

07-2MA-015-A

APPLICATION FORM

MAY 10 2007

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project Autumn Woods
2. Location of Project Unincorporated Boone County Between LongBranch & Hathaway
3. Total Acreage of Site 345 +/- 344.69
4. Current Zoning of Site A-1, A-2 & RSE
5. Proposed Zoning (Classification being requested) SR-1/C-1 PD overlay
6. Proposed Uses (please specify each use) Single Family Detached, Single Family Attached and Commercial
7. Names of Applicant(s) LongBranch Development, Inc.
8. Address of Applicant(s) 2670 Chancellor Drive, Suite 300
9. Name of Property Owner(s) See Attached
10. Address of Property Owner(s) See Attached
11. Proposed Building Intensities (please specify) See Attached
12. Are there any existing buildings on the site? See Attached
13. Deed Book Page No. Group No. 2046
14. Are you also applying for: NO Conditional Use Permit NO Dimensional Variance
15. Have you submitted a Concept Development Plan? See Attached
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:
[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
[X] Kentucky Transportation Cabinet
Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)

# EXHIBIT

“A”

## STAFF REPORT

Request of **Long Branch Development, Inc. (applicant) for AF Investments LLC, 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 Agriculture (A-1), Agricultural Estate (A-2), and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 two zone changes to allow single family and multi-family residences, and commercial uses.

June 20, 2007

### REQUEST

The Applicant has submitted a Concept Development Plan which proposes 1,287 dwelling units on the entire 344.69 acres for a maximum overall gross density of 3.73 dwelling units per acre. This application includes 5.39 acres proposed for Commercial One (C-1) leaving 339.3 acres of residential development. Therefore, 1,287 dwelling units on 339.3 acres is a maximum intensity of 3.79 dwelling units per acre. The Concept proposes dividing the property into "Pods" for two zoning classifications and several housing styles. "Pod 1" proposes 164 homes consisting of 68.08 acres, "Pod 2" proposes 166 homes consisting of 60.85 acres, "Pod 4" proposes 401 condominiums consisting of 38.51 acres, "Pod 5" proposes 424 homes consisting of 119.15 acres and "Pod 6" proposes 132 homes consisting of 52.71 acres. "Pod 3" is the proposed Commercial phase consisting of 5.39 acres to be zoned Commercial One (C-1) with the maximum building intensity of 11,000 square feet per acre. The Applicant proposes a cumulative phasing plan for this development beginning in 2008 with no more than 100 permits issued and increasing in increments of 100 per year through 2014 with projected buildout by 2017. The Applicant states that the timing of the "Pod 3" proposed commercial "is unknown, but development prior 2010 is unlikely."

The Concept Plan shows a limited access road south from Longbranch Road through Pods 1, 2 & 3, intersecting with the east-west connector road and continuing through Pods 5 & 6 to Hathaway Road. The east-west connector road could potentially connect Camp Ernst Road to Old Union Road and the new U.S. 42. Both the north-south and east-west connector roads as proposed will include an eight (8) foot wide paved hiker/biker trail on one side of the street with no sidewalk on the opposite side. Approximately 20% (74 acres) of the site is shown as open/green space.

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.

### SITE HISTORY

The first Public Hearing was held on December 20, 2006, for this property. That request was for a Zoning Map Amendment 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 a total of 1,380 dwelling units with approximately 10% of the entire site is shown as greenspace. The Planning Commission recommended denial of the request and the application was withdrawn.

### 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 Business Activity Element provides the following statements that relate to the general area.

- A. Many problems with the location and arrangement of commercial uses have emerged, especially along the KY 18 and U.S. 42 corridors. Commercial developments along KY 18 and U.S. 42 west of Mall Road should not be regionally oriented nor should they attract additional traffic, but rather be served by the existing or future population of the area. A mix of commercial, office, and residential uses, along with limited access, should be encouraged along KY 18. Along the entire KY 18 corridor east of Burlington, there are traffic congestion problems that can be worsened by adding commercial access points ("Recommended Areas of Commercial Activity, pg. 63).

- B. Commercial developments that occur in the KY 18 and U.S. 42 corridors should be limited in scale (e.g. building, intensity, use, etc.) and clustered to serve growing residential neighborhoods. Planned Unit Developments should be encouraged so that commercial construction is incorporated within new residential areas and designed properly. These commercial clusters should not function as an extension of Florence and Mall Road, but as distinct units serving the Burlington and Union areas. This principle should apply to the Limaburg area and surrounding area as well. The commercial development in this area should coordinate closely with the projected high and medium density residential development to form a more coherent community and create neighborhood centers rather than just a strip extending out of Florence. An example of this type of design is the Oakbrook Marketplace, which ties into the subdivision while serving a larger trade area ("Recommended Areas of Commercial Activity, pg. 63).

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. Compact, efficient development patterns shall be encouraged for business districts (e.g. industrial, commercial and office) with appropriately sized and well maintained buffer spaces between the business use and other land usage ("Business Activity," Overall Objective).
- N. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe and effective access and ample parking spaces ("Business Activity," Commercial Objective 1).
- O. The large scale mixing of commercial and non-commercial uses shall occur in planned developments or in areas where consideration has been given to assure compatibility with surrounding land uses. The location of large scale commercial uses shall take into consideration existing or planned infrastructure conditions so as to protect the existing and future population and businesses. Small scale mixing of commercial uses within residential areas shall be carefully assessed and properly placed so as to enhance the neighborhood. Architectural Design Review and consistent sign standards shall be implemented on a corridor by corridor basis, when justified by legitimate land use planning principles ("Business Activity," Commercial Objective 2).

- P. 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).
- Q. 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).
- R. 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).
- S. 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."

The I-75/Mt. Zion Road interchange reconstruction is scheduled to begin in 2010.

Construction on Mt. Zion Road (KY 536) from I-75 to Old Union Road is scheduled to begin in 2010.

Construction of additional lanes on Mt. Zion Road (KY 536) from I-75 to Sam Neace Drive is scheduled to begin in 2007.

Construction of an additional lane on Longbranch Road from east of Camp Ernst Road to Kroth Lane is scheduled to be completed by fall of 2008.

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/PD and C-1/PD zones, with predominately detached single family phases with maximum densities that range from 2.41 units per acre to 3.56 units per acre. The proposal also includes an attached condominium phase with a maximum density of 10.41 units per acre that encompasses approximately 11 percent of the gross site area (and approximately 31% of the total maximum unit count), and a relatively small neighborhood commercial phase (5.39 acres or approximately 1.6% of the gross site area) located at a main intersection within the interior of the development. The overall maximum residential density for the development is 3.79 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 and supporting commercial uses. This issue needs to be considered in light of the entire Comprehensive Plan (notably the Housing Element and the Goals and Objectives) and the fact that the requested PD overlay zone advocates mixed use development. 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," and Housing Objective 5 states "in order to offer the citizens of Boone County maximum choice in living environment, residential development shall be judged primarily on the impact on infrastructure, buffering, and development design with only secondary consideration given to the type of dwelling units."

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 in the Concept Development Plan packet (tab 6) 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. The

need for street connections in this area is also mentioned by the Housing Element (pp. 79 and 80). "Minor" street connections to adjoining properties, in addition to the main east-west connector, are proposed in the east and west parts of the site. "Hiker/biker" paths are proposed along the two main north-south routes and the east-west connector road. More detailed comments on transportation, traffic, and path 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 are proposed along the east, west, and north boundaries of the site. An improved neighborhood park located in the approximate center of the site is proposed and is detailed in the proposal. The project narrative states that the developer is willing to donate this park to Boone County.

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." Regarding these issues, the Concept Development Plan provides a common open space which maintains the existing lake along the Longbranch Road frontage, and provides larger lots that face Hathaway Road (20,000 sf minimum area and 100' minimum lot width) with a 75 foot minimum frontage yard setback. Additionally, the smaller-lot single family phase, attached units, and commercial phase are proposed in the approximate center of the site, and a minimum 40 foot rear yard setback is proposed for the lots adjoin the Spruce Lane lots.

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** - Specific issues regarding the design of the project include:

- A. The public "alley" near Hathaway needs to be labeled a "private access drive." Alleys must connect between two (2) streets.
- B. In the condominium phase, the applicant has proposed 22' pavement width for the secondary condominium streets. A 24' pavement width is required. This issue also came up in the Paragon Mills/Pennington property Zoning Map Amendment request and was corrected. Also, turn-arounds must be provided at all dead end condominium streets. Sidewalks are proposed on one (1) side of the condominium streets. Staff only supports this if there are condominium buildings on one (1) side of the street and if there is something of a secondary pathway system provided.
- C. The Concept Development Plan proposes 8' wide bike paths while 10' is required. Staff suggests giving consideration to a 10' wide bike path for at least the east/west connector road. Staff is not opposed to the 8' width if an alternate path is provided outside of the right-of-way.
- D. Provide a buffer between Pod 3 and Pod 2 per Article 37, buffer yard "C" with less than 50,000 square feet; provide buffer yard "C" along Pod 4 east boundary (credit) can be given for existing vegetation that is retained). Staff recommends retaining the pond at the northwest corner of the adjoining Cedarwood/Spruce Lane subdivision as part of the open space. For parts that require Major Site Plan review (i.e. community pool & clubhouses), the normal Article 37 landscaping requirements must be met. The condominiums will follow Article 37 and will still provide street trees along the east/west connector, main north/south routes and the main condominium entry road up to the first four-way intersection. Pods 1 & 6 should provide two (2) large trees in the front yards since these are the wider lots.
- E. Staff feels that the proposed sign package seems excessive. One (1) 4' x 8' (32 s.f.) and 8' high maximum sign at the four main entries (Longbranch, Hathaway and the east/west connector) would be sufficient. Any signage within the right-of-way must be approved by Boone County Public Works. Staff feels that the proposed 10' x 10' (100 s.f.) signs are excessive and that the 4' x 4' "welcome/thank you" signs are not necessary.

- F. The Applicant has not provided Staff with details relative to the proposed architectural design elements or potential uses of the commercial phase of the development. The Commercial One (C-1) uses are attached to this Staff Report.
3. **SCHOOLS** - A letter from Bryan Blavatt, Superintendent of Boone County Schools, dated June 5, 2007, is attached which states, "Boone County Schools has previously negotiated the following conditions with the developer/applicant and can support the development if these prior conditions are honored and made part of the conditions of Public Record by the developer/applicant."
4. **TRANSPORTATION** - A Traffic Study prepared by Edwards and Kelcey dated January 16, 2007, originally submitted for the first request which was 1,380 dwelling units. The same Traffic Study has been resubmitted by the applicant for this request.

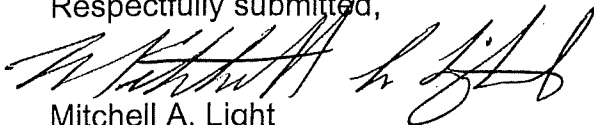
The recommendation for Hathaway Road states "This project improves east-west mobility and extends connectivity between the new Camp Ernst Road, I-71/75 and Dixie Highway. The recommendation is to widen Hathaway Road from two lanes to four. This project will not be needed until the northern section of 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."

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 Articles 3 & 15 of the Boone County Zoning Regulations and the potential impacts on the existing and planned uses in the area.

Respectfully submitted,

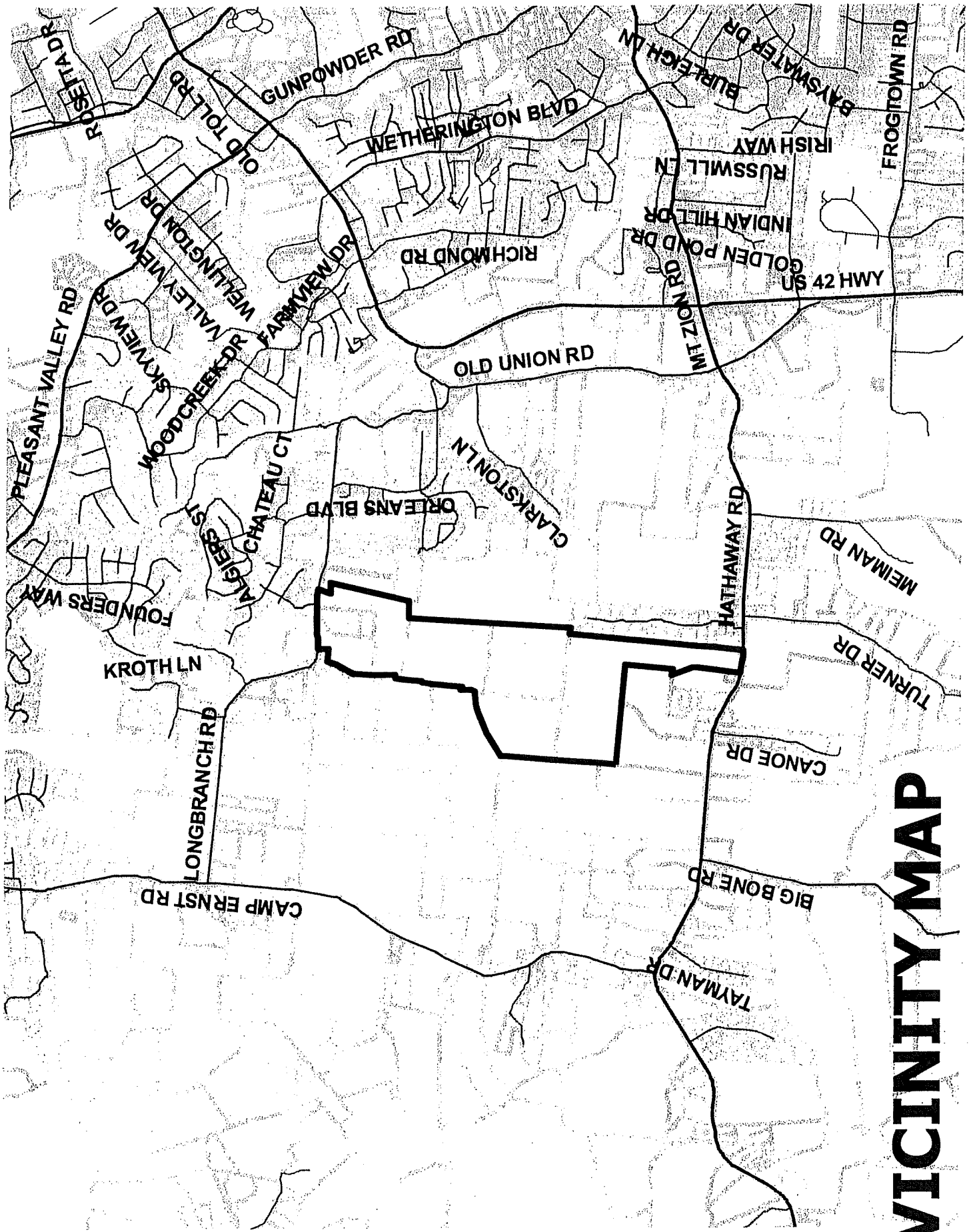


Mitchell A. Light  
Asst. Zoning Administrator

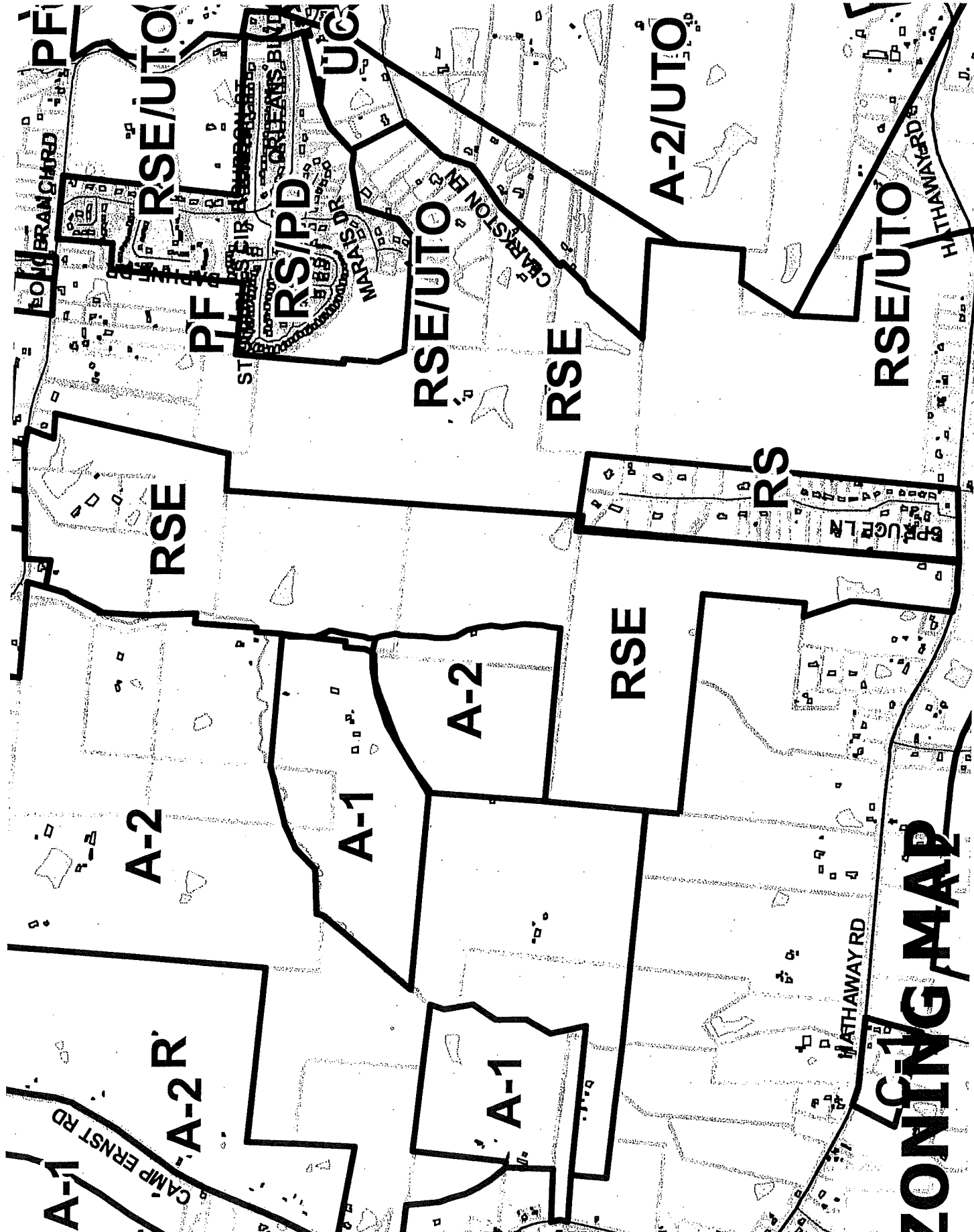
MAL/pr

attachments:

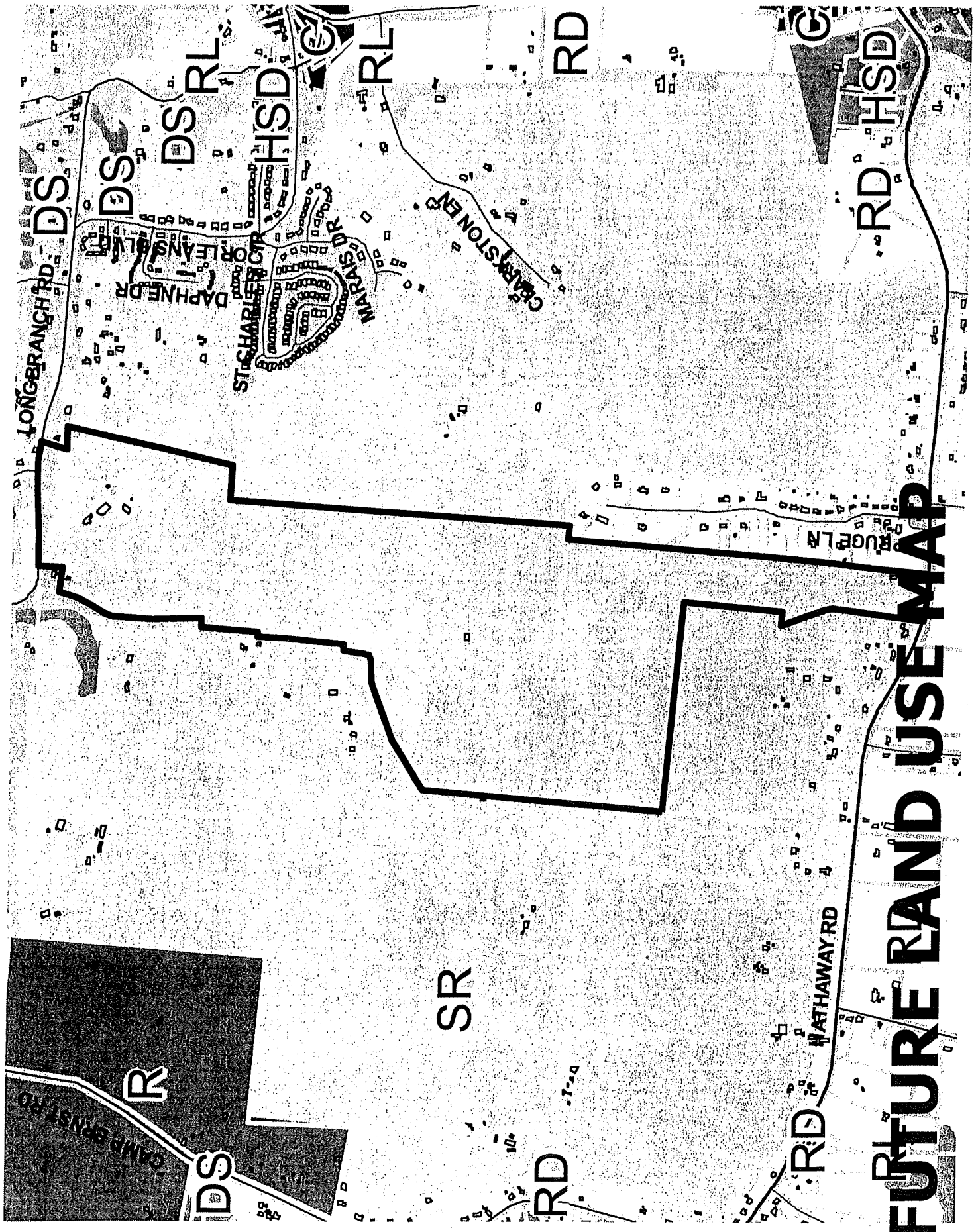
- Vicinity Map
- Zoning Map
- Future Land Use Map
- Concept Development Plan
- Proposed Road Improvements - Longbranch Road
- Proposed Road Improvements - Hathaway Road
- Project Narrative
- Comments from the Boone County Schools
- Comments from the Boone County Water District
- Comments from Sanitation District #1
- Comments from Union Fire/Rescue
- Commercial One (C-1) uses
- Application



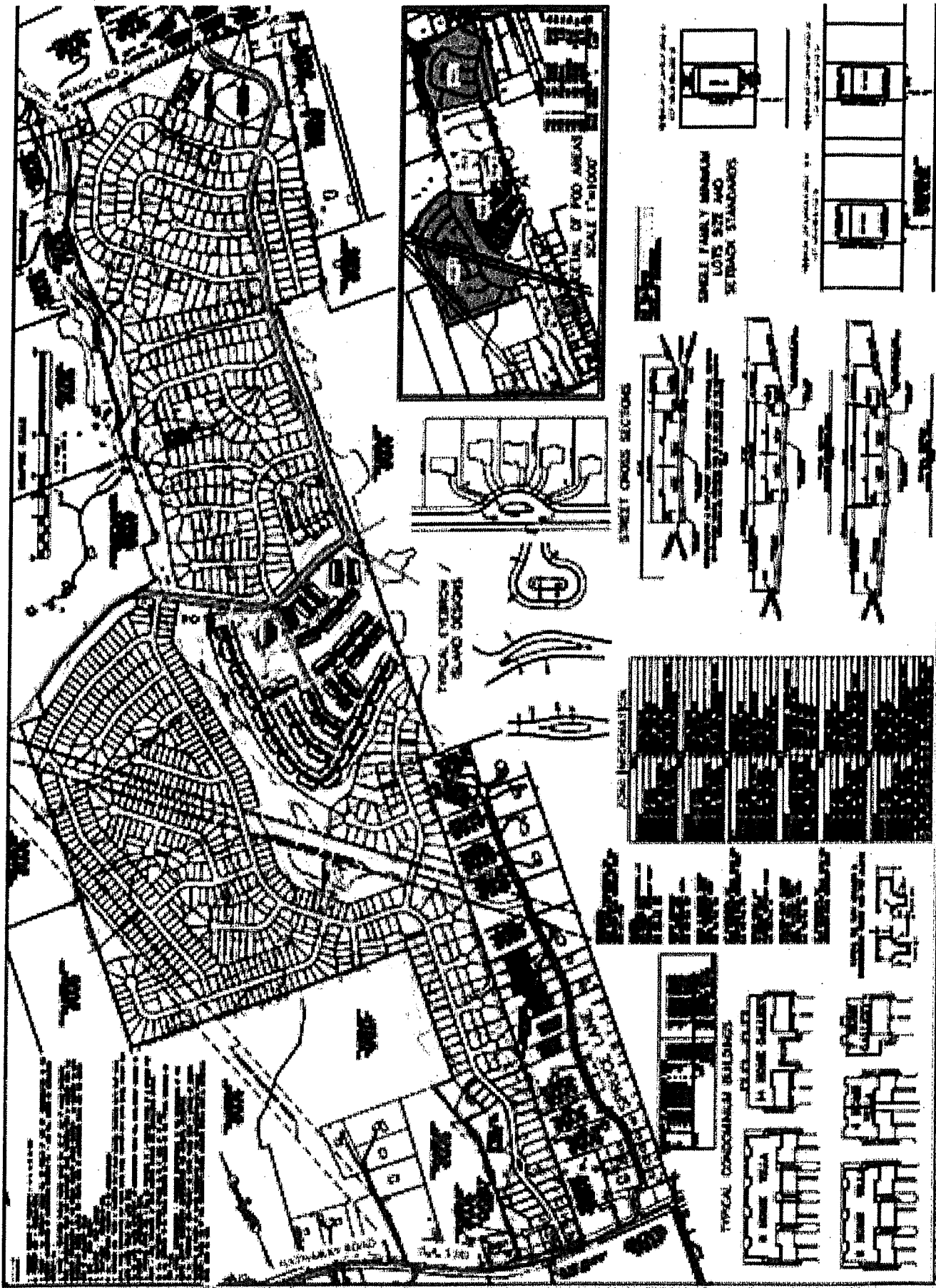
# VICINITY MAP



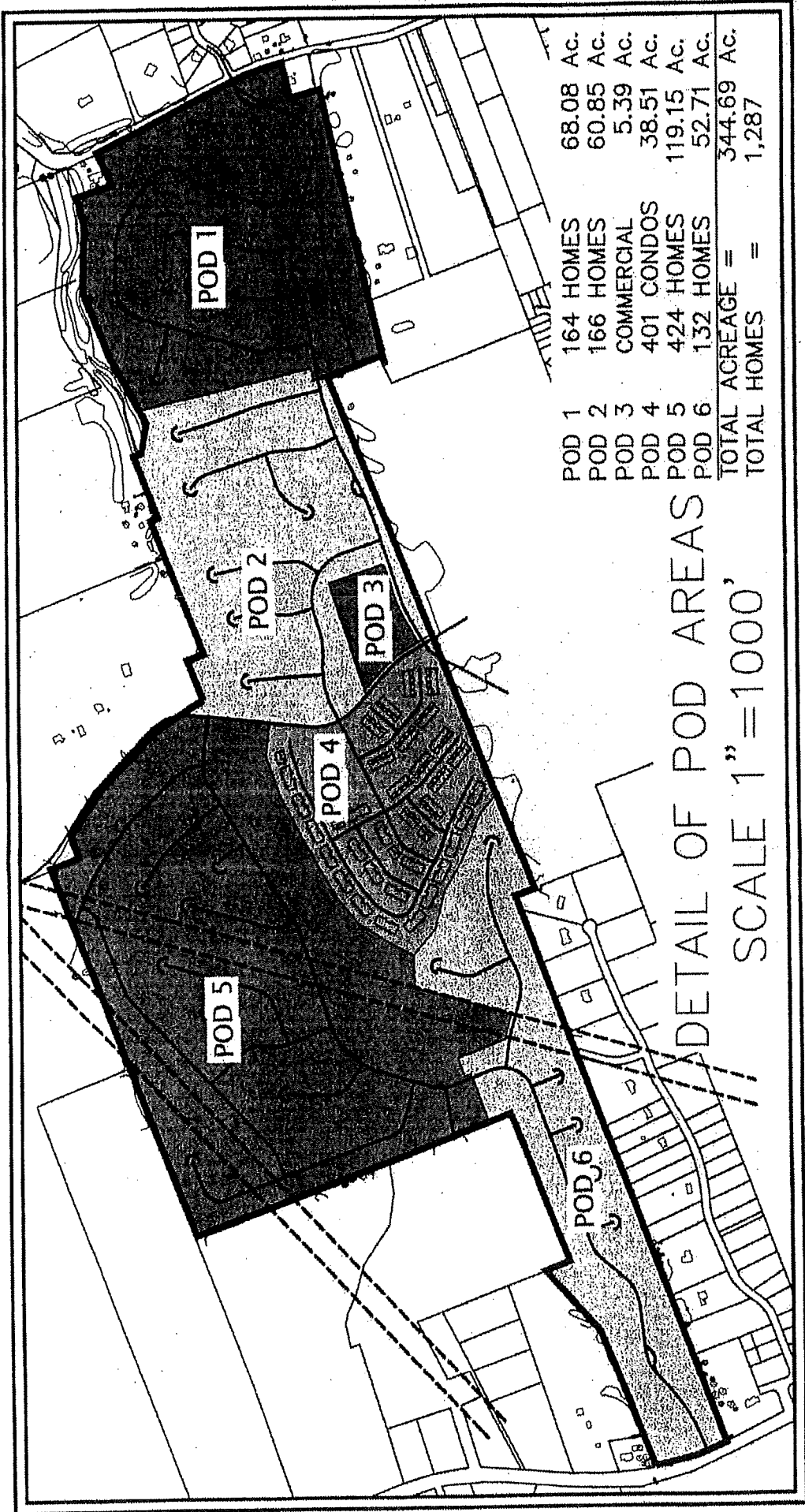
# ZONING MAP



# FUTURE LAND USE MAP



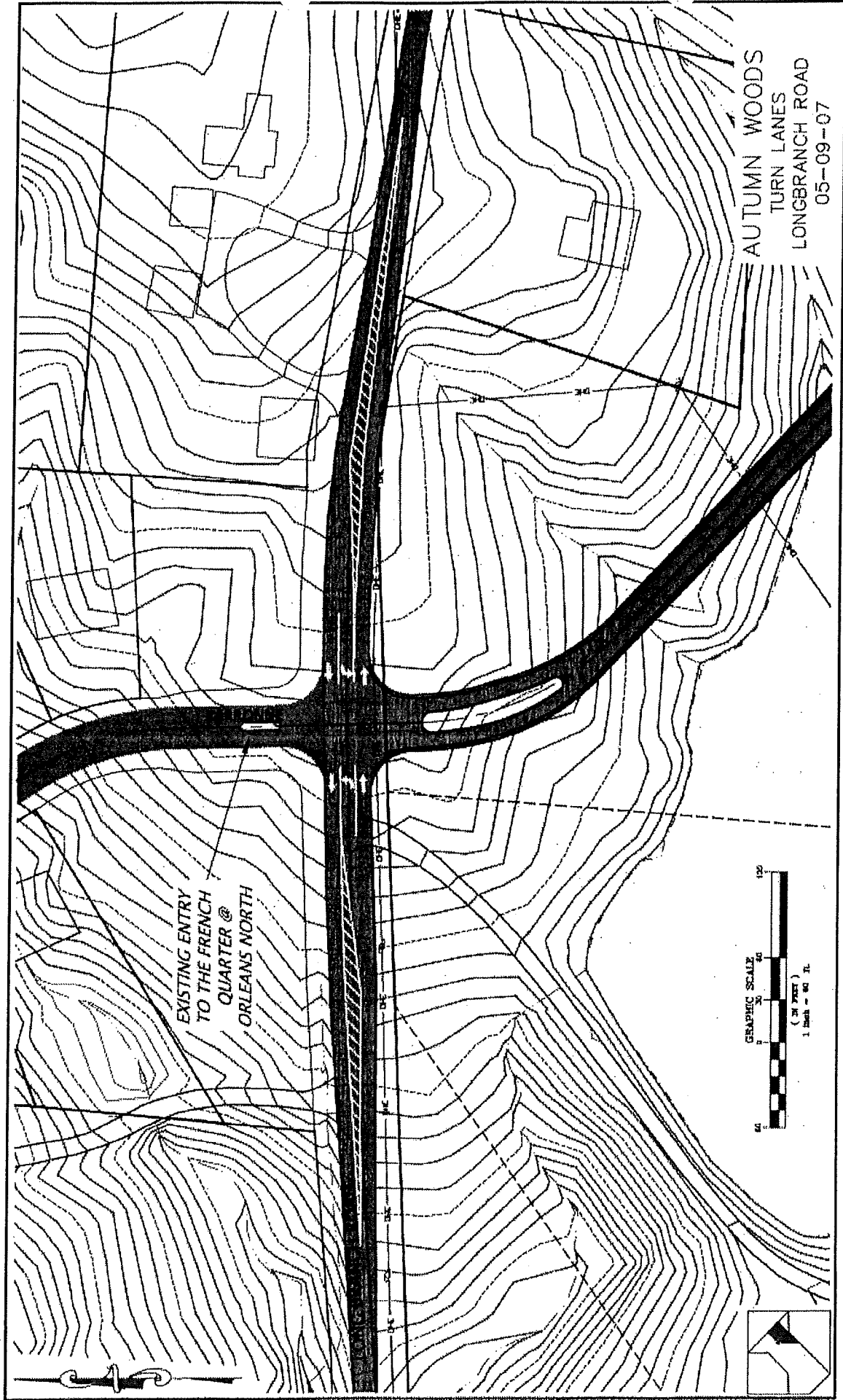
# CONCEPT DEVELOPMENT PLAN



# CONCEPT PLAN WITH POD DETAILS

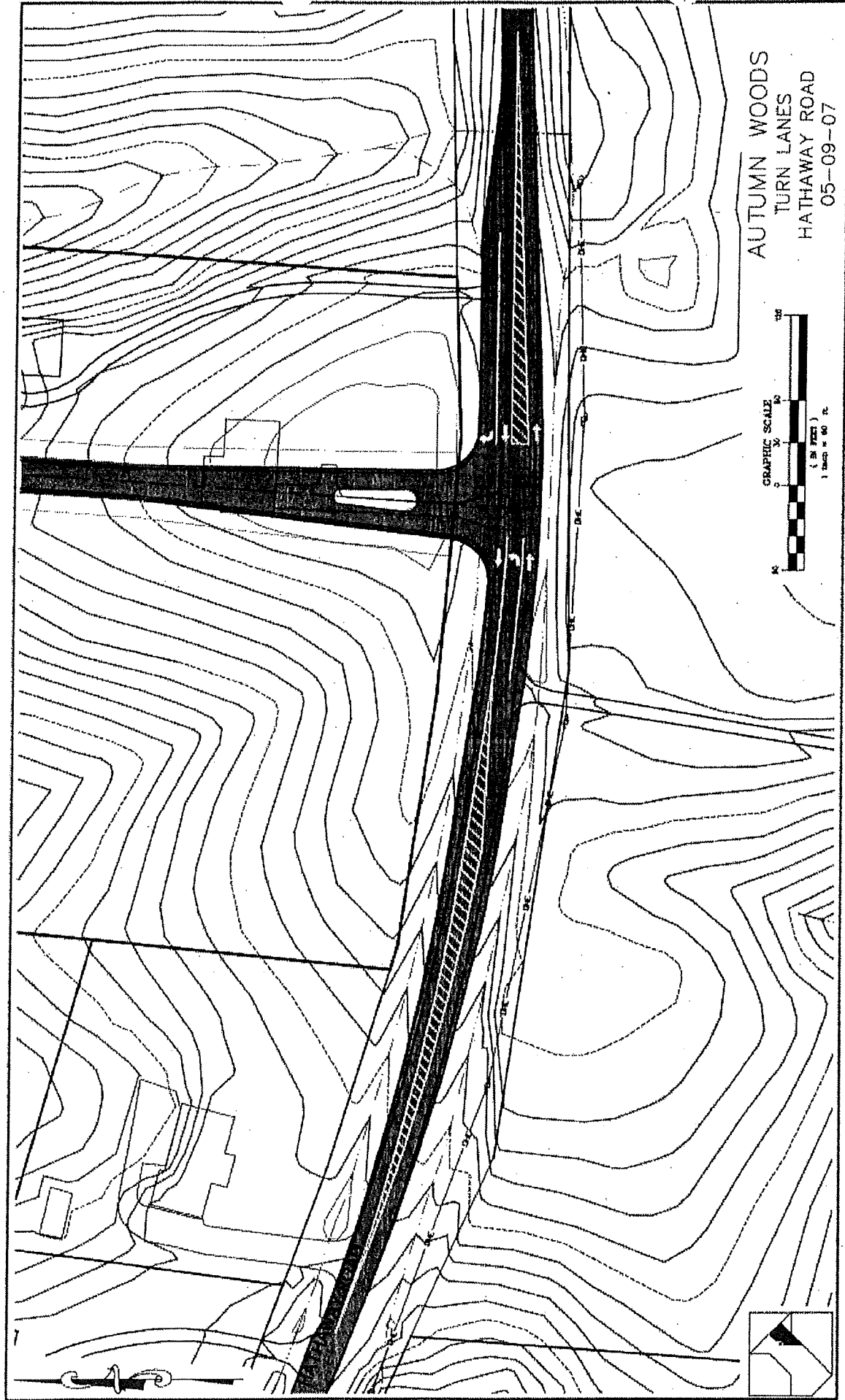
# ZONE INFORMATION

| POD 1  |                                   |
|--|-----------------------------------|
| DETACHED   | (SINGLE FAMILY)                   |
| MINIMUM LOT AREA:  | 8,750 SQUARE FEET                 |
| MINIMUM LOT WIDTH:   | SEVENTY (70) FEET                 |
| MINIMUM FRONT YARD DEPTH:  | THIRTY (30) FEET                  |
| MINIMUM SIDE YARD WIDTH:   | FIVE (5) FEET, FIFTEEN (15) TOTAL |
| MINIMUM REAR YARD DEPTH:   | TWENTY-FIVE (25) FEET             |
| POD 2  |                                   |
| DETACHED   | (SINGLE FAMILY)                   |
| MINIMUM LOT AREA:  | 7,500 SQUARE FEET                 |
| MINIMUM LOT WIDTH:   | SIXTY (60) FEET                   |
| MINIMUM FRONT YARD DEPTH:  | THIRTY (30) FEET                  |
| MINIMUM SIDE YARD WIDTH:   | FIVE (5) FEET, FIFTEEN (15) TOTAL |
| MINIMUM REAR YARD DEPTH:   | TWENTY-FIVE (25) FEET             |
| POD 3  |                                   |
| C-1  | COMMERCIAL-1                      |
| MINIMUM LOT AREA:  | 5,000 SQUARE FEET                 |
| MINIMUM LOT WIDTH:   | FIFTY (50) FEET                   |
| MINIMUM FRONT YARD DEPTH:  | TWENTY-FIVE (25) FEET             |
| MINIMUM SIDE YARD WIDTH:   | FIVE (5) FEET                     |
| MINIMUM REAR YARD DEPTH:   | TWENTY (20) FEET                  |
| MAXIMUM BUILDING HEIGHT:   | FORTY-FIVE (45) FEET              |
| POD 4  |                                   |
| ATTACHED   | CONDOMINIUMS (MULTI-FAMILY)       |
| MINIMUM BUILDING SEPARATION  | TWENTY-FIVE (25) FEET             |
| MINIMUM SETBACK FROM ROW:  | FIFTEEN (15) FEET                 |
| MIN. SETBACK FROM PERIMETER:   | THIRTY (30) FEET                  |
| MAXIMUM BUILDING HEIGHT:   | FORTY (40) FEET                   |
| POD 5  |                                   |
| DETACHED   | (SINGLE FAMILY)                   |
| MINIMUM LOT AREA:  | 6,000 SQUARE FEET                 |
| MINIMUM LOT WIDTH:   | FIFTY (50) FEET                   |
| MINIMUM FRONT YARD DEPTH:  | TWENTY-FIVE (25) FEET             |
| MINIMUM SIDE YARD WIDTH:   | FIVE (5) FEET, TEN (10) TOTAL     |
| MINIMUM REAR YARD DEPTH:   | TWENTY-FIVE (25) FEET             |
| POD 6  |                                   |
| DETACHED   | (SINGLE FAMILY)                   |
| MINIMUM LOT AREA:  | 8,750 SQUARE FEET                 |
| MINIMUM LOT WIDTH:   | SEVENTY (70) FEET*                |
| MINIMUM FRONT YARD DEPTH:  | THIRTY (30) FEET                  |
| MINIMUM SIDE YARD WIDTH:   | FIVE (5) FEET, FIFTEEN (15) TOTAL |
| MINIMUM REAR YARD DEPTH:   | TWENTY-FIVE (25) FEET**           |
| * LOT WIDTH SHALL BE 75' WHEN ADJOINING SPRUCE LANE                          |                                   |
| ** REAR YARD DEPTH SHALL BE 40' WHEN ADJOINING SPRUCE LANE                   |                                   |
| *** SIDE YARD SETBACK FOR CORNER LOTS WILL PROVIDE ½ THE FRONT YARD SETBACK. |                                   |



# PROPOSED ROAD IMPROVEMENTS LONGBRANCH ROAD

AUTUMN WOODS  
TURN LANES  
LONGBRANCH ROAD  
05-09-07



# PROPOSED ROAD IMPROVEMENTS HATHAWAY ROAD

**AUTUMN WOODS  
ZONING MAP AMENDMENT APPLICATION**

**I. Application Summary**

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

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

**Subject  
Property:** An approximate 345+/- parcel of land in unincorporated Boone County, situated on the south side of Longbranch Road, the north side of Hathaway Road (KY 536) and the east side of Longbranch Creek.

**Applicants  
Request:** A statement of recommendation to the Boone County Fiscal Court in favor of a Zoning Map Amendment from A-1/A-2/RSE to SR-1/C-1 PD Overlay (Suburban Residential One / Commercial One Planned Development Overlay District).

**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.

**II. Introduction**

Longbranch Development, Inc. and its principals, Henry Fischer and Joe Arlinghaus, two prominent home builders in Northern Kentucky, are proud to propose Autumn Woods. Autumn Woods will provide a broad range of residential home ownership and neighborhood integration opportunities for the growing Boone County community.

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 site is situated south of Longbranch Road, north of Hathaway Road, and west of Old Union Road. Longbranch Creek is located to the immediate west of the northern portion of the site and traverses the southern part of the site. Autumn Woods will provide 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 along creeks located throughout the site.

The applicant requests a zoning map amendment from A-1/A-2/RSE (Rural Suburban Estates) to SR-1/C-1 PD Overlay (Suburban Residential

One/Commercial One Planned Development Overlay District). The following sections of this application will address and detail all applicable requirements for the proposed zoning map amendment. As you review this application you will note that the contents mirror all Boone County Zoning Regulation sections applicable to a PD zoning map amendment. More specifically, this application addresses item by item the requirements of Article 3, Section 303 (Minimum and Mandatory Requirements) and Article 15, Section 1514 (Planned Development Standards). We have also met with Boone County Planning Commission staff on several occasions prior to submittal as per the requirements of Article 15, Section 1516 (Pre-Application Meeting). Based on discussions during these meetings it is our belief that our application is complete.

