

APPLICATION FORM

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project PARAGON MILLS
- 2. Location of Project BURLINGTON, KY. @ BURLUNDY HILL SOUTH OF HWY 18 TO PEARL LANE
- 3. Total Acreage of Site 39.57 +/- ACRES 40.65 +/- ACRES
- 4. Current Zoning of Site SR-1 & SR-2 + CATCHER
- 5. Proposed Zoning (Classification being requested) SR-2 PD OVERLAY
- 6. Proposed Uses (please specify each use) CONDOMINIUMS

Larry Sprague

- 7. Names of Applicant(s) TOWNE DEVELOPMENT GROUP, LTD.
- Phone Number 513-381-8696 Fax No. 513-345-6970
- 8. Address of Applicant(s) 1055 ST. PAUL PLACE
CINCINNATI OH 45202
City State Zip

- 9. Name of Property Owner(s) (SEE BELOW)
- Phone Number _____ Fax No. _____
- 10. Address of Property Owner(s) _____
City State Zip

- 11. Proposed Building Intensities (please specify) 26 BUILDINGS
290 UNITS

- 12. Are there any existing buildings on the site? YES
How many? 3
- 13. Deed Book (SEE BELOW) Page No. (SEE BELOW) Group No. 2031

- 14. Are you also applying for:
_____ Conditional Use Permit
_____ Dimensional Variance
- 15. Have you submitted a Concept Development Plan? CONCURRENT
- 16. Have you had a pre-application meeting with BCPC Staff? YES
- 17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water District
Florence Water and Sewer Dept.
- Cinergy/U.L.H.&P. Co.
- Sanitation District #1
Cincinnati Bell
- _____ Owen County Rural Electric
- _____ Boone County Public Works Department
- _____ Kentucky Transportation Cabinet
- _____ City of Florence Public Services Department
- _____ Boone County Building Department

- PROPERTY OWNERS:
- 1. EMMET C., JR. & LINDA G.
PENNINGTON
1787 BURLINGTON PIKE
BURLINGTON, KY 41005
DB. 283 P. 152
(859) 525-1218
 - 2. JAMES R. & PATRICIA PERRY
3476 LINDENWOOD DR.
ERLANGER, KY 41018
DB. 186 P. 42
(859) 341-8903

(over)

EXHIBIT

“A”

STAFF REPORT

Request of Towne Development Group Ltd. (applicant) for Emmitt C. Pennington, Jr., Linda G. Pennington, James R. Perry and Patricia Perry (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 40.65 acre site located at the southern terminus of Burgundy Hill Drive, including the property addressed as 1787 Burlington Pike, east of the Willow Bend Subdivision, north of Perry Lane and west of Oakbrook Road and Gunpowder Creek, Boone County, Kentucky. The request is for a Zoning Map Amendment to allow condominiums.

February 1, 2006

PROPOSAL

This request is for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 40.65 acre site located at the current dead end of Burgundy Hill Drive (includes the residence at this same point which is addressed as 1787 Burlington Pike). The existing SR-1 zone is within the south and central parts of the site and encompasses roughly three quarters of its area. In turn, the SR-2 zone is in the northern part of the site and encompasses roughly one quarter of its area.

The Concept Development Plan proposes a total of two hundred and ninety (290) condominium units within twenty six (26) buildings (an average of slightly more than 11 units per building). The gross density proposed is 7.13 units per acre based on the 40.65 acre site size stated on the application form (7.21 units per acre based on the 40.2 acre size noted on the plan). Three basic building types are proposed: the seven (7) unit "Gallery" model (stacked condominiums); the fourteen (14) unit "Gallery" model (stacked condominiums), and the eight (8) unit "Villa" model (townhouse structures). Illustrative examples of the proposed buildings are included in the application booklet. All structures are two stories at the front facade (some are effectively three stories along the rear where walk outs are opted).

The site is organized into three basic building clusters placed along a central street route that runs from the current dead end of Burgundy Hill Drive to Garcia Drive in Shaker Run, Phase 2 Subdivision to the south (this route is composed of four separate interconnecting streets that are shaded on the Concept Development Plan). The northern-most cluster is a strip of three of the larger Gallery buildings placed along an east-west running street. The central cluster is composed of a street "loop" around a central open space. Condominium structures are placed around this loop (three of the larger Gallery buildings and nine of the Villa buildings); a clubhouse and pool facility with a supplemental parking lot are located in the western part of the central cluster. The southern cluster includes nine of the large Gallery buildings and two of the smaller Gallery buildings placed along the main street route and several short local streets.

Condominium style streets that are publicly dedicated are proposed throughout (24' pavement width for the main street route and 22' pavement width for the local streets). Parking is proposed to be provided within the garages and driveways for the individual units, as well as within common parking areas spread throughout the development and at the pool/clubhouse facility. Integral curb walks (4' width) are proposed on one side of each street. An east-west running hiking trail is shown in the valley just south of the central building cluster which runs from the main road to the Gunpowder Creek valley. An area along the Gunpowder Creek valley will be reserved for future dedication to allow the construction of a public trail along the creek. Approximately twenty two (22) acres of the site is open space (approximately 54%). The existing tree cover around the perimeter of the site is proposed to be retained, as are several clusters of existing vegetation within the interior of the site as indicated by the conceptual grading.

Conceptual locations for detention basins are shown around the site. Public water and sanitary sewer service are proposed, and all utilities will be underground. Conceptual landscape schemes, buffer yard sections, and a signage package were included in the application booklet. The signage package includes representative entry monuments, various types of temporary signage, and traffic control and street signs. The application booklet also includes a narrative about compliance with the Planned Development District requirements and the Comprehensive Plan. A traffic study was also submitted.

ADJACENT LAND USES AND ZONING

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

- A. A subdivision of detached single family residences is located to the west (Willow Bend Subdivision; SR-1 and SR-2). A multi-family development is located to the northwest along the west side of Burgundy Hill Drive (Burgundy Hill Apartments; SR-2/PD), and the Shoppes at Burlington commercial development is located further to the north along Patrick Drive (C-4/PD).
- B. Single family residences on generally estate style lots are located along Perry Lane to the south and southwest of the bulk of the site, and to the west of the southernmost area (SR-1). A developing subdivision for detached single family residences is located to the south (Shaker Run, Phase 2 Subdivision; SR-1).
- C. Gunpowder Creek, Oakbrook Road, and several phases of attached dwelling units are located to the east (Oakbrook Subdivision; SR-1/PD).
- D. A multi-family development is located to the north (Crossings of Oakbrook; UR-1/PD), and several commercial developments are located further to the north along Patrick Drive (C-2/PD).

SITE CHARACTERISTICS

As noted above, the site contains slightly more than 40 acres. Other than where it adjoins Burgundy Hill Drive and will connect to Garcia Drive in Shaker Run, Phase 2 Subdivision to the south in the future, it has no road frontage. A detached single family residence is located in the northern part of the site near the dead end of Burgundy Hill Drive, and two barns are located on the northeast corner of the site. The topography of the site is generally hilly, with two gentler plateaus which extend from two different points along the west boundary into the center of the site, and with two east-running valleys and a substantial grade along the Gunpowder Creek valley. The plateau areas are generally pasture areas which have been cultivated in the past.

Varying degrees of tree cover exist around the perimeter of the site, within the valley areas (and is notably thinner in the northern east-west running valley than the other two), and in smaller pockets around the site. The elevation on the site ranges from approximately el. 752 along Gunpowder Creek to approximately el. 824 at two different points along the west property line adjoining Willow Bend Subdivision. An intermittent blue line stream runs from Willow Bend Subdivision through the northern east-west running valley into Gunpowder Creek. Public water adjoins or is in close proximity to the site in several locations, and several sanitary mains run across the site. Soil types on the site include Rossmoyne silt loam (RsB and RsC), Jessup silt loam (JeD), and Linside silt loam (Ln).

RELATIONSHIP TO COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the southern portion of the site (approximately 13%) for "Suburban Residential" (SR) uses, the middle portion of the site (approximately 80%) for "High Suburban Density Residential" (HSD) uses, and the northern portion of the site (approximately 6%) for "Urban Density Residential" (UD) uses (figures do not add to 100% due to rounding). These designations are described as follows.

Suburban Residential (SR) - Single family housing of up to four units per acre. This classification does not preclude low density or estate residential developed as a formal subdivision.

High Suburban Density Residential (HSD) - Single-family and/or attached housing of up to 8 dwelling units per acre. This classification is typified by townhouse, condominium, and zero-lot line development, and also pertains to existing mobile home parks.

Urban Density Residential (UD) - Attached housing, generally condominiums or apartments, of over 8 dwelling units per acre.

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

- A. The developing residential area south of KY 18, west of Oakbrook Drive and east of Camp Ernst Road must include street connections that enable traffic generated by the area to travel in all four directions. This should allow Oakbrook traffic to proceed to KY 237 in the Rogers Lane area, and Shaker Run traffic to access KY 18 without traveling Camp Ernst Road or Oakbrook Road ("13. Burlington Area," pp. 150 and 151).

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. 140).
- 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 . . .

Typically, buffering is required and provided between unlike land uses, however, as the development of Boone County fills in previously rural areas, different lot sizes and designs of residential development sometimes impact each other. Where an appropriate gradation of lot size and setbacks cannot be designed into a proposed residential subdivision development of a significantly higher density than existing adjacent residential uses, deliberate vegetation buffering may need to be incorporated into the design to help protect low density residential areas. Buffer areas should use and supplement existing site features where possible ("Buffering," pg. 141).

- 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 between the development and the right-of-way in order to promote the aesthetic appearance from the roads and to facilitate the compatibility of differing land uses ("Landscaping," pg. 141).

- 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, 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," pp. 141 and 142).

- E. Developments in Boone County must be designed, where appropriate, to improve the County's transportation network system of roadways, and functional classifications must be used in the planning for and designing of new developments. Collector roadways should be extended and developed to provide for the safe movement of traffic through and between subdivisions. Development along existing arterials and collector roadways should not have direct driveway access, but be served by a local street. Appropriate road connections should be constructed to provide alternate routes for traffic to and through specific projects and to enhance the capacity of existing streets.

Appropriate pedestrian networks should be incorporated into the design of developments which will generate or experience significant pedestrian use. These networks should not only provide internal paths, but should provide connections to adjoining uses where appropriate ("Transportation and Pedestrian Network," pg. 142).

- F. Developments in Boone County should give consideration to the overall design of the area. Design should be a primary concern at the early stages of the development, with an emphasis on the aesthetic impact 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 ("Design, Signs, and Historic Preservation," pg. 142).

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

- A. 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 encourage mixing of different income levels. Therefore, single-family housing should remain an ingredient of the urban areas instead of being targeted only for rural or suburban areas. Large, left-over parcels in urban service areas are well suited for planned residential development that includes high density housing. However, established single-family housing areas in urban settings should not experience an influx of multi-family or duplex construction unless adequate buffering or proper development design can be provided ("Population Needs," pg. 72).
- B. 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 building site dimensions and land uses outlined in the Future Land Use Plan.

Multi-family housing developments should have convenient access to commercial districts or should provide their own supporting commercial uses. The developments should be designed to offer the shortest trips to the most people. High density residential developments help to hold down the cost of individual units due to many variables including lower land cost per unit, lower land development cost and building unit costs per unit. Clustering of the dwelling units allows this by requiring less site work and utility construction. Better design can correlate with more density, and walkable, multi-modal communities. This also provides a supply of affordable housing for county residents ("Housing Types," pg. 75).

- C. High density residential areas should be located sufficiently near and with convenient access to major streets, highways, and shopping and public facilities. A progression of densities of residential uses from high (multi-family) to low (single family) shall be encouraged. Where traditional progressions of high to low net density are not possible through creative development design, an appropriate and attractive visual transition should be achieved. This could include existing vegetation or new landscaping and/or fencing. Existing vegetation (such as wooded fence rows) should be retained as much as possible to provide buffer strips and stormwater filters. This serves a dual purpose in that woodland is becoming relatively scarce in the eastern uplands of the county, and these areas buffer different land uses. Housing that is proposed on smaller, remnant tracts need to be carefully designed ("Housing Densities," pg. 76).

- D. 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 ("Open Space Subdivision Design," pg. 77).
- E. The undeveloped land on the southwest quadrant of KY 18 and KY 237 would be an excellent site for a transit-oriented, mixed-use planned development, even with the planned future urban interchange at this location. New subdivisions throughout the west Florence and Burlington areas should provide interconnections between their developments and adjacent developments to promote safe and easy transportation access. Overall, the KY 18 Corridor represents a prime opportunity to promote high density residential uses in a transit corridor ("Geographic Housing Issues; Florence-Burlington Area, pg. 79).

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 (822) is expected to increase from 7,611 in the year 2000, to 9,437 in 2010, and to 12,788 in 2020 (pp. 24 and 25).

The Recreation Element makes the following comments that generally relate to this proposal.

- A. Develop a system of greenways, hike and bikeways and linkages that connect the parks, schools, playgrounds, neighborhoods, appropriate historic resources, and green spaces throughout the County ("County Wide Recommendations; Future Vision," pg. 87).

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

- A. In the late 1970's and early 1980's, a new prototype of residential development arrived in Boone County-the Planned Unit Development (PUD). Primary examples are Oakbrook, Triple Crown, and Plantation Pointe Subdivisions. This form of development is characterized by being divided into "pods" of separate housing types - i.e. apartments, condominiums, single family houses, and including a commercial area. The "local" streets of the "pods" are connected to an internal collector street, such as Oakbrook Road.

Oakbrook is often used as an example of better than usual pedestrian facilities, exemplified by the meandering pedestrian pathway along Oakbrook Road. Plantation Pointe, Farmview, Steeplechase, Orleans, Thornwilde, and Triple Crown are later examples. However, the pedestrian facilities within the different "pods" are sometimes insufficient within the multifamily areas. Again, because of the separation of the different "pods", automobile travel continues to be necessary for most trips ("Planned Unit Developments-A Prototype for Residential Development," pg. 135).

- B. If Boone County continues to develop in this same low-density, dispersed form of development, which mainly accommodates travel by the automobile, it would almost certainly guarantee chronic traffic congestion, increased air pollution problems and negative impacts on the quality of life for residents of the county ("The Future: Integrating Transportation and Land Use," pg. 135).

The Transportation Element lists a "Summary of the 2005 Transportation Plan Recommendations." Operational improvements listed of relevance to this area include "KY 18 at Taylor Dr. east signal study," "KY 18 Access Management study," and "KY 18 speed study."

The 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 and supported through incentives ("Overall," Objective 9).
- F. The needs of Boone County's population base are measured and fulfilled through the provision of orderly growth ("Population," Goal).
- G. 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).
- H. New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, and encourage preservation of the existing character of the land. New development shall be designed in harmony with the physical environment in such a way that each site's existing physical assets are used. Residential development 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).

- 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).
- O. 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).
- P. Mixed use, higher density neighborhoods shall be encouraged to locate at proposed mass transit stations near commercial districts and public facilities (i.e. parks) and also have convenient access to major streets and highways ("Housing," Objective 10).
- Q. 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).

- R. 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).
- S. 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).
- T. 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).
- U. 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).
- V. 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 governing bodies will need to determine whether the proposal is in agreement with the Comprehensive Plan. The Future Land Use Map designates the majority of the site for "High Suburban Density Residential" (HSD) uses (single family or attached housing including townhouses and condominiums up to eight units per acre), a smaller portion of the southern part of the site for "Suburban Residential" (SR) uses (single family housing up to four units per acre), and an incidental portion of the northern part of the site for "Urban Density Residential" (UD) uses (attached housing over eight units per acre). The proposal is for townhouses and stacked condominiums with a density of 7.2 units per acre based on the 40.2 acre figure stated on the plan.

The Land Use Element text doesn't provide a great deal of specific language for this area, but it does state that "the developing residential area south of KY 18, west of Oakbrook Drive and east of Camp Ernst Road must include street connections that enable traffic generated by the area to travel in all four directions." It continues by stating that such connections would allow Shaker Run traffic to access KY 18 without traveling Camp Ernst Road or Oakbrook Road. Such a connection (albeit not a direct connection) is proposed on the submitted Concept Development Plan. Due to no other remaining opportunities, the Shaker Run-KY 18 connection must go through the subject site and connect to Burgundy Hill Drive if it is to be implemented. Such connections are also generally advocated by the Future Land Use Development Guidelines, Housing Element, and Goals and Objectives.

The Housing Element provides substantial direction on the issue of attached residential uses and "higher" density developments. The Element stresses the importance of "gradations" or transitions between uses and densities as evidenced by the statements "high density developments should be close to thoroughfares to achieve a gradation of building site dimensions and land uses outlined in the Future Land Use Plan" and "a progression of densities of residential uses from high (multi-family) to low (single family) shall be encouraged. Where traditional progressions of high to low net density are not possible through creative development design, an appropriate and attractive visual transition should be achieved. This could include existing vegetation or new landscaping and/or fencing. Existing vegetation (such as wooded fence rows) should be retained as much as possible to provide buffer strips and stormwater filters."

The Housing Element also provides direction regarding the location of such developments. It states "multi-family housing developments should have convenient access to commercial districts or should provide their own supporting commercial uses" and "high density residential areas should be located sufficiently near and with convenient access to major streets, highways, and shopping and public facilities." The site in question is within close proximity to KY 18 and the major commercial district in the immediate area. The Housing Element and the Future Development Land Use Guidelines also advocate the use of open space style developments, while the Recreation Element recommends the development of greenways and trails - the proposal at hand includes the dedication of an open space strip along the Gunpowder Creek valley and a trail link to the creek area.

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 offers the following comments regarding the standards set forth in Section 1514 "Planned Development Standards" of the Boone County Zoning Regulations. Concept Development Plan proposals in Planned Developments are to be primarily evaluated against these criteria.

1. Mixed Use Development and Pedestrian Orientation: Although the proposal can not be accurately depicted as "mixed use" in a true sense, it does involve a combination of two different types of condominium structures and open space. It would also help to diversify uses in the general area and act as somewhat of a "step down" use between the commercial and apartment style developments to the north and single family developments to the south and west.

Regarding "pedestrian orientation," 4 foot wide integral curb walks are proposed on one side of all streets, as is a trail link in the valley between the central and southern building clusters to the open space along the creek valley. A future trail is intended to be provided in the open space and connect the various properties along this greenway. Staff has two comments regarding the sidewalks: 1.) The sidewalks along the main street route through the development (shaded streets between Burgundy Hill Drive up to the intersection with the extension of Garcia Drive in Shaker Run, Phase 2) should be 5 feet wide consistent with the requirements of the subdivision regulations for walks along subcollectors; and, 2.) sidewalks should be provided on both sides of the Garcia Drive extension to the first intersection in the south end of the development, consistent with street section in the adjoining subdivision. Otherwise, the walk on the west side of the street will dead end mid block and require a cross walk at this point. Regarding the "hard" improvements overall, the buildings are proposed to be set close to the internal roads, which helps reinforce a pedestrian scale (typical setback is 25' for garages and 15' for the front entries on the "Gallery" units).

2. Compatibility of Uses: The proposed structures are comparable in size, scale, and demeanor as the multi-family structures to the north and northwest in Burgundy Hill Apartments and the Crossings of Oakbrook, and are located up a large grade with a notable setback (approximately 250' at the closest point) from Oakbrook Road. Additionally, the curve in the Garcia Drive connection at the south end of the site will help to some degree diffuse the direct view into the site through street alignment.

However, the proposed buildings are substantially larger than the adjoining detached, single family residences located to the south at the end of Perry Lane and to the west in Willow Bend Subdivision, and will also be substantially larger than the future structures in Shaker Run, Phase 2. The structures are two stories at the front and some are effectively three stories high when considering walk-outs. Site sections which show the proximity of the proposed buildings to the buffer areas and neighboring properties have been provided as part of the application booklet. Sections A1 through A4 show that the ridge lines of the new structures are comparable in height or lower than the adjoining structures in Willow Bend Subdivision. Sections A5 and A6 show that the proposed structures in the south part of the site are higher than both the adjoining Smith residence and the tree buffer. Based on topography, the southern structures will be notably higher than the future residences in Shaker Run, Phase 2.

A number of measures could be incorporated into the development to help mitigate compatibility issues including:

- A. Substantial landscaping should be provided in the curve area of the Garcia Drive extension at the south end of the site (area labeled as "possible stormwater detention basin") and the area adjoining Building 22 (the Concept Development Plan generically shows new plant materials in these areas). In combination with any existing vegetation along the property line, which is sparse in this specific area, the new plantings should minimally include the plantings from Buffer Yard C (four deciduous trees and eight evergreen trees per 100 linear feet). Also, Staff recommends that the ground cover in this area, as well as the large graded slope behind Buildings 7 through 12, include a hardwood seed/seedling mix so that these areas will reforest.
- B. The Concept Development Plan proposes to retain a band of existing vegetation around the perimeter of the site, with new plantings added where necessary to make up a total of seven trees per 100 linear feet (large or medium deciduous trees, and/or evergreen trees) along the north property line, and the property lines that adjoin Willow Bend Subdivision to the west and the Smith residence at the southwest corner of the site. While Staff has no issue with the tree species shown or the specific plant quantities proposed along the north property line adjoining the Crossings of Oakbrook, the proposed plant density will not create an effective visual shield from the adjoining single family residences. While the existing vegetation in these areas help to define the character of the site, it is basically second generation growth which does not have substantial screening qualities. Again, Staff recommends the combination of retaining the existing, healthy vegetation along these property lines and sufficient new plantings that are equivalent to Buffer Yard C, along with a hardwood seed/seedling mix as ground cover. The minimum buffer yard width shown on the plan (25') is the minimum width required for Buffer Yard C.
- C. The designs of the proposed structures are typical for stacked condominiums and townhouses, and images of the rear facades of the buildings have not been provided. To better assimilate the structures to the adjoining areas, especially the single family areas, Staff recommends that the governing bodies consider a condition similar to #6 for the "Gallenstein/Anhofer" zone change approval (attached). The basic tenets of the condition are directly transferable based on some of the adjacent uses and the proposed building types (the "Gallery" model proposed with this development is also one of the prototypes that was discussed for the Gallenstein/Anhofer project). Condition #6 could readily be modified to correlate to the three building clusters now proposed and to require consistent materials and detailing on all facades to prevent the appearance of utilitarian "back" sides.

For comparison purposes, the proposed buildings are setback at least 150 feet from the houses in Willow Bend Subdivision (from Building 15), approximately 130 feet from the Smith residence at the south (from Building 26), and approximately 190 feet from the McNabb residence to the east (from Building 3). Building 22 will be as close as 65 feet to the future house on the northern-most lot in Shaker Run, Phase 2 to the south.

3. Open Space: This standard states that "useable open space(s), in an amount over and above setback areas and open areas required by the underlying zone, shall be provided." Approximately 22 acres of open space is proposed, which is approximately 54 percent of the site area. In addition to the trail, the open space dedication along the creek, and the central open space within the "loop" of the middle building cluster, the proposal also includes a clubhouse and pool facility, which does qualify as "open space" (athletic and recreational areas) in the context of this standard. To make best use of the flood plain area along Gunpowder Creek as a green space corridor, Staff recommends that the width of the dedication be expanded up to at least the toe of the slope of the adjoining grade (this will not alter how the development's density is calculated, nor will it alter the project design). In order to maximize the utility of the open space and the future trail along Gunpowder Creek, Staff recommends that another trail link be provided through the northern east-west running valley by the intermittent blue line stream.

4. Multi-Modal Transportation System: Walkways have been discussed under number 1 above. The provision of bike racks and some sidewalk links are required by Article 33 of the zoning regulations. No multi-modal facilities such as bus stops are proposed within the development, although the site is within the walking distance of the TANK park and ride lot and bus stop along Patrick Drive.

5. Preservation of Existing Site Features: This standard states "existing topography, significant tree cover, and water courses and water bodies shall be largely preserved and incorporated into the project design, where appropriate and consistent with the remainder of this article." As noted previously the perimeter vegetation is proposed to be retained. While the conceptual grading generally respects the existing topography, notable grading is proposed in the east and west parts of the site, especially in the southwest part of the site which would cause the removal of an existing wooded area - such grading will significantly change the character of this corner of the site. Regarding grading in the east part of the site, a large fill is proposed on the slope behind Buildings 7 through 12. Staff recommends that this work be minimized or eliminated if at all possible, and should include the hardwood seed/seedling ground cover mentioned above if not possible. Additionally, the existing valleys on the site contain some large diameter trees, generally sycamores and some oaks - these trees should be mapped and retained with the development (this should also include the two sycamores that adjoin the existing residence at the north end of the development). Based on field observations, the potential detention basin shown along Gunpowder Creek appears to be in the flood plain.

6. Landscaping: A buffer yard concept and building landscaping vignettes have been provided. Buffer yard recommendations have been outlined above, and Staff has no issue with the building landscaping presented. For other areas of the site, Staff recommends that the proposal follow the normal requirements of Article 37 of the zoning regulations, and that a formal street tree scheme be provided for the main street route through the development (shaded route on the plan). This would entail providing a large canopy tree every 40 to 50 linear feet along the street, except where buildings and parking are located.

7. Architecture: Comments regarding architectural design issues are made under #2 "Compatibility of Uses" above.

8. Historic and Prehistoric Features: Staff is not aware of any such features on the subject site.

9. Signage: A signage package has been provided in the application booklet, and includes the following three basic types of signage.

Entry Monuments: Masonry monument concepts for each of the two entry points have been shown. Larger wall style monument signs are shown on each side of the main entry at the end of Burgundy Hill Drive, and smaller column style monuments have been shown at the southern entry. This standard advocates the use of monument style signs (which are required under the normal requirements of Section 3410). Staff has no issue with this aspect of the signage package provided the designs correlate to the architectural theme of the development and meet the height and size requirements of Section 3410 (8' maximum height; one sign of up to 100 square feet or two signs of up to 50 square feet for each entrance).

Regulatory Signage: These include street signs and regulatory traffic control signage on architectural posts. Staff has no issue with this part of the proposal provided the signs are approved by the Boone County Public Works Department.

Temporary Signage: These include a sales office sign on a masonry column (total column height is 6' with a 10.83 square foot shingle style panel), various low-scaled signs with the names of the different models stated (2.5' high, 3.38 square feet each), a "coming soon" sign (6' high, 32 square feet) placed along Burgundy Hill Drive, a temporary sale sign (6' high, 32 square feet) also placed along Burgundy Hill Drive, a temporary sign (13' high, 120 square feet) for the clubhouse/pool facility at the clubhouse site, separate "welcome" and "thank you for visiting" signs (5' high, 9 square feet each), and a "Paragon Mills condo models" directional type sign presumably to be placed off-site along Burgundy Hill Drive near KY 18 (6' high, 16 square feet). The plan states (note #2 on sign legend) a "permanent semi-sub entry sign and temporary (4' X 8') marketing sign" for the last sign mentioned.

First, the terminology for the "permanent semi-sub entry sign" needs to be explained. Second, the off-site sign is not permitted as it is not located within the zone change area for this request (is off-site) and appears to be located within the road right-of-way. Third, the temporary signage proposed is well in excess of the amount permitted under Section 3406.1 of the zoning regulations (allows one temporary sign in residential zones that is up to 8' high and 50 square feet). Also, the amount of temporary signage is not in keeping with the Comprehensive Plan which states "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."

Staff recommends that the governing bodies consider the following ideas as signage conditions:

- A. The permanent masonry entry monuments shown at each entrance shall be permitted provided they meet the size and height requirements of Section 3410.
- B. The street signs and regulatory traffic control signage shall be permitted provided they are approved by the Public Works Department.
- C. One of the 6 foot high, 32 square foot temporary signs shall be permitted along Burgundy Hill Drive on the subject property until the permanent masonry monument(s) at the north entry is (are) constructed. An additional 6 foot high, 32 square foot temporary sign shall be permitted on the clubhouse/pool site until this facility is constructed. The sales office sign shown shall be permitted at the office location. The small-scaled model identification signs shall be permitted provided only one sign is used for each model type, regardless of the overall number of available units for the specific model type in question.

10. Transportation Connections and Entry Points: As noted previously, the Comprehensive Plan recommends a north-south street connection through this site, and the main street route through the development will basically function as such. Additionally, the street that serves the northern building cluster should be extended to the east property line to provide public street access to the neighboring "McNabb" property (site is basically landlocked otherwise). The Burlington Fire Protection District has recommended a connection to Perry Lane if at all possible (refer to attached 1/17/06 memo from Captain Shaun Klaserner).

Regarding entry points, monumentation is discussed immediately above. To further demarcate the southern entry into the development from Shaker Run, Phase 2 along the Garcia Drive extension, a decorative pavement such as a pigmented, stamped concrete product could be provided at the project boundary.

11. Conformance with Comprehensive Plan: The Comprehensive Plan is discussed above.

3. Staff has the following comments regarding traffic issues.

- A. Staff has several comments regarding the submitted traffic study. First, the document recommends adding right-in/right out movements only on both legs of Patrick Drive at the intersection with Burgundy Hill Drive to improve stacking on Burgundy Hill Drive to the KY 18 intersection. As Patrick Drive was intended to function as a frontage road, the road's essential purpose would be eliminated, and such an improvement would only benefit through-movements on Burgundy Hill Drive. The study mentions signal timing alterations to the KY 18/Burgundy Hill Drive/Taylor Drive intersection, although such changes were made in the recent past - the applicant's traffic engineer should explain whether the recommendation accounts for these changes or not.

The study recommends that the storage lane and taper for the southbound KY 18 to Burgundy Hill Drive left hand turn lane be extended to a 370 foot length (the maximum that can be accommodated in the space, the study states that a longer lane is actually necessary). Because the traffic generated from the proposed development has a direct impact onto this turning lane, Staff recommends that the governing bodies consider requiring the developer to financially participate in this improvement based on a proportionate share of the peak hour traffic that the development will create. The study estimates that the proposed development would add almost half of the total new traffic forecasted for this left turn movement in 2014.

The Boone County Sheriff's Office has commented that the area is very congested now, and that traffic should be acceptable if all of the recommendations in the traffic study are completed before the project is complete (refer to attached 1/27/06 e-mail from Lt. Col. Robert Reuthe).

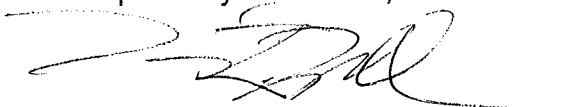
- B. The local streets within the development are proposed to be 22 feet wide and the normal width standard for a residential condominium street is 24 feet. Additionally, a two way driveway within a private parking lot that is double loaded with parking is required to have a 24 foot width per the zoning regulations. Because the streets are proposed to be public and must accommodate two way traffic that are double loaded with parking, Staff does not support a reduction in the pavement width and recommends that the streets follow the normal requirements of the subdivision regulations.

- C. The Boone County Transportation Plan 2030 includes several projects which affect the area. These include signal modifications at the KY 18/Taylor Drive intersection (pg. 5-9) and a series of access management improvements along KY 18 per a future study (pp.6-7, 6-8, 6-19, and 6-20; referenced pages are attached). This plan was adopted by the Fiscal Court on 1/17/06.
4. Comments from the Boone County Schools are summarized in the attached letter from Bryan Blavatt, Superintendent.
5. Staff has requested written comments on the proposal from the Boone County Engineer, Boone County Water District, Kentucky Division of Water, Kentucky Transportation Cabinet, and Sanitation District #1. 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, the requirements of Article 15 "Planned Development District" of the zoning regulations, and the potential impacts on the existing and planned uses in the area. The Future Land Use Map would need to be amended to reflect "High Suburban Density Residential" (HSD) uses in the northern and southern parts of the site if this request is approved.

Respectfully submitted,



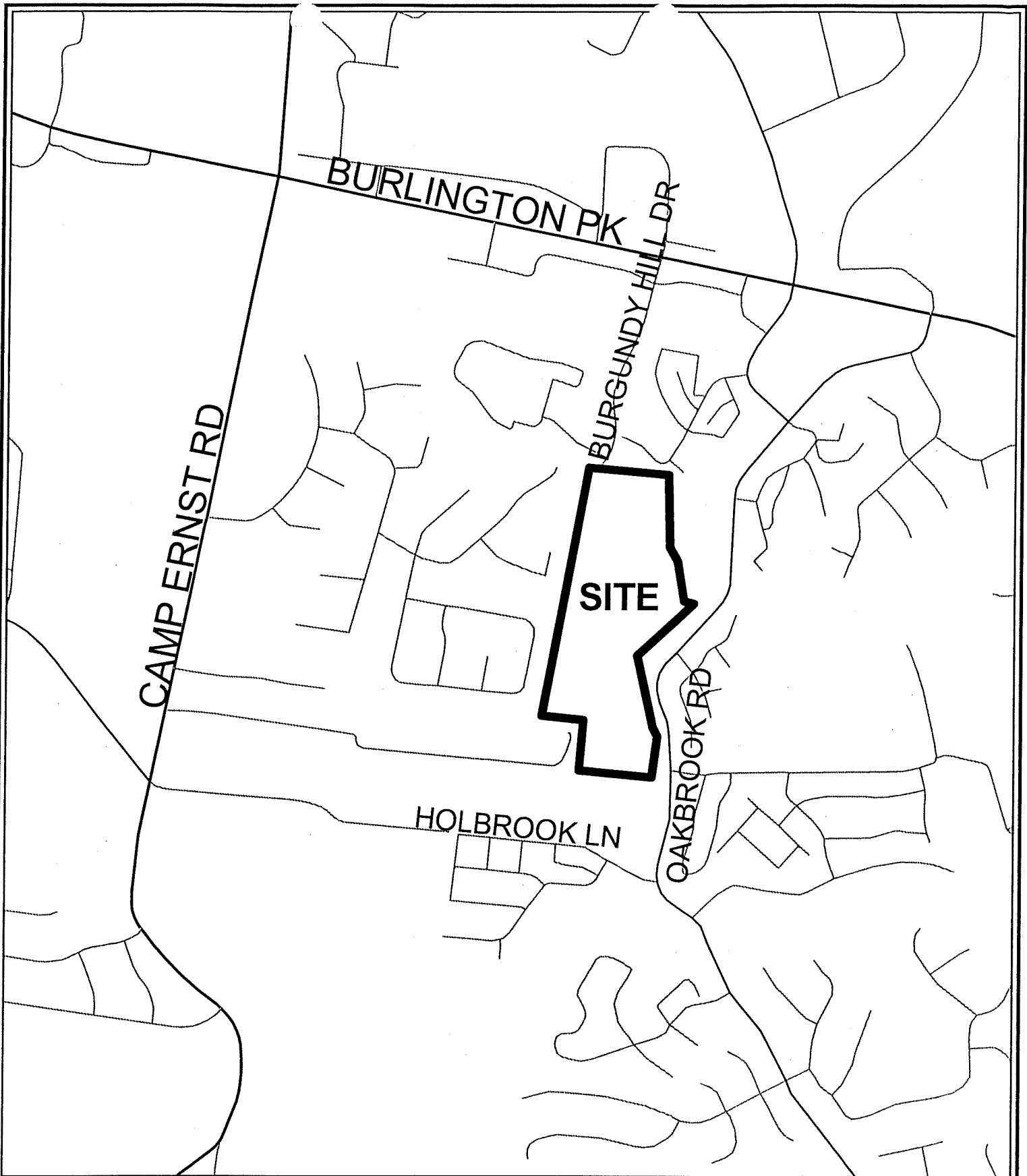
Kevin T. Wall, AICP
Director, Zoning Services

KTW/pr

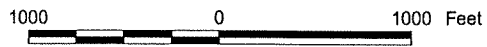
attachments:

- location map
- aerial photo w/zoning
- Future Land Use Map excerpt
- topographic map
- Condition #6 (pg. 5) of Gallenstein/Anhofer Zoning Map Amendment Committee Report
- 1/17/06 memo from Captain Shaun Klaserner of the Burlington Fire Protection District

- 1/27/06 e-mail from Lt. Col. Robert Reuthe of Boone County Sheriff's Office
- 1/16/03 letter from Bryan Blavatt, Superintendent, Boone County Schools
- referenced pages from the Boone County Transportation Plan 2030
- application materials including Concept Development Plan, application booklet, and traffic study (w/o appendixes)

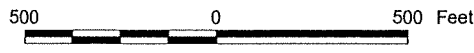
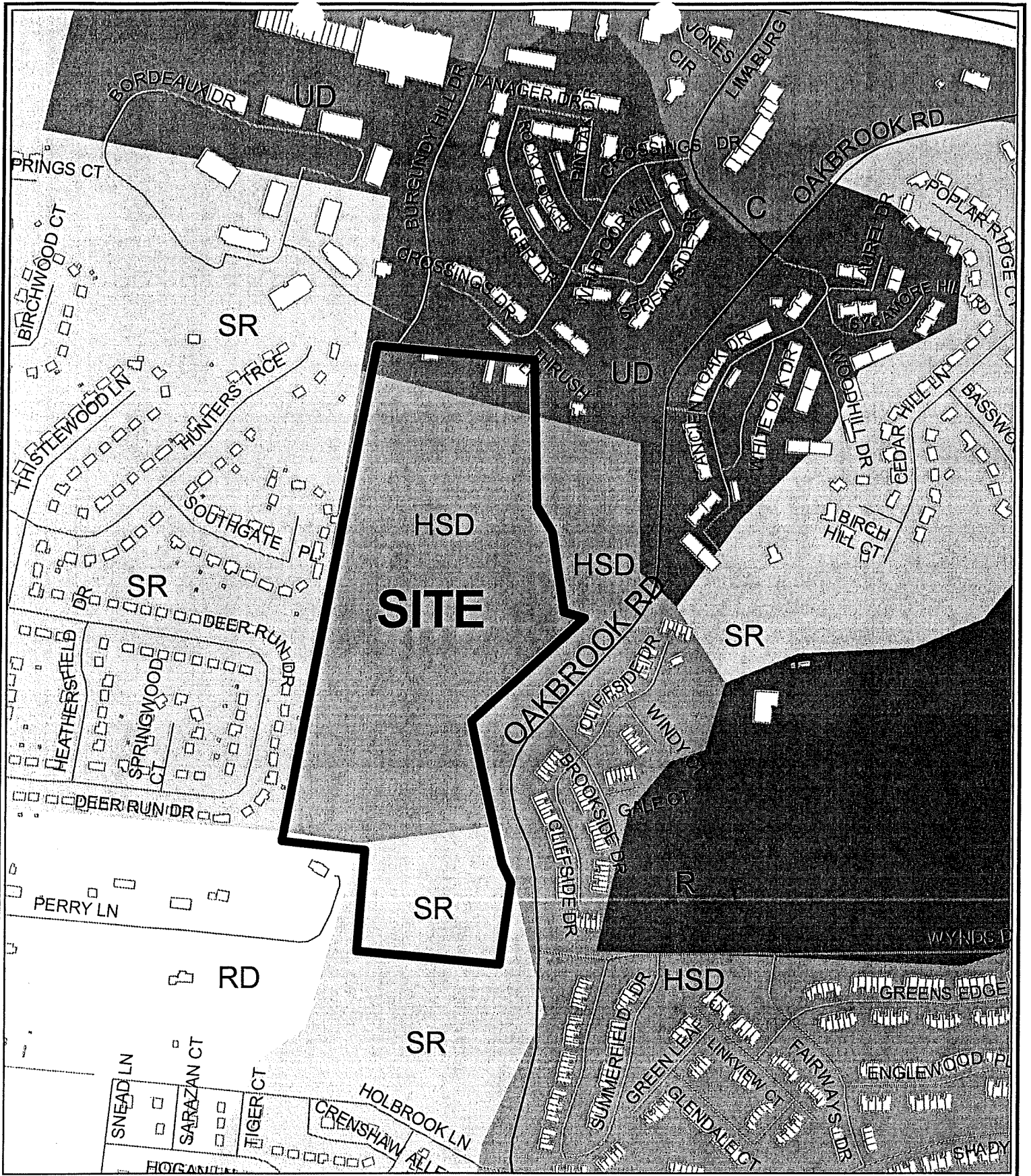


Location



1 inch equals 1000 feet
Produced by the
Boone County Planning Commission
GIS Services Division
January 9, 2006

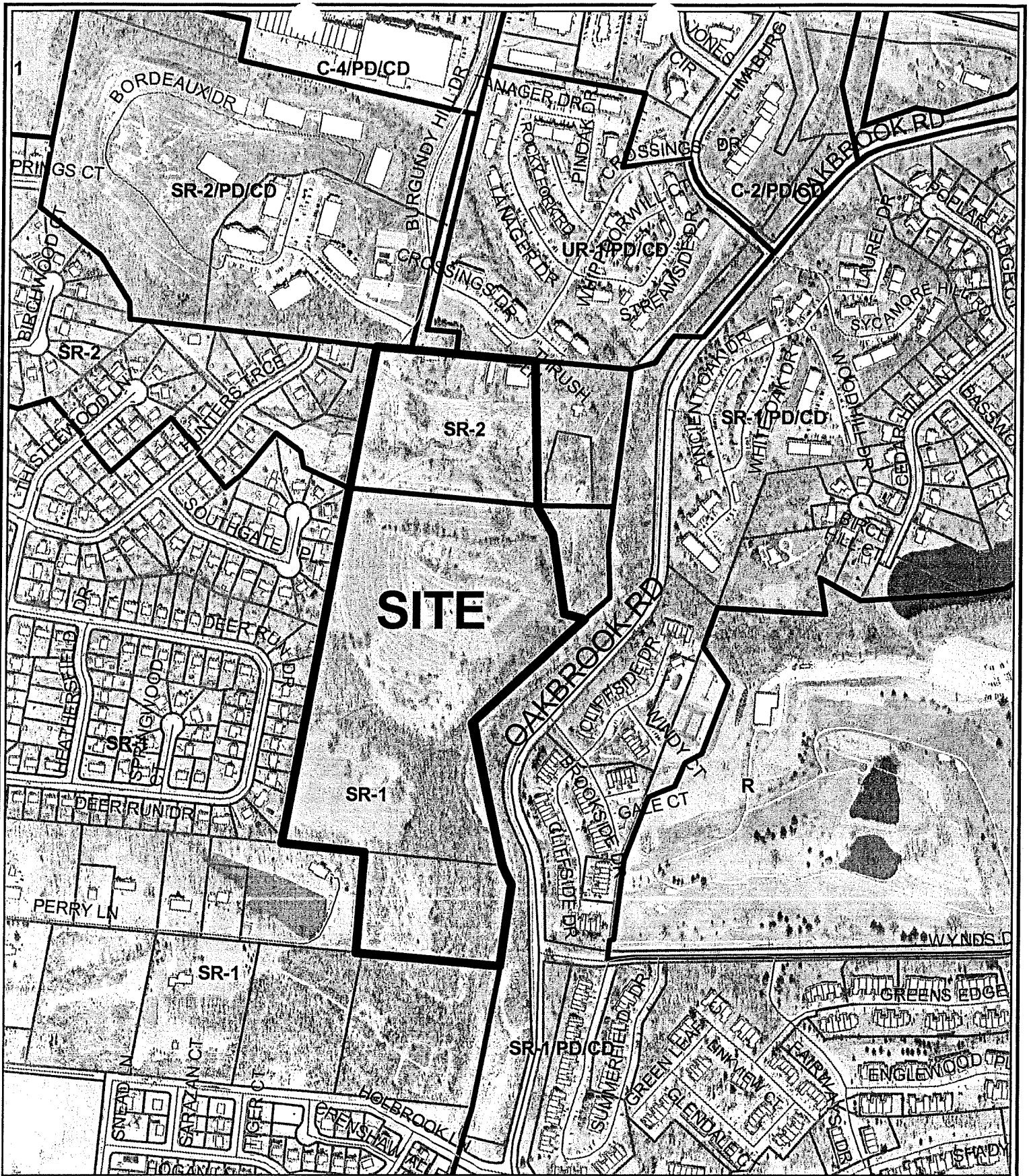




Future Land Use

1 inch equals 500 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 January 9, 2006





Zoning

500 0 500 Feet



1 inch equals 500 feet
 Produced by the
 Boone County Planning Commission
 GIS Services Division
 January 9, 2006



6. The architectural design of the structures shall have multiple jogs in the building footprints to create smaller building massings, shall include bays, eaves, or other three dimensional projections on the facades, shall break the long roof lines into multiple roof forms with varying ridge lines, and provide secondary roof forms such as dormers and gables. Additionally, a warm color palette and natural appearing materials (unit masonry, lap siding, et al) shall be used. Each basic phase (each townhouse area on either side of the valley/lake area and each gallery home area on either side of Three Fountains Drive) shall be developed with a different architectural theme so that each building grouping will read as a sub-neighborhood versus a repetitive part of a large development. The architectural designs shall be subject to the review and approval of the Zone Change Committee through the site plan process.
7. The developer shall contribute a proportionate share of the cost of the traffic signal based on the traffic between Hopeful Church Road and this development.

