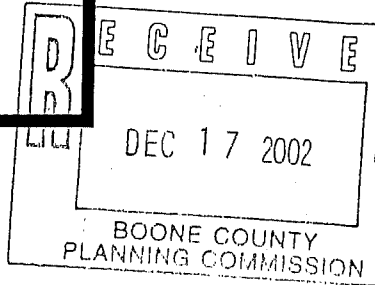


APPLICATION FORM

03-

ZMA-006-A

ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION



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

1. Name of Project THORNWILDE ADDITION
2. Location of Project OFF WILLIAMS RD.
3. Total Acreage of Site 107.631
4. Current Zoning of Site SR-1
5. Proposed Zoning (Classification being requested) RPD
6. Proposed Uses (please specify each use) SINGLE FAMILY DETACHED & SINGLE FAMILY ATTACHED
7. Names of Applicant(s) THE DREES CO.  
Phone Number 578-4261 Fax No. 578-4284
8. Address of Applicant(s) 211 GRANDVIEW DR.  
FT. MITCHELL KY 41017  
City State Zip
9. Name of Property Owner(s) THE DREES CO.  
Phone Number 578-4261 Fax No. 578-4284
10. Address of Property Owner(s) 211 GRANDVIEW DR.  
FT. MITCHELL KY 41017  
City State Zip
11. Proposed Building Intensities (please specify) 2.87 D4/DC
12. Are there any existing buildings on the site? YES  
How many? 3 plus minor out buildings
13. Deed Book B30 Page No. 507 Group No. 2004
14. Are you also applying for:  
NO Conditional Use Permit REDUCED REAR YARD SETBACK FROM 30' TO 25'.  
YES Dimensional Variance REDUCED SIDE YARD FROM 5 MIN., 15 TOTAL TO 5 MIN., 10 TO
15. Have you submitted a Concept Development Plan? YES
16. Have you had a pre-application meeting with BCPC Staff? YES 12/12/02
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

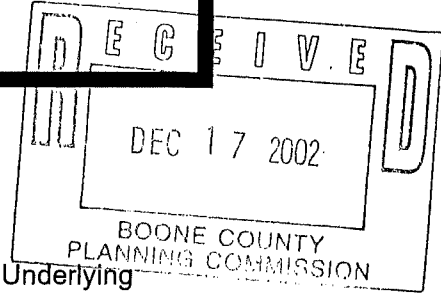
- NO Boone County Water and Sewer District
- NA Florence Water and Sewer Commission
- NO Union Light Heat and Power
- NO Cincinnati Bell
- NO Owen County Rural Electric
- NO Boone County Public Works Department
- NA Kentucky Transportation Cabinet
- NA City of Florence Public Services Department
- NO Boone County Building Department

(over)

APPLICATION FORM

03-CDP-~~1000~~-006-A

CONCEPT DEVELOPMENT PLAN  
BOONE COUNTY PLANNING COMMISSION



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

1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
- Change in an Approved Concept Development Plan
- Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
- Long Range Planning Committee Review (As stated in the Union Town Plan)

- 2. Name of Project THORNWILDE
- 3. Location of Project BETWEEN WILLIAMS RD & THORNWILDE DRIVE
- ④ 4. Total Acreage of Site 51.92
- 5. Current Zoning RPD
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) MARCH 197
- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) NO
- 8. Proposed Uses (please specify each use) SINGLE FAMILY DETACHED HOUSING
- ⑨ 9. Proposed Building Intensities (please specify) 2.02 DU/AC
- 10. Have you submitted a Concept Development Plan? YES
- 11. Are you also applying for:
  - NO Conditional Use Permit
  - NO Dimensional Variance
- 12. Name of Applicant(s) THE DREES CO.  
Phone Number 578 4261 Fax No. 578-4284
- 13. Address of Applicant(s) 211 GRANDVIEW DR.  
FT. MITCHELL KY 41017  
City State Zip
- ⑭ 14. Name of Property Owner(s) THE DREES CO.  
Phone Number 578-4261 Fax No. 578-4284
- 15. Address of Property Owner(s) 211 GRANDVIEW DR.  
FT. MITCHELL, KY 41017  
City State Zip
- ⑮ 16. Are there any existing buildings on the site? ~~NO~~ YES  
How many? 1
- ⑰ 17. Deed Book 578, 815, 786 Page No. 24, 709, 561 Group No. 2004
- 18. Have you had a pre-application meeting with BCPC Staff? YES 12/12/02

(over)

**EXHIBIT**

**“A”**

## STAFF REPORT

Request of **The Drees Company (owner)** for a Change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52 acre tract located along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky; and, request of **The Drees Company (owner)** for a Zoning Map Amendment from Suburban Residential One (SR-1) to Residential Planned Development (RPD) for an approximate 108 acre tract located at 2036 Williams Road, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan to allow detached single family residences and for a zone change to allow attached single family residences (condominiums) and detached single family residences.

January 22, 2003

### REQUEST

The applicant requests a Change in an approved Concept Development for a 52 acre site located in Thornwilde Subdivision west of the existing Whitetail Glen Court and on the south side of Thornwilde Drive. The Change in Concept Development Plan would amend a plan approved in 1997. In place of 208 attached homes, 105 detached homes would be built on the site. The proposed Concept Development Plan includes 18 acres of open space and community facilities. Density of development on this site would decrease from 4 units per acre to 2.02 units per acre.

The applicant additionally requests a Zoning Map Amendment for a 107 acre site located south of the existing Thornwilde subdivision and northeast of Traditions Golf course, on the north side of Williams Road, owned previously by the Ware family. The Zoning Map Amendment would re-zone the property from Suburban Residential One (SR-1) to Residential Planned Development (RPD), allowing the construction of 208 attached single-family homes, as well as 101 detached single-family homes on the 107-acre site. The proposed Concept Development Plan includes 29 acres of open space. A recreation area is planned for the south end of the site, featuring a pool and bath house and a play area. A homeowner's association would maintain the open space areas and recreational facilities. The development's density would be 2.9 units per acre, representing a decrease in density from what would be permitted under the existing SR-1 zoning. If the Change in Concept Development Plan and Zoning Map Amendment were approved, there would be a net increase of 206 homes. Overall density of the two developments is 2.66 units per acre. Both proposed Concept Development Plans call for a minimum lot size of 8,000 square feet. Minimum front yard setbacks would be 30'; minimum rear yard setback would be 25'; minimum side yard setback would be 5', for a combined side yard setback of 10'. For both Concept Development Plans, the applicant proposes a minimum lot width of 65' at the front yard setback.

Access to the developments would be provided through Thornwilde Drive and at two intersections on Williams Road. The Concept Development Plan approved in 1997 called for the extension of Thornwilde Drive onto Williams Road, and this street extension remains in the proposed Change in Concept Development Plan. The Concept Development Plan for the former Ware property calls for the construction of a sub-collector

street that would also intersect Williams Road about 120' from the shared property line with the Montoya property, at the southwest corner of the property. This sub-collector street would also intersect with Thornwilde Drive, west and south of the existing Whitetail Glen Court. Sidewalks are to be provided along public streets as specified in the Boone County Subdivision Regulations, except where noted on the proposed Concept Development Plan.

The proposed development calls for a sanitary tie-in with the existing Sand Run pump station. Water will be provided through the extension of a 12" water main down Thornwilde Drive and down the street listed as "Sub-collector 2" on the proposed Concept Development Plan. Additionally, a 16" water main will be extended from the northwest property line of the former Ware property, near the intersection of Thornwilde Drive to the southwest property line, near the intersection of the proposed Sub-collector 2. The Applicant provides a summarization of the proposed development in the attached memo.

### SITE HISTORY

#### **Thornwilde Subdivision:**

- 1994** The Boone County Planning Commission and Boone County Fiscal Court approved a Concept Development Plan for a 217-acre parcel located on the west side of North Bend Road. The Concept Development Plan called for the construction of 287 single-family detached houses and 240 attached houses, located on the northwest portion of the site. At the northern portion of the site was commercial development, zoned C-1. There was only one access point to the site, a sub-collector road intersecting North Bend Road. The density of development was 2.4 units per acre. The Committee Report for the project, dated March 16, 1994, is attached.
- 1995** The Boone County Planning Commission and Boone County Fiscal Court approved a Zoning Map Amendment for a 41.08-acre site adjoining the existing Thornwilde Subdivision on the west. The proposal, which changed the zoning of the property from Agriculture (A-1) to Suburban Residential One (SR-1), allowed the development of 63 single-family residences and extended Brantwood Drive 800 feet. Density of the development was 1.54 units per acre.
- 1997** The Boone County Planning Commission and Boone County Fiscal Court approved a Zoning Map Amendment from Agriculture (A-1) to Suburban Residential One (SR-1) for an approximately 29.9 acre parcel adjoining Thornwilde Subdivision. This Zoning Map Amendment entailed the development of 54 detached single-family residences. There was a Concept Development Plan approved concurrently for an approximately 124 acre site within Thornwilde Subdivision, allowing the construction of 272 condominiums and 59 detached single-family residences. Additionally, there was a Change in the approved Concept Development Plan from 1994, for the area immediately to the east of the 154 acre site featured in the two previous actions. This change in Concept Development Plan decreased the number of condominiums from 240 units to 92 total units and created an additional 26 lots for detached single family homes. Overall density for the three phases of development is 1.63 dwelling units per acre.

**The Former Ware Property:**

**1991** The property was re-zoned from Agriculture (A-1) to Suburban Residential One (SR-1) through an update to the 1991 Zoning Map.

**SITE CHARACTERISTICS**

The sites feature hilly terrain, ranging from 730 feet to 840 feet above sea level on the area in the existing Thornwilde subdivision and from 740 feet to 890 feet above sea level on the former Ware property. Much of the western edge of the Thornwilde site is creek valley, as four creeks on the site flow into a creek on the adjoining property to the west. There is a plateau on the site on the southern side of Thornwilde Drive west of Whitetail Glen Court. East of Whitetail Glen Court on the south side of Thornwilde Drive is a pond. A large stand of mature trees is located in the southern portion of the site. A creek runs along a portion of the southern boundary between the Thornwilde site and the former Ware property. Additionally, on the former Ware property, there are three creeks that flow from the creek located on the property line. A pond is located on the southeastern portion of the Ware property, on a plateau. A stand of mature trees is found in the north and west-central section of the site. Barbed wire fencing encompasses the property boundaries of the site. An overhead transmission line is located in the southwest corner of the former Ware property.

**ADJACENT LAND USES**

**Thornwilde Subdivision:**

**North:** The existing Thornwilde Subdivision, zoned Suburban Residential One/Planned Development (SR-1/PD)

**South:** The former Ware property, zoned Suburban Residential One (SR-1)

**East:** The existing Thornwilde Subdivision, zoned Residential Planned Development (RPD)

**West:** Agricultural property, zoned Agriculture (A-1)

**The Former Ware Property:**

**North, Northeast:** The existing Thornwilde Subdivision, zoned Residential Planned Development (RPD)

**Northwest:** Agricultural property, zoned Agriculture (A-1)

**East:** Agricultural property, zoned Suburban Residential One (SR-1)

**West:** Agricultural and residential property, zoned Agriculture Estates (A-2) Traditions Golf Course, zoned Recreation (R)

**South:** Agricultural property, zoned Suburban Residential One (SR-1)

## **RELATIONSHIP TO THE COMPREHENSIVE PLAN**

The 2025 Future Land Use Map designates the Thornwilde site as Suburban Density Residential (SR), High Suburban Density Residential (HSD), and Developmentally Sensitive (DS). The Former Ware property is designated Suburban Density Residential (SR) and Developmentally Sensitive (DS). The Comprehensive Plan defines Suburban Density Residential as follows:

“single family housing of up to four units per acre. This classification also includes any low-density or estate residential developed as a subdivision (p. 158, ‘2000 Existing and Future Land Use Classifications’).”

High Suburban Density Residential is defined as

“single-family and/or attached housing of up to 8 dwelling units per acre. This classification is typified by townhouse, condominium, or zero-lot line development and also pertains to mobile home parks (p. 158, ‘2000 Existing and Future Land Use Classifications’).”

The Comprehensive Plan defines Developmentally Sensitive as follows:

“Areas that have an existing slope of twenty percent or greater for a height of 20 meters or have unique soil or flooding characteristics which limit the ability of an area to support urban development or contain significant wooded areas, creeks, wildlife habitat or other natural features that are important to a site’s stability and visual character. In addition developmentally sensitive areas may, in the future, be defined and protected due to historical or visual importance. Any development on land identified as Developmentally Sensitive must be carefully assessed by the developer and the Planning Commission to determine the ability of the land to support the proposed project. The land use priority for areas designated Developmentally Sensitive is preservation of the existing environment, as opposed to development of the land. This shall act as a guideline for any project proposed in Developmentally Sensitive areas; specific sites designated as developmentally sensitive require more detailed inventories of soil, slope, wildlife habitat, vegetation, and other possible physical constraints as part of the development plans. These inventories shall be used, along with engineering studies, to determine whether an area designated Developmentally Sensitive can be developed in a fashion which is sensitive to the existing site characteristics. The Developmentally Sensitive areas of Boone County have been identified by utilizing the United States Department of Agriculture Natural Resources Conservation Service (formerly Soil Conservation Service) data and mapping, through the Boone County Geographic Information System (GIS). The degree of accuracy of these areas is intended to locate general areas of concern. Actual site assessments will determine the exact boundaries of Developmentally Sensitive areas in Boone County at the time of development or through a detailed county-wide inventory (p. 157-158 ‘2000 Existing and Future Land Use Classifications’).”

The Future Land Use Text states the following regarding the North Hebron Area, the area in which the site is located:

- A. "Some Suburban Residential and Rural Density Residential development should occur along Williams Road as a result of infrastructure improvements. Future roads access to the KY 8 areas from the Graves Road and KY 237 areas would be more suitable than the discussed connection of KY 8 with the I-275 Idlewild Interchange, because of topography and Developmentally Sensitive Areas. Williams Road will eventually connect to KY 237 through Thornwilde Subdivision. With planned public sanitary sewer improvements in the Sand Run Creek and Elijah Creek watersheds, including sewer lift stations, there will be considerable growth pressures. Development should be clustered on the ridge of top areas because of the limited capacity of the existing roadway network and planned improvements, the Developmentally Sensitive areas and the importance of the stream valley as greenbelts. Lower density development, such as Rural Density Residential, should provide a transition into the Developmentally Sensitive areas, As approved in the Northpointe Development, stream valleys should be left undisturbed to provide open space, buffering, and/or passive recreation areas. Developers of other properties along the Sand Run Creek valley should also contribute land to the Sand Run Park proposal that would connect to and benefit all the area developments.

"With the provision of adequate infrastructure, some Suburban Density Residential development may extend onto the ridge top areas. Development would need to retain the bluff line vegetation in order to minimize the visual and environmental impacts of residential development. Planned Development or clustered housing should be used to insure proper development of this area, due to environmental and site characteristics. Much of the remaining land in this section contains Developmentally Sensitive and scenic hillsides and should stay wooded in order to create greenbelts between future developments. The Sand Run Creek and Elijah Creek valleys should constitute such greenbelts and should be included in future greenbelt studies.

"There are areas within this section of the County that are suitable for recreational uses, such as the 422 acre Traditions Golf Course on Williams Road. This section should experience considerable residential growth pressures especially around the golf course to the east. This development should not occur until adequate infrastructure is provided, including significant improvements to Graves Road. The area west of the golf course and north of I-275 should develop residentially, once adequate road access and utilities are available. As stated in previous sections, this development should not encroach upon the developmentally sensitive areas.

"Land in the Williams Road area, north of I-275, is suitable for some Suburban Density Residential development when Worldwide Boulevard is completed and water and sanitary sewer are available. A road connection from KY 8 to I-275 warrants further study to determine feasibility and potential impacts on Developmentally Sensitive areas. Such a connection may be more appropriate between the Idlewild interchange and Graves Road near and parallel to I-275. Limited Rural Density residential growth should occur along other roads in this section. Suburban Residential development cannot be adequately supported by the existing road system.

"Conventional layout subdivisions should be discouraged because of their inefficient circulation systems and excessive site grading requirements. The stream valleys and ridge bluff edges in this section should remain in their current state to provide public open space for the residential development on the ridge tops. Overall, this section should experience growth because of its proximity to I-275 and the Burlington-Hebron areas.

"In general Suburban Residential development should be concentrated on land nearest to KY 237, as indicated on the Future Land Use Map. Current conditions of North Bend Road in the Francisville area are not suitable for suburban traffic demands. However, as described in the Transportation Element, the reconstruction of North Bend Road is now a priority project. Unlike most developing areas of Boone County, the north river areas contains only one primary means of access, being North Bend Road. In the event that a bridge is proposed between Boone County and Hamilton County, a full study of the impacts should be made. These impacts could include effects on labor supply and transpositions, increased truck traffic in Boone County and impacts on existing and planned residential area (p. 174-175 'North Hebron Area')."

Future Land Use Development Guidelines found in the Land Use Element of the Comprehensive Plan provide the following statements that relate to this 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 (p. 158 'Utilization of Existing Vegetation and Topography')."
- 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 should be 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 (pg. 159, 'Buffering')."

- 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 (p. 159, 'Landscaping')."
- D. "Developments in Boone County must recognize the potential impacts of stormwater run off. Developments must design and incorporate adequate provisions for the channelization and control of the rate of stormwater flow on and from the site. Further, control and mitigation practices for erosion associated with developments must be provided. At a minimum, developments must seed and mulch all graded areas and provide siltation control. Stormwater management and erosion control measures must be concurrent with site work in order to be effective (p. 159 'Stormwater Management and Erosion Control')."
- E. "Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and 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 (pg. 159, 'Access Management')."
- F. "Developments in Boone County must be designed, where appropriate, to improve the County's transportation network 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 proved for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct access but should be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects 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 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 (p. 159 'Transportation and Pedestrian Network')."

- G. "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 of the proposed use. The minimal use of signs is encouraged; signage should be adequate to identify specific development, but should not be used as a means to compete for motorist attention (pg. 160, 'Design, Signs, and Historic Preservation')."

The following statements from the Housing Element apply to this proposal:

- A. "The major reason for Boone County's rapid population growth is immigration. Often the higher income or new population locate in the developing rural areas of the county. While this is practical because they are the ones who can afford an estate lifestyle and cost of transportation over greater distances, this spatial phenomenon maintains social divisions between different segments of society. Therefore, single-family housing should remain an ingredient of the urban areas instead of being targeted only for rural or suburban areas (p. 82 'Population Needs')."
- B. "Although single-family homes are by far the most numerous, they are decreasing in their percentage of total Boone County housing. Most new construction of single-family housing will take place on the outer rings of growth. Large lot areas, including Union, will see multi-family construction, although this higher density development should occur close to highway arterials and urban services and be sensitively developed in terms of building height, setbacks, mass and visual impact. Throughout Boone County high density developments should be close to thoroughfares to achieve a gradation of densities and land uses outlined in the Future Land Use Plan  
  
"Multi-family housing developments should have convenient access to commercial districts or should provide their own supporting commercial uses. The developments should be designed to offer the shortest trips to the most people. High-density residential developments help to hold down the cost of individual units due to many variables including lower land cost per unit, lower land development cost and building costs per unit. Clustering of the dwelling units allows this by requiring less site work and utility construction. This provides a supply of affordable housing for county residents (p. 82, 'Housing Types')"

- C. "The design of true open space housing development should be strongly encouraged, as an alternative to the conventional subdivision divided entirely into ownership lots. To accomplish this, densities within portions of a site can be increased while the overall intensity on the site can remain basically the same. Topography, vegetation, and public improvement costs reductions should be incentives for open space design. Provision should be made in the zoning and subdivision regulations for true open space design to occur under existing zoning. By increasing densities and clustering on portions of a site, these planned developments will preserve green space and/or provide space for public facility or recreation opportunities. The overall intensity of units per acre on the total site becomes the issue to consider when evaluating public services and relationship to the Future Land Use Map. All residential developments should be designed to preserve natural site features wherever possible.

The common method of residential subdivision design in suburban areas like Boone County is to calculate the most lots that can be fit within the geometric shape of the development site and modify according to an efficient street layout and grading needs. To achieve true open space subdivisions, however, the review process needs to include more pre-application meeting work, and preliminary plans need to be designed in the following steps:

1. Evaluate the subject site for natural/historic areas or views that make the site special;
  2. Set these areas aside to be designed into the development;
  3. Select home building sites to take advantage of access to these features or views;
  4. Design a road and utility system to serve the planned homes;
  5. Create lot lines to encompass the home sites, leaving the features under common ownership for recreational or green space purposes (p. 85 'Open Space Subdivision Design')."
- D. "The areas of greatest projected population growth are in the Florence-Richwood-Union-Burlington area, south along I-75, and in the Hebron-North River area. The western and southern sections of Boone County are projected to experience less population growth, thus less of a housing need. As noted previously, there is a desire of the population to live in rural areas that are convenient to the centers of commercial activity. This suggests a continuation of the outward movement of housing construction from the Florence area. This movement is accelerated directionally by major thoroughfares such as KY 18, KY 237, and interstate interchanges. Residential development should occur near established urban or suburban areas, as opposed to leapfrogging to isolated areas, such as the western portion of the county. For residential development to occur in these outlying areas, adequate and proper infrastructure must be provided, and impact on the natural environment must be minimized.

Development in established areas takes advantage of existing services and minimizes future strain on the transportation network. The Public Facilities Element shows the existing and planned water lines and other services which should influence the locations of new residential construction. The plans for sanitary sewerage for Boone County are of particular importance when high density residential development is reviewed (p. 87, 'Residential areas')."

- E. "North Bend Road, the highest priority project in the 1999 Northeast Boone County Transportation Study, needs to be upgraded in order to serve additional development in that corridor. The Williams Road area should be evaluated in the Land Use Element for future residential growth, if infrastructure can be provided (p. 87, 'North River, I-275 Corridor Area')."

The following quotes, taken from the Public Facilities Element, are applicable to the site:

- A. "A prime example of the effects of water main construction on the development patterns of an area is the 12-inch main along North Bend Road. Since its construction in 1987-88, major developments have been approved in the Hebron-North River area. Sanitary sewer service for this area has resulted partly from public expenditure and partly from private construction. The effect has been that overall momentum of development in this area has been increased. Now, with the addition of North Pointe Elementary School and road improvement designs for North Bend Road, this has become a prime example of how other infrastructure must be developed when a new water main is extended to a lightly developed area (p. 121, 'Water Distribution [Boone County]')."
- B. "Boone County, as a community, needs to be careful that sewer service areas are developed in an efficient manner but that all sewer service areas are not over-developed. Some locations within urban service areas may be more beneficial to the community if preserved or used for recreational purposes. For Boone County to develop properly in the future, Land Use Planning and Infrastructure Planning must be closely intertwined. As the Environment and Agriculture Elements show, the sewer pump stations that have been constructed are promoting future development in broad areas without local control. Construction of future sewer facilities should reflect community and Planning Commission involvement because of the inherent relationship between Infrastructure and Land Use. Government agencies should work together to define future growth areas as well as to encourage and fund significant infrastructure in those regions (p. 124 'Sanitary Sewerage Collection and Treatment [Sanitation District No. 1, Boone, Campbell, and Kenton Counties]')."

The "Environment Element" of the 2000 Boone County Comprehensive Plan contains the following quotes that apply to this site:

- A. "Woodlands are significant natural resources as well as valuable social landscape features. Trees improve the quality of life within a community by reducing the visual impacts between conflicting land uses and by reducing noise, light, and air pollution. In addition, tree roots stabilize soils by reducing storm runoff before it reaches and pollutes streams. Woodland cover diminishes the effects of strong winds, filters air pollutants, adds humidity, creates shade, and provides specialized wildlife habitats, as well as providing a visual beauty to the landscape.

"The slopes of stream valleys in the western portion and along the northern edge of Boone County are heavily wooded, while the eastern uplands have limited and scattered forest cover [p. 39 'Social Factor Inventory' (Woodlands)]."

- B. "With the developable land areas identified within the county, it is possible to identify the environmental impacts that can be created by development of these areas for the county and the metropolitan region.

"First, if the six identified watershed follow the same development pattern as the developed areas of the county, then these areas will develop primarily as single-family residential. This low-density land use consumes vast areas of land and requires the extension of and creation of many new community resources to support. Therefore, it is likely that the majority of the prime farmland and farmland of statewide importance within the county will be lost within the 25-year planning horizon. In addition large areas of woodlands and wildlife habitats that depend on these woodland areas will be destroyed. This type of development will likely change the visual appearance of Boone County. These visual characteristics, which are often considered by a community as one measure of the quality of life, may be destroyed by this future development (p. 43 'Impacts on the Environment')."

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

- A "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, p. 4)."
- B. "Proper design principles shall be applied in development ("Overall" Objective 3, p.4)."
- C. "Future growth shall be accompanied by adequate infrastructure and services ("Overall" Objective 4, p.4)."
- D. "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, p.4)."