### III. Section 303, Contents of Application for a Zoning Map Amendment

#### A. Minimum Requirements

*Minimum Requirement 1: General Site Characteristics – Ownership, topography, soils, drainage, vegetation, other physical characteristics.*

Ownership, topography, drainage, vegetation, and other physical characteristics of the subject property are identified on the Concept Development Plan enclosed as Tab 4. A Soil Conservation Service Map of the property is enclosed as Tab 5. The subject property consists of gently rolling topography typical of central Boone County. Several drainage features traverse the property including Longbranch Creek. The majority of the property is currently utilized for agriculture or pasture. Several wooded areas, the majority of which are along drainage ways, are located across the property. One major development constraint is the multiple power line easements and overhead transmission lines that traverse the property. The proposed Concept Development Plan provides for the arrangement of a street circulation system, the development of residential areas generally along the ridgelines, while also addressing the problematic issues of the power line easements. The proposed preservation of selective existing wooded areas and open spaces throughout the site to create active/passive recreational areas will compliment the proposed residential areas.

*Minimum Requirement 2: Transportation Patterns - Public and private roads, internal circulation patterns, external circulation patterns.*

External vehicular transportation patterns are identified on the Transportation Plan enclosed as Tab 6. The Comprehensive Plan, on Page 76, states that "high density residential areas should be located sufficiently near or with convenient access to major streets, highways, shopping and public facilities". The Transportation Plan illustrates that Autumn Woods is ideally situated and satisfies this statement. The Autumn Woods street system will provide street access to U.S. 42 by direct connections to designated connector and arterial roads, Longbranch Road and Hathaway Road. The northern entrance to Autumn Woods is located on Longbranch Road just over a mile west of Old Union Road. The southern entrance to Autumn Woods is located on Hathaway Road just over a mile west of Old Union Road. Longbranch Road and Hathaway Road are both further services by way of US 42, a 5-lane urban arterial highway.

Internal vehicular transportation patterns are identified on the Concept Development Plan. The existing connector and arterial roads (Longbranch Road

and Hathaway Road), currently provide adequate vehicular access to this residential area, and will be complimented by additional roads proposed by the Boone County Transportation Study. The Transportation Study provides for a new North/South Connector Street between Longbranch Road and Hathaway Road and a new East/West Connector Street between Old Union Road and Camp Ernst Road. Portions of these Connector Streets will be constructed as part of the Autumn Woods development. Proposed Connector Streets are strategically located within Autumn Woods to be consistent with the Boone County Transportation Study and to provide separation between neighborhoods and land uses. The internal East/West Connector Street will provide for the future extension of the already planned and approved portions of connector street extending from the Harmony development at US 42 and extending west through the approved Westbrooke Estates development.

Connector Streets within Autumn Woods will be constructed with limited direct driveway access to building lots, while residential areas within the community will be served by local and cul-de-sac streets linked by sub-collector streets to the planned Connector Street system. All streets within Autumn Woods with the exception of private drives serving select single family homes will be public streets with a public dedicated right-of-way.

#### Autumn Woods Connector Streets

The North/South Connector Street will extend south from Longbranch Road and intersect the East/West Connector Street at a location which will facilitate future extensions through adjacent properties to the east. The East/West Connector Street will be constructed through the central portion of the site adjacent to a wooded valley containing a natural drainage feature. Termination locations will again facilitate future extensions through adjacent properties with eventual connections to US 42 to the east and Camp Ernst Road to the west.

Both the North/South and East/West Connector Streets will:

- prohibit on-street parking;
- include a concrete curb and gutter system, be constructed to a width of twenty-five (25') feet (back of curb to back of curb), within a sixty (60') foot right-of-way, consistent with the approved Connector Street in the Westbrooke Development;
- include an eight (8) foot wide paved hiker/biker trail on one side of the street with no sidewalk on the opposite side as shown on the Street Cross Section detail on the Concept Development Plan;
- be built in close proximity to the locations shown on the Concept Development Plan and the Transportation Plan;
- meet the site distance design requirements of KDOT and satisfy Boone County Subdivision Regulations relative to other design requirements; and
- meet the requirements of the Boone County Subdivision Regulations with regard to construction timing for road extensions to adjoining properties (Article 3, Page 3.10N).

The North/South Connector Street will:

- be designed and located to allow for the southern extension through adjoining properties and the eventual connection at Meiman Drive as set forth in the Boone County Transportation Plan;
- include a driveway to the lots located near Longbranch Road;
- include a driveway access to the community facility; and
- contain eyebrows constructed in general accordance with the Typical Eyebrow/Island Design detail shown on the Concept Development Plan.

The East/West Connector Street will:

- be designed and located to allow for the extension through adjoining properties and the eventual eastern connection through Westbrooke Estates to U.S. 42 and western connection to Camp Ernst Road, south of Central Park, as set forth in the Boone County Transportation Plan;
- be designed to continue along the creek in a southwesterly direction as it proceeds through the property to the west;
- include a primary roadway entrance into the condominium community; and
- include a secondary emergency roadway connection from the condominium community.

#### Sub-Collector Streets

Sub-collector streets as shown on the Concept Development Plan will be constructed from the East/West Connector Street south to Hathaway Road. The sub-collector streets will:

- satisfy Boone County Subdivision Regulations for a sub-collector streets;
- be built in close proximity to the locations shown on the Concept Development Plan;
- possibly contain eyebrows constructed in general accordance with the Typical Eyebrow/Island Design detail included on the Concept Development Plan; and
- be designed to reduce the number of direct driveway accesses off of the sub-collector streets (driveways for the corner lots off the sub-collector streets and local streets intersecting sub-collector streets will have their access off of the local streets and not sub-collector streets).

#### Condominium Streets

Streets internal to the condominium community will be constructed in accordance with the following guidelines.

- Primary condominium streets will satisfy the Boone County Subdivision Regulations for Residential Condominium Streets with the exception that sidewalks will be provided on one side of the street only.
- Secondary condominium streets will satisfy Boone County Subdivision Regulations for Residential Condominium Streets with exceptions for street width, sidewalks and right-of-way width. The width shall be twenty-two (22') feet (back of curb to back of curb), with a right-of-way width of twenty-four (24') feet and will include a sidewalk on one side only.

- Turn-arounds for dead end streets serving more than one building will be constructed in accordance with the Typical Tee Turn Around detail shown on the Concept Development Plan. Turn-arounds would not be required for dead end streets serving a single building.

### Turning Lanes

It has been anticipated by the applicant that traffic flow to and from Autumn Woods along Longbranch Road and Hathaway Road will require the installation of turning lanes and deceleration lanes at both the Longbranch Road and Hathaway Road entrances to Autumn Woods. Based on conversations with the Boone County Engineer and the Kentucky Department of Transportation, the applicant has agreed to construct turning lanes and deceleration lanes, both along Longbranch Road and Hathaway Road, at their intersection with the entrance to the development. Turn lanes will be constructed in general accordance with the Turn Lane drawings enclosed as Tab 7. Additional information regarding traffic is provided in the response to *Mandatory Requirement 16* (page 21).

### Other Road Matters

- All local streets and cul-de-sacs will be constructed pursuant to Boone County Subdivision Regulations.
- Local street locations and layout as depicted on the Concept Development Plan are conceptual only and will vary as engineering plans are developed in more detail. The location of local streets and cul-de-sacs will be defined more fully and approved as part of the normal preliminary subdivision review and approval process.
- All streets will meet the requirements of the subdivision regulations with regard to construction timing for road extensions to adjoining properties (Article 3, Page 3.10(N) of the Boone County Subdivision Regulations).
- A number of single family lots will be served via private streets or drives. Such private streets and drives will be constructed in accordance with details provided on the Concept Development Plan.
- The local street system may include islands, eyebrows and other streetscape features. Such features will be constructed in accordance with details provided on the Concept Development Plan.

***Minimum Requirement 3: Land Use Characteristics - Existing and proposed land uses, open spaces, impervious surfaces including streets, parking areas, and structures and buildings (general description of size, area, intensities and height).***

Existing and proposed land uses, open spaces, and impervious surfaces are identified on the Concept Development Plan and Community Features Plan, enclosed as Tab 10. Autumn Woods is a predominantly residential community. A broad range of housing opportunities will be provided consisting of first time home buyers, second and third time move up buyers as well as empty nesters. The development will include a centrally located parcel for neighborhood commercial land uses. Significant open spaces and community amenities will be provided consisting of two community facilities with a pool, a neighborhood park and associated improvements, a hiker/biker trail as well as other open spaces including natural lakes, streams and wooded areas. Further details and descriptions of these items are included in later sections of this application.

Minimum Requirement 4: Utilities and Infrastructure

The general tie-in locations of water lines, sanitary sewer lines, and preliminary locations of proposed detention facilities are identified on the Concept Development Plan. 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.

Sanitation District No. 1 is currently in the process of constructing and extending sanitary sewer service south, along Longbranch Creek, to Longbranch Road, thereby providing further sanitary sewer service to the general area and to the new school under construction on Longbranch Road. Sanitary sewer service will be provided by the extension of the above noted sewer line by the applicant, throughout the development, to be located generally along Longbranch Creek.

The applicant will extend sanitary sewer at two (2) locations for the benefit of homes on Spruce Lane. The extensions will consist of eight (8") inch sanitary sewer lines within low lying areas to sanitary manholes near the eastern boundary Autumn Woods, which is the boundary shared with lots on Spruce Lane. Related sanitary sewer line easements will be granted along the centerline of each of these sewer lines. The sewer line extensions will be constructed in conjunction with the installation of all other sewer lines in the immediate vicinity of the extensions.

Water service and fire hydrants will be provided to the development via the new 12" water line located on the south side of Longbranch Road and the existing 12" water line located on the south side of Hathaway Road. Water service could also be provided by or supplemented with an existing 8" water line located on the north side of Longbranch Road.

Three existing lakes are planned to be used for storm water detention. The lakes will be modified as necessary to provide the required storage. Additional detention in other to be determined locations will be provided, as required. All storm sewers and detention facilities will be designed and constructed in accordance with Boone County Storm Water Management Regulations.

Additionally, Autumn Woods will be more than amply serviced by the following infrastructure and facilities:

- A new public high school and elementary school is being constructed on Longbranch Road just west of Autumn Woods.
- Autumn Woods will benefit extensively from the close proximity of Central Park and the Boone County knothole fields located on Camp Ernst Road. It should be noted that the recommended future extension of the East/West connector road, as set forth by the Boone County Transportation Study intersects with Camp Ernst Road, just south of Central Park, and north of the Boone County knothole fields.
- Autumn Woods will have convenient access to the Boone County Public Library on US 42.
- Fire protection service will be provided to Autumn Woods by virtue of the new Fire Station located on US 42 which is currently under development.

- 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 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 community in Boone County.

*Minimum Requirement 5: Relationship of Proposed Zone Change with Comprehensive Plan - How the proposed zone change would conflict, conform, compliment, other otherwise affect the Comprehensive Plan as well as any special studies that are designed to further detail the Comprehensive Plan in a specific area.*

As previously described, Autumn Woods has been planned to provide a diversity of home ownership opportunities by the provision of multiple housing products. Autumn Woods will contain a mixture of single family homes of various size and price range, condominiums, and a neighborhood commercial opportunity.

The provisions of the Boone County Zoning Regulations 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 and price ranges can be marketed to a wide segment of the population addressing housing needs identified and targeted in the Comprehensive Plan. The transition of densities while maintaining a low overall density for the entire site is in compliance with the Comprehensive Plan's Housing Element recommendations. Proposed housing in Autumn Woods will provide home ownership opportunities for a wide range of Boone County home buyer demographics. In addition to providing opportunities to first-time buyers and second and third move-up buyers, housing opportunities will also be provided for empty nesters, single professionals, and families of various sizes, ages and income levels. Based on proposed product offerings it is anticipated that a substantial portion of the households in Autumn Woods will consist of one or two members.

The Comprehensive Plan designates the proposed project area as Suburban Residential, which is defined as single family housing up to 4 units per acre. Adjoining areas east and north of Autumn Woods are designated as Suburban Residential and the area west of Autumn Woods to Camp Ernst Road is also designated Suburban Residential. The adjoining area south of Hathaway Road is designated Rural Residential. This proposal is sensitive to the need to transition from the suburban character of land uses to the more rural land uses located to the south. Therefore, the applicant has planned home sites along Hathaway Road with a minimum lot area of 20,000 square feet, a minimum lot width of 100', and minimum front yard setback of 75' to be more consistent with the rural density residential land uses in these areas. Additionally, these home sites will be served via private drives or alleys with no direct driveway access to Hathaway Road. The zoning map amendment for a SR-1/C-1 PD Overlay zone is justified given the location characteristics of the property, the current level of infrastructure as well as planned future infrastructure improvements.

The design of Autumn Woods provides 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 planned 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 for both active and passive open space. Based on a natural extension of the residential land use located to the north and east, and the compatibility with all existing land uses surrounding the Autumn Woods property, this proposal reflects an appropriate zoning designation to be applied to the Autumn Woods property. The Autumn Woods proposal is also consistent and compatible with other residential developments located within the County.

The proposal is consistent with the Comprehensive Plan, allowing for the expenditure necessary to expand water and sanitary sewer service, to implement portions of the Boone County Transportation Plan through the construction of Connector Streets and to 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 Boone County with the opportunity to address its need for high quality housing to meet the needs of Boone County residents. The Autumn Woods development is a natural expansion of 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.

#### **Additional 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, 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: Autumn Woods has been planned and designed in harmony with the physical environment. The use of existing topography and natural site features and the provision of open spaces 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 School system.

- "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 portions of developable lands be developed at higher densities such as proposed by this request.

Minimum Requirement 6: *A 8.5" by 11" or 8.5" by 14" reduction of the plan that can be copied of a standard photocopier.*

A reduction of the Concept Development Plan is enclosed as Tab 8.

Minimum Requirement 7: *A written explanation of any requested variances or Conditional Use Permit.*

There is no Conditional Use Permit requested. Requested variances and waivers include variations as detailed on the Concept Development Plan and this narrative.

## **B. Mandatory Requirements For Projects Involving a Planned Development District**

Mandatory Requirement 1: *(Addressed by Minimum Requirements 1 – 7)*

Mandatory Requirement 2: *Area map showing adjacent property owners and existing land uses within 200 feet of the parcel.*

The enclosed Concept Development Plan includes adjacent property owners names, parcel ID numbers and existing land uses within 200 feet of the parcel. A List of Adjacent Property Owners including addresses is enclosed as Tab 9.

Mandatory Requirement 3: *If the site has unusual or unique natural features, demonstrate how proposed development preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural draining patterns. If necessary, geotechnical studies should be submitted to indicate soil types, depth of bedrock and slope stability.*

The applicant understands that Boone County is a special place. The proposed neighborhood is thoughtfully designed and in keeping with the character of Boone County. The design of Autumn Woods, where feasible, preserves natural features, creates passive and active recreational open spaces around lakes and along creeks throughout the site and utilizes ridgetops to preserve scenic vistas. When completed, Autumn Woods will be a neighborhood that reflects the charm that current neighborhoods in Boone County are so proud of. The applicant has retained natural features, recognizes the value of existing trees and vegetation, and is working to preserve those areas. Areas of existing wooded areas

currently planned to remain are shown on the Community Features Plan enclosed as Tab 10. However, as development and infrastructure is designed, the actual areas may be modified. The Community Features Plan also depicts planned open space, parks, waterways, and other key community elements. Additional details on open spaces and community amenities will be provided in later sections of this application.

*Mandatory Requirement 4: The location, description and size (acreage) of land uses.*

The location and size of all land uses are detailed on the Concept Development Plan. Further descriptions of these elements are included in the following discussion.

Single Family Detached

Single family residential lots of varying size will constitute the majority of the proposed land use. Lot sizes will vary from a width of 50 feet to 75 feet or greater. The depth of lots as well as front/side/rear yard setbacks will vary. Specifics of all lot dimensions are detailed in future sections of this application and on the Concept Development Plan. Groupings of similar lot sizes are designated as PODs on the Concept Development Plan. POD1, located at the north end of the development, will consist of lots a minimum of 70 feet in width. POD2, located south of POD1 and north of the East/West Connector Street, will consist of lots a minimum of 60 feet in width. POD5 is located in the western portion of the property and will consist of lots a minimum of 50 feet in width. POD6, located on the south end of the property, will include access to Hathaway Road and consist of lots a minimum of 70 feet in width. All lots adjacent to single family lots on Spruce Lane will be a minimum of 75 feet wide with a minimum rear yard setback of 40 feet which matches the requirements of RS zoning currently in place for lots on Spruce Lane. The frontage lots on Hathaway Road will be required to have 75 foot minimum front yard setbacks consistent with other homes along Hathaway Road. Additionally, these home sites will be a minimum of 100 feet wide with no direct driveway access to Hathaway Road.

Condominium Community

A condominium community identified as POD4 will be located south of the East/West Connector Street as shown on the Concept Development Plan.

Commercial

A proposed neighborhood commercial parcel, designated as POD3, is located at the intersection of the East/West and North/South Connector Streets as shown on the Concept Development Plan. Development of the proposed commercial parcel would satisfy the requirements of the Boone County C-1 (Commercial One) zoning. All of the permitted uses identified under Article 10, Commercial Districts, Section 1011 of the Boone County Zoning Regulations would be allowed per the requested zoning. However, it is anticipated that the likely use would consist of neighborhood retail such as a multi-use convenience store. Furthermore, an incidental service which may be provided is the sale of motor fuels. The dispensing of motor fuels would be limited to a maximum of 8 pumping stations (a maximum of 8 cars could be fueled at the same time).

Open Space and Community Amenities

Autumn Woods will include a significant amount of open space and community amenities for both passive and active recreational needs. Community amenities will include the following.

- Single Family community facility including cabana, pool and off-street parking located in POD1.
- Condominium community facility including clubhouse, pool, and off-street parking located in POD4.
- Neighborhood park with shelter(s), playground, ball fields, off-street parking, sidewalk access and passive recreational areas located south and west of POD4.
- Hiker/biker trails.
- Extensive additional open spaces including several lakes, wooded areas, streams and associated green spaces.

Summary of Land Uses

The following table summarizes the location and approximate size of all proposed land uses.

**LAND USES**

| LAND USE               | LOCATION               | APPROXIMATE SIZE (+/- Acres) |
|------------------------|------------------------|------------------------------|
| Single Family Detached | POD1, POD2, POD5, POD6 | 300                          |
| Condominiums           | POD4                   | 39                           |
| Commercial             | POD3                   | 5.5                          |

Note 1: The size (acreage) of open space areas is included in the acreage of the POD areas. Open space acreage is detailed in later sections of this application.

*Mandatory Requirement 5: Approximate location and number of residential units along with approximate square footage, density and height.*

Approximate locations, dimensions and quantities of residential homes and lots are identified on the Concept Development Plan. Residential density, minimum lot dimensions and minimum setbacks, by POD and in total as applicable, are detailed in the following table.

## RESIDENTIAL MINIMUM LOT DIMENSIONS

| Location       | Lot Width at Setback (ft) | Front Yard Setback (ft) | Side Yard Setback (1), (ft) | Rear Yard Setback (ft) | Lot Area (sf) | Maximum No. of Dwellings |
|----------------|---------------------------|-------------------------|-----------------------------|------------------------|---------------|--------------------------|
| POD1 (SFD)     | 70                        | 30                      | 5 ea./15 ttl                | 25                     | 8,750         | 164                      |
| POD2 (SFD)     | 60                        | 30                      | 5 ea./15 ttl                | 25                     | 7,500         | 166                      |
| POD4 (CC)      | N/A                       | 25(2)                   | 12-1/2 ea                   | 25                     | N/A           | 401                      |
| POD5 (SFD)     | 50                        | 25                      | 5 ea./10 ttl                | 25                     | 6,000         | 424                      |
| POD6/(3) (SFD) | 70                        | 30                      | 5 ea./15 ttl                | 25                     | 8,750         | 132                      |

(SFD): Single Family Detached

(CC): Condominium Community

(1): Side yard setback for corner lots will ½ the front yard setback.

(2): Condominium front yard setbacks are from the back of curb to the front of the garage.

(3): The POD6 lots immediately adjacent to Spruce Lane will be a minimum of 75 feet wide with a minimum rear yard setback of 40 feet. All other POD6 lots will be planned as reflected on the table. The frontage lots on Hathaway Road will be required to have 75' foot minimum front setbacks and 100' minimum width.

**As detailed above the total number of residential homes is 1,287 resulting in a maximum overall density for Autumn Woods of approximately 3.73 dwellings per acre.**

The Concept Development Plan is meant to be flexible. There are a number of items that will influence the final and more detailed lot design, building design and overall infrastructure design of Autumn Woods. These items include, but are not limited to, the multi-phased and long-term nature of Autumn Woods (a build-out of 10 years or more), the builders' attempt to meet the homebuyers' wants and needs over the duration of project build-out, a more in-depth and detailed engineering design, and a more in-depth and detailed overall aesthetic and functional design that will be completed as each phase is added to the development. Therefore, the Concept Development Plan is just that: a concept of development which is used to define zoning matters, is flexible and will change in its detail over the course of the development but, at the same time, will be consistent with the overall zoning and land use intent. Any of these noted adjustments and refinements in this plan will be defined and approved by the staff of the Boone County Planning Commission during the normal subdivision design and review process.

**Mandatory Requirement 6: Approximate location and size (square footage) of non-residential buildings.**

Non-residential buildings to be part of the Autumn Woods development are summarized as follows:

- A community facility, comprised of a cabana (approximately 900 sf), swimming pool, off-street parking, related landscaping and lawn area will be constructed in POD1 at the location shown on the Community Features Plan. Further details of this community amenity will be included in Mandatory Requirement 8.
- A community facility, comprised of a clubhouse (approximately 3,500 sf under roof), swimming pool, off-street parking, related landscaping and lawn area will be constructed in POD4 at the location shown on the Concept Development Plan. Further details of this community amenity will be included in Mandatory Requirement 8.
- A commercial area will include a neighborhood retail structure(s) with off-street parking designed and constructed in accordance with the C-1 (Commercial One) Boone County Zoning Regulations.

***Mandatory Requirement 7: The locations of public and private streets, right-of-ways, easements and parking.***

Details on public and private streets, right-of-ways and easements were previously discussed under *Minimum Requirement 2* (Page 2). Off-street parking will be provided for both community facilities, the neighborhood park, the commercial parcel, and the condominium community. Specifics and locations of these parking facilities are included on the Concept Development Plan and Community Features Plan.

***Mandatory Requirement 8: Calculation of approximate amount of open space both before and after construction. Indicate areas of expected open space and new landscaping. Include maintenance plans for these areas.***

As discussed under *Minimum Requirement 3* (page 5), a Community Features Plan enclosed as Tab 10 depicts the areas of open space and other community amenities. The existing use of the property is primarily pastures, crop land, and wooded areas. The existing buildings include a house and several small barns, all of which will be razed. In the spirit of a Planned Development, open spaces have been designed to provide separation of neighborhoods, preserve certain natural features, provide open space linkage through the community and provide active and passive recreation opportunities for community residents. More specifically, active and passive recreational areas, open spaces and additional green space will be provided at a number of locations throughout the community as detailed below:

**Longbranch Road Entrance and Single Family Community Facility**

The open space in this area includes the main entry on both sides of the North/South Connector Street, the existing lake, and the wooded/open area along Longbranch Road. Entrance walls and associated landscaping will be provided at the Longbranch Road entrance at the location shown on the enclosed Community Features Plan. A community facility comprised of a cabana, swimming pool, off-street parking and related landscaping and green lawn area will also be constructed in this area adjacent to the existing lake. The community facility will be constructed by the time 100 homes are occupied in POD1/POD2. The following additional details on proposed improvements for this area are enclosed as Tab 11.

- Photos of existing natural conditions including the lake and surrounding natural features.
- Conceptual Site Plan of the proposed Community Facility.
- Photos of existing facilities constructed by the applicant in other developments. It is anticipated that this facility will be similar in size and scope.
- Photos of existing entry monuments and associated landscaping constructed by the applicant in other developments. It is anticipated that the Longbranch Road entrance will be similar in size and scope.

#### Hathaway Road Entrance

Entrance walls and associated landscaping will also be provided at the Hathaway Road entrance at the location shown on the enclosed Community Features Plan. It is anticipated that this entrance with associated entry walls and landscaping will be similar to the Longbranch Road entrance in size and scope.

#### Condominium Community Entrance and Community Facility

Entrance walls and associated landscaping will be provided at the main entrance to the condominium community off of the East/West Connector Street at the location shown on the enclosed Community Features Plan. A community facility comprised of a clubhouse, swimming pool, off-street parking, related landscaping and green lawn areas will also be constructed in this area. The community facility will be constructed by the time 100 homes are occupied in POD4. The following additional details on proposed improvements for this area are enclosed as Tab 12.

- Conceptual Site Plan of the proposed Community Facility.
- Photos of existing facilities constructed by the applicant in other developments. It is anticipated that this facility will be similar in size and scope.
- Photos of existing entry monuments and associated landscaping constructed by the applicant in other developments. It is anticipated that this entrance will be similar in size and scope.

#### Neighborhood Park

A public neighborhood park will be included in the south/central portion of Autumn Woods between POD4 and POD6, extending north up to the East/West Connector Street. The park will contain extensive areas for both passive and active recreational use. More specifically, amenities will include an equipped playground, shelter(s), picnic areas, recreational playing field(s), pedestrian connections to PODS5/6 and off-street parking. The neighborhood park and related facilities will be constructed shortly after sub-collector streets serving this area are constructed. The Boone County Parks Department has expressed an interest in owning and maintaining this park, and the applicant is willing to donate the property to the Boone County Parks Department, if they so choose. The following additional details on proposed improvements for this area are enclosed as Tab 13.

- Photos of the existing surrounding natural features.
- Conceptual Site Plan of the proposed active component of the neighborhood park.

- Photos of existing facilities constructed by the applicant in other developments. It is anticipated that this facility will be similar in size and scope. In lieu of one large shelter, the applicant is also considering several smaller shelters as shown in the photos.

#### Additional Open Spaces

Autumn Woods will contain additional open spaces and natural areas as detailed below. Specific locations of these open spaces are shown on the Community Features Plan. Photos of existing natural features within these areas are enclosed as Tab 14.

- Open Space Along Longbranch Creek: A natural linear green space, creating active and passive recreational opportunities, will be preserved, beginning at the north end of POD1, continuing south along the western edge of POD1/POD2 and extending to the East/West Connector Street. This linear green space will generally be a minimum of 50 feet wide where the creek is not on the Autumn Woods property. Where the creek is on the Autumn Woods property the linear green space will generally be a minimum of 50 feet wide on each side of the approximate centerline of the creek.
- North/South Connector Street Area: An approximate 30 foot wide green space will be provided along the eastern edge of the North/South Connector Street within POD 1.
- East/West Connector Street Area: An approximate 50 foot wide green space will be preserved along the entire northern edge of the East/West Connector Street between POD2/3 and POD4. Specifically, this area will run from the approximate centerline of the creek to the edge of the proposed East/West Connector Street right-of-way.
- Existing Stream in POD5: The northern property line of POD5 contains an existing creek. It is proposed that the East/West Connector Street will be extended in a westerly direction into the adjoining property and be built in close proximity to the existing creek. A green space will be provided along the south side of this creek within POD5. The width of the green space will extend from the property line south to a point approximately 50 feet south of the centerline of the creek.
- Existing Lakes: A total of three existing lakes and surrounding areas will be preserved and provided as community green space. The northern lake is adjacent to the Longbranch Road entrance as previously discussed. Another lake is located within POD2 and the third lake is located within POD6.
- Hiker/Biker Trail: It is proposed that an (8) eight-foot wide paved hiker/biker trail (trail) will be provided on the west side of the North/South and on the north side of the East/West Connector Streets as shown on the enclosed Concept Development Plan and Community Features Plan. Sidewalks will not be constructed on the opposite side of the street.
- Condominium Community Open Space: In addition to the previously detailed condominium community facility, other open spaces will be provided within

the condominium community. These open spaces will consist of all POD4 areas exclusive of buildings and public right-of-way.

Summary of Open Spaces

Individual and total open/green space and other recreational areas are as follows:

**SUMMARY OF OPEN SPACES**

| AREA  | APPROXIMATE SIZE<br>(Acres) |
|---|-----------------------------|
| Longbranch Road Entrance and Single Family Community Facility   | 11                          |
| Condominium Community Facility  | 3                           |
| Neighborhood Park   | 20                          |
| Other Open/Green Spaces: <ul style="list-style-type: none"> <li>• Open Space along Longbranch Creek</li> <li>• North/South Connector Street Area</li> <li>• East/West Connector Street Area</li> <li>• Existing Stream in POD 5</li> <li>• Existing Lakes</li> <li>• Hiker/Biker Trail</li> <li>• Condominium Community Open Space</li> </ul> | 40                          |
| Total   | 74+                         |

The combined planned open/green space represents more than 20% of the total land within the Autumn Woods development.

All identified open/green space, unless accepted by a governmental agency, will be conveyed to a homeowners association, the condominium regime, or subjected to a preservation easement, as appropriate.

Hiker/Biker Trail Along Longbranch Creek Instead of Along the North/South Connector Street

In the course of the review of this application with the Boone County Planning Commission Staff, there has been discussion of the possibility of some day constructing a hiker/biker trail more or less along the existing private drive which generally follows Longbranch Creek north of Longbranch Road. While the applicant can see the merits of this idea, the applicant does not control enough of the property involved to be able to define and implement such a plan. Also, in order to implement such a plan, some public authority would need to be prepared to own, improve and maintain this facility for public use. In order to help facilitate such a plan, the applicant is prepared to offer the property it owns along Longbranch Creek to the county or other public entity, if that entity is prepared to implement such a plan. The property in question is part of the linear open space and neighborhood park as defined in this application.

This offer will be open for a period of one year from the application date during which the specifics of the property transfer and other details can be worked out.

It is important that the future homeowners of Autumn Woods understand the final outcome of these plans before the first homeowner moves into their new home. It is anticipated that initial closings will occur in the late Spring of 2008.

*Mandatory Requirement 9: Submit a conceptual landscape plan that indicates the locations of landscape and buffering features. For applications involving the PD overlay, design guidelines that include landscaping standards shall be submitted for multi-phased projects.*

As previously discussed, the Community Features Plan is enclosed as Tab 10. Typical landscaping standards for single family detached and condominium homes are enclosed as Tab 15.

*Mandatory Requirement 10: Where portions of the site are subject to flooding, the Concept Development Plan shall indicate extent and frequency.*

A flood map of the subject property is enclosed as Tab 16.

*Mandatory Requirement 11: General location of water, sanitary sewer, telephone, electrical, and storm water lines. Capacity levels are recommended.*

As discussed in *Minimum Requirement 4* (Page 6), the general tie-in locations of water and sanitary sewer have been identified on the Concept Development Plan. Planned storm water retention and detention areas are shown on the Concept Development Plan. Electric, telephone and CATV lines will generally follow the street patterns as per typical residential development.

Internal sanitary, storm sewer and water line utilities will be designed and constructed in accordance with governing agencies and typical residential development. Such utilities will typically be located within public right-of-way, or will be located within an appropriate easement. Specific details (location, size, ect..) regarding internal utility design will be addressed in the construction plan approval process.

*Mandatory Requirement 12: General description of the availability of community facilities such as schools, fire protection services and other types of facilities that would serve the development, if any, and how these facilities are affected by this proposal.*

Autumn Woods 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 developments. These developments are all served and supported by the same underlying infrastructure, public facilities and public services, which will serve the Autumn Woods property.

As previously mentioned, a new public high school and elementary school is being constructed on Longbranch Road just west of the Autumn Woods development. In late 2006 and early 2007, the applicant met with the Boone

County School District on several occasions with respect to the potential impact of the Autumn Woods development on Boone County Schools. At that time the Autumn Woods development was defined by a previous application which has since been removed from consideration by the applicant. As a result of these meetings, the applicant agreed to assist the Boone County Schools in identifying and acquiring an elementary school site within the Hathaway Road Corridor set forth in a letter from the Boone County School District to the Boone County Planning Commission dated January 16, 2007. A copy of this letter is enclosed as Tab 17. The conditions of this letter remain agreeable to the applicant and it is anticipated that the conditions will remain agreeable to the Boone County School District. The applicant will initiate future communications with the Boone County School District to confirm the status of this agreement.

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 Sanitation District's construction of a gravity sewer main along the Longbranch creek will allow significant sanitary sewer expansion in this immediate area. 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.

Additional details related to infrastructure and facilities were provided under *Minimum Requirement 4* (Page 6).

*Mandatory Requirement 13: Approximate location and size of storm water detention and/or retention areas.*

This item was previously addressed under *Minimum Requirement 4* (Page 6). Additionally, storm water detention and retention areas are identified on the Concept Development Plan. The applicant will employ techniques that have been tested and approved by the Kentucky State EPA for sediment control along with Best Management Practices (BMPs) to control sediment of site stormwater flow. Where practical and necessary, stormwater management facilities may act as temporary sedimentation basins to collect sediment before it flows into the down stream waters.

*Mandatory Requirement 14: Information describing proposed signage (types, sizes, materials, and locations on site). For applications involving the PD overlay, design guidelines that include signage standards shall be submitted for multi-phased projects.*

The uniqueness and quality of our communities begins at the entry. The visual and physical aspects of driving through a planned streetscape let homeowners and visitors know that right away they are entering one of Boone County's premier neighborhoods. The applicant desires to create a unique community with themed street signage. The approximate sign locations are identified on the Community Features Plan. Examples of proposed signage (types, sizes, materials) and design guidelines are presented as Tab 18. As previously

described, 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, typical photos of which were previously presented under Tabs 11-13. Sub-entry monuments may also be installed at additional locations identified on the Concept Development Plan and Community Features Plan to further provide an identity to individual communities within Autumn Woods.

*Mandatory Requirement 15: Indicate the construction schedule of the project. For multi-phased projects, submit a phasing plan that describes the anticipated timing and geographical extent of each phase.*

Upon receipt of all government approvals, initial construction will commence on the north end of the site at the Longbranch Road entrance within POD1. Initial construction will consist of a portion of the North/South Connector Street, local streets and approximately 30-35 single family home sites. It is currently anticipated that the initial construction will also include portions of local streets extending to the East/West Connector Street. The East/West Connector Street would then be constructed and extended into POD5 and the subsequent completion of 30-40 single family POD5 home sites. Utilities associated with the completion of these home sites would be extended south from Longbranch Road.

Following the initial construction, additional phases consisting of 20-50 single family home sites will be constructed within POD1, POD2 and POD5, along with associated utilities and portions of required sub-collector and local streets. Construction phasing will progress in a general north to south direction at a rate determined by market conditions. Sub-collector streets will be constructed and extended from POD5 into POD6 as dictated by absorptions. It is anticipated that this will occur in approximately year 6 to 8 of the development.

Specific timing for development of POD4, the Condominium Community, 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. The initial phase would be located at the main entrance from the East/West Connector Street. Subsequent phases would generally progress in a north to south direction with a total anticipated build out period of up to 8 years.

Specific timing of the neighborhood commercial parcel will be determined based on demand and market conditions and is unknown at this time. However, it will be no sooner than 2011.

Additional information in regard to a construction schedule and phasing are provided as follows:

#### Anticipated Construction Schedule

The applicant agrees to limit cumulative building permits as detailed in the following table. Although it likely will take longer to reach these cumulative numbers, this table represents the maximum homebuilding activity level. Notwithstanding the above, no more than half the total dwellings shall be completed and occupied in Autumn Woods until such time that a second access

point is provided to the development either in the form of access from Hathaway Road or the East/West Connector Street.

**MAXIMUM CUMULATIVE BUILDING PERMITS**

| Year | Cumulative Building Permits |
|------|-----------------------------|
| 2007 | 0                           |
| 2008 | 100                         |
| 2009 | 200                         |
| 2010 | 300                         |
| 2011 | 450                         |
| 2012 | 600                         |
| 2013 | 700                         |
| 2014 | 900                         |
| 2015 | 1030                        |
| 2016 | 1160                        |
| 2017 | 1287                        |

Anticipated Phasing Schedule

The following Phasing Plan is anticipated for the Autumn Woods development.

**AUTUMN WOODS PHASING**

|             |   |
|-------------|---|
| <b>POD1</b> | Site development anticipated to begin in 2008 with the first homes occupied in late 2008.                           |
| <b>POD2</b> | Site development anticipated to begin in 2008.  |
| <b>POD3</b> | Timing of this development is unknown, but development prior to 2010 is unlikely.                                   |
| <b>POD4</b> | Site development anticipated to begin no sooner than 2009 with the first homes occupied in 2010.                    |
| <b>POD5</b> | Site development anticipated to begin in 2008.  |
| <b>POD6</b> | Site development anticipated to begin no sooner than 2010 unless warranted earlier by absorption and market demand. |

***Mandatory Requirement 16:** Submit a detailed traffic study if the proposed development is large-scaled or if the project would significantly alter existing traffic patterns or volume.*

A Traffic Impact Analysis dated January 16, 2007, Traffic Impact Analysis Executive Summary dated January 17, 2007, and Traffic Impact Analysis Addendum dated January 24, 2007 have been completed and provided as Tab 19. The analysis and supplemental letters were prepared by Edwards & Kelcey Engineers, and assumes the addition of the previously discussed turn lanes. It should be noted that the analysis was based on a density of 1,380 homes as compared to the 1,287 dwelling units proposed in this application. The Traffic Impact Analysis is based upon forecasted trip generation for the build-out of the

Autumn Woods development, plus background traffic, at both weekday AM and PM peak hours. The build-out level of service for each turning movement was "C" or better. All but one turning movement possesses a level of service of "B" or better.

The analysis also includes a detailed discussion on proposed improvements by Boone County and the State of Kentucky to street systems external to the Autumn Woods development. These improvements will serve to significantly improve external transportation patterns and service beyond the currently acceptable condition.

***Mandatory Requirement 17:** Submit a sketch or drawing of the proposed buildings to demonstrate the visual appearance or a type of architecture. For applications involving the PD overlay, design guidelines that include architectural standards shall be submitted for multi-phased projects.*

Photos of housing that are representative of those to be offered in Autumn Woods are enclosed as Tab 20. Also included under Tab 20 are architectural guidelines and standards for the Autumn Woods community. The theme of exterior designs for the homes of Autumn Woods shall be largely Midwestern traditional and / or transitional in style with regionally and locally influenced architectural forms and elements. The exteriors will compliment the existing homes along Longbranch Road, Hathaway Road and neighboring communities such as Orleans, Harmony and Westbrooke by incorporating similar exterior housing styles, massing, exterior veneers, fenestration pattern, roof designs and detailing.

The House massing and exteriors seen adjacent to the site includes one, one and a half and two story designs along with split foyers and tri-levels. Although mainly Midwest traditional in character which is defined by fundamental massing, simplified roof geometry and the high usage of masonry veneers and siding, many of the adjacent homes incorporate some additional eclectic elements that may be found in the following home styles of the United States. These Styles include Colonial, Georgian, Neo-Classical, Craftsmen, Tudor and Neo-French Eclectic. Garages in the description above range anywhere from no garages, attached and integral garages, varying in size from one car to multiple cars.

While the general concept provided in the Tab 20, Photos of Proposed Housing & Architectural Guidelines and Standards, can be considered a commitment by the applicant, the specific architecture and dimensions of single family and condominium homes will fluctuate given the long term nature of this project. Since designs are updated periodically by homebuilders to address homeowner's demands, code changes, and marketing considerations, it is likely that homes constructed over the long term duration of the project will change in configuration and size. However, in all cases the overall architectural theming elements will be carried throughout the entire community and the design guidelines and standards will be adhered to.

***Mandatory Requirement 18:** For applications involving the PD overlay zone, a description of any requested exceptions to the requirement of the underlying zone.*

Exceptions to the underlying zone includes provision to the mixture of land uses and net densities as promoted by the purposes of the Planned Development Regulations. Exceptions to the lot dimensional standards and Supplemental Performance Standards are detailed on the Concept Development Plan, accompanying Details, and this narrative.

*Mandatory Requirement 19: For applications involving the PD overlay, a written narrative that describes how the applicable requirements and standards in Article 15 have been satisfied shall be submitted.*

The applicable standards and requirements of Article 15, Planned Development District, requirements are addressed below.

### **3. ARTICLE 15, PLANNED DEVELOPMENT DISTRICT**

Section 1514 of Article 15 of the Boone County Zoning Regulations states that Concept Development Plan proposals in a Planned Development shall be primarily evaluated against eleven standards set forth in such section. The Concept Development Plan is expected to fulfill the criteria in such standards unless a portion of the criteria do not apply or relate in whole or part, to a specific proposal.

*PD Standard 1: Mixed Use Development and Pedestrian Orientation - PD's shall generally have a mixed use orientation (combination of differing types of residential, commercial, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites. PD's shall have a pedestrian orientation.*

Autumn Woods incorporates a mixture of land uses including a diversity of size and type of residential and commercial land uses as shown on the Concept Development Plan and as detailed under *Minimum Requirement 2* (Page 2) and *Mandatory Requirement 4* (Page 11). The land uses within Autumn Woods and existing and/or proposed land uses on adjacent sites are connected by a system of sidewalks and a hiker/biker trail that provide a pedestrian orientation to the proposed development.

*PD Standard 2: Compatibility of Uses - Measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent site. Such measures may include provisions of buffer zones, common open space areas and landscape features, transition land uses, or a mixed-use development in which no specific type of land use is dominate. Compatibility measures/mitigation measures shall exceed the usual minimum standards of this order when needed to address impacts of the proposed development.*

Autumn Woods has been specifically designed to minimize impacts between both internal and external land uses. By transitioning from lower densities to the north and south toward higher densities in the center of the development, the Concept Development Plan mitigates the differences in surrounding residential land uses densities with the higher density condominiums located in POD4 and the smaller lots located in POD5.

By maintaining the same minimum lot width of 75 feet and the same minimum rear yard setback of 40 feet for all lots located adjacent to the single family lots

on Spruce Lane, the building lot standards for the single family homes in POD6 mitigate incompatibility concerns with the existing homes located on Spruce Lane.

The provision of a large open space area and lake entry feature in POD1 mitigates incompatibility concerns with existing single family development along Longbranch Road toward the north.

By providing a linear open space area along the existing stream traversing the development from north to south, impacts on any future land uses toward the west of the open space area are minimized. This same open space area also provides separation between single family homes in POD5 and condominiums in POD4.

The provision of the North/South Connector Street along the eastern boundary of the development also provides separation between the proposed land uses in Autumn Woods and any future land uses located to the east.

*PD Standard 3: Open Space - Useable open space(s), in an amount over and above setback areas and open areas required by the underlying zone, shall be provided. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space.*

Autumn Woods provides over 74 acres of open space. This open space represents more than 20% of the total land within the Autumn Woods development. Open space areas include the Longbranch Road entrance and community facility, the condominium community facility, the neighborhood park, and other open space areas such as the open space along Longbranch Creek, lakes and creeks. An overview of all open spaces is provided under *Mandatory Requirement 8* (Page 14) and a table summarizing all open space (Page 17).

*PD Standard 4: Multi-Modal Transportation System - PD's shall incorporate multi-modal transportation elements through the development, depending on the needs of future residents and users of the site, and the relationship of the project site to the community at large. Multi-modal elements may include provision for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lands, bicycle parking areas, etc.*

Autumn Woods incorporates the multi-modal transportation element of a hiker/biker trail which will be constructed adjacent to the North/South and East/West Connector Streets. The hiker/biker trail provides for linkage to the existing hiker/biker trail to the north and east, future bicycle and pedestrian linkages to future developments on adjoining properties together with internal linkages between open spaces. Details of the hiker/biker trail are shown on the Concept Development Plan and are outlined in *Minimum Requirement 2* (Page 2).

