 units on 80 acres. He stated that the entire development including the golf course is 80 acres, but they are not developing the golf course so it would be 313 units on 40 acres. Mr. Barrett stated that the developed portion is 40 acres.

Mr. Schwenke stated that there is a lot of interest in the deed restriction on the nine-hole golf course. He asked for further explanation. Mr. Barrett responded that the Declaration of Restrictive Covenant would be signed by the owner, Mr.

Runion, and would specify that he is restricting his property to a golf course or open space. It would state that it runs with the land and is for the benefit of the abutting property owners, which gives them the right to enforce it. He stated that if it is a condition of the development, there is valued consideration and it is enforceable as a property right. He stated that they have no problem with anyone obtaining legal counsel to review it or help draft it. The intent is that it be binding on the property and run with the land to perpetuity. It would be placed of record and be a matter of public knowledge. Mr. Costello asked if they could provide a draft version for the Committee to review. Mr. Barrett responded "yes".

Mr. Reynolds questioned the zoning of the golf course and what other uses could go there. Mr. Barrett responded that the zoning would be part of the PD Overlay and it would be as shown on the Site Plan. He stated that a Planned Development has to show specified uses and it is part of the Development Plan. He stated that it is enforceable and would have to be maintained as shown from a zoning perspective. Mr. Costello stated that the golf course serves as open space and possibly in the future the county would be interested in buying it for a park. He stated that he believes the concern is "or open space" because in theory there could be a private recreational open space versus the golf course use. He stated that the Committee and the Planning Commission will have to look at the exact wording of the Deed Restriction. It may be that they will use just the words "golf course".

Mr. McMillian asked if The Drees Company is buying the entire site. Mr. Schottelkotte responded that The Drees Company is entering into a partnership agreement with Robert C. Rhein Interests, Inc. to jointly develop the property. The Drees Company will purchase building lots from the partnership, build the homes, and sell the homes to the buyers. Mr. Runion would retain ownership of the portion of the site that the golf course would be on and the partnership would purchase the portion of the property that is to be developed for residential use. The home buyers would be brought into the Condominium Association and the Board of Directors of the Condominium Association would hire the management company to oversee the day-to-day maintenance of the grounds, etc. within the area of the condominiums. In response to additional questions from Mr. McMillian, Mr. Schottelkotte stated that Mr. Runion would have no ownership of the homes. The nine-hole golf course is included as part of the plan under the Planned Unit Development Zone and is part of the overall plan of the community. Approval is based on what is shown on the plan, which is the golf course, which would freeze it so that the use of that area is "golf course". Mr. McMillian questioned why the zoning of the golf course would be changed. Mr. Schottelkotte responded that it is a more restrictive use of the property than the current "R" zoning. The use of the area would be limited to golf course in the future, but under the existing zoning there is a wide variety of other uses that may not be desirable in the area if it remained zoned "R". Mr. McMillian stated that the applicant is asking for a zone change on property that does not need a zone change. Mr. Schottelkotte explained that the concept was to add a level of

protection that the property would remain a golf course. In the prior proposals, the golf course was not part of the zone change and there was no commitment that could be given to the Planning Commission and county that the property would remain as a golf course. They have included it as part of the plan so that it is specified for that particular use. Additionally, Mr. Runion has agreed to a deed restriction for golf course/open space purposes.

Mr. McMillian stated that he is concerned that the applicant talked about all the green space they are leaving and that they are only building three units per acre – but the area they are building on is only 44 acres, which was not brought up.

Mrs. Poston asked that the Committee be provided with copies of the Public Hearing records from the last requests for a zone change. Chairman Hicks agreed.

In response to a question from Mrs. Poston, Mr. Light explained that Buffer Yard B is greater than Buffer Yard A (Article 37 of the Zoning Regulations). Mr. Schwenke referred to the comments made by Mr. Carpenter regarding his commercial property. He stated that with the current zoning, he has C-2 adjoining his property which could be changed to SR-1/PD – what effect would that have on the required buffer if he develops his property? Mr. Light responded that with if the property develops as C-2, currently Buffer Yard A would be required, at least on the rear property line. Buffer Yard A would be a 10-foot buffer. A change to SR1-/PD would affect his property with another fifteen feet of buffer yard and additional plantings (Buffer Yard C).

Mrs. Poston stated that the buildings are mostly brick and stone in the front and questioned what the back sides will look like. Mr. Schottelkotte responded that they vary depending on the design standards established for the different communities. Mrs. Poston asked if there will be vinyl on the back sides of the buildings. Mr. Schottelkotte responded that they are open to discussion.

Mr. White asked that Mr. Runion attend the Committee meeting. Mr. Runion indicated his agreement.

Mr. Barlow asked if the three dry retention ponds will be fenced. Mr. Alex Taraseato with Robert C. Rhein Interests, Inc. responded that the existing lakes will be pumped out and filled to be shallow basins to detain water one or two feet deep and a fence will not be required.

Mr. Barlow stated that there appears to be 560 open parking spaces. He asked if there will be any restriction on parking in the driveways. Will the 560 parking spaces be available for full-time parking? Mr. Schottelkotte responded that the parking spaces Mr. Barlow is referring to include driveways into the garages and additional off-street parking areas for visitors. He stated that typically condominium communities do not have a requirement that people park in their

garages at all times and there is the potential that some of the surface parking spaces would have automobiles parked in them from time to time.