- E. "Boone County, as a community, shall examine and support through incentives, innovative development design methods to facilitate well-designed urban and rural development in conformance with the adopted Comprehensive Plan ("Overall" Objective 9, p.4)."
- F. "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 protected and enhanced. Development within Boone County preserves and promotes a better quality of life ("Environment" Goal, p. 5)."
- G. Future development and redevelopment of areas shall include an evaluation of the physical factors identified in this Plan as part of the review of the site being considered for development. The suitability ratings identified in the Environment Element for each physical factor shall be taken into consideration as part of any development review process ("Environment" Physical Objective 1, p. 6)."
- H. "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 in particular shall minimize grading work as opposed to clearing the entire site, without unduly restricting the development. 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, p. 6)."
- I. "Developmentally Sensitive areas and scenic areas shall be identified, mapped, and minimum standards shall be established for the preservation of these areas. Developments that are proposed in any of these areas shall be carefully reviewed according to these standards to assure negative environmental impacts are minimized ("Environment" Physical Objective 3, p. 6)."
- J. "Developmentally Sensitive hillsides in Boone County must be given special consideration. The preservation of these hillsides is a primary objective, and any proposed development on hillsides designated Developmentally Sensitive shall be carefully reviewed to mitigate negative impacts and maintain the environmental integrity of these hillsides ("Environment" Physical Objective 5, p. 6)."
- K. "Watersheds shall be studied, monitored, and protected as to the quality and quantity of storm water runoff so as to prevent flooding and erosion and also promote habitats for wildlife community ("Environment" Physical Objective 6, p. 6)."

- L. "A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ("Housing" Objective 1, p. 9)."
- M. "Housing supply in Boone County shall be balanced against present and planned commercial, industrial, and primary and secondary education bases ("Housing" Objective 4, p. 9)."
- N. "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, p. 9)."
- O. "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, p. 10)."
- P. "Clustering (increasing net density while not altering overall gross usable density) shall be promoted by appropriate incentives in order to preserve green space, scenic view, other identified significant site features, and land for public facilities or recreation ("Housing" Objective 12, p. 10)."
- Q. "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, p.10)."
- R. "Preservation of agricultural land, in the face of potential development, shall be evaluated based on the overall economic, environmental, social, infrastructure, and rural landscape characteristics of the area ("Agriculture" Objective 3, p. 11)."
- S. Existing infrastructure and services (e.g. systems and facilities for water treatment and distribution, wastewater collection and treatment, natural gas distribution, electric power distribution, communication lines, police and fire services and associated municipal buildings, schools, public roads and stormwater management) shall be utilized efficiently. The phasing of proposed development shall be examined as a means of addressing significant impacts on existing infrastructures and services ("Public Facilities" Objective 1, p. 12)."

- T. New infrastructure systems shall be built to definite planned and balanced capacities and for urban and rural forms ("Public Facilities" Objective 2, p. 12)."
- W. "Priorities for growth within any individual infrastructure system shall be based on the predicted needs of specific areas as prescribed by future land use projections of this plan. No infrastructure system shall commit the county to excessive growth by the system's expansion services ("Public Facilities" Objective 3, p. 12)."
- X. "Transportation opportunities for pedestrians and bicyclists shall be provided by the development of a network of sidewalks, pathways, and roadway lanes ("Transportation" Objective 10, p.14)."
- Y. "Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system ("Transportation" Objective 11, p. 14).

#### STAFF COMMENTS / CONCERNS

1. The Boone Planning Commission and Boone County 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 the following:
  - A. The Future Land Use Map designates the properties as Suburban Density Residential, High Suburban Density Residential, and Developmentally Sensitive. The Suburban Density Residential classification permits up to four dwelling units per acre, and the High Suburban Density Residential permits up to eight dwelling units per acre. The Developmentally Sensitive designation implies that careful attention must be paid to the development of the property, as there are characteristics that limit the ability to develop the property or there are significant natural features on the property that need to be protected.
  - B. The Future Land Use Text states that residential development is likely to occur on Williams Road due to infrastructure improvements. Because much of the land is classified as Developmentally Sensitive and because of the scenic value of the hillsides, Planned Development or clustered housing should be implemented in the development of residential subdivisions.
  - C. The Housing Element notes that most of the new construction of single-family housing in Boone County will occur in the outer rings of growth. True open space housing developments should be encouraged. Residential developments should be designed to preserve natural features on a site whenever this is possible.

Most of the housing construction in Boone County is projected to occur in the Florence-Richwood-Union-Burlington area and in the Hebron-North River area. North Bend Road, which is listed as a priority project in the 1999 Northeast Boone County Transportation Study, should be upgraded.

D. The Overall Goals and Objectives note that development issues need to be viewed in terms of promoting the overall quality of life and that there should be a balance between landowners' rights and the rights of the general public.

2. The development represents a decrease in density in comparison with what would be permitted under the current zoning/approved Concept Development Plan of the two sites. The following tables demonstrate this fact:

Approved Concept Development Plan		
<i>Acreage of site</i>	<i>Number of Dwelling units approved</i>	<i>Density of development ( in dwelling units per acre)</i>
52	208	208/52=4
Proposed Concept Development Plan		
<i>Acreage of site</i>	<i>Number of Dwelling units proposed</i>	<i>Density of development ( in dwelling units per acre)</i>
52	105	105/52=2.02
Former Ware Property		
<i>Acreage of site</i>	<i>Possible Density of Development</i>	<i>Possible number of dwelling units</i>
107	4 dwelling units per acre	428
<i>Acreage of site</i>	<i>Number of Dwelling units proposed</i>	<i>Density of development ( in dwelling units per acre)</i>
107	309	309/107=2.9

Development of the Two Sites Combined		
<i>Under Current Zoning and Concept Development Plan</i>		
<i>Combined acreage</i>	<i>Number of Dwelling units possible</i>	<i>Density of development ( in dwelling units per acre)</i>
159 acres	208+428=636	4
<i>Under Proposed Zoning and Concept Development Plan</i>		
<i>Combined acreage</i>	<i>Number of Dwelling units proposed</i>	<i>Density of development ( in dwelling units per acre)</i>
159 acres	414	414/159=2.6
Net Reduction of Dwelling Units		
<i>Total dwelling units possible under approved zoning and Concept Development Plan</i>	<i>Total units possible under proposed zoning and Concept Development Plan</i>	<i>Net Reduction</i>
208+428=636	309+105=414	636-414=222

3. Staff is concerned about the proximity of the proposed condominiums to the adjoining property on the east and south. At the nearest point, the condominiums are set back fifty feet from the adjoining property on the east. Given that this property has been developed in a rural-estate fashion, the condominiums are incompatible with the existing land use on the adjoining property, due to the intensity of the proposed use and the level of activity that would take place on site. Additionally, standard suburban condominium design would be incompatible with the adjoining property, given its scale and height. Attention must be paid to the screening of this property. Staff requests that architectural drawings for this building be submitted to the Zone Change Committee for review. Additionally, the possibility of moving the condominiums further from the property should be considered.
4. Both sites contain land that has been designated Developmentally Sensitive under the Future Land Use Map classifications. Proposed grades for the development of the sites have not been indicated on the Concept Development Plan. Any grading work must take place with sensitivity to the constraints of the sites.
5. The Applicant has noted that the proposed development will add approximately 206 vehicle trips during the peak traffic hours of 4-6 PM and that these trips will be distributed to KY 237 via Graves Road/Williams Road and Thornwilde Drive. The Applicant has not included a traffic study, nor has the Applicant mentioned the impact placed upon the existing road system in the morning hours of peak demand. Staff requests further clarification of this issue. The Boone County Public Works has committed to improving Williams Road upon the completion of Thornwilde Drive. Additionally, Staff notes that the improvement of KY 237 is listed as a priority project in the Northeast Boone County Major Investment Study. Nonetheless, additional housing may be constructed prior to the improvements of either of these two roads. The applicant stated that a portion of the development may be built this year. Traffic in the immediate area is already problematic. Attention must be paid to the phasing of the development to mitigate the impact upon the existing road network. Staff requests that the Applicant delineate a schedule of development.
6. Staff requests that the "sub-collector 2" noted on the Concept Development Plan be built to the same specifications as Thornwilde Drive. To aid circulation through the development, parking should be prohibited on "sub-collector 2."
7. The Applicant has stated that the additional 206 homes are estimated to add approximately 140 school-age students to the Boone County School District. Staff is concerned about the demands that will be placed on school system as a result of the development and has contacted the School District. As stated above, phasing of the development will be important. Further comments from the Boone County School District may be submitted at the Zone Change Committee level.
8. Staff has contacted Sanitation District 1 with regard to the proposed development. The District has indicated that the proposed development will negatively impact the capacity of the existing Sand Run Creek pump station. Additional comments from the District may be submitted at the Zone Change Committee level.

9. All Planned Developments are subject to the standards noted in Sections 1607, 1608, and 1609 of the Boone County Zoning Regulations. The following represents an overview of the project based on these standards:

**Section 1607- Land Use Standards:**

1. The proposed planned development generally conforms to the Comprehensive Plan with regard to the type, character, and intensity of use. The Future Land Use Map depicts the area as Suburban Density Residential, and the proposed density of the development falls under the permitted units per acre allowed under the definition of Suburban Density Residential. The impact of the development on public facilities, services, and road network is an area of concern, in that the capacity of existing roads, sewerage plants, and schools will be greatly impacted by this development. Residential densities are concentrated to allow open space.

The proposed planned development efficiently uses the sites. Given that several open space areas are shown on the map, existing trees have been incorporated on the site. However, the existing streams and ponds are not shown on the plan. Development of the condominiums on the former Ware property appears to be concentrated on the plateau. Single-family lots are located on the western edge of the development, where there are the steepest slopes. Open space is concentrated near the condominiums rather than the single-family lots, which would allow greater public use of the open space facilities than would be the case if it were clustered near the single-family lots. Open space on the Thornwilde site provides a greenbelt around the proposed lots.

2. The undeveloped land on these lots is dedicated to open space when not designated as recreational facilities or detention facilities. It is possible that some portion of this land could be donated to a public institution to allow the development of paths along the properties. There is currently a 39-acre parcel of open space along Sand Run Creek that could tie into the open space on the proposed Concept Development Plans.
3. The planned development puts a strain on existing roads and sewerage systems, as noted in Staff Concerns number 5 and 7 above.
4. The planned development is located in an area where water lines are to be extended. There is currently police and fire protection. Staff is concerned about the demands that will be placed upon the Sand Run pump station, which serves the area.

**Section 1608- Compatibility Assessment Standards:**

1. The site of the proposed development features Developmentally Sensitive hillsides. As noted above, no grading plan for the site has been submitted. There is significant woodland cover on the area, which is incorporated in the Concept Development plan through designated open space.
2. Staff Concern number 5 explains the condition of the existing road network and the possible impact that the proposed development will have on it.
3. The development will tie into the Sand Run sanitary pump station. The impact of the proposed development is noted in Staff Concern number 8 above.
4. The impact that the development would have upon the school system is noted in Staff Concern number 7 above. Hebron Fire District had no comments with regard to the impact of the proposed development on its services. Staff is awaiting comment from the Boone County Sheriff's department, and this comment may be available at the Zone Change Committee level.
5. Staff Concern numbers 5 and 6 above delineate the impact that the proposed development will have on parking and vehicular circulation.
6. Staff Concern number 3 explains the impact that the development will have on the view of the adjoining property owners.
7. The Hebron Fire District did not note any concerns with the proposed development. As noted in letter "D" above, Staff is awaiting comment from the Boone County Sheriff's department.

**Section 1609 - Design Standards:**

1. Height: In terms of the proposed single-family housing, the height of the structures will be compatible with the existing buildings in the area. Staff has not seen elevations of the proposed condominium units and cannot make an evaluation of its relationship to existing buildings.
2. Placement or location of buildings: Staff Concern number 3 above explains the impact of building placement upon adjoining property owners.
3. Preliminary Building Design: Staff Concern number 3 above notes the concerns with Building Design.

4. Scale: The scale of the single-family lots conforms with what exists on the current Thornwilde subdivision. Staff Concern number 3 above delineates the concerns with the scale of the proposed development as it applies to the condominiums .
5. Elevation: With regard to single-family residences, elevation of structures will be reviewed at the Zoning Permit level. Consideration will need to be paid, in particular, to the orientation of the single-family residences on the former Ware property, given the steep slope of the lots that front on Williams Road. No elevations have been submitted for the condominiums.
6. Historic and Prehistoric Features: This standard is not applicable to the sites.
7. Paved Surfaces: The use of pavement in the two developments is limited, given the use of the two sub-collector streets. No parking areas are shown on the Plan.
8. Fencing, Walls, and Landscaped Berms: None of these items were included in the Concept Development Plan. There is, however, existing barbed wire fencing along the perimeter of the former Ware property and part of the Thornwilde development, which will need to be removed.
9. Landscaping: The applicant makes use of existing tree cover in the creation of open space areas shown in both sites. No landscaping plan has been submitted with the Concept Development Plan. Attention should be paid, in particular, to the screening of the condominiums, given their proximity to the adjoining property on the east and south.
10. Open Space and Recreational Uses: The applicant has dedicated 47 total acres to open space. This equals 30% of the total area for development. There is space for passive recreation and community facilities.
11. Signage: No sign package has been included with the application.
12. Utilities: All utilities will be located underground.
13. Detention/Retention Ponds or Lakes: The detention ponds are harmonious with the existing site features, functioning as part of the open space.
14. Transportation Design: The design of the two sites feature two sub-collector streets, which would allow for smooth traffic flow through the sites. The completion of the development would entail the extension of Thornwilde Drive onto Williams Road, which would connect the Thornwilde Subdivision to Williams Road, opening a new access point to the subdivision.

15. Multi-Modal Transportation System: The applicant will provide sidewalks throughout the development. No facilities for bicycles are shown on the plan.
16. Location of Land Uses: The proposed development is compatible with the existing Thornwilde Subdivision, in that it represents a continuation of the pattern of development of the existing subdivision. Staff is concerned about the compatibility of the proposed condominiums with the adjoining property on the south, east, and west, as much of this property is agricultural in nature.

### CONCLUSION

The Boone County Planning Commission and the Boone County Fiscal Court must review the requested zone change and on the basis of its relationship to the Comprehensive Plan and in terms of the three criteria necessary for a Zoning Map Amendment, and both applications must be evaluated relative to the requirements of the Land Use and Design Standards stipulated in Article 16 of the Boone County Zoning Regulations. The Future Land Use map will not need to be updated if the request is approved.

Respectfully submitted,

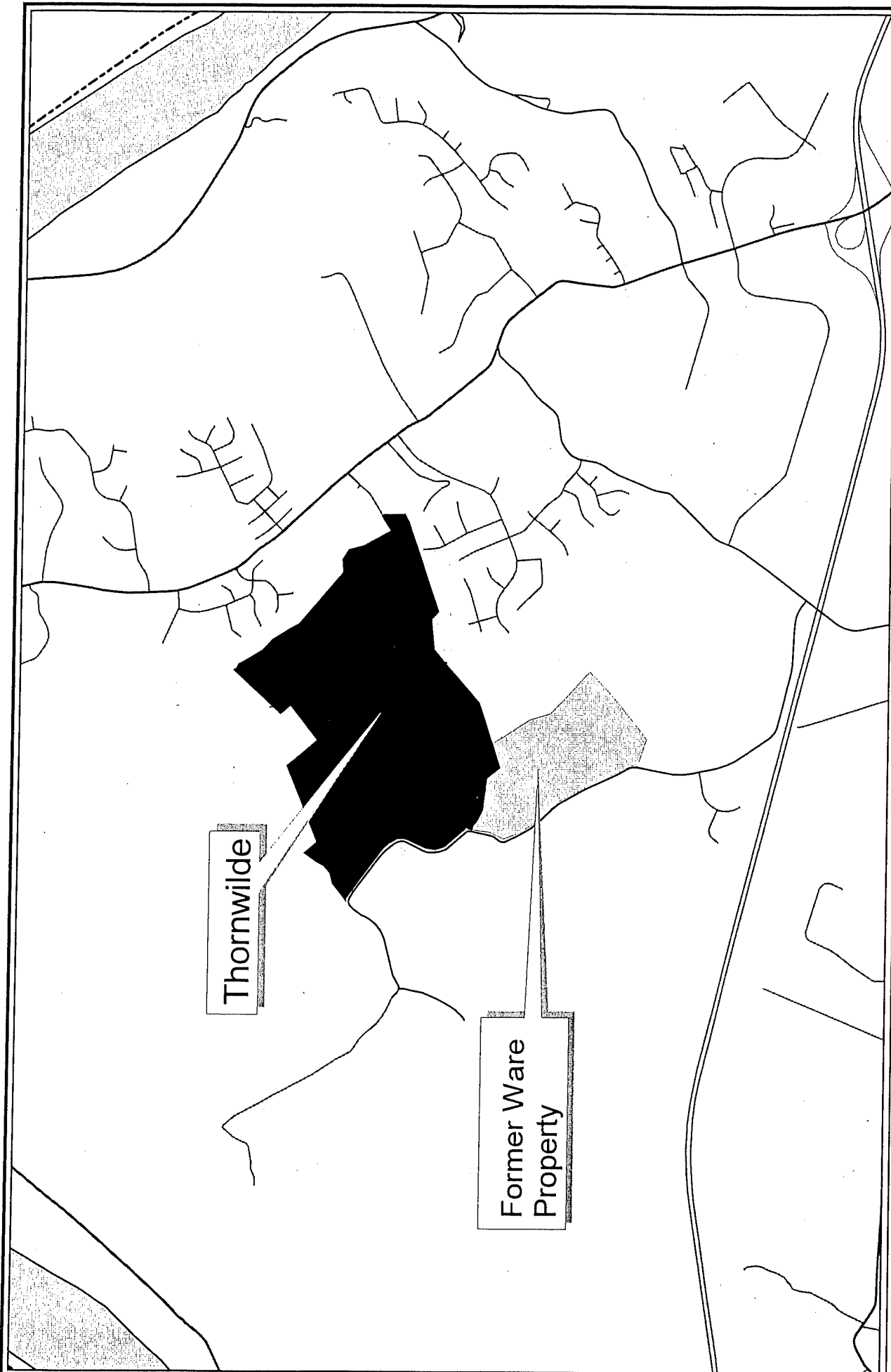


Patty Bachman  
Planner

PB/pr

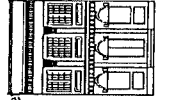
Attachments:

- vicinity map
- aerial photo w/zoning information
- future land use map excerpt
- site topography
- application materials including Concept Development Plan
- memo from Boone County Public Works
- map indicating phases of development in Thornwilde
- committee reports, dated March 16, 1994 and April 16, 1997



Thornwilde

Former Ware  
Property

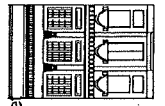


2400 Feet



1 inch equals 2400 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
January 21, 2003

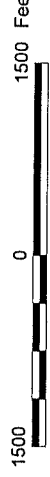
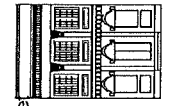
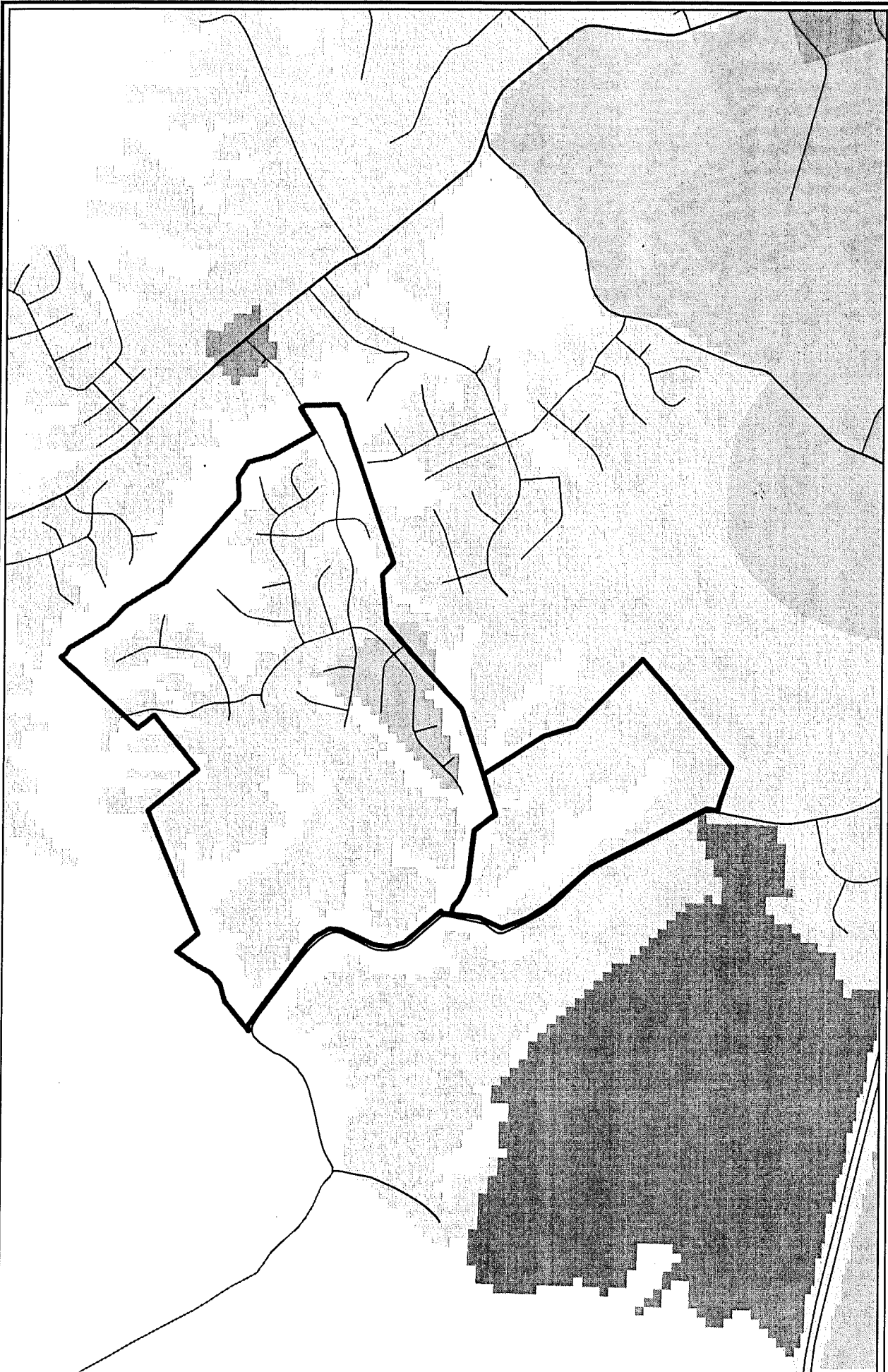
# Vicinity Map



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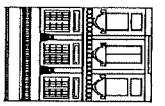
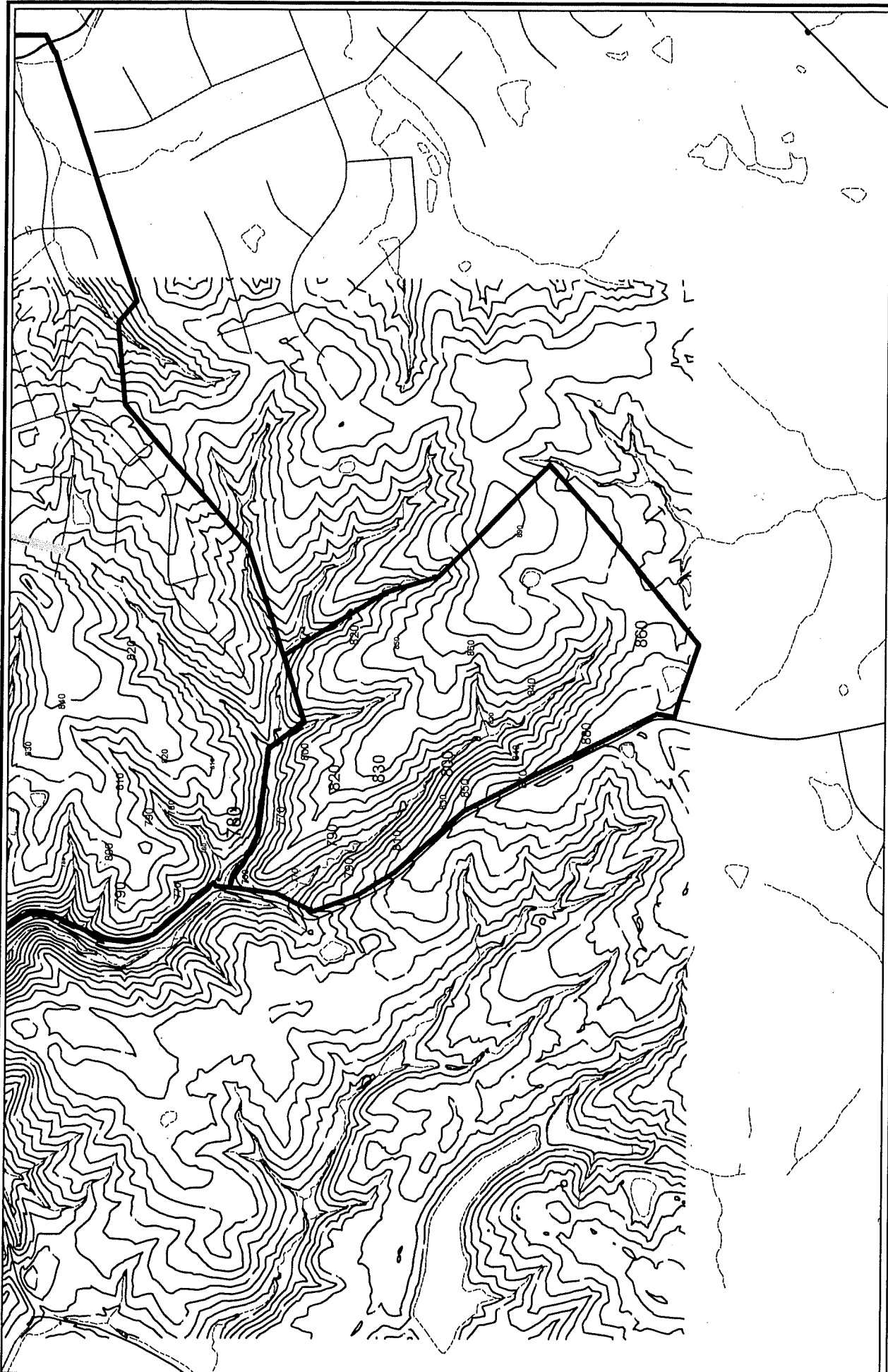
1 inch equals 1500 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
January 17, 2003

