

REQUEST OF JAMES W. BERLING (APPLICANT)  
FOR A ZONING MAP AMENDMENT FROM  
RURAL SUBURBAN (RS), AGRICULTURAL ESTATE (A-2)  
AND SUBURBAN RESIDENTIAL ONE (SR-1) TO  
SUBURBAN RESIDENTIAL TWO/RECREATION/PLANNED DEVELOPMENT  
(SR-2/R-PD)

This is a Zoning Map Amendment request by James W. Berling (applicant) for property owned by R. C. Durr, Waco Oil and James W. Berling. The request is to rezone 550 acres from Rural Suburban (RS), Agricultural Estate (A-2) and Suburban Residential One, (SR-1) to Suburban Residential Two/Recreation/Planned Development (SR-2/R/PD). The site is located north of Richwood Road (Ky 338), south of Frogtown Road (Ky 536) and west of I-75, Boone County, Kentucky.

SURROUNDING LAND USES AND ZONING

The surrounding land uses of the 550 acre site consist of single-family residential to the north (includes Cedarwood Village Subdivision), agricultural and single-family residential to the south, agricultural and residential to the east (Heritage Trails Subdivision and Richwood Villa Mobile Home Park) and agricultural to the west. The existing zoning near the site includes Rural Suburban (RS) and Suburban Residential One (SR-1) to the north, Agricultural Estate (A-2) and Commercial Services (C-3) to the south, Suburban Residential One (SR-1) to the east and Agricultural Estate (A-2) to the west.

NATURAL FEATURES OF THE SITE

Generally, the 550 acre site slopes towards Richwood Road and Frogtown Road. The high point of the property is located in the middle of the site. A portion of Mud Lick Creek exists towards the western portion of the property and there are several small streams and farm ponds on the site. According to the Staff's research at least one cemetery exists on the site. The Boone County Historic Preservation Review Board has stated that there may be at least one additional cemetery on the site. The 550 acre parcel is partially rolling pasture land and in some areas is heavily wooded. Soil types of the site include Eden Silty Clay Loam (EdD2), Faywood Silty Clay (FdD3), Jessup Silt Loam (JeD), Lindside Silt Loam (LN), Nicholson Silt Loam (NIB & NIC), and Rossmoyne Silt Loam (RsB & RsC). Some of the above soil types have limitations, which may affect building locations. The limitations soil types are usually found in large drainage areas or sloped areas.

RELATIONSHIP TO COMPREHENSIVE PLAN

The proposed zone change request must be evaluated in accordance with the 1980 Comprehensive Plan and the 1986 Comprehensive Plan. The area is referred to in a number of ways:

1980 Future Land Use Map  
-Environmentally Sensitive  
-Low Density Residential  
-Medium Density Residential

1986 Future Land Use Map  
-Rural Lands  
-Low Density Residential  
-Medium Density Residential

1980 Boone County Comprehensive Plan

Page 3.4 states that future development should be based upon existing or planned infrastructure.

"It is assumed that those areas developed for low density residential use will not be served by public sewers, and the actual density of development will be determined by the land constraints of on-site sewage treatment systems. In other areas, development should be of sufficient density to make efficient use of public sewer collection and treatment systems.

Page 3.4 suggests the need for medium density housing.

"Medium density residential development could include the expansion of existing developments in the Florence and Walton service areas. As the Florence service area is expanded, new medium density development is encouraged adjacent to subdivisions existing and committed south of KY 18 and west of Hopeful Road; in the vicinity of Pleasant Valley Road; south of U. S. 42, west of I-75; south of Union along KY 536, and near the Richwood interchange with I-75."

Page 3.7 mentions the need for neighborhood commercial in planned developments.

"Neighborhood or convenience oriented commercial districts are much more broadly dispersed throughout the County. These districts should be located close to their consumer population and be developed as "planned" districts to avoid "strip" development. Many convenience commercial districts can be integrated into planned residential developments, and should be encouraged in the areas designated for such development in the plan."

Page 3.9 stresses the importance of recreational uses in the County.

Planned public recreation areas dominate the recommended pattern of recreation development. In existing urbanized areas, and in areas planned for intense residential development, the ability to purchase and develop recreation lands is limited. Recreation uses may best be provided on shared sites with public schools or in conjunction with planned residential developments as an amenity provided by the developer."

Page 3.16 briefly describes the Richwood area and the possibility of low density residential.

"The Richwood area is planned for intense development around the I-75/KY 338 interchange and low density residential development to the west and southwest."

#### 1986 Boone County Comprehensive Plan

Page G-1 refers to two basic objectives under the Housing Element.

"A broad range of housing opportunities (eg. size, type,) shall be provided at locations which meet the needs and desires of household types."

"Residential development plans shall insure the continuity of the interior street system with the system already built or planned in the neighboring areas, as well as provide for the coordination of this local system with the major transportation network."

Page G-3 discusses the mixture of commercial and non-commercial uses.

"The mixing of commercial and non-commercial uses shall occur only in planned developments and replanned older areas where consideration can be given to minimizing harmful environmental influences."

Page G-4 states the need for planned public facilities for any future development..

"Individual sewer, water, school, and fire jurisdictions shall be integrated and coordinated on the basis of county-wide cohesive service areas and networks."

Page G-5 stresses the importance of centralized recreational facilities.

"Recreation areas should be centrally located in their service areas and easily and safely accessible to the age groups they are designed to serve."

Page G-5 emphasizes the need to utilize existing transportation systems and make modifications as future development occurs.

"Existing transportation networks shall be utilized to their design capacity. New transportation networks shall be designed and constructed so as to direct future development consistent with the land use plan."

Page PF-23 refers to the impact of future residential development on the Boone County School system.

"An overview of the future educational needs is concentrated on the central portion of the county where the greatest population growth is occurring. At present, with the recent addition to Boone County High, there is sufficient high school classroom space in the county. As the center of the county becomes more densely populated, more classroom space in the form of new school or expansion on existing buildings will be necessary in that area."

Page R-12 describes semi-public and private recreation facilities in the County.

"Boone County has a number of semi-public and private recreation facilities which currently meet a large percentage of the county's need. The standards previously discussed do not account for privately operated recreation. Therefore, while the semi-public and private recreation facilities provide services to the county, they do not reduce the county's overall need for additional park land. Nevertheless, the semi-public properties total 526 acres and provide fishing areas, horseback riding, ball fields, golf courses, picnic areas, natural trails, camping, play grounds, and boating areas with docks."

Page L-16 discusses future development in the New Haven School area.

"Development in this area will occur along U.S. 42, KY 338, and Hicks Pike. This is also an area of prime agricultural land. Development within the area just described should be in subdivision form. The rate of growth in this area is largely dependent on the Richwood Interchange and the impact the Mt. Zion Interchange will have on Union. It is important that new residential development occur well off the major

thoroughfare. Otherwise, growth potential in the area will be severely minimized. The residential development will add to the already crowded New Haven Elementary and will necessitate expansion of the facility."

Page L-21 and Page L-22 concludes in stating that the area west of the Richwood Interchange be developed for residential and commercial purposes.

"The Richwood area will be developed primarily as both industrial and highway related commercial, with medium and low density residential occurring along Richwood Road and Chambers Lane. Commercial interchange development currently exists at the I-75/Richwood exit and will likely continue in this area. Land west of the interstate will continue to infill with residential subdivisions. The small mobile home park on Frontage Road should not be significantly enlarged."

In summary, both the 1980 and 1986 Boone County Comprehensive Plan recommend the need for additional recreation use in the County - whether it be public or private - and that the area be developed for low to medium residential use.

#### Concept Development Plan

The submitted Concept Development Plan shows a mixture of residential recreational and commercial uses. The following table indicates a breakdown of the three uses.

<u>Residential</u>	<u>Number of Units</u>
Townhomes	375
Condominiums	756
Single-Family homes	<u>364</u>
TOTAL:	1,495

Approximately 15,000 square foot lots.

TOTAL ACRES	550
Dwelling Units Per Acre	2.72

<u>Commercial</u>	<u>Square Footage</u>
-Neighborhood type commercial	approximately 45,000 square feet

<u>Recreation</u>	<u>Yardage</u>	<u>Par</u>
One 18 hole golf course	6812	72
One 9 hole golf course	3347	36

-clubhouse, driving range,  
equestrian center, pools,  
tennis courts.