Mr. Poe questioned the locations of the detached garages. Mr. Schottelkotte indicated them on the plan in various locations throughout the community.

Chairman Hicks stated that the question of vinyl siding was one of the issues brought up by the public and will be discussed in Committee. He stated that Mr. Barrett will try to get a draft of the deed restriction in time for the Committee meeting. He asked if access to Limaburg Road is likely to occur. Mr. Schottelkotte responded that there is no access proposed to Limaburg Road. He stated that the property that would be residential development does not adjoin Limaburg Road and it is on the portion of the property that would be retained by Mr. Runion for the golf course.

Chairman Hicks stated that the minutes from the earlier applications will be available for the Zone Change Committee to review. He asked if the applicant wished to respond to any of the comments made.

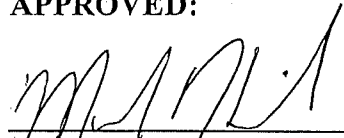
In response to Mr. Fisher's comment regarding property values, Mr. Barrett stated that Mr. Schottelkotte's presentation showed that the prices and quality of the units will enhance property values in the area. He stated that this being a low-density project should have a positive economic benefit. In regard to sprawl and uncontrolled growth, he stated that this is a low-density development. In response to Mr. Mardis' comments regarding traffic and the duration of the development, he stated that the traffic impact generated by this development is less than would be generated under the existing zoning. He stated that they anticipate no conflict with Stephens Elementary School. The school would like a traffic light and, if it can be secured from The Kentucky Department of Transportation, they are willing to pay for it and that can be a condition. In regard to Mr. Niehaus' concerns about enforcement of the restrictive covenant, he stated that there is no better protection for abutting property owners than a restrictive covenant and everyone would be best served by another attorney reviewing it to see that it protects the abutting property owners. He stated that there is greater control and greater restriction by developing the site as proposed with the PD Overlay than under the present zoning. In regard to the concern raised about the overcrowding of the schools, he stated that Mr. Schottelkotte's presentation showed that this is typically a type of development that does not have school children and the impact should be minimal. In regard to the concern about the golf course being profitable, he stated that he believes they have demonstrated the economic unfeasibility of it. He stated that with the restrictive covenant, there is the highest level of protection that the nine-holes to the north will never be taken, but leaving it zoned as it is there is no protection. He stated that there was a request that the statements from the prior requests be incorporated and a comment that things have not changed much – but they have changed dramatically with the low-density development, no apartments, no three-story buildings, owner-occupied, and all of the other controls

making this the best possible development. In response to the questions raised by Ms. Niehaus (Exhibit 8) he stated that this development will fill a niche in the market for seniors, singles, and couples without children and be an excellent transitional use. He stated that development of the property under the existing zoning would place a tremendous strain on the infrastructure and be more intensive and less desirable for the adjoining property owners and the community at large. In regard to Ms. Niehaus' question concerning destroying existing resources, he stated that the restrictive covenant locks it up as recreational space of the highest quality to perpetuity. He stated that Recreational use does not mean open space and there could be theaters, go-carts, etc. under the existing zoning, which would not be appropriate in this location. He stated that developing the property under the existing zoning would eliminate nine holes of the golf course because on the back nine 5 or 6 holes would be in the Office and Commercial districts. Mr. Barrett stated that they will prepare the proposed Restrictive Covenant and make it available to Staff and the neighbors, and they hope that independent counsel will review it. He stated that the amount of traffic generated by this development is far less than the existing zoning allows.

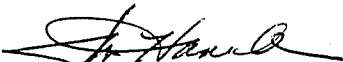
There being no further comments, the Chairman stated that the Committee Meeting for this item will be on April 24, 2002 at 5 PM in the Fiscal Courtroom on the second floor of this building. This item will be on the Agenda for the Business Meeting on May 1, 2002 at 6:00 PM and this will be noted at the Committee Meeting. He stated that the Committee Meeting is open to the public, but no new information or testimony will be permitted.

The Chairman closed this Public Hearing at 9:58 PM.

**APPROVED:**

  
\_\_\_\_\_  
Mark Hicks, Chairman

**Attest:**

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

**Exhibits**

1. Exhibits presented by the applicant (copies attached to Staff Report)
2. Information prepared by Mr. Jack Gehrum re: traffic generation from existing and proposed development as referenced by Mr. Barrett
3. Petition with an attached map showing the beneficiaries of the Restrictive Covenant (red dots indicate the twelve who have signed the petition)

4. Pictures and CD submitted by Mr. Schottelkotte/slides to be made
5. Comments by Joe Mardis
6. Comments from Don and Carole Valentine, 1724 Timber Lane, in opposition to the application.
7. Comments from Arthur and Vicki Rayhle, 1863 Timber Lane.
8. Comments from Carol Niehaus
9. Letter to the editor submitted by Jim Vonderhaar

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Earl White, Committee Chairman

DATE: May 8, 2002

RE Request of **Robert C. Rhein Interests, Inc./The Drees Company** (**applicant**) for **Lowell T. Runion** (**owner**) for a Zoning Map Amendment from Recreation(R), Office Two (O-2), and Commercial Two (C-2) to Suburban Residential One/Planned Development (SR-1/PD) for a 82.26 acre tract generally located on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and along the west side of Limaburg Road between Val Court Drive and Timber Lane, Boone County, Kentucky. The request is for a zone change to allow single family attached dwelling units (townhouses) and a nine hole golf course.