# Thornwilde Zoning Map



1 inch equals 1500 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
January 17, 2003

# Thornwilde Future Land Use



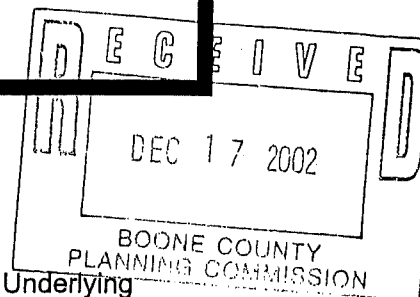
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1 inch equals 900 feet  
Produced by the  
Boone County Planning Commission  
GIS Services Division  
January 21, 2003

# Thornwilde Topographic Map

APPLICATION FORM

CONCEPT DEVELOPMENT PLAN  
BOONE COUNTY PLANNING COMMISSION



(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Check One:

- Concept Development Plan (Includes Utilization of an Underlying Zone in a Planned Development)
- Change in an Approved Concept Development Plan
- Long Range Planning Committee Review (As stated in the Houston-Donaldson Study)
- Long Range Planning Committee Review (As stated in the Union Town Plan)

- 2. Name of Project THORNWILDE
- 3. Location of Project BETWEEN WILLIAMS RD & THORNWILDE DRIVE
- 4. Total Acreage of Site 51.92
- 5. Current Zoning RPD
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) MARCH '97
- 7. Is the site subject to a specialized Land Use Study approved by the Boone County Planning Commission? (If so, indicate the name of the Study) NO
- 8. Proposed Uses (please specify each use) SINGLE FAMILY DETACHED HOUSING
- 9. Proposed Building Intensities (please specify) 2.02 DU/AC
- 10. Have you submitted a Concept Development Plan? YES
- 11. Are you also applying for:
  - NO Conditional Use Permit
  - NO Dimensional Variance
- 12. Name of Applicant(s) THE DREES CO.  
Phone Number 578-4261 Fax No. 578-4284
- 13. Address of Applicant(s) 211 GRANDVIEW DR.  
FT. MITCHELL KY 41017  
City State Zip
- 14. Name of Property Owner(s) THE DREES CO.  
Phone Number 578-4261 Fax No. 578-4284
- 15. Address of Property Owner(s) 211 GRANDVIEW DR.  
FT. MITCHELL, KY 41017  
City State Zip
- 16. Are there any existing buildings on the site? yes  
How many? 1
- 17. Deed Book 578-815, 786 Page No. 24, 709, 561 Group No. \_\_\_\_\_
- 18. Have you had a pre-application meeting with BCPC Staff? yes 12/12/02

(over)

**Concept Development Plan**

Page 2

19. Please check the following organizations/agencies which you have discussed the proposed development with in the last several months:

- NO Boone County Water and Sewer District
- NA Florence Water and Sewer Commission
- NO Union Light Heat and Power
- NO Cincinnati Bell
- NO Owen County Rural Electric
- NO Boone County Public Works Department
- NA Kentucky Transportation Cabinet
- NA City of Florence Public Services Department
- NO Boone County Building Department
- NO Northern Kentucky Health District
- NO U.S. Soil Conservation Service
- NO Local School District
- NO Local Fire District
- NO Other: S.D.#1

20. Concept Development Plan Jurisdiction/Location

- Unincorporated Boone County
- Florence
- Walton Union

21. Applicant's Signature(s)

*Michael Schrettelbach*

22. Property Owner's Signature(s)

*Michael Schrettelbach*

**SECTION B** (To be completed by BCPC Staff)

- 1. Date Received 12-17-02 Fee Received \$ 1980.04 R# 33776
- 2. Check what has been submitted:
  - Application  Fee  Legal Description
  - Concept Development Plan  Addresses of Adjoining Property Owners
  - 5 No. of copies of plan received \*\*
- 3. Is application complete?  YES  NO
- 4. Staff Reviewer PATTY RICHMAN
- 5. Committee Chairperson \_\_\_\_\_
- 6. Scheduled Public Hearing Date \_\_\_\_\_
- 7. Boone County Planning Commission Action:
  - Approved
  - Approved With Conditions
  - Denied
- 8. Other: \_\_\_\_\_

\*\* Five (5) Copies Required

Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountky.org - E-Mail  
www.boonecountky.org - Web Page

Note: See Boone County Planning Commission Fee Schedule for Concept Development Plan Fees. An application consists of all fees paid in full, submitted drawings and a completed application form.  
BCPC:8/2002

APPLICATION FORM

ZONING MAP AMENDMENT  
BOONE COUNTY PLANNING COMMISSION

RECEIVED  
DEC 17 2002  
BOONE COUNTY  
PLANNING COMMISSION

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

1. Name of Project THORNWILDE ADDITION
2. Location of Project OFF WILLIAMS RD.
3. Total Acreage of Site 107.631
4. Current Zoning of Site SR-1
5. Proposed Zoning (Classification being requested) RPD
6. Proposed Uses (please specify each use) SINGLE FAMILY DETACHED &  
SINGLE FAMILY ATTACHED
7. Names of Applicant(s) THE DREES CO.  
Phone Number 578-4261 Fax No. 578-4284
8. Address of Applicant(s) 211 GRANDVIEW DR.  
FT. MITCHELL KY 41017  
City State Zip
9. Name of Property Owner(s) THE DREES CO.  
Phone Number 578-4261 Fax No. 578-4284
10. Address of Property Owner(s) 211 GRANDVIEW DR.  
FT. MITCHELL KY 41017  
City State Zip
11. Proposed Building Intensities (please specify) 2.87 D4/DC
12. Are there any existing buildings on the site? YES  
How many? 3 PLUS 4 MORE OUT BUILDINGS
13. Deed Book B30 Page No. 507 Group No. \_\_\_\_\_
14. Are you also applying for:  
NO Conditional Use Permit REDUCED REAR YARD SETBACK FROM 30' TO 25'  
YES Dimensional Variance REDUCED SIDEYARD FROM 5 MIN., 15 TOTAL TO 5 MIN., 10 FT.
15. Have you submitted a Concept Development Plan? YES
16. Have you had a pre-application meeting with BCPC Staff? YES 12/12/02
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- NO Boone County Water and Sewer District
- NA Florence Water and Sewer Commission
- NO Union Light Heat and Power
- NO Cincinnati Bell
- NO Owen County Rural Electric
- NO Boone County Public Works Department
- NA Kentucky Transportation Cabinet
- NA City of Florence Public Services Department
- NO Boone County Building Department

(over)

ZONING MAP AMENDMENT  
APPLICATION  
PAGE 2

- NO Northern Kentucky Health District
- NO U.S. Soil Conservation Service
- NO Local School District
- NO Local Fire District
- NO Other: S-D-F

18. Project Jurisdiction/Location  
8 Unincorporated Boone County \_\_\_\_\_ Walton  
\_\_\_\_\_ Florence \_\_\_\_\_ Union

19. Applicant's Signature Michael Schoettlatter  
Property Owner's Signature Michael Schoettlatter

**SECTION B** (To be completed by BCPC Staff)

1. Date Received 12-17-02
2. Review Fee \$2,576.57 2# 33775
3. Check what has been submitted:  
 Application  
 Fee  
 Legal Description  
 Concept Development Plan  
 Address of Adjoining Property Owners  
5 Number of copies of plan received\*\*
4. Is application complete? \_\_\_\_\_ Yes \_\_\_\_\_ No
5. Staff Reviewer PATTY BACHMAN
6. Committee Chairman \_\_\_\_\_
7. Scheduled Public Hearing Date \_\_\_\_\_
8. Boone County Planning Commission Action:  
\_\_\_\_\_ Approval  
\_\_\_\_\_ Approval with Conditions  
\_\_\_\_\_ Denial
9. Other: \_\_\_\_\_

**\*\* Five (5) Copies Are Required**

Boone County Planning Commission  
2995 Washington Street  
Burlington, Kentucky 41005  
(859) 334-2196 - Phone  
(859) 334-2264 - Fax  
plancom@boonecountyky.org - E-mail  
www.boonecountyky.org - Web Page

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



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

December 17, 2002

Boone County Planning Commission  
2995 Washington Street  
Burlington, KY 41005

Re: Thornwilde Subdivision – Addition RPD Rezoning and RPD Plan Revision.

Dear Commissioners:

The Drees Company herewith submits two related requests pertaining to our Thornwilde Subdivision.

The first is a request for review and recommendation of approval for a zone map amendment with concept plan for an approximately 107-acre addition to the Thornwilde Subdivision. The zone change would be from SR-1 to RPD. The second request is for review and recommendation of approval of a concept plan revision for a 52-acre portion of Thornwilde Subdivision already zoned RPD.

Based on the submitted concept plan proposals for the future development of Thornwilde Subdivision, it is our opinion that the rezoning and plan revision are in agreement with the adopted Boone County Comprehensive Plan. We respectfully request such a finding and recommendation from the Planning Commission.

Thank you for consideration of our requests.

Sincerely,

A handwritten signature in black ink that reads "Michael Schoettelkotte".

Michael Schoettelkotte  
Administration Manager, Land Development

Attachments:

THORNWILDE  
A Development by The Drees Company  
(Addition to and Revision of – 2003)

Overview – In 1994 Boone County approved the initial RPD Plan for development of Thornwilde Subdivision, located on the west side of North Bend Road (SR 237), approximately 2 miles from the I-275/SR237 interchange, in an area locally referred to as Francisville. Thornwilde was expanded in 1995 with the addition of the 41 acre “Stewart” property and again in 1997 with the “Stamper-Barnes” property of 154 acres. The 1997 addition was significant because of the extension of Thornwilde Drive west to Williams Road as recommended in the Comprehensive Plan.

The current proposal is to rezone and add 107 acres to the Thornwilde Community and revise 52 acres of approved RPD development to meet current market demand for housing in the area.

1. Location: The 52 acres area for plan revision lies generally along the south side of the future Thornwilde Drive along its extension to Williams Road on the west and abuts the existing “Woods” neighborhood at Thornwilde on the south and east.

The 107 acre area for rezoning is the former “Ware” property and adjoins existing Thornwilde subdivision on its north, Williams Road on the west, and other acreage tracts on the east and south.

2. Land Use: The proposed plan revision for the 52 acre area changes the uses from attached single family and open space to detached single family and open space, including additional recreation facilities. The attached single family homes are to be relocated to the 107 acre tract with additional detached single family and open space uses. The location of the various uses are shown on the Concept Development Plan.

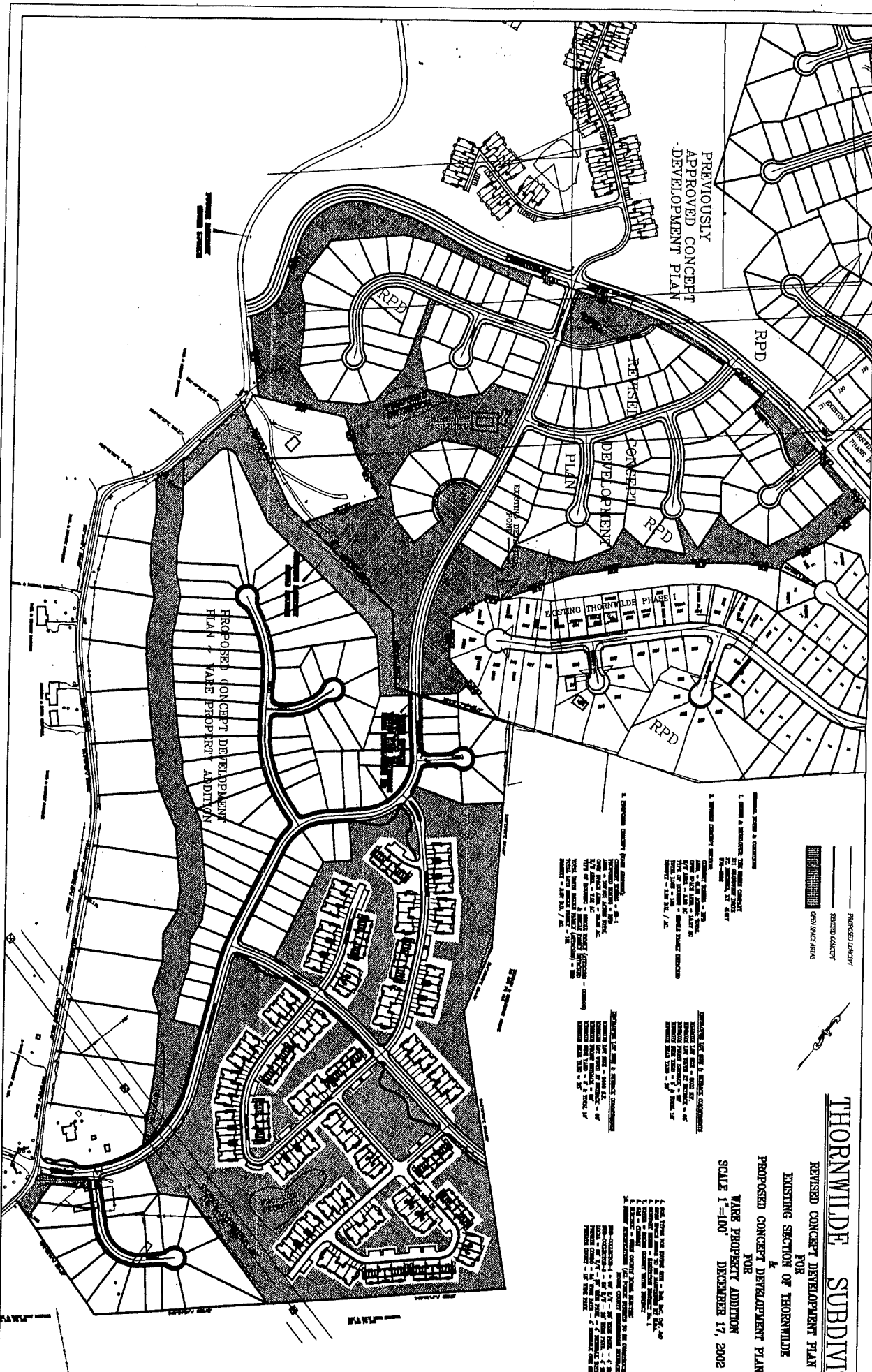
3. Density/Intensity of Use: The 52 acre area plan revision replaces the 208 attached single family homes with 105 detached single family homes. Also 18 acres of open space with additional community facilities are included in the revision. The density of the 51.92 acre area is reduced from 4 units per acre to 2.02 units per acre. The 107 acre area for rezoning proposes the 208 attached single family homes relocated from the existing Thornwilde RPD plan plus 101 detached single family homes for a total of 309 homes on 107.631 acres, a density of 2.87 units acre. The Concept Development Plan for the area also includes 29 acres of open space. The current zoning on the 107 acre area is SR-1 which allows up to 4 units per acre in density.
4. Building Location: The location of all attached single family homes is shown on the Concept Development Plan. The single family detached homes would be located on individual lots with setbacks as noted on the Concept Development Plan.
5. Buffering: Buffering where necessary due to incompatibility of uses is proposed to be accomplished through a number of methods. Such methods will include the natural change in topography, natural vegetation, the open space system and landscape screening. Details will be shown on the Final Site Development Plan as necessary.
6. Streets: The location of all public and private streets are shown on the Concept Development Plan. All streets are proposed to be dedicated as public streets, except for certain private single family frontage drives and those serving the attached single family homes.
7. Residential Areas – The Concept Development Plan identifies the location of single family detached and attached residential areas. Including the previously approved residential uses on the 52 acre area, the net increase in residential use proposed is 206 homes on 107 additional acres.
8. Flood-Prone Areas: The only potential flood prone areas are along tributaries to Sand Run Creek. Many of the major drainage ways on the site are proposed for open space use.
9. Commercial Area: No additional commercial area is proposed.

10. Vehicular and Pedestrian Circulation: The concept Development Plan indicates the public and private street system. All streets are public except those within the attached single family residential areas. Sidewalks will be provided along all public streets in conformance with subdivision requirements, except as otherwise noted. The pedestrian system along the extension of Thornwilde Drive will continue the concept proposed and implemented in the original plan with a walkway system along one side of the street that meanders along and within the open space corridor adjacent to the right-of-way: Pedestrian pathways are also provided along portions of the open space system to provide interconnection of neighborhoods and the public walks. Interconnection of the street system to adjacent parcels is provided where future extension for development is practical. Thornwilde Drive is proposed to be continued from its current terminus at Rivermeade Drive to extend to the east for connection with Williams Road.
11. Sanitary Sewer and Water Service: Public sanitary sewer collection system will tie into the Sand Run pump station, which was installed with the Phase 1 development of Thornwilde Subdivision, via a lift station(s) located at Williams Road. Water service into the expanded community will include extension of the existing distribution main on Thornwilde Drive to Williams Road. Provision for looping the proposed water system internally and with adjacent properties will be across provided where practical including a second connection to Williams Road across from the Traditions Golf Course entry.
12. Soil Erosion Control: Best management practices for control of soil erosion will be incorporated into the site improvement plans at the time of their submission.
13. Open Space: Additional acres for open space are shown on the Concept Plan. Approximately 18 acres are shown on the 52 acre plan revision and 29 acres on the 107 acre addition. An additional recreation facility is proposed for the south end of the site. This facility would include a pool and bath house and play area.
14. Common Area Maintenance: Areas set aside for open space and recreation will be owned and maintained by a Community Association. In the attached single family area, a Homeowners Association will be responsible for maintaining all common areas including landscaping, streets and building exteriors.
15. Easements and Restrictions: Public utility easements would be granted through the record plat process. Community restrictions will be consistent with those documents recorded with the initial phase of development and as amended during subsequent development phases.

16. School Impact: Based upon the number and type of housing proposed, it is estimated that the additional 206 homes will add approximately 140 school-age children (6-18 yrs.) through the development period. This is based upon a survey of Drees Company homebuyers in the Greater Cincinnati area.
17. Comprehensive Plan: The Comprehensive Plan identifies various land use densities for Thornwilde Subdivision, including the proposed expansion/revision area. These densities include Suburban Residential Density (SR) at 4 units/acre and High Suburban Density at 8 units/acre. The proposal made for the plan revision and rezoning areas are consistent with the uses and densities identified in the comprehensive plan.

Additionally, the Comprehensive Plan recommends that Thornwilde Drive be extended to Williams Road to provide a cross connection between SR 237 and the Williams Road area. The Concept Development Plan submitted as part of the RPD plan revision and rezoning proposal continues such an extension in conformance with the recommendations of the Comprehensive Plan and the previously approved RPD plan.

18. Development Schedule: It is anticipated that a portion of this property under review would be developed during the 2003 season. The addition of this area is projected to extend the overall development period of Thornwilde Subdivision an additional 5-6 years, to build-out in the year 2015.
19. Ownership: The Drees Company owns all of the area included within the Concept Development Plan revision and rezoning areas.
20. Natural Features: The Concept Development Plan depicts the natural features of the site. In general, development is along the ridge top which traverse the site. The natural drainage features of the site are maintained except where necessary to provide access. The hillside areas of the site have been incorporated into the proposed open space system and/or designed into the rear yard lot area of the residential neighborhoods.
21. Traffic Impact: It is estimated that the proposed additional development will add approximately 206 trips during the peak traffic hour which typically occurs during the 4-6 p.m. period. These additional trips would be distributed out to SR 237 via Thornwilde Drive and /or Williams and Graves Roads depending on traffic dispersment and interconnection of future interior streets.



PREVIOUSLY APPROVED CONCEPT DEVELOPMENT PLAN

PROPOSED CONCEPT DEVELOPMENT PLAN

PROPOSED CONCEPT DEVELOPMENT PLAN - VAPE PROPERTY ADDITION

- 1. PROPOSED CONCEPT DEVELOPMENT PLAN - VAPE PROPERTY ADDITION
- 2. PREVIOUSLY APPROVED CONCEPT DEVELOPMENT PLAN
- 3. EXISTING THORNWILDE PHASE I

THORNWILDE DRIVE AND VAPE DRIVE CONSTRUCTION

THORNWILDE DRIVE AND VAPE DRIVE CONSTRUCTION - CONCRETE

THORNWILDE DRIVE AND VAPE DRIVE CONSTRUCTION - ASPHALT

**THORNWILDE SUBDIVISION**  
 REVISED CONCEPT DEVELOPMENT PLAN  
 EXISTING SECTION OF THORNWILDE  
 PROPOSED CONCEPT DEVELOPMENT PLAN  
 FOR  
 VAPE PROPERTY ADDITION  
 SCALE 1"=100' DECEMBER 17, 2002

1. THE DESIGN OF THIS CONCEPT DEVELOPMENT PLAN IS BASED ON THE ASSUMPTIONS AND CONDITIONS SET FORTH IN THE PRELIMINARY ENGINEERING REPORT AND THE PRELIMINARY CONCEPT DEVELOPMENT PLAN. THE DESIGNER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR FOR THE RESULTS OF ANY INVESTIGATION OR ANALYSIS CONDUCTED BY THE CLIENT OR ANY OTHER PARTY.

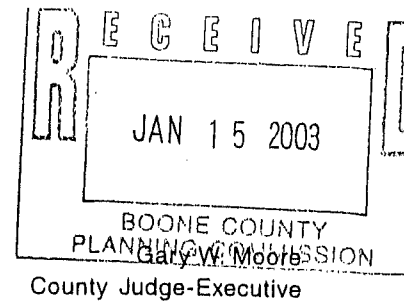


## Boone County Public Works Department

5645 Idlewild Rd.  
Burlington, KY 41005

Gregory V. Sketch, PE, PLS  
County Engineer

Phone: (859) 334-3600  
Fax: (859) 334-3598  
[www.boonecountyky.org](http://www.boonecountyky.org)



James E. Parsons  
County Administrator

### MEMORANDUM

**TO:** Patty Bachman, Planner  
Boone County Planning Commission

**FROM:** Greg Sketch, PE, PLS  
Boone County Engineer

**RE:** **Thornwilde Change of Concept  
Development Plan**

**DATE:** January 14, 2003

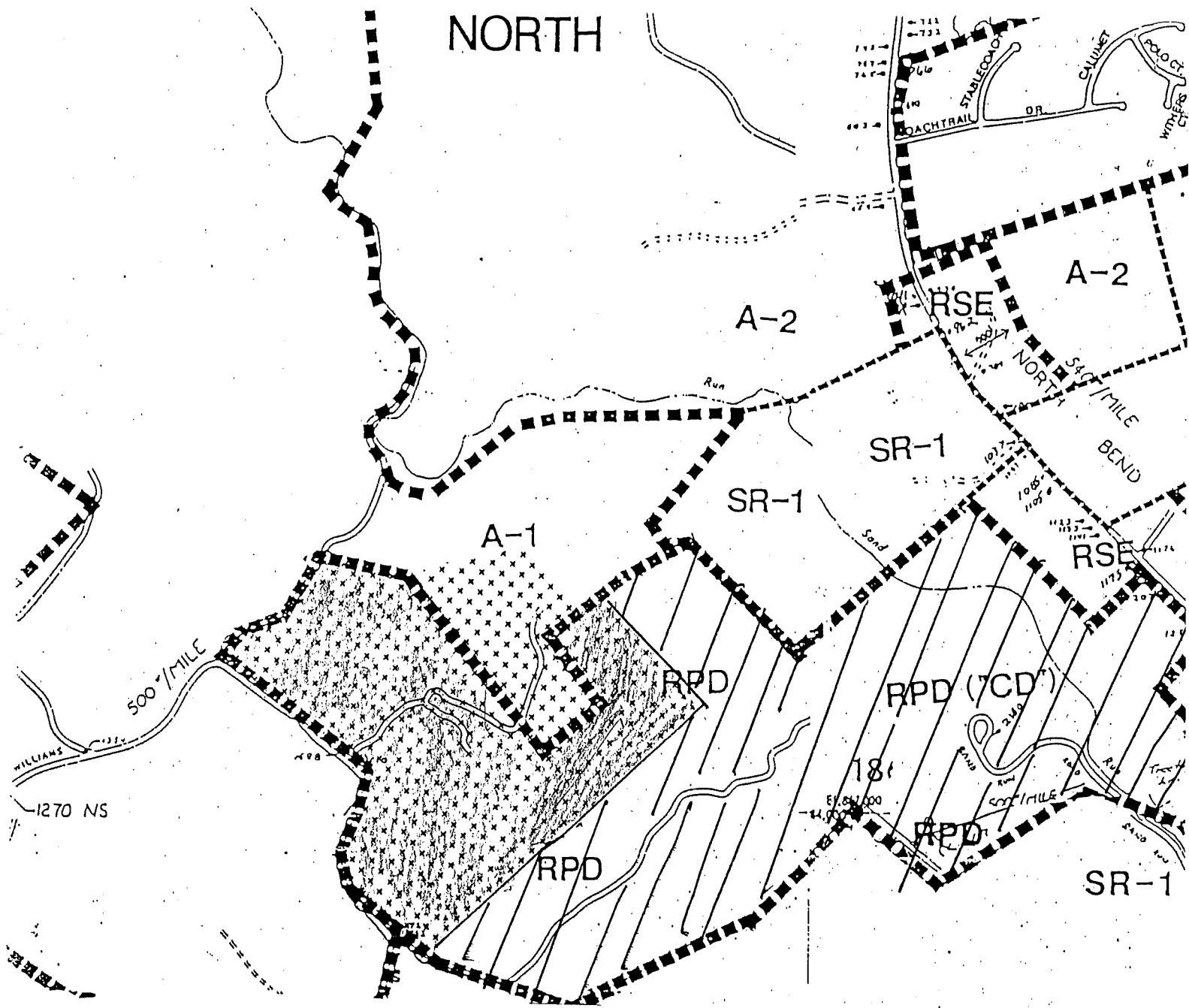
This is per your request for comment concerning the widening of Williams Road for the connection of Thornwilde Drive. Boone County has committed to widen Williams Road to a width of 20 to 22 feet from the intersection of Graves Road to the intersection of Thornwilde Road. This commitment was made at the previous Zoning Map Amendment of 1997.