Access to the 550 acre site will consist of the construction of a three lane road from Richwood Road (KY 338) to Frogtown Road (Ky 536). This road is expected to be built adjacent to the south-east lot line and to be extended northwest to Frogtown Road. This road will have two 18 foot lanes along with a 10 foot turning lane located in the middle of the road. The second access point off Frogtown Road is planned to be directly across the entrance of Cedarwood Village Subdivision. This minor road along with other interior roads are planned to be publicly dedicated with a minimum pavement width of 25 feet. The applicant has shown that three possible connections will be made to the property located east of the site. This will allow alternative methods of entering and exiting the site.

Utilities to the site will involve the connection into two (2) existing 8" water lines on Frogtown Road and Richwood Road. A water storage tank exists northwest of the site or just across Frogtown Road. Sanitary sewer plans involve the development of two treatment plant facilities to serve the site. Amenities such as landscaping buffer areas and lakes have been incorporated into the design of this Concept Development Plan. Finally, the applicant has stated that upon approval by the Boone County Planning Commission and the Boone County Fiscal Court, the first phase would be to build the golf course, clubhouse and the major road (either a portion of it or the entire road). It would take approximately one year to construct the golf course and a possible opening date would be May, 1988. The residential portion and commercial would occur according to market demand. The entire build-out is expected to occur over a 10 year period.

#### SPECIAL CONCERNS

1. Impact - At a first glance, this project seems monumental in terms of its impact upon the community. However, if properly planned, phased and implemented, the impact would be minimal. The actual density for the project (2.7 dwelling units per acre) is less than the SR-1 zone (maximum intensity 4 dwelling units per acre) and certainly the SR-2/PD request (up to 12 dwelling units per acre). Still, other public facilities such as schools and fire protection will feel the impact of this major development. A general but thorough description of the project phasing should be a guideline to avoid any sudden impact on the community.
2. Limitation on Driveways facing the Major Road - In order to allow traffic to move smoothly throughout the development, it may seem logical to limit or eliminate the number of driveways on the major road.

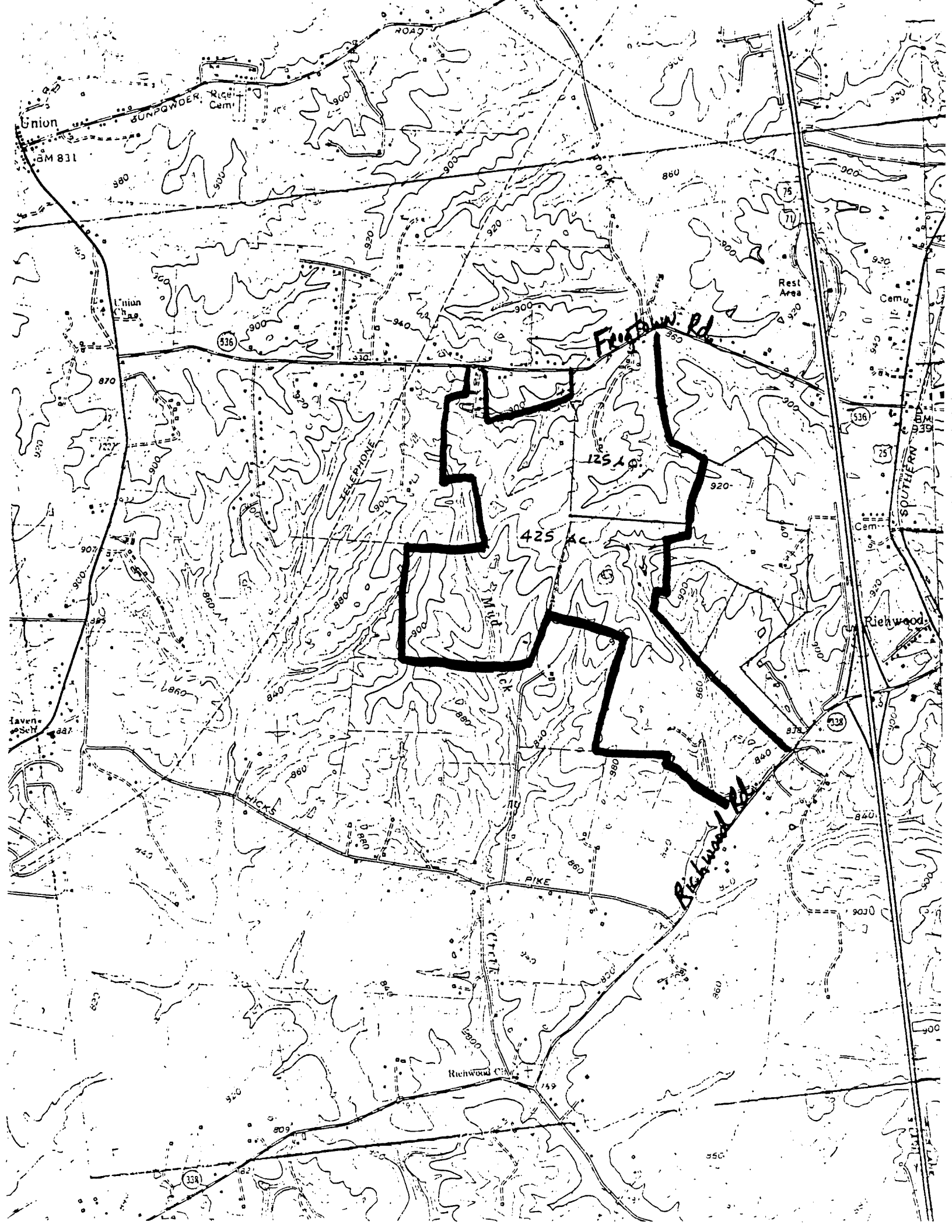
3. Road Improvements - Since Richwood road is the major access point to the Richwood Interchange, it will be necessary to make minor road improvements to Richwood Road. These improvements may consist of straightening Richwood Road and widening it to the interchange from the development site. Richwood Road (KY 338) is State owned and maintained and the improvements could be made easily depending upon the amount of right-of-way. An effort should be made to keep building lots from the right-of-way in case the State needs to purchase more right-of-way. A portion of Richwood Road has been expanded to three lanes. The maximum number of lanes is three for the Richwood/I-75 underpass. The design of the Richwood Interchange should accommodate this type of residential development. Immediate road improvements from the site to the interchange are not necessary at this time.
4. Interconnection with the adjacent property to the west- Since the applicant has made a commitment to provide an interconnection to the property on the east side, it is recommended that it also be made to the west side.

#### CONCLUSION

This request should be evaluated in terms of meeting the goals and objectives of Article 15, Planned Development and the 1986 Boone County Comprehensive Plan. The Concept Development Plan demonstrates a commitment to properly plan a major residential and golf course community next to an interstate interchange. The nature and type of development in this request is seen as implementing the 1986 Boone County Comprehensive Plan. If the Boone County Planning Commission and the Boone County Fiscal Court should approve this zone change request, the future land use map would not need to be changed.