### REMARKS:

We, the Committee Members were present 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.

May 8, 2002

**Robert Rhein Interests/The Drees/Runion  
Meadowood**

*Carl White*

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**Earl White, Chairman**

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent \_\_\_\_\_  
 Deferred

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**Bob Newman**

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent   
 Deferred \_\_\_\_\_

*Susan Poston*

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**Susan Poston**

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain  Absent \_\_\_\_\_  
 Deferred

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**David Zimmer**

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent   
 Deferred \_\_\_\_\_

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**Lisa Wilson**

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent   
 Deferred \_\_\_\_\_

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**Randy Barlow (Alternate)\***

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent   
 Deferred \_\_\_\_\_

*Janet Kegley*

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**Janet Kegley (Alternate)\***

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain  Absent \_\_\_\_\_  
 Deferred

TOTAL: 3 DEFERRED \_\_\_\_\_ FOR \_\_\_\_\_ AGAINST \_\_\_\_\_ ABSTAIN  
4 ABSENT

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Earl White, Committee Chairman

DATE: May 29, 2002

RE Request of **Robert C. Rhein Interests, Inc./The Drees Company (applicant)** for **Lowell T. Runion (owner)** for a Zoning Map Amendment from Recreation(R), Office Two (O-2), and Commercial Two (C-2) to Suburban Residential One/Planned Development (SR-1/PD) for a 82.26 acre tract generally located on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and along the west side of Limaburg Road between Val Court Drive and Timber Lane, Boone County, Kentucky. The request is for a zone change to allow single family attached dwelling units (townhouses) and a nine hole golf course.

### REMARKS:

We, the Committee Members were present 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.

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

May 29, 2002

Robert Rhein Interests/The Drees/Runion  
Meadowood

*Earl White*  
 Earl White, Chairman

For  Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent \_\_\_\_\_  
 Deferred \_\_\_\_\_

Bob Newman

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent   
 Deferred \_\_\_\_\_

*Susan Poston*  
 Susan Poston

For  Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent \_\_\_\_\_  
 Deferred \_\_\_\_\_

*Lisa Wilson*  
 Lisa Wilson

For  Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent \_\_\_\_\_  
 Deferred \_\_\_\_\_

*David Zimmer*  
 David Zimmer

For  Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent \_\_\_\_\_  
 Deferred \_\_\_\_\_

Randy Barlow (Alternate)\*

For \_\_\_\_\_ Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent   
 Deferred \_\_\_\_\_

*Janet Kegley*  
 Janet Kegley (Alternate)\*

For  Against \_\_\_\_\_  
 Abstain \_\_\_\_\_ Absent \_\_\_\_\_  
 Deferred \_\_\_\_\_

TOTAL: \_\_\_\_\_ DEFERRED 5 FOR \_\_\_\_\_ AGAINST \_\_\_\_\_ ABSTAIN  
2 ABSENT

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
BUSINESS MEETING  
June 5, 2002  
7:00 P.M.**

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Mr. Mark Hicks, Chairman, called the meeting to order at 7:00 PM.

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Barlow  
Mr. Mark Hicks, Chairman  
Mrs. Janet Kegley  
Mr. Richard Knock, Temporary Presiding Officer  
Mr. Don McMillian  
Mr. Randy Poe  
Mrs. Susan Poston, Vice Chairwoman  
Mr. Robert Ries  
Mr. Bob Schwenke  
Mr. Earl White  
Mrs. Lisa Wilson, Secretary/Treasurer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Arnold Caddell  
Mr. Robert Newman  
Mr. Charlie Reynolds  
Mr. David Zimmer

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Jan Hancock, Secretary  
Mr. Mitch Light, Assistant Zoning Administrator/ZEO  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

Mr. McMillian moved that the salaries, benefits, and bills due be approved and paid as presented; and indicated approval of those items which have been paid. Mrs. Poston seconded the motion and it carried unanimously.

**ACTION ON PLAN REVIEWS:**

**1. Change in Concept Development Plan**

**The request of Robert C. Rhein Interests, Inc. (owner) to consider an application for a Change in an Approved Concept Development Plan in a Suburban Residential One (SR-1) zone for 22.6 acres located along the west side of Pleasant Valley Road and within Carters Mill Subdivision, Boone County, Kentucky. The request is for a Change in Concept Development Plan to allow an increase in the number of permitted lots.**

Chairman Hicks stated that Agenda Item #1 is recommended for deferral to the July 3, 2002 Business Meeting at 7:30 PM. The Committee Meeting will be on June 19, 2002 at 4:00 PM in the Fiscal Courtroom. Mrs. Kegley so moved. Mrs. Wilson seconded the motion and it carried unanimously.

**2. Zoning Map Amendment**

**The request of Robert C. Rhein Interests, Inc./The Drees Company (applicant) for Lowell T. Runion (owner) for a Zoning Map Amendment from Recreation (R), Office Two (O-2), and Commercial Two (C-2) to Suburban Residential One/Planned Development (SR-1/PD) for an 82.26 acre tract generally located on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and along the west side of Limaburg Road between Val Court Drive and Timber Lane, Boone County, Kentucky. The request is for a zone change to allow single-family attached dwelling units (townhouses) and a nine-hole golf course.**

Staff Member Mitch Light presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see Committee Report). The property owner has signed the letter agreeing to the conditions.