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.

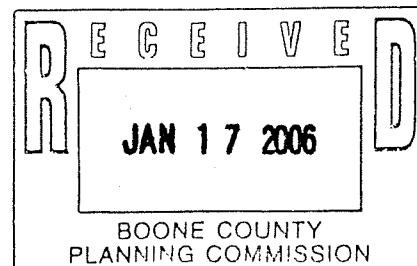
MEMORANDUM

TO: Kevin T. Wall, AICP
Director, Zoning Services

FROM: Shaun D. Klaserner
Captain, Burlington FPD

DATE: January 17, 2006

RE: Zone Change Request for "Paragon Mills"



After a careful review of the proposed "Paragon Mills" condominium development I have just one comment and one question.

1. I know there have been problems in the past with streets in condominium developments not holding up to the traffic they carry. So my question is this. *Will the streets within the development be able to hold the largest fire apparatus that we currently own?* The apparatus is a 100' ladder truck that weights 55,000 pounds and is 42' long.
2. If at all possible the District would like to see a connection to Perry Lane. A connection at Perry Lane would allow the District to have several access points into the development. Until Holbrook Lane is connected with Camp Ernst Road, an alternative response for us from our fire station on Burlington Pike would take us past Burgundy Hill Drive, to Oakbrook Drive and through the Shaker Run subdivision. While going through the Shaker Run development is acceptable, that route of travel does increase our response time.

In closing, the development should not have any adverse affects on the response ability of the District. When fully developed the District is expecting that fire/EMS call generation from the development would be between 10 and 15 runs per year, according to national trends.

If you should have any further questions feel free to give me a call at 859-586-6161 or e-mail me at sklaserner@burlingtncpyfire.org.

Kevin Wall

From: Rob Reuthe
Sent: Friday, January 27, 2006 9:55 AM
To: Kevin Wall
Subject: "Paragon Mills"

Mr. Wall,

I have reviewed the information you sent to us in the traffic study packet. This area is very congested right now. This future development will only add to the congestion. IF all of the recommendations are completed BEFORE the project is complete, traffic should be ok. However if lane additions and or expansions are not completed before completion, the problems in that area will be escalated. Please feel free to contact me if you have any further questions.

Since the merger, I have been handling traffic related issues. In the future, please forward this information to me as Jack Prindle has been moved to the electronic crimes division. Thank you.

Robert E. Reuthe
Lt. Colonel, Field Operations
Boone County Sheriff's Office
Office: 859-334-2171
Fax: 859-334-2234



218th Session



Rob Reuthe.vcf (3
KB)

BRYAN A. BLAVATT
Superintendent of Schools

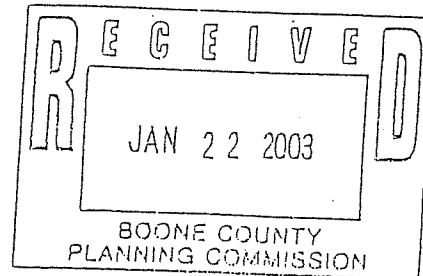
8330 U.S. 4
Florence, KY 41042
Phone: (859) 283-1000
Fax: (859) 282-2377

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.

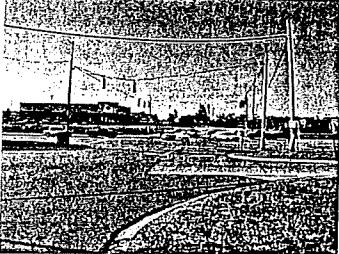
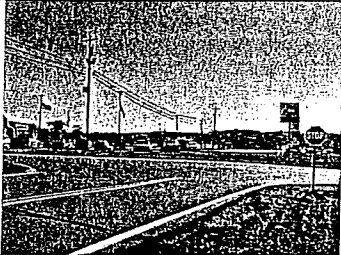
Sincerely,

A handwritten signature in cursive script that reads "Bryan Blavatt".

Bryan Blavatt
Superintendent of Schools

Boone County Transportation Plan

Exhibit 5-3. Operational Improvement Plan Project List

Map ID	Location	Description	Recommendation	Est. Cost
22	KY 18 Burlington Pike at Taylor Drive (east)	 <p><i>Southbound Taylor Drive Approach; Access Drive in Foreground</i></p> <p>There is congestion on the cross-street approaches - southbound Taylor Drive and northbound Wildcat Blvd.</p>	Add left turn signal heads and phases on southbound Taylor Drive and northbound Wildcat Boulevard approaches.	\$5,000
23	KY 18 Burlington Pike - KY 237 North Bend Road to KY 3168 Limaburg Road	 <p><i>Looking East Along Florence Pike at Taylor Drive (west)</i></p> <p>Access management is an issue, particularly along this section of Burlington Pike.</p>	Conduct Burlington Pike access management study and consider closing median break at Taylor Drive (west). Extend Florence Pike as a parallel service road across the front of Flick's Foods and tie in at Taylor Drive (east), where there is a signal at Burlington Pike.	\$100,000

Boone County Transportation Study

from two lanes to four. Further study should be done to determine if this is feasible; an alternative solution is to provide an improved two-lane section if there is insufficient right-of-way for a four-lane section.

16. Richwood Church Road/KY 2951 Chambers Road

The purpose of this project is to provide a four-lane connection between Hicks Pike and US 25 Dixie Highway at the north end of Walton. In providing a through route, relocation of Richwood Church Road and/or Chambers Road likely will be necessary to avoid the Richwood Presbyterian Church Cemetery. Mud Lick Creek also may have an impact on the alignment of this project.

17. Spiral Boulevard-Cavalier Court Connector

This project is carried over from the Northeast Boone County Major Investment Study (MIS), which was completed in 1999. The project involves the extension of Spiral Boulevard over I-71/75 to a connection with Cavalier Court. The MIS recommended this as a four-lane street. Sidewalks and bicycle lanes also should be included. The project is intended to reduce congestion on Turfway Road and, to a lesser extent, along Houston Road and Burlington Pike.

18. KY 20 Petersburg Road - West

The recommended improvement is to widen KY 20 Petersburg Road from two to four lanes from KY 8 Idlewild Bypass to KY 237 North Bend Road. The project is needed to serve traffic generated by additional development in this portion of Boone County and to serve as a local, parallel east-west alternative to I-275.

19. Gunpowder Road

Gunpowder Road lies in a rapidly growing area of Boone County. The recommendation is to widen the road from two lanes to four between US 42 and Mt. Zion Road. The road runs alongside Gunpowder Creek, which may provide alignment and right-of-way challenges. With this improvement, opportunities to incorporate a combined bike/pedestrian facilities and/or recreational trails should be investigated. An agreement has been reached between the Kentucky Transportation Cabinet and Boone County in which Gunpowder Road will become a State highway.

20. I-71/75-to-KY 16 Connector

The planned industrial development in southeastern Boone and southwestern Kenton counties has access to I-71/75 at two points - via Mary Grubbs Highway through Walton and via Richwood Road. The Richwood Road interchange is congested already and further industrial development will exacerbate the problem. Increased truck traffic through Walton is undesirable as well. This project would provide connectivity between I-71 and I-75 at their interchange to existing and new industrial parks in this area. The project involves the extension of the I-71/75 interchange ramps to KY 16 near Walton and reconfiguration of the US 25/KY 16 interchange. It is recognized that Federal requirements for modifications to existing Interstate access must be met and that an Interchange Modification Study will be required.

21. KY 18 Burlington Pike - East

KY 18 between Burlington and I-71/75 is a four-lane, median-divided facility with ample capacity. However, year 2030 traffic projections may result in over-saturation and significant congestion along some sections. The recommendation is for implementation

Boone County Transportation Study

of a series of access management retrofit projects as a means of preserving the available capacity. By managing access and consolidating access points to Burlington Pike, both operational and safety improvements can be realized. This is seen as a desirable alternative to adding lanes here, which would involve taking out the grass median that separates the eastbound and westbound lanes. This recommendation is for a group of projects; a detailed access management study must be undertaken first to identify and develop specific projects.

22. KY 20 Petersburg Road - East

Widening this section of KY 20 Petersburg Road from KY 237 to KY 212 will complete the four-lane, parallel east-west alternative to I-275. Increased development around the Greater Cincinnati/Northern Kentucky International Airport will create additional traffic demand in the corridor. The recommended improvement is to widen the road to four lanes. It is recognized that the western segment of this project goes through the remnants of downtown Hebron. Further studies should be undertaken to determine whether widening through this segment is possible and feasible. An alternative is to maintain an improved two-lane cross-section through Hebron.

23. Bullittsville Road

With increased future development in northern Boone County, there is a need for additional capacity and north-south mobility in the area. The recommendation is to widen Bullittsville Road to four lanes from Petersburg Road to Burlington. At the northern end, the alignment should be shifted so that Bullittsville Road lines up directly with Graves Road.

24. New KY 212 Connector/Ohio River Bridge

The Transportation Element of the 2005 Boone County Comprehensive Plan calls for a northward extension of KY 212 and new bridge over the Ohio River. This project is included in the Boone County Transportation Study in order to maintain consistency with the Comprehensive Plan. The project would greatly enhance north-south mobility in northern Boone County and western Hamilton County, Ohio. It would also increase accessibility to the Greater Cincinnati/Northern Kentucky International Airport. A new bridge would have significant regional transportation impacts and considerable additional study would be required in order for this project to advance. Numerous Federal guidelines would have to be followed and requirements met. Traffic forecasts for this project were not prepared as part of this transportation plan, due to its regional significance.

25. Mahe Road-Frogstown Road Connector

The current US 25 widening project, from Industrial Road to Richwood Road, involves lowering the grade on Dixie Highway between Mahe Road and Frogstown Road. This project is recommended as a companion to the US 25 widening. The project involves constructing a connector road from Mahe Road to Frogstown Road, east of the Norfolk Southern Railroad, and constructing an east-west stub from the connector to Dixie Highway. This will allow for the elimination of at-grade rail crossings at Mahe Road and Frogstown Road.

26. Longbranch Road

The recommendation is to widen Longbranch Road from two lanes to four from Camp Ernst Road to US 42. This project will increase connectivity between the two primary

Boone County Transportation Study

PRIORITIES

Recommended Transportation Plan projects were prioritized according to three categories:

- High Priority - Completed within 10 years
- Medium Priority - Completed in 11 to 20 years
- Low Priority - Completed in more than 20 years

A number of factors were involved in the development of project priorities. These factors included:

- Relative urgency of the project in meeting current or anticipated transportation deficiencies or needs
- Cost
- Relation to other planned or programmed projects
- Overall importance to improving safety and mobility in Boone County

Prioritization of recommended projects is shown in **Exhibit 6-13**. Within each of the three categories, projects were not prioritized further, as a number of additional factors (funding, environmental mitigation, duration, etc.) can affect scheduling and completion.

A balloting process was used to develop project priorities, with participants being the Boone County Judge/Executive, County Administrator, Planning Commission Director, County Engineer, and representatives from the Transportation Cabinet district office. The final prioritized list of projects was presented to stakeholders at the August 2005 meeting for review and comment.

STUDIES

There are three specific areas of need where the scope of this transportation study was

insufficient to identify necessary transportation projects that will improve capacity and safety. These studies should include considerable public involvement to obtain input and provide an opportunity for the public to be heard. The recommended studies are discussed in detail below:

KY 18 Access Management Study

An access management study of KY 18 Burlington Pike should be conducted for the section from I-71/75 to Burlington. The focus of the study should be to develop access management retrofit projects that will serve to preserve the capacity of the existing four-lane divided highway. Examples of retrofit projects that may be recommended as a result of the study include:

- eliminating driveways through use of shared driveways
- use of median channelization
- construction of frontage and backage roads
- provision of turning lanes
- restriction of left turns
- elimination of signals
- modification (closure or reconstruction) of median openings
- provisions for U-turn movements
- relocation of driveways away from major intersections

The study should incorporate collaboration with local businesses and neighborhoods that have frontage along Burlington Pike. Recommendations for individual projects could be implemented through revisions to the Six Year Plan, maintenance activities, and safety improvements. A 12-month time frame for the study is projected at an estimated cost of \$100,000.

Boone County Transportation Study

Exhibit 6-13. Recommended Transportation Plan Project Prioritization

Map ID	Location	Description
High Priority Projects (Completed within 10 Years)		
2	KY 338 Richwood Road	Widen to 4 lanes from Chambers Road to US 25 Dixie Highway
5	Camp Ernst Road Reconstruction/Extension	Upgrade to existing Camp Ernst Road and extension from KY 237 Pleasant Valley Road to I-71 at KY 14. Construct as four-lane divided, partially controlled access facility.
6	New I-275 Interchange	New I-275 interchange in vicinity of Graves Road/Williams Road-Watts Road
10	Hicks Pike	Widen/improve US 42 to KY 338 Richwood Road
12	Frogtown Connector Extension - North	Extend Frogtown Connector from KY 3060 Frogtown Road to KY 536 Mt. Zion Road
14	US 42 Widening	Widen to 4 lanes from Union to KY 14 Verona-Mudlick Road
15	KY 3060 Frogtown Road	Widen/improve from US 42 to US 25 Dixie Highway
19	Gunpowder Road	Widen/improve from US 42 to KY 536 Mt. Zion Road
24	New KY 212 Connector/Ohio River Bridge	New connector road from KY 212/Greater Cincinnati-Northern Kentucky International Airport to US 50 in western Hamilton County, Ohio, including new Ohio River Bridge
26	Longbranch Road	Widen/improve Longbranch Road from Camp Ernst Road to US 42
27	KY 3076 Mineola Pike	Widen/improve from KY 236 Donaldson Road to I-275
Medium Priority Projects (Completed within 11 to 20 Years)		
3	I-75/US 42 Interchange	Reconstruct interchange to include flyover ramp from SB I-75 and connection to Industrial Road
7	Graves Road	Re-align with Bullittsville Road and widen/improve from KY 20 Petersburg Road to KY 237 North Bend Road
9	Rice Pike	Widen/improve from Camp Ernst Road to Hicks Pike and re-align with Hicks Pike
18	KY 20 Petersburg Road - West	Widen/improve from KY 8 Idlewild Bypass to KY 237
21	KY 18 Burlington Pike	Access management retrofit projects from I-71/I75 to KY 237
22	KY 20 Petersburg Road - East	Widen/improve from KY 237 to KY 212
25	Maher Road-Frogtown Road Connector	Re-alignment of Maher Road and new connector to KY 3060 Frogtown Road
28	US 25 Dixie Highway	Widen to 4 lanes from KY 338 to Walton
29	KY 18 Burlington Pike	Widen to 4 lanes from Vice Lane to KY 338 in Burlington
Low Priority Projects (Completed After 20 Years)		
1	Mall Road Extension	Extend Mall Road from KY 18 to Woodspoint Drive
4	I-75/KY 1017 Turfway Road Interchange	Reconfigure interchange to re-align NB and SB ramps
8	KY 536 Hathaway Road	Widen/improve from Camp Ernst Road to US 42
11	Frogtown Connector Extension - South	Extend Frogtown Connector from KY 338 Richwood Road to KY 1292 Beaver Road
13	KY 1292 Beaver Road	Widen/improve from Camp Ernst Road Extension to Frogtown Extension Connector - South (Project #11)
16	Richwood Church Road/KY 2951 Chambers Road	Widen/improve from Hicks Pike to US 25 Dixie Highway
17	Spiral Boulevard-Cavalier Court Connector	Construct new bridge over I-71/I75 and connect Spiral Boulevard with Cavalier Court
20	I-71/I-75-to-KY 16 Connector	Modify I-71/I-75 interchange and construct connector road to KY 16 at Walton
23	Bullittsville Road	Re-align with Graves Road and widen/improve from KY 20 Petersburg Road to Burlington

APPLICATION FORM

DEC 20 2005

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

BOONE COUNTY
PLANNING COMMISSION

(See Boone County
Zoning Regulations)

SECTION A (To be completed by applicant)

1. Name of Project PARAGON MILLS
2. Location of Project BURLINGTON, KY. @ BURLINDY HILL SOUTH OF HWY 18 TO PEARL PLANE
3. Total Acreage of Site 37.57 ACRES 40.65 +/- ACRES
4. Current Zoning of Site SR-1 & SR-2 + CHURCH
5. Proposed Zoning (Classification being requested) SR-2 PD OVERLAY
6. Proposed Uses (please specify each use) CONDOMINIUMS
7. Names of Applicant(s) TOWNE DEVELOPMENT GROUP, LTD.
- Phone Number 513-381-8696 Fax No. 513-345-6970
8. Address of Applicant(s) 1055 ST. PAUL PLACE
CINCINNATI OH 45202
City State Zip
9. Name of Property Owner(s) (SEE BELOW)
- Phone Number _____ Fax No. _____
10. Address of Property Owner(s) _____
City State Zip
11. Proposed Building Intensities (please specify) 26 BUILDINGS
296 UNITS12. Are there any existing buildings on the site? YES
- How many? 3
13. Deed Book (SEE BELOW) Page No. (SEE BELOW) Group No. 2031
14. Are you also applying for:
 Conditional Use Permit
 Dimensional Variance
15. Have you submitted a Concept Development Plan? CONCURRENT
16. Have you had a pre-application meeting with BCPC Staff? YES
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- Boone County Water District
- Florence Water and Sewer Dept.
- Cinergy/U.L.H.&P. Co.
- Sanitation District #1
- Cincinnati Bell
- Owen County Rural Electric
- Boone County Public Works Department
- Kentucky Transportation Cabinet
- City of Florence Public Services Department
- Boone County Building Department

(over)

PROPERTY OWNERS:

1. EMMET C., JR. & LINDA G.
PENNINGTON
1787 BURLINGTON PIKE
BURLINGTON, KY 41005
DB. 283 P. 152
(859) 525-1218
2. JAMES R. & PATRICIA PERRY
3476 LINDENWOOD DR.
ERLANGER, KY 41018
DB. 186 P. 42
(859) 341-8903

ZONING MAP AMENDMENT
APPLICATION
PAGE 2

- Northern Kentucky Health District
- USDA NRCS/Boone County Conservation District
- KY Division of Water
- Local School District
- Local Fire District
- Other: _____

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

19. Applicant's Signature

① Property Owner's Signature

② PROPERTY OWNER'S SIGNATURE

SECTION B (To be completed by BCPC Staff)

1. Date Received 12-20-05
2. Review Fee \$1931.00 RA# 44573
3. Check what has been submitted:
 - Application
 - Fee
 - Legal Description
 - Concept Development Plan
 - Address of Adjoining Property Owners
 - 24 Number of copies of plan received**
4. Is application complete? Yes No
5. Staff Reviewer KTH
6. Committee Chairman _____
7. Scheduled Public Hearing Date 2/1/06
8. Boone County Planning Commission Action:
 - Approval
 - Approval with Conditions
 - Denial
9. Other: _____

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

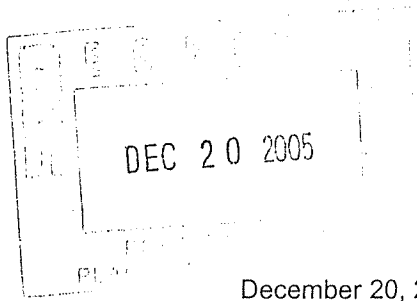
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page

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



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14 East Eighth Street
Covington, KY 41011
p.859.261.1113
f.859.261.1710

December 20, 2005

Mr. Kevin Wall, AICP, CDT
Zoning Administrator
Boone County Planning Commission
2995 Washington Street
Burlington, Kentucky 41005

RE: Paragon Mills
Zoning Map Amendment
Concept Development Plan
Burgundy Hill Drive
Boone County, KY

Dear Kevin,

Enclosed please find the following information for the above-mentioned Zoning Map Amendment request:

1. Application for Zoning Map Amendment
2. Review Fee for \$1,931.00
3. Five Copies of the Concept Development Plan
4. One reduced copy of the Concept Development Plan
5. Legal Description of the area to be reviewed
6. List of adjoining property owners
7. Five copies of the Conceptual Landscape Plan
8. One reduced copy of the Conceptual Landscape Plan
9. Five copies of a written narrative addressing the PD requirements and Comprehensive Plan Goals and Objectives along with the 8-1/2 X 11 copies of the following:
 - a. Typical building elevations
 - b. Typical signage details
 - c. Typical building landscaping details
 - d. Sight Line Profiles

In addition to the above information, the traffic impact study will be forwarded in the next few weeks upon completion. Also, a disk with jpg format copies of the conceptual drawings will also be provided, for your use.

The site is currently zoned SR-1, SR-2, and C-4/PD/CD and is proposed to be amended to zone SR-2/PD. It is the applicant's request to construct approximately 290 condominiums with primary access from Burgundy Hill Drive with a proposed secondary connection to Shaker Run Subdivision.

It is the applicant's opinion that the request is in agreement with the adopted Comprehensive Plan and its Future Land Use Map. Specifically, the Future Land Use map identifies the majority of the area for Suburban Residential uses which allows up to 8 dwelling units per acre. The proposal will allow for a gross density of approximately 7.2 dwelling units per acre, well below the permitted 8 dwelling units per acre.

Please call if you have any questions or need any additional information.

Sincerely,

Gil W. Whitacre, EIT, PLS

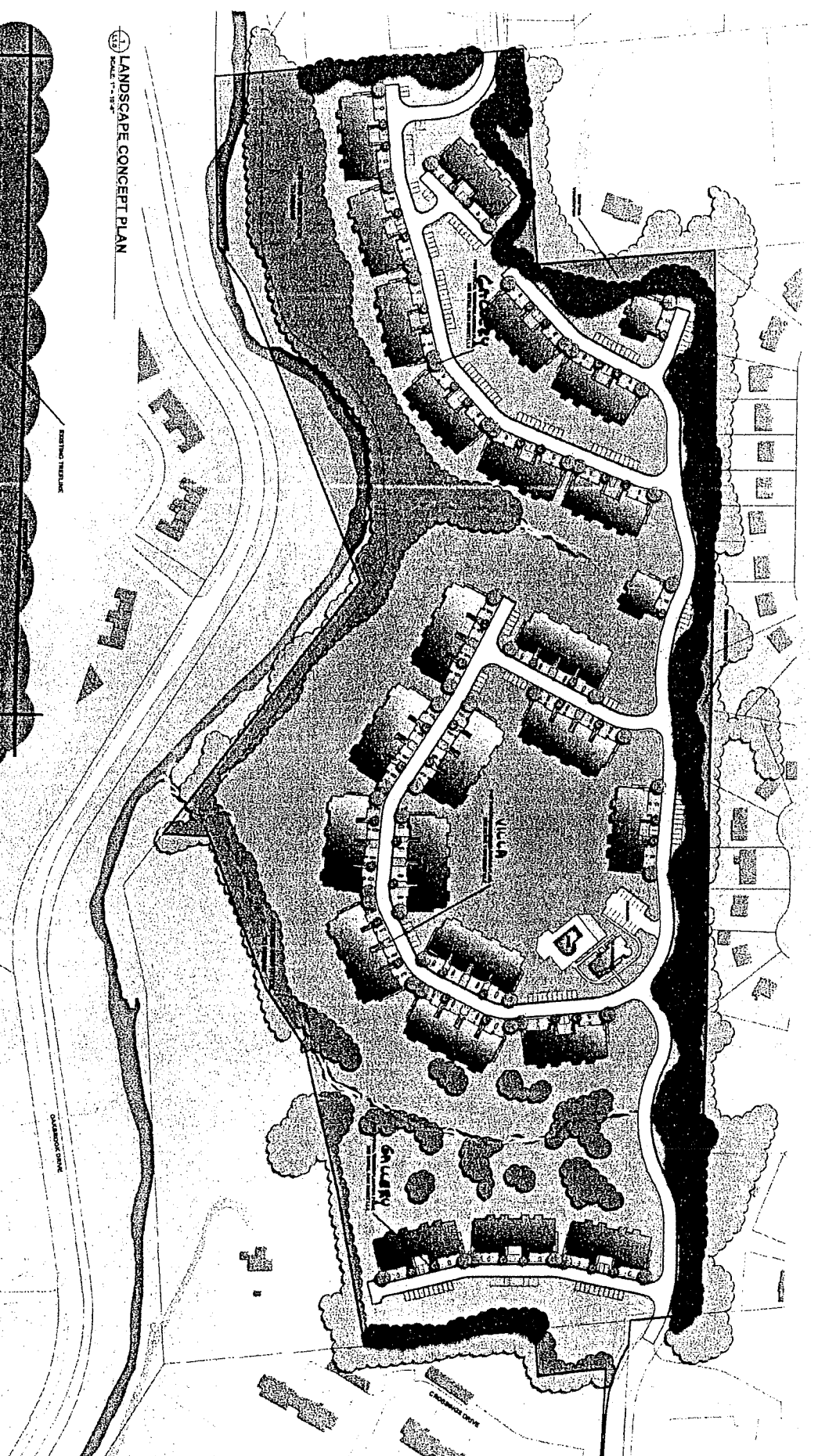
Cc: Brad Austing; Towne Development Group, Ltd.
Fritz Kruetzkamp; Grand Communities, Ltd.

① TYPICAL 200' BUFFER YARD PLANTING
SCALE 1" = 20'

NOTES: THIS IS A SMALL CONCEPT DESIGN FOR THE BUFFER YARD. THE PLANTING IS TO BE DETERMINED AFTER THE FINAL GRADING AND BUFFER DESIGN. THE PLANTING IS TO BE DETERMINED AFTER THE FINAL GRADING AND BUFFER DESIGN.



② LANDSCAPE CONCEPT PLAN
SCALE 1" = 20'





TOWNE PROPERTIES

at the Monastery
1055 St. Paul Place
Cincinnati, OH 45202

(513) 381-8698
(513) 345-6949 Fax
info@tp1.com

DEC 20 2005

PARAGON MILLS PLANNED DEVELOPMENT DISTRICT COMPLIANCE

“Paragon” is defined as ideal, and that is our vision for the Paragon Mills community.

Paragon Mills is a well planned, well designed community that supports standards set forth in the Zoning Code for Planned Development Districts, and is consistent with the Comprehensive Plan. More specifically the community promotes, provides and creates a choice of housing types serving a broad demographic in Boone County.

Paragon Mills will offer two building types with ten unique unit designs of varying size to supply area residents with quality housing for their lifestyle needs. This type of condominium community is very attractive to residents without school-age children, who are young professionals, empty nesters or residents just looking for a maintenance-free lifestyle. “Paragon” means ideal, and that is our intent with this development.

Paragon Mills has been designed to be environmentally sensitive to reduce the impact on the natural features of the site. By offering a condominium-designed community versus a conventionally zoned small lot single family subdivision, we are able to preserve 22 acres of the 40 acres for open space. Much of this open space is located around the perimeter of the site which is a tree-lined buffer, to our neighbors, that is being preserved as much as possible. Furthermore, this preservation of the natural site features enhances enjoyment of future residents as well as existing residents adjacent to the site.

Paragon Mills will offer first class amenities such as a clubhouse, fitness and pool facility connected to a large, usable open space. The pedestrian experience is enhanced by a sidewalk system that connects throughout the community with land set aside for a future Boone County linear park and pathway system.

Architectural design throughout Paragon Mills will be consistent in theme. Entry monumentation, signage, landscaping, street signs and other community elements will tastefully blend together to “speak the same design language” creating a sense of place and a communal feel. Although Paragon Mills will be positioned as its own community, it is sensitive and compatible with the surrounding land uses creating a natural transition to the single family, multifamily and commercial areas adjacent to the site.



TOWNE PROPERTIES

at the Monastery
1055 St. Paul Place
Cincinnati, OH 45202

(513) 381-8698
(513) 345-6949 Fax
info@tp1.com

In addition to the design goal of preserving and enhancing the natural buffer to the westerly single family subdivision, the spacial relationship and orientation of buildings were important in the design intent. All new buildings were generally designed to be 150' from the existing homes, and arranged so that typically the front and side elevations of our buildings are exposed to the rear elevations of the existing homes.

In closing, Paragon Mills is the ideal use for this property, and will support and be in harmony with the surrounding properties and Boone County collectively.

Comprehensive Plan Supporting Information:

The future Land Use Map shows the property as mostly "High Suburban Density" (attached housing – condominiums or town homes up to 8 units per acre), while a portion of the site is identified as "Suburban Residential" (up to 4 units per acre) and "Urban Density" (attached housing, generally condominiums over 8 units per acre). It is the applicant's opinion that the proposal is consistent with the general boundaries of the future Land Use Map as the proposed overall gross density is approximately 7.2 dwelling units per acre.

The Land Use Element relates the following about the area:

"The developing residential area south of KY 18, west of Oakbrook Drive and east of Camp Ernst Road must include street connections that enable traffic generated by the area to travel in all four directions. This should allow Oakbrook traffic to proceed to KY 237 in the Rogers Lane area, and Shaker Run traffic to access KY 18 without traveling Camp Ernst Road or Oakbrook Road."

With the inclusion of the Perry property at the south end of the development, this section of the Land use Element is addressed. Although the Perry property has a general land use designation of SR, by including this parcel in the overall plan for the area the connection to Shaker Run Subdivision to the south becomes a possibility.

The adopted 2005 Boone County Comprehensive Plan Goals and objectives include the following pertinent statements and are addressed with this proposal as noted:

Goal: Proper planning is achieved through accepted land use management tools and coordination with public infrastructure (Unincorporated Boone County only) ("Overall" Goal).

As stated above, the proposal is in general conformance with the Future Land Use Map and adequate infrastructure exists at the site.

Objective: Proper design principles shall be applied in development. ("Overall", Objective #3)

It is the applicant's opinion that proper design principles have been applied to the site. The plan includes buffering and additional building setback distances along existing single-family residential uses to the west and south boundaries and orienting the interior buildings such that only the front or side elevation is visible from the adjoining properties. The proposal also provides a street inter-connection and the provision for public "condominium standard" streets throughout the development.

Objective: 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)

Unlike many new developments that stretch the limits of infrastructure and services into outlying areas, this proposal is mostly surrounded by properties that are already developed where adequate infrastructure and services are already in place.

Goal: The needs of Boone County's population are measured and fulfilled through the provision of orderly growth. ("Population" Goal)

There are existing commercial uses along SR 18 to the north and higher density multifamily developments between the site and the aforementioned commercial uses. Adjoining the eastern boundary of the site is Oakbrook Drive which provides access to the higher density multi-family sections of the Oakbrook community. Adjoining the subject property to the south is higher density single-family uses in the Shaker Run Subdivision and immediately to the west are existing single-family residences. It is the applicant's

opinion that the proposal is an orderly transition of development intensities in this general area based on the overall proposed density, provision of open space and location of buffer yards.

Objective: 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" Objective #2)

The existing site has a number of physical assets such as a wooded buffer area along Gunpowder Creek along the east side of the development, two drainage courses that bisect the site in a west-to-east direction, and mature existing vegetation along the north, west, and south property lines. The proposed plan utilizes these existing site assets by preserving the wooded creek corridor along Gunpowder creek and offering a permanent dedication for the provision of a future hiker/biker trail along this creek route. Grading is mainly focused on the ridge tops in an effort to minimize disturbance to the drainage courses bisecting the site utilizing these swales mainly for storm water detention. Building setbacks along the perimeter of the site have been increased in many areas so that as much of the existing vegetation as possible along the north, west and east property lines will be retained to help fulfill landscape and buffering needs.

Objective: A broad range of housing opportunities shall be provided which meet the needs and desires for all household types. ("Housing" Objective #1)

Clearly, with the variety of unit types proposed, and the ever increasing market demand for "maintenance-free" living, this objective is met with the proposed plan.

Objective: 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.... ("Housing" Objective #8)

As mentioned previously, the development has been proposed to provide interconnection with the Shaker Run development to the South. The "main road" through the development has been designed with a number of intersections and a curvilinear layout to help promote calm vehicular movements and avoid having a "straight-shot" from Holbrook Lane to KY SR18 which would lend itself to higher speeds.

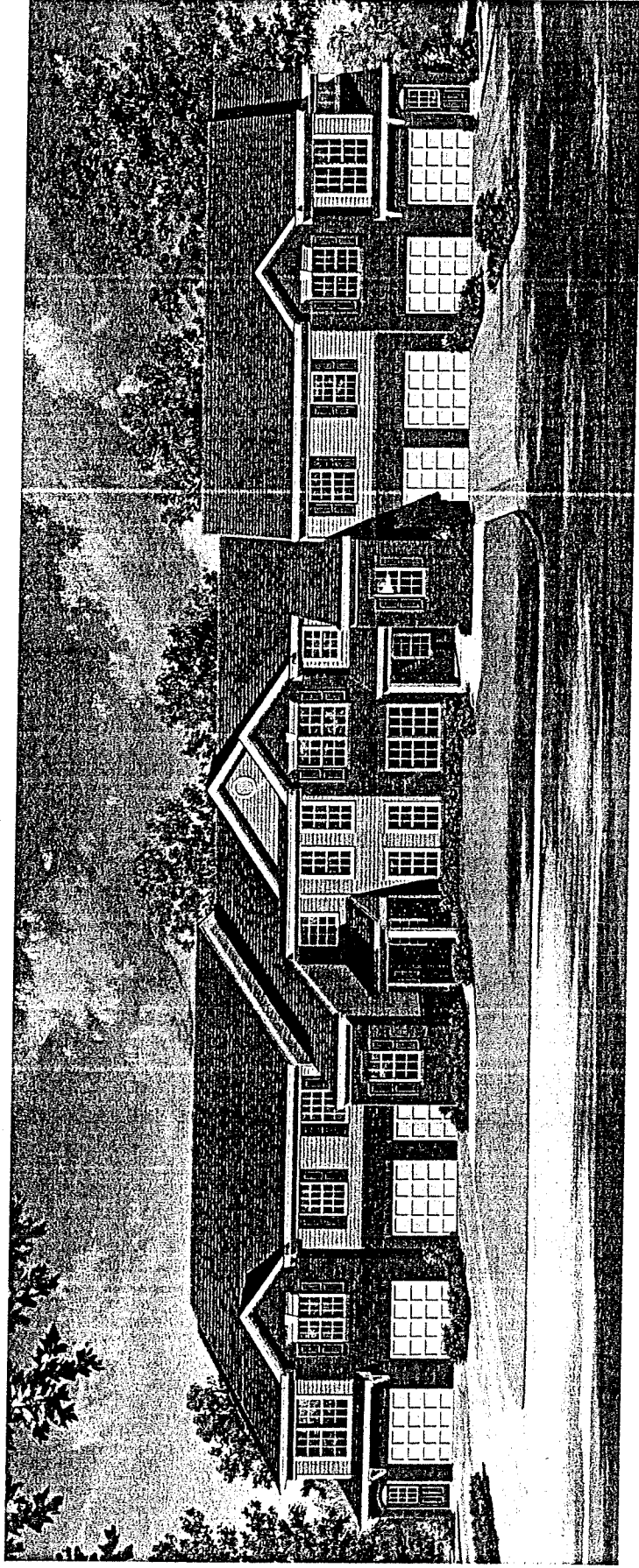
Objective: Mixed use, higher density neighborhoods shall be encouraged to locate at proposed mass transit stations near commercial districts and public facilities (i.e. parks) and also have convenient access to major streets and highways. ("Housing" Objective #10)

This development will have its main entrance from KY#18 off of Burgundy Hills Drive which also provides access to the existing commercial uses along KY#18 (i.e. Kroger's and Walgreen's, etc..) The proposed sidewalk system will connect to the existing sidewalk along Burgundy Hills Drive providing pedestrian access to the commercial uses and the existing mass transit stop in the commercial development. Although this is not a "higher density" type of development, the applicant feels that this objective is still relevant and is met by this proposal for this site.