*PD Standard 5: Preservation of Existing Site Features - Existing topography, significant tree cover, and water courses and water bodies shall be largely preserved and incorporate into the project design where appropriate and consistent with the remainder of this article.*

Autumn Woods overall design incorporates water bodies and existing water courses as community amenities. The rolling topography of the site has been utilized to add character and interest to the community. Wooded areas will be preserved wherever practical. The Community Features Plan, Tab 10, and *Mandatory requirements 3 and 4* (Page 10 & 11) identify the preservation of existing site features.

*PD Standard 6: Landscaping - Substantial landscaping shall be provided in a PD with emphasis given to streetscape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site.*

Entry monuments, community amenities and streetscapes will be landscaped in a similar manner as depicted on the photographs provided under Tabs 11-13 & 15 and as depicted on the Community Features Plan provided in Tab 10. Autumn Woods will be an attractive community comparable to other communities completed in Boone County by The Fischer Group and Arlinghaus Builders.

*PD Standard 7: - Architecture - A consistent architectural theme shall be provided in PD's. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic.*

As demonstrated in other Boone County communities completed by The Fischer Group and Arlinghaus Builders, Autumn Woods will utilize a consistent architectural theme throughout the community. Architecture will incorporate both traditional and transitional designs and elements. Photographs and anticipated housing and architectural guidelines and standards are included under Tab 20. These architectural designs and elements are consistent with the traditional and transitional styles of surrounding land uses.

*PD Standard 8: Historic and Prehistoric Features - Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.*

While there are no known historic or prehistoric features on the project, two (2) existing cemeteries have been identified. One cemetery is located along the east side of POD6 near the common property boundary with the Spruce Lane lots. The second cemetery is location in POD4 near the East/West Connector Street. The general location of the cemeteries are identified on the Concept Development Plan. The applicant will comply with all laws, statutes and regulations with respect to the maintenance of such cemeteries. Access easements for the benefit of family members and other parties will be granted and/or provided on subdivision dedication plats. The cemeteries will either be incorporated within building lots or open space parcels.

*PD Standard 9: Signage - A consistent signage theme shall be provided within a PD. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height.*

A consistent signage theme will be utilized throughout Autumn Woods. Design elements of entryways, signage and community amenities will be complementary and consistent with the examples of proposed signage (types, sizes, and materials) and the design guidelines set forth in Tabs 10-13 and 18.

*PD Standard 10: Transportation Connections and Entry Points - The provision of transportation connections (street connections, pedestrian paths and sidewalks, bicycle facilities) shall be provided in all PD's unless physically unfeasible or undesirable due to land use characteristics. The various entry points (streets, paths, etc.) into the PD shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc.*

As previously stated under *Minimum Requirement 2* (Page 2); the internal transportation system for Autumn Woods incorporates portions of the new North/South Connector Street between Longbranch Road and Hathaway Road and a new East/West Connector Street between Old U.S. 42 and Camp Ernst Road. These connections, together with additional street connections to adjoining properties, as shown on the Concept Development Plan, all contribute to community connectivity. Entry monumentation and signage locations are also shown on the Community Feature Plan.

*PD Standard 11: Conformance with Comprehensive Plan - All PD's shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations or existing or planned infrastructure. Concept Development Plan proposals within areas that are subject to a specific land use or corridor study shall be evaluated against the criteria or requirements of such study.*

The Autumn Woods proposal is in conformance with the proposed land use and land use intensities set forth in the Land Use Plan together with numerous Housing Element, Transportation Element, and Environmental Element goals and objectives. A detailed explanation of Autumn Woods conformance with various elements of the Boone County Comprehensive Plan is set forth under *Minimum Requirement 5* (Page 7).

**BRYAN A. BLAVATT**  
Superintendent of Schools

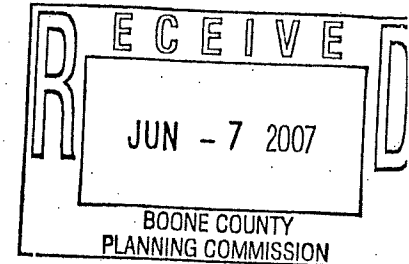
8330 U.S. 42  
Florence, KY 41042  
Phone: (859) 283-1003  
Fax: (859) 282-2376  
[www.boone.k12.ky.us](http://www.boone.k12.ky.us)

## **BOONE COUNTY SCHOOLS**

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June 5, 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 re-filing for zone change for the Autumn Woods Subdivision by Longbranch Development Incorporated (hereby referred to as developer/applicant). Boone County Schools has previously negotiated the following conditions with the developer/applicant and can support the development if these prior conditions are honored and made part of the conditions of Public Record 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.**

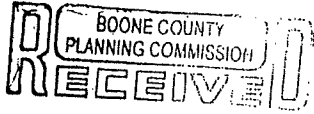
- 6. The Boone County Board of Education's obligation to close on the Option shall be contingent upon the Boone County Schools obtaining all necessary approvals thereto from the Kentucky Department of Education.**
- 7. The Option price of the School Site shall be the actual cost per acre paid or to be 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 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,

A handwritten signature in cursive script that reads "Harry Anness".

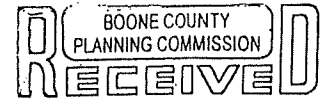
Harry Anness, Project Coordinator

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

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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**

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**From:** Michael P. Morgan [m.morgan@unionky911.org]

**Sent:** Monday, June 04, 2007 8:36 AM

**To:** Mitch Light

**Subject:** Autumn Woods Subdivision

Hi Mitch,

Union Emergency Services has no issues with Autumn Woods Subdivision as long as street width and hydrant placement regs are met.

Thanks!

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

## **SECTION 1010**

### **COMMERCIAL ONE (C-1)**

The purpose of the Commercial One district is to provide the convenience goods and personal services required for daily living needs. Districts will be located on suitable lands central to the neighborhood trade area with direct access from neighborhood collector roads or minor arterials. District facilities and plans will be organized to provide central and convenient collection of vehicles, pedestrians and multi-modal forms of transportation within the district's facilities and major shopping spaces.

## **SECTION 1011**

### **Principally Permitted Uses**

The following uses are permitted:

1. Hardware stores;
2. Eating and drinking establishments including alcoholic beverages;
3. Grocery stores and supermarkets;
4. Stores with retail sales of meat, fish, seafood, dairy and poultry products;
5. Fruit and vegetable stores; bakeries, candy, nut and confectionery stores;
6. Convenience stores;
7. Liquor, beverage, drug and proprietary stores;
8. Banking services, savings and loan associations, credit unions and other credit services;**(THE FOLLOWING PASSAGE APPLIES TO THE CITY OF FLORENCE CITY LIMITS ONLY)** The business of cashing checks or accepting deferred deposit transactions as regulated by KRS 368.010 to 368.120 shall not be included in this permitted use.
9. Insurance carriers and agents;
10. Real estate operators, agents, lessors and real estate sub-dividing and developing services, operative builders and related services;
11. Accounting, auditing and bookkeeping services;
12. Postal services and packaging services provided the use is essential for pick-up and delivery convenience and not storage or transfer activities more appropriate to an employment district;
13. Physician, dental, optical goods and services;
14. Veterinary services and pet grooming services but not including the boarding of animals;

15. Beauty and barber services and tanning salons;
16. Nursery and day care centers;
17. Laundering, dry cleaning and dyeing services including self-service;
18. Alteration and garment repair and custom tailoring;
19. Shoe repair, shoe shining and hat cleaning services;
20. Family clothing, shoe stores, specialty clothing or boutiques and other apparel retail trade;
21. Jewelry stores;
22. Radio, t.v., music supplies, cameras, photographic supplies and specialty household appliances;
23. Art, craft and hobby supplies and products, gifts and novelties;
24. Antiques and used merchandise;
25. Books, stationery, newspapers and magazines;
26. Florists excluding greenhouses;
27. Sporting goods including bicycles;
28. Draperies, curtains, upholstery and floor coverings;
29. Paint, glass and wallpaper stores;
30. Photo finishing services;
31. Recreation centers, gymnasiums, clubs and similar athletic uses;
32. Video stores;
33. Funeral homes and crematoriums excluding cemeteries or mausoleums.

## **SECTION 1012**

### **Accessory Uses**

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses defined to be:

1. Recreation uses or spaces of integral relation to the developed portions of the district including:

- a. Temporary exhibit spaces;
  - b. Aquariums, botanical gardens and other natural exhibitions;
  - c. Stages and similar assembly areas;
  - d. Indoor target ranges and similar athletic uses;
2. A dwelling unit of the property owner, or owner-operator, manager, or employee of the business including:
    - a. Private garage and parking;
    - b. Structures such as fences and walls;
    - c. Buildings such as storage sheds;
    - d. The keeping and use of appropriate household pets;
  3. Signage (See Article 34);
  4. Parking (See Article 33);
  5. Temporary buildings incidental to construction;
  6. Outside storage, display, loading, uncrating or unpacking areas which are an integral function of a permitted use and do not create outside spaces which will tend to enlarge or overpower the activities of permitted uses, and which are conducted in accordance with Section 3154;
  7. Retail sale of motor fuels;
  8. Drive-up photo finishing services and automatic teller services;
  9. The rental of trucks and trailers, (only permitted to be displayed in the side or rear of the property);
  10. Drive-through facilities operated in conjunction with a permitted use, and which are conducted in accordance with Section 3155.

## **SECTION 1013**

### **Conditional Uses and Criteria**

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Adjustment and Zoning Appeals provided: a) the activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or b) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; and, c) the arrangement of uses, buildings or structures will be compatible with the organization of permitted and accessory uses to be protected in the

district:

1. Gasoline filling stations and automotive repair facilities;
2. Churches, synagogues, temples and other places of religious assembly for worship;

#### **SECTION 1014**

##### **Intensity**

The intensity of use in a Commercial One district of under two (2) acres shall not exceed 8,000 square feet of gross floor area per acre of land.

The intensity of use in a Commercial One district larger than two (2) acres shall not exceed 11,000 square feet of gross floor area per acres of land.

#### **SECTION 1015**

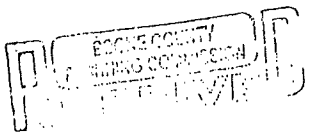
##### **Minimum Size**

There is no minimum size or extent required of a Commercial One district.

#### **SECTION 1016**

##### **Minimum Standards**

See Article 31 for dimensional standards. (Site Plan Review required for all permitted uses, See Article 30)



APPLICATION FORM

MAY 10 2007

ZONING MAP AMENDMENT
BOONE COUNTY PLANNING COMMISSION

(See Boone County Zoning Regulations)

SECTION A (To be completed by applicant)

- 1. Name of Project Autumn Woods
2. Location of Project Unincorporated Boone County Between LongBranch & Hathaw
3. Total Acreage of Site 345 +/- 344.69
4. Current Zoning of Site A-1, A-2 & RSE
5. Proposed Zoning (Classification being requested) SR-1/C-1 PD overlay
6. Proposed Uses (please specify each use) Single Family Detached, Single Family Attached and Commercial
7. Names of Applicant(s) LongBranch Development, Inc.
8. Address of Applicant(s) 2670 Chancellor Drive, Suite 300
9. Name of Property Owner(s) See Attached
10. Address of Property Owner(s) See Attached
11. Proposed Building Intensities (please specify) See Attached
12. Are there any existing buildings on the site? See Attached
13. Deed Book Page No. Group No.
14. Are you also applying for:
15. Have you submitted a Concept Development Plan? See Attached
16. Have you had a pre-application meeting with BCPC Staff? Yes
17. Please check the following organizations/agencies which you have discussed the proposed development within the last several months:

- 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
X Kentucky Transportation Cabinet
Cincinnati/N. KY International Airport (KY Airport Zoning Commission for height restrictions near the airport)

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

**June 20, 2007  
7:30 P.M.**

**PUBLIC HEARINGS**

**Commission Members Present:** Mrs. Arnett – Secretary/Treasurer, Mr. Breetz, Mr. Bunger, Mr. Caddell – Chairman, Mr. Carmichael, Mrs. Herald, Mrs. Kegley, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mrs. Poston - Vice Chairperson, Mr. Patrick Reynolds, and Mr. Schwenke.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; and Mr. Todd Morgan, AICP, Senior Planner.

**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:

1.     **Applicant:**     Long Branch Development, Inc. for  
AF Investments LLC, 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 AF Investments LLC, 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 Agriculture (A-1), Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 two zone changes to allow single-family and multi-family residences, and commercial uses.

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report). He noted a correction to Page 1 of the Staff Report - the second to last sentence of the first paragraph under REQUEST should read: *The Applicant proposes a cumulative phasing plan for this development beginning in 2008 with no more than 100 permits issued and increasing in increments of 100 per year through 2010, with 150 permits being issued in 2011 and 2012, with projected buildout by 2017.* He reviewed the attachments to the Staff Report and stated that David Whitehouse with Boone County Parks attempted to send him an email attachment, but he did not receive it. When he receives the email attachment, he will provide it to the Committee. Counselor Wilson asked for a general description of the email attachment. Mr. Light responded that Mr. Whitehouse was not opposed to the Staff Report, but wanted to add comments based on the new design since it is different from the previous request. Mr. Whitehouse is in favor, based on what he has seen, of Fiscal Court possibly taking over the park and pathway systems in the future -- but that decision would be up to Fiscal Court.

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

Mr. Bob Hawksley, 10848 Omaha Trace, Union, introduced the applicant's team: Joe Arlinghaus with Arlinghaus Builders, Todd Huss and Lorie Howard with Grand Communities, Joe Kramer with Cardinal Engineering, and Dan Riegler with Riegler Engineering. Copies of the applicant's handout *Autumn Woods* (see Exhibit 1) were distributed prior to the start of the Public Hearing. Reviewing the applicant's Power Point presentation, Mr. Hawksley stated that Autumn Woods is composed of about 345 acres. He noted the location of the site along the south side of Longbranch Road and the north side of Hathaway Road, about one mile east of Old Union Road. He stated that the Fischer Group and Arlinghaus Builders are familiar with this area. The Fischer Group built in Orleans North, Magnolia Trace, Tara, Pleasant Valley Meadows, Westbrook Estates, and Arbor Springs. He requested approval of the requested Zoning Map Amendment. He stated that they had pre-application meetings with Staff. They have provided the required details and their application is complete. He stated that they met with stakeholders along Spruce Lane and they have incorporated the Staff's comments and the Spruce Lane stakeholders' comments into the plan. He stated that the natural site features are incorporated into the design and the plan utilizes three of the existing lakes. He indicated where Longbranch creek is being preserved and the location of the linear green space. He stated that open spaces have been maintained throughout the community. Autumn Woods has gently rolling topography, which is typical to central Boone County. He stated that there are significant development constraints from the multiple power line easements that traverse the property. They have effectively addressed the power line easements with circulation and residential design along the ridge tops. He stated that the plan is in compliance with the Comprehensive Plan. He stated that the 2030 proposed land use is Suburban Residential at four units per acre. He stated that

the adjoining areas to the north, east and west are all Suburban Residential at four units per acre. South of Hathaway Road the property transitions from Suburban Residential to Rural Density. He stated that the plan provides for internal and external transitional land uses. Reviewing the Concept Development Plan, he stated that Autumn Woods is a predominantly residential community that provides for a wide range of housing opportunities for first time buyers, second time buyers, third time move-up buyers, and empty nesters. There will be a centrally location parcel of Neighborhood Commercial uses. There will be significant open space for community amenities. There will be two community facilities with pools, neighborhood parks, and associated improvements. There will be a hiker/biker trail and other open spaces throughout the community, such as lakes, streams, and wooded areas. He stated that they created a series of pods:

- Pod 1 -** Located on the northern end of the property at the entrance off Longbranch Road. Home sites are a minimum of 70 feet wide. Maximum of 164 homes.
- Pod 2 -** Located just south of Pod 1. Home sites are a minimum of 60 feet wide. Maximum of 166 homes.
- Pod 3** Neighborhood Commercial area located at the intersection of the east/west and north/south connectors. Development in Pod 3 will have to meet the requirements of the C-1 zone.
- Pod 4** For-sale condominium community located south of the east/west connector. Maximum of 401 units.
- Pod 5** Located in the west part of the site and subject to the power line easements. Home sites are a minimum of 50 feet wide. Maximum of 424 homes.
- Pod 6** Located in the southernmost portion of the site near the Hathaway Road connection. Home sites are a minimum of 70 feet wide. Maximum of 132 homes.

Mr. Hawksley stated that there will be a maximum of 1,287 homes and a maximum overall density of 3.73 units per acre. He stated that Autumn Woods was designed to promote transition of internal and external densities. There is transition from the lower densities of the north and south areas into the higher density in the center of the community. All home sites adjacent to single-family homes on Spruce Lane will be a minimum width of 75 feet and have a minimum rear yard setback of 40 feet, which matches the requirements of the adjacent RS zone on Spruce Lane. In keeping with the rural character along Hathaway Road, home sites there will be a minimum width of 100 feet and have 75-foot front yard setbacks. There will no driveways off Hathaway Road.

Mr. Todd Huss with Grand Communities, 2612 Stonehaven Drive, Cincinnati, OH stated that external transportation patterns are shown on the transportation plan. Access from the north for Autumn Woods will be off Longbranch Road and access from the south will be off Hathaway Road. Longbranch Road is a collector road. Hathaway Road is an arterial street. He stated that both access

points are just over one mile west of Old Union Road. There will be further access by U.S. 42, a five-lane highway. He stated that the Boone County Transportation Plan provides for a north/south collector street between Longbranch Road and Hathaway Road and an east/west collector street between U.S. 42 and Camp Ernst Road. He indicated the locations of the proposed collector roads on the applicant's Power Point slide. He stated that the proposed east/west collector street is positioned to provide future extension of the planned and approved portion of the connector street within the Harmony development, U.S. 42 and Westbrook Estates. The proposed north/south connector street is positioned to facilitate future extension to the south down to Hathaway Road with a connection at or near Meiman Drive in accordance with the Boone County Transportation Plan. He indicated the future road extension west to Camp Ernst Road. He indicated the location of the planned four-way intersection. He stated that the state of Kentucky and Boone County have a number of roadway improvements planned in the vicinity of Autumn Woods, such as Longbranch Road, Mt. Zion Road and Camp Ernst Road. The internal transportation patterns are shown on the Concept Development Plan. He indicated the locations of the north/south collector road, the east/west collector road, the subcollector street connecting to the east/west collector road, and the street south to Hathaway Road. He indicated the locations of the primary and secondary streets in the condominium community. He stated that there are local streets and cul-de-sacs in the other areas of residential development. All streets will be public streets. The connector road will have limited driveway access and on-street parking will be prohibited. He stated that the proposed location and alignment of the connector street is in response to discussion and comments from the Planning Commission and Staff. The street system may include islands and streetscape features to enhance the character of the community (details are shown on the Concept Development Plan). All streets will be built in accordance with the Subdivision standards or as depicted on the Concept Development Plan and described in the application. Additional detail on the street types is included in the handout (Exhibit 1). He stated that the traffic flow to and from Autumn Woods will require the construction of turning lanes at the Longbranch Road entrance and the Hathaway Road entrance, and they have agreed to construct the turn lanes. He indicated the proposed locations of the turn lanes on the Power Point slide. He stated that a Traffic Impact Analysis was performed by Edwards & Kelcey on January 16, 2007 and, based on the previous proposed density of 1,380 homes, there is Level of Service C or better at full buildout in the AM peak and PM peak hours for each turning movement. He indicated the location of the sanitary sewer trunk line currently being installed by Sanitation District #1. One of the reasons the trunk line is being extended is the school. The trunk line will be extended in a southerly direction and will provide sanitary sewer service to Autumn Woods. They met with Sanitation District #1 and sufficient capacity to serve Autumn Woods will be available. The 12" water lines on Longbranch Road and Hathaway Road will be extended through Autumn Woods to provide public water. They met with Boone County Water District and adequate quantity and pressure of water will be available. He indicated the locations of three existing lakes on the

site that will be preserved and utilized for stormwater detention. The lakes may be modified to provide adequate storage and capacity. All detention facilities will be designed, constructed and maintained in accordance with the requirements of the county, state, and EPA. He stated that the 2005 Comprehensive Plan identifies this area of Boone County as the area that will experience the greatest future residential growth. The area has remained largely undeveloped due to the lack of public sanitary sewer service. With the sanitary sewer trunk line extension along Longbranch creek, this area now has all infrastructure necessary to support the anticipated growth. He indicated on the Power Point slide the locations of surrounding uses including the new high school, the park, Boone County Cooperative Extension Services, knothole fields, Union EMS and Fire Station, and the new library on U.S. 42. He stated that they have extended their agreement with Boone County School District and a copy of that agreement is included in the handout (Exhibit 1). He stated that Autumn Woods is centrally located and easily accessed by a series of arterial, collector, and local roadways that provide excellent circulation patterns and access to public services. He stated that they will begin development in 2008 at the north end of the site in Pod 1 due to the location of the sanitary sewer. Development will extend into Pods 2 & 5 in 2008. Development will generally occur in a north/south direction at a rate driven by market conditions. The timing of development of the Neighborhood Commercial parcel (Pod 3) is market driven, but it will not develop before 2011. The timing of development of the condominium units (Pod 4) is market driven and will likely commence no sooner than 2011. Development of Pod 6 will start no sooner than 2010. Full build-out of Autumn Woods will occur in ten years or more. They agree to limit cumulative Building Permits as detailed in the table included in the handout. They agree that no more than one-half the total dwelling units will be occupied before the second access point is provided to Autumn Woods (the second entrance on Hathaway Road and/or the extension of the east/west or north/south connector road).

Mr. Hawksley stated that the Fischer Group and Arlinghaus Builders have demonstrated excellence in creating quality communities. In Autumn Woods, the architectural themes will be midwestern traditional/transitional in style with regional/local influences and elements. The designs will compliment existing homes along Longbranch Road, Hathaway Road, and in neighboring communities like Orleans, Harmony and Westbrook. The signage will create a consistent overall community theme and feel. The locations of the signage are identified on the plan. The combined open space/green space area is approximately 21% of the total area. All the green space that is not accepted by a governmental agency will be conveyed to a homeowners' association or a condominium association, or it will be subject to a preservation easement. He stated that open spaces have been designated to provide separation of neighborhoods, to preserve natural features, and to provide an open space linkage throughout the community for passive and active recreational opportunities for the residents of the community. The open space at the entrance off Longbranch Road will consist of the existing lake, a 900 square foot cabana, a pool, offstreet parking and open areas. He indicated the

location of the community-themed entrance walls. He presented pictures of typical pavilions and pools constructed in other communities. He presented pictures of entry monuments and landscaping similar in scale and scope to that proposed at the Longbranch Road and Hathaway Road entrances. He stated that a community themed entry wall and landscaping will be provided at the entrance to the condominium community along with an approximate 3,600 square foot clubhouse, pool, offstreet parking and open space. He presented pictures of typical community buildings designed to match the elements and theme of the community. He stated that a public neighborhood park will be included in the south central portion of the development. The park will contain extensive areas for passive and active recreational uses. There will be a playground, picnic shelters, access points into the community, offstreet parking, and playfields sized for a variety of activities. The Boone County Parks Department has expressed an interest in owning and maintaining the park and they are willing to donate it to the Parks Department. He presented pictures of Longbranch creek and open areas on the site. He presented pictures of typical picnic shelters and playground areas. He indicated linear open space along Longbranch creek that creates active and passive recreational opportunities and stated that it will be preserved. He indicated a 30-foot wide green space that will be provided along the eastern edge of the north/south collector street. He indicated a 50-foot wide green space area along the east/west connector that will act as a buffer to the Neighborhood Commercial. He stated that the stream along Pod 5 will be preserved. He indicated the locations of three lakes that will be preserved as community green space. He stated that there will be a hiker/biker trail along the north/south collector and along the east/west collector. Additional open space will be preserved in the condominium community. He presented pictures of the creek and open space areas that will be preserved. He stated that over 74 acres of open space will be provided, which is approximately 21% of the site. He stated that the application is complete and in compliance with the Concept Plan requirements, the Planned Development requirements, and the Boone County Comprehensive Plan. Autumn Woods meets the standards established in the Zoning Code for Planned Development districts. The development is in conformance with the Land Use Plan and land use intensities. It is in conformance with the Housing, Transportation and Environmental Goals & Objectives. Autumn Woods creates a great diversity in housing choices and will be an asset to Boone County. He requested approval of the application. He offered to answer any questions. This concluded the applicant's presentation.

Chairman Caddell stated that the minimum lot width in Pod 5 is 50 feet. He asked the applicant for pictures of their product on a 50-foot lot. Mr. Hawksley stated that those pictures are under Tab 8 and cited examples (Page 3 bottom left picture, Page 4 the top picture, and Page 5 bottom left picture). Mr. Costello stated that there are examples in Orleans North. He stated that the Ashton would be an example. Mr. Arlinghaus agreed that the Ashton would go on a 50-foot lot.

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

Mr. Jerry Geise, 2636 Hathaway Road, on the southern boundary of the site, questioned the effect of annexation on the property. Would the Planning Commission lose control of it? Would development have to conform to this presentation if the property is annexed into the city of Union or the city of Florence? He questioned the long-term completion date for the southwest part of the property. Counselor Wilson responded that per KRS 100, when a city annexes a property that has current zoning, that zoning would prevail. If a city wants to explore changing the zoning upon annexation, they would have to go through the Public Hearing process before this Commission. This is a county-wide Planning Commission. He stated that if this request is approved by Fiscal Court and they want to change the Development Plan, they would have to come back through this process.

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

Mr. Dan Haines, 9799 Spruce Lane, stated that 825 of the 1,287 homes are low-income homes. He stated that Arlinghaus Builders builds nice homes. He is not in favor of 40-foot wide houses on 50-foot wide lots. He asked the Commissioners to go out and look at the Maple Street homes in Orleans North and questioned if that is what people want in Boone County. He asked that the zoning not be changed. He stated that there would be 400+ condominiums that are three-stories high, even though they are saying they are 2.5 stories – and that is an apartment complex. He is opposed to 2.5 or 3 story condominiums. He asked if empty nesters want to go up three stories to their condominium. He stated that there are nice condominiums in Triple Crown and he would have no problem if that is what they want to build here. He stated that if you drive down U.S. 42 between 4 PM and 6 PM, you know what the traffic is like. He stated that the traffic needs to be considered in regard to when they can start building. He stated that the road will be through to Mt. Zion Road in 2010 and he hopes that the development is slowed down until the roads get to the point that people will be able to get out of Union.

Ms. Melanie Dube, 2709 Longbranch Road, is concerned about safety. She was present previously in regard to the Conrad Nichols property and it was said that the road would be widened from Camp Ernst Road to Kroth Lane to accommodate the school and the school buses. She stated that there is no berm and no place to go on the road. She is concerned about gravel trucks going 65 MPH with school buses and children. There is a blind spot at Kroth Lane. Three lanes will merge into 1.5 lanes and there is a blind curve. She stated that kids are driving down Longbranch Road with music playing and talking and texting on their cell phones, and buses will be stopped to turn into the school. The entrance

to the school will be at the blind spot. She stated that there has been no mention of reducing the speed limit on Longbranch Road due to the school. She has not been able to get a policeman out there to look at the speed. She compared the speed to the Daytona 500. She questioned how many of the high school students in this development will be allowed to drive and how many school buses it will take to get the rest of the children to and from school. How many school employees will be driving on the road everyday? She stated that there will be 164 units in Pod 1 on Longbranch Road in 2008 – 2009 and most of them will be two-income homes, which puts another 328 cars on the road each day times two (going to work and coming back home), and that does not include going to Girl Scouts, soccer, baseball, school functions, church or the grocery. She stated that there will be access for 500+ homes in the Miller development on Longbranch Road at the corner of Camp Ernst Road. That road will connect behind the houses on Camp Ernst Road and go up across from Kroth Lane and those houses will have access to Longbranch Road. She is afraid that she will not be able to get to work with all the traffic on Longbranch Road. Her house was built in 1987 and it had to be on five-acres because of the septic tank. She bought the house three years ago because it has mature beautiful trees and the area is serene. She is afraid that the serenity of the area will be gone with 1,200 high school students being transported back and forth and 200+ cars from the Conrad Nichols development going up and down the road everyday. She stated that by 2010 the road will be widened from Camp Ernst Road to Kroth Lane for the school and questioned when the rest of Longbranch Road will be widened. She stated that people want to live in Boone County for the beautiful area. She asked the Planning Commission to consider the safety of the children going to the school and the people that live around the area. They want to keep some of the ambience – they want to keep the trees and the beauty of the area.

Mr. Richard Franks, 2697 Hathaway Road, an adjoining property owner to the west, asked that the plan incorporate street and sewer connections to his property. He is the only property that does not have those connections. Mr. Light stated that he spoke with representatives of the applicant this evening and made them aware that Mr. Franks wants the street and sewer connections and they informed him that they were not opposed to looking into those connections.

Mr. Jeff Steffen, 9845 Spruce Lane, read from the Staff Report in regard to multi-modal elements (pedestrian paths, bike lanes, bus stops) and noted that road connections that prohibit driveway access should occur between U.S. 42, Camp Ernst Road, Longbranch Road, and Hathaway Road. He stated that in Pod 6 most of the houses have driveways out to the street, which does not meet the requirements. He stated that the average household in the city of Union and the city of Florence has 2.6 to 2.8 cars -- which means that there will be about 3,400 cars in this development when it is completed -- and with the vehicles for the school, there will be another 4,000 vehicles per day. Improvements to Longbranch Road are anticipated in 2010, but could be delayed due to the budget. He asked if the properties on Spruce Lane will get sewers. He stated that if this

development occurs, sewers should be provided for the existing properties. He stated that most of the houses on septic tanks are older and after about ten years septic tanks do not function properly. Leach is running out onto this property and problems will be created if new houses are built there.

Mr. Scott Maddox, 12328 Gaines Way, Walton, stated that his parents Robert and Lydia Maddox, are adjacent property owners to the west at 2514 Hathaway Road. Their property adjoins the proposed development but no street, sewer or utility connections are shown to their property. He requested those connections. In response to a question from Chairman Caddell, Mr. Maddox responded that their property is about 13 acres in size. It is immediately to the west and there is one residential property between the two properties.

The Chairman asked if there was anyone else present who wished to speak in regard to this request. There being no response, he asked if the applicant could provide information regarding sewer and street connections.

Mr. Huss responded that they will provide sanitary sewer stubs to the Spruce Lane area. He stated that the Maddox property has access to Hathaway Road. He stated that there is a creek and wooded area along the common property line and he does not think there would be a street stub to that property. They will look at a sewer connection to the Franks property.

Chairman Caddell stated that issues discussed at this Public Hearing and the Staff's concerns will be discussed further with the applicant at the Committee meeting. He will announce the date and time of the Committee meeting at the conclusion of this Public Hearing. The public is invited to attend that meeting. He encouraged Mr. Franks and Mr. Maddox, and anyone with an interest in street or sewer connections, or anyone who did not get a complete response this evening, to attend the Committee meeting.

The Chairman asked if there were any comments or questions from the Commissioners.

Mrs. Poston agreed with Mr. Steffen's comments regarding the road system. She questioned the date for the east/west connector road. Mr. Costello responded that the developer will build the east/west connector road. Mrs. Poston commented that this may be the opportunity to get a road from Hathaway Road to Longbranch Road.

In response to a question from Mr. McMillian, Mr. Huss stated that the approximate locations of the two cemeteries are identified on the Concept Development Plan. They will deal with the cemeteries in accordance with the state regulations. Mr. Costello responded that state regulations address the relocation of cemeteries. Cemetery preservation is addressed by local regulations. Mr. Huss responded that they intend to preserve the cemeteries. He indicated the

locations of the cemeteries and stated that they are identified under Tab 4 in the handout.

Mr. McMillian noted the proposed four-way stop and asked if there will be a roundabout. Mr. Huss responded that it is not their intention to have a roundabout. Topographical issues would make a roundabout challenging or impossible. They previously did not have a four-way intersection at that location but, based on feedback and additional engineering, they have determined that they could do a four-way intersection there. Mr. McMillian stated that with the amount of houses and traffic in the development, a roundabout would be a good idea because it would keep the traffic moving. Mr. Huss responded that a roundabout at that location is not feasible and there is no location on the Autumn Woods property where it is feasible to have a roundabout. Mr. McMillian asked if they had considered a roundabout. Mr. Huss responded "yes" and indicated the location of a roundabout that was discussed in the previous application. He stated that they do not control that property.

Mr. McMillian stated that all of the green space is along the creek. Mr. Huss indicated areas of green space on the plan. He stated that there are areas of green space along Longbranch creek, but there are also other areas of green space.

Mr. Bunger asked the applicant to provide more detail about the planned commercial areas, including architecture and the types of businesses. Mr. Huss responded that the commercial area is preliminary at this time. They envision neighborhood commercial and retail uses such as UDF or Subway. Chairman Caddell stated that the Committee will require the applicant to show architectural details for the commercial area in order to consider continuity, flow, and building sizes. Mr. Huss responded that they did not have anything in mind and, based on preliminary discussions with Staff, they left it open so that they could decide together what it would be. Mr. Breetz asked the applicant to review the allowable uses in detail. He stated that the Committee will probably try to eliminate some of the uses. Mr. Huss agreed that some of the uses may not be appropriate. Mr. Breetz noted that the applicant indicated that there would be hiker/biker paths along the roadways and they would try to eliminate some of the sidewalks. He is concerned about how they will accommodate pedestrians and asked the applicant to be prepared for detailed discussion at the Committee meeting. Mr. Huss agreed.

Chairman Caddell stated that there will be detailed discussion of the commercial area at the Committee meeting. Mr. Huss asked for leniency in defining the uses because they are trying to project something that is in the future -- the timing is unknown and the market conditions are unknown. He stated that if the streets were there and the residential uses were there today, they would have a better idea of what the commercial area should be.

Mrs. Arnett questioned the timeframe for the road improvements from Longbranch Road to U.S. 42. Mr. Light responded that there is no further information available right now other than what is in the Staff Report. He noted that one of the property owners questioned when the rest of Longbranch Road would be improved and he will try to find out the answer to that question from the County Engineer and Fiscal Court and provide the information to the Committee. Mrs. Arnett questioned the timing of roadway improvements from Hathaway Road to U.S. 42 to I-75. Mr. Light responded that Hathaway Road to U.S. 42 is a state road. He stated that work is scheduled on Mt. Zion Road, but not on Hathaway Road. He stated that from I-75 to U.S. 42 there are dates of 2007 and 2010. Nothing is scheduled from Old Union Road up Hathaway Road and it is on the low-priority project list in the 2030 Transportation Plan.

Mr. Schwenke stated that at the last Public Hearing there was discussion about fencing for the livestock farms. He stated that there are active livestock farms operating in this area. He stated that Mr. Arlinghaus did a good job on KY 18 and the farmers are very happy with the fencing there. He stated that fencing is a good neighbor policy and addresses safety. He asked if they plan to do the same thing in this location where there is an active farm. Mr. Arlinghaus responded that on KY 18 they put up a chainlink fence and the adjoining farmer built his own fence ten feet behind it and will put trees in the ten-foot area. Mr. Schwenke stated that there is a chainlink fence between Joe Meiman's cattle farm and the Toeppen development. He asked the applicant to come to the Committee meeting prepared to discuss fencing.

Mr. Schwenke asked the applicant to bring to Committee information regarding the percentages of masonry and siding in the condominium development.

Mr. Knock commended Staff and the applicant for their thorough presentations this evening.

Mr. Carmichael questioned the number of driveways on the road from the east/west connector south to Hathaway Road. He asked if it is a sub-collector road or a limited access road. He questioned the fifty-foot lots. He stated that he was not here for the Orleans request. Mr. Light responded that the 50-foot lots were part of the overall Orleans Planned Development. Mr. Carmichael stated that there seems to be an over abundance of very small lots proposed in a very large community. He asked if the condominiums will be owner-occupied only and if there be restrictions in the condominium documents prohibiting the condominiums from being rental properties in the future. Mr. Hawksley responded that they require a lease of six months or one year. It is included in the condominium documents that the renting of condominiums is not prohibited provided that they meet the requirements, which include an application, fee and minimum lease price. Mr. Carmichael stated that the condominiums on Buttermilk Pike are essentially deeded apartments. He stated that 100 building permits per year is excessive. He stated that it appears that they are trying to

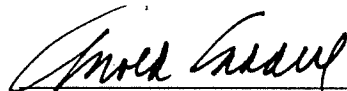
design a walkable community and sidewalks should be an important part of that. He stated that they need to have sidewalks inter-linking the entire community – people need to be able to walk from one end of the community to the other, and particularly to the stores. He asked the Committee to consider all of these issues.

Chairman Caddell stated that part of the request is in SR-1/PD, which permits 50-foot lots.


Mr. Geise stated that he has fences that border the property for about 1,000 feet. He stated that fences are for more than just keeping cattle in -- he is concerned about children, people, bicycles, trail bikes, etc. coming onto his property. He does not want people in his hayfields or in his pastures. He questioned a chainlink fence around the entire construction site. Chairman Caddell responded that fencing will be discussed at the Committee meeting and recommended that Mr. Geise attend the Committee meeting.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on June 27, 2007 at 5:00 PM. This item will be on the Agenda for the Business Meeting on July 5, 2007 at 7:00 PM at Burlington Elementary. The Chairman closed this Public Hearing at 9:20 PM and called for a five-minute recess.

**APPROVED:**

  
\_\_\_\_\_  
Arnold Caddell, Chairman

**Attest:**

  
\_\_\_\_\_  
Jan Hancock, Recording Secretary

**Exhibit 1 - *Autumn Woods, Summary of Zoning Map Amendment Application,*  
booklet submitted by the applicant**

**BOONE COUNTY PLANNING COMMISSION  
BUSINESS MEETING  
Burlington Elementary School  
5946 Orient Street  
Burlington, Kentucky  
August 1, 2007  
7:00 P.M.**

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Mr. Arnold Caddell, Chairman, called the meeting to order at 7:02 PM.

**COMMISSION MEMBERS PRESENT:**

Mrs. Judy Arnett, Secretary/Treasurer  
Mr. Greg Breetz  
Mr. Kim Bunger  
Mr. Arnold Caddell, Chairman  
Mr. Jim Carmichael  
Mrs. Linda Herald  
Mrs. Janet Kegley  
Mr. Richard Knock, Temporary Presiding Officer  
Mr. Don McMillian  
Mr. Randy Poe  
Mrs. Susan Poston, Vice Chairwoman  
Mr. Charlie Rolfsen

**COMMISSION MEMBERS NOT PRESENT:**

Mr. Charlie Reynolds  
Mr. Patrick Reynolds  
Mr. Bob Schwenke

**LEGAL COUNSEL PRESENT:**

Mr. Dale Wilson

**STAFF MEMBERS PRESENT:**

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

Mr. McMillian moved that the salaries, benefits, and bills due be approved and paid as presented; and indicated approval of those items which have been paid. Mrs. Poston seconded the motion. A vote on the motion found all voting members in favor. Chairman Caddell abstained due to his relationship with Heritage Bank. The motion carried.

**ACTION ON PLAN REVIEWS:**

**1. Zoning Map Amendment**

**The request of Long Branch Development, Inc. (applicant) for AF Investments LLC, 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 Agriculture (A-1), Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 two zone changes to allow single-family and multi-family residences, and commercial uses.**

Staff Member Mitch Light presented the Committee Report which recommended approval of the request based on the Findings of Fact, but subject to conditions (see Committee Report). The property owners have signed the letter agreeing to the conditions.

The Chairman asked if the applicant wished to make a summary statement in regard to items raised at the Public Hearing or discussed at the Committee Meetings before the Planning Commission takes action on this request.

Mr. Bob Hawksley thanked the Staff and the Committee for their work in four separate sessions to refine the plan and the conditions. The refinements and conditions make this an outstanding plan for an excellent community. He asked for approval of the request.

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

There being no discussion, **Mr. Breetz moved by resolution to Boone County Fiscal Court that the request be approved based on the Committee Report with the conditions. Mrs. Arnett seconded the motion. A vote on the motion**

found all voting members in favor. Mr. Poe did not vote due to his relationship with Boone County School District. The motion carried.

**2. Technical Design Review - Springhill Suites Hotel  
Turfway Road**

Staff Member Todd Morgan presented the Design Review Request for Springhill Suites Hotel located on Turfway Road in front of Turfway Park and next to Tumbleweed restaurant. The Commissioners received information packets in regard to the request. He presented samples of the building materials and stated that the applicant will come back for review of the signage. The Committee recommends approval of the request subject to conditions (see Committee Report).

There being no discussion, **Mr. Carmichael moved to approve the request based on the Committee Report with the conditions. Mrs. Poston seconded the motion and it carried unanimously.**

**3. Technical Design Review - Beckfield College  
16 Spiral Drive**

Chairman Caddell stated that Agenda Item #3 is recommended for deferral to the August 15, 2007 Business Meeting at 7:00 PM. Mrs. Poston so moved. Mr. Bunger seconded the motion and it carried unanimously.

**4. Technical Design Review - Uniquely Senise  
8529 U.S. 72**

Staff Member Mitch Light stated that the request is for Design Review of a 30.25 square foot building-mounted sign on the U.S. 42 frontage. The Commissioners received pictures and dimensions of the proposed signage in their packets. The Committee recommends approval of the request.

There being no discussion, **Mr. Carmichael moved to approve the request based on the Committee Report. Mrs. Arnett seconded the motion and it carried unanimously.**

**5. Technical Design Review - O'Charley's Inc.  
7414 Turfway Road**

Staff Member Mitch Light presented the Design Review Request for O'Charley's at the corner of Turfway Road and Houston Road. He stated that the Planning Commission reviewed a change in signage for the site approximately a month ago. The current request is for a change in color on the building elevation as shown on Page 4 of the packet. The Committee recommends approval of the request.

**EXHIBIT**

**“B”**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE REPORT

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: August 1, 2007

RE: Request of Long Branch Development, Inc. (applicant) for AF Investments LLC, 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 Agriculture (A-1), Agricultural Estate (A-2), and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 two zone changes to allow single family and multi-family residences, and commercial uses.

### 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 attached condominium structures located in the middle section of the site that represent land use transitions or gradations as advocated by the Comprehensive Plan. This section of the County is planned for future residential growth because of its location near the Union Town Center, Central Park and two future schools.

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 condominium phase.

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) recommends 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 project also includes a segment of the north/south controlled access connector road that will connect to Longbranch Road across from Barronne Street and connect to the proposed east/west connector road. A sub-collector 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 6/20/07. The proposed open spaces also fulfill the recommendations outlined in the Land Use Element's "Buffering" section (pg. 141).
- 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 Committee expressed concerns about the current condition of Longbranch Road with regard to the school campus (Cooper High scheduled to open August 2008) and the existing and proposed developments. 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 Business Activity Element ("Recommended Areas of Commercial Activity, pg. 63) states "Planned Unit Developments should be encouraged so that commercial construction is incorporated within new residential areas and designed properly. These commercial clusters should not function as an extension of Florence and Mall Road, but as distinct units serving the Burlington and Union areas. The commercial development in this area should coordinate closely with the projected high and medium density residential development to form a more coherent community and create neighborhood centers rather than just a strip extending out of Florence. An example of this type of design is the Oakbrook Marketplace, which ties into the subdivision while serving a larger trade area."
2. The Committee has concluded that the request fulfills the applicable requirements of Article 15 "Planned Development District" of the Boone County Zoning Regulations.

