

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

NOV 16 2004

BOONE COUNTY
PLANNING COMMISSION

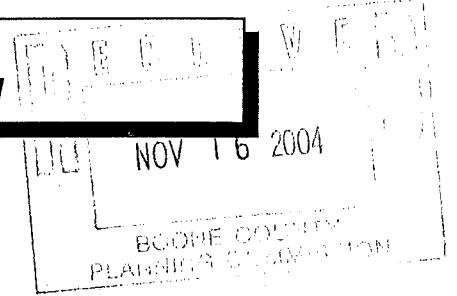
(See Boone County
Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project The Tracks of Steeplechase
 2. Location of Project Grand National Boulevard
 3. Total Acreage of Site 144.30
 4. Current Zoning of Site A-2
 5. Proposed Zoning (Classification being requested) SR-1
 6. Proposed Uses (please specify each use) residential (conventional + Patio)
-
7. Names of Applicant(s) Tim Reese
Phone Number 578-8050 Fax No. 578-6632
 8. Address of Applicant(s) 519 Enterprise Drive Suite 103
Crescent Springs KY 41017
City State Zip
 9. Name of Property Owner(s) See attached
Phone Number _____ Fax No. _____
 10. Address of Property Owner(s) See attached
City State Zip
 11. Proposed Building Intensities (please specify) 2.73 units/acre
 12. Are there any existing buildings on the site? yes
How many? 7
 13. Deed Book see attached Page No. _____ Group No. 2071
 14. Are you also applying for:
 Conditional Use Permit
 Dimensional Variance
 15. Have you submitted a Concept Development Plan? yes
 16. Have you had a pre-application meeting with BCPC Staff? yes
 17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:
- no Boone County Water District
 - n/a Florence Water and Sewer Dept.
 - no Cinergy/U.L.H.&P. Co.
 - yes Sanitation District #1
 - no Cincinnati Bell
 - no Owen County Rural Electric
 - yes Boone County Public Works Department
 - no Kentucky Transportation Cabinet
 - n/a City of Florence Public Services Department
 - no Boone County Building Department

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 The Track at Steeplechase
- 3. Location of Project Grand National Boulevard
- 4. Total Acreage of Site 14.72
- 5. Current Zoning SR-1
- 6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 3-19-97
- 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) Residential (Conventional + Patio)
- 9. Proposed Building Intensities (please specify) 2.73 (whole site)
- 10. Have you submitted a Concept Development Plan? yes
- 11. Are you also applying for:
 - Conditional Use Permit
 - Dimensional Variance
- 12. Name of Applicant(s) Tim Reese
- Phone Number 578-8050 Fax No. 578-6632
- 13. Address of Applicant(s) 519 Enterprise Dr
- Crescent Springs KP 41017
- City State Zip
- 14. Name of Property Owner(s) Chase-Reese-Carlisle LLC
- Phone Number 578-8050 Fax No. 578-6632
- 15. Address of Property Owner(s) same as applicant
- City State Zip
- 16. Are there any existing buildings on the site? no
- How many? _____
- 17. Deed Book 863 Page No. 960 Group No. 2671
- 18. Have you had a pre-application meeting with BCPC Staff? yes

(over)

EXHIBIT

“A”

STAFF REPORT

Request of Tim Reese (applicant) for Chase-Reese-Carlisle LLC (owner) for a Change in an Approved Concept Development Plan in a Suburban Residential One/Planned Development (SR-1/PD) zone for a 14.72 acre tract located to the southeast of the southern terminus of Grand National Boulevard, west of I-75, east of the property at 618 Aylor Lane, and north of the property at 472 Chambers Road, Boone County, Kentucky; and, the request of Tim Reese (applicant) for James Hollen, Mark Meade, Lowell Goldsberry, Charles Worley, Gregory Worley, and Walt Pieschel (owners) a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) for a 144.3 acre area located at 472, 490, 640, 674, and 680 Chambers Road, and north of the properties at 500, 510, 530, 588, and 604 Chambers Road, and east of the properties at 690 Chambers Road and 609 and 618 Aylor Lane, and west of I-75, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan and a zone change to allow a subdivision for detached single family residences.

January 5, 2005

REQUEST

This request is for a Change in an Approved Concept Development Plan in a SR-1/PD zone for approximately 15 acres at the northern end of the site, and a Zoning Map Amendment from A-2 to SR-1 for the remaining approximately 144 acres. The site is located along two frontages on Chambers Road (unrelated tracts separate the two frontages), along the west side of the I-75, and at the southern end of Steeplechase Subdivision.

A Concept Development Plan has been submitted with this request. The Concept Development Plan illustrates a subdivision for 412 lots for detached single family residences for an overall density of 2.59 units per acre (411 lots for new dwellings plus a remainder lot for an existing dwelling). The site is organized by two main streets. The first is a connection of Grand National Boulevard from its current terminus in Steeplechase to Chambers Road in the eastern part of the site; Grand National Boulevard would run diagonally to the southeast, where it parallels I-75 for a portion of its' alignment. The second main street runs east-west from an intersection with Grand National Boulevard in the southern part of the site, and then curves southward where it intersects with Chambers Road in the western part of the site. The remainder of the street system is a series of local and cul-de-sac streets which serve the individual lots. Grand National Boulevard is proposed to be a 24 foot wide street with ditch lines and the remainder of the streets are proposed to be 25 feet wide with rolled curbs. A 15 foot wide private drive is proposed to extend from this subdivision to serve remaining A-2 zoned lots to the west.

Varying lot sizes are proposed in different phases of the subdivision. Patio home style lots are proposed in the eastern area of the site (60' minimum width), 65 foot wide lots are proposed in the section north of Grand National Boulevard, larger suburban style lots are proposed in the central and western portions of the subdivision (70' and 80' widths), and seven "estate-like" lots are proposed along the Chambers Road frontage. The estate-like lots have widths along the right-of-way line that range from between approximately 105 feet and 180 feet and lot sizes which range from between approximately 0.55 acres and 1.47 acres. The houses on these lots would face Chambers Road (front setbacks range from approximately 120' to 250' as shown on the plan) and would be accessed from within the subdivision and not Chambers Road. Generic landscape buffers are indicated along the rear property lines of the estate-like lots. The plan notes that a waiver will be requested to reduce the minimum flag lot panhandle length from 150 feet to 125 feet.

Two common open spaces have been shown. The first is within a 150 foot wide electric transmission easement which runs along the north side of Grand National Boulevard's "diagonal" alignment. A path and parking are shown for this open space. The second open space is located along the majority of the western boundary of the development. A trail, parking, and "wooded buffer" are shown within this space. A "community facility" (presumably a clubhouse and pool) are proposed in the northern section of the site along Grand National Boulevard. The total open space area is 14.39 acres (9 percent of the site area). Both wet and dry detention areas are shown in various locations. Public water and sanitary sewer are proposed.

SITE HISTORY

The current Agricultural Estate (A-2) zone for the bulk of the property was adopted through the 1980 Boone County Zoning Map that was prepared by KZF, Inc. A Zoning Map Amendment/Concept Development Plan approval from A-2 and EPD to SR-1/PD for the overall 189 acre Steeplechase development was granted in 1997 - the approximate 15 acre tract at the northern end of the current site is the extreme southern end of the original Steeplechase site, and was approved for detached single family residences. The overall approval was for 311 detached single family residences and 372 attached/condominium style units (Concept Development Plan and Committee Report are attached).

ADJACENT LAND USES AND ZONING

The land uses and zoning adjacent to the site include the following.

- A. A combination of agricultural uses and detached, single family residences on estate style lots are located to the west on the north side of Chambers Road, between the subject site and Decker Lane (A-2). A formal estate lot style subdivision is located further to the west (Richwood Country Estates/Decker Lane and Aylor Lane) - this subdivision adjoins the subject site at its northern end (A-2).
- B. A combination of agricultural uses, detached, single family residences on estate style lots, and formal subdivisions with estate style lots (Bedingers Landing/Gaines Way, Richwood Country Estates/Hutton Drive) are located on the south side of Chambers Road to the south, southwest, and west (A-2).
- C. The developing Steeplechase Subdivision is located to the north (SR-1/PD).
- D. I-75 is located to the west.

SITE CHARACTERISTICS

As noted above, the site contains approximately 159 acres. The eastern Chambers Road frontage has approximately 990 feet and the western Chambers Road frontage has approximately 510 feet. The site contains several existing structures and a lake. Much of the site is cleared and is used as pasture, although the western and northern parts of the site are wooded. The topography of the site is gently rolling from north to south, with an elevation change of approximately 104 feet from the northern part of the site to the western Chambers Road frontage. There is an intermittent blue line stream which runs across the northern boundary of the site and another which runs along the west boundary. Water is available near the current terminus of Grand National Boulevard and along Chambers Road (currently ends in between the site's two frontages and is proposed to be extended eastward to I-75), and the sanitary sewer is proposed to be extended from Suncrest Drive to the west.

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2000 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Suburban Residential" uses. The Suburban Residential classification is described as "single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision."

The Land Use Element text makes the following statements that relate to the overall area.

- A. Development to the southwest of the Richwood interchange must continue the Grand National Boulevard connection to Chambers Road. Triple Crown Subdivision provides an important road connection between Richwood Road and Frogtown Road. Other connections between Richwood Road and Frogtown Road need to occur. The southwest quadrant of I-75 and Frogtown Road, adjacent to the new Frogtown-Richwood Connector Road, should develop as High Suburban Density residential to provide a logical transition of density and a buffer between the major roadways and single family development to the west. However, this area should not include a continuation of the existing mobile home park. Any attached housing in this area must be designed to complement adjacent single-family residential ("Richwood West," pp. 166 and 167).
- B. Improvements are needed to the Richwood interchange and to Richwood Road to increase capacity. Commercial development around the interchange is expected to remain and expand to serve local residents, in addition to highway-related services. Intrusive highway related services should not impact the low density residential uses on the west, and be limited to the east side of I-75 . . . ("Richwood Area," pg. 167).

The Land Use Element provides the following general comments that relate to the proposal.

- A. Developments in Boone County should begin with an assessment of the existing site features to determine positive and useful attributes, as well as features which should or can be preserved. Development design should incorporate the use of these attributes for the benefit of the development and the County as a whole, rather than leveling an entire site to meet a pre-conceived project design. Development plans should identify such areas, and delineate disturb limits to protect those areas that have been defined ("Utilization of Existing Vegetation and Topography," pg. 158).
- B. Developments in Boone County must recognize the potential impacts upon adjoining land uses and incorporate a transition of land uses, building setbacks, and/or landscaping to minimize these impacts. Potential impacts include visual, noise or vibrations, odors, dust, smoke, and light. Buffering to mitigate these impacts 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 ("Buffering," pg. 159).

- C. Developments in Boone County must include landscaping to accompany the proposed project. This landscaping should be designed to improve the public view of a development, and should be incorporated into parking lots and other vehicle circulation areas as well as within open spaces and around structures. Landscaping is intended to minimize the visual impacts of the development from adjoining properties and roadways . . .

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 uses ("Landscaping," pg. 159).

- D. 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 ("Access Management," pg. 159).

- E. 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 a specific development, but should not be used as a means to compete for motorist attention . . .

Neo-traditional residential and commercial development should be encouraged to provide quality development that blends with the natural or historic character of parts of Boone County . . .

The proper application of these guidelines help, in part, to achieve an overall objective of this Comprehensive Plan. This goal states that proper future growth management for Boone County is implemented. As a minimum, proper design and development must include the consideration and application of the above guidelines ("Designs, Signs, and Historic Preservation," pg. 160).

The Environment Element provides the following comments that relate to this proposal.

- A. Overall, land planning in Boone County should enable the developable lands to be developed at a higher density, thus reducing the need to develop the developmentally sensitive areas. This would be the most effective way of preserving the environmental characteristics of the rural portions of the county,

while reducing the air pollution within the region and making mass transit more feasible and effective. In 1995, the Comprehensive Plan included the observation that in Boone County there was almost three times as much undeveloped land, not including developmentally sensitive, as there was developed land. The conclusion was that unless development occurs in a low density form, there should be ample developable land to allow continued growth within Boone County beyond the 25 year planning horizon. In the five years since the last update, however, development has occurred at a lower density than proposed in the 2020 Land Use Plan, as well as at lower densities than permitted by the existing zoning. This means that Boone County development will affect more acreage than shown on the 2020 Land Use Map. This also means that since overall development densities show no sign of significant increase, the Land Use Element must include the examination of additional development areas outside the 2020 Land Use Map urban areas if the county's growth is to continue for the planning horizon ("Tools for Land Conservation," pg. 48).

The Housing Element provides the following comments that relate to this proposal.

- A. The major reason for Boone County's rapid population growth is in-migration. Often the higher income or new population locates 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 the different segments of society. A variety of housing opportunities within the established urban areas and within developing areas would encourage some of the higher income residents to reside there and thus lessen the isolation of 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 . . . ("Population Needs," pg. 82).
- 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. The Union area has a high percentage of single-family housing. Seventy six percent of all units in Union were constructed between 1970 and 1990. 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 . . . ("Housing Types," pg. 82).
- 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 reduction 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 . . . ("Open Space Subdivision Design," pg. 85).

The Agriculture Element provides the following comments that relate to this proposal.

- A. It is apparent that future development of the county's rural areas will occur in residential, industrial, and commercial terms. This plan calls for farmland conversion to occur through logical urban expansion. In order to protect those who want to continue to farm in urbanizing areas, tax structures, planning efforts, Purchase of Development Rights (PDR), incentive programs, and utility expansions should be designed to enable those uses to continue.

New residential developments in agricultural areas should be closely correlated to adequate infrastructure. When this type of development does occur, compact efficient land use development patterns should be encouraged to assure the availability of lands in the county for agricultural use. New residential development is further addressed in the Housing Element . . . ("Recommendations," pg. 103).

The Transportation Element provides the following comments that relate to this proposal.

- A. If Boone County continues to develop in this same low-density, dispersed form of development, which only accommodates travel by the automobile, it would almost certainly guarantee chronic traffic congestion, increased air pollution problems and a waning quality of life for residents of the county ("The Future: Integrating Transportation and Land Use," pg. 153).

The Population Element outlines population projections based on the Ohio-Kentucky-Indiana Regional Council of Government's (OKI) transportation analysis zones. The population for the zone in question (887) is expected to increase from 5,973 in the year 2000 to 8,402 in 2010, and to 9,459 in 2020 (pp. 27-30).

The adopted 2005 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).
- B. Proper design principles shall be applied in development ("Overall," Objective 3).

- C. Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed ("Overall," Objective 4).
- D. Boone County shall strive to achieve both a diversity and balance in land use. Land use and zoning decisions shall strive to balance the rights of landowners with the rights of the general public in a fair and impartial manner ("Overall," Objective 6).
- E. Innovative development design methods shall continue to be pursued ("Overall," Objective 9).
- F. The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- 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 enhanced. Development within Boone County preserves and promotes a better quality of life ("Environment," Goal).
- G. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used. Residential development design in particular should minimize grading work as opposed to clearing the entire site. Existing trees and pasture land shall be evaluated during the design and construction process as a visual and economic benefit to the community ("Environment," Physical Objective 2).
- H. Development design shall consider natural or ecological systems, such as wildlife habitats, air, and water ("Environment," Physical Objective 4).
- I. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Social Objective 4).
- J. A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ("Housing," Objective 1).
- K. Housing supply in Boone County shall be balanced against present and planned commercial, industrial, and education needs. Primary and secondary education capacity shall be evaluated during housing development review ("Housing," Objective 4).
- L. In order to offer the citizens of Boone County maximum choice in living environment, residential development shall be judged primarily on the impact on infrastructure, buffering, and development design with only secondary consideration given to the type of dwelling units ("Housing," Objective 5).

- M. 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).
- N. New or redeveloped residential areas shall be designed to establish clearly defined neighborhoods with a mix of retail, public, and recreational uses. Established neighborhoods shall be protected and enhanced and deteriorated neighborhoods shall be regenerated ("Housing," Objective 9).
- O. Clustering (increasing net density while not altering overall usable density) shall be promoted by appropriate incentives in order to preserve green space, scenic views, other identified significant site features, and land for public facilities or recreation. The usability of green space must be carefully reviewed, and the provision of green space shall not in itself guarantee an increase of density. Clustered housing, or Open Space Subdivisions shall be permitted not only in planned developments, but in appropriately designed subdivisions under conventional zoning ("Housing," Objective 12).
- P. 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).
- Q. Where existing infrastructure, services and the public school system are not adequate, developments shall be phased to coordinate with the provision of these items ("Housing," Objective 14).
- R. New infrastructure systems shall be built to definite planned and balanced capacities and for definite urban and rural forms ("Public Services and Facilities," Objective 2).
- S. Priorities for growth within any individual infrastructure system shall be based on the predicted needs of specific areas as prescribed by the future land use projections of this plan. No infrastructure system shall commit the county to excessive growth by the system's expansion ("Public Services and Facilities," Objective 3).

- T. New connector streets shall be developed where needed and feasible thus lessening the total dependence on arterial, collector, and local streets. Existing connector streets shall be improved where needed ("Transportation," 2nd Goal, Objective 2).
- U. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops ("Transportation," 2nd Goal, Objective 3).

STAFF COMMENTS

1. The Planning Commission and Fiscal Court will need to determine whether the proposal is in agreement with the Comprehensive Plan. As discussed above, the Future Land Use Map designates the site for Suburban Residential uses, which is single family housing of up to four units per acre and any low density or estate residential developed as a formal subdivision - this means that the nearby estate lot type (lower density) subdivisions can technically fall within this classification. The Land Use Element discussion of this area is largely limited to the planned extension of Grand National Boulevard southward to Chambers Road; this proposal would fulfill this objective of the Comprehensive Plan and such an improvement minimally infers that growth beyond a low density agricultural environment is anticipated.

The Housing and Agriculture Elements discuss that single family developments will tend to develop on the outer rings of growth, and that "new residential developments in agricultural areas should be closely correlated to adequate infrastructure." The Goals and Objectives also stress the importance of adequate infrastructure. Cluster/open space style subdivisions are advocated by both the Housing Element and the Goals and Objectives. Additionally, the Population Element forecasts a substantial increase in population for the traffic zone in question, although the population forecast is for the zone at large and should not, in and of itself, be construed to endorse a particular land use or density on a specific parcel. The governing bodies will also need to consider whether the current zoning is inappropriate and the proposed zoning is appropriate, and whether there have been changes of an economic, physical, or social nature not anticipated in the comprehensive plan that substantially alter the area's character.

2. Staff has the following comments regarding the design of the project.
 - A. Seven frontage lots which face Chamber Road have been proposed. As described above, these lots have frontages that range between approximately 105 and 180 feet and lot sizes that range between approximately 0.55 acres and 1.47 acres. All of these lots will be accessed at the rear from within the subdivision and are proposed to have a landscape buffer along their rear property lines. The houses on these lots will face Chambers Road and are set back between approximately 120 and 250 feet from Chambers Road.

In order to more closely replicate the Chambers Road environment and the potential development permitted under the A-2 zone for the remainder of the area, Staff suggests that all of the frontages (width) for these lots be increased to at least 150 feet per the minimum A-2 zone requirement. As substantial front yard setbacks (such as those proposed) and lot widths visually define the spatial characteristics more directly than lot area, Staff is not as concerned with lot area than the stated dimensional requirements. As smaller suburban style lots adjoin the unrelated frontage tract to the west of the western section of the development along Chambers Road (lots 175 - 182), Staff suggests a similar if not identical width for these lots as well.

The landscape buffer along the rear of all of these lots should be defined, with Staff suggesting tree rows consisting of predominately native hardwood trees to correlate to the treed fence rows which occur naturally, supplemented with evergreen trees on the sides facing towards the interior of the subdivision to provide additional screening; berming could be added for the screening along the rear of the frontage lots, and possibly at the rear of lots 175 - 182 if sufficient space exists. A comparable buffer approach could be provided around the "remainder area" along Chambers Road which is surrounded by this development on three sides, although this proposal basically sets the stage for this remainder area (at least the three larger tracts within it) to be a future infill development area. Tree lines along the site's boundaries throughout are recommended to be retained regardless. Additionally, a landscape treatment which relates to Chambers Road should also be considered along the frontage lots - as the area to the west is more defined by rows of street-like trees and board fences, the area around this site is more defined by the open yards and pastures. Some combination of these elements could be devised into a cohesive design.