Kevin P. Costello  
Asst. Director/Sr. Planner



Union  
BM 831

SUNPOWDER  
Richwood Cem

Union  
Chap

Rest Area

Cem

BM 339

Richwood

Laven Sch

HICKS

Richwood Ck

*Frytown Rd*

*Richwood Rd*

**425 Ac.**  
**125 Ac.**

TELEPHONE

MILL  
Ck

PIKE

CATTLE

SOUTHERN

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536

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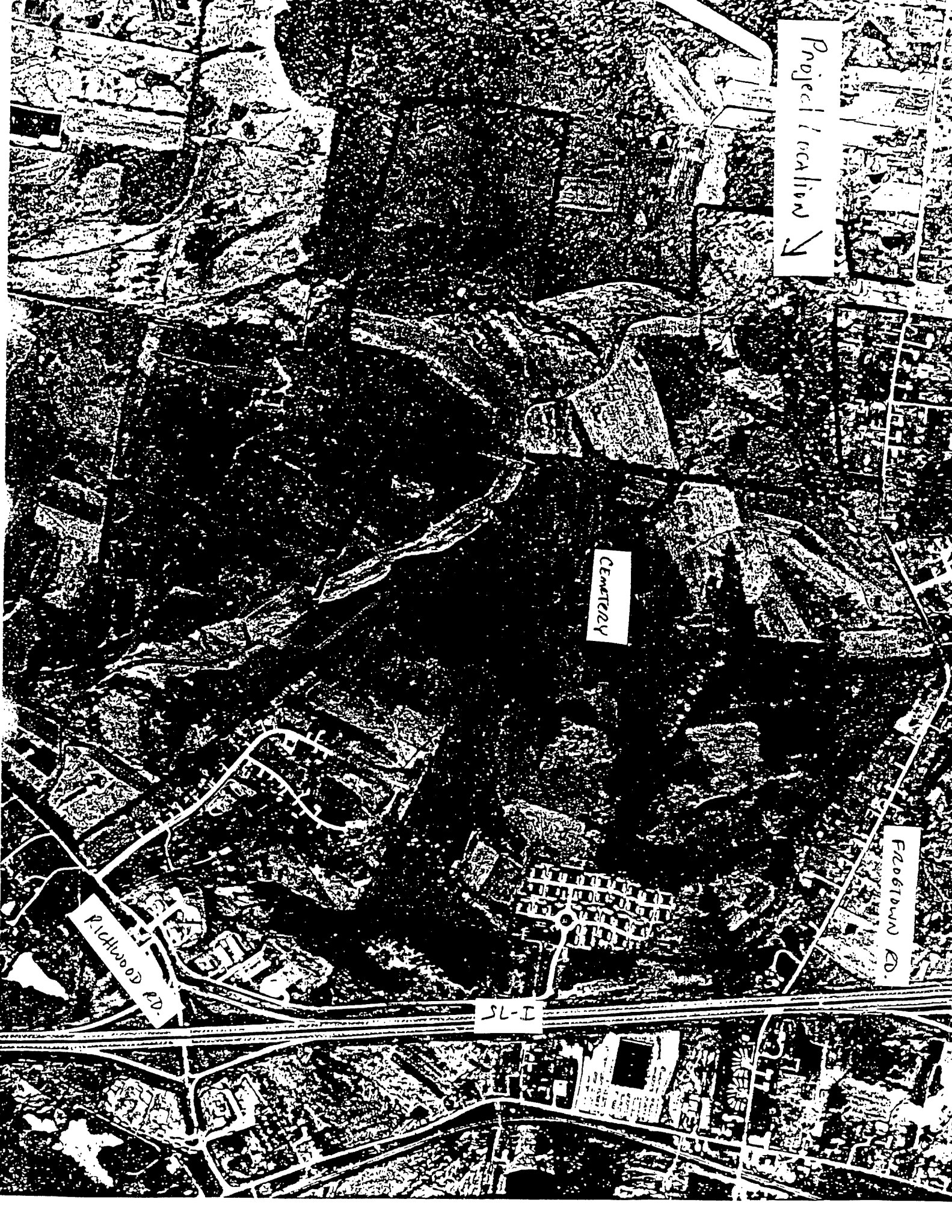
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Project Location ↘

CEMETERY

Richwood Rd.

SL-1

F206120N RD.

# J. W. BERLING ENGINEERING COMPANY



*Land Surveying, Site Development, Civil Engineering Services*  
Ky. Registration No. 5745 • Land Surveyor Registration Ky. 208

606/291-2680  
1132 MAIN STREET  
COVINGTON, KY 41011

Dec. 1, 1986

## LEGAL DESCRIPTION

Proposed Rezoning

### PROPOSED GOLF COURSE AND RESIDENTIAL COMMUNITY

Beginning at a point in the center line of Frogtown Road, said point being the northwest corner of R. C. Durr and Waco Oil Company's 308.81 acres tract (deed book 211, page 312); thence with the westerly line of same S 2°-59' W 566.71 feet, N 85°-37' W 450.31 feet, S 3°-59' W 1,500.18 feet, N 83°-52' E 710.60 feet, S 4°-14' W 579.99 feet, S 11°-05' E 412.92 feet, S 12°-56' W 359.05 feet, N 83°-35' W 1,492.90 feet, and S 4°-17' W 1,432.54 feet to the southwest corner of said tract; thence along the south line of said 308.81 acres tract S 73°-04' E 1,830.09 feet, S 58°-52' E 504.33 feet, N 23°-19' E 979.93 feet, and S 69°-39' E 1557 feet to a point; thence with the southwest line of Durr and Waco's 29.5 acres tract and 97 acres tract S 12°-26' W 2137 feet, S 88° E 1337 feet, S 24°-30' W 121 feet, and S 52°-15' E 1513 feet to a point in the center line of Richwood Road (Kentucky Highway No. 338); thence in a northeasterly direction along the center line of Kentucky Highway No. 338 a distance of 1273 feet to a point; thence along the east lines of Durr and Waco N 40°-28' E 3482 feet, N 4°-11' E 485 feet, S 65°-46' E 192 feet, N 4°-16' E 1002 feet, S 85°-44' E 403 feet, and N 16°-49' E 249 feet to a point corner to the Frank T. Schulte Estate; thence along the east line of Schulte N 16°-26' E 1189 feet, northwest 750 feet, and north 1780 feet to the southeast corner of a 1.73 acres tract; thence along same S 84°-33' W 288 feet and N 5°-27' W 200 feet to a point in the center line of Frogtown Road; thence in a westerly direction along the center line of Frogtown Road 1500 feet more or less to the northeast corner of Ardell Loomer; thence along Loomer's east line S 9°-03' W 435 feet to a point corner to Durr and Waco; thence with the lines of Durr and Waco S 78°-51' W 1568 feet, and N 3°-27' E 893.44 feet to the center line of Frogtown Road; thence along same in a westerly direction 259 feet to the place of beginning.

CONTAINING 550 ACRES MORE OR LESS.

## PUBLIC HEARING #2

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Chairman Kroger opened the Public Hearing on the request of James W. Berling (owner by option) for a Zoning Map Amendment on a 550 acre site located north of Richwood Road, south of Frogtown Road and west of I-75, Boone County, Kentucky. The site is currently zoned Rural Suburban, RS, Agricultural Estate, A-2 and Suburban Residential One, SR-1. The request is to rezone the property Suburban Residential Two/Recreation/Planned Development Overlay, SR-2/R-PD.

Mr. James Berling, engineer for the proposed request, described the brochure distributed to the Commission for their review. Mr. Berling introduced Mr. Mike Fernandez, President of the Genesis Company from Miami, Florida and Mr. Mick Rhodes an engineer out of Texas who would be giving the presentation on the proposed development.

Mr. Mick Rhodes, engineer and representative of the Genesis Group, stated it was the intent of the owner/developer to construct initially the golf course/club house and the main boulevard. Mr. Rhodes stated concurrently, the construction of the infrastructure would begin and proceed on a scheduled basis. Mr. Rhodes noted the land would be for sale to builders and individuals. Mr. Rhodes explained the zone change request was based on the following rationale:

1. The proposed development under the SR-2/R/PD classification would be in conformance with the Comprehensive Plan which recommended low and medium density residential usage in the area.
2. The golf course, tennis courts and swimming pool would provide much needed recreation facilities in the county.
3. The proposed development is in conformance with the design and density of Heritage Trails which lies along its eastern boundary.

Mr. Rhodes referred to the "Project Overview" on page 2 of the Richwood Country Club brochure. (See brochure)

Mr. Michael Fernandez, President of the Genesis Group, Miami, Florida, presented the master plan and a slide presentation of the proposed site. Mr. Fernandez stated the

development would consist of a 27 hole championship quality golf course; along with restaurants, lounge, a pro shop, tennis courts, swimming pool, community center, dry cleaners, grocery store, stables, 355 single-family homes, 396 townhouses, and 756 condominiums.

Mr. Rhodes referred to the "short and long term objectives" identified on page 8 of the brochure. (See brochure) Mr. Rhodes noted the long term objectives were the infrastructure work and the golf course construction which would ultimately lead to the sales of the product, land sales, club memberships, on-going relationships of the marketing and development. Mr. Rhodes stated the goal was to start the first quarter of next year with construction and have product available for sale within a twenty-four month period.

Chairman Kroger inquired audience's support, opposition or comment on the proposed request.

