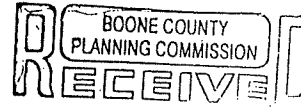


APPLICATION FORM



ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

NOV. 14 2006

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project Autumn Woods
2. Location of Project South of Long Branch Road, North of Hathaway Road, East of Spruce Lane
3. Total Acreage of Site 350 +/- Acres of Long Branch Creek & West of Spruce Lane
4. Current Zoning of Site RSE, A-2
5. Proposed Zoning (Classification being requested) SR-1, SR-2, SR-3
6. Proposed Uses (please specify each use) Single Family Residential and Multi-Family Residential Housing.
7. Names of Applicant(s) Long Branch Development, Inc. Phone Number (859) 341-4709 Fax No. (859) 344-5900
8. Address of Applicant(s) 2670 Chancellor Drive Crestview Hills, KY 41017
9. Name of Property Owner(s) See Attached List Phone Number Fax No.
10. Address of Property Owner(s) See Attached List
11. Proposed Building Intensities (please specify)
12. Are there any existing buildings on the site? How many?
13. Deed Book Page No. Group No.
14. Are you also applying for: No Conditional Use Permit No Dimensional Variance Concept plan & narrative submitted
15. Have you submitted a Concept Development Plan? for properties to be zoned SR-1,
16. Have you had a pre-application meeting with BCPC Staff? Yes SR-2 & SR-
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:
X Boone County Water District
Florence Public Services Dept.
Duke Energy
X Sanitation District #1
Cincinnati Bell
Owen Electric Cooperative, Inc.
Boone County Public Works Department
Kentucky Transportation Cabinet
Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)

(over)

# EXHIBIT

“A”

## STAFF REPORT

Request of Long Branch Development, Inc. (applicant) for Albert Kenkel, Margaret Kenkel, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, and Robert Schroder (owners) for Zoning Map Amendments from Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for 173.2 acres, Suburban Residential Two (SR-2) for 101.4 acres, and Suburban Residential Three (SR-3) for 70.6 acres, for an approximate 345 acre total area located between the south side of Longbranch Road across from the Barrone Street intersection and the north side of Hathaway Road including the property at 2505 Longbranch Road and properties to the east, west, and south of 2505 Longbranch Road, the property at 2444 Hathaway Road and properties to the north of 2444 Hathaway Road, Boone County, Kentucky. The request is for zone changes to allow single family and multi-family residences.

December 20, 2006

### REQUEST

The Applicant has submitted a narrative (attached) with their Concept Development Plan which proposes a maximum overall gross density for the entire 345 acres not to exceed 4 dwelling units per acre, which would be approximately 1,380 dwelling units. The Concept proposes dividing the property into "Areas" for different zoning classifications and housing styles. Area "A" would consist of 134.3 acres to be zoned Suburban Residential One (SR-1), Area "B" would consist of 70.6 acres to be zoned Suburban Residential Three (SR-3), Area "C" would consist of 101.4 acres to be zoned Suburban Residential Two (SR-2), and Area "D" would consist of 38.9 acres to be zoned Suburban Residential One (SR-1). The Suburban Residential One (SR-1) zone permits up to four (4) dwelling units per acre. The Suburban Residential Two (SR-2) and Suburban Residential Three (SR-3) zones permits up to eight (8) dwelling units per acre.

The Concept Plan shows a road network from Longbranch Road to Hathaway Road as well as a road connection east-west that could potentially connect Camp Ernst Road to Old Union Road and U.S. 42. Approximately 10% of the site is shown as greenspace.

The Boone County Water District has submitted comments (attached) that public water is available and Sanitation District #1 has submitted comments (attached) that "it is anticipated that we will have capacity to serve this development in the short term and once the New Western Regional Wastewater Plant is operational in the long term." Storm water detention is required and must be designed per the *Boone County Subdivision Regulations* and will be reviewed at the Preliminary Plat and Improvement Plan phase.

This project lies entirely within unincorporated Boone County and therefore the Planning Commission recommendation will be forwarded, in the form of a resolution, to the Boone County Fiscal Court.

#### ADJACENT LAND USES AND ZONING

- North: Across Longbranch Road property owned by Harkrader (SR-1), Lampl (RSE), and the Orleans-North Subdivision (SR-1/PD).
- South: Across Hathaway Road property owned by Brown (RSE and A-2).
- East: Cedarwood Subdivision (RS), and adjoining properties zoned RSE.
- West: Properties zoned A-1, A-2 and RSE.

#### RELATIONSHIP TO COMPREHENSIVE PLAN

The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Suburban Residential" (SR) uses. This designation is described as "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." It is critical to note that the Future Land Use Map is a 25 year projection, and is not intended to commit all areas to development immediately. In some areas, phasing may be used to make sure development is supported by infrastructure, and in others development may be delayed until planned infrastructure is provided.

The Land Use Element text makes the following statement that relates to this area (Union Area, page 146 and Camp Ernst Area, page 158):

"In general, this section should experience considerable residential growth due to Union's current residential nature, growth associated with the City of Florence, and improvements to U.S. 42. New subdivisions should be developed with connecting roads providing alternative routes for residential traffic and decreasing the impact on major roadways. Road connections should include multi-modal elements such as pedestrian paths and bike lanes, and bus stops; Wetherington Boulevard is an example. Further road connections that prohibit driveway access and street parking should occur between U.S. 42, Camp Ernst Road, Longbranch Road, and Hathaway Road. Hathaway Road needs special attention to protect this important east-west route. Water and sanitary sewer infrastructure should accompany such road connections and extensions as to prevent premature, estate-style residential development, and to prevent frontage subdivisions that result in poor access management. Development proposals shall be carefully evaluated relative to the area-wide road network and any necessary contributions to the network."

“Residential development should remain along the existing roads, consolidating access points where appropriate.”

The Future Land Use Development Guidelines contain the following statements:

- 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. As described in the Goals and Objectives, different development densities can occur in Boone County as long as the development is designed in a proper manner and the infrastructure exists or is planned to support the development.

In these conditions, proposed residential developments that have smaller lot sizes than surrounding land uses are recommended to utilize the following design mechanisms to address the impacts on existing development.

The proposed development should consider in its design a band of larger lots and setbacks along the affected perimeter of the site adjacent to existing development to provide an adequate transition.

The proposed development should consider a band of development along the existing main roadway in which the houses face the main road to appear rural, and where the lots in this band are larger than those in the balance of the proposed development. Building setbacks and lot frontages should imitate existing setbacks along the road.

Highly visible portions of the proposed development site should consider green space. The style of green space, including tree types, fencing or other similar features should imitate the existing road corridor views. Grandiose subdivision entryways may not be appropriate depending on existing conditions in the corridor.

These recommendations are site specific and should be evaluated on a case-by-case basis. In fact, there may be other design mechanisms not identified here that may work in some instances (“Development Layout, Lot Sizes, and Setbacks,” pp. 140 and 141).

- C. 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).

- D. 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).

- E. Developments in Boone County must recognize the potential impacts of associated traffic on adjoining properties and transportation systems. The need exists to protect the capacity of the existing roadway network, and to plan improvements to accommodate new development and travel patterns. Access management provisions include the coordination of curb cuts, adequate corner clearance and site distance for access points, adequate space between access points, shared access points and parking facilities, 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).

- F. 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).

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

- A. Although single-family homes are by far the most numerous, they continue to decrease in their percentage of total Boone County housing. Most new construction of single-family housing will take place on the outer rings of growth ("Housing Types," pg. 75).
- B. Housing development density has become an issue of concern to many existing residents in established, large lot subdivisions in suburban Boone County. Many of these areas developed during the 1960's to the 1980's when land prices were relatively low, few utilities were present, the surrounding land was agricultural, and urban/suburban development had not yet extended out to these areas. Many of these older subdivisions contain two-acre lots or larger. By contrast, most new subdivisions in Boone County are developing at around three units per acre, and sponsor sewer construction if sanitary sewer is not currently available to the site. The issue arises when these new higher density subdivisions are proposed near established low density areas, and centers mainly around development impacts on infrastructure and the residential character of the area ("Housing Densities," pg. 76).
- C. As noted previously, there is a desire of the population to live in rural areas that are convenient to the centers of commercial activity. This suggests a continuation of the outward movement of housing construction from the general Florence area. This movement is accelerated directionally by major thoroughfares such as KY 18, KY 237, US 42 and interstate interchanges. Residential development should occur near established urban or suburban areas, as opposed to leapfrogging to isolated areas, such as the western portion of the county. This will be an increasingly important issue as public water service is planned and implemented for the western parts of Boone County. For residential development to occur in these outlying areas, adequate and proper infrastructure must be provided, and impact on the natural environment must be minimized.

- D. The factors that will help fuel growth in this area include the improvements (expand from two to five lanes) of U.S. 42 from Florence to the Ryle High School and Gray Middle School near Frogtown Road; the extension of water and sanitary sewer lines; access to the interstate highway system and the vast amount of developable land. The Union Town Plan sets the stage for development in this area when sanitary sewer becomes widely available around the year 2010. Areas west and south of the Union Town Plan area, along U.S. 42, Hathaway Road, and Longbranch Road contain an existing agricultural, horse farm and estate residential character. Planning efforts, such as the Union Town Plan should be conducted in these areas. Street connections between developments and to arterials are critical in this central part of Boone County. The connections shown in the Union Town Plan need to be continued outside the study area to the next logical properties and arterial roadways. ("Geographic Housing Issues, Union-West Florence Area-West Richwood Area" pg. 79).

If public water and sanitary sewer infrastructure is implemented in currently rural areas, there would be demand for suburban subdivision densities. Just because one form of public infrastructure has been improved, however, does not mean the area is ready for suburban development. Other forms of infrastructure must be provided as necessary. It is also possible that some areas of the county are not suitable for suburban or urban density, or may be suitable later in the twenty-five year planning horizon. Development phasing is an option to enable the timing of new development to correlate with the provision of adequate infrastructure. In addition, new subdivision development should include design considerations, and gradation of lot sizes, or both, to lessen the impact on the character of the area. "Bands" of residential lot sizes may be a model to consider in order to ensure compatibility. This is particularly true in areas of agricultural zoning, and could include larger lots or green space along the main road(s), larger lots or a buffer along adjacent low density residential uses, strategic open space, and detailed attention to the orientation of housing units.

In general, residential development has occurred at a lower density than planned in the Future Land Use Plan over the last two comprehensive plan updates in Boone County. The development has predominantly been in a limited variety of product, typified by mid-range value single-family subdivisions at approximately three units per acre. The demand for this product appears to remain strong throughout the 25 year Comprehensive Plan planning horizon with some attached housing designed into larger planned developments. Increased density does not necessarily negatively impact the quality of a community or nearby home values. Although neotraditional, true mixing of unit types, connection to green space, and similar concepts of neighborhood design have just begun to be considered by the development industry in Boone County, much work needs to be done in the design realm to implement these ideas correctly, and make them more common. These newer concepts are needed to enable the development industry and local government to address density concerns and strengthen the sense of community, as well as meet the housing demands of a changing population ("Conclusion," pg. 80).

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

- A. The 2000 Boone County Parks and Recreation Master Plan recommended that land should be set aside for a community park in the Union area. This would be developed as an 8-15 acre neighborhood park but should have land for future development of up to 25-50 acres, similar to a Boone Woods type park ("County Wide Recommendations, Land/New Parks" pg. 88).
- B. The acquisition of the nature parks and greenways and the development of the bike trails that are identified in this Plan are also very important in providing the quality of life that is desired in Boone County. It is generally hoped that the Boone Conservancy can lead the efforts for these acquisitions and developments. The Fiscal Court should concentrate on the funding for the basic parks and recreation services that are recommended in this Plan, and look for opportunities to partner with the Conservancy on key green space acquisitions. The County and Municipalities will provide the leadership for the greenways and bike trails, especially in urban areas ("Nature Parks, Greenways and Bike Trails" pg. 91).

The adopted 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. 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).
- E. 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).

- F. Existing vegetation shall be considered as both an important site characteristic and a community resource ("Environment," Social Objective 4).
- G. A broad range of housing opportunities shall be provided which meet the needs and desires for all household types ("Housing," Objective 1).
- H. 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).
- I. 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).
- J. 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).
- K. 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).
- L. 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).
- M. 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).
- N. Priorities for growth within any individual infrastructure system shall be based on the predicted needs of specific areas as prescribed by the future land use projections of this plan. No infrastructure system shall commit the county to excessive growth by the system's expansion ("Public Services and Facilities," Objective 3).

- O. 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," 2<sup>nd</sup> Goal, Objective 2).
- P. Proper vehicular and pedestrian access to adjoining property shall be provided and/or retained when a property develops or redevelops ("Transportation," 2<sup>nd</sup> Goal, Objective 3).

#### RELATIONSHIP TO THE 2030 BOONE COUNTY TRANSPORTATION PLAN

Both Longbranch Road and Hathaway Road are shown as Recommended Projects on page 6-2 of the Transportation Plan. The recommendation for Longbranch Road "is to widen from two lanes to four from Camp Ernst Road to U.S. 42. This project will increase connectivity between the two primary north-south roads in this portion of Boone County. Also, it will provide better mobility and accessibility for planned suburban residential development in this area." This project is listed on the High Priority Projects list (page 6-20) which are to be completed within 10 years.

The recommendation for Hathaway Road states "This project improves east-west mobility and extends connectivity between the new Camp Ernst Road, I-71/75 and Dixie Highway. The recommendation is to widen Hathaway Road from two lanes to four. This project will not be needed until the northern section of the new Camp Ernst Road project is completed." This project is listed on the Low Priority Projects list (page 6-20) which are to be "Completed after 20 years."

#### STAFF COMMENTS

1. **COMPREHENSIVE PLAN** - The Planning Commission and Fiscal Court will need to determine whether the proposal is in agreement with the Comprehensive Plan. As discussed above, the Future Land Use Map designates the site for Suburban Residential uses, which is single family housing of up to four units per acre and can include low density or estate residential developed as a formal subdivision. The proposal at hand requests the SR-1, SR-2, and SR-3 zones. The applicant's narrative states that the "maximum overall gross density for the entire 345+/- acres not to exceed 4 dwelling units per acre." As the SR-2 and SR-3 zones each allow up to eight (8) units per acre, the governing bodies will need to determine whether the Suburban Residential designation's definition is flexible enough to allow "gross" or average densities throughout an overall development, with individual areas potentially greater than the "up to four units per acre" described, and possibly include attached or multi-family dwellings.

The Land Use Element includes several key provisions which relate to this site and proposal. First, it states "new subdivisions should be developed with connecting roads providing alternative routes for residential traffic and decreasing the impact on major roadways. Road connections should include multi-modal elements such as pedestrian paths and bike lanes, and bus stops; Wetherington Boulevard is an example. Further road connections that prohibit driveway access and street parking should occur between U.S. 42, Camp Ernst Road, Longbranch Road, and Hathaway Road. Hathaway Road needs special attention to protect this important east-west route. Water and sanitary sewer infrastructure should accompany such road connections and extensions as to prevent premature, estate-style residential development, and to prevent frontage subdivisions that result in poor access management. Development proposals shall be carefully evaluated relative to the area-wide road network and any necessary contributions to the network" (pg. 146). A conceptual major road network for the general area is shown on the Concept Development Plan which would link Old Union Road, Hathaway Road, Camp Ernst Road, and Longbranch Road in some fashion, although much of it is shown on adjoining tracts that are not part of this application. Minor connections between individual phases and adjoining tracts are not addressed, nor are the multi-modal improvements mentioned in the text. The need for street connections in this area is also mentioned by the Housing Element (pp. 79 and 80). More detailed comments on transportation and traffic issues are provided later in this report.

Second, this same section of the Element states "all major residential developments should provide recreational facilities, or other public facilities, through cooperative efforts between developers, legislative bodies, and other agencies/ organizations. These facilities should be designed not only to serve the residents of the specific subdivision but, where appropriate, to serve surrounding populations in order to mitigate the impacts upon existing facilities." Several open space belts and a park located between phases B, C, and D are indicated on the Concept Development Plan. The sizes of these areas, the nature of any intended improvements, and whether they would be open to the public at large is not clear. More detailed comments on recreation and open space are provided later in this report.

A key aspect to agreement with the Comprehensive Plan is the "Development Layout, Lot Sizes, and Setbacks" section in the Future Land Use Development Guidelines (pp. 140 and 141). This section recommends a number of methods for creating transitions and compatibility between new developments and adjoining areas such as by providing a band of larger lots and setbacks around the perimeter of the site, a band of larger lots along existing main roads with houses facing outward to maintain rural character, and the provision of green space with trees, fences, or other features which imitate the character of the adjoining areas. The "Design, Signs, and Historic Preservation" section (pg. 142) advocates similar approaches in a more general sense by stating "developments in Boone County should give consideration to the overall design of the area." Based on the very general nature of the submitted Concept Development Plan, agreement with these sections of the Comprehensive Plan, and many of the applicable Goals and Objectives,

can not be readily determined. For instance, Housing Objective 1 states "a broad range of housing opportunities shall be provided which meet the needs and desires for all household types." While the application would initially appear to meet this objective based on the various zones requested, the materials do not include sufficient information to determine that "a broad range of housing opportunities" are actually proposed.

The Population Element does forecast a substantial increase in population for the traffic zone in question (TAZ 889; population of 5,229 in 2000, 9,772 in 2010, and 12,455 in 2020). However, 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.

Finally, the Planning Commission needs to evaluate whether the area is ready for this scale of development. The Comprehensive Plan indicates that all types of infrastructure needs have to be addressed for an area to be appropriate for development. The presence or promise of sewer service for example does not necessarily mean that an area should develop if the road system is inadequate.

2. **DESIGN & LAYOUT** - Staff is concerned with the design of the project and how this design relates to the surrounding environment. As stated above, the submitted Concept Development Plan and accompanying project narrative are general and do not provide a clear idea of how the project is anticipated to materialize. Section 957 of the Boone County Zoning Regulations requires zone change applications that request the SR-3 zone to submit a Concept Development Plan with the intent being that the plan will provide a reasonable explanation of the proposal, particularly with the broad range of residential uses permitted in the SR-3 zone.

Specific issues regarding the design of the project include:

- A. Other than as inferred by the locations of the requested zones, the intended densities, lot sizes and frontages, and potentially differing residential uses for the SR-2 and SR-3 zones, are not indicated.

Staff recommends that a more detailed land use concept for the project be provided that addresses these factors on a "sub-area" basis. Based on the Comprehensive Plan's directions, this detailed land use concept would include:

- I. An overall density that tapers downward from east to west - a "progression of densities" is advocated by the Housing Element (pg. 76).

- ii. Larger "rural-appearing" frontage lots along Longbranch Road and Hathaway Road (especially Hathaway which has had much less suburban-style subdivision activity) with the houses facing said roads, and/or "pasture-like" open spaces with the provision of regularly spaced hardwood trees and/or board fencing along the road frontages. Along Longbranch Road, the visual "break" is the ridge where the existing house is located - the house is approximately 600' from the road. The open space area shown on "Concept Plan Exhibit #4" along Longbranch Road is much smaller, but could be effective as a visual separation depending on site grading. Along Hathaway Road, the initial "break" is where there is existing tree cover by the lake which ranges from approximately 520' to 680' from the road (the grade where the existing house is located near the road provides a smaller degree of separation). Similar "breaks" could also be constructed/installed.
  - iii. Consideration to any attached or multi-family units being located solely within the interior of this development and away from adjoining properties where the Comprehensive Plan provides the expectation of detached, single family residences with a maximum density of four units per acre (provided the idea of attached or multi-family units and/or sub-area densities of greater than four units per acre is accepted under the SR Future Land Use Map designation).
- B. Aside from the land use concept, other types of transitions, buffering, and/or boundary treatments need to be considered. Per the Comprehensive Plan's direction, all healthy, existing vegetation along the project boundaries and in adjoining open space areas should be retained, with particular emphasis given to the creek valley along the northwest boundary of the site (a fairly narrow open space band is conceptually shown in this area on "Concept Plan Exhibit #4). As there are several individual tree covered areas across the site, the existing vegetation should also be retained where possible within the active development areas - this would help the project from appearing as a continuous collage of overlapping rooftops when viewed from adjoining areas (note - three of the larger lakes on the property are proposed to be retained on the plan, which should achieve some of the same purpose). In areas where designated open spaces are not provided along the project boundaries, expanded building setbacks (such as 40' minimum per the RS and RSE zones rear yard requirements) and potentially supplemental landscaping should be considered, especially along the west project boundaries and the area adjoining the existing RS zoned subdivision along Spruce Lane at the southeast corner of the development (a proposed open space strip is shown adjoining the northwest portion of this subdivision, but not the mid-west and southwest parts).

The "Utilization of Existing Vegetation and Topography" section of the Future Land Use Development Guidelines (pg. 140) in the Comprehensive Plan states "true Open Space subdivision design should be considered to blend new subdivisions in with areas that have a rural character"; the Housing Element (pg. 77) includes similar language. Even if a "true" open space subdivision were not opted, a design which included basic open space or "cluster" type methods could be incorporated into the more "sensitive" or visible areas of the site as discussed above.

An open space "belt" that largely runs north-south in the western part of the site is shown on the Concept Development Plan, and the applicant's narrative discusses "preserving selective existing woodlands and open spaces throughout the site" and using these spaces for active and passive recreation. It is Staff's recommendation that these areas be more specifically identified on the detailed land use concept recommended above with the goal of simultaneously achieving land use transition/buffering, aesthetic, recreation, and multi-modal transportation objectives.

- C. As stated previously, the site contains approximately 345 acres and would contain up to 1,380 units within varying phases. To maintain visual continuity throughout the development in consideration of "overall design" and "aesthetic impacts" raised by the Comprehensive Plan, Staff recommends that a consistent architectural theme be used for the community and park/open space facilities - this theme would use common (or at least compatible) materials, colors, and design details throughout the development. This same basic design theme should also be used in signage and other recurring community "theme" elements such as walls and follies.

Staff's initial recommendation is for the governing bodies to consider requiring the creation of a separate architectural theme for each attached/multi-family phase. This would help maintain continuity and neighborhood identity within each phase, but would avoid the creation of a monotonous, monolithic development by using the exact same building cosmetics throughout the overall project. Because the types of intended structures have not been explained, Staff is unable to provide further comment or recommendations on this specific matter.

These "design" objectives raised by the Comprehensive Plan would also be furthered with the development of a consistent street tree program along the major routes of the development that used a select plant list and a predetermined arrangement (spacing/alignment could vary depending on whether the trees adjoined the front yards of home sites, rear yards along limited access roads, open spaces, etc.).

As described in the Land Use Element of the Comprehensive Plan, a transition of densities is recommended adjacent to Cedarwood Subdivision (Spruce Drive). The Commission will have to weigh the concept of a buffer area as proposed by the applicant.

Staff suggests that the portion of the development adjacent to Longbranch Road be redesigned to include the first row of houses to face Longbranch, much like the concept that is being implemented in the US 42 and Old Union Road corridors under the Union Town Plan.

3. **SCHOOLS** - A letter from Bryan Blavatt, Superintendent of Boone County Schools, dated December 8, 2006, is attached which states, "the school district recommends that the Planning Commission incorporate into conditions relative to [this] zoning change that developers provide land for use by Boone County Schools within the Autumn Woods Subdivision" and "require the development of the subdivision be phased over time to allow the school district to provide adequate educational space that meets the growth in the area."
4. **TRANSPORTATION** - First and foremost, a Traffic Study was not submitted by the applicant for this request. Staff is concerned with the amount of traffic that could potentially use the proposed subdivision street that would access Hathaway Road. Except for the narrow shape of the development parcel at this location, this road should ideally be designed as a limited access collector. In the event more property is assembled with the project in this area, particularly to the west along Hathaway Road, the limited access collector design should be considered for this area. The 2030 Boone County Transportation Plan indicates that the connector portion of the plan, which shows a north south route between Longbranch and Hathaway, is dynamic and can change as projects are built and new projects are identified. An alternative would be to design street stubs to properties to the west to allow for multiple routes in and out of this end of the development. In the future, Hathaway Road will become a predominant route for access to I-75. If a Controlled Access Connector is not able to be provided, this subdivision street may have to be designed as a Collector classification, as a 30 foot wide street. The subdivision regulations list 500 dwelling units as the threshold for this classification and the development is proposed to include over 1,300 units when completed. In any event, individual driveway access should be minimized on this proposed street.

Staff believes that the proposed east-west connector road through the site should be adjusted so the eastern portion is aimed toward Westbrook subdivision, or the route adjusted to run through Area "B". The ultimate transportation objective is to have a direct traffic movement between the Central Park area and the US 42 corridor without turning movements. This route is described in Exhibit 6-14 of the 2030 Boone County Transportation Plan. This route may become extremely important as future access to the

Autumn Woods site because the development phasing is proposed to be generally from north to south, and the width and alignment of Longbranch Road is questionable to be able to handle large amounts of traffic safely. Longbranch Road is listed under Exhibit 6-13 in the Transportation Plan as a High Priority Project, recommended to be completed in 10 years with widening and associated improvements being the desired results. However, no capital funds are devoted to the project at this time.

Minor connections to adjacent property, particularly to the west and south, have not been fully examined or determined on the submitted concept development plan.

Turn lanes should be designed on Hathaway Road and Longbranch Road to accommodate the traffic impact at these locations.

The existing private roadway along the Gunpowder Creek tributary should be reserved as part of a future public pathway. The Plan should also include a continuous connection between Longbranch Road and Hathaway Road that connects green space and parks within the interior of the site as well. The proposed 50 foot width of green space along this creek corridor may not be wide enough to successfully provide a path system because of the topography.

The proposed east west connector road route should also include a sufficiently wide greenway and biked/pedestrian route continuous across the site as part of a system linking Union and Central Park. This site is a key location because of its size and length that extend all the way between Longbranch and Hathaway Roads, effectively bisecting this geographic area that is important in the Transportation Plan and Comprehensive Plan discussions, particularly the Land Use Element. To accomplish this, the corridor, including its green belt and path area, needs to be wider than depicted in concept on the submitted plan.

5. **RECREATION** - Future Recreation space and green space areas need to be evaluated as to future ownership and maintenance should this project be approved. Some areas may be appropriate for public ownership and maintenance. The 2000 Boone County Parks and Recreation Master Plan recommended that land should be set aside for a community park in the Union area. This would be developed as an 8-15 acre neighborhood park but should have land for future development of up to 25-50 acres, similar to a Boone Woods type park.
6. **CEMETERIES** - The developer will need to contract with an archeologist to document the existing cemetery, establish the boundaries and other steps outlined in the zoning regulations. Staff reconnaissance indicated that there may be a second part of the cemetery adjoining the known portion that would also need to be evaluated.

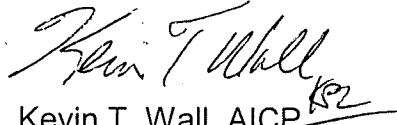
CONCLUSION

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 2001-02 Boone County Zoning Regulations and the potential impacts on the existing and planned uses in the area.

Respectfully submitted,



Mitchell A. Light  
Asst. Zoning Administrator



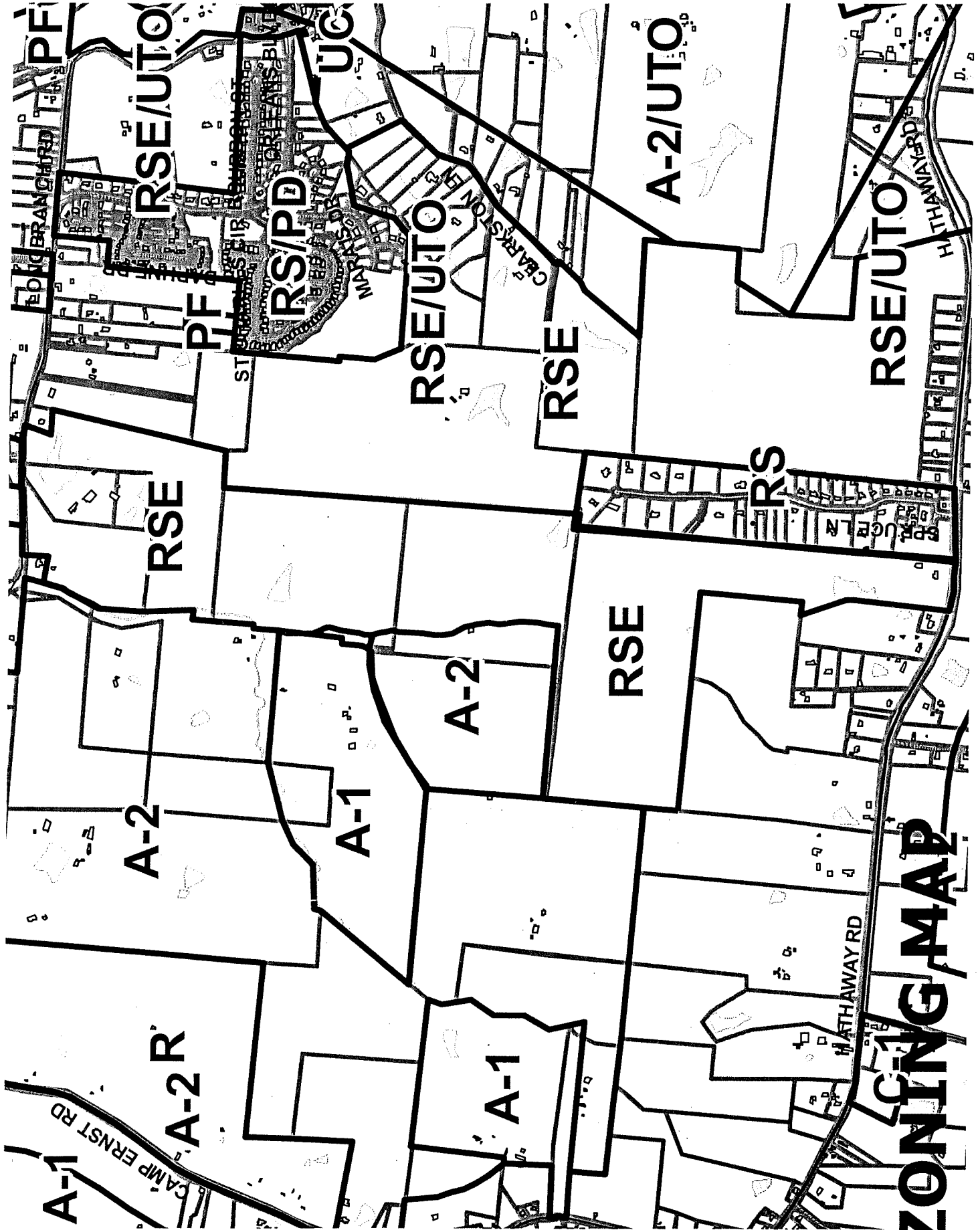
Kevin T. Wall, AICP  
Director, Zoning Services