- B. A defined streetscape planting plan was provided for the existing section of Grand National Boulevard in Steeplechase Subdivision (depending on location, includes a combination of board fencing, canopy trees, and clusters of evergreen trees). Also, the existing road has a 6 foot wide path on one side. In order to maintain visual continuity, enhance the proposed development, and to define the road as a single connection between Richwood Road and Chambers Road, Staff recommends that both of these elements be included along the Grand National extension (note - current AASHTO standards call for such a path to be 10' in width). A comparable streetscape treatment should also be considered for at least the initial leg of the western entrance road on Chambers Road.
- C. 14.39 acres of open space has been proposed, which is provided in a large electric transmission easement along the north side of the Grand National extension and in the western part of the site. As cluster/open space style developments are advocated by the Comprehensive Plan and the provision of properly designed open space can contribute to the compatibility of this development to the adjoining areas, Staff has identified two basic

approaches which could be taken: A.) a development which more closely follows the "open space subdivision" approach (even if it is not an open space subdivision per the regulations), with purposeful spaces provided throughout the development and reduced sized lots and setbacks where appropriate; or B.) a development which provides open space in the perimeter to provide buffer areas to the adjoining lower density areas such as the plan submitted, which basically functions as a continuation of the existing Steeplechase Subdivision. The governing bodies will need to determine if a plan which more closely embodies the "open space subdivision" approach is warranted based on the Comprehensive Plan and compatibility with the site and area.

Based on the plan submitted, Staff recommends that the existing woods be retained in the western part of the site (is partially noted as such on the plan) and that a substantial, "woods" appearing landscape treatment be provided where supplemental buffering is necessary to consist of a combination large native hardwood trees, evergreen trees to increase screening qualities, and a mixed hardwood seed/seedling understory where pedestrian traffic is not anticipated (the I-3 zone compatibility standards in section 1162 of the zoning regulations can be used as a rough guide). The amount of supplemental plantings necessary is largely contingent upon disturb limits. For the open space along Grand National Boulevard, a planting scheme which functions as an extension of the streetscape plantings, yet are arranged to make the space at least somewhat useable could be employed (i.e., a park-like scheme). For the applicant's information, the parking for this open space area can not back out into Grand National Boulevard.

3. Staff has some comments and information relative to transportation issues. To start, condition #3 of the Steeplechase zone change approval (refer to attached Committee Report) requires that developer to upgrade KY 338 to a three lane road (two way with a center turn lane) from a point near Heritage Trails Subdivision where similar improvements were made, through the Triple Crown/Grand National/KY 338 intersection. This improvement is to include related intersection improvements and is to occur by the time 217 new dwelling units have been constructed in the Steeplechase development (the 217 figure is based on data in the Traffic Study that was constructed at the time; as of 12/1/04, permits had been issued for 194 new dwellings). Condition #4 of the Drees/Em-A-Non zone change approval (2003) to UR-1 for 380 apartment units to the north of Steeplechase requires that developer to construct these improvements by the time the Drees apartment development has 65 occupied dwellings, if the KY 338 improvements have not already been constructed (refer to attached Committee Report; there are no occupied dwellings in the Drees apartment development as of yet).

Also related to the Triple Crown/Grand National/KY 338 intersection, condition #7 of the Steeplechase zone change approval (refer to Committee Report) requires that developer to financially participate in the signalization of the intersection when its level of service drops below LOS "C." The dollar figure mentioned in the condition is based on the estimated cost of signalization in 1997 and the projected, proportionate impact of the original Steeplechase development on the intersection. The developer of the Drees apartment project agreed to this same condition (refer to Committee Report). A condition for the Triple Crown zone change requires that developer to participate in the construction of the signal as well, although an exact level of participation was not specified. As both the original Steeplechase conditions #3 and 7 were based on a traffic analysis and still apply to the portion of the current proposal which is subject to the Change in Concept Development Plan application, no traffic impact study was submitted with the current request. Currently, the County is coordinating the improvements described in these conditions - comments from Greg Sketch, P.E., PLS, Boone County Engineer, regarding the improvements and their timing are expected to be available at the Public Hearing.

The Kentucky Transportation Cabinet, District 6, has commented that they are optimistic about Six Year Plan funding for the potential Richwood Road/I-75 interchange project and therefore have no objections to the zone change (12/8/04 e-mail from Jim Brannon, Branch Manager, Planning, KTC, District 6 is attached).

Related to the street system for this development itself, the road which connects the western access point on Chambers Road to Grand National Boulevard must be a subcollector road (28' wide pavement versus 25' noted for all streets but Grand National Blvd.) as more than 100 lots are served by it. Additionally, turn lanes on Chambers Road should be considered, especially for the Grand National Boulevard/Chambers Road intersection as this road is planned to be the major north-south connector in the area and will serve traffic from both directions on Chambers Road (also regarding this intersection, adequate sight distance per both state and local requirements will need to be demonstrated). For the applicant's information, the "15' private drive on HOA parcel" noted to serve some of the A-2 parcels to the west will need to minimally have a 18 foot wide tar and chip surface per the subdivision regulations if it is to serve as a private road as it appears. The Zoning Administrator is willing to entertain a waiver for the noted 15 foot width if the surface is upgraded to asphalt or concrete.

4. The northern approximate 15 acres of the site is within the PD overlay zone, and is subject to the requirements of section 1514 "Planned Development Standards" of the zoning regulations. This area was evaluated against these standards in 1997 as part of the overall Steeplechase development, and in Staff's view the proposal for this area is a "minor rearrangement" of the original Concept Development Plan. Keeping this in mind, Staff's recommendation for the governing bodies regarding these standards is to particularly scrutinize the proposal relative to subsection 3 "Open Space" to assure that the open space and community amenities expected by this subsection are available to the affected lots.

5. Comments from the Boone County Schools are outlined in the attached 12/14/04 letter from Bryan Blavatt, Superintendent. This letter references a prior letter from the District regarding large housing developments (the attached 1/16/03 letter), and also states that the District would "welcome the opportunity to engage in conversation about the possibility of land being set aside for future school usage."
6. Comments from the Walton Fire District are outlined in the attached 12/3/04 e-mail from Chief Don McIntyre. In short, the District has no opposition to the proposal.
7. Staff has requested written comments on the proposal from Sanitation District #1 and the Boone County Water District. Such written comments have not been received as of this writing. Any written comments received from these agencies will be forwarded to the Zone Change Committee for review.

CONCLUSION

This request needs to be evaluated by the Boone County Planning Commission and the Boone County Fiscal Court in terms of the three criteria necessary for approving a Zoning Map Amendment as stated in Article 3, "Amendment" of the Boone County Zoning Regulations, Article 15 "Planned Development District" for the approximate 15 acre area in the northern portion of the site, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map will not need to be amended if this request is approved.

Respectfully submitted,

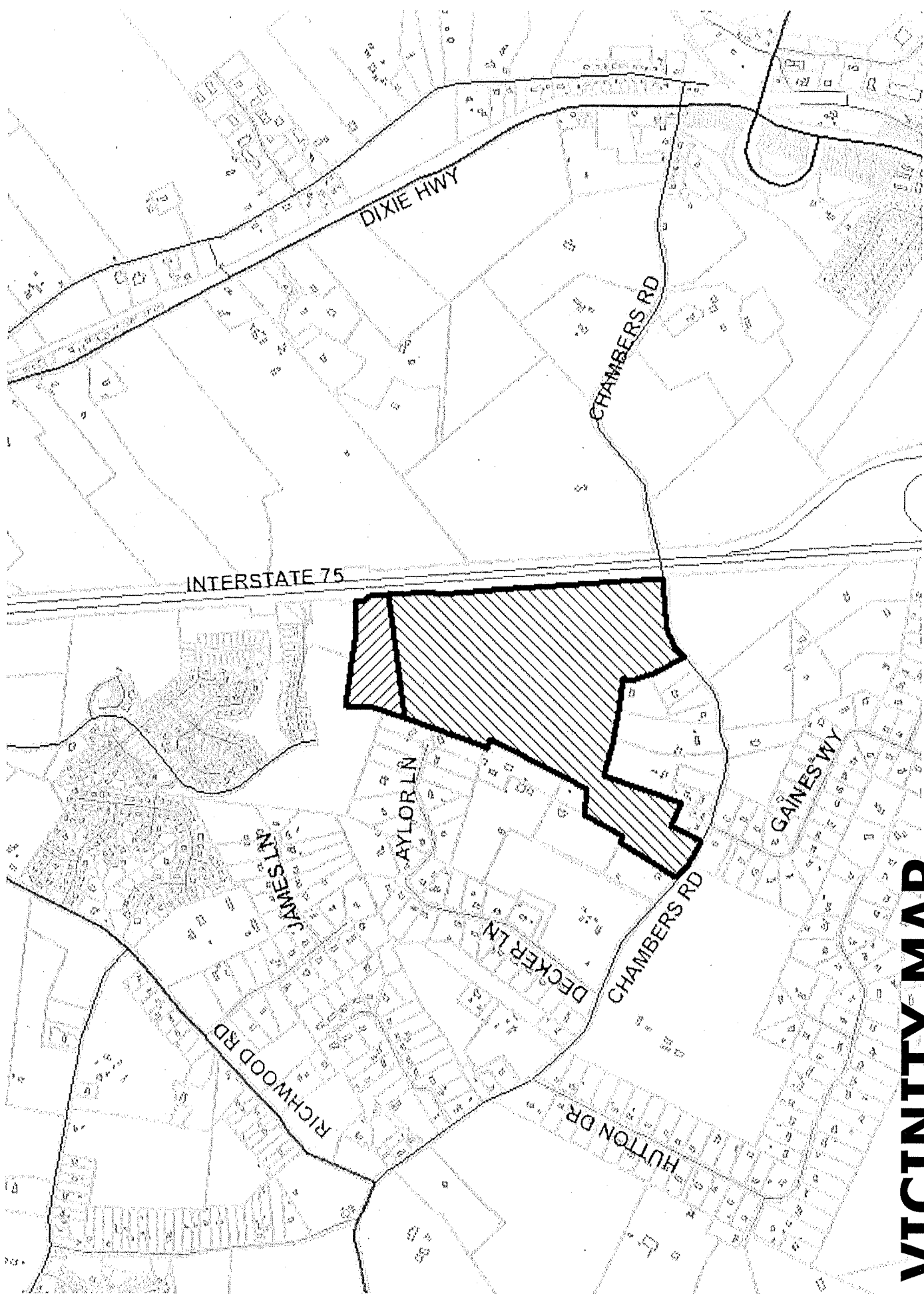

Kevin T. Wall, AICP CDT
Director, Zoning Services


Mitchell A. Light
Asst. Zoning Administrator/Enforcement Officer

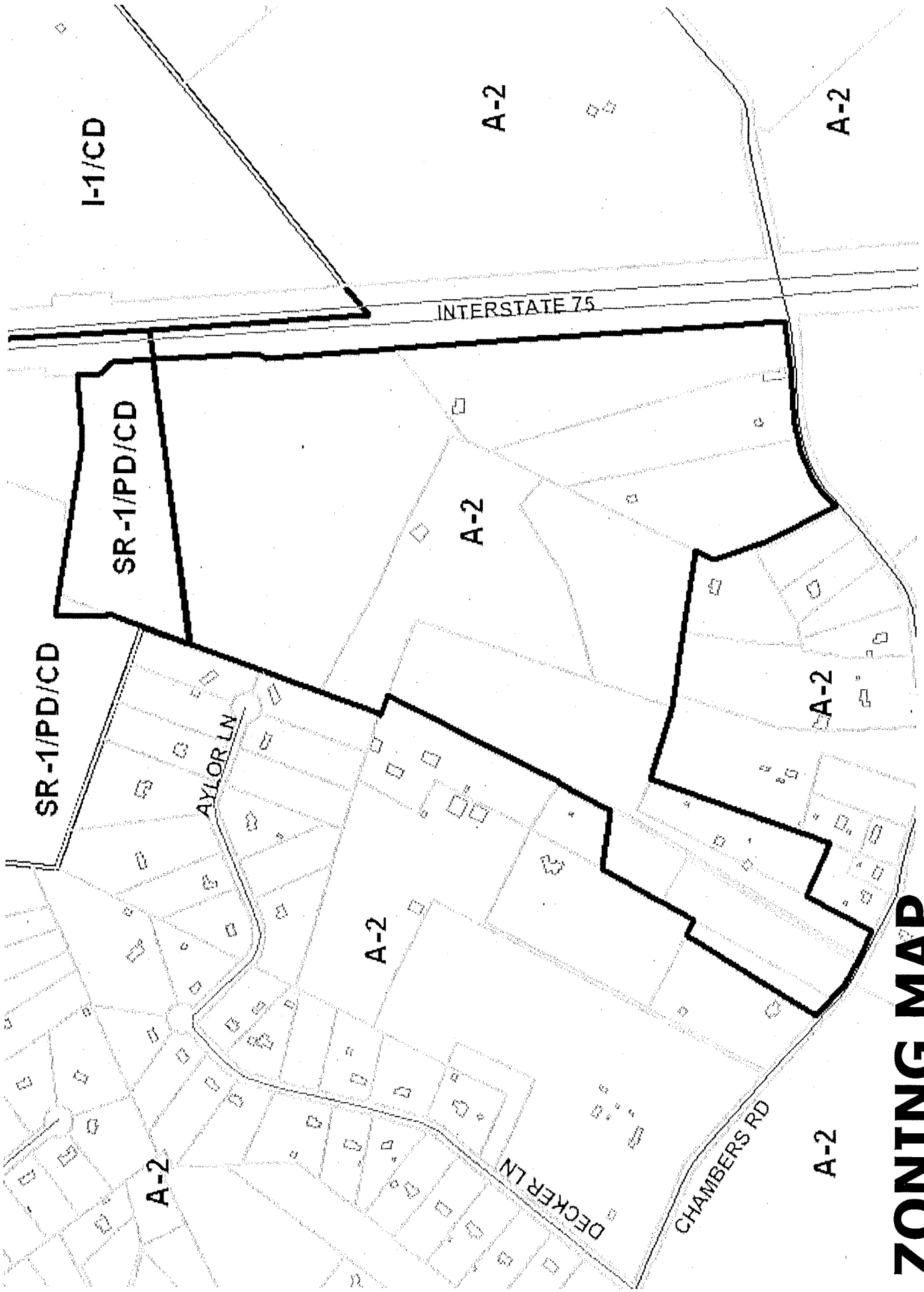
KTW/MAL/pr

Attachments:

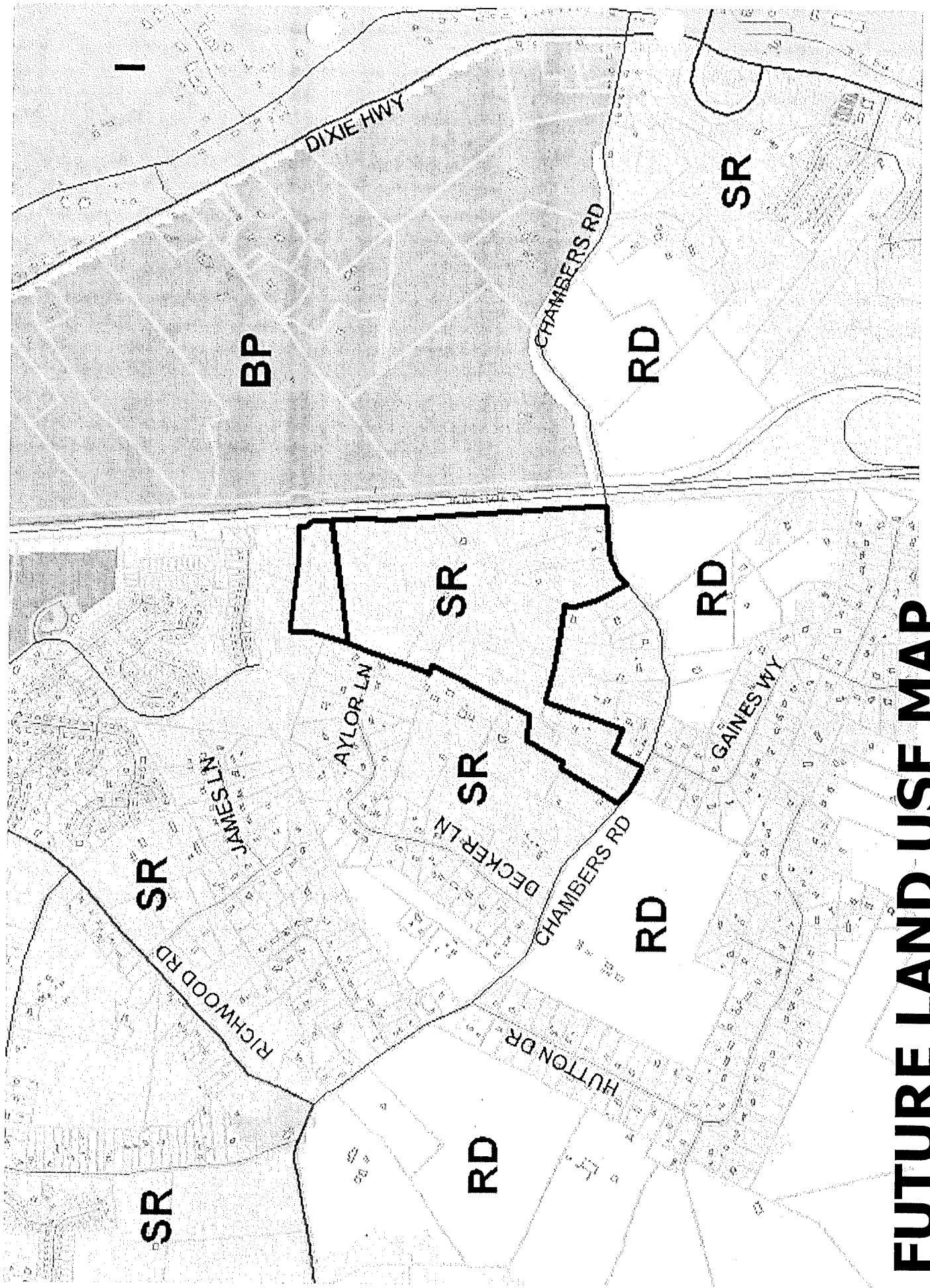
- vicinity map
- zoning map
- Future Land Use Map excerpt
- topographic map
- 2002 aerial photography
- 3/19/97 Committee Report and Concept Development Plan for Steeplechase zone change
- 4/16/04 Committee Report for Drees/Em-A-Non zone change (w/o exhibits)
- 12/8/04 e-mail from Jim Brannon, Branch Manager, Planning, Kentucky Transportation Cabinet, District 6
- 12/14/04 and 1/16/03 letters from Bryan Blavatt, Superintendent, Boone County Schools
- 12/3/04 e-mail from Chief Donald McIntyre, Walton Fire Department
- application materials including Concept Development Plan
- public comment