Mr. Asa Rouse, resident from Walton, Kentucky, stated he could not categorically say he was in opposition of the proposed request. Mr. Rouse stated he was intrigued with a Kentucky partnership that operated out of Florida and inquired who the partners were; who was GMG; where in Kentucky were they initially from; had they ever operated or ever done anything in Kentucky; had they done a finished product in Kentucky to go see; had they ever done any work in Boone County; how long had the partnership existed; how was the project being financed; where would the two on-site sewage treatment plants be located, physically where were they on the map; and who would be responsible for the maintenance of the treatment plants after the promoters had come to the county, made their money, and then left.

Mr. Woodolf, President of the Heritage Trail Association, inquired what the applicant considered mid-price houses; what did the applicant mean by multi-family; did that include apartments; how much square footage for the multi-family units; would the shopping mall be part of the residential community or where would the mall actually be located on the property; and how long did they indicate it would take for the sale phase.

Mr. John Arrasmith, adjoining property owner, expressed concern of persons from the proposed development trespassing and hunting on his property and inquired what type of security or boundary would the proposed development have around it. Mr. Arrasmith stated he was impressed and felt the project appeared to be very well designed. Mr. Arrasmith noted there were two creeks that came onto his property from the immediate area, one parallel to Richwood Road and one approximately one-quarter of a mile into the area and expressed concern of the sewage effluent into the creeks and the impact it would have on his stock and on down stream.

Mr. Roger Osbourn, resident of Heritage Trails, inquired where the entrance to the golf course would be in proportion to Paddock Circle and was there going to be an exit out onto Frogtown Road off of the golf course or would there be an entrance coming through Frogtown to Paddock Circle.

Mr. Gilbert Borchers expressed concern of a water shortage and inquired where would the children in the development go to school.

Mr. Henry Fedders, Jr., resident of Smith Lane, expressed concern of the traffic problem and he stated the proposed development would generate approximately 3,000 vehicles when fully developed. Mr. Fedders noted the quickest access to I-75 would be across KY 338 and felt there would be a great traffic problem on KY 338. Mr. Fedders stated there was a bad bridge between the entrance of the proposed development and I-75, where people currently crossed the bridge in the wrong lane and noted with an increase in traffic there would certainly be a problem with the bridge. Mr. Fedders stated another concern was the treatment plant and the history of treatment plants being badly operated.

Mr. Ed Smith, resident of the area, inquired if Boone County was ready for the proposed development.

Mr. Gary Stepman, resident of Stirrup Lane in Richwood, referred to the pricing of homes and inquired what the applicant considered "average" and what was "high priced"; and what the average lot size would consist of.

Chairman Kroger requested the Staff Report be presented.

Staff member Kevin Costello presented the Staff Report.  
(See Staff Report)

Mr. Jim Berling stated they intended to build the golf course first and then the boulevard in order to establish creditability. Mr. Berling stated it was possible that there would be several developers within the development at one time building the various neighborhoods. Mr. BERling referred to where the treatment plants would go and explained there was an area under Frogtown that ran to Gunpowder and they were planning the plant near the creek which was near the Richwood Road. Mr. Berling stated they had talked to the County and hoped to establish some type of regional system in the area in the future. Mr. Berling noted there was a plant on both ends of Richwood Road and Frogtown Road. Mr. Berling stated the partnership was made up of three entities, one was Genesis Two/Miami Florida, Jim Berling/Northern Kentucky; and the Grading Company/Texas. Mr. Berling stated his address was the official address for the

partnership. Mr. Berling referred to the housing and stated medium housing would range between \$120,000 to \$180,000 and high price housing would be from \$180,000 to \$280,000. Mr. Berling noted the multi-family units would be condominiums, not apartments. Mr. Berling stated there would be no hunting permitted. Mr. Berling stated there were two entrances to Frogtown Road, one would come out at the old Middendorf house and the other at the Schulte place. Mr. Berling noted there would be interconnection, ties into Heritage Trails. Mr. Berling stated they realized there was a shortage of water and they intended to put a line through the entire development that would connect Frogtown with the Richwood Road and hopefully that would help the water system. Mr. Berling noted there was a design for more water in the area. Mr. Berling referred to the traffic concerns and stated they believed that most of the traffic would go toward the interchange, that was one of the reasons they felt the proposed site would be a good location for the proposed development. Mr. Berling stated the proposed plan had been considered for two years and a lot of research had been done on it, and he felt the county was more than ready for the proposed development. Mr. Berling stated he felt sure the people in Heritage Trail would like to have a recreational facility near to them and he noted they had ask him several times to try and work out some type of recreational facilities for them.

Mr. Asa Rouse inquired how long the partnership had existed. Mr. Jim Berling sated the partnership had been formed for the Richwood Country Club project. Mr. Rouse inquired who would be responsible for the maintenance of the sewage system and treatment plant. Mr. Berling explained a Homeowner's Association would be formed as was required in Kentucky.

Chairman Kroger referred to the Commission for discussion.

Mr. Collins inquired of the proposed occupancy of Heritage Trails. Mr. Berling stated approximately 200 single-families, 200 condominiums approved presently and 45 singles. Mr. Collins expressed concern of the traffic of the 445 units from Heritage Trails being added to the 1,507 units of the proposed development, which would all be within a quarter of a mile of each other having to travel side by side along Richwood Road. Mr. Berling stated there would be three entrances to adjacent roads and explained it would be a network of roadways, it would not happen overnight. Mr. Berling noted a density of 2.7 units per acre and stated whatever manner the land was developed, the density would be the same.

Mr. Davis inquired if Mr. R.C. Durr and Mr. Conrad were partners in the proposed development. Mr. Berling stated no, they were only property owners. Mr. Davis referred to the entrance to the project along Richwood Road and inquired if the entrance was located at the extreme eastern part of the

just after crossing the bridge. Mr. Berling stated yes. Mr. Davis inquired of the percentage of ground the golf course, housing, and commercial developments would take up. Mr. Berling noted the percentage information was on page 7 of the brochure. Mr. Davis inquired of the lot size for the single-family residences. Mr. Berling stated the lot sizes would be 100 feet wide and 150 foot in depth. Mr. Davis inquired if Mr. Berling still intended to build the townhouses already approved at the back of Heritage Trails. Mr. Berling stated yes. Mr. Davis referred to the lakes shown on the plan and inquired if they were all new lakes. Mr. Berling stated no, those lakes would have to be constructed.

Mr. Neltner referred to the eleven acres for commercial and inquired how many square feet of commercial space would the eleven acres permit. Mr. Berling stated he was not sure of the square footage but perhaps Mr. Fernandez could answer the question and he further explained the commercial center would be sitting right at the finished hole of #18 which he considered a popular place to have a little restaurant, etc. Mr. Berling stated the commercial center could envision some independent restaurants, banquet halls or anything to better serve the people in the area without overloading the clubhouse facility. Mr. Neltner inquired if the topography was intended to stay the same. Mr. Berling stated yes, as nearly as possible.

Mr. Davis inquired if the tree line between the creek and Richwood Road would remain. Mr. Berling stated yes.

Mr. Viox requested the applicant to provide staff with examples of projects and locations that the applicant had participated in and that information be provided to staff. Mr. Berling stated yes he would provide that information.

Mr. Delong requested more information on the square footage. Director Gerald Newton state that information was in the Staff Report.

Mr. Greene referred to previous projects built by the applicants and inquired into the time period for completion of those projects. Mr. Fernandez explained the amount of time for each project depended upon the size of the project. Mr. Fernandez further explained that it would take approximately 4-10 years to completely develop a 500 acre development. Mr. Greene referred to the land sales getting up into 1990 before some of the houses/condominiums would be built and expressed concern of the citizens living with a torn-up community for 6-8 years. Mr. Fernandez noted each phase would remain untouched until they were ready for that particular portion of the land for developing. Mr. Greene stated he was in favor of the golf course.

Chairman Kroger noted the proposed request would be on the

agenda for the Business Meeting of January 7, 1987 at 8:00 P.M. Hearing no further questions or comments, Chairman Kroger closed the Public Hearing.

PUBLIC HEARING #3

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Chairman Kroger opened the Public Hearing on the request of John B. Gartner (applicant) for Hopeful Lutheran Church (owner) for a Zoning Map Amendment on a 1.02 acre parcel located directly behind Central Hardware, Florence, Boone County, Kentucky. The site is currently zoned Suburban Residential One, SR-1 and is being proposed to be Commercial Two, C-2.