MAL/KTW/pr

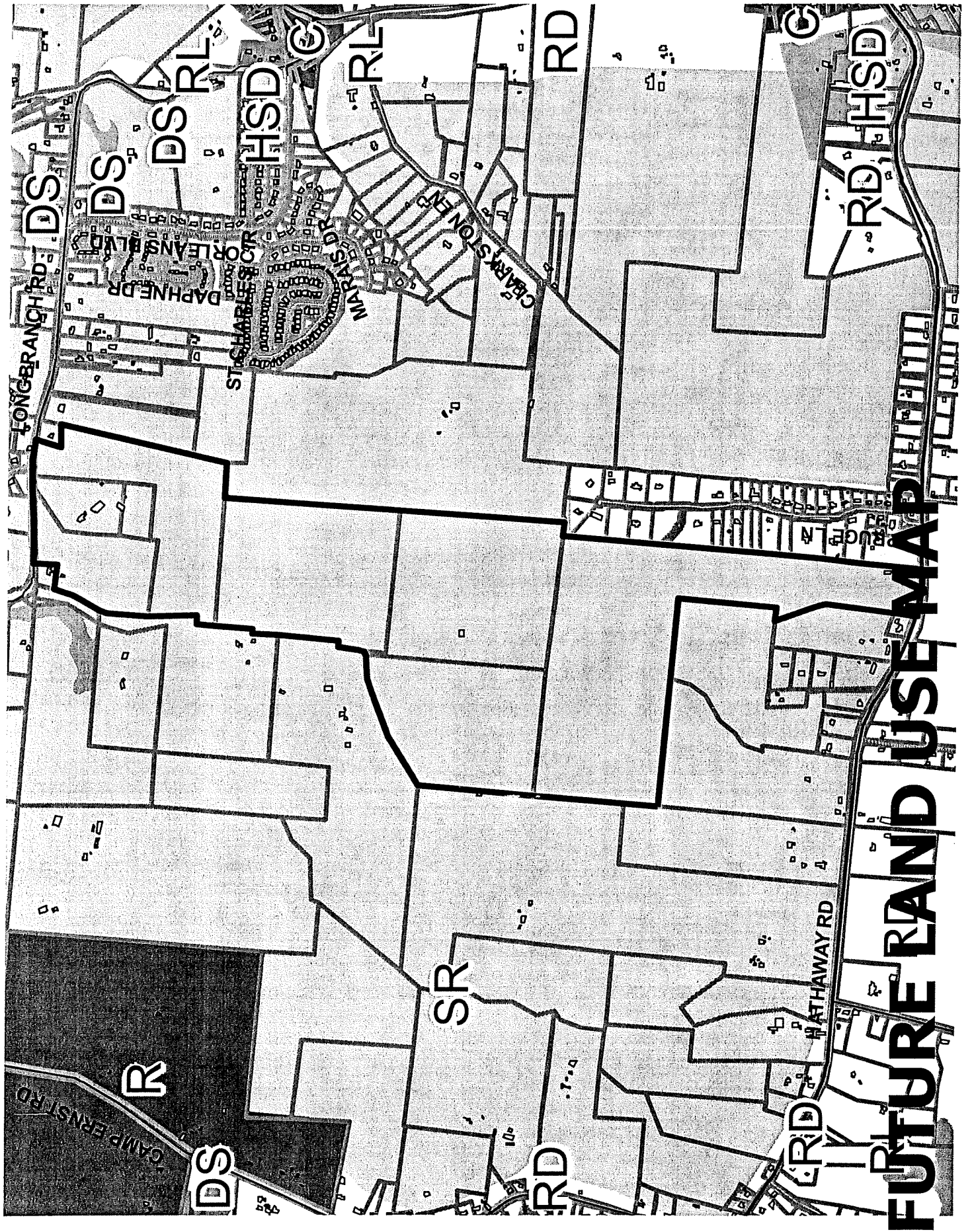
attachments:

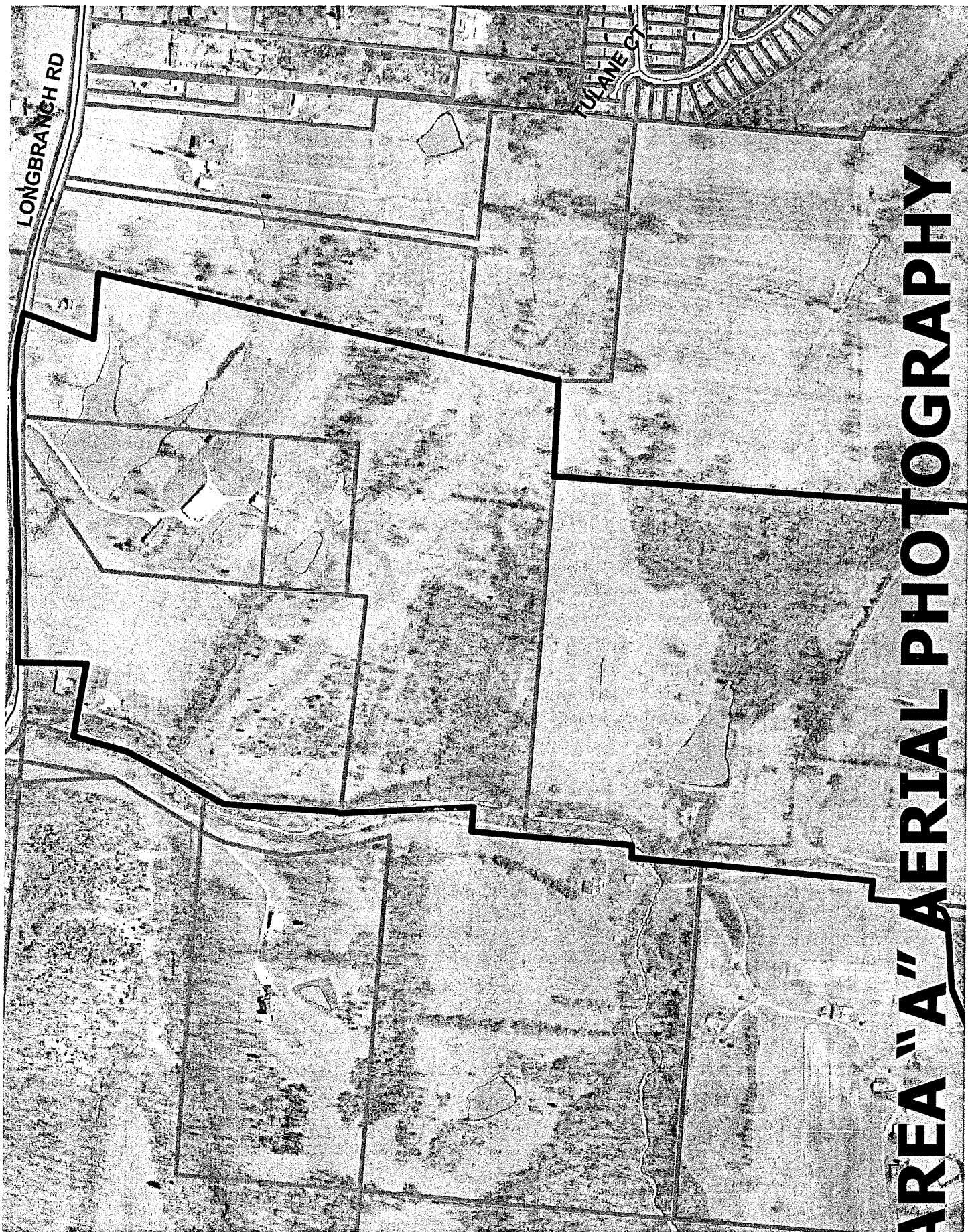
- Vicinity Map
- Zoning Map
- Future Land Use Map
- Area "A" Aerial Photography
- Area "A" Topography
- Area "B" & "C" Aerial Photography
- Area "B" & "C" Topography
- Area "D" Aerial Photography
- Area "D" Topography
- Concept Development Plan
- Comments from the Boone County Schools
- Comments from the Boone County Parks Department
- Comments from the Kentucky Transportation Cabinet
- Comments from the Boone County Water District
- Comments from Sanitation District #1
- Comments from Union Fire/Rescue
- Project Narrative
- Application





# ZONING MAP

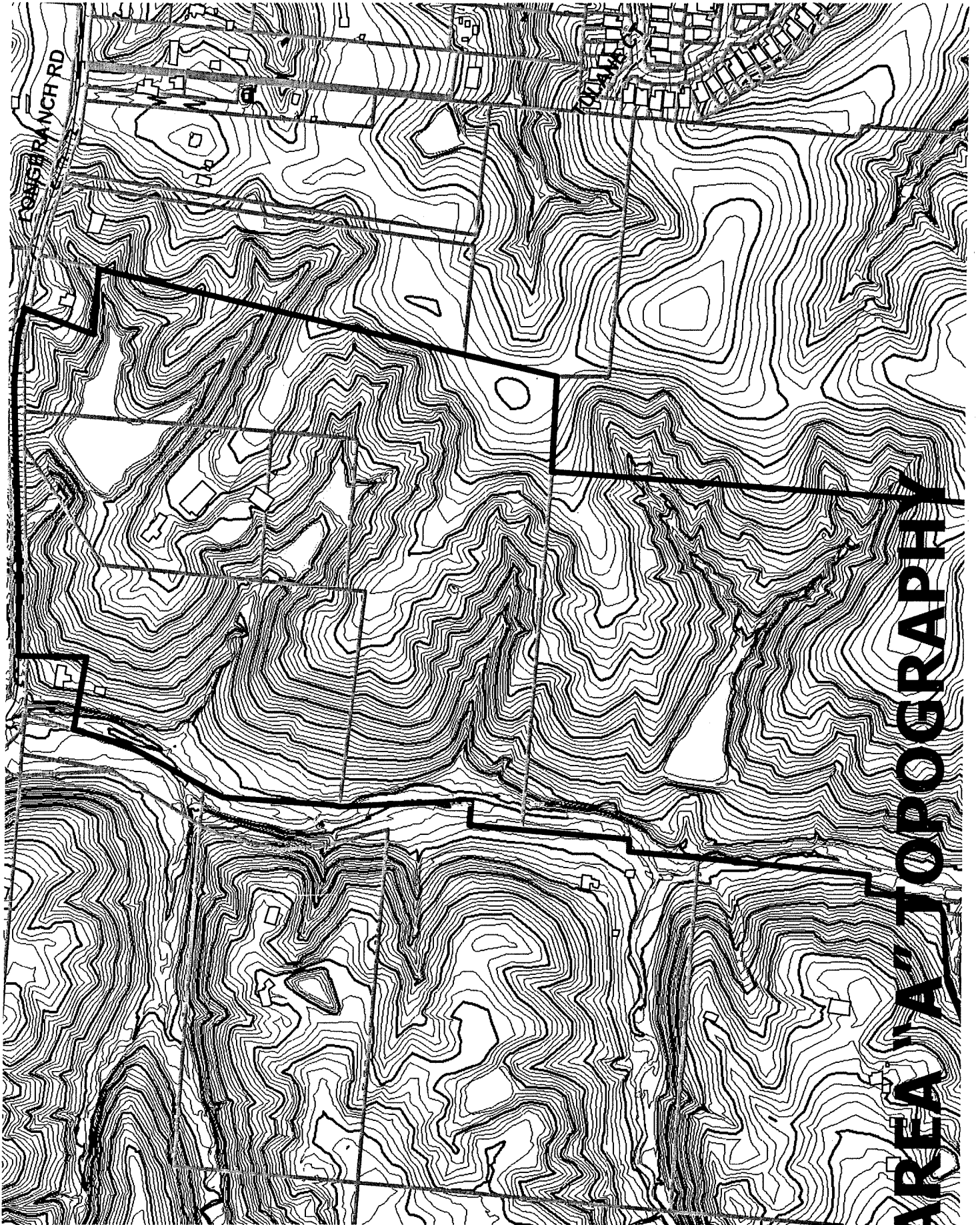




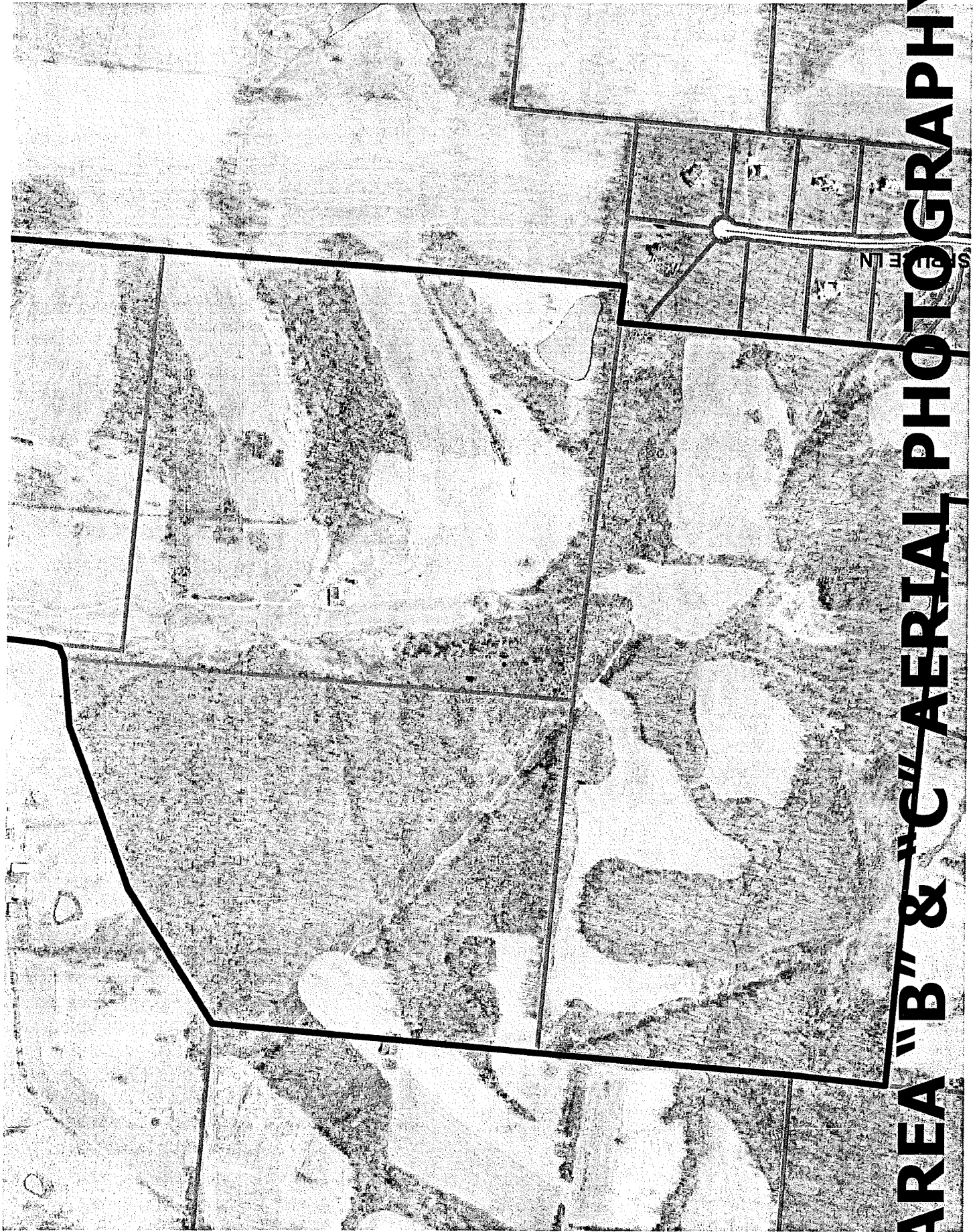
LONGBRANCH RD

TULANE CT

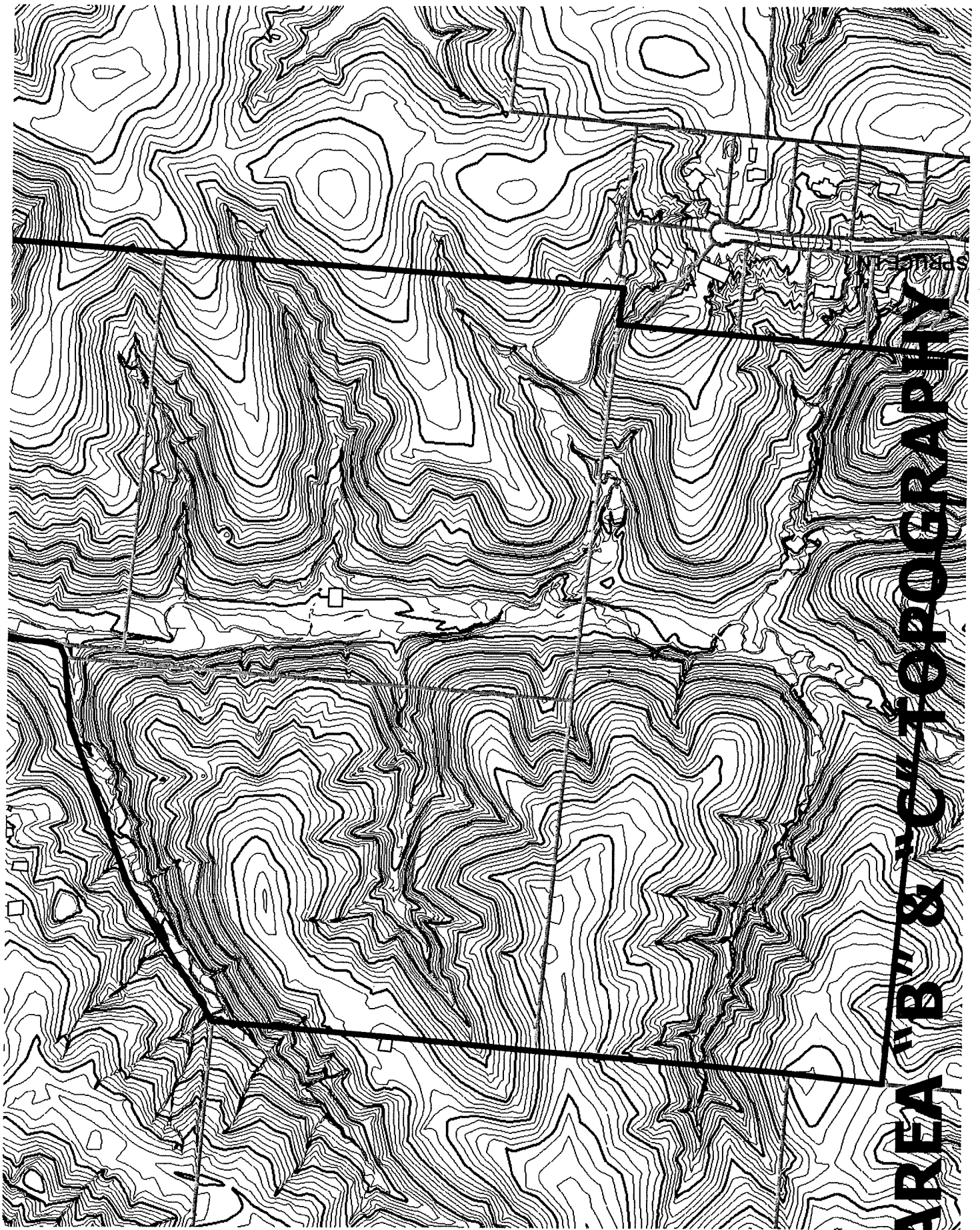
# AREA "A" AERIAL PHOTOGRAPHY



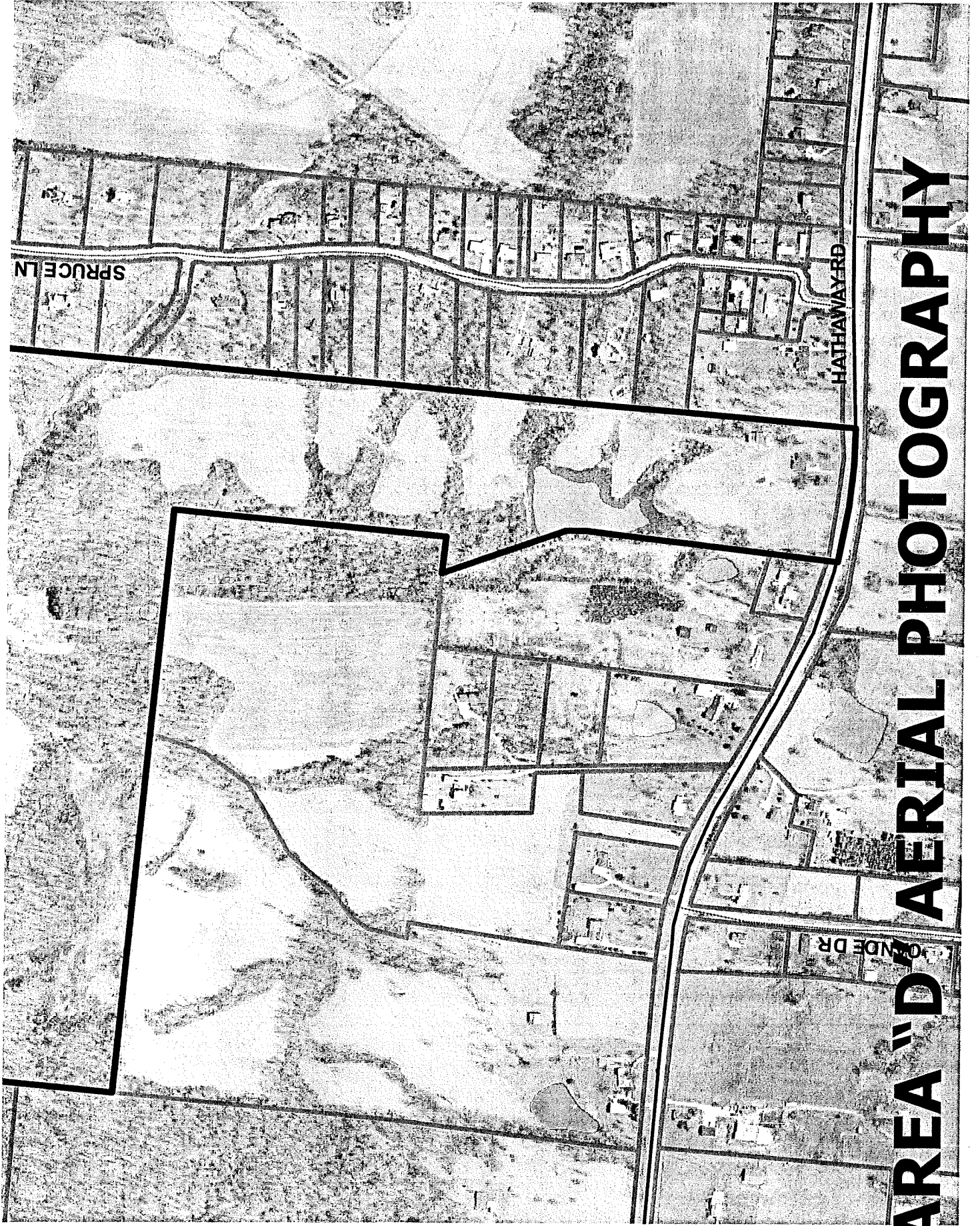
**AREA "A" TOPOGRAPHY**



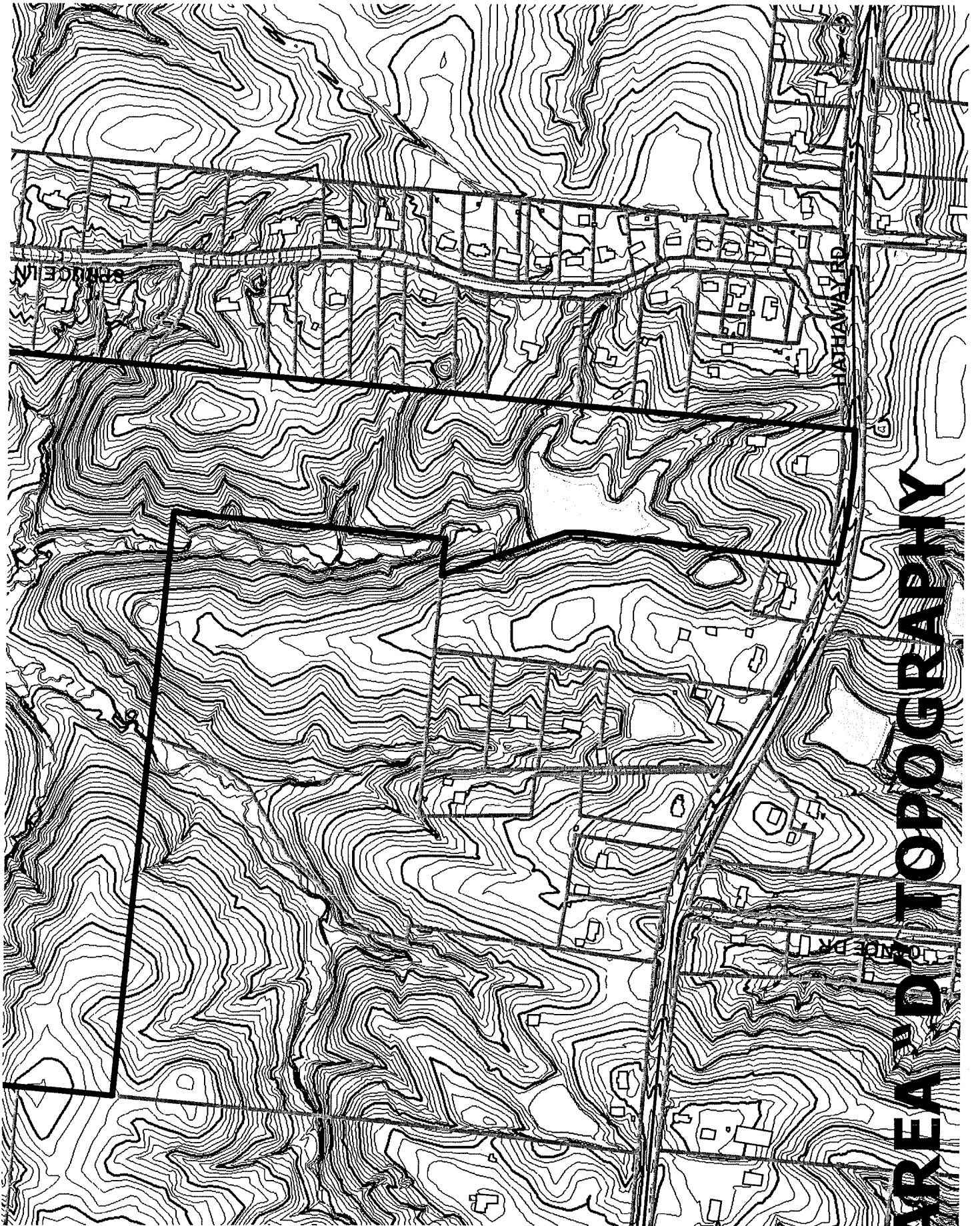
# AREA "B" & "C" AERIAL PHOTOGRAPHY



**AREA "B" & "C" TOPOGRAPHY**

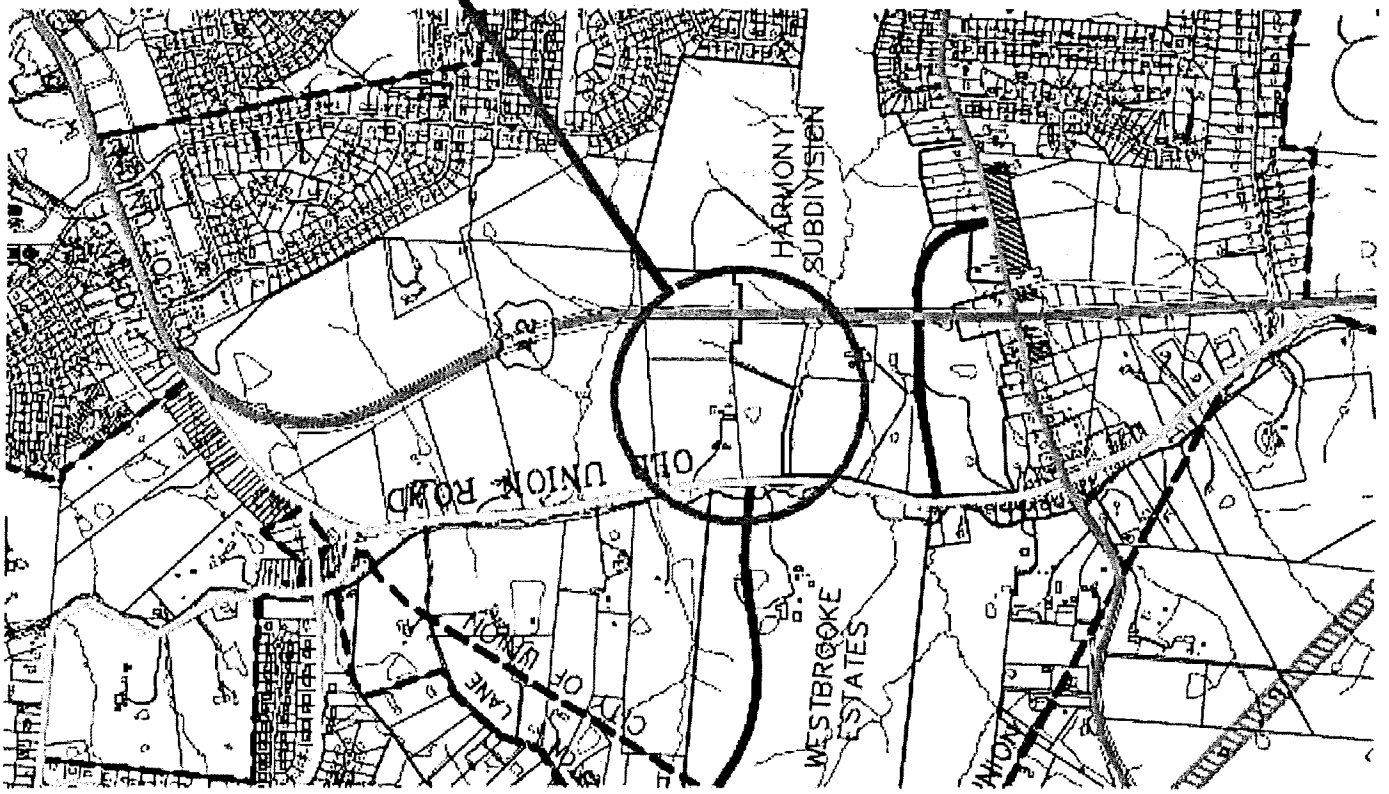


# AREA "D" AERIAL PHOTOGRAPHY



# AREA "D" TOPOGRAPHY

AUTUMN WOODS  
TRANSPORTATION PLAN  
EXHIBIT #1

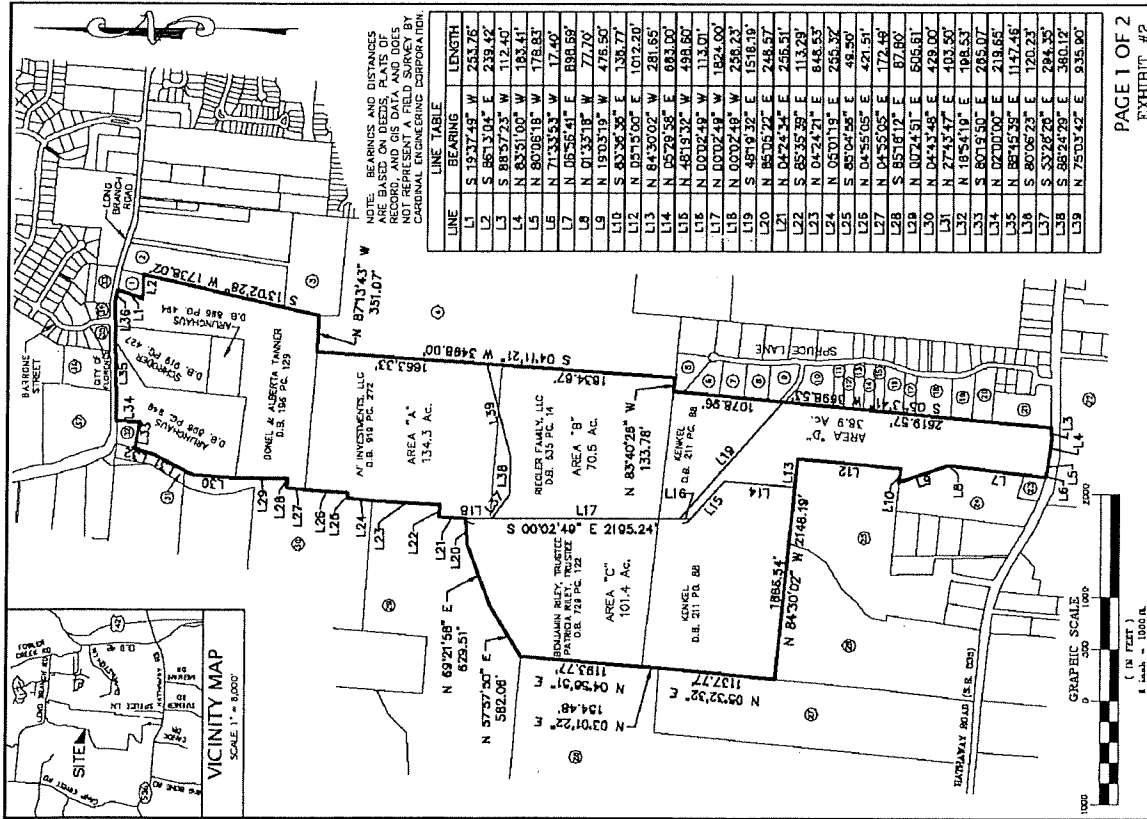


FUTURE COLLECTOR

- PROJECT BOUNDARY
- CITY LINE
- EXISTING ARTERIAL STREETS
- EXISTING COLLECTOR STREETS
- COLLECTOR STREETS AS SHOWN ON THE BOONE COUNTY COMPREHENSIVE PLAN
- POTENTIAL ROUNDABOUT
- ELECTRIC EASEMENT