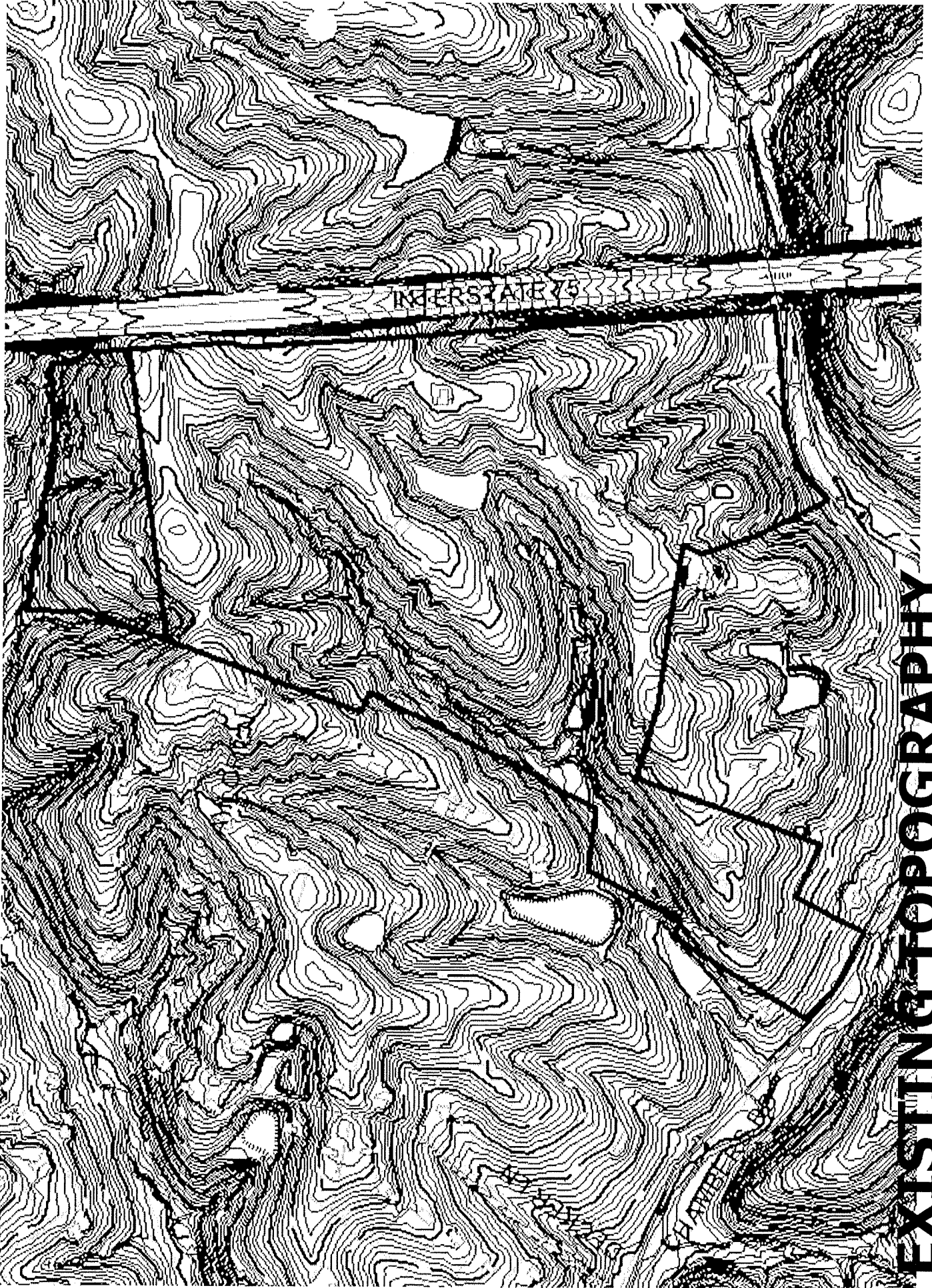
VICINITY MAP



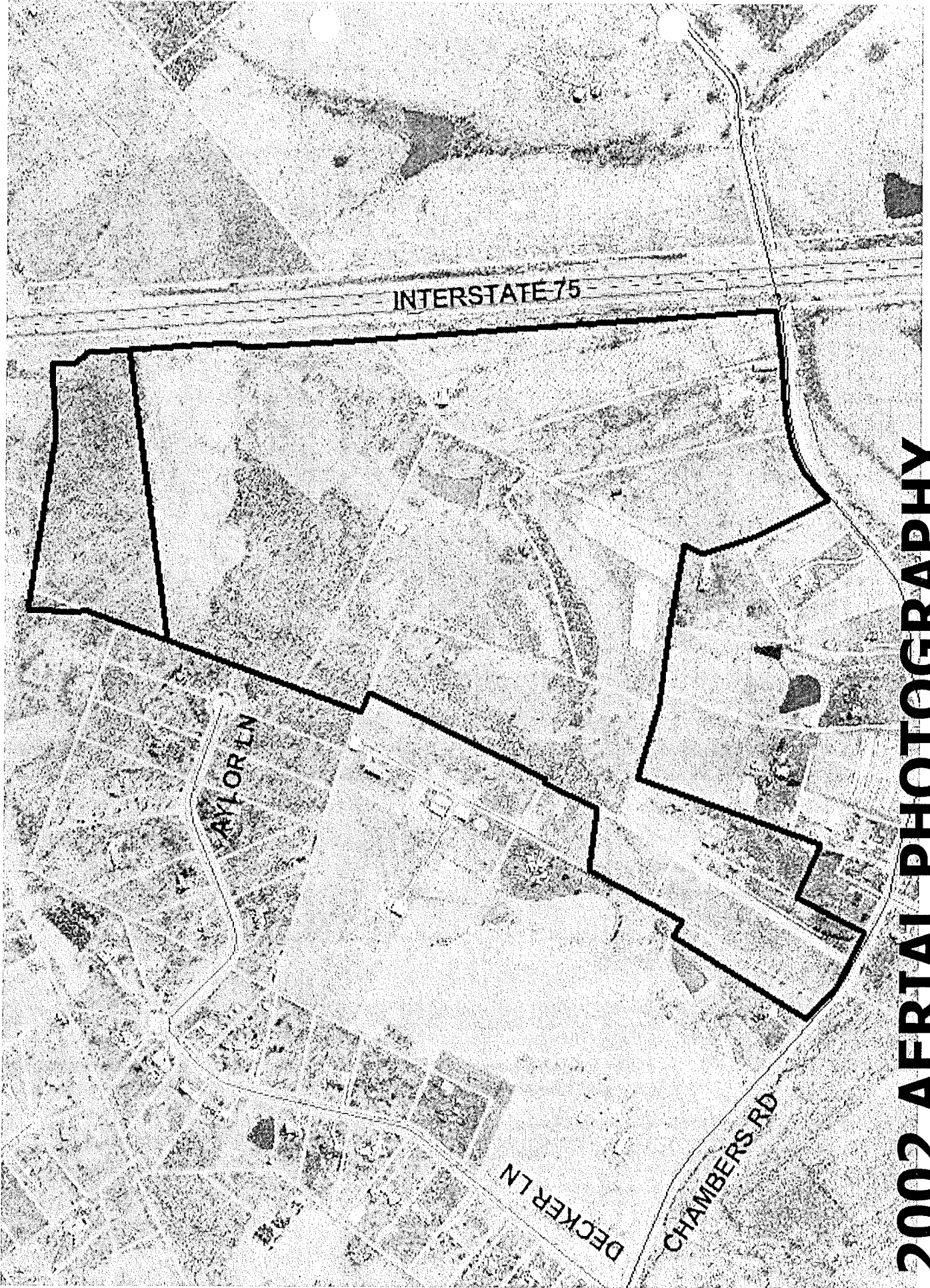
ZONING MAP



FUTURE LAND USE MAP



EXISTING TOPOGRAPHY



INTERSTATE 75

TAYLOR LN

DECKER LN

CHAMBERS RD

2002 AERIAL PHOTOGRAPHY

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Arnold Caddell, Chairman

DATE: March 19, 1997

RE: Request of The Erpenbeck Company (applicant) for EM-A-NON Acres Limited Partnership (owners) for a Zoning Map Amendment from Agriculture Estate (A-2) and Employment Planned Development (EPD) to Suburban Residential One/Planned Development (SR-1/PD) for a 189 acre site located at the southwest quadrant of the KY 338/I-75 interchange, Boone County, Kentucky. The request is for a zone change to allow a residential subdivision with single-family and multi-family dwelling units, "Steeplechase."

REMARKS:

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

Findings of Fact

1. The Committee has concluded that the proposed Zoning Map Amendment and Concept Development Plan are in agreement with the 1995 Boone County Comprehensive Plan due to the following reasons:
 - A. The proposal leaves a seventy five (75) acre remainder tract which is currently zoned Employment Planned Development (EPD) in the southwest quadrant of the KY 338/I-75 interchange, between the subject site and KY 338, that is designated for "Business Park" uses by the both the Future Land Use Map and the Land Use Element.
 - B. The Future Land Use Map designates the area south of the "Business Park" area mentioned above for Suburban Density Residential uses (single family housing of up to four units per acre). The majority of the site area is proposed for detached single family residences with an overall density of 3.6 units per acre.

- C. The text of the Land Use Element calls for High Suburban Density development to act as a transition between the aforementioned Business Park uses and Suburban Density Residential uses. The proposal in question provides a cluster of multi-family structures between the remaining EPD zone and the proposed single family residences in accordance with this provision.
 - D. The Concept Development Plan, which was revised through the Zone Change Committee review process in accordance with the issues raised by the public and the Planning Commission in the January 29, 1997 public hearing, generally addresses the qualitative issues stated in the 1995 Boone County Comprehensive Plan regarding overall project design, preservation of natural features, provision of open space areas, buffering between adjoining properties, and street connections.
2. The Committee has concluded that due to the suburban density and low density residential developments that are immediately adjacent to the subject site to the west and southwest, and due to the natural site features which are better preserved and enhanced through moderate density residential development versus office, industrial, and/or commercial development permitted under the current Employment Planned Development (EPD) zone, the existing zoning classification is inappropriate and the proposed zoning classification is appropriate.
 3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives and policies of the 1995 Boone County Comprehensive Plan, as well as the intent, objectives, and requirements of Article 15 "Planned Development District (PD)" of the Boone County Zoning Regulations. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The applicant has signed a letter demonstrating agreement with these conditions.

Conditions

1. The development shall follow the attached Concept Development Plan which was revised through the Zone Change Committee review in accordance with the issues raised at the January 29, 1997 public hearing. This Concept Development Plan, and its related attachments, are identified as "Exhibit A."
2. The applicant will construct and dedicate the street connection (labeled as "future street connection by others") shown on the Concept Development Plan between "Street H" and the property to the south (referred to as the "Deters Property") by the time that fifty percent (50%) of the lots on "Street H" are sold.

3. The applicant shall upgrade KY 338 to a three lane road (two way road with a center turn lane), from the point where similar improvements that were recently constructed near Heritage Trails Subdivision (Paddock Drive) terminate through the proposed four way KY 338/Triple Crown Boulevard/Steeplechase Boulevard intersection, including the related intersection improvements identified in the applicant's traffic report. These improvements shall be constructed by the time Building Permits for 217 new dwelling units have been approved within the zone change area, and will consist of the same street section and right-of-way improvements as the recent three lane upgrade to KY 338 between Heritage Trails Subdivision and I-75.
4. The entry features (masonry walls and landscaping) at the proposed KY 338/Steeplechase Boulevard intersection shall be constructed in accordance with the detail included in Exhibit A. In addition, "horse farm" style fencing with intermittent shrubs shall be provided along both sides of Steeplechase Boulevard. Examples of this fencing is included in Exhibit A.
5. The entry treatment at the KY 338/Steeplechase Boulevard intersection, the pool proposed along Steeplechase Boulevard, and the recreation amenities shown on the Concept Development Plan, shall be constructed with the first phase of the subdivision.
6. The design of the multi-family structures shall follow the concept included in Exhibit A; the types of masonry used on these structures may be altered at the applicant's option.
7. The applicant shall be responsible for a proportionate share of the costs involved in signaling the future four way KY 338/Triple Crown Boulevard/Steeplechase Boulevard intersection when signal warrants are met and when the overall intersection level of service drops below a level of service "C" based on the Highway Capacity Analysis for Unsignalized Intersections. This condition acknowledges that one or more other private developers will participate in these costs if the signal is not installed at the exclusive expense of the Kentucky Transportation Cabinet. The applicant's contribution towards signaling the intersection shall not exceed \$13,600.00.

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.

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Arnold Caddell, Committee Chairman

DATE: April 16, 2003

RE: Request of The Drees Company (Timberlake, FLP) (applicant) for Em-A-Non Acres Limited Partnership (owners) for a Zoning Map Amendment from Employment Planned Development (EPD) to Urban Residential One (UR-1) for a 38 acre tract located 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.

REMARKS:

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

FINDINGS OF FACT

1. The Committee has concluded that the request is in agreement with the 2000 Boone County Comprehensive Plan for the following reasons.
 - A. The Future Land Use Map designates the site by and large as "Urban Density Residential." This designation is described as "attached housing, generally condominiums or apartments, of over 8 dwelling units per acre." The Concept Development Plan includes a total of 380 apartment units, which equates to an overall density of 10 dwelling units per acre. This density is less than, yet compatible with, the approximate 11.3 dwelling units per acre which was approved for the multi-family phase of Steeplechase that is located to the immediate south. The Urban Density Residential designation on this site resulted from the property owner's request at the Public Hearing for the 2000 Boone County Comprehensive Plan.
 - B. The Population Element outlines population projections based on the Ohio-Kentucky-Indiana Regional Council of Government's (OKI) transportation analysis zones. The population for the zone in question (887) is expected to increase from 5,973 in the year 2000 to 8,402 in 2010, and to 9,459 in 2020. Therefore, the Comprehensive Plan has anticipated a substantial increase in resident population for the general area in question.

**Drees Company/Em-A-Non Acres Limited Partnership
Richwood Road/Grand National Blvd.**

- C. The proposal fulfills the following Comprehensive Plan Goals and Objectives.
- I. Housing Objective 1 states "a broad range of housing opportunities shall be provided which meet the needs and desires for all household types." The proposal will help diversify the types of available dwellings in the Richwood area by providing attached dwellings on a site that was contemplated by the Future Land Use Map for such units.
 - II. Housing Objective 5 states "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." The proposed density is comparable to the adjoining Steeplechase multi-family phase, and due to the size and scale of the proposed buildings and overall development, the project helps to further create a transition between the existing and planned business uses to the north and along Richwood Road, and the developing and planned single family residential areas to the south. The Committee has determined that impacts on infrastructure will be mitigated through the agreed conditions outlined below and commitments already made through the approval of other developments in the vicinity. The Committee has also determined that the design commitments shown in the application materials and agreed by the property owner in the written conditions will result in an overall project design that appropriately relates to the project site and to the neighboring areas.
 - III. Housing Objective 13 states "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." Based on the discussion provided under paragraph "II." immediately above, the Committee has concluded that the proposal is in agreement with Housing Objective 13 as well.
- D. Based on the Concept Development Plan and the agreed conditions outlined below, the Committee has concluded that the proposal is in general agreement with the "Future Land Use Development Guidelines" on pages 158 to 160 of the Land Use Element.

**Drees Company/Em-A-Non Acres Limited Partnership
Richwood Road/Grand National Blvd.**

2. The Committee has reviewed the Traffic Impact Study presented at the Public Hearing, and the addendum to this study which was provided in response to questions raised at the Public Hearing. Based on this review, the Committee has concluded that the commitments made by the property owner in the agreed conditions below regarding the upgrade of Richwood Road and participation in the signalization of the KY 338/Triple Crown Boulevard/Grand National Boulevard intersection will adequately mitigate the impacts that would be created by this development. The Committee has also concluded that the development will not have undue impacts on other public infrastructure including water and sanitary sewer systems, and schools.
3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owner has signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The architectural design for the three story buildings will use the same design as the Sanctuary Place development on North Bend Road (exhibits attached) and the architectural design for the two story buildings shall use the design shown on the attached exhibit labeled as "2-story Front Twin Fountains."
2. An exclusive left turn lane into the development shall be constructed on Grand National Boulevard in accordance with the County Engineer's requirements.
3. A secured emergency access shall be provided between the parking area and driveway shown on the Concept Development in the northwest corner of the site and Grand National Boulevard.
4. The developer for this 380 unit apartment development shall construct the KY 338 roadway improvements and Triple Crown Boulevard/Grand National Boulevard/KY 338 intersection improvements outlined in condition #3 of the EM-A-NON/Erpenbeck Company Zone Change Committee Report dated 3/19/97 for the Steeplechase Subdivision development by the time that there are sixty five (65) occupied dwellings in the 380 unit apartment development, if such improvements have not already been constructed by the Steeplechase Subdivision developer.

**Drees Company/Em-A-Non Acres Limited Partnership
Richwood Road/Grand National Blvd.**

5. The developer shall make a good faith effort to negotiate an agreement with the Steeplechase Subdivision Homeowners Association to pay a share of the maintenance expenses for the Steeplechase Subdivision common areas.
6. Landscaping from Buffer Yard C as outlined in Article 37 of the Zoning Regulations shall be provided in the site areas along the I-75 frontage where there is no existing tree cover in the adjoining right-of-way. Landscaping from Section 3720 "Street Frontage Landscaping" in Article 37 of the Zoning Regulations shall be provided in the site areas along the I-75 frontage where there is existing tree cover in the adjoining right-of-way.
7. The applicant shall be responsible for a proportionate share of the costs involved in signaling the four way KY 338/Triple Crown Boulevard/Grand National Boulevard intersection when signal warrants are met and when the overall intersection level of service drops below a level of service "C" based on the Highway Capacity Analysis for Unsignalized intersections. This condition acknowledges that one or more other private developers will participate in these costs if the signal is not installed at the exclusive expense of the Kentucky Transportation Cabinet. The applicant's contribution toward signaling the intersection shall not exceed \$13,600.00.

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.

Kevin Wall

From: Jim.Brannon@ky.gov
Sent: Wednesday, December 08, 2004 9:41 AM
To: Kevin Wall
Subject: Requested Zone Change-Tracks of Steeplechase

Kevin,

We are always concerned about the rapid growth in Boone County and its effect on traffic. However, we are optimistic about the Six Year Plan funding for the potential project for the Richwood Road/I-75 interchange. This project would help alleviate the traffic generated by the proposed subdivision.

As a result, we have no formal objections to this requested zoning change.

Thanks.

Jim Brannon, P.E., M.B.A., C.P.M.
Branch Manager -Planning -Dist. 6
Kentucky Transportation Cabinet
P.O. Box 17130
Ft. Mitchell, KY 41017
859-341-2700
Jim.Brannon@KY.gov

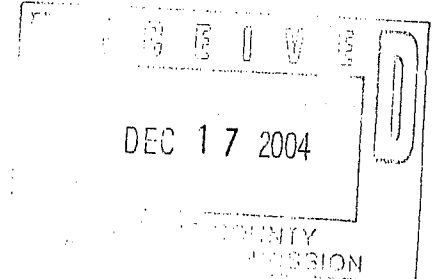
BRYAN A. BLAVATT
Superintendent of Schools

8330 U.S. 42
Florence, KY 41042
Phone: (859) 283-1003
Fax: (859) 282-2376
www.boone.k12.ky.us

BOONE COUNTY SCHOOLS


December 14, 2004

Kevin T. Wall, AICP CDT
Director, Zoning Services
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005



Dear Mr. Wall:

Thank you for passing your information for the "Tracks at Steeplechase" between Chambers Road and South End of Grand National Boulevard request to me. I have looked over the information. I have submitted a letter to Mr. Kevin Costello previously regarding issues dealing with large tracts of land and we believe this response should be used as our recommendation for the Planning Commission. I would also welcome the opportunity to engage in conversation about the possibility of land being set aside for future school usage.


Bryan Blavatt, Superintendent
Boone County Schools
8330 US 42
Florence, KY 41042
859-282-2375

BRYAN A. BLAVATT
Superintendent of Schools

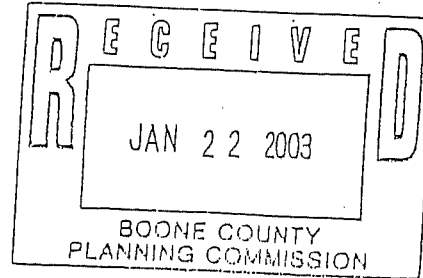
8330 U.S. 4
Florence, KY 4104
Phone: (859) 283-100
Fax: (859) 282-237

BOONE COUNTY SCHOOLS

www.boone.k12.ky.us

January 16, 2003

Mr. Kevin Costello
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005



Dear Kevin,

At the outset, I would like to personally thank you and the Planning Commission for all the assistance you have provided to Boone County Schools in the past. We look forward to the continuation of the high level of collaboration between the Planning Commission and Boone County Schools that has taken place over the last several years. While I do not believe the school district needs to communicate with the Commission on every housing plan that is proposed, there are a few concerns related to the development of large housing projects that obviate comment and could be addressed in the Comprehensive Plan.

As you know, the school district recognizes and is supportive of continued growth within Boone County. However, the future development of large subdivisions will place an increased strain on the infrastructure of the school district. We believe that the Planning Commission needs to work with developers to move towards slow 'build out' plans, rather than massive immediate development. This would allow the district to phase in the increased costs of dealing with these large developments and provide a more natural growth pattern. Moreover, we suggest that the Planning Commission make it part of the conditions relative to zone change that the developer provide land for possible use by the school district. This would provide for the necessary future infrastructure to handle the student growth related to the development and offer a true selling point for the development.

Another point of concern is related to approval of individual developments that start as of small tracts of land and are later aggregated into a larger development. It is problematic that developers will propose a small subdivision grows into a large development, however, many times contiguous tracts are purchased in quick succession. This leaves the school district uninformed and ill prepared to take the necessary steps. Please encourage the Commission to review these multi-tracts. If at all possible, we would recommend applying the same criteria for these plans as you would a large development.

As always, thank you for your consideration. With your help, new large and multi-tract zone changes will be structured so that the School System can respond proactively. If you have further questions, please feel free to call me.

Sincerely,

A handwritten signature in black ink that reads "Bryan Blavatt". The signature is fluid and cursive.

Bryan Blavatt
Superintendent of Schools

Kevin Wall

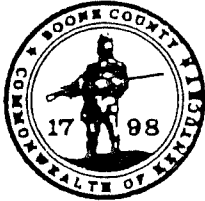
From: Walton Fire [waltonfire@fuse.net]
Sent: Friday, December 03, 2004 9:57 AM
To: Kevin Wall
Cc: waltonfire@fuse.net
Subject: Tracks at Steeplechase

Kevin Wall,

We received a copy of the submitted plan for the Tracks of Steeplechase in Richwood. After reviewing the plans, the Walton Fire District sees no reason on our side why this should not pass. This development shows two separate entrances off Chambers Rd. and also with Grand National Blvd. Being the main thru way in this development. If you should have any questions please do not hesitate to call us.