Staff member Kevin Costello presented the Staff Report. (See Staff Report)

Mr. Jack Gartner, applicant described the location of the proposed site and the surrounding area. Mr. Gartner described the storm water provisions. Mr. Gartner stated it was his intention to reconstruct the area to extend the storm water sewer that was presently there, to rearrange the other amenities, to relieve the danger and hazards by raising the grade. Mr. Gartner described the utility provisions and he noted the parking requirements were in conformance with the zoning regulations.

Chairman Kroger inquired of the audience's support, opposition, or comments on the proposed request. Hearing none, Chairman Kroger referred to the Commission for discussion.

Mr. Delong referred to the 80,000 square foot retail building and inquired if it had been determined what would be in the building. Mr. Gartner stated no.

Chairman Kroger inquired if the application indicated that Mr. Gartner was authorized to speak in behalf of the Hopeful Lutheran Church. Mr. Costello stated Reverend John Pollock had signed the application.

Chairman Kroger stated action on the proposed request would be on the Business Meeting of January 7, 1987 at 8:00 P.M. Hearing no further questions or comments, Chairman Kroger closed the Public Hearing.

\* \* \* \* \*

BOONE COUNTY PLANNING COMMISSION

BUSINESS MEETING

January 21, 1987

8:00 P.M.

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Chairman Kroger called the Business Meeting to order. Roll call was taken by staff member Barbara Reffitt. 14 members present. Absent: Mr. Slusher. All staff members were present. Atty. Dale Wilson was also present.

The Minutes of the January 7, 1987 Business Meeting were considered. Mr. Davis moved to approve the January 7, 1987 Business Meeting Minutes as reviewed. The motion was seconded by Mr. Burch. The motion carried unanimously.

Administration

Chairman Kroger inquired of Staff Salaries and Benefits to be paid. Staff member Dee Ann Brewer stated Staff Salaries and Benefits for the previous two-week period were \$4,751.55. Mr. Jones moved that all Staff Salaries and Benefits be paid as presented. The motion was seconded by Mr. Burch. The motion carried unanimously.

Chairman Kroger noted correspondence received from O.K.I. regarding Inter-governmental review, a letter from Atty. Dale Wilson regarding a lawsuit, and a letter from the Legislative Research Commission.

Reports

Chairman Kroger noted the Zoning Enforcement Officer's Report; Building Inspector's Report; Comparative Budget Report; and the Convenience Plat Report for the Commission's review. Hearing no comments on the above noted reports, Chairman Kroger proceeded to the items on the agenda.

UNFINISHED BUSINESS

Zoning Map Amendment

A request of SSC Trust (applicant for R. C. Durr (owner) for a Zoning Map Amendment located on the north side of Old Toll Road and east of Pleasant Valley Road, Boone County, Kentucky. The two (2) acre site is currently zoned Industrial One (I-1) and the

request is to rezone the property Recreation (R) to permit a roller skating rink.

Mr. Newton read the Committee Report which recommended deferral based upon the Applicant's request. Mr. Newton noted a letter received from the applicant, Mr. Gouge dated January 20, 1987 which requested the proposed request be deferred until February 4, 1987 and he waived all time requirements.

After further discussion, Mr. Barnett moved to defer the request of SSC Trust for a Zoning Map Amendment located on the north side of Old Toll Road east of Pleasant Valley Road, Boone County, Kentucky. Mr. Greene seconded. Deferral due to the families wanting to take action to improve Toll Road on a cost sharing basis before any decisions on zone change are made.

Mr. Kroger stated that this was the second delay on the request, and he stated he would like for the committee and staff to resolve this problem. Chairman Kroger asked if there was any further discussion. Hearing none, the motion carried unanimously.

#### Zoning Map Amendment

A request of James W. Berling (owner by Option) for a Zoning Map Amendment on a 550 acre site located north of Richwood Road, south of Frogtown Road and west of I-75, Boone County, Kentucky. The site is currently zoned Rural Suburban (RS), Agricultural Estate (A-2) and Suburban Residential One (SR-1). The request is to rezone the property Suburban Residential Two/Recreational/Planned Development (SR-2/R/PD).

Director Gerald Newton read the Staff Report and recommended for approval based upon the finding of fact and subject to the conditions listed below:

#### Conditions

1. The applicant shall be required to build the golf course portion of the development and clubhouse in the initial phases of development. At the same time, the major road (extending from Frogtown Road to Richwood Road) shall be constructed along with water and sanitary sewer services leading to the clubhouse.
2. The applicant shall be required to work with State officials in order to make minor road improvements such as bridge reconstruction near the Richwood Road entrance and widening or straightening Richwood Road (KY 338) from the proposed site leading to I-75. The existing tree line and creek along Richwood Road should remain as much as possible in its natural state to serve as a natural screen.

3. The applicant shall be required to minimize the number of driveways from the residential portion of the site which would have direct access on the major road or boulevard.
4. The applicant shall consider the alternative, if appropriate of direct joint access to properties located west of the site. This joint access can be evaluated when various phases are submitted at a later date for Planning Commission action.
5. The applicant shall provide amenities such as but not limited to a pool, tennis courts, and other recreational facilities in each residential cluster as indicated on the Concept Development Plan.
6. The applicant shall provide a variety of recreational features for all ages in the residential portion of the planned development. These features may consist of, but are not to be limited to, open space, tot lots, and pools.
7. The applicant shall be required to have a comprehensive pathway or sidewalk system, which will link the various sections of the planned development together. The system shall be designed to insure pedestrian safety and access to the commercial and recreational facilities. Pedestrian street crossing for the golf course shall also be designed to assure safe access. The overall system may also be used for biking purposes. A separate horse riding trail system shall be provided. Proper signage for the two systems shall be required for safety reasons.
8. The applicant shall be required to establish its own architectural and design standards in order to insure compatibility among the various types of residential units and the commercial and recreational uses. These standards shall be enforced by the developer if property within the 550 acre site is subdivided and developed by other owners. The architectural and design standards can be in the form of protective covenants and/or deed restrictions.
9. The applicant shall be required to submit a copy of the Homeowners Association document or agreement when each section is submitted for Improvement Plan approval.
10. Finally, this development is tied to a Concept Development Plan and a narrative as provided by the applicant. Any change or deviation from this will

require a review by the appropriate Committee of the Boone County Planning Commission. If a change is deemed major, then a new public hearing and application will be required for a change in Concept Development Plan. If a change is interpreted to be minor, then the applicant will either submit a site plan or a subdivision plan.

Chairman Kroger referred to the Commission for discussion.

Hearing no questions or comments, Mr. Barnett moved to recommend approval by Resolution to the Boone County Fiscal Court for the request of James W. Berling (owner by Option) for a Zoning Map Amendment on a 550 acre site located north of Richwood Road, south of Frogtown Road and west of I-75, Boone County, Kentucky. Mr. Viox seconded the motion.

Chairman Kroger asked Mr. Berling if had understood the Conditions within the Committee Report. Mr. Berling stated yes he did agree with all the statements indicated in the report.

Chairman Kroger stated since there was no further discussion, this item would be turned over to the Boone County Fiscal Court based on the Finding of Fact and Committee Report. Motion carried unanimously.

#### Zoning Map Amendment

A request of James W. Gallenstein (owner) for a Change in Concept Development Plan on a 3.5 acre tract and a Zoning Map Amendment for a 0.3 acre parcel. The 3.5 acre parcel is currently zoned Commercial Services (C-3) and the zone change request is to change the zoning on the 0.3 acre tract from Office Two (O-2) to Commercial Services (C-3). Both parcels are located on the east side of Industrial Road and south of Columbia Drive, Florence, Kentucky.

Mr. Gerald Newton read the Committee Report and recommended approval based upon the Finding of Facts and subject to the conditions below:

#### CONDITIONS

1. The maximum square footage shall be reduced from 48,776 square feet to 40,000 square feet in order to reduce the amount of paved surface parking spaces and building area. A reduction in building square footage and will result in additional landscaped areas and will improve the visual effect of the proposed development as seen from Industrial Road.
2. Because the submitted Concept Development Plan showed very

COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: William Viox, Chairman

DATE: January 21, 1987

RE: Request of James W. Berling (owner by option) for a Zoning Map Amendment on a 550 acre site located north of Richwood Road, south of Frogtown Road and west of I-75, Boone County, Kentucky. The site is currently zoned Rural Suburban (RS), Agricultural Estate (A-2) and Suburban Residential (SR-1). The request is to rezone the property Suburban Residential Two/Recreation/Planned Development (SR-2/R/PD).