3. The Committee has concluded that the proposal, with the appropriate conditions, 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.
4. 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 as identified in the "Autumn Woods Summary of Zoning Map Amendment Application, June 20, 2007" (hereafter referred as "6/20/07 booklet") and "Autumn Woods Responses to Public Hearing Questions, June 27, 2007" (hereafter referred as "6/27/07 booklet") except as modified by the agreed conditions below.
2. The property owner agrees that no more than 450 homes (35% of the total homes in Autumn Woods) will be granted Certificates of Occupancy until one of the following additional access points is under construction.
  - a. A connection of the North/South connector from Longbranch Road to Hathaway Road; or
  - b. A connection of the East/West connector from Autumn Woods Subdivision to Old Union Road; or
  - c. A connection of the East/West connector from Autumn Woods Subdivision to Camp Ernst Road; or
  - d. A connection of the East/West connector through the sub-collector street within Autumn Woods Subdivision to Hathaway Road.

This access point must be completed and open to the public within 180 days (6 months) after construction begins. In the event this access point is not completed within the time frame, then no additional Zoning Permits will be issued until the street connection is completed and open to the public. The neighborhood park will be under development when these street connections are made.

3. The maximum number of dwelling units shall be phased in accordance with the "Maximum Cumulative Building Permits" subsection on page 16 of the 6/20/07 booklet. 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, and 150 units for 2011. 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. The total number of units in the overall development (all phases combined) shall not exceed 1,287.
4. The property owner agrees to provide the Maddox, Geise and Franks properties access to sanitary sewer, and any necessary easements, as well as the commitment made in the 6/27/07 booklet regarding the extension of sanitary sewer to adjacent Spruce Drive based upon the specifications of SD#1.
5. The development shall follow the stipulations in the "Internal Transportation Patterns" section (page 10) of the 6/20/07 booklet. The turn lanes described on page 12 (and in Tab 5) shall be constructed as part of the initial development of the respective entrances on Longbranch Road and Hathaway Road. Sidewalks will be provided on both sides of all cul-de-sac streets in the single family detached lot pods (Pods 1, 2, 5 & 6). All condominium streets will have a minimum 24' width of pavement. An 8' wide asphalt path will be constructed along the North/South sub-collector road and the East/West collector road per the "Pedestrian Pathways" exhibit (Tab 3) of the 6/27/07 booklet. The road connection in Pod 5 to the Geise property will be redesigned to provide a four way intersection. A road connection will also be provided from Pod 5 to the Franks property. The sub-collector street in Pods 5 & 6 indicate a pavement width of 28' with parking on one side of the street, but it is recommended by the Committee that a 25' width of pavement would be appropriate if an Ordinance were passed by the Boone County Fiscal Court eliminating parking on either side of the sub-collector street.
6. The development shall follow the stipulations outlined in the "Open Space" sections (Tabs 9, 10, 11 & 12) of the 6/20/07 booklet. A minimum of two (2) "No Trespassing" signs will be installed along the lake in Pod 6. The facilities discussed shall be constructed by the developer. The neighborhood park, linear park, and east/west connector area open space outlined will be offered for donation 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.
7. The development shall follow the "Conceptual Landscape Plan" in Tab 1 of the 6/27/07 booklet and "Community Features Plan" received at the 7/11/07 Committee Meeting with regard to the open spaces and buffer yards. Buffer yard "C" will be installed between Pods 2 & 3. Buffer yard "B" will be installed along the eastern boundary of Pod 4 and the adjoining property. Credit will be given for retaining vegetation.

8. The proposed 5.39 acre Commercial One (C-1) Pod will follow the building elevation design as shown in Tab 2 of the 6/27/07 booklet with the only excluded principally permitted use being "#33. Funeral homes and crematoriums excluding cemeteries or mausoleums".
9. At a minimum, the building elevations in the condominium phase (Pod 4) shall consist of the following:
  - a. The "Gallery" style condominiums shall have a minimum of 67% to 84% masonry on the front elevation with an average of 32% to 37% masonry for all elevations.
  - b. The "Villa" style condominiums shall have a minimum of 21% to 36% masonry on the front elevation with an average of 16% to 19% masonry for all elevations.
10. The property owner will install a woven wire fence along the Geise and Maddox properties, as it adjoins this development, at a 50/50 shared cost if deemed necessary by Geise and Maddox. Additionally, the developer will install a farm fence (timber posts, 6" woven wire, and two strands of barbed wire) 3' inside the Kahmann property boundary as development occurs along Pods 1, 2 & 4.
11. The development shall follow the stipulations outlined in the "Boone County Schools" section (Tab 7) of the 6/20/07 booklet. This section commits to following the agreements outlined in the June 5, 2007 letter from Bryan Blavatt, Superintendent (attached).
12. If this request is approved, the applicant shall be required to modify the Autumn Woods booklet to reflect all zoning conditions as a result of the Zoning Map Amendment and this booklet shall be submitted to the Planning Commission within the 60 days of final action by the Boone County Fiscal Court.

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.

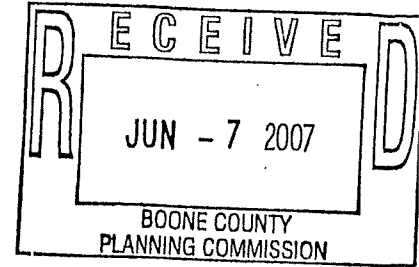
**BRYAN A. BLAVATT**  
Superintendent of Schools

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**

June 5, 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 re-filing for zone change for the Autumn Woods Subdivision by Longbranch Development Incorporated (hereby referred to as developer/applicant). Boone County Schools has previously negotiated the following conditions with the developer/applicant and can support the development if these prior conditions are honored and made part of the conditions of Public Record 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**

**June 20, 2007  
7:30 P.M.**

**PUBLIC HEARINGS**

**Commission Members Present:** Mrs. Arnett – Secretary/Treasurer, Mr. Breetz, Mr. Bunger, Mr. Caddell – Chairman, Mr. Carmichael, Mrs. Herald, Mrs. Kegley, Mr. Knock – Temporary Presiding Officer, Mr. McMillian, Mrs. Poston - Vice Chairperson, Mr. Patrick Reynolds, and Mr. Schwenke.

**Staff Members Present:** Mr. Kevin Costello, AICP, Executive Director; Ms. Jan Hancock, Secretary; Mr. Mitch Light, Assistant Zoning Administrator/ZEO; and Mr. Todd Morgan, AICP, Senior Planner.

**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:

1. **Applicant:** Long Branch Development, Inc. for AF Investments LLC, 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 AF Investments LLC, 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 Agriculture (A-1), Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 two zone changes to allow single-family and multi-family residences, and commercial uses.

Staff Member Mitch Light presented the Staff Report which included a Power Point presentation (see Staff Report). He noted a correction to Page 1 of the Staff Report - the second to last sentence of the first paragraph under REQUEST should read: *The Applicant proposes a cumulative phasing plan for this development beginning in 2008 with no more than 100 permits issued and increasing in increments of 100 per year through 2010, with 150 permits being issued in 2011 and 2012, with projected buildout by 2017.* He reviewed the attachments to the Staff Report and stated that David Whitehouse with Boone County Parks attempted to send him an email attachment, but he did not receive it. When he receives the email attachment, he will provide it to the Committee. Counselor Wilson asked for a general description of the email attachment. Mr. Light responded that Mr. Whitehouse was not opposed to the Staff Report, but wanted to add comments based on the new design since it is different from the previous request. Mr. Whitehouse is in favor, based on what he has seen, of Fiscal Court possibly taking over the park and pathway systems in the future -- but that decision would be up to Fiscal Court.

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

Mr. Bob Hawksley, 10848 Omaha Trace, Union, introduced the applicant's team: Joe Arlinghaus with Arlinghaus Builders, Todd Huss and Lorie Howard with Grand Communities, Joe Kramer with Cardinal Engineering, and Dan Riegler with Riegler Engineering. Copies of the applicant's handout *Autumn Woods* (see Exhibit 1) were distributed prior to the start of the Public Hearing. Reviewing the applicant's Power Point presentation, Mr. Hawksley stated that Autumn Woods is composed of about 345 acres. He noted the location of the site along the south side of Longbranch Road and the north side of Hathaway Road, about one mile east of Old Union Road. He stated that the Fischer Group and Arlinghaus Builders are familiar with this area. The Fischer Group built in Orleans North, Magnolia Trace, Tara, Pleasant Valley Meadows, Westbrook Estates, and Arbor Springs. He requested approval of the requested Zoning Map Amendment. He stated that they had pre-application meetings with Staff. They have provided the required details and their application is complete. He stated that they met with stakeholders along Spruce Lane and they have incorporated the Staff's comments and the Spruce Lane stakeholders' comments into the plan. He stated that the natural site features are incorporated into the design and the plan utilizes three of the existing lakes. He indicated where Longbranch creek is being preserved and the location of the linear green space. He stated that open spaces have been maintained throughout the community. Autumn Woods has gently rolling topography, which is typical to central Boone County. He stated that there are significant development constraints from the multiple power line easements that traverse the property. They have effectively addressed the power line easements with circulation and residential design along the ridge tops. He stated that the plan is in compliance with the Comprehensive Plan. He stated that the 2030 proposed land use is Suburban Residential at four units per acre. He stated that

the adjoining areas to the north, east and west are all Suburban Residential at four units per acre. South of Hathaway Road the property transitions from Suburban Residential to Rural Density. He stated that the plan provides for internal and external transitional land uses. Reviewing the Concept Development Plan, he stated that Autumn Woods is a predominantly residential community that provides for a wide range of housing opportunities for first time buyers, second time buyers, third time move-up buyers, and empty nesters. There will be a centrally location parcel of Neighborhood Commercial uses. There will be significant open space for community amenities. There will be two community facilities with pools, neighborhood parks, and associated improvements. There will be a hiker/biker trail and other open spaces throughout the community, such as lakes, streams, and wooded areas. He stated that they created a series of pods:

- Pod 1 -** Located on the northern end of the property at the entrance off Longbranch Road. Home sites are a minimum of 70 feet wide. Maximum of 164 homes.
- Pod 2 -** Located just south of Pod 1. Home sites are a minimum of 60 feet wide. Maximum of 166 homes.
- Pod 3** Neighborhood Commercial area located at the intersection of the east/west and north/south connectors. Development in Pod 3 will have to meet the requirements of the C-1 zone.
- Pod 4** For-sale condominium community located south of the east/west connector. Maximum of 401 units.
- Pod 5** Located in the west part of the site and subject to the power line easements. Home sites are a minimum of 50 feet wide. Maximum of 424 homes.
- Pod 6** Located in the southernmost portion of the site near the Hathaway Road connection. Home sites are a minimum of 70 feet wide. Maximum of 132 homes.

Mr. Hawksley stated that there will be a maximum of 1,287 homes and a maximum overall density of 3.73 units per acre. He stated that Autumn Woods was designed to promote transition of internal and external densities. There is transition from the lower densities of the north and south areas into the higher density in the center of the community. All home sites adjacent to single-family homes on Spruce Lane will be a minimum width of 75 feet and have a minimum rear yard setback of 40 feet, which matches the requirements of the adjacent RS zone on Spruce Lane. In keeping with the rural character along Hathaway Road, home sites there will be a minimum width of 100 feet and have 75-foot front yard setbacks. There will no driveways off Hathaway Road.

Mr. Todd Huss with Grand Communities, 2612 Stonehaven Drive, Cincinnati, OH stated that external transportation patterns are shown on the transportation plan. Access from the north for Autumn Woods will be off Longbranch Road and access from the south will be off Hathaway Road. Longbranch Road is a collector road. Hathaway Road is an arterial street. He stated that both access

points are just over one mile west of Old Union Road. There will be further access by U.S. 42, a five-lane highway. He stated that the Boone County Transportation Plan provides for a north/south collector street between Longbranch Road and Hathaway Road and an east/west collector street between U.S. 42 and Camp Ernst Road. He indicated the locations of the proposed collector roads on the applicant's Power Point slide. He stated that the proposed east/west collector street is positioned to provide future extension of the planned and approved portion of the connector street within the Harmony development, U.S. 42 and Westbrook Estates. The proposed north/south connector street is positioned to facilitate future extension to the south down to Hathaway Road with a connection at or near Meiman Drive in accordance with the Boone County Transportation Plan. He indicated the future road extension west to Camp Ernst Road. He indicated the location of the planned four-way intersection. He stated that the state of Kentucky and Boone County have a number of roadway improvements planned in the vicinity of Autumn Woods, such as Longbranch Road, Mt. Zion Road and Camp Ernst Road. The internal transportation patterns are shown on the Concept Development Plan. He indicated the locations of the north/south collector road, the east/west collector road, the subcollector street connecting to the east/west collector road, and the street south to Hathaway Road. He indicated the locations of the primary and secondary streets in the condominium community. He stated that there are local streets and cul-de-sacs in the other areas of residential development. All streets will be public streets. The connector road will have limited driveway access and on-street parking will be prohibited. He stated that the proposed location and alignment of the connector street is in response to discussion and comments from the Planning Commission and Staff. The street system may include islands and streetscape features to enhance the character of the community (details are shown on the Concept Development Plan). All streets will be built in accordance with the Subdivision standards or as depicted on the Concept Development Plan and described in the application. Additional detail on the street types is included in the handout (Exhibit 1). He stated that the traffic flow to and from Autumn Woods will require the construction of turning lanes at the Longbranch Road entrance and the Hathaway Road entrance, and they have agreed to construct the turn lanes. He indicated the proposed locations of the turn lanes on the Power Point slide. He stated that a Traffic Impact Analysis was performed by Edwards & Kelcey on January 16, 2007 and, based on the previous proposed density of 1,380 homes, there is Level of Service C or better at full buildout in the AM peak and PM peak hours for each turning movement. He indicated the location of the sanitary sewer trunk line currently being installed by Sanitation District #1. One of the reasons the trunk line is being extended is the school. The trunk line will be extended in a southerly direction and will provide sanitary sewer service to Autumn Woods. They met with Sanitation District #1 and sufficient capacity to serve Autumn Woods will be available. The 12" water lines on Longbranch Road and Hathaway Road will be extended through Autumn Woods to provide public water. They met with Boone County Water District and adequate quantity and pressure of water will be available. He indicated the locations of three existing lakes on the

site that will be preserved and utilized for stormwater detention. The lakes may be modified to provide adequate storage and capacity. All detention facilities will be designed, constructed and maintained in accordance with the requirements of the county, state, and EPA. He stated that the 2005 Comprehensive Plan identifies this area of Boone County as the area that will experience the greatest future residential growth. The area has remained largely undeveloped due to the lack of public sanitary sewer service. With the sanitary sewer trunk line extension along Longbranch creek, this area now has all infrastructure necessary to support the anticipated growth. He indicated on the Power Point slide the locations of surrounding uses including the new high school, the park, Boone County Cooperative Extension Services, knothole fields, Union EMS and Fire Station, and the new library on U.S. 42. He stated that they have extended their agreement with Boone County School District and a copy of that agreement is included in the handout (Exhibit 1). He stated that Autumn Woods is centrally located and easily accessed by a series of arterial, collector, and local roadways that provide excellent circulation patterns and access to public services. He stated that they will begin development in 2008 at the north end of the site in Pod 1 due to the location of the sanitary sewer. Development will extend into Pods 2 & 5 in 2008. Development will generally occur in a north/south direction at a rate driven by market conditions. The timing of development of the Neighborhood Commercial parcel (Pod 3) is market driven, but it will not develop before 2011. The timing of development of the condominium units (Pod 4) is market driven and will likely commence no sooner than 2011. Development of Pod 6 will start no sooner than 2010. Full build-out of Autumn Woods will occur in ten years or more. They agree to limit cumulative Building Permits as detailed in the table included in the handout. They agree that no more than one-half the total dwelling units will be occupied before the second access point is provided to Autumn Woods (the second entrance on Hathaway Road and/or the extension of the east/west or north/south connector road).

Mr. Hawksley stated that the Fischer Group and Arlinghaus Builders have demonstrated excellence in creating quality communities. In Autumn Woods, the architectural themes will be midwestern traditional/transitional in style with regional/local influences and elements. The designs will compliment existing homes along Longbranch Road, Hathaway Road, and in neighboring communities like Orleans, Harmony and Westbrook. The signage will create a consistent overall community theme and feel. The locations of the signage are identified on the plan. The combined open space/green space area is approximately 21% of the total area. All the green space that is not accepted by a governmental agency will be conveyed to a homeowners' association or a condominium association, or it will be subject to a preservation easement. He stated that open spaces have been designated to provide separation of neighborhoods, to preserve natural features, and to provide an open space linkage throughout the community for passive and active recreational opportunities for the residents of the community. The open space at the entrance off Longbranch Road will consist of the existing lake, a 900 square foot cabana, a pool, offstreet parking and open areas. He indicated the

location of the community-themed entrance walls. He presented pictures of typical pavilions and pools constructed in other communities. He presented pictures of entry monuments and landscaping similar in scale and scope to that proposed at the Longbranch Road and Hathaway Road entrances. He stated that a community themed entry wall and landscaping will be provided at the entrance to the condominium community along with an approximate 3,600 square foot clubhouse, pool, offstreet parking and open space. He presented pictures of typical community buildings designed to match the elements and theme of the community. He stated that a public neighborhood park will be included in the south central portion of the development. The park will contain extensive areas for passive and active recreational uses. There will be a playground, picnic shelters, access points into the community, offstreet parking, and playfields sized for a variety of activities. The Boone County Parks Department has expressed an interest in owning and maintaining the park and they are willing to donate it to the Parks Department. He presented pictures of Longbranch creek and open areas on the site. He presented pictures of typical picnic shelters and playground areas. He indicated linear open space along Longbranch creek that creates active and passive recreational opportunities and stated that it will be preserved. He indicated a 30-foot wide green space that will be provided along the eastern edge of the north/south collector street. He indicated a 50-foot wide green space area along the east/west connector that will act as a buffer to the Neighborhood Commercial. He stated that the stream along Pod 5 will be preserved. He indicated the locations of three lakes that will be preserved as community green space. He stated that there will be a hiker/biker trail along the north/south collector and along the east/west collector. Additional open space will be preserved in the condominium community. He presented pictures of the creek and open space areas that will be preserved. He stated that over 74 acres of open space will be provided, which is approximately 21% of the site. He stated that the application is complete and in compliance with the Concept Plan requirements, the Planned Development requirements, and the Boone County Comprehensive Plan. Autumn Woods meets the standards established in the Zoning Code for Planned Development districts. The development is in conformance with the Land Use Plan and land use intensities. It is in conformance with the Housing, Transportation and Environmental Goals & Objectives. Autumn Woods creates a great diversity in housing choices and will be an asset to Boone County. He requested approval of the application. He offered to answer any questions. This concluded the applicant's presentation.

Chairman Caddell stated that the minimum lot width in Pod 5 is 50 feet. He asked the applicant for pictures of their product on a 50-foot lot. Mr. Hawksley stated that those pictures are under Tab 8 and cited examples (Page 3 bottom left picture, Page 4 the top picture, and Page 5 bottom left picture). Mr. Costello stated that there are examples in Orleans North. He stated that the Ashton would be an example. Mr. Arlinghaus agreed that the Ashton would go on a 50-foot lot.

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

Mr. Jerry Geise, 2636 Hathaway Road, on the southern boundary of the site, questioned the effect of annexation on the property. Would the Planning Commission lose control of it? Would development have to conform to this presentation if the property is annexed into the city of Union or the city of Florence? He questioned the long-term completion date for the southwest part of the property. Counselor Wilson responded that per KRS 100, when a city annexes a property that has current zoning, that zoning would prevail. If a city wants to explore changing the zoning upon annexation, they would have to go through the Public Hearing process before this Commission. This is a county-wide Planning Commission. He stated that if this request is approved by Fiscal Court and they want to change the Development Plan, they would have to come back through this process.

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

Mr. Dan Haines, 9799 Spruce Lane, stated that 825 of the 1,287 homes are low-income homes. He stated that Arlinghaus Builders builds nice homes. He is not in favor of 40-foot wide houses on 50-foot wide lots. He asked the Commissioners to go out and look at the Maple Street homes in Orleans North and questioned if that is what people want in Boone County. He asked that the zoning not be changed. He stated that there would be 400+ condominiums that are three-stories high, even though they are saying they are 2.5 stories – and that is an apartment complex. He is opposed to 2.5 or 3 story condominiums. He asked if empty nesters want to go up three stories to their condominium. He stated that there are nice condominiums in Triple Crown and he would have no problem if that is what they want to build here. He stated that if you drive down U.S. 42 between 4 PM and 6 PM, you know what the traffic is like. He stated that the traffic needs to be considered in regard to when they can start building. He stated that the road will be through to Mt. Zion Road in 2010 and he hopes that the development is slowed down until the roads get to the point that people will be able to get out of Union.

Ms. Melanie Dube, 2709 Longbranch Road, is concerned about safety. She was present previously in regard to the Conrad Nichols property and it was said that the road would be widened from Camp Ernst Road to Kroth Lane to accommodate the school and the school buses. She stated that there is no berm and no place to go on the road. She is concerned about gravel trucks going 65 MPH with school buses and children. There is a blind spot at Kroth Lane. Three lanes will merge into 1.5 lanes and there is a blind curve. She stated that kids are driving down Longbranch Road with music playing and talking and texting on their cell phones, and buses will be stopped to turn into the school. The entrance

to the school will be at the blind spot. She stated that there has been no mention of reducing the speed limit on Longbranch Road due to the school. She has not been able to get a policeman out there to look at the speed. She compared the speed to the Daytona 500. She questioned how many of the high school students in this development will be allowed to drive and how many school buses it will take to get the rest of the children to and from school. How many school employees will be driving on the road everyday? She stated that there will be 164 units in Pod 1 on Longbranch Road in 2008 – 2009 and most of them will be two-income homes, which puts another 328 cars on the road each day times two (going to work and coming back home), and that does not include going to Girl Scouts, soccer, baseball, school functions, church or the grocery. She stated that there will be access for 500+ homes in the Miller development on Longbranch Road at the corner of Camp Ernst Road. That road will connect behind the houses on Camp Ernst Road and go up across from Kroth Lane and those houses will have access to Longbranch Road. She is afraid that she will not be able to get to work with all the traffic on Longbranch Road. Her house was built in 1987 and it had to be on five-acres because of the septic tank. She bought the house three years ago because it has mature beautiful trees and the area is serene. She is afraid that the serenity of the area will be gone with 1,200 high school students being transported back and forth and 200+ cars from the Conrad Nichols development going up and down the road everyday. She stated that by 2010 the road will be widened from Camp Ernst Road to Kroth Lane for the school and questioned when the rest of Longbranch Road will be widened. She stated that people want to live in Boone County for the beautiful area. She asked the Planning Commission to consider the safety of the children going to the school and the people that live around the area. They want to keep some of the ambience – they want to keep the trees and the beauty of the area.

Mr. Richard Franks, 2697 Hathaway Road, an adjoining property owner to the west, asked that the plan incorporate street and sewer connections to his property. He is the only property that does not have those connections. Mr. Light stated that he spoke with representatives of the applicant this evening and made them aware that Mr. Franks wants the street and sewer connections and they informed him that they were not opposed to looking into those connections.

Mr. Jeff Steffen, 9845 Spruce Lane, read from the Staff Report in regard to multi-modal elements (pedestrian paths, bike lanes, bus stops) and noted that road connections that prohibit driveway access should occur between U.S. 42, Camp Ernst Road, Longbranch Road, and Hathaway Road. He stated that in Pod 6 most of the houses have driveways out to the street, which does not meet the requirements. He stated that the average household in the city of Union and the city of Florence has 2.6 to 2.8 cars -- which means that there will be about 3,400 cars in this development when it is completed -- and with the vehicles for the school, there will be another 4,000 vehicles per day. Improvements to Longbranch Road are anticipated in 2010, but could be delayed due to the budget. He asked if the properties on Spruce Lane will get sewers. He stated that if this

development occurs, sewers should be provided for the existing properties. He stated that most of the houses on septic tanks are older and after about ten years septic tanks do not function properly. Leach is running out onto this property and problems will be created if new houses are built there.

Mr. Scott Maddox, 12328 Gaines Way, Walton, stated that his parents Robert and Lydia Maddox, are adjacent property owners to the west at 2514 Hathaway Road. Their property adjoins the proposed development but no street, sewer or utility connections are shown to their property. He requested those connections. In response to a question from Chairman Caddell, Mr. Maddox responded that their property is about 13 acres in size. It is immediately to the west and there is one residential property between the two properties.

The Chairman asked if there was anyone else present who wished to speak in regard to this request. There being no response, he asked if the applicant could provide information regarding sewer and street connections.

Mr. Huss responded that they will provide sanitary sewer stubs to the Spruce Lane area. He stated that the Maddox property has access to Hathaway Road. He stated that there is a creek and wooded area along the common property line and he does not think there would be a street stub to that property. They will look at a sewer connection to the Franks property.

Chairman Caddell stated that issues discussed at this Public Hearing and the Staff's concerns will be discussed further with the applicant at the Committee meeting. He will announce the date and time of the Committee meeting at the conclusion of this Public Hearing. The public is invited to attend that meeting. He encouraged Mr. Franks and Mr. Maddox, and anyone with an interest in street or sewer connections, or anyone who did not get a complete response this evening, to attend the Committee meeting.

The Chairman asked if there were any comments or questions from the Commissioners.

Mrs. Poston agreed with Mr. Steffen's comments regarding the road system. She questioned the date for the east/west connector road. Mr. Costello responded that the developer will build the east/west connector road. Mrs. Poston commented that this may be the opportunity to get a road from Hathaway Road to Longbranch Road.

In response to a question from Mr. McMillian, Mr. Huss stated that the approximate locations of the two cemeteries are identified on the Concept Development Plan. They will deal with the cemeteries in accordance with the state regulations. Mr. Costello responded that state regulations address the relocation of cemeteries. Cemetery preservation is addressed by local regulations. Mr. Huss responded that they intend to preserve the cemeteries. He indicated the

locations of the cemeteries and stated that they are identified under Tab 4 in the handout.

Mr. McMillian noted the proposed four-way stop and asked if there will be a roundabout. Mr. Huss responded that it is not their intention to have a roundabout. Topographical issues would make a roundabout challenging or impossible. They previously did not have a four-way intersection at that location but, based on feedback and additional engineering, they have determined that they could do a four-way intersection there. Mr. McMillian stated that with the amount of houses and traffic in the development, a roundabout would be a good idea because it would keep the traffic moving. Mr. Huss responded that a roundabout at that location is not feasible and there is no location on the Autumn Woods property where it is feasible to have a roundabout. Mr. McMillian asked if they had considered a roundabout. Mr. Huss responded "yes" and indicated the location of a roundabout that was discussed in the previous application. He stated that they do not control that property.

Mr. McMillian stated that all of the green space is along the creek. Mr. Huss indicated areas of green space on the plan. He stated that there are areas of green space along Longbranch creek, but there are also other areas of green space.

Mr. Bunger asked the applicant to provide more detail about the planned commercial areas, including architecture and the types of businesses. Mr. Huss responded that the commercial area is preliminary at this time. They envision neighborhood commercial and retail uses such as UDF or Subway. Chairman Caddell stated that the Committee will require the applicant to show architectural details for the commercial area in order to consider continuity, flow, and building sizes. Mr. Huss responded that they did not have anything in mind and, based on preliminary discussions with Staff, they left it open so that they could decide together what it would be. Mr. Breetz asked the applicant to review the allowable uses in detail. He stated that the Committee will probably try to eliminate some of the uses. Mr. Huss agreed that some of the uses may not be appropriate. Mr. Breetz noted that the applicant indicated that there would be hiker/biker paths along the roadways and they would try to eliminate some of the sidewalks. He is concerned about how they will accommodate pedestrians and asked the applicant to be prepared for detailed discussion at the Committee meeting. Mr. Huss agreed.

Chairman Caddell stated that there will be detailed discussion of the commercial area at the Committee meeting. Mr. Huss asked for leniency in defining the uses because they are trying to project something that is in the future -- the timing is unknown and the market conditions are unknown. He stated that if the streets were there and the residential uses were there today, they would have a better idea of what the commercial area should be.

Mrs. Arnett questioned the timeframe for the road improvements from Longbranch Road to U.S. 42. Mr. Light responded that there is no further information available right now other than what is in the Staff Report. He noted that one of the property owners questioned when the rest of Longbranch Road would be improved and he will try to find out the answer to that question from the County Engineer and Fiscal Court and provide the information to the Committee. Mrs. Arnett questioned the timing of roadway improvements from Hathaway Road to U.S. 42 to I-75. Mr. Light responded that Hathaway Road to U.S. 42 is a state road. He stated that work is scheduled on Mt. Zion Road, but not on Hathaway Road. He stated that from I-75 to U.S. 42 there are dates of 2007 and 2010. Nothing is scheduled from Old Union Road up Hathaway Road and it is on the low-priority project list in the 2030 Transportation Plan.

Mr. Schwenke stated that at the last Public Hearing there was discussion about fencing for the livestock farms. He stated that there are active livestock farms operating in this area. He stated that Mr. Arlinghaus did a good job on KY 18 and the farmers are very happy with the fencing there. He stated that fencing is a good neighbor policy and addresses safety. He asked if they plan to do the same thing in this location where there is an active farm. Mr. Arlinghaus responded that on KY 18 they put up a chainlink fence and the adjoining farmer built his own fence ten feet behind it and will put trees in the ten-foot area. Mr. Schwenke stated that there is a chainlink fence between Joe Meiman's cattle farm and the Toebben development. He asked the applicant to come to the Committee meeting prepared to discuss fencing.

Mr. Schwenke asked the applicant to bring to Committee information regarding the percentages of masonry and siding in the condominium development.

Mr. Knock commended Staff and the applicant for their thorough presentations this evening.

Mr. Carmichael questioned the number of driveways on the road from the east/west connector south to Hathaway Road. He asked if it is a sub-collector road or a limited access road. He questioned the fifty-foot lots. He stated that he was not here for the Orleans request. Mr. Light responded that the 50-foot lots were part of the overall Orleans Planned Development. Mr. Carmichael stated that there seems to be an over abundance of very small lots proposed in a very large community. He asked if the condominiums will be owner-occupied only and if there be restrictions in the condominium documents prohibiting the condominiums from being rental properties in the future. Mr. Hawksley responded that they require a lease of six months or one year. It is included in the condominium documents that the renting of condominiums is not prohibited provided that they meet the requirements, which include an application, fee and minimum lease price. Mr. Carmichael stated that the condominiums on Buttermilk Pike are essentially deeded apartments. He stated that 100 building permits per year is excessive. He stated that it appears that they are trying to

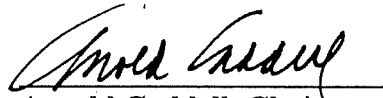
design a walkable community and sidewalks should be an important part of that. He stated that they need to have sidewalks inter-linking the entire community – people need to be able to walk from one end of the community to the other, and particularly to the stores. He asked the Committee to consider all of these issues.

Chairman Caddell stated that part of the request is in SR-1/PD, which permits 50-foot lots.


Mr. Geise stated that he has fences that border the property for about 1,000 feet. He stated that fences are for more than just keeping cattle in -- he is concerned about children, people, bicycles, trail bikes, etc. coming onto his property. He does not want people in his hayfields or in his pastures. He questioned a chainlink fence around the entire construction site. Chairman Caddell responded that fencing will be discussed at the Committee meeting and recommended that Mr. Geise attend the Committee meeting.

There being no further comments, the Chairman stated that the Committee Meeting for this item will be on June 27, 2007 at 5:00 PM. This item will be on the Agenda for the Business Meeting on July 5, 2007 at 7:00 PM at Burlington Elementary. The Chairman closed this Public Hearing at 9:20 PM and called for a five-minute recess.

**APPROVED:**

  
Arnold Caddell, Chairman

**Attest:**

  
Jan Hancock, Recording Secretary

**Exhibit 1 - *Autumn Woods, Summary of Zoning Map Amendment Application,*  
booklet submitted by the applicant**

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: July 18, 2007

RE: Request of Long Branch Development, Inc. (applicant) for AF Investments LLC, 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 Agriculture (A-1), Agricultural Estate (A-2), and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 two zone changes to allow single family and multi-family residences, and commercial uses.

### 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, Inc.

July 18, 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 A. Kegley*  
 \_\_\_\_\_  
**Janet Kegley**

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

*Susan Poston*  
 \_\_\_\_\_  
**Susan Poston**

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

*Charlie Rolfsen*  
 \_\_\_\_\_  
**Charlie Rolfsen**

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      6   FOR PROJECT       ABSENT  
                     AGAINST PROJECT       ABSTAIN

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: July 11, 2007

RE: Request of Long Branch Development, Inc. (applicant) for AF Investments LLC, 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 Agriculture (A-1), Agricultural Estate (A-2), and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 two zone changes to allow single family and multi-family residences, and commercial uses.

### 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, Inc.

July 11, 2007

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

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

**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

**Charlie Rolfsen**  
 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 1 ABSENT  
— AGAINST PROJECT — ABSTAIN

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

FROM: Greg Breetz, Chairman

DATE: July 5, 2007

RE: Request of Long Branch Development, Inc. (applicant) for AF Investments LLC, 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 Agriculture (A-1), Agricultural Estate (A-2), and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 two zone changes to allow single family and multi-family residences, and commercial uses.

### 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, Inc.

July 5, 2007

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

For Project  Absent   
 Against Project   
 Abstain  Deferred

**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*  
**Susan Poston**

For Project  Absent   
 Against Project   
 Abstain  Deferred

*Charlie Rolfsen*  
**Charlie Rolfsen**

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: 5 DEFERRED 0 FOR PROJECT 1 ABSENT  
0 AGAINST PROJECT 0 ABSTAIN

## ZONE CHANGE/CONCEPT PLAN COMMITTEE VOTE

TO: Boone County Planning Commission

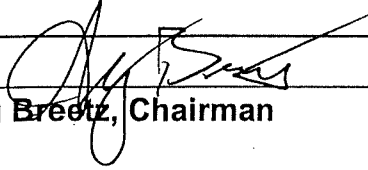
FROM: Greg Breetz, Chairman

DATE: June 27, 2007

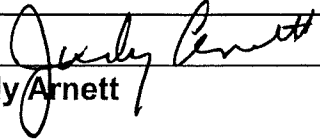
RE: Request of Long Branch Development, Inc. (applicant) for AF Investments LLC, Riegler Family LLC, Benjamin A. Riley, Patricia A. Riley, Donel Tanner, Alberta Tanner, Arlinghaus Investments LLC, and Robert Schroder (owners) for Zoning Map Amendments from Agriculture (A-1), Agricultural Estate (A-2), and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 two zone changes to allow single family and multi-family residences, and commercial uses.

### REMARKS:


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\_\_\_\_\_  
**Greg Breetz, Chairman**

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

  
\_\_\_\_\_  
**Judy Arnett**

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

  
\_\_\_\_\_  
**Kim Bunger**

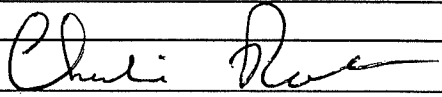
For Project \_\_\_\_ Absent \_\_\_\_  
Against Project \_\_\_\_  
Abstain \_\_\_\_ Deferred

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

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

\_\_\_\_\_  
**Susan Poston**

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

  
\_\_\_\_\_  
**Charlie Rolfsen**

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

# **SUPPORTING INFORMATION**



## BOONE COUNTY PLANNING COMMISSION

[www.boonecountyky.org/pc](http://www.boonecountyky.org/pc)  
[www.boonecountygis.com](http://www.boonecountygis.com)

Boone County Administration Building  
2950 Washington Street, Room 317  
P.O. Box 958  
Burlington, KY 41005

Phone (859) 334-2196; Fax (859) 334-2264  
[plancom@boonecountyky.org](mailto:plancom@boonecountyky.org)

July 27, 2007

Mr. Robert Hawksley  
2670 Chancellor Drive  
Suite 300  
Crestview Hills, KY 41017

RE: Request of Long Branch Development, Inc. (applicant) for AF Investments LLC, 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 Agriculture (A-1), Agricultural Estate (A-2), and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 two zone changes to allow single family and multi-family residences, and commercial uses.

Dear Mr. Hawksley:

The following represents the conditions of approval for the above referenced application as recommended by the Planning Commission's Zone Change Committee at their July 18, 2007 meeting. If all parties are in agreement with these conditions, please indicate by providing the signatures of the property owners, in the spaces provided at the end of this letter, and return the original letter to the Planning Commission office by Monday, July 30, 2007.

### CONDITIONS

1. The development shall follow the Concept Development Plan as identified in the "Autumn Woods Summary of Zoning-Map Amendment Application, June 20, 2007" (hereafter referred as "6/20/07 booklet") and "Autumn Woods Responses to Public Hearing Questions, June 27, 2007" (hereafter referred as "6/27/07 booklet") except as modified by the agreed conditions below.

Mr. Robert Hawksley  
July 27, 2007  
Page 2

2. The property owner agrees that no more than 450 homes (35% of the total homes in Autumn Woods) will be granted Certificates of Occupancy until one of the following additional access points is under construction.

- a. A connection of the North/South connector from Longbranch Road to Hathaway Road; or
- b. A connection of the East/West connector from Autumn Woods Subdivision to Old Union Road; or
- c. A connection of the East/West connector from Autumn Woods Subdivision to Camp Ernst Road; or
- d. A connection of the East/West connector through the sub-collector street within Autumn Woods Subdivision to Hathaway Road.

This access point must be completed and open to the public within 180 days (6 months) after construction begins. In the event this access point is not completed within the time frame, then no additional Zoning Permits will be issued until the street connection is completed and open to the public. The neighborhood park will be under development when these street connections are made.

3. The maximum number of dwelling units shall be phased in accordance with the "Maximum Cumulative Building Permits" subsection on page 16 of the 6/20/07 booklet. 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, and 150 units for 2011. 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. The total number of units in the overall development (all phases combined) shall not exceed 1,287.
4. The property owner agrees to provide the Maddox, Geise and Franks properties access to sanitary sewer, and any necessary easements, as well as the commitment made in the 6/27/07 booklet regarding the extension of sanitary sewer to adjacent Spruce Drive based upon the specifications of SD#1.
5. The development shall follow the stipulations in the "Internal Transportation Patterns" section (page 10) of the 6/20/07 booklet. The turn lanes described on page 12 (and in Tab 5) shall be constructed as part of the initial development of the respective entrances on Longbranch Road and Hathaway Road. Sidewalks will be provided on both sides of all cul-de-sac streets in the single family detached lot pods (Pods 1, 2, 5 & 6). All condominium streets will have a minimum 24' width of pavement. An 8' wide asphalt path will be constructed along the North/South sub-collector road and the East/West collector road per the "Pedestrian Pathways" exhibit (Tab 3) of the 6/27/07 booklet. The road connection in Pod 5 to the Geise property will be

redesigned to provide a four way intersection. A road connection will also be provided from Pod 5 to the Franks property. The sub-collector street in Pods 5 & 6 indicate a pavement width of 28' with parking on one side of the street, but it is recommended by the Committee that a 25' width of pavement would be appropriate if an Ordinance were passed by the Boone County Fiscal Court eliminating parking on either side of the sub-collector street.

6. The development shall follow the stipulations outlined in the "Open Space" sections (Tabs 9, 10, 11 & 12) of the 6/20/07 booklet. A minimum of two (2) "No Trespassing" signs will be installed along the lake in Pod 6. The facilities discussed shall be constructed by the developer. The neighborhood park, linear park, and east/west connector area open space outlined will be offered for donation 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.
7. The development shall follow the "Conceptual Landscape Plan" in Tab 1 of the 6/27/07 booklet and "Community Features Plan" received at the 7/11/07 Committee Meeting with regard to the open spaces and buffer yards. Buffer yard "C" will be installed between Pods 2 & 3. Buffer yard "B" will be installed along the eastern boundary of Pod 4 and the adjoining property. Credit will be given for retaining vegetation.
8. The proposed 5.39 acre Commercial One (C-1) Pod will follow the building elevation design as shown in Tab 2 of the 6/27/07 booklet with the only excluded principally permitted use being "#33. Funeral homes and crematoriums excluding cemeteries or mausoleums".
9. At a minimum, the building elevations in the condominium phase (Pod 4) shall consist of the following:
  - a. The "Gallery" style condominiums shall have a minimum of 67% to 84% masonry on the front elevation with an average of 32% to 37% masonry for all elevations.
  - b. The "Villa" style condominiums shall have a minimum of 21% to 36% masonry on the front elevation with an average of 16% to 19% masonry for all elevations.
10. The property owner will install a woven wire fence along the Geise and Maddox properties, as it adjoins this development, at a 50/50 shared cost if deemed necessary by Geise and Maddox. Additionally, the developer will install a farm fence (timber posts, 6" woven wire, and two strands of barbed wire) 3' inside the Kahmann property boundary as development occurs along Pods 1, 2 & 4.

Mr. Robert Hawksley  
July 27, 2007  
Page 4

- 11. The development shall follow the stipulations outlined in the "Boone County Schools" section (Tab 7) of the 6/20/07 booklet. This section commits to following the agreements outlined in the June 5, 2007 letter from Bryan Blavatt, Superintendent (attached).
- 12. If this request is approved, the applicant shall be required to modify the Autumn Woods booklet to reflect all zoning conditions as a result of the Zoning Map Amendment and this booklet shall be submitted to the Planning Commission within the 60 days of final action by the Boone County Fiscal Court.

Sincerely,

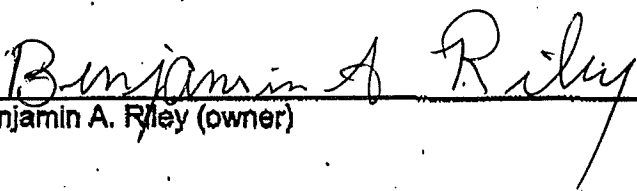
Mitchell A. Light  
Asst. Zoning Administrator

MAL/pr

AGREEMENT

We, the property owners and applicants, do hereby agree to the recommended conditions of approval stated above for a Zoning Map Amendments from Agriculture (A-1), Agricultural Estate (A-2), and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development (C-1/PD) for 5.39 acres, both for a 344.69 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 to allow single family and multi-family residences, and commercial uses.