AUTUMN WOODS  
TRANSPORTATION PLAN  
EXHIBIT #1

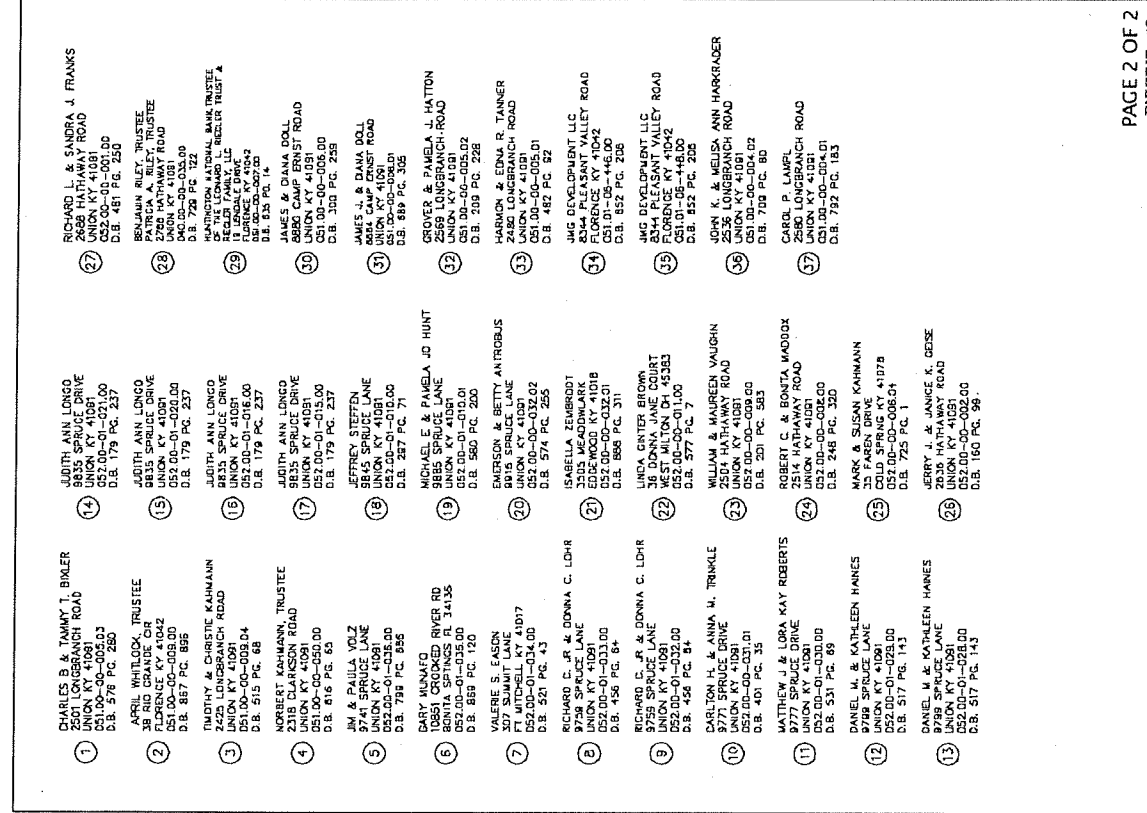


PAGE 1 OF 2  
EXHIBIT #2

PROJECT MANAGER: JCK  
DRAWN BY: TRP  
DATE: 10-31-06  
SCALE: 1" = 100'  
FILE NO.: 06-267

ZONE-CHANGE PLAT  
for  
AUTUMN WOODS  
LONG BRANCH DEVELOPMENT, INC.  
2670 CHANCELLOR BLVD., SUITE 300  
CHRISTVIEW HILLS, KENTUCKY 41017

CARDINAL  
ARCHITECTURE  
ENGINEERING  
LAND SURVEYING  
ONE MOCK ROAD  
WILDER, KENTUCKY  
41071 (502) 311-8600

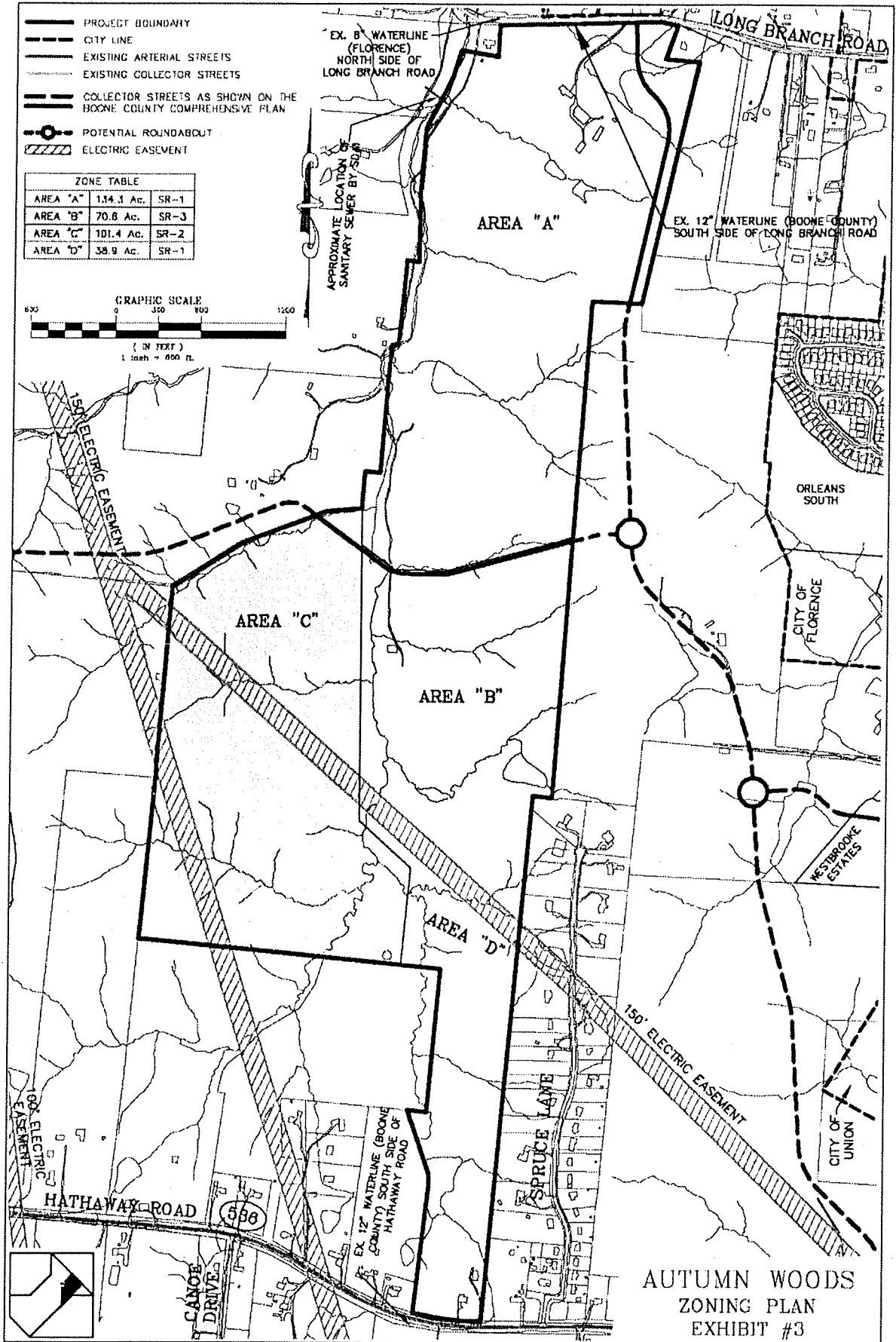


PAGE 2 OF 2  
EXHIBIT #2

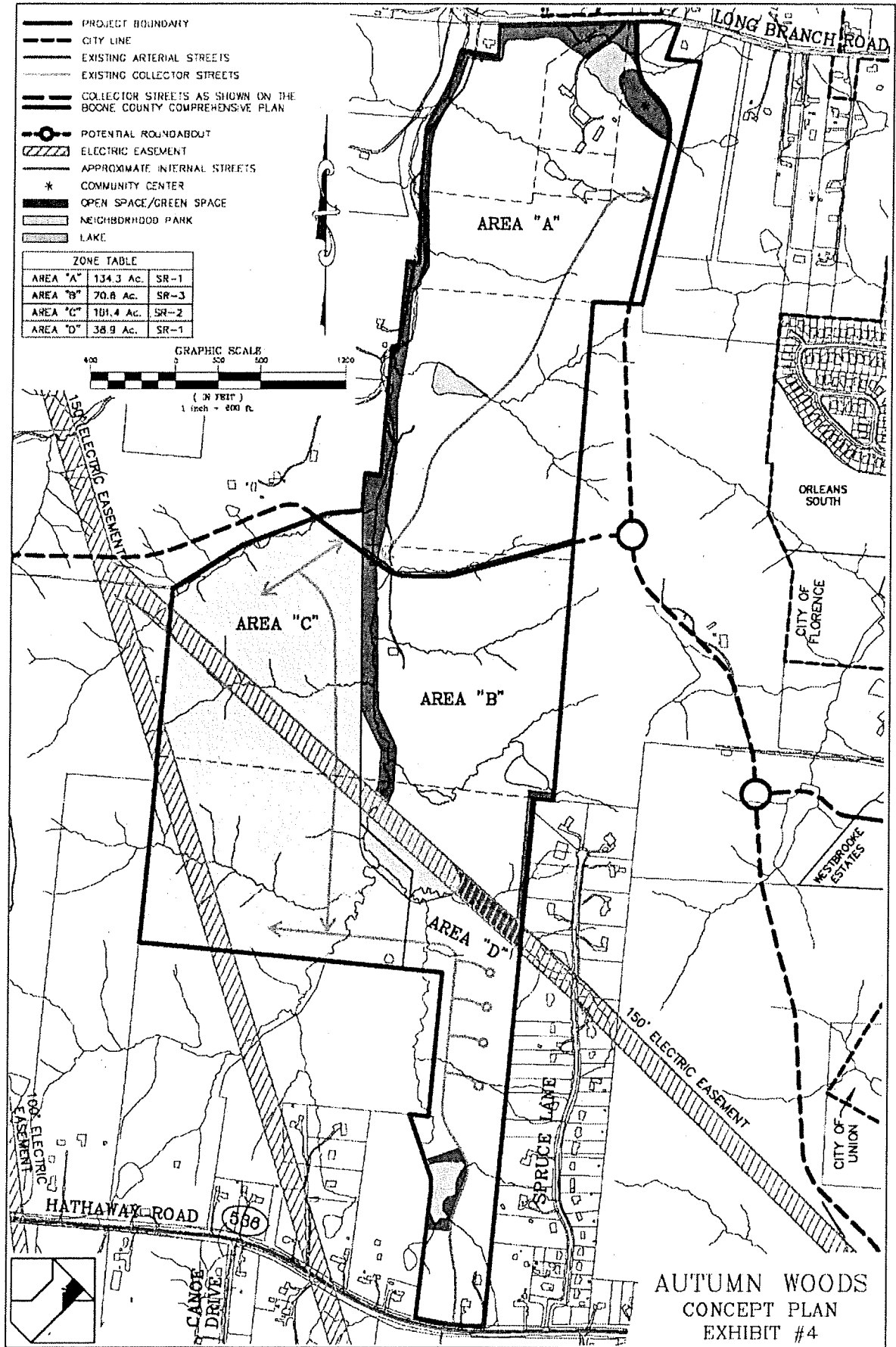
PROJECT MANAGER: JCK  
DRAWN BY: TRP  
DATE: 10-31-06  
SCALE: N.T.S.  
FILE NO.: 06-267

ZONE-CHANGE PLAT  
for  
AUTUMN WOODS  
LONG BRANCH DEVELOPMENT, INC.  
2670 CHANCELLOR BLVD., SUITE 300  
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CARDINAL  
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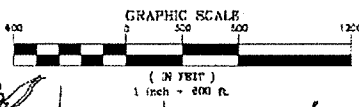


**AUTUMN WOODS  
 ZONING PLAN  
 EXHIBIT #3**



- PROJECT BOUNDARY
- - - CITY LINE
- EXISTING ARTERIAL STREETS
- EXISTING COLLECTOR STREETS
- COLLECTOR STREETS AS SHOWN ON THE BOONE COUNTY COMPREHENSIVE PLAN
- POTENTIAL ROUNDABOUT
- ▨ ELECTRIC EASEMENT
- APPROXIMATE INTERNAL STREETS
- \* COMMUNITY CENTER
- OPEN SPACE/GREEN SPACE
- ▨ NEIGHBORHOOD PARK
- LAKE

ZONE TABLE		
AREA "A"	134.3 Ac.	SR-1
AREA "B"	70.8 Ac.	SR-3
AREA "C"	101.4 Ac.	SR-2
AREA "D"	38.9 Ac.	SR-1

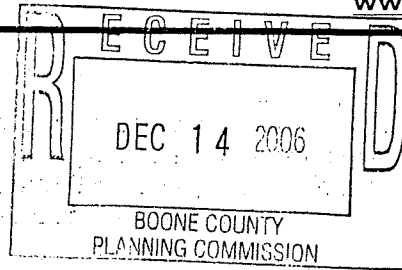


AUTUMN WOODS  
CONCEPT PLAN  
EXHIBIT #4

**BRYAN A. BLAVATT**  
Superintendent of Schools

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

**BOONE COUNTY SCHOOLS**



December 8, 2006

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

Dear Mr. Costello:

As you are aware, Boone County Schools recognizes and supports continued growth across Boone County, and while I do not believe that the school district needs to communicate with the Planning Commission on every housing or zoning plan that is proposed, there are some concerns related to the development of the Autumn Woods Subdivision between Longbranch Road and Hathaway Road that obviate comment and should be addressed.

First, the development of such a large subdivision places an increased strain on the infrastructure of the school district. Even with redistricting projects and the future construction of an elementary school on the Longbranch Campus site, we are exceeding student population capacity at Stephens Elementary and Erpenbeck Elementary. Based on current student population and approved build-out from single-family residences in subdivisions assigned to these schools, Stephens exceeds capacity by 297 students and Erpenbeck exceeds capacity by 374 students. Secondly, Boone County Schools has maximized bonding capacity through construction projects to the point that the district is unable to purchase a land site at this time where another elementary school may be constructed. Because of these matters, the school district recommends that the Planning Commission incorporate into conditions relative to zoning change that developers provide land for use by Boone County Schools within the Autumn Woods Subdivision. This would provide for the necessary infrastructure to accommodate the immanent student growth resulting from subdivision development. Also, we are recommending that the Planning Commission apply the same criteria for this plan as we have recommended for other large developmental projects, which is to require that the development of the subdivision be phased over time to allow the school district to provide adequate educational space that meets the growth in the area.

Again, let me thank you and the Planning Commission for the support that you provide to Boone County Schools. With your help, new multi-tract zone changes will be structured so that the school district can respond proactively. If you have any questions, please feel free to contact me.

Sincerely,

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

Bryan Blavatt  
Superintendent of Schools

Cc: Kevin Wall, Director of Zoning Services  
Dave Geohegan, Director of Planning Services

## Mitch Light

---

**From:** David Whitehouse  
**Sent:** Monday, November 20, 2006 11:36 AM  
**To:** Mitch Light  
**Cc:** David Whitehouse  
**Subject:** Autumn Woods

Mitch

Thanks for the information on Autumn Woods. A couple of questions in regards to the change in zoning.

- Will streets have bike lanes?
- Will Subdivision have sidewalks?
- How big is the neighborhood park?
- What is the buffer off of the Open Space/Green Space link?
- Also what is the timeline for the four levels of the development?

Thanks

David Whitehouse, CPRP

Director

Boone County Parks

PO Box 566

Burlington, KY 41005

859-334-2117

859-334-2127 FAX

dwhitehouse@boonecountky.org

**"Boone County Parks Creating Life Long Memories"**

## Mitch Light

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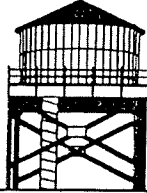
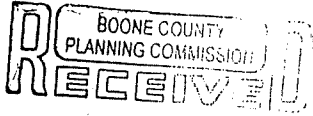
**From:** Hans, Robert (KYTC-D06) [Robert.Hans@ky.gov]  
**Sent:** Monday, December 04, 2006 4:17 PM  
**To:** Mitch Light  
**Cc:** Thompson, Ed (KYTC-D06); Madden, Bill F (KYTC-D06); Schomaker, Tom (KYTC-D06); Yeager, Mike (KYTC-D06)  
**Subject:** Requested Zone Change - Autumn Road Subdivision between Hathaway and Longbranch - Boone County

Mitchell,

The Kentucky Department of Highways has reviewed the documentation related to the subject request and offers the following comments. If a roadway connection is made from this parcel to Hathaway Road (KY 536), all requirements for ingress/egress onto a state route (meeting minimum sight distances, possible left turn lane addition on KY 536 EB, possible right turn deceleration lane on KY 536 WB, etc.) must be reviewed and approved by the Department via the encroachment permit process. We have no further specific comments related to the requested zone change.

Thanks,

Rob Hans, TEBM - Planning  
KY Department of Highways, District Six  
(859) 341-2707, ext. 256



Boone County Water District  
2475 Burlington Pike • Burlington, Kentucky 41005-0018  
(859) 586-6155 • Fax (859) 586-5016  
www.boonewater.com

NOV 27 2006

November 27, 2006

Boone County Planning Commission  
ATTN: Mitchell A. Light

Re: Autumn Woods Subdivision.

Mitchell A. Light,

Upon review of the above referenced site, The Boone County Water District has abundant amount of both potable water and pressure to serve the building site of "Autumn woods Subdivision".

The District welcomes Autumn Woods as a new customer. If we may be of further service, please let us know.

Sincerely,

  
Harry Anness, Project Coordinator

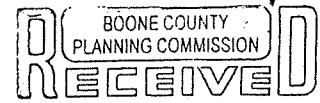
CC: Phil Trzop, General Manager



# Sanitation District No. 1

1045 Eaton Drive, Ft. Wright, KY 41017  
Phone: (859) 578-7450  
Fax: (859) 578-6897

# Memo



**To:** Mitchell A. Light

DEC 7 2006

**From:** Gary Aman

**Date:** December 6, 2006

**Re:** Autumn Woods Subdivision

---

Sanitation District No. 1 will be installing a new sanitary sewer to the south side of Longbranch Road in the next year that is sized to provide sanitary service for everything tributary to this watershed and beyond. It is anticipated that we will have capacity to serve this development in the short term and once the New Western Regional Wastewater Plant is operational in the long term.

**Mitch Light**

---

**From:** Michael P. Morgan [m.morgan@unionky911.org]  
**Sent:** Tuesday, December 19, 2006 1:57 PM  
**To:** Mitch Light  
**Subject:** [BULK] Autumn Woods Subdivision  
**Importance:** Low

Mitch,

I know I missed your request, however I have been asked to attend the public hearing on this project and will attend Wednesday. Union Emergency Services Alliance supports the project for several reasons. The network of roads provides better access and quicker routes to several areas of our district. The added tax base will assist us as we continue to grow. And, if not approved, it will probably be offered up for annexation to the City of Florence. This would be a loss of potential income, however, we would likely see an increase in response. When Orleans was annexed and developed, we lost that potential income and our responses to assist the City of Florence increased greatly.

We are able to provide quality service to this development. We just received a lower insurance rating and we are the closest Fire/EMS responders.

If you have any questions, please let me know.

Michael P. Morgan, Chief  
Union Fire/Rescue  
P.O. Box 936  
Union, KY 41091  
859.384.3342 Office  
859.991.5488 Cell

*Autumn Woods*  
**ZONING MAP AMENDMENT SUBMITTAL  
OUTLINE OF CONTENTS**

❖ CONCEPT PLAN NARRATIVE

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Proposed Development	3
Proposed Zoning Districts	4

❖ SUPPORTING INFORMATION

Merits of Autumn Woods Proposal	5
Supporting Excerpts From the Comprehensive Plan	7
Boone County Transportation Study	9
Utilities and Infrastructure	9
Development Phasing	10
Additional Information for Optional Requirements	11

- ◆ EXHIBIT 1:      Transportation Plan
- ◆ EXHIBIT 2:      Adjacent Property Owners / Meets and Bounds
- ◆ EXHIBIT 3:      Zoning Plan
- ◆ EXHIBIT 4:      Concept Plan

## CONCEPT PLAN NARRATIVE

### OVERVIEW

*Autumn Woods* is a proposed residential community providing a broad range of home ownership opportunities for the growing Boone County community. The site is situated south of Longbranch Road, north of Hathaway Road, and west of Old Union Road. Long Branch Creek is located to the immediate west of the northern portion of the site and traverses the southern part of the site. *Autumn Woods* provides a unique opportunity for the development of quality residential neighborhoods, accompanied with the preservation of natural features and the creation of passive and active recreational open spaces around lakes and creeks located throughout the site.

### PROPOSED DEVELOPMENT

Longbranch Development Inc. and its owners Henry Fischer and Joe Arlinghaus, two predominate home builders in Northern Kentucky, are proud to propose *Autumn Woods*. *Autumn Woods* is a development comprised of 345+/- acres of rolling topography and several wooded tributary drainage features, which add aesthetic interest and character to the proposed community. The proposed Concept Plan, enclosed as Exhibit 4, provides for the arrangement of a street circulation system and the development of residential areas generally along the ridgelines. Preserving selective existing woodlands and open spaces throughout the site to create active/passive recreational areas will compliment the proposed residential areas.

The Concept Plan for *Autumn Woods* proposes the designation of three different residential zoning districts with each zoning district providing for different lot sizes and / or housing types. The proposed zoning district designations allow the development to achieve an overall density for the total development that meets the density standards set out for the site in the Boone County Comprehensive Plan. This Plan classifies this area to be Suburban Density Residential with up to four dwelling units per acre.

The Autumn Woods street system will provide street access to U.S 42 by direct connections to designated collector streets, Longbranch Road and Hathaway Road. While these existing collector roads currently provide adequate vehicular access to this residential area, the area will be complimented by additional collector streets proposed by the Boone County Transportation Study. The Transportation Study provides for a new collector streets north and south between Longbranch Road and Hathaway Road and a new east and west collector street between Old U.S. 42 and Camp Ernst Road. Portions of these collector streets will be constructed as part of the Autumn Woods development and will be located to provide separation between neighborhoods and land uses. Collector streets will be constructed without any direct driveway access to building lots, while residential areas within the community will be served by local and cul-de-sac streets linked by subcollector streets to the planned collector street system.

The site is traversed by several power line easements and natural drainage features. Autumn Woods will contain numerous open spaces and amenity features. Community facilities containing a clubhouse/cabana and pool will be located within the SR-1 (north) zoning area near the Longbranch Road entrance and within the SR-3 zoning district. Dedicated open spaces for passive and active recreational use will also be located throughout the proposed community. Proposed open space areas include the Longbranch Road entrance area surrounding existing ponds and an open space corridor along Long Branch Creek extending south to the SR-3 zoning district. Additionally, a neighborhood park is planned between the SR-3 and SR-1 (south) zoning districts. Open space areas will be designed to facilitate pedestrian connectivity and promote the preservation of existing natural resources. Open space locations are identified and detailed on Exhibit 4, Concept Plan.

## **PROPOSED ZONING DISTRICTS**

The following information, also detailed on Exhibits 3 and 4, Zoning Plan and Concept Plan, describes the proposed land use areas, existing and proposed zoning districts and Land Use Plan designations.

### Area "A"

Acres = 134.3

Existing Zone – RSE

2005 Comprehensive Plan – Suburban Residential

Proposed Zone - SR-1

### Area "B"

Acres = 70.6

Existing Zone – RSE

2005 Comprehensive Plan – Suburban Residential

Proposed Zone - SR-3

Area "C"

Acres = 101.4

Existing Zone – RSE / A-1

2005 Comprehensive Plan – Suburban Residential

Proposed Zone - SR-2

Area "D"

Acres = 38.9

Existing Zone – RSE / A-1

2005 Comprehensive Plan – Suburban Residential

Proposed Zone - SR-1

**Maximum overall gross density for the entire 345+/- acres not to exceed 4 dwelling units per acre.**

## **SUPPORTING INFORMATION**

### **MERITS OF AUTUMN WOODS PROPOSAL**

**Autumn Woods** is located on the south side of the Longbranch Road and West of U.S. 42. It is located within the urban service area identified by the 2005 Boone County Comprehensive Plan as the area of the County which will experience the greatest residential growth in the future. State and local governmental agencies have made large commitments for the expansion of roads, water lines, sanitary sewer mains and new schools in this urban service area. Autumn Woods enjoys the same location, physical and developmental attributes and characteristics as other nearby residential development. These developments are all served and supported by the same underlying infrastructure, public facilities and public services, which will serve the Autumn Woods property. It is anticipated that either Boone County or the City of Florence infrastructure could service the site.

The southerly entrance to Autumn Woods is located on Hathaway Road, a collector road approximately 7500± feet west of intersection with new U.S. 42, an arterial highway. The 8000± foot length of Longbranch Road from its intersection with U.S. 42 to the entrance of Autumn Woods will provide the future residents of Autumn Woods with excellent vehicular access to Boone County's Thoroughfare System. To the east relocated U.S. 42 will ensure that vehicular access to and from Autumn Woods will remain more than adequate as the development progresses through its 10 to 15 year phased build-out. The internal subcollector street system within Autumn Woods provides a good traffic circulation system within the development. The subcollector streets will tie to the Transportation Study Collector Street through parts of Autumn Woods. This collector street is

following the Study recommendation for the North / South route and the East / West route.

As previously mentioned, Autumn Woods and the Longbranch Road area in general enjoy the same location attributes and underlying community infrastructure, schools, public facilities and services as surrounding suburban developments. The Longbranch Road area has, however, remained underdeveloped due to the lack of access to sanitary sewers and public water service. While the Comprehensive Plan provides for expansion of these infrastructure elements into this area, such expansion has not been possible until now. The county is bringing sewer through the project area to service the new schools under construction on Longbranch Road. The Sanitation District's construction of a gravity sewer main along the Longbranch creek will allow significant sanitary sewer expansion in this immediate area.

As previously described in the Autumn Woods Concept Plan Narrative, Autumn Woods is designed to provide a diversity of home ownership opportunities by the provision of multiple housing products. The proposed development and the provisions of the Boone County Zoning Regulation's have been utilized to design a community in conformance with the goals and objectives of the Comprehensive Plan's Housing Element and Environmental Element. Autumn Woods is designed in harmony with the physical environment. The use of existing topography and natural site features and the provision of recreation and open space areas are important design elements. The provision of a variety of lot sizes and widths to accommodate various housing products can be marketed to a wide segment of the population addresses housing needs identified and targeted in the Comprehensive Plan. The densities within part of the site while maintaining a low overall density for the entire site is in compliance with the Comprehensive Plan's Housing Element recommendations regarding housing densities. Housing in Autumn Woods will be marketed to empty nesters, first-time buyers and second and third move-up buyers.

The Autumn Woods property, with the addition of public sanitary sewer, public water is served by all infrastructures normal to support a suburban or urban neighborhood.

Autumn Woods Concept Plan proposes that Areas "A" and "D" comprising approximately 174 acres be rezoned RS-1 (4 d.u. per acre, and that Area "B" comprising approximately 70 acres be rezoned SR-3 (8 d.u. per acre). Area "C" comprising approximately 101 acres be rezoned SR-2 (8 d.u. per acre) and that the entire development comprising 346+/- acres be limited to 4 d.u. per acre, 1,380 d.u. maximum. While a proposal for conventional SR-1 zoning, 4 d.u. per acre, is justified given the location characteristics of the property and the level of infrastructure currently serving it and to be provided by Boone County in the future, the proposal is sensitive to the need to transition from the suburban character of land uses located to the north and east to the more rural land uses

located to the south and west. Therefore, the proposal provides for slightly higher gross densities near the center of the site and lower gross densities nearer the land uses toward the south and north. The proposal for a 4 d.u. per acre maximum permitted under the conventional requirements from the 2030 Comprehensive Plan Suburban Density Residential. The proposal for the development zoning districts designation allows the design of Autumn Woods to provide for a variety of housing products to meet the housing needs of the community as expressed in the Housing Element of the Comprehensive Plan. As previously discussed, the proposed development approach, which is encouraged by the Comprehensive Plan, allows for innovative design and higher net densities while preserving green space and providing park and recreation opportunities. This approach allows Autumn Woods to provide spaces for recreational open space. Based on a natural extension of the residential land use located to the north and east, compatibility with all existing land uses surrounding the Autumn Woods property, the proposed SR-1, SR-2 and SR-3 districts are the appropriate zoning designations to be applied to the Autumn Woods property. The Autumn Woods proposal is also consistent and compatible with other residential development located within the County. The proposed districts are further appropriate in that they are consistent with the Comprehensive Plan, they allow for the expenditure necessary to expand water and sanitary sewer service and they provide for the type of marketable housing necessary to sustain the proper type of growth anticipated by the Comprehensive Plan.

In conclusion, the Autumn Woods development proposal provides the Boone County with the opportunity to address its needs for high quality housing to meet the needs of Boone County residents. The Autumn Woods development is a natural expansion for the area identified in the Comprehensive Plan as the area anticipated to experience the greatest residential growth in the future. The proposed development utilizes innovative planning design, the provision of open space and Parks and the preservation of natural features to create a well planned community, which will be an asset to the area. The commitment of the county to provide services to Autumn Woods and its future residents will insure a high quality living environment. The following excerpts from the 2005 Boone County Comprehensive Plan together with commentary, provide the underlying support for this proposal.

#### **SUPPORTING EXCERPTS FROM THE COMPREHENSIVE PLAN**

"Future growth shall be accompanied by adequate infrastructure and services. Existing infrastructure and services shall be monitored, and maintained and improved as needed." (Page 4, Goals and Objectives, Overall Objective 4). Comment: Autumn Woods will be accompanied by adequate infrastructure and services. Public water and sanitary sewer service will be provided to the development. The development will be served by an adequate street system. The site is located in close proximity to public services, schools, shopping, etc. It is located in the area of Boone County identified in the Comprehensive Plan as

being the area of greatest anticipated growth. This area is consequently the focus of planned public improvements to the roadway system, public water and sanitary sewer and other infrastructure elements.

"The future land use plans shall be based on the research and analysis completed on all the elements." (Page 4, Goals and Objectives, Overall Objective 8). Comment: The elements of the Comprehensive Plan provide the basis for the determination of future land use of specific areas of the County. The future land use map must reflect the research and analysis completed in all of the elements. Here, the underlying elements of the plan conclusively support that the proposed land usage is in compliance with the Comprehensive Plan.

"New development or redevelopment shall attempt to design sites utilizing existing topography and vegetation, 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" (Page 5, Goals and Objectives, Environmental Objective 2). Comment: The proposal utilizes the development concept to develop the site in harmony with the physical environment. The use of existing topography and natural site features and the provision of open space are important design elements of the proposed development.

"A broad range of housing opportunities shall be provided which meet the needs and desires for all household types." (Page 7, Goals and Objectives, Housing Objective 1). Comment: Autumn Woods is specifically designed to provide for a variety of housing opportunities.

"Housing opportunities 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" (Page 8, Goals and Objectives, Housing Objective 4). Comment: This objective promotes balanced growth. The residential development proposed by this request is consistent and complimentary to the growth currently experienced in the commercial and industrial sectors of Florence and Boone County. The site is located in close proximity to the most recent improvements and planned future improvements to the Boone County Schools.