REMARKS:

We, the Committee, recommend approval based upon the following findings of fact and subject to the conditions below.

FINDINGS OF FACT

- 1) The proposed zone (SR-2/R/PD) is generally consistent with the 1980 Comprehensive Plan and the 1986 Comprehensive Plan. Both plans describe the need to provide medium density residential and recreational land uses in this area. Reference to both plans are made in the Staff Report.
- 2) The submitted Concept Development Plan demonstrates an innovative design to create a distinct residential community and provide a variety of recreational services in a planned development. Proper staging of this development and full implementation of the Concept Development Plan will make this project unique to Boone County.

CONDITIONS

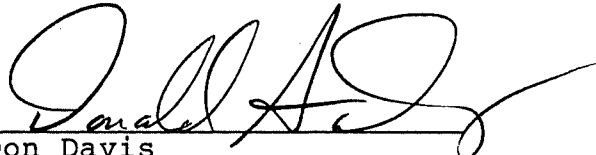
- 1) The applicant shall be required to build the golf course portion of the development and clubhouse in the initial phase of development. At the same time, the major road (extending from Frogtown Road to Richwood Road) shall be constructed along with water and sanitary sewer services leading to the clubhouse.
- 2) The applicant shall be required to work with State officials in order to make minor road improvements such as bridge reconstruction near the Richwood Road entrance and widening or straightening Richwood Road (KY 338) from the proposed

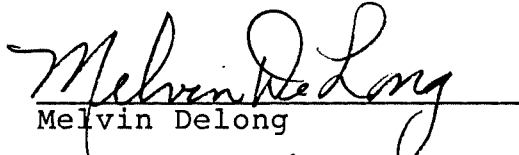
site leading to I-75. The existing tree line and creek along Richwood Road should remain as much as possible in its natural state to serve as a natural screen.

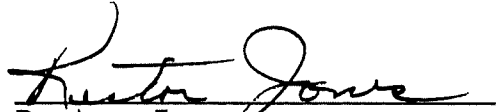
- 3) The applicant shall be required to minimize the number of driveways from the residential portion of the site which would have direct access on the major road or boulevard.
- 4) The applicant shall consider the alternative, if appropriate of direct joint access to properties located west of the site. This joint access can be evaluated when various phases are submitted at a later date for Planning Commission action.
- 5) The applicant shall provide amenities such as but not limited to a pool, tennis courts, and other recreational facilities in each residential cluster as indicated on the Concept Development Plan.
- 6) The applicant shall provide a variety of recreational features for all ages in the residential portion of the planned development. These features may consist of, but are not to be limited to, open space, tot lots, and pools.
- 7) The applicant shall be required to have a comprehensive pathway or sidewalk system, which will link the various sections of the planned development together. The system shall be designed to insure pedestrian safety and access to the commercial and recreational facilities. Pedestrian street crossing for the golf course shall also be designed to assure safe access. The overall system may also be used for biking purposes. A separate horse riding trail system shall be provided. Proper signage for the two systems shall be required for safety reasons.
- 8) The applicant shall be required to establish its own architectural and design standards in order to insure compatibility among the various types of residential units and the commercial and recreational uses. These standards shall be enforced by the developer if property within the 550 acre site is subdivided and developed by other owners. The architectural and design standards can be in the form of protective covenants and/or deed restrictions.
- 9) The applicant shall be required to submit a copy of the Homeowners Association document or agreement when each section is submitted for Improvement Plan approval.
- 10) Finally, this development is tied to a Concept Development Plan and a narrative as provided by the applicant. Any change or deviation from this will require a review by the appropriate Committee of the Boone County Planning Commission. If a change is deemed major, then a new public hearing and application will be required for a change in

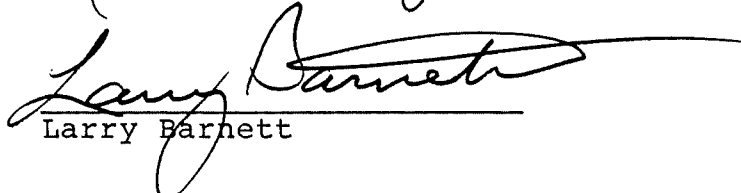
Concept Development Plan. If a change is interpreted to be minor, then the applicant will either submit a site plan or a subdivision plan.

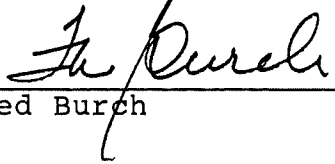
  
William Viox, Chairman

  
Don Davis

  
Melvin DeLong

  
Rector Jones

  
Larry Barnett

  
Fred Burch

The  
**Richwood**  
Country Club

# The Richwood Country Club • Boone County, Kentucky

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# The Richwood Country Club • Boone County, Kentucky

## INTRODUCTION

The material presented herein is in support of a request to change the present zoning on the subject property to SR-2/R/PD to permit a medium density, recreation-oriented planned development.

The Owner/Developer is the GMG Company, a Kentucky partnership operating out of Miami Lakes, Florida. The Principals of this company have had extensive experience in the development of similar projects.

It is the intent of the Owner/Developer to construct initially the Golf Course/Clubhouse and the main Boulevard. Concurrently, construction of the infrastructure will begin and will proceed on a scheduled basis. Land will be offered for sale to builders and individuals.

The requested rezoning is based on the following rationale:

1. The proposed development under a SR-2/R/PD zoning classification will be in conformance with the Comprehensive Plan which recommends low and medium residential usage in this area.
2. The golf course, tennis courts and swimming pool will provide much-needed recreational facilities in this part of the County.
3. The proposed development is in conformity to the design and density of Heritage Trails which lies along its easterly boundary.