  
 \_\_\_\_\_ 7-30-07  
 Authorized Representative Riegler Family LLC (owner) Date

  
 \_\_\_\_\_ 7-30-07  
 Benjamin A. Riley (owner) Date

Patricia A. Riley 7-30-07  
Patricia A. Riley (owner) Date

Donel Tanner 7-30-07  
Donel Tanner (owner) Date

Alberta Tanner 7-30-07  
Alberta Tanner (owner) Date

Joe Arling Duns Mander 7-30-07  
Authorized Representative AF Investments LLC (owner) Date

Joe Arling Duns pres 7-30-07  
Authorized Representative Affinghaus Investments LLC (owner) Date

Robert Schroder 7-30-07  
Robert Schroder (owner) Date

**LEGAL DESCRIPTION**  
**ZONE CHANGE**  
344.69 Acres

Lying in Boone County, Kentucky, south of Long Branch Road, north of Hathaway Road (S.R. 536), and west of U.S. 42, more particularly described as follows:

Beginning at a point in the southerly right-of-way of Long Branch Road, said point being the northwest corner of a tract of land heretofore conveyed to Charles B. and Tammy T. Bixler in Deed Book 576, Page 280, Boone County Clerk's Office;

Thence along said Bixler for two (2) calls:

South 12°53'20" West a distance of 230.52 feet;  
South 80°08'40" East a distance of 200.21 feet to the westerly line of a tract of land heretofore conveyed to April Whitlock, Trustee in Deed Book 867, Page 896, Boone County Clerk's Office;

Thence along the westerly line of said Whitlock and a tract of land heretofore conveyed to Timothy and Christie Kahmann in Deed Book 515, Page 68, South 12°52'42" West a distance of 1730.31 feet to the common corner of said Kahmann (D.B. 515, Pg. 68) and a tract of land heretofore conveyed to Norbert Kahmann, Trustee in Deed Book 616, Page 65, Boone County Clerk's Office;

Thence along said Norbert Kahmann, Trustee for two (2) calls:

North 85°24'28" West a distance of 373.09 feet;  
South 04°18'45" West a distance of 3500.46 feet to a point in the northerly line of a tract of land heretofore conveyed to Jim & Paula Volz in Deed Book 799, Page 666, Boone County Clerk's Office;

Thence along the northerly line of said Volz, North 83°33'02" West a distance of 134.02 feet;

Thence along the westerly line of said Volz and tracts of land heretofore conveyed to Gary Munafo in Deed Book 869, Page 120, Boone County Clerk's Office; Valerie S. Eason in Deed Book 521, Page 43, Boone County Clerk's Office; Richard C. Jr. & Donna C. Lohr in Deed Book 456, Page 64, Boone County Clerk's Office; and Carlton H. & Anna M. Trinkle in Deed Book 401, Page 35, Boone County Clerk's Office; South 05°06'20" West a distance of 1459.82 feet;

Thence along the westerly line of said Trinkle and tracts of land heretofore conveyed to Matthew J. & Lora Kay Roberts in Deed Book 531, Page 69, Boone County Clerk's Office; Daniel M. & Kathleen Haines in Deed Book 517, Page 143, Boone County Clerk's Office; Judith Ann Longo in Deed Book 179, Page 237, Boone County Clerk's Office; Jeffrey Steffen in Deed Book 297, Page 71, Boone County Clerk's Office; Michael E. & Pamela Jo Hunt in Deed Book 580, Page 200, Boone County Clerk's Office; Emerson and Betty Antrobus in Deed Book 574, Page 255, Boone County Clerk's Office; and Isabella Zembrodt in Deed Book 888, Page 311, Boone County Clerk's Office, South 05°19'10" West a distance of 2249.29 feet to the northerly right-of-way of Hathaway Road (S.R. 536);

Thence along the northerly right-of-way of Hathaway Road (S.R. 536) for three (3) calls:

North 87°30'25" West a distance of 202.86 feet;  
North 78°10'03" West a distance of 150.00 feet;  
Along a curve to the right having a radius of 1860.00 feet, an arc distance of 126.23 feet (said curve being subtended by a chord bearing North 77°47'56" West 126.20 feet) to the southeast corner of a tract of land heretofore conveyed to William & Maureen Vaughn in Deed Book 201, Page 583, Boone County Clerk's Office;

Thence along the westerly line of said Vaughn and a tract of land heretofore conveyed to Robert C. and Bonita Maddox in Deed Book 248, Page 320, Boone County Clerk's Office, for three (3) calls:

North 04°21'11" East a distance of 915.45 feet;  
North 11°16'58" East a distance of 50.89 feet;  
North 16°02'42" West a distance of 473.92 feet to the southerly line of a tract of land heretofore conveyed to Mark and Susan Kahmann in Deed Book 725, Page 1, Boone County Clerk's Office;

Thence along the line of said Kahmann for three (3) calls:

South 84°46'47" East a distance of 166.89 feet;  
North 04°17'08" East a distance of 1009.65 feet;

North 85°07'20" West a distance of 846.06 feet to the common corner of said Kahmann and a tract of land heretofore conveyed to Jerry J. and Janice K. Geise in Deed Book 160, Page 99, Boone County Clerk's Office;

Thence along the northerly line of said Geise, North 84°23'10" West a distance of 1292.70 feet to the easterly line of a tract of land heretofore conveyed to Richard L. and Sandra J. Franks in Deed Book 481, Page 250, Boone County Clerk's Office;

Thence along the easterly line of said Franks and a tract of land heretofore conveyed to Benjamin Riley, Trustee and Patricia A. Riley, Trustee in Deed Book 729, Page 122, Boone County Clerk's Office, North 04°53'48" East a distance of 2501.55 feet to the southerly line of a tract of land heretofore conveyed to Huntington National Bank, Trustee of the Leonard L. Riegler Trust and Riegler Family LLC in Deed Book 635, Page 14, Boone County Clerk's Office;

Thence along the southeasterly line of said Riegler for eight (8) calls:

South 84°39'13" East a distance of 192.05 feet;  
North 05°12'18" East a distance of 150.14 feet;  
North 58°50'46" East a distance of 316.22 feet;  
North 68°31'57" East a distance of 528.00 feet;  
North 82°31'57" East a distance of 363.00 feet;  
North 04°31'57" East a distance of 267.49 feet;  
South 85°28'16" East a distance of 113.29 feet;  
North 04°31'44" East a distance of 648.53 feet to the southeasterly corner of a tract of land heretofore conveyed to James and Diana Doll in Deed Book 300, Page 259, and Deed Book 689, Page 305, Boone County Clerk's Office;

Thence along the easterly line of said Doll for seven (7) calls:

North 05°10'51" East a distance of 255.35 feet;  
South 84°55'15" East a distance of 49.34 feet;  
North 05°02'29" East a distance of 421.51 feet;  
South 85°17'05" East a distance of 54.30 feet;  
North 35°20'32" East a distance of 189.41 feet;  
North 02°39'28" West a distance of 499.95 feet;  
North 04°50'32" East a distance of 429.00 feet;

Thence along the easterly line of said Doll and a tract of land heretofore conveyed to Diana Lovelace in Deed Book 543, Page 266, Boone County Clerk's Office, North 27°20'32" East a distance of 415.80 feet;

Thence along the easterly line of said Lovelace, North 12°15'29" East a distance of 186.34 feet to the southwesterly corner of a tract of land heretofore conveyed to Grover and Pamela J. Hatton in Deed Book 209, Page 228, Boone County Clerk's Office;

Thence along said Hatton for two (2) calls:

South 81°49'30" East a distance of 232.00 feet;  
North 00°37'30" East a distance of 227.12 feet to a point in the southerly right-of-way of Long Branch Road;

Thence along the southerly right-of-way of Long Branch Road for eight (8) calls:

North 89°44'27" East a distance of 119.82 feet;  
North 89°13'27" East a distance of 198.46 feet;  
North 88°16'17" East a distance of 201.42 feet;  
North 87°35'53" East a distance of 166.07 feet;  
North 87°33'11" East a distance of 104.81 feet;  
North 89°10'47" East a distance of 183.54 feet;  
Along a curve to the right having a radius of 1241.23 feet, an arc distance of 254.34 feet (said curve being subtended by a chord bearing South 84°57'01" East 253.90 feet);  
South 79°04'48" East a distance of 79.27 feet to the Point of Beginning.

Said parcel contains 344.69 acres, more or less.

Legal Description  
Zone Change  
Page 3 of 3

**Said herein description based on deeds and plats of record and GIS data and is not the result of a field survey.**

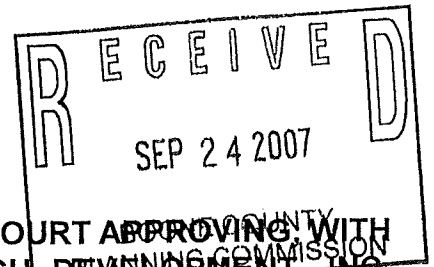
|   |   |
|---|---|
| PROJECT: COMMUNITY FEATURES PLAN<br>AUTUMN WOODS<br>CLIENT: LONGBRANCH DEVELOPMENT, INC.<br>2670 CHANCELLOR DRIVE, SUITE 300<br>CRESTVIEW HILLS, KENTUCKY 41017 | SHEET: C-1.0<br>COMMUNITY FEATURES PLAN<br>DATE: 07-05-07<br>SCALE: 1" = 300'<br>PROJECT NO.: 06-0007 |
|---|---|



# COMMUNITY FEATURES PLAN AUTUMN WOODS

RECEIVED AT THE 7/11/07 COMMITTEE MEETING

ORDINANCE 07-23



AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING WITH CONDITIONS FOR A REQUEST OF LONGBRANCH DEVELOPMENT, INC. (APPLICANT) FOR AF INVESTMENTS LLC, 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 AGRICULTURE (A-1), AGRICULTURAL ESTATE (A-2) AND RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL ONE/PLANNED DEVELOPMENT (SR-1/PD) FOR 339.3 ACRES AND COMMERCIAL ONE/PLANNED DEVELOPMENT (C-1/PD) FOR 5.39 ACRES, BOTH FOR A 344.69 ACRE TOTAL AREA GENERALLY 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

**WHEREAS**, the Boone County Planning Commission received a request for Zoning Map Amendments to the Boone County Zoning Map and such Zoning Map Amendments being a zone change from Agriculture (A-1), Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development C-1/PD for 5.39 acres, both for a 344.69 acre total area generally 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, which is more particularly described below; and,

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

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

**SECTION I**

That the request for Zoning Map Amendments for the real estate which is more particularly described below shall be and are hereby approved, with conditions, these Zoning Map Amendments being a zone change from Agriculture (A-1), Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development C-1/PD for 5.39 acres, both for a 344.69 acre total area generally 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 real estate which is the subject of this request for Zoning Map Amendments in an Agriculture (A-1), Agricultural Estate (A-2) and Rural Suburban Estates (RSE) zones is more particularly described in DEED BOOKS 211, 729, 635, 919, 196, 896, 913 & 915, PAGE NOS. 88, 122, 14, 272, 129, 949, 427 & 494, respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

## SECTION II

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

## SECTION III


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

Introduced and given First Reading on the 21th day of Aug., 2007.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 18th day of Sept., 2007, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the County Fiscal Court Clerk and declared to be in full force and effect.

  
GARY W. MOORE  
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:

  
BLAIR G. SCHROEDER  
FISCAL COURT CLERK

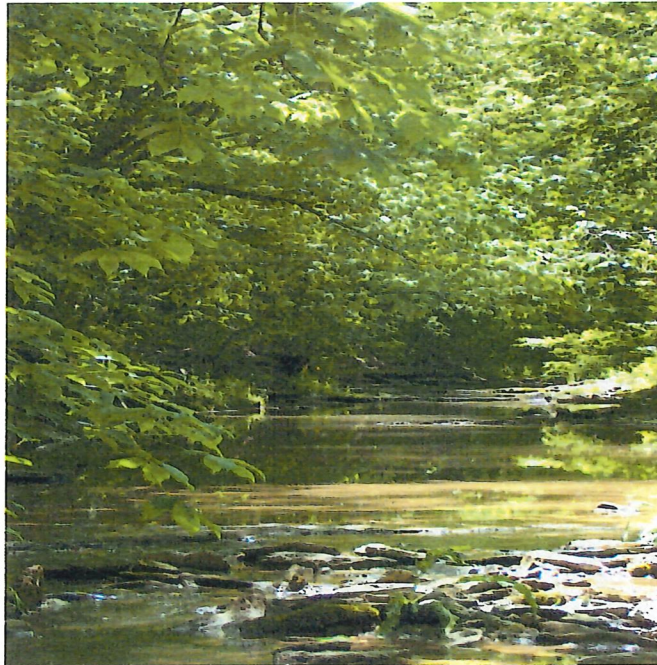
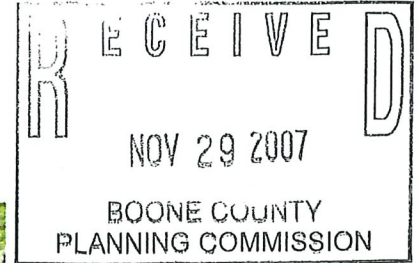
  
ROBERT NEACE  
COUNTY ATTORNEY

9-27-07  
DATE PUBLISHED

**Zoning Map Amendment Application  
Modified to Include all Zoning Approval Conditions  
from the Boone County Planning Commission and  
Boone County Fiscal Court**

December 03, 2007

***Autumn Woods***  
Longbranch Development, Inc.  
345+/- Acres



*A Fischer Group Company*



Arlinghaus Builders

Prepared By:  
Longbranch Development, Inc.  
**AUTUMN WOODS**

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### Appendix

| <b>Tab Number</b> | <b>Description</b>   |
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| 1                 | Property Owners and Authorization letters                                |
| 2                 | Legal Description of Property  |
| 3                 | Concept Development Plan   |
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# AUTUMN WOODS ZONING MAP AMENDMENT APPLICATION

## I. Application Summary

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

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

**Subject Property:** An approximate 345+/- parcel of land in unincorporated Boone County, situated on the south side of Longbranch Road, the north side of Hathaway Road (KY 536) and the east side of Longbranch Creek.

**Applicants Request:** A statement of recommendation to the Boone County Fiscal Court in favor of a Zoning Map Amendment from A-1/A-2/RSE to SR-1/C-1 PD Overlay (Suburban Residential One / Commercial One Planned Development Overlay District).

**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.

## II. Introduction

Longbranch Development, Inc. and its principals, Henry Fischer and Joe Arlinghaus, two prominent home builders in Northern Kentucky, are proud to propose Autumn Woods. Autumn Woods will provide a broad range of residential home ownership and neighborhood integration opportunities for the growing Boone County community.

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 site is situated south of Longbranch Road, north of Hathaway Road, and west of Old Union Road. Longbranch Creek is located to the immediate west of the northern portion of the site and traverses the southern part of the site. Autumn Woods will provide 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 along creeks located throughout the site.

The Applicant requests a zoning map amendment from A-1/A-2/RSE (Rural Suburban Estates) to SR-1/C-1 PD Overlay (Suburban Residential One/Commercial One Planned Development Overlay District). The following sections of this application will address and detail all applicable requirements for the proposed zoning map amendment. As you review this application you will note that the contents mirror all Boone County Zoning Regulation sections applicable to a PD zoning map amendment. More specifically, this application

addresses item by item the requirements of Article 3, Section 303 (Minimum and Mandatory Requirements) and Article 15, Section 1514 (Planned Development Standards). We have also met with Boone County Planning Commission staff on several occasions prior to submittal as per the requirements of Article 15, Section 1516 (Pre-Application Meeting). Based on discussions during these meetings it is our belief that our application is complete.

### III. Section 303, Contents of Application for a Zoning Map Amendment

#### A. Minimum Requirements

*Minimum Requirement 1: General Site Characteristics – Ownership, topography, soils, drainage, vegetation, other physical characteristics.*

Ownership, topography, drainage, vegetation, and other physical characteristics of the subject property are identified on the Concept Development Plan enclosed as Tab 3. A Soil Conservation Service Map of the property is enclosed as Tab 4. The subject property consists of gently rolling topography typical of central Boone County. Several drainage features traverse the property including Longbranch Creek. The majority of the property is currently utilized for agriculture or pasture. Several wooded areas, the majority of which are along drainage ways, are located across the property. One major development constraint is the multiple power line easements and overhead transmission lines that traverse the property. The proposed Concept Development Plan provides for the arrangement of a street circulation system, the development of residential areas generally along the ridgelines, while also addressing the problematic issues of the power line easements. The proposed preservation of selective existing wooded areas and open spaces throughout the site to create active/passive recreational areas will compliment the proposed residential areas.

*Minimum Requirement 2: Transportation Patterns - Public and private roads, internal circulation patterns, external circulation patterns.*

External vehicular transportation patterns are identified on the Transportation Plan enclosed as Tab 5. The Comprehensive Plan, on Page 76, states that "high density residential areas should be located sufficiently near or with convenient access to major streets, highways, shopping and public facilities". The Transportation Plan illustrates that Autumn Woods is ideally situated and satisfies this statement. The Autumn Woods street system will provide street access to U.S. 42 by direct connections to designated connector and arterial roads, Longbranch Road and Hathaway Road. The northern entrance to Autumn Woods is located on Longbranch Road just over a mile west of Old Union Road. The southern entrance to Autumn Woods is located on Hathaway Road just over a mile west of Old Union Road. Longbranch Road and Hathaway Road are both further services by way of US 42, a 5-lane urban arterial highway.

Internal vehicular transportation patterns are identified on the Concept Development Plan. The existing connector and arterial roads (Longbranch Road and Hathaway Road), currently provide adequate vehicular access to this residential area, and will be complimented by additional roads proposed by the Boone County Transportation Study. The Transportation Study provides for a new North/South Connector Street between Longbranch Road and Hathaway Road and a new East/West Connector Street between Old Union Road and Camp Ernst Road. Portions of these Connector Streets will be constructed as part of the Autumn Woods development. Proposed Connector Streets are strategically located within Autumn Woods to be consistent with the Boone County Transportation Study and to provide separation between neighborhoods and land uses.

The internal East/West Connector Street will provide for the future extension of the already planned and approved portions of connector street extending from the Harmony development at US 42 and extending west through the approved Westbrooke Estates development.

Connector Streets within Autumn Woods will be constructed with limited direct driveway access to building lots, while residential areas within the community will be served by local and cul-de-sac streets linked by sub-collector streets to the planned Connector Street system. All streets within Autumn Woods with the exception of private drives serving select single family homes will be public streets with a public dedicated right-of-way.

#### Autumn Woods Connector Streets

The North/South Connector Street will extend south from Longbranch Road and intersect the East/West Connector Street at a location which will facilitate future extensions through adjacent properties to the east. The East/West Connector Street will be constructed through the central portion of the site adjacent to a wooded valley containing a natural drainage feature. Termination locations will again facilitate future extensions through adjacent properties with eventual connections to US 42 to the east and Camp Ernst Road to the west.

Both the North/South and East/West Connector Streets will:

- prohibit on-street parking;
- include a concrete curb and gutter system, be constructed to a width of twenty-five (25') feet (back of curb to back of curb), within a sixty (60') foot right-of-way, consistent with the approved Connector Street in the Westbrooke Development;
- be built in close proximity to the locations shown on the Concept Development Plan and the Transportation Plan;
- meet the site distance design requirements of KDOT and satisfy Boone County Subdivision Regulations relative to other design requirements; and
- meet the requirements of the Boone County Subdivision Regulations with regard to construction timing for road extensions to adjoining properties (Article 3, Page 3.10N).

The North/South Connector Street will:

- be designed and located to allow for the southern extension through adjoining properties and the eventual connection at Meiman Drive as set forth in the Boone County Transportation Plan;
- include a driveway to the lots located near Longbranch Road;
- include an eight (8) foot wide paved hiker/biker trail on the west side of the street with no sidewalk on the opposite side as shown on the Street Cross Section detail on the Concept Development Plan;
- include a driveway access to the community facility; and
- contain eyebrows constructed in general accordance with the Typical Eyebrow/Island Design detail shown on the Concept Development Plan.

The East/West Connector Street will:

- be designed and located to allow for the extension through adjoining properties and the eventual eastern connection through Westbrooke Estates to U.S. 42 and western connection to Camp Ernst Road, south of Central Park, as set forth in the Boone County Transportation Plan;
- be designed to continue along the creek in a southwesterly direction as it proceeds through the property to the west;
- include a ten (10) foot wide paved hiker/biker trail on the north side of the street with no sidewalk on the opposite side as shown on the Street Cross Section detail on the Concept Development Plan;
- include a primary roadway entrance into the condominium community; and
- include a secondary emergency roadway connection from the condominium community.

#### Sub-Collector Streets

Sub-collector streets as shown on the Concept Development Plan will be constructed from the East/West Connector Street south to Hathaway Road. The sub-collector streets will:

- satisfy Boone County Subdivision Regulations for a sub-collector streets with a 28 ft. pavement width and the additional stipulation of parking on one side of the street only;
- be built in close proximity to the locations shown on the Concept Development Plan;
- possibly contain eyebrows constructed in general accordance with the Typical Eyebrow/Island Design detail included on the Concept Development Plan; and
- be designed to reduce the number of direct driveway accesses off of the sub-collector streets (driveways for the corner lots off the sub-collector streets and local streets intersecting sub-collector streets will have their access off of the local streets and not sub-collector streets).

#### Condominium Streets

Streets internal to the condominium community will be constructed in accordance with the following guidelines.

- All condominium streets will satisfy the Boone County Subdivision Regulations for Residential Condominium Streets (24 ft. width) with the exception that sidewalks will be provided on one side of the street only.
- Turn-arounds for dead end streets serving more than one building will be constructed in accordance with the Typical Tee Turn Around detail shown on the Concept Development Plan. Turn-arounds would not be required for dead end streets serving a single building.

#### Turning Lanes

It has been anticipated by the Applicant that traffic flow to and from Autumn Woods along Longbranch Road and Hathaway Road will require the installation of turning lanes and deceleration lanes at both the Longbranch Road and Hathaway Road entrances to Autumn Woods. Based on conversations with the Boone County Engineer and the Kentucky Department of Transportation, the Applicant has agreed to construct turning lanes and deceleration lanes, both along Longbranch Road and Hathaway Road, at their intersection with the entrance to the development. Turn lanes will be constructed in general accordance with the Turn Lane drawings enclosed as Tab 6 and will be constructed as part of the initial

development of the respective entrances on Longbrach Road and Hathaway Road. Additional information regarding traffic is provided in the response to *Mandatory Requirement 16* (page 21).

#### Other Road Matters

- All local streets and cul-de-sacs will be constructed pursuant to Boone County Subdivision Regulations.
- Local street locations and layout as depicted on the Concept Development Plan are conceptual only and will vary as engineering plans are developed in more detail. The location of local streets and cul-de-sacs will be defined more fully and approved as part of the normal preliminary subdivision review and approval process.
- All streets will meet the requirements of the subdivision regulations with regard to construction timing for road extensions to adjoining properties (Article 3, Page 3.10(N) of the Boone County Subdivision Regulations).
- A number of single family lots will be served via private streets or drives. Such private streets and drives will be constructed in accordance with details provided on the Concept Development Plan.
- The local street system may include islands, eyebrows and other streetscape features. Such features will be constructed in accordance with details provided on the Concept Development Plan.
- The two interior cul-de-sacs within POD 1 have been connected to create an inner loop that parallels the outer loop as shown on the Concept Development Plan.
- Sidewalks have been provided on both sides of all cul-de-sac streets in the single family detached PODS 1, 2, 5, & 6 as shown on the Community Features Plan.
- The road connection in POD 5 to the Giese property has been redesigned to provide a four way intersection as shown on the Concept Development Plan.
- A road connection has been provided in POD 5 to the Franks property as shown on the Concept Development Plan.

*Minimum Requirement 3: Land Use Characteristics - Existing and proposed land uses, open spaces, impervious surfaces including streets, parking areas, and structures and buildings (general description of size, area, intensities and height).*

Existing and proposed land uses, open spaces, and impervious surfaces are identified on the Concept Development Plan and Community Features Plan, enclosed as Tab 9. Autumn Woods is a predominantly residential community. A broad range of housing opportunities will be provided consisting of first time homebuyers, second and third time move up buyers as well as empty nesters. The development will include a centrally located parcel for neighborhood commercial land uses. Significant open spaces and community amenities will be provided consisting of two community facilities with a pool, a neighborhood park and associated improvements, a hiker/biker trail as well as other open spaces including natural lakes, streams and wooded areas. Further details and descriptions of these items are included in later sections of this application.

*Minimum Requirement 4: Utilities and Infrastructure*

The general tie-in locations of water lines, sanitary sewer lines, and preliminary locations of proposed detention facilities are identified on the Concept Development Plan. 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.

Sanitation District No. 1 is currently in the process of constructing and extending sanitary sewer service south, along Longbranch Creek, to Longbranch Road, thereby providing further sanitary sewer service to the general area and to the new school under construction on Longbranch Road. Sanitary sewer service will be provided by the extension of the above noted sewer line by the Applicant, throughout the development, to be located generally along Longbranch Creek.

The Applicant will extend sanitary sewer at two (2) locations for the benefit of homes on Spruce Lane. The extensions will consist of eight (8") inch sanitary sewer lines within low lying areas to sanitary manholes near the eastern boundary Autumn Woods, which is the boundary shared with lots on Spruce Lane. Related sanitary sewer line easements will be granted along the centerline of each of these sewer lines. The sewer line extensions will be constructed in conjunction with the installation of all other sewer lines in the immediate vicinity of the extensions. The sewer lines constructed will be in accordance to SD #1 specifications. In addition, the Applicant will provide the Maddox, Giese, and Franks properties access via easements to sanitary sewer.

Water service and fire hydrants will be provided to the development via the new 12" water line located on the south side of Longbranch Road and the existing 12" water line located on the south side of Hathaway Road. Water service could also be provided by or supplemented with an existing 8" water line located on the north side of Longbranch Road.

Three existing lakes are planned to be used for storm water detention. The lakes will be modified as necessary to provide the required storage. Additional detention in other to be determined locations will be provided, as required. All storm sewers and detention facilities will be designed and constructed in accordance with Boone County Storm Water Management Regulations.

Additionally, Autumn Woods will be more than amply serviced by the following infrastructure and facilities:

- A new public high school and elementary school is being constructed on Longbranch Road just west of Autumn Woods.
- Autumn Woods will benefit extensively from the close proximity of Central Park and the Boone County knothole fields located on Camp Ernst Road. It should be noted that the recommended future extension of the East/West connector road, as set forth by the Boone County Transportation Study intersects with Camp Ernst Road, just south of Central Park, and north of the Boone County knothole fields.
- Autumn Woods will have convenient access to the Boone County Public Library on US 42.
- Fire protection service will be provided to Autumn Woods by virtue of the new Fire Station located on US 42 which is currently under development.
- 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 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 community in Boone County.

*Minimum Requirement 5: Relationship of Proposed Zone Change with Comprehensive Plan - How the proposed zone change would conflict, conform, compliment, other otherwise affect the Comprehensive Plan as well as any special studies that are designed to further detail the Comprehensive Plan in a specific area.*

As previously described, Autumn Woods has been planned to provide a diversity of home ownership opportunities by the provision of multiple housing products. Autumn Woods will contain a mixture of single family homes of various size and price range, condominiums, and a neighborhood commercial opportunity.

The provisions of the Boone County Zoning Regulations 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 and price ranges can be marketed to a wide segment of the population addressing housing needs identified and targeted in the Comprehensive Plan. The transition of densities while maintaining a low overall density for the entire site is in compliance with the Comprehensive Plan's Housing Element recommendations. Proposed housing in Autumn Woods will provide home ownership opportunities for a wide range of Boone County home buyer demographics. In addition to providing opportunities to first-time buyers and second and third move-up buyers, housing opportunities will also be provided for empty nesters, single professionals, and families of various sizes, ages and income levels. Based on proposed product offerings it is anticipated that a substantial portion of the households in Autumn Woods will consist of one or two members.

The Comprehensive Plan designates the proposed project area as Suburban Residential, which is defined as single family housing up to 4 units per acre. Adjoining areas east and north of Autumn Woods are designated as Suburban Residential and the area west of Autumn Woods to Camp Ernst Road is also designated Suburban Residential. The adjoining area south of Hathaway Road is designated Rural Residential. This proposal is sensitive to the need to transition from the suburban character of land uses to the more rural land uses located to the south. Therefore, the Applicant has planned home sites along Hathaway Road with a minimum lot area of 20,000 square feet, a minimum lot width of 100', and minimum front yard setback of 75' to be more consistent with the rural density residential land uses in these areas. Additionally, these home sites will be served via private drives or alleys with no direct driveway access to Hathaway Road. The zoning map amendment for a SR-1/C-1 PD Overlay zone is justified given the location characteristics of the property, the current level of infrastructure as well as planned future infrastructure improvements.

The design of Autumn Woods provides 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 planned 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 for both active and passive open space. Based on a natural extension of the residential land use located to the north and east, and the compatibility with all existing land uses surrounding the Autumn Woods property, this proposal reflects an appropriate zoning designation to be applied to the Autumn Woods property. The Autumn Woods proposal is also consistent and compatible with other residential developments located within the County.

The proposal is consistent with the Comprehensive Plan, allowing for the expenditure necessary to expand water and sanitary sewer service, to implement portions of the Boone County Transportation Plan through the construction of Connector Streets and to 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 Boone County with the opportunity to address its need for high quality housing to meet the needs of Boone County residents. The Autumn Woods development is a natural expansion of 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.

### **Additional 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, 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: Autumn Woods has been planned and designed in harmony with the physical environment. The use of existing topography and natural site features and the provision of open spaces 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 School system.

- "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 portions of developable lands be developed at higher densities such as proposed by this request.

Minimum Requirement 6: A 8.5" by 11" or 8.5" by 14" reduction of the plan that can be copied of a standard photocopier.

A reduction of the Concept Development Plan is enclosed as Tab 7.

Minimum Requirement 7: A written explanation of any requested variances or Conditional Use Permit.

There is no Conditional Use Permit requested. Requested variances and waivers include variations as detailed on the Concept Development Plan and this narrative.

## **B. Mandatory Requirements For Projects Involving a Planned Development District**

Mandatory Requirement 1: (Addressed by Minimum Requirements 1 – 7)

Mandatory Requirement 2: Area map showing adjacent property owners and existing land uses within 200 feet of the parcel.

The enclosed Concept Development Plan includes adjacent property owners names, parcel ID numbers and existing land uses within 200 feet of the parcel. A List of Adjacent Property Owners including addresses is enclosed as Tab 8.

Mandatory Requirement 3: If the site has unusual or unique natural features, demonstrate how proposed development preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural draining patterns. If necessary, geotechnical studies should be submitted to indicate soil types, depth of bedrock and slope stability.

The Applicant understands that Boone County is a special place. The proposed neighborhood is thoughtfully designed and in keeping with the character of Boone County. The design of Autumn Woods, where feasible, preserves natural features, creates passive and active recreational open spaces around lakes and along creeks throughout the site and utilizes ridgetops to preserve scenic vistas. When completed, Autumn Woods will be a neighborhood that reflects the charm that current neighborhoods in Boone County are so proud of. The Applicant has retained natural features, recognizes the value of existing trees and vegetation, and is working to preserve those areas. Areas of existing wooded areas currently planned to remain are shown on the Community Features Plan enclosed as Tab 9. However, as development and infrastructure is designed, the actual areas may be modified. The Community Features Plan also depicts planned open space, parks, waterways, and other key community elements. Additional details on open spaces and community amenities will be provided in later sections of this application.

Mandatory Requirement 4: The location, description and size (acreage) of land uses.

The location and size of all land uses are detailed on the Concept Development Plan. Further descriptions of these elements are included in the following discussion.

#### Single Family Detached

Single family residential lots of varying size will constitute the majority of the proposed land use. Lot sizes will vary from a width of 50 feet to 75 feet or greater. The depth of lots as well as front/side/rear yard setbacks will vary. Specifics of all lot dimensions are detailed in future sections of this application and on the Concept Development Plan. Groupings of similar lot sizes are designated as PODs on the Concept Development Plan. POD1, located at the north end of the development, will consist of lots a minimum of 70 feet in width. POD2, located south of POD1 and north of the East/West Connector Street, will consist of lots a minimum of 60 feet in width. POD5 is located in the western portion of the property and will consist of lots a minimum of 50 feet in width. POD6, located on the south end of the property, will include access to Hathaway Road and consist of lots a minimum of 70 feet in width. All lots adjacent to single family lots on Spruce Lane will be a minimum of 75 feet wide with a minimum rear yard setback of 40 feet which matches the requirements of RS zoning currently in place for lots on Spruce Lane. The frontage lots on Hathaway Road will be required to have 75 foot minimum front yard setbacks consistent with other homes along Hathaway Road. Additionally, these home sites will be a minimum of 100 feet wide with no direct driveway access to Hathaway Road.

### Condominium Community

A condominium community identified as POD4 will be located south of the East/West Connector Street as shown on the Concept Development Plan.

### Commercial

A proposed neighborhood commercial parcel, designated as POD3, is located at the intersection of the East/West and North/South Connector Streets as shown on the Concept Development Plan. Development of the proposed commercial parcel would satisfy the requirements of the Boone County C-1 (Commercial One) zoning. All of the permitted uses identified under Article 10, Commercial Districts, Section 1011 of the Boone County Zoning Regulations, with exception of No. 33 (Funeral homes and crematoriums excluding cemeteries mausoleums), would be allowed per the requested zoning. However, it is anticipated that the likely use would consist of neighborhood retail such as a multi-use convenience store. Furthermore, an incidental service which may be provided is the sale of motor fuels. The dispensing of motor fuels would be limited to a maximum of 8 pumping stations (a maximum of 8 cars could be fueled at the same time).

Boone County and the Applicant acknowledge and agree that development of the POD 3 (C-1) area will not occur until a later date and that specific details to its proposed use are currently unknown. However, the Applicant agrees to generally adhere to design features that foster neo-traditional planning concepts and connectivity to pedestrian access. This shall include, but not be limited to, relocating buildings closer to the street, reducing building setbacks, creating smaller parking fields and linking building architecture. Additionally, the applicant agrees to install buffer yard "C" between PODs 2 & 3 as shown on the Community Features Plan enclosed as Tab 9. Upon approval of this condition, the Applicant will only be required to submit a site plan and architectural drawings. The submitted and approved Conceptual Site Plan for the Neighborhood Commercial (C-1) areas is enclosed as Tab 21.

### Open Space and Community Amenities

Autumn Woods will include a significant amount of open space and community amenities for both passive and active recreational needs. Community amenities will include the following.

- Single Family community facility including cabana, pool and off-street parking located in POD1.
- Condominium community facility including clubhouse, pool, and off-street parking located in POD4.
- Neighborhood park with shelter(s), playground, ball fields, off-street parking, sidewalk access and passive recreational areas located south and west of POD4.
- Hiker/biker trails.
- Extensive additional open spaces including several lakes, wooded areas, streams and associated green spaces.

### Summary of Land Uses

The following table summarizes the location and approximate size of all proposed land uses.

## LAND USES

| LAND USE               | LOCATION               | APPROXIMATE SIZE<br>(+/- Acres) |
|------------------------|------------------------|---------------------------------|
| Single Family Detached | POD1, POD2, POD5, POD6 | 300                             |
| Condominiums           | POD4                   | 39                              |
| Commercial             | POD3                   | 5.5                             |

Note 1: The size (acreage) of open space areas is included in the acreage of the POD areas. Open space acreage is detailed in later sections of this application.

*Mandatory Requirement 5: Approximate location and number of residential units along with approximate square footage, density and height.*

Approximate locations, dimensions and quantities of residential homes and lots are identified on the Concept Development Plan. Residential density, minimum lot dimensions and minimum setbacks, by POD and in total as applicable, are detailed in the following table.

## RESIDENTIAL MINIMUM LOT DIMENSIONS

| Location          | Lot Width<br>at Setback<br>(ft) | Front Yard<br>Setback<br>(ft) | Side Yard<br>Setback<br>(1), (ft) | Rear Yard<br>Setback<br>(ft) | Lot Area<br>(sf) | Maximum<br>No. of<br>Dwellings |
|-------------------|---------------------------------|-------------------------------|-----------------------------------|------------------------------|------------------|--------------------------------|
| POD1<br>(SFD)     | 70                              | 30                            | 5 ea./15 ttl                      | 25                           | 8,750            | 164                            |
| POD2<br>(SFD)     | 60                              | 30                            | 5 ea./15 ttl                      | 25                           | 7,500            | 166                            |
| POD4<br>(CC)      | N/A                             | 25(2)                         | 12-1/2 ea                         | 25                           | N/A              | 401                            |
| POD5<br>(SFD)     | 50                              | 25                            | 5 ea./10 ttl                      | 25                           | 6,000            | 424                            |
| POD6/(3)<br>(SFD) | 70                              | 30                            | 5 ea./15 ttl                      | 25                           | 8,750            | 132                            |

(SFD): Single Family Detached

(CC): Condominium Community

(1): Side yard setback for corner lots will ½ the front yard setback.

(2): Condominium front yard setbacks are from the back of curb to the front of the garage. The minimum side or rear setback for POD 4 condominium buildings located along East/West or North/South Connector Streets is fifty (50) feet.

(3): The POD6 lots immediately adjacent to Spruce Lane will be a minimum of 75 feet wide with a minimum rear yard setback of 40 feet. All other POD6 lots will be planned as reflected on the table. The frontage lots on Hathaway Road will be required to have 75' foot minimum front setbacks and 100' minimum width.

**As detailed above the total number of residential homes is 1,287 resulting in a maximum overall density for Autumn Woods of approximately 3.73 dwellings per acre.**

The Concept Development Plan is meant to be flexible. There are a number of items that will influence the final and more detailed lot design, building design and overall infrastructure design of Autumn Woods. These items include, but are not limited to, the multi-phased and long-term nature of Autumn Woods (a build-out of 10 years or more), the builders' attempt to meet the homebuyers' wants and needs over the duration of project build-out, a more in-depth and detailed engineering design, and a more in-depth and detailed overall aesthetic and functional design that will be completed as each phase is added to the development. Therefore, the Concept Development Plan is just that: a concept of development which is used to define zoning matters, is flexible and will change in its detail over the course of the development but, at the same time, will be consistent with the overall zoning and land use intent. Any of these noted adjustments and refinements in this plan will be defined and approved by the staff of the Boone County Planning Commission during the normal subdivision design and review process.

*Mandatory Requirement 6: Approximate location and size (square footage) of non-residential buildings.*

Non-residential buildings to be part of the Autumn Woods development are summarized as follows:

- A community facility, comprised of a cabana (approximately 900 sf), swimming pool, off-street parking, related landscaping and lawn area will be constructed in POD1 at the location shown on the Community Features Plan. Further details of this community amenity will be included in Mandatory Requirement 8.
- A community facility, comprised of a clubhouse (approximately 3,500 sf under roof), swimming pool, off-street parking, related landscaping and lawn area will be constructed in POD4 at the location shown on the Concept Development Plan. Further details of this community amenity will be included in Mandatory Requirement 8.
- A commercial area will include a neighborhood retail structure(s) with off-street parking designed and constructed in accordance with the C-1 (Commercial One) Boone County Zoning Regulations.

*Mandatory Requirement 7: The locations of public and private streets, right-of-ways, easements and parking.*

Details on public and private streets, right-of-ways and easements were previously discussed under *Minimum Requirement 2* (Page 2). Off-street parking will be provided for both community facilities, the neighborhood park, the commercial parcel, and the condominium community. Specifics and locations of these parking facilities are included on the Concept Development Plan and Community Features Plan.

*Mandatory Requirement 8: Calculation of approximate amount of open space both before and after construction. Indicate areas of expected open space and new landscaping. Include maintenance plans for these areas.*

As discussed under *Minimum Requirement 3* (page 5), a Community Features Plan enclosed as Tab 9 depicts the areas of open space and other community amenities. The existing use of the property is primarily pastures, crop land, and wooded areas. The existing buildings include a house and several small barns, all of which will be razed. In the spirit of a Planned Development, open spaces have been designed to provide separation of neighborhoods, preserve certain natural features, provide open space linkage through the community and provide active and passive recreation opportunities for community residents. More specifically, active and passive recreational areas, open spaces and

additional green space will be provided at a number of locations throughout the community as detailed below:

#### Longbranch Road Entrance and Single Family Community Facility

The open space in this area includes the main entry on both sides of the North/South Connector Street, the existing lake, and the wooded/open area along Longbranch Road. Entrance walls and associated landscaping will be provided at the Longbranch Road entrance at the location shown on the enclosed Community Features Plan. A community facility comprised of a cabana, swimming pool, off-street parking and related landscaping and green lawn area will also be constructed in this area adjacent to the existing lake. The community facility will be constructed by the time 100 homes are occupied in POD1/POD2. The following additional details on proposed improvements for this area are enclosed as Tab 10.

- Photos of existing natural conditions including the lake and surrounding natural features.
- Conceptual Site Plan of the proposed Community Facility.
- Photos of existing facilities constructed by the Applicant in other developments. It is anticipated that this facility will be similar in size and scope.
- Photos of existing entry monuments and associated landscaping constructed by the Applicant in other developments. It is anticipated that the Longbranch Road entrance will be similar in size and scope.

#### Hathaway Road Entrance

Entrance walls and associated landscaping will also be provided at the Hathaway Road entrance at the location shown on the enclosed Community Features Plan. It is anticipated that this entrance with associated entry walls and landscaping will be similar to the Longbranch Road entrance in size and scope.

#### Condominium Community Entrance and Community Facility

Entrance walls and associated landscaping will be provided at the main entrance to the condominium community off of the East/West Connector Street at the location shown on the enclosed Community Features Plan. A community facility comprised of a clubhouse, swimming pool, off-street parking, related landscaping and green lawn areas will also be constructed in this area. The community facility will be constructed by the time 100 homes are occupied in POD4. The following additional details on proposed improvements for this area are enclosed as Tab 11.

- Conceptual Site Plan of the proposed Community Facility.
- Photos of existing facilities constructed by the Applicant in other developments. It is anticipated that this facility will be similar in size and scope.
- Photos of existing entry monuments and associated landscaping constructed by the Applicant in other developments. It is anticipated that this entrance will be similar in size and scope.

## Neighborhood Park

A public neighborhood park will be included in the south/central portion of Autumn Woods between POD4 and POD6, extending north up to the East/West Connector Street. The park will contain extensive areas for both passive and active recreational use. More specifically, amenities will include an equipped playground, shelter(s), picnic areas, recreational playing field(s), pedestrian connections to PODS5/6 and off-street parking. The neighborhood park and related facilities will be constructed shortly after sub-collector streets serving this area are constructed or upon the completion of a second access point to Autumn Woods, whichever is sooner. The following additional details on proposed improvements for this area are enclosed as Tab 12.

- Photos of the existing surrounding natural features.
- Conceptual Site Plan of the proposed active component of the neighborhood park.
- Photos of existing facilities constructed by the Applicant in other developments. It is anticipated that this facility will be similar in size and scope. In lieu of one large shelter, the Applicant is also considering several smaller shelters as shown in the photos.

## Additional Open Spaces

Autumn Woods will contain additional open spaces and natural areas as detailed below. Specific locations of these open spaces are shown on the Community Features Plan. Photos of existing natural features within these areas are enclosed as Tab 13.

- Open Space Along Longbranch Creek: A natural linear green space, creating active and passive recreational opportunities, will be preserved, beginning at the north end of POD1, continuing south along the western edge of POD1/POD2 and extending to the East/West Connector Street. This linear green space will generally be a minimum of 50 feet wide where the creek is not on the Autumn Woods property. Where the creek is on the Autumn Woods property the linear green space will generally be a minimum of 50 feet wide on each side of the approximate centerline of the creek.
- Walking / Biking Trail Easements: The Applicant agrees to provide by separate agreement easements in favor of Boone County, its successors and assigns, at the following general locations as noted on the Community Features Plan:
  - a) A 15 foot wide walking / biking trail easement located within the existing power line easement beginning at the street right-of-way adjacent to the neighborhood park running east / southeast to the existing paper street right-of-way within the neighboring Spruce Lane development.
  - b) A 15 foot wide walking / biking trail easement located within the Autumn Woods open space beginning at Longbranch Road running south to the East/West Connector Street. The intent is that this easement will be a blanket easement until such time in the future the specific location of the trail can be determined. At that time the blanket easement will be removed and a specific 15 foot wide easement centered on the trail can be recorded.

The purpose of both easements would be to allow Boone County or another public entity to have access to construct and maintain walking / biking trails for public use within these easements at some future date. The exact location and alignment of both easements would be mutually determined at a later date. The easements would be fully assignable by Boone County to another entity.

This offer will be open for a period of one year from the application date during which the specifics of the property transfer and other details can be worked out. It is important that the future homeowners of Autumn Woods understand the final outcome of these plans before the first homeowner moves into their new home. It is anticipated that initial closings will occur in the Fall of 2008.