Mr. Costello stated that he spoke with Mr. Niehaus earlier today regarding Condition #8. He asked the applicant to state for the record what is being referred to as "green areas of an estate or foundation" and what would happen if the existing lakes on the golf course property were removed.

Attorney C. Francis Barrett with Barrett & Weber at Suite 500, 105 East Fourth Street, Cincinnati, OH, representing the property owner and the joint venture of Robert C. Rhein Interests, Inc. and The Drees Company, stated that he discussed this question with Tricia Johnson, attorney for Steve Niehaus. He stated that they have communicated in regard to the language of the Declaration of Protective Covenant consistent with what was discussed at the May 8, 2002 Committee

Meeting and on May 29, 2002. A couple of days ago, they finalized the Declaration of Protective Covenant based on those meetings and his discussions with Ms. Johnson. In regard to the specific language of "green areas of an estate or foundation" he stated that if for some reason the golf course would not continue -- they cannot commit property to be used for a specific purpose ad infinitum -- the clubhouse could be used for another purpose, such as a museum, historical society, or charitable institution. The clubhouse and parking lot are not part of the open space because they are improved. The restricted area is the 39 acres of the golf course. He stated that another use for the clubhouse would have to be approved by the Planning Commission and the balance of the property could be used as green area for the estate or foundation. He believes this was acceptable to Ms. Johnson and she accepted the explanation and the definition. He stated that they cannot build any buildings in the thirty-nine acres of green space. He stated that the lakes are part of the golf course and the retention/detention system and they could not make improvements or put buildings in the basins where the lakes had been. He stated that as part of the PD Zone, the Planning Commission is approving a golf course with lakes and the lakes are part of the detention system. He expects that the lakes could not be changed unless they went back through the process. He stated that they do not have to be lakes, they can be open space, but they can not be built on or improved. He stated that this explanation was satisfactory to Ms. Johnson.

Mr. White stated that when this was discussed, Mr. Costello indicated that the clubhouse would revert back to the condominium owners. It was not mentioned that it would go to a charitable organization. Mr. Barrett responded that at the May 29, 2002 Meeting, it was stated that there can be no change in the clubhouse without going back through the zoning process -- but the restrictive covenant that covers the green area and open space is for the thirty-nine acres and not the clubhouse. The clubhouse is outside the restrictive covenant. If the clubhouse were used as the Boone County Historical Society or a museum, the thirty-nine acres could be open space related to that use. Mr. White stated that he asked about the clubhouse and Mr. Costello said that it would go back to the condominium people for their use. Mr. Costello responded that he said it "could" and clarified that if there is another use for the clubhouse, it have would go through the Planning Commission again. Mr. White agreed, but noted that there wasn't discussion of the clubhouse going to a charitable organization. Counselor Wilson advised that the clubhouse could not go to a charitable organization unless it went through the process because it is in the Planned Development area. Mr. Barrett agreed.

Mr. Knock stated that it is a great idea to put up the fencing as proposed, but it is subject to Kentucky Transportation Cabinet approval. He asked if the Kentucky Transportation Cabinet has been asked on a preliminary basis whether they would approve or disapprove that kind of fence. Mr. Mike Schottelkotte with The Drees Company, 211 Grandview Drive, stated that the Highway Department is primarily concerned with some type of barrier. They have not discussed the fence with the Highway Department, but Meadowood Greene to the north replaced their wire fence with a similar type of fence and his understanding is that it was approved.

There being no further discussion, Mr. White moved by resolution to Boone County Fiscal Court that the zone change be granted based on the Committee Report with the conditions. Mrs. Poston seconded the motion.

Mr. White sated that he has gotten a few telephone calls and a question came up regarding "owner occupied" condominiums. He stated that he discussed this with Mr. Schottelkotte, as it was brought up at the Public Hearing, and Mr. Schottelkotte indicated in their conversation that the units would be owner occupied.

There being no further comments, the Chairman asked for a vote on the motion made by Mr. White which found Mr. Barlow, Mrs. Kegley, Mr. Poe, Mr. Ries, Mr. Schwenke, Mr. White, Mr. Knock, Mrs. Wilson, Mrs. Poston, and Chairman Hicks in favor. Mr. McMillian was opposed. The motion carried by a vote of 10 to 1. Chairman Hicks stated that the Planning Commission's action is a recommendation to Fiscal Court. Mr. Costello stated that the recommendation will be sent to Fiscal Court on June 20, 2002 and interested parties can contact Fiscal Court after that date to determine the dates and times of their meetings.

### NEW BUSINESS:

Agenda Item  
No.

- 3      Change in Concept Development Plan**  
**The request of James W. Berling (applicant) for R. C. Durr and Richard Crist (owners) for a Change in Concept Development Plan for an approximate one acre tract on the north side of Bankers Street, immediately east of 8810 Bankers Street, Florence, Kentucky. The request is for a Change in Concept Development Plan to allow a car wash in a Commercial Two/Planned Development (C-2/PD) zone.**

Mr. McMillian moved to schedule a Public Hearing for the above item on June 26, 2002 at 7 PM. Mr. Ries seconded the motion and it carried unanimously.