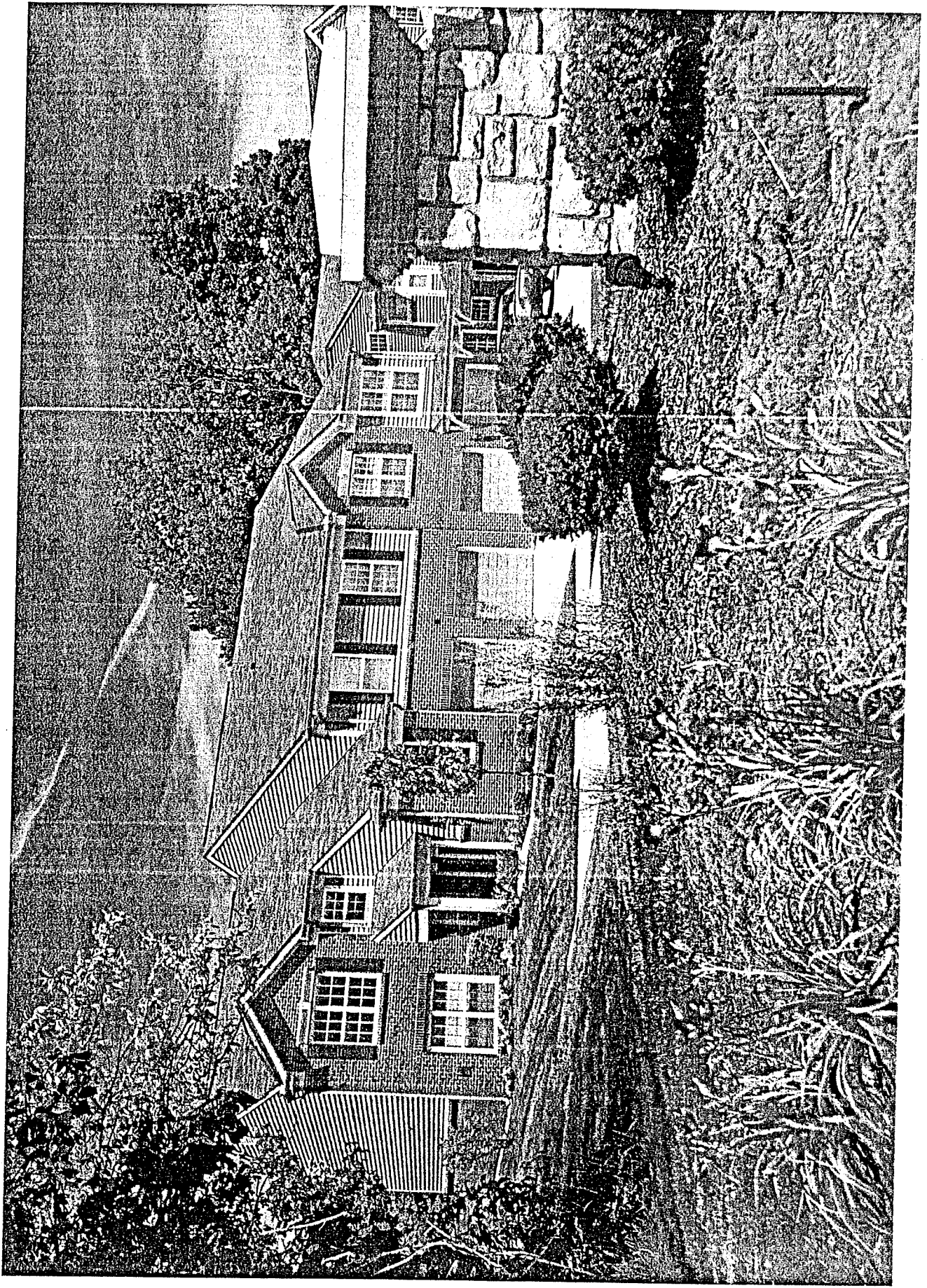
Objective: Greenways or greenbelts located along creek valleys or abandoned country roads shall be promoted as a possible linear park system that would serve the multiple purposes of recreation, ecological conservation and alternative transportation.... ("Recreation and Open Space" Objective #8)

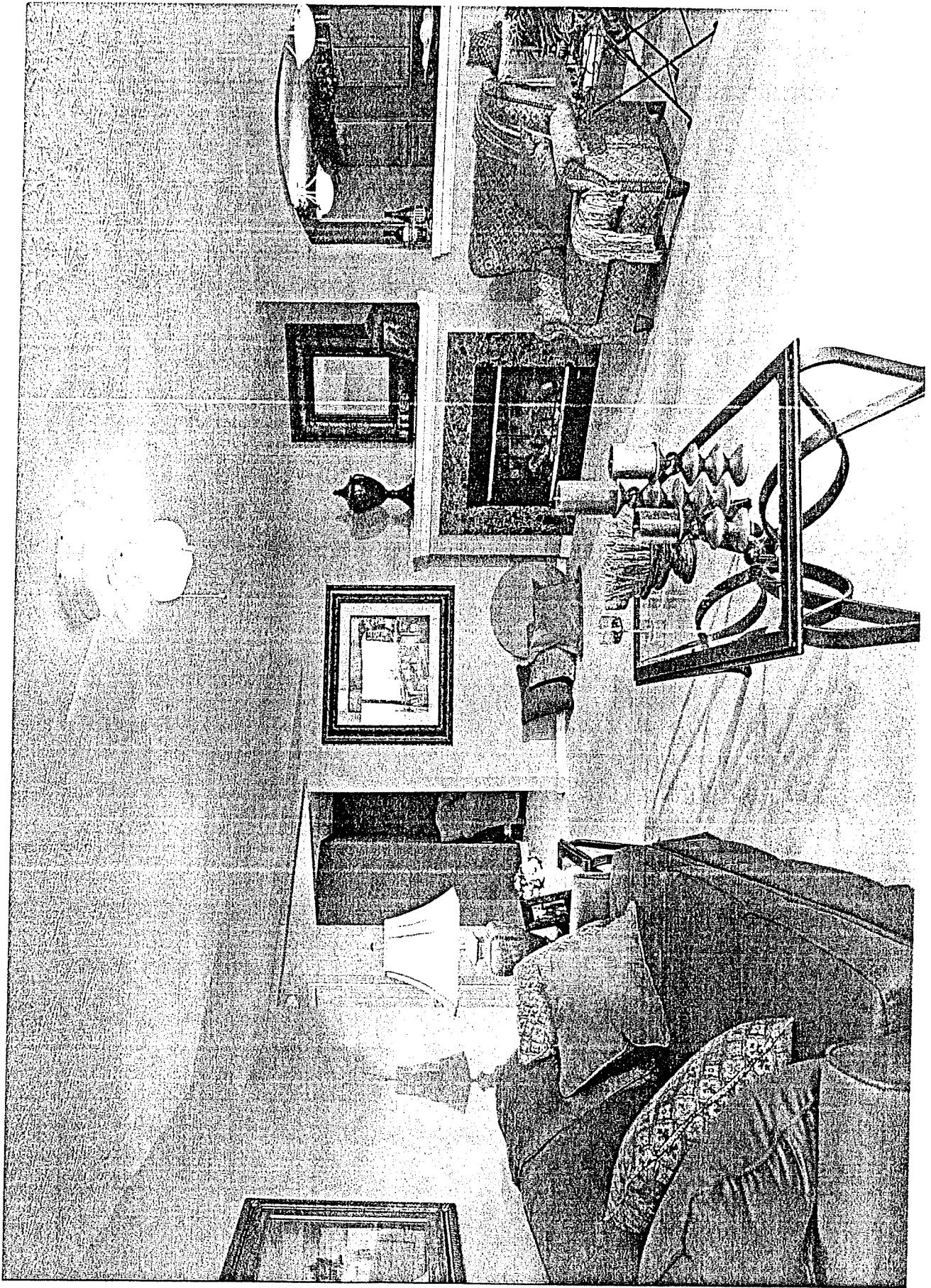
Through a number of pre-application meetings with the staff, it was learned that the area along Gunpowder Creek is envisioned as one day being part of a linear park system that would benefit the County. The applicant has proposed, with this plan, to set aside an area along the creek corridor to facilitate the location of this "greenway" that could be developed by the county or other entity in the future.

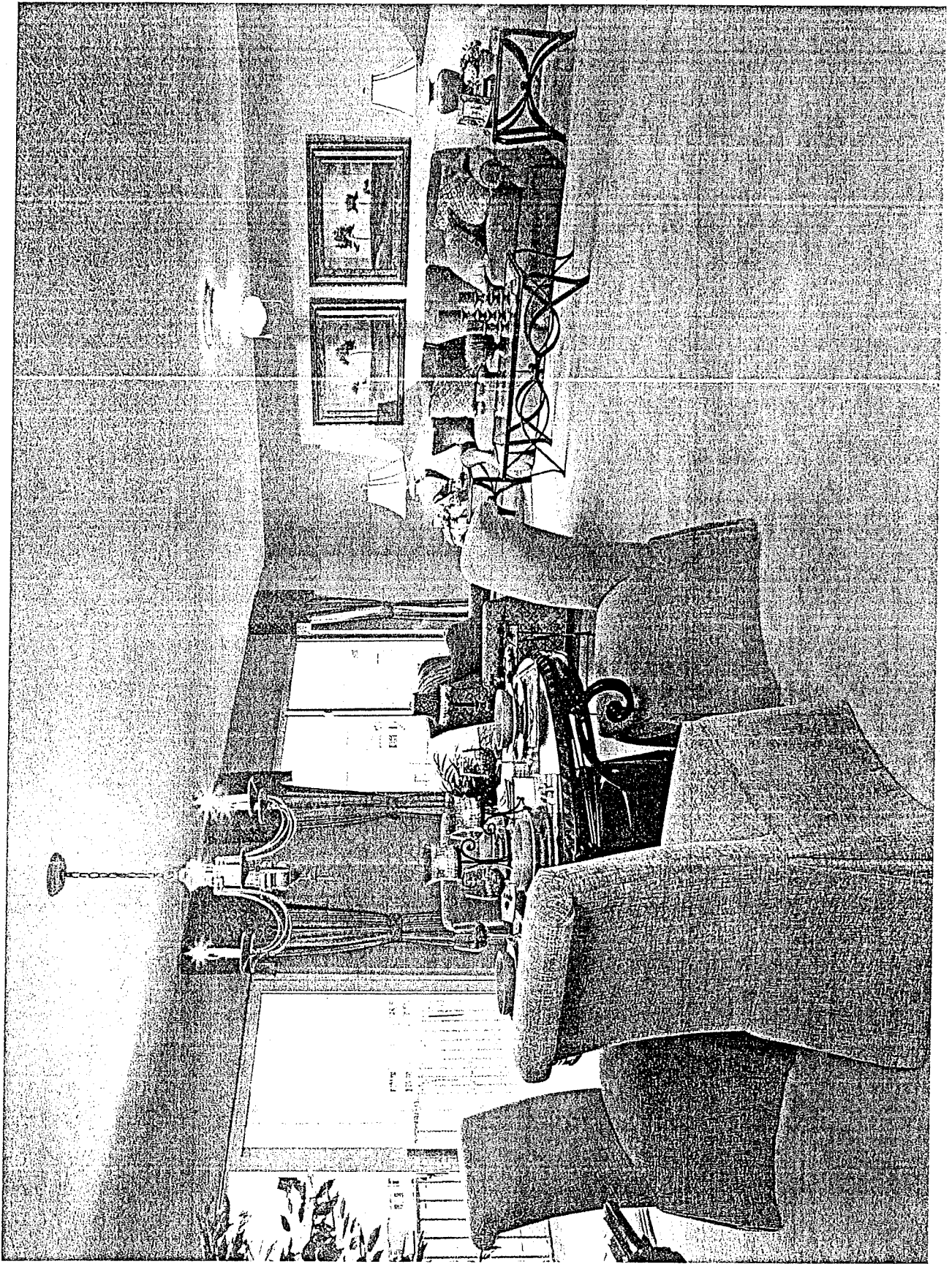
FISCHER ATTACHED HOMES

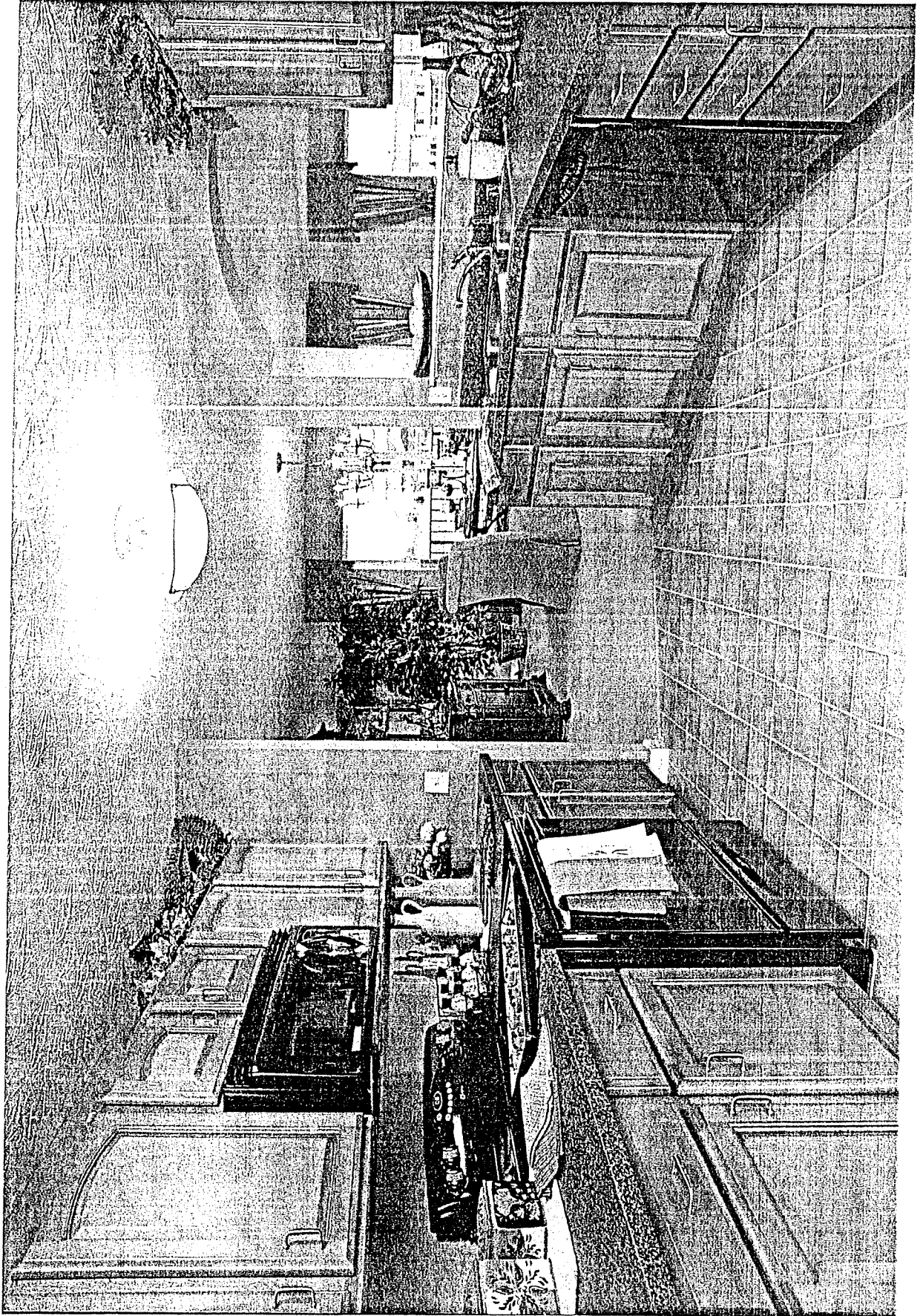


GALLERY COLLECTION

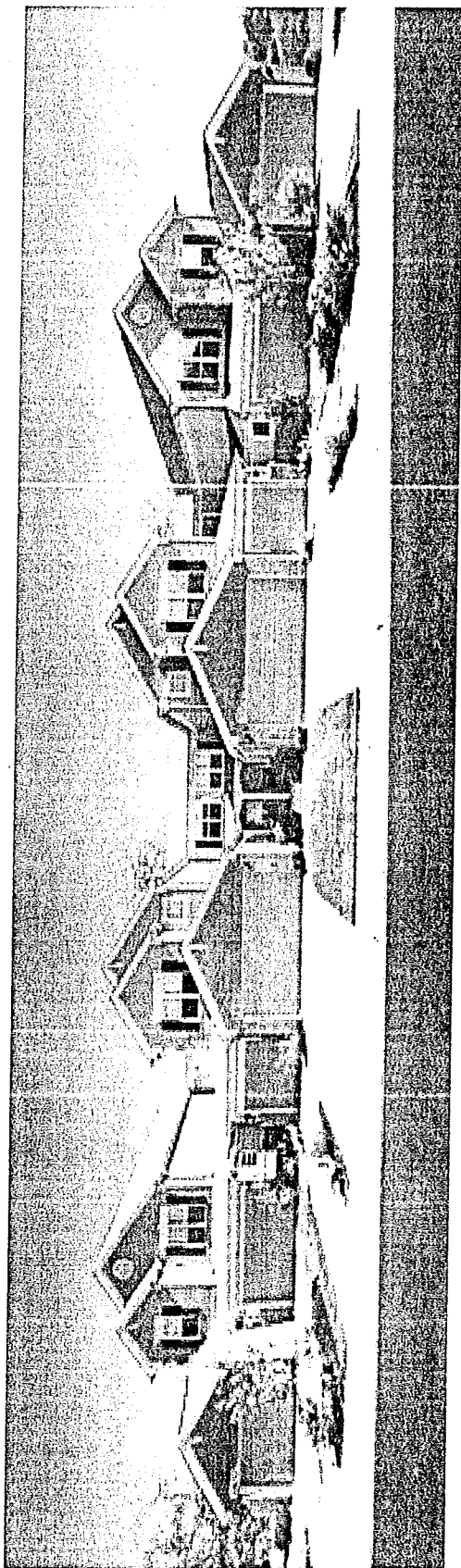




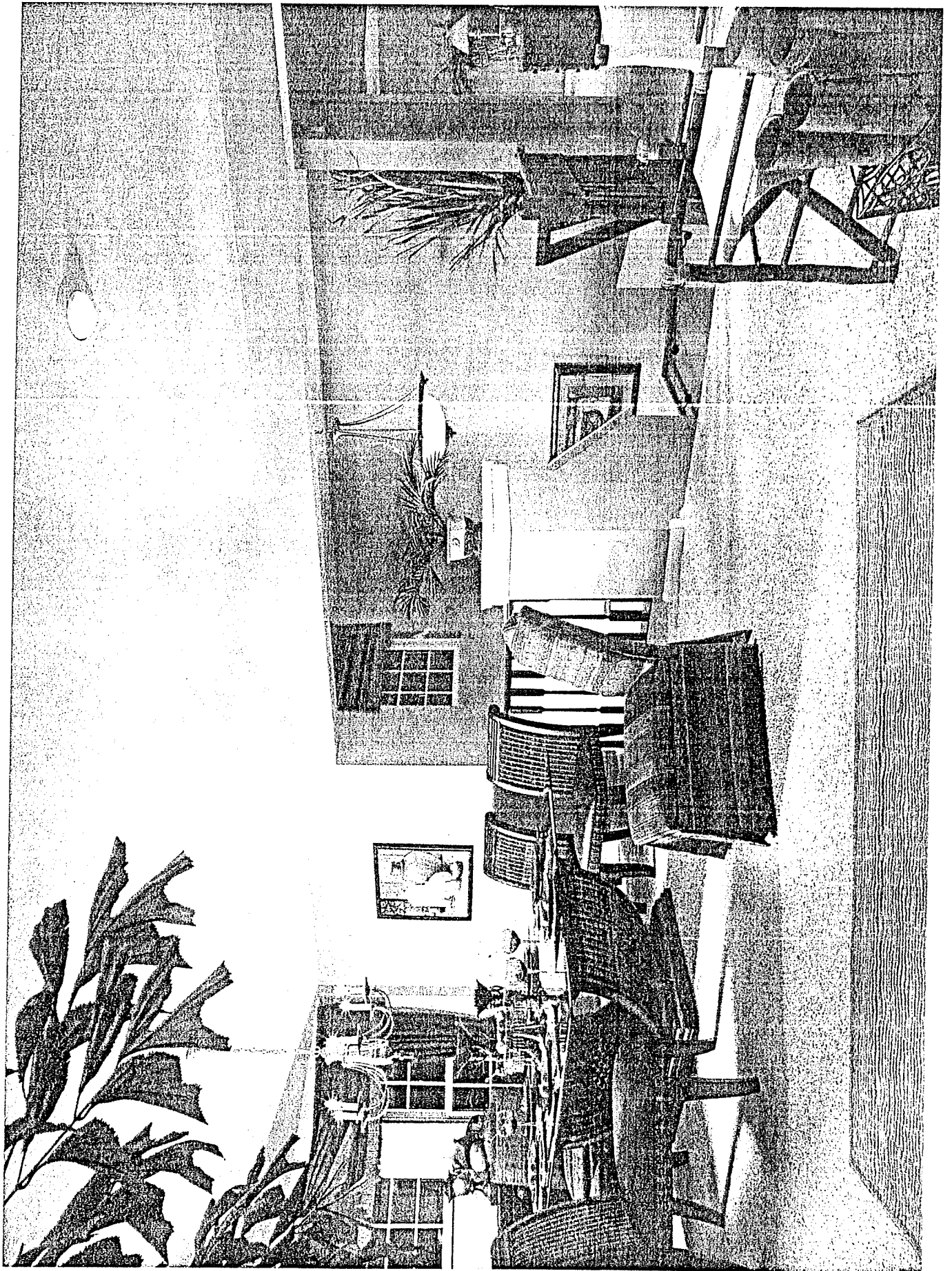


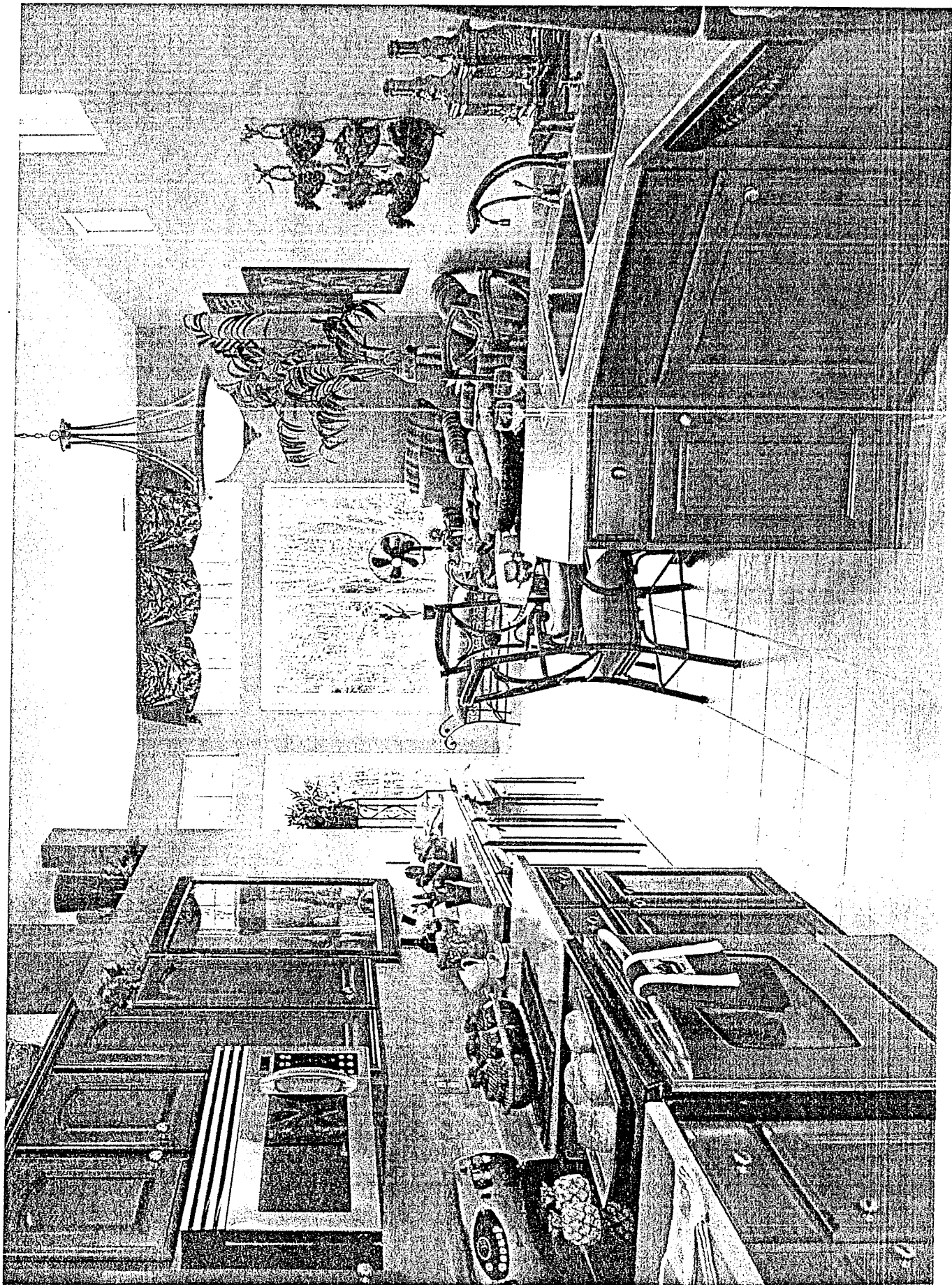


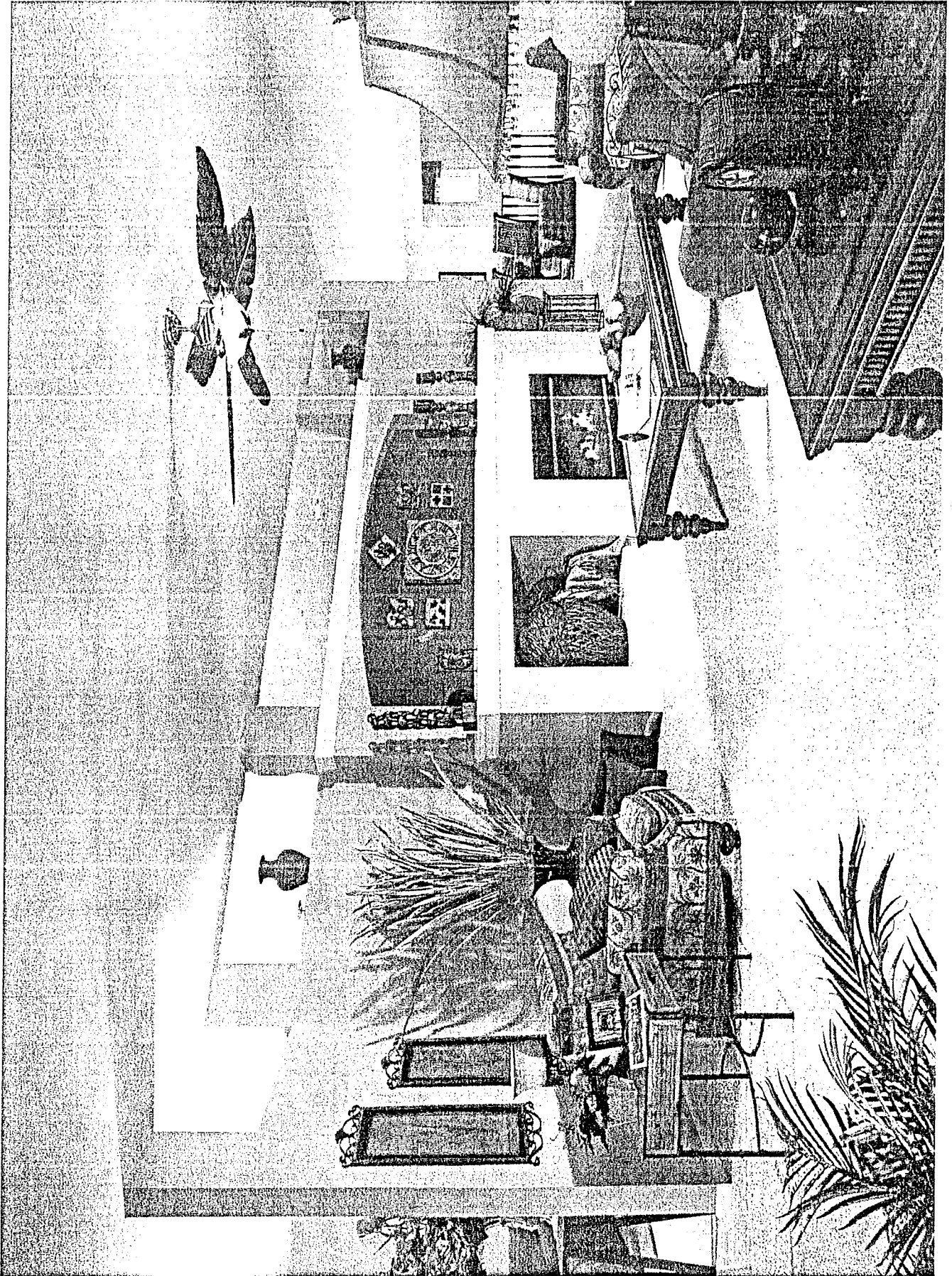
FISCHER ATTACHED HOMES

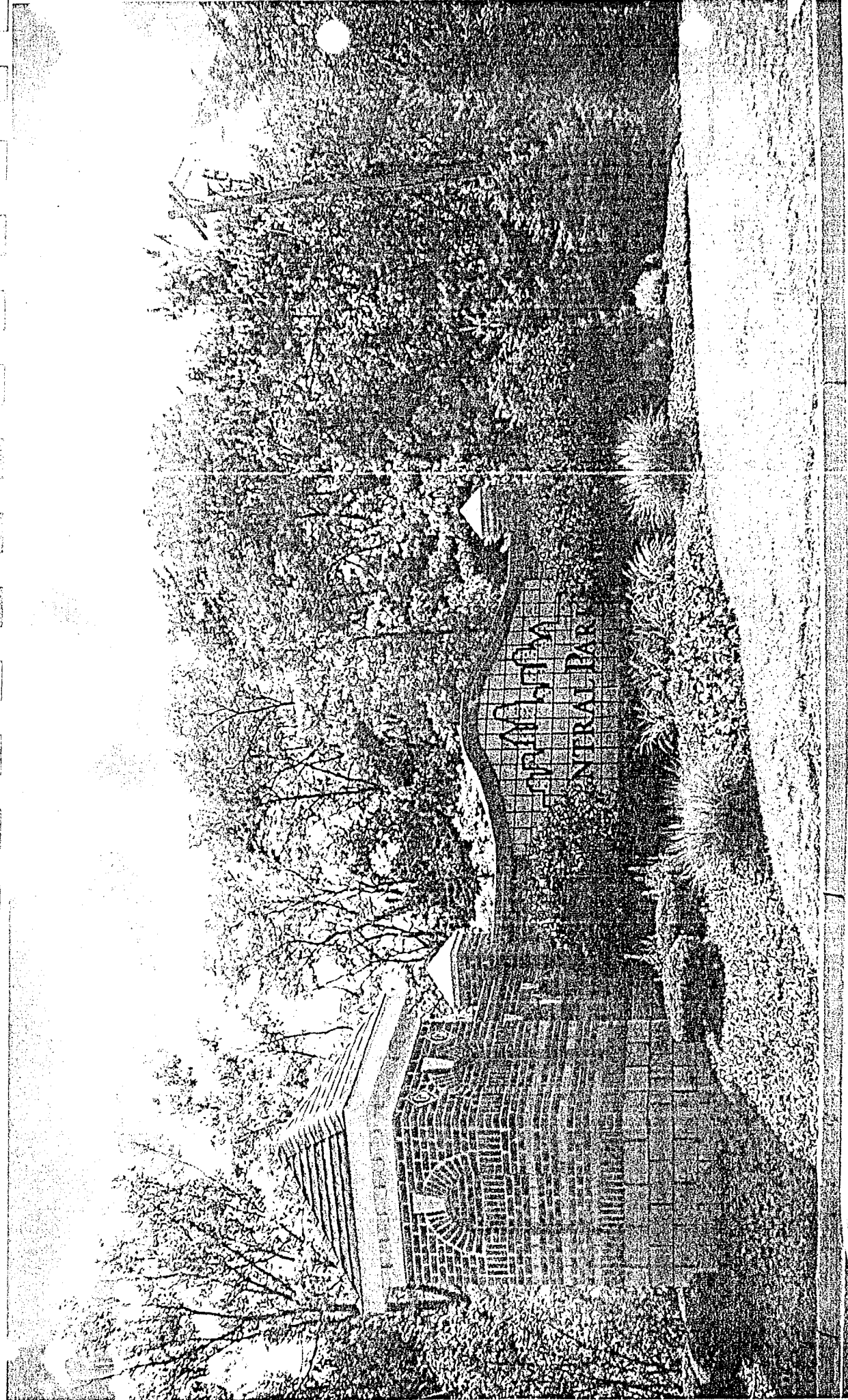


VILLA II COLLECTION

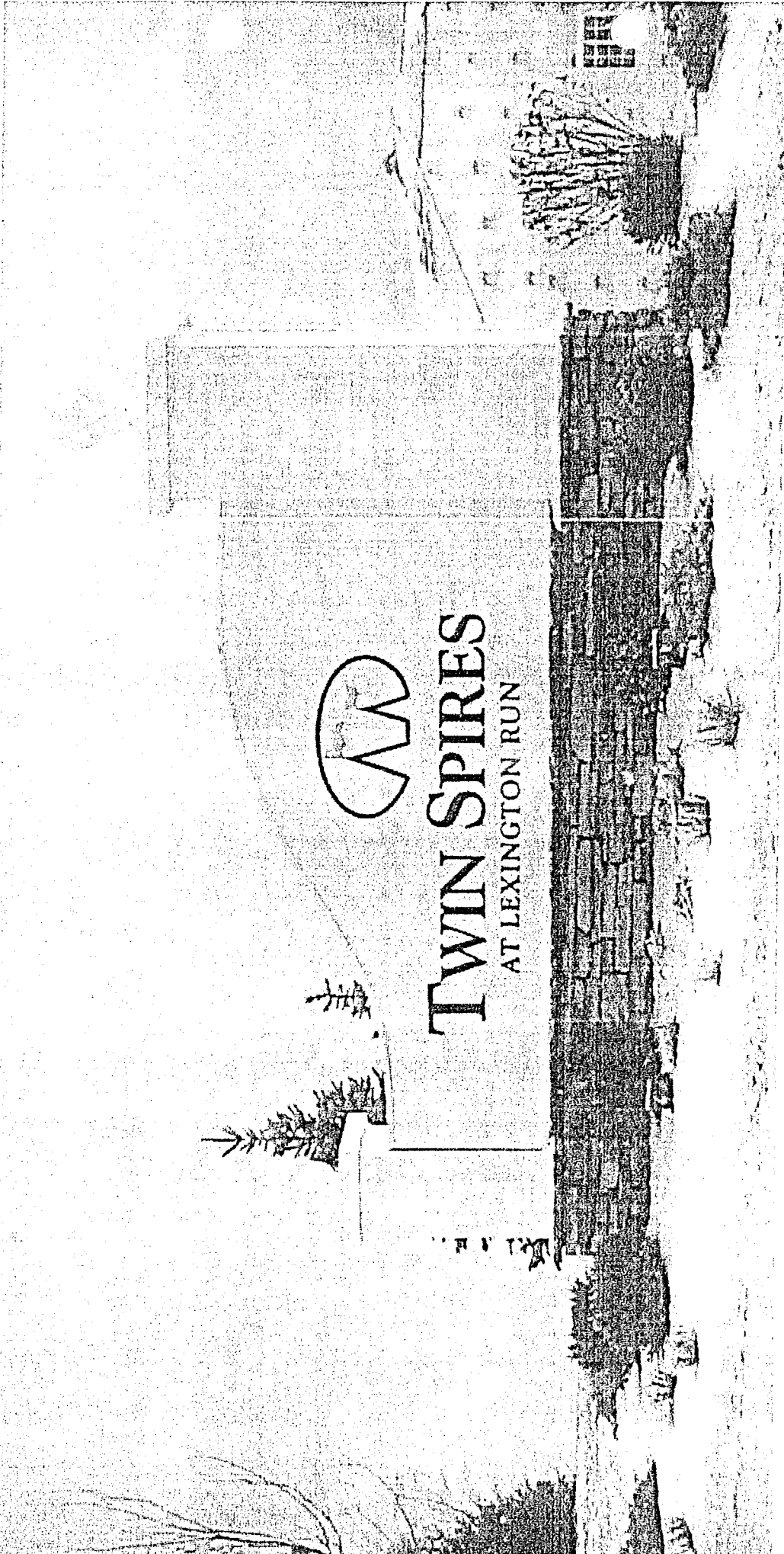




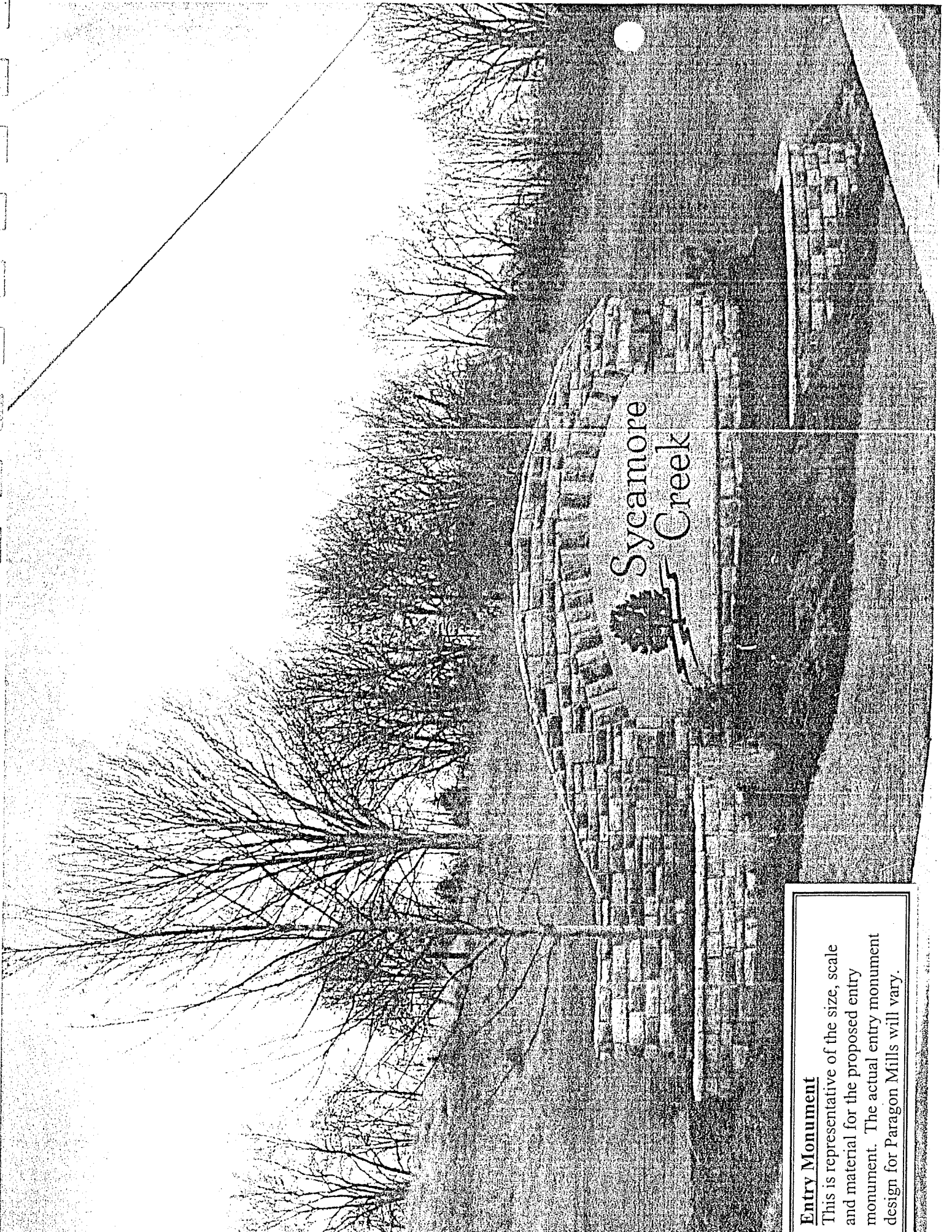




Entry Monument
This is representative of the size, scale and material for the proposed entry monument. The actual entry monument design for Paragon Mills will vary.



Entry Monument
This is representative of the size, scale and material for the proposed entry monument. The actual entry monument design for Paragon Mills will vary.



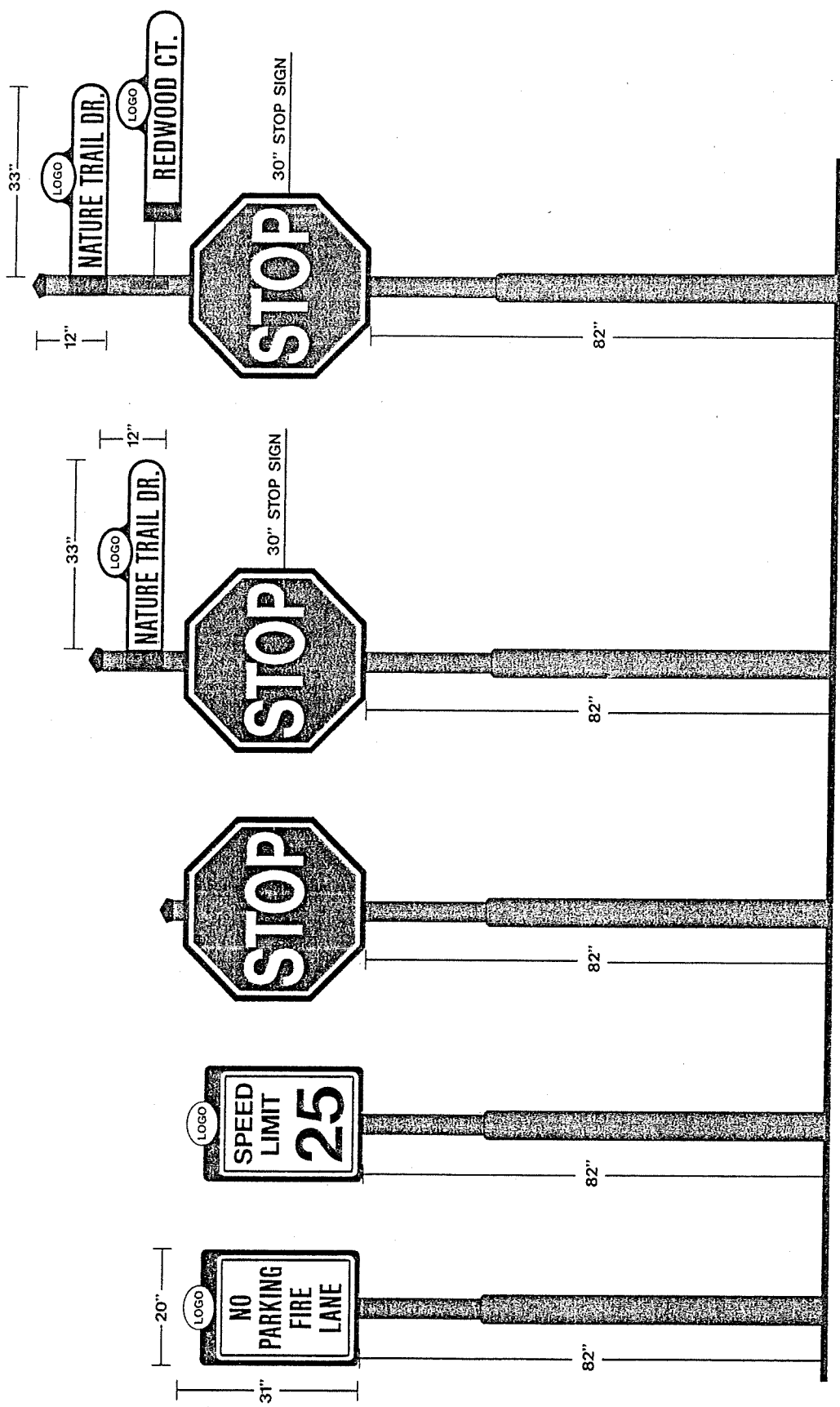
Entry Monument
This is representative of the size, scale and material for the proposed entry monument. The actual entry monument design for Paragon Mills will vary.



IVY
GLENN
flourish

Secondary Entry Monument

This is representative of the size and scale for the proposed secondary entry monument. The actual secondary entry monument design for Paragon Mills will vary.