- North/South Connector Street Area: An approximate 30 foot wide green space will be provided along the eastern edge of the North/South Connector Street within POD 1.
- East/West Connector Street Area: An approximate 50 foot wide green space will be preserved along the entire northern edge of the East/West Connector Street between POD2/3 and POD4. Specifically, this area will run from the approximate centerline of the creek to the edge of the proposed East/West Connector Street right-of-way.
- Existing Stream in POD5: The northern property line of POD5 contains an existing creek. It is proposed that the East/West Connector Street will be extended in a westerly direction into the adjoining property and be built in close proximity to the existing creek. A green space will be provided along the south side of this creek within POD5. The width of the green space will extend from the property line south to a point approximately 50 feet south of the centerline of the creek.
- Existing Lakes: A total of three existing lakes and surrounding areas will be preserved and provided as community green space. The northern lake is adjacent to the Longbranch Road entrance as previously discussed. Another lake is located within POD2 and the third lake is located within POD6.
- Open Space Signage: A minimum of two (2) "No Trespassing" signs will be installed along the lake in POD 6.
- Hiker/Biker Trail: It is proposed that an (8) eight-foot wide paved hiker/biker trail on the west side of the North/South Connector Street and a (10) ten-foot hiker/biker trail on the north side of the East/West Connector Street will be provided as shown on the enclosed Concept Development Plan and Community Features Plan. Sidewalks will not be constructed on the opposite side of the street.
- Condominium Community Open Space: In addition to the previously detailed condominium community facility, other open spaces will be provided within the condominium community. These open spaces will consist of all POD4 areas exclusive of buildings and public right-of-way.
- Adjacent Property Fences: The Applicant will install a woven wire fence along the Geise and Maddox properties, as it adjoins this development, at a 50/50 shared cost if deemed necessary by Geise and Maddox. Additionally, the Applicant will install a farm fence (timber posts, 6" woven wire, and two strands of barbed wire) 3' inside the Kahman property boundary as development occurs along PODs 1, 2 & 4.
- Additional Considerations: All neighborhood park amenities will be constructed by the Applicant. Furthermore, the Neighborhood Park, Linear Park and East/West Connector Street Area Open Space as previously described will be offered for donation 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 this Application.

Summary of Open Spaces

Individual and total open/green space and other recreational areas are as follows:

**SUMMARY OF OPEN SPACES**

| AREA   | APPROXIMATE SIZE<br>(Acres) |
|--|-----------------------------|
| Longbranch Road Entrance and Single Family Community Facility  | 11                          |
| Condominium Community Facility   | 3                           |
| Neighborhood Park  | 20                          |
| Other Open/Green Spaces:<br><ul style="list-style-type: none"> <li>• Open Space along Longbranch Creek</li> <li>• North/South Connector Street Area</li> <li>• East/West Connector Street Area</li> <li>• Existing Stream in POD 5</li> <li>• Existing Lakes</li> <li>• Hiker/Biker Trail</li> <li>• Condominium Community Open Space</li> </ul> | 40                          |
| Total  | 74+                         |

The combined planned open/green space represents more than 20% of the total land within the Autumn Woods development.

All identified open/green space, unless accepted by a governmental agency, will be conveyed to a homeowners association, the condominium regime, or subjected to a preservation easement, as appropriate.

***Mandatory Requirement 9:** Submit a conceptual landscape plan that indicates the locations of landscape and buffering features. For applications involving the PD overlay, design guidelines that include landscaping standards shall be submitted for multi-phased projects.*

As previously discussed, the Community Features Plan is enclosed as Tab 9. Typical landscaping standards for single family detached and condominium homes are enclosed as Tab 14. Additionally, the Applicant agrees to the following landscaping requirements:

- The Applicant agrees to provide 3 large street trees every 100 linear feet along the south side of the east/west connector street adjacent to POD 4 and along the north/south main condominium entry road up to the first four-way intersection as shown on the Concept Development Plan.
- Buffer yard "B" will be installed along the eastern boundary of POD 4 and the adjoining property. Credit will be given for existing vegetation.

***Mandatory Requirement 10:** Where portions of the site are subject to flooding, the Concept Development Plan shall indicate extent and frequency.*

A flood map of the subject property is enclosed as Tab 15.

Mandatory Requirement 11: *General location of water, sanitary sewer, telephone, electrical, and storm water lines. Capacity levels are recommended.*

As discussed in *Minimum Requirement 4* (Page 6), the general tie-in locations of water and sanitary sewer have been identified on the Concept Development Plan. Planned storm water retention and detention areas are shown on the Concept Development Plan. Electric, telephone and CATV lines will generally follow the street patterns as per typical residential development.

Internal sanitary, storm sewer and water line utilities will be designed and constructed in accordance with governing agencies and typical residential development. Such utilities will typically be located within public right-of-way, or will be located within an appropriate easement. Specific details (location, size, ect..) regarding internal utility design will be addressed in the construction plan approval process.

Mandatory Requirement 12: *General description of the availability of community facilities such as schools, fire protection services and other types of facilities that would serve the development, if any, and how these facilities are affected by this proposal.*

Autumn Woods 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 developments. These developments are all served and supported by the same underlying infrastructure, public facilities and public services, which will serve the Autumn Woods property.

As previously mentioned, a new public high school and elementary school is being constructed on Longbranch Road just west of the Autumn Woods development. In late 2006 and early 2007, the Applicant met with the Boone County School District on several occasions with respect to the potential impact of the Autumn Woods development on Boone County Schools. At that time the Autumn Woods development was defined by a previous application which has since been removed from consideration by the Applicant. As a result of these meetings, the Applicant agreed to assist the Boone County Schools in identifying and acquiring an elementary school site within the Hathaway Road Corridor set forth in a letter from the Boone County School District to the Boone County Planning Commission dated June 5, 2007. A copy of this letter is enclosed in Tab 16. The conditions of this letter remain agreeable to the Applicant and it is anticipated that the conditions will remain agreeable to the Boone County School District. The Applicant will initiate future communications with the Boone County School District to confirm the status of this agreement.

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 Sanitation District's construction of a gravity sewer main along the Longbranch creek will allow significant sanitary sewer expansion in this immediate area. 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.

Additional details related to infrastructure and facilities were provided under *Minimum Requirement 4* (Page 6).

*Mandatory Requirement 13: Approximate location and size of storm water detention and/or retention areas.*

This item was previously addressed under *Minimum Requirement 4* (Page 6). Additionally, storm water detention and retention areas are identified on the Concept Development Plan. The Applicant will employ techniques that have been tested and approved by the Kentucky State EPA for sediment control along with Best Management Practices (BMPs) to control sediment of site stormwater flow. Where practical and necessary, stormwater management facilities may act as temporary sedimentation basins to collect sediment before it flows into the down stream waters.

*Mandatory Requirement 14: Information describing proposed signage (types, sizes, materials, and locations on site). For applications involving the PD overlay, design guidelines that include signage standards shall be submitted for multi-phased projects.*

The uniqueness and quality of our communities begins at the entry. The visual and physical aspects of driving through a planned streetscape let homeowners and visitors know that right away they are entering one of Boone County's premier neighborhoods. The Applicant desires to create a unique community with themed street signage. The approximate sign locations are identified on the Community Features Plan. Examples of proposed signage (types, sizes, materials) and design guidelines are presented as Tab 17. As previously described, 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, typical photos of which were previously presented under Tabs 11-13. Sub-entry monuments may also be installed at additional locations identified on the Concept Development Plan and Community Features Plan to further provide an identity to individual communities within Autumn Woods.

*Mandatory Requirement 15: Indicate the construction schedule of the project. For multi-phased projects, submit a phasing plan that describes the anticipated timing and geographical extent of each phase.*

Upon receipt of all government approvals, initial construction will commence on the north end of the site at the Longbranch Road entrance within POD1. Initial construction will consist of a portion of the North/South Connector Street, local streets and approximately 30-35 single family home sites. It is currently anticipated that the initial construction will also include portions of local streets extending to the East/West Connector Street. The East/West Connector Street would then be constructed and extended into POD5 and the subsequent completion of 30-40 single family POD5 home sites. Utilities associated with the completion of these home sites would be extended south from Longbranch Road.

Following the initial construction, additional phases consisting of 20-50 single family home sites will be constructed within POD1, POD2 and POD5, along with associated utilities and portions of required sub-collector and local streets. Construction phasing will progress in a general north to south direction at a rate determined by market conditions. Sub-collector streets will be constructed and extended from POD5 into POD6 as dictated by absorptions. It is anticipated that this will occur in approximately year 6 to 8 of the development.

Specific timing for development of POD4, the Condominium Community, 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. The initial phase would be located at the main entrance from the East/West Connector Street. Subsequent phases would generally progress in a north to south direction with a total anticipated build out period of up to 8 years.

Specific timing of the neighborhood commercial parcel will be determined based on demand and market conditions and is unknown at this time. However, it will be no sooner than 2011.

Additional information in regard to a construction schedule and phasing are provided as follows:

Anticipated Construction Schedule

The Applicant agrees to limit cumulative building permits as detailed in the following table. Although it likely will take longer to reach these cumulative numbers, this table represents the maximum homebuilding activity level.

**MAXIMUM CUMULATIVE BUILDING PERMITS**

| <b>Year</b> | <b>Cumulative Building Permits</b> |
|-------------|------------------------------------|
| 2007        | 0                                  |
| 2008        | 100                                |
| 2009        | 200                                |
| 2010        | 300                                |
| 2011        | 450                                |
| 2012        | 600                                |
| 2013        | 700                                |
| 2014        | 900                                |
| 2015        | 1030                               |
| 2016        | 1160                               |
| 2017        | 1287                               |

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, and 150 units for 2011. 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. The total number of units in the overall development (all phases combined) shall not exceed 1,287.

Additionally the Applicant agrees that no more than 450 homes (35% of the total homes in Autumn Woods) will be granted Certificates of Occupancy until one of the following additional access points is under construction.

- a) A connection of the North/South connector from Autumn Woods to Hathaway Road;  
or
- b) A connection of the East/West connector from Autumn Woods to Old Union Road;  
or

- c) A connection of the East/West connector from Autumn Woods to Camp Ernst Road;  
or
- d) A connection from the East/West connector through the sub-collector street within Autumn Woods to Hathaway Road.

This access point must be completed and open to the public within 180 days (6 months) after construction begins. In the event this access point is not completed within this time frame, then no additional zoning permits will be issued until the street connection is completed and open to the public.

Anticipated Phasing Schedule

The following Phasing Plan is anticipated for the Autumn Woods development.

**AUTUMN WOODS PHASING**

|             |   |
|-------------|---|
| <b>POD1</b> | Site development anticipated to begin in 2008 with the first homes occupied in late 2008.                           |
| <b>POD2</b> | Site development anticipated to begin in 2008.  |
| <b>POD3</b> | Timing of this development is unknown, but development prior to 2010 is unlikely.                                   |
| <b>POD4</b> | Site development anticipated to begin no sooner than 2009 with the first homes occupied in 2010.                    |
| <b>POD5</b> | Site development anticipated to begin in 2008.  |
| <b>POD6</b> | Site development anticipated to begin no sooner than 2010 unless warranted earlier by absorption and market demand. |

*Mandatory Requirement 16: Submit a detailed traffic study if the proposed development is large-scaled or if the project would significantly alter existing traffic patterns or volume.*

A Traffic Impact Analysis dated January 16, 2007, Traffic Impact Analysis Executive Summary dated January 17, 2007, and Traffic Impact Analysis Addendum dated January 24, 2007 have been completed and provided as Tab 18. The analysis and supplemental letters were prepared by Edwards & Kelcey Engineers, and assumes the addition of the previously discussed turn lanes. It should be noted that the analysis was based on a density of 1,380 homes as compared to the 1,287 dwelling units proposed in this application. The Traffic Impact Analysis is based upon forecasted trip generation for the build-out of the Autumn Woods development, plus background traffic, at both weekday AM and PM peak hours. The build-out level of service for each turning movement was "C" or better. All but one turning movement possesses a level of service of "B" or better.

The analysis also includes a detailed discussion on proposed improvements by Boone County and the State of Kentucky to street systems external to the Autumn Woods development. These improvements will serve to significantly improve external transportation patterns and service beyond the currently acceptable condition.

*Mandatory Requirement 17: Submit a sketch or drawing of the proposed buildings to demonstrate the visual appearance or a type of architecture. For applications involving the PD overlay, design guidelines that include architectural standards shall be submitted for multi-phased projects.*

Photos of housing that are representative of those to be offered in Autumn Woods are enclosed as Tab 19. Also included under Tab 19 are architectural guidelines and standards

for the Autumn Woods community. The theme of exterior designs for the homes of Autumn Woods shall be largely Midwestern traditional and / or transitional in style with regionally and locally influenced architectural forms and elements. The exteriors will compliment the existing homes along Longbranch Road, Hathaway Road and neighboring communities such as Orleans, Harmony and Westbrooke by incorporating similar exterior housing styles, massing, exterior veneers, fenestration pattern, roof designs and detailing.

The House massing and exteriors seen adjacent to the site includes one, one and a half and two story designs along with split foyers and tri-levels. Although mainly Midwest traditional in character which is defined by fundamental massing, simplified roof geometry and the high usage of masonry veneers and siding, many of the adjacent homes incorporate some additional eclectic elements that may be found in the following home styles of the United States. These Styles include Colonial, Georgian, Neo-Classical, Craftsmen, Tudor and Neo-French Eclectic. Garages in the description above range anywhere from no garages, attached and integral garages, varying in size from one car to multiple cars.

At a minimum, the building elevations in the condominium phase (POD 4) shall consist of the following:

- a. The "Gallery" style condominiums shall have a minimum of 67% to 84% masonry on the front elevation with an average of 32% to 37% masonry for all elevations.
- b. The "Villa" style condominiums shall have a minimum of 21% to 36% masonry on the front elevation with an average of 16% to 19% masonry for all elevations.

Furthermore, additional architectural details will be added to select high profile sides and rear elevations of condominium buildings adjacent to Connector Streets including, but not limited to building materials, trim features, windows and related components.

While the general concept provided in the Tab 19, Photos of Proposed Housing & Architectural Guidelines and Standards, can be considered a commitment by the Applicant, the specific architecture and dimensions of single family and condominium homes will fluctuate given the long term nature of this project. Since designs are updated periodically by homebuilders to address homeowner's demands, code changes, and marketing considerations, it is likely that homes constructed over the long-term duration of the project will change in configuration and size. However, in all cases, the overall architectural theming elements will be carried throughout the entire community and the design guidelines and standards will be adhered to.

The For – Sale Condominiums are not intended for lease or rent. The Home Owners Association's bylaws and Rules and Regulations include "Typical Condominium Language Restricting Leases and Rentals", which is enclosed in Tab 20.

***Mandatory Requirement 18:** For applications involving the PD overlay zone, a description of any requested exceptions to the requirement of the underlying zone.*

Exceptions to the underlying zone includes provision to the mixture of land uses and net densities as promoted by the purposes of the Planned Development Regulations. Exceptions to the lot dimensional standards and Supplemental Performance Standards are detailed on the Concept Development Plan, accompanying Details, and this narrative.

*Mandatory Requirement 19: For applications involving the PD overlay, a written narrative that describes how the applicable requirements and standards in Article 15 have been satisfied shall be submitted.*

The applicable standards and requirements of Article 15, Planned Development District, requirements are addressed below.

### **3. ARTICLE 15, PLANNED DEVELOPMENT DISTRICT**

Section 1514 of Article 15 of the Boone County Zoning Regulations states that Concept Development Plan proposals in a Planned Development shall be primarily evaluated against eleven standards set forth in such section. The Concept Development Plan is expected to fulfill the criteria in such standards unless a portion of the criteria do not apply or relate in whole or part, to a specific proposal.

*PD Standard 1: Mixed Use Development and Pedestrian Orientation - PD's shall generally have a mixed use orientation (combination of differing types of residential, commercial, and/or industrial uses) both within the development itself and relative to the relationship between the proposed planned development and adjacent sites. PD's shall have a pedestrian orientation.*

Autumn Woods incorporates a mixture of land uses including a diversity of size and type of residential and commercial land uses as shown on the Concept Development Plan and as detailed under *Minimum Requirement 2* (Page 2) and *Mandatory Requirement 4* (Page 11). The land uses within Autumn Woods and existing and/or proposed land uses on adjacent sites are connected by a system of sidewalks and a hiker/biker trail that provide a pedestrian orientation to the proposed development.

*PD Standard 2: Compatibility of Uses - Measures shall be taken to assure compatibility of land uses within a planned development itself and adjacent site. Such measures may include provisions of buffer zones, common open space areas and landscape features, transition land uses, or a mixed-use development in which no specific type of land use is dominate. Compatibility measures/mitigation measures shall exceed the usual minimum standards of this order when needed to address impacts of the proposed development.*

Autumn Woods has been specifically designed to minimize impacts between both internal and external land uses. By transitioning from lower densities to the north and south toward higher densities in the center of the development, the Concept Development Plan mitigates the differences in surrounding residential land uses densities with the higher density condominiums located in POD4 and the smaller lots located in POD5.

By maintaining the same minimum lot width of 75 feet and the same minimum rear yard setback of 40 feet for all lots located adjacent to the single family lots on Spruce Lane, the building lot standards for the single family homes in POD6 mitigate incompatibility concerns with the existing homes located on Spruce Lane.

The provision of a large open space area and lake entry feature in POD1 mitigates incompatibility concerns with existing single family development along Longbranch Road toward the north.

By providing a linear open space area along the existing stream traversing the development from north to south, impacts on any future land uses toward the west of the open space

area are minimized. This same open space area also provides separation between single family homes in POD5 and condominiums in POD4.

The provision of the North/South Connector Street along the eastern boundary of the development also provides separation between the proposed land uses in Autumn Woods and any future land uses located to the east.

*PD Standard 3: Open Space - Useable open space(s), in an amount over and above setback areas and open areas required by the underlying zone, shall be provided. These spaces may be provided in the form of parks, plazas, arcades, commons, trails, sports courts and recreational areas, outdoor areas for the display of sculptural elements, etc. Land reservations for community facilities may be considered in lieu of useable open space.*

Autumn Woods provides over 74 acres of open space. This open space represents more than 20% of the total land within the Autumn Woods development. Open space areas include the Longbranch Road entrance and community facility, the condominium community facility, the neighborhood park, and other open space areas such as the open space along Longbranch Creek, lakes and creeks. An overview of all open spaces is provided under *Mandatory Requirement 8* (Page 14) and a table summarizing all open space (Page 17).

*PD Standard 4: Multi-Modal Transportation System - PD's shall incorporate multi-modal transportation elements through the development, depending on the needs of future residents and users of the site, and the relationship of the project site to the community at large. Multi-modal elements may include provision for mass transit stops or stations, car pooling lots, pedestrian and bicycle paths and lands, bicycle parking areas, etc.*

Autumn Woods incorporates the multi-modal transportation element of a hiker/biker trail which will be constructed adjacent to the North/South and East/West Connector Streets. The hiker/biker trail provides for linkage to the existing hiker/biker trail to the north and east, future bicycle and pedestrian linkages to future developments on adjoining properties together with internal linkages between open spaces. Details of the hiker/biker trail are shown on the Concept Development Plan and are outlined in *Minimum Requirement 2* (Page 2).

*PD Standard 5: Preservation of Existing Site Features - Existing topography, significant tree cover, and water courses and water bodies shall be largely preserved and incorporate into the project design where appropriate and consistent with the remainder of this article.*

Autumn Woods overall design incorporates water bodies and existing water courses as community amenities. The rolling topography of the site has been utilized to add character and interest to the community. Wooded areas will be preserved wherever practical. The Community Features Plan, Tab 9, and *Mandatory requirements 3 and 4* (Page 10 & 11) identify the preservation of existing site features.

*PD Standard 6: Landscaping - Substantial landscaping shall be provided in a PD with emphasis given to streetscape areas, buffer zones, and the provision of significant landscaping (in terms of size of landscape areas, and quantity and quality of landscape materials) within the developed portions of the site.*

Entry monuments, community amenities and streetscapes will be landscaped in a similar manner as depicted on the photographs provided under Tabs 10-12 & 14 and as depicted on the Community Features Plan provided in Tab 9. Autumn Woods will be an attractive

community comparable to other communities completed in Boone County by The Fischer Group and Arlinghaus Builders.

*PD Standard 7: - Architecture - A consistent architectural theme shall be provided in PD's. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variations within it. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic.*

As demonstrated in other Boone County communities completed by The Fischer Group and Arlinghaus Builders, Autumn Woods will utilize a consistent architectural theme throughout the community. Architecture will incorporate both traditional and transitional designs and elements. Photographs and anticipated housing and architectural guidelines and standards are included under Tab 19. These architectural designs and elements are consistent with the traditional and transitional styles of surrounding land uses.

*PD Standard 8: Historic and Prehistoric Features - Historic and prehistoric features on the project site shall be retained, utilized, and incorporated into the overall project design if physically and economically feasible.*

While there are no known historic or prehistoric features on the project, two (2) existing cemeteries have been identified. One cemetery is located along the east side of POD6 near the common property boundary with the Spruce Lane lots. The second cemetery is location in POD4 near the East/West Connector Street. The general location of the cemeteries are identified on the Concept Development Plan. The Applicant will comply with all laws, statutes and regulations with respect to the maintenance of such cemeteries. Access easements for the benefit of family members and other parties will be granted and/or provided on subdivision dedication plats. The cemeteries will either be incorporated within building lots or open space parcels.

*PD Standard 9: Signage - A consistent signage theme shall be provided within a PD. Building mounted signs shall be the predominate signage on the project site. Freestanding signs shall be monument style and of a limited size and height.*

A consistent signage theme will be utilized throughout Autumn Woods. Design elements of entryways, signage and community amenities will be complementary and consistent with the examples of proposed signage (types, sizes, and materials) and the design guidelines set forth in Tabs 9-12 and 17.

*PD Standard 10: Transportation Connections and Entry Points - The provision of transportation connections (street connections, pedestrian paths and sidewalks, bicycle facilities) shall be provided in all PD's unless physically unfeasible or undesirable due to land use characteristics. The various entry points (streets, paths, etc.) into the PD shall be marked or otherwise defined through the use of landscaping, low-key signage on retaining walls, architectural or sculptural elements, archways, markers, etc.*

As previously stated under *Minimum Requirement 2* (Page 2), the internal transportation system for Autumn Woods incorporates portions of the new North/South Connector Street between Longbranch Road and Hathaway Road and a new East/West Connector Street between Old U.S. 42 and Camp Ernst Road. These connections, together with additional street connections to adjoining properties, as shown on the Concept Development Plan, all contribute to community connectivity. Entry monumentation and signage locations are also shown on the Community Feature Plan.

PD Standard 11: Conformance with Comprehensive Plan - All PD's shall conform to the provisions of the adopted Comprehensive Plan and take into account the limitations or existing or planned infrastructure. Concept Development Plan proposals within areas that are subject to a specific land use or corridor study shall be evaluated against the criteria or requirements of such study.

The Autumn Woods proposal is in conformance with the proposed land use and land use intensities set forth in the Land Use Plan together with numerous Housing Element, Transportation Element, and Environmental Element goals and objectives. A detailed explanation of Autumn Woods conformance with various elements of the Boone County Comprehensive Plan is set forth under *Minimum Requirement 5* (Page 7).

Ordinance 07-23: A copy of the Boone County Fiscal Court Ordinance is enclosed under Tab 22.

5/9/07

The following are the owners of the property being submitted for an amendment to the Zoning Map of Boone County:

Riegler Family LLC  
19 Lendale Drive  
Florence, KY 41042

Benjamin A. Riley and Patricia A. Riley  
2788 Hathaway Road  
Union, KY 41091

Donel and Alberta Tanner  
2505 Longbranch Road  
Union, KY 41091

Arlinghaus Investments, LLC.  
820 Dudley Road  
Ft. Mitchell, KY 41017

Robert Schroder  
1541 Symbo Lane  
Walton, KY 41091

AF Investments, LLC.  
P.O. Box 17160  
Ft. Mitchell, KY 41017

**AF Investments, LLC.  
P.O. Box 17160  
Ft. Mitchell, KY 41017**

May 9, 2007

To Whom it May Concern:

AF Investments, LLC, a Kentucky limited liability company, authorizes Longbranch Development Inc. to apply for and receive a zone change for the property situated along the north side of Hathaway Road in Boone County, Kentucky. The property is further identified as PIDN 052.00-00-010.00, recorded in Deed Book 930, Page 294 of the Boone County Clerk's records at Burlington, Kentucky.


AF Investments, LLC, a Kentucky limited liability company

By:   
Henry Fischer, Treasurer

May 2007

DONEL AND ALBERTA TANNER authorize Longbranch Development, Inc. to apply for and receive a zone change for their real estate located off Long Branch Road, Union, Boone County, Ky 41091. Tanners are Sellers on a Contract for sale of the property to Arlinghaus Investments LLC, and have granted ARLINGHAUS these same zoning privileges. The costs for the zone change shall be paid by Longbranch Development LLC.

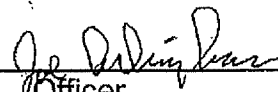
  
\_\_\_\_\_  
Donel Tanner

  
\_\_\_\_\_  
Alberta Tanner

May, 2007

ARLINGHAUS INVESTMENTS LLC authorizes Longbranch Development, Inc. to apply for and receive a zone change for its real estate located off Long Branch Road, Union, Boone County, Ky 41091. ARLINGHAUS INVESTMENTS LLC is a party to a Contract for sale of the property, and its owners have granted ARLINGHAUS these same zoning privileges.

ARLINGHAUS INVESTMENTS LLC

By:   
Officer

May, 2007

Robert Schroder authorizes Longbranch Development, Inc. to apply for and receive a zone change for his real estate located off Long Branch Road, Union, Boone County, Ky 41091.

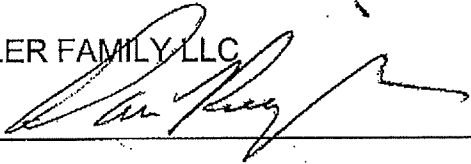
  
\_\_\_\_\_

May 2007

RIEGLER FAMILY LLC authorize Longbranch Development, Inc. to apply for and receive a zone change for their real estate located off Long Branch Road, Union, Boone County, Ky 41091. Riegler is Seller on a Contract for sale of the property to Arlinghaus Investments LLC, and have granted ARLINGHAUS these same zoning privileges. The costs for the zone change shall be paid by Longbranch Development LLC.

RIEGLER FAMILY LLC

By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Dan Riegler", is written over a horizontal line. The signature is cursive and somewhat stylized.

May 2007

BEN RILEY TRUSTEE AND PATRICIA RILEY TRUSTEE authorize Longbranch Development, Inc. to apply for and receive a zone change for their real estate located off Long Branch Road, Union, Boone County, Ky 41091. Rileys are Sellers on a Contract for sale of the property to Arlinghaus Investments LLC, and have granted ARLINGHAUS these same zoning privileges. The costs for the zone change shall be paid by Longbranch Development LLC.

  
\_\_\_\_\_

  
\_\_\_\_\_

PATRICIA RILEY TRUSTEE

LEGAL DESCRIPTION  
ZONE CHANGE  
344.69 Acres

Lying in Boone County, Kentucky, south of Long Branch Road, north of Hathaway Road (S.R. 536), and west of U.S. 42, more particularly described as follows:

Beginning at a point in the southerly right-of-way of Long Branch Road, said point being the northwest corner of a tract of land heretofore conveyed to Charles B. and Tammy T. Bixler in Deed Book 576, Page 280, Boone County Clerk's Office;

Thence along said Bixler for two (2) calls:

South 12°53'20" West a distance of 230.52 feet;

South 80°08'40" East a distance of 200.21 feet to the westerly line of a tract of land heretofore conveyed to April Whitlock, Trustee in Deed Book 867, Page 896, Boone County Clerk's Office;

Thence along the westerly line of said Whitlock and a tract of land heretofore conveyed to Timothy and Christie Kahmann in Deed Book 515, Page 68, South 12°52'42" West a distance of 1730.31 feet to the common corner of said Kahmann (D.B. 515, Pg. 68) and a tract of land heretofore conveyed to Norbert Kahmann, Trustee in Deed Book 616, Page 65, Boone County Clerk's Office;

Thence along said Norbert Kahmann, Trustee for two (2) calls:

North 85°24'28" West a distance of 373.09 feet;

South 04°18'45" West a distance of 3500.46 feet to a point in the northerly line of a tract of land heretofore conveyed to Jim & Paula Volz in Deed Book 799, Page 666, Boone County Clerk's Office;

Thence along the northerly line of said Volz, North 83°33'02" West a distance of 134.02 feet;

Thence along the westerly line of said Volz and tracts of land heretofore conveyed to Gary Munafo in Deed Book 869, Page 120, Boone County Clerk's Office; Valerie S. Eason in Deed Book 521, Page 43, Boone County Clerk's Office; Richard C. Jr. & Donna C. Lohr in Deed Book 456, Page 64, Boone County Clerk's Office; and Carlton H. & Anna M. Trinkle in Deed Book 401, Page 35, Boone County Clerk's Office; South 05°06'20" West a distance of 1459.82 feet;

Thence along the westerly line of said Trinkle and tracts of land heretofore conveyed to Matthew J. & Lora Kay Roberts in Deed Book 531, Page 69, Boone County Clerk's Office; Daniel M. & Kathleen Haines in Deed Book 517, Page 143, Boone County Clerk's Office; Judith Ann Longo in Deed Book 179, Page 237, Boone County Clerk's Office; Jeffrey Steffen in Deed Book 297, Page 71, Boone County Clerk's Office; Michael E. & Pamela Jo Hunt in Deed Book 580, Page 200, Boone County Clerk's Office; Emerson and Betty Antrobus in Deed Book 574, Page 255, Boone County Clerk's Office; and Isabella Zembrodt in Deed Book 888, Page 311, Boone County Clerk's Office, South 05°19'10" West a distance of 2249.29 feet to the northerly right-of-way of Hathaway Road (S.R. 536);

Thence along the northerly right-of-way of Hathaway Road (S.R. 536) for three (3) calls:

North 87°30'25" West a distance of 202.86 feet;

North 78°10'03" West a distance of 150.00 feet;

Along a curve to the right having a radius of 1860.00 feet, an arc distance of 126.23 feet (said curve being subtended by a chord bearing North 77°47'56" West 126.20 feet) to the southeast corner of a tract of land heretofore conveyed to William & Maureen Vaughn in Deed Book 201, Page 583, Boone County Clerk's Office;

Thence along the westerly line of said Vaughn and a tract of land heretofore conveyed to Robert C. and Bonita Maddox in Deed Book 248, Page 320, Boone County Clerk's Office, for three (3) calls:

North 04°21'11" East a distance of 915.45 feet;

North 11°16'58" East a distance of 50.89 feet;

North 16°02'42" West a distance of 473.92 feet to the southerly line of a tract of land heretofore conveyed to Mark and Susan Kahmann in Deed Book 725, Page 1, Boone County Clerk's Office;

Thence along the line of said Kahmann for three (3) calls:

South 84°46'47" East a distance of 166.89 feet;

North 04°17'08" East a distance of 1009.65 feet;

North 85°07'20" West a distance of 846.06 feet to the common corner of said Kahmann and a tract of land heretofore conveyed to Jerry J. and Janice K. Geise in Deed Book 160, Page 99, Boone County Clerk's Office;

Thence along the northerly line of said Geise, North 84°23'10" West a distance of 1292.70 feet to the easterly line of a tract of land heretofore conveyed to Richard L. and Sandra J. Franks in Deed Book 481, Page 250, Boone County Clerk's Office;

Thence along the easterly line of said Franks and a tract of land heretofore conveyed to Benjamin Riley, Trustee and Patricia A. Riley, Trustee in Deed Book 729, Page 122, Boone County Clerk's Office, North 04°53'48" East a distance of 2501.55 feet to the southerly line of a tract of land heretofore conveyed to Huntington National Bank, Trustee of the Leonard L. Riegler Trust and Riegler Family LLC in Deed Book 635, Page 14, Boone County Clerk's Office;

Thence along the southeasterly line of said Riegler for eight (8) calls:

South 84°39'13" East a distance of 192.05 feet;  
North 05°12'18" East a distance of 150.14 feet;  
North 58°50'46" East a distance of 316.22 feet;  
North 68°31'57" East a distance of 528.00 feet;  
North 82°31'57" East a distance of 363.00 feet;  
North 04°31'57" East a distance of 267.49 feet;  
South 85°28'16" East a distance of 113.29 feet;  
North 04°31'44" East a distance of 648.53 feet to the southeasterly corner of a tract of land heretofore conveyed to James and Diana Doll in Deed Book 300, Page 259, and Deed Book 689, Page 305, Boone County Clerk's Office;

Thence along the easterly line of said Doll for seven (7) calls:

North 05°10'51" East a distance of 255.35 feet;  
South 84°55'15" East a distance of 49.34 feet;  
North 05°02'29" East a distance of 421.51 feet;  
South 85°17'05" East a distance of 54.30 feet;  
North 35°20'32" East a distance of 189.41 feet;  
North 02°39'28" West a distance of 499.95 feet;  
North 04°50'32" East a distance of 429.00 feet;

Thence along the easterly line of said Doll and a tract of land heretofore conveyed to Diana Lovelace in Deed Book 543, Page 266, Boone County Clerk's Office, North 27°20'32" East a distance of 415.80 feet;

Thence along the easterly line of said Lovelace, North 12°15'29" East a distance of 186.34 feet to the southwesterly corner of a tract of land heretofore conveyed to Grover and Pamela J. Hatton in Deed Book 209, Page 228, Boone County Clerk's Office;

Thence along said Hatton for two (2) calls:

South 81°49'30" East a distance of 232.00 feet;  
North 00°37'30" East a distance of 227.12 feet to a point in the southerly right-of-way of Long Branch Road;

Thence along the southerly right-of-way of Long Branch Road for eight (8) calls:

North 89°44'27" East a distance of 119.82 feet;  
North 89°13'27" East a distance of 198.46 feet;  
North 88°16'17" East a distance of 201.42 feet;  
North 87°35'53" East a distance of 166.07 feet;  
North 87°33'11" East a distance of 104.81 feet;  
North 89°10'47" East a distance of 183.54 feet;  
Along a curve to the right having a radius of 1241.23 feet, an arc distance of 254.34 feet (said curve being subtended by a chord bearing South 84°57'01" East 253.90 feet);  
South 79°04'48" East a distance of 79.27 feet to the Point of Beginning.

Said parcel contains 344.69 acres, more or less.

Legal Description  
Zone Change  
Page 3 of 3

**Said herein description based on deeds and plats of record and GIS data and is not the result of a field survey.**

# Autumn Woods

LONGBRANCH

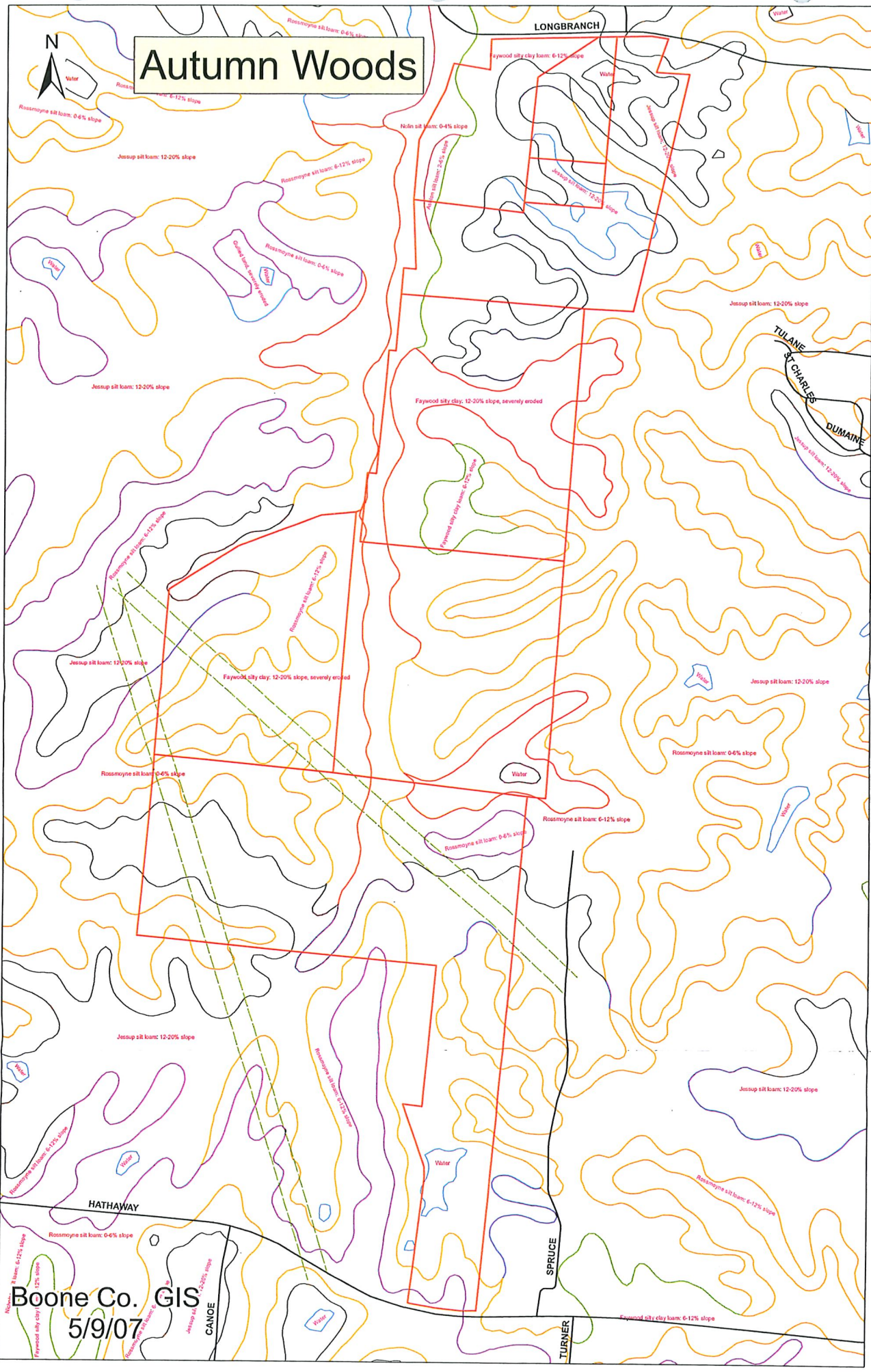
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ST. CHARLES  
DUMAINE

HATHAWAY

SPRUCE

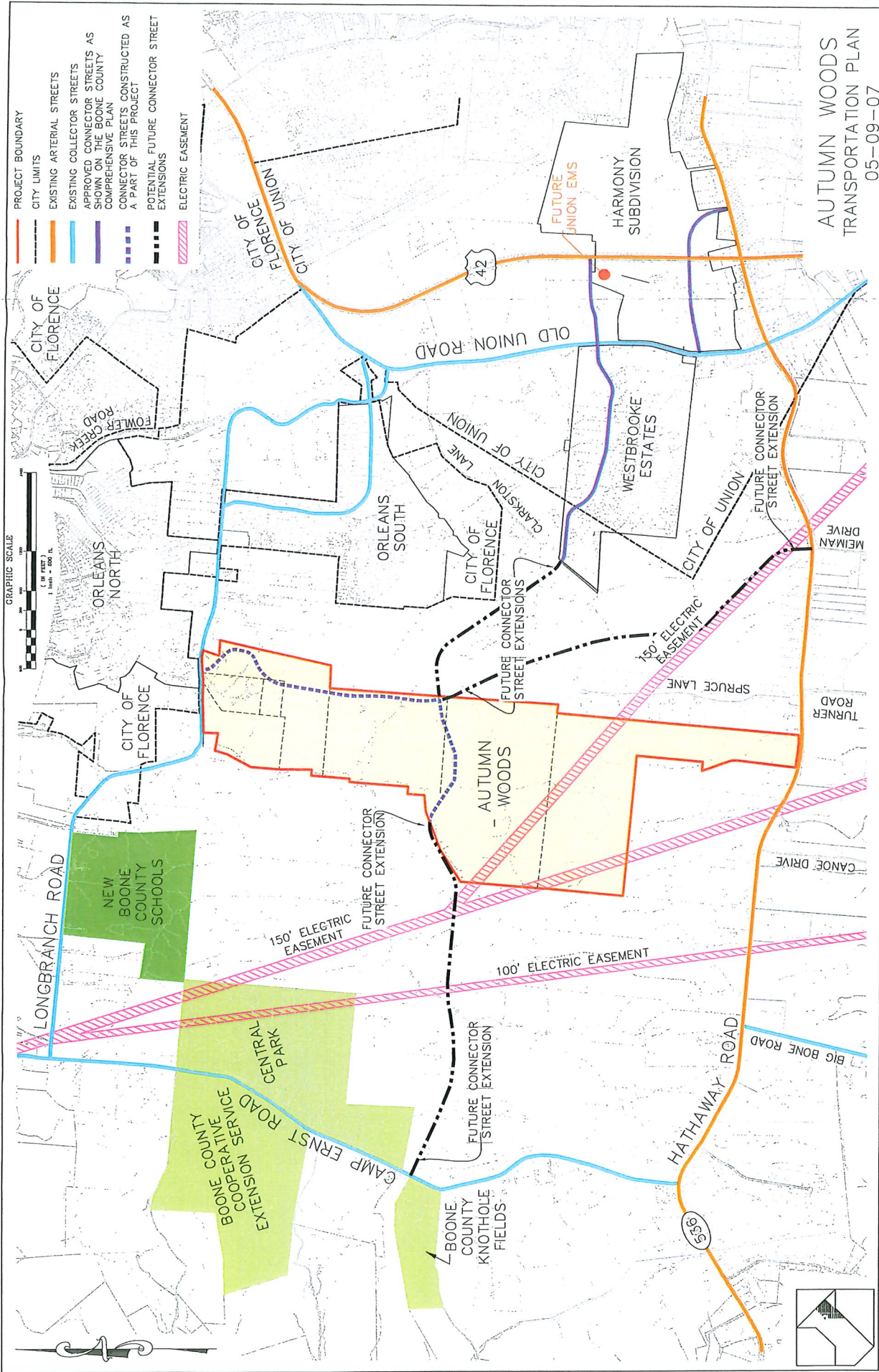
TURNER

Boone Co. GIS  
5/9/07



**AUTUMN WOODS  
TRANSPORTATION PLAN**

05-09-07



PROJECT BOUNDARY

CITY LIMITS

EXISTING ARTERIAL STREETS

EXISTING COLLECTOR STREETS

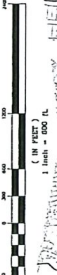
APPROVED CONNECTOR STREETS AS SHOWN ON THE BOONE COUNTY COMPREHENSIVE PLAN

CONNECTOR STREETS CONSTRUCTED AS A PART OF THIS PROJECT

POTENTIAL FUTURE CONNECTOR STREET EXTENSIONS

ELECTRIC EASEMENT

GRAPHIC SCALE



CITY OF FLORENCE

CITY OF UNION

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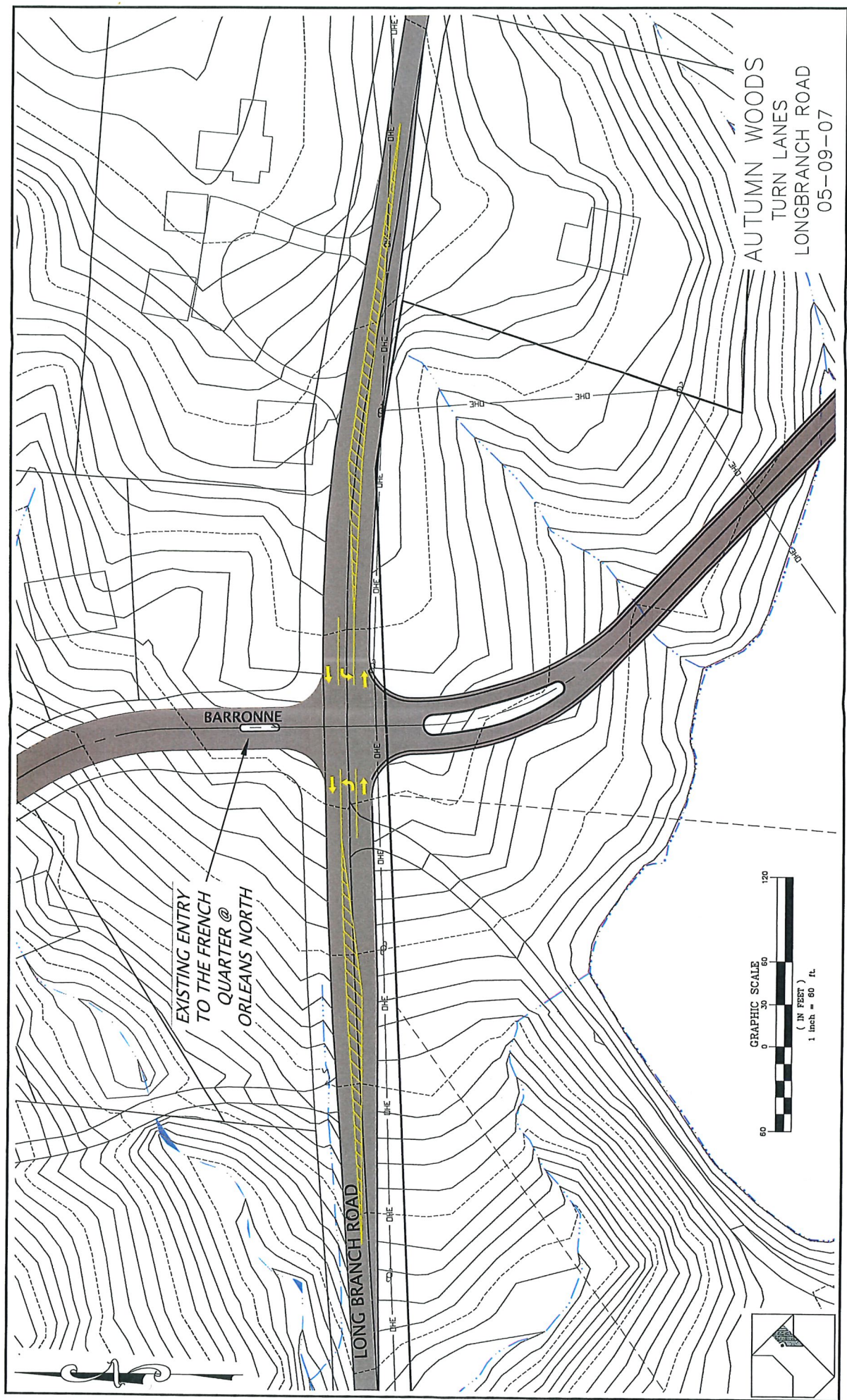
CITY OF UNION