Thank you
Donald R. McIntyre Chief
Walton Fire District

12/3/2004



Boone County Public Works Department

5645 Idlewild Rd.
Burlington, KY 41005

Gary W. Moore
County Judge-Executive

Gregory V. Sketch, PE, PLS
County Engineer

Phone: (859) 334-3600
Fax: (859) 334-3598
www.boonecountyky.org

James E. Parsons
County Administrator

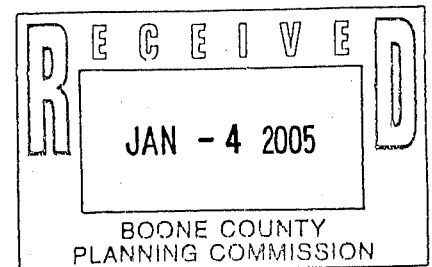
MEMORANDUM

TO: Kevin Wall, Director, Zoning Services
Boone County Planning Commission

FROM: Greg Sketch, PE, PLS
Boone County Engineer

RE: **Proposed Zoning Map Amendment and
Change in Concept Development Plan
For "Tracks at Steeplechase"**

DATE: January 3, 2005



This is in response to your request for input concerning the request for the approval of a zoning map amendment and change in concept development plan for "Tracks at Steeplechase" between Chambers Road (KY 2951) and the south end of Grand National Boulevard. Because Grand National Boulevard currently intersects with Richwood Road (KY 338), a KY Transportation Cabinet (KTC) maintained Road and is proposed to intersect with Chambers Road, also KTC maintained, Boone County Public Works has no specific concern with this proposal, but would like to inform the Planning Commission of the status of road improvements to Richwood Road (KY 338).

The Boone County Fiscal Court approved a Memorandum of Understanding between the County and the two current developers in the Steeplechase Development on December 21, 2004. Within the memo, the developers agree to escrow \$200,000 with the County to ensure that road improvements are made to Richwood Road at the intersection of Grand National Boulevard. These improvements include the design and construction of the widening of Richwood Road to a three lane section from the intersection of Richwood Road and Paddock Drive to the intersection of Grand National Boulevard. The County will be responsible for contracting the services for both the design and construction of the project, and the developers agree to pay for the entire cost. At this time, the improvements do not include the installation of a traffic signal at this intersection. I will be working with the KY Transportation Cabinet (KTC) in securing this installation, but ultimately it is the discretion of KTC if and when a signal is installed.

Page -2- "Tracks at Steeplechase"

Because the proposal is for approximately 400 single family lots to be added to the existing Steeplechase Development, a traffic analysis may warrant enhancements to the proposed improvements to the intersection of Grand National Boulevard and Richwood Road. These enhancements may be incorporated in the design contracted by Boone County.

One additional note needs to be made. This entire development lies within the Mud Lick Creek Watershed, with most of the flow within the zone change area draining towards Chambers Road. Extra precaution may need to be taken to ensure that post-development flows do not exceed pre-development flows.

Thank you for the opportunity for input in this matter.

c: Jim Parsons, Boone County Administrator

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

NOV 16 2004

BOONE COUNTY
PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project The Tracks at Steeplechase
 2. Location of Project Grand National Boulevard
 3. Total Acreage of Site 144.30
 4. Current Zoning of Site A-2
 5. Proposed Zoning (Classification being requested) SR-1
 6. Proposed Uses (please specify each use) residential (conventional + patio)
-
7. Names of Applicant(s) Tim Reese
Phone Number 578-8050 Fax No. 578-6632
 8. Address of Applicant(s) 519 Enterprise Drive Suite 103
Crescent Springs KY 41017
City State Zip
 9. Name of Property Owner(s) See attached
Phone Number _____ Fax No. _____
 10. Address of Property Owner(s) See attached
City State Zip
 11. Proposed Building Intensities (please specify) 2.73 units/acre
 12. Are there any existing buildings on the site? yes
How many? 7
 13. Deed Book see attached Page No. _____ Group No. 2071
 14. Are you also applying for:
 Conditional Use Permit
 Dimensional Variance
 15. Have you submitted a Concept Development Plan? yes
 16. Have you had a pre-application meeting with BCPC Staff? yes
 17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- no Boone County Water District
- n/a Florence Water and Sewer Dept.
- no Cinergy/U.L.H.&P. Co.
- yes Sanitation District #1
- no Cincinnati Bell
- no Owen County Rural Electric
- yes Boone County Public Works Department
- no Kentucky Transportation Cabinet
- n/a City of Florence Public Services Department
- no Boone County Building Department

(over)

ZONING MAP AMENDMENT
APPLICATION
PAGE 2

- no Northern Kentucky Health District
- no USDA NRCS/Boone County Conservation District
- no KY Division of Water
- no Local School District
- no Local Fire District
- Other: _____

18. Project Jurisdiction/Location
 Unincorporated Boone County _____ Walton
 Florence _____ Union

19. Applicant's Signature [Signature]
Property Owner's Signature James M. Heller (OVER)
JAMES HELLER

SECTION B (To be completed by BCPC Staff)

1. Date Received _____
2. Review Fee \$ 3,004.60 RA# 40850
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 MIKHAIL & KENNETH
6. Committee Chairman _____
7. Scheduled Public Hearing Date 1/5/05
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.

2. X MARK MEADE Alumni Dev. LLC.

3. X LOWELL GOLDSBERRY

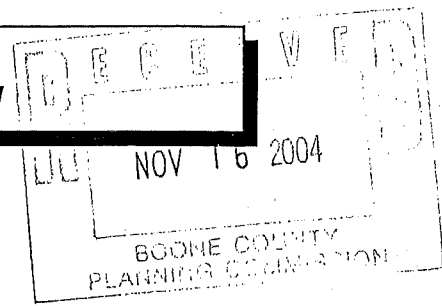
4. CHARLES WORLEY

5. WALT DIESCHER

6. GRISG WORLEY

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 The Track at Steeplechase
3. Location of Project Grand National Boulevard
4. Total Acreage of Site 14.72
5. Current Zoning SR-1
6. Date of Previous Zoning Map Amendment or Approved Concept Development Plan (if applicable) 3-19-97
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) Residential (Conventional + Patio)
9. Proposed Building Intensities (please specify) 2.73 (whole site)
10. Have you submitted a Concept Development Plan? yes
11. Are you also applying for:
- Conditional Use Permit
 - Dimensional Variance
12. Name of Applicant(s) Tim Reese
- Phone Number 578-8050 Fax No. 578-6632
13. Address of Applicant(s) 519 Enterprise Dr
- Crescent Springs KY 41017
- City State Zip
14. Name of Property Owner(s) Chase-Reese-Carlisle LLC
- Phone Number 578-8050 Fax No. 578-6632
15. Address of Property Owner(s) same as applicant
- City State Zip
16. Are there any existing buildings on the site? no
- How many? _____
17. Deed Book 863 Page No. 960 Group No. 2671
18. Have you had a pre-application meeting with BCPC Staff? yes

(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 District
- n/a Florence Water and Sewer Dept.
- no Cinergy/U.L.H & P. Co
- yes Sanitation District #1
- no Cincinnati Bell
- no Owen County Rural Electric
- yes Boone County Public Works Department
- no Kentucky Transportation Cabinet
- n/a City of Florence Public Services Department
- no Boone County Building Department
- no Northern Kentucky Health District
- no USDA NRCS/Boone County Conservation District
- no KY Division of Water
- no Local School District
- no Local Fire District
- Other: _____

20. Concept Development Plan Jurisdiction/Location
 Unincorporated Boone County _____ Walton
 _____ Florence _____ Union

21. Applicant's Signature(s) [Signature]
~~21.~~ Property Owner's Signature(s) _____

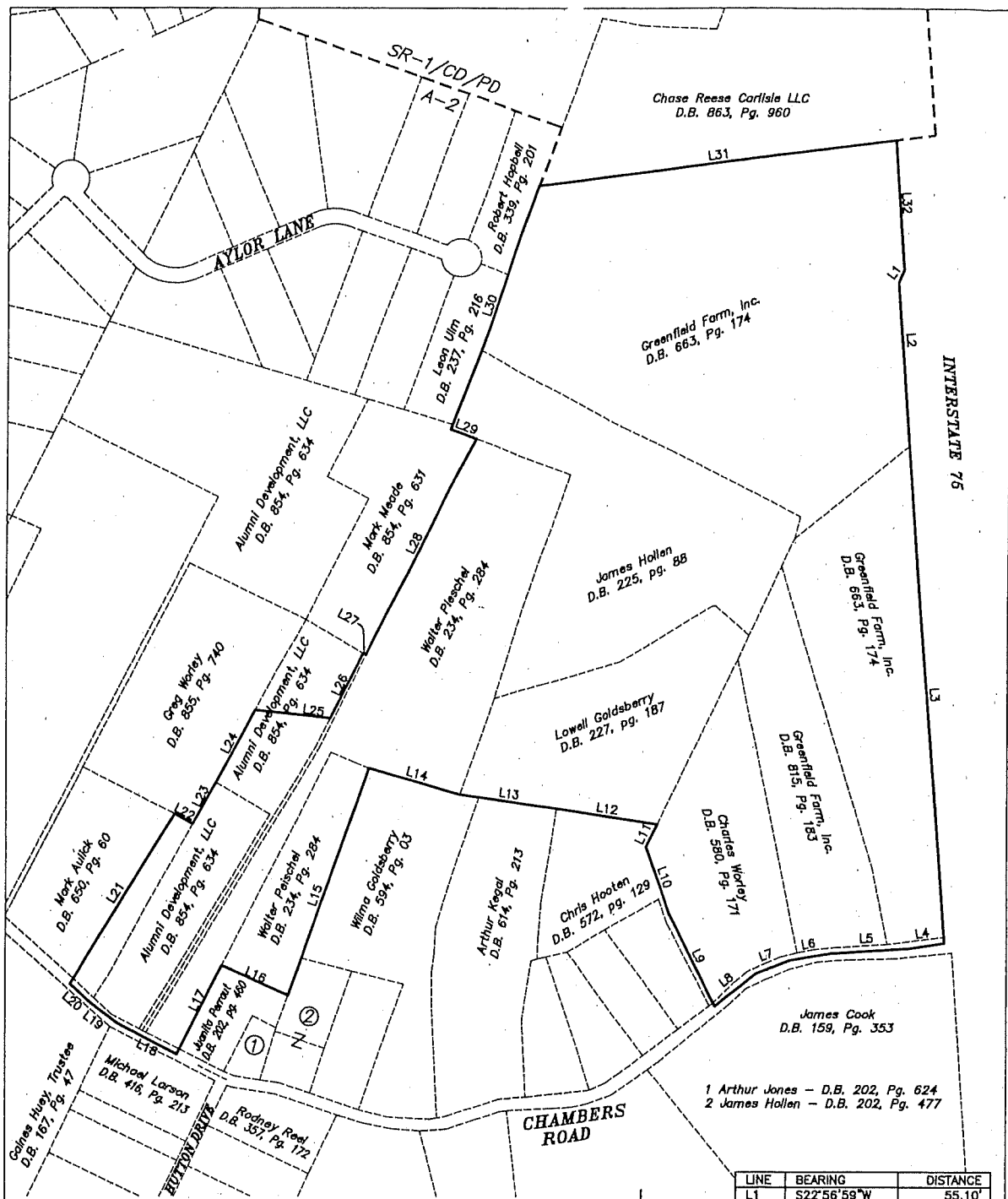
SECTION B (To be completed by BCPC Staff)

1. Date Received _____ Fee Received \$ 1,347.20 R# 40852
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 MITCH LIGHT & KEVIN WALL
5. Committee Chairperson _____
6. Scheduled Public Hearing Date 1/5/05
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@boonecountyky.org - E-Mail
www.boonecountyky.org - Web Page

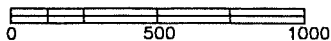
Note: See Boone County Planning Commission Fee Schedule for Concept Development Plan Fees. An application consists of all fees paid in full, submitted drawings and a completed application form.



**PARCEL OF 144.300 ACRES
TO BE REZONED FROM
A-2 TO SR-1
BOONE COUNTY KENTUCKY
NORTH SIDE OF CHAMBERS ROAD
WEST SIDE OF INTERSTATE 75**

OCTOBER 18, 2004

SCALE: 1" = 500'



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

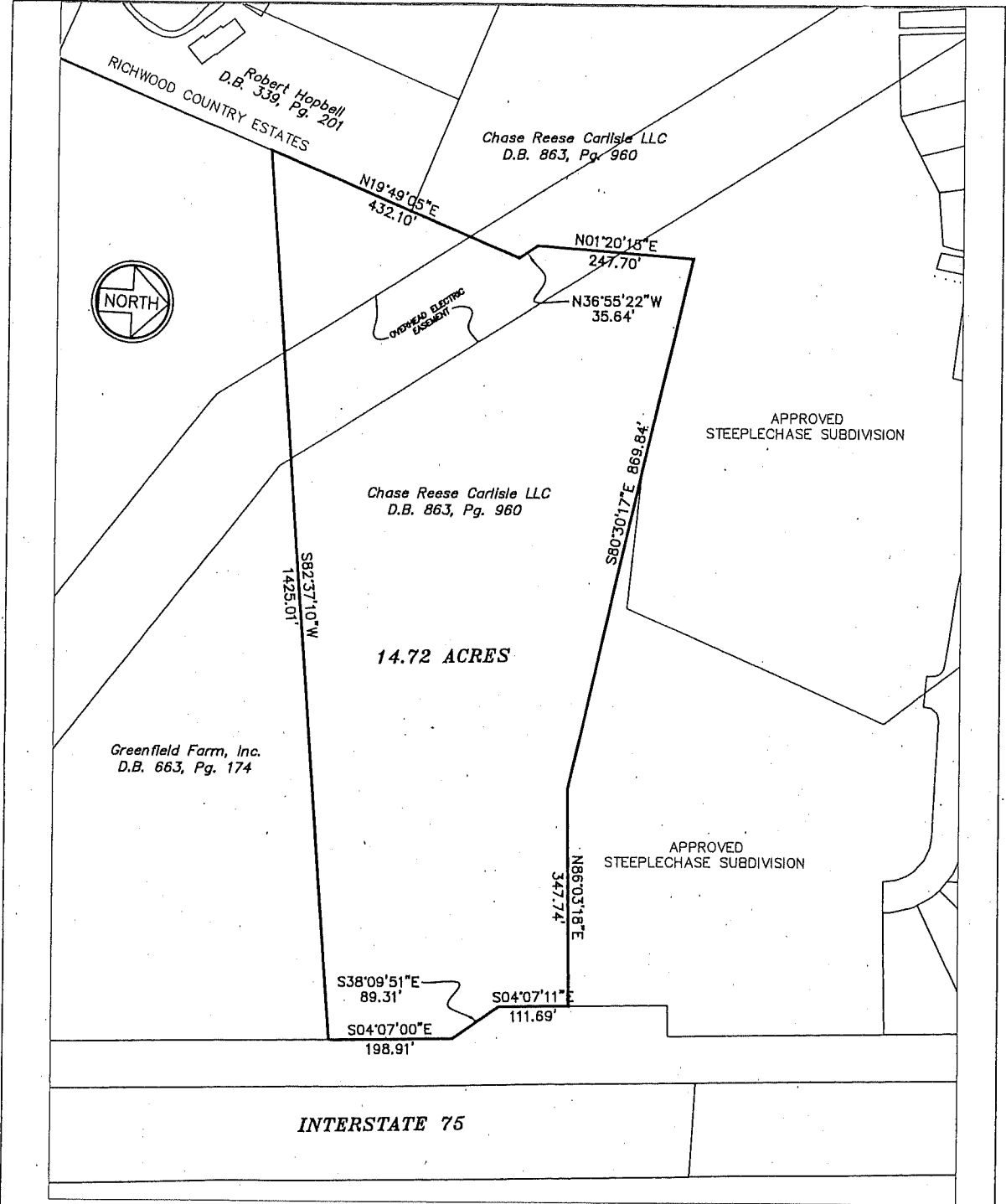
466 Erlanger Road
Erlanger, Kentucky 41018

Tel: 859-727-3293
Fax: 859-727-8452

e-mail: viox@nkol.net

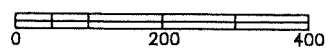
LINE	BEARING	DISTANCE
L1	S22°56'59"W	55.10'
L2	S04°03'01"E	648.88'
L3	S04°17'11"E	1978.81'
L4	S80°42'19"W	135.98'
L5	S86°15'31"W	317.42'
L6	S80°06'55"W	163.23'
L7	S68°49'25"W	145.02'
L8	S51°49'04"W	211.29'
L9	N26°33'30"W	412.28'
L10	N19°29'00"W	278.66'
L11	N26°01'45"E	100.25'
L12	N81°08'50"W	402.93'
L13	N81°47'55"W	385.89'
L14	N73°41'57"W	372.28'
L15	S19°25'59"W	957.00'
L16	N65°33'53"W	287.64'
L17	S26°56'18"W	396.72'
L18	N62°08'15"W	264.26'
L19	N52°31'27"W	132.82'
L20	N47°57'00"W	112.30'
L21	N31°18'50"E	790.79'
L22	S60°40'59"E	83.07'
L23	N29°19'01"E	189.68'
L24	N28°08'55"E	325.25'
L25	S83°45'11"E	298.90'
L26	N26°38'40"E	289.76'
L27	S59°41'13"E	13.08'
L28	N26°21'58"E	955.20'
L29	N69°09'02"E	102.25'
L30	N19°49'05"E	1024.99'
L31	N82°37'10"E	1425.01'
L32	S03°55'17"E	511.00'





**PARCEL OF 14.72 ACRES
 TO BE APPROVED FOR A CHANGE
 IN CONCEPT PLAN
 BOONE COUNTY KENTUCKY
 NORTH SIDE OF CHAMBERS ROAD
 WEST SIDE OF INTERSTATE 75**

NOVEMBER 26, 2004 SCALE: 1" = 200'



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

To the Members of the Boone County Planning Commission

January 2, 2005

Wednesday, January 5, 2005, you will hear a request to change the zoning of properties owned by James Hollen, Mark Meade of Alumni Development, LLC, Lowell Goldsberry, Charles Worley, Walt Dieschal, and Greg Worley, a total of 144.30 acres from A2 to SR-1. Additionally, there is a separate request to change 14.72 acres owned by Tim Reese from A2 to SR-1.

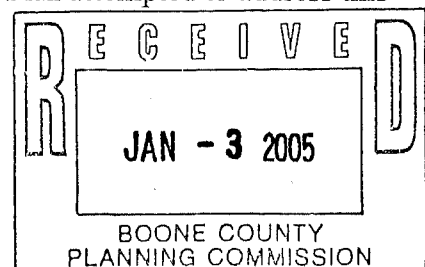
Before acting on this request, I encourage you to drive through our neighborhood and adjacent areas and visualize the aesthetic impact such a dense development would have on the character of this mostly rural area. In addition to my neighborhood on Decker Lane, please visit the surrounding neighborhoods on Schmitt Lane, Hutton Drive, Chambers Road, Bedginer's Landing, and Suncrest Drive. Allowing such a density of three houses per acre is drastically out of character with any of the listed areas and does not meet the most basic requirements of the Comprehensive Plan. The proposal does not mitigate the impact on adjoining properties, environmental sustainability, or public infrastructure, nor does it address quality of life and safety issues. The developer's plan is essentially the same as that proposed at the Buffalo Trace subdivision which the Planning Commission found unacceptable and not in accordance with the subdivision regulations or the Comprehensive Plan and unanimously denied late last year.

Specifically the Proposal must be denied for the following reasons not in accordance with Section 1514 of the Boone County Zoning Regulations and the Comprehensive Plan.

Mixed Use and Pedestrian Orientation. The proposed Track at Steeplechase high Density Development does not have the necessary relationship between the planned development and the adjacent areas. The proposed development is given at 2.73 units per acre versus one unit per two acres minimum in the surrounding A-2 zones.

Compatibility of Uses. The proposed High Density Development does not relate to the surrounding area. The development creates a tighter visual relationship when contrasted with the surrounding estate size lots. The proposed "transitional" areas do not replicate the surrounding areas and will dramatically impact the cohesiveness of the Chambers road area. The Zone Change/Committee Report for the proposed Buffalo Trace dated May 5, 2004 further states "There currently are no suburban style subdivisions characterized by multiple units per acre, narrow lots, smaller building setbacks and yard spaces, and multitudes of tightly-knitted cul-de-sacs streets in the Chambers Road area. Due to this fact, the Committee has not identified a reason as to how the development of a suburban style subdivision in the immediate area is appropriate at this time."

Open Space. The development does provide for "Open Space" but it is unclear how the space will fulfill the needs of the residents or if the open space will complement and enhance the natural and character setting of the immediately adjacent lands. The Zone Change/Committee report states and remain true in this new proposed development that "While the assessment and resulting Concept Development Plan attempted to address this



aspect of the Land Use Element, much of the proposed open space area demonstrates little benefit.”