The Public Works Department will schedule and widen Williams Road upon the completion of Thornwilde Drive. The Drees Company has committed to construct a barrier on Thornwilde Drive to prevent access to Williams Road until widening is complete.

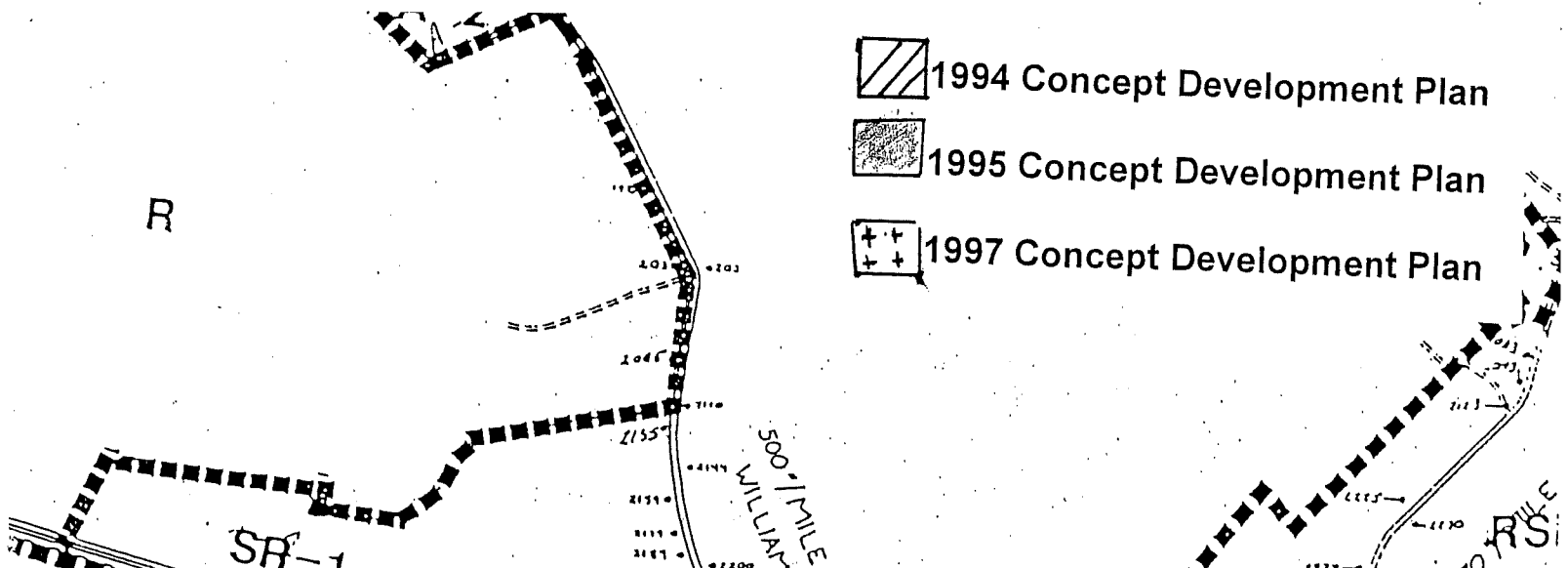
If you have any questions or need additional information, please call.

Thank you.

c: James Parsons, Boone County Administrator



Phases of Development in Thornwilde Subdivision



## COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Barry Neltner, Chairman

DATE: March 16, 1994

RE: Request of The Drees Company (applicant) for Earl Souther and The Drees Company (owner) a Approval of a Concept Development Plan on a 217 acre parcel located on the west side of North Bend Road, Boone County Kentucky. The request is to allow Thornwilde Subdivision with carriage homes, single family homes, retail and community facilities in the Residential Planned Development Zone (RPD).

### REMARKS:

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

#### Findings of Fact

1. The request generally conforms to the adopted 1990 Boone County Comprehensive Plan, and specifically with the Future Land Use Map which indicates Suburban Density Residential for the applicant's site. The proposed densities are compatible with the Comprehensive Plan and are located on the site to preserve existing tree stands. The planned development generally conforms to the Comprehensive Plan with respect to type, character and intensity of use and impact on public facilities, and services. However, the Committee believes there will need to be a cooperative effort to improve the existing condition of North Bend Road.
2. The proposed development efficiently utilizes the site and protects the scenic assets and natural features by incorporating existing trees, streams and topographic features into the site design.
3. The planned development does not hinder nor deter development of surrounding undeveloped properties in accordance with the Comprehensive Plan.

#### Conditions

The applicant is being asked to agree to and include these items as part of the Concept Development Plan:

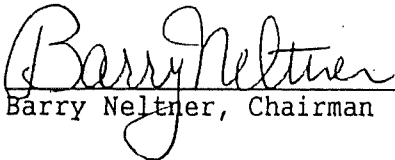
1. The applicant shall be required to install a northbound left turn lane on North Bend Road at the Thornwilde Drive intersection after 150 lots have been approved by the Boone County Planning Commission through the Improvement Plan Review process. This improvement shall meet the requirements of the Kentucky Transportation Cabinet and require their ultimate approval. The applicant shall also request that the Kentucky Department of Transportation Cabinet assess the present condition of North

Bend Road to determine the realignment of the road at a later date, as well as the possible reduction of the speed limit. Understanding that there may not be sufficient right-of-way south of the project, the applicant will not be required to install the turn lane until the Boone County Fiscal Court or the Kentucky Department of Transportation Cabinet acquires the right-of-way or easement needed for the improvement.

2. The public dedicated section of Thornwilde Road shall be designed as indicated on the submitted Conceptual Plan with limited access.
3. Detailed erosion control plans shall be submitted with the subdivision Improvement or Grading Plans for each phase of the development. These plans shall include detailed time schedules for grading work and re-establishment of ground cover on all graded areas. Additional erosion control measures may be required if deemed necessary during the review process to protect the creeks on the site.
4. Every effort shall be made to retain as many existing trees as possible on the site. Therefore, grading limits shall be established during the Improvement or Grading Plan stage for each phase of the development. These grading limits will be used to identify tree cover that will be retained and enable measures to be taken to protect these trees during construction.
5. The commercial development shall be evaluated during the Site Plan Review procedure to determine the potential visual impacts. This evaluation shall examine items such as berming, landscaping, lighting, types of materials used, building design and the configuration of the building as ways of mitigating potential visual impacts. This evaluation may require additional measures to be taken to mitigate potential visual impacts to the adjoining residential uses. However, the following will represent the minimum conditions that shall be applied to the commercial development:
  - a. Berming shall be provided at a height of six (6) feet along the south and north property lines of the subdivision which screen the commercial building from the adjoining residential homes. These berms shall also be planted to provide year round visual screening.
  - b. All lighting shall be installed so that it shines away from the existing residential properties, and the site shall not be illuminated at night other than security lighting.
  - c. Access to the commercial development shall be as indicated on the Conceptual Plan.

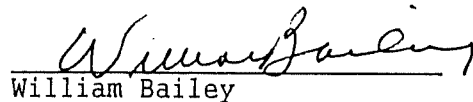
- d. A ten (10) feet landscaping strip shall be required along the North Bend Road frontage between the parking and the property line for the proposed commercial building. This landscaping strip shall be planted to reduce the view of the pavement and parking areas of this commercial development.
  - e. The proposed commercial development shall be limited to Commercial One (C-1) uses.
6. The section of Thornwilde Drive that provides access to the proposed Carriage Homes shall not be constructed beyond the first intersection as indicated on the conceptual plan until an emergency access or second means of access is constructed.
  7. The areas which were indicated as open space on the conceptual plan shall remain undeveloped. The applicant shall also pursue negotiations with the County or other agencies/organizations regarding the donation of this property for passive recreation uses.

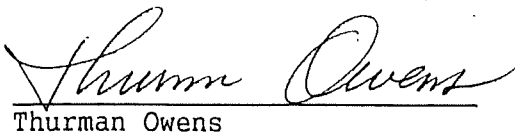
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

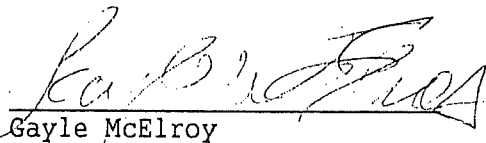
  
Barry Neltner, Chairman

\_\_\_\_\_  
Fred Burch

  
Phil Damstrom

  
William Bailey

  
Thurman Owens

  
Gayle McElroy

## COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Robert Millay, Chairman

DATE: April 16, 1997

RE: Request of The Drees Company (applicant) for Wayne Stamper, Lillie Stamper, James L. Barnes, and Carol Barnes (owners) for a Zoning Map Amendment from Agriculture (A-1) to Suburban Residential One (SR-1) for 50± acres of the site, and approval of a Concept Development Plan for 104± acres of the site that is zoned Residential Planned Development (RPD), both for a 154 acre site located between Williams Road and Thornwilde Drive, Boone County, Kentucky. The request is for a Zone Change and approval of a Concept Development Plan to allow a residential subdivision with single-family detached and single family attached dwelling units, "**Thornwilde Subdivision Addition**".

### Remarks:

We, the Committee, recommend approval of the Zoning Map Amendment, Concept Development Plan, and Change of Concept Development Plan request based upon the following findings of fact and with the following conditions:

### Findings of Fact:

The Committee has determined that the applicant's proposed Zoning Map Amendment, Concept Development Plan, and Change of Concept Development Plan are appropriate and congruous with the intent of the 1995 Boone County Comprehensive Plan. The Committee recognizes that the Comprehensive Plan's Land Use Element specifically addresses this area of Boone County by stating that Thornwilde Drive should eventually connect through to Williams Road, that there will be considerable growth pressure on the area, that with adequate infrastructure, Suburban Density Residential may develop in this area, that development should be clustered on ridge tops, and that developmentally sensitive areas are to remain undisturbed.

The Committee has determined that the applicant's request and proposal conforms with the Comprehensive Plan with respect to the layout and design, existing infrastructure, the development of future infrastructure, the character and the intensity of the property.

The Committee has concluded that the following conditions are necessary for the purpose of facilitating the Goals and Objectives stated in the 1995 Boone County Comprehensive Plan. The Applicant has signed a letter of agreement with these conditions and understands that the submitted Concept Development Plan, public hearing testimony, and supporting documentation presented by the applicant, along with these conditions, serves as the basis for this recommendation.

Conditions:

1. The applicant will develop the site in compliance with the Concept Development Plan, supporting documentation supplied by the applicant, and testimony given by the applicant at the Public Hearing held on March 26, 1997.
2. Thornwilde Drive, as shown by the applicant on the Concept Development Plan, shall be constructed concurrently with the following phases of development.

The first phase (Phase-I) of development shall include the extension of Thornwilde Drive west from Rivermeade Drive (where Thornwilde Drive currently terminates) to the intersection where single family detached housing to the north and town homes (condominiums) to the south of Thornwilde Drive will be constructed as illustrated on the Concept Development Plan.

The second phase (Phase-II) of development shall include the extension of Thornwilde Drive further west to the next (second) intersection where town homes are located immediately north and south of Thornwilde Drive. During the second phase of development, only the town homes south of Thornwilde Drive shall be constructed.

The third phase (Phase-III) of development shall include the construction of the remaining town homes north of Thornwilde Drive and extending Thornwilde Drive west to Williams Road. Thornwilde Drive shall be completed upon the beginning of construction of town homes in Phase-III. A barrier shall be constructed by the applicant (Drees), <sup>that meets design</sup> upon approval by Boone County, <sup>Fiscal Court</sup> that will prohibit any and all access onto Williams Road from Thornwilde Drive until such time that improvements to Williams Road have been made by the County. The improvements include the resurfacing and widening of Williams Road to a width between 20 and 22 feet.

3. All conditions which were part of the Thornwilde Subdivision Concept Development Plan that were approved by the Boone County Planning Commission and Boone County Fiscal Court in March and April of 1994, shall remain unaffected by the approval of this request.
4. The applicant shall comply with Section 3166, "Cemeteries" of the Boone County Zoning Regulations which require: 1. an archaeological survey performed by a registered archaeologist to determine the cemetery boundaries, 2. fencing of the cemetery, and 3. the repair and/or resetting of any displaced tombstones. The archaeological survey, and subsequent fencing of the cemetery is to take place prior to the construction of town homes, roads, or other improvements within Phase-III.

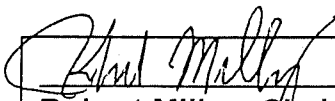
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5. All housing within the development, which includes single family detached houses and town homes (condominiums) are to be "for sale" units only.

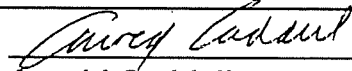
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request.

Attachments

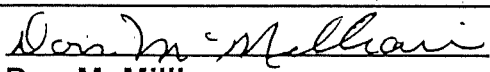
- Thornwilde Subdivision Addition written proposal
- The Boone County School Board acknowledgment letter
- Units per Acre breakdown of the Thornwilde Development

  
\_\_\_\_\_  
**Robert Millay, Chairman**

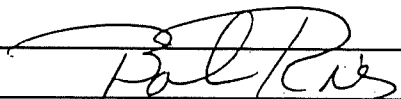
For  Against \_\_\_\_\_  
Abstain \_\_\_\_\_ Absent \_\_\_\_\_

  
\_\_\_\_\_  
**Arnold Caddell**

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

  
\_\_\_\_\_  
**Don McMillian**

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

  
\_\_\_\_\_  
**Bob Ries**

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

**TOTAL: 4 FOR 0 AGAINST 0 ABSTAIN 0 ABSENT**

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
January 22, 2003  
7:00 P.M.**

**PUBLIC HEARINGS**

**Commission Members Present:** Mr. Bunger, Mr. Caddell, Mr. Hicks - Chairman, 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. Patty Bachman, Planner; Ms. Jan Hancock, Secretary; Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

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

Mr. Mark Hicks, Chairman, called the meeting to order at 7:04 PM. Following an explanation of the Public Hearing process, the Chairman introduced the first item on the Agenda:

1.     **Applicant:**     The Drees Company (owner)  
  
          **Request:**     Change in Concept Development Plan and  
                          Zoning Map Amendment

The request of The Drees Company (owner) for a Change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52-acre tract along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky; and for a Zoning Map Amendment from Suburban Residential One (SR-1) to Residential Planned Development (RPD) for an approximate 108-acre tract at 2036 Williams Road, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan to allow single-family residences, and for a zone change to allow attached single-family residences (condominiums) and detached single-family residences.

Staff Member Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Mike Schoettelkotte, The Drees Company, Land Development Department, introduced Mr. Jim Viox, Engineer for the Thornwilde development. Using a Power Point presentation, Mr. Schoettelkotte stated that it has been nine years since the original Thornwilde development came before the Planning Commission. He presented the base map and reviewed the surrounding roadways and entrances to Thornwilde. He presented a map of the original Thornwilde PUD that came before the Planning Commission in 1994. He stated that the original Thornwilde development was 217 acres, and 527 homes were approved (287 single-family detached and 240 single-family attached homes). There is no rental property associated with the development. He indicated the location of the four-acre neighborhood commercial area proposed along KY 237. He stated that the open space proposed with the original development includes a clubhouse and pool. He stated that the *first addition* to the Thornwilde community (shown in orange) is the site of a former Homefest. This 41-acre tract, which is a portion of the Stewart property, allowed them to add an additional sixty-three single-family homes. The *second addition* (shown in yellow) is the Stamper-Barnes property and it added 157 acres to the development. A new PUD plan which added 263 homes was approved. The extension of Thornwilde Drive from KY 237 to Williams Road was added to the plan with the additional open space. The *third addition* (shown in brown) was property owned by Arlinghaus Builders as part of the Northpointe PUD, but was not accessible from the Northpointe community. The property includes portions of ridges extending from Thornwilde. The Drees Company purchased the property and thirty-one single-family detached homes are planned for that area. The *fourth addition* is the 180-acre Ware property under consideration this evening. Mr. Schoettelkotte presented a slide of the Thornwilde property as currently approved (without the Ware property) and noted the location of the commercial proposed along KY 237, as well as the single-family areas and condominium areas planned along Thornwilde Drive. Thornwilde Drive is planned to be extended to connect to Williams Road at the point indicated. The property would then be 437 acres and 884 homes, with 520 single-family detached and 364 single-family attached homes. He presented a map showing the balance of the property controlled by The Drees Company. He stated that they have put in many amenities, including the entrance and corner parks. There is a community building and pool. The community area includes a playground and there are basketball and tennis courts currently being used by the residents of the community. He showed slides of the existing nature trails at Thornwilde. He presented a comparison between what was planned for the area shown in brown (the *third addition*) and what was built -- noting that they could have had four hundred lots in that area, but they have platted only 347 lots -- which is a 14% reduction. The lot sizes have increased based on the market, and prices range from \$180,000 to over \$600,000. He stated that they are making the

current proposal at this time based on the market and demand for the type of housing in the area. There is a strong demand for single-family detached housing and they feel that the market for single-family attached housing will come. They want to provide for a more orderly development of the road and utility system based on the market. They have made a commitment to the Thornwilde Community Association to provide additional community facilities by a certain date. They believe that the addition of the Ware property provides continuity of the development. Mr. Schoettelkotte presented the overall plan and indicated the two separate areas under discussion. He stated that the area of plan revision (108 acres zoned SR-1) is currently approved for 208 attached single-family homes. The 52-acre site is zoned RPD, which is four units per acre. They will replace the 108 single-family attached lots with 105 single-family detached lots and will add community facilities (shelter pavilion, pool, and play lot). They will continue the village green pocket parks and the walkway system. They will continue the development of Thornwilde Drive down to Williams Road and there will be single-family lots along Williams Road. They will create a village green at the interconnection of the roadway going over towards the Ware property. He stated that the valley is part of the open space/walkway network and they have provided for connections out of the existing Thornwilde system to tie into the walkway system that will come from Thornwilde Drive and tie into the public street network. The intent is to preserve as much of the creek valley as possible. There will be another single-family section overlooking Williams Road. He stated that the Zone Change Approval/Plan Review area is shown in brown. It is approximately 108 acres zoned SR-1, which would allow for subdivision development. They are proposing to relocate the 208 single-family attached homes (townhomes and condominiums) that were on the 52-acre parcel and include 101 single-family detached homes (acre lots along Williams Road and more SR-1 type lots on the interior). There would be additional open space. There will be a roadway connection to Williams Road across from the Traditions Golf Course entrance, connecting with the vacant property to the east, and continuing over toward Treetops subdivision. There are some deeper wooded ravines around the site and they are being taken into consideration in the design of the subdivision. The development is being kept on the ridge tops. The valley and hillsides will be left in their natural state to be tied into the open space system. The area proposed for condominiums is the flattest portion of the site and is currently being used for grazing cattle. There is a power line that comes through the area. Around the edge of the condominium area, there are valleys with wooded hillsides or existing tree lines. The frontage lots along Williams Road are approximately 200-feet wide and are approximately one acre or larger in size. If the property develops as proposed, there would be a total site of approximately 542 acres, with 1,037 homes in the future (347 are existing) and a density of 1.9 units per acre. The original density was stated as 2.5 units per acre. He stated that the commercial development on KY 237 will come in the future as the homes develop. There will be open space, including two community facility locations, pocket parks, and continuation of the walkway system. Mr. Schoettelkotte requested approval of the request on the basis that it is in conformance with the

Comprehensive Plan and consistent with the Land Use Plan densities. The proposed development provides a range of housing types and prices as recommended in the Comprehensive Plan. They meet the open space requirements for passive and active recreational opportunities with the preservation of natural features and resources within the site. They conform to the Transportation Plan by providing the extension of Williams Road and the necessary vehicular and pedestrian systems to adjoining properties. They utilize and enhance existing utilities and systems. The homes are served by an existing sanitary sewer on the site. They will provide a water line extension to Williams Road for future looping. There is currently no water in the Williams Road area and this development will provide for the extension of water lines to that area. He stated that the neighborhood impact is less than or the same as the existing SR-1/PD zoning. The development is less than what would be allowed under the current zoning and what is currently being proposed with the SR-1 zoning. The proposed development provides no more impact than would be allowed under the existing zoning. This concluded the applicant's presentation.

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 in opposition to the request.

Mr. Chris Penn, owner of Traditions Golf Club, stated that he has no objection to the plan as it relates to land use. The land use is consistent with what is going on in the area. He questioned the timeframe of the extension of Thornwilde Drive and where it is proposed to intersect with Williams Road. He questioned the timeframe of the water line that would be brought along Williams Road and connecting with the newly constructed roadway where it intersects with Traditions' driveway. He stated that he heard that the plan change is being proposed because attached houses are premature, but he also heard that the condominiums proposed on the Ware property would be started this year. If condominiums are not right in one area, why are they right in the other area when the two areas are a couple of hundred yards apart? He asked if any consideration has been given to the size of the sewer lines. Has it been discussed with the Sanitation District? He stated that Traditions' property is about 510 acres, and 300+ acres is developable. They have considered upscale residential housing around the golf course, but they do not have water and sewer. If one of the points of intersection will be Traditions' driveway, they want to know if any thought has been given to the future and how these lines will hook up with other residential communities. Are the lines sized properly for what is going to happen in the area long term? Mr. Penn reviewed a Power Point slide and noted the entrance to Traditions Golf Course and the 175 – 200 acre Souther property that runs along Williams Road. He stated that at some point, the traffic patterns will be focused around "how do you get from this area to the intersection of KY 237/I-275". The problem for the entire area is that you have to come all the way down Williams Road and hook up with Graves Road and then cut down the new boulevard to the industrial park. He stated that everyone will have to go back through the

subdivision to get to KY 237. He asked if all of the small cul-de-sacs in the properties will be considered, along with the interaction of this subdivision and Treetops – how will that mass of homes get out to Graves Road? He stated that some consideration has to be given to the road eventually coming out to Graves Road to relieve the traffic. In regard to the condominiums being close the property line, he stated that the situation could be assisted by relocating one roadway and using it as part of the setback area. He suggested that the road be upgraded from a local street to a mini-collector and there be a roadway along the high line that stubs into the property and that the condominiums be moved down to provide space between the two properties. Using that scenario, in the future when the road goes through to Graves Road, there would not be right turns into a narrow street going into the condominiums.

Mr. Robert Taylor, 1084 Merrell Road, read a letter from Mr. Robert Miller who is out of town at this time (see Exhibit 1).

Mr. Max Montoya, 2110 Williams Road (directly south of the proposed development), stated that he is opposed to the zone change. He questioned the reason for moving the condominiums over next to his property from the already approved area. He stated that the setbacks are fifty feet, and that is close to his property. He has horses and animals, and he cuts hay on his property. He is concerned about the condominiums with people and children being that close to his property. He noted the road going up to the property to the north and questioned if that area would also be condominiums. Chairman Hicks responded that that is not known. Mr. Montoya questioned how much of the 29 acres of open space is actually usable. He believes that much of it is sloped and not usable. In regard to the buffering, he stated that he has horses and livestock and cuts hay -- he is concerned about safety and people coming onto his property. The buffering is a must for his property. He questioned the timeline of Thornwilde Drive connecting to Williams Road. He stated that there is traffic and the roads are narrow and dangerous in that area. He stated that in the minutes of the 1997 Public Hearing, people stated that the road is just too narrow. If the road is going to be opened up, it will have to be widened and sidewalks and curbs put in. The road is too narrow at this time. He stated that water has been stubbed one-quarter mile down Williams Road off Graves Road, just past the cement factory. None of the residents down Williams Road have water and sewer. He stated that it sounds like there will be water and possibly sewer down towards Williams Road and questioned why it will not be connected since there are quite a few homes there. He stated that Kingsley Trace has nice homes on septic tanks and cisterns. He is concerned that they also get into the loop. Mr. Montoya is concerned that the recreational facility will be closer to the proposed condominiums -- which is closer to his property – and he is concerned about liability. He stated that in 1997, Staff stated that the extension of Thornwilde Drive to Williams Road would be completed before the site becomes fully developed. He questioned the timeframe of opening up the road. He stated that the minutes in 1997 said that the road should not be opened until Williams Road

is widened and improved. He stated that there are a lot of blind spots in the area and there are school buses and children, and there will be an influx of more cars – which is very dangerous.