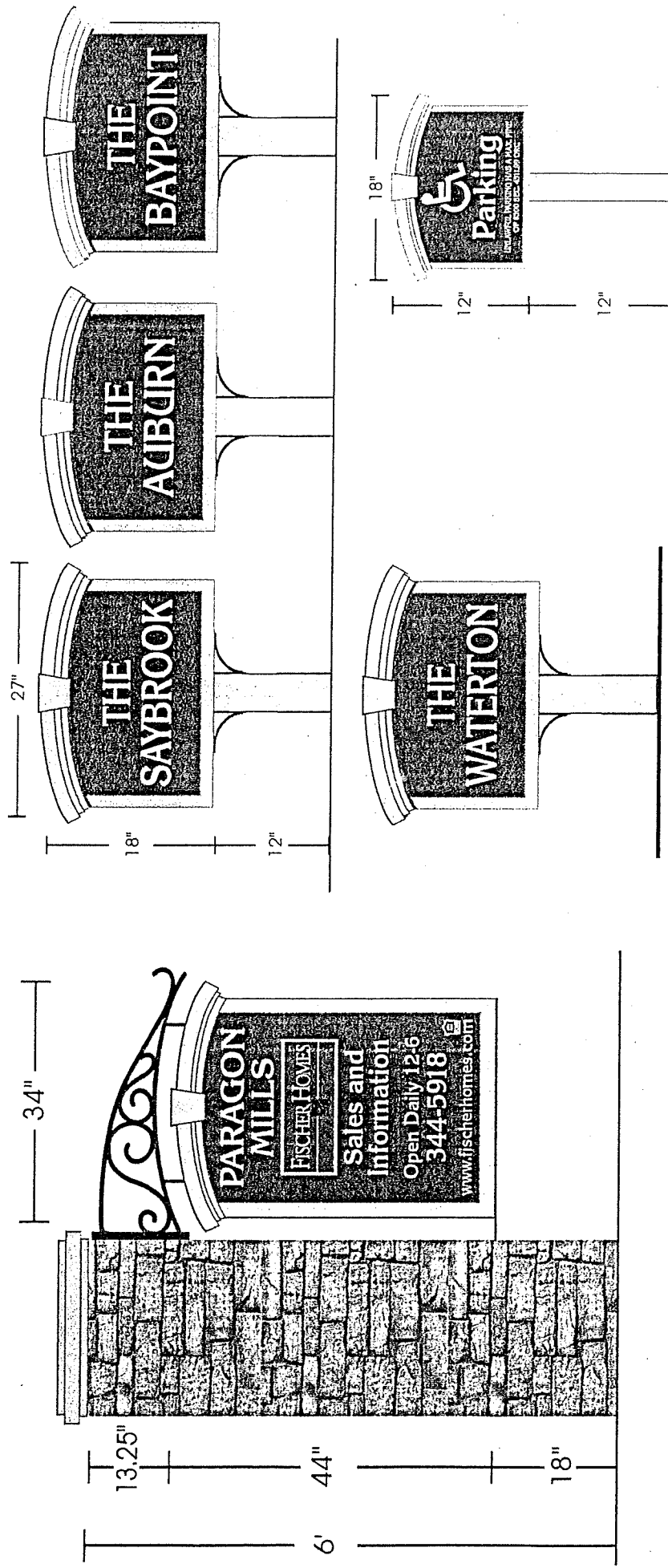
FRONTIER SIGNS MODEL DISPLAYS MAILBOXES

PO BOX 328 525 NEW BIDDINGER RD. HARRISON OH 45030
 EMAIL: FRONTIERSALES@FUSE.NET
 PHONE 513-367-0813 FAX 513-367-5739

CLIENT APPROVAL:
 CLIENT SIGNATURE INSURES THAT ALL SPELLING, COLORS, AND SPECIFICATIONS
 FOR SIGNAGE RENDERED ON THIS SKETCH DOES MEET CLIENT SATISFACTION

DATE: _____ ACCEPTED BY: _____
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MODEL HOME SIGNAGE



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8'

Coming Soon

CONDOMINIUMS

*Villa II Collection from the \$240's
Gallery Collections from the \$90's*

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4'

2'



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8'



4'

2'



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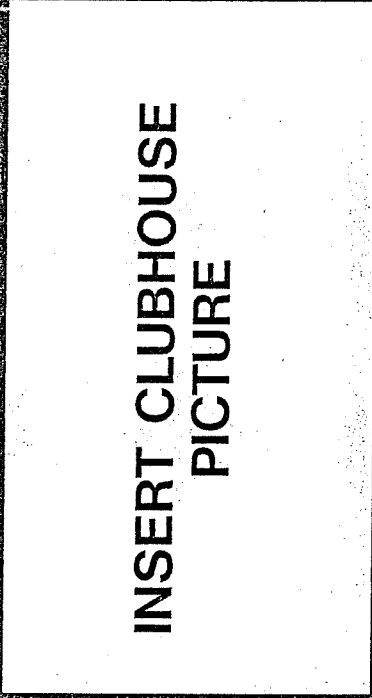
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12'

Coming 2008

RECREATION CENTER & POOL



**INSERT CLUBHOUSE
PICTURE**



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www.fischerhomes.com

10'

3'



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EMAIL: FRONTIERSALES@FUSE.NET

PHONE 513-367-0813

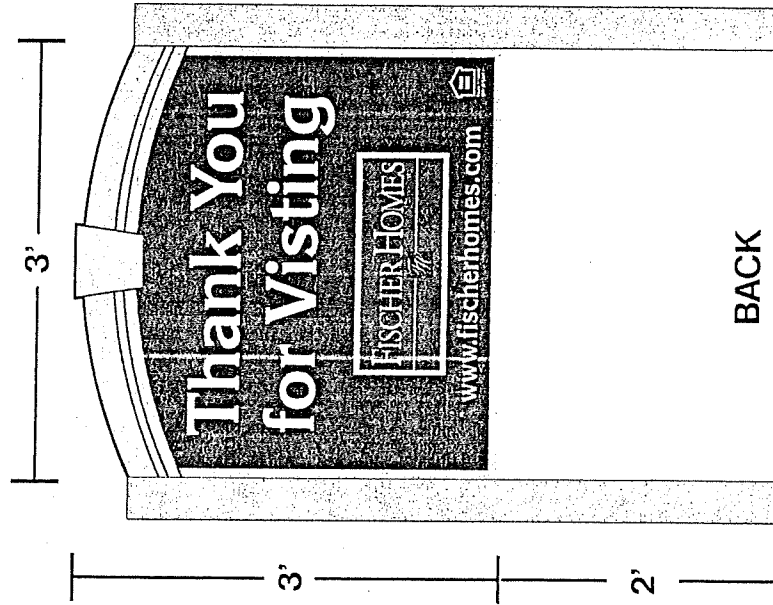
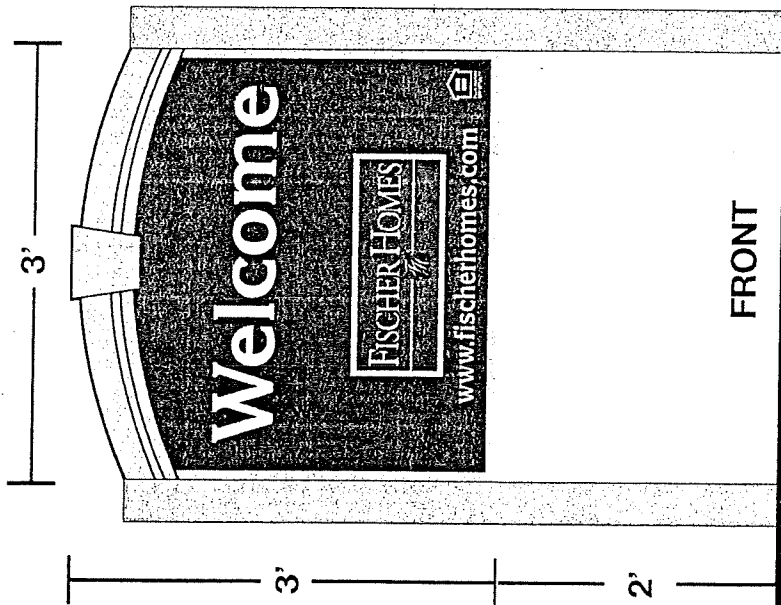
FAX 513-367-5739

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DATE: _____ ACCEPTED BY: _____

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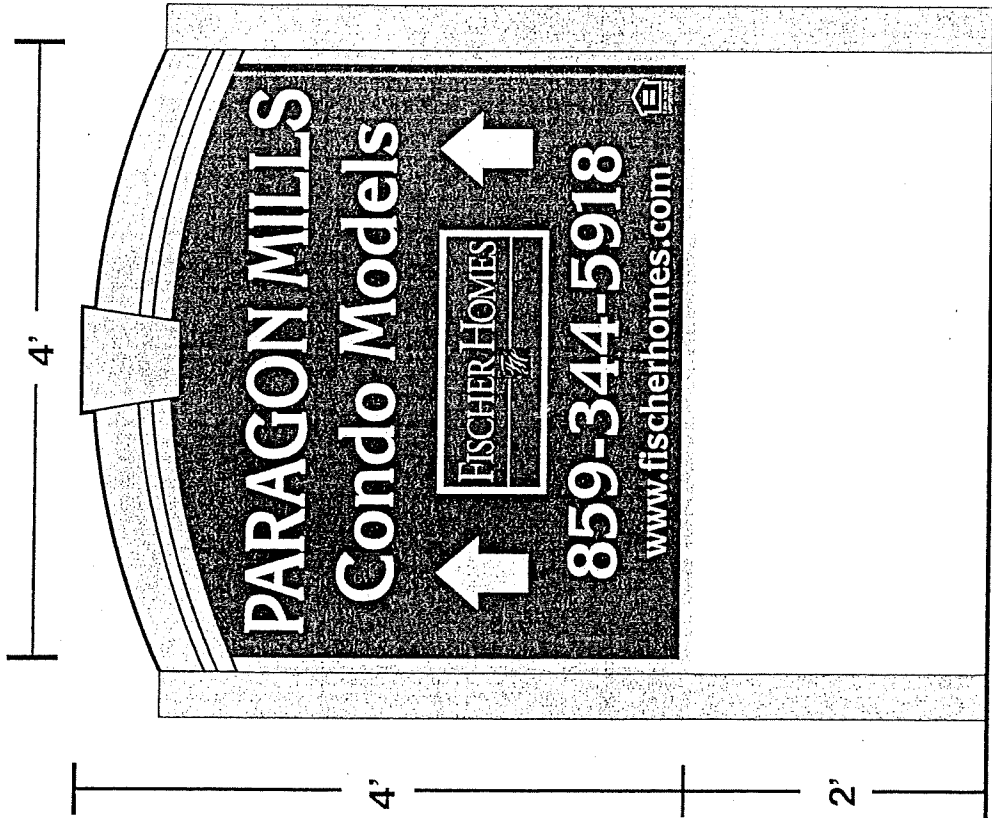


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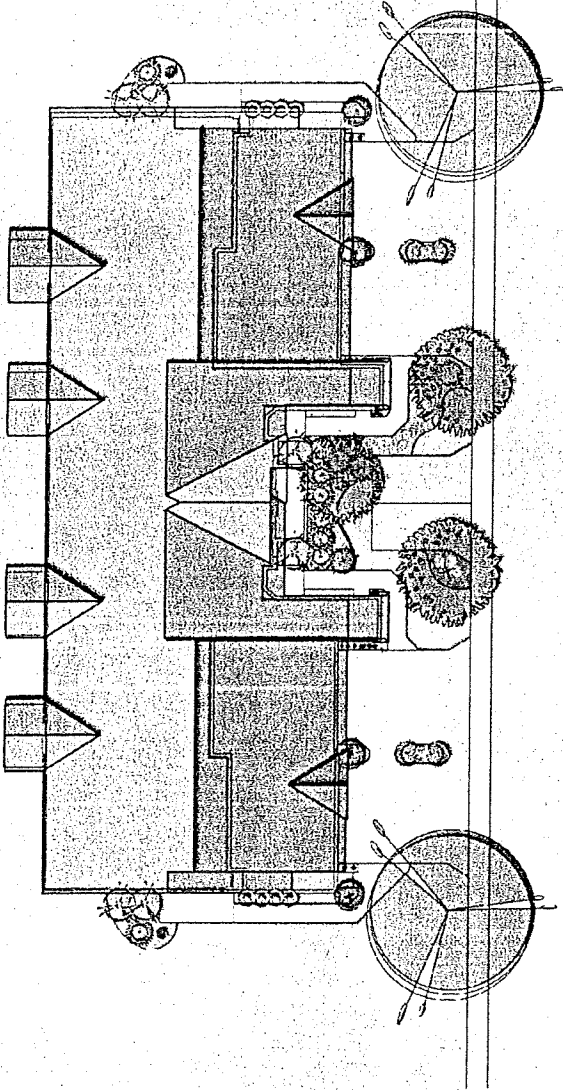
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LAWN	SIZE
1 Acer glaberrimus 'Nero' 8' x 8'	2.5 m
2 Eucalyptus nitens 'Nina' 8' x 8'	2.5 m
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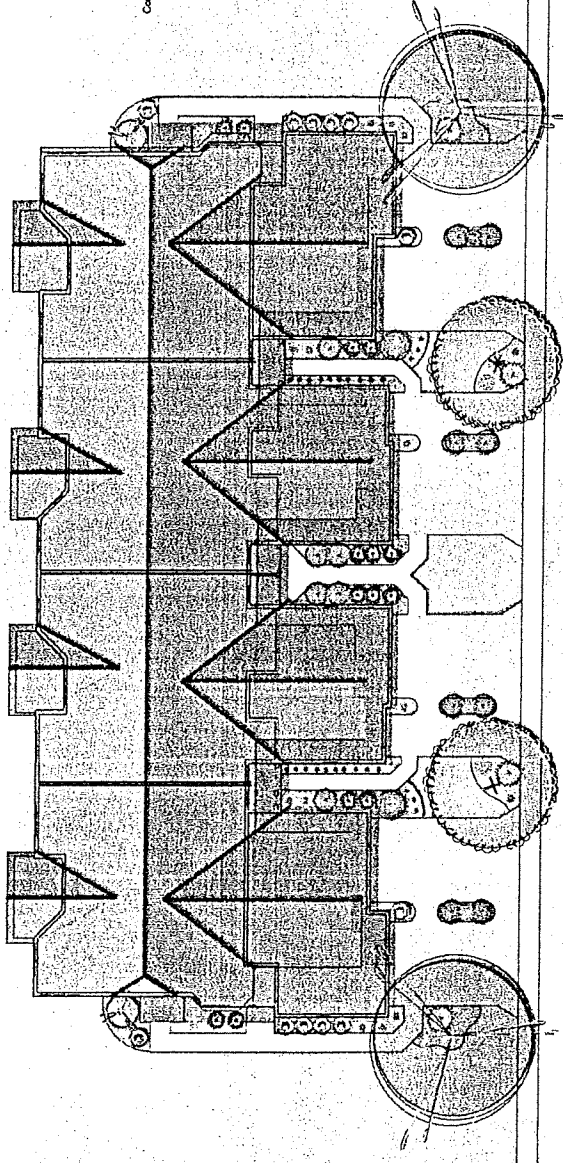
CONCRETE COLUMN	SIZE
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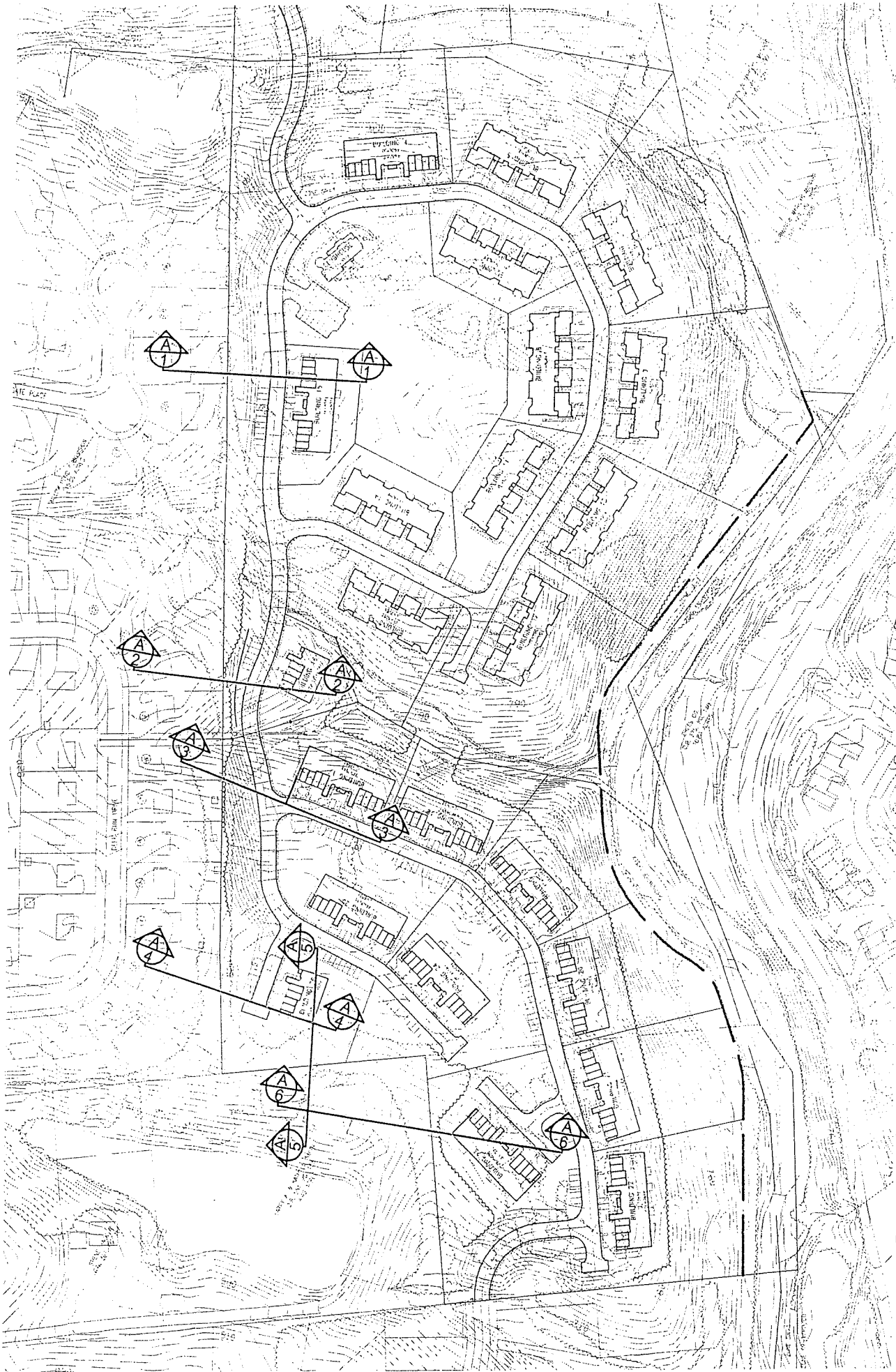
TYPICAL GALLERY PLANTING PLAN
SCALE: 1/8" = 1'-0"

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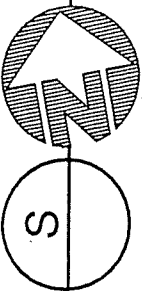
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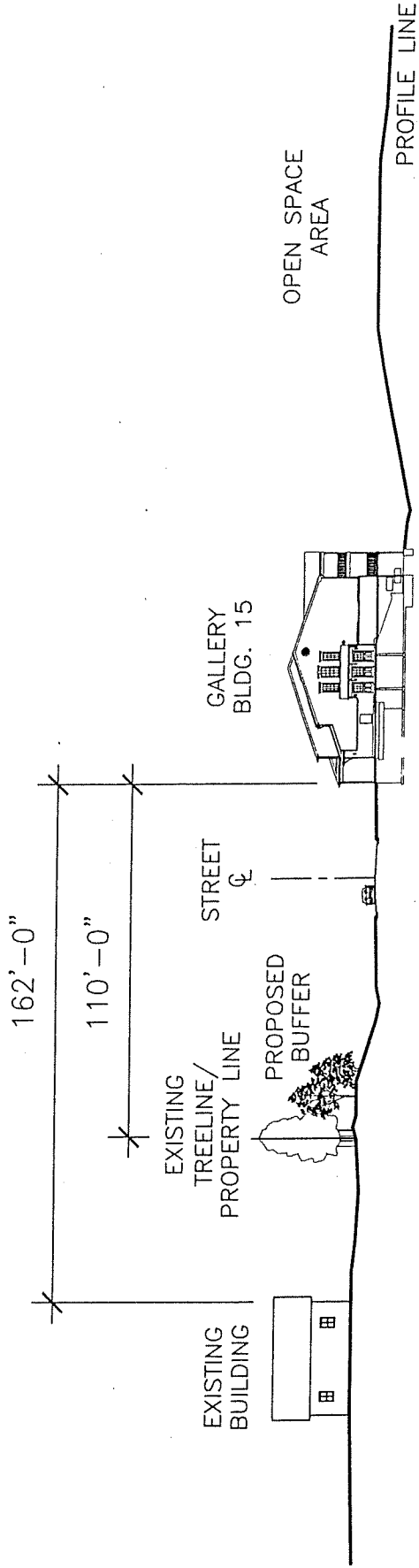
TYPICAL VILLA II PLANTING PLAN
SCALE: 1/8" = 1'-0"



SECTION LOCATIONS



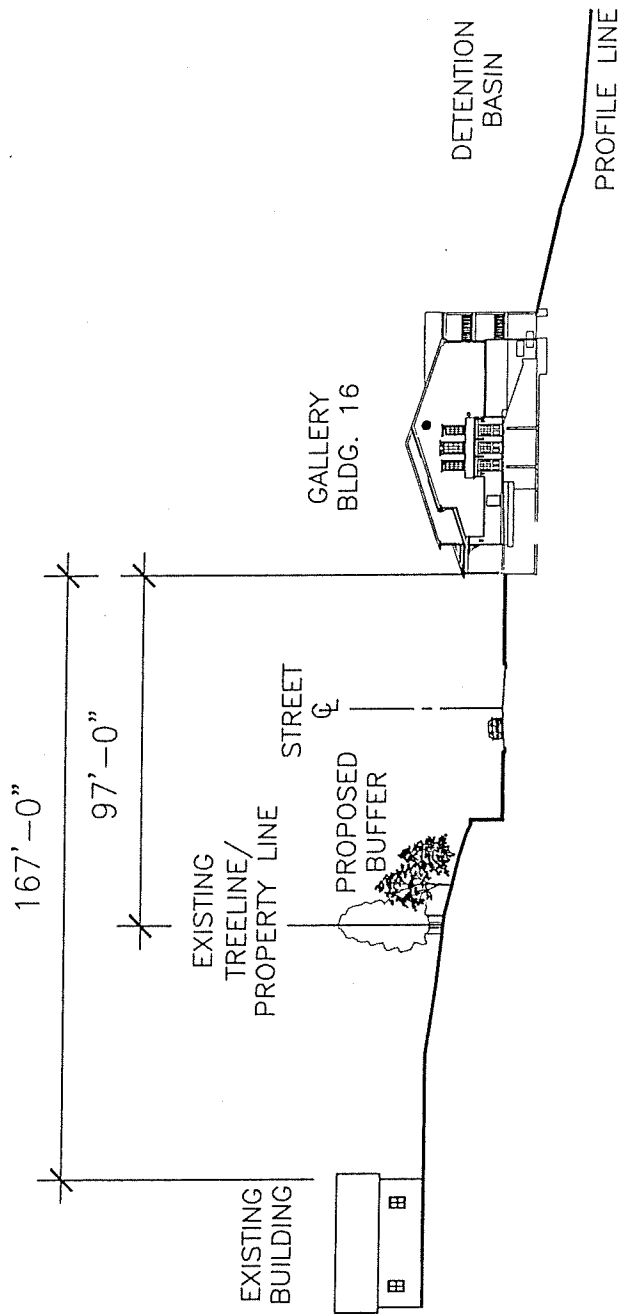
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BUILDING 15 SECTION

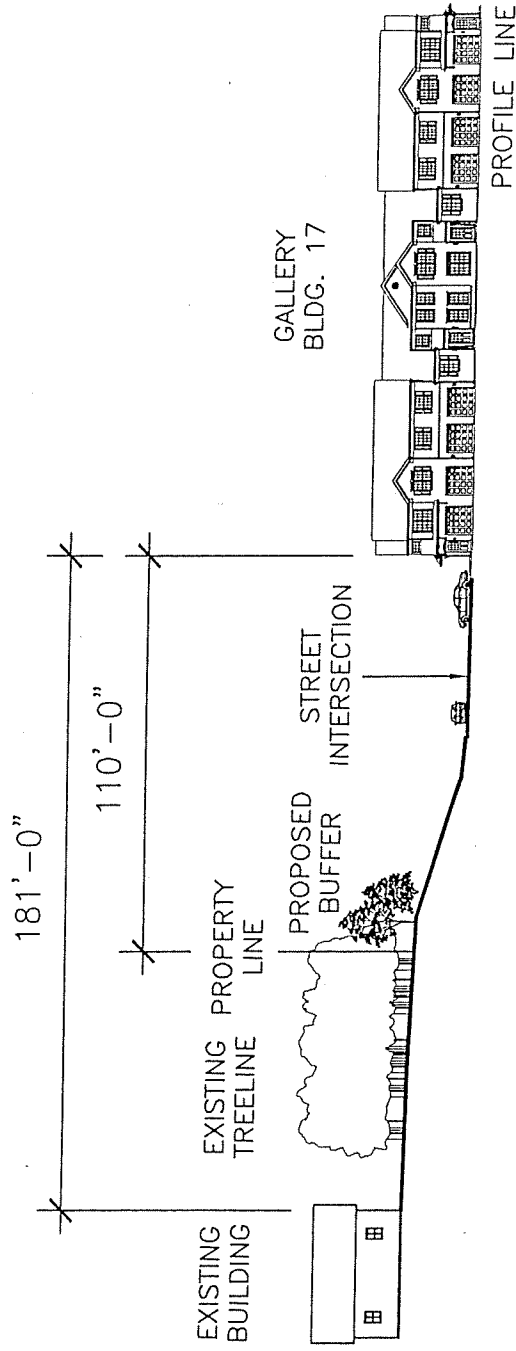
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A BUILDING 16 SECTION

SCALE: 1" = 50'-0"

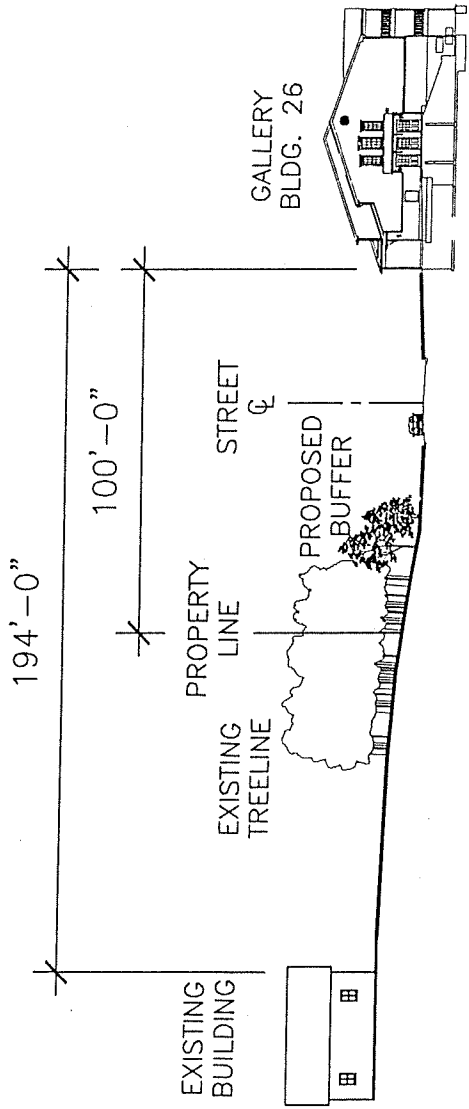
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A BUILDING 17 SECTION

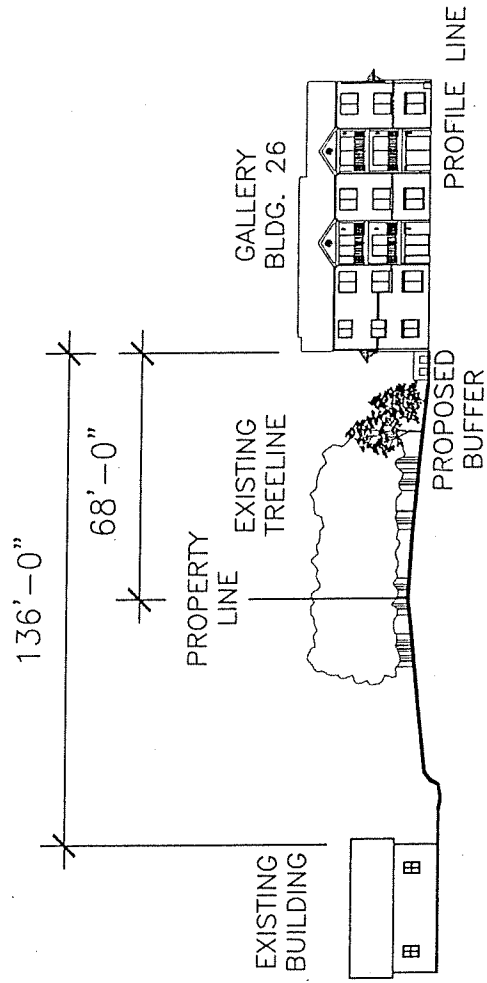
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SCALE: 1" = 50'-0"



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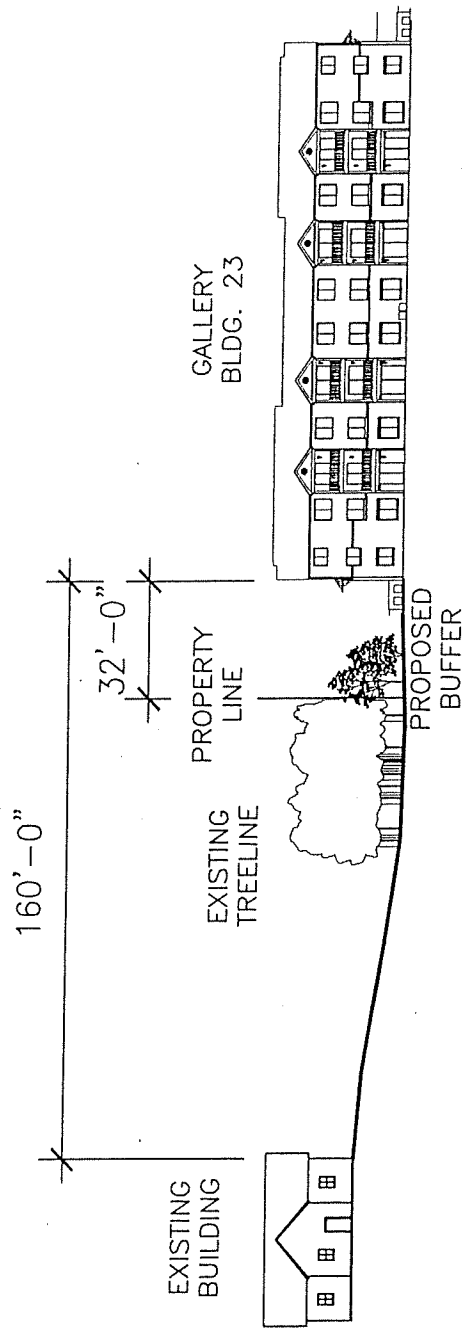
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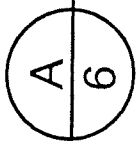
SCALE: 1" = 50'-0"

5



A BUILDING 23 SECTION

SCALE: 1" = 50'-0"



**TRAFFIC IMPACT STUDY
FOR
PARAGON MILLS
RESIDENTIAL DEVELOPMENT**

BOONE COUNTY, KENTUCKY

JANUARY 2006

PREPARED FOR:

*TOWNE DEVELOPMENT GROUP, LTD
1055 ST. PAUL PLACE
CINCINNATI, OHIO 45202
(513) 381-8696*

*GRAND COMMUNITIES, LTD
2670 CHANCELLOR DRIVE, SUITE 300
CRESTVIEW HILLS, KENTUCKY 47017
(859) 344-4350*

PREPARED BY:

*BAYER BECKER
700 NILLES ROAD
FAIRFIELD, OHIO 45014
(513) 829-2149*

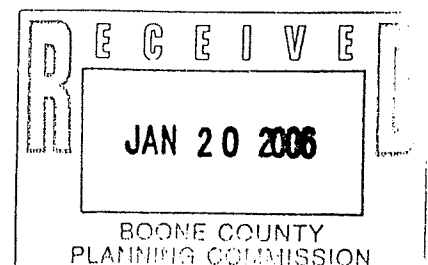


TABLE OF CONTENTS

INTRODUCTION AND SUMMARY	1
Purpose of Report and Study Objectives	
Executive Summary	
Qualifications	
PROPOSED DEVELOPMENT	3
Off-Site Development	
On-Site Development	
AREA CONDITIONS	6
Study Area	
Study Area Land Use	
Site Accessibility	
PROJECTED TRAFFIC	9
Site Traffic	
Background Traffic Volumes	
Total Traffic	
TRAFFIC ANALYSIS	14
Site Access	
Capacity and Level of Service Analysis	
Critical Lane Analysis	
Traffic Safety	
IMPROVEMENT ANALYSIS AND FINDINGS	21
Need for Improvements to Accommodate Base Traffic	
Need for Additional Improvements to Accommodate Site Traffic	
RECOMMENDATIONS AND CONCLUSIONS	23
Improvements to Accommodate Base Traffic	
Additional Improvements to Accommodate Site Traffic	
LIST OF TABLES	
TABLE 1 – TRIP GENERATION	9
TABLE 2 – LEVEL OF SERVICE CRITERIA FOR SIGNALIZED INTERSECTIONS	14
TABLE 3 – LEVEL OF SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS	14
TABLE 4 – LEVEL OF SERVICE	15
TABLE 5 – LEVEL OF SERVICE – WITH VARIOUS IMPROVEMENT SCENARIOS	17

LIST OF FIGURES

FIGURE 1 – VICINITY MAP	4
FIGURE 2 – 2006 EXISTING TRAFFIC VOLUMES	8
FIGURE 3 – SITE TRAFFIC VOLUMES	11
FIGURE 4 – 2014 BACKGROUND TRAFFIC VOLUMES	12
FIGURE 5 – 2014 TOTAL TRAFFIC VOLUMES	13

APPENDICES

APPENDIX A – CONCEPT DEVELOPMENT PLAN
APPENDIX B – TRAFFIC COUNTS
APPENDIX C – TRIP GENERATION
APPENDIX D – CAPACITY AND LEVEL OF SERVICE ANALYSIS
APPENDIX E – CRITICAL LANE ANALYSIS

Introduction and Summary

Purpose of Report and Study Objectives

The purpose of this study is to determine the traffic impacts of the proposed residential development, Paragon Mills, located south of Burgundy Hills Drive and KY-18 (Burlington Pike), and to satisfy Boone County's requirements for traffic impact studies.

Executive Summary

The proposed residential development is situated on approximately 40 acres in Boone County, Kentucky. The proposed development will consist of 290 condominium units (ITE Land Use 230) with the primary full access on Burgundy Hills Drive. A secondary access is to be provided to Oak Creek Drive; however, because of the circuitous layout of the adjacent subdivision and the expected route of the secondary access, it is not expected to generate a significant amount of cut-through traffic.

The following intersections comprise the study area of this report and were analyzed to determine the levels of service for the existing year and horizon year conditions:

- KY-18 (Burlington Pike) and Burgundy Hills Drive/Taylor Drive.
- Burgundy Hills Drive and Patrick Drive.

To evaluate the key intersections, the following assumptions were made:

- Full build-out of the proposed development expected to occur in approximately 5 to 8 years. Therefore, an assumed full build-out year (horizon year) of 2014.
- Key intersections analyzed for 2014 total conditions, which includes site traffic of the proposed development of the Pennington property known as Paragon Mills.
- Key intersections analyzed for 2006 existing conditions and 2014 background conditions, assuming no development on the Pennington property (excluding site traffic).

Based on the analysis contained within this report, no improvements are recommended to accommodate Paragon Mills site traffic.

Irrespective of the development of the Pennington property, Paragon Mills, the following improvements need to be made to the existing public infrastructure:

- Extend the westbound left-turn lane storage length on KY-18 at Burgundy Hills Drive by approximately 70 feet so that a total of 370 feet (not including diverging taper) is provided.
- Widen and restripe the northbound approach to the KY-18/Burgundy Hills Drive/Taylor Drive intersection to provide a separate left-turn lane and a combination through/right-turn lane. Provide 250 feet of storage (not including diverging taper) for the left-turn lane.
- Widen and restripe the southbound approach to the KY-18/Burgundy Hills Drive/Taylor Drive intersection to provide a separate left-turn lane and combination through/right-turn lane. Provide 100 feet of storage (not including diverging taper) for the left-turn lane.
- The improved KY-18/Burgundy Hills Drive/Taylor Drive intersection should be aligned properly to avoid conflict points.
- Reconstruct the intersection of Burgundy Hills Drive and Patrick Drive such that the two legs of Patrick Drive are right-in/right-out only drives off of Burgundy Hills Drive.

Qualifications

The technical material and data contained in this document was prepared by Bayer Becker under the supervision and direction of a Professional Engineer licensed to practice in the State of Kentucky.

Proposed Development

Off-Site Development

At this time, additional development or roadway improvements planned in the area of the project site include the following:

- Development of an additional 305 apartment units at the Burgundy Hills Apartments, which are located northwest of the project site and also accesses Burgundy Hills Drive.
- Construction of an interchange at the intersection of KY-18 and KY-237 located northwest of the site.
- A proposed signal northwest of the site, at the intersection of KY-18 and McGrath Lane.

Construction of the proposed signal and interchange are expected to occur simultaneously and construction is expected to begin in the spring of 2008.

On-Site Development

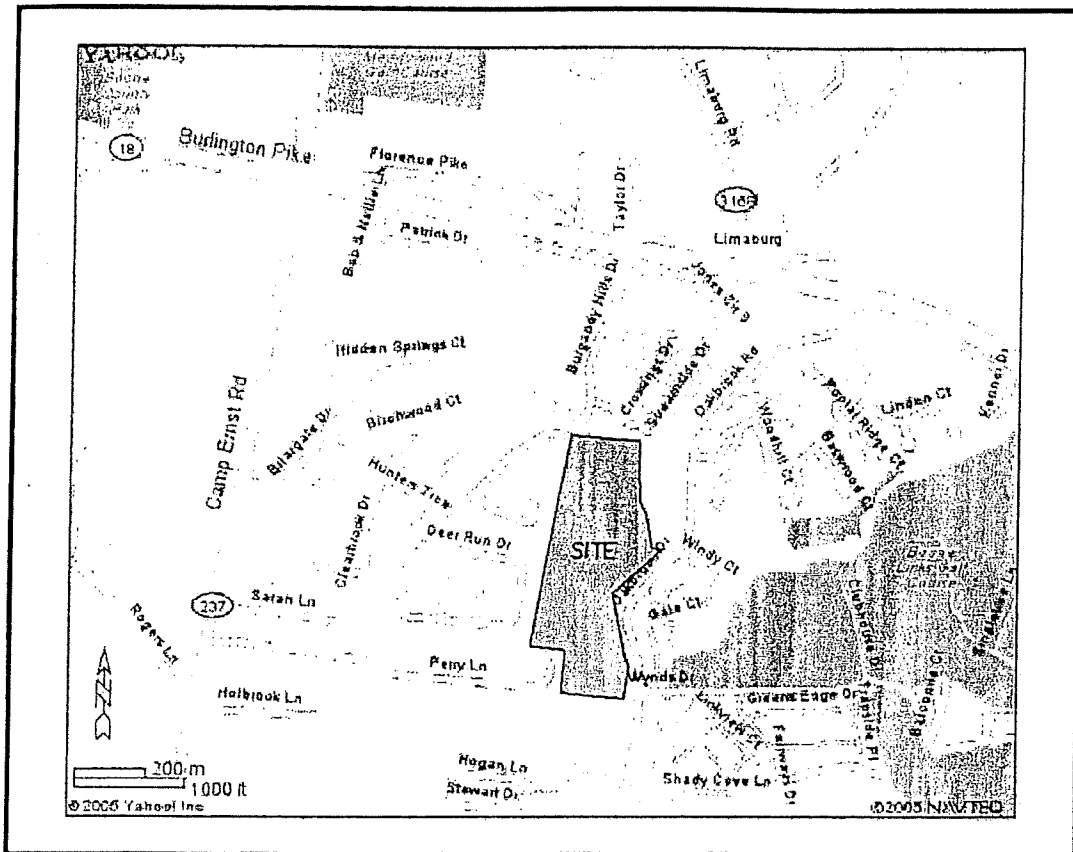
The proposed residential development is situated on approximately 40 acres in Boone County, Kentucky, with a proposed full access on Burgundy Hills Drive. A secondary access is to be provided to Oak Creek Drive; however, because of the circuitous layout of the adjacent subdivision and the expected route of the secondary access, it is not expected to generate a significant amount of cut-through traffic.

The project site is comprised of vacant property. It is currently zoned "SR-1" (Suburban Residential One) and "SR-2" (Suburban Residential Two), according to the Boone County Zoning GIS Map. The proposed zoning is "SR-2/PD" (Suburban Residential Two/Planned Development Overlay District).