Multi-Modal Transportation System. The proposed high-density development does not incorporate any multi-modal transportation elements that consider the foreseeable needs of the residents and clearly does not address the relationship of the project site to the community at large. Existing transportation systems are only adversely impacted by this High-Density development by the addition of traffic to the existing highway infrastructure. The Zone Change/Committee Report states “Relative to the development around the Richwood Interchange, the Land Use Element (“Richwood Area, pg 167) **“intrusive highway related services should not impact the low density residential uses on the west** (emphasis added) and be limited to the east side of I-75. Thus, the Comprehensive Plan acknowledges that low density forms of residential development is a legitimate, anticipated land use in the general area.”

Preservation of Existing Site Features. The proposed high-density development does not provide a listing of those existing site features identified for preservation conservation or enhancements. What the adverse impacts caused by this development cannot be fully or completely understood. The existing topography will be radically different because of the earthwork involved for the high-density development.

Landscaping. No Comment, sufficient details are available.

Architecture. The proposed development does not set forth any consistent architecture theme for the development that relates to the project or adjacent area and does not satisfy Section 1500 of the Planned Development District.

Historic and Prehistoric Features. No comment.

Signage. No comment

Transportation Connections and Entry Points. No comment.

Conformance with Comprehensive Plan

A. One of the environmental goals requires that watersheds be studied, monitored, and protected not only for the quality of the storm water runoff, but also the quantity of runoff to prevent flooding (page 6, 31, 159). In addition, other elements of the Comprehensive Plan refine the requirements for watershed studies including Watershed Management Plans. The developer’s proposal for Storm Water Detention/Retention and Erosion Siltation features does not fully recognize the complexities and requirements required for this proposed Track at Steeplechase development.

B. Furthermore, a watershed study has not been completed for Mud Lick Creek. Without the watershed study, it is impossible to establish the baseline condition required

to predict and plan for future development and recognize the other goals of the Comprehensive Plan. The Future Land Use Element depends on this information to describe existing land use and to establish future land use. Failure to adequately manage storm water causes downstream flooding. Furthermore, site-specific measures for an individual development using standard watershed management practices cannot be effectively implemented for area-wide land-use decisions. Such is the case in the upper reaches of Mud Lick Creek. The 2025 Land Use Plan shows the watershed area of the upper reaches of Mud Lick Creek to be a combination of SR-1 and Business Parks. With this increase in impervious surfaces as a result of roofs and pavements, a larger volume of water runoff arrives downstream at the same time, thus causing flooding.

As an example of the failure to adequately consider the nature and characteristics of development throughout the entire watershed, consider the Banklick Creek flooding that incurred in Kenton County several years ago. By assuming that single-family homes would create little runoff, the flooding problems continuously compounded. Perhaps the July 1997 Kentucky Post Editorial adequately sums up the problem by saying, "... a little runoff here and a little runoff there soon adds up." To proceed with any further development within the upper reaches of Mud Lick Creek watershed without a full understanding and consideration of downstream runoff predictions is inviting flooding similar to that experienced on Banklick Creek.

The watershed in question is not just the area bounded by the proposed development but all the runoff that influences the Mud Lick Creek flow characteristics along Chambers Road. Descriptively, the upper Mud Lick Creek watershed starts at the intersection of Richwood Road and Chambers Road and runs along the ridgeline immediately west of Chambers road and then easterly to Highway 25. The watershed drainage boundary then continues along Highway 25 north to the intersection of Richwood Road and Hwy 25. From there the watershed boundary runs along Richwood Road, across the Interstate and along the ridgeline north of Richwood road, through the Triple Crown subdivision, and then roughly back to the intersection of Richwood and Chambers roads.

The one hundred and fifty-nine acre area of the proposed Track at Steeplechase is only one contributing factor to the flow characteristics of Mud Lick Creek. Any development within the watershed area influences Mud Lick Creek. Continuing to approve further developments or allowing maximum build out within the Mud Lick Creek watershed without the benefit of a complete and thorough engineering watershed study is unacceptable. The Comprehensive Plan clearly states that "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." Merely requiring developers to make detention ponds bigger does not meet the requirements set forth in the Comprehensive Plan or protect the property and safety of Boone County Residents. Again, the Plan requires an engineering study to determine the proper engineering measures to prevent further flooding and not a guesstimate approach in what might work. Before the Commission makes a final decision on this or any other developments in the Mud Lick Creek watershed area, this study must be completed,

thoroughly briefed and understood. All County officials must understand the full consequences of any further developments that might cause flooding.

C. Furthermore, the Track at Steeplechase will significantly impact local traffic. On your visit you should also consider that adding an estimated 1000 more cars to the current number using Chambers Road is not in compliance with the Comprehensive Plan Access Management provisions (page 159). Additionally, the roadway structure cannot handle this increased load. While the alignment and road geometry may meet the minimum requirements for collector roads, the roadbed structure itself does not. The roadway structure already shows the stress of existing traffic evidenced by the readily observable edge failure along the entire length of Chambers Road. Additionally, "alligatoring" apparent in the roadway surface indicates other numerous areas of roadway failure. Both failures types are the result of a failed sub-grade and/or sub-base caused by excessive repetitive loading or poor drainage. Simply repaving the roadway will only hide the failures and reflective cracking will soon be evident throughout the roadway again. Rebuilding the road would require the correction of all identifiable failures. Therefore, the proposed development drastically impacts the existing roadway and traffic infrastructure and does not meet the Comprehensive Plan requirements. The following questions must be answered: What is an acceptable level of service in this area? Have all the entrances been properly designed, are there enough lanes? Have the appropriate peak hours been studied? Have all previously developments (at maximum build out) been accounted for in the study? Is the development we want to use the rest of the capacity of this road? How do we get this road improved? Boone County Judge-Executive similarly recognized this extreme congestion at the Richwood Interchange in March of this year. Any solution, however, will not occur before 2014 at the earliest. Allowing this high-density development will adversely impact the already congested infrastructure in the Richwood community.

These identified real issues are now confirmed by the Boone County Transportation Plan 2030 report now under final review. Some of the reports findings include:

- a. "Existing levels of traffic congestion reflect an imbalance of between land use and the transportation system." Working Paper (WP) #1, page 2
- b. "In other words, traffic generated by full build-out of the future land use plan may not be adequately served by the proposed highway network, not only in terms of capacity, but also quality of service." WP#1, page 2
- c. "The challenge is to plan future improvements that enable the roadway system to maintain this functional hierarchy while addressing the cumulative impacts of growth." WP #1, page 2
- d. Concerning the status and ownership of local roads the report notes: "These roads were not designed to modern safety standards and were not built to carry the increased volumes associated with today's commuting traffic." WP #1, page 6

e. Concerning traffic conditions and congestion, Working paper #2, page 9 specifically notes: "The I-71/75-KY 338 (Richwood Road) interchange also is quite congested due to a large proportion of trucks, ..." The report also assigned a Level of Service (LOS) rating of D to this intersection under the current conditions.

f. Working Paper #2, page 16 also notes that the current crash rate experienced at these intersections from Chambers Road to US 25 is greater than the Critical Crash Rate indexes.

g. Working Paper #2, page 19 also notes "Funds for State-financed projects, however, are in question and it may be several years after the published schedule in the Plan before actual funds are available." The schedule for the Richwood interchange is shown as 2008 as given in Exhibit 2-14

The Kentucky Post reported on January 1, 2005, that the present Steeplechase development would contribute \$200,000 to improve a short segment of Richwood Road from Paddock Drive to the entrance to the Steeplechase and Triple Crown subdivisions. The Post further notes that 1000 more homes are planned for the Triple Crown subdivision with approximately 100 more homes for the existing configuration of the Steeplechase subdivision. With this large increase in already approved/planned homes, the Richwood interchange will be overwhelmed even without this new Track at Steeplechase subdivision extension with over four hundred new homes. For this reason alone, this zone change should be denied.

D. Neither does the proposal satisfy the "Smart Growth" or the high-density development goals envisioned by the Planning Commission. The Track at Steeplechase does not support the following Smart Growth principles: (1) supporting the location of stores, offices, residences, schools ... and other public facilities within walking distance of each other ... to provide for easier movement and interaction, (2) supporting walking, cycling and transit as attractive alternatives to driving ... and, (3) connecting infrastructure and development decisions to minimize future cost by creating neighborhoods where more people use existing services and facilities by integrating development and land use with transit routes and stations.

This clearly shows this area is not suitable for a high-density development. First, stores, schools, and offices do not exist within walking distance. Next, other than internal to the development itself, no other alternative forms of transportation other than driving exist. Lastly, with the continued reduction of TANK routes and services, the goals of reducing congestion and other harmful environmental impacts will go unfulfilled.

E. In the Housing Element, Objective Number fourteen states "Where existing infrastructure, services and the public school system are not adequate, developers shall phase construction to facilitate the provision of these items to support their developments." Currently are approximately fourteen hundred students attending Ryle High School. The new addition currently under construction will bring the design

capacity to only fifteen hundred students. Unless it is acceptable by the School Board and State to exceed the design capacity of the school, it is evident that the school infrastructure is incapable of handling an excess of students when considering the current developments underway already contributing to the school population. Attached is a letter from the Boone County Schools expressing their concerns for the proposed development at Buffalo Trace. This larger proposed high-density development would further damage the success of the education system in Boone County

I believe that once you see our area, you will come to the conclusion that the proposed development would not only adversely impact the immediate adjoining properties, but the whole area as well. Although I recognize that further development of the area is inevitable, this proposal does not meet the minimum requirements of the Comprehensive Plan for the following reasons:

- Currently there are no high-density subdivisions in the Chambers road area therefore this development is not appropriate
- Proposed transitional areas do not replicate the surrounding area
- Comprehensive Plan recognizes the area west of I-75 as low density in nature and character
- No consistent architectural theme
- Increased flooding of Mud Lick Creek
- Increased damage to the Chambers Roadway
- Increased congestion at the Richwood interchange further straining the existing infrastructure
- Increased enrollment in local schools that are already at capacity

The Commission should carefully consider the character and existing condition in the neighborhood before considering this proposal further. New development must maintain the characteristics of Boone County's existing neighborhoods. The developer has not presented any facts supporting that the existing zoning classification is inappropriate and there have been no major changes that substantially alter the area's character. Therefore, this request should be denied, keeping the property's current A2 zoning classification.

Mr. & Mrs. John A. Hart III
11938 Decker Lane
Walton, KY 41094

Kevin Wall

From: Pat Russ
Sent: Tuesday, January 04, 2005 2:41 PM
To: Kevin Wall
Subject: FW: proposed subdivision Chambers Rd.

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

From: Joyce engelman [mailto:boatdockjoe@yahoo.com]
Sent: Tuesday, January 04, 2005 2:28 PM
To: Planning Commission General Account
Subject: proposed subdivision Chambers Rd.

Dear Sirs and Madams,

My name is Joe Engelman, and my wife Joyce and I operate Big Bone Landing Marina
I am writing to voice my opposition to the proposed subdivision adjacent to Steeplechase and Chambers
Road. We feel that this subdivision would have a negative impact on this part of the County and would
erode the interity of the zoneing that is presently in place for this area.

Sincerely,
Joe & Joyce Engelman
DBA, Big Bone Landing

Joyce

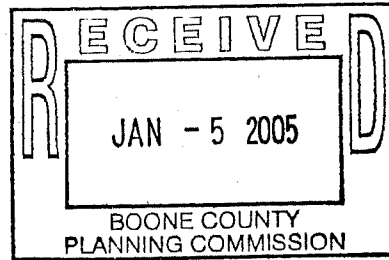
Do you Yahoo!?
[Yahoo! Mail](#) - Helps protect you from nasty viruses.

Kevin Wall

From: Pat Russ
Sent: Wednesday, January 05, 2005 1:32 PM
To: Kevin Wall
Subject: FW: Chamber Road Zoning Change

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

From: chris.hooten@cinbell.com [mailto:chris.hooten@cinbell.com]
Sent: Wednesday, January 05, 2005 9:45 AM
To: Planning Commission General Account
Subject: Chamber Road Zoning Change



Kevin T. Wall
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005

DATE: January 5, 2005
RE: Proposed Zoning Change on Chambers Road
FR: Christopher & Carrie Hooten
500 Chambers Road
Walton, KY 41094

Due to a conflict with my work schedule, I am unable to attend the January 5th public hearing. However, as a matter of record, I would like to submit my concerns with this proposed zone change from A-2 to SR-1.

Let me first state that I am good friends and neighbors with three of the parties whose property is involved with this concept development plan. And, I, in fact support their desire and appreciate their legal right to sell their real estate. I have owned this property, which boundaries the Goldsberry and Worley properties for over 10 years.

What I do oppose is the proposed development plan. Given the current infrastructure, or lack thereof, with regard to transportation (Chambers Road and HWY. 338), 3 schools, and ground water management. There is absolutely no means in place or plans to develop the infrastructure that would be required to accommodate 400+ new residences included with this plan.

The current traffic problems that presently exist on HWY. 338 in Richwood are, at peak times, unmanageable. And the increased amount of Chamber Road traffic that would be generated by these residences as well as the traffic to and from Grand National Blvd. would significantly increase health and safety risks on an already narrow, dangerous, poorly maintained state road. All three schools are already overcrowded even with recent or current construction/expansion plans. And, the flooding that currently exists on

Chambers Road is already at dangerous levels with moderate to heavy rainfall situations.

I think most Chambers Road, or adjacent roads, residents would agree that change and economic development are inevitable. However, for any future development plans to be implemented, a great deal of time and resources would be required to put in place the infrastructure that would be necessary to accommodate any such residential growth/expansion.

And, I think most would also agree that a developmental plan which would include a concept with deed restrictions on minimum land size and square-footage per home would be most fitting for this area. In my opinion, there isn't a more aesthetically visual community than that of Bedingers Landing. This type of residential community would someday be ideal for this area, ONLY IF the infrastructure is able to be in place to accommodate prior to construction.

In closing, we are adamantly opposed to changing the current zoning of A-2 to SR-1. Thank you for the opportunity to express my views and opinions regarding this matter.

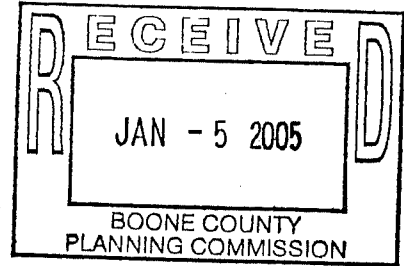
Sincerely,

Christopher & Carrie Hooten
Office: 513 397-1627
Home: 859 485-1221

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this document.

Kevin Wall

From: Pat Russ
Sent: Wednesday, January 05, 2005 9:22 AM
To: Kevin Wall
Subject: FW: Chambers Road Zoning Proposal



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

From: Shawn Murdock [mailto:shawn@iconmc.com]
Sent: Wednesday, January 05, 2005 8:52 AM
To: Planning Commission General Account
Subject: Chambers Road Zoning Proposal

Mr. Wall,

My name is Shawn Murdock. I live at 12293 Gaines Way off Chambers Road in Walton/Richwood. I will not be able to attend the meeting tonight, but wanted to go on record with my opposition to the proposed rezoning on Chambers Road. I know that some development in the area is inevitable, and my opposition is not to the development per se, but to the density.

I oppose this rezoning for the following reasons:

1. Chambers Road is extremely narrow and poorly maintained and cannot handle thousands of additional trips per day.
2. Hwy 338 at exit 175 is already backed up for 1/2 mile (past Triple Crown) on a typical rush-hour morning. There is simply not room for 1,000 more cars.
3. Chambers Road is closed several time a year due to flooding. (In fact, portions were underwater this morning) Flooding will become even more prevalent.
4. The schools in this district are already over burdened. New Haven Elementary finished an expansion two years ago and is already full. Ryle is expanding now and will already be full. Gray Middle has an expansion planned for next year which will be only a band-aid to cope with their crowding problem.

Thank you for your consideration. Please let me know if I need to take any further steps to ensure my opposition is recorded.

Shawn L. Murdock
Icon Marketing Communications, Inc.
7000 Houston Road
Building 100, Suite 10
Florence, KY 41042

Phone (859) 647-7271

Fax (859) 647-0615

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: March 2, 2005

RE: Request of **Tim Reese (applicant)** for **Chase-Reese-Carlisle LLC (owner)** for a Change in an Approved Concept Development Plan in a Suburban Residential One/Planned Development (SR-1/PD) zone for a 14.72 acre tract located to the southeast of the southern terminus of Grand National Boulevard, west of I-75, east of the property at 618 Aylor Lane, and north of the property at 472 Chambers Road, Boone County, Kentucky; and, the request of **Tim Reese (applicant)** for **James Hollen, Mark Meade, Lowell Goldsberry, Charles Worley, Gregory Worley, Walt Pieschel, and Tim Reese by contract (owners)** a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) for a 144.3 acre area located at 472, 490, 640, 674, and 680 Chambers Road, and north of the properties at 500, 510, 530, 588, and 604 Chambers Road, and east of the properties at 690 Chambers Road and 609 and 618 Aylor Lane, and west of I-75, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan and a zone change to allow a subdivision for detached single family residences.

REMARKS:

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

FINDINGS OF FACT

1. The Committee has concluded that the proposal is in agreement with the 2000 Boone County Comprehensive Plan for the following reasons.
 - A. The Future Land Use Map designates the site for "Suburban Residential" uses. The Suburban Residential classification is described as "single family housing of up to four units per acre. This classification also includes any low density or estate residential developed as a formal subdivision." The proposed development is for detached single family residences, which based on the Concept Development Plan that was revised through the Committee process in response to issues raised at the Public Hearing, has a density of approximately 2.58 units per acre.

- B. The Land Use Element ("Richwood West," pp. 166 and 167) states that "development to the southwest of the Richwood interchange must continue the Grand National Boulevard connection to Chambers Road. Triple Crown Subdivision provides an important road connection between Richwood Road and Frogtown Road." The Concept Development Plan includes this connection of Grand National Boulevard to Chambers Road, part of the overall "Weaver-Beaver Connector," as a limited access collector style road consistent with the standards used for the existing section of Grand National Boulevard in Steeplechase Subdivision. This road connection also fulfills the applicable Goals and Objectives ("Housing," Objective 8 and "Transportation," 2nd Goal, Objective 2).
- C. Relative to development around the Richwood interchange, the Land Use Element ("Richwood Area," pg. 167) states "intrusive highway related services should not impact the low density residential uses on the west, and be limited to the east side of I-75." Thus, the Comprehensive Plan acknowledges that low density forms of residential development is a legitimate, anticipated land use in the general area. Although this proposal does not involve highway services, the revised Concept Development Plan respects the adjoining low density residential uses by providing several transitions or gradations to these areas. Specifically, larger and wider lots have been providing by the neighboring lots on Aylor Lane, around the "Hooten" property that fronts on Chambers Road, and in the southwest portion of the site near the proposed western intersection with Chambers Road. Additionally, the developer has committed to larger, "A-2 zone style" setbacks for the proposed flag lots in the southwest portion of the site. Bermed and landscaped buffer areas are also proposed along the common property lines between these adjoining A-2 zoned areas and the proposed development, as well as some of the additional properties the front onto Chambers Road. The development transitions from the 3.6 units per acre overall density approved for the existing Steeplechase Subdivision, and a density of 3.57 units per acre for the patio home phase in the subject development along I-75 to the east, to the aforementioned larger and/or wider lots and landscape buffers in the western section of the site. These aspects of the proposal fulfill the applicable Goals and Objectives as well ("Housing," Objective 13).
- D. The Land Use Element ("Utilization of Existing Vegetation and Topography," pg. 158) states that "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 preconceived project design." It is apparent through the design of the submitted Concept Development Plan that such an assessment was undertaken in preparation of the plan. The plan proposes

to minimize disturbance to the site, which is evidenced by the fact that the existing low areas are proposed to be used for detention/retention areas, and the existing ridge tops will be maximized.