Ms. Peggy Taylor, 1084 Merrell Road, stated that she has not heard any reason for switching the condominiums – other than profit. She questioned, if there is a decrease in the market for attached homes, why not make them all detached homes – then there would not be condominiums on the Montoya property line? She stated that their property values are being compromised for someone else's profit. She questioned the figure of approximately 140 school age children, which is not one child for three homes. She cannot image that all of the four-bedroom homes will be childless. She stated that Northpointe School is close to capacity – capacity is 700 children and they have over 600 now. They had twenty students enroll over the Christmas holiday and the school will be at capacity soon without any additional building. She stated that the creek that runs through the property runs onto other peoples' properties. Will they preserve the creeks or dam some of them? There is a creek from the pump station, which was once a gorgeous creek with water in it, but now most of the time it is dry. When there is a storm, it's muddy. Any fish in there died a long time ago. She questioned the timeframe for the road to come through to Williams Road. They were told in 1997 that there was a condition of approval to not connect to Williams Road until it was upgraded. They were told that the road would be upgraded by 2000, and it has not happened. She stated that two cars cannot pass in places on the road and, with another 400 cars, it will be a disaster waiting to happen. She has talked to the State Department and they will not put KY 237 out for bids until 2006 or 2007. She stated that there are a lost of issues that need to be addressed. Current property owners need to be considered. She is fearful of the dangers of the road. There should be good infrastructure there and it should be safer for everybody.

Ms. Jennifer Warner, 2510 Stevens Road, Petersburg, is concerned about the school. She stated that Northpointe opened three years ago with 400 students. There are 615 students now in the elementary school and capacity is 750. Conner Middle School has over a thousand students – it is overcrowded and so is the high school. There are no plans for a new middle school or high school. She questioned how many houses are scheduled to be built in the area that would to into those schools. The principal at Northpointe called her a year ago and said “get the Planning Commission to do something” – you don't know what it's like to tell second or third graders, who are so attached to their teachers, that they cannot stay in the class because it has to be divided or that they have to go to a different school. She stated that 690 houses and 140 students does not make any sense when there is an average of 1.6 children per American family. She drove out KY 237 last week after the big snow and it was not plowed. She plows Stevens Road. She asked the Commissioners to think about the consequences. Everyone has seen the horrible mess at the intersection of I-75/I-275. The entrance to Boone County has been destroyed by the destruction of the woods. She stated that what makes property values in Boone County is the rural character

and trees – and they could at least learn to drive a bulldozer around a tree. It distresses her to see them burning the trees. She is concerned about doing away with Boone County's greenbelt and woods – there is wildlife everywhere. It is not appropriate to pack all those condominiums right on top of a farm. Why should their property be devalued for this developer to do this?

Ms. Carol Kirkwood, 1354 Williams Road, agreed with the comments made regarding the safety of Williams Road and that it needs to be expanded and improved. She asked that consideration be given to the schools. She questioned why an exit on Graves Road to I-275 was turned down. She stated that in the future, it would make more sense to have an exit there and get all of the people on KY 237, which needs major improvements.

Ms. Pam Souther, 1821 Williams Road, stated that the school buses are overcrowded and her child stands on the bus. There are not enough buses and drivers to go around. She stated that when we are building schools, we need to figure out how to get the children there and back.

Mr. Danny Dotson, owner of property at 1722 and 1724 Williams Road, is worried about the traffic. He asked if the construction traffic will come down their road. He stated that there is a creek and a small bridge, and he is worried about the runoff from the condominiums and flooding. He is concerned about how much water will be put into the little creeks and that there will be flooding onto other properties.

Mr. Schoettelkotte indicated the next area they intend to develop and stated that they will extend Thornwilde Drive to the point shown. The exact timing is based on market conditions – but, as they move into the next section, they would be extending the road to Williams Road – however, there is condition that they barricade the road until Williams Road is upgraded. There is to be no access onto Williams Road until it is upgraded. The condominiums are not an imminent development and they do not see them happening for a number of years. They have no plans to do the condominiums at this time. They will develop the single-family in the area shown and in the area approved for single-family development. He stated that there is no way to ballpark the timing of the road extension. It is market driven and he believes it is at least five years down the road. The condominiums are premature at this time and will occur in the future as they see the market improve.

Mr. Viox stated that Sand Run Pump Station is not the pump station they are connecting to – there is a pump station that was built by The Drees Company that pumps to the top of the hill and by gravity to Sand Run Pump Station. The Sand Run Pump Station was put in for Thornwilde and Treetops by the two developers and the Sanitation District. The school and some other areas have been able to discharge into the same pump station and have created some of the problems that have been suggested may exist there. They will serve the area by gravity to the

pump station and by gravity to the Sand Run Pump Station. The lines will have adequate capacity to serve much more than this development, but there are limitations on the pump stations constructed previously. The twelve-inch main is being extended back Thornwilde Drive and intend to be extended to Williams Road. The only water line extension would be that location if they had not added this property. The road was built as a collector and there are no frontage lots. He indicated the sub-collector road to provide access onto Williams Road and stated that they will provide a water main there. They will have to have a water main on Williams Road to serve those lots. There will be water on Williams Road when they develop the area to it. When Thornwilde Drive is extended, water will be brought to the intersection at that time. He would assume that when they bring water to the intersection, the Water District will want a loop on Williams Road and Graves Road to circulate the water – but that is four to five years away; and on the other side it is three to four years away.

Mr. Schoettelkotte stated, in regard to the twenty-nine acres of open space, that part of the idea of open space is to preserve some of the areas the county has identified as sensitive. The village green areas, the pedestrian way, and the creek crossing are open space. The new community facility is open space and it ties into some of the open space corridors. There are different types of open space, as indicated in their submission.

The Chairman asked the applicant to address the questions raised by the residents. Mr. Schoettelkotte indicated the location of the recreational facility on the map and stated that it will also serve the condominiums -- there is nothing planned in the area of the condominiums. Mr. Viox noted the comment that there is hardly any water in what used to be a running creek -- which means they are doing a good job of detaining water. They will continue to construct detention facilities as they work through the plan. The picture of the stream in the nature area and where the development has occurred shows that the creek has been well protected and they have detained the sediment. He stated that they will not create any dams, but there will be culverts.

In response to a question from the Chairman, Mr. Schoettelkotte stated that a village green is a play area or field area with park benches – it is an area for playing Frisbee or tossing a ball.

The Chairman questioned the timeline regarding Williams Road. Mr. Costello responded that there is a memo from the County Engineer in the packet. Staff will investigate the timeline and provide the information to the Committee

Chairman Hicks asked if there were any further questions or comments.

In response to a question from Mr. McMillian, Mr. Schoettelkotte stated that access to the large lots on Williams Roads will be individual curb cuts on Williams Road.

Mr. McMillian questioned if the streets they are putting in will be capable of handling public transportation. Mr. Schoettelkotte responded that the roads will be built to Boone County specifications. Mr. Costello stated that there are bus pull-offs at Plantation Pointe – it is a standard design and provides for a potential looping system if there is bus service from Mt. Zion Road to U.S. 42 in Florence. He asked if the applicant has considered an extension of the bus service from an employment area to the residential area. Mr. Viox responded that Thornwilde Drive would be capable of handling the traffic. He stated that if there is a need for a transfer point at the community facility, there is the opportunity for the bus to come up there. The road was built to handle the traffic. The sub-collector would also be capable of handling the traffic. If the county builds an improved Williams Road and allows a loop, there is a possibility of a bus system to pick up traffic at certain times of the day. He does not think the community has an objection, but TANK has not come up with a demand for the route. The two roads are capable of handling the buses. Mr. McMillian asked if they intend to put in a bus stop. Mr. Viox responded that if a bus stop is needed at the community area, they can put a bus stop there. There are plenty of places where they can put a bus stop.

Continuing to address the questions raised, Mr. Viox indicated the intersection opposite the Souther property and stated that they have looked at the possibility that the road could be extended straight up to the Souther property without accessing Williams Road. In regard to going to Graves Road and KY 18, he stated that they recognize that the Planning Commission would require a street connection whether it is developed as single-family detached or attached. Treetops was required to hook up a street that goes to Graves Road, which has not been connected. There are interconnections there, but they have not been done by the developers.

Mrs. Poston noted that there were questions raised regarding the reasons for changing the location of the condominiums. Mr. Schoettelkotte responded that the market for the condominiums is premature. The most efficient location for development is the area served by utilities and the natural extension of the roadway. They are not looking to develop the condominiums, and jumping into that area would bypass properties already set up with water and sewer. Mr. Viox added that it would cause development on Williams Road to occur sooner. Mr. Costello noted that they are leaving the area to the left of the condominiums. Mr. Caddell asked for clarification – he thought that all of the existing approved condominium areas were being proposed to be relocated. Mr. Schoettelkotte responded that the area they are talking about changing on the existing plan is the area where there are 208 condominiums. He indicated the area also approved for condominiums that is not part of the discussion. He stated that if a market for condominiums occurred, it would be the next logical area to develop along Thornwilde Drive rather than coming onto the Ware property. Mr. Schoettelkotte reviewed the plan in regard to questions from Mr. Caddell and indicated where

the connection would come off Williams Road and into the Ware property. He indicated the location of the Ware property and the open space. Mr. Schwenke commented that the large lots on Williams Road will face Williams Road and will be accessed on Williams Road. Mr. Schoettelkotte agreed and stated that there would be twelve or thirteen of those lots.

Mr. Schwenke noted the comments made by the neighbor who has livestock. He stated that he is also a farmer and understands the concerns. He stated that this issue comes up all of the time because development is moving into the areas where there is livestock. He asked the Committee to discuss fencing -- or whatever needs to be done -- to keep the people and animals apart as much as possible.

Mr. Poe noted the comments made regarding the schools. He stated that the calculation of 140 students is way too low. He stated that there would 100 new elementary students, 70 new middle school students, and 80 new high school students for a total of 250 new students from the development versus the calculation of 140 students. He stated that Northpointe is basically at capacity with the lots that have been developed. Capacity is 750 students and they currently have 580, with a projection of 624 by the end of the school year -- which will exceed capacity. He asked the Committee to discuss, based on the School Facility Plan, that the developer set aside land for a new school considering both Thornwilde and Treetops developments. Northpointe cannot handle this number of lots. Mr. Viox responded that he worked with a developer on Williams Road who offered a site for a school and it was turned down. It was an elementary school site in close proximity to where they are coming out on Williams Road. The site was right next to Traditions and the School District turned it down and took the Northpointe site. Mr. Poe responded that the decision was based on the fact that there was no water or sewer -- it was not affordable for the School District and that is why they chose the Northpointe site.

Mrs. Wilson asked that Staff bring to Committee drawings of the existing plan and the newly proposed plan that can be overlaid.


Mr. Schwenke asked if the applicant is planning to do a transportation study prior to the Committee Meeting. Mr. Schoettelkotte responded that they will talk to Staff and see what additional information might be needed. Mr. Schwenke questioned the construction traffic. Mr. Schoettelkotte responded that Thornwilde Drive is the most direct access.

Chairman Hicks stated that if the connector road to Williams Road was opened, it would put more traffic on Williams Road. Mr. Viox responded that if he lived on the Ware property side, he would use Williams Road. The residents agreed that there would be more traffic on Williams Road.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on February 5, 2003 at 4:00 PM in the Fiscal Courtroom on the second floor of the Administration Building. This item will be on the Agenda for the Business Meeting on February 19, 2003 at 7:30 PM.


The Chairman closed this Public Hearing.

**APPROVED:**



**Mark Hicks, Chairman**

**Attest:**

  
**Jan Hancock, Recording Secretary**

**Exhibit –**

- 1) Letter from Robert Miller to Mark Hicks, Chairman, Boone County Commission, dated January 22, 2003.

January 22, 2003

Mark Hicks, Chairman  
Boone County Planning Commission

Subject: Zone change for 107 acres of Ware property

Mr. Chairman:

In 1997 the Drees Company submitted to the commission a concept development plan for the adjacent property (Stamper/Barnes property). That plan included an RPD area (52 acres) for attached housing.

The citizens at that public hearing were adamantly opposed to any type of housing other than single family detached residences. The Drees Company did get the necessary zone changes even though the surrounding property owners voiced strong concerns about the condition of Williams Road, the increased traffic, the strain on the school system and other public services.

However the citizens were successful in placing some restrictions on the zone change. No construction traffic for the Thornwilde development would be allowed on Williams Road, Thornwilde Drive could not be opened onto Williams Road until the road was widened. The county engineer stated in that public hearing that the improvements to Williams Road were scheduled to be completed by the year 2000. It hasn't happened.

Here we are in the year 2003 and the Drees Company wants to change the zoning to another piece of property they acquired. If that wasn't bad enough, they want to move an existing zone RPD to property already zoned residential (SR-1).

I see no justification for these two changes. The surrounding property owners didn't want RPD in the first place. Secondly we certainly don't want it moved to an area that will compromise the property value of the Montoya and Wernz Farms.

The change you allowed in 1997 should remain and the 107 acres of the Ware farm should be developed as you previously stated in the county's comprehensive plan (SR-1).

The improvements to Williams Roads are even more critical, now that the 107 acres will become residential. As a responsible corporate citizen, I would suggest that the Drees Company convey right-of-way to straighten the hill we call the Souther Hill and use their equipment to assist in the improvement of the hill and the road.

I have spent the last 35 years interacting with the county to improve the Williams/Merrell Road. As more farmland on the road becomes housing developments, it is even more important to upgrade the roads we travel everyday.

Respectfully,



Robert R. Miller  
1200 Merrell Road

CC: Max & Patti Montoya

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
BUSINESS MEETING  
April 2, 2003  
7:30 P.M.**

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Mr. Mark Hicks, Chairman, called the meeting to order at 7:34 PM.

**COMMISSION MEMBERS PRESENT:**

Mr. Randy Barlow  
Mr. Kim Bunger  
Mr. Arnold Caddell  
Mr. Mark Hicks, Chairman  
Mrs. Janet Kegley  
Mr. Don McMillian  
Mr. Robert Newman  
Mr. Randy Poe  
Mrs. Susan Poston, Vice Chairwoman  
Mr. Charlie Reynolds  
Mr. Bob Schwenke  
Mrs. Lisa Wilson, Secretary/Treasurer

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Richard Knock, Temporary Presiding Officer  
Mr. Earl White

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

Mr. Kevin Costello, AICP, Executive Director  
Ms. Patty Bachman, Planner  
Ms. Jan Hancock, Secretary  
Mr. Todd Morgan, AICP, Planner  
Mr. Kevin Wall, AICP, CDT – Director, Zoning Services

ACTION ON PLAN REVIEWS:

1. Zoning Text Amendments

The request of the City of Florence to consider a series of zoning text amendments to Articles 10, 11, 33, and 34 of the Boone County Zoning Regulations involving C-1 and C-3 uses, the O-1 zoning district, parking and loading facilities and signage. The request is to evaluate and hear comments on proposed zoning text amendments and how they affect the current Boone County Comprehensive Plan and Boone County Zoning Regulations.

Staff Member Kevin Wall presented the Committee Report which recommended that the proposed amendments to the Boone County Zoning Regulations as applicable to the City of Florence be approved and recommended for adoption by the city (see Committee Report).

Mr. Schwenke arrived during the presentation of the Committee Report.

There being no discussion, Mr. Poe moved by resolution to the City of Florence that the proposed amendments to the Boone County Zoning Regulations as applicable to the City of Florence be approved and recommended for adoption by the City of Florence. Mrs. Wilson seconded the motion and it carried unanimously.

2. Change in Concept Development Plan and Zoning Map Amendment

The request of The Drees Company (owner) for a Change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52-acre tract along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky; and for a Zoning Map Amendment from Suburban Residential One (SR-1) to Residential Planned Development (RPD) for an approximate 108-acre tract at 2036 Williams Road, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan to allow single-family residences, and for a zone change to allow attached single-family residences (condominiums) and detached single-family residences.

Mr. Poe stated that he would not participate in regard to Agenda Item #2 due to a conflict in regard to Condition #6 and the negotiations with the Boone County Public Schools. Mr. Poe left the meeting at this time.

Staff Member Patty Bachman presented the Committee Report which recommended approval of the request based on the Findings of Fact but subject to conditions (see Committee Report). The applicant has signed the letter agreeing to the conditions. Mr. Costello stated that there is a signed agreement between The Drees Company and the Montoyas (see Condition #5).

Counselor Wilson stated that Condition #6 refers to a letter from The Drees Company to Boone County Public Schools dated March 18, 2003 and the correct date on that letter is March 17, 2003. Ms. Bachman agreed.

Mrs. Poston moved by resolution to Boone County Fiscal Court that the request be approved based on the Committee Report. Mrs. Wilson seconded the motion. Mrs. Poston stated that it took a lot of work to get through all of these conditions and she appreciates the Montoyas working with the developers. She is concerned regarding Condition #6 and the public school. She stated that The Drees Company has been good for Boone County, and Boone County has been good for The Drees Company -- but many of the larger builders have provided property for schools and she is not sure that The Drees Company has gone as far as some of the other developers -- which is something to be considered in the future. Mr. Costello stated that Condition #6 was put in as a minimum and, when the property is developed, it does not prevent the developer from donating the land or making an arrangement that would benefit the citizens of Boone County.

The Chairman asked for a vote on the motion made by Mrs. Poston and it carried unanimously. Counselor Wilson advised that the Planning Commission's action is a recommendation to Fiscal Court for their final say. Fiscal Court may adopt the recommendation, hold another Public Hearing, or override the recommendation. Interested parties may want to follow up with Fiscal Court.

**3. Zoning Map Amendment**

**The request of The Drees Company (Timberlake, FLP) (applicant) for Em-A-Non Acres Limited Partnership (owner) for a Zoning Map Amendment from Employment Planned Development (EPD) to Urban Residential One (UR-1) for a 38-acre tract on the east side of Grand National Boulevard and the west side of I-75/71, approximately 1,000 feet southeast of the Richwood Road/Grand National Boulevard intersection, Boone County, Kentucky. The request is for a zone change to allow multi-family dwelling units.**

Chairman Hicks stated that Agenda Item #3 is recommended for deferral to the April 16, 2003 Business Meeting at 7:30 PM. Mr. Bunger so moved. Mrs. Poston seconded the motion and it carried unanimously.

At this time, Mr. Costello recommended that the Agenda be changed and that Item #5 be heard next:

**5. Technical/Design Review – **Cardinal Hill of Northern Kentucky  
31 Spiral Drive****

Staff Member Patty Bachman presented the Design Review request for Cardinal Hill of Northern Kentucky, 31 Spiral Drive, which is in the Houston-Donaldson Study area. A year ago, they proposed a canopy for the site and went through Design Review at that time. They are currently proposing an 80 square foot sign that would be located across the canopy. They are allowed a 100 square foot sign.

EXHIBIT  
"B"

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: April 2, 2003

RE: Request of **The Drees Company** (owner) for a Change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52 acre tract located along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky; and request of **The Drees Company** (owner) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Residential Planned Development (RPD) for an approximate 108 acre tract located at 2036 Williams Road, Boone County. The requests are for a Change in an Approved concept Development Plan to allow detached single family residences and for a zone change to allow attached single family residences (condominiums) and detached single family residences.

### REMARKS

We, the Committee, recommend approval of the Zoning Map Amendment request based upon the following findings of fact and with the following conditions:

### FINDINGS OF FACT

1. The Committee has determined that the proposed Zoning Map Amendment and its Concept Development Plan, as well as the proposed Change in Concept Development Plan are in agreement with the 2000 Boone County Comprehensive Plan. The Future Land Use Map designates the properties as Suburban Density Residential, High Suburban Density Residential, and Developmentally Sensitive. This mixture of Land classifications would be best accommodated through the Residential Planned Development zoning classification, as it allows flexibility in dimensional requirements, such as setbacks. Further, it allows a mix in density, such that both detached single-family residences and attached dwelling units would be allowed on the site through this zoning designation. Additionally, the Residential Planned Development zoning designation ensures that the portions of the site featuring the Developmentally Sensitive land use designation may remain open space, as there is greater flexibility in dimensional requirements.

The Land Use Element indicates that some Suburban Density Residential and Rural Density Residential development should occur along Williams Road due to improvements to the infrastructure. The Element also recognizes that development should be clustered along ridge top areas because of the limited road capacity and the prevalence of Developmentally Sensitive Areas. Given the site characteristics and the special environmental concerns of the area, planned development or clustered housing should be used. The proposed Concept Development Plan and

April 2, 2003

**The Drees Company****Thornwilde Drive/Williams Road**

Change in approved Concept Development Plan feature housing that is clustered along ridge tops. Further, the Land Use Element states that lower density development should be used to transition into Developmentally Sensitive Areas. The area under consideration for a Change in Concept Development Plan features 52 acres. For these 52 acres, 208 dwelling units have been approved, representing a density of 4 dwelling units per acre. Similarly, the site of the proposed Zoning Map Amendment is currently zoned Suburban Residential One (SR-1), which would allow a density of up to 4 dwelling units per acre. The area of the Change in Concept Development Plan calls for 105 dwelling units on the 52-acre site, a density of 2.02 dwelling units per acre. On the site of the proposed Zoning Map Amendment, the Concept Development Plan calls for 309 dwelling units on the 107-acre site, which represents 2.9 dwelling units for acre. Overall, the density of the development under the proposed Concept Development Plan would be 2.6 dwelling units per acre as compared with the 4 dwelling units per acre that would be allowed under the current zoning and approved Concept Development Plan.

The Housing Element states that residential developments should be designed to preserve the natural features on a site whenever possible, that open space housing developments should be encouraged, and that the clustering of housing to allow the preservation of open space is important. The Goals and Objectives of the Housing Element calls for a broad range of housing opportunities to be provided for the residents of Boone County. This request provides both single-family attached and detached housing.

2. The Committee has determined that the existing zoning category is inappropriate and that the proposed zoning category is appropriate for the site. As noted above, the Residential Planned Development zoning classification would be a more appropriate zoning classification for the site than its current Suburban Residential One (SR-1) zoning classification. Through the Residential Planned Development zoning district, development may be clustered because dimensional requirements normally in place under other residential zoning districts are relaxed. This clustering of housing could also occur if the subdivision were developed as an Open Space Subdivision under the provisions of Article 31 of the Boone County Zoning Regulations, without a zone change. However, the Housing Element states that a broad range of housing opportunities should be provided for Boone County's residents. Through the Residential Planned Development, both detached single-family dwelling units and attached single-family dwelling units can be developed in the same site. Under the Suburban Residential One (SR-1) zoning classification, condominiums could not be developed in the site.
3. The Committee has determined that the proposed development has sufficiently met the standards for the Residential Planned Development (RPD) zone as stipulated in Sections 1607 through 1610 of the Boone County Zoning Regulations. Specific references to these standards are discussed in the Staff Report for this application.

April 2, 2003

**The Drees Company****Thornwilde Drive/Williams Road**

4. The Committee has concluded that the following conditions are necessary for the purpose of satisfying the Goals, Objectives, and Policies stated in the 2000 Boone County Comprehensive Plan , as well as the standards of Article 16 of the Boone County Zoning Regulations, and the mitigation of any foreseeable impacts that the proposal may create. The Applicant has signed a letter of agreement with these conditions and understands that the submitted Concept Development Plan along with these conditions serve as a basis for this recommendation.