The proposed development will consist of 290 condominium units (ITE Land Use 230). Full build-out of the proposed development is expected to occur in approximately 5 to 8 years. For purposes of this study, the assumed full build-out year will be 2014.

A vicinity map of the study area is provided in Figure 1.

Figure 1
Vicinity Map



The concept development plan is provided in Appendix A.

The following references were used in preparation of this study:

1. Site reconnaissance and field observations by Bayer Becker.
2. Turning movement traffic counts at the intersection of KY-18 and Burgundy Hills Drive/Taylor Drive and at the intersection of Burgundy Hills Drive and Patrick Drive, performed by Bayer Becker on Wednesday, December 14, 2005, from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM.
3. Communications with Mr. David Geohegan (Boone County Planning Commission) and Mr. Kevin Wall (Boone County Planning Commission).
4. Institute of Traffic Engineer's (ITE), *Traffic Access and Impact Studies and Site Development - A Recommended Practice*.

5. *Boone County Zoning GIS Map*, obtained from the Boone County Planning Commission website.
6. *2005 Boone County Comprehensive Plan*, adopted by the Boone County Planning Commission on October 19, 2005.
5. *Highway Capacity Manual, 2000*.
6. *ITE Trip Generation Manual 7th, Edition*.
7. *Trip Generation Handbook, An ITE Recommended Practice*.
8. Traffic Volume Guidelines for Addition of Right Turn Lanes at Intersections figure from NCHRP Report 279: *Intersection Channelization Design Guide*, 1985.
9. Synchro 6 and SimTraffic 6 software for analysis of the intersections.
10. Kentucky Transportation Cabinet (KYTC) *Highway Design Manual*, dated June 16, 1995.
11. Communications with Ms. Carol Callan-Ramler (KYTC) and Mr. Mike Yaeger (KYTC).
12. Signal timing for the KY-18/Burgundy Hills Drive/Taylor Drive intersection provided by KYTC.
13. Future roadway improvement plans of the intersection of KY-18 and KY-237 provided by KYTC.

On November 29, 2005, a meeting with the Boone County Planning Commission staff was held to establish the scope of the study.

The primary objective of this traffic impact study is to determine the traffic impacts of the proposed development and to determine what off-site improvements are required to mitigate the site's impact. Based upon the scoping meeting, the following key intersections define the study area of this report:

- KY-18 (Burlington Pike) and Burgundy Hills Drive/Taylor Drive.
- Burgundy Hills Drive and Patrick Drive.

Area Conditions

Study Area

The project site is currently bound by residential land uses to the north, east, south, and west. Just north of the site is Burgundy Hills Drive followed by retail and commercial property and KY-18 (Burlington Pike).

Regional access is provided by I-275 and I-75/I-71. Interchange access for I-275 is located north of the study area and for I-75/I-71, east of the study area. Within the study area, KY-18 is an east-west, four-lane divided highway with a posted speed limit of 45 MPH. According to the *2005 Boone County Comprehensive Plan*, KY-18 is classified as an urban minor arterial roadway. Burgundy Hills Drive and Taylor Drive are north-south, two-lane roadways with a posted speed limit of 25 MPH. Patrick Drive is an east-west, two-lane roadway with a posted speed limit of 20 MPH. Burgundy Hills Drive, Taylor Drive, and Patrick Drive were not classified in the comprehensive plan.

Study Area Land Use

The project site is comprised of vacant property. It is currently zoned "SR-1" (Suburban Residential One) and "SR-2" (Suburban Residential Two), according to the Boone County Zoning GIS Map. The proposed zoning is "SR-2/PD" (Suburban Residential Two/Planned Development Overlay District).

The proposed development will consist of 290 condominium units (ITE Land Use 230).

Site Accessibility

The proposed residential development will be accessed via a proposed full access on Burgundy Hills Drive. A secondary access is to be provided to Oak Creek Drive; however, because of the circuitous layout of the adjacent subdivision and the expected route of the secondary access, it is not expected to generate a significant amount of cut-through traffic.

The intersection of KY-18 and Burgundy Hills Drive/Taylor Drive is signalized. A designated left-turn lane and right-turn lane are provided on both the eastbound and westbound approaches, with two through lanes for each direction. On the northbound and southbound approaches to the intersection, a right-turn lane is provided along with a combination left-turn/through lane.

The intersection of Burgundy Hills Drive and Patrick Drive is located approximately 130 feet south of the KY-18/Burgundy Hills Drive/Taylor Drive intersection. The Burgundy Hills Drive/Patrick Drive intersection is configured such that Burgundy Hills Drive is a continuous through movement and Patrick Drive is stop controlled. Currently, there are no turn lanes at the intersection.

To determine AM and PM peak hour traffic volumes for the existing key intersections, Bayer Becker performed turning movement counts at the KY-18/Burgundy Hills Drive/Taylor Drive intersection and at the Burgundy Hills Drive/Patrick Drive intersection. The counts were performed on Wednesday, December 14, 2005, from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM. The count data between intersections was balanced to provide continuity between intersections.

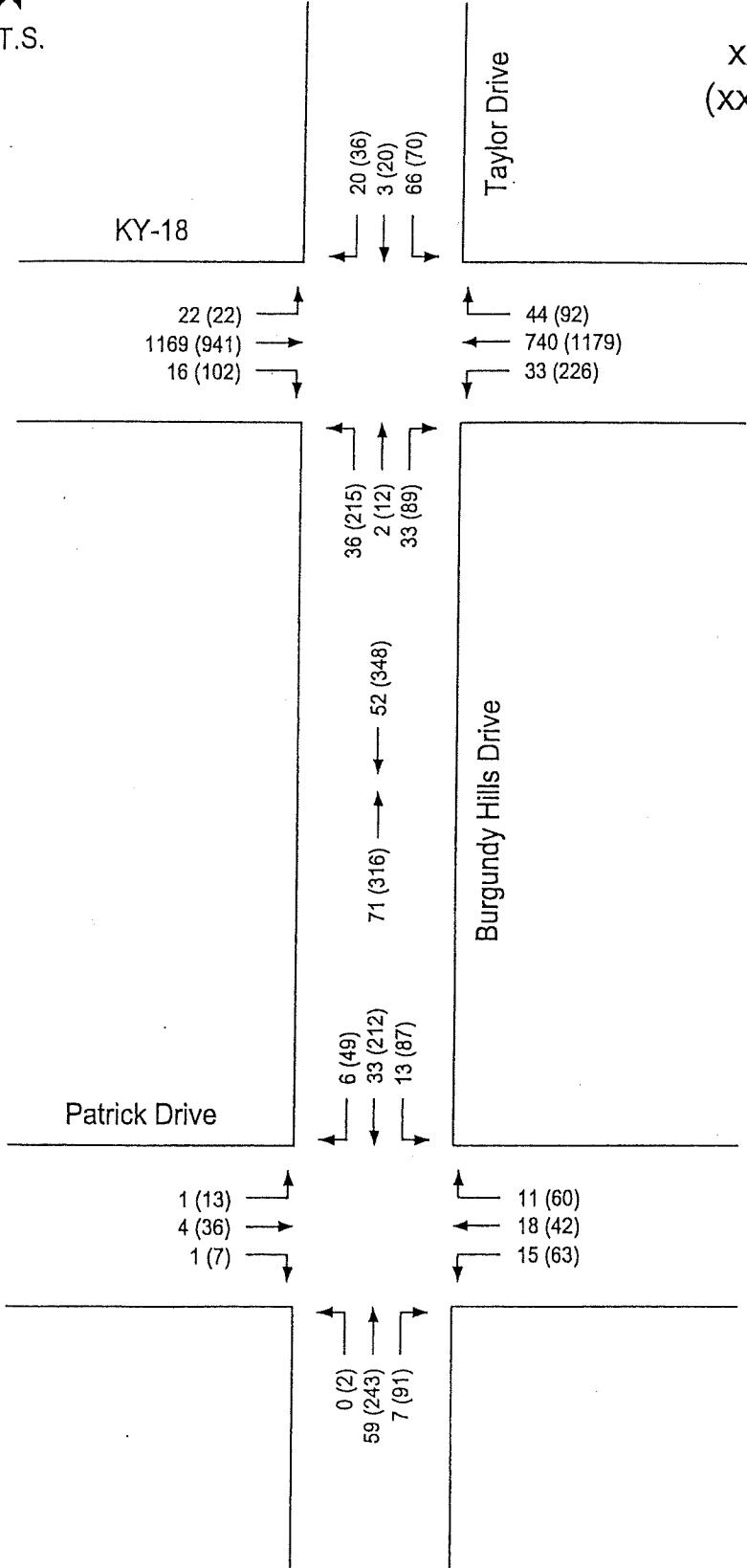
Complete traffic count data is provided in Appendix B. The existing 2006 AM and PM peak hour volumes are presented in Figure 2.

Figure 2

Paragon Mills
2006 Existing Traffic Volumes



xx - AM Peak
(xx) - PM Peak



Projected Traffic

Site Traffic

The proposed development will consist of 290 condominium units (ITE Land Use 230). The procedures outlined in the *ITE Trip Generation Manual, 7th Edition* and the *ITE Trip Generation Handbook* (March 2001) were used to estimate trip generation (see Appendix C).

Site trips generated by the proposed development are presented in Table 1.

Table 1
Trip Generation

Land Use	ITE Code	Size	Unit	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Residential Condominium/ Townhouse	230	290	D.U.	21	100	121	96	48	144

Trips generated by the proposed development were distributed based on existing travel patterns observed during the turning movement counts performed by Bayer Becker. Based on these conditions, approximately 30% of traffic is assumed to travel westbound on KY-18, approximately 64% is assumed to travel eastbound on KY-18, and approximately 6% is expected to travel northbound on Taylor Drive.

The site traffic assignment, based upon the previously discussed generation and distribution, is presented in Figure 3.

Background Traffic

To assess the impact of the total site traffic on the adjacent roadway network, the full build-out year of 2014 was evaluated. A growth rate of 2.7% compounded annually, per the *2005 Boone County Comprehensive Plan*, was used to project existing through volumes along KY-18 to future 2014 background traffic volumes. In addition to the growth rate, trip generation for the addition of 305 apartment units (future development of the Burgundy Hills Apartments) was estimated using *ITE Trip Generation Manual* and *Trip Generation Handbook* (see Appendix C). The 2014 background traffic volumes for the key intersections are presented in Figure 4.

Total Traffic

The 2014 background traffic volumes and site-generated traffic volumes were combined to determine the 2014 total traffic volumes at study area intersections for full build-out conditions. The 2014 total traffic volumes are presented in Figure 5.

Figure 3

Paragon Mills
Site Traffic Volumes

xx - AM Peak
(xx) - PM Peak

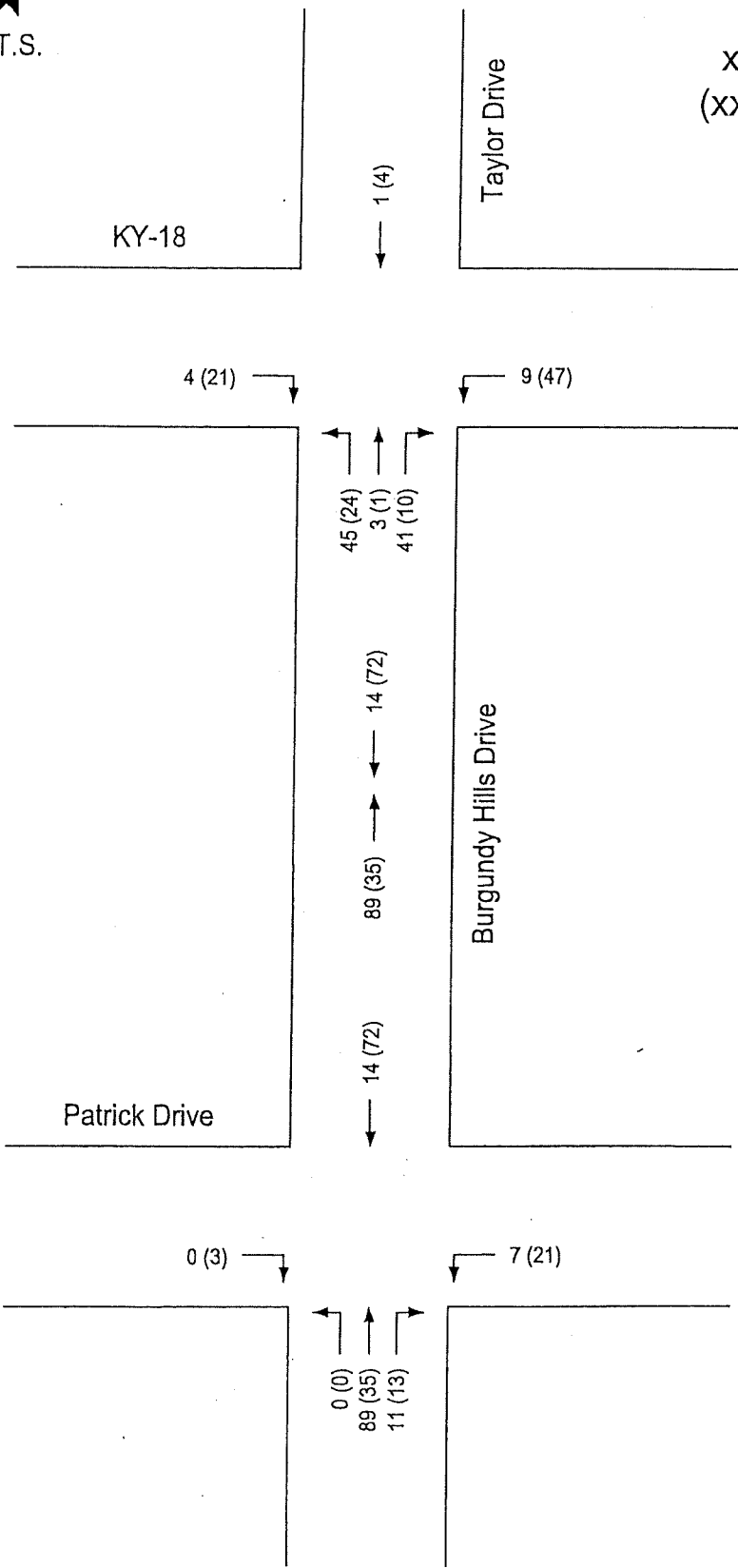


Figure 4

Paragon Mills
2014 Background Traffic Volumes



xx - AM Peak
(xx) - PM Peak

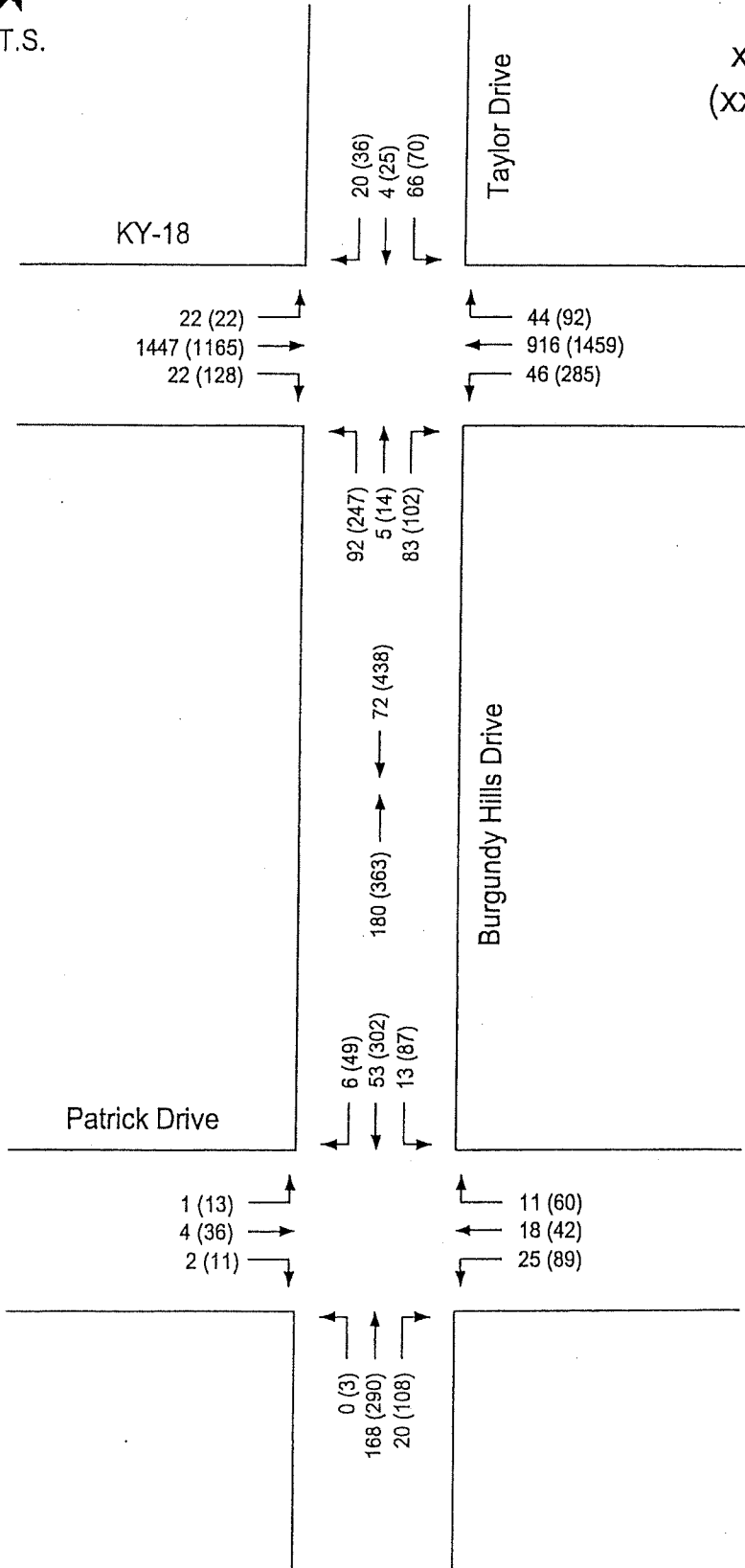
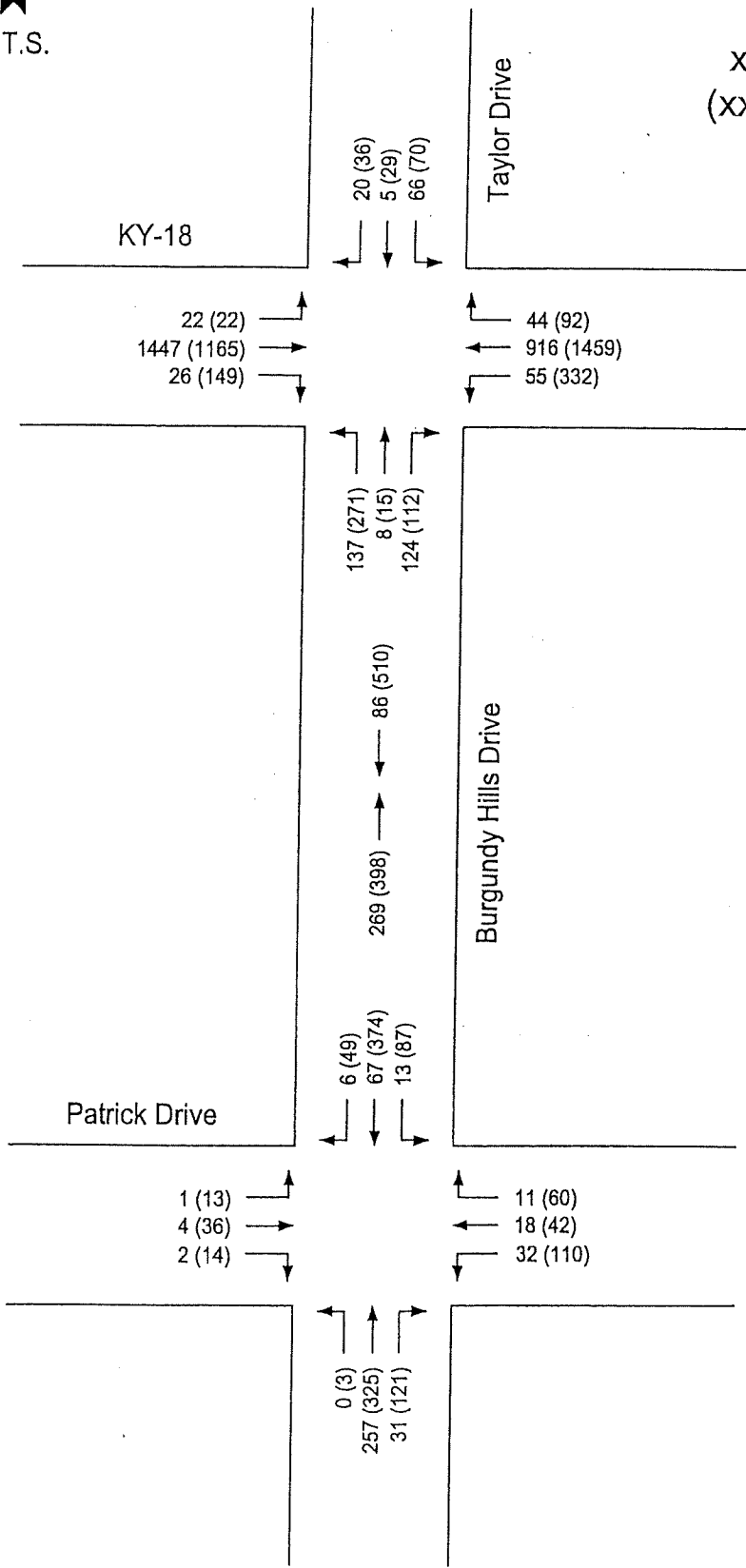


Figure 5

Paragon Mills
2014 Total Traffic Volumes



xx - AM Peak
(xx) - PM Peak



Traffic Analysis

Site Access

The proposed residential development will be accessed via a proposed full access on Burgundy Hills Drive. A secondary access is to be provided to Oak Creek Drive; however, because of the circuitous layout of the adjacent subdivision and the expected route of the secondary access, it is not expected to generate a significant amount of cut-through traffic.

Capacity and Level of Service Analysis

Level of service (LOS), as defined in the *Highway Capacity Manual 2000* (HCM) is a function of average delay encountered by the motorist. It is the standard used to evaluate traffic flow and delay on a segment of roadway. LOS takes into account such factors as speed, traffic volumes and geometric features. Typically, the minimum acceptable overall level of service for signalized intersections in urban areas is "D." Where unsignalized driveway levels of service are calculated below "D," signalization or other improvements should be considered.

The criteria used by HCM are provided in Tables 2 and 3.

Table 2
Level of Service Criteria for Signalized Intersections

Level of Service	Delay Range (sec/veh)	Expected Delay
A	≤ 10	Extremely Favorable Progression.
B	>10 and ≤ 20	Good Progression.
C	>20 and ≤ 35	Fair progression.
D	>35 and ≤ 55	Unfavorable progression.
E	>55 and ≤ 80	Poor progression
F	> 80	Excessive traffic delay.

Table 3
Level of Service Criteria for Unsignalized Intersections

Level of Service	Delay Range (sec/veh)	Expected Delay
A	≤ 10	Little or no delay.
B	>10 and ≤ 15	Short traffic delay.
C	>15 and ≤ 25	Average traffic delay.
D	>25 and ≤ 35	Long traffic delay.
E	>35 and ≤ 50	Very long traffic delay
F	> 50	Excessive traffic delay

The 2006 existing conditions and 2014 horizon year (both background and total conditions) levels of service were determined using Synchro 6 software. Intersection LOS for the AM and PM peak hour conditions are provided in Table 4. Complete LOS calculations for AM and PM peak hour volumes are provided in Appendix E.

**Table 4
Levels of Service**

		AM Peak Hour			PM Peak Hour		
		2006 Existing	2014 Background	2014 Total	2006 Existing	2014 Background	2014 Total
		LOS	LOS	LOS	LOS	LOS	LOS
KY-18 and Burgundy Hills Drive/Taylor Drive - Signalized							
EB	L	C	D	D	D	D	D
	T	B	C	C	C	D	D
	R	A	B	A	A	A	A
	Approach	B	C	C	C	C	C
WB	L	C	D	D	F	F	F
	T	B	B	B	C	D	D
	R	A	A	A	A	B	B
	Approach	B	B	B	E	F	F
NB	LT	C	C	C	D	D	D
	R	B	A	A	A	B	B
	Approach	C	B	C	C	D	D
SB	LT	C	C	C	C	C	C
	R	B	B	B	B	B	B
	Approach	C	C	C	C	C	C
Overall		B	C	C	D	E	F
Burgundy Hills Drive and Patrick Drive - Unsignalized							
EB	LTR	A	B	B	C	D	D
	Approach	A	B	B	C	D	D
WB	LTR	A	B	B	C	F	F
	Approach	A	B	B	C	F	F
NB	LTR	-	-	-	-	A	A
SB	LTR	A	A	A	A	A	A

EB = Eastbound
WB = Westbound
NB = Northbound
SB = Southbound

L = Left-Turn Movement
T = Through Movement
R = Right-Turn Movement
LT = Left-Turn/Through Movement
LTR = Left-Turn/Through/Right-Turn Movement

Table 4 shows that the addition of the proposed site traffic to the 2014 background traffic utilizing existing geometry and timing, does not significantly lower the LOS for the key intersections. An

overall LOS of “C” is maintained for the AM peak hour. The LOS for the PM peak hour changes from “E” to “F” at the KY-18/Burgundy Hills Drive/Taylor Drive intersection. The average intersection delay expected during the PM peak hour increases by approximately 20 seconds (from 69.8 seconds to 89.8 seconds).

The LOS for the Burgundy Hills Drive/Patrick Drive intersection, utilizing existing geometry, remains unchanged from 2014 background conditions to 2014 total conditions. The LOS during the AM peak hour ranges from “A” to “B,” and during the PM peak hour, from “A” to “F.” The average intersection delay expected during the PM peak hour increases by approximately 19.8 seconds (from 14.3 seconds to 34.1 seconds).

The key intersections were also analyzed including various improvements during the PM peak hour only (worst case scenario), as follows:

- Improvement 1 – Construction of recommended turn lanes at the KY-18/Burgundy Hills Drive/Taylor Drive intersection, optimization of signal timing, and reconfiguration of Burgundy Hills Drive and Patrick Drive as a right-in/right-out only driveway.
- Improvement 2 – Optimization of signal timing and reconfiguration of Burgundy Hills Drive and Patrick Drive as a right-in/ right-out only driveway.
- Improvement 3 – Optimization of signal timing and reconfiguration of northbound and southbound approach of the KY-18/Burgundy Hills Drive/Taylor Drive intersection.

Intersection LOS for the PM peak hour conditions with the various improvement scenarios are provided in Table 5.

Table 5
Levels of Service – With Various Improvement Scenarios

		PM Peak Hour					
		Improvement 1		Improvement 2		Improvement 3	
		2014 Background	2014 Total	2014 Background	2014 Total	2014 Background	2014 Total
		LOS	LOS	LOS	LOS	LOS	LOS
KY-18 and Burgundy Hills Drive/Taylor Drive - Signalized:							
EB	L	D	D	D	D	D	D
	T	D	D	D	D	D	D
	R	A	A	A	B	A	B
	Approach	C	D	C	D	C	D
WB	L	E	E	E	E	E	E
	T	B	B	B	C	B	C
	R	A	A	A	A	A	A
	Approach	C	C	C	C	C	C
NB	L	D	D	D	D	D	D
	T/TR	D	D	B	B	B	B
	R	B	A	-	-	-	-
	Approach	C	C	C	C	C	C
SB	L	C	C	C	C	C	C
	T/TR	D	D	C	C	C	C
	R	B	B	-	-	-	-
	Approach	C	C	C	C	C	C
Overall		C	C	C	C	C	C
Burgundy Hills Drive and Patrick Drive – Unsignalized:							
EB	L	-	-	-	-	D	E
	R/TR	B	B	B	B	C	D
	Approach	B	B	B	B	C	D
WB	L	-	-	-	-	E	F
	R/TR	B	B	B	B	C	C
	Approach	B	B	B	B	D	F
NB	L	-	-	-	-	A	A
SB	L	-	-	-	-	A	A

Table 5 shows that with various improvements to the intersections, the LOS does not significantly change from 2014 background conditions to 2014 total conditions. An overall LOS of “C” is maintained for the PM peak hour at the KY-18/Burgundy Hills Drive/Taylor Drive intersection. The LOS during the PM peak hour at the Burgundy Hills Drive/Patrick Drive intersection remains a “B” for improvement scenario 1 and improvement scenario 2 and varies from “A” to “E” to “A” to “F” for improvement scenario 3. While improvement scenario 1 results in the least overall delay; it is not feasible due to the amount of widening necessary and the lack of available ground. Improvement scenario 2 is feasible and will only increase delay by 0.6 seconds over scenario 1.

A comparison of Tables 4 and 5 shows that the various improvement scenarios improve the LOS and decrease the intersection delay for both 2014 background and 2014 total conditions.

Critical Lane Analysis

The need for right-turn lanes at the intersection of KY-18 and Burgundy Hills Drive/Taylor Drive and at the intersection of Burgundy Hills Drive and Patrick Drive was checked using the "Traffic Volume Guidelines for Addition of Right Turn Lanes at Intersections" figure from NCHRP Report 279: *Intersection Channelization Design Guide*. The need for left-turn lanes was checked using information from the Kentucky Transportation Cabinet *Highway Design Manual*.

Based upon analysis, provided in Appendix D, the following turn lanes are warranted for 2006 existing conditions at the intersection of KY-18 and Burgundy Hills Drive/Taylor Drive:

- Northbound left-turn lane on Burgundy Hills Drive.
- Southbound left-turn lane on Taylor Drive.

The current layout of the intersection includes right-turn lanes and left-turn lanes on KY-18 and right-turn lanes on Burgundy Hills Drive and Taylor Drive. A combination left-turn lane/through lane on the northbound and southbound approaches is currently present. Approximately 250 feet (including diverging taper) of storage is provided for both the right-turn lane and the left-turn lane on the eastbound approach and approximately 300 feet (including diverging taper) of storage is provided for both the right-turn lane and the left-turn lane on the westbound approach. The northbound and southbound right-turn lanes extend from the adjacent intersection to the north or south of the KY-18/Burgundy Hills Drive/Taylor Drive intersection. Therefore, approximately 100 feet of storage is provided for the northbound right-turn lane and approximately 55 feet of storage is provided for the southbound right-turn lane.

At the Burgundy Hills Drive/Patrick Drive intersection, the following turn lanes are warranted for 2006 existing conditions:

- Northbound right-turn lane on Burgundy Hills Drive.
- Southbound left-turn lane on Burgundy Hills Drive.
- Westbound left-turn lane on Patrick Drive.

Currently, no turn lanes are provided at the intersection.

The results of the turn lane warrants do not change for 2014 background conditions or for 2014 total conditions.

Based upon intersection capacity and turn lane analysis, the following turn lane storage lengths are recommended for 2006 existing conditions and/or 2014 background conditions at the KY-18/Burgundy Hills Drive/Taylor Drive intersection:

- 400 feet (not including diverging taper) westbound left-turn lane on KY-18 (currently, there is an existing 300 feet (including diverging taper) westbound left-turn lane).
- 250 feet (not including diverging taper) northbound left-turn lane on Burgundy Hills Drive.
- 100 feet (not including diverging taper) southbound left-turn lane on Taylor Drive.

Based upon turn lane analysis, turn lanes are warranted at the Burgundy Hills Drive/Patrick Drive intersection for 2006 existing conditions. However, based upon intersection capacity analysis (the addition of turn lanes do not improve the LOS of the intersection) and existing layout of the intersection and its surroundings, turn lanes at the Burgundy Hills Drive/Patrick Drive intersection are not recommended.

For 2014 total conditions, the previously recommended storage lengths still apply for turn lanes at both the KY-18/Burgundy Hills Drive/Taylor Drive intersection and the Burgundy Hills Drive/Patrick Drive intersection; however, the westbound left-turn lane on KY-18 at Burgundy Hills Drive should be extended by 50 feet for a total storage length of 450 feet (not including diverging taper).

Traffic Safety

The *2005 Boone County Comprehensive Plan*, adopted by the Boone County Planning Commission on October 19, 2005, identified the intersection of KY-18 and Burgundy Hills Drive/Taylor Drive as a problem intersection. Recommendations of "lane configuration improvements" were made to address the issues of the intersection, however, the status of improvements is "unscheduled."

Currently, the KY-18/Burgundy Hills Drive/Taylor Drive intersection is signalized with a designated left-turn lane and right-turn lane provided on both the eastbound and westbound approaches of KY-18. Two through lanes for each direction are also provided on KY-18. On the northbound and southbound approaches to the intersection (Burgundy Hills Drive and Taylor Drive), a right-turn lane is provided along with a combination left-turn/through lane for each direction. The intersection

is aligned such that the combination left-turn/through lanes for the northbound and southbound approaches are lined up opposite one another. This geometry may cause confusion with oncoming traffic aligned with oncoming traffic; however, the northbound and southbound approaches are each protected signalized movements and therefore, northbound traffic should not enter the intersection while southbound traffic is in the intersection.

The intersection of Burgundy Hills Drive and Patrick Drive is located approximately 130 feet south of the KY-18/Burgundy Hills Drive/Taylor Drive intersection. According to the intersection capacity analysis, the PM peak hour 95th percentile queue length for the northbound left-turning and through movements on Burgundy Hills Drive at KY-18 is 285 feet for 2014 background conditions and 324 feet for 2014 total conditions. Standard engineering practice is to locate full movement drives such that adequate queuing length can be provided at the adjacent intersections. By restricting the movements at Patrick Drive to right-in/right-out only, adequate queue length can be obtained. Inadequate spacing has been provided between the KY-18/ Burgundy Hills Drive/Taylor Drive intersection and the Burgundy Hills Drive/Patrick Drive intersection.

Improvement Analysis and Findings

Need for Improvements to Accommodate Base Traffic

The following conclusions, relevant to ***existing and background traffic***, were reached during this study:

1. Currently, left-turn lanes and right-turn lanes are provided on KY-18; however, combination left-turn/through lanes on the northbound and southbound approach to the intersection are provided along with right-turn lanes for each direction.
2. The westbound left-turn lane at the KY-18/Burgundy Hills Drive/Taylor Drive intersection needs to be extended to accommodate additional storage length.
3. A northbound left-turn lane at the KY-18/Burgundy Hills Drive/Taylor Drive intersection is warranted for 2006 existing conditions.
4. A southbound left-turn lane at the KY-18/Burgundy Hills Drive/Taylor Drive intersection is warranted for 2006 existing conditions.
5. The PM peak hour 95th percentile queue length for the northbound left-turning and through movements on Burgundy Hills Drive at KY-18 is 200 feet for 2006 existing conditions and 285 feet for 2014 background conditions.
6. Currently, the Burgundy Hills Drive/Patrick Drive intersection is located approximately 130 feet south of the KY-18/Burgundy Hills Drive/Taylor Drive intersection. In order to provide adequate queue length for the northbound left-turn movement at KY-18, Patrick Drive should be restricted to right-in/right-out only movements. No turn lanes are provided at the Burgundy Hills Drive/Patrick Drive intersection.
7. A right-turn lane on the northbound approach and a left-turn lane on the southbound and westbound approaches at the intersection of Burgundy Hills Drive and Patrick Drive are warranted for 2006 existing conditions.
8. Recommendations of "lane configuration improvements" to the KY-18/Burgundy Hills Drive/Taylor Drive intersection were made in the *2005 Boone County Comprehensive Plan* to address issues of the north-south intersection alignment. Currently, the northbound combination left-turn/through lane is located opposite the southbound combination left-turn/through lane. However, the signal is timed such that the northbound and southbound movements are separate protected phases.

Need for Additional Improvements to Accommodate Site Traffic

The following conclusions, relevant to Paragon Mills ***site traffic***, were reached during this study:

1. The proposed development is expected to generate 21 entering and 100 exiting new trips during the weekday AM peak hour; and 96 entering and 48 exiting new trips during the weekday PM peak hour.
2. Based on our analysis, projected traffic at the KY-18/Burgundy Hills Drive/Taylor Drive intersection warrants an extension of the westbound left-turn lane on KY-18.

Recommendations and Conclusions

Improvements to Accommodate Base Traffic

Based on the analyses contain herein, the following recommendations are made to address ***existing and background traffic*** issues:

1. Storage length calculations indicate that 400 feet of storage is needed for the westbound left-turn lane on KY-18 at Burgundy Hills Drive. In order to obtain the 400 feet of storage, the existing left-turn lane would need to be extended by 100 feet. Currently, there is approximately 250 feet available to construct the additional 100 feet of storage and the 180 feet diverging taper between the existing westbound left-turn at Burgundy Hills Drive and the existing eastbound left-turn lane at Limaburg Road. Due to the existing intersection spacing, the westbound storage length can only be extended to 370 feet.
2. Widen and restripe the northbound approach to the KY-18/Burgundy Hills Drive/Taylor Drive intersection, such that the existing combination left-turn/through lane becomes a separate left-turn lane, and the existing right-turn lane becomes the combination through/right-turn lane. Provide 250 feet of storage (not including diverging taper) for the left-turn lane.
3. Widen and restripe the southbound approach to the KY-18/Burgundy Hills Drive/Taylor Drive intersection to provide a separate left-turn lane and combination through/right-turn lane. Provide 100 feet of storage (not including diverging taper) for the left-turn lane.
4. The improved KY-18/Burgundy Hills Drive/Taylor Drive intersection should be aligned properly to avoid conflict points.
5. Reconstruct the intersection of Burgundy Hills Drive and Patrick Drive such that the two legs of Patrick Drive are right-in/right-out only drives off of Burgundy Hills Drive.

Additional Improvements to Accommodate Site Traffic

Based on the analyses contain herein, the following Paragon Mills ***site-specific*** recommendations are made:

1. Storage length calculations indicate that 450 feet of storage is needed for the westbound left-turn lane on KY-18 at Burgundy Hills Drive. However, as previously stated, the westbound storage length can only be extended to 370 feet, due to the existing intersection spacing.

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
February 1, 2006
7:30 P.M.**

PUBLIC HEARING

Commission Members Present: Mrs. Arnett, Mr. Barlow, Mr. Breetz, Mr. Bunger, Mr. Caddell – Chairman, Mr. Carmichael, Mrs. Kegley, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen and Mr. Schwenke.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:50 PM and introduced the first item on the Agenda:

Applicant: Towne Development Group Ltd. for Emmitt C. Pennington, Jr., Linda G. Pennington, James R. Perry and Patricia Berry (owners)

Request: Zoning Map Amendment

The request of Towne Development Group Ltd. (applicant) for Emmitt C. Pennington, Jr., Linda G. Pennington, James R. Perry and Patricia Perry (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 40.65 acre site located at the southern terminus of Burgundy Hill Drive, including the property addressed as 1787 Burlington Pike, east of the Willow Bend Subdivision, north of Perry Lane and west of Oakbrook Road and Gunpowder Creek, Boone County, Kentucky. The request is for a Zoning Map Amendment to allow condominiums.

Staff Member Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, the Chairman asked for the applicant's presentation.

Mr. Brad Austing with Towne Properties, 1055 St. Paul Place, Cincinnati, introduced Mr. Gil Whitacre with Bayer & Becker Engineers, Mr. Fritz Kruetzkamp with Fischer Homes, and traffic engineer Ms. Etta Reed. Mr. Austing stated that Towne Properties has been in the business of building, constructing and managing residential properties for forty-five years. Fischer Homes will be the sole premium builder on the site and Towne Properties will manage the property during and after construction. He stated that they want to be sensitive to the transition areas against the existing single-family homes. They have tried to have a 150-foot separation between the houses, which also helps to preserve the trees. They tried to put all of the buildings on one side of the road. Very few of the buildings face the single-family area and when they do, they are a couple of hundred feet away. The PD zone allows them to be sensitive to that area. He reviewed the exhibit and noted the orientation of the buildings in relation to the existing homes. He stated that they want to be sensitive with distance, vegetation, and differences in elevation to help buffer the properties. The PD allows them to preserve some of the natural features including the large trees. He indicated on the exhibit the location of the single-family homes in relation to the creek and noted the large buffer area along the creek to preserve the natural area. He stated that this is a 40-acre site and 22 acres are open space. He stated that condominiums generally attract empty nesters. He stated that there is a sense of arrival with the monumental entrance. There is not a long length of street between the intersections and there are stop signs, so there is not a lot of speeding, which encourages pedestrian traffic. There are interconnecting sidewalks throughout the site. He noted the location of the future bike path that will connect to the Boone County hiker/biker trail along Gunpowder Creek. They will donate the necessary easement to Boone County. He stated that emergency vehicles will be able to access throughout the site. They have an elaborate clubhouse, fitness facility and pool. He stated that the request generally complies with the Comprehensive Plan. There will be commercial uses transitioning to attached housing densities and then single-families with buffering. He stated that this is an infill project that is in agreement with the Land Use Element and the intent of the Comprehensive Plan. He stated that a five-foot sidewalk is reasonable and they are willing to comply. Staff recommended a double sidewalk on Garcia Drive and they are willing to comply. In regard to the street extension, he stated that they do not want to encourage people to go on the McNab property, but will comply with extending the right-of-way so that in the future they would be able to make the connection. They currently have a privacy separation between their property and the McNab residence and they want to keep a buffer area there for the benefit of both property owners. He stated that a left hand turn lane is reasonable and they will pay their proportional share based on impact.

Mr. Fritz Kruetzkamp with Fischer Homes stated that they have Gallery and Villa II buildings similar to what they are building in Tara at Plantation Pointe off U.S.