"Residential developments shall be encouraged to plan and build in a manner which is compatible not only with the general housing character 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." (Page 8, Goals and Objectives, Housing Objective 13). Comment: The proposed housing in Autumn Woods is designed to be

compatible with the general housing character planned for the area, the existing conditions of the site and the suitability of adjoining lands for appropriate access.

"Overall, land planning in Boone County should enable the developable lands to be developed at a higher density, thus reducing the need to develop the developmentally sensitive areas. This would be the most effective way of preserving the environmental characteristics of the rural portions of the County, while reducing the air pollution within the region while making mass transit more feasible and effective." (Page 43, Environment conclusion). Comment: This provision and the Environmental Element as a whole decries the effects of rural low density residential development as currently fostered under the provisions of the existing zoning of the site and recommends that developable lands be developed at higher densities such as proposed by this request.

## **BOONE COUNTY TRANSPORTATION STUDY**

As previously mentioned, the Autumn Woods Concept Plan ensures a compatible relationship with the Boone County Transportation Study. The main entry from Longbranch Road will be designed to collector standard with no direct driveway access and generally follow the route per Exhibit 6-14, Collector Street and Roads from the Transportation Study. This North / South collector street will be terminated at the property line at a location which will facilitate a future extension through adjacent properties with an eventual connection to Hathaway Road. An East / West collector street will be constructed through the central portion of the site. Termination locations will again facilitate future extensions through adjacent properties with eventual connections to Old U.S. 42 to the east and Camp Ernst Road to the west. A previously approved portion of the East / West collector street will be constructed as part of the Westbrook Estates development to the east. Enclosed Exhibit 1, Transportation Plan, should be reviewed for a graphic description of this information.

## **UTILITIES AND INFRASTRUCTURE**

Exhibit 3, Zoning Plan, indicates the locations of existing and proposed water and sanitary sewer facilities. Water mains, located on both Hathaway and Longbranch Roads, will be connected to and utilized to serve the proposed development. As previously mentioned, recently proposed sanitary sewer improvements in the area will consist of a trunk line extension to the north end of the site. The purpose of this extension is to serve the new school site and the surrounding area. Preliminary discussions with both the Boone County Water District and Sanitation District No. 1 indicate that adequate services are or will be in place to serve the proposed development.

It is planned to utilize several existing ponds for storm water detention. The ponds will be modified to provide the required storage. Additional detention

facilities will be constructed as required by future engineering design details. All storm water detention facilities will be designed in accordance with appropriate governing requirements.

## **DEVELOPMENT PHASING**

Upon receipt of all government approvals, initial construction will commence on the north end of the site at the Longbranch Road entrance within the proposed SR-1 (north) zoning district (Area "A") as shown on Exhibit 4, Concept Plan. Autumn Woods will remain under development as it progresses through its 10 to 15 year phased build-out. Initial construction will consist of the North / South collector street, subcollector streets and approximately 30-35 single family SR-1 home sites. It is currently anticipated that the initial construction will also include the subcollector street south to the East / West collector street. The East / West collector street will be constructed west to the proposed SR-2 zoning district (Area "C"). Portions of subcollector streets will then be constructed along with approximately 30-35 single family SR-2 home sites. Associated utilities will be extended south from Longbranch Road.

Following the initial construction, additional phases consisting of 20-40 single family home sites will be constructed within both the SR-1 (north) and SR-2 zoning districts along with associated utilities and portions of subcollector streets. Construction phasing will progress in a general north to south direction at a rate determined by market conditions.

Subcollector streets will be constructed and extended from the SR-2 zoning districts into the SR-1 (south) zoning district (Area "D") as dictated by absorptions within the SR-1 (north) zoning district. It is anticipated that this will occur in approximately year 6 to 8 of the development. Again, phases consisting of 20-40 single family home sites will be constructed within the SR-1 (south) zoning district along with associated utilities and subcollector streets. Construction activities will continue in a general north to south direction at a rate determined by absorptions resulting in the construction of the entrance at Hathway Road.

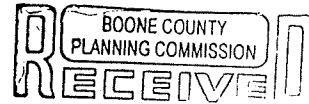
Specific timing for development of the SR-3 zoning district (Area "B") is unknown at this time. However, it is anticipated that construction in this area would commence in approximately year 3 to 6 of the development. Initial construction in this area would consist of completing the East / West collector street to the east property line. Initial and subsequent phases would generally progress in a north to south direction with a total anticipated build out period of up to 10 years.

## ADDITIONAL INFORMATION FOR OPTIONAL REQUIREMENTS

The following information addresses the Optional Requirements of the Zoning Map Amendment Submittal:

1. Enclosed Exhibit 2, Adjacent Property Owners / Meets and Bounds, includes information on adjacent property owners and land uses.
2. A description and size of proposed land uses are shown on Exhibit 4, Concept Plan.
3. Details on proposed open spaces and other amenity features are shown on Exhibit 4, Concept Plan.
4. Existing or proposed community facilities are adequate to serve the proposed development. Several new schools are scheduled for completion as shown on Exhibit 1, Transportation Plan and existing fire service is located nearby on U.S. 42. Additionally, Central Park, located on Camp Ernst Road, is convenient to the proposed community.
5. The proposed development will be designed in accordance with Boone County Subdivision Standards and the applicable proposed zoning.
6. Additional information on various items identified in Optional Requirements have been detailed in previous text of this submittal.

APPLICATION FORM



ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

NOV 14 2006

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project Autumn Woods
2. Location of Project South of Long Branch Road, North of Hathaway Road, East
3. Total Acreage of Site 350 +/- Acres of Long Branch Creek & West of Spruce Lane.
4. Current Zoning of Site RSE, A-2
5. Proposed Zoning (Classification being requested) SR-1, SR-2, SR-3
6. Proposed Uses (please specify each use) Single Family Residential and Multi-Family Residential Housing.
7. Names of Applicant(s) Long Branch Development, Inc.
8. Address of Applicant(s) 2670 Chancellor Drive, Crestview Hills, KY 41017
9. Name of Property Owner(s) See Attached List
10. Address of Property Owner(s) See Attached List
11. Proposed Building Intensities (please specify)
12. Are there any existing buildings on the site?
13. Deed Book Page No. Group No.
14. Are you also applying for:
15. Have you submitted a Concept Development Plan?
16. Have you had a pre-application meeting with BCPC Staff?
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

(over)

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
FIRST FLOOR FISCAL COURTROOM**

December 20, 2006  
7:30 P.M.

**PUBLIC HEARING**

**Commission Members Present:** Mr. Barlow, Mr. Breetz, Mr. Caddell – Chairman, Mr. Carmichael, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen, Mr. Schwenke, and Mrs. Wilson – Secretary/Treasurer.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Recording Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; 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 7:32 PM and introduced the first item on the Agenda:

**Applicant:**     Long Branch Development, Inc. for  
Albert Kenkel, Margaret Kenkel, Riegler Family LLC, Benjamin A.  
Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus  
Investments LLC, and Robert Schroder (owners)

**Request:**     Zoning Map Amendment

The request of Long Branch Development, Inc. (applicant) for Albert Kenkel, Margaret Kenkel, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, and Robert Schroder (owners) for Zoning Map Amendments from Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for 173.2 acres, Suburban Residential Two (SR-1) for 101.4 acres, and Suburban Residential Three (SR-3) for 70.6 acres, for an approximate 345 acre total area located between the south side of Longbranch Road across from the Barrone Street intersection and the north side of Hathaway Road including the property at 2505 Longbranch Road and properties to the east, west, and south of 2505 Longbranch Road, the property at 2444 Hathaway Road and properties to the north of 2444 Hathaway Road, Boone County, Kentucky. The request is for zone changes to allow single-family and multi-family residences.

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

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

The Chairman asked for the applicant's presentation.

Mr. Martin Butler, with the law firm of Strauss & Troy, 50 East River Center Blvd., Covington, attorney for the applicant, stated that he and Mark Burgess with the Fischer Group will be making the presentation this evening. Copies of their presentation *Autumn Woods, Boone County, Longbranch Development, Inc.* (see Exhibit 1) were provided to the Commissioners. Mr. Butler introduced the applicant's team: Henry Fischer and Mark Burgess with the Fischer Group, Joe Arlinghaus and Bob Schroeder with Arlinghaus Builders, and Joe Kramer with Cardinal Engineering. They are available to answer any questions. Mr. Butler stated that the subject property is an approximate 345-acre parcel located on the south side of Longbranch Road, the north side of Hathaway Road, and the east side of Longbranch Creek. The development will be known as Autumn Woods. They are requesting zone changes for four areas:

- Area A 134 acres from RSE and A-2 to SR-1
- Area B 70.6 acres from RSE and A-2 to SR-3 (Condominiums)
- Area C 101.4 acres from RSE and A-2 to SR-2
- Area D 38.9 acres from RSE to SR-1

He stated that the locations of Areas A,B,C&D are identified on the map under Tab 1). Area D is closest to Hathaway Road. He stated that no Variances or Conditional Use Permits are being requested. The request is to develop a high quality residential community with a broad range of homeownership opportunities and choice of housing type, design, size and price for persons of all ages, incomes and interests. He stated that the picture on the cover of *Autumn Woods* (exhibit 1) was taken along Longbranch Creek, which flows in a north to south direction on the property, and will be preserved and used for walking and hiking trails. Reviewing the applicant's Power Point presentation, he stated that the land is comprised of rolling topography and noted wooded tributary drainage features which add aesthetic interest to the community. He stated that they worked hard to take advantage of the assets of the land. He stated that the first objective of the Goals and Objectives Element of the 2005 Comprehensive Plan is "*a broad range of housing opportunities shall be provided which meet the needs and desires of all household types*". He stated that Autumn Woods provides a unique opportunity for the development of quality residential neighborhoods and housing opportunities for first, second and third time move-up homebuyers and empty nesters who want to remain near their families and neighborhoods. Their plan provides for the designation of three different zoning districts in the development and each zoning district will provide for different lot sizes and housing types as

recommended in the Comprehensive Plan. The Concept Plan (Tab 2) shows the street circulation system and residential areas generally along the ridgelines, which preserves existing woodlands and open spaces and allows for the creation of active/passive recreation areas for the residents of Autumn Woods and the county. The developers intend to locate the east/west connector road approximately as it is shown. He stated that if the road is aligned directly with Westbrook Drive as discussed by Staff, it will run into a hillside. The location as shown allows the road to go through a natural valley, save woodland areas, and create a buffer between the single-family and condominium areas.

Mr. Mark Burgess, 2670 Chancellor Drive, Vice President of Land Acquisition, stated that the concept meets Objective #2 of the Environmental Element of the Comprehensive Plan. He stated that where feasible the design preserves the natural features, open spaces around the lakes and creeks, and scenic vistas. Reviewing the Power Point slide, he indicated the locations of green space on the site, the lake, and the main entrance adjacent to the French Quarter of Orleans. Open spaces have been designed to provide separation of neighborhoods. He noted the linear park, the neighborhood park area, and green space along the east/west corridor to create separation between Area A and Area B. He noted neighborhood parks and buffer areas to create separation between Area B and Area D on the southern portion of the site. He stated that consistent design elements will be utilized throughout the development, including the architectural elements and entry monuments. He presented photographs of the existing creeks, lakes, and open spaces. They propose signage, marketing and landscaping similar to other communities developed by the principals. He presented a slide of the entrance on Longbranch Road. He stated that when entering off Longbranch Road, people will come into a community area with a cabana, swimming pool and off-street parking. He noted the backs of single-family lots that will have views of the lake. He stated that people will have views of the lake and the green space when entering and exiting the site. He presented a photograph of a typical pool and cabana built by Fischer in other communities. He stated that the neighborhood park in the south/central portion of Autumn Woods will include field games, playground apparatus, a shelter, picnic areas, and off-street parking. The Preliminary Site Plan for the proposed park is under Tab 6. Photographs of similar features in other communities are under Tab 7. He noted the location of overhead power lines that run throughout the site. He noted the topography and natural drainage features surrounding the park area. He stated that the park area is accessible from the condominium area (Area B) and the single-family area (Area D) and will have pedestrian access from Area C. He stated that the neighborhood community facility in Area B will include a clubhouse, pool and off-street parking. Photographs of similar facilities are under Tab 8. He presented photographs of similar communities they have developed. He stated that the linear green space runs from Longbranch Road, through the western portion of the northern portion of the site, down to the mid-section of the community, and connects into the neighborhood park space. The green space will be preserved within designated areas along the northern side and will continue along the west

property line within the existing wooded areas along Longbranch Creek. The green space connects the proposed neighborhood park with Areas B, C and D. The details are shown in the Concept Plan under Tab 2. He presented a photograph of the existing lake in the center of the site and the open vistas. He stated that the Hathaway Road entrance will include an entry feature, landscaping and 75-foot setbacks consistent with the adjacent homes on Hathaway Road. The lots would be accessed from the rear. He stated that when entering off Hathaway Road, people would see the existing lake and the green space. He presented photographs of the lake. He stated that a 50-foot buffer will be provided within Area B along the common property line boundary with properties on Spruce Lane. An aerial photograph of the area is under Tab 10. He stated that evergreen trees will be planted at a maximum spacing of 25 feet in the proposed buffer area where it is void of existing vegetation. The distance between the existing residences on Spruce Lane and the proposed condominium area is approximately the distance of a football field. He reviewed the aerial photograph in regard to the existing trees on the adjacent properties that extend into the subject property and areas where they will plant evergreen trees to create the 50-foot buffer area. He stated that the community facilities, neighborhood park, entrances and related landscaping areas will be conveyed to a master association for development as a whole to ensure their on-going existence and maintenance. These areas include: (1) the open space at Longbranch Road entrance, the community facility and the lake which equals 7+ acres, (2) the linear green space along Longbranch Creek and the neighborhood park which equals 20+ acres, (3) the lake and green space north of Hathaway Road entrance which equals 2+ acres, (4) the Spruce Lane buffer area which equals 3+ acres, and (5) green space in the condominium neighborhood which equals approximately 15 acres. The combined green space is 10% - 15% of the land within the development. The linear green space will either be conveyed to the master association subject to a preservation easement or have a perpetual easement for the benefit of the Boone County Park system.

Mr. Butler stated that SR-1 and SR-2 zoning of Areas A, C and D will provide for pods of single-family homes. Examples of single-family and condominium homes offered by the principals are under Tab 11 and some of these homes will be built in Autumn Woods. He reviewed a Power Point slide and noted the variety of sizes and types of homes. He reviewed examples of condominiums in Tara and Plantation Pointe which are similar to buildings and arrangements that will be built in Area B. The applicant anticipates that construction will begin at the north entrance of the development at Longbranch Road in late spring/early summer 2007. The development is projected to occur in phased build-outs over ten to fifteen years. He presented a Power Point slide of the Autumn Woods Transportation Plan. He noted the east/west collector road to be developed within the development in accordance with the recommendations of the Boone County Transportation Plan. They have tried to align the road as it is in the Boone County Transportation Plan. He reviewed Page 76 of the Comprehensive Plan that "*high-density residential areas should be located sufficiently near or with convenient access to major streets, highways, shopping and public facilities*". He

stated that the northern entrance (off Longbranch Road) and the southern entrance (off Hathaway Road) are both just over a mile west of Old U.S. 42. Both roads are collector roads serviced by U.S. 42, which is a five-lane urban arterial highway. Over time, Autumn Woods will have vehicular access by way of a proposed east/west connector/collector road and a north/south connector/collector road as recommended in the Boone County Transportation Plan. Portions of the connector/collector roads will be constructed by the applicant. The future east/west and north/south collector roads have been designed to be consistent with the Boone County Transportation Study. The internal east/west collector road will provide for future extension of the planned/approved portions of the collector road. The portion of the east/west collector road within Autumn Woods (adjacent to a wooded valley immediately north of Area B) provides natural separation between the single-family homes to the north and the condominiums to the south. Autumn Woods will also be served by a series of sub-collector roads as shown by gray lines and arrows on the Concept Plan (Tab 2). The sub-collector roads will be built to subdivision standards. The collector and sub-collector streets have been designed to provide full internal and external circulation patterns between the local streets in the development, the arterial network along Hathaway Road and Longbranch Road, and the future east/west and north/south collector roads. He reviewed Section 3235 of the Zoning Regulations in regard to turning and decel lanes. The applicant agrees to construct turning and decel lanes along Longbranch Road and Hathaway Road at the entrances to the development. He presented a drawing of the proposed turning lanes (see Tab 14). He stated that there will be turning lanes and decel lanes in both directions on both roads. The plans were developed based on discussions with the Boone County Engineer and the Department of Transportation. A letter from Jack Gehrum with Edwards and Kelcey (Tab 15) confirms that the turning lanes provide for effective and safe traffic operations. He stated that water service and fire hydrants will be provided by extending the new 12" water line located on the south side of Longbranch Road, and/or extending the existing 8" water line located on the north side of Longbranch Road, and by an existing 12" water line located on the south side of Hathaway Road. Sanitation District #1 is currently constructing and extending sewer service south along Longbranch Creek to Longbranch Road, bringing sanitary sewer service to the general area and to the new school under construction on Longbranch Road. Sanitary sewer to Autumn Woods will be provided by the extension of the sewer lines by the developer throughout the development generally along Longbranch Creek. The water lines, fire hydrants and sanitary sewer lines will be constructed in accordance with the applicable regulations. The approximate locations of the water and sewer lines are shown under Tab 1. Storm sewer and detention facilities will be constructed in accordance with the Boone County Stormwater Management Regulations. Underground telephone and electric utilities will be installed throughout the development. The development will be served by a new public high school and elementary school being constructed on Longbranch Road just west of the development. The development will benefit from the close proximity of Central Park along Camp Ernst Road and the Boone County Knothole fields on the west

side of Camp Ernst Road. The east/west collector road intersects with Camp Ernst Road just south of Central Park and north of the knothole fields. Autumn Woods will have access to the library on U. S. 42 and the new library being built on KY 18. Fire protection will be from the new fire station on U.S. 42. He stated that the development is centrally located and easily accessed by a network of arterial, collector and local roadways. The site will be provided with all required public utilities. All internal streets will be designed and constructed in accordance with the regulations. Sidewalks will be constructed throughout the development to create a pedestrian network. The development will be designed in compliance with all on-street and off-street parking requirements. He stated that the request addresses and responds to the minimum and optional requirements for a Zoning Map Amendment in Section 303 of the Boone County Zoning Ordinance. There will be a mixture of single-family homes on lots of various sizes consistent with the SR-1 and SR-2 zoning classifications. The condominiums will be located in the SR-3 zoning area. He stated that there will be 1,380 dwelling units. There will be no more than four dwelling units per acre, which is consistent with the recommendations of the Comprehensive Plan for this area. Infrastructure will be available at sufficient capacity to support the proposed densities of the development. Ample passive and recreational uses and green space equal to 10% to 15% of the land area within the development and in close proximity will be provided. He reviewed the criteria for granting a zone change. He quoted from the Housing Element on Page 68 in regard to the area between Burlington, Union and Florence and noted that this development is within that area. He quoted from the Housing Element on Pages 75 –76. He reviewed the Population Summary on Page 14 of the Comprehensive Plan noting that the greatest areas of future population growth are anticipated to occur along KY 237, north of I-275, east of Camp Ernst Road, and west of U.S. 42, through the Union and Richwood west areas (the area proposed for this development). He stated that the proposed development area for Autumn Woods is identified on the 2030 Future Land Use Map for Suburban Density Residential development at an overall density of up to four units per acre. He reviewed Page 146 of the Comprehensive Plan that *“this section should experience considerable residential growth due to Union’s current residential nature, growth associated with the City of Florence, and improvements to U.S. 42”*. He stated that the Autumn Woods development meets all three criteria necessary to grant the requested zone changes and map amendments. He stated that substantial changes of an economic, physical and social nature have occurred and continue to be strongly recommended by the Comprehensive Plan and the Boone County Transportation Plan, including existing and proposed improvements to various roadways and transportation patterns as discussed earlier, the construction of a new high school and elementary school on Longbranch Road (approximately 2,000 feet from the entrance to the development), a new 12” water line just completed along Longbranch Road, the location of Central Park/knothole fields, and the new fire department on U.S. 42. He stated that letters regarding water, sewer, ambulance and fire services (attached to the Staff Report) were supportive. Sanitary sewer service will be extended to the area by trunk lines installed by Sanitation District

#1 along Longbranch Creek and north of Longbranch Road. He stated that the proposed map amendments are in agreement with the 2005 Comprehensive Plan and the recommended use is in agreement with the 2030 Future Land Use Map. The existing zoning classification is inappropriate and the proposed zoning classifications are appropriate and consistent with the development of surrounding areas. Growth in this portion of the county continues to move in a southwesterly direction. He stated that the proposed development provides alternative routes for residential traffic which decreases impacts on major roadways. The north/south collector and the east/west collector are consistent with the recommended collector roads in the Transportation Plan. He stated that recreational facilities, public facilities and open/green space are an integral part of the development. The proposed development meets Objective #1 of the Housing Goals & Objectives of the Comprehensive Plan that "*a broad range of housing opportunities shall be provided which meet the needs and desires for all household types*". The public services and infrastructure necessary for the development are or will be present in a timely fashion. He asked for approval of the map amendments. He stated that the applicant has no objections to a condition that the overall density will not exceed four units per acre, or a total of 1,380 units. He offered to answer any questions. This concluded the applicant's presentation.

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

Mr. Michael Morgan, 8949 Richmond Road, Chief of Union Emergency Services, stated that they provide fire and EMS services for this area and are in support of the Concept Plan. Speaking for Union Emergency Services, he stated that the proposed network of roads will significantly assist them in accessing certain areas as the community grows and the development will add to the tax base. He stated that they received a Class 3 ISO rating, which provides for the lowest possible insurance rates for homeowners. They do not feel that this development will be a burden to them. They are concerned about possible annexation of the site into the City of Florence. When the Orleans subdivision was annexed into the City of Florence, there was a significant loss of potential income for Union, but responses to the City of Florence increased significantly – their workload increased with no income. If the City of Florence serves Autumn Woods, they will go past the Union fire/EMS facility. The Chairman advised Mr. Morgan that potential future annexation of the property is not being addressed.

Chairman Caddell asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked Mr. Costello to call the names of those who registered to speak in opposition. He will then provide an opportunity for anyone else to speak. Mr. Costello called Diane Steffen.

Diane Steffen, 9845 Spruce Lane, Union, (Lot #18) stated that the cemeteries behind her house and on the Riegler property have not been addressed. She stated that the homes on Spruce Lane have septic tanks in their backyards that run onto

the subject property. She asked if they will be given sanitation service. Mr. Henry Fischer responded that they are not planning to provide sewer service to homes on Spruce Lane, but they will bring the sewer closer to where they could make a connection. Mr. Costello explained that if the development is approved, sanitary sewer would be closer and there could be a potential connection to the subdivision. There is a program through the Sanitation District and the homeowners would have to get the majority of the people to sign up for the sewer. Ms. Steffen asked if they would be required to get sanitary sewer service. Mr. Costello stated that their subdivision could remain as it is, unless there is an existing health issue. Ms. Steffen asked if they would have to pay for sewer service if there is a health issue. She stated that what they have now works fine for them and asked if Mr. Fisher would help pay to pay for sewer service if they are required to have it. Mr. Costello recommended that Ms. Steffen contact the Sanitation District. In regard to the cemetery, he stated that the developer could relocate the cemetery or preserve it. There are state and local laws and requirements that they would have to follow.

Kathy Haines, 9799 Spruce Lane, Union, stated that she and her husband are lifelong residents of Boone County. She stated that the roads will not accommodate all of the traffic they have now, much less another 1,300 homes. The schools will not accommodate the development. She questioned the proposed density – she heard four homes per acre and eight homes per acre in another area.

Mr. Butler stated that the average density will not exceed four units per acre.

Chairman Caddell stated that Page 12 of *Autumn Woods* (Exhibit 1) talks about the existing zoning classification being inappropriate. He stated that they can ask for a Zone Change and not provide a Concept Development Plan, but for a project of this nature that adjoins a subdivision, not having a Concept Development Plan showing where the densities will occur makes it very difficult for the Planning Commission. Mr. Butler responded that Area B (proposed for SR-3) is the condominium neighborhood of up to eight units per acre. Areas A, C, and D are requested for rezoning to SR-1 or SR-2, which allows a maximum density of four units per acre. Mr. Costello stated that SR-2 allows up to eight units per acre. He stated that areas which allow up to eight units per acre, could be developed at 5.5 or 6 units per acre and the SR-1 area could be developed at 2.5 units per acre. He explained that they could not have the maximum density of eight units per acre in those areas and the maximum density of four units per acre in the SR-1. Mr. Butler responded that they will not exceed 1,380 units for the total development, which is an average of four units per acre. Chairman Caddell stated that it is important for the Planning Commission to know the densities of the various areas in order to know the effect on the site and on adjoining properties. Mr. Butler responded that they are not prepared for that discussion at this time and may be able to speak to it at the Committee Meeting.

Ms. Haines asked if there will be an access road through Spruce Lane. Mr. Fisher responded that it is not their intention. Mr. Butler stated that they do not have an easement and no access road is proposed there.

Ms. Haines stated that she and her family moved from Oakbrook to two-acres on Spruce Lane in 1993. They moved there for privacy and space, which they feel is being taken away from them.

Dan Haines, 9799 Spruce Lane, stated that 1,300 homes is 2,600 cars and those people will go to work every morning. It now takes about thirty minutes going via U.S. 42 to I-75. He stated that traffic can go Mt. Zion Road or U.S. 42, and he believes there will be a traffic problem. He stated that Mt. Zion Road will be widened but, by the time this development is done, the roads will be outdated. He stated that the roads in the county cannot accommodate all of these subdivisions. The U.S. 42 corridor will have houses built between Kroger and Union and they are still building past Ryle High School. It is getting so that people cannot get around.

Judith Longo was not present when called. Rick Lore passed when called.

Tim Kahmann, 2425 Longbranch Road, was also present on behalf of his father, Norbert Kahmann of 2318 Clarkston Lane. They both run cattle farms that adjoin the east boundary of the subject property. He stated that if the request is approved, they would like to have a chainlink fence between their properties and the properties proposed for zone change.

Charles Rawlings, 2388 Longbranch Road, stated that there will be 35 school buses on Longbranch Road when the school is built. There will be 1,300 cars coming out of the subdivision on Hathaway Road or Longbranch Road. He does not know how many cars come out of the subdivision across the street from Autumn Woods. He asked that the road be taken care of before the houses go in there. He stated that vehicles have to get over in the grass when a school bus comes by. He asked that all things about the road be considered before 1,300 houses are approved.

This concluded the names of those who registered to speak. Chairman Caddell asked if there was anyone else present who wished to speak.

Paula Volz, 9741 Spruce Lane, stated that she is concerned about the density and the number of homes. She stated that the 900 homes predicted for Harmony have not started yet and then there will 1,300 homes for this project. She questioned the dates of completion for the Autumn Woods project. She asked if the development could be postponed to take care of the roads first. She stated that they love the privacy of Spruce Lane. They knew the farms behind them would be developed, but they hoped that the roads would grow with the area. She asked

if the Planning Commission works with the Highway Department. She asked the Planning Commission to consider the roads before making a recommendation.

Chairman Caddell stated that the Planning Commission has no control over the Highway Department.

Ms. Volz stated that Mt. Zion Road is not on the project list until 2010. She stated that they go from Spruce Lane to Mt. Zion Road or down Hathaway Road to Frogtown Road to Richwood to the expressway. She stated that with 900 families and another 1,300 families and 13 lights between their home and Hopeful Church Road, it's a bottleneck that will keep getting worse. She asked if there could be a lower density. She noted the location of her home and asked if the applicant has agreed to green space the size of a football field between her property and the condominiums. Chairman Caddell stated that the style and type of buffer will be discussed at the Zone Change Committee meeting. Ms. Volz questioned if the pond behind their home on Area B will be eliminated. Mr. Butler responded that they do not know. Ms. Volz stated that she is concerned about drainage. There is a creek that goes into that area. She questioned if "housing opportunity" includes apartments. Mr. Butler responded that the intent is for owner-occupied condominiums.

Mr. Jerry Geise, 2636 Hathaway Road, stated that he was on the road committee when U.S. 42 was rebuilt and he suggested that Mt. Zion Road be widened to a five-lane highway before Orleans subdivision was built. He stated that in the morning and in the evening the roads going in and out of Florence are going to be tighter than a drum. He stated that the infrastructure/roadway system has to be considered long before adding 1,300 more families. There will be close to 2,000 automobiles added to the existing traffic system, in addition to all of the surrounding areas that are adding traffic. He stated that we cannot tell the state what to do about highways, but we can postpone the development until something is done about the highway. His property adjoins 60% of the southern border of Area C. He has 1,500 feet of property line and he would like a chainlink fence on his property. He does not have cattle, but he raises hay. He knows what four-wheelers and dirt bikes can do to property and some kind of a barrier is needed. Chairman Caddell stated that this will be discussed at the Zone Change Committee meeting. Mr. Geise stated that the highway is going to be a real problem in the future.

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

Mr. Reynolds stated that the letter (attached to the Staff Report) from Bryan Blavatt, Superintendent of Boone County Schools, asks that land be provided within Autumn Woods subdivision for schools. He stated that the applicant's presentation only referenced schools already planned to be built on Longbranch

Road. Mr. Butler responded that they saw the letter from Bryan Blavatt for the first time this evening. They have had discussions with the school system and plan to meet with them after the first of the year, but no decisions have been made.

Mrs. Wilson noted the comments made by Diane Steffen regarding the septic systems and the leachfields there. She asked the applicant to look into what systems they currently have, how they may be affected, and what may be imposed on those homeowners. Mr. Butler stated that they are not familiar with the issue and this is the first time it has been raised. They are not aware of any illegal discharge from the septic systems and do not know of anything that would disturb that process. Mrs. Wilson asked the applicant to look into the issues raised by Ms. Steffen. Mr. Butler agreed.

Mrs. Wilson stated that the letter from Sanitation District #1 (attached to the Staff Report) indicates that they anticipate having capacity to service this development in the short term. She questioned how much of the development can occur in the short term since the new Western Regional Wastewater Plant is not in operation. Mr. Butler responded that the sewer line should be completed in the summer of next year and it has sufficient capacity for this development. They would pick up the sewer line where it terminates on the south side of Longbranch and extend it through their development. There is good gravity flow with the creek being lower. Mrs. Wilson asked Staff to provide the numbers to the Committee.

Mr. Fischer stated that it is the Sanitation District's policy that any proposed development can only reserve capacity for a two-year period until the Western Regional Wastewater Plant is complete. It is conceivable that at some point they will not have the capacity, he does not think that will happen.

Mrs. Poston stated that Oakbrook was a similar development. She questioned how Oakbrook was handled with so little information regarding the density in the various areas. Mr. Costello responded that Oakbrook dates back to the late 1970's and some portions of the Concept Plan were general, but they showed some of the single-family, and declared some areas for attached housing. They showed the main streets. He stated that Triple Crown showed the final layout -- the main streets and arteries, and left pods that were identified for uses such as "attached housing at x-units per acre". Mrs. Poston commented that it showed more than this request. Mr. Costello agreed.

Mrs. Poston asked if there will be a boulevard style road from Hathaway Road to Longbranch Road. Mr. Butler responded that a decision has not been made. Mrs. Poston commented that they will not have a straight road from Hathaway Road to Longbranch Road. Mr. Butler agreed and stated that they are trying to utilize the topography. He reviewed the Concept Plan in regard to the roads and stop signs. Mrs. Poston asked if there would be driveways accessing the main road. Mr. Butler responded that it is a sub-collector road and they want to minimize the

number of driveways. He stated that there would be local roads coming off the sub-collector road and some locations may have driveways because of the topography.

Mr. McMillian questioned who would own the cemetery when the applicant buys the property. Mr. Butler responded that he has not been involved in the title exam at this point. He stated that there currently is no plan to relocate the cemetery. He stated that there are county and state regulations regarding the cemetery. If the cemetery has to be relocated, they will have to go to court to get approval – but they have no intention of relocating the cemetery and will work around it. He indicated the locations of the two cemeteries. Mr. McMillian questioned access to the cemeteries. Mr. Butler responded that access is required by the regulations and they will follow the regulations.