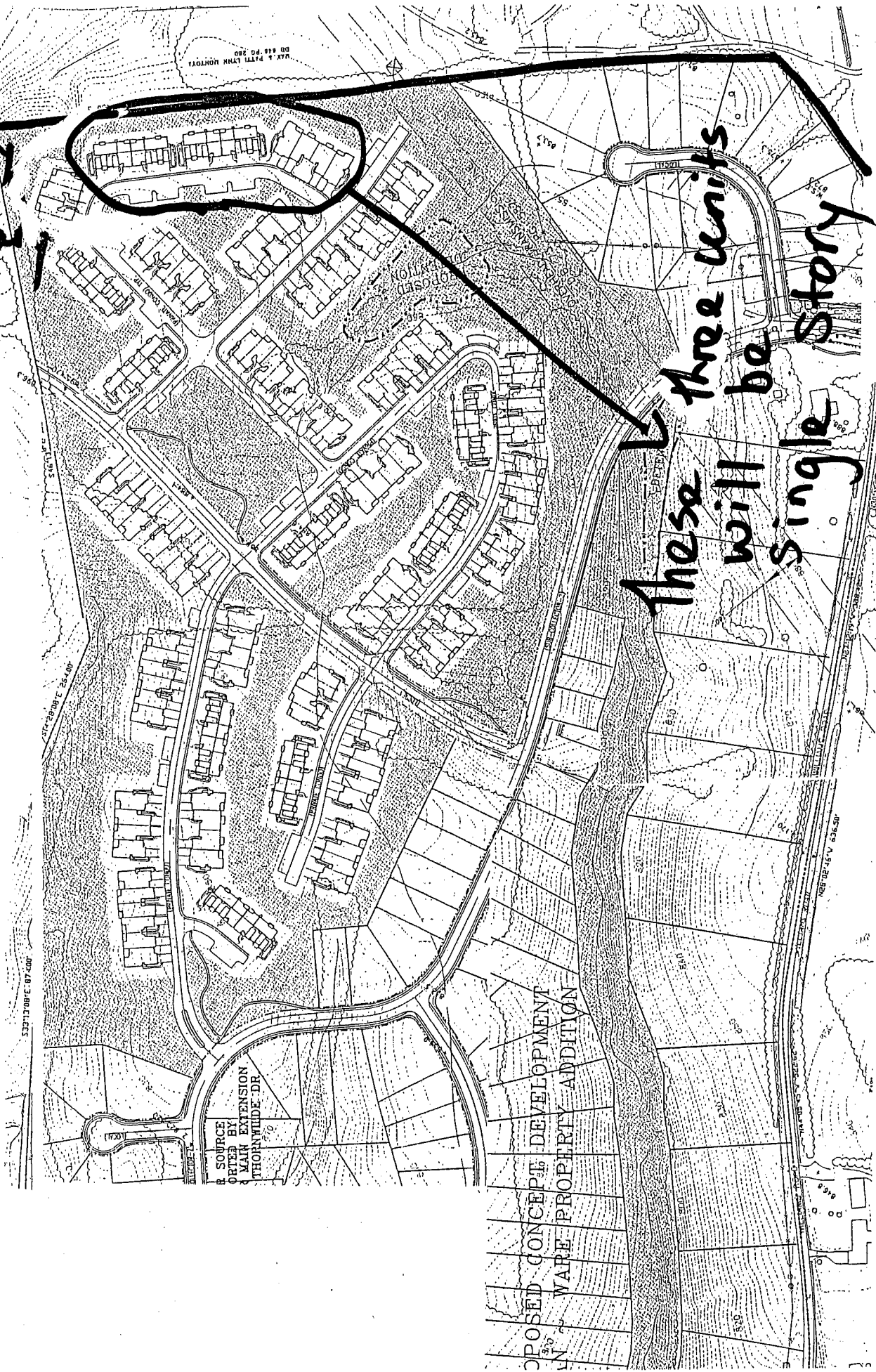
### CONDITIONS

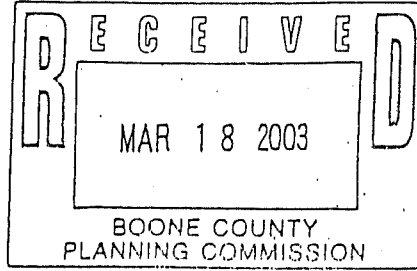
1. Thornwilde Drive will be extended to its intersection with Williams Road concurrent with construction of the second phase of development of the single-family homes. This second phase is located south of the intersection of Thornwilde Drive and the street labeled "Sub-Collector Two" on the proposed Concept Development Plan.
2. The single-family lots located along the southeast property boundaries of the former Ware Property (i.e. the boundary shared with Max Montoya) will be reconfigured to a depth of 200'. Additionally the applicant will install a landscaped mound along the south property line. This will be 6-8 feet tall and will feature 3 evergreen trees per 100'. The evergreens will be 6 feet tall at the time of planting.
3. The condominiums on the former Ware Property will be located no closer than 100' from the property boundary on the southeast (i.e. the boundary shared with the Montoya property. Please see the attached exhibit map). The three condominiums closest to the southeast property boundary will be one-story only with no walk-out basements. The remaining condominiums will be a maximum of two stories in height.
4. Stormwater drainage from the street and front yard will be intercepted and directed away from the property on the south and the southeast.
5. The applicant agrees to install agricultural or livestock fencing between the property along the southern lot line. An agreement between the applicant and the Montoyas with regard to the installation and maintenance of the fence will be submitted to the Planning Commission at the time of the vote on this application.
6. At a minimum the applicant agrees to the terms referred to in the attached letter from Drees to the Boone County Public Schools, dated March 17, 2003, with regard to potential school locations.

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.

S.E.

Property  
Boundary





March 17, 2003

Bryan Blavatt, Superintendent  
Boone County School District  
8330 U.S. 42  
Florence, KY 41042

Dear Superintendent Blavatt,

Thank you, Randy Poe and Mike Hibbett, for meeting with us on Monday, March 17, 2003, to discuss our previously submitted proposal to address the need for a future elementary school site in the Thornwilde area. Based upon the discussions during our meeting, I have revised the terms of the proposal to reflect our mutual agreement and understanding thereof.

The terms of our proposal are as follows:

- The Drees Company will extend to the school district a 5 year option to purchase up to 14 acres of the property shown on exhibit "A" for an elementary school site. The term of the option shall be extended on a yearly basis until such time as utility and road access are extended to serve the school site.
- The exact area of the school site to be defined and mutually agreed upon by both Drees and Boone County Schools pending site evaluation and concept design layout for the school site within the development;
- The option price of the school site shall be based on the per acre land value at cost, carrying cost (financing) during the term of the option and the pro-rate share of improvement cost to provide the school site with access and utilities.

These terms represent an outline of a future option agreement to be entered into between the Boone County School District and The Drees Company upon completion of the site evaluation and concept site layout.

We look forward to working with the district and your consultants to complete the site evaluation and concept design. We extend to the district our cooperation for assistance and provision of information to aid in the evaluation.

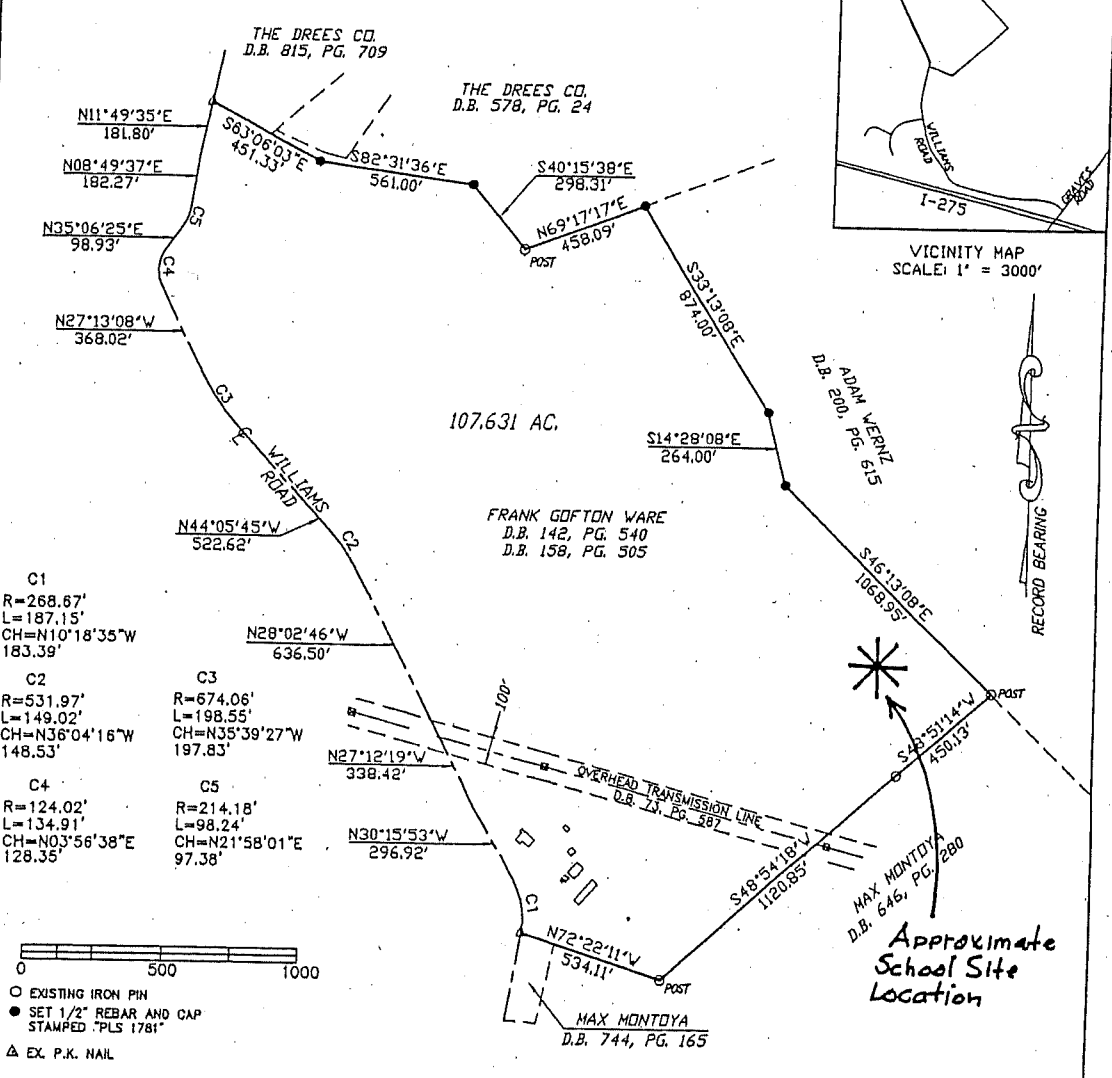
Sincerely,

A handwritten signature in cursive script that reads "Michael Schoettelkotte".

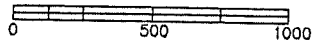
Michael Schoettelkotte  
Land Development Administrative Manager

Cc: Randy Poe, Deputy Superintendent  
Michael Hibbett, Asst. Superintendent

# EXHIBIT "A"



- C1  
R=268.67'  
L=187.15'  
CH=N10°18'35"W  
183.39'
- C2  
R=531.97'  
L=149.02'  
CH=N36°04'16"W  
148.53'
- C3  
R=674.06'  
L=198.55'  
CH=N35°39'27"W  
197.83'
- C4  
R=124.02'  
L=134.91'  
CH=N03°56'38"E  
128.35'
- C5  
R=214.18'  
L=98.24'  
CH=N21°58'01"E  
97.38'



- EXISTING IRON PIN
- SET 1/2" REBAR AND CAP  
STAMPED "PLS 1781"
- ▲ EX. P.K. NAIL

I hereby certify that the survey depicted by this plat was done by persons under my direct supervision by the method of random traverse with sideshots. The unadjusted error of closure was 1:30,000 and was not adjusted. The survey as shown hereon is a Class A Survey and the accuracy and precision of said survey meets all the specifications of this class.

*William R. Viox* 1/29/02  
P.L.S 1781 DATE



REMAINING PROPERTY OF GOFTON WARE  
TO BE CONVEYED TO  
THE DREES COMPANY  
BOONE COUNTY KENTUCKY  
EASTERLY SIDE OF WILLIAMS ROAD  
1.0 MILE WEST OF GRAVES ROAD

JANUARY 29, 2002 SCALE: 1" = 500'

**W VIOX & VIOX, INC.**  
Engineers • Surveyors • Landscape Architects

466 Erlanger Road Tel: 859-727-3293  
Erlanger, Kentucky 41018 Fax: 859-727-8452  
e-mail: viox@nkal.net

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
COURTROOM 3A  
January 22, 2003  
7:00 P.M.**

**PUBLIC HEARINGS**

**Commission Members Present:** Mr. Bunger, Mr. Caddell, Mr. Hicks - Chairman, 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. Patty Bachman, Planner; Ms. Jan Hancock, Secretary; Mr. Kevin Wall, AICP, CDT - Director, Zoning Services.

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

Mr. Mark Hicks, Chairman, called the meeting to order at 7:04 PM. Following an explanation of the Public Hearing process, the Chairman introduced the first item on the Agenda:

1.     **Applicant:**     The Drees Company (owner)  
  
          **Request:**     Change in Concept Development Plan and  
                          Zoning Map Amendment

The request of The Drees Company (owner) for a Change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52-acre tract along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky; and for a Zoning Map Amendment from Suburban Residential One (SR-1) to Residential Planned Development (RPD) for an approximate 108-acre tract at 2036 Williams Road, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan to allow single-family residences, and for a zone change to allow attached single-family residences (condominiums) and detached single-family residences.

Staff Member Patty Bachman presented the Staff Report which included a Power Point presentation (see Staff Report).

The Chairman asked for the applicant's presentation.

Mr. Mike Schoettelkotte, The Drees Company, Land Development Department, introduced Mr. Jim Viox, Engineer for the Thornwilde development. Using a Power Point presentation, Mr. Schoettelkotte stated that it has been nine years since the original Thornwilde development came before the Planning Commission. He presented the base map and reviewed the surrounding roadways and entrances to Thornwilde. He presented a map of the original Thornwilde PUD that came before the Planning Commission in 1994. He stated that the original Thornwilde development was 217 acres, and 527 homes were approved (287 single-family detached and 240 single-family attached homes). There is no rental property associated with the development. He indicated the location of the four-acre neighborhood commercial area proposed along KY 237. He stated that the open space proposed with the original development includes a clubhouse and pool. He stated that the *first addition* to the Thornwilde community (shown in orange) is the site of a former Homefest. This 41-acre tract, which is a portion of the Stewart property, allowed them to add an additional sixty-three single-family homes. The *second addition* (shown in yellow) is the Stamper-Barnes property and it added 157 acres to the development. A new PUD plan which added 263 homes was approved. The extension of Thornwilde Drive from KY 237 to Williams Road was added to the plan with the additional open space. The *third addition* (shown in brown) was property owned by Arlinghaus Builders as part of the Northpointe PUD, but was not accessible from the Northpointe community. The property includes portions of ridges extending from Thornwilde. The Drees Company purchased the property and thirty-one single-family detached homes are planned for that area. The *fourth addition* is the 180-acre Ware property under consideration this evening. Mr. Schoettelkotte presented a slide of the Thornwilde property as currently approved (without the Ware property) and noted the location of the commercial proposed along KY 237, as well as the single-family areas and condominium areas planned along Thornwilde Drive. Thornwilde Drive is planned to be extended to connect to Williams Road at the point indicated. The property would then be 437 acres and 884 homes, with 520 single-family detached and 364 single-family attached homes. He presented a map showing the balance of the property controlled by The Drees Company. He stated that they have put in many amenities, including the entrance and corner parks. There is a community building and pool. The community area includes a playground and there are basketball and tennis courts currently being used by the residents of the community. He showed slides of the existing nature trails at Thornwilde. He presented a comparison between what was planned for the area shown in brown (the *third addition*) and what was built -- noting that they could have had four hundred lots in that area, but they have platted only 347 lots -- which is a 14% reduction. The lot sizes have increased based on the market, and prices range from \$180,000 to over \$600,000. He stated that they are making the

current proposal at this time based on the market and demand for the type of housing in the area. There is a strong demand for single-family detached housing and they feel that the market for single-family attached housing will come. They want to provide for a more orderly development of the road and utility system based on the market. They have made a commitment to the Thornwilde Community Association to provide additional community facilities by a certain date. They believe that the addition of the Ware property provides continuity of the development. Mr. Schoettelkotte presented the overall plan and indicated the two separate areas under discussion. He stated that the area of plan revision (108 acres zoned SR-1) is currently approved for 208 attached single-family homes. The 52-acre site is zoned RPD, which is four units per acre. They will replace the 108 single-family attached lots with 105 single-family detached lots and will add community facilities (shelter pavilion, pool, and play lot). They will continue the village green pocket parks and the walkway system. They will continue the development of Thornwilde Drive down to Williams Road and there will be single-family lots along Williams Road. They will create a village green at the interconnection of the roadway going over towards the Ware property. He stated that the valley is part of the open space/walkway network and they have provided for connections out of the existing Thornwilde system to tie into the walkway system that will come from Thornwilde Drive and tie into the public street network. The intent is to preserve as much of the creek valley as possible. There will be another single-family section overlooking Williams Road. He stated that the Zone Change Approval/Plan Review area is shown in brown. It is approximately 108 acres zoned SR-1, which would allow for subdivision development. They are proposing to relocate the 208 single-family attached homes (townhomes and condominiums) that were on the 52-acre parcel and include 101 single-family detached homes (acre lots along Williams Road and more SR-1 type lots on the interior). There would be additional open space. There will be a roadway connection to Williams Road across from the Traditions Golf Course entrance, connecting with the vacant property to the east, and continuing over toward Treetops subdivision. There are some deeper wooded ravines around the site and they are being taken into consideration in the design of the subdivision. The development is being kept on the ridge tops. The valley and hillsides will be left in their natural state to be tied into the open space system. The area proposed for condominiums is the flattest portion of the site and is currently being used for grazing cattle. There is a power line that comes through the area. Around the edge of the condominium area, there are valleys with wooded hillsides or existing tree lines. The frontage lots along Williams Road are approximately 200-foot wide and are approximately one acre or larger in size. If the property develops as proposed, there would be a total site of approximately 542 acres, with 1,037 homes in the future (347 are existing) and a density of 1.9 units per acre. The original density was stated as 2.5 units per acre. He stated that the commercial development on KY 237 will come in the future as the homes develop. There will be open space, including two community facility locations, pocket parks, and continuation of the walkway system. Mr. Schoettelkotte requested approval of the request on the basis that it is in conformance with the

Comprehensive Plan and consistent with the Land Use Plan densities. The proposed development provides a range of housing types and prices as recommended in the Comprehensive Plan. They meet the open space requirements for passive and active recreational opportunities with the preservation of natural features and resources within the site. They conform to the Transportation Plan by providing the extension of Williams Road and the necessary vehicular and pedestrian systems to adjoining properties. They utilize and enhance existing utilities and systems. The homes are served by an existing sanitary sewer on the site. They will provide a water line extension to Williams Road for future looping. There is currently no water in the Williams Road area and this development will provide for the extension of water lines to that area. He stated that the neighborhood impact is less than or the same as the existing SR-1/PD zoning. The development is less than what would be allowed under the current zoning and what is currently being proposed with the SR-1 zoning. The proposed development provides no more impact than would be allowed under the existing zoning. This concluded the applicant's presentation.

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 in opposition to the request.

Mr. Chris Penn, owner of Traditions Golf Club, stated that he has no objection to the plan as it relates to land use. The land use is consistent with what is going on in the area. He questioned the timeframe of the extension of Thornwilde Drive and where it is proposed to intersect with Williams Road. He questioned the timeframe of the water line that would be brought along Williams Road and connecting with the newly constructed roadway where it intersects with Traditions' driveway. He stated that he heard that the plan change is being proposed because attached houses are premature, but he also heard that the condominiums proposed on the Ware property would be started this year. If condominiums are not right in one area, why are they right in the other area when the two areas are a couple of hundred yards apart? He asked if any consideration has been given to the size of the sewer lines. Has it been discussed with the Sanitation District? He stated that Traditions' property is about 510 acres, and 300+ acres is developable. They have considered upscale residential housing around the golf course, but they do not have water and sewer. If one of the points of intersection will be Traditions' driveway, they want to know if any thought has been given to the future and how these lines will hook up with other residential communities. Are the lines sized properly for what is going to happen in the area long term? Mr. Penn reviewed a Power Point slide and noted the entrance to Traditions Golf Course and the 175 – 200 acre Souther property that runs along Williams Road. He stated that at some point, the traffic patterns will be focused around "how do you get from this area to the intersection of KY 237/I-275". The problem for the entire area is that you have to come all the way down Williams Road and hook up with Graves Road and then cut down the new boulevard to the industrial park. He stated that everyone will have to go back through the

subdivision to get to KY 237. He asked if all of the small cul-de-sacs in the properties will be considered, along with the interaction of this subdivision and Treetops – how will that mass of homes get out to Graves Road? He stated that some consideration has to be given to the road eventually coming out to Graves Road to relieve the traffic. In regard to the condominiums being close the property line, he stated that the situation could be assisted by relocating one roadway and using it as part of the setback area. He suggested that the road be upgraded from a local street to a mini-collector and there be a roadway along the high line that stubs into the property and that the condominiums be moved down to provide space between the two properties. Using that scenario, in the future when the road goes through to Graves Road, there would not be right turns into a narrow street going into the condominiums.

Mr. Robert Taylor, 1084 Merrell Road, read a letter from Mr. Robert Miller who is out of town at this time (see Exhibit 1).

Mr. Max Montoya, 2110 Williams Road (directly south of the proposed development), stated that he is opposed to the zone change. He questioned the reason for moving the condominiums over next to his property from the already approved area. He stated that the setbacks are fifty feet, and that is close to his property. He has horses and animals, and he cuts hay on his property. He is concerned about the condominiums with people and children being that close to his property. He noted the road going up to the property to the north and questioned if that area would also be condominiums. Chairman Hicks responded that that is not known. Mr. Montoya questioned how much of the 29 acres of open space is actually usable. He believes that much of it is sloped and not usable. In regard to the buffering, he stated that he has horses and livestock and cuts hay -- he is concerned about safety and people coming onto his property. The buffering is a must for his property. He questioned the timeline of Thornwilde Drive connecting to Williams Road. He stated that there is traffic and the roads are narrow and dangerous in that area. He stated that in the minutes of the 1997 Public Hearing, people stated that the road is just too narrow. If the road is going to be opened up, it will have to be widened and sidewalks and curbs put in. The road is too narrow at this time. He stated that water has been stubbed one-quarter mile down Williams Road off Graves Road, just past the cement factory. None of the residents down Williams Road have water and sewer. He stated that it sounds like there will be water and possibly sewer down towards Williams Road and questioned why it will not be connected since there are quite a few homes there. He stated that Kingsley Trace has nice homes on septic tanks and cisterns. He is concerned that they also get into the loop. Mr. Montoya is concerned that the recreational facility will be closer to the proposed condominiums -- which is closer to his property -- and he is concerned about liability. He stated that in 1997, Staff stated that the extension of Thornwilde Drive to Williams Road would be completed before the site becomes fully developed. He questioned the timeframe of opening up the road. He stated that the minutes in 1997 said that the road should not be opened until Williams Road

is widened and improved. He stated that there are a lot of blind spots in the area and there are school buses and children, and there will be an influx of more cars – which is very dangerous.

Ms. Peggy Taylor, 1084 Merrell Road, stated that she has not heard any reason for switching the condominiums – other than profit. She questioned, if there is a decrease in the market for attached homes, why not make them all detached homes – then there would not be condominiums on the Montoya property line? She stated that their property values are being compromised for someone else's profit. She questioned the figure of approximately 140 school age children, which is not one child for three homes. She cannot image that all of the four-bedroom homes will be childless. She stated that Northpointe School is close to capacity – capacity is 700 children and they have over 600 now. They had twenty students enroll over the Christmas holiday and the school will be at capacity soon without any additional building. She stated that the creek that runs through the property runs onto other peoples' properties. Will they preserve the creeks or dam some of them? There is a creek from the pump station, which was once a gorgeous creek with water in it, but now most of the time it is dry. When there is a storm, it's muddy. Any fish in there died a long time ago. She questioned the timeframe for the road to come through to Williams Road. They were told in 1997 that there was a condition of approval to not connect to Williams Road until it was upgraded. They were told that the road would be upgraded by 2000, and it has not happened. She stated that two cars cannot pass in places on the road and, with another 400 cars, it will be a disaster waiting to happen. She has talked to the State Department and they will not put KY 237 out for bids until 2006 or 2007. She stated that there are a lost of issues that need to be addressed. Current property owners need to be considered. She is fearful of the dangers of the road. There should be good infrastructure there and it should be safer for everybody.

Ms. Jennifer Warner, 2510 Stevens Road, Petersburg, is concerned about the school. She stated that Northpointe opened three years ago with 400 students. There are 615 students now in the elementary school and capacity is 750. Conner Middle School has over a thousand students – it is overcrowded and so is the high school. There are no plans for a new middle school or high school. She questioned how many houses are scheduled to be built in the area that would to into those schools. The principal at Northpointe called her a year ago and said “get the Planning Commission to do something” – you don't know what it's like to tell second or third graders, who are so attached to their teachers, that they cannot stay in the class because it has to be divided or that they have to go to a different school. She stated that 690 houses and 140 students does not make any sense when there is an average of 1.6 children per American family. She drove out KY 237 last week after the big snow and it was not plowed. She plows Stevens Road. She asked the Commissioners to think about the consequences. Everyone has seen the horrible mess at the intersection of I-75/I-275. The entrance to Boone County has been destroyed by the destruction of the woods. She stated that what makes property values in Boone County is the rural character

and trees – and they could at least learn to drive a bulldozer around a tree. It distresses her to see them burning the trees. She is concerned about doing away with Boone County's greenbelt and woods – there is wildlife everywhere. It is not appropriate to pack all those condominiums right on top of a farm. Why should their property be devalued for this developer to do this?

Ms. Carol Kirkwood, 1354 Williams Road, agreed with the comments made regarding the safety of Williams Road and that it needs to be expanded and improved. She asked that consideration be given to the schools. She questioned why an exit on Graves Road to I-275 was turned down. She stated that in the future, it would make more sense to have an exit there and get all of the people on KY 237, which needs major improvements.

Ms. Pam Souther, 1821 Williams Road, stated that the school buses are overcrowded and her child stands on the bus. There are not enough buses and drivers to go around. She stated that when we are building schools, we need to figure out how to get the children there and back.

Mr. Danny Dotson, owner of property at 1722 and 1724 Williams Road, is worried about the traffic. He asked if the construction traffic will come down their road. He stated that there is a creek and a small bridge, and he is worried about the runoff from the condominiums and flooding. He is concerned about how much water will be put into the little creeks and that there will be flooding onto other properties.

Mr. Schoettelkotte indicated the next area they intend to develop and stated that they will extend Thornwilde Drive to the point shown. The exact timing is based on market conditions – but, as they move into the next section, they would be extending the road to Williams Road – however, there is condition that they barricade the road until Williams Road is upgraded. There is to be no access onto Williams Road until it is upgraded. The condominiums are not an imminent development and they do not see them happening for a number of years. They have no plans to do the condominiums at this time. They will develop the single-family in the area shown and in the area approved for single-family development. He stated that there is no way to ballpark the timing of the road extension. It is market driven and he believes it is at least five years down the road. The condominiums are premature at this time and will occur in the future as they see the market improve.