42. He stated that it is an empty-nester young professional type of community. There will be primarily one and two-person families. He stated that they have 51.4% one-person homes and 42.5% two-person homes. He stated that 52% of the homebuyers in a community like this are age 45+ and 18.5% are young professionals ages 25 – 29. He stated that 45% of the homebuyers are move-down buyers who have owned single-family homes. Typically, 49% - 50% of the buyers earn \$65,000 per year or more. He stated that the Gallery building is 14 units (three stories of stacked condominiums). Each unit has its own entry. At street level, it is a two-story building and there are four units behind in the taller elevation. The buildings are brick and siding and tend to follow a theme in regard to color. Prices range from \$95,000 to \$150,000. Villa II homes are eight units per building. The exterior is a mix of brick and siding. Each home has an individual entry and its own garage. They are stacked condos with finished lower level walkouts. He stated that they will have a theme from the street signs and entry monument to the colors and interior decoration of the clubhouse. In the packet is a typical Landscaping Plan. They try to have four trees in the front of the buildings. They pay attention to high profile rears of buildings and may add additional landscaping, brick or architectural features. He stated that he does not know that they have a plan for a tree every 40 or 50 feet along the boulevard, but they will have landscaping or planted berms to hide dumpsters and utility boxes and spruce up the drive. He stated that Staff was also concerned about the signage. He stated that the signage is important to making this a successful community. He stated that people need more direction to a private residential property than to a Burger King. The signage is a part of creating the community. They like to have a welcome sign and a sign to thank people for visiting.

Mr. Gil Whitacre, Bayer & Becker Engineers, stated that they are willing to look at Staff's concerns regarding the buffering and signage. He stated that this is a unique site. It is an infill site surrounded by development. All of the infrastructure and utilities are in place. There is adequate sanitary sewer capacity. There are two sewer lines running through the site. The Sanitation District has indicated that there is capacity in the lines to serve this development. Water and the public street will be extended. There will be a connection between Burgundy Hill Drive and the Shaker Run development to provide a loop system. He stated that the site is at the bottom of the watershed area and most of the water from the adjoining subdivisions runs through this site to get to Gunpowder Creek. They will provide stormwater detention per the requirements. They have identified possible areas on the plan for stormwater detention and they hope to take advantage of the natural drainage course. He indicated the location of the proposed detention basin. He stated that the grading shown is conceptual. He indicated the ridge and stated that the site falls from west to east. They will have to make some cuts on the upper side and do some filling around the bottom. They will do the least amount of grading possible. He indicated the fill area. He stated that most of the treeline is along the creek area. He indicated where there will be a berm to prevent headlights from shining onto the adjoining property. They will take advantage of the flexibility that the PD allows and have a slightly narrower

street section in two areas, which will reduce speeds. They will do this on two of the shorter side street stubs. There will be no on-street parking on those streets and off-street parking will be provided. If the County Engineer requires the streets to be 24-feet wide, they will comply. He stated that the request is generally consistent with the Goals and Objectives and the Land Use Plan Element of the Comprehensive Plan. In their packet is a written narrative listing a number of the Goals and Objectives and how the request conforms to them. He offered to answer any questions.

Ms. Etta Reed, Bayer & Becker Engineers, stated that they prepared the Traffic Impact Study for the development. She stated that they obtained the signal timing from the Transportation Cabinet, but due to Staff's concern, they will go back to the Transportation Cabinet to make sure the information they have is correct. They will provide the information to the Committee. She offered to answer any questions regarding the Traffic Study.

Chairman Caddell stated that he is satisfied that most of the traffic will travel towards Florence and back. He noted that Mr. Wall stated in the Staff Report that they cannot build a left turn storage lane long enough to cover this many units. He stated that he travels Burlington Pike several times a day and the left turn signal currently lets 3 or 4 cars through. He questioned what percentage of people will turn left at the traffic light as compared to turning left onto Oakbrook Road and cutting up through the service road or cutting onto the next exit to the west, which would be Kroger's main entrance, or what number of vehicles would turn in at the Burger King and go via the service road to Burgundy Hill. Ms. Reed responded that they anticipate all of the traffic for this development to utilize the Burgundy Hill intersection, which is signalized. Most people will go to the signalized intersection because of safety considerations. Chairman Caddell stated that the concern is moving traffic east/west on the main corridor of Burlington Pike. He stated that the signalization and left turn lane is probably the minimum possible. They will need all of the left turn storage lane time that they can get, especially in the A.M. and P.M. peak times. Ms. Reed responded that the Transportation Cabinet's interest is to keep the traffic moving on KY 18. She stated that they need 400 feet and they can provide about 370 feet of left turn storage lane. One of their recommendations was to improve the timing at the intersection, which they can address with the Transportation Cabinet. She believes timing changes can be done to Burgundy Hill Drive and Taylor Drive. Chairman Caddell stated that he is concerned that people will get in the high-speed lane and make a U-turn. He believes that a police offer will be able to write 100 tickets a day at this intersection. Ms. Reed responded that they will look at it and discuss it at the Committee Meeting.

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

Mr. Don Berg, 1708 Deer Run Drive, stated that getting out on Camp Ernst Road now is horrendous. They only have one access in and out of their development and there is no emergency access. He stated that there is not much of a tree line in between the properties now. The average time for a tree to grow and be able to buffer noise and wind is three years and they cannot plant enough shrubs to help with the noise factor. He is concerned about the impact while the development is going on.

Mr. Larry Smith, 1742 Perry Lane, stated that they will get all of the street noise and they will hear all of the construction going on. He works at night and sleeps during the day. He is concerned that his property will be devalued.

Mr. Stan Gregory, 1916 Deer Run Drive, stated that there is a road in front of their house and now there will be a road behind them. He questioned the effect on his property value.

Mr. Steve Hudgman, 6487 Southgate Place, is concerned that his property value will go down. He is also concerned about the noise. He asked if taxes will go up.

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

Mr. Knock asked if the ingress/egress is one-way or two-way. Mr. Wall responded that it is a two-way street. Mr. Knock asked if when they talk about one- and two-person families they are talking about one- and two-bedroom units. Mr. Kruezkamp responded that it is one- and two-person families and he believes all of the units have two or more bedrooms.

Mr. Knock asked if the amenities are similar to Tara. Mr. Wall responded that the basic concept of the pool and clubhouse facilities is comparable. This development has more open space and he does not believe that it will feel as compact as Tara. The creek valley does not seem like it is part of Tara and it probably would in this development.

Mr. Knock questioned restrictions on the number of automobiles an owner can have and he asked if they can park pickup trucks there. Mr. Austing responded that they typically have restrictions on the amount and type of vehicles that can be parked there. They do not allow campers or boats to be parked there.

Mr. Costello asked, considering the problem they have with extending the turn lane, if they have looked at negotiating with Drees and putting a bridge over the creek and using Oakbrook Road for access and signage instead of building this road network and advertising off-premise. Mr. Austing responded that they contacted Drees and they had no interest in transferring land for a connection. Mr. Costello stated that at one time they were interested in donating the land to

the county. He stated that the existing road network is in good shape and Oakbrook Road could be the primary entrance to this development to take some of the burden off of the road network that serves the commercial area and the apartments. He suggested they reexamine this opportunity. Mr. Austing stated that they contacted the Drees Company. Mr. Costello asked if they contacted the county. He stated that the Planning Commission required Shaker Run to cross the creek. He questioned if the possibility has been thoroughly explored. Chairman Caddell stated that the applicant may want to ask someone from the county to intercede in regard to the possibility of the Oakbrook connection, and they may want to address this prior to the Committee Meeting.

Mr. Knock asked if they require the rental agreement to be for a year or more if an owner wants to rent his unit so that they do not have transient people. Mr. Austing responded that it does not tend to be a problem and he does not know that they can make that restriction.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on February 22, 2006 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on March 1, 2006 at 7:00 PM.

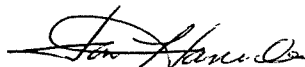
The Chairman closed this Public Hearing at 8:54 PM.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
BUSINESS MEETING
March 15, 2006
7:00 P.M.**

Mrs. Susan Poston, Vice Chairperson, called the meeting to order at 7:06 PM.

COMMISSION MEMBERS PRESENT:

Mrs. Judy Arnett
Mr. Greg Breetz
Mr. Kim Bunger
Mrs. Janet Kegley
Mr. Richard Knock, Temporary Presiding Officer
Mr. Don McMillian
Mr. Randy Poe
Mrs. Susan Poston, Vice Chairwoman
Mr. Charlie Reynolds
Mr. Charlie Rolfsen
Mr. Bob Schwenke
Mrs. Lisa Wilson, Secretary/Treasurer

COMMISSION MEMBERS NOT PRESENT:

Mr. Randy Barlow
Mr. Arnold Caddell, Chairman
Mr. Jim Carmichael

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

STAFF MEMBERS PRESENT:

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

County, Kentucky; the second site is located along the north and west sides of Ridgedale Drive, and east of the property at 826 Ridgedale Drive, Boone County, Kentucky. The request is for a Zoning Map Amendment to allow hotels and other commercial uses.

Mrs. Poston stated that Agenda Item #2 is recommended for deferral to the April 5, 2006 Business Meeting at 7:00 PM. The Committee meeting will be on March 29, 2006 at 5:00 PM in this room. Mrs. Wilson so moved. Mr. McMillian seconded the motion and it carried unanimously.

3. Zoning Map Amendment

The request of Towne Development Group Ltd. (applicant) for Emmitt C. Pennington, Jr., Linda G. Pennington, James R. Perry and Patricia Perry (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 40.65 acre site located at the southern terminus of Burgundy Hill Drive, including the property addressed as 1787 Burlington Pike, east of the Willow Bend Subdivision, north of Perry Lane and west of Oakbrook Road and Gunpowder Creek, Boone County, Kentucky. The request is for a Zoning Map Amendment to allow condominiums.

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

Mrs. Poston stated that the Agenda incorrectly lists her as the Committee Chairperson. The Chairperson for this Committee was Mr. Breetz.

Mrs. Poston offered the applicant the opportunity to make a summary statement. Mr. Brad Austing with Towne Properties stated that the process with the Staff, Committee, and the Planning Commission has been professional and comprehensive. He offered to answer any questions.

Mrs. Poston asked if there was anyone present who wished to make a summary statement on behalf of the opposition. There was no response.

Mr. Breetz moved to approve the request based on the Committee Report with the conditions. Mr. Rolfsen seconded the motion.

Mrs. Poston questioned Condition #4. She asked who would determine the percentage of traffic generated by the development and how that determination would be made. Mr. Wall responded that the Transportation Cabinet does studies when they do their warrant analysis and the study will show how much of the traffic

is based on this use. Mr. Costello questioned what would initiate the turning lanes. Mr. Wall responded that Staff could request that the Transportation Cabinet do it if they were not already doing an analysis. Mrs. Poston questioned how this could be flagged when the request goes to Fiscal Court. Mr. Wall responded that Staff will present the Planning Commission's recommendation to Fiscal Court and they will fully explain the condition and how it would be implemented. He stated that it could be that Fiscal Court will disagree with the condition and want the applicant to do something different.

Mr. Poe asked if there will be a connection to Oakbrook Drive. Mr. Wall responded "no" and explained that the County Engineer had an issue with the grade and with having another bridge crossing in close proximity to the others. Mr. Poe asked if Condition #4 was in regard to the comments made by Chairman Caddell at the Public Hearing regarding stacking on KY 18. Mr. Wall responded that Chairman Caddell's comments were in regard to that stretch of KY 18 and that when there are stacking problems people go to the other intersections and turn where they should not turn and they make u-turns. He stated that the applicant's traffic engineer verified that when the KY 237/KY 18 urban interchange project gets underway, the intersection by Burger King will be signalized.

There being no further discussion, Mrs. Poston asked for a vote on the motion made by Mr. Breetz **and it carried unanimously.**

4. Technical Design Review - Miyoshi
8714 Bankers Street

Staff Member Todd Morgan presented the Design Review request for Miyoshi, which is located between Executive Springs Car Wash and Macaroni Grill on Bankers Street in Florence. He stated that they made some honest errors during construction. Some of the contractors thought there had been conversations with the Planning Commission about changes in building materials, but they were never approved. They are now asking for approval of the modifications that were made in the field. On the west façade (facing the car wash) they constructed the middle 60% of the back wall with concrete block. The Committee recommended that veneer be applied. He showed the Commissioners a sample of the existing brick (no white specs) and the brick veneer (with white specs) proposed to be used on the 60% of the back wall that is currently concrete block. They constructed a ladder on the west façade, which the Committee was agreeable to, but it must be painted to match the color of the brick. On the north and east facades (see Page 11 of the packet) they show horizontal steel pipe, which has been replaced with glazed brick and the Committee did not have a problem with that change. The Committee recommended approval of the request with the conditions that (1) brick veneer will be placed on the section of the back wall that is constructed of concrete block and it will match the sample; (2) the turquoise detail will not have to be carried through on the veneer section; (3) the mortar used on the veneer will need to match the existing

EXHIBIT

“B”

ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: March 15, 2006

RE: Request of **Towne Development Group Ltd. (applicant)** for **Emmitt C. Pennington, Jr., Linda G. Pennington, James R. Perry and Patricia Perry (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 40.65 acre site located at the southern terminus of Burgundy Hill Drive, including the property addressed as 1787 Burlington Pike, east of the Willow Bend Subdivision, north of Perry Lane and west of Oakbrook Road and Gunpowder Creek, Boone County, Kentucky. The request is for a Zoning Map Amendment to allow condominiums.

REMARKS:

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

FINDINGS OF FACT

1. The Committee has concluded that the proposed Zoning Map Amendment and accompanying Concept Development Plan are in agreement with the Comprehensive Plan due to the following reasons.
 - A. The Future Land Use Map designates the majority of the site for "High Suburban Density Residential" (HSD) uses (single family or attached housing including townhouses and condominiums up to eight units per acre), a smaller portion of the southern part of the site for "Suburban Residential" (SR) uses (single family housing up to four units per acre), and an incidental portion of the northern part of the site for "Urban Density Residential" (UD) uses (attached housing over eight units per acre). When considering that the Map represents land use concepts, the Committee has concluded that it is reasonable to construe the entire site as being designated for HSD uses. The proposal is for townhouses and stacked condominiums with a density of 7.2 units per acre based on the 40.2 acre figure stated on the plan.

- B. The text of the Comprehensive Plan discusses this particular area. The Land Use Element ("13. Burlington Area," pp. 150 and 151) states "the developing residential area south of KY 18, west of Oakbrook Drive and east of Camp Ernst Road must include street connections that enable traffic generated by the area to travel in all four directions. This should allow Oakbrook traffic to proceed to KY 237 in the Rogers Lane area, and Shaker Run traffic to access KY 18 without traveling Camp Ernst Road or Oakbrook Road." The Concept Development Plan includes a street connection route that will connect the current dead end of Burgundy Hill Drive and the future extension of Garcia Drive in Shaker Run, Phase 2 Subdivision. Due to no other remaining opportunities, the Shaker Run-KY 18 connection must go through the subject site and connect to Burgundy Hill Drive if it is to be implemented. Such connections are also generally advocated by the Future Land Use Development Guidelines ("Access Management," pp. 141 and 142; "Transportation and Pedestrian Network," pg. 142), Housing Element ("Geographic Housing Issues; Florence-Burlington Area, pg. 79), Transportation Element ("Street Connections," pg. 130), and the Goals and Objectives ("Housing," Objective 8; "Transportation," 2nd Goal, Objectives 2 and 3).
- C. The Housing Element provides substantial direction regarding the appropriate placement and design of attached and/or higher density residential developments. In particular, the Element states "multi-family housing developments should have convenient access to commercial districts or should provide their own supporting commercial uses" ("Housing Types," pg. 75) and "high density residential areas should be located sufficiently near and with convenient access to major streets, highways, and shopping and public facilities. A progression of densities of residential uses from high (multi-family) to low (single family) shall be encouraged. Where traditional progressions of high to low net density are not possible through creative development design, an appropriate and attractive visual transition should be achieved. This could include existing vegetation or new landscaping and/or fencing. Existing vegetation (such as wooded fence rows) should be retained as much as possible to provide buffer strips and stormwater filters" ("Housing Densities," pg. 76).

The site is situated as part of a progression from commercial uses along KY 18 and Patrick Drive, to apartment style residential units immediately to the north and northwest, to single family dwellings to the south and west with attached dwellings to the east across Oakbrook Road. The retail areas, KY 18, and the TANK park and ride lot are within walking distance of the site. Additionally, the Concept Development Plan and agreed conditions include ample building setbacks, buffer areas, and retention of existing vegetation around the perimeter of the site, especially where these boundaries adjoin single family residences.

- D. The Recreation Element ("County Wide Recommendations; Future Vision," pg. 87) recommends developing "a system of greenways, hike and bikeways and linkages that connect the parks, schools, playgrounds, neighborhoods, appropriate historic resources, and green spaces throughout the County." The Concept Development Plan includes a green space corridor along Gunpowder Creek that the developer will dedicate to the County for open space/recreation purposes. The intent is for this dedication to be included as part of a larger greenway system along with other land acquisitions.
 - E. 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 (822) is expected to increase from 7,611 in the year 2000, to 9,437 in 2010, and to 12,788 in 2020 (pp. 24 and 25). In short, a notable increase in population for the zone at large is forecasted.
 - F. The Committee has concluded that the proposal is in agreement with the applicable Future Land Use Development Guidelines as described in the Comprehensive Plan and the Goals and Objectives. Specific references to the guidelines and Goals and Objectives are outlined in the staff report for this request.
- 2. The Committee has concluded that the Concept Development Plan, coupled with the agreed conditions, fulfill the applicable requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations, including the requirements of Section 1514 "Planned Development Standards."
 - 3. The Committee has concluded that the attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan and the standards and policies of Article 15 "Planned Development District." 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. Sidewalks shall be provided on both sides of Garcia Drive, consistent with the street section approved for Shaker Run, Phase 2 Subdivision. The sidewalks along the main street route through the development (from the current terminus of Burgundy Hill Drive to the intersection with Garcia Drive) shall be 5 feet in width.

2. The local streets in the development shall have a 24 foot pavement width, consistent with the Residential Condominium Street standards.
3. A dedicated right-of-way connection shall be provided from the end of the northernmost east/west running street to the McNabb property to the east.
4. The developer shall pay a proportionate cost of the turn lane improvements identified in the Traffic Impact Study for the west bound left turn lane on KY 18 onto south bound Burgundy Hill Drive when the Kentucky Transportation Cabinet determines that the appropriate warrants have been met. The proportionate costs shall be based on the percentage of traffic generated by this development that will use the turn lane during the PM peak hour.
5. Signage on the site shall be limited to the following signs:
 - A. The permanent, masonry entry monuments at each entrance into the development that were submitted with the original signage package. The size and height of these signs shall meet the requirements of Section 3410 of the Boone County Zoning Regulations.
 - B. One sign which states "welcome" on one side and "thank you for visiting" on the other which is placed near the Burgundy Hill Drive entrance. This sign shall be a maximum of 5 feet high and a maximum size of 9 square feet, which is consistent with the design submitted with the original signage package.
 - C. One sign which identifies the sales office. Consistent with the design submitted with the original signage package, this sign shall be mounted on a 6 foot high masonry column, and the sign board shall be limited to 10.4 square feet.
 - D. One 4 foot by 8 foot temporary sign along Burgundy Hill Drive and placed on the subject site which shall be removed when construction in the development is complete. An additional 4 foot by 8 foot temporary sign shall be permitted on the clubhouse/community facility site and shall be removed when the permanent clubhouse/community facility has been constructed.
 - E. The small-scaled model identification signs outlined in the original signage package shall be permitted provided only one sign is used for each model type, regardless of the overall number of available units for the specific model type in question.
 - F. The street signs and regulatory traffic control signage in the original signage package shall be permitted provided they are approved by the Public Works Department.

All temporary signs shall be maintained and kept free from visible deterioration. No lighting shall be permitted for temporary signs.

6. Lighting on the site shall be downcast and use cut-off shields to avoid glare onto adjoining properties.
7. The developer shall follow good construction practices and control dust during construction through watering or other means. The developer shall keep dust and mud from migrating off the subject site.
8. Perimeter buffering, street tree plantings, and additional internal plantings shall follow the landscaping exhibit submitted at the 2/22/06 Zone Change Committee meeting (attached). However, the buffer yard along the west property line from a point parallel to the front of Building 4 to the southwest corner of the development shall be enhanced to Buffer Yard C along this entire span. The buffer yards along the common property lines with the Smith property at the end of Perry Lane shall also be enhanced to Buffer Yard C. Healthy, existing trees that are retained may be credited toward the buffer yards per the normal requirements of Article 37. Landscaping not specifically addressed on the exhibit or in this condition shall follow the normal requirements of Article 37.
9. The developer shall not lease or rent any units except as may be necessary for a temporary business office for the sale of on-site units. Additionally, there shall be no parking or storage of recreational vehicles in the development.
10. Dumpsters shall be located no closer to the property lines of the adjoining single family residences than as indicated on the attached exhibit.
11. The location of Building 23 shall be adjusted to increase the setback from the Smith property by at least 10 feet.
12. Construction access shall be from improved public roads only.

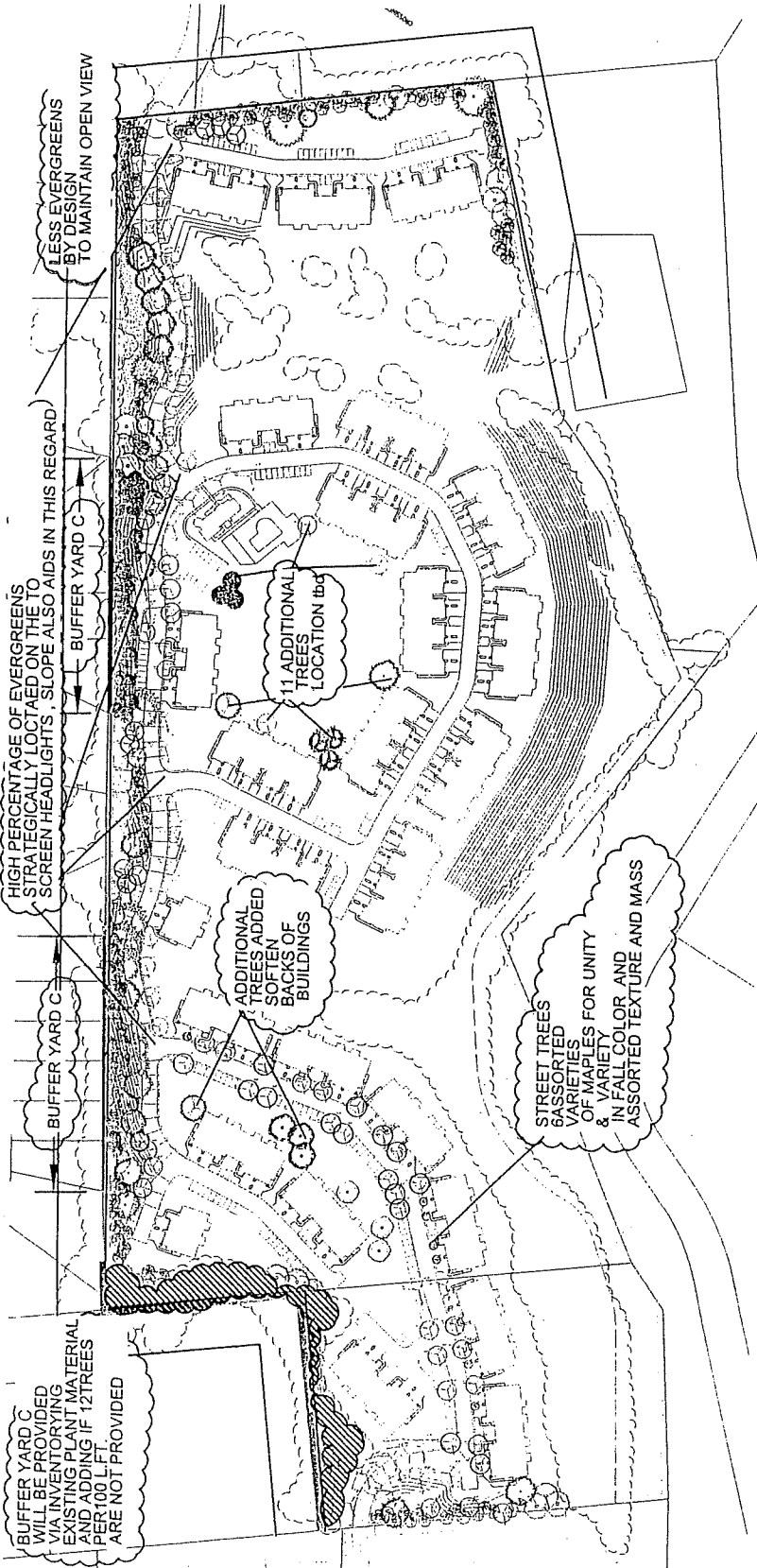
A copy of the Public Hearing minutes accompanies the findings and recommendation serving as a summary of the evidence and testimony presented by the proponents and opponents of this request. Attached is the signature page for the Zone Change Committee Vote.

DATE	2/22/06
PROJECT	PENNINGTON PROPERTY
CLIENT	BOONE C. DRIVE KENTUCKY
DESIGNER	BOONE C. DRIVE KENTUCKY
SCALE	1" = 100'
SHEET NO.	1
TOTAL SHEETS	1

2/22/06 CONCEPT FOR BCPC COMMITTEE REVIEW

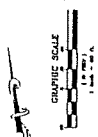
LANDSCAPE PLAN FOR
PENNINGTON PROPERTY
BOONE C. DRIVE
KENTUCKY

Project: Pennington Property
Sheet No. 1
Job No. 00-00-00



ENVIRONMENTAL LANDSCAPE PLAN

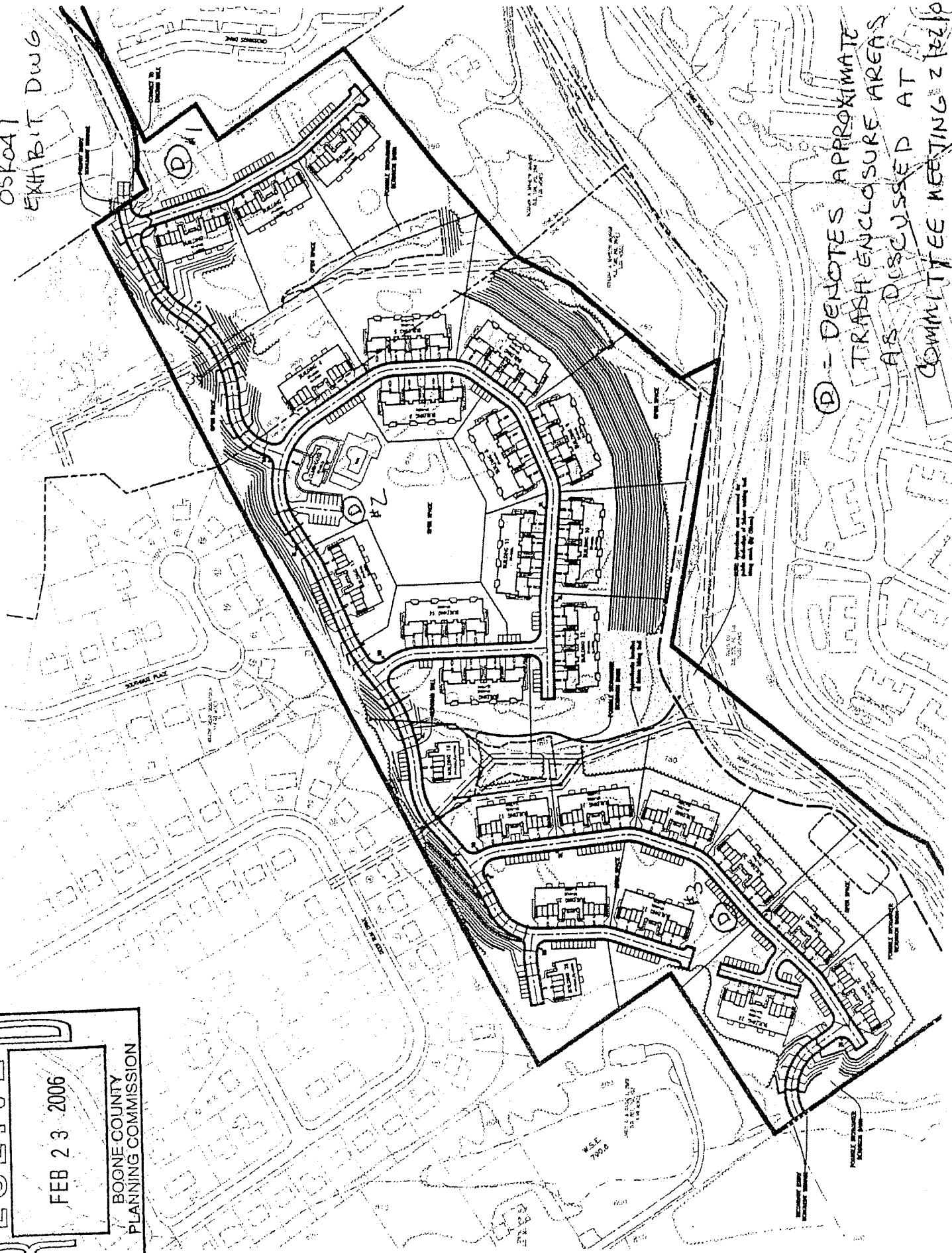
PLANT LEGEND	KEY	Count	SIZE	COMMON	LATIN
SHADE TREES					
DT-ARA	11	2 in.	Armstrong Maple	Acer rubrum 'Armstrong'	
DT-ARB	28	2 in.	Autumn Blaze Maple	Acer rubrum 'Autumn Blaze'	
DT-ARF	6	2 in.	Autumn Flame Maple	Acer rubrum 'Autumn Flame'	
DT-ARO	15	2 in.	October Glory Maple	Acer rubrum 'October Glory'	
DT-ARR	29	2 in.	Red Sunset Maple	Acer rubrum 'Red Sunset'	
DT-ASS	26	2 in.	Bonfire Sugar Maple	Acer saccharum 'Bonfire'	
DT-GB	5	2 in.	Autumn Gold Ginkgo	Ginkgo biloba 'Autumn Gold'	
DT-GD	1	2 in.	Kentucky Coffeetree	Gymnocladia dioica	
DT-LS	13	2 in.	American Sweetgum	Liquidambar styraciflua	
DT-LT	1	2 in.	Tulip Poplar	Liriodendron tulipifera	
DT-PO	8	2 in.	London Planetree	Platanus occidentalis 'Bloodgood'	
DT-OA	4	2 in.	Sawtooth Oak	Quercus acutissima	
DT-OB	4	2 in.	Swamp White Oak	Quercus bicolor	
DT-OR	18	2 in.	Northern Red Oak	Quercus rubra	
DT-UA	6	2 in.	Valley Forge American Elm	Ulmus americana 'Valley Forge'	
DT-ZS	4	2 in.	Green Vase Japanese Zelkova	Zelkova serrata 'Green Vase'	
ORNAMENTAL TREES					
OT-CC	14	2 in.	Forest Pansy Redbud	Cercis canadensis 'Forest Pansy'	
OT-FC	10	2 in.	Anisocrat Pear	Pyrus calleryana 'Anisocrat'	
EVERGREEN TREES					
ET-PA	158	6	Norway Spruce	Picea abies	
ET-PP	100	6	Colorado Green Spruce	Picea pungens	
ET-PS	39	6-7	White Pine	Pinus strobus	



RECEIVED AT 2/22/06 ZC COMPUTER

05K047
EXHIBIT DWG

RECEIVED
FEB 23 2006
BOONE COUNTY
PLANNING COMMISSION



D - DENOTES APPROXIMATE
TRASH ENCLOSURE AREAS
AS DISCUSSED AT
COMMITTEE MEETING 2/22/06

BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
COURTROOM 3A
February 1, 2006
7:30 P.M.

PUBLIC HEARING

Commission Members Present: Mrs. Arnett, Mr. Barlow, Mr. Breetz, Mr. Bungler, Mr. Caddell – Chairman, Mr. Carmichael, Mrs. Kegley, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mr. Poe, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen and Mr. Schwenke.

Staff Members Present: Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; and Mr. Kevin Wall, AICP, CDT – Director, Zoning Services.

Legal Counsel Present: Mr. Dale Wilson

Mr. Arnold Caddell, Chairman, called the meeting to order at 7:50 PM and introduced the first item on the Agenda:

Applicant: Towne Development Group Ltd. for Emmitt C. Pennington, Jr., Linda G. Pennington, James R. Perry and Patricia Berry (owners)

Request: Zoning Map Amendment

The request of Towne Development Group Ltd. (applicant) for Emmitt C. Pennington, Jr., Linda G. Pennington, James R. Perry and Patricia Perry (owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 40.65 acre site located at the southern terminus of Burgundy Hill Drive, including the property addressed as 1787 Burlington Pike, east of the Willow Bend Subdivision, north of Perry Lane and west of Oakbrook Road and Gunpowder Creek, Boone County, Kentucky. The request is for a Zoning Map Amendment to allow condominiums.

Staff Member Kevin Wall presented the Staff Report which included a Power Point presentation (see Staff Report).

Following an explanation of the Public Hearing process, the Chairman asked for the applicant's presentation.

Mr. Brad Austing with Towne Properties, 1055 St. Paul Place, Cincinnati, introduced Mr. Gil Whitacre with Bayer & Becker Engineers, Mr. Fritz Kruetzkamp with Fischer Homes, and traffic engineer Ms. Etta Reed. Mr. Austing stated that Towne Properties has been in the business of building, constructing and managing residential properties for forty-five years. Fischer Homes will be the sole premium builder on the site and Towne Properties will manage the property during and after construction. He stated that they want to be sensitive to the transition areas against the existing single-family homes. They have tried to have a 150-foot separation between the houses, which also helps to preserve the trees. They tried to put all of the buildings on one side of the road. Very few of the buildings face the single-family area and when they do, they are a couple of hundred feet away. The PD zone allows them to be sensitive to that area. He reviewed the exhibit and noted the orientation of the buildings in relation to the existing homes. He stated that they want to be sensitive with distance, vegetation, and differences in elevation to help buffer the properties. The PD allows them to preserve some of the natural features including the large trees. He indicated on the exhibit the location of the single-family homes in relation to the creek and noted the large buffer area along the creek to preserve the natural area. He stated that this is a 40-acre site and 22 acres are open space. He stated that condominiums generally attract empty nesters. He stated that there is a sense of arrival with the monumental entrance. There is not a long length of street between the intersections and there are stop signs, so there is not a lot of speeding, which encourages pedestrian traffic. There are interconnecting sidewalks throughout the site. He noted the location of the future bike path that will connect to the Boone County hiker/biker trail along Gunpowder Creek. They will donate the necessary easement to Boone County. He stated that emergency vehicles will be able to access throughout the site. They have an elaborate clubhouse, fitness facility and pool. He stated that the request generally complies with the Comprehensive Plan. There will be commercial uses transitioning to attached housing densities and then single-families with buffering. He stated that this is an infill project that is in agreement with the Land Use Element and the intent of the Comprehensive Plan. He stated that a five-foot sidewalk is reasonable and they are willing to comply. Staff recommended a double sidewalk on Garcia Drive and they are willing to comply. In regard to the street extension, he stated that they do not want to encourage people to go on the McNab property, but will comply with extending the right-of-way so that in the future they would be able to make the connection. They currently have a privacy separation between their property and the McNab residence and they want to keep a buffer area there for the benefit of both property owners. He stated that a left hand turn lane is reasonable and they will pay their proportional share based on impact.

Mr. Fritz Kruetzkamp with Fischer Homes stated that they have Gallery and Villa II buildings similar to what they are building in Tara at Plantation Pointe off U.S.

42. He stated that it is an empty-nester young professional type of community. There will be primarily one and two-person families. He stated that they have 51.4% one-person homes and 42.5% two-person homes. He stated that 52% of the homebuyers in a community like this are age 45+ and 18.5% are young professionals ages 25 – 29. He stated that 45% of the homebuyers are move-down buyers who have owned single-family homes. Typically, 49% - 50% of the buyers earn \$65,000 per year or more. He stated that the Gallery building is 14 units (three stories of stacked condominiums). Each unit has its own entry. At street level, it is a two-story building and there are four units behind in the taller elevation. The buildings are brick and siding and tend to follow a theme in regard to color. Prices range from \$95,000 to \$150,000. Villa II homes are eight units per building. The exterior is a mix of brick and siding. Each home has an individual entry and its own garage. They are stacked condos with finished lower level walkouts. He stated that they will have a theme from the street signs and entry monument to the colors and interior decoration of the clubhouse. In the packet is a typical Landscaping Plan. They try to have four trees in the front of the buildings. They pay attention to high profile rears of buildings and may add additional landscaping, brick or architectural features. He stated that he does not know that they have a plan for a tree every 40 or 50 feet along the boulevard, but they will have landscaping or planted berms to hide dumpsters and utility boxes and spruce up the drive. He stated that Staff was also concerned about the signage. He stated that the signage is important to making this a successful community. He stated that people need more direction to a private residential property than to a Burger King. The signage is a part of creating the community. They like to have a welcome sign and a sign to thank people for visiting.

Mr. Gil Whitacre, Bayer & Becker Engineers, stated that they are willing to look at Staff's concerns regarding the buffering and signage. He stated that this is a unique site. It is an infill site surrounded by development. All of the infrastructure and utilities are in place. There is adequate sanitary sewer capacity. There are two sewer lines running through the site. The Sanitation District has indicated that there is capacity in the lines to serve this development. Water and the public street will be extended. There will be a connection between Burgundy Hill Drive and the Shaker Run development to provide a loop system. He stated that the site is at the bottom of the watershed area and most of the water from the adjoining subdivisions runs through this site to get to Gunpowder Creek. They will provide stormwater detention per the requirements. They have identified possible areas on the plan for stormwater detention and they hope to take advantage of the natural drainage course. He indicated the location of the proposed detention basin. He stated that the grading shown is conceptual. He indicated the ridge and stated that the site falls from west to east. They will have to make some cuts on the upper side and do some filling around the bottom. They will do the least amount of grading possible. He indicated the fill area. He stated that most of the treeline is along the creek area. He indicated where there will be a berm to prevent headlights from shining onto the adjoining property. They will take advantage of the flexibility that the PD allows and have a slightly narrower

street section in two areas, which will reduce speeds. They will do this on two of the shorter side street stubs. There will be no on-street parking on those streets and off-street parking will be provided. If the County Engineer requires the streets to be 24-feet wide, they will comply. He stated that the request is generally consistent with the Goals and Objectives and the Land Use Plan Element of the Comprehensive Plan. In their packet is a written narrative listing a number of the Goals and Objectives and how the request conforms to them. He offered to answer any questions.

Ms. Etta Reed, Bayer & Becker Engineers, stated that they prepared the Traffic Impact Study for the development. She stated that they obtained the signal timing from the Transportation Cabinet, but due to Staff's concern, they will go back to the Transportation Cabinet to make sure the information they have is correct. They will provide the information to the Committee. She offered to answer any questions regarding the Traffic Study.

Chairman Caddell stated that he is satisfied that most of the traffic will travel towards Florence and back. He noted that Mr. Wall stated in the Staff Report that they cannot build a left turn storage lane long enough to cover this many units. He stated that he travels Burlington Pike several times a day and the left turn signal currently lets 3 or 4 cars through. He questioned what percentage of people will turn left at the traffic light as compared to turning left onto Oakbrook Road and cutting up through the service road or cutting onto the next exit to the west, which would be Kroger's main entrance, or what number of vehicles would turn in at the Burger King and go via the service road to Burgundy Hill. Ms. Reed responded that they anticipate all of the traffic for this development to utilize the Burgundy Hill intersection, which is signalized. Most people will go to the signalized intersection because of safety considerations. Chairman Caddell stated that the concern is moving traffic east/west on the main corridor of Burlington Pike. He stated that the signalization and left turn lane is probably the minimum possible. They will need all of the left turn storage lane time that they can get, especially in the A.M. and P.M peak times. Ms. Reed responded that the Transportation Cabinet's interest is to keep the traffic moving on KY 18. She stated that they need 400 feet and they can provide about 370 feet of left turn storage lane. One of their recommendations was to improve the timing at the intersection, which they can address with the Transportation Cabinet. She believes timing changes can be done to Burgundy Hill Drive and Taylor Drive. Chairman Caddell stated that he is concerned that people will get in the high-speed lane and make a U-turn. He believes that a police offer will be able to write 100 tickets a day at this intersection. Ms. Reed responded that they will look at it and discuss it at the Committee Meeting.

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

Mr. Don Berg, 1708 Deer Run Drive, stated that getting out on Camp Ernst Road now is horrendous. They only have one access in and out of their development and there is no emergency access. He stated that there is not much of a tree line in between the properties now. The average time for a tree to grow and be able to buffer noise and wind is three years and they cannot plant enough shrubs to help with the noise factor. He is concerned about the impact while the development is going on.

Mr. Larry Smith, 1742 Perry Lane, stated that they will get all of the street noise and they will hear all of the construction going on. He works at night and sleeps during the day. He is concerned that his property will be devalued.

Mr. Stan Gregory, 1916 Deer Run Drive, stated that there is a road in front of their house and now there will be a road behind them. He questioned the effect on his property value.

Mr. Steve Hudgman, 6487 Southgate Place, is concerned that his property value will go down. He is also concerned about the noise. He asked if taxes will go up.

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

Mr. Knock asked if the ingress/egress is one-way or two-way. Mr. Wall responded that it is a two-way street. Mr. Knock asked if when they talk about one- and two-person families they are talking about one- and two-bedroom units. Mr. Kruetzkamp responded that it is one- and two-person families and he believes all of the units have two or more bedrooms.