- E. The Land Use Element ("Buffering," pg. 159) recognizes the importance of buffering to mitigate land use impacts, including visual impacts. The section in question notes that such buffering can include building setbacks, landscaping, or a transition of land uses. The proposal as a whole transitions from lots comparable to those in the adjoining Steeplechase Subdivision, to denser lots in proximity to I-75, to larger/wider lots in the western section of the site and along Chambers Road. As discussed above, the revised Concept Development Plan includes individual transitions in the western part of the site that were specifically designed to respond to the character of the adjoining areas.
 - F. The Committee has discussed the limitations of infrastructure that relate to this development at length, including public schools, emergency services, area flooding and storm water management, sanitary sewer, the condition of Chambers Road, Richwood Road between the Grand National Boulevard intersection and the Richwood interchange, and traffic impacts in general terms. It is the Committee's conclusion that, depending on the specific improvement or service, sufficient infrastructure exists or will be in existence as the development is constructed over time based on the commitments made by this developer in the agreed conditions, and/or plans that are underway by the affected agencies. Additionally, the construction of the development will be phased over a period of years. In short, adequate infrastructure will be in place for the development. Thus, the Committee has concluded that the proposal is in agreement with "Overall," Objective 4 of the Comprehensive Plan which states that "future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, maintained and improved as needed."
2. For the 14.72 acre area at the north end of the site that is within the SR-1/PD zone, the Committee has concluded that the revised Concept Development Plan, coupled with the agreed conditions, fulfill the applicable requirements of Article 15 "Planned Development District."
 3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2000 Boone County Comprehensive Plan, 2005 Boone County Comprehensive Plan Goals and Objectives, and Article 15 "Planned Development District" of the Boone County Zoning Regulations as it applies to the requested Change in an Approved Concept Development Plan. The Committee has also concluded that the attached conditions are necessary to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

CONDITIONS

1. The development shall follow the Concept Development Plan identified as "Concept Plan, The Tracks at Steeplechase, Boone County, Kentucky" (received by the Planning Commission 3/1/05) which was revised through the Zone Change Committee process in response to issues raised at the Public Hearing.
2. Easements will be recorded for the berm/landscape buffer areas indicated on the Concept Development Plan. The easements will require these areas and the buffer improvements therein to be retained by subsequent lot owners. The berming shown within these buffer areas shall be a minimum of 6 feet to 8 feet high, with a maximum slope of 3/1.
3. The rear yard setbacks for the four flag lots that adjoin the Aulick property in the southwest portion of the site shall be a minimum of 60 feet. The side yard setback for the south property line of the southern-most of these flag lots (closest to Chambers Road) shall be a minimum of 60 feet.
4. The streetscape landscaping, fencing, and monumentation along the Grand National Boulevard extension shall match the scheme used in the existing Steeplechase Subdivision as outlined in the plan labeled "entry walls & sign details for Steeplechase" that was approved as part of the Steeplechase Subdivision, Phase 1, Improvement Plan. The bike path along the Grand National Boulevard extension shall be 10 feet wide.
5. A watershed study which analyzes the watersheds affected by this development, identifies the causes of existing flooding and other storm water management problems, and which makes recommendations for correcting these problems, shall be approved by the Boone County Engineer before any Grading Plan or Improvement Plan applications are approved. This study shall be conducted in consultation with the Boone County Engineer, Sanitation District #1, the Kentucky Transportation Cabinet, Kentucky Division of Water, and any other appropriate agencies.
6. The post development storm water outlet shall be at least fifteen percent (15%) less than the pre development rate for each given storm.
7. Turn lanes shall be constructed at the proposed intersections on Chambers Road if required by the Boone County Engineer at the Preliminary Plat stage.
8. The Applicant/Developer shall provide an Option to Purchase (the "Option") for up to 14 acres of land for a future school (the "Site") to the Boone County School District (the "District").

If the Site is within the Tracks of Steeplechase the Option shall contain the following terms:

1. The consideration for the Option shall be \$10.00.
2. The Option shall be exercisable for a term of 6 years following the grant (the "Option Term").
3. The Option shall identify a Site within the Tracks of Steeplechase that is mutually acceptable to the Applicant/Developer and the architect for the District based on the criteria for a school site set out by the State of Kentucky, Department of Education.
4. If the Option is exercised within the Option Term, closing shall occur within 1 year from the date of the exercise of the Option.
5. If the Option is not exercised within the Option term then the Option shall terminate.
6. The purchase price shall be \$32,000 per acre of part thereof.

If the Site is outside of the Tracks of Steeplechase, the Option shall be on such terms and conditions as the Applicant/Developer and the District shall mutually agree.

The Option shall be granted by Applicant/Developer prior to the issuance of the 250th zoning permit for the Tracks of Steeplechase.

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.

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

January 5, 2005

7:30 P.M.

PUBLIC HEARING

Commission Members Present: Mr. Barlow, Mr. Breetz, Mr. Bunger, Mr. Caddell – Chairman, Mr. McMillian, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Schwenke, Mr. White, and Mrs. Wilson – Secretary/Treasurer.

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

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:30 PM and introduced the item on the Agenda:

Applicant: Tim Reese for
Chase-Reese-Carlisle LLC (owner)

Request: Change in an Approved Concept Development Plan

The request of Tim Reese (applicant) for Chase-Reese-Carlisle LLC (owner) for a Change in an Approved Concept Development Plan in a Suburban Residential One/Planned Development (SR-1/PD) zone for a 14.72 acre tract located to the southeast of the southern terminus of Grand National Boulevard, west of I-75, east of the property at 618 Aylor Lane, and north of the property at 472 Chambers Road, Boone County Kentucky;

and

Applicant: Tim Reese for
James Hollen, Mark Meade, Lowell Goldsberry, Charles
Worley, Gregory Worley, and Walt Pieschel (owners)

Request: Zoning Map Amendment

The request of Tim Reese (applicant) for James Hollen, Mark Meade, Lowell Goldsberry, Charles Worley, Gregory Worley, and Walt Pieschel (owners)

for a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) for a 144.3 acre area located at 472, 490, 640, 674, and 680 Chambers Road, and north of the properties at 500, 510, 530, 588, and 604 Chambers Road, and east of the properties at 690 Chambers Road and 609 and 618 Aylor Lane, and west of I-75, Boone County, Kentucky. The requests are for a Change in an Approve Concept Development Plan and a zone change to allow a subdivision for detached single-family residences.

Following an explanation of the Public Hearing process, the Chairman asked for the presentation of the Staff Report.

Staff Members Mitch Light and Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report). Staff received letters from Christopher & Carrie Hooten and Shawn Murdock after the Staff Report was written and copies were provided.

The Chairman asked for the applicant's presentation.

Attorney Jim Woltermann with Adams, Stepner, Woltermann & Dusing, 40 West Pike Street, Covington, introduced Mr. Tim Reese with Centerline Development, Mr. Bill Viox with Viox & Viox, Mr. Jim Viox with Viox & Viox, and Mr. Jack Gehrum with Edwards & Kelcey.

Mr. Woltermann stated that Centerline Development has approximately twenty residential developments in Kenton, Campbell and Boone Counties and over 720 residential lots under construction. The Drees Company, Fisher Homes, Calument Homes, and others have been builders in their developments. No builder has been selected for the subject development. He stated that Chase-Reese-Carlisle LLC assumed the obligations of the Erpenbeck Company at Steeplechase in regard to the Homeowners' Association and surfacing of existing streets to bring them up to county standards, as well as improvements to Richwood Road at the intersection of Grand National Boulevard and Triple Crown, and they have allocated approximately \$200,000 for improvements to the intersection. The request this evening includes reconfiguration of the existing approved Steeplechase development and a zone change for additional acreage adjoining the original Steeplechase Development from A-2 to SR-1. He stated that the Comprehensive Plan designates the areas as Suburban Residential at a density of up to four units per acre. Steeplechase permits an overall density of 3.6 units per acre. The Concept Development Plan is at 2.59 units per acre. The original Steeplechase zone change approval in 1997 was conditioned on the applicant constructing and dedicating the street connection (Grand National Boulevard) to the property to the south, known as the "Deters Property", which is the larger tract they are developing. In 2003, there was a request by The Drees Company and the identical language was used by Staff and in the Land Use Element of the Comprehensive Plan that "the development to the southwest of the Richwood interchange must continue the Grand National Boulevard connection to

Chambers Road". He stated that the extension of Grand National Boulevard will bring development. He stated that the proposed development is at 2.95 units per acre, as opposed to the four units per acre allowed under the Comprehensive Plan, and it is a fair development based on the expenses involved in the continuation of Grand National Boulevard. The developer is aware of the issues related to schools and has talked to Bryan Blavatt. Mr. Woltermann stated that this site does not allow an eleven-acre site for a school because of the topography, but it is their intention to work with the school district to locate and obtain a site in the vicinity. Mr. Blavatt indicated to them that similar things have been done previously – an example being the Arlinghaus development on KY 18. Mr. Woltermann, the developer, and Staff will meet with Mr. Blavatt to discuss this.

Mr. Bill Viox, with Viox & Viox, 466 Erlanger Road, Erlanger, introduced Mr. Carter Dickerson their landscape architect. Mr. Viox submitted a CD of their Power Point presentation (see Exhibit 1) and stated that copies of the slides have been provided to the Commissioners (see Exhibit 2). He stated that there is an oversight in the Staff Report in that the opening paragraph does not mention the Deters property, which is one of the main properties involved. He stated that the proposed density is 2.59 units per acre, which is 36% less than the 4 units per acre allowed in the SR zone. The existing Steeplechase development, which this development attaches to, is at 3.6 units per acre. The proposed density is 28% less than Steeplechase. He stated that this is a good transition towards Chambers Road. They have already reduced the density. Reviewing the Power Point presentation, he indicated the 32 lots which are already approved and will be reconfigured. The lots are already on the records for the utility companies and the schools. There will be 379 new lots, plus the existing homestead, which totals 412 lots. The homestead will remain. He indicated the four lakes and two dry detention lakes, the blueline stream, the existing homestead, and the power lines. He stated that an eleven-acre site for a school would be difficult on the property and Mr. Blavatt is aware of that. He stated that this application was submitted on November 17 in anticipation of a Public Hearing in December but there was already a full docket. Their original intention was to bring Grand National Boulevard down to the location indicated, terminate it with a rotary, and develop local streets through the site. They discussed the plan with the various groups having jurisdiction, looked at the Comprehensive Plan, and reviewed the application with Staff. He stated that Grand National Boulevard was to be a limited access road all the way to Chambers Road and could proceed south someday to Beaver Lick and connect to the Walton interchange. He stated that they reconfigured the subdivision and put Grand National Boulevard along the expressway, but none of those lots will have direct access to the expressway – access to the lots will be off the 28-foot wide internal streets. He stated that Staff and Boone County Public Services did not want cut-thru traffic, so they made the road tie into Grand National Boulevard. They are open to the connection if it is desirable. They will continue the hiker/biker trail along Grand National Boulevard to Chambers Road. He indicated the lawn space with a pathway and lake and stated that the residents will have access to the lake. There will be

community facilities with a pool and off-street parking. He indicated the trail system and another pavilion with off-street parking. He stated that some of the lakes may have access only by the adjoining properties, but some lakes will be accessible to all of the people in the subdivision. He stated that they created open space in the ravine to give some transition to the neighborhood. He indicated the estate-type lots and stated that the applicant will comply with Staff's request to change the lot widths. He indicated where they will place tree stands and stated that they want to create the same environment along the KY 2951 corridor, which is a state highway, and goes through different neighborhoods. In the area of Decker Lane and down towards the underpass, they looked at GIS and the values of the fourteen houses and lots in that area and found that they average a little more than \$150,000, which is a tax assessment and not necessarily full market value -- but they feel that the proposed houses are compatible with the neighborhood. He stated that they want to protect the frontage and put in lots similar to the ones along that corridor. The patio-type lots are against the expressway. He indicated the lots that will be developed exactly like Steeplechase. He stated that since they already have 32 approved lots, which are being reconfigured due to the change in alignment of Grand National Boulevard, the impact of the new lots will not occur until 2006. There will be about sixty lots a year beginning in 2006. They want to make the road connection in 2008 or early 2009, but control of Grand National Boulevard falls to the governmental agency and they may want to change those dates. Continuing to review the Power Point presentation, he stated that stormwater and flooding is a big issue in this area. They have done calculations of what could occur and took photographs on Monday afternoon. He presented and reviewed a map of the drainage basin, which is 2,175 total acres and indicated the area designated in the 1981 FEMA (Federal Emergency Management Agency) map as the 100-year flood area. He stated that FEMA will update their maps in the next year and the area could be extended a little. He stated that they have 159 acres, which is a small portion of Area A. Area A totals 870 acres and Area B totals 1,305 acres. This subdivision is 7.3% of the total drainage basin and 2.13% of Area A. They are proposing six detention basins to control stormwater and will detain 115% of the requirement. The development will have no impact on the flooding that occurs on Chambers Road. He stated that their property is a small portion of a very large basin, which makes it difficult for them to correct the problems that exist. He stated that people pay a stormwater fee on their water bill to help with regional stormwater improvements and regional basins will have to be done. He has been working on this issue with the City of Florence since 1988 and they have had some success. They are not having the flooded basements now that they had in 1988. He stated that on this property there will be four wet basins (the surface will raise and lower) and two will be dry. They will detain 115%. They will commit to doing an evaluation of the entire basin and take it to Sanitation District #1, which is not required, but they want to do it because they are concerned about Chambers Road. He stated that another issue in this area is traffic and the traffic expert will make a presentation. Mr. Viox reviewed the road network and noted the distances

traveling various routes from the southern end of Grand National Boulevard to I-75:

<i>North on Grand National Boulevard to KY 338</i>	<i>2.5 miles</i>
<i>West on Chambers Road to KY 338</i>	<i>3.3 miles</i>
<i>East on Chambers Road to US 25 and North to KY 338</i>	<i>3.7 miles</i>
<i>East on Chambers Road to US 25 and South to Mary Grubbs Highway</i>	<i>3.8 miles</i>

Continuing to review the Power Point presentation, Mr. Viox indicated the area designated Business Park and stated that there will be business opportunities there. He stated that the City of Walton is beginning to see activity in the Industrial Park with Fujitech and other commercial interests. The commercial activity will provide a destination and people will go that way. There will not be a lot of reason to go Chambers Road to Richwood Road. He indicated the point on Chambers Road where it is the same distance to I-75 traveling east or west. He believes most of the people will go up Grand National Boulevard, which is being built to county standards. Reviewing the Sectional Diagrams, he indicated Lots #234, #235, and #236 on the cul-de-sac. He noted the plantings that will be put in and reviewed the line of sight over the rooftops and over the trees. He also reviewed the line of sight from the area of the lots on Aylor and Lot #83 (see diagrams). He indicated the large lots and noted the shared driveway. He stated that the people there will no longer have a shared driveway and they are willing to connect those lots. The access will be paved and will replace the driveway.

Mr. Jack Gehrum, traffic engineer with Edwards & Kelcey, stated that they were asked to join with the developer and look at some of the issues, define the impacts, and help with the analysis of new traffic issues. He stated that one of the first issues is the travel distances from the proposed development to various destinations. Reviewing the Power Point presentation, he stated that Grand National Boulevard is the shortest distance to the interchange to the north – but there are other elements to be considered such as road conditions, travel time, and ease of going on the roadway. Grand National Boulevard is easy to drive and has no friction because of access points and it is the preferred route that the majority of the people going north would take. There are proposed improvements at the Richwood Road/Grand National Boulevard interchange. The Staff Report stated that there are proposed turn lanes and the possibility of a signal as demand develops. He stated that they will work with the County Engineer and there may be some changes to what they think is needed there. They will add the impact of this development and help define the turn lanes and the need for the traffic signal. The interchange continues to be an issue, but they have gotten the Highway Department's attention. They have conducted studies and are looking at alternatives. This developer is willing to participate in trying to assist and get the improvements for the area. He stated that they have not produced a traffic study,

but will address the normal issues of traffic and any issues that are raised during this meeting and by the Committee Meeting they will be able to present facts and issues normally addressed in a traffic study. 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 Mr. Taliaferro for his presentation.

Mr. Phil Taliaferro, representing residents in the area of Chambers Road and Decker Lane, stated that he asked by letter and by telephone call to Mr. Costello to grant a continuance because the residents received registered letters shortly before Christmas and then there snow and there has been a problem getting prepared. He stated that Mr. Costello indicated that they would be permitted to introduce information that they could not get up to this point.

Mr. Costello stated that he did not speak with Mr. Taliaferro, but he did speak to someone else about this and told them that if they have facts or information to submit, as long as the matter is identified as an issue at this Public Hearing, they can bring the information to Committee.

Mr. Taliaferro stated that he would like to present information from Bryan Blavatt, information on the school system, information on the ITE, information on flooding, videos, pictures, state transportation information, and housing value information by letter or documents. He corrected his earlier comment and stated that he spoke with Counselor Wilson, not Mr. Costello. Mr. Taliaferro submitted information from prior Public Hearings, documents, and Staff Reports (see Exhibit 3) and written copies of a conversation with Fire Chief McIntyre and Deputy Fire Chief Roberts (see Exhibit 4), which deal with the dangers of fire safety and flooding.

Chairman Caddell advised that the exhibits will be available to the applicant as soon as they can be copied.

Mr. Taliaferro stated that the flooding problems are severe and there is a danger in fire safety, and this development will cause even more problems. There will be overcrowding of the schools, which will compound the existing problems. The roads are deteriorating, particularly Chambers Road, which means even more danger. He stated that there is a lack of gradation with the plan and it will overload the infrastructure. This is the beginning of serious long-term problems. He stated that flooding studies would be helpful and studies of the infrastructure of the roads prior to development would also be helpful. He stated that approval of this plan as it is will create a domino effect and set a dangerous precedent and our children and grandchildren will pay a price. The taxpayers will pay a price. He submitted a spiral bound booklet with data on the Comprehensive Plan, *"Boone County Residents Opposed to Inappropriate High Density Development*

01-05-2005" (see Exhibit 5). At this time, Mr. Taliaferro called names of people to speak in opposition, beginning with D'Anna Kloeker.

Ms. D'Anna Kloeker, 11996 Decker Lane, a teacher in the Boone County school system, is concerned about the impact on the school system. She stated that at the end of the school year 2003-2004, attendance at Ryle High School was 1,315, but at the start of the 2004 school year it was 1,453 – which is an increase of 138 students over the summer. At Gray Middle School at the end of the school year 2003-2004 attendance was 1,030 students for three grades, but at the start of the 2004 school year attendance was 1,120 students – which is an increase of 90 students over the summer. At the end of the school year 2003-2004, attendance at New Haven was 837 and at the start of the 2004 school year, attendance was 907 – which is an increase of 70 students over the summer. She stated that in May 2004 they calculated an overburden at Ryle High School of 353 students and adding 138 students, they will be 491 students over capacity. She stated that they are adding on to the school, but the same thing that happened at Erpenbeck Elementary will happen again – the school was full when they opened the doors. She stated that Gray Middle School was overburdened by 281 students at the end of the year and adding 90 students will be 371 students over capacity. New Haven was overburdened by 230 students and adding 70 students will be 300 students over capacity. A teacher told her that she had four new students yesterday and today in one of her classes. Ms. Kloeker stated that a new middle school is going in and there will be redistricting – but they are not keeping up with the number of students enrolled in the schools. They have a “no child left behind” policy – but it is a difficult task not to leave someone behind when you have thirty students in a classroom. Reviewing the Power Point presentation she indicated her home on Decker Lane. She stated that she travels Chambers Road to Richwood Road to the interstate. She stated that people may travel Grand National Boulevard or U.S. 25 to the interstate, but she does not like to make left turns and cross traffic. Traveling U.S. 25 and turning left will be very difficult without a light there. She does not think most people will take that path and make another left turn on KY 338 to the interstate. She believes people will take Richwood road. She does not cut through Triple Crown because of the stop signs and believes Grand National Boulevard also has stop signs. She stated that people will go Chambers Road to Richwood road and not turn left on U.S. 25.

Mr. Taliaferro stated that Ms. Kloeker will submit written information regarding enrollments. Mr. Costello asked that the information be submitted within the next week.

Mr. John Hart, 11938 Decker Lane, stated that there is a draft of the Boone County 2030 Transportation Plan and several points in there should be considered during the review of this proposal. He is not optimistic that the state will find the money to improve the Richwood interchange. He encouraged the Commissioners to read the study, which is supposed to be finalized this month.

Mr. Costello stated that a consultant hired by OKI is working with the Kentucky Transportation Cabinet and Fiscal Court and their working papers will ultimately be chapters of the Transportation Plan. He stated that Mr. Hart is referring to one of the working papers which will go into the final document – but it is not yet half finished and has not been adopted by Fiscal Court.

Mr. Hart stated that the information talks about crash rates being higher on Richwood Road and Chambers Road than would be expected. Reviewing a Power Point presentation, he stated he talked with several people in the Stormwater Division at Sanitation District #1 and they were not aware of new flooding along Mudlick Creek. He stated that a watershed study has not been done. There is a tributary along Richwood Road that contributes to Mudlick Creek. He stated that just looking at the area around the proposed development may not be correct – you have to look at the whole picture. He stated that the water from the retention ponds has to cross Chambers Road. He is not sure there is enough elevation there for a culvert to discharge from the retention ponds to Mudlick Creek. He is a civil engineer with a major water resource agency and he believes that there should be a stormwater management study for Mudlick Creek because there is a serious problem. A stormwater management model of Banklick Creek laid out the future and what could be done. The project partners were the U.S. Forestry Service, Boone County Planning Commission, and Fiscal Court's Engineer's Office. The model has been completed and has an objective to protect quality of life and quantity of stormwater runoff and it is what is needed here before any more homes are approved. Reviewing a slide, he stated that the model shows the base of 1995 and a two-year, ten-year, and fifty-year storm events. Mr. Hart presented a slide showing how the water level changes for these events. He stated that a watershed analysis is necessary in a place where there is known flooding. In response to questions from Mr. Taliaferro, Mr. Hart stated that the Banklick Creek Study was done because of the development of homes creating flooding along the creek. He stated that additional development will cause increased flooding in the area of Chambers Road and Mudlick Creek unless measures are taken to prevent it. He stated that the watershed area on the east side starts at about U.S. 25 and flows west. It comes along Richwood Road towards Mudlick Creek. Mr. Taliaferro stated that it backs up at the tunnel. Mr. Hart responded that a backwater effect should be expected.