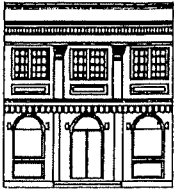
- 4      Wireless Communications Facility**  
**The request of SprintCom (applicant) for Thomas Lewis and Lura Lewis (owners) to consider a Uniform Application for a wireless communications facility in a Suburban Residential One (SR-1) zone at 1337 Mt. Zion Road, Boone County, Kentucky.**

The Chairman stated that the above item has been withdrawn by the applicant.

# SUPPORTING INFORMATION

# BOONE COUNTY PLANNING COMMISSION

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2995 Washington Street • Burlington, KY 41005

[www.boonecountyky.org](http://www.boonecountyky.org)

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: [plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)

June 5, 2002

Mr. Lowell T. Runion  
5531 Carolina Way  
Burlington, KY 41005

RE: Recommended Conditions of Approval for the request of **Robert C. Rhein Interests, Inc./The Drees Company (applicant)** for **Lowell T. Runion (owner)** for a Zoning Map Amendment from Recreation (R), Office Two (O-2), and Commercial Two (C-2) to Suburban Residential One/Planned Development (SR-1/PD) for an 82.26 acre tract generally located on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and along the west side of Limaburg Road between Val Court Drive and Timber Lane, Boone County, Kentucky. The request is for a zone change to allow single family attached dwelling units (townhouses) and a nine hole golf course.

Dear Mr. Runion:

The following represents the conditions of approval for the above referenced application as recommended by the Planning Commission's Zone Change Committee at their May 29, 2002 meeting. If you, as the property owner, agree to these conditions, please indicate by signing in the space provided at the end of this letter, and return the original letter to the Planning Commission's office by Wednesday, June 5, 2002.

## CONDITIONS

1. The applicant will construct a bus stop on KY 237 near the main site entrance in accordance with the requirements of TANK and the Kentucky Transportation Cabinet. The applicant will provide a sidewalk link between the bus stop and the proposed Fairways at Meadowood project.
2. The applicant will construct, at their expense, a traffic signal at the four way intersection of KY 237, Stephens Elementary School, and the main site entrance drive for this development, subject to approval by the Kentucky Transportation Cabinet. The applicant, Planning Commission, and Fiscal Court will actively pursue signalization of this intersection with the Kentucky Transportation Cabinet.
3. The applicant will coordinate the repair and/or resurfacing of Old Florence Pike with the Boone County Engineer for the area between the development entrance and the intersection at KY 18 adjoining the funeral home.
4. The existing wire fence along KY 237 right-of-way which adjoins the project site shall be replaced with a post and rail fence that matches the design of the existing right-of-way fence for the Meadowood Green development to the north along KY 237, subject to approval by the Kentucky Transportation Cabinet.

Mr. Lowell T. Runion  
June 5, 2002  
Page 2

5. A 10 foot strip along the southern property line will remain Commercial Two (C-2) or Office Two (O-2), as applicable, for the purposes of Buffer Yard requirements for future development of those adjacent properties zoned C-2 or O-2. Within that 10 foot strip, the applicant will install the plant materials required in the Buffer Yard "B" in Article 37 of the Boone County Zoning Regulations.
6. The construction traffic will use the existing access point on KY 237 for a period not to exceed two (2) years after the commencement of construction of the first condominium unit. After the two (2) year period, the developer shall install and maintain a construction entrance on the south side of the site from Old Florence Pike.
7. The applicant will construct all of the private streets within the development to the public street specifications as per the Boone County Subdivision Regulations with regard to materials and thickness.
8. The applicant restricts the remaining 39.01 acres to remain a 9 hole golf course or "Open Space." The applicant agrees that the term "Open Space" for the purposes of this application "shall be defined to include but not necessarily limited to a golf course, recreational areas such as hiking trails, bicycle paths, walkways and walking areas, athletic fields and play fields consisting primarily of greenspace, woods and other natural vegetation, landscaped areas, farming and agricultural land and/or other areas set aside for gardens, fields, or horticulture, a public or private park, or the green areas of an estate or foundation, and all related and accessory uses with respect to the foregoing, and any other land that is generally unimproved."
9. The exterior appearance of the condominium buildings will reflect the design submitted by the Drees Company at the May 29, 2002, Zone Change Committee Meeting (see Attachment 1).
10. Within ninety (90) days as part of final approval of any subdivision plat, or site plan, whichever occurs first, the applicant shall prepare and submit a protective covenant to the Planning Commission for review and approval, including the review thereof by the attorney for the Planning Commission as to form, and thereafter the covenant shall be recorded by the applicant with the Boone County Clerk. The covenant shall be based upon the draft copy that was submitted to the zone change committee and will run with the land restricting the 39.01 acres, which are currently used as the northern nine (9) holes of the Meadowood Golf Club, to a golf course consisting of 9 holes and related and accessory uses or as other "Open Space" for the benefit of the abutting single-family lots and condominium units.