Mr. Schwenke questioned when the east/west road will be built. Mr. Butler responded that it will be developed as part of the phasing of the property. Mr. Schwenke stated that if the road was moved further south, it would be almost in alignment with the connector road from Old Union Road. Mr. Butler stated that they are showing roundabouts for the continued flow of traffic where the road connects. He stated that the location of the road was selected because of the natural topography. He stated that they can bring the road through the valley, preserve the vegetation and have a break between the single-family area to the north and the condominium units. They are trying to eliminate grading on the ridgelines. They will take Mr. Schwenke's comment into consideration.

Mr. Schwenke stated that he is a farmer and knows about livestock and fencing. He asked the Committee to take a serious look at the fencing, which could be good for the property owners on both sides.

Mr. Rolfsen stated that the applicant is planning to develop Area A first and questioned how many houses will be in that area before they bring the road out to Hathaway Road. He asked if the road will be stubbed and constructed in phases. Mr. Butler responded that the road will be developed in phases. He stated that they are starting on the north, but that does not mean it will be the only pod of development. There would also be pods of development in Area C. He stated that from an economic standpoint, developing more units justifies extending the road. Mr. Rolfsen noted that the applicant indicated a ten to fifteen year buildout and questioned the number of units per year. Mr. Butler responded that it will be a matter of market demand. He stated that these are two experienced developers and, based on their experience, they anticipate a 10 - 15 year buildout.

Mr. Rolfsen asked if the park and ball fields will be open to the public. Mr. Butler responded that they are open to how the neighborhood park is owned. The intent is that it would be for the general public. There would not be people watching it and checking passes. He stated that the park, ball fields, picnic areas and nature hiking areas could be owned by Boone County Parks Department or

they could be deeded to a master association. He questioned comments in the Staff Report regarding the Conservancy taking title. He stated that the intent is that they be subject to covenants so that they will remain green space/open space for passive recreational use and ball fields.

Mr. Rolfsen questioned the acreage of the park. Mr. Butler responded that the total green space is 35+ acres and the park in the immediate area is a minimum of seven acres.

Chairman Caddell stated that the Zone Change Committee could set the number of units for each phase as a condition of the zone change. He reviewed the applicant's booklet *Autumn Woods* on Page 12 and the reference to the Comprehensive Plan. He stated that the applicant refers to the development of 1,380 units at four units per acre. He believes the density is four units per acre on the Future Land Use Map. Mr. Butler responded that the Concept Plan as proposed is consistent with the Comprehensive Plan and the Future Land Use Map. He stated that Page 14 of the Comprehensive Plan identifies the Union area for Suburban Residential. Mr. Costello explained that with the Future Land Use designated as Suburban Density Residential, it is primarily SR-1 which allows up to four units per acre versus SR-3 which allows up to eight units per acre. He stated that the applicant is asking for the maximum density, but will not build the maximum – they will not build the SR-1 areas at four units per acre. They will most likely have 2.4 or 2.5 units per acre in SR-1. Mr. Carmichael stated that SR-1 does not allow condominiums so they are asking for SR-2 and SR-3 for the condominiums, not necessarily for the density.

Counselor Wilson stated that if the SR-1 and SR-2 areas are developed at up to four units per acre and the SR-3 goes up to eight units per acre, they will exceed 1,380 homes. Mr. Butler responded that on the total 345 acres they will not exceed 1,380 homes -- and they agree to that as a condition of approval. Counselor Wilson stated that in that case, what Mr. Costello is saying is correct – in the SR-1 areas they will have less than four units per acre. Mr. Butler agreed. Counselor Wilson questioned why they are asking for up to four units per acre. Mr. Butler responded “because it allows it and there may be some area that have four per acre”.

Mr. Bob Schroder with Arlinghaus Builders stated that the question is “why did we not ask for a different zone than SR-1”. He stated that it is correct that the density will be about 2.5 – 3.5 units per acre, if they have six or eight units per acre in the SR-3 area. He stated that there is not a good zone below SR-1 for lot sizes. He stated that there are issues other than density, such as setbacks. He stated that in SR-3 there could be eight units per acre and, since there is about 70 acres of SR-3, that would be approximately 560 units. In that case, the rest of the property would develop at approximately 3 units per acre. He stated that there could be six units per acre in the SR-3 area. He stated that he has written to Kevin Costello there were several meetings sometime ago about another zoning

classification. If the Planning Commission would consider another zoning classification and change some of the setbacks, it would provide them an opportunity to clear up some of the questions that were raised. He stated that they are not asking for four units per acre in the SR-1 zone. Counselor Wilson questioned how many units per acre they are asking for in the SR-1 zone. Mr. Schroder responded that they have not done the engineering work to do a layout. He stated that the number is closer to three, but there is no zoning classification that allows that. He does not have specific numbers at this time.

Chairman Caddell stated that it is important to the adjoining properties to know the density. He stated that a Concept Development Plan would be helpful to the Planning Commission and the neighbors. Mr. Schroder stated that they have heard the concerns and will work on getting more detail and better plans in time for the Committee Meeting. He stated that the specifics of the roads and where the lots will be has not yet been determined.

Chairman Caddell questioned what the applicant means by “innovative clustering techniques”. Mr. Butler responded that it would be attached condominium units in the SR-3 area and it allows clustering of the buildings on the ridgetops and preserves green areas.

Mr. Carmichael stated that it sounds like there will be more green space than the applicant is showing, but the Planning Commission does not know that based on the information available this evening. He stated that street connections with neighboring properties must be addressed at the Committee meeting. He stated that approving this request based on county and state promises of roads in the future is not right. He stated that there needs to be a limited access road through there just like what has been done for every other subdivision. He asked the applicant to look at these issues prior to the Committee Meeting.

Mr. Fischer stated that the Transportation Plan sets out the north/south collector road almost exactly where they show it on their plan. Mr. Carmichael stated that there is no funding, no plan set in stone and no easements. Mr. Fischer responded that the road will be built over time as the properties develop and that is the way the plan is set up. Mr. Carmichael responded that the Transportation Plan is what we want to see happen – but quite often it doesn’t happen. He stated that we have been waiting on a road from KY 18 to Turfway Road for a couple of years.

Mr. Barlow asked the Committee to consider that the presentation addressed green space, entryways and ponds. He stated that this development is the highest density development he can recall. He stated that with 345 acres, there is an opportunity to do more than 10% green space. In order to support a zone change, he needs more information about the density and less presentation and photographs of green space. He stated that the applicant claimed Central Park and a school that is being built on Longbranch as part of the support for the development – but they were built for prior developments. He stated that within

the 345 acres a lot could be done by way of innovative design, clustering, and green space. He stated that the Planning Commission needs information about the roads and connections – not just a few parks and entryways. He asked the applicant to provide more detailed plans to the Committee.

Mr. Knock stated that the county's road plans have been developed in part based on Future Land Use. He stated that the connector road through this property will help to facilitate what the county has in mind. The county does not plan to build the roads without development to provide the tax base. There is no reason to build the road today based on the existing population. Mr. Carmichael stated that he was talking about the north/south collector, not the east/west collector. He stated that there needs to be a collector road within a development of this size to handle its own traffic.

Mr. Butler stated that they will take the comments into consideration. They show the road where it is because that is where the Transportation Plan shows it.

Mr. Knock asked Mr. Costello if the road plan was based on the Future Land Use Map. Mr. Costello responded "correct".

Chairman Caddell stated that the Committee Meeting could be held on January 3, 2007 or it could be scheduled for a later date if the applicant needs more time to prepare. Mr. Schroder agreed to the Committee Meeting on January 3.

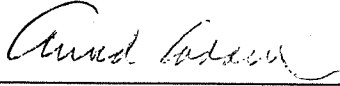
Chairman Caddell asked if there were any further comments.

Mr. Mike Ford, 7040 Running Fox Court, Florence, speaking on behalf of the school system, noted the letter from Bryan Blavatt attached to the Staff Report. He stated that the school system is stipulating the following conditions of approval of this zone change: (1) that the project is phased and (2) that property is provided within the development for an elementary school site. He stated that the development could increase the school population by more than 650 students. He stated that the elementary school site on the Longbranch campus is to reduce existing over-capacity at Erpenbeck and Stephens elementary. He stated that Boone County School System is not a candidate for funding from the Schools Facilities Construction Commission and they do not have funding to purchase property for a school site to house an additional 650+ students. He stated that there may be more discussion between the developer and the school district prior to the Committee meeting. Mr. Reynolds questioned how much land the school district wants within the development. Mr. Ford responded that they want 17 acres for an elementary school site.

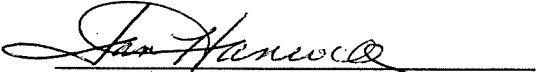
There being no further comments, the Chairman stated that the Committee Meeting for this item will be on January 3, 2007 at 5:00 PM in this room. This item will be on the

Agenda for the Business Meeting on January 17, 2007 at 7:00 PM. The Chairman closed this Public Hearing at 9:55 PM.

**APPROVED:**

  
**Arnold Caddell, Chairman**

**Attest:**

  
**Jan Hancock, Recording Secretary**

**Exhibit 1 – *Autumn Woods, Boone County, Longbranch Development, Inc.* booklet  
submitted by the applicant**

# EXHIBIT

## “B”

THIS COMMITTEE REPORT WAS READ AND A MOTION FOR APPROVAL WAS MADE, BUT THE MOTION FAILED DUE TO A LACK OF A SECOND. CONSEQUENTLY, THE FINDINGS FOR DENIAL WERE PRESENTED TO THE FULL PLANNING COMMISSION WITH A VOTE OF 9-1 FOR DENIAL

#1

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: February 7, 2007

RE: Request of Long Branch Development, Inc. (applicant) for Albert Kenkel, Margaret Kenkel, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, and Robert Schroder (owners) for Zoning Map Amendments from Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for 173.2 acres, Suburban Residential Two (SR-2) for 101.4 acres, and Suburban Residential Three (SR-3) for 70.6 acres, for an approximate 345 acre total area located between the south side of Longbranch Road across from the Barrone Street intersection and the north side of Hathaway Road including the property at 2505 Longbranch Road and properties to the east, west, and south of 2505 Longbranch Road, the property at 2444 Hathaway Road and properties to the north of 2444 Hathaway Road, Boone County, Kentucky. The request is for zone changes to allow single family and multi-family residences.

### 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 is in agreement with the Comprehensive Plan due to the following reasons.
  - A. The 2005 Boone County Comprehensive Plan's Future Land Use Map designates the site for "Suburban Residential" (SR) uses. This designation is described as "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." The proposal is for a subdivision for predominately detached single family residences with an overall density of four units per acre. The proposed SR-2 phase which individually has a higher density, and the SR-3 zone which has a higher density and is for attached condominium structures, are located in the middle section of the site and represent land use transitions or gradations as advocated by the Comprehensive Plan.

Other transitional elements of the proposal include the proposed open space along the Longbranch Road frontage, the larger frontage lots with expanded setbacks along Hathaway Road, and agreed buffer improvements and expanded setbacks around the outer perimeter of the SR-3 zone.

Regarding these transitions or gradations, the Land Use Element ("Development Layout, Lot Sizes, and Setbacks," pp. 140 and 141) states "different development densities can occur in Boone County as long as the development is designed in a proper manner and the infrastructure exists or is planned to support the development." This section recommends the provision of open space and/or rural appearing frontage lots along main roads such as Longbranch Road and Hathaway Road. The Housing Element ("Housing Densities," pg. 76) recommends comparable methods. Additionally, the Housing Element ("Conclusion," pg. 80) states "new subdivision development should include design considerations, and gradation of lot sizes, or both, to lessen the impact on the character of the area." When considering these sections, along with the Goals and Objectives, the Committee has concluded that the proposed zone change coupled with the Concept Development Plan and agreed conditions represent an appropriate transition to the planned Suburban Residential uses to the north, east, and west, to the Rural Density Residential uses along Spruce Lane and to the south across Hathaway Road, and will respect the rural character along the Longbranch Road and Hathaway Road corridors.

- B. The Land Use Element ("Union Area," pg. 146) states "new subdivisions should be developed with connecting roads providing alternative routes for residential traffic and decreasing the impact on major roadways" and "further road connections that prohibit driveway access and street parking should occur between U.S. 42, Camp Ernst Road, Longbranch Road, and Hathaway Road." The Transportation Element ("Street Connections," pp. 130 and 131) and the Boone County Transportation Plan 2030 (Exhibit 6-14, pg. 6-22) recommend the construction of north/south and east/west controlled access connector roads between US 42, Camp Ernst Road, Longbranch Road, and Hathaway Road. This project includes the construction of a segment of an east/west controlled access connector road between US 42 and Camp Ernst Road as recommended by these documents; this segment begins in Harmony Subdivision at US 42 and will continue through Westbrook Estates Subdivision to the west of Old Union Road. The project also includes a north/south controlled access connector road that will connect to Longbranch Road across from Barronne Street and connect to the east/west connector road. A subcollector road will also be provided between the east/west connector and Hathaway Road. All of these improvements correspond to the

planned road system in the Comprehensive Plan and Transportation Plan. Further, turn lane improvements will be provided at the new intersections with Longbranch Road and Hathaway Road.

- C. The Recreation Element, when discussing the 2000 Boone County Parks and Recreation Master Plan ("County Wide Recommendations, Land/New Parks" pg. 88), mentions that land area should be set aside for park uses in the Union Area. This Element ("Nature Parks, Greenways and Bike Trails" pg. 91) also states "the acquisition of the nature parks and greenways and the development of the bike trails that are identified in this Plan are also very important in providing the quality of life that is desired in Boone County." The Land Use Element ("Union Area," pg. 146) states that all major developments should provide recreational facilities. The developer has committed to provide and develop various green spaces, a linear park, neighborhood park, and two clubhouse and pool facilities. These amenities are explained further in the "Autumn Woods" booklet from the developer dated 1/25/07 which was provided to address issues raised at the 12/20/06 Public Hearing. The proposed open spaces also fulfill the recommendations outlined in the Land Use Element's "Buffering" section (pg. 141).

The Committee evaluated a number of options and proposals relating to combination bike/pedestrian paths and sidewalks. Some of these proposals entailed potential waivers to the subdivision regulations which the Planning Commission and Fiscal Court are not empowered to grant through this zone change process. Although the Committee is not offering a recommendation on any potential waivers that were discussed, the Committee does support the construction of a combination bike/pedestrian path in the linear open space that runs along the creek by the west boundary of the northern part of the site, and encourages the developer and County to pursue this facility further. This path is identified as Alternative 2 on Exhibit 7 in the 1/25/07 Autumn Woods booklet.

- D. Several sections of the Comprehensive Plan discuss the need for adequate infrastructure, including the Housing Element ("Housing Densities," pg. 76), the Land Use Element ("Union Area," pg. 146) and the Goals and Objectives ("Overall," Objective 4, "Housing," Objective 14, and "Public Services and Facilities," Objective 3). The developer has agreed to phasing stipulations which will ease impacts on the road system, and will offer a site for an elementary school per an agreement with the Boone County Board of Education.

- E. 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 attached conditions are necessary to achieve consistency with the specific goals, objectives, and policies of the 2005 Boone County Comprehensive Plan and to mitigate any foreseeable community impacts that may be created by the development. The property owners have signed a letter demonstrating agreement with these conditions.

#### CONDITIONS

1. The development shall follow the Concept Development Plan identified as Exhibit 6A in the "Autumn Woods" booklet provided by the developer that is "dated January 25, 2007 for discussion at January 31, 2007 Committee Meeting" (hereafter referred as "1/25/07 booklet") except as modified by the agreed conditions below.
2. The maximum number and type of dwelling units shall be in accordance with the "Land Use and Densities" subsection on page 1 (Section I) of the 1/25/07 booklet. The total number of units in the overall development (all phases combined) shall not exceed 1,380.
3. The total number of zoning permits for new dwelling units shall be limited to 100 through 2008, 100 units each for the years 2009, 2010, 2011, and 2012, and 138 for each following year. These figures may be applied in a cumulative fashion if permits for the maximum number of permitted units are not obtained in any given year. No more than 690 total units shall be completed and occupied until a second access is provided to the development from either the completion of the east/west connector to Old Union Road or this development's access point on Hathaway Road (this condition acknowledges that the initial development access will be constructed on Longbranch Road).
4. The development shall follow the stipulations in the "Transportation/Road and Street System" section (Section II) of the 1/25/07 booklet. The turn lanes described on page 1 of Section II shall be constructed as part of the initial development of the respective entrances on Longbranch Road and Hathaway Road. Per condition 1, Exhibit 6A shall be followed regarding the north/south connector road. Under the "Sub-Collector Roads" subsection on page 4, only three frontage lots shall be permitted on Hathaway Road versus four that are described in the text and shown on the Concept Development Plan.

5. Local street connections shall be provided between both Area A and Area B to the adjoining property to the east, and as shown on the Concept Development Plan from Area C to the adjoining sites. The exact locations of these connections will be determined through the Preliminary Plat procedure.
6. The development shall follow the stipulations outlined in the "Spruce Lane Transition/Buffer" section (Section V) of the 1/25/07 booklet. Additionally, landscaping between the SR-3 zone and areas outside of this development shall minimally consist of plantings per Buffer Yard C as outlined in Article 37 of the zoning regulations, and healthy, existing vegetation to be retained shall be credited towards these plantings (this requirement supercedes the last paragraph on page 1 of Section V of the booklet regarding one evergreen tree per 25 feet). Landscaping per Buffer Yard A as outlined in Article 37 shall be provided within the first 10 feet from the common boundary between Area D and the adjoining lots along Spruce Lane.
7. The condominium structures shall be a maximum of two floor levels high from the front ground level. A lower third "walk-out" level is permitted at the rear of these structures.
8. The development shall follow the stipulations outlined in the "Fencing" section (Section VIII) of the 1/25/07 booklet. Additionally, the developer will pay fifty percent (50%) of the cost to install a farm style woven wire fence along the common boundary with the "Geise" property that is located to the southwest of the site.
9. The development shall follow the stipulations outlined in the "Boone County Schools" section (Section IX) of the 1/25/07 booklet. This section commits to following the agreements outlined in the 1/16/07 letter from Bryan Blavatt, Superintendent (attached).
10. The development shall follow the stipulations outlined in the "Open/Green Space/Recreational Amenities" section (Section IV) of the 1/25/07 booklet. The facilities discussed in this section (Section IV) shall be constructed by the developer. The neighborhood park, linear park, and east/west connector area open space outlined in this section shall be donated to Boone County upon formal agreement with the Fiscal Court. Any of these areas not accepted for donation by Boone County shall be privately owned and maintained as outlined in the booklet.
11. The development shall follow the stipulations outlined in the "Sewer Extensions - Spruce Lane" section (Section VI) and "Cemeteries" section (Section VII) of the 1/25/07 booklet.

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.

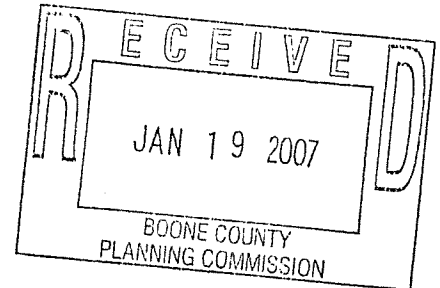
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## BOONE COUNTY SCHOOLS

January 16, 2007

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



Dear Mr. Costello:

This letter is written to update the Boone County Planning Commission of the response being provided by Boone County Schools to the proposed zone change for the Autumn Woods Subdivision (Longbranch Development). The development of large tracks of land such as this plan suggests places an increased strain on the infrastructure of the school district. Because of this, Boone County Schools is recommending that the Planning Commission approve the Autumn Woods zone change request with the following conditions agreed to by the developer/applicant:

- 1). *The Applicant/Developer shall identify and offer to the Boone County School District no later than the date when eighty percent (80%) of the residential units in Autumn Woods have been completed, a tract of land containing approximately 15 to 17 acres for an elementary school site (the "School Site").*
- 2). *As the Applicant/Developer acquires additional land adjacent to the Autumn Woods development, the Applicant/Developer and the Boone County School District will meet and determine if a site within that additional tract of land will meet the Boone County School District's needs for an elementary School Site. The area of the School Site is to be defined and mutually agreed upon by the Applicant/Developer and the Boone County School District.*
- 3). *The School Site shall be in the Hathaway Road corridor in proximity to the original (345± acre) development, but not within the original development tract. The Boone County School District expects that it will not need an elementary School Site within the Hathaway Road corridor until 7 to 10 years from now.*
- 4). *The School Site shall be subject to Boone County School District site evaluation and concept design layout to confirm compatibility of the identified tract of land as a School Site, and shall be subject to approval by the Kentucky Department of Education.*
- 5). *When the School Site has been agreed upon, the Applicant/Developer shall provide the Boone County Board of Education an Option to Purchase (the "Option") the School Site. The consideration for the Option shall be ten (\$10.00) dollars. The Option shall be for a term on one (1) year (the "Option Term"). If the Option is exercised within the Option Term, closing shall*

*occur within one (1) year from the date of the exercise of the Option. If the Option is not exercised during the Option Term, then the Option shall terminate and thereafter Applicant/Developer shall have no further obligation to identify, offer, or provide another school site to the Boone County School District.*

- 6). *The Boone County Board of Education's obligation to close on the Option shall be contingent upon the Boone County Schools obtaining all necessary approvals thereto from the Kentucky Department of Education.*
- 7). *The Option price of the School Site shall be the actual cost per acre paid or to be paid by the Applicant/Developer for the School Site.*
- 8). *The Applicant/Developer shall provide the School Site reasonable access and (to the extent available) utilities to the property line of the School Site. This provision shall not apply if the mutually agreed to School Site is not contiguous to property that the Applicant/Developer owns.*

Thank you for your immediate attention to this correspondence. If you should have questions, please do not hesitate to contact me.

Sincerely,



Bryan Blavatt  
Superintendent of Schools

**BOONE COUNTY PLANNING COMMISSION  
BOONE COUNTY ADMINISTRATION BUILDING  
FIRST FLOOR FISCAL COURTROOM**

**December 20, 2006**

**7:30 P.M.**

**PUBLIC HEARING**

**Commission Members Present:** Mr. Barlow, Mr. Breetz, Mr. Caddell – Chairman, Mr. Carmichael, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mrs. Poston - Vice Chairperson, Mr. Reynolds, Mr. Rolfsen, Mr. Schwenke, and Mrs. Wilson – Secretary/Treasurer.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Recording Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; 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 7:32 PM and introduced the first item on the Agenda:

**Applicant:** Long Branch Development, Inc. for Albert Kenkel, Margaret Kenkel, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, and Robert Schroder (owners)

**Request:** Zoning Map Amendment

The request of Long Branch Development, Inc. (applicant) for Albert Kenkel, Margaret Kenkel, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, and Robert Schroder (owners) for Zoning Map Amendments from Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for 173.2 acres, Suburban Residential Two (SR-1) for 101.4 acres, and Suburban Residential Three (SR-3) for 70.6 acres, for an approximate 345 acre total area located between the south side of Longbranch Road across from the Barrone Street intersection and the north side of Hathaway Road including the property at 2505 Longbranch Road and properties to the east, west, and south of 2505 Longbranch Road, the property at 2444 Hathaway Road and properties to the north of 2444 Hathaway Road, Boone County, Kentucky. The request is for zone changes to allow single-family and multi-family residences.

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

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

The Chairman asked for the applicant's presentation.

Mr. Martin Butler, with the law firm of Strauss & Troy, 50 East River Center Blvd., Covington, attorney for the applicant, stated that he and Mark Burgess with the Fischer Group will be making the presentation this evening. Copies of their presentation *Autumn Woods, Boone County, Longbranch Development, Inc.* (see Exhibit 1) were provided to the Commissioners. Mr. Butler introduced the applicant's team: Henry Fischer and Mark Burgess with the Fischer Group, Joe Arlinghaus and Bob Schroeder with Arlinghaus Builders, and Joe Kramer with Cardinal Engineering. They are available to answer any questions. Mr. Butler stated that the subject property is an approximate 345-acre parcel located on the south side of Longbranch Road, the north side of Hathaway Road, and the east side of Longbranch Creek. The development will be known as Autumn Woods. They are requesting zone changes for four areas:

- Area A 134 acres from RSE and A-2 to SR-1
- Area B 70.6 acres from RSE and A-2 to SR-3 (Condominiums)
- Area C 101.4 acres from RSE and A-2 to SR-2
- Area D 38.9 acres from RSE to SR-1

He stated that the locations of Areas A,B,C&D are identified on the map under Tab 1). Area D is closest to Hathaway Road. He stated that no Variances or Conditional Use Permits are being requested. The request is to develop a high quality residential community with a broad range of homeownership opportunities and choice of housing type, design, size and price for persons of all ages, incomes and interests. He stated that the picture on the cover of *Autumn Woods* (exhibit 1) was taken along Longbranch Creek, which flows in a north to south direction on the property, and will be preserved and used for walking and hiking trails. Reviewing the applicant's Power Point presentation, he stated that the land is comprised of rolling topography and noted wooded tributary drainage features which add aesthetic interest to the community. He stated that they worked hard to take advantage of the assets of the land. He stated that the first objective of the Goals and Objectives Element of the 2005 Comprehensive Plan is "*a broad range of housing opportunities shall be provided which meet the needs and desires of all household types*". He stated that Autumn Woods provides a unique opportunity for the development of quality residential neighborhoods and housing opportunities for first, second and third time move-up homebuyers and empty nesters who want to remain near their families and neighborhoods. Their plan provides for the designation of three different zoning districts in the development and each zoning district will provide for different lot sizes and housing types as

recommended in the Comprehensive Plan. The Concept Plan (Tab 2) shows the street circulation system and residential areas generally along the ridgelines, which preserves existing woodlands and open spaces and allows for the creation of active/passive recreation areas for the residents of Autumn Woods and the county. The developers intend to locate the east/west connector road approximately as it is shown. He stated that if the road is aligned directly with Westbrook Drive as discussed by Staff, it will run into a hillside. The location as shown allows the road to go through a natural valley, save woodland areas, and create a buffer between the single-family and condominium areas.

Mr. Mark Burgess, 2670 Chancellor Drive, Vice President of Land Acquisition, stated that the concept meets Objective #2 of the Environmental Element of the Comprehensive Plan. He stated that where feasible the design preserves the natural features, open spaces around the lakes and creeks, and scenic vistas. Reviewing the Power Point slide, he indicated the locations of green space on the site, the lake, and the main entrance adjacent to the French Quarter of Orleans. Open spaces have been designed to provide separation of neighborhoods. He noted the linear park, the neighborhood park area, and green space along the east/west corridor to create separation between Area A and Area B. He noted neighborhood parks and buffer areas to create separation between Area B and Area D on the southern portion of the site. He stated that consistent design elements will be utilized throughout the development, including the architectural elements and entry monuments. He presented photographs of the existing creeks, lakes, and open spaces. They propose signage, marketing and landscaping similar to other communities developed by the principals. He presented a slide of the entrance on Longbranch Road. He stated that when entering off Longbranch Road, people will come into a community area with a cabana, swimming pool and off-street parking. He noted the backs of single-family lots that will have views of the lake. He stated that people will have views of the lake and the green space when entering and exiting the site. He presented a photograph of a typical pool and cabana built by Fischer in other communities. He stated that the neighborhood park in the south/central portion of Autumn Woods will include field games, playground apparatus, a shelter, picnic areas, and off-street parking. The Preliminary Site Plan for the proposed park is under Tab 6. Photographs of similar features in other communities are under Tab 7. He noted the location of overhead power lines that run throughout the site. He noted the topography and natural drainage features surrounding the park area. He stated that the park area is accessible from the condominium area (Area B) and the single-family area (Area D) and will have pedestrian access from Area C. He stated that the neighborhood community facility in Area B will include a clubhouse, pool and off-street parking. Photographs of similar facilities are under Tab 8. He presented photographs of similar communities they have developed. He stated that the linear green space runs from Longbranch Road, through the western portion of the northern portion of the site, down to the mid-section of the community, and connects into the neighborhood park space. The green space will be preserved within designated areas along the northern side and will continue along the west

property line within the existing wooded areas along Longbranch Creek. The green space connects the proposed neighborhood park with Areas B, C and D. The details are shown in the Concept Plan under Tab 2. He presented a photograph of the existing lake in the center of the site and the open vistas. He stated that the Hathaway Road entrance will include an entry feature, landscaping and 75-foot setbacks consistent with the adjacent homes on Hathaway Road. The lots would be accessed from the rear. He stated that when entering off Hathaway Road, people would see the existing lake and the green space. He presented photographs of the lake. He stated that a 50-foot buffer will be provided within Area B along the common property line boundary with properties on Spruce Lane. An aerial photograph of the area is under Tab 10. He stated that evergreen trees will be planted at a maximum spacing of 25 feet in the proposed buffer area where it is void of existing vegetation. The distance between the existing residences on Spruce Lane and the proposed condominium area is approximately the distance of a football field. He reviewed the aerial photograph in regard to the existing trees on the adjacent properties that extend into the subject property and areas where they will plant evergreen trees to create the 50-foot buffer area. He stated that the community facilities, neighborhood park, entrances and related landscaping areas will be conveyed to a master association for development as a whole to ensure their on-going existence and maintenance. These areas include: (1) the open space at Longbranch Road entrance, the community facility and the lake which equals 7+ acres, (2) the linear green space along Longbranch Creek and the neighborhood park which equals 20+ acres, (3) the lake and green space north of Hathaway Road entrance which equals 2+ acres, (4) the Spruce Lane buffer area which equals 3+ acres, and (5) green space in the condominium neighborhood which equals approximately 15 acres. The combined green space is 10% - 15% of the land within the development. The linear green space will either be conveyed to the master association subject to a preservation easement or have a perpetual easement for the benefit of the Boone County Park system.