Mr. Viox stated that Sand Run Pump Station is not the pump station they are connecting to – there is a pump station that was built by The Drees Company that pumps to the top of the hill and by gravity to Sand Run Pump Station. The Sand Run Pump Station was put in for Thornwilde and Treetops by the two developers and the Sanitation District. The school and some other areas have been able to discharge into the same pump station and have created some of the problems that have been suggested may exist there. They will serve the area by gravity to the

pump station and by gravity to the Sand Run Pump Station. The lines will have adequate capacity to serve much more than this development, but there are limitations on the pump stations constructed previously. The twelve-inch main is being extended back Thornwilde Drive and intend to be extended to Williams Road. The only water line extension would be that location if they had not added this property. The road was built as a collector and there are no frontage lots. He indicated the sub-collector road to provide access onto Williams Road and stated that they will provide a water main there. They will have to have a water main on Williams Road to serve those lots. There will be water on Williams Road when they develop the area to it. When Thornwilde Drive is extended, water will be brought to the intersection at that time. He would assume that when they bring water to the intersection, the Water District will want a loop on Williams Road and Graves Road to circulate the water – but that is four to five years away; and on the other side it is three to four years away.

Mr. Schoettelkotte stated, in regard to the twenty-nine acres of open space, that part of the idea of open space is to preserve some of the areas the county has identified as sensitive. The village green areas, the pedestrian way, and the creek crossing are open space. The new community facility is open space and it ties into some of the open space corridors. There are different types of open space, as indicated in their submission.

The Chairman asked the applicant to address the questions raised by the residents. Mr. Schoettelkotte indicated the location of the recreational facility on the map and stated that it will also serve the condominiums -- there is nothing planned in the area of the condominiums. Mr. Viox noted the comment that there is hardly any water in what used to be a running creek -- which means they are doing a good job of detaining water. They will continue to construct detention facilities as they work through the plan. The picture of the stream in the nature area and where the development has occurred shows that the creek has been well protected and they have detained the sediment. He stated that they will not create any dams, but there will be culverts.

In response to a question from the Chairman, Mr. Schoettelkotte stated that a village green is a play area or field area with park benches – it is an area for playing Frisbee or tossing a ball.

The Chairman questioned the timeline regarding Williams Road. Mr. Costello responded that there is a memo from the County Engineer in the packet. Staff will investigate the timeline and provide the information to the Committee

Chairman Hicks asked if there were any further questions or comments.

In response to a question from Mr. McMillian, Mr. Schoettelkotte stated that access to the large lots on Williams Roads will be individual curb cuts on Williams Road.

Mr. McMillian questioned if the streets they are putting in will be capable of handling public transportation. Mr. Schoettelkotte responded that the roads will be built to Boone County specifications. Mr. Costello stated that there are bus pull-offs at Plantation Pointe – it is a standard design and provides for a potential looping system if there is bus service from Mt. Zion Road to U.S. 42 in Florence. He asked if the applicant has considered an extension of the bus service from an employment area to the residential area. Mr. Viox responded that Thornwilde Drive would be capable of handling the traffic. He stated that if there is a need for a transfer point at the community facility, there is the opportunity for the bus to come up there. The road was built to handle the traffic. The sub-collector would also be capable of handling the traffic. If the county builds an improved Williams Road and allows a loop, there is a possibility of a bus system to pick up traffic at certain times of the day. He does not think the community has an objection, but TANK has not come up with a demand for the route. The two roads are capable of handling the buses. Mr. McMillian asked if they intend to put in a bus stop. Mr. Viox responded that if a bus stop is needed at the community area, they can put a bus stop there. There are plenty of places where they can put a bus stop.

Continuing to address the questions raised, Mr. Viox indicated the intersection opposite the Souther property and stated that they have looked at the possibility that the road could be extended straight up to the Souther property without accessing Williams Road. In regard to going to Graves Road and KY 18, he stated that they recognize that the Planning Commission would require a street connection whether it is developed as single-family detached or attached. Treetops was required to hook up a street that goes to Graves Road, which has not been connected. There are interconnections there, but they have not been done by the developers.

Mrs. Poston noted that there were questions raised regarding the reasons for changing the location of the condominiums. Mr. Schoettelkotte responded that the market for the condominiums is premature. The most efficient location for development is the area served by utilities and the natural extension of the roadway. They are not looking to develop the condominiums, and jumping into that area would bypass properties already set up with water and sewer. Mr. Viox added that it would cause development on Williams Road to occur sooner. Mr. Costello noted that they are leaving the area to the left of the condominiums. Mr. Caddell asked for clarification – he thought that all of the existing approved condominium areas were being proposed to be relocated. Mr. Schoettelkotte responded that the area they are talking about changing on the existing plan is the area where there are 208 condominiums. He indicated the area also approved for condominiums that is not part of the discussion. He stated that if a market for condominiums occurred, it would be the next logical area to develop along Thornwilde Drive rather than coming onto the Ware property. Mr. Schoettelkotte reviewed the plan in regard to questions from Mr. Caddell and indicated where

the connection would come off Williams Road and into the Ware property. He indicated the location of the Ware property and the open space. Mr. Schwenke commented that the large lots on Williams Road will face Williams Road and will be accessed on Williams Road. Mr. Schoettelkotte agreed and stated that there would be twelve or thirteen of those lots.

Mr. Schwenke noted the comments made by the neighbor who has livestock. He stated that he is also a farmer and understands the concerns. He stated that this issue comes up all of the time because development is moving into the areas where there is livestock. He asked the Committee to discuss fencing -- or whatever needs to be done -- to keep the people and animals apart as much as possible.

Mr. Poe noted the comments made regarding the schools. He stated that the calculation of 140 students is way too low. He stated that there would 100 new elementary students, 70 new middle school students, and 80 new high school students for a total of 250 new students from the development versus the calculation of 140 students. He stated that Northpointe is basically at capacity with the lots that have been developed. Capacity is 750 students and they currently have 580, with a projection of 624 by the end of the school year -- which will exceed capacity. He asked the Committee to discuss, based on the School Facility Plan, that the developer set aside land for a new school considering both Thornwilde and Treetops developments. Northpointe cannot handle this number of lots. Mr. Viox responded that he worked with a developer on Williams Road who offered a site for a school and it was turned down. It was an elementary school site in close proximity to where they are coming out on Williams Road. The site was right next to Traditions and the School District turned it down and took the Northpointe site. Mr. Poe responded that the decision was based on the fact that there was no water or sewer -- it was not affordable for the School District and that is why they chose the Northpointe site.

Mrs. Wilson asked that Staff bring to Committee drawings of the existing plan and the newly proposed plan that can be overlaid.

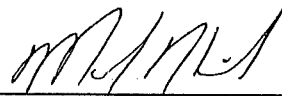
Mr. Schwenke asked if the applicant is planning to do a transportation study prior to the Committee Meeting. Mr. Schoettelkotte responded that they will talk to Staff and see what additional information might be needed. Mr. Schwenke questioned the construction traffic. Mr. Schoettelkotte responded that Thornwilde Drive is the most direct access.

Chairman Hicks stated that if the connector road to Williams Road was opened, it would put more traffic on Williams Road. Mr. Viox responded that if he lived on the Ware property side, he would use Williams Road. The residents agreed that there would be more traffic on Williams Road.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on February 5, 2003 at 4:00 PM in the Fiscal Courtroom on the second floor of the Administration Building. This item will be on the Agenda for the Business Meeting on February 19, 2003 at 7:30 PM.


The Chairman closed this Public Hearing.

**APPROVED:**



**Mark Hicks, Chairman**

**Attest:**

  
**Jan Hancock, Recording Secretary**

**Exhibit –**

- 1) **Letter from Robert Miller to Mark Hicks, Chairman, Boone County Commission, dated January 22, 2003.**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: March 19, 2003

RE: Request of The Drees Company (owner) for a Change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52 acre tract located along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky; and, request of The Drees Company (owner) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Residential Planned Development (RPD) for an approximate 108 acre tract located at 2036 Williams Road, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan to allow detached single family residences and for a zone change to allow attached single family residences (condominiums) and detached single family residences.

### 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.

March 19, 2003

The Drees Company

Thornwilde Drive/Williams Road

*Susan Poston*

---

**Susan Poston, Chairwoman**

For Project  Absent   
 Against Project   
 Abstain  Deferred

*Bob Newman*

---

**Bob Newman**

For Project  Absent   
 Against Project   
 Abstain  Deferred

---

**Earl White**

For Project  Absent   
 Against Project   
 Abstain  Deferred

---

**Lisa Wilson**

For Project  Absent   
 Against Project   
 Abstain  Deferred

---

**David Zimmer**

For Project  Absent   
 Against Project   
 Abstain  Deferred

---

**Randy Barlow (Alternate)\***

For Project  Absent   
 Against Project   
 Abstain  Deferred

*Janet Kegley*

---

**Janet Kegley (Alternate)\***

For Project  Absent   
 Against Project   
 Abstain  Deferred

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

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: March 5, 2003

RE: Request of The Drees Company (owner) for a Change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52 acre tract located along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky; and, request of The Drees Company (owner) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Residential Planned Development (RPD) for an approximate 108 acre tract located at 2036 Williams Road, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan to allow detached single family residences and for a zone change to allow attached single family residences (condominiums) and detached single family residences.

### 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.

*Susan Poston*  
\_\_\_\_\_  
**Susan Poston, Chairwoman**

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

*Bob Newman*  
\_\_\_\_\_  
**Bob Newman**

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

\_\_\_\_\_  
**Earl White**

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

\_\_\_\_\_  
**Lisa Wilson**

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

\_\_\_\_\_  
**David Zimmer**

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

\_\_\_\_\_  
**Randy Barlow (Alternate)\***

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

*Janet R. Kegley*  
\_\_\_\_\_  
**Janet Kegley (Alternate)\***

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

**TOTAL: 3 DEFERRED \_\_\_\_ FOR PROJECT 3 ABSENT**  
**\_\_\_\_ AGAINST PROJECT \_\_\_\_ ABSTAIN**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Susan Poston, Chairwoman

DATE: February 5, 2003

RE: Request of The Drees Company (owner) for a Change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52 acre tract located along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky; and, request of The Drees Company (owner) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Residential Planned Development (RPD) for an approximate 108 acre tract located at 2036 Williams Road, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan to allow detached single family residences and for a zone change to allow attached single family residences (condominiums) and detached single family residences.

### 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.

February 5, 2003

The Drees Company

Thornwilde Drive/Williams Road

*Susan Poston*

---

**Susan Poston, Chairwoman**

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

*Bob Newman*

---

**Bob Newman**

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

*Earl White*

---

**Earl White**

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

*Lisa Wilson*

---

**Lisa Wilson**

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

---

**David Zimmer**

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

---

**Randy Barlow (Alternate)\***

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

---

**Janet Kegley (Alternate)\***

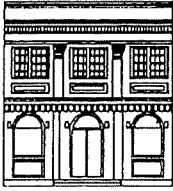
For Project \_\_\_ Absent \_\_\_  
 Against Project \_\_\_  
 Abstain \_\_\_ Deferred \_\_\_

TOTAL: 4 DEFERRED \_\_\_ FOR PROJECT 1 ABSENT  
 \_\_\_ AGAINST PROJECT \_\_\_ ABSTAIN

# SUPPORTING INFORMATION

# BOONE COUNTY PLANNING COMMISSION

---



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)

April 2, 2003

Mr. Michael Schottelkotte  
The Drees Company  
211 Grandview Drive  
Fort Mitchell, KY 41017

RE: Zoning Map Amendment and Proposed Change in Concept Development Plan, the Thornwilde Subdivision

Dear Mr. Schottelkotte:

The following conditions in conjunction with the Concept Development Plan, as agreed to by the Boone County Planning Commission's Zone Change Committee, serve as the basis for the Committee's recommendation of approval. If you, as the applicant, agree to the following conditions, please indicate so by signing at the space provided below, and return this letter to the Planning Commission Office by 5:00 P.M. Monday, April 1, 2003.

1. Thornwilde Drive will be extended to its intersection with Williams Road concurrent with construction of the second phase of development of the single-family homes. This second phase is located south of the intersection of Thornwilde Drive and the street labeled "Sub-Collector Two" on the proposed Concept Development Plan.
2. The single-family lots located along the southeast property boundaries of the former Ware Property (i.e. the boundary shared with Max Montoya) will be reconfigured to a depth of 200'. Additionally the applicant will install a landscaped mound along the south property line. This will be 6-8 feet tall and will feature 3 evergreen trees per 100'.
3. The condominiums on the former Ware Property will be located no closer than 100' from the property boundary on the southeast (i.e. the boundary shared with the Montoya property. Please see the attached exhibit map). The three condominiums closest to the southeast property boundary will be one-story only with no walk-out basements. The remaining condominiums will be a maximum of two stories in height.

Mr. Michael Schottelkotte  
April 2, 2003  
Page 2

4. Stormwater drainage from the street and front yard will be intercepted and directed away from the property on the south and the southeast.
5. The applicant agrees to install agricultural or livestock fencing between the property along the southern lot line. An agreement between the applicant and the Montoyas with regard to the installation and maintenance of the fence will be submitted to the Planning Commission at the time of the vote on this application.
6. At a minimum the applicant agrees to the terms referred to in the attached letter from Drees to the Boone County Public Schools, dated March 18, 2003, with regard to potential school locations.

Sincerely,

  
Patty Bachman  
Planner

MPB/pr

Agreement

I, the agent of the property owner, agree to the above-listed conditions of approval for the requested Zoning Map Amendment and Change in Concept Development Plan for property located in Thornwilde Subdivision and on Williams Road in Boone County, Kentucky

  
\_\_\_\_\_  
Michael Schottelkotte,  
Agent of the Property Owner

4/2/03  
(Date)



# VIOX & VIOX, INC.

Engineers • Surveyors • Landscape Architects

Parcel To Be Re-Zoned  
SR-1 To RPD  
The Drees Company  
107.631 Acres

Located in Boone County, Kentucky, lying on the easterly side of Williams Road, approximately 1.0 mile west of Graves Road and is more particularly described as follows:

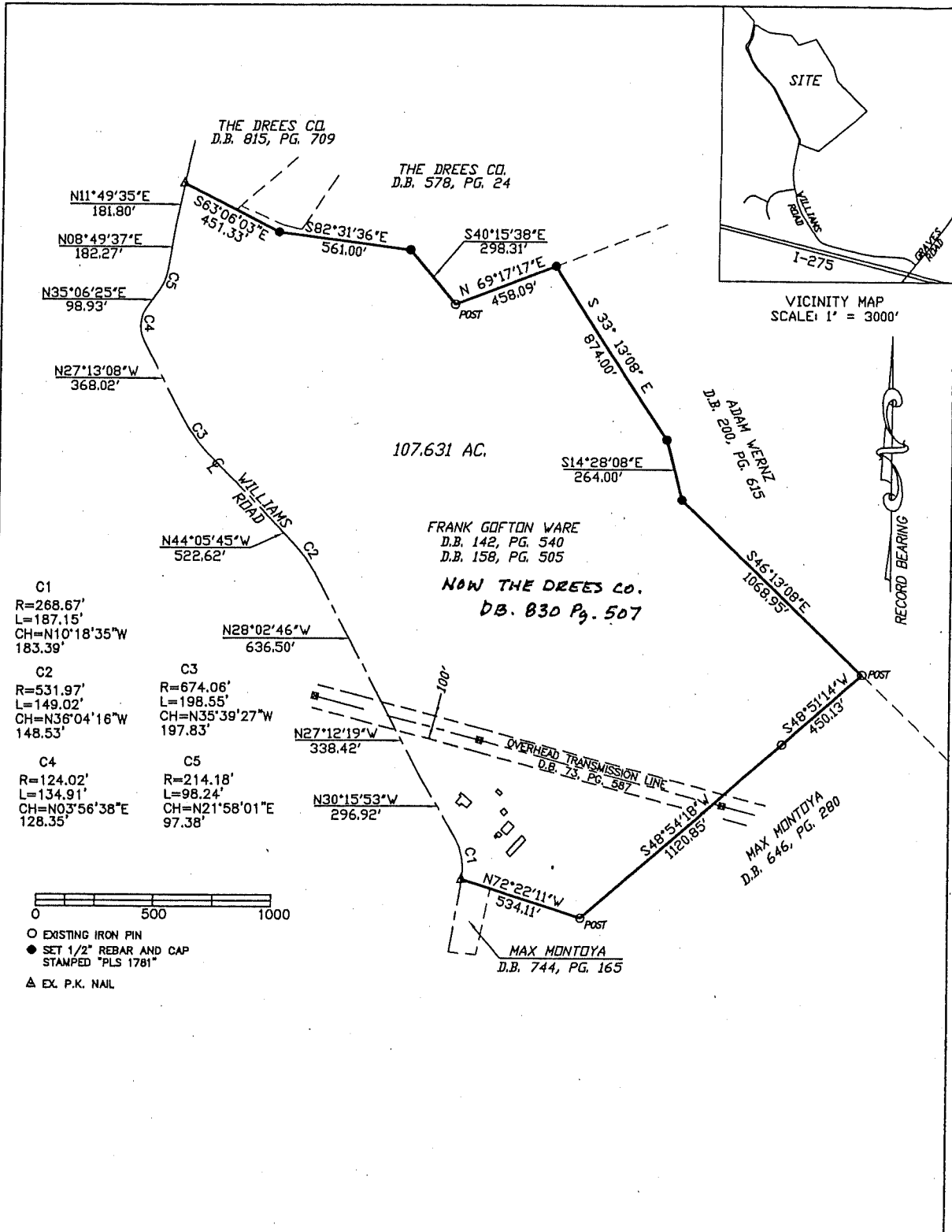
Beginning at a P.K. nail (existing) in the centerline of Williams Road, at the common corner of Gofton Ware (Deed Book 142, page 540) and The Drees Company (Deed Book 815, page 709); thence with the common line of Ware and The Drees Company S 63-06-03 E 451.33 feet to an iron pin (set) at the common corner of Ware and another parcel owned by The Drees Company (Deed Book 578, page 24); thence with the common line of Ware and The Drees Company S 82-31-36 E 561.00 feet to an iron pin (set); thence S 40-15-38 E 298.31 feet to a post; thence N 69-17-17 E 458.09 feet to an iron pin (set) in the southerly line of The Drees Company and at the common corner of Ware and Adam Wernz (Deed Book 200, page 615); thence with the common line of Ware and Wernz S 33-13-08 E 874.00 feet to an iron pin (set); thence S 14-28-08 E 264.00 feet to an iron pin (set); thence S 46-13-08 E 1068.95 feet to a post in the southwesterly line of Wernz and at the common corner of Ware and Max Montoya (Deed Book 646, 280); thence with the common line of Ware and Montoya S 48-51-14 W 450.13 feet to an iron pin (existing); thence S 48-54-18 W 1120.85 feet to a post; thence N 72-22-11 W 534.12 feet to a P.K. nail (existing) in the centerline of Williams Road; thence with said centerline of Williams Road and a curve to the left, said curve having a radius of 268.67 feet and a chord bearing and distance of N 10-18-35 W 183.39 feet, an arc distance of 187.15 feet to a point; thence N 30-15-53 W 296.92 feet to a point; thence N 27-12-19 W 338.42 feet to a point; thence N 28-02-46 W 636.50 feet to a point; thence with a curve to the left, said curve having a radius of 531.97 feet and a chord bearing and distance of N 36-04-16 W 148.53 feet, an arc distance of 149.02 feet to a point; thence N 44-05-45 W 522.62 feet to a point; thence with a curve to the right, said curve having a radius of 674.06 feet and a chord bearing and distance of N 35-39-27 W 197.83 feet, an arc distance of 198.55 feet to a point; thence N 27-13-08 W 368.02 feet to a point; thence with a curve to the right, said curve having a radius of 124.02 feet and a chord bearing and distance of N 03-56-38 E 128.35 feet, an arc distance of 134.91 feet to a point; thence N 35-06-25 E 98.93 feet to a point; thence with a curve to the left, said curve having a radius of 214.18 feet and a chord and bearing of N 21-58-01 E 97.38 feet, an arc distance of

466 Erlanger Road  
Erlanger, Kentucky 41018

Tel: 859-727-3293  
Fax: 859-727-8452  
e-mail: viox@nkol.net

98.24 feet to a point; thence N 08-49-37 E 182.27 feet to a point; thence N 11-49-35 E 181.80 feet to the point of beginning containing 107.631 acres and being subject to all right-of-ways and easements of record.

Being all of the remaining property conveyed to Frank Gofton Ware by deeds recorded in Deed Book 142, page 540, and Deed Book 158, page 505, in the Boone County Clerk's Office at Burlington, Kentucky.



C1 R=268.67' L=187.15' CH=N10°18'35"W 183.39'	C3 R=674.06' L=198.55' CH=N35°39'27"W 197.83'
C2 R=531.97' L=149.02' CH=N36°04'16"W 148.53'	C5 R=214.18' L=98.24' CH=N21°58'01"E 97.38'
C4 R=124.02' L=134.91' CH=N03°56'38"E 128.35'	

- 0 500 1000
- EXISTING IRON PIN
  - SET 1/2" REBAR AND CAP STAMPED "PLS 1781"
  - ▲ EX. P.K. NAIL

PARCEL TO BE RE-ZONED  
 SR-1 TO RPD  
 THE DREES COMPANY  
 BOONE COUNTY KENTUCKY  
 EASTERLY SIDE OF WILLIAMS ROAD  
 1.0 MILE WEST OF GRAVES ROAD  
 DECEMBER 17, 2002 SCALE: 1" = 500'

**W VIOX & VIOX, INC.**  
 Engineers • Surveyors • Landscape Architects  
 466 Erlanger Road Tel: 859-727-3293  
 Erlanger, Kentucky 41018 Fax: 859-727-8452  
 e-mail: viox@nkol.net



# VIOX & VIOX, INC.

Engineers • Surveyors • Landscape Architects

## Description Parcel To Be Considered For Plan Change

A parcel of land lying on the easterly side of Williams Road in Boone County, Kentucky and being more particularly described as follows

Beginning at a point, said point being  
S 63-06-03 E- 451.33 feet,  
S 82-31-36 E- 561.00 feet, and  
S 40-15-38 E- 298.31 feet from the Northernmost Corner (in the center of Williams Road) of the Drees Company Property (DB 830, Page 507) and running thence

N 69-17-17 E, a distance of 406.47 feet, to a point, thence  
N 77-03-26 W, a distance of 292.89 feet, to a point, thence  
N 35-52-36 W, a distance of 155.07 feet, to a point, thence  
N 21-51-58 E, a distance of 155.13 feet, to a point, thence  
N 60-09-10 E, a distance of 58.08 feet, to a point, thence  
N 32-20-47 E, a distance of 286.13 feet, to a point, thence  
N 44-23-02 E, a distance of 325.22 feet, to a point, thence  
N 52-28-51 E, a distance of 350.80 feet, to a point, thence  
N 62-36-25 E, a distance of 133.55 feet, to a point, thence  
N 10-10-04 W, a distance of 34.00 feet, to a point, thence  
N 25-44-01 E, a distance of 165.81 feet, to a point, thence  
N 11-23-23 E, a distance of 206.82 feet, to a point, thence  
N 78-36-37 W, a distance of 93.19 feet, to a point, thence  
N 78-36-38 W, a distance of 289.06 feet, to a point, thence

Northwestwardly, along a curve toward the west, a chord bearing of  
N 82-57-36 W, a chord distance of 194.87 feet, to a point, thence  
N 87-18-35 W, a distance of 185.09 feet, to a point, thence  
Southwestwardly, along a curve toward the south, a chord bearing of  
S 81-51-55 W, a chord distance of 430.72 feet, to a point, thence  
S 71-02-24 W, a distance of 228.26 feet, to a point, thence  
S 71-02-24 W, a distance of 207.21 feet, to a point, thence  
Southwestwardly along a curve toward the west, a chord bearing of  
S 77-28-53 W, a chord distance of 343.28 feet, to a point, thence  
Southwestwardly along a curve toward the south, a chord bearing of  
S 76-27-10 W, a chord distance of 280.45 feet, to a point, thence  
Southwestwardly along a curve toward the south, a chord bearing of  
S 26-13-10 W, a chord distance of 316.52 feet, to a point, thence  
S 18-57-36 E, a distance of 185.80 feet, to a point, thence

466 Erlanger Road  
Erlanger, Kentucky 41018

Williams rd tg

Tel: 859-727-3293  
Fax: 859-727-8452  
e-mail: viox@nkol.net

Southwestwardly along a curve toward the west, a chord bearing of  
S 11-25-18 W, a chord distance of 170.16 feet, to a point, thence  
S 43-51-44 E, a distance of 309.46 feet, to a point, thence  
N 65-59-26 E, a distance of 340.64 feet, to a point, thence  
S 54-43-58 E, a distance of 150.00 feet, to a point, thence  
S 66-18-30 E, a distance of 184.75 feet, to a point, thence  
S 33-41-30 W, a distance of 297.62 feet, to a point, thence  
S 82-31-36 E, a distance of 475.15 feet, to a point, thence  
S 40-15-35 E, a distance of 298.31 feet, to the place of beginning and  
containing

Fence Replacement / Maintenance Agreement

This agreement is made and entered into this 2nd day of April, 2003 by and between The Drees Company, a Kentucky corporation ("Drees") and Max and Patty Montoya, husband and wife ("Montoyas").

Whereas, Drees is the owner of approximately 107 acres on Williams Road, Boone County, Kentucky as recorded in PB 830, Pg 507 at the Boone County Clerk's office; and

Whereas, Montoyas are the owners of approximately 52 acres Williams Road, Boone County, Kentucky as recorded in DB 744, Pg 165 and DB 646, Pg 280 at the Boone County Clerk's Office; and

Whereas, Drees and Montoyas share a common property line of approximately 2105 linear feet as shown on Exhibit "A"; and

Whereas, this common property line fence is in disrepair and Drees and Montoyas have concluded that it is in both their best interests to replace said fence line.