Mr. Knock asked if the amenities are similar to Tara. Mr. Wall responded that the basic concept of the pool and clubhouse facilities is comparable. This development has more open space and he does not believe that it will feel as compact as Tara. The creek valley does not seem like it is part of Tara and it probably would in this development.

Mr. Knock questioned restrictions on the number of automobiles an owner can have and he asked if they can park pickup trucks there. Mr. Austing responded that they typically have restrictions on the amount and type of vehicles that can be parked there. They do not allow campers or boats to be parked there.

Mr. Costello asked, considering the problem they have with extending the turn lane, if they have looked at negotiating with Drees and putting a bridge over the creek and using Oakbrook Road for access and signage instead of building this road network and advertising off-premise. Mr. Austing responded that they contacted Drees and they had no interest in transferring land for a connection. Mr. Costello stated that at one time they were interested in donating the land to

the county. He stated that the existing road network is in good shape and Oakbrook Road could be the primary entrance to this development to take some of the burden off of the road network that serves the commercial area and the apartments. He suggested they reexamine this opportunity. Mr. Austing stated that they contacted the Drees Company. Mr. Costello asked if they contacted the county. He stated that the Planning Commission required Shaker Run to cross the creek. He questioned if the possibility has been thoroughly explored. Chairman Caddell stated that the applicant may want to ask someone from the county to intercede in regard to the possibility of the Oakbrook connection, and they may want to address this prior to the Committee Meeting.

Mr. Knock asked if they require the rental agreement to be for a year or more if an owner wants to rent his unit so that they do not have transient people. Mr. Austing responded that it does not tend to be a problem and he does not know that they can make that restriction.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on February 22, 2006 at 5:00 PM in this room. This item will be on the Agenda for the Business Meeting on March 1, 2006 at 7:00 PM.

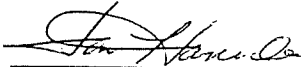
The Chairman closed this Public Hearing at 8:54 PM.

APPROVED:



Arnold Caddell, Chairman

Attest:



Jan Hancock, Recording Secretary

ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: February 22, 2006


RE: Request of **Towne Development Group Ltd. (applicant)** for **Emmitt C. Pennington, Jr., Linda G. Pennington, James R. Perry and Patricia Perry (owners)** for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 40.65 acre site located at the southern terminus of Burgundy Hill Drive, including the property addressed as 1787 Burlington Pike, east of the Willow Bend Subdivision, north of Perry Lane and west of Oakbrook Road and Gunpowder Creek, Boone County, Kentucky. The request is for a Zoning Map Amendment to allow condominiums.

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.

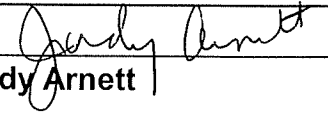
Towne Development Group/Pennington/Perry

February 22, 2006



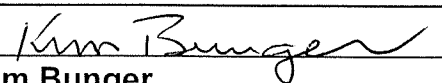
Greg Breetz, Chairman

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____



Judy Arnett

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____



Kim Bunger

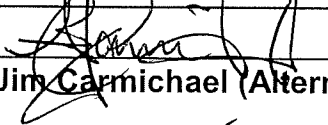
For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Janet Kegley

For Project _____ Absent
 Against Project _____
 Abstain _____ Deferred _____

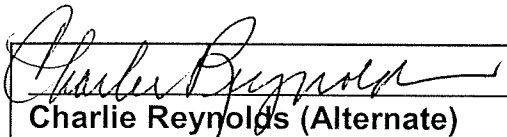
Susan Poston

For Project _____ Absent
 Against Project _____
 Abstain _____ Deferred _____



Jim Carmichael (Alternate)

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____



Charlie Reynolds (Alternate)

For Project Absent _____
 Against Project _____
 Abstain _____ Deferred _____

Bob Schwenke (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

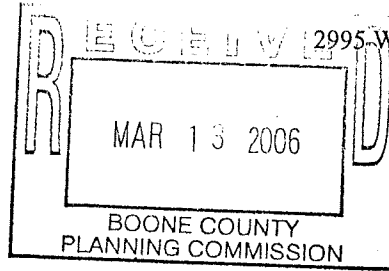
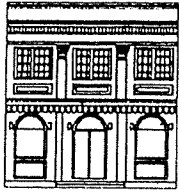
Lisa Wilson (Alternate)

For Project _____ Absent _____
 Against Project _____
 Abstain _____ Deferred _____

TOTAL: _____ DEFERRED 5 FOR PROJECT _____ 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

February 27, 2006

Mr. Emmit C. Pennington
Mrs. Linda G. Pennington
Mr. James R. Perry
Mrs. Patricia Perry
c/o Mr. Gil Whitacre
Bayer-Becker
14 East 8th Street
Covington, KY 41011

FAX: 261-1710

RE: Recommended Conditions of Approval for Towne Development Zone Change Application from SR-1 and SR-2 to SR-2/PD for Pennington and Perry Properties Located at End of Burgundy Hill Drive, Boone County, Kentucky

Dear Mr. & Mrs. Pennington and Mr. & Mrs. Perry:

The following represents the conditions of approval for the above referenced application as agreed by the Planning Commission's Zone Change Committee at their February 22, 2006 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 the end of Tuesday, February 28, 2006.

CONDITIONS

1. Sidewalks shall be provided on both sides of Garcia Drive, consistent with the street section approved for Shaker Run, Phase 2 Subdivision. The sidewalks along the main street route through the development (from the current terminus of Burgundy Hill Drive to the intersection with Garcia Drive) shall be 5 feet in width.
2. The local streets in the development shall have a 24 foot pavement width, consistent with the Residential Condominium Street standards.
3. A dedicated right-of-way connection shall be provided from the end of the northern-most east/west running street to the McNabb property to the east.
4. The developer shall pay a proportionate cost of the turn lane improvements identified in the Traffic Impact Study for the west bound left turn lane on KY 18 onto south bound Burgundy Hill Drive when the Kentucky Transportation Cabinet determines that the appropriate warrants have been met. The proportionate costs shall be based on the percentage of traffic generated by this development that will use the turn lane during the PM peak hour.

5. Signage on the site shall be limited to the following signs:
- A. The permanent, masonry entry monuments at each entrance into the development that were submitted with the original signage package. The size and height of these signs shall meet the requirements of Section 3410 of the Boone County Zoning Regulations.
 - B. One sign which states "welcome" on one side and "thank you for visiting" on the other which is placed near the Burgundy Hill Drive entrance. This sign shall be a maximum of 5 feet high and a maximum size of 9 square feet, which is consistent with the design submitted with the original signage package.
 - C. One sign which identifies the sales office. Consistent with the design submitted with the original signage package, this sign shall be mounted on a 6 foot high masonry column, and the sign board shall be limited to 10.4 square feet.
 - D. One 4 foot by 8 foot temporary sign along Burgundy Hill Drive and placed on the subject site which shall be removed when construction in the development is complete. An additional 4 foot by 8 foot temporary sign shall be permitted on the clubhouse/community facility site and shall be removed when the permanent clubhouse/community facility has been constructed.
 - E. The small-scaled model identification signs outlined in the original signage package shall be permitted provided only one sign is used for each model type, regardless of the overall number of available units for the specific model type in question.
 - F. The street signs and regulatory traffic control signage in the original signage package shall be permitted provided they are approved by the Public Works Department.

All temporary signs shall be maintained and kept free from visible deterioration. No lighting shall be permitted for temporary signs.

6. Lighting on the site shall be downcast and use cut-off shields to avoid glare onto adjoining properties.
7. The developer shall follow good construction practices and control dust during construction through watering or other means. The developer shall keep dust and mud from migrating off the subject site.
8. Perimeter buffering, street tree plantings, and additional internal plantings shall follow the landscaping exhibit submitted at the 2/22/06 Zone Change Committee meeting (attached). However, the buffer yard along the west property line from a point parallel to the front of Building 4 to the southwest corner of the development shall be enhanced to Buffer Yard C along this entire span. The buffer yards along the common property lines with the Smith property at the end of Perry Lane shall also be enhanced to Buffer Yard C. Healthy, existing trees that are retained may be credited towards the buffer yards per the normal requirements of Article 37. Landscaping not specifically addressed on the exhibit or in this condition shall follow the normal requirements of Article 37.
9. The developer shall not lease or rent any units except as may be necessary for a temporary business office for the sale of on-site units. Additionally, there shall be no parking or storage of recreational vehicles in the development.

Mr. & Mrs. Pennington
Mr. & Mrs. Perry
February 27, 2006
Page 3

10. Dumpsters shall be located no closer to the property lines of the adjoining single family residences than as indicated on the attached exhibit.
11. The location of Building 23 shall be adjusted to increase the setback from the Smith property by at least 10 feet.
12. Construction access shall be from improved public roads only.

Sincerely,



Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

Enclosures

AGREEMENT

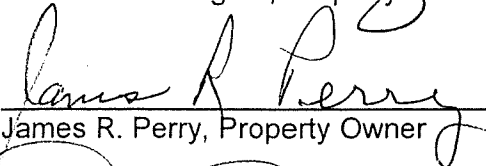
We, the owners of the approximate 40 acre area located at the end of Burgundy Hill Drive, Boone County, Kentucky, agree to the conditions listed herein for the above referenced Zoning Map Amendment application.


Emmit C. Pennington, Property Owner

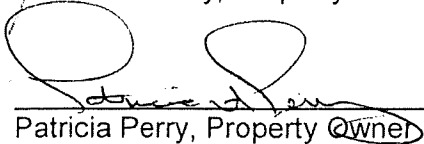
Mar. 10, 2006
Date


Linda G. Pennington, Property Owner

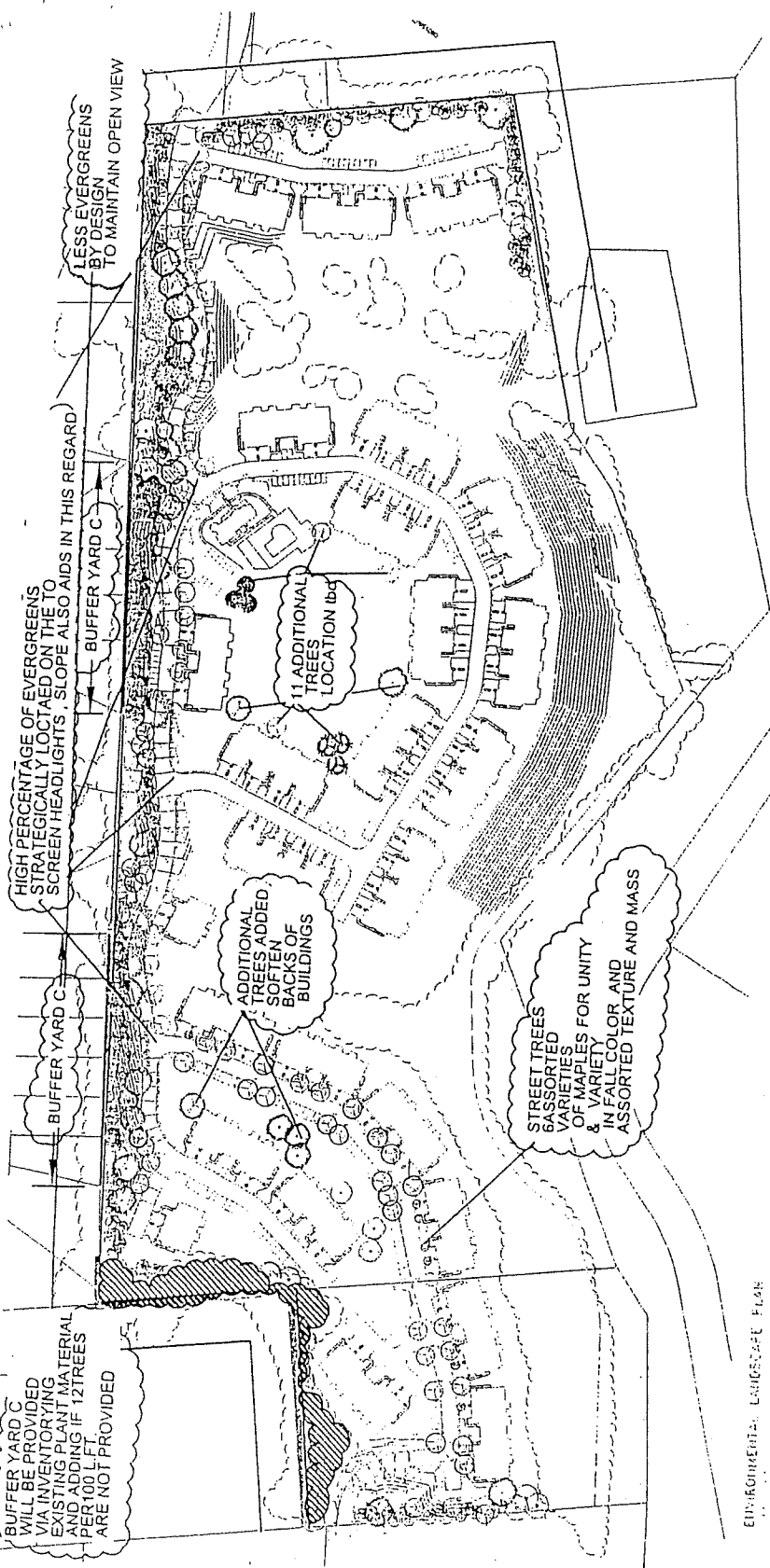
3-10-2006
Date


James R. Perry, Property Owner

3-15-2006
Date


Patricia Perry, Property Owner

3-15-2006
Date



EDUCATION CENTER - LANDSCAPE PLAN

PLANT LEGEND			LATIN
KEY	Count	SIZE	COMMON
SHADE TREES			
DT-ARA	11	2 in.	Armstrong Maple
DT-ARB	10	2 in.	Autumn Blaze Maple
DT-ARB	6	2 in.	Autumn Flame Maple
DT-ARD	15	2 in.	October Glory Maple
DT-ARR	29	2 in.	Red Sunset Maple
DT-ASS	26	2 in.	Bonfire Sugar Maple
DT-GB	5	2 in.	Autumn Gold Ginkgo
DT-GD	1	2 in.	Kentucky Coffeetree
DT-LS	10	2 in.	American Sweetgum
DT-LT	1	2 in.	Willow Poplar
DT-LO	8	2 in.	London Planetree
DT-LON	4	2 in.	Sawtooth Oak
DT-OB	4	2 in.	Swamp White Oak
DT-OR	18	2 in.	Northern Red Oak
DT-VA	6	2 in.	Valley Forge American Elm
DT-ZS	4	2 in.	'Green Vase' Japanese Zelkova
ORNAMENTAL TREES			
DT-CC	14	2 in.	Forest Pansy Redbud
DT-PC	10	2 in.	Andicot Pear
EVERGREEN TREES			
ET-PA	158	6"	Norway Spruce
ET-PP	100	6"	Colorado Green Spruce
ET-PS	39	6-7"	White Pine

HIGH PERCENTAGE OF EVERGREENS STRATEGICALLY LOCATED ON THE TOPOGRAPHY TO SCREEN HEADLIGHTS, SLOPE ALSO AIDS IN THIS REGARD

LESS EVERGREENS BY DESIGN TO MAINTAIN OPEN VIEW

ADDITIONAL TREES ADDED TO SOFTEN BACKS OF BUILDINGS

11 ADDITIONAL TREES LOCATION INDICATED

STREET TREES OF VARIETY MAPLES FOR UNITY & VARIETY IN FALL COLOR AND ASSORTED TEXTURE AND MASS

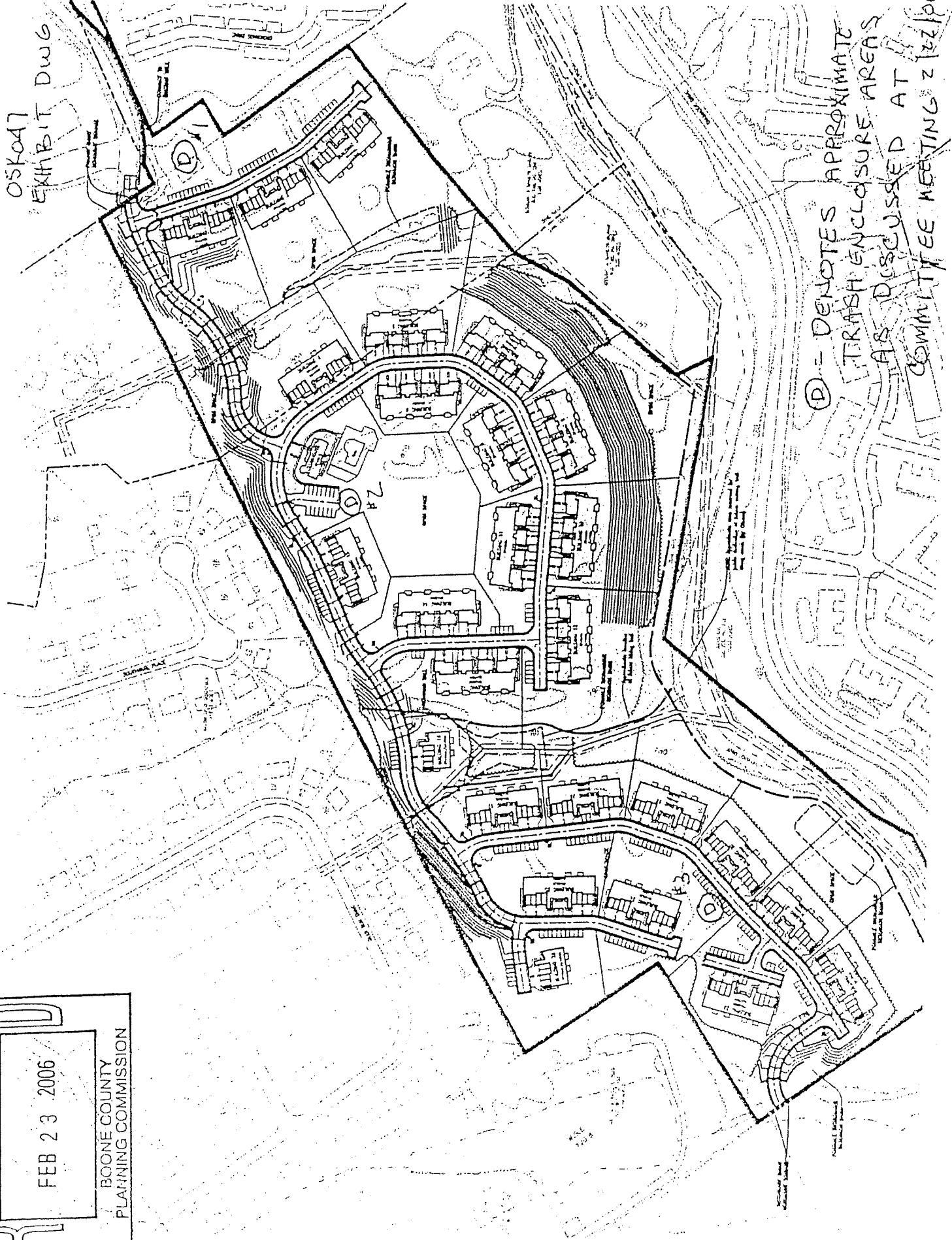
18 ASSORTED VARIETIES OF TREES FOR ASSORTED FALL COLOR AND ASSORTED TEXTURE AND MASS

3 ASSORTED VARIETIES OF OAKS FOR WINTER SCREENING

HIGH PERCENTAGE OF EVERGREENS STRATEGICALLY LOCATED ON THE TOP OF SLOPES TO TAKE ADVANTAGE OF THEIR MASS IN REGARD TO SIGHT LINES AND VIEWS

RECEIVED AT 2/22/06 ZC COMMITTEE

05K047
EXHIBIT DWG



Ⓚ - DENOTES APPROXIMATE
TRASH ENCLOSURE AREAS
AS DISCUSSED AT
COMMITTEE MEETING 2/22/06

RECEIVED
FEB 23 2006
BOONE COUNTY
PLANNING COMMISSION



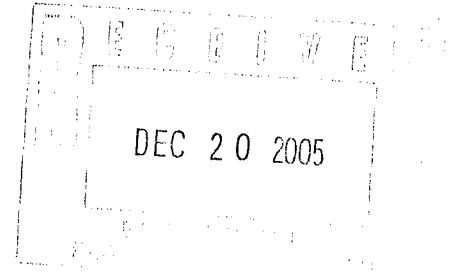
engineers
planners
architects
surveyors

www.bayerbecker.com



14 East Eighth Street
Covington, KY 41011
P.859.261.1113
f.859.261.1710

DESCRIPTION: Rezone Parcel – 40.2 Acres
LOCATION: Burgundy Hill Drive
DATE: December 6, 2005



Situated in the County of Boone, Commonwealth of Kentucky, lying on the East side of Burgundy Hill Drive (50' R/W) approximately 590 feet South of the centerline intersection of Burgundy Hill Drive and Burlington Pike (Ky. Hwy. 18 – R/W varies) and being all of a 34.60 acre tract and all of the remainder of a 0.14 acre tract conveyed to Emmett C., Jr. and Linda G. Pennington in Deed Book 283, Page 152 and all of a 5.20 acre tract conveyed to James R. and Patricia Perry in Deed Book 186, Page 42 of the Boone County Clerk's Records at Burlington and more particularly described as follows:

Begin at the Northeast corner of the remainder of the above mentioned 0.14 acre tract, said corner being in the existing East right-of-way line of Burgundy Hill Drive (Dedicated in Plat Cabinet 4, Page 71 and Plat Cabinet 4, Page 206) and the TRUE POINT OF BEGINNING:

thence from the TRUE POINT OF BEGINNING, leaving the existing East right-of-way line of Burgundy Hill Drive and with the West line of a 21.732 acre tract conveyed to Drees-Bartlett Joint Venture IV in Deed Book 464, Page 76 South 13°10'36" West, 1005.29 feet;

thence with the South line of said 21.732 acre tract South 85°51'16" East, 125.00 feet;

thence South 05°47'21" West, 86.00 feet;

thence South 85°30'05" East, 313.44 feet to the Northwest corner of a 5.48 acre tract conveyed to Norman and Marilyn McNabb in Deed Book 168, Page 290;

thence with the West line of said 5.48 acre tract South 00°06'41" East, 288.55 feet;

thence South 02°54'05" East, 266.75 feet;

thence South 23°49'34" East, 131.93 feet;

thence South 10°27'52" East, 297.57 feet;

thence South 76°38'01" East, 84.50 feet to the Southmost corner of the above mentioned 5.48 acre tract, said corner being in the West line of the remainder of a 5.2135 acre tract conveyed to The Drees Company in Deed Book 275, Page 140;

thence with the remainder of said 5.2135 acre tract South 48°17'58" West, 582.00 feet;

thence South 11°27'02" East, 578.06 feet to the Southeast corner of the above mentioned 34.60 acre tract;

thence with the East line of the above mentioned 5.20 acre tract South 23°57'01" East, 92.66 feet;

J:\2005\05k047-000\SV\legals\1407.DOC

700 Nilles Road
Fairfield, OH 45014

14 East Eighth Street
Covington, KY 41011

6900 Tylersville Road 777 Eads Pkwy., Suite C
Mason, OH 45040 Lawrenceburg, IN 47025

DESCRIPTION: Rezone Parcel – 40.2 Acres
LOCATION: Burgundy Hill Drive
DATE: December 6, 2005
Page 2 of 3

thence South 08°40'32" West, 308.38 feet to the Northeast corner of a 6.75 acre tract conveyed to Bill Hasank Construction, Inc. in Deed Book 880, Page 898;

thence with the North line of said 6.75 acre tract and the North line of a 5.026 acre tract conveyed to Bill Hasank Construction, Inc. in Deed Book 862, Page 996 North 84°34'36" West, 566.23 feet to the Southeast corner of a 4.40 acre tract conveyed to Larry A. and Kathy L. Smith in Deed Book 551, Page 153;

thence with the East line of said 4.40 acre tract North 05°44'58" East, 390.52;

thence with the North line of said 4.40 acre tract North 84°09'16" West, 326.35 feet to the Southeast corner of Willow Bend Subdivision, Section 19 as recorded on Plat Slide 199B;

thence with the East line of said Willow Bend Subdivision, Section 19 and the East line of Willow Bend Subdivision, Section 18 as recorded on Plat Slide 188A North 10°05'35" East, 530.90 feet to the Southeast corner of Willow Bend Subdivision, Section 17 as recorded on Plat Slide 162B;

thence with the East line of said Willow Bend Subdivision, Section 17 North 10°36'24" East, 308.89 feet to the Southeast corner of Willow Bend Subdivision, Section 14 as recorded in Plat Book 17, Page 47;

thence with the East line of said Willow Bend Subdivision, Section 14 North 10°41'50" East, 549.55 feet to the Southeast corner of Willow Bend Subdivision, Section 13 as recorded in Plat Book 19 Page 21;

thence with the East line of said Willow Bend Subdivision, Section 13 North 10°59'38" East, 553.41 feet to a point in the South line of the remainder of a 34.5258 acre tract conveyed to JWG2 Investments IV, LLC, JWG2 Investments V, LLC, and JWG2 Investments VI, LLC in Deed Book 856, Page 472;

thence with the South line of the remainder of said 34.5258 acre tract South 84°31'07" East, 130.03 feet to the South terminus of the existing East right-of-way line of Burgundy Hill Drive;

thence with the existing East right-of-way line of Burgundy Hill Drive North 13°43'22" East, 45.67 feet;

thence continuing with said existing East right-of-way line of Burgundy Hill Drive along a curve to the left having a radius of 275.00 feet, an arc length of 136.11 feet, a chord bearing North 27°54'01" East, and a chord distance of 134.71 feet;

thence North 13°43'22" East, 75.00 feet;

thence along a curve to the left having a radius of 245.00 feet, an arc length of 81.44 feet, a chord bearing of North 04°12'03" East, and a chord distance of 81.07 feet;

thence North 05°19'17" West, 72.02 feet to a point in the East line of the remainder of the above mentioned 34.5258 acre tract;

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DESCRIPTION:
LOCATION:
DATE:
Page 3 of 3

Rezone Parcel – 40.2 Acres
Burgundy Hill Drive
December 6, 2005

thence with the East line of the remainder of said 34.5258 acre tract and the East line of a 23.1046 acre tract conveyed to JWG2 Investments VII, LLC, JWG2 Investments VIII, LLC and JWG2 Investments IX, LLC in Deed Book 862, Page 788 North 13°09'40" East, 482.61 feet to a point in the existing East right-of-way line of Burgundy Hill Drive mentioned above;

thence with the existing East right-of-way line of said Burgundy Hill Drive North 25°28'36" East, 80.46 feet;

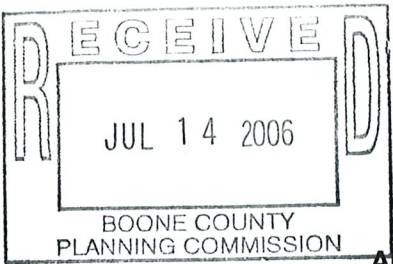
thence continuing with the existing East right-of-way line of Burgundy Hill Drive along a curve to the left having a radius of 350.00 feet, an arc length of 21.77 feet, a chord bearing of North 23°41'41" East, and a chord distance of 21.77 feet;

thence North 21°54'45" East, 113.78 feet;

thence South 79°34'26" East, 1.50 feet to the TRUE POINT OF BEGINNING.

Containing 40.2 acres of land and subject to all easements and rights-of-way of record. The reference meridian is Kentucky State Plane Coordinates, North Zone (1601).

The above description was prepared for zoning purposes only by Chris R. Gephart, Licensed Professional Surveyor #3292 in the Commonwealth of Kentucky, December, 2005. This description is not the result of a field survey and monuments will not be set. Not for recording purposes.



ORDINANCE 06-07

AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS, FOR A REQUEST OF TOWNE DEVELOPMENT GROUP LTD. (APPLICANT) FOR EMMITT C. PENNINGTON, JR., LINDA G. PENNINGTON, JAMES R. PERRY, AND PATRICIA PERRY (OWNERS) FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL ONE (SR-1) AND SUBURBAN RESIDENTIAL TWO (SR-2) TO SUBURBAN RESIDENTIAL TWO/PLANNED DEVELOPMENT (SR-2/PD) FOR AN APPROXIMATE 40.65 ACRE SITE GENERALLY LOCATED AT THE SOUTHERN TERMINUS OF BURGUNDY HILL DRIVE, INCLUDING THE PROPERTY ADDRESSED AS 1787 BURLINGTON PIKE, EAST OF THE WILLOW BEND SUBDIVISION, NORTH OF PERRY LAND AND WEST OF OAKBROOK ROAD AND GUNPOWDER CREEK, BOONE COUNTY, KENTUCKY.

WHEREAS, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map, and such Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 40.65 acre site generally located at the southern terminus of Burgundy Hill Drive, including the property addressed as 1787 Burlington Pike, East of the Willow Bend Subdivision, north of Perry Land and west of Oakbrook Road and Gunpowder Cree, Boone County, Kentucky, which is more particularly described below; and,

WHEREAS, the Boone County Planning Commission as the planning unit for the unincorporated areas of Boone County, Kentucky, was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the Zoning Map Amendment and Variances.

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

SECTION I

That the request for a Zoning Map Amendment for the real estate which is more particularly described below shall be and hereby is approved with conditions, this Zoning Map Amendment being a zone change from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for an approximate 40.65 acre site generally located at the southern terminus of Burgundy Hill Drive, including the property addressed as 1787 Burlington Pike, East of the Willow Bend Subdivision, north of Perry Land and west of Oakbrook Road and Gunpowder Cree, Boone County, Kentucky. The real estate which is the subject of this request for a Zoning Map Amendment in both a Suburban Residential One (SR-1) and a Suburban Residential Two (SR-2) zone is more particularly described in DEED BOOKS 283 and 152, PAGE NOS. 186 and 42, respectively (as supplied by applicant) as recorded in the Boone County Clerk's office.

SECTION II

That as a basis for approval of this Zoning Map Amendment request and Variances are the findings of fact and conditions of the Boone County Planning Commission as set forth in its minutes and official records for this request shall be and are hereby incorporated by reference as if fully set out in this Ordinance marked as "Exhibit A."

ORDINANCE 06-03

*Covered
page
per
Louis
Kelly
7/14/06*

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

SECTION III

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

Introduced and given First Reading on the 18th day of April, 2006.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 6th day of ~~May~~^{June}, 2006, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the County Fiscal Court Clerk and declared to be in full force and effect.

Gary W. Moore

GARY W. MOORE
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:

Louis Kelly

LOUIS KELLY
FISCAL COURT CLERK

James R. Schrand II

JAMES R. SCHRAND II
BOONE COUNTY ATTORNEY

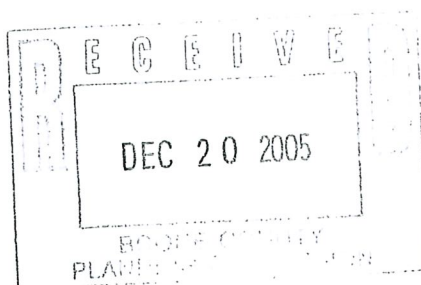
6-15-06
DATE PUBLISHED



TOWNE PROPERTIES

at the Monastery
1055 St. Paul Place
Cincinnati, OH 45202

(513) 381-8698
(513) 345-6949 Fax
info@tp1.com



PARAGON MILLS PLANNED DEVELOPMENT DISTRICT COMPLIANCE

“Paragon” is defined as ideal, and that is our vision for the Paragon Mills community.

Paragon Mills is a well planned, well designed community that supports standards set forth in the Zoning Code for Planned Development Districts, and is consistent with the Comprehensive Plan. More specifically the community promotes, provides and creates a choice of housing types serving a broad demographic in Boone County.

Paragon Mills will offer two building types with ten unique unit designs of varying size to supply area residents with quality housing for their lifestyle needs. This type of condominium community is very attractive to residents without school-age children, who are young professionals, empty nesters or residents just looking for a maintenance-free lifestyle. “Paragon” means ideal, and that is our intent with this development.

Paragon Mills has been designed to be environmentally sensitive to reduce the impact on the natural features of the site. By offering a condominium-designed community versus a conventionally zoned small lot single family subdivision, we are able to preserve 22 acres of the 40 acres for open space. Much of this open space is located around the perimeter of the site which is a tree-lined buffer, to our neighbors, that is being preserved as much as possible. Furthermore, this preservation of the natural site features enhances enjoyment of future residents as well as existing residents adjacent to the site.

Paragon Mills will offer first class amenities such as a clubhouse, fitness and pool facility connected to a large, usable open space. The pedestrian experience is enhanced by a sidewalk system that connects throughout the community with land set aside for a future Boone County linear park and pathway system.

Architectural design throughout Paragon Mills will be consistent in theme. Entry monumentation, signage, landscaping, street signs and other community elements will tastefully blend together to “speak the same design language” creating a sense of place and a communal feel. Although Paragon Mills will be positioned as its own community, it is sensitive and compatible with the surrounding land uses creating a natural transition to the single family, multifamily and commercial areas adjacent to the site.



TOWNE PROPERTIES

at the Monastery
1055 St. Paul Place
Cincinnati, OH 45202

(513) 381-8698
(513) 345-6949 Fax
info@tp1.com

In addition to the design goal of preserving and enhancing the natural buffer to the westerly single family subdivision, the spacial relationship and orientation of buildings were important in the design intent. All new buildings were generally designed to be 150' from the existing homes, and arranged so that typically the front and side elevations of our buildings are exposed to the rear elevations of the existing homes.

In closing, Paragon Mills is the ideal use for this property, and will support and be in harmony with the surrounding properties and Boone County collectively.

Comprehensive Plan Supporting Information:

The future Land Use Map shows the property as mostly "High Suburban Density" (attached housing – condominiums or town homes up to 8 units per acre), while a portion of the site is identified as "Suburban Residential" (up to 4 units per acre) and "Urban Density" (attached housing, generally condominiums over 8 units per acre). It is the applicant's opinion that the proposal is consistent with the general boundaries of the future Land Use Map as the proposed overall gross density is approximately 7.2 dwelling units per acre.

The Land Use Element relates the following about the area:

"The developing residential area south of KY 18, west of Oakbrook Drive and east of Camp Ernst Road must include street connections that enable traffic generated by the area to travel in all four directions. This should allow Oakbrook traffic to proceed to KY 237 in the Rogers Lane area, and Shaker Run traffic to access KY 18 without traveling Camp Ernst Road or Oakbrook Road."

With the inclusion of the Perry property at the south end of the development, this section of the Land use Element is addressed. Although the Perry property has a general land use designation of SR, by including this parcel in the overall plan for the area the connection to Shaker Run Subdivision to the south becomes a possibility.

The adopted 2005 Boone County Comprehensive Plan Goals and objectives include the following pertinent statements and are addressed with this proposal as noted:

Goal: *Proper planning is achieved through accepted land use management tools and coordination with public infrastructure (Unincorporated Boone County only) ("Overall" Goal).*

As stated above, the proposal is in general conformance with the Future Land Use Map and adequate infrastructure exists at the site.

Objective: *Proper design principles shall be applied in development. ("Overall", Objective #3)*

It is the applicant's opinion that proper design principles have been applied to the site. The plan includes buffering and additional building setback distances along existing single-family residential uses to the west and south boundaries and orienting the interior buildings such that only the front or side elevation is visible from the adjoining properties. The proposal also provides a street inter-connection and the provision for public "condominium standard" streets throughout the development.

Objective: *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)*

Unlike many new developments that stretch the limits of infrastructure and services into outlying areas, this proposal is mostly surrounded by properties that are already developed where adequate infrastructure and services are already in place.

Goal: *The needs of Boone County's population are measured and fulfilled through the provision of orderly growth. ("Population" Goal)*

There are existing commercial uses along SR 18 to the north and higher density multifamily developments between the site and the aforementioned commercial uses. Adjoining the eastern boundary of the site is Oakbrook Drive which provides access to the higher density multi-family sections of the Oakbrook community. Adjoining the subject property to the south is higher density single-family uses in the Shaker Run Subdivision and immediately to the west are existing single-family residences. It is the applicant's

opinion that the proposal is an orderly transition of development intensities in this general area based on the overall proposed density, provision of open space and location of buffer yards.

Objective: *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" Objective #2)*

The existing site has a number of physical assets such as a wooded buffer area along Gunpowder Creek along the east side of the development, two drainage courses that bisect the site in a west-to-east direction, and mature existing vegetation along the north, west, and south property lines. The proposed plan utilizes these existing site assets by preserving the wooded creek corridor along Gunpowder creek and offering a permanent dedication for the provision of a future hiker/biker trail along this creek route. Grading is mainly focused on the ridge tops in an effort to minimize disturbance to the drainage courses bisecting the site utilizing these swales mainly for storm water detention. Building setbacks along the perimeter of the site have been increased in many areas so that as much of the existing vegetation as possible along the north, west and east property lines will be retained to help fulfill landscape and buffering needs.

Objective: *A broad range of housing opportunities shall be provided which meet the needs and desires for all household types. ("Housing" Objective #1)*

Clearly, with the variety of unit types proposed, and the ever increasing market demand for "maintenance-free" living, this objective is met with the proposed plan.

Objective: *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.... ("Housing" Objective #8)*

As mentioned previously, the development has been proposed to provide interconnection with the Shaker Run development to the South. The "main road" through the development has been designed with a number of intersections and a curvilinear layout to help promote calm vehicular movements and avoid having a "straight-shot" from Holbrook Lane to KY SR18 which would lend itself to higher speeds.

Objective: *Mixed use, higher density neighborhoods shall be encouraged to locate at proposed mass transit stations near commercial districts and public facilities (i.e. parks) and also have convenient access to major streets and highways. ("Housing" Objective #10)*

This development will have its main entrance from KY#18 off of Burgundy Hills Drive which also provides access to the existing commercial uses along KY#18 (i.e. Kroger's and Walgreen's, etc..) The proposed sidewalk system will connect to the existing sidewalk along Burgundy Hills Drive providing pedestrian access to the commercial uses and the existing mass transit stop in the commercial development. Although this is not a "higher density" type of development, the applicant feels that this objective is still relevant and is met by this proposal for this site.

Objective: *Greenways or greenbelts located along creek valleys or abandoned country roads shall be promoted as a possible linear park system that would serve the multiple purposes of recreation, ecological conservation and alternative transportation.... ("Recreation and Open Space" Objective #8)*

Through a number of pre-application meetings with the staff, it was learned that the area along Gunpowder Creek is envisioned as one day being part of a linear park system that would benefit the County. The applicant has proposed, with this plan, to set aside an area along the creek corridor to facilitate the location of this "greenway" that could be developed by the county or other entity in the future.