Mr. Butler stated that SR-1 and SR-2 zoning of Areas A, C and D will provide for pods of single-family homes. Examples of single-family and condominium homes offered by the principals are under Tab 11 and some of these homes will be built in Autumn Woods. He reviewed a Power Point slide and noted the variety of sizes and types of homes. He reviewed examples of condominiums in Tara and Plantation Pointe which are similar to buildings and arrangements that will be built in Area B. The applicant anticipates that construction will begin at the north entrance of the development at Longbranch Road in late spring/early summer 2007. The development is projected to occur in phased build-outs over ten to fifteen years. He presented a Power Point slide of the Autumn Woods Transportation Plan. He noted the east/west collector road to be developed within the development in accordance with the recommendations of the Boone County Transportation Plan. They have tried to align the road as it is in the Boone County Transportation Plan. He reviewed Page 76 of the Comprehensive Plan that "*high-density residential areas should be located sufficiently near or with convenient access to major streets, highways, shopping and public facilities*". He

stated that the northern entrance (off Longbranch Road) and the southern entrance (off Hathaway Road) are both just over a mile west of Old U.S. 42. Both roads are collector roads serviced by U.S. 42, which is a five-lane urban arterial highway. Over time, Autumn Woods will have vehicular access by way of a proposed east/west connector/collector road and a north/south connector/collector road as recommended in the Boone County Transportation Plan. Portions of the connector/collector roads will be constructed by the applicant. The future east/west and north/south collector roads have been designed to be consistent with the Boone County Transportation Study. The internal east/west collector road will provide for future extension of the planned/approved portions of the collector road. The portion of the east/west collector road within Autumn Woods (adjacent to a wooded valley immediately north of Area B) provides natural separation between the single-family homes to the north and the condominiums to the south. Autumn Woods will also be served by a series of sub-collector roads as shown by gray lines and arrows on the Concept Plan (Tab 2). The sub-collector roads will be built to subdivision standards. The collector and sub-collector streets have been designed to provide full internal and external circulation patterns between the local streets in the development, the arterial network along Hathaway Road and Longbranch Road, and the future east/west and north/south collector roads. He reviewed Section 3235 of the Zoning Regulations in regard to turning and decel lanes. The applicant agrees to construct turning and decel lanes along Longbranch Road and Hathaway Road at the entrances to the development. He presented a drawing of the proposed turning lanes (see Tab 14). He stated that there will be turning lanes and decel lanes in both directions on both roads. The plans were developed based on discussions with the Boone County Engineer and the Department of Transportation. A letter from Jack Gehrum with Edwards and Kelcey (Tab 15) confirms that the turning lanes provide for effective and safe traffic operations. He stated that water service and fire hydrants will be provided by extending the new 12" water line located on the south side of Longbranch Road, and/or extending the existing 8" water line located on the north side of Longbranch Road, and by an existing 12" water line located on the south side of Hathaway Road. Sanitation District #1 is currently constructing and extending sewer service south along Longbranch Creek to Longbranch Road, bringing sanitary sewer service to the general area and to the new school under construction on Longbranch Road. Sanitary sewer to Autumn Woods will be provided by the extension of the sewer lines by the developer throughout the development generally along Longbranch Creek. The water lines, fire hydrants and sanitary sewer lines will be constructed in accordance with the applicable regulations. The approximate locations of the water and sewer lines are shown under Tab 1. Storm sewer and detention facilities will be constructed in accordance with the Boone County Stormwater Management Regulations. Underground telephone and electric utilities will be installed throughout the development. The development will be served by a new public high school and elementary school being constructed on Longbranch Road just west of the development. The development will benefit from the close proximity of Central Park along Camp Ernst Road and the Boone County Knothole fields on the west

side of Camp Ernst Road. The east/west collector road intersects with Camp Ernst Road just south of Central Park and north of the knothole fields. Autumn Woods will have access to the library on U. S. 42 and the new library being built on KY 18. Fire protection will be from the new fire station on U.S. 42. He stated that the development is centrally located and easily accessed by a network of arterial, collector and local roadways. The site will be provided with all required public utilities. All internal streets will be designed and constructed in accordance with the regulations. Sidewalks will be constructed throughout the development to create a pedestrian network. The development will be designed in compliance with all on-street and off-street parking requirements. He stated that the request addresses and responds to the minimum and optional requirements for a Zoning Map Amendment in Section 303 of the Boone County Zoning Ordinance. There will be a mixture of single-family homes on lots of various sizes consistent with the SR-1 and SR-2 zoning classifications. The condominiums will be located in the SR-3 zoning area. He stated that there will be 1,380 dwelling units. There will be no more than four dwelling units per acre, which is consistent with the recommendations of the Comprehensive Plan for this area. Infrastructure will be available at sufficient capacity to support the proposed densities of the development. Ample passive and recreational uses and green space equal to 10% to 15% of the land area within the development and in close proximity will be provided. He reviewed the criteria for granting a zone change. He quoted from the Housing Element on Page 68 in regard to the area between Burlington, Union and Florence and noted that this development is within that area. He quoted from the Housing Element on Pages 75 -76. He reviewed the Population Summary on Page 14 of the Comprehensive Plan noting that the greatest areas of future population growth are anticipated to occur along KY 237, north of I-275, *east of Camp Ernst Road, and west of U.S. 42, through the Union and Richwood west areas* (the area proposed for this development). He stated that the proposed development area for Autumn Woods is identified on the 2030 Future Land Use Map for Suburban Density Residential development at an overall density of up to four units per acre. He reviewed Page 146 of the Comprehensive Plan that *"this section should experience considerable residential growth due to Union's current residential nature, growth associated with the City of Florence, and improvements to U.S. 42"*. He stated that the Autumn Woods development meets all three criteria necessary to grant the requested zone changes and map amendments. He stated that substantial changes of an economic, physical and social nature have occurred and continue to be strongly recommended by the Comprehensive Plan and the Boone County Transportation Plan, including existing and proposed improvements to various roadways and transportation patterns as discussed earlier, the construction of a new high school and elementary school on Longbranch Road (approximately 2,000 feet from the entrance to the development), a new 12" water line just completed along Longbranch Road, the location of Central Park/knothole fields, and the new fire department on U.S. 42. He stated that letters regarding water, sewer, ambulance and fire services (attached to the Staff Report) were supportive. Sanitary sewer service will be extended to the area by trunk lines installed by Sanitation District

#1 along Longbranch Creek and north of Longbranch Road. He stated that the proposed map amendments are in agreement with the 2005 Comprehensive Plan and the recommended use is in agreement with the 2030 Future Land Use Map. The existing zoning classification is inappropriate and the proposed zoning classifications are appropriate and consistent with the development of surrounding areas. Growth in this portion of the county continues to move in a southwesterly direction. He stated that the proposed development provides alternative routes for residential traffic which decreases impacts on major roadways. The north/south collector and the east/west collector are consistent with the recommended collector roads in the Transportation Plan. He stated that recreational facilities, public facilities and open/green space are an integral part of the development. The proposed development meets Objective #1 of the Housing Goals & Objectives of the Comprehensive Plan that "*a broad range of housing opportunities shall be provided which meet the needs and desires for all household types*". The public services and infrastructure necessary for the development are or will be present in a timely fashion. He asked for approval of the map amendments. He stated that the applicant has no objections to a condition that the overall density will not exceed four units per acre, or a total of 1,380 units. He offered to answer any questions. This concluded the applicant's presentation.

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

Mr. Michael Morgan, 8949 Richmond Road, Chief of Union Emergency Services, stated that they provide fire and EMS services for this area and are in support of the Concept Plan. Speaking for Union Emergency Services, he stated that the proposed network of roads will significantly assist them in accessing certain areas as the community grows and the development will add to the tax base. He stated that they received a Class 3 ISO rating, which provides for the lowest possible insurance rates for homeowners. They do not feel that this development will be a burden to them. They are concerned about possible annexation of the site into the City of Florence. When the Orleans subdivision was annexed into the City of Florence, there was a significant loss of potential income for Union, but responses to the City of Florence increased significantly – their workload increased with no income. If the City of Florence serves Autumn Woods, they will go past the Union fire/EMS facility. The Chairman advised Mr. Morgan that potential future annexation of the property is not being addressed.

Chairman Caddell asked if there was anyone else present who wished to speak in favor of the request. There being no response, he asked Mr. Costello to call the names of those who registered to speak in opposition. He will then provide an opportunity for anyone else to speak. Mr. Costello called Diane Steffen.

Diane Steffen, 9845 Spruce Lane, Union, (Lot #18) stated that the cemeteries behind her house and on the Riegler property have not been addressed. She stated that the homes on Spruce Lane have septic tanks in their backyards that run onto

the subject property. She asked if they will be given sanitation service. Mr. Henry Fischer responded that they are not planning to provide sewer service to homes on Spruce Lane, but they will bring the sewer closer to where they could make a connection. Mr. Costello explained that if the development is approved, sanitary sewer would be closer and there could be a potential connection to the subdivision. There is a program through the Sanitation District and the homeowners would have to get the majority of the people to sign up for the sewer. Ms. Steffen asked if they would be required to get sanitary sewer service. Mr. Costello stated that their subdivision could remain as it is, unless there is an existing health issue. Ms. Steffen asked if they would have to pay for sewer service if there is a health issue. She stated that what they have now works fine for them and asked if Mr. Fisher would help pay to pay for sewer service if they are required to have it. Mr. Costello recommended that Ms. Steffen contact the Sanitation District. In regard to the cemetery, he stated that the developer could relocate the cemetery or preserve it. There are state and local laws and requirements that they would have to follow.

Kathy Haines, 9799 Spruce Lane, Union, stated that she and her husband are lifelong residents of Boone County. She stated that the roads will not accommodate all of the traffic they have now, much less another 1,300 homes. The schools will not accommodate the development. She questioned the proposed density – she heard four homes per acre and eight homes per acre in another area.

Mr. Butler stated that the average density will not exceed four units per acre.

Chairman Caddell stated that Page 12 of *Autumn Woods* (Exhibit 1) talks about the existing zoning classification being inappropriate. He stated that they can ask for a Zone Change and not provide a Concept Development Plan, but for a project of this nature that adjoins a subdivision, not having a Concept Development Plan showing where the densities will occur makes it very difficult for the Planning Commission. Mr. Butler responded that Area B (proposed for SR-3) is the condominium neighborhood of up to eight units per acre. Areas A, C, and D are requested for rezoning to SR-1 or SR-2, which allows a maximum density of four units per acre. Mr. Costello stated that SR-2 allows up to eight units per acre. He stated that areas which allow up to eight units per acre, could be developed at 5.5 or 6 units per acre and the SR-1 area could be developed at 2.5 units per acre. He explained that they could not have the maximum density of eight units per acre in those areas and the maximum density of four units per acre in the SR-1. Mr. Butler responded that they will not exceed 1,380 units for the total development, which is an average of four units per acre. Chairman Caddell stated that it is important for the Planning Commission to know the densities of the various areas in order to know the effect on the site and on adjoining properties. Mr. Butler responded that they are not prepared for that discussion at this time and may be able to speak to it at the Committee Meeting.

Ms. Haines asked if there will be an access road through Spruce Lane. Mr. Fisher responded that it is not their intention. Mr. Butler stated that they do not have an easement and no access road is proposed there.

Ms. Haines stated that she and her family moved from Oakbrook to two-acres on Spruce Lane in 1993. They moved there for privacy and space, which they feel is being taken away from them.

Dan Haines, 9799 Spruce Lane, stated that 1,300 homes is 2,600 cars and those people will go to work every morning. It now takes about thirty minutes going via U.S. 42 to I-75. He stated that traffic can go Mt. Zion Road or U.S. 42, and he believes there will be a traffic problem. He stated that Mt. Zion Road will be widened but, by the time this development is done, the roads will be outdated. He stated that the roads in the county cannot accommodate all of these subdivisions. The U.S. 42 corridor will have houses built between Kroger and Union and they are still building past Ryle High School. It is getting so that people cannot get around.

Judith Longo was not present when called. Rick Lore passed when called.

Tim Kahmann, 2425 Longbranch Road, was also present on behalf of his father, Norbert Kahmann of 2318 Clarkston Lane. They both run cattle farms that adjoin the east boundary of the subject property. He stated that if the request is approved, they would like to have a chainlink fence between their properties and the properties proposed for zone change.

Charles Rawlings, 2388 Longbranch Road, stated that there will be 35 school buses on Longbranch Road when the school is built. There will be 1,300 cars coming out of the subdivision on Hathaway Road or Longbranch Road. He does not know how many cars come out of the subdivision across the street from Autumn Woods. He asked that the road be taken care of before the houses go in there. He stated that vehicles have to get over in the grass when a school bus comes by. He asked that all things about the road be considered before 1,300 houses are approved.

This concluded the names of those who registered to speak. Chairman Caddell asked if there was anyone else present who wished to speak.

Paula Volz, 9741 Spruce Lane, stated that she is concerned about the density and the number of homes. She stated that the 900 homes predicted for Harmony have not started yet and then there will 1,300 homes for this project. She questioned the dates of completion for the Autumn Woods project. She asked if the development could be postponed to take care of the roads first. She stated that they love the privacy of Spruce Lane. They knew the farms behind them would be developed, but they hoped that the roads would grow with the area. She asked

if the Planning Commission works with the Highway Department. She asked the Planning Commission to consider the roads before making a recommendation.

Chairman Caddell stated that the Planning Commission has no control over the Highway Department.

Ms. Volz stated that Mt. Zion Road is not on the project list until 2010. She stated that they go from Spruce Lane to Mt. Zion Road or down Hathaway Road to Frogtown Road to Richwood to the expressway. She stated that with 900 families and another 1,300 families and 13 lights between their home and Hopeful Church Road, it's a bottleneck that will keep getting worse. She asked if there could be a lower density. She noted the location of her home and asked if the applicant has agreed to green space the size of a football field between her property and the condominiums. Chairman Caddell stated that the style and type of buffer will be discussed at the Zone Change Committee meeting. Ms. Volz questioned if the pond behind their home on Area B will be eliminated. Mr. Butler responded that they do not know. Ms. Volz stated that she is concerned about drainage. There is a creek that goes into that area. She questioned if "housing opportunity" includes apartments. Mr. Butler responded that the intent is for owner-occupied condominiums.

Mr. Jerry Geise, 2636 Hathaway Road, stated that he was on the road committee when U.S. 42 was rebuilt and he suggested that Mt. Zion Road be widened to a five-lane highway before Orleans subdivision was built. He stated that in the morning and in the evening the roads going in and out of Florence are going to be tighter than a drum. He stated that the infrastructure/roadway system has to be considered long before adding 1,300 more families. There will be close to 2,000 automobiles added to the existing traffic system, in addition to all of the surrounding areas that are adding traffic. He stated that we cannot tell the state what to do about highways, but we can postpone the development until something is done about the highway. His property adjoins 60% of the southern border of Area C. He has 1,500 feet of property line and he would like a chainlink fence on his property. He does not have cattle, but he raises hay. He knows what four-wheelers and dirt bikes can do to property and some kind of a barrier is needed. Chairman Caddell stated that this will be discussed at the Zone Change Committee meeting. Mr. Geise stated that the highway is going to be a real problem in the future.

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

Mr. Reynolds stated that the letter (attached to the Staff Report) from Bryan Blavatt, Superintendent of Boone County Schools, asks that land be provided within Autumn Woods subdivision for schools. He stated that the applicant's presentation only referenced schools already planned to be built on Longbranch

Road. Mr. Butler responded that they saw the letter from Bryan Blavatt for the first time this evening. They have had discussions with the school system and plan to meet with them after the first of the year, but no decisions have been made.

Mrs. Wilson noted the comments made by Diane Steffen regarding the septic systems and the leachfields there. She asked the applicant to look into what systems they currently have, how they may be affected, and what may be imposed on those homeowners. Mr. Butler stated that they are not familiar with the issue and this is the first time it has been raised. They are not aware of any illegal discharge from the septic systems and do not know of anything that would disturb that process. Mrs. Wilson asked the applicant to look into the issues raised by Ms. Steffen. Mr. Butler agreed.

Mrs. Wilson stated that the letter from Sanitation District #1 (attached to the Staff Report) indicates that they anticipate having capacity to service this development in the short term. She questioned how much of the development can occur in the short term since the new Western Regional Wastewater Plant is not in operation. Mr. Butler responded that the sewer line should be completed in the summer of next year and it has sufficient capacity for this development. They would pick up the sewer line where it terminates on the south side of Longbranch and extend it through their development. There is good gravity flow with the creek being lower. Mrs. Wilson asked Staff to provide the numbers to the Committee.

Mr. Fischer stated that it is the Sanitation District's policy that any proposed development can only reserve capacity for a two-year period until the Western Regional Wastewater Plant is complete. It is conceivable that at some point they will not have the capacity, he does not think that will happen.

Mrs. Poston stated that Oakbrook was a similar development. She questioned how Oakbrook was handled with so little information regarding the density in the various areas. Mr. Costello responded that Oakbrook dates back to the late 1970's and some portions of the Concept Plan were general, but they showed some of the single-family, and declared some areas for attached housing. They showed the main streets. He stated that Triple Crown showed the final layout -- the main streets and arteries, and left pods that were identified for uses such as "attached housing at x-units per acre". Mrs. Poston commented that it showed more than this request. Mr. Costello agreed.

Mrs. Poston asked if there will be a boulevard style road from Hathaway Road to Longbranch Road. Mr. Butler responded that a decision has not been made. Mrs. Poston commented that they will not have a straight road from Hathaway Road to Longbranch Road. Mr. Butler agreed and stated that they are trying to utilize the topography. He reviewed the Concept Plan in regard to the roads and stop signs. Mrs. Poston asked if there would be driveways accessing the main road. Mr. Butler responded that it is a sub-collector road and they want to minimize the

number of driveways. He stated that there would be local roads coming off the sub-collector road and some locations may have driveways because of the topography.

Mr. McMillian questioned who would own the cemetery when the applicant buys the property. Mr. Butler responded that he has not been involved in the title exam at this point. He stated that there currently is no plan to relocate the cemetery. He stated that there are county and state regulations regarding the cemetery. If the cemetery has to be relocated, they will have to go to court to get approval – but they have no intention of relocating the cemetery and will work around it. He indicated the locations of the two cemeteries. Mr. McMillian questioned access to the cemeteries. Mr. Butler responded that access is required by the regulations and they will follow the regulations.

Mr. Schwenke questioned when the east/west road will be built. Mr. Butler responded that it will be developed as part of the phasing of the property. Mr. Schwenke stated that if the road was moved further south, it would be almost in alignment with the connector road from Old Union Road. Mr. Butler stated that they are showing roundabouts for the continued flow of traffic where the road connects. He stated that the location of the road was selected because of the natural topography. He stated that they can bring the road through the valley, preserve the vegetation and have a break between the single-family area to the north and the condominium units. They are trying to eliminate grading on the ridgelines. They will take Mr. Schwenke's comment into consideration.

Mr. Schwenke stated that he is a farmer and knows about livestock and fencing. He asked the Committee to take a serious look at the fencing, which could be good for the property owners on both sides.

Mr. Rolfsen stated that the applicant is planning to develop Area A first and questioned how many houses will be in that area before they bring the road out to Hathaway Road. He asked if the road will be stubbed and constructed in phases. Mr. Butler responded that the road will be developed in phases. He stated that they are starting on the north, but that does not mean it will be the only pod of development. There would also be pods of development in Area C. He stated that from an economic standpoint, developing more units justifies extending the road. Mr. Rolfsen noted that the applicant indicated a ten to fifteen year buildout and questioned the number of units per year. Mr. Butler responded that it will be a matter of market demand. He stated that these are two experienced developers and, based on their experience, they anticipate a 10 - 15 year buildout.

Mr. Rolfsen asked if the park and ball fields will be open to the public. Mr. Butler responded that they are open to how the neighborhood park is owned. The intent is that it would be for the general public. There would not be people watching it and checking passes. He stated that the park, ball fields, picnic areas and nature hiking areas could be owned by Boone County Parks Department or

they could be deeded to a master association. He questioned comments in the Staff Report regarding the Conservancy taking title. He stated that the intent is that they be subject to covenants so that they will remain green space/open space for passive recreational use and ball fields.

Mr. Rolfsen questioned the acreage of the park. Mr. Butler responded that the total green space is 35+ acres and the park in the immediate area is a minimum of seven acres.

Chairman Caddell stated that the Zone Change Committee could set the number of units for each phase as a condition of the zone change. He reviewed the applicant's booklet *Autumn Woods* on Page 12 and the reference to the Comprehensive Plan. He stated that the applicant refers to the development of 1,380 units at four units per acre. He believes the density is four units per acre on the Future Land Use Map. Mr. Butler responded that the Concept Plan as proposed is consistent with the Comprehensive Plan and the Future Land Use Map. He stated that Page 14 of the Comprehensive Plan identifies the Union area for Suburban Residential. Mr. Costello explained that with the Future Land Use designated as Suburban Density Residential, it is primarily SR-1 which allows up to four units per acre versus SR-3 which allows up to eight units per acre. He stated that the applicant is asking for the maximum density, but will not build the maximum—they will not build the SR-1 areas at four units per acre. They will most likely have 2.4 or 2.5 units per acre in SR-1. Mr. Carmichael stated that SR-1 does not allow condominiums so they are asking for SR-2 and SR-3 for the condominiums, not necessarily for the density.

Counselor Wilson stated that if the SR-1 and SR-2 areas are developed at up to four units per acre and the SR-3 goes up to eight units per acre, they will exceed 1,380 homes. Mr. Butler responded that on the total 345 acres they will not exceed 1,380 homes -- and they agree to that as a condition of approval. Counselor Wilson stated that in that case, what Mr. Costello is saying is correct—in the SR-1 areas they will have less than four units per acre. Mr. Butler agreed. Counselor Wilson questioned why they are asking for up to four units per acre. Mr. Butler responded “because it allows it and there may be some area that have four per acre”.

Mr. Bob Schroder with Arlinghaus Builders stated that the question is “why did we not ask for a different zone than SR-1”. He stated that it is correct that the density will be about 2.5 – 3.5 units per acre, if they have six or eight units per acre in the SR-3 area. He stated that there is not a good zone below SR-1 for lot sizes. He stated that there are issues other than density, such as setbacks. He stated that in SR-3 there could be eight units per acre and, since there is about 70 acres of SR-3, that would be approximately 560 units. In that case, the rest of the property would develop at approximately 3 units per acre. He stated that there could be six units per acre in the SR-3 area. He stated that he has written to Kevin Costello there were several meetings sometime ago about another zoning

classification. If the Planning Commission would consider another zoning classification and change some of the setbacks, it would provide them an opportunity to clear up some of the questions that were raised. He stated that they are not asking for four units per acre in the SR-1 zone. Counselor Wilson questioned how many units per acre they are asking for in the SR-1 zone. Mr. Schroder responded that they have not done the engineering work to do a layout. He stated that the number is closer to three, but there is no zoning classification that allows that. He does not have specific numbers at this time.

Chairman Caddell stated that it is important to the adjoining properties to know the density. He stated that a Concept Development Plan would be helpful to the Planning Commission and the neighbors. Mr. Schroder stated that they have heard the concerns and will work on getting more detail and better plans in time for the Committee Meeting. He stated that the specifics of the roads and where the lots will be has not yet been determined.

Chairman Caddell questioned what the applicant means by “innovative clustering techniques”. Mr. Butler responded that it would be attached condominium units in the SR-3 area and it allows clustering of the buildings on the ridgetops and preserves green areas.

Mr. Carmichael stated that it sounds like there will be more green space than the applicant is showing, but the Planning Commission does not know that based on the information available this evening. He stated that street connections with neighboring properties must be addressed at the Committee meeting. He stated that approving this request based on county and state promises of roads in the future is not right. He stated that there needs to be a limited access road through there just like what has been done for every other subdivision. He asked the applicant to look at these issues prior to the Committee Meeting.

Mr. Fischer stated that the Transportation Plan sets out the north/south collector road almost exactly where they show it on their plan. Mr. Carmichael stated that there is no funding, no plan set in stone and no easements. Mr. Fischer responded that the road will be built over time as the properties develop and that is the way the plan is set up. Mr. Carmichael responded that the Transportation Plan is what we want to see happen – but quite often it doesn’t happen. He stated that we have been waiting on a road from KY 18 to Turfway Road for a couple of years.

Mr. Barlow asked the Committee to consider that the presentation addressed green space, entryways and ponds. He stated that this development is the highest density development he can recall. He stated that with 345 acres, there is an opportunity to do more than 10% green space. In order to support a zone change, he needs more information about the density and less presentation and photographs of green space. He stated that the applicant claimed Central Park and a school that is being built on Longbranch as part of the support for the development – but they were built for prior developments. He stated that within

the 345 acres a lot could be done by way of innovative design, clustering, and green space. He stated that the Planning Commission needs information about the roads and connections – not just a few parks and entryways. He asked the applicant to provide more detailed plans to the Committee.

Mr. Knock stated that the county's road plans have been developed in part based on Future Land Use. He stated that the connector road through this property will help to facilitate what the county has in mind. The county does not plan to build the roads without development to provide the tax base. There is no reason to build the road today based on the existing population. Mr. Carmichael stated that he was talking about the north/south collector, not the east/west collector. He stated that there needs to be a collector road within a development of this size to handle its own traffic.

Mr. Butler stated that they will take the comments into consideration. They show the road where it is because that is where the Transportation Plan shows it.

Mr. Knock asked Mr. Costello if the road plan was based on the Future Land Use Map. Mr. Costello responded "correct".

Chairman Caddell stated that the Committee Meeting could be held on January 3, 2007 or it could be scheduled for a later date if the applicant needs more time to prepare. Mr. Schroder agreed to the Committee Meeting on January 3.

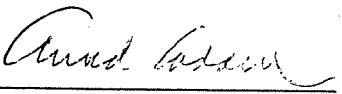
Chairman Caddell asked if there were any further comments.

Mr. Mike Ford, 7040 Running Fox Court, Florence, speaking on behalf of the school system, noted the letter from Bryan Blavatt attached to the Staff Report. He stated that the school system is stipulating the following conditions of approval of this zone change: (1) that the project is phased and (2) that property is provided within the development for an elementary school site. He stated that the development could increase the school population by more than 650 students. He stated that the elementary school site on the Longbranch campus is to reduce existing over-capacity at Erpenbeck and Stephens elementary. He stated that Boone County School System is not a candidate for funding from the Schools Facilities Construction Commission and they do not have funding to purchase property for a school site to house an additional 650+ students. He stated that there may be more discussion between the developer and the school district prior to the Committee meeting. Mr. Reynolds questioned how much land the school district wants within the development. Mr. Ford responded that they want 17 acres for an elementary school site.


There being no further comments, the Chairman stated that the Committee Meeting for this item will be on January 3, 2007 at 5:00 PM in this room. This item will be on the

Agenda for the Business Meeting on January 17, 2007 at 7:00 PM. The Chairman closed this Public Hearing at 9:55 PM.

**APPROVED:**

  
**Arnold Caddell, Chairman**

**Attest:**

  
**Jan Hancock, Recording Secretary**

**Exhibit 1 – *Autumn Woods, Boone County, Longbranch Development, Inc.* booklet  
submitted by the applicant**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: January 31, 2007

RE: Request of Long Branch Development, Inc. (applicant) for Albert Kenkel, Margaret Kenkel, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, and Robert Schroder (owners) for Zoning Map Amendments from Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for 173.2 acres, Suburban Residential Two (SR-2) for 101.4 acres, and Suburban Residential Three (SR-3) for 70.6 acres, for an approximate 345 acre total area located between the south side of Longbranch Road across from the Barrone Street intersection and the north side of Hathaway Road including the property at 2505 Longbranch Road and properties to the east, west, and south of 2505 Longbranch Road, the property at 2444 Hathaway Road and properties to the north of 2444 Hathaway Road, Boone County, Kentucky. The request is for zone changes to allow single family and multi-family residences.

### REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Long Branch Development

January 31, 2007

*Greg Breetz*  
**Greg Breetz, Chairman**

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

*Judy Arnett*  
**Judy Arnett**

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

*Kim Bunger*  
**Kim Bunger**

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

*Janet R. Kegley*  
**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 \_\_\_

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

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: January 17, 2007

RE: Request of Long Branch Development, Inc. (applicant) for Albert Kenkel, Margaret Kenkel, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, and Robert Schroder (owners) for Zoning Map Amendments from Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for 173.2 acres, Suburban Residential Two (SR-2) for 101.4 acres, and Suburban Residential Three (SR-3) for 70.6 acres, for an approximate 345 acre total area located between the south side of Longbranch Road across from the Barrone Street intersection and the north side of Hathaway Road including the property at 2505 Longbranch Road and properties to the east, west, and south of 2505 Longbranch Road, the property at 2444 Hathaway Road and properties to the north of 2444 Hathaway Road, Boone County, Kentucky. The request is for zone changes to allow single family and multi-family residences.

### REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Long Branch Development

January 17, 2007

*Greg Breetz*  
**Greg Breetz, Chairman**

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

*Judy Arnett*  
**Judy Arnett**

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

*Kim Bunger*  
**Kim Bunger**

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

*Janet Kegley*  
**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 \_\_\_

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

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: January 3, 2007

RE: Request of Long Branch Development, Inc. (applicant) for Albert Kenkel, Margaret Kenkel, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, and Robert Schroder (owners) for Zoning Map Amendments from Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for 173.2 acres, Suburban Residential Two (SR-2) for 101.4 acres, and Suburban Residential Three (SR-3) for 70.6 acres, for an approximate 345 acre total area located between the south side of Longbranch Road across from the Barrone Street intersection and the north side of Hathaway Road including the property at 2505 Longbranch Road and properties to the east, west, and south of 2505 Longbranch Road, the property at 2444 Hathaway Road and properties to the north of 2444 Hathaway Road, Boone County, Kentucky. The request is for zone changes to allow single family and multi-family residences.

### REMARKS:

We, the Committee Members were present at the Committee Meeting and voted on the above request or else were absent from voting. Further, based upon the vote, the Committee directs the Staff to draft the findings of fact and conditions if deemed necessary in order to complete the Committee Report.

Long Branch Development

January 3, 2007

*[Signature]*  
**Greg Breetz, Chairman**  
 For Project \_\_\_ Absent \_\_\_  
 Against Project \_\_\_  
 Abstain \_\_\_ Deferred

*[Signature]*  
**Judy Arnett**  
 For Project \_\_\_ Absent \_\_\_  
 Against Project \_\_\_  
 Abstain \_\_\_ Deferred

*[Signature]*  
**Kim Bunger**  
 For Project \_\_\_ Absent \_\_\_  
 Against Project \_\_\_  
 Abstain \_\_\_ Deferred

*[Signature]*  
**Janet Kegley**  
 For Project \_\_\_ Absent \_\_\_  
 Against Project \_\_\_  
 Abstain \_\_\_ Deferred

*[Signature]*  
**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: 5 DEFERRED \_\_\_ FOR PROJECT \_\_\_ ABSENT**  
**\_\_\_ AGAINST PROJECT \_\_\_ ABSTAIN**

**BOONE COUNTY PLANNING COMMISSION**  
**February 7, 2007**

**FINDINGS OF FACT FOR DENIAL**

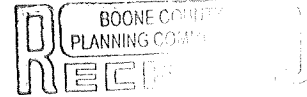
**The request of Long Branch Development, Inc. (applicant) for Albert Kenkel, Margaret Kenkel, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, and Robert Schroder (owners) for Zoning Map Amendments from Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One (SR-1) for 173.2 acres, Suburban Residential Two (SR-2) for 101.4 acres, and Suburban Residential Three (SR-3) for 70.6 acres, for an approximate 345 acre total area located between the south side of Longbranch Road across from the Barrone Street intersection and the north side of Hathaway Road including the property at 2505 Longbranch Road and properties to the east, west, and south of 2505 Longbranch Road, the property at 2444 Hathaway Road and properties to the north of 2444 Hathaway Road, Boone County, Kentucky. The request is for zone changes to allow single-family and multi-family residences.**

The above referenced request is recommended for denial based on the following Findings of Fact:

1. The proposal does not meet the Comprehensive Plan because only a portion of the proposal is in accord with the SR designation on the Future Land Use Map. The proposed SR-2 and SR-3 zones exceed four units per acre. The SR-3 zone is not detached single-family residences, but attached units contrary to the SR designation. Similar developments approved in the past were Planned Developments that were within integral mixed residential developments and they were reviewed under prior Comprehensive Plans.
2. When viewing the plan as a whole, the proposed SR-3 zone for attached residential units may have 568 units of 1,380 total units and is 71 acres of the total site, making it a substantial part of this project with substantial impacts on adjoining properties.
3. Also incorporated in these Findings of Fact are Mr. Breetz' comments regarding the lack of information available and made known through the Public Hearing process.
4. No information was identified to support either of the alternate findings regarding (1) appropriateness or inappropriateness of the existing or proposed zones and (2) substantial changes.

**LONGBRANCH DEVELOPMENT INC  
2670 CHANCELLOR DRIVE  
CRESTVIEW HILLS, KY 41017  
859-341-4709**

February 21, 2007



BOONE COUNTY FISCAL COURT  
2<sup>ND</sup> FLOOR ADMINISTRATION BUILDING  
WASHINGTON STREET  
BURLINGTON, KY 41005

FEB 21 2007  
MAR 2 2007

Re: Autumn Woods Subdivision

Longbranch Development Inc. would like to withdraw its application for a zone map amendment for 345 acres of land known as 2505 Longbranch, 2444 Hathaway, and certain other land between Hathaway Road and Long Branch Road in Boone County, Kentucky, which application was filed with the Boone County Planning Commission on November 14, 2006.

If you have any questions about this, let us know.

Sincerely,

A handwritten signature in cursive script that reads "Joe Arthur Lee".