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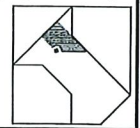
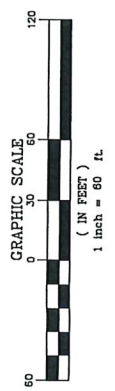
AUTUMN WOODS  
TURN LANES  
LONGBRANCH ROAD  
05-09-07



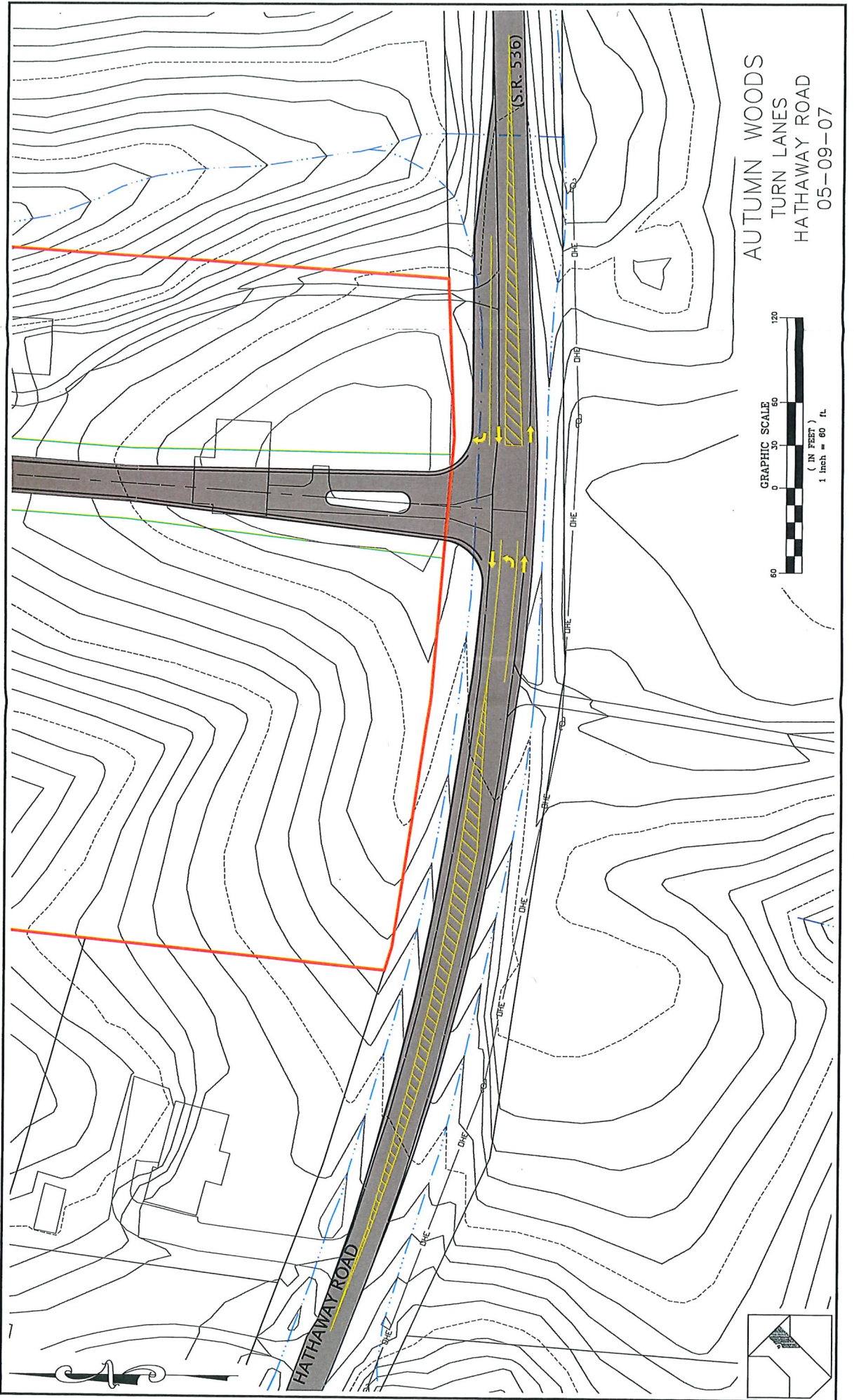
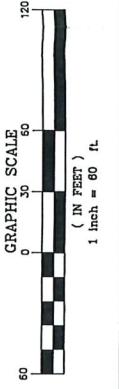
EXISTING ENTRY  
TO THE FRENCH  
QUARTER @  
ORLEANS NORTH

BARRONNE

LONGBRANCH ROAD



AUTUMN WOODS  
TURN LANES  
HATHAWAY ROAD  
05-09-07



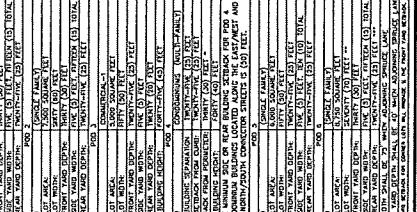
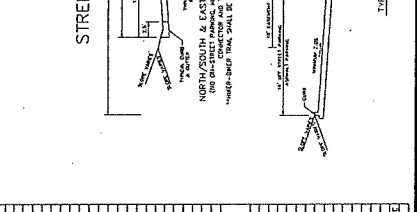
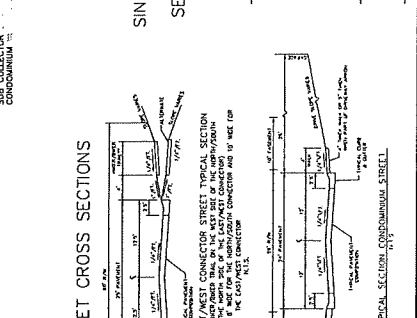
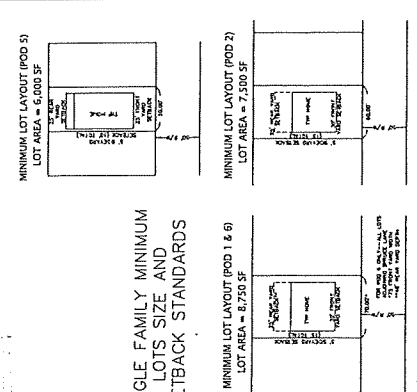
| REVISIONS | DATE     | BY | ITEM                        |
|-----------|----------|----|-----------------------------|
| 1         | 10-20-07 | JK | REVISED BASED ON BPC LETTER |
| 2         | 11-05-07 | JK | REVISIONS TO THE BPC        |
| 3         | 11-05-07 | JK | REVISED TO THE BPC          |

CLIENT: LONGRANCH DEVELOPMENT, INC  
2670 CHANCELLOR DRIVE, SUITE 300  
CRESTVIEW HILLS, KENTUCKY 41017

PROJECT: CONCEPT DEVELOPMENT PLAN  
AUTUMN WOODS

PROJECT NO. 06-267  
SCALE 1" = 300'  
DATE 12-03-07

CONCEPT DEVELOPMENT PLAN  
SHEET C-1.0

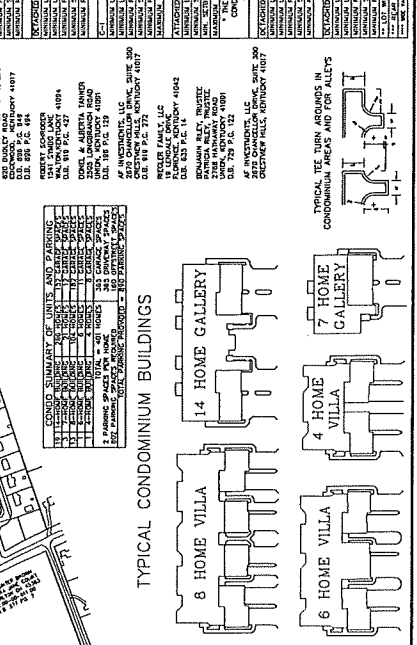


NOTES:

1. PRESENT ZONING OF PROPERTY IS R-1, R-2 & R-3.
2. ALL SANITARY SEWERS SHALL BE PUBLIC AND SHALL BE CONSTRUCTED TO THE STREET LINE. THE LOCATION OF SANITARY DUCTS SHALL BE SHOWN BY DIMENSIONED LINES.
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20. ALL SANITARY SEWERS SHALL BE PUBLIC AND SHALL BE CONSTRUCTED TO THE STREET LINE. THE LOCATION OF SANITARY DUCTS SHALL BE SHOWN BY DIMENSIONED LINES.

ZONE INFORMATION

| ZONE                             | MINIMUM LOT AREA | MINIMUM FRONT YARD SETBACK | MINIMUM SIDE YARD SETBACK | MINIMUM REAR YARD SETBACK | MINIMUM FRONT SETBACK | MINIMUM SIDE SETBACK | MINIMUM REAR SETBACK | MINIMUM FRONT SETBACK | MINIMUM SIDE SETBACK | MINIMUM REAR SETBACK |
|----------------------------------|------------------|----------------------------|---------------------------|---------------------------|-----------------------|----------------------|----------------------|-----------------------|----------------------|----------------------|
| RESIDENTIAL SINGLE-FAMILY (R-1)  | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-2)  | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-3)  | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-4)  | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-5)  | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-6)  | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-7)  | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-8)  | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-9)  | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-10) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-11) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-12) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-13) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-14) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-15) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-16) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-17) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-18) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-19) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |
| RESIDENTIAL SINGLE-FAMILY (R-20) | 10,000 SQ. FT.   | 30 FT.                     | 5 FT.                     | 10 FT.                    | 30 FT.                | 5 FT.                | 10 FT.               | 30 FT.                | 5 FT.                | 10 FT.               |



RELATIONS: THE PROPERTY IS LOCATED AT THE CORNER OF CHANCELLOR DRIVE AND HATHAWAY ROAD, CRESTVIEW HILLS, KENTUCKY 41017.

OWNER: LONGRANCH DEVELOPMENT, INC.

DESIGNER: CARDINAL ENGINEERING ARCHITECTURE AND CONSTRUCTION, INC.

DATE: 12-03-07

PROJECT NO. 06-267

SCALE 1" = 300'

DATE 12-03-07

CONCEPT DEVELOPMENT PLAN

SHEET C-1.0

- ① CHARLES B & TAMMY T. BIXLER  
2501 LONGBRANCH ROAD  
UNION KY 41091  
051.00-00-005.03  
D.B. 576 PG. 280
- ② APRIL WHITLOCK, TRUSTEE  
38 RIO GRANDE CIR  
FLORENCE KY 41042  
051.00-00-009.00  
D.B. 867 PG. 896
- ③ TIMOTHY & CHRISTIE KAHMANN  
2425 LONGBRANCH ROAD  
UNION KY 41091  
051.00-00-009.04  
D.B. 515 PG. 68
- ④ NORBERT KAHMANN, TRUSTEE  
2318 CLARKSON ROAD  
UNION KY 41091  
051.00-00-050.00  
D.B. 616 PG. 65
- ⑤ JIM & PAULA VOLZ  
9741 SPRUCE LANE  
UNION KY 41091  
052.00-01-036.00  
D.B. 799 PG. 666
- ⑥ GARY MUNAFO  
10851 CROOKED RIVER RD  
BONITA SPTNGS FL 34135  
052.00-01-035.00  
D.B. 869 PG. 120
- ⑦ VALERIE S. EASON  
307 SUMMIT LANE  
FT MITCHELL KY 41017  
052.00-01-034.00  
D.B. 521 PG. 43
- ⑧ RICHARD C. JR & DONNA C. LOHR  
9759 SPRUCE LANE  
UNION KY 41091  
052.00-01-033.00  
D.B. 456 PG. 64
- ⑨ RICHARD C. JR & DONNA C. LOHR  
9759 SPRUCE LANE  
UNION KY 41091  
052.00-01-032.00  
D.B. 456 PG. 64
- ⑩ CARLTON H. & ANNA M. TRINKLE  
9771 SPRUCE DRIVE  
UNION KY 41091  
052.00-00-031.01  
D.B. 401 PG. 35
- ⑪ MATTHEW J & LORA KAY ROBERTS  
9777 SPRUCE DRIVE  
UNION KY 41091  
052.00-01-030.00  
D.B. 531 PG. 69
- ⑫ DANIEL M. & KATHLEEN HAINES  
9799 SPRUCE LANE  
UNION KY 41091  
052.00-01-029.00  
D.B. 517 PG. 143
- ⑬ DANIEL M & KATHLEEN HAINES  
9799 SPRUCE LANE  
UNION KY 41091  
052.00-01-028.00  
D.B. 517 PG. 143
- ⑭ JUDITH ANN LONGO  
9835 SPRUCE DRIVE  
UNION KY 41091  
052.00-01-021.00  
D.B. 179 PG. 237
- ⑮ JUDITH ANN LONGO  
9835 SPRUCE DRIVE  
UNION KY 41091  
052.00-01-020.00  
D.B. 179 PG. 237
- ⑯ JUDITH ANN LONGO  
9835 SPRUCE DRIVE  
UNION KY 41091  
052.00-01-016.00  
D.B. 179 PG. 237
- ⑰ JUDITH ANN LONGO  
9835 SPRUCE DRIVE  
UNION KY 41091  
052.00-01-015.00  
D.B. 179 PG. 237
- ⑱ JEFFREY STEFFEN  
9845 SPRUCE LANE  
UNION KY 41091  
052.00-01-010.00  
D.B. 297 PG. 71
- ⑲ MICHAEL E & PAMELA JO HUNT  
9885 SPRUCE LANE  
UNION KY 41091  
052.00-01-010.01  
D.B. 580 PG. 200
- ⑳ EMERSON & BETTY ANTROBUS  
9915 SPRUCE LANE  
UNION KY 41091  
052.00-00-032.02  
D.B. 574 PG. 255
- ㉑ ISABELLA ZEMBRODT  
3505 MEADOWLARK  
EDGEWOOD KY 41018  
052.00-00-032.01  
D.B. 888 PG. 311
- ㉒ LINDA GINTER BROWN  
36 DONNA JANE COURT  
WEST MILTON OH 45383  
052.00-00-011.00  
D.B. 577 PG. 7
- ㉓ WILLIAM & MAUREEN VAUGHN  
2504 HATHAWAY ROAD  
UNION KY 41091  
052.00-00-009.00  
D.B. 201 PG. 583
- ㉔ ROBERT C. & BONITA MADDOX  
2514 HATHAWAY ROAD  
UNION KY 41091  
052.00-00-008.00  
D.B. 248 PG. 320
- ㉕ MARK & SUSAN KAHMANN  
35 FAREN DRIVE  
COLD SPRING KY 41076  
052.00-00-006.04  
D.B. 725 PG. 1
- ㉖ JERRY J. & JANICE K. GEISE  
2636 HATHAWAY ROAD  
UNION KY 41091  
052.00-00-002.00  
D.B. 160 PG. 99
- ㉗ RICHARD L. & SANDRA J. FRANKS  
2688 HATHAWAY ROAD  
UNION KY 41091  
052.00-00-001.00  
D.B. 481 PG. 250
- ㉘ BENJAMIN RILEY, TRUSTEE  
PATRICIA A. RILEY, TRUSTEE  
2788 HATHAWAY ROAD  
UNION KY 41091  
040.00-00-035.00  
D.B. 729 PG. 122
- ㉙ HUNTINGTON NATIONAL BANK, TRUSTEE  
OF THE LEONARD L. RIEGLER TRUST &  
RIEGLER FAMILY, LLC  
18 LENDALE DRIVE  
FLORENCE KY 41042  
051.00-00-007.00  
D.B. 635 PG. 14
- ㉚ JAMES & DIANA DOLL  
8880 CAMP ERNST ROAD  
UNION KY 41091  
051.00-00-006.00  
D.B. 300 PG. 259
- ㉛ JAMES J. & DIANA DOLL  
8884 CAMP ERNST ROAD  
UNION KY 41091  
051.00-00-006.01  
D.B. 689 PG. 305
- ㉜ GROVER & PAMELA J. HATTON  
2569 LONGBRANCH ROAD  
UNION KY 41091  
051.00-00-005.02  
D.B. 209 PG. 228
- ㉝ HARMON & EDNA R. TANNER  
2480 LONGBRANCH ROAD  
UNION KY 41091  
051.00-00-005.01  
D.B. 482 PG. 92
- ㉞ JMG DEVELOPMENT LLC  
8344 PLEASANT VALLEY ROAD  
FLORENCE KY 41042  
051.01-06-446.00  
D.B. 852 PG. 206
- ㉟ JMG DEVELOPMENT LLC  
8344 PLEASANT VALLEY ROAD  
FLORENCE KY 41042  
051.01-06-448.00  
D.B. 852 PG. 206
- ㊱ JOHN K. & MELISA ANN HARKRADER  
2536 LONGBRANCH ROAD  
UNION KY 41091  
051.00-00-004.02  
D.B. 709 PG. 80
- ㊲ CAROL P. LAMPL  
2580 LONGBRANCH ROAD  
UNION KY 41091  
051.00-00-004.01  
D.B. 792 PG. 183
- ㊳ TOM SCHREIBER CONSTRUCTION, INC  
8344 PLEASANT VALLEY  
FLORENCE KY 41042  
D.B. 900 PG. 451
- ㊴ GMAC MODEL HOME FINANCING  
6802 PARAGON PL SUITE 350  
RICHMOND, VA 23230  
051.01-06-448.00  
D.B. 923 PG. 243

05-09-07

|   |  |  |                  |     |
|---|--|--|------------------|-----|
| <br><b>CARDINAL</b><br>ARCHITECTURE<br>ENGINEERING<br>LAND SURVEYING | <b>ZONE CHANGE PLAT</b><br>for<br><b>AUTUMN WOODS</b><br><b>LONGBRANCH DEVELOPMENT INC.</b><br>2670 CHANCELLOR DRIVE, SUITE 300<br>CRESTVIEW HILLS, KENTUCKY 41017 | ONE MOOCK ROAD<br>WILDER, KENTUCKY<br>41071 (859) 581-9600 | PROJECT MANAGER: | JGK |
|   | DRAWN BY:  |  | TRP              |     |
|   | DATE:  |  | 05-09-07         |     |
|   | SCALE:   |  | N.T.S.           |     |
|   | FILE NO.   |  | 06-267           |     |

The applicant agrees to provide by separate agreement easements in favor of Boone County, its successors and assigns, at the following general locations:

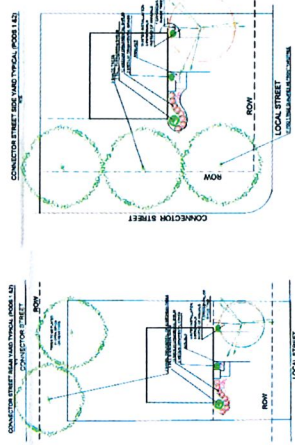
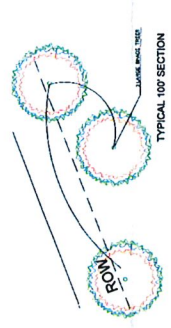
- A 15 foot wide walking / biking trail easement located within the eastern portion of the development, as the same right-of-way adjacent to the neighborhood park running east / west along the east side of the development.
- A 15 foot wide walking / biking trail easement located within the eastern portion of the development, as the same right-of-way south to the east West Connector Street. The intent is that this easement will be a blanket easement until such time in the future that a specific easement is recorded.
- A 15 foot wide easement centered on the trail can be recorded. County or another public entity to have access to construct and maintain walking / biking trails for public use within these easements. The easements would be mutually determined as a County to Boone County.

GRAPHIC SCALE  
 1" = 100' FT  
 1" = 200' FT  
 1" = 400' FT



**LEGEND**

- EXISTING WOODED AREAS PLANNED TO REMAIN
- OPEN SPACE
- PARK
- CONNECTOR STREET
- SIDE YARDS
- CONNECTOR STREET
- REAR YARDS
- POD 4: CONNECTOR STREET/MAIN ENTRY LANDSCAPE
- BUFFER YARDS
- \* NOTE: CREDIT WILL BE GIVEN FOR ALL VEGETATION RETAINED
- 8' HIKER BIKER TRAIL
- 10' HIKER BIKER TRAIL
- SIDEWALK
- PERMANENT MONUMENT SIGNAGE
- MAJOR MONUMENT: 300 FRONT FACE FEET, MASONRY CONSTRUCTION
- OVERSIZE SUB-ENTRY MONUMENT: 200 FRONT FACE FEET, MASONRY CONSTRUCTION
- SUB-ENTRY MONUMENT: 100 FRONT FACE FEET, MASONRY CONSTRUCTION
- TEMPORARY MARKETING SIGNAGE
- "COMING SOON": 10x10 FRONT FACE FEET
- MARKETING: DIRECTIONAL, PRODUCT INFO, COMING SOON 4x8" FRONT FACE FEET
- WELCOME / THANK YOU 4x4 FRONT FACE FEET
- TRAFFIC CONTROL
- STOP SIGN / STREET SIGN 2 BLADES
- STOP SIGN / STREET SIGN 1 BLADES
- SPEED LIMIT / NO PARKING
- NO PARKING
- NO TRESPASSING SIGNAGE



REVISIONS  
 DATE  
 ITEM

LONGBRANCH DEVELOPMENT, INC.  
 2670 CHANCELLOR DRIVE, SUITE 300  
 CRESTVIEW HILLS, KENTUCKY 41017

PROJECT: AUTUMN WOODS COMMUNITY FEATURES PLAN

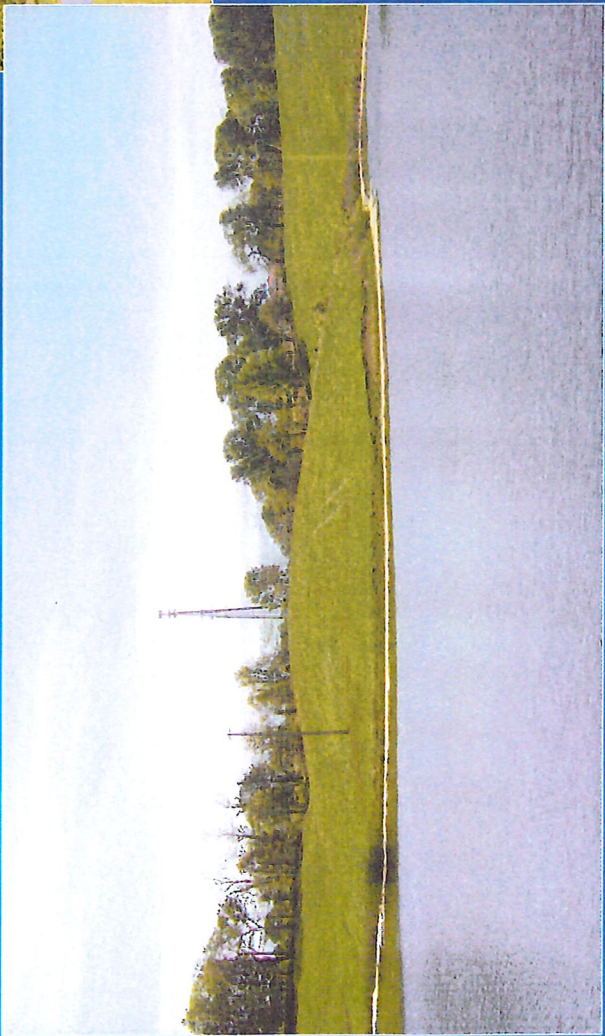
CLIENT: LONGBRANCH DEVELOPMENT, INC.  
 2670 CHANCELLOR DRIVE, SUITE 300  
 CRESTVIEW HILLS, KENTUCKY 41017

PROJECT NO. 06-267  
 SCALE 1" = 300'  
 DATE 12-03-07

COMMUNITY FEATURES PLAN

SHEET C-1.0

COMMUNITY FEATURES PLAN  
 AUTUMN WOODS





**SINGLE FAMILY COMMUNITY FACILITY**  
**AUTUMN WOODS**  
**CONCEPTUAL SITE PLAN**

**LEGEND**

- EXISTING WOODED AREAS
- PLANNED TO REMAIN
- OPEN SPACE
- PARK
- HIKER BIKER TRAIL
- PERMANENT MONUMENT SIGNAGE
- MAJOR MONUMENT:
  - 350 FRONT FACE FEET, MASONRY CONSTRUCTION
  - OVERSIZE SUB-ENTRY MONUMENT:
  - 200 FRONT FACE FEET, MASONRY CONSTRUCTION
- SUB-ENTRY MONUMENT:
  - 100 FRONT FACE FEET, MASONRY CONSTRUCTION
- TEMPORARY MARKETING SIGNAGE
  - "COMING SOON":
    - 12X10 FRONT FACE FEET
    - MARKETING: DIRECTIONAL, PRODUCT INFO, COMING SOON
    - 4X8 FRONT FACE FEET
    - WELCOME / THANK YOU
    - 4X4 FRONT FACE FEET
- TRAFFIC CONTROL
  - STOP SIGN / STREET SIGN 2 BLADES
  - STOP SIGN / STREET SIGN 1 BLADES
  - SPEED LIMIT / NO PARKING
  - NO PARKING



| DATE | REVISIONS | TTM |
|------|-----------|-----|
|      |           |     |
|      |           |     |
|      |           |     |
|      |           |     |

**CARDINAL**  
 ENGINEERING  
 ARCHITECTURE  
 LANDSCAPE ARCHITECTURE  
 PLANNING  
 200 WEST MAIN STREET, SUITE 200  
 COLUMBIANA, KY 40305  
 (502) 738-1100  
 WWW.CARDINALKY.COM

**PROJECT:** SINGLE FAMILY COMMUNITY FACILITY  
 AUTUMN WOODS  
 CONCEPTUAL SITE PLAN

**CLIENT:** LONGBRANCH DEVELOPMENT, INC  
 2670 CHANCELLOR DRIVE, SUITE 300  
 CRESTVIEW HILLS, KENTUCKY 41017

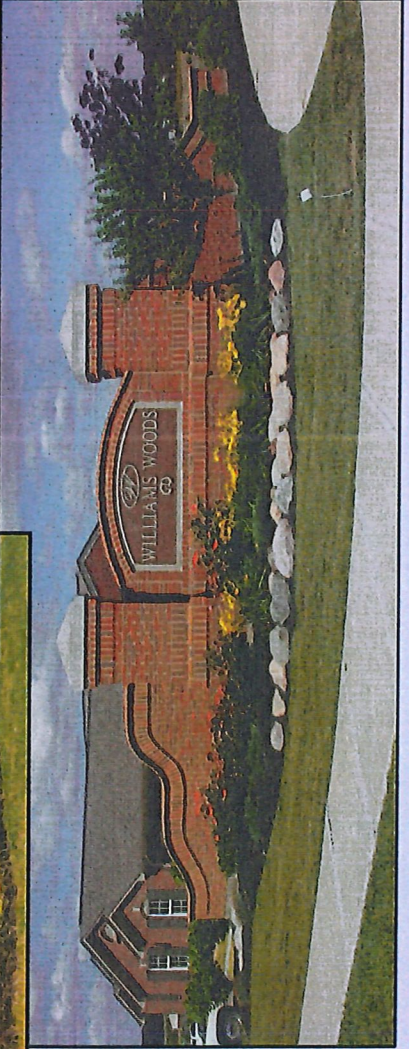
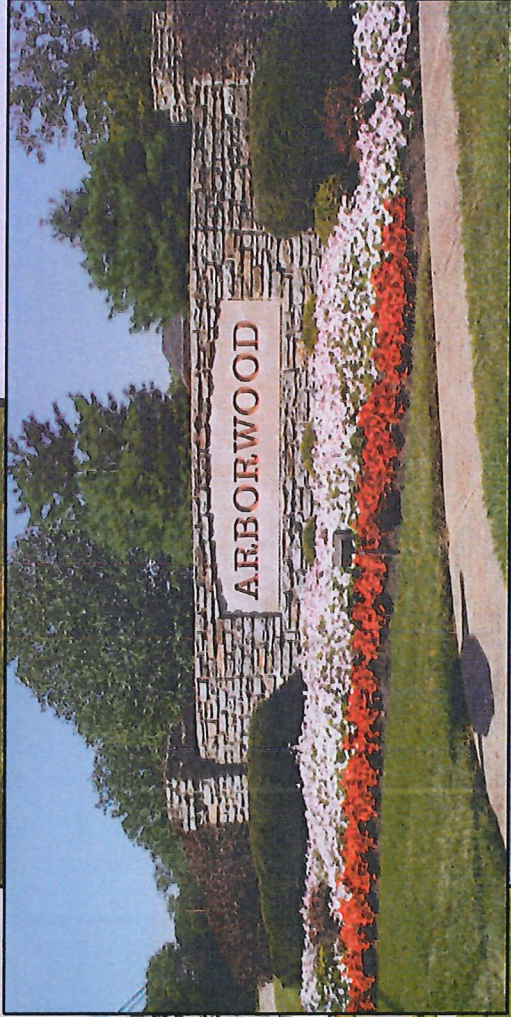
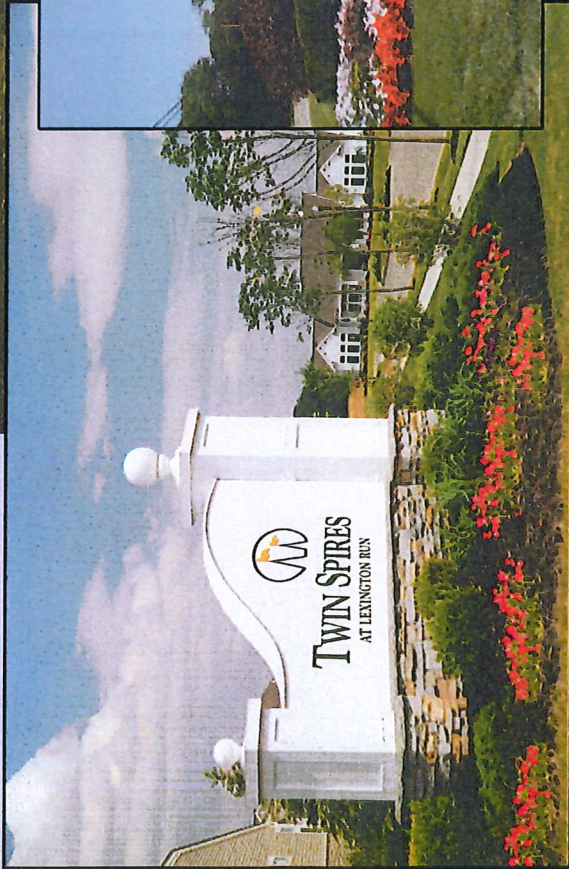
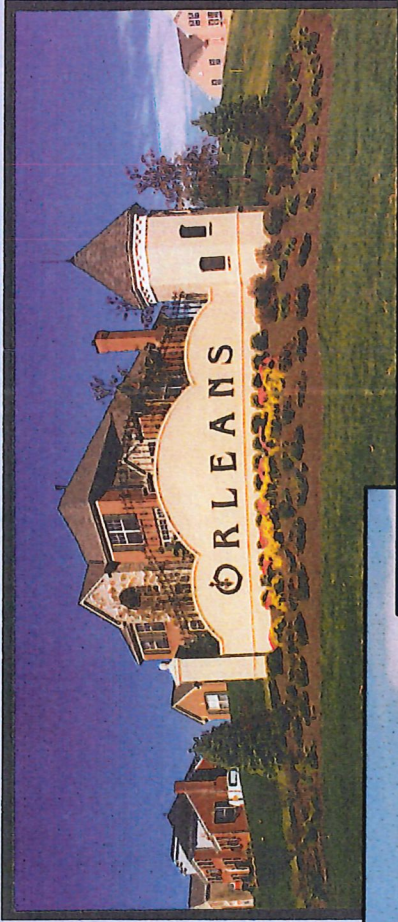
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**PROJECT NO.:** 00-2-107

**SCALE:** 1/8" = 10'

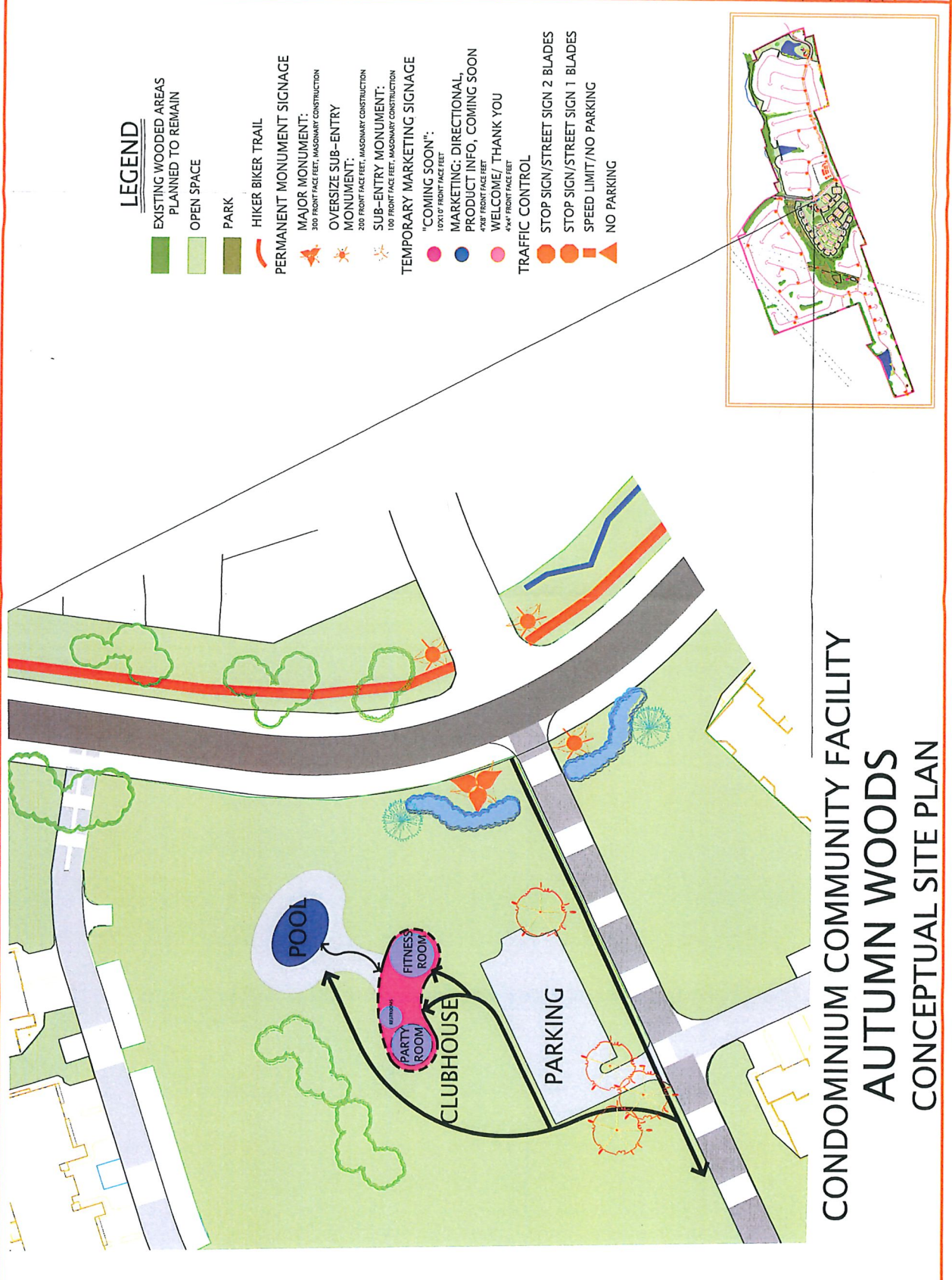
**DATE:** 05-09-07

**SHEET:**





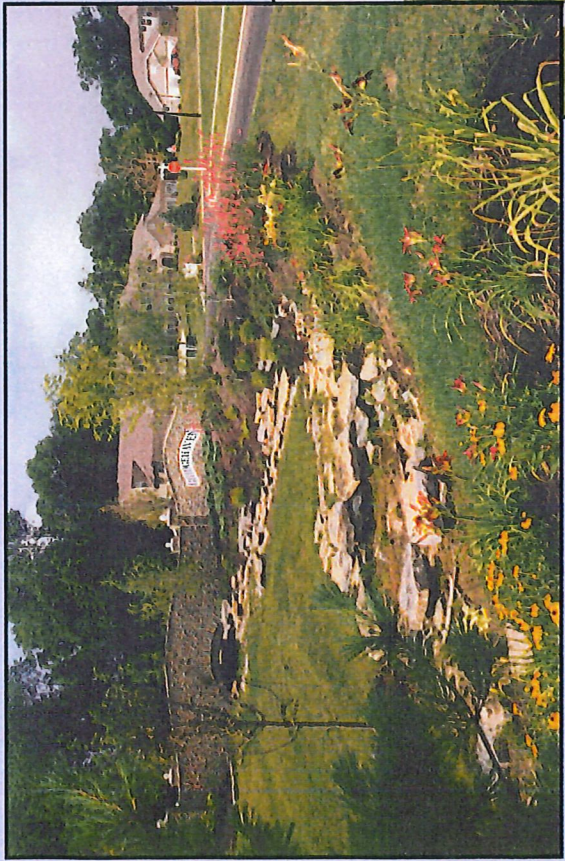
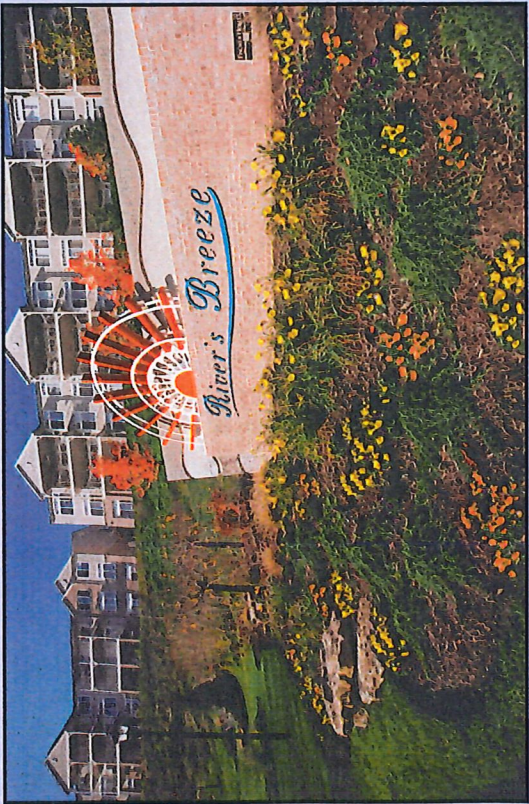
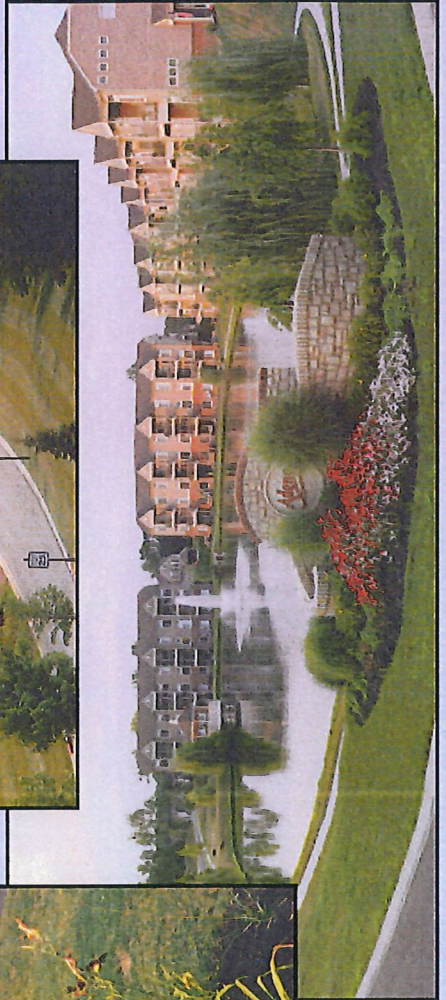
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| PROJECTS:<br>CONDOMINIUM COMMUNITY FACILITY<br>AUTUMN WOODS<br>CONCEPTUAL SITE PLAN |  | CLIENTS:<br>LONGRANCH DEVELOPMENT, INC<br>2670 CHANCELLOR DRIVE, SUITE 300<br>CRESTVIEW HILLS, KENTUCKY 41017 |  |
| REVISIONS<br>DATE<br>ITEM   |  | SHEET NO. 06-267<br>PROJECT NO. 06-267<br>SCALE<br>DATE 05-09-07<br>SHEET                                     |  |