## The Richwood Country Club • Boone County, Kentucky

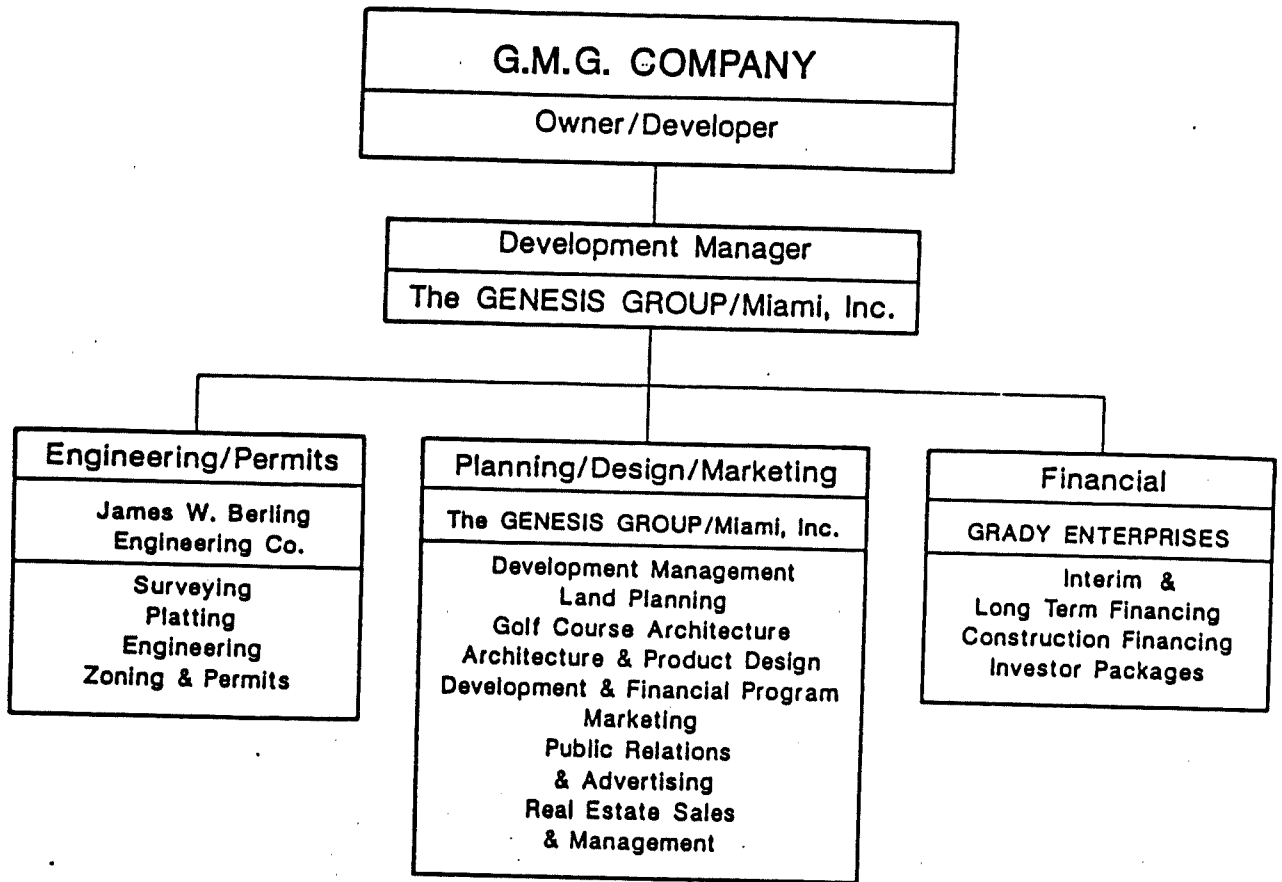
### PROJECT OVERVIEW

The Richwood Country Club, located in Boone County, Kentucky, is conceived as a planned community built around a 27-hole Golf Course and Country Club. Nearby Florence, with a population of 17,000 (a 5-fold increase since 1955) is the largest city in the County and has become an important industrial center. The Florence Mall Shopping Center, just three miles from the project, is the largest indoor shopping mall in the tri-state area.

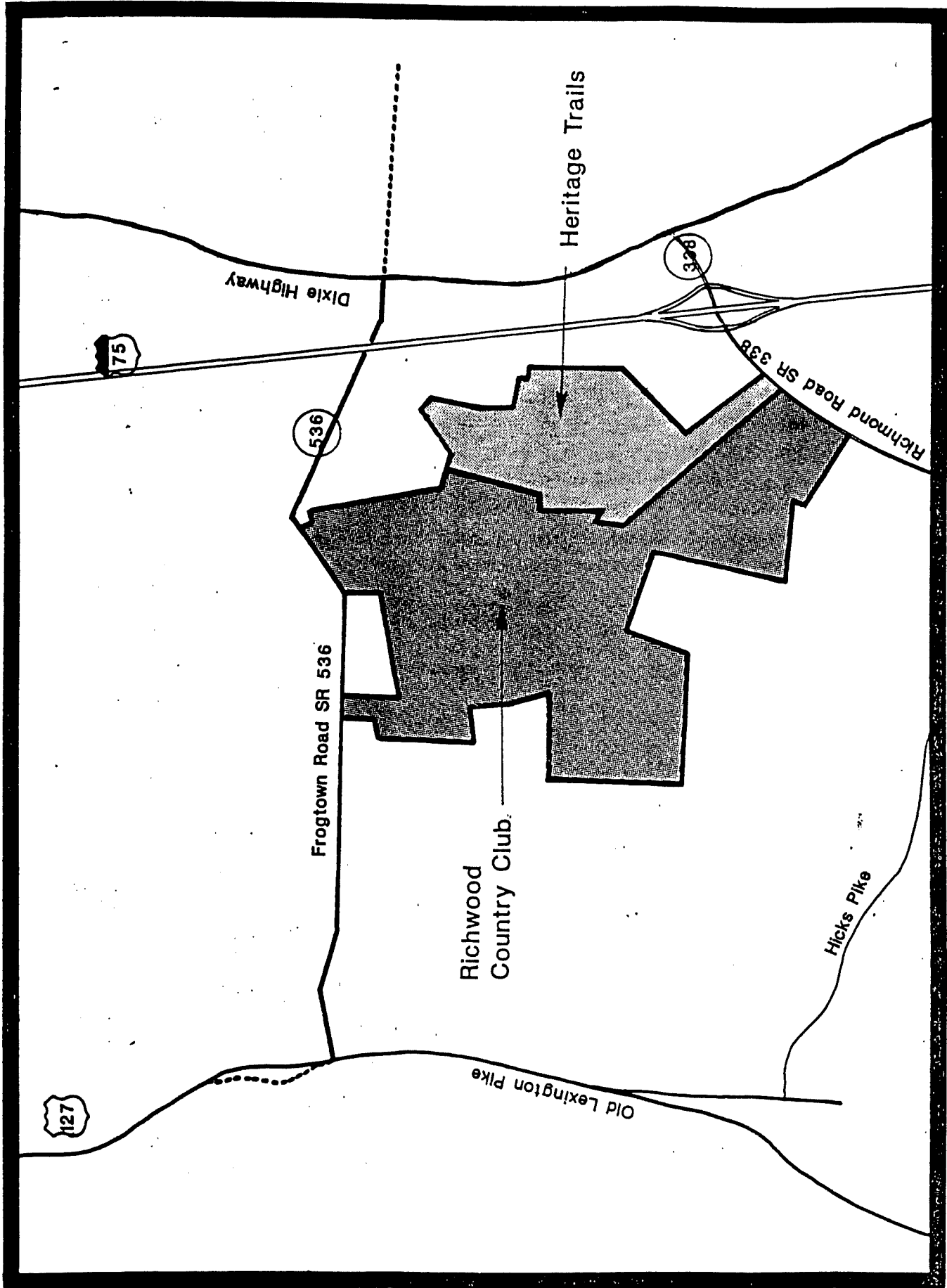
Boone County is the largest in the Northern Kentucky area and is home to the Greater Cincinnati International Airport, the Florence Industrial Park and several multi-national companies. It has the fourth highest per capita income and is the fastest growing county in Kentucky.

The area is a major transportation center with the International Airport serving Metropolitan Cincinnati, Northern Kentucky and West Virginia. Several highways run through or to Florence, including Interstate 71, 75 and 275; U.S. 42, 25 and 127; and KY 18. Three railroad systems and the Transit Authority of Northern Kentucky link the area to all points throughout the country.

The Airport is in the midst of a major multi-million dollar expansion program. Delta Airlines alone is spending \$45 million in its plans to make this an important hub in its system. Plans are to establish a 200-pilot base in Cincinnati by the Fall of 1987.



The Richwood Country Club  
**DEVELOPMENT TEAM**  
 The GENESIS GROUP / Miami, Florida



VICINITY MAP  
The Richwood Country Club  
The GENESIS GROUP/Miami, Inc.

## The Richwood Country Club • Boone County, Kentucky

### SITE DESCRIPTION

The Site has an irregular boundary and contains 550 acres of gently rolling woodlands and open fields. The primary entrance to the project is on the southeast property line off Richwood Road (SR 338), one-quarter mile from the Richwood Interchange. It is 17 miles from downtown Cincinnati and 14 miles from Covington. There will be a second entrance on the north off Frogtown Road (SR 536). A third entrance, also off Frogtown Road, is located near the Equestrian Center. There are two interior road connections to Heritage Trails, a contiguous residential community to the east.

The project is served by a Boone County Water District 8-inch water main. Electrical and telephone service are also available on both Richwood and Frogtown Roads. Sewage will be handled by two on-site plants providing tertiary treatment.

# The Richwood Country Club • Boone County, Kentucky

## PROJECT MASTER PLAN

- Golf Course & Country Club

The key element of the Project is the 27-hole Golf Course which is intermittently visible from the main Boulevard which gracefully traverses the site, connecting the two main entrances.

The Golf Course layout carefully follows the terrain so as to minimize earth moving and to provide an interesting sequence of pars, lengths and difficulty. Care was taken to avoid holes that play uphill and none have any significant uphill grade. The course, which will be of championship caliber, will be designed to offer an interesting and enjoyable challenge to players of diverse skills and to allow for fair competition.

The Clubhouse is the focal point of the Golf Course and will house a restaurant/lounge, a "19th Hole", a Pro Shop and lockers. Other amenities will include tennis courts and a swimming pool. Ownership of the Country Club will eventually be vested in the members which will consist of three categories: golf, tennis, and social.