FISCHER ATTACHED HOMES



GALLERY COLLECTION





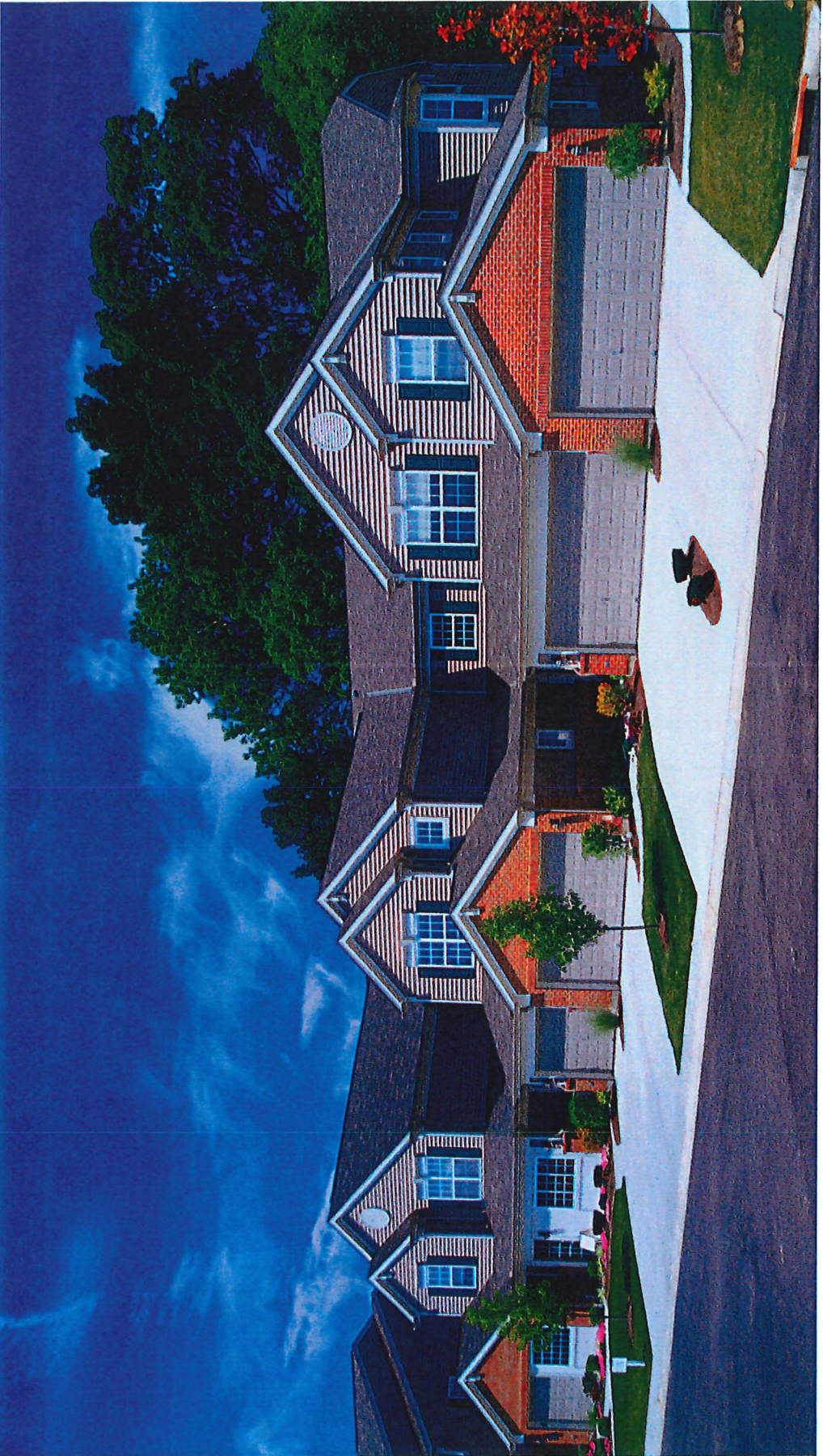




FISCHER ATTACHED HOMES



VILLA II COLLECTION





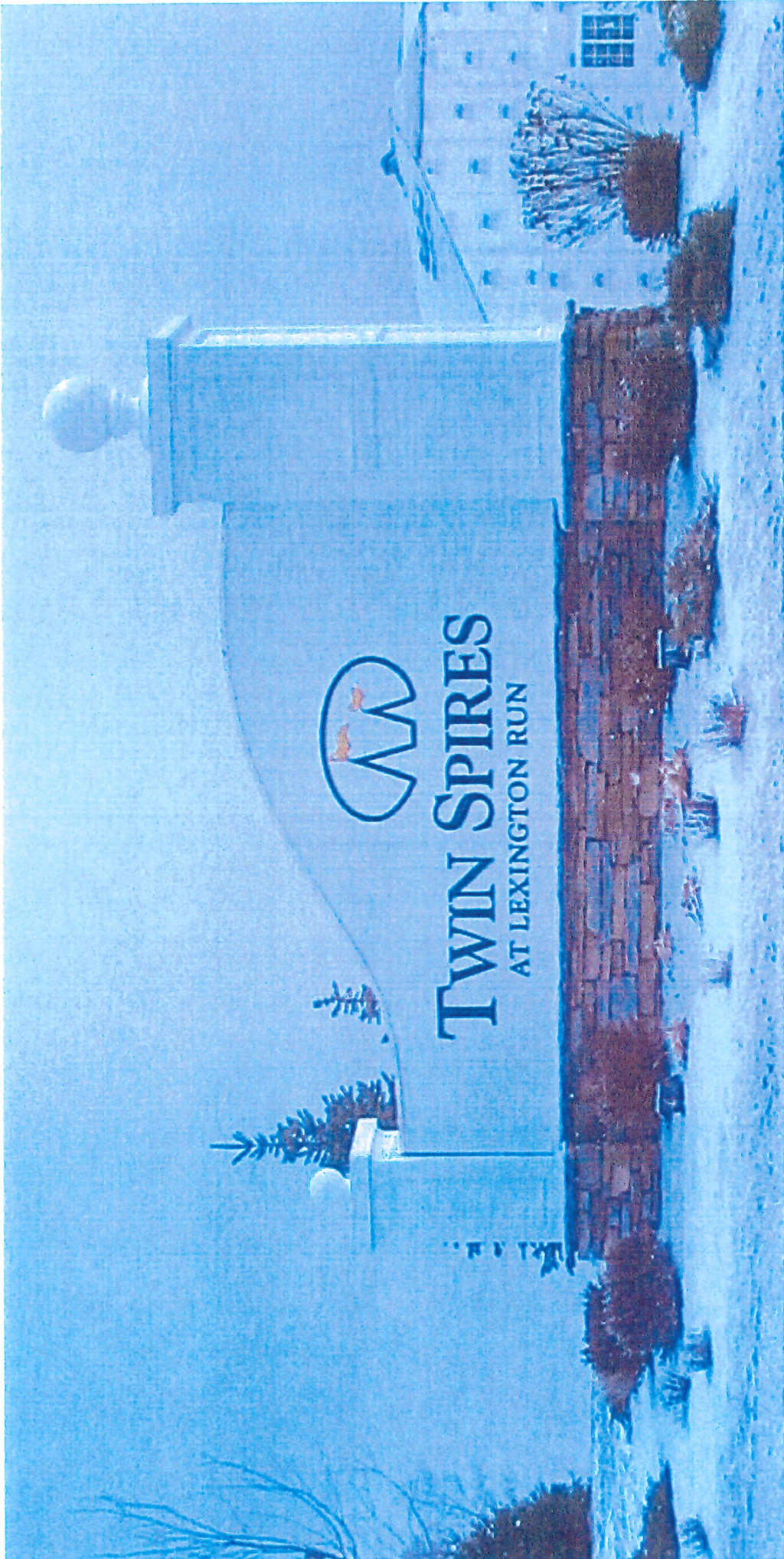






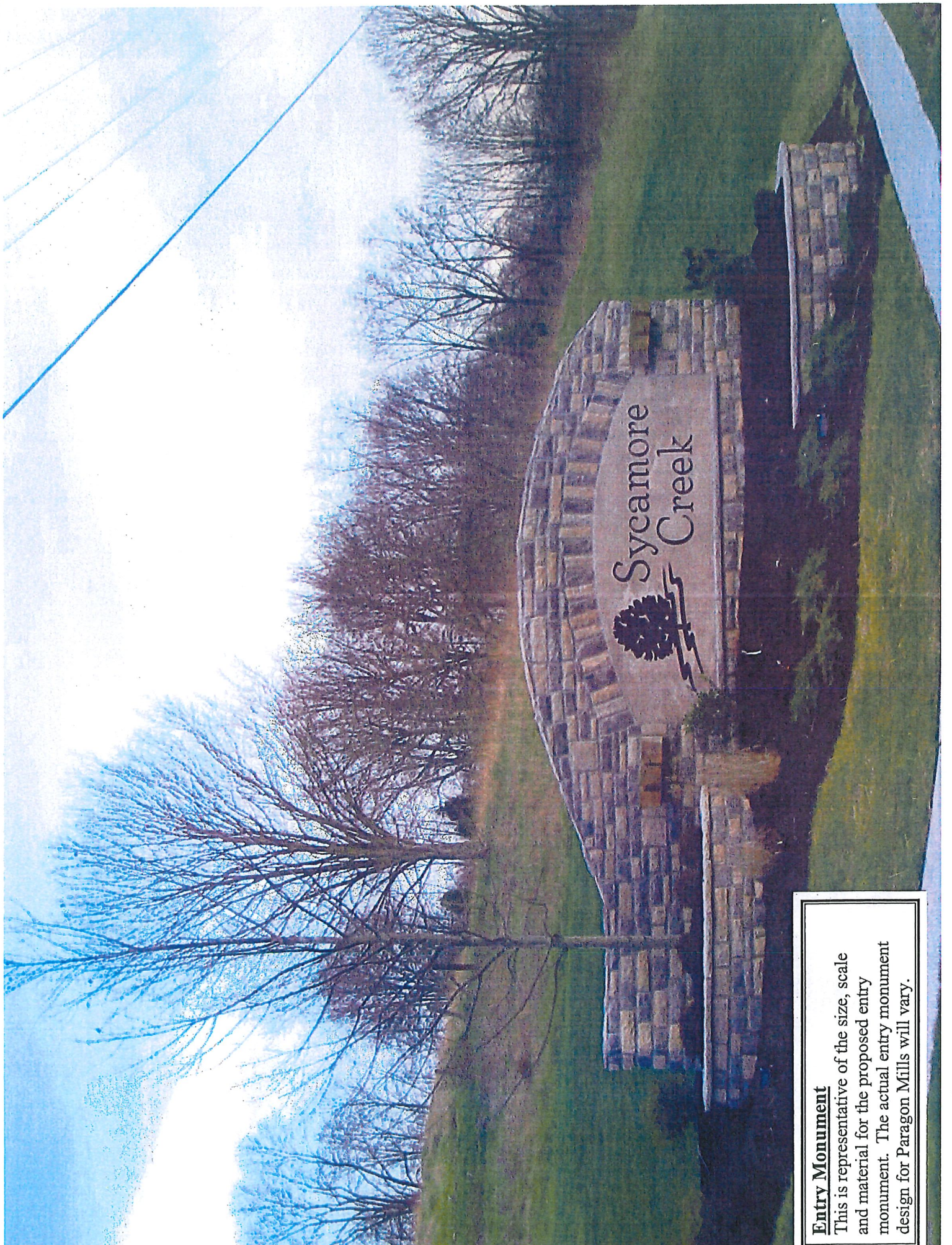
Entry Monument

This is representative of the size, scale and material for the proposed entry monument. The actual entry monument design for Paragon Mills will vary.



Entry Monument

This is representative of the size, scale and material for the proposed entry monument. The actual entry monument design for Paragon Mills will vary.

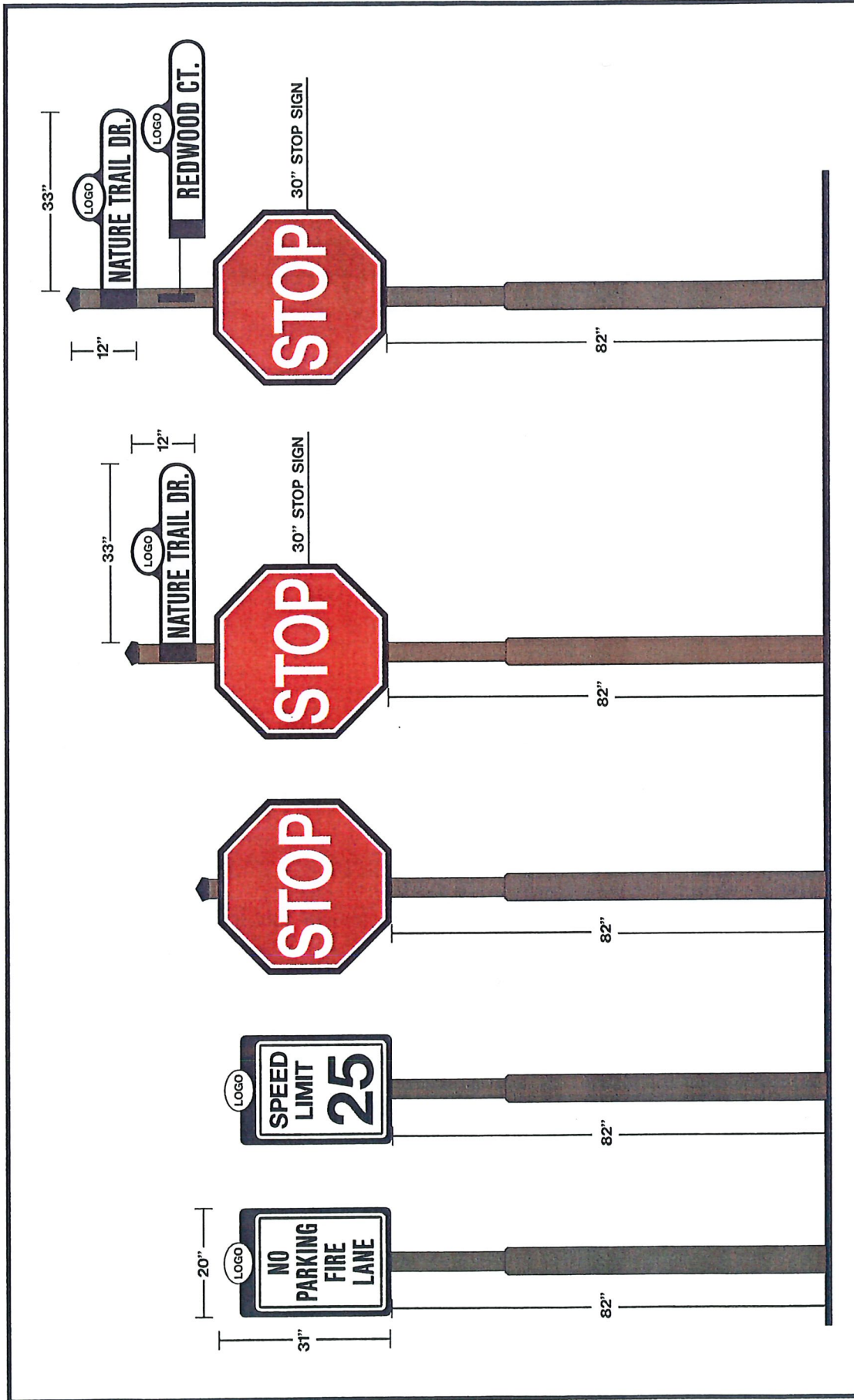


Entry Monument
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Secondary Entry Monument

This is representative of the size and scale for the proposed secondary entry monument. The actual secondary entry monument design for Paragon Mills will vary.



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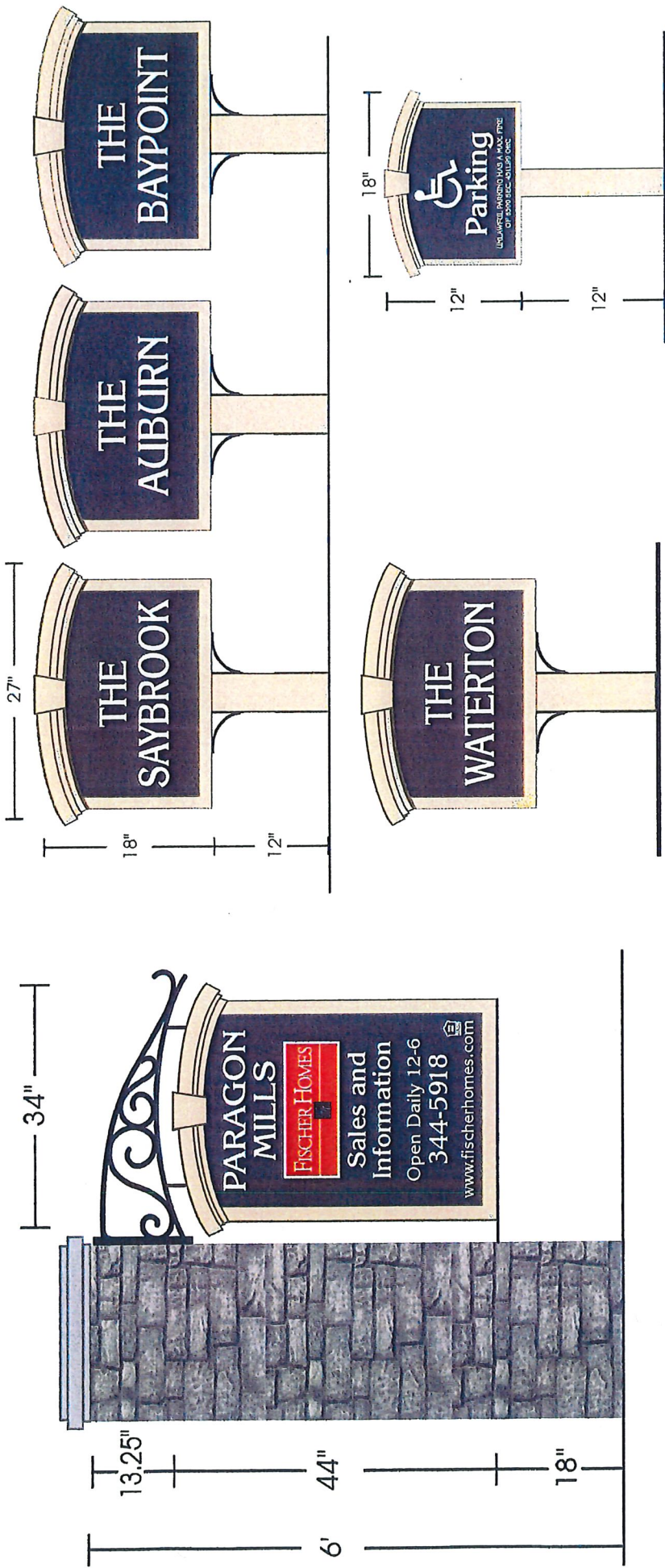
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8'

4'

2'

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12'

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10'

3'



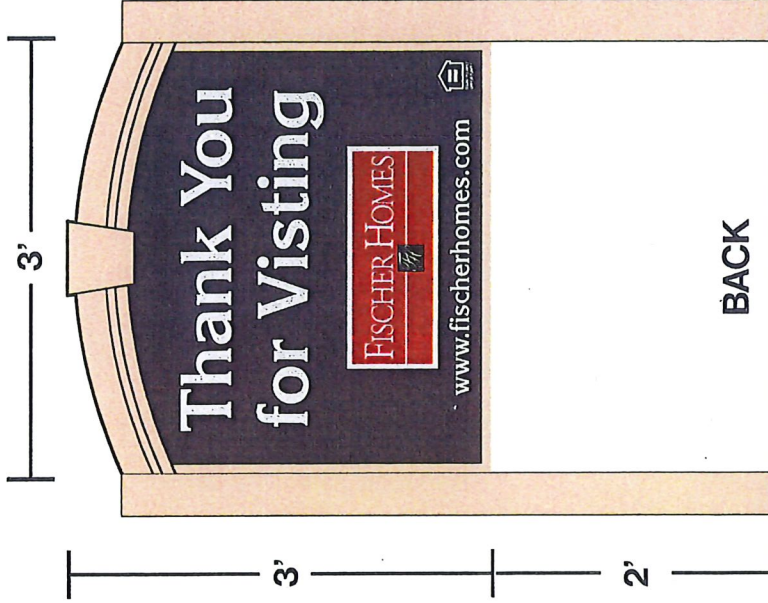
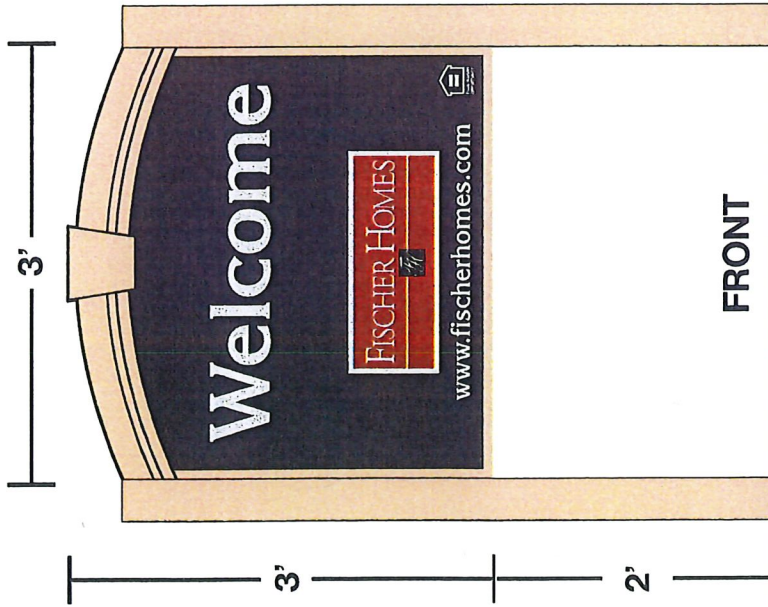
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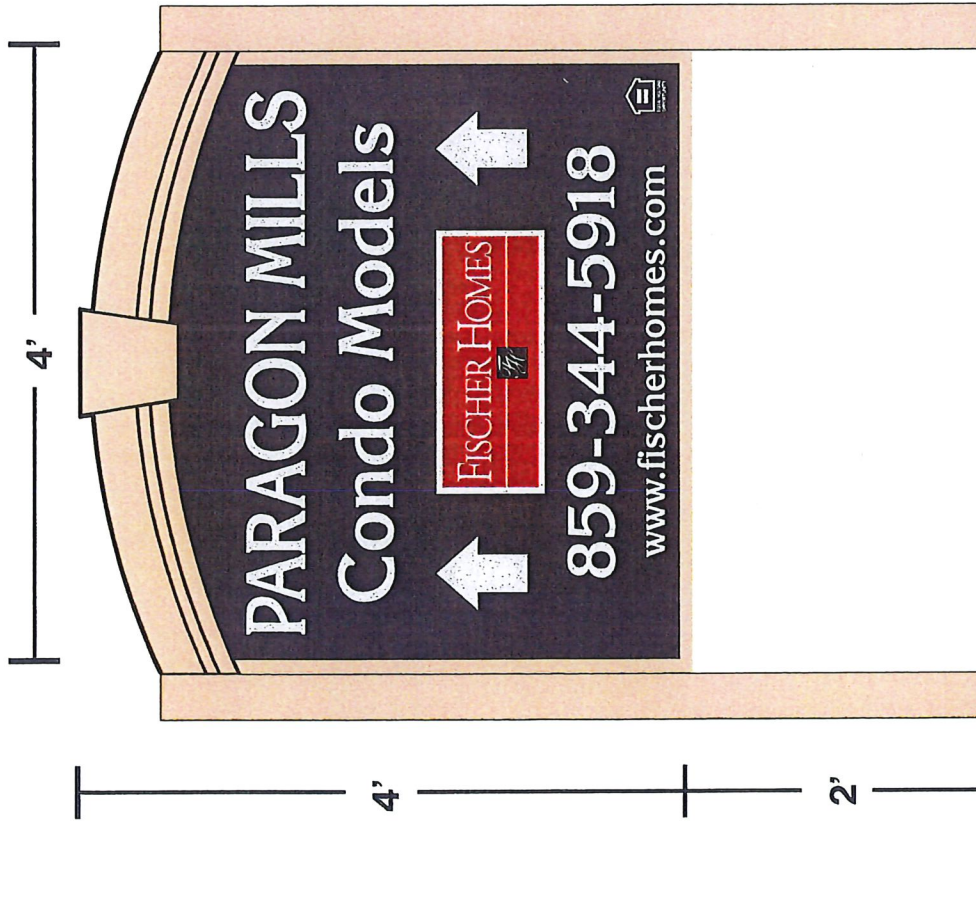


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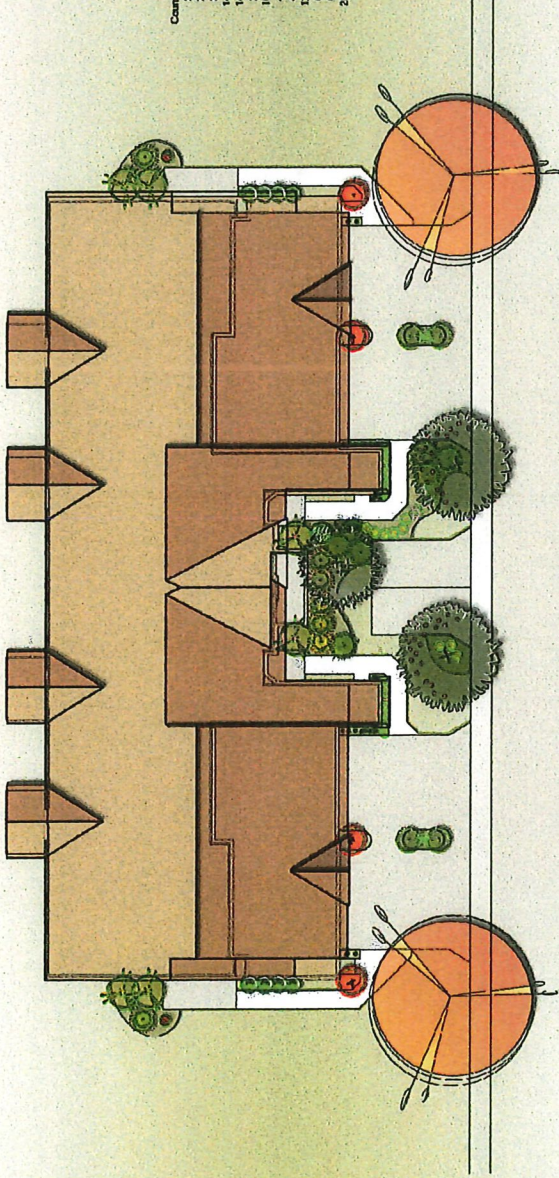
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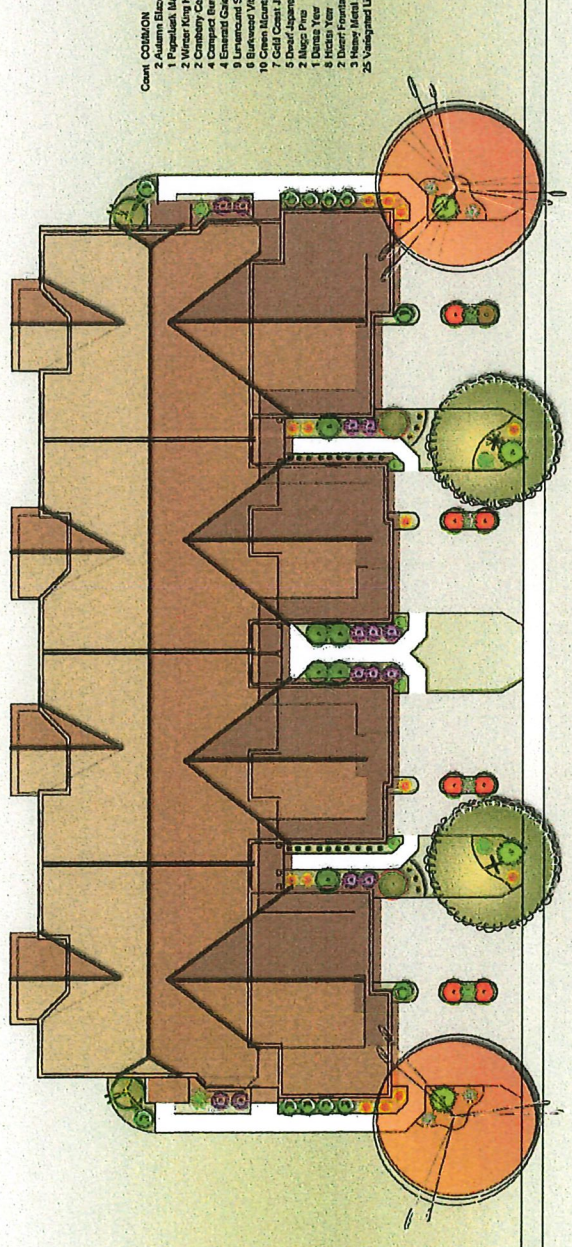
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- | Count | COMMON | LATIN | SIZE |
|-------|-------------------------|------------------------------------|--------|
| 2 | Ashum Blaise Maple | Acer rubrum 'Autumn Blaze' | 2.5 in |
| 2 | Amurhock Pear | Pyracantha corymbosa 'Pictinfecta' | 2.5 in |
| 2 | Compact Burning Bush | Euroyuncus alata 'Compacta' | 3 gal |
| 2 | Compact Golden Euonymus | Spiraea bicolor 'Compacta' | 2 gal |
| 14 | Golden Spice | Spiraea x bumalda 'Golden Spice' | 3 gal |
| 2 | Elmwood Viburnum | Viburnum x bodinieri | 3 gal |
| 18 | Klein Azalea | Azalea 'Klein' | 3 gal |
| 4 | Green Mountain Elmwood | Betula x Green Mountain | 24 in |
| 4 | Blaze Fern | Pteris rugosa var. 'Blaze' | 3 gal |
| 4 | Blaze Fern | Pteris rugosa var. 'Blaze' | 3 gal |
| 6 | Heavy Fossilized Grass | Panicum x spalden 'Heavy Mosaic' | 2 gal |
| 6 | Heavy Fossilized Grass | Panicum x spalden 'Heavy Mosaic' | 2 gal |
| 25 | Variegated Lily Turf | Lirioden japonicum 'Variegata' | 1 gal |

- | Count | COMMON | LATIN | SIZE |
|-------|-------------------------------|-----------------------------------|--------|
| 1 | Papaw Maple | Acer rubrum 'Autumn Blaze' | 2.5 in |
| 1 | Winter King Hawthorn | Crataegus spida 'Winter King' | 2.5 in |
| 1 | Winter King Hawthorn | Crataegus spida 'Winter King' | 2.5 in |
| 4 | Compact Burning Bush | Euroyuncus alata 'Compacta' | 3 gal |
| 4 | Emerald Gaiety Euonymus | Euroyuncus alata 'Emerald Gaiety' | 2 gal |
| 9 | Linenwood Spirea | Spiraea x bumalda 'Linenwood' | 3 gal |
| 6 | Blaze Fern | Pteris rugosa var. 'Blaze' | 3 gal |
| 4 | Blaze Fern | Pteris rugosa var. 'Blaze' | 3 gal |
| 7 | Gold Crest Juniper | Juniperus x goldcrest | 24 in |
| 5 | Dwarf Japanese Garden Juniper | Juniperus procumbens 'Nana' | 2 gal |
| 1 | Blaze Fern | Pteris rugosa var. 'Blaze' | 3 gal |
| 1 | Blaze Fern | Pteris rugosa var. 'Blaze' | 3 gal |
| 2 | Dwarf Juniper | Juniperus procumbens 'Nana' | 2 gal |
| 3 | Heavy Fossilized Grass | Panicum x spalden 'Heavy Mosaic' | 2 gal |
| 3 | Heavy Fossilized Grass | Panicum x spalden 'Heavy Mosaic' | 2 gal |
| 25 | Variegated Lily Turf | Lirioden japonicum 'Variegata' | 1 gal |



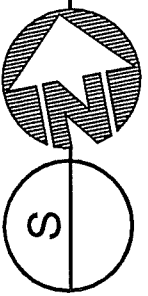
TYPICAL GALLERY PLANTING PLAN
SCALE: 1/8" = 1'-0"



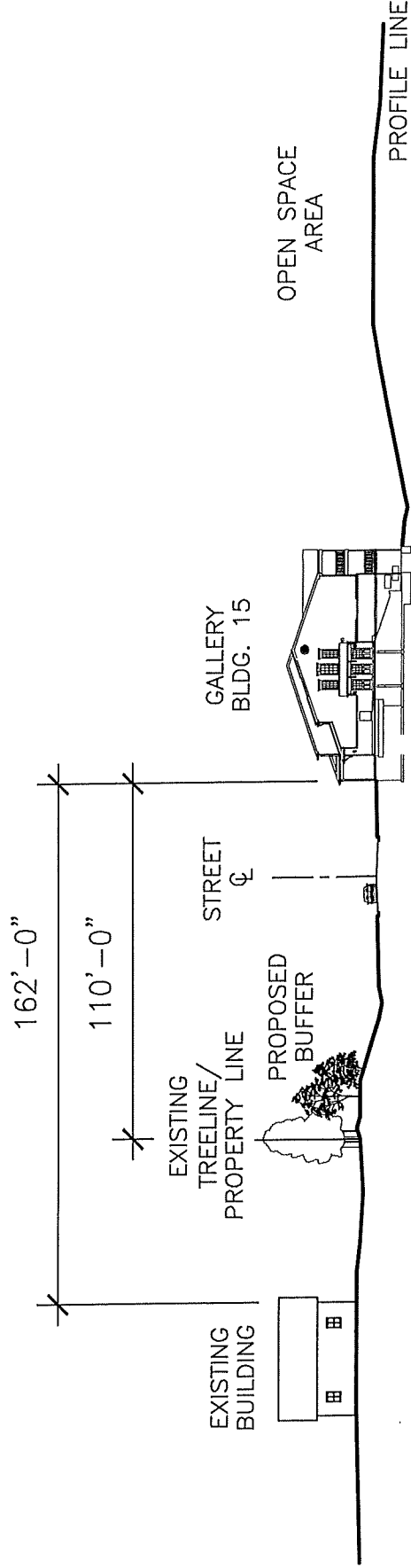
TYPICAL VILLA II PLANTING PLAN
SCALE: 1/8" = 1'-0"



SECTION LOCATIONS

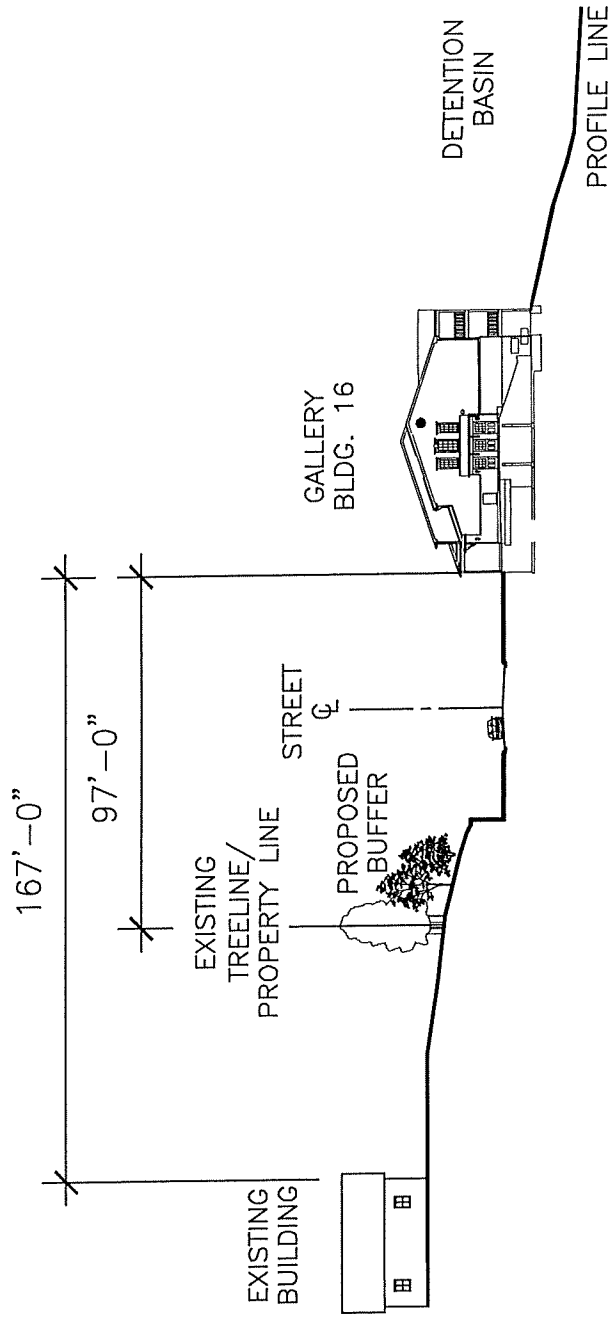


SCALE: 1" = 200'-0"



A BUILDING 15 SECTION

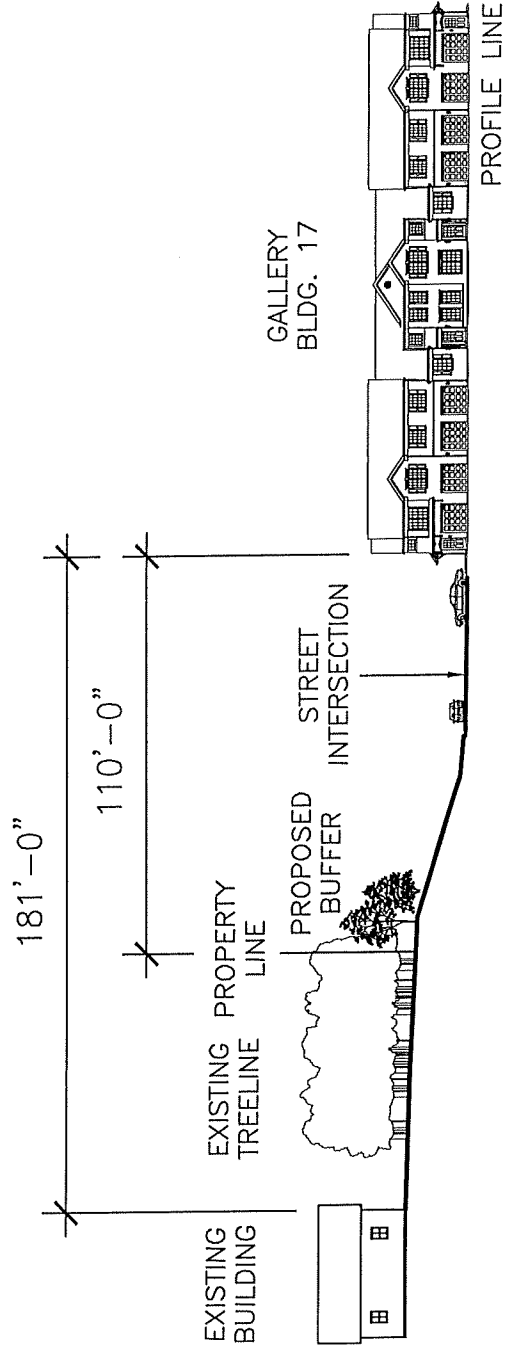
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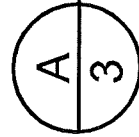
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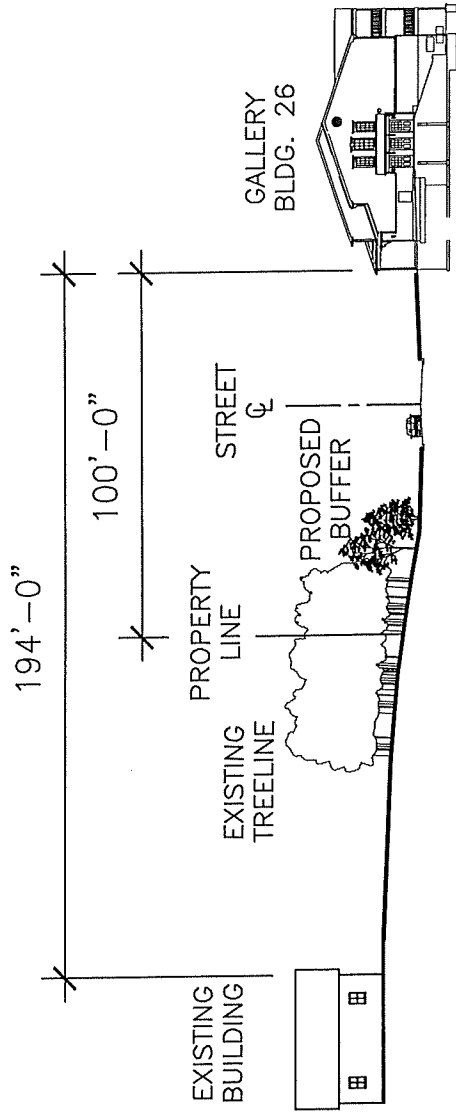
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A BUILDING 17 SECTION

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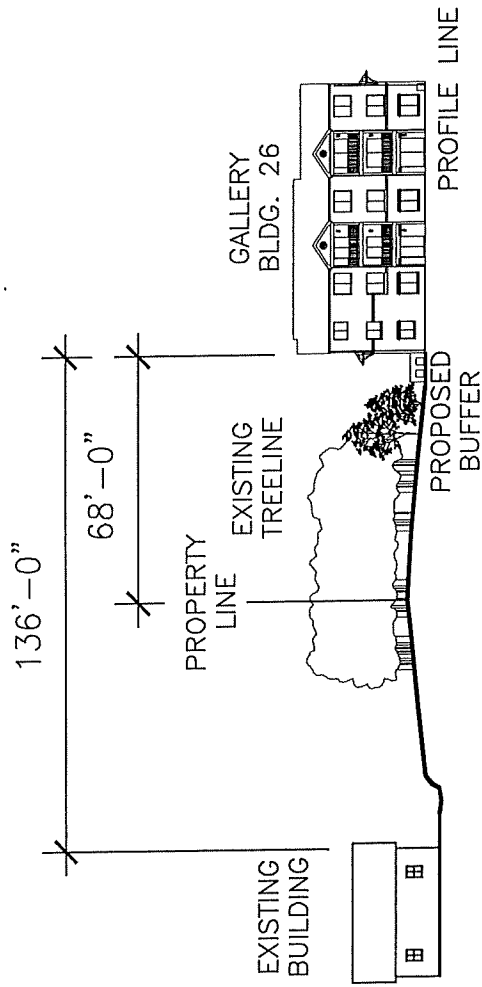




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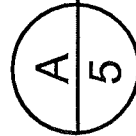
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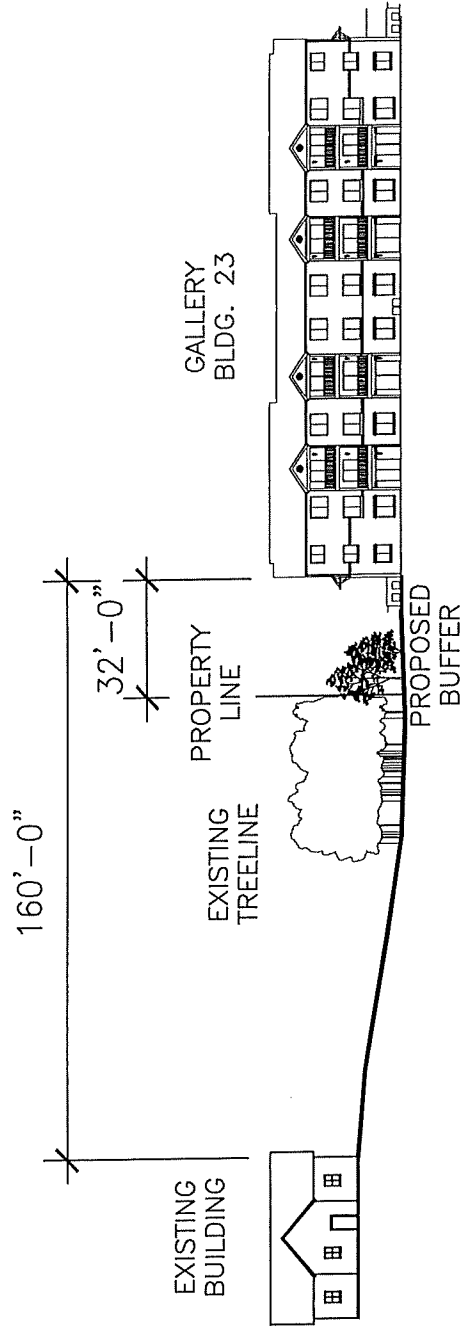
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A BUILDING 26 SECTION 2

SCALE: 1" = 50'-0"





A BUILDING 23 SECTION

6

SCALE: 1" = 50'-0"