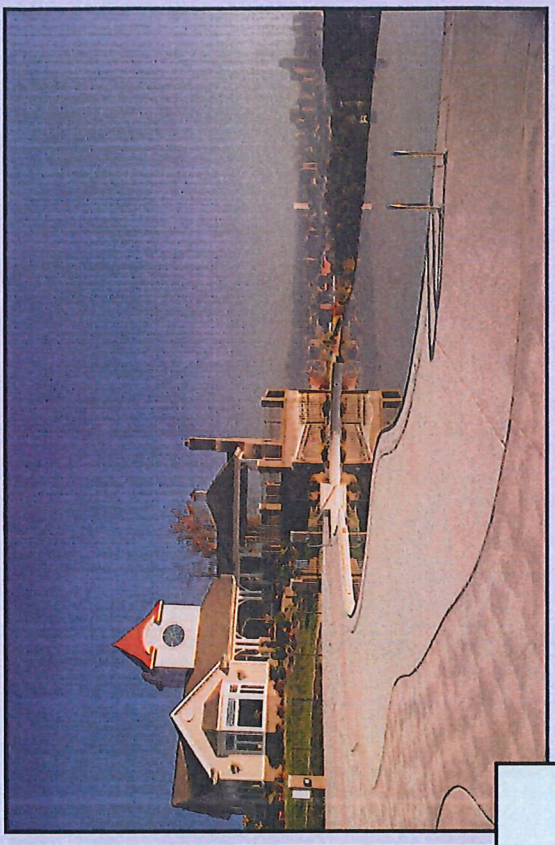


**LEGEND**

- EXISTING WOODED AREAS
- PLANNED TO REMAIN
- OPEN SPACE
- PARK
- HIKER BIKER TRAIL
- PERMANENT MONUMENT SIGNAGE
  - MAJOR MONUMENT: 300 FRONT FACE FEET, MASONRY CONSTRUCTION
  - OVERSIZE SUB-ENTRY MONUMENT: 200 FRONT FACE FEET, MASONRY CONSTRUCTION
  - SUB-ENTRY MONUMENT: 100 FRONT FACE FEET, MASONRY CONSTRUCTION
- TEMPORARY MARKETING SIGNAGE
  - "COMING SOON": 10'x10' FRONT FACE FEET
  - MARKETING: DIRECTIONAL, PRODUCT INFO, COMING SOON 4'x8' FRONT FACE FEET
  - WELCOME/ THANK YOU 4'x4' FRONT FACE FEET
- TRAFFIC CONTROL
  - STOP SIGN/STREET SIGN 2 BLADES
  - STOP SIGN/STREET SIGN 1 BLADES
  - SPEED LIMIT/NO PARKING
  - NO PARKING

CONDOMINIUM COMMUNITY FACILITY  
**AUTUMN WOODS**  
 CONCEPTUAL SITE PLAN







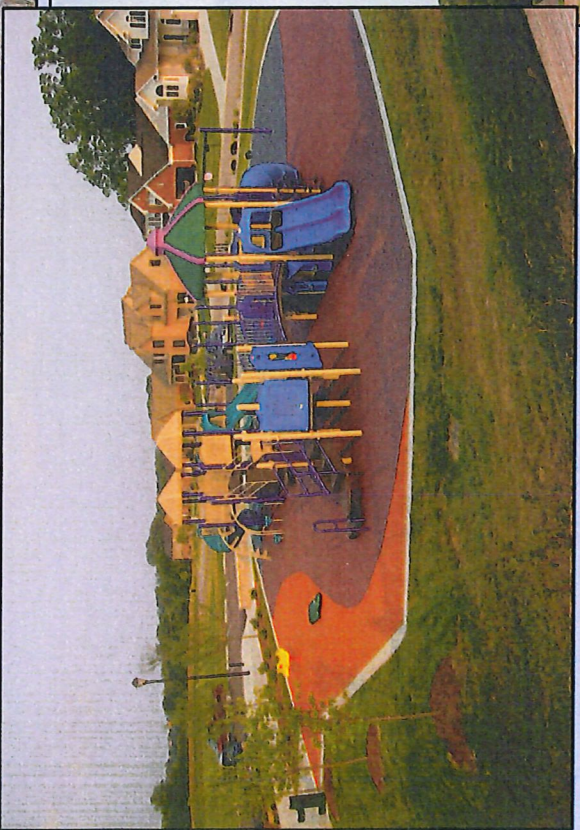


ACTIVE COMPONENT OF NEIGHBORHOOD PARK  
**AUTUMN WOODS**  
 CONCEPTUAL SITE PLAN

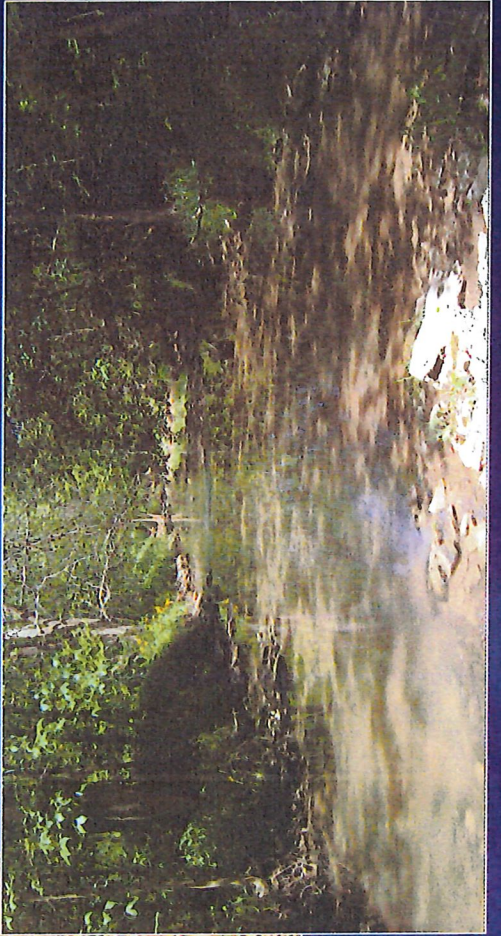


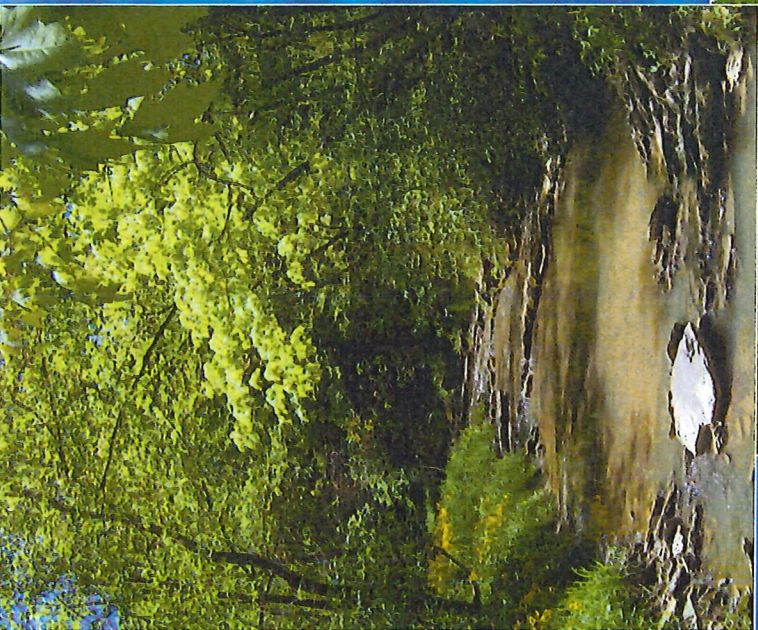
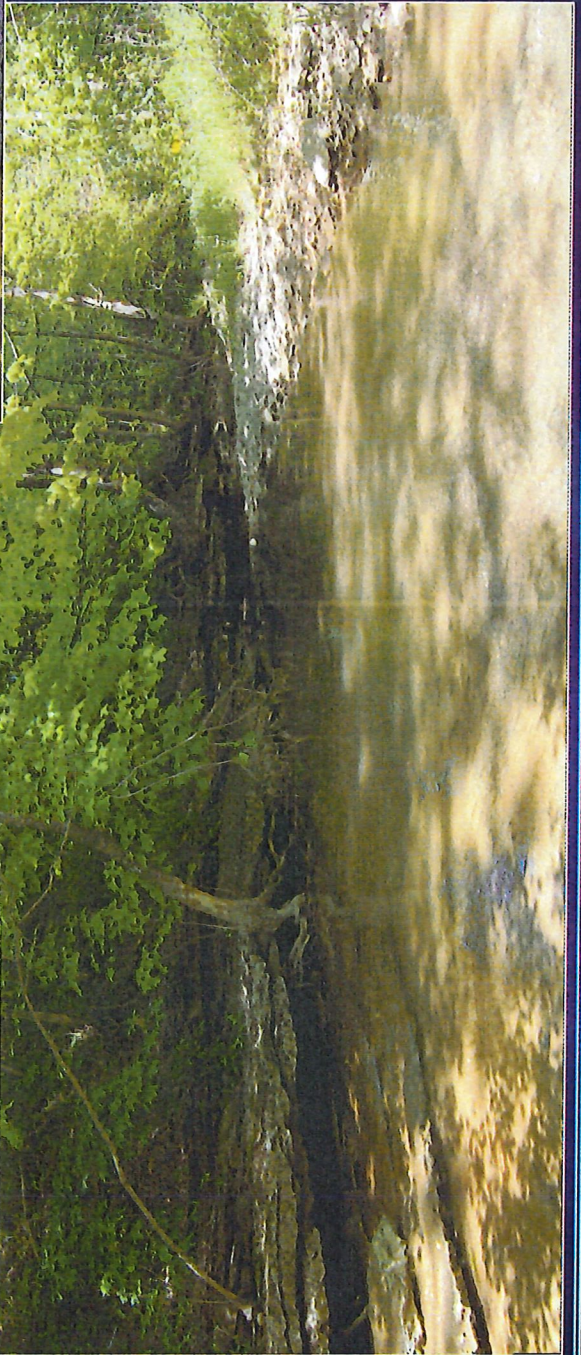
- LEGEND**
- EXISTING WOODED AREAS PLANNED TO REMAIN
  - OPEN SPACE
  - PARK
  - HIKER BIKER TRAIL
  - PERMANENT MONUMENT SIGNAGE
    - MAJOR MONUMENT: 300 FRONT FACE FEET, MASONRY CONSTRUCTION
    - OVERSIZE SUB-ENTRY MONUMENT: 200 FRONT FACE FEET, MASONRY CONSTRUCTION
    - SUB-ENTRY MONUMENT: 100 FRONT FACE FEET, MASONRY CONSTRUCTION
  - TEMPORARY MARKETING SIGNAGE
    - "COMING SOON": 10'x10' FRONT FACE FEET
    - MARKETING: DIRECTIONAL, PRODUCT INFO, COMING SOON
    - WELCOME/ THANK YOU
  - TRAFFIC CONTROL
    - STOP SIGN/ STREET SIGN 2 BLADES
    - STOP SIGN/ STREET SIGN 1 BLADES
    - SPEED LIMIT/ NO PARKING
    - NO PARKING

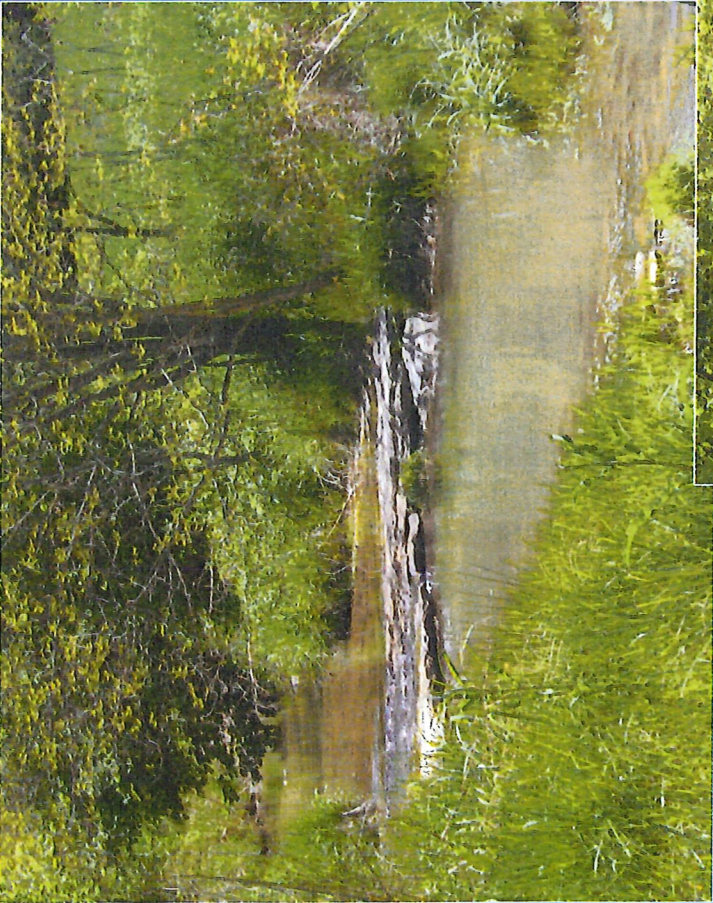
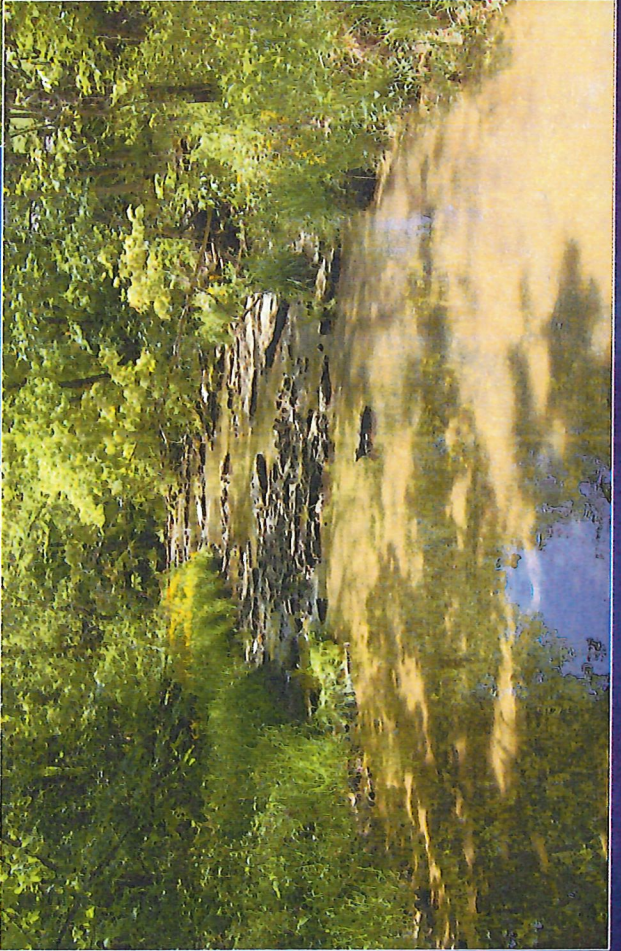
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|---|------|-------------|------|-------------|--|--|--|--|--|--|--|--|--|--|---|---|
| NO.   | DATE | DESCRIPTION |      |             |  |  |  |  |  |  |  |  |  |  |   |   |
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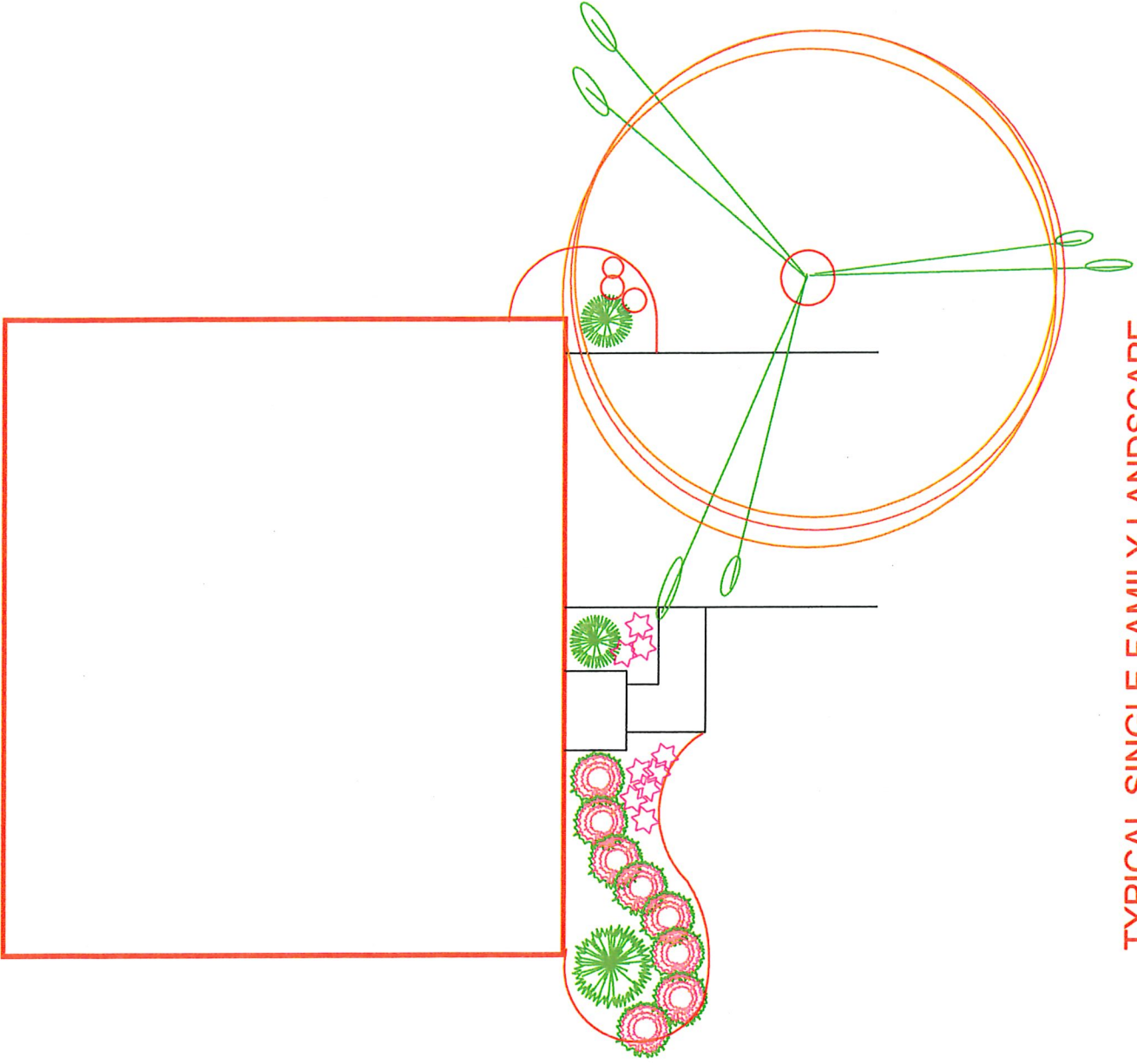








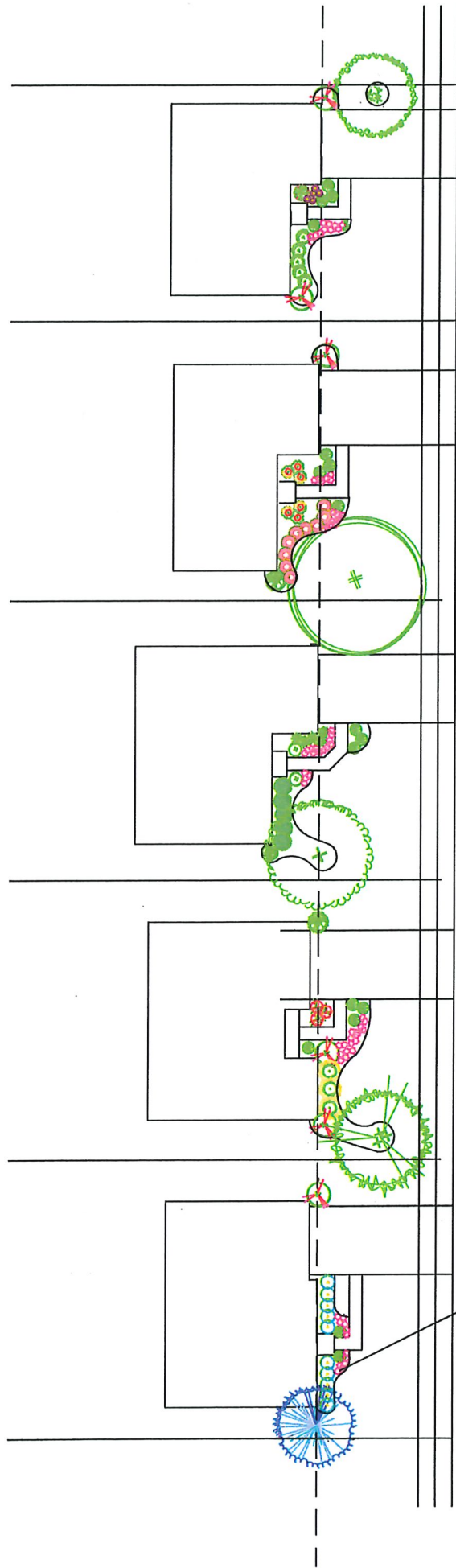




**TYPICAL SINGLE FAMILY LANDSCAPE**

NTS

05-09-07

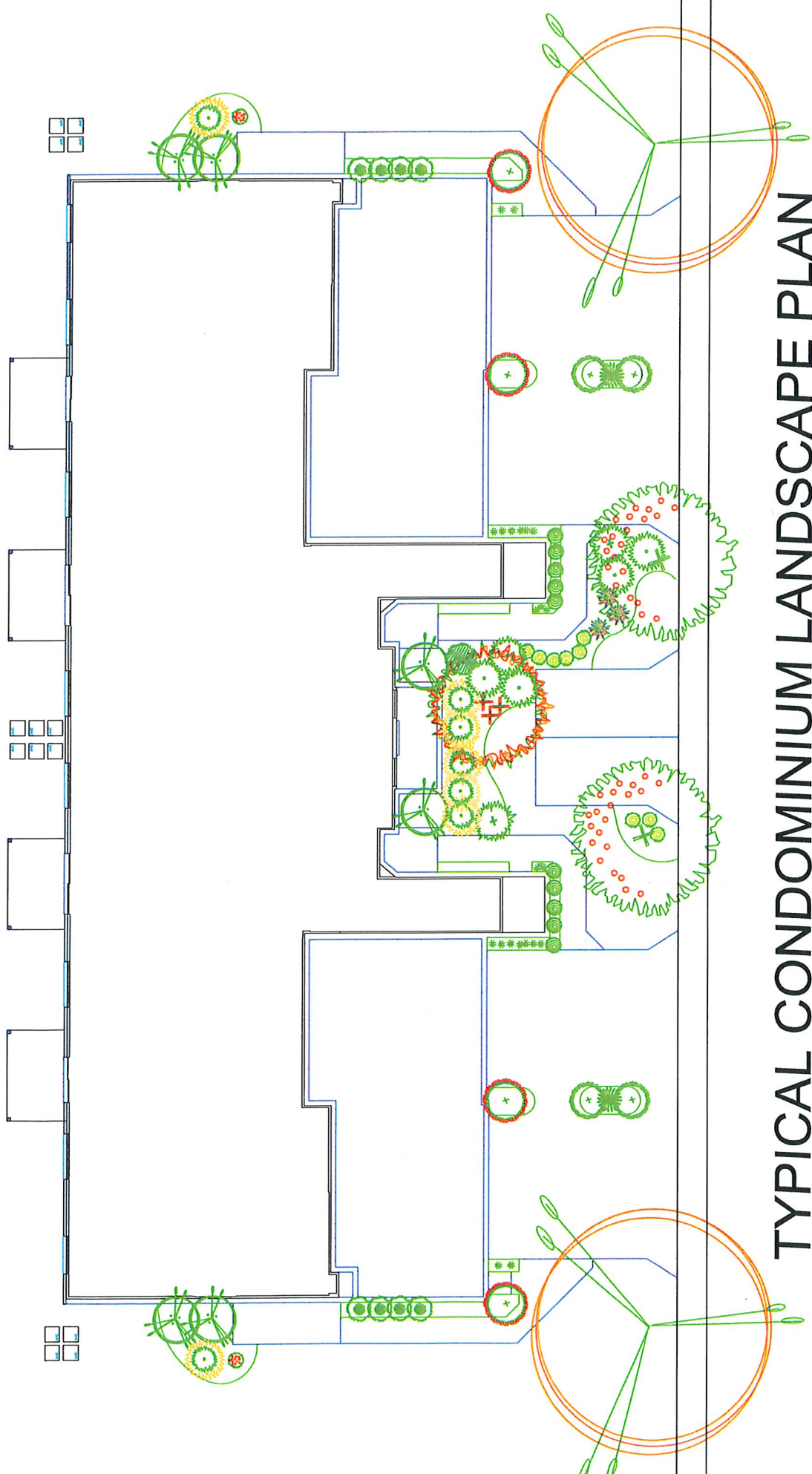


TYPICAL LANDSCAPE PLANS

# TYPICAL SINGLE FAMILY STREETSCAPE PLAN

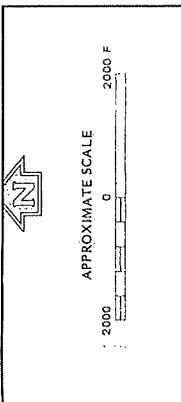
NTS

05-09-07



# TYPICAL CONDOMINIUM LANDSCAPE PLAN

NTS



NATIONAL FLOOD INSURANCE PROGRAM

**FIRM**  
FLOOD INSURANCE RATE MAP

BOONE COUNTY,  
KENTUCKY  
(UNINCORPORATED AREAS)

PANEL 100 OF 150

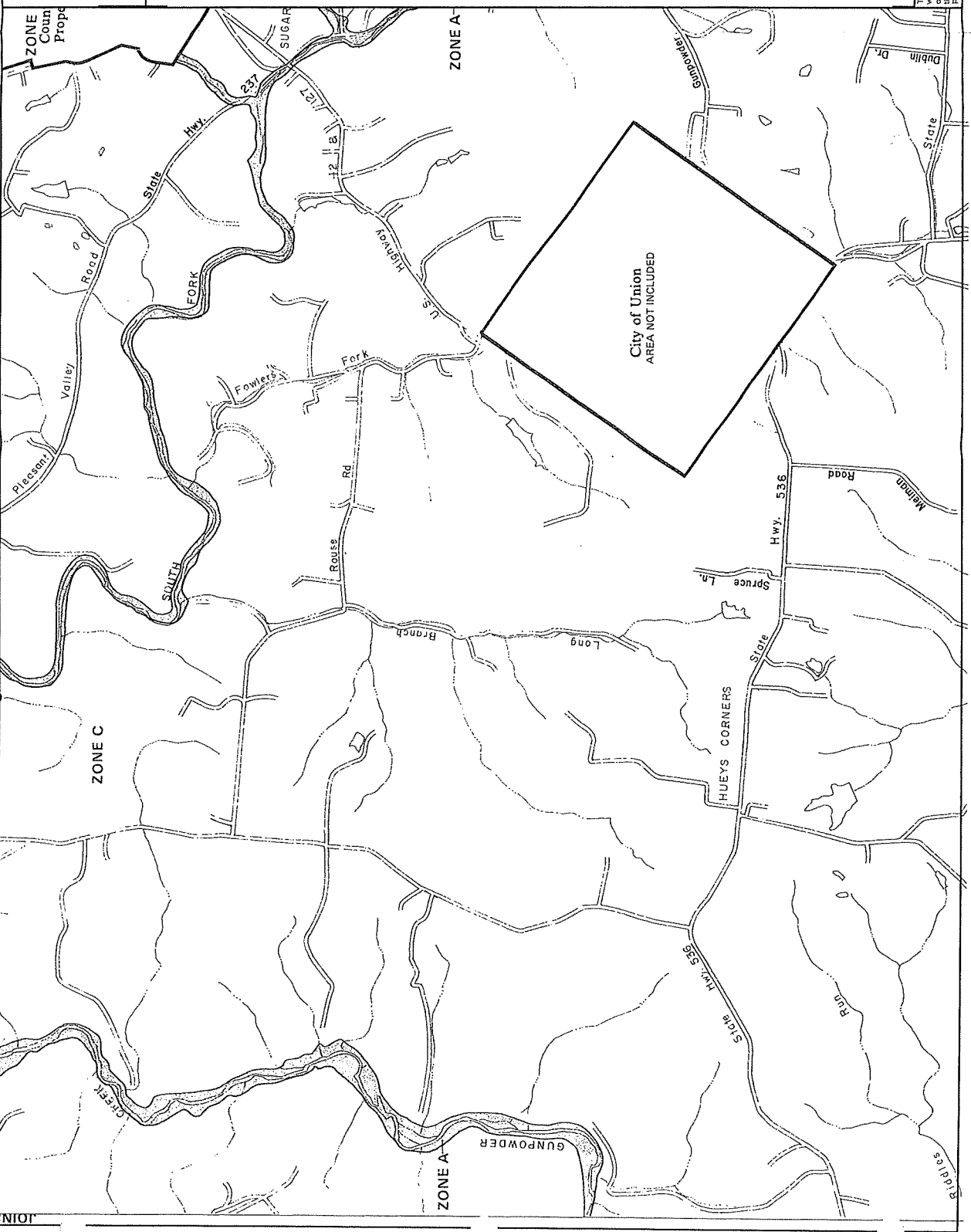
COMMUNITY-PANEL NUMBER  
210013 0100 B

EFFECTIVE DATE:  
JUNE 15, 1981



federal emergency management agency  
federal insurance administration

This is an official copy of the above referenced flood map. It was prepared under the authority of the National Flood Insurance Act of 1968, as amended, and the Flood Insurance Reform Act of 1980, as amended. This map does not constitute a contract or any other agreement, and it is not to be construed as such. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at [www.fema.gov](http://www.fema.gov).



BRYAN A. BLAVATT  
Superintendent of Schools

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

## BOONE COUNTY SCHOOLS

June 5, 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 re-filing for zone change for the Autumn Woods Subdivision by Longbranch Development Incorporated (hereby referred to as developer/applicant). Boone County Schools has previously negotiated the following conditions with the developer/applicant and can support the development if these prior conditions are honored and made part of the conditions of Public Record 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 of one (1) year (the "Option Term"). If the Option is exercised within the Option Term, closing shall***

The Boone County Board of Education provides equal employment and educational opportunities.

*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

#62707



MAY 9, 2007

**FRONTIER SIGNS** SIGNS MODEL DISPLAYS MAILBOXES

Box 328 525 NEW BIDDINGER RD. HARRISON OH 45030

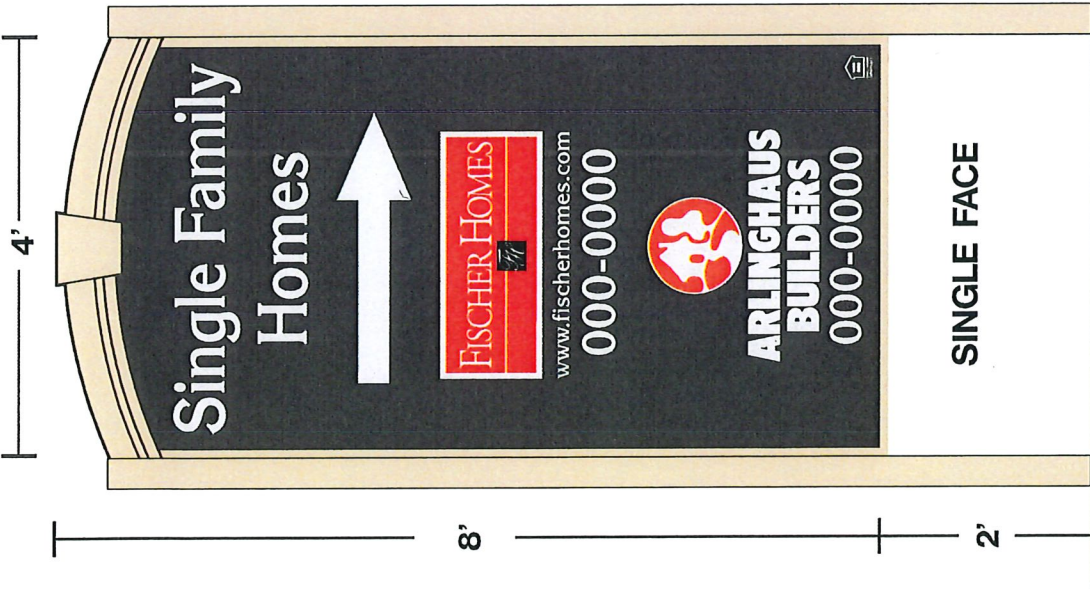
FAX 513-367-5739

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

DATE: \_\_\_\_\_ ACCEPTED BY: \_\_\_\_\_

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#601C



MAY 9, 2007

**FRONTIER SIGNS**  
 SIGNS MODEL DISPLAYS MAILBOXES

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

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

DATE: \_\_\_\_\_ ACCEPTED BY: \_\_\_\_\_

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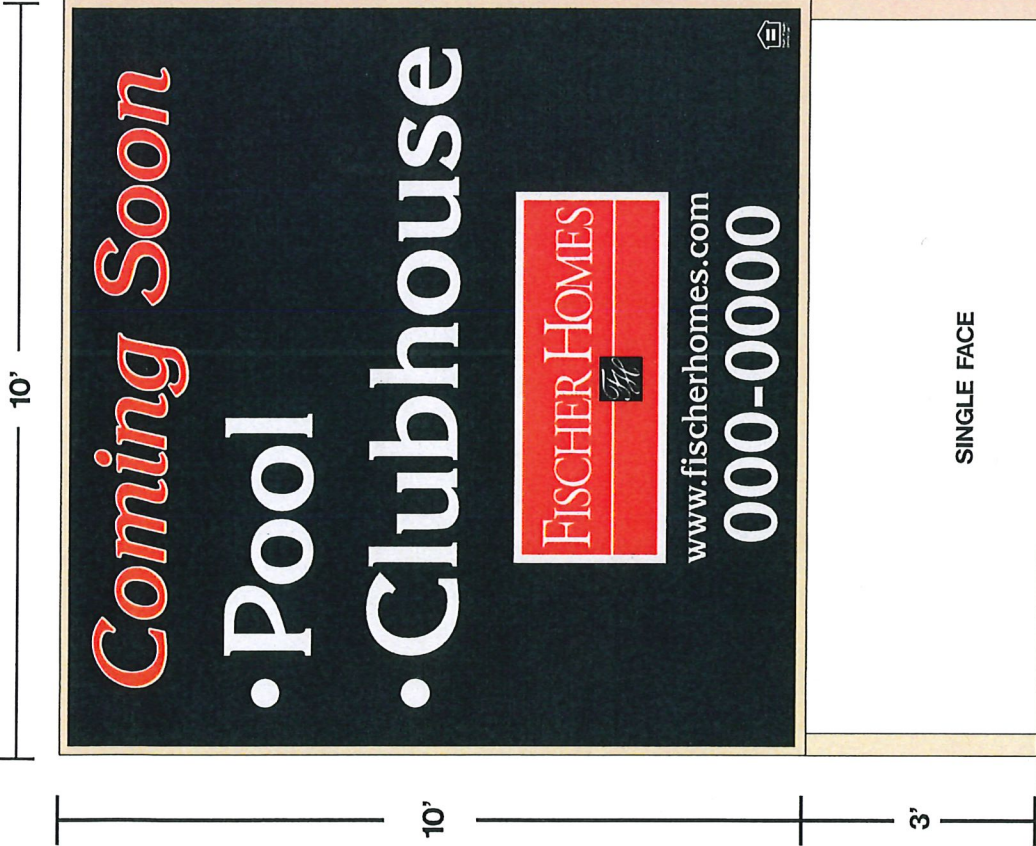


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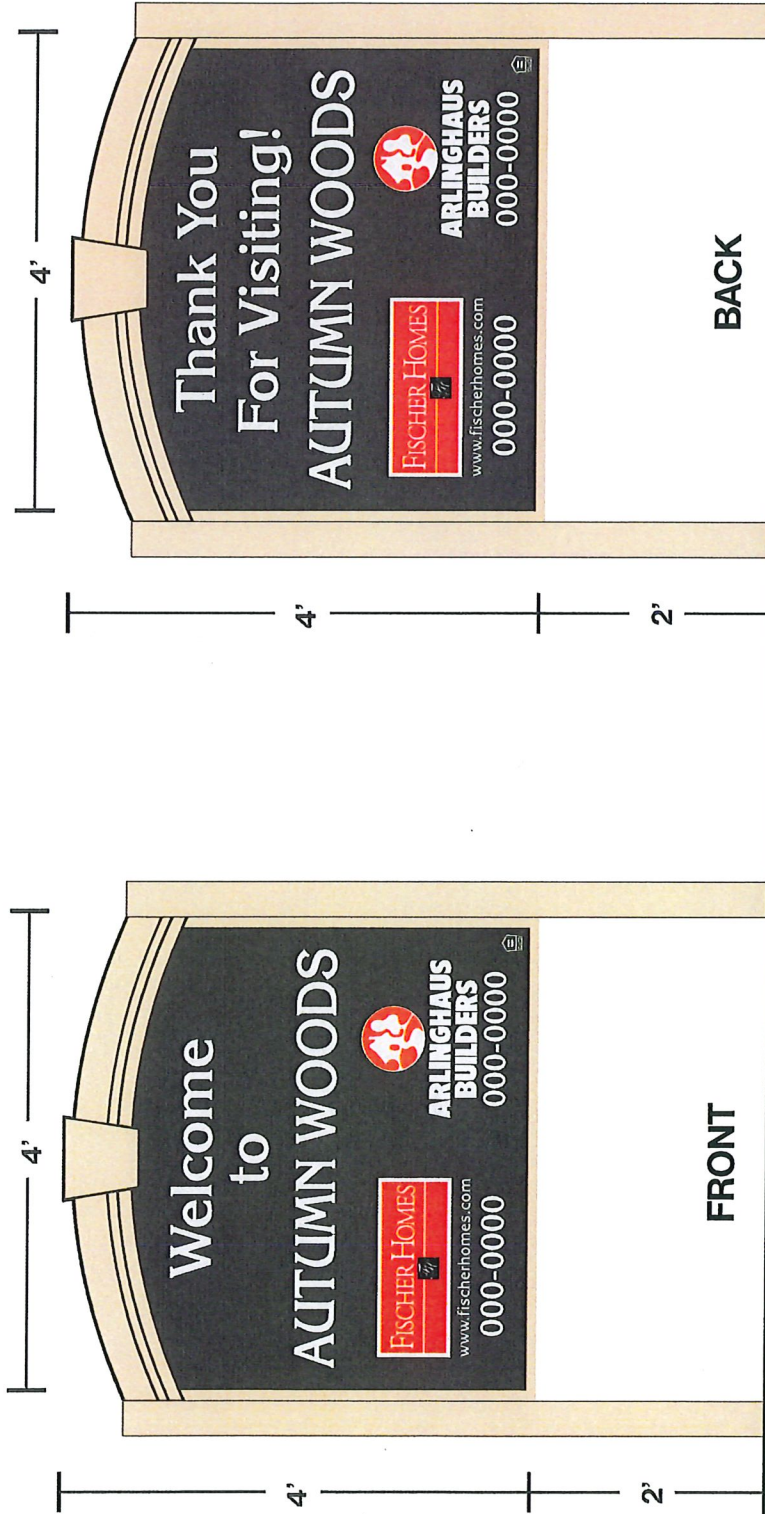
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#62807

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12"

18"

7



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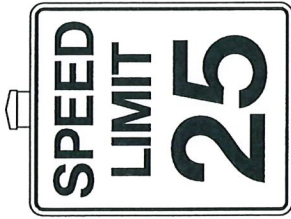
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#6290

2"



30"



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**Traffic Impact Analysis**

**Autumn Woods**

**Residential Community**

**Longbranch Rd. / Hathaway Rd.**

---

*Boone County, Kentucky*

16 January 2007

Prepared for:

**Longbranch Development, Inc.**

2670 Chancellor Drive, Suite 300  
Crestview Hills, Kentucky 41017

Prepared by:



895 Central Avenue  
Cincinnati, Ohio 45202  
Phone-513.272.5533  
Fax-513.272.5522  
Web Site: [www.ekcorp.com](http://www.ekcorp.com)

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## ***Appendices***

- Appendix A – Build-out with Existing Public Roadways - Level of Service Analysis
- Appendix B – Future Traffic Diversion – Level of Service Analysis

## ***Purpose***

The purpose of this report is to assess the traffic impact of the proposed Autumn Woods Residential Community Development on the Site access intersections on Longbranch Road and Hathaway Road. A secondary purpose, requested by the Boone County Planning Commission staff, is to forecast a future trip distribution based on the future area roadway improvements identified by the Boone County Transportation Plan.

## ***Current Development Plan***

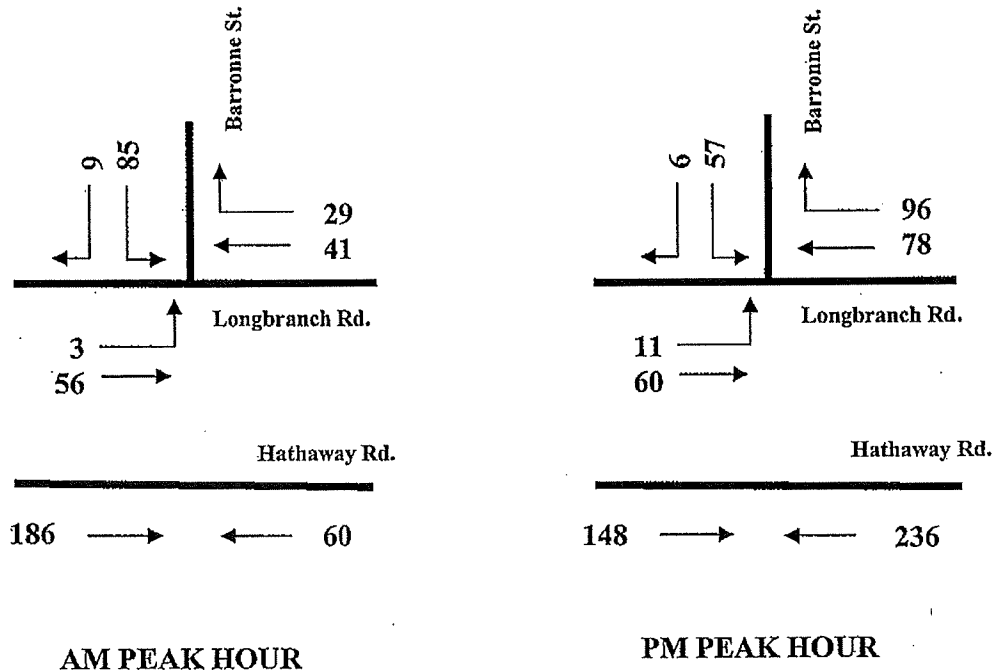
The proposed Autumn Woods Residential community by Longbranch Development, Inc. will provide a maximum of 1,380 residential units on 345 acres of land at a density of 4.0 units per acre. The development is anticipated to consist of 830 single family lots and 550 condominiums with open space areas, community facility areas, parks, and hiker/biker trails.

Access for this development on the north will be opposite the existing French Quarter at Orleans development on Longbranch Road. A southern new access is proposed on Hathaway Road, west of Spruce Lane. A section of a potential future east west road will be constructed which will ultimately connect with Old Union Road on the east and Camp Ernst Road on the west.

## ***Existing/Background Traffic***

The existing traffic on Longbranch Road and Hathaway Road at the proposed Autumn Woods access points was counted during the weekday AM and PM peak hours by

Edwards and Kelcey. The existing traffic using Barronne Street at the Longbranch Road intersection has very little volume due the present low occupancy. This volume was considered not representative of future conditions. For purposes of this traffic analysis, the trips from the 167 homes in the French Quarter of Orleans who are likely to use the Barronne Street access was forecast from the ITE Trip Generation to represent the build-out conditions. Figure 1 illustrates Longbranch Road / Barronne Street background turning movements for the AM and PM peak hours and the Hathaway Road peak hour volumes..



**FIGURE 1  
EXISTING AND ORLEANS BUILD-OUT  
PEAK HOUR TRAFFIC**

## ***Trip Generation***