Longbranch Development Inc.

cc: Boone County Planning Commission

12/18/2006



*AUTUMN WOODS*  
*Boone County*

*Longbranch Development, Inc.*

RECEIVED AT 12/20/06 PUBLIC HEARING

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Map Amendment / Density	11
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### Appendix

<u>Tab Number</u>	<u>Description</u>
1	Zoning Plan
2	Concept Plan
3	Typical Entrance Photos
4	Preliminary Site Plan: Longbranch Road Entrance and Community Facility
5	Typical Pool/Cabana Community Facility Photos
6	Preliminary Site Plan: Neighborhood Park
7	Typical Park Facility Photos
8	Typical Condominium Community Facility Photos
9	Preliminary Site Plan: Hathaway Road Entrance
10	Aerial Photo: Spruce Lane Buffer
11	Typical Photos of Single Family Homes and Condominium Product
12	Transportation Plan
13	Preliminary Site Plan: East/West Collector Road
14	Preliminary Plan: Hathaway Road and Longbranch Road Turn Lanes
15	Letter from John E. Gehrum / Re: Turning Lane

**Presentation**  
**to**  
**Boone County Planning Commission**

**December 20, 2006**

---

**Applicant:** Longbranch Development, Inc., a Kentucky corporation, whose principals are Joe Arlinghaus of Arlinghaus Builders and Henry Fischer of The Fischer Group.

**Attorney for Applicant:** Martin C. Butler, Esq. with Strauss & Troy, L.P.A.

**Civil Engineer for Applicant:** Joseph G. Kramer, P.E., P.L.S. with Cardinal Engineering

**Subject Property:** An approximate 345± acre parcel of land in unincorporated Boone County, situated on the south side of Longbranch Road, the north side of Hathaway Road (State Route 536) and the east side of Longbranch Creek, to be known as Autumn Woods.

**Applicants Request(s):** A statement of recommendation to the Boone County Fiscal Court in favor of a Zoning Map Amendment as follows:

- (a). With respect to Area A (134.3 acre parcel)  
- from RSE/A-2 to SR-1
- (b). with respect to Area B (70.6 acre parcel)  
-from RSE/A-2 to SR-3
- (c). with respect to Area C (101.4 acres)  
- from RSE/A-2 to SR-2
- (d). with respect to Area D (38.9 acres)  
-from RSE to SR-1

No variances or Conditional Use Permits are requested as part of these requests for zone change.

**Purpose:**

To permit the development of a high quality residential community offering a broad range of home ownership opportunities and choice of dwelling types, designs, sizes and prices for persons, households and families of all types, ages, incomes and interests.

**Considerations:**

**SUBURBAN COMMUNITY**

- Longbranch Development, Inc. and its principals, Joe Arlinghaus of Arlinghaus Builders, and Henry Fischer of The Fischer Group, are excited to present Autumn Woods, a proposed 345± acre development comprised of rolling topography and several wooded tributary drainage features which add aesthetic interest and character to the proposed community.
- Autumn Woods is situated along the south side of Longbranch Road and the north side of Hathaway Road (State Route 536), just over a mile west of Old Union Road (old State Route 42). Longbranch Creek is located to the immediate west of the northern portion of the site, and traverses the southern part of the site.
- The Goals and Objectives with respect to Housing, found in Chapter 1, at page 7, of the 2005 Boone County Comprehensive Plan (the "Comprehensive Plan") provides as its first objective that "a broad range of housing opportunities shall be provided which meet the needs and desires of all household types".
- Autumn Woods provides a unique opportunity for the development of quality residential neighborhoods which will provide housing access and opportunities for first time home buyers, second/third move-up buyers and empty nesters.
- The Zoning Plan (see Tab #1) provides for the designation of three (3) different residential zoning districts in Autumn Woods [Suburban

Residential One (SR-1), Suburban Residential Two (SR-2), and Suburban Residential (SR-3)] with each zoning district providing for different lot sizes and housing types as recommended in the Comprehensive Plan.

- The Concept Plan for Autumn Woods (see Tab #2) provides for the arrangement of a street circulation system and the development of residential areas generally along the ridgelines, thereby permitting the preservation of selective existing woodlands and open spaces throughout the site, and thus allowing for the creation of active/passive recreational areas for the residents of the Autumn Woods community.

#### OPEN SPACE / AMENITIES

- Environmental Objective No. 2 located on page 5 of the Comprehensive Plan provides that “New development or re-development 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 sites’ existing physical assets are used...”.
- The design of Autumn Woods, where feasible, preserves natural features, creates passive and active recreational open spaces around lakes and creeks throughout the site and utilizes ridgetops to preserve scenic vistas.
- Open spaces have been designed to provide separation of neighborhoods, preserve certain natural features for visual and natural preservation purposes, and provide open space linkage through the community. More specifically, active and passive recreational areas and open spaces will be provided at a number of locations throughout the development as detailed below:
- Consistent design elements representing a community theme will be utilized throughout the development, including architectural elements utilized for landscape entry monuments, development identification signage, marketing signage and other landscape and streetscape elements.

- Attractive entrance walls/monuments consistent with the community theme will be installed at both main entrances to the development at Longbranch Road and Hathaway Road. The size, scope and quality of entrance walls/monuments and landscaping will be consistent with other existing communities developed by the principals. (see Tab #3 for typical examples)
- Attractive entrance walls, community signage and landscaping will also be installed at the entrances to the condominium and single-family residential neighborhoods.

#### Longbranch Road Entrance and Community Facility

- In addition to previously mentioned entry features, this area will include a Community Facility comprised of a cabana, swimming pool and off-street parking. The facility will be constructed adjacent to the existing lake as depicted on the preliminary site plan included as Tab #4. Photos of existing facilities similar to the proposed facility are enclosed under Tab #5.

#### Neighborhood Park

- A neighborhood park will be included in the south/central portion of Autumn Woods. Amenities featured in the park shall include field games, playground apparatus, a shelter, picnicking areas and off-street parking. A preliminary site plan of the proposed park is enclosed as Tab #6. Photos of existing features in similar parks are enclosed under Tab #7.

#### Condominium Neighborhood Community Facility

- The condominium neighborhood (Area B) will include a Community Facility consisting of a clubhouse, pool and off-street parking. Photos of existing facilities similar to the proposed facility are enclosed under Tab #8.

#### Linear Green Space

- Linear green space will be preserved and/or created within designated areas along the northern property line of the development, and continuing along the western property line of the development within the existing wooded area along Longbranch Creek. This green space connects to the proposed neighborhood park, Area C and Area D of the development. Location details of the proposed linear green space are shown on the Concept Plan enclosed at Tab #2.

#### Hathaway Road Entrance

- This area will include entry features and landscaping and home setback consistent with adjacent homes on Hathaway Road as shown on the preliminary site plan enclosed at Tab #9. In addition, green space will be provided around the existing lake to the north of this entrance.

#### Spruce Lane Buffer

- Within Area B (area adjacent to condominium neighborhood), a 50' minimum buffer will be provided along the common property line boundary with the residents of Spruce Lane. An aerial photo detailing this area is enclosed as Tab #10. In proposed buffer areas void of existing vegetation, new evergreen trees shall be planted at a maximum spacing of 25'.
- It should be noted that the distance between the existing residences on Spruce Lane and the proposed attached homes in the new development will be approximately the distance of a football field. We would also note that most of the lots on Spruce Lane are densely wooded.
- In total, (3) existing lakes will be retained in Autumn Woods.
- Both Community Facilities, the neighborhood park, as well as entrance walls and related landscaping areas, will be conveyed to a Master Association for the development as a whole, to assure their ongoing existence and quality maintenance.

- The linear green space will be either conveyed to the Master Association, subjected to a preservation easement, and/or subjected to perpetual easements for the benefit of the Boone County Park system.
- The Community Facilities area, entrance areas, linear green space, and neighborhood park will all be dedicated to open green space and recreational uses. A breakdown of those uses is as follows:
  - Open space at Longbranch Road entry and community facility, including lake = 7+ acres.
  - Linear green space along Longbranch Creek and neighborhood park = 20+ acres.
  - Lake and green space north of Hathaway Road entrance = 2+ acres.
  - Spruce Lane buffer area adjoining attached homes = 3+ acres.
  - Green space in Condominium neighborhood = 15+/- acres.

This combined green space represents between ten percent (10%) and fifteen percent (15%) of the land within the development.

#### LAND USE / PROPOSED HOUSING PRODUCT

- The proposed SR-1 and SR-2 zoning (Areas A, C and D) provide for the development of pods of separate single family homes. Examples of single family homes currently being offered by the applicants principals are enclosed under Tab #11. These homes and homes similar to them will be built in Autumn Woods.
- Also enclosed under Tab #11 are examples of condominium buildings and building arrangements currently being built by The Fischer Group in communities such as Tara at Plantation Point located in Florence, Kentucky. Similar buildings in similar arrangements will be built in Area B of Autumn Woods.
- Applicant would anticipate commencement of construction at the north entrance of the development at Longbranch Road in late spring to early summer 2007. It is projected that development would occur in phased build-outs over a period of ten (10) to fifteen (15) years.

## TRANSPORTATION / ACCESS

- The Comprehensive Plan, at page 76, states that "high-density residential areas should be located sufficiently near or with convenient access to major streets, highways, and shopping and public facilities." See Transportation Plan enclosed as Tab #12.
- Autumn Woods is ideally situated. The northern entrance to Autumn Woods off of Longbranch Road (a collector road) is located just over a mile west of Old State Route 42.
- The southerly entrance to Autumn Woods off of Hathaway Road (S.R. 536 / a collector road) is located just over a mile west of Old State Route 42.
- Longbranch Road and Hathaway Road are both further serviced by way of U.S. 42, a 5-lane urban arterial roadway.
- Over time, Autumn Woods will further be provided vehicular access by way of a proposed east/west connector collector road, as recommended by the Boone County Transportation Study, a portion of which will be constructed by the applicant as part of the development of Autumn Woods.
- Over time, Autumn Woods will further be provided with vehicular access by way of a north/south connector collector road as recommended in the Boone County Transportation Study within the area shown on the enclosed Transportation Plan, a portion of which will be constructed by the applicant as part of the development of Autumn Woods.
- The above noted future east-west connector road and north/south connector road have been designed by applicant to be consistent with the Boone County Transportation Study.
- The internal east/west collector road will provide for the future extension of already planned and approved portions of this collector road extending from the Harmony development at U.S. 42 and extending west through the Westbrooke Estates development.

- The proposed portion of the east/west collector road located within Autumn Woods traverses adjacent to a wooded valley immediately north of Area B, thereby providing a natural separation between the single-family dwelling units to the north and the condominium neighborhood to the south. A preliminary site plan and cross section of this proposed east/west collector road is enclosed at Tab #13.
- In addition to the above-noted collector roads, Autumn Woods will be served by a series of sub-collector roads as shown on the Concept Plan at Tab #2. All sub-collector roads will be built to Subdivision Regulation standards.
- The above referenced collector and sub-collector streets have been designed to provide full internal and external circulation patterns between the local streets in the development and the external arterial network along Hathaway Road and Longbranch Road, and the future east/west and north/south collector roads.

#### TURNING LANES

- Section 3235 of the Boone County Regulations which addresses the provision of exclusive turning lanes and deceleration lanes, provides:  
  
"At those access points where vehicles turning to and from the roadway will affect the capacity of the roadway, the developer will dedicate sufficient right-of-way and construct turning lanes or deceleration lanes as necessary to maintain the capacity of the roadway . . ."
- It has been anticipated by applicant that traffic flow to and from the development along Hathaway Road and Longbranch Road will require the installation of turning lanes and deceleration lanes at both the Longbranch Road and Hathaway Road entrances to the development. Based upon conversations with the Boone County Engineer and the Kentucky Department of Transportation, applicant has agreed to construct turning lanes and deceleration lanes, both along Longbranch Road and Hathaway Road at their intersection with and entrance to the development.

- Applicant will provide a tapering lefthand center turn lane in a westbound direction from Longbranch Road into the development. Applicant will further provide a tapering righthand turn lane from Longbranch Road in an easterly direction at the entrance to the development.
- Developer will further provide a tapering righthand turn lane in a westerly direction from Hathaway Road (S.R. 536) into the development. Developer will also provide a tapering lefthand center turn lane in the easterly direction from Hathaway Road into the development. All turn lanes will be constructed in general accordance with the Plan enclosed at Tab #14 prepared by Cardinal Engineering.
- The letter from Mr. John E. Gehrum of Edwards and Kelcey Engineers found at Tab #15 confirms that the turning lanes proposed will provide for very effective and safe traffic operations.

#### UTILITIES AND INFRASTRUCTURE

- Water service and fire hydrants will be provided to the development by virtue of extension of the new 12" water line just recently constructed by Boone County located on the south side of Longbranch Road and/or by virtue of the extension of an existing 8" water line located on the north side of Longbranch Road. Water service and fire hydrants will also be provided to the development by virtue of an existing 12" water line located on the south side of Hathaway Road.
- Sanitation District No. 1 is currently in the process of constructing and extending sewer service south, along the Longbranch Creek, to Longbranch Road, thereby bringing sanitary sewer service to the general area and to the new school under construction on Longbranch Road. Sanitary sewer service for the Autumn Woods development will be provided by the extension of the above noted sewer line by the developer, throughout the development, to be located generally along Longbranch Creek. The above noted water lines, fire hydrants and sanitary sewer lines shall be constructed in compliance with subdivision and other applicable regulations. See Tab #1 for further detail on utility locations.

- Storm sewers and detention facilities, including the use of several of the existing lakes on the Property (as modified) will be constructed in accordance with Boone County Storm Water Management Regulations.
- Underground electric and telephone utilities will be installed and required throughout the development.
- In addition to the utilities noted above, the development will be more than amply serviced by the following facilities and amenities:
  - A new public high school and elementary school is being constructed on Longbranch Road just west of the Autumn Woods development as shown on the Transportation Plan enclosed at Tab #12.
  - Autumn Woods will benefit extensively from the close proximity of Central Park along Camp Ernst Road and the Boone County knothole fields on the west side of Camp Ernst Roads as shown on Tab #12. It should be noted that the recommended east/west collector road, as set forth in the Comprehensive Plan intersects with Camp Ernst Road, just south of Central Park, and north of the Boone County knothole fields.
  - Autumn Woods will have access to the Boone County Public Library on U.S. 42.
  - Fire protection service will be provided to Autumn Woods by virtue of the new Fire Station located on U.S. 42.
  - As noted above, Autumn Woods is centrally located, is and will be easily accessed by a network of arterial, collector and local roadways which provide excellent circulation patterns and access to the public services listed above and will be provided with all public utilities required for a suburban residential development. There is no better location for a new residential development in Boone County.

## STREETS / SIDEWALKS

- All streets internal to the Autumn Woods development will be designed and constructed in accordance with the Boone County Street and Subdivision Regulations.
- Sidewalks will be constructed throughout the development as required by the Boone County Street and Subdivision Regulations.
- Autumn Woods will be designed in compliance with all on and off-street parking requirements in the Zoning Regulations and Subdivision Regulations.

## MAP AMENDMENTS / DENSITY

- We believe that developer's application positively addresses and responds to the minimum requirements as well as all of the applicable optional requirements for a Zoning Map Amendment as set forth in Section 303 of the Boone County Zoning Ordinance.
- Autumn Woods will contain a mixture of single family homes on lots of various sizes consistent with the SR-1 and SR-2 zoning classifications, with condominiums located in the SR-3 zoning area. The total limit on density will be 1,380 dwelling units or no more than four (4) dwelling units per acre which is consistent with the Comprehensive Plan for this area.
- As evidenced above, adequate infrastructure facilities and services are or will be available, as construction begins in the proposed development, of sufficient capacity to support the proposed densities and suburban character of the Autumn Woods development.
- Ample passive and active recreational uses and green spaces, both within the development and externally within close proximity to the development will be provided.
- The Community Facilities, neighborhood park and linear green spaces have been designed to be an integral part of the overall residential development.

- The applicant is requesting a straight zone change from RSE and A-2 to Suburban Residential One (SR-1), Suburban Residential Two (SR-2), and Suburban Residential Three (SR-3), as described herein. No variances or conditional use permits are being requested as part of this application.

### COMPREHENSIVE PLAN

- Section 308 of the Boone County Zoning Regulations states that the following findings are necessary and that such criteria be used in granting approval of a Zone Change or Map Amendment:
  1. The Map Amendment is in agreement with the adopted Comprehensive Plan and any specific studies to further detail the Boone County Comprehensive Plan for the location in question; or
  2. The existing Zoning Classification is inappropriate and that the proposed Zoning Classification is appropriate; or
  3. There have been major changes of an economic, physical or social nature not anticipated in the adopted Comprehensive Plan that substantially alter the area's character."

The following information is supportive of the findings required by Section 308:

- The Housing Element of the 2005 Boone County Comprehensive Plan, at page 68 states that

"The demand for detached single family units is evident throughout Boone County, however, with the area between Burlington, Union, and Florence being the most active in terms of subdivision development. Innovative clustering techniques, which result in useable open space, may be helpful in meeting those demands."

Thereafter the Comprehensive Plan states,

"In general, the demand for housing has remained high, and is expected to continue. This continuing trend is readily apparent by the steady increase in the number of Building Permits issued in the past ten years."

- On page 75 of the Comprehensive Plan, which discusses Housing Element recommendations, the Plan states that,

"It is important to offer a variety of housing units, not only in terms of economics, but also because of the County's demographics."

- Thereafter, on page 76 of the Comprehensive Plan, under the heading "Housing Densities", the Plan states:

"High density residential areas should be located sufficiently near or with convenient access to major streets, highways, and shopping and public facilities."

- The Population Summary on page 14 of the Comprehensive Plan, notes that Boone County's greatest areas of future population growth are anticipated to occur along Kentucky 237, north of I-275, east of Camp Ernst Road, and west of U.S. 42, through the Union and Richwood West areas. The area east of Camp Ernst Road, west of U.S. 42 and Union is the area proposed for development in this application.
- The area proposed for development of Autumn Woods is identified on the 2030 Future Land Use Map for development as Suburban Density Residential and provides for development of housing units at an overall density of up to four (4) units per acre.
- The Comprehensive Plan, at page 146, states "In general, this section should experience considerable residential growth due to Union's current residential nature, growth associated with the City of Florence, and improvements to U.S. 42."
- Applicant believes the Autumn Woods development before you this evening satisfies not only one (1), but all three (3) of the criteria set forth in Section 308 of the Boone County Zoning Regulations

necessary for the granting of approval of the herein requested Zone Changes and Map Amendments.

- Substantial major changes of an economic, physical and social nature have already occurred and continue to be strongly recommended both by the Comprehensive Plan and the Transportation Plan. These changes are evidenced by existing and proposed improvements to various roadways and transportation patterns, the construction of a new high school and elementary school on Longbranch Road, the construction by the County of a new twelve (12") inch water line along Longbranch Road, the location of Central Park and the Boone County knothole fields and the new Fire Department on U.S. 42. Perhaps most importantly, sanitary service will now be extended to the area via a trunk line to be installed by Sanitation District No. 1 along Longbranch Creek.
- The proposed Map Amendments are clearly in agreement with the 2005 Comprehensive Plan, and the recommended use as set forth on the 2030 Future Land Use Map. Clearly, the existing Zoning Classification is inappropriate, and the proposed Zoning Classifications are absolutely appropriate, and consistent with the prior development of surrounding areas as growth in this portion of the County continues to move in a southwesterly direction.
- The development as proposed has been designed with connecting roads, providing alternative routes for residential traffic for the purpose of decreasing the impact on major roadways. The north/south collector road and east/west collector road designed as part of the development are consistent with the recommended collector roads for this area of the County as set forth in the Transportation Study.
- Water and sanitary sewer infrastructure, as well as other required utilities necessary to support a residential development of this nature, already exist and are currently being extended to the northern boundary of this development. Necessary improvements to collector roads have already been recommended and have been given priority in both the Kentucky Department of Transportation and Boone County Roadway Plans.

- Recreational facilities, public facilities, and other open green spaces have been designed into and will be made an integral part of the development.
- We hope that you have found that this presentation and the Concept Plan and other materials provided in your packets have been responsive to any and all of the questions you may have in making your decision.
- We believe that the development, as proposed, is directly responsive to Objective No.1 of the Housing Goals and Objectives of the Comprehensive Plan, which states on page 7, that, “A broad range of housing opportunities shall be provided which meet the needs and desires for all household types.” We also believe, for the reasons stated above, that the public services and infrastructure facilities necessary to support the proposed development are or will be present in a timely fashion.
- For all of the reasons stated above, applicant requests that a Statement of Recommendation be made to the Boone County Fiscal Court in favor of a Zoning Map Amendment to:

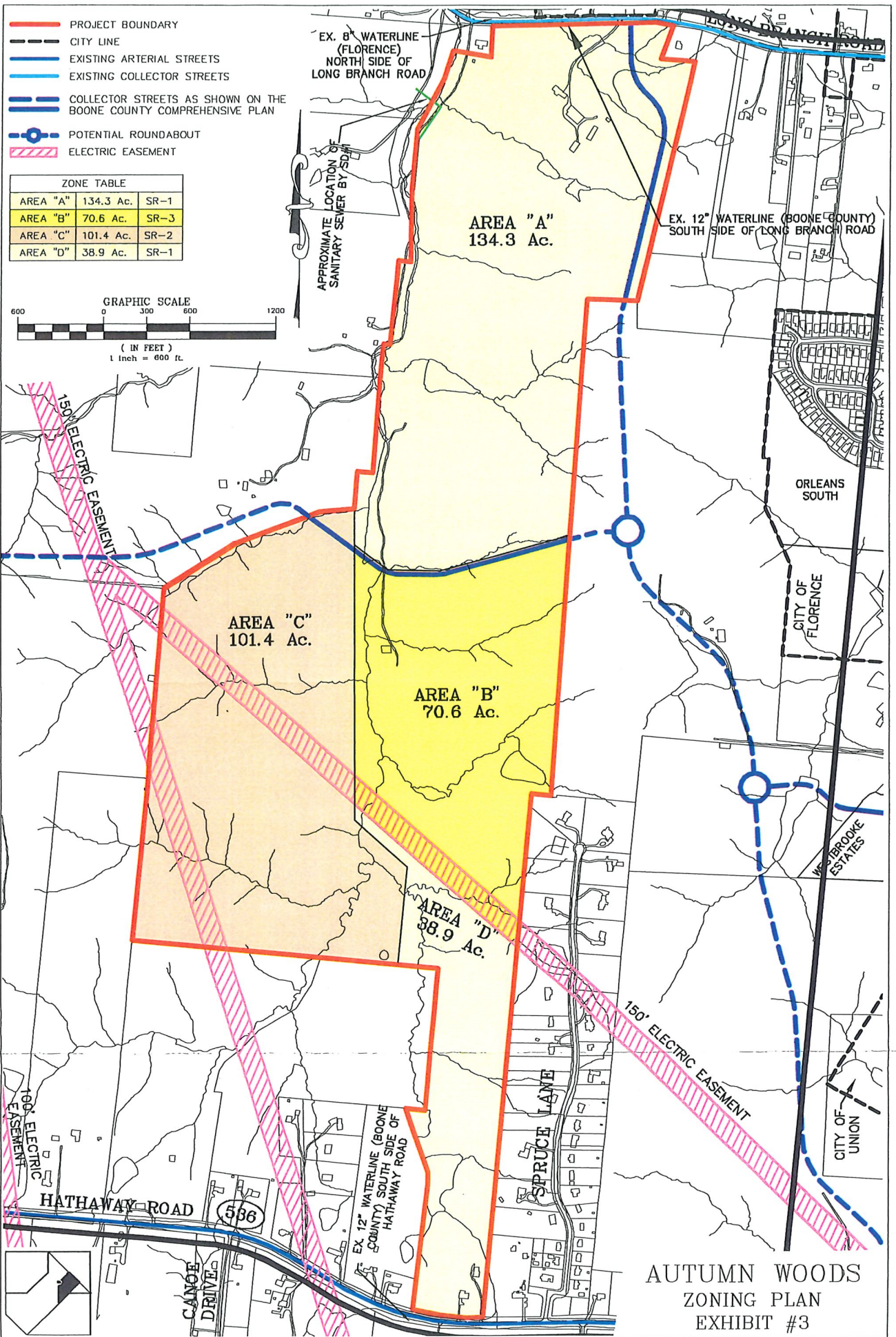
Area A, containing 134.3 acres from RSE/A-2 to Suburban Residential One (SR-1); and

Area B, containing 70.6 acres, from RSE/A-2 to Suburban Residential Three (SR-3); and

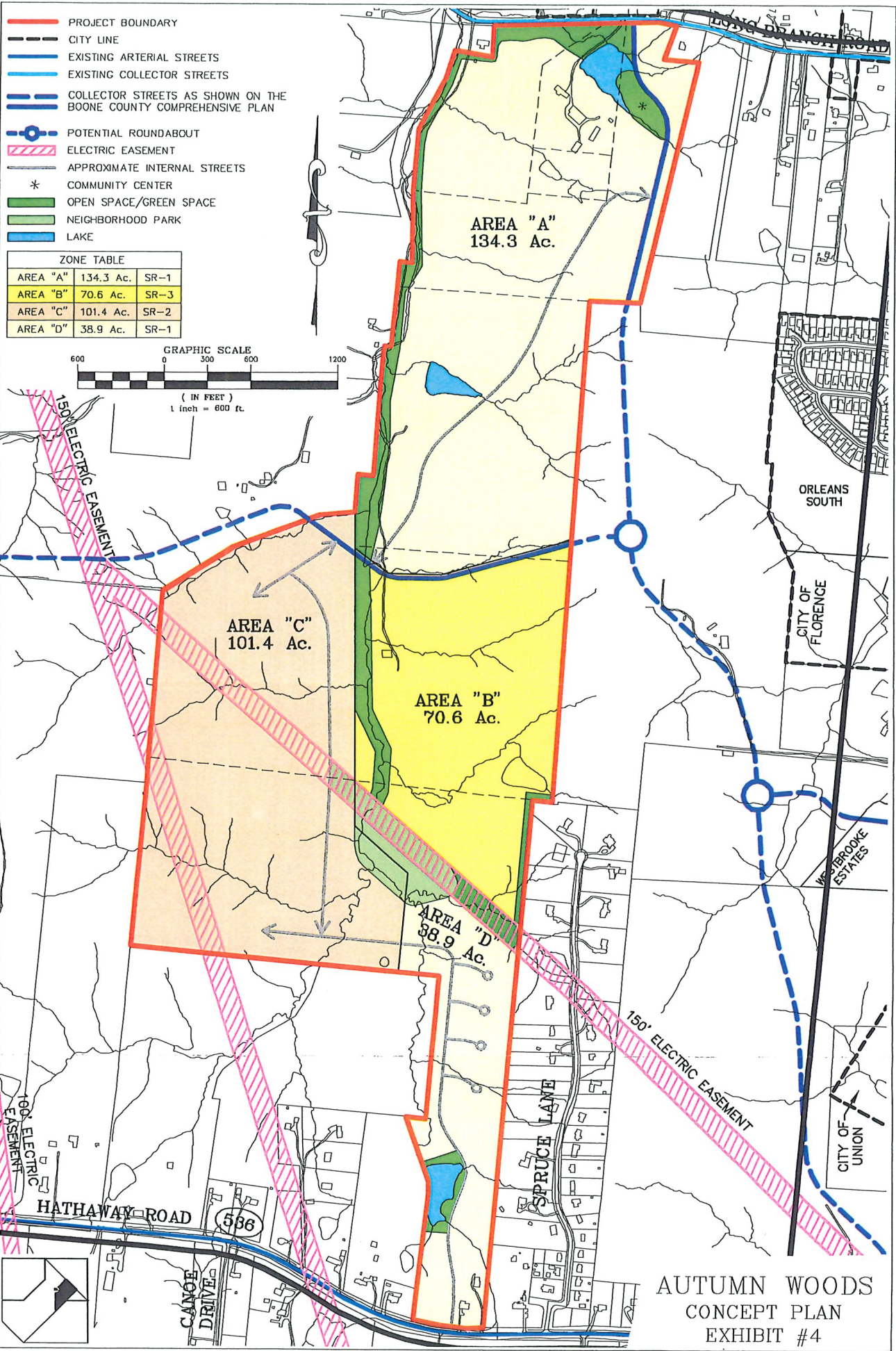
Area C, containing 101.4 acres, from RSE/A-2 to Suburban Residential Two (SR-2); and

Area D, containing 38.9 acres, from RSE to Suburban Residential One (SR-1).