Mr. Charles Meyers, a civil engineer from Park Hills, Kentucky, submitted a report on road conditions (see Exhibit 6) and a draft copy of the Boone County Transportation Plan 2030 (see Exhibit 7). Mr. Costello stated that it is a working paper and not the actual plan. Mr. Meyers stated that Chambers Road is a state road 2.7 miles long and runs from the intersection of U.S. 25 east to the arch under I-75 and to its intersection with KY 338. It has a load limit of 44,000 pounds. It is a blacktop roadway with widths from 18 ½ to 20 feet. East of the arch culvert under I-75 the road is rolling and elevated and west of the arch to the intersection with KY 338 it is flat and low-lying. There are numerous base failures on the road due to a soft subgrade, inadequate shoulder support and

drainage. There is failure over the drainage pipe. There are areas prone to flooding. He stated that the right-of-way of the road is limited --it is 30 feet wide, 15 feet on each side, and bounded by fences and old growth trees which can be a roadway hazard. The proposed development and 411 single-family homes will present increased traffic problems. The ITE Manual and trip generation estimates show that the average house generates up to ten trips a day. The 411 houses would generate 4,100 trips a day. There could be another 1,000 houses when Triple Crown subdivision is built out and Steeplechase will have an additional 150 houses. There will be another 350 houses from the open areas and 134 from the Kahmann Trust development. There will be over 2,000 housing units and at 10 trips per day there could be an additional 20,000 trips per day. Whether the vehicles travel Grand National Boulevard, Richwood Road, Chambers Road, or U.S. 25, there will be major traffic problems at the KY 338/I-75 interchange and it will be reduced from Level of Service "D" to probably Level of Service "F". The Level of Service on KY 338 now is "D", which is not good. On Chambers Road the Level of Service is "B", which could be reduced to Level of Service "E" or "F" with the additional traffic (an additional 9,110 trips per day added to the existing 1,875 trips per day). The Transportation Cabinet is considering KY 338 in their Six-Year Plan, but there is no funding to redo the road at this time. KY 338 is scheduled for 2014. This area will continue to build and there will be major traffic problems. Chambers Road does not have good shoulders or they are non-existent. There are pavement drop-offs that contribute to cross-over accidents. As this area develops, the construction traffic and concrete trucks will add to the deterioration of the roadway. He stated that a lot of people will not make left turns, which is a consideration. There is a sight distance problem at the Grand National Boulevard exit to Chambers Road. The speed limit on Chambers Road is 35 MPH and the sight distance requirements are about 300 feet, which is more than Grand National Boulevard is from the arch culvert. He stated that Chambers Road cannot be widened. Modern standards require sixty feet of right-of-way (thirty feet on either side of the center line). A conservative estimate to reconstruct the roadway would be \$10 million not including the right-of-way. The state has no money and it is not in the Six-Year Plan. The road can only get worse if this development is approved.

Mr. Ralph Hopper, 200 Stonewall Drive, Fort Thomas, stated that in the Overall Goals and Objectives of the Comprehensive Plan it states that development should balance the rights of individual landowners with the rights of the public and he does not believe that is being accomplished in this case. This appears to be spot zoning because it is out of character with the surrounding properties. If this subdivision, which was denied three times, is permitted then the Planning Commission will be hard pressed to deny again without being considered arbitrary. He stated that the Environmental Element of the Comprehensive Plan talks about soil conditions and depth of bedrock in this area, and there is significant runoff, ponding, erosion, and surface water pollution. The damage to Chambers Road is due to poor soil conditions and lack of drainage for the road. He reviewed the Housing Objective on Page 9 which states that primary and

secondary education capacity shall be a component of housing development review. He reviewed the recommendations of the Housing Element. He stated that the Transportation Element calls for the extension of Grand National Boulevard to Chambers Road. He stated that Richwood Road and Frogtown Road are arterial streets and he can understand a connection being made there. A connection between Richwood Road and Chambers Road, which is a collector road, does not make sense. Chambers Road is in a substandard condition, so it makes less sense. He stated that this project does not comply with a number of areas of the Comprehensive Plan. It does not meet the transition or gradation of access called for in the Comprehensive Plan. What is meant by transition or gradation of access needs to be defined. He stated that the north 50% of the site could be SR-2 and transition to RSE. There could be two-acre lots adjacent to the large development to provide transition. He stated that there is a lack of definition of terminology in the Plan. He encourages changes to the Plan to provide guidance to the Staff and Planning Commission. Mr. Taliaferro asked if the application violates the Comprehensive Plan. Mr. Hopper responded "yes".

Mr. Rodney Reel, 12200 Gaines Way, submitted two pictures of the historic trees on Chambers Road along with a written paragraph (see Exhibit 8). He stated that there is an area of trees that forms an arch and, if they widen the road, they will have to cut down the trees. He stated that the Planning Commission voted against the B.O.L.D. development three times and the only thing that has changed is that they moved the sign about 100 feet. The same arguments the residents used to defeat B.O.L.D. Homes are still there. He stated that the Planning Commission's vote was unanimous and so this has to be voted down also. B.O.L.D. Homes was going to build 140 houses and this proposal is for 411 houses – it will ruin the area. He has lived there for sixteen years and wants the area preserved. Chambers Road is a little narrow road that cannot be widened and he does not want it destroyed. Mr. Reel also submitted a video cassette (see Exhibit 9).

Mr. Harold Jetter, 12269 Gaines Way, Walton, Kentucky, reviewed a slide showing the visual impact of the proposed development. He stated that Mark Aulick will have nine houses in his side yard if this request is approved. The green space is reminiscent of the "gentleman's farm". There is a lot of green space protecting one of the developer's property. He does not see eight houses on one acre next to Mark Meade's property as gradation. He stated that the residents do not have a problem with extending Steeplechase subdivision, but they have a problem with everything to the south. Chris Hooten has twelve houses on his property line. Mr. Jetter indicated the future extension of Grand National Boulevard and the triangular piece of property there, which is for sale, and stated that there could be another 150 houses there. He stated that the street stub is there for a reason and there are two properties there where there could be more houses. Using an overlay on the exhibit, he stated that there will be 411 homes in this development, plus 150 homes, plus another 150 homes, and possibly another 100 homes for a total of 1,500 – 2,000 additional homes before Dr. Huey tries to develop his property. There will also be the Deter's property and the I-1 property

that is approved for three million square feet of industrial space, and some of those vehicles will come out on Chambers Road to U.S. 25. A six-lane highway could not handle all the traffic. He stated that when traveling Chambers Road to Grand National Boulevard and turning left to go up U.S. 25, there is no stop light to make the left turn, and vehicles turning right get rear-ended. He does not see the validity of vehicles coming down Chambers Road. He stated that Mr. Wall was quoted in the newspaper as saying that the county wants Grand National Boulevard extended to Beaver Road. He questioned who "the county" is – is it Fiscal Court, the Planning Commission? Who wants it and why? He believes "the county" is all of the individual residents of the county and the residents do not want it. He stated that Chambers Road cannot be widened or improved – the state has no money to do anything with the road. He stated that there is no watershed study and, when there is one, Greg Sketch says it will not be site specific to Mudlick Creek. He stated that if the county cannot afford the data to make good decisions, they should not be making decisions. The data is needed before making a decision. He stated that there is no gradation here. Nothing should happen here without the Long Range Plan being in place and the Long Range Plan is not in effect yet. The interchange at Richwood is a nightmare and all of the traffic will wind up there. This project alone would add 4,000 more vehicles to the interchange, and with all the other development there could be another 20,000 vehicles per day on Chambers Road.

Mr. Taliaferro asked that this application be put on hold until the 2030 Comprehensive Plan Update is completed, which will happen shortly, and until the FEMA Update is completed next year. He asked the Planning Commission to obtain a Mudlick Creek Watershed Study in order to be able to comply with the Comprehensive Plan. He stated that he will file material next week giving their legal position on the Hicks case. Counselor Wilson advised Mr. Taliaferro that he may submit their position.

At this time, Mr. Costello began calling the names of those who signed comment forms to speak beginning with Dr. Huey.

Dr. Gaines Huey, 773 Chambers Road, Walton, stated that in the early 1960's they bought a 114-acre farm on Chambers Road. At that time, it was a dirt road and there were not many cars on it. Then came Hutton subdivision, then Decker and Beddinger's Landing – and now there are subdivisions all around them and it is getting crowded. He questioned "is that good"? He stated that when the second Aylor brother died, requests for a zone change of his 35 acres were denied three times. He stated that there could be 400 houses on his 114 acres – which would be goodbye to the cows, deer and turkeys – and he questioned "would that be good"? It may happen in the future.

Mr. Dan Laycock, 12239 Gaines Way, stated that at prior meetings he presented statistical information about the value of homes in the area, which are considerably above that stated by the applicant by as much as \$80,000.

Mr. Mike Larson, 12207 Gaines Way, agreed with the opposition.

Mr. Jim Weaver, a resident of 12125 Decker Lane for twenty-five years, stated that twenty-five years ago, someone had to sit on the Planning Commission and talk about building houses on Mr. Aylor's farm -- and they chose to build houses on two acre lots. There are people who like that setting and when property is zoned like it is in Richwood, it should be kept that way to give people an alternative to high density. He wants the neighborhood kept the way it is. He stated that there are people who want to live on two-acre lots. He stated that this is the third time he has had to speak in opposition and not once did anyone in the general public speak in favor.

Mr. Dennis Rapenning, 12253 Gaines Way, presented and reviewed pictures of the flooding on Chambers Road (see Exhibit 10). The first picture was taken at approximately 9:30 A.M. on Monday on Chambers Road heading west towards KY 338. He noted the drainage ditch on the right swollen with rainwater. He stated that the water makes its way to Mudlick Creek. The picture was taken about 300 yards west of Gaines Way and 100 yards from the proposed west road connection of the development onto Chambers Road. The second picture is of the same area. The third picture shows an area further west and closer to the KY 338 intersection. It shows Mudlick Creek near the stage of flooding the roadway. The last picture shows the concrete bridge that crosses the creek at the east end of the R.C. Dirr property. He noted the force of the water crossing the bridge. He stated that the Chambers Road area is vulnerable to flooding. He stated that despite Mr. Viox' intentions to add catch basins to the area immediately near Chambers Road, the Planning Commission does not have the quality of information needed to make a decision as to whether there will be a flooding problem. He stated that they did not get city water on Gaines Way until last year and most people chose to keep their cisterns in place. They have the ability to catch rainwater. He did not hear that any of the proposed 400 homes will have cisterns to help catch rainwater. This will exacerbate a potential pollution problem. Surface water is the greatest polluter with oil, grease, household detergents and fertilizers and it is likely those materials will end up in Mudlick Creek -- which Dr. Huey's cattle will not appreciate. He stated that there are two old family cemeteries on Hutton or behind Hutton towards Gaines Way. There is an old cemetery near the end of his property with headstones back to the 1800's that is surrounded by a fence. He asked if the county will be better off if another 400 homes are carved out of the pastureland and farmland, and stated that the answer is "no". Would the Chambers Road community be better off? The answer is "no". He stated that if the Planning Commission is not sure, then the zoning should not be changed.

Mr. Lee Ulm, 609 Aylor Lane, stated that he bought his house because it is at the end of the street. His lot is 660 feet deep and 200 feet wide. The density is not 2.59 houses per acre in the area. The proposed lots will be less than 10,000 square feet. He stated that the applicant said there would be a berm where he

lives – but he has a one-story house and there is a 20’ – 30’ drop from his back yard and a four-foot berm will not do anything for him. The drop is the drainage ditch. He does not want a 20’ – 30’ berm there. He questioned what would happen to the drainage. He stated that nobody cares if the property is developed under the A-2 zone – which is what they bought into. He stated that this is his zoning commission too and putting eight houses next to his house will take away equity in his property -- this is his zoning commission and he is looking for protection.

Mr. Chris Welsh, 1264 Huey Lane, agreed with the other speakers. He stated that there is a full house this evening and many others who are concerned about this could not make it due to children, church and other reasons. There are a lot more people than just those present who do not want this development. He submitted a survey done with a video camera (see Exhibit 11), which shows from the east end of Chambers Road back over to the R. C. Durr property and the creek getting out of its boundaries. The creek was receding when the video survey was done. He stated that the applicant was very detailed as to which lots face Grand National Boulevard, which lots are interior lots, and where the trees and berms will be – but for the important issues there are no definite answers. They say that they will work with the School Board – when the answer is that there is not enough room on the property for the school. He questioned how this can be a conceptual plan if there is no place to put the children from 411 houses in a school. The applicant indicated that they will work with the Transportation Department and will submit a more detailed plan later, they will work with the county later on in regard to retention ponds -- there is no real meaning to the applicant's words. The applicant cannot say exactly what they are going to do and until that happens, the Planning Commission cannot pass this plan. He stated that along Chambers Road are two of the oldest houses in Boone County – the guardhouse and a house that dates back to the 1800's, and it would be out of place to see that house surrounded by 700 – 800 homes which is what will happen when the fill-in development comes. The house is part of their heritage. Mr. Welsh stated that he moved to his home for privacy and so that he could play with his children in the yard and not disturb the neighbors – and a section of Boone County should be preserved for that. They want to preserve their quality of life. He stated that a “cross-over accident” is a head-on wreck with a sixteen-year old and they can't have that. He came to Boone County for the quality of life and wants it preserved.

Mr. Thomas Fuchs, 11806 Suncrest Drive, stated that he is opposed to the zone change. The infrastructure does not support anything near this magnitude. Chambers Road gets worse everyday with potholes and sinking and flooding – and there is no plan to correct it. All around this site is A-2 zoning with one house on a two-acre lot. This development is inconsistent and a blight on the community. He reviewed the applicant's Application Form under #19, which says to *check the following organizations/agencies which you have discussed the proposed development with in the last several months* and the applicant's response to most of them was “no”. He stated that they are listed because the

Planning Commission needs the information to make a decision. It is presumptive of the applicant to expect this request to be approved. He stated that the applicant's personal interest is financial gain – but he worked hard to be able to move to the area and achieve this standard of living – which should be considered and balanced against the applicant's desire to make money. He asked that the application be denied.

Mr. William Turner, 592 Lassing Way, stated that whether people take Chambers Road, Grand National Boulevard, or I-75, it will cost \$150 million to fix the bridge. The three lanes are paved from concrete abutment to concrete abutment and there cannot be another lane there. Sometimes in the morning it takes 25 – 30 minutes to get onto I-75 and he did not hear anything about what will be done there.

Mr. Ronald Gruelle, 12250 Gaines Way, agreed with the other speakers. He stated that there is room for this type of development at certain places and at certain times, but this is not the place for it. Some areas need to be kept they way they are. He asked the Planning Commission to take a long hard look at this and do the right thing.

Ms. Dalynn Jensen, 11569 Albright Court, stated that she just purchased a lot on Suncrest Drive. They chose to get out of the dense population where they are and go to the A-2 zone. They want space for the children and space between their neighbors. They purchased on Suncrest Drive because of the A-2 zoning and ask that the zoning be left as A-2.

This concluded the testimony from those who signed comment forms to speak. There Chairman asked if there was anyone else present who wished to speak.

Mr. Michael Vogt, 377 Foxhunt Drive, Steeplechase, stated that they went through agony with the Erpenbeck family and are fortunate to have Tim Reese and his company come in – Mr. Reese has done everything he promised he would do and has sincerely tried to help them. Mr. Vogt stated that he is not for or against this development, but he has some concerns. He stated that the development is the result of an invitation by the county. He has talked to an elected official and several appointed officials and been told that this is part of the Smart Growth design plan – but it's a mistake. It has been accepted without question to prevent urban sprawl, but it creates density issues. He lives four houses from Grand National Boulevard and that road will be a highway. No one travels that road at the speed limit and the county will not allow speed bumps. The county intends to raise the speed limit on Grand National Boulevard. There are currently two stops signs and soon there will probably be one going into Steeplechase. He stated that children live there and ride their bikes and skate along the road all the time. He stated that by the county's design, there are houses going in right up against the interstate and the Judge/Executive's comment was "let the buyer beware". Mr. Vogt stated that if the houses go up against the

interstate, then at some point those people are going to say that there is too much noise and there will be the cost of putting up barriers in ten or fifteen years. Good zoning prevents that kind of thing. Putting houses right along the interstate is a mistake and devalues their properties. In Steeplechase, they would like to see lot sizes no smaller than what is in Steeplechase now. He stated that the county's Smart Growth program is an effort to urbanize the suburbs with small lots and a lot of people. He stated that a minimum 70-foot lot width is reasonable and a number of the lots will be smaller than that. This kind of development will create an urban environment. He is concerned about access from Richwood Road and Chambers Road, getting in and out with safety equipment, and getting out in the morning. He does not think that the Grand National Boulevard/Richwood Road interchange will be adequate. At 7:15 A.M. it took twenty minutes to get to the intersection on the other side of the interstate (about one-third mile away) and that time will be increased tremendously. He stated that the pattern is to wait for congestion to happen and problems to arise – and then address the issue after years of having poor service. The county needs to take some responsibility for the people who live here.


The Chairman asked if there was anyone else present who wished to speak. There being no response, he asked if there were any comments or questions from the Commissions. There being none, he asked if there were any final comments.

Mr. Woltermann reserved the right to submit additional information based on the documents submitted this evening which they have not had an opportunity to review.

Chairman Caddell stated that any documents or printed materials that anyone wants to submit need to be in Staff's possession by January 14 and fit the guidelines as stated by Mr. Costello. If any items are questionable or represent new evidence that has not been discussed, Staff will consult with Counselor Wilson who will have the final say as to whether or not materials meet the guidelines.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on January 26, 2004 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on February 2, 2005 at 7:00 PM. The Chairman closed this Public Hearing at 10:06 PM.

APPROVED:



Arnold Caddell, Chairman

Attest:


Jan Hancock, Recording Secretary

Exhibits

1. Power Point presentation (CD) submitted by Bill Viox
2. Color copies of slides (total of 6) submitted by Bill Viox
3. Boone County Planning Commission Public Hearing Minutes dated February 25, 2004; Committee Report dated May 5, 2004, Boone County Planning Commission Public Hearing Minutes dated August 28, 2004 with exhibits, Zone Change Committee Vote dated October 16, 2002, Committee Report dated November 6, 2002, Boone County Planning Commission Public Hearing Minutes dated September 29, 2004 with exhibit, Zone Change Committee Vote dated October 6, 2004, submitted by Mr. Taliaferro
4. Conversation with Walton Fire Department (two documents), Application for Zoning Map Amendment – The Tracks of Steeplechase with attachments, Newspaper article “Richwood Roadway Project is on Horizon”, Walton Fire District maps of Boone and Kenton Counties, submitted by Mr. Taliaferro
5. “Boone County Residents Opposed to Inappropriate High Density Development, 01-05-2005” submitted by Mr. Taliaferro
6. Road Conditions – Chambers Road, prepared and submitted by Charles L. Meyers, P.E.
7. Boone County Transportation Plan 2030 (draft) submitted by Charles L. Meyers, P.E.
8. Pictures (two) of historic trees on Chambers Road and written paragraph submitted by Mr. Rodney Reel
9. Video cassette submitted by Mr. Rodney Reel
10. Pictures of flooding on Chambers Road submitted by Mr. Rapenning
11. Video survey submitted by Mr. Welsh

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: February 23, 2005

RE: Request of **Tim Reese (applicant)** for **Chase-Reese-Carlisle LLC (owner)** for a Change in an Approved Concept Development Plan in a Suburban Residential One/Planned Development (SR-1/PD) zone for a 14.72 acre tract located to the southeast of the southern terminus of Grand National Boulevard, west of I-75, east of the property at 618 Aylor Lane, and north of the property at 472 Chambers Road, Boone County, Kentucky; and, the request of **Tim Reese (applicant)** for **James Hollen, Mark Meade, Lowell Goldsberry, Charles Worley, Gregory Worley, Walt Pieschel, and Tim Reese by contract (owners)** a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) for a 144.3 acre area located at 472, 490, 640, 674, and 680 Chambers Road, and north of the properties at 500, 510, 530, 588, and 604 Chambers Road, and east of the properties at 690 Chambers Road and 609 and 618 Aylor Lane, and west of I-75, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan and a zone change to allow a subdivision for 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.