Sincerely,



Mitchell A. Light  
Asst. Zoning Administrator/Enf. Officer

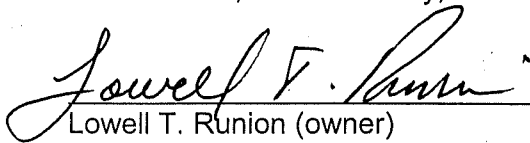
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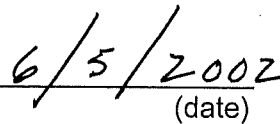
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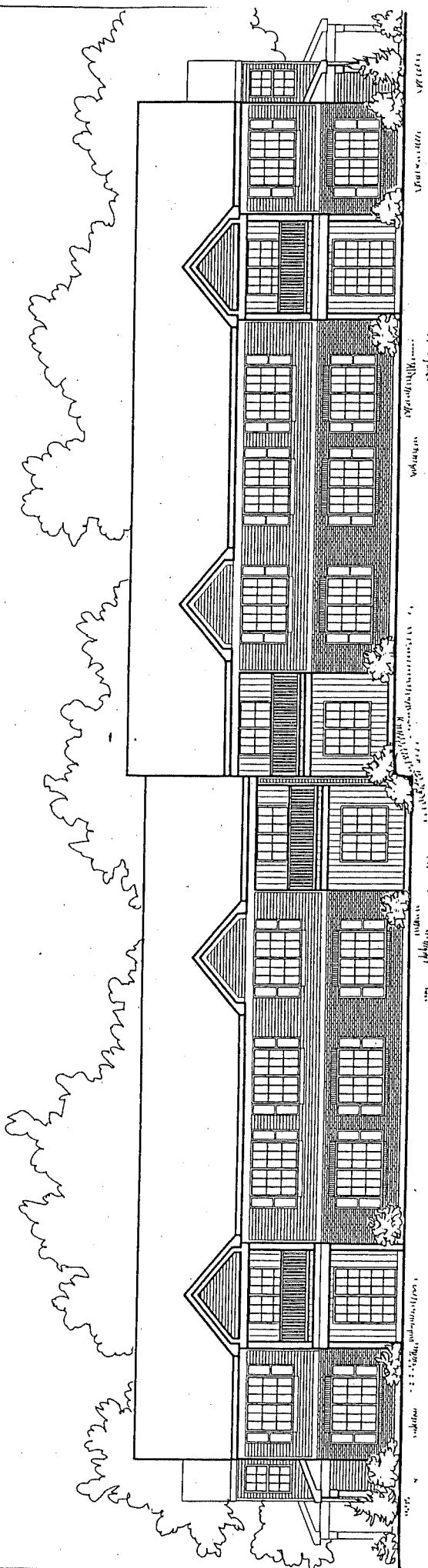
Mr. Lowell T. Runion  
June 5, 2002  
Page 3

Agreement

I, Lowell T. Runion, do hereby agree to the recommended conditions of approval stated above for the Zoning Map Amendment from Recreation (R), Office Two (O-2), and Commercial Two (C-2) to Suburban Residential One/Planned Development (SR-1/PD) for an 82.26 acre site generally located on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and along the west side of Limaburg Road between Val Court Drive and Timber Lane, Boone County, Kentucky.

  
Lowell T. Runion (owner)

  
(date)



REAR ELEVATION



**THE DREES COMPANY**  
 211 Broadway, New York, New York 10038  
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STD. BY: DREW BRUNNER  
 CHK. BY: XXX  
 STD. DATE: 12-17-97  
 DATE OF LAST REV.: 2-22-00 DAB

SHEET DESCRIPTION  
**REAR ELEVATIONS**



SERIES:  
 HOUSE: 10 UNIT BUILDING  
 10-UNIT-ELEV.dwg 05/23/02 50447 pn EST

JOB #:  
 DATE ISSUED:

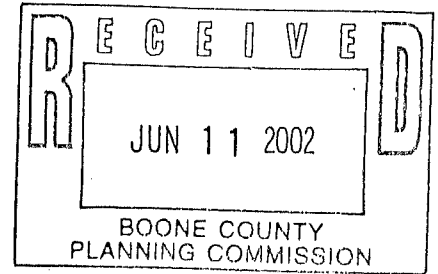
SHEET NO

ATTACHMENT A



# VIOX & VIOX, INC.

Engineers • Surveyors • Landscape Architects



## PARCEL TO BE REZONED

Located in Boone County, Kentucky, lying on the west side of Limaburg Road, the east side of Kentucky Highway 237 and the north side of Florence Pike and is more particularly described as follows:

Beginning at a point in the west right-of-way line of Limaburg Road at the most northeasterly corner of Robert Ehlinger (Deed Book 394, page 81); thence leaving said right-of-way line N 79-56-17 W 687.26 feet to a point; thence S 03-46-32 W 659.61 feet to a point; thence N 78-26-09 W 266.62 feet to a point; thence S 03-46-32 W 1047.96 feet to a point; thence N 83-13-58 W 1058.54 feet to a point; thence S 03-46-32 W 634.30 feet to a point in the north right-of-way line of Florence Pike; thence with said right-of-way line N 83-39-00 W 79.08 feet to a point; thence leaving said right-of-way line N 03-46-32 E 427.12 feet to a point; thence N 83-13-58 W 208.71 feet to a point; thence N 03-46-32 E 286.72 feet to a point; thence N 85-48-11 W 84.05 feet to a point in the east right-of-way line of Kentucky Highway 237; thence with said right-of-way line N 19-16-50 E 144.88 feet to a point; thence N 03-11-22 E 593.04 feet to a point; thence N 32-48-30 W 80.39 feet to a point; thence N 00-49-31 W 189.33 feet to a point; thence leaving said right-of-way line S 88-47-28 E 50.00 feet to a point; thence S 01-12-32 W 20.00 feet to a point; thence S 88-47-28 E 50.00 feet to a point; thence N 01-12-32 E 20.00 feet to a point; thence S 88-47-28 E 70.50 feet to a point; thence N 32-01-37 E 169.47 feet to a point; thence N 07-53-22 E 554.49 feet to a point; thence N 28-04-52 E 80.52 feet to a point; thence N 13-30-58 W 12.00 feet to a point; thence N 76-29-02 E 45.00 feet to a point; thence S 13-30-58 E 40.00 feet to a point; thence N 74-11-36 E 100.08 feet to a point; thence N 47-32-02 E 72.27 feet to a point; thence N 02-27-58 W 154.44 feet to a point; thence N 75-15-02 E 509.17 feet to a point; thence N 85-32-16 E 44.78 feet to a point; thence N 89-46-07 E 110.00 feet to a point; thence S 79-02-04 E 117.71 feet to a point; thence N 78-54-49 E 117.38 feet to a point; thence N 75-15-00 E 523.00 feet to a point; thence S 37-06-55 E 54.00 feet to a point; thence S 06-38-13 E 138.07 feet to a point; thence S 56-58-56 W 175.86 feet to a point; thence S 16-54-25 W 128.34 feet to a point; thence S 03-05-37 W 49.81 feet to a point; thence S 15-37-33 W 70.25 feet to a point; thence S 12-41-05 E 32.21 feet to a point; thence N 78-26-05 E 69.35; thence N 26-03-40 E 39.10 feet to a point; thence N 72-21-29 E 107.00 feet to a point; thence N 48-38-34 E 61.44 feet to a point; thence N 71-01-15 E 134.59 feet to a point; thence S 23-56-00 E 632.96 feet to the point of beginning containing 81.88 acres more or less.

• Planning

• Design

• Surveying

ZONE CHANGE PLAN  
FOR

FAIRWAYS AT MEADOWOOD  
BURLINGTON, BOONE COUNTY, KENTUCKY  
SCALE - 1"=300' FEBRUARY 19, 2002

**W** VIOX & VIOX, INC.  
Engineers - Surveyors - Landscape Architects  
488 Edgeport Road  
Evansport, Kentucky 40318  
Tel: 259-727-2000  
Fax: 259-727-4652  
www.viox.com

THE FAIRWAYS AT MEADOWOOD  
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# **Ordinance Of The Boone County Fiscal Court**

## **Ordinance No. 02-11**

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, A REQUEST OF ROBERT C. RHEIN INTERESTS, INC. / THE DREES COMPANY (APPLICANT) FOR LOWELL T. RUNION (OWNER) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RECREATION (R), OFFICE TWO (O-2) AND COMMERCIAL TWO (C-2) TO SUBURBAN RESIDENTIAL ONE / PLANNED DEVELOPMENT (SR-1/PD) ON AN 82.26 ACRE SITE GENERALLY LOCATED ON THE EAST SIDE OF KY 237, NORTH OF OLD FLORENCE PIKE AND ACROSS KY 237 FROM STEPHENS ELEMENTARY SCHOOL, AND ALONG THE WEST SIDE OF LIMABURG ROAD BETWEEN VAL COURT DRIVE AND TIMBER LANE, BOONE COUNTY, KENTUCKY, AS RECOMMENDED BY THE BOONE COUNTY PLANNING COMMISSION (10-1), VIA RESOLUTION NO. R-02-011-A.

WHEREAS, the Boone County Fiscal Court received a request for a Zoning Map Amendment to the Boone County Zoning Map an such Zoning Map Amendment being a zone change from Recreation (R), Office Two (O-2) and Commercial Two (C-2) to Suburban Residential One / Planned Development (SR-1/PD) on an 82.26 acre site generally located on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and along the west side of Limaburg Road between Val Court Drive and Timber Lane, 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 BOONE COUNTY FISCAL COURT 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 Recreation (R), Office Two (O-2) and Commercial Two (C-2) to Suburban Residential One / Planned Development (SR-1/PD) on an 82.26 acre site generally located along on the east side of KY 237, north of Old Florence Pike and across KY 237 from Stephens Elementary School, and

# Ordinance Of The Boone County Fiscal Court

## Ordinance No. 02-11

along the west side of Limaburg Road between Val Court Drive and Timber Lane, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in a Recreation (R), Office Two (O-2) and Commercial Two (C-2) zones is more particularly described in DEED BOOK 678, PAGE NO. 290 (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 for 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 shall be and are hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit A".

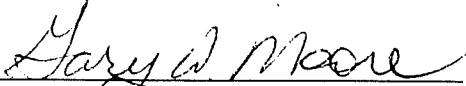
The Committee recommended approval for this request based on the findings of fact and conditions as set forth in the Committee Report and the Boone County Planning Commission Business Meeting minutes and marked as "Exhibit B".

### SECTION III

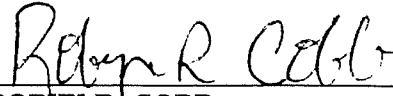
That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

Introduced and given First Reading on the 9<sup>th</sup> day of July, 2002.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 23<sup>rd</sup> day of July, 2002, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested by the County Fiscal Court Clerk and declared to be in full force and effect.