**APPLICANT HAS NO OBJECTION TO THIS APPROVAL BEING CONDITIONED ON AND HEREBY COMMITS THAT THE OVERALL DENSITY FOR THE AUTUMN WOODS DEVELOPMENT WILL NOT EXCEED FOUR (4) UNITS PER ACRE, OR A TOTAL OF 1,380 UNITS.**



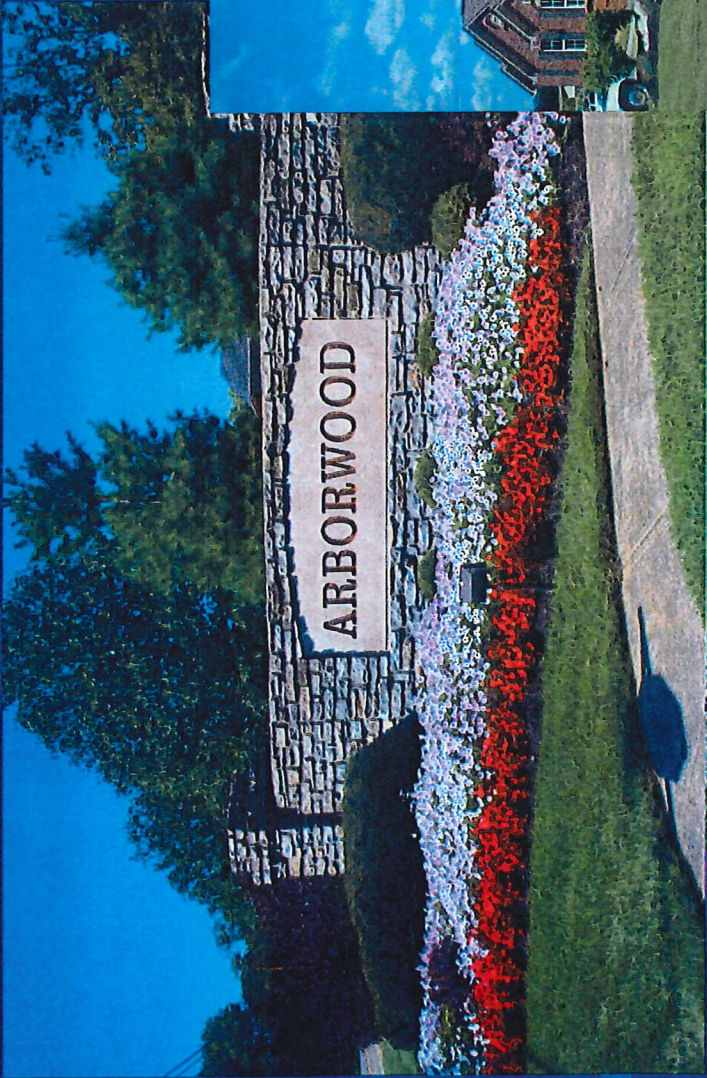
**AUTUMN WOODS  
 ZONING PLAN  
 EXHIBIT #3**



**AUTUMN WOODS  
 CONCEPT PLAN  
 EXHIBIT #4**



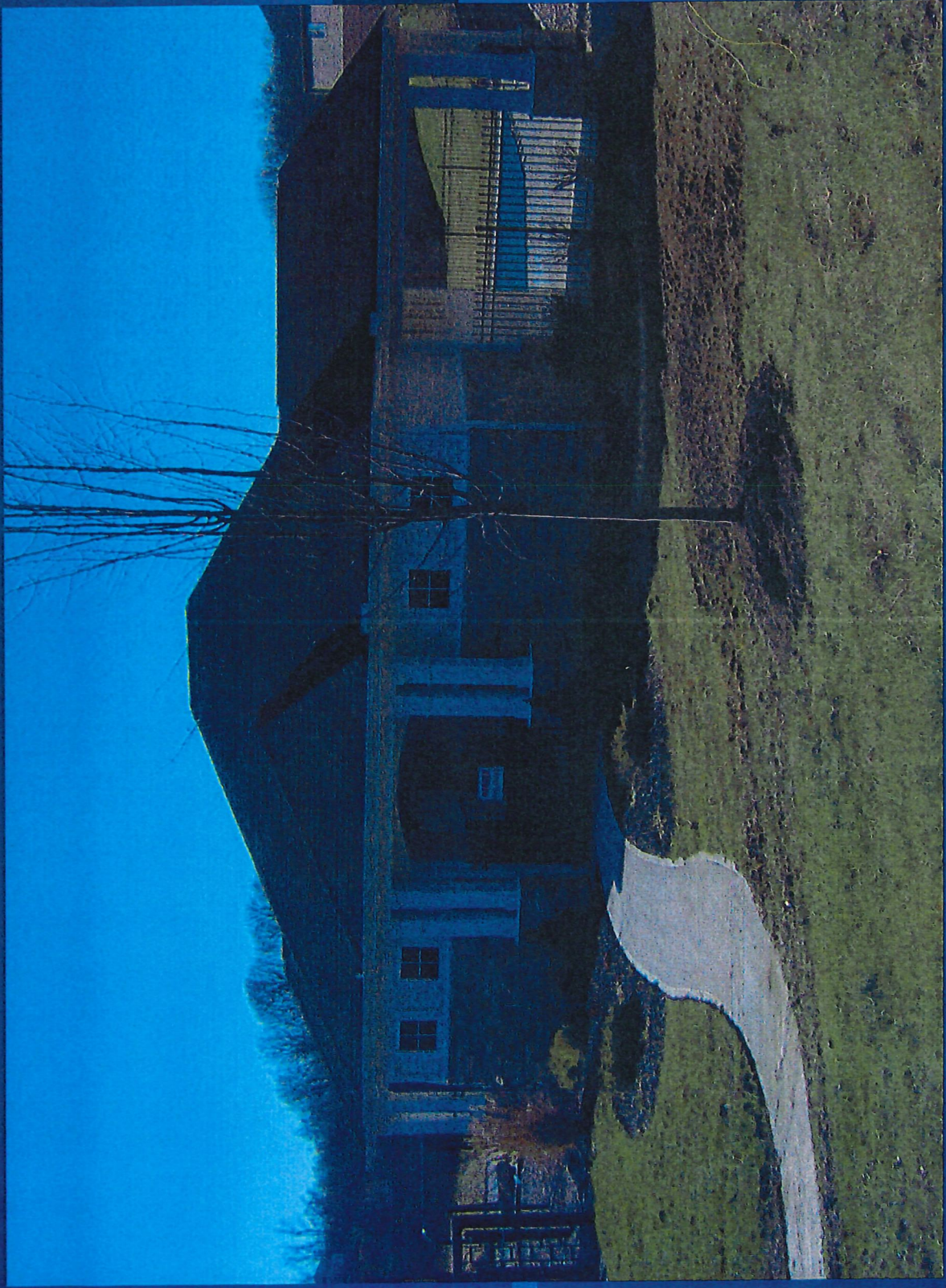






# Longbranch Road Entrance Community Facility





Community Facility



# Community Facility

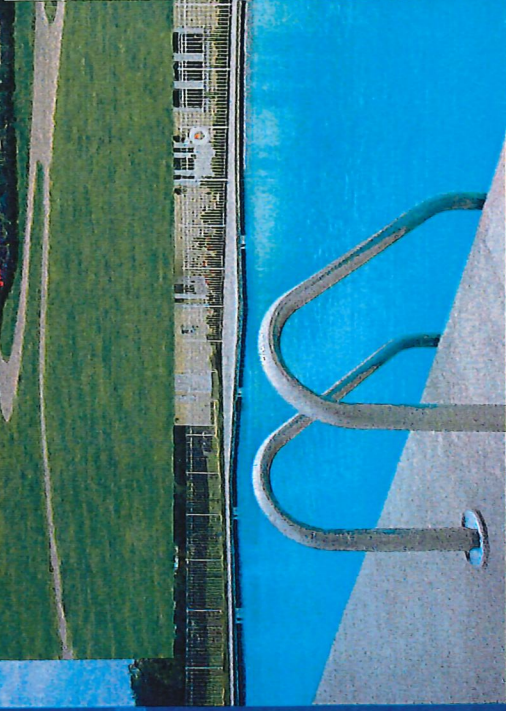






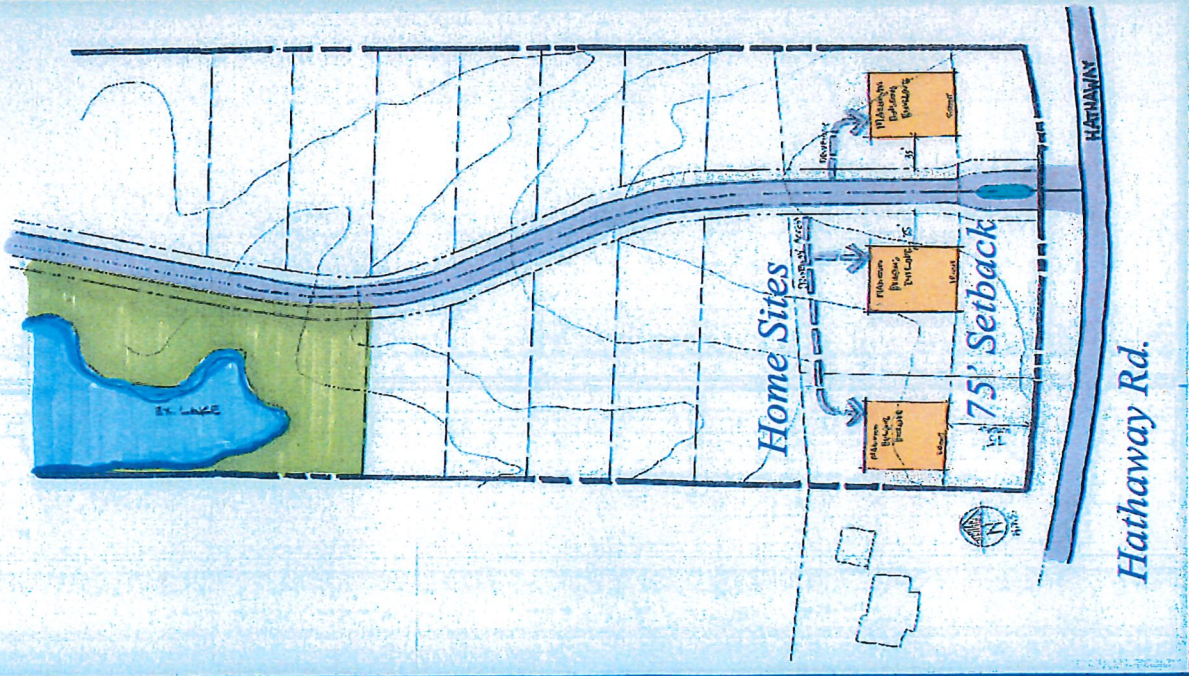


# Condominium Community Facility



# Condominium Community Facility

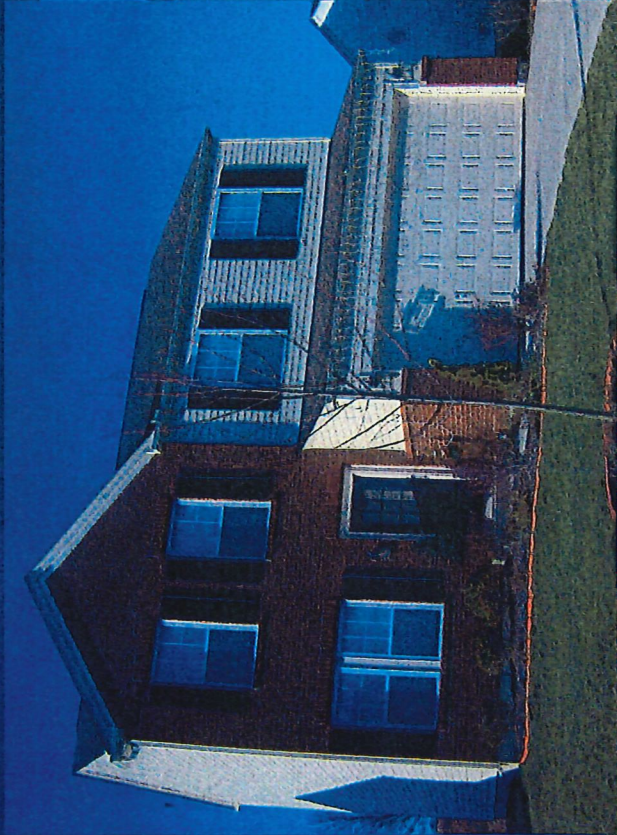
Ex. Lake



# Hathaway Road Entrance

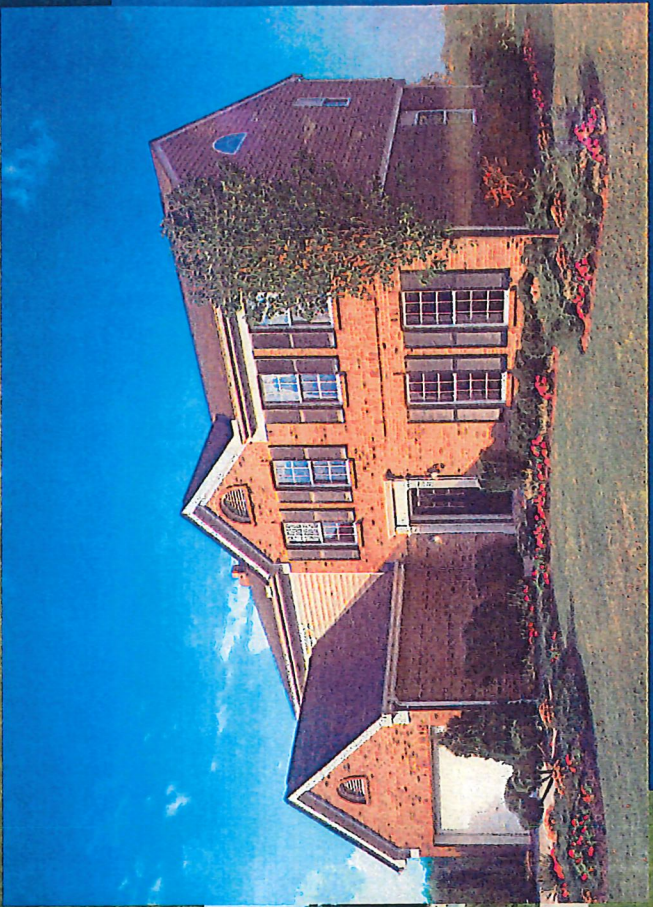
# Spruce Lane Buffer



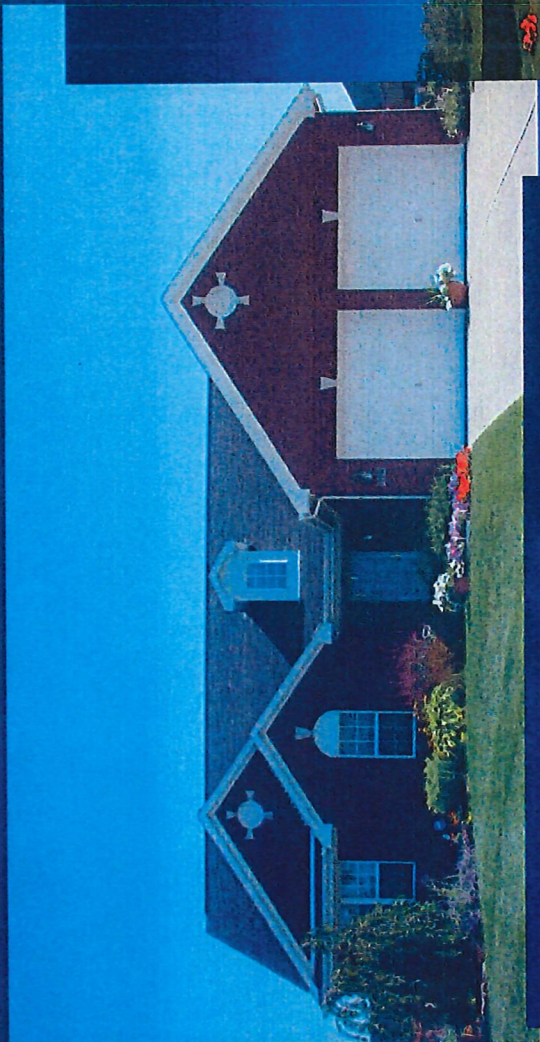
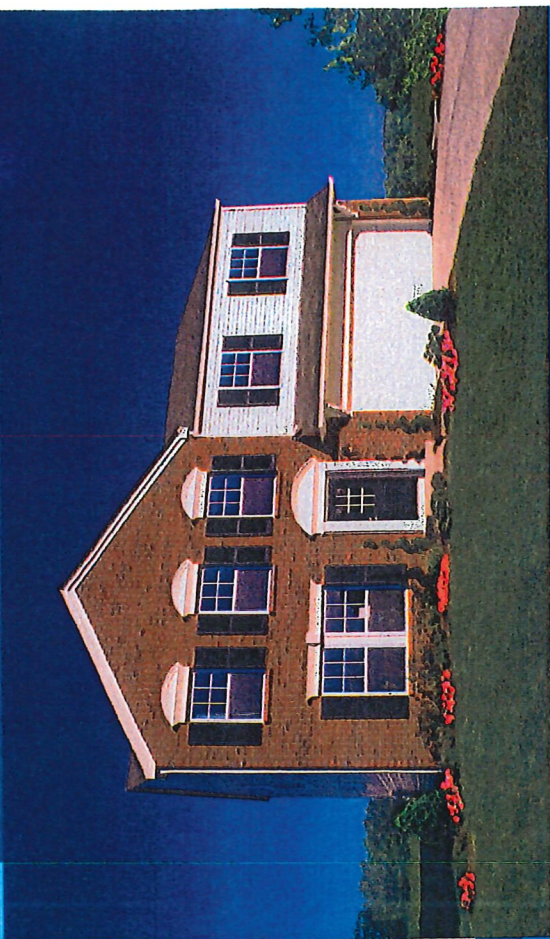
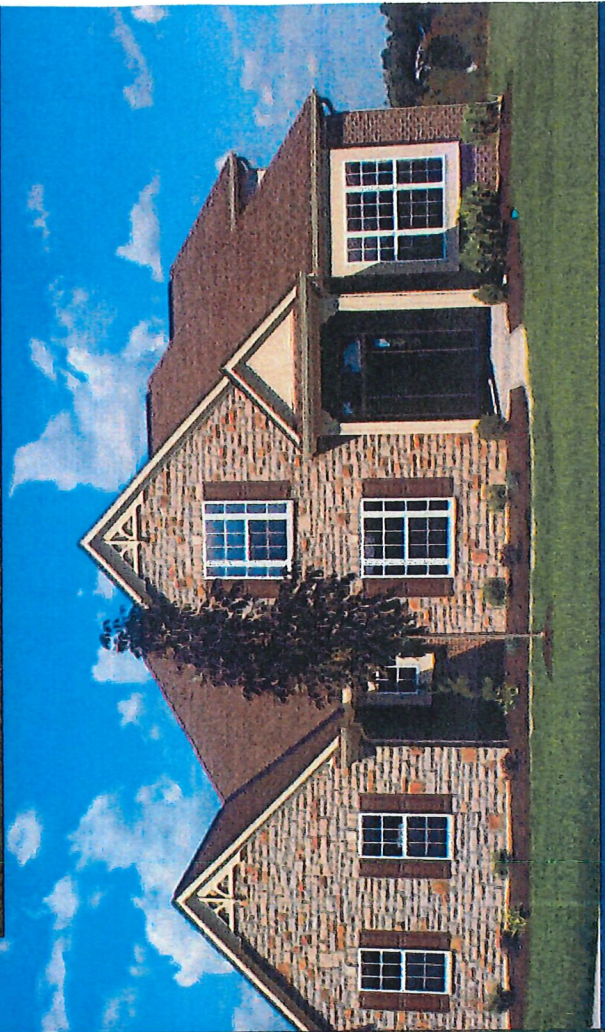




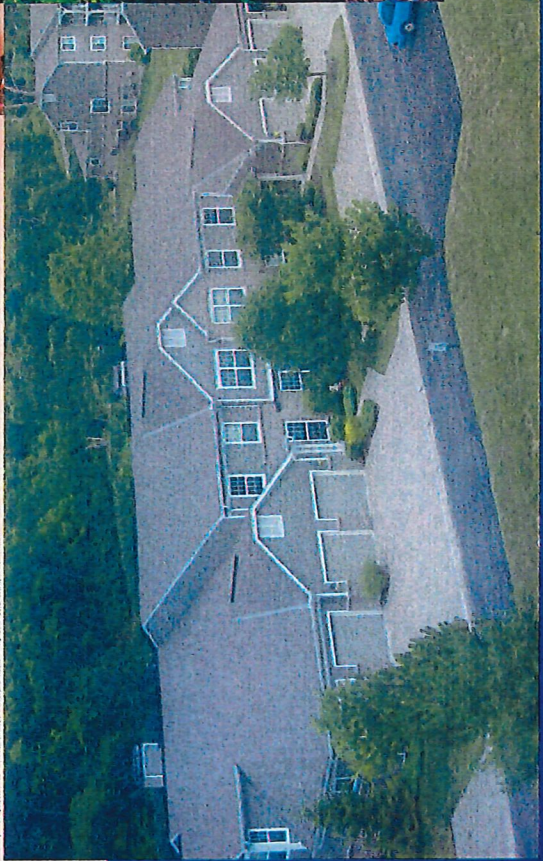













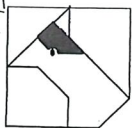
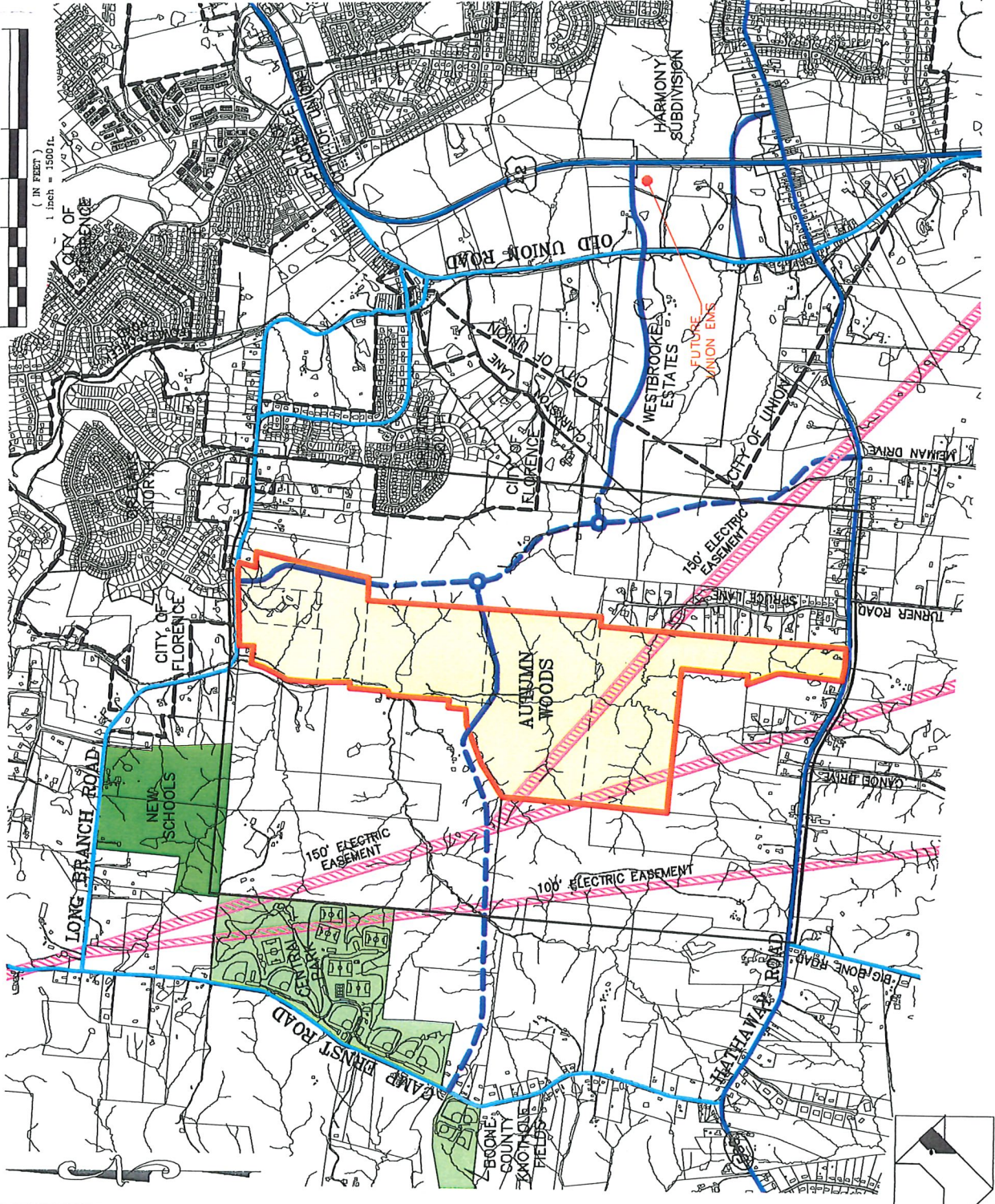
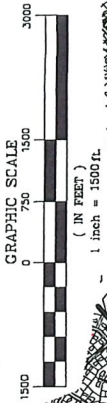


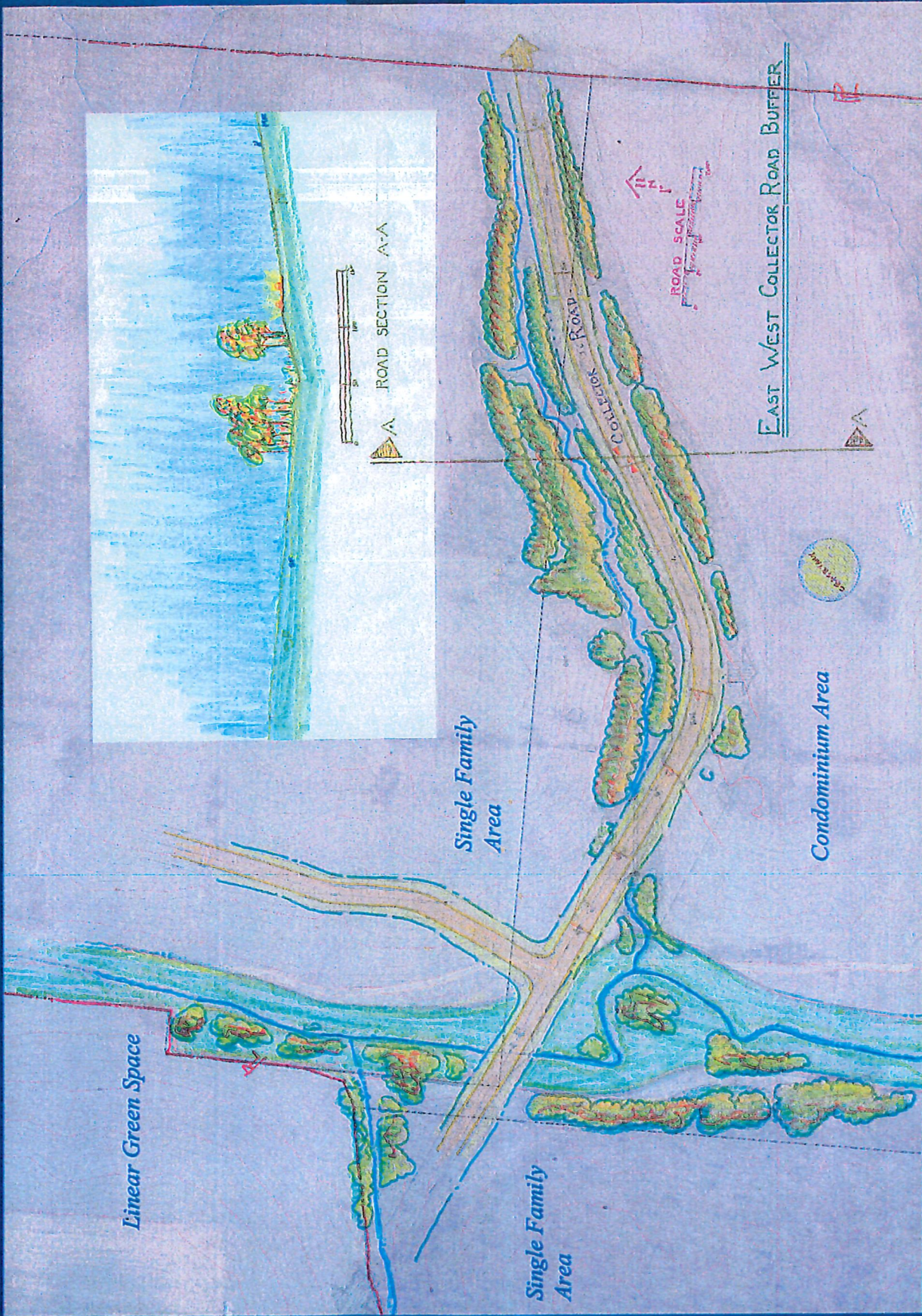




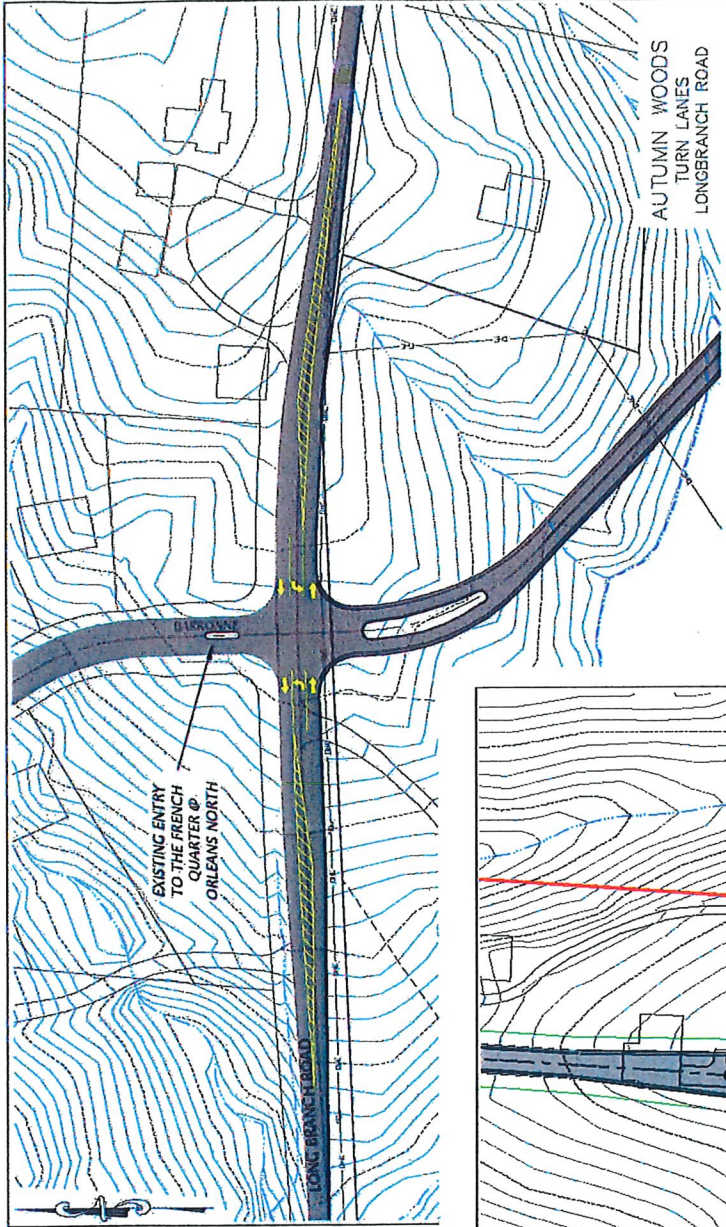
# AUTUMN WOODS TRANSPORTATION PLAN EXHIBIT #1

-  PROJECT BOUNDARY
-  CITY LINE
-  EXISTING ARTERIAL STREETS
-  EXISTING COLLECTOR STREETS
-  COLLECTOR STREETS AS SHOWN ON THE BOONE COUNTY COMPREHENSIVE PLAN
-  POTENTIAL ROUNDABOUT
-  ELECTRIC EASEMENT

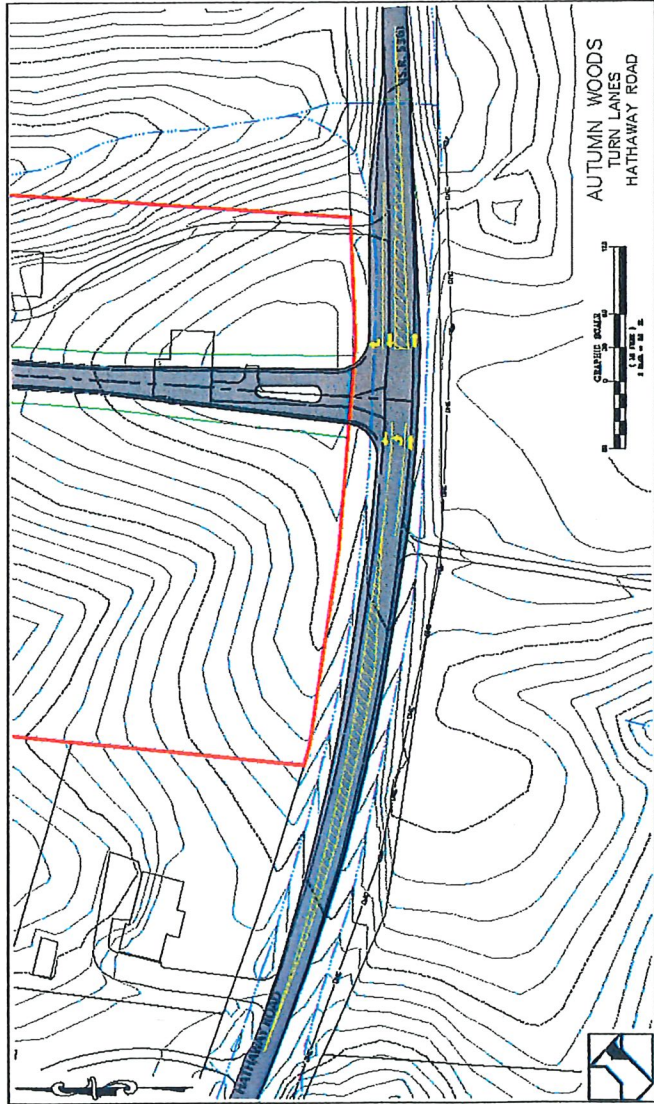




*East / West Collector Road*



*Longbranch Rd. Turn Lanes*



*Hathaway Rd. Turn Lanes*

**Edwards  
AND Kelcey**

ENGINEERS  
ARCHITECTS  
PLANNERS  
CONSTRUCTORS

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9 December 2006

Mr. Mark Burgess, R.L.A.  
Vice President of Land Development  
Fischer Development Company  
2670 Chancellor Drive, Suite 300  
Crestview Hills, Kentucky 41017

RE: Autumn Woods, Boone County  
EK Project No 070014054

Dear Mr. Burgess:

Per your request I have reviewed the proposed access plans for the Autumn Woods development in Boone County. Included in this review was PM peak hour observations of the roadway and traffic conditions on Longbranch Road and Hathaway Road at the access locations.

As I understand, the Autumn Woods development will be constructed in four stages beginning at the north from Longbranch Road. A total of 1,380 dwelling units will be constructed over a 10 to 15 year phased build-out. Based on the trip generation from the proposed development and the most likely trip orientation to and from the east, the provision of adequate sight distance and a westbound left turn lane at the Longbranch Road access intersection will allow for very effective and safe traffic operations into the development. With this improvement, the Longbranch Road access can serve as the single access for the project until the southern final section of the project is underway.

If you have any questions please feel free to contact me.

Very truly yours



John E. Gehrum  
Vice President

JEG/dbl

c:

Letter J/2007/070014054/Documents/Letters