Now therefore, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

- 1.) The existing barbwire fence shall be replaced with 4' welded wire farm fence with 6" posts and board top rail subject to Montoyas' approval.
- 2.) Drees shall pay the cost of the fence replacement up to \$3.00 per lineal foot, and Montoyas shall pay the balance. Drees shall also pay the cost of line clearing, disposal of cleared materials and in-line survey stakes for fence location.
- 3.) If the new fence is damaged or destroyed due to the intentional or negligent actions by either party or their agents, it shall be the sole responsibility of that party to pay the total cost of repair or replacement.
- 4.) Upon completion of the fence replacement, Montoyas shall assume the responsibility for all fence maintenance except as noted in #3 above.
- 5.) The fence replacement shall be completed within one year of the date of rezoning approval by Boone County for the Drees property adjoining Montoyas.

In Witness Whereof the parties set their hands the day and year first above written.

The Drees Company

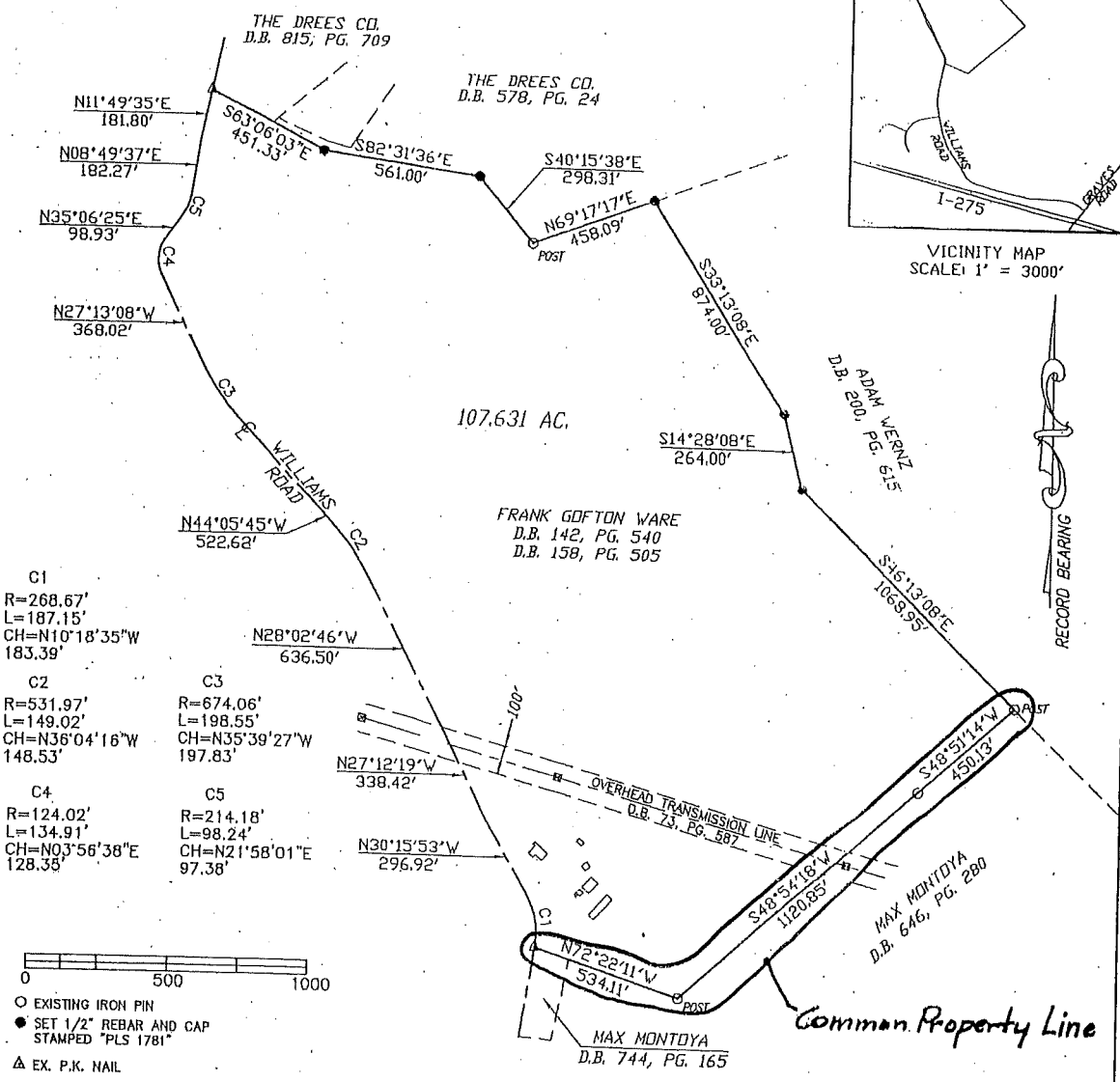
Michael Schaefer

Max Montoya

Patti Montoya

4/2/03

# EXHIBIT "A"



I hereby certify that the survey depicted by this plat was done by persons under my direct supervision by the method of random traverse with sideshots. The unadjusted error of closure was 1:30,000 and was not adjusted. The survey as shown hereon is a Class A Survey and the accuracy and precision of said survey meets all the specifications of this class.

W. Viox  
PLS 1781 DATE 1/29/02

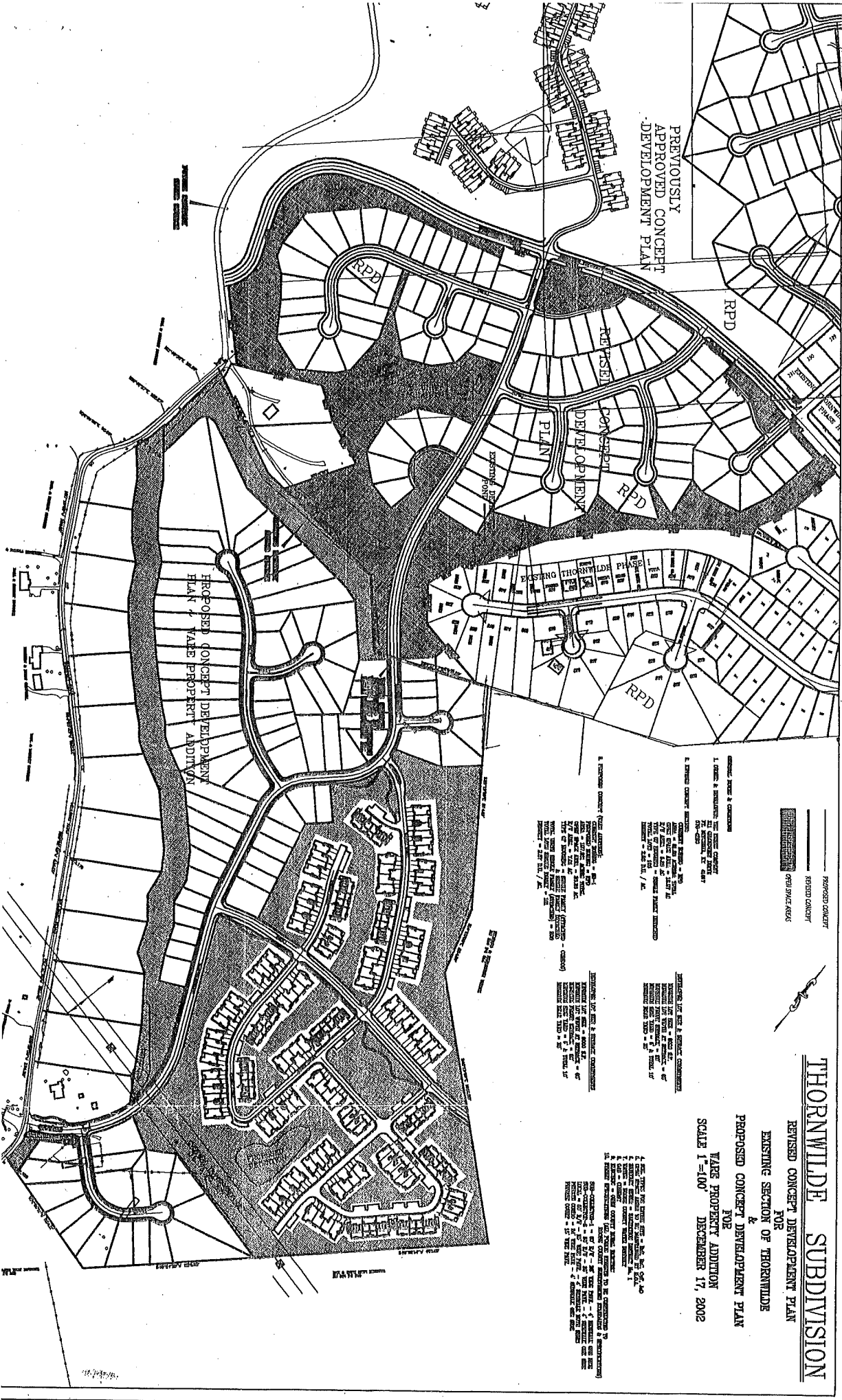


REMAINING PROPERTY OF GOFTON WARE  
TO BE CONVEYED TO  
THE DREES COMPANY  
BOONE COUNTY KENTUCKY  
EASTERLY SIDE OF WILLIAMS ROAD  
1.0 MILE WEST OF GRAVES ROAD

JANUARY 29, 2002 SCALE: 1" = 500'

**W VIOX & VIOX, INC.**  
Engineers • Surveyors • Landscape Architects

466 Erlanger Road  
Erlanger, Kentucky 41018  
Tel: 859-727-3293  
Fax: 859-727-8452  
e-mail: viox@nkol.net



PREVIOUSLY  
APPROVED CONCEPT  
DEVELOPMENT PLAN

PROPOSED CONCEPT DEVELOPMENT  
PLAN VARE PROPERTY ADDITION

PROPOSED CONCEPT  
REVISION CONCEPT  
EXISTING PHASES

GENERAL NOTES & CONDITIONS  
1. OWNER & DEVELOPER: THE VARE COMPANY  
200 W. 10TH ST., SUITE 100  
DENVER, CO 80202

2. PREVIOUS CONCEPT DEVELOPMENT PLAN: 2001  
DATE: 10/15/01  
SCALE: 1"=100'  
DRAWN BY: J. W. WILSON  
CHECKED BY: J. W. WILSON  
DATE: 10/15/01

3. PREVIOUS CONCEPT DEVELOPMENT PLAN: 2001  
DATE: 10/15/01  
SCALE: 1"=100'  
DRAWN BY: J. W. WILSON  
CHECKED BY: J. W. WILSON  
DATE: 10/15/01

4. PREVIOUS CONCEPT DEVELOPMENT PLAN: 2001  
DATE: 10/15/01  
SCALE: 1"=100'  
DRAWN BY: J. W. WILSON  
CHECKED BY: J. W. WILSON  
DATE: 10/15/01

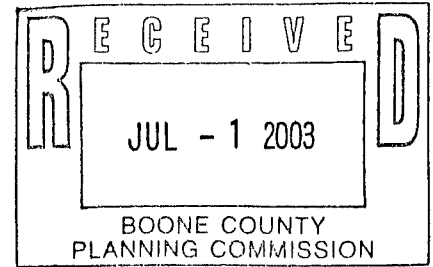
# THORNWILDE SUBDIVISION

REVISED CONCEPT DEVELOPMENT PLAN  
FOR  
EXISTING SECTION OF THORNWILDE  
&  
PROPOSED CONCEPT DEVELOPMENT PLAN  
FOR  
VARE PROPERTY ADDITION  
SCALE 1"=100' DECEMBER 17, 2002

5. PREVIOUS CONCEPT DEVELOPMENT PLAN: 2001  
DATE: 10/15/01  
SCALE: 1"=100'  
DRAWN BY: J. W. WILSON  
CHECKED BY: J. W. WILSON  
DATE: 10/15/01

6. PREVIOUS CONCEPT DEVELOPMENT PLAN: 2001  
DATE: 10/15/01  
SCALE: 1"=100'  
DRAWN BY: J. W. WILSON  
CHECKED BY: J. W. WILSON  
DATE: 10/15/01

**Ordinance**  
**Of**  
**The Boone County Fiscal Court**



**Ordinance No. 03-14**

**AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, A REQUEST OF THE DREES COMPANY (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A RESIDENTIAL / PLANNED DEVELOPMENT (RPD) ZONE FOR AN APPROXIMATE 52 ACRE SITE GENERALLY LOCATED ALONG THE EAST SIDE OF WILLIAMS ROAD, BETWEEN THE WESTERN TERMINUS OF THORNWILDE DRIVE AND WILLIAMS ROAD, AND IMMEDIATELY NORTH AND EAST OF THE TRACTS AT 1722 AND 1724 WILLIAMS ROAD, BOONE COUNTY, KENTUCKY AND FOR A ZONING MAP AMENDMENT FOR AN APPROXIMATE 108 ACRE TRACT LOCATED AT 2036 WILLIAMS ROAD, BOONE COUNTY, KENTUCKY, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD), AS RECOMMENDED BY THE BOONE COUNTY PLANNING COMMISSION (11-0, with 1 abstention) VIA RESOLUTION NO. R-03-006-A.**

**WHEREAS**, the Boone County Fiscal Court received a request for a change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52 acre site generally located along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky and for a Zoning Map Amendment for an approximate 108 acre tract located at 2036 Williams Road, Boone County, Kentucky, such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Residential Planned Development (RPD), 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 a change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52 acre site generally located along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky and for a Zoning Map Amendment for an approximate 108 acre tract located at 2036 Williams Road, Boone County, Kentucky, such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Residential Planned Development (RPD).

**NOW, THEREFORE, BE IT ORDAINED BY THE BOONE COUNTY FISCAL COURT AS FOLLOWS:**

**Ordinance**  
**Of**  
**The Boone County Fiscal Court**

**Ordinance No. 03-14**

**SECTION I**

That the request for a change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone and a Zoning Map Amendment from Suburban Residential One (SR-1) to Residential Planned Development (RPD) for the real estate which is more particularly described below shall be and is hereby approved, with conditions, in a Residential Planned Development (RPD) zone for an approximate 52 acre site generally located along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky and for a Zoning Map Amendment for an approximate 108 acre tract located at 2036 Williams Road, Boone County, Kentucky, such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Residential Planned Development (RPD), which is more particularly described in DEED BOOK 830, PAGE NO. 507 (as supplied by the applicant) as recorded in the Boone County Clerk's office.

**SECTION II**

That as a basis for the recommendation of approval, with conditions, for a change in an approved Concept Development Plan in a Residential Planned Development (RPD) zone for an approximate 52 acre site generally located along the east side of Williams Road, between the western terminus of Thornwilde Drive and Williams Road, and immediately north and east of the tracts at 1722 and 1724 Williams Road, Boone County, Kentucky and for a Zoning Map Amendment for an approximate 108 acre tract located at 2036 Williams Road, Boone County, Kentucky, such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) to Residential Planned Development (RPD), are the findings of fact of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this 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 marked as "Exhibit B."

In addition to the conditions agreed to by the applicant before the Planning and Zoning Commission, this approval is subject to the additional conditions outlined in the attached letter from Drees Homes, attached hereto as "Exhibit C".

**SECTION III**

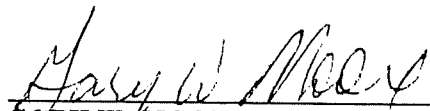
That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

Introduced and given First Reading on the 22<sup>nd</sup> day of April, 2003.

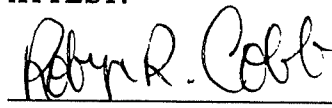
**Ordinance  
Of  
The Boone County Fiscal Court**


**Ordinance No. 03-14**

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 17<sup>th</sup> day of June, 2003, 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**

  
\_\_\_\_\_  
**JAMES R. SCHRAND II**  
**BOONE COUNTY ATTORNEY**

6-26-03  
\_\_\_\_\_  
**DATE PUBLISHED**



June 16, 2003

Mr. James Parsons, County Administrator  
Boone County Administration Building  
P.O. Box 900  
2950 Washington Square  
Burlington, KY 41005

Re: Thornwilde Rezoning / Plan Revision

Dear Mr. Parsons,

This letter is to confirm our conversation regarding issuance of building permits within the Thornwilde Community. The Drees Company agrees to accept as a condition of approval for our pending zone change/plan revision request that building permits for single family detached homes will be limited to 65 per year. At such time as single family attached homes building construction commences, an additional 45 building permits per year will be allotted. The number of permits available per year is to be cumulative for detached and attached homes permits.

Additionally, I have spoken to Mr. Greg Sketch, Boone County Engineer, regarding future improvements on Williams Road and, in particular, the curve on the north end of the former Ware property where Williams Road is on a steep grade. I indicated to Mr. Sketch that at such time as Boone County undertakes an improvement project for roadway realignment, The Drees Company would work with the County to provide additional right-of-way and grading rights as necessary to accomplish that improvement. The provision of additional right-of-way for this improvement would not reduce the proposed number of lots along Williams Road and the County would allow, as necessary, a plan modification in frontage lot width to maintain the proposed lot count.

I trust that the foregoing adequately addresses the concerns of the Fiscal Court on these matters and we look forward to presenting our proposal to them on June 17<sup>th</sup> for their approval.

Sincerely,

A handwritten signature in black ink that reads "Michael Schoettelkotte".

Michael Schoettelkotte  
Land Development Administrative Manager

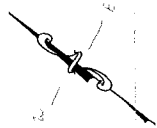
Cc: Greg Sketch, P.E. – Boone County Engineer



# THORNWILDE SUBDIVISION

REVISED CONCEPT DEVELOPMENT PLAN  
 FOR  
 EXISTING SECTION OF THORNWILDE  
 &  
 PROPOSED CONCEPT DEVELOPMENT PLAN  
 FOR  
 WARE PROPERTY ADDITION  
 SCALE 1"=100' DECEMBER 17, 2002

- ..... PROPOSED CONCEPT
- REVISED CONCEPT
- [Hatched Box] OPEN SPACE AREAS



**GENERAL NOTES & CONDITIONS**

1. OWNER & DEVELOPER: THE DRESS COMPANY  
 211 GRANDVIEW DRIVE  
 FT. MITCHELL, KY 41017  
 678-4200

**2. REVISED CONCEPT SECTION:**

CURRENT ZONING = RPD  
 AREA = 51.92 ACRES± TOTAL  
 OPEN SPACE AREA = 18.27 AC  
 R/W AREA = 6.88 AC  
 TYPE OF HOUSING = SINGLE FAMILY DETACHED  
 TOTAL LOTS = 108  
 DENSITY = 2.52 D.U. / AC.

**DEVELOPER LOT SIZE & SETBACK COMMITMENTS**

MINIMUM LOT SIZE = 6'00 S.F.  
 MINIMUM LOT WIDTH AT SETBACK = 65'  
 MINIMUM FRONT SETBACK = 30'  
 MINIMUM SIDE YARD = 5' & TOTAL 10'  
 MINIMUM REAR YARD = 25'

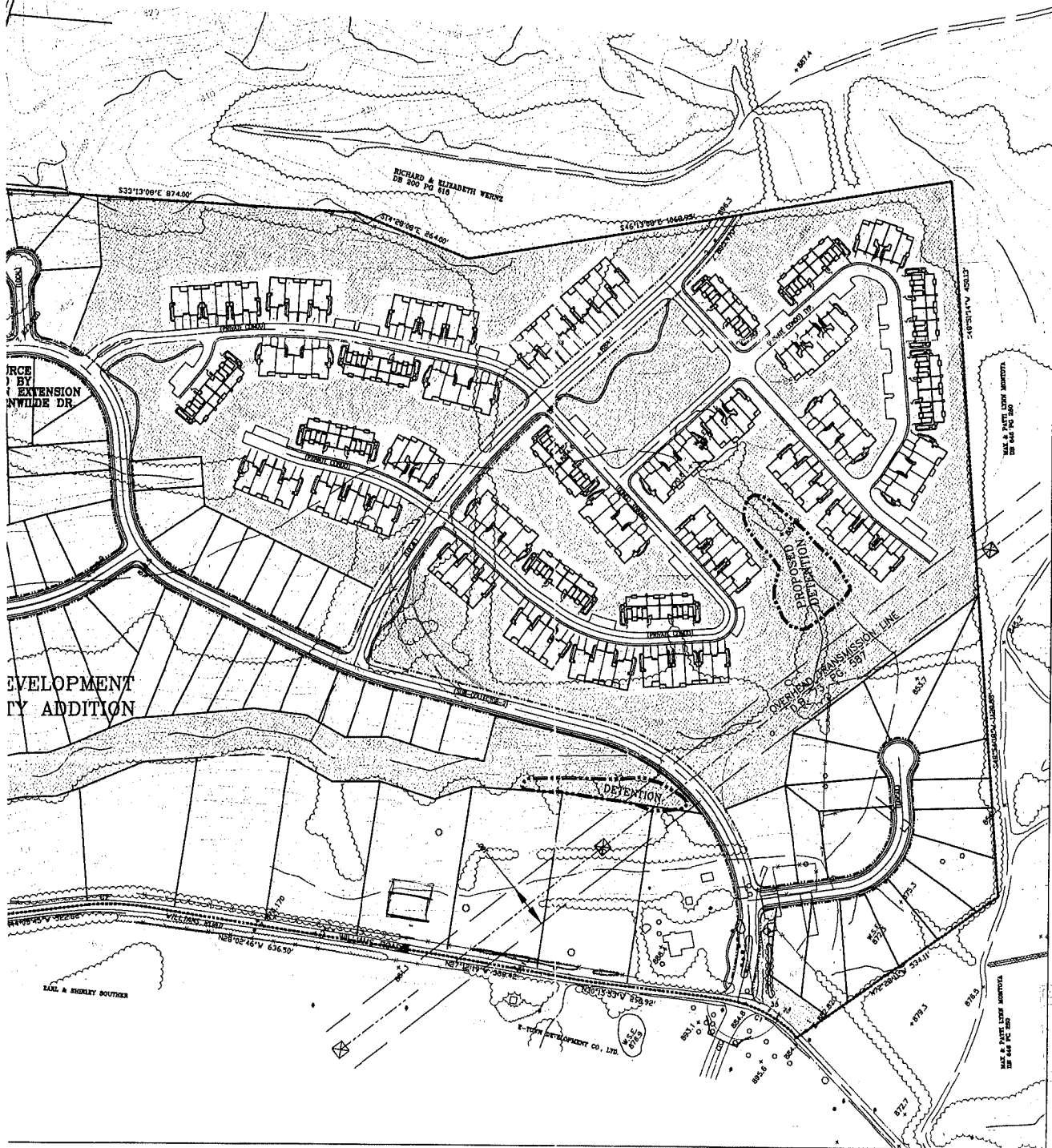
**3. PROPOSED CONCEPT (WARE ADDITION):**

CURRENT ZONING = SR-1  
 PROPOSED ZONING = RPD  
 AREA = 107.631 ACRES TOTAL  
 OPEN SPACE AREA = 29.28 AC.  
 R/W AREA = 7.01 AC  
 TYPE OF HOUSING = SINGLE FAMILY (ATTACHED - CONDOS)  
 & SINGLE FAMILY DETACHED  
 TOTAL UNITS SINGLE FAMILY (ATTACHED) = 208  
 TOTAL LOTS SINGLE FAMILY = 101  
 DENSITY = 2.87 D.U. / AC.

**DEVELOPER LOT SIZE & SETBACK COMMITMENTS**

MINIMUM LOT SIZE = 6'00 S.F.  
 MINIMUM LOT WIDTH AT SETBACK = 60'  
 MINIMUM FRONT SETBACK = 30'  
 MINIMUM SIDE YARD = 4' & TOTAL 10'  
 MINIMUM REAR YARD = 25'

4. SOIL TYPES FOR ENTIRE SITE = S&B, R&C, C&F, J&D
5. OPEN SPACE AREAS TO BE MAINTAINED BY H.O.A.
6. SANITARY SEWER = SANITATION DISTRICT No. 1
7. WATER = BOONE COUNTY WATER DISTRICT
8. GAS = CENERGY
9. ELECTRIC = OWEN COUNTY RURAL ELECTRIC
10. STREET SPECIFICATIONS (ALL PUBLIC STREETS TO BE CONSTRUCTED TO BOONE COUNTY SUBDIVISIONS STANDARDS & SPECIFICATIONS)
  - SUB-COLLECTOR-1 = 60" R/W - 28" WIDE PAVE. - 4" SIDEWALK ONE SIDE
  - SUB-COLLECTOR-2 = 60" R/W - 28" WIDE PAVE. - 4" SIDEWALK ONE SIDE
  - LOCAL = 30" R/W - 25" WIDE PAVE. - 4" SIDEWALK BOTH SIDES
  - PRIVATE CONDO = 24" WIDE PAVE - 4" SIDEWALK ONE SIDE
  - PRIVATE COURT = 16" WIDE PAVE.



PREVIOUSLY  
APPROVED CONCEPT  
DEVELOPMENT PLAN

REVISED CONCEPT  
DEVELOPMENT  
PLAN

EXISTING DETENTION  
POND

PROPOSED  
COMMUNITY  
FACILITIES

WATER SOURCE  
SUPPORTS  
WATER MAIN  
FROM THOR

EXISTING SANITARY  
SEWER SOURCE

PROPOSED CONCEPT DEVELOPMENT  
PLAN - WARE PROPERTIES

FUTURE SANITARY  
SEWER SOURCE

**W** VIOX & VIOX, INC.  
Engineers • Surveyors • Landscape Architects

466 Erlanger Road Erlanger, Kentucky 41018  
Tel: 859-727-3293 Fax: 859-727-8452  
e-mail: viox@nkol.net