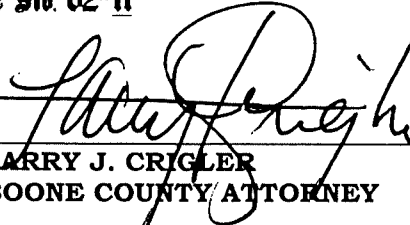
  
GARY W. MOORE  
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:

  
ROBYN R. COBB  
FISCAL COURT CLERK

**Ordinance  
Of The  
Boone County Fiscal Court**

**Ordinance No. 02-11**

  
\_\_\_\_\_  
**LARRY J. CRIGLER  
BOONE COUNTY ATTORNEY**

8-1-02  
\_\_\_\_\_  
**DATE PUBLISHED**



- RESIDENTIAL OWNERS**
- 1 JOHN MARRIS 694/27
  - 2 STEVEN NIBHADS 255/216
  - 3 BOYLE BRASHEAR 605/202
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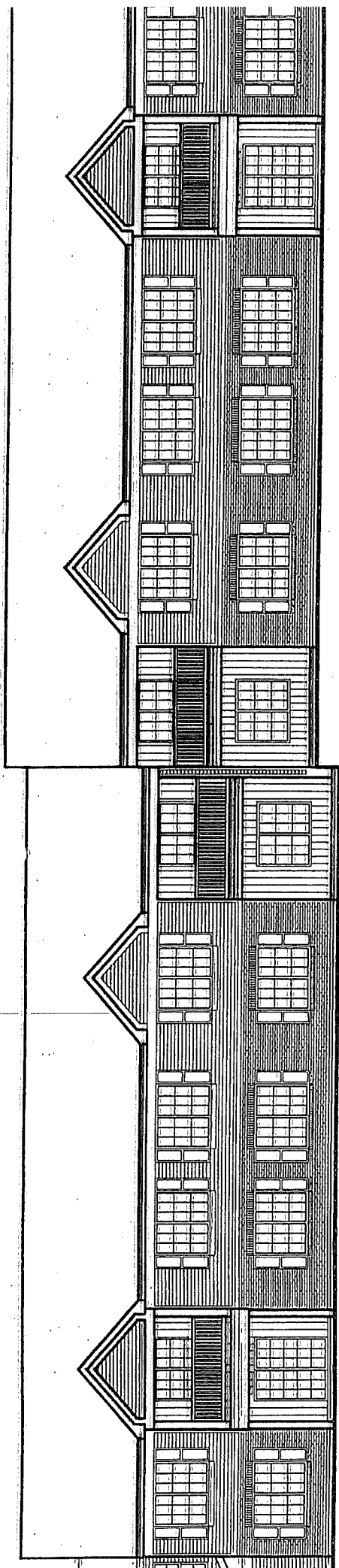
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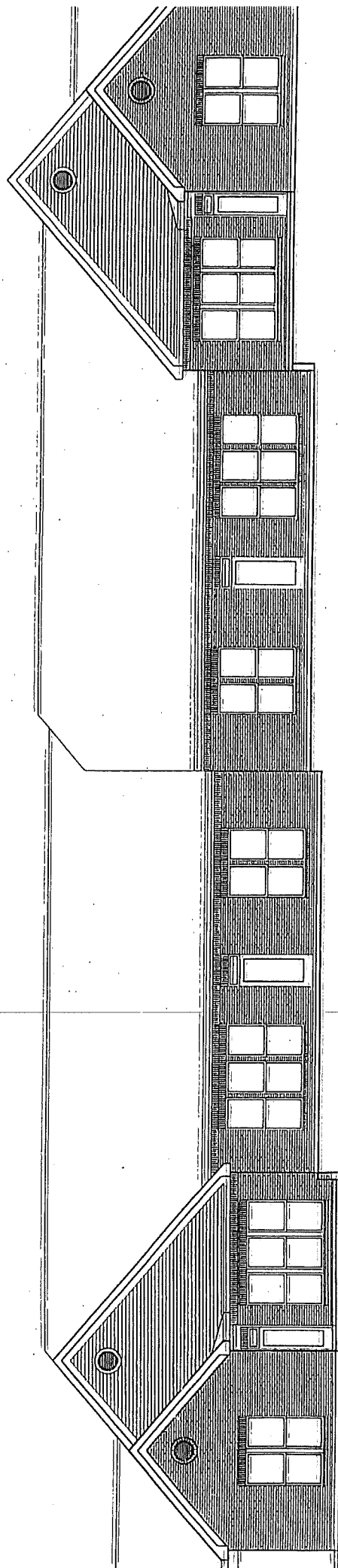
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CARRIAGE HOME BUILDING REAR ELEVATION



TOWNEHOME BUILDING REAR ELEVATION

REAR ELEVATION FOR BUILDINGS ABUTTING THE GOLF COURSE - CONDITION #9

**ees**  
 THE DREES COMPANY  
 211 Crandall Drive, Fort Mitchell, Kentucky 41017 Phone (606) 578-4200  
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SHEET DESCRIPTION

ATTACHMENT #1

SUBMITTED TO COMPLY WITH DESIGNS REVIEWED AND APPROVED AT THE  
 MAY 29 2002 ZONE CHANGE MEETING