Tim Reese/Tracks at Steeplechase

February 23, 2005

Greg Breetz

Greg Breetz, Chairman

For Project Absent
 Against Project
 Abstain Deferred

Randy Barlow

Randy Barlow

For Project Absent
 Against Project
 Abstain Deferred

Janet Kegley

Janet Kegley

For Project Absent
 Against Project
 Abstain Deferred

Kim Bunger

Kim Bunger

For Project Absent
 Against Project
 Abstain Deferred

Susan Poston

Susan Poston

For Project Absent
 Against Project
 Abstain Deferred

*Charlie Reynolds (Alternate)**

Charlie Reynolds (Alternate)*

For Project Absent
 Against Project
 Abstain Deferred

Earl White (Alternate)

Earl White (Alternate)

For Project Absent
 Against Project
 Abstain Deferred

TOTAL: DEFERRED 4 FOR PROJECT 1 ABSENT
 AGAINST PROJECT ABSTAIN

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: February 16, 2005

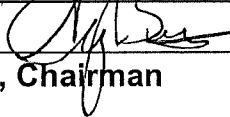
RE: Request of **Tim Reese (applicant)** for **Chase-Reese-Carlisle LLC (owner)** for a Change in an Approved Concept Development Plan in a Suburban Residential One/Planned Development (SR-1/PD) zone for a 14.72 acre tract located to the southeast of the southern terminus of Grand National Boulevard, west of I-75, east of the property at 618 Aylor Lane, and north of the property at 472 Chambers Road, Boone County, Kentucky; and, the request of **Tim Reese (applicant)** for **James Hollen, Mark Meade, Lowell Goldsberry, Charles Worley, Gregory Worley, Walt Pieschel, and Tim Reese by contract (owners)** a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) for a 144.3 acre area located at 472, 490, 640, 674, and 680 Chambers Road, and north of the properties at 500, 510, 530, 588, and 604 Chambers Road, and east of the properties at 690 Chambers Road and 609 and 618 Aylor Lane, and west of I-75, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan and a zone change to allow a subdivision for 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.

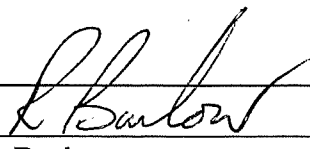
Tim Reese/Tracks at Steeplechase

February 16, 2005



Greg Breetz, Chairman

For Project ___ Absent ___
 Against Project ___
 Abstain ___ Deferred

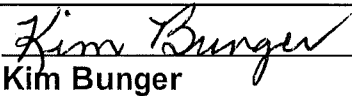


Randy Barlow

For Project ___ Absent ___
 Against Project ___
 Abstain ___ Deferred

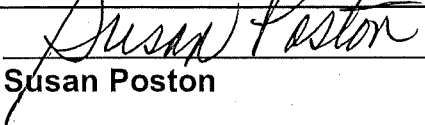
Janet Kegley

For Project ___ Absent
 Against Project ___
 Abstain ___ Deferred ___



Kim Bunger

For Project ___ Absent ___
 Against Project ___
 Abstain ___ Deferred



Susan Poston

For Project ___ Absent ___
 Against Project ___
 Abstain ___ Deferred

Charlie Reynolds (Alternate)*

For Project ___ Absent ___
 Against Project ___
 Abstain ___ Deferred ___

Earl White (Alternate)

For Project ___ Absent ___
 Against Project ___
 Abstain ___ Deferred ___

TOTAL: 4 DEFERRED ___ FOR PROJECT 1 ABSENT
 ___ AGAINST PROJECT ___ ABSTAIN

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

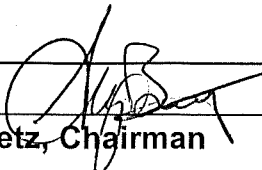
FROM: Greg Breetz, Chairman

DATE: January 26, 2005

RE: Request of **Tim Reese (applicant)** for **Chase-Reese-Carlisle LLC (owner)** for a Change in an Approved Concept Development Plan in a Suburban Residential One/Planned Development (SR-1/PD) zone for a 14.72 acre tract located to the southeast of the southern terminus of Grand National Boulevard, west of I-75, east of the property at 618 Aylor Lane, and north of the property at 472 Chambers Road, Boone County, Kentucky; and, the request of **Tim Reese (applicant)** for **James Hollen, Mark Meade, Lowell Goldsberry, Charles Worley, Gregory Worley, Walt Pieschel, and Tim Reese by contract (owners)** a Zoning Map Amendment from Agricultural Estate (A-2) to Suburban Residential One (SR-1) for a 144.3 acre area located at 472, 490, 640, 674, and 680 Chambers Road, and north of the properties at 500, 510, 530, 588, and 604 Chambers Road, and east of the properties at 690 Chambers Road and 609 and 618 Aylor Lane, and west of I-75, Boone County, Kentucky. The requests are for a Change in an Approved Concept Development Plan and a zone change to allow a subdivision for 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.



Greg Breetz, Chairman

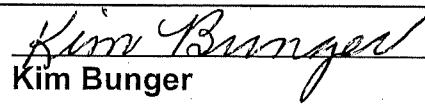
For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred

Randy Barlow

For Project ____ Absent
Against Project ____
Abstain ____ Deferred ____

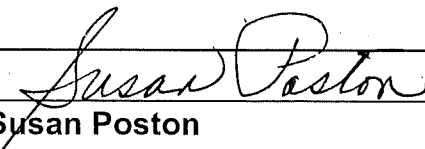
Janet Kegley

For Project ____ Absent
Against Project ____
Abstain ____ Deferred ____



Kim Bunger

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred



Susan Poston

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred

Charlie Reynolds (Alternate)*

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

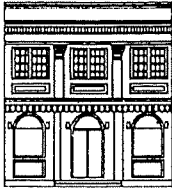
Earl White (Alternate)

For Project ____ Absent ____
Against Project ____
Abstain ____ Deferred ____

TOTAL: 3 DEFERRED ____ FOR PROJECT 2 ABSENT
____ AGAINST PROJECT ____ ABSTAIN

SUPPORTING INFORMATION

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street • Burlington, KY 41005

www.boonecountyky.org

Phone: (859) 334-2196

Fax: (859) 334-2264

E-mail: plancom@boonecountyky.org

March 2, 2005

Mr. Tim Reese
Mr. James Hollen
Mr. Mark Meade
Mr. Lowell Goldsberry
Mr. Charles Worley
Mr. Gregory Worley
Mr. Walt Pieschel
519 Enterprise Drive, Suite 103
Crescent Springs, KY 41017

FAX: 578-6632

RE: Recommended Conditions of Approval for Reese Zone Change Application from A-2 to SR-1 for 144.3 Acres and Change in Concept Development Plan for 14.72 Acres, North Side of Chambers Road, Boone County, Kentucky

Dear Property Owners:

The following represents the conditions of approval for the above referenced application as discussed by the Planning Commission's Zone Change Committee at their February 23, 2005 meeting. If you, as the property owners, agree to these conditions, please so indicate by signing in the space provided at the end of this letter and return the original letter to the Planning Commission's office by Tuesday, March 1, 2005.

CONDITIONS

1. The development shall follow the Concept Development Plan identified as "Concept Plan, The Tracks at Steeplechase, Boone County, Kentucky" (received by the Planning Commission 3/1/05), which was revised through the Zone Change Committee process in response to issues raised at the Public Hearing.
2. Easements will be recorded for the berm/landscape buffer areas indicated on the Concept Development Plan. The easements will require these areas and the buffer improvements therein to be retained by subsequent lot owners. The berming shown within these buffer areas shall be a minimum of 6 feet to 8 feet high, with a maximum slope of 3/1.
3. The rear yard setbacks for the four flag lots that adjoin the Aulick property in the southwest portion of the site shall be a minimum of 60 feet. The side yard setback for the south property line of the southern-most of these flag lots (closest to Chambers Road) shall be a minimum of 60 feet.

4. The streetscape landscaping, fencing, and monumentation along the Grand National Boulevard extension shall match the scheme used in the existing Steeplechase Subdivision as outlined in the plan labeled "entry walls & sign details for Steeplechase" that was approved as part of the Steeplechase Subdivision, Phase 1, Improvement Plan. The bike path along the Grand National Boulevard extension shall be 10 feet wide.
5. A watershed study which analyzes the watersheds affected by this development, identifies the causes of existing flooding and other storm water management problems, and which makes recommendations for correcting these problems, shall be approved by the Boone County Engineer before any Grading Plan or Improvement Plan applications are approved. This study shall be conducted in consultation with the Boone County Engineer, Sanitation District #1, the Kentucky Transportation Cabinet, Kentucky Division of Water, and any other appropriate agencies.
6. The post development storm water outlet shall be at least fifteen percent (15%) less than the pre development rate for each given storm.
7. Turn lanes shall be constructed at the proposed intersections on Chambers Road if required by the Boone County Engineer at the Preliminary Plat stage.
8. The Applicant/Developer shall provide an Option to Purchase (the "Option") for up to 14 acres of land for a future school (the "Site") to the Boone County School District (the "District").


If the Site is within the Tracks of Steeplechase the Option shall contain the following terms:

1. The consideration for the Option shall be \$10.00.
2. The Option shall be exercisable for a term of 6 years following the grant (the "Option Term").
3. The Option shall identify a Site within the Tracks of Steeplechase that is mutually acceptable to the Applicant/Developer and the architect for the District based on the criteria for a school site set out by the State of Kentucky, Department of Education.
4. If the Option is exercised within the Option Term, closing shall occur within 1 year from the date of the exercise of the Option.
5. If the Option is not exercised within the Option term then the Option shall terminate.
6. The purchase price shall be \$32,000 per acre of part thereof.

If the Site is outside of the Tracks of Steeplechase, the Option shall be on such terms and conditions as the Applicant/Developer and the District shall mutually agree.

The Option shall be granted by Applicant/Developer prior to the issuance of the 250th zoning permit for the Tracks of Steeplechase.

Sincerely,



Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

AGREEMENT

We, the property owners of the real estate located on the north side of Chambers Road, Boone County, Kentucky, agree to the conditions listed herein for the above referenced Zoning Map Amendment and Change in Concept Development Plan applications.

Discretion for 3/2/05
Grateful Pam 3/2/05
Tim Reese 3/2/05
Date

James M. Hollen 3/2/2005
James Hollen Date

Mark Meade 3-2-05
Date

Lowell C. Goldsberry 3-2-05
Lowell Goldsberry Date

Charles Worley 3/2/05
Charles Worley Date

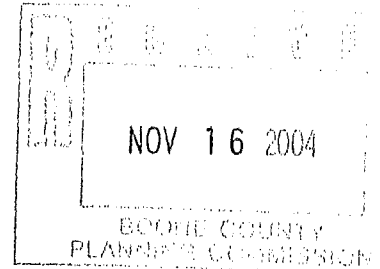
Gregory A. Worley 3-2-05
Gregory Worley Date

Walt Pieschel 3-2-05
Walt Pieschel Date



VIOX & VIOX, INC.

Engineers • Surveyors • Landscape Architects



October 18, 2004

PARCEL TO BE REZONED FROM A-2 TO SR-1

- Planning

Located in Boone County, Kentucky, lying on the north side of Chambers Road and the west side of Interstate 75 and is more particularly described as follows:

Beginning at a point at the most northerly common corner of Greenfield Farm, Inc. (Deed Book 663, page 174) and Chase-Reese-Carlisle, LLC (Deed Book 863, page 174) and in the westerly right-of-way line of Interstate 75; thence with said right-of-way line S 03°55'17" E a distance of 511.00 feet to a point; thence S 22°56'59" W a distance of 55.10 feet to a point; thence S 04°03'01" E a distance of 648.88 feet to a point; thence S 04°17'11" E a distance of 1978.81 feet to a point in the centerline of Chambers Road; thence with said centerline S 80°42'19" W a distance of 135.98 feet to a point; thence S 86°15'31" W a distance of 317.42 feet to a point; thence S 80°06'55" W a distance of 163.23 feet to a point; thence S 68°49'25" W a distance of 145.02 feet to a point; thence S 51°49'04" W a distance of 211.29 feet to a point; thence leaving said centerline N 26°33'30" W a distance of 412.28 feet to a point; thence N 19°29'00" W a distance of 278.66 feet to a point; thence N 26°01'45" E a distance of 100.25 feet to a point; thence N 81°08'50" W a distance of 402.93 feet to a point; thence N 81°47'55" W a distance of 385.89 feet to a point; thence N 73°41'57" W a distance of 372.28 feet to a point; thence S 19°25'59" W a distance of 957.00 feet to a point; thence N 65°33'53" W a distance of 287.64 feet to a point; thence S 26°56'18" W a distance of 396.72 feet to a point in the centerline of Chambers Road; thence with said centerline N 62°06'15" W a distance of 264.26 feet to a point; thence N 52°31'27" W a distance of 132.82 feet to a point; thence N 47°57'00" W a distance of 112.30 feet to a point; thence leaving said centerline N 31°18'50" E a distance of 790.79 feet to a point; thence S 60°40'59" E a distance of 83.07 feet to a point; thence N 29°19'01" E a distance of 189.68 feet to a point; thence N 28°08'55" E a distance of 328.25 feet to a point; thence S 83°45'11" E a distance of 298.90 feet to a point; thence N 26°38'40" E a distance of 289.76 feet to a point; thence S 59°41'13" E a distance of 13.08 feet to a point; thence N 26°21'58" E a distance of 955.20 feet to a point; thence N 69°09'02" W a distance of 102.25 feet to a point; thence N 19°49'05" E a distance of 1024.99 feet to a point; thence N 82°37'10" E a distance of 1425.01 feet to the point of beginning containing 144.300 acres more or less.

- Design

- Surveying

466 Erlanger Road
Erlanger, Kentucky 41018

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



VIOX & VIOX, INC.

Engineers • Surveyors • Landscape Architects

November 16, 2004

CHANGE IN CONCEPT PLAN PARCEL

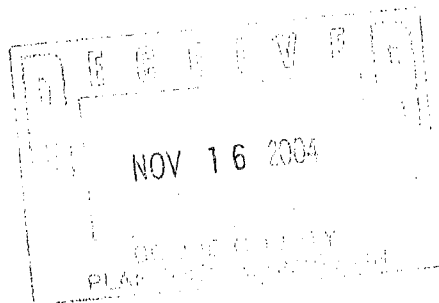
- Planning

Located in Boone County, Kentucky, lying on the north side of Chambers Road and the west side of Interstate 75 and is more particularly described as follows:

Beginning at a point at the most northerly common corner of Greenfield Farm, Inc. (Deed Book 663, page 174) and Chase-Reese-Carlisle, LLC (Deed Book 863, page 174) and in the westerly right-of-way line of Interstate 75; thence S 82°37'10" W 1425.01 feet to a point;; thence N 19°49'05" E 432.10 feet to a point; thence N 36°55'22" W 35.64 feet to a point; thence N 01°20'15" E 247.70 feet to a point; thence S 80°30'17" E 869.84 feet to a point; thence N 86°03'18" E 347.74 feet to a point; thence S 04°07'11" E 111.69 feet to a point; thence S 38°09'51" E 89.31 feet to a point; thence S 04°07'00" E 198.91 feet to the point of beginning containing 14.72 acres .

- Design

- Surveying



466 Erlanger Road
Erlanger, Kentucky 41018

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

Resolution
Of
The Boone County Fiscal Court

Resolution No. 05-74

A RESOLUTION OF THE BOONE COUNTY FISCAL COURT DENYING A REQUEST OF TIM REESE (APPLICANT) FOR CHASE-REESE-CARLISLE LLC (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN FOR A 14.72 ACRE SITE GENERALLY LOCATED TO THE SOUTHEAST OF THE SOUTHERN TERMINUS OF GRAND NATIONAL BOULEVARD, WEST OF I-75, EAST OF THE PROPERTY AT 618 AYLOR LAND, AND NORTH OF THE PROPERTY AT 472 CHAMBERS ROAD, BOONE COUNTY, KENTUCKY, AND FOR A ZONING MAP AMENDMENT REQUEST FOR TIM REESE (APPLICANT) FOR JAMES HOLLEN, MARK MEADE, LOWELL GOLDSBERRY, CHARLES WORLEY, GREGORY WORLEY, WALT PIESCHEL AND TIM REESE BY CONTRACT (OWNERS) FOR A 144.3 ACRE AREA LOCATED AT 472, 490, 640, 674 AND 680 CHAMBERS ROAD, AND NORTH OF THE PROPERTIES AT 500, 510, 530, 588 AND 604 CHAMBERS ROAD, AND EAST OF THE PROPERTIES AT 690 CHAMBERS ROAD AND 609 AND 618 AYLOR LANE, AND WEST OF I-75, BOONE COUNTY, KENTUCKY, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM AGRICULTURAL ESTATE (A-2) TO SUBURBAN RESIDENTIAL ONE (SR-1).

WHEREAS, the Boone County Planning Commission received a request for a Change in an Approved Concept Development Plan in a Suburban Residential One/Planned Development (SR-1/PD) zone for a 14.72 acre site generally located to the southeast of the southern terminus of Grand National Boulevard, west of I-75, east of the property at 618 Aylor Lane, and north of the property at 472 Chambers Road, Boone County, Kentucky and for a Zoning Map Amendment for a 144.3 acre tract located at 472, 490, 640, 674 and 680 Chambers Road, and north of the properties at 500, 510, 530, 588 and 604 Chambers Road, and east of the properties at 690 Chambers Road and 609 and 618 Aylor Lane, and west of I-75, Boone County, Kentucky, such Zoning Map Amendment being a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), 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 Suburban Residential One/Planned Development (SR-1/PD) zone for a 14.72 acre site generally located to the southeast of the southern terminus of Grand National Boulevard, west of I-75, east of the property at 618 Aylor Lane, and north of the property at 472 Chambers Road, Boone County, Kentucky and for a Zoning Map Amendment

Resolution
Of
The Boone County Fiscal Court

Resolution No. 05-74

for a 144.3 acre tract located at 472, 490, 640, 674 and 680 Chamber Road, and north of the properties at 500, 510, 530, 588 and 604 Chambers Road, and east of the properties at 690 Chambers Road and 609 and 618 Aylor Lane, and west of I-75, Boone County, Kentucky, such Zoning Map Amendment being a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1) and,

WHEREAS, the Boone County Fiscal Court has had opportunity to review the record from the Boone County Planning and Zoning Commission on the proposed development and

WHEREAS, after hearing arguments by both the applicant and those who oppose the plan in an open session of the Boone County Fiscal Court on May 24, 2005 the Court disagrees with the recommendation of the Boone County Planning Commission

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

SECTION I

That the request for a Change in an Approved Concept Development Plan in a Suburban Residential One/Planned Development (SR-1/PD) zone for a 14.72 acre site generally located to the southeast of the southern terminus of Grand National Boulevard, west of I-75, east of the property at 618 Aylor Lane, and north of the property at 472 Chambers Road, Boone County, Kentucky and for a Zoning Map Amendment for a 144.3 acre tract located at 472, 490, 640, 674 and 680 Chambers Road, and north of the properties at 500, 510, 530, 588 and 604 Chambers Road, and east of the properties at 690 Chambers Road and 609 and 618 Aylor Lane, and west of I-75, Boone County, Kentucky, such Zoning Map Amendment being a zone change from Agricultural Estate (A-2) to Suburban Residential One (SR-1), which is more particularly described in DEED BOOKS 225, 227, 234, 580, 663, 815, 854 & 863, PAGE NOS. 88, 187, 284, 171, 174, 183, 634 & 960, respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office, be denied.

Resolution
Of
The Boone County Fiscal Court

Resolution No. 05-74

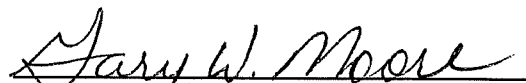
SECTION II

That as a basis for the denial of approval, the Boone County Fiscal Court finds as follows;


- A. The current level of service at the Richwood Road aka: State Route 338 and I-75 interchanges is currently rated at level "D" with frequent and substantial back ups and congestion both getting on to and off of I-75.
- B. If this plan is approved the traffic at the interchanges will increase and may drop the level of service to a level "F" in their current configuration.
- C. That no further residential development(s) in the area that will primarily utilize the State Route 338 and I-75 interchanges should be approved until the interchanges are rebuilt or reconfigured to allow the interchanges to be rated at an acceptable level of service to be determined by the Boone County Fiscal Court and / or the County Engineer.

SECTION III

That this Resolution is hereby approved and adopted in Open Session of the Boone County Fiscal Court this 24th day of May, 2005


Gary W. Moore
Boone County Judge / Executive

Attest:


Michele Roberts
Fiscal Court Clerk