- Village Community Center

This facility incorporates an Activity Center (with banquet halls, meeting rooms, etc.), a restaurant/lounge, a small country-type convenience store and service shops such as cleaners, barber shop, beautician, etc. Overflow parking for the Country Club will also be available here.

- Equestrian Center

This facility will provide horses for hire, boarding stables, riding instructions and a show ring. Riding trails will be incorporated in the open spaces alongside the golf course.

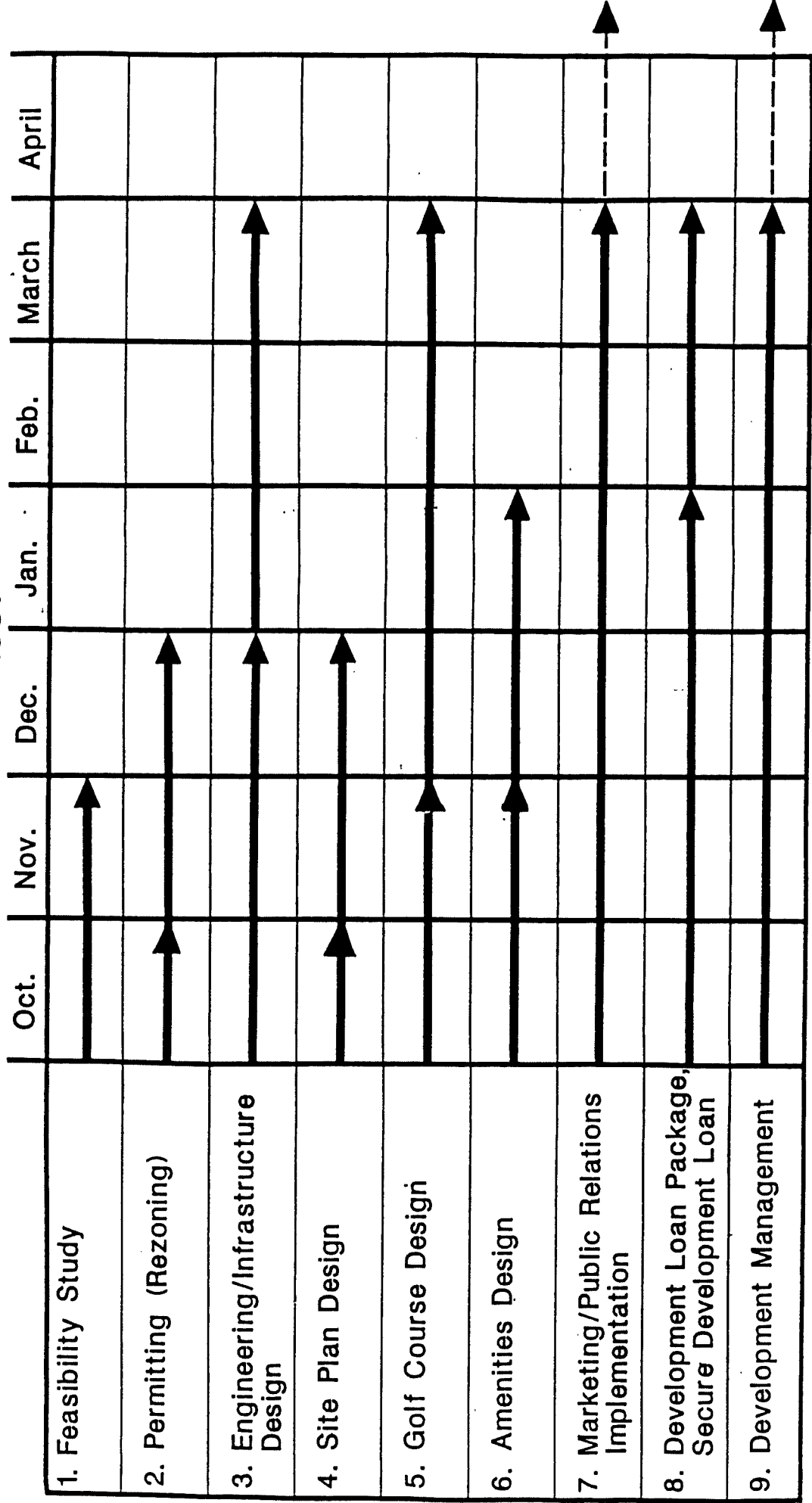
- Residential Zone

There are three residential usages planned: single-family, townhouse "landominiums" and multi-family condominiums. There will be an integral amenity package in each of the condominium areas.



1986

1987



**SHORT-TERM OBJECTIVES**  
**The Richwood Country Club**

The GENESIS GROUP/Miami, Inc.

	1987	1988	1989	1990	1991	1992	1993
1. Phase One Land Sales				↑			
2. Phase Two Land Sales				↑			
3. Phase Three Land Sales					↑		
4. Club Membership Sales/Income							
5. Site/Infrastructure Work		↑					
6. Golf Course Construction		↑					
7. Maintenance Facilities and Golf Clubhouse Construction		↑					
8. Marketing/Public Relations							
9. Development Management							

**LONG-TERM OBJECTIVES**  
**The Richwood Country Club**  
 The GENESIS GROUP/Miami, Inc.

R-05-87

BOONE COUNTY FISCAL COURT

ORDINANCE NO. 920.107

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT ADOPTING A MAP AMENDMENT TO THE BOONE COUNTY, KENTUCKY, ZONING MAP, FOR A 550 ACRE SITE SUCH MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN (RS), AGRICULTURAL ESTATE (A-2), AND SUBURBAN RESIDENTIAL ONE (SR-1) TO SUBURBAN RESIDENTIAL TWO/RECREATION/PLANNED DEVELOPMENT OVERLAY (SR-2/R/PD) LOCATED NORTH OF RICHWOOD ROAD, SOUTH OF FROGTOWN ROAD, AND WEST OF I-75, BOONE COUNTY, KENTUCKY, AS REQUESTED BY JAMES W. BERLING (OWNER BY OPTION) AND AS RECOMMENDED FOR APPROVAL BY THE BOONE COUNTY PLANNING & ZONING COMMISSION VIA RESOLUTION NO. R-05-87.

WHEREAS, the Boone County Fiscal Court received a request from the Boone County Planning & Zoning Commission for a Map Amendment for a zone change from Rural Suburban (RS), Agricultural Estate (A-2), and Suburban Residential One (SR-1) to Suburban Residential Two/Recreation/Planned Development Overlay (SR-2/R/PD) for certain real estate which is more particularly described below, and;

WHEREAS, the Boone County Fiscal Court has recognized the conducted Public Hearing by the Boone County Planning Commission, serving as a due process trial-type hearing, and its findings of fact recommending approval of the zone change request, and;

WHEREAS, the Fiscal Court of Boone County, Kentucky, deems it necessary to enact this Ordinance, to preserve and protect the health, safety and convenience of the inhabitants of Boone County pursuant to the Fiscal Court's authority under KRS 67.083 and Chapter 100 of the Kentucky Revised Statutes.

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

SECTION I

That the zone change for the real estate which is more particularly described below shall be and is hereby approved and adopted, this map amendment being a zone change from Rural Suburban (RS), Agricultural Estate (A-2), and Suburban Residential One (SR-1) to Suburban Residential Two/Recreation/Planned Development Overlay (SR-2/R/PD). The real estate which is the subject of this zone change recommendation is more particularly described as follows, to wit:

See attached legal description which is incorporated by reference as if fully set out herein.  
(ATTACHMENT - EXHIBIT "A")

SECTION II

That as a basis for the recommendation of approval and adoption of the zone change request the findings of fact of the Boone County Planning & Zoning Commission, as set forth in its Minutes and official records for this zone change request, shall be and are hereby incorporated by reference as if fully set out in this Ordinance.

(ATTACHMENT - EXHIBIT "B")

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

Introduced, seconded and given First Reading on the 23rd day of February, 1987.

Adopted by the Fiscal Court of Boone County after Second Reading at a Regular Meeting on the 17<sup>th</sup> day of March, 1987, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the Boone County Fiscal Court Clerk and declared to be in full force and effect.

Bruce Ferguson  
Bruce Ferguson  
Boone County Judge/Executive

ATTEST:

\_\_\_\_\_  
Jerry W. Rouse  
Boone County Clerk

Submitted by:

\_\_\_\_\_  
Larry Crigler  
Boone County Attorney

DATE PUBLISHED: May 27, 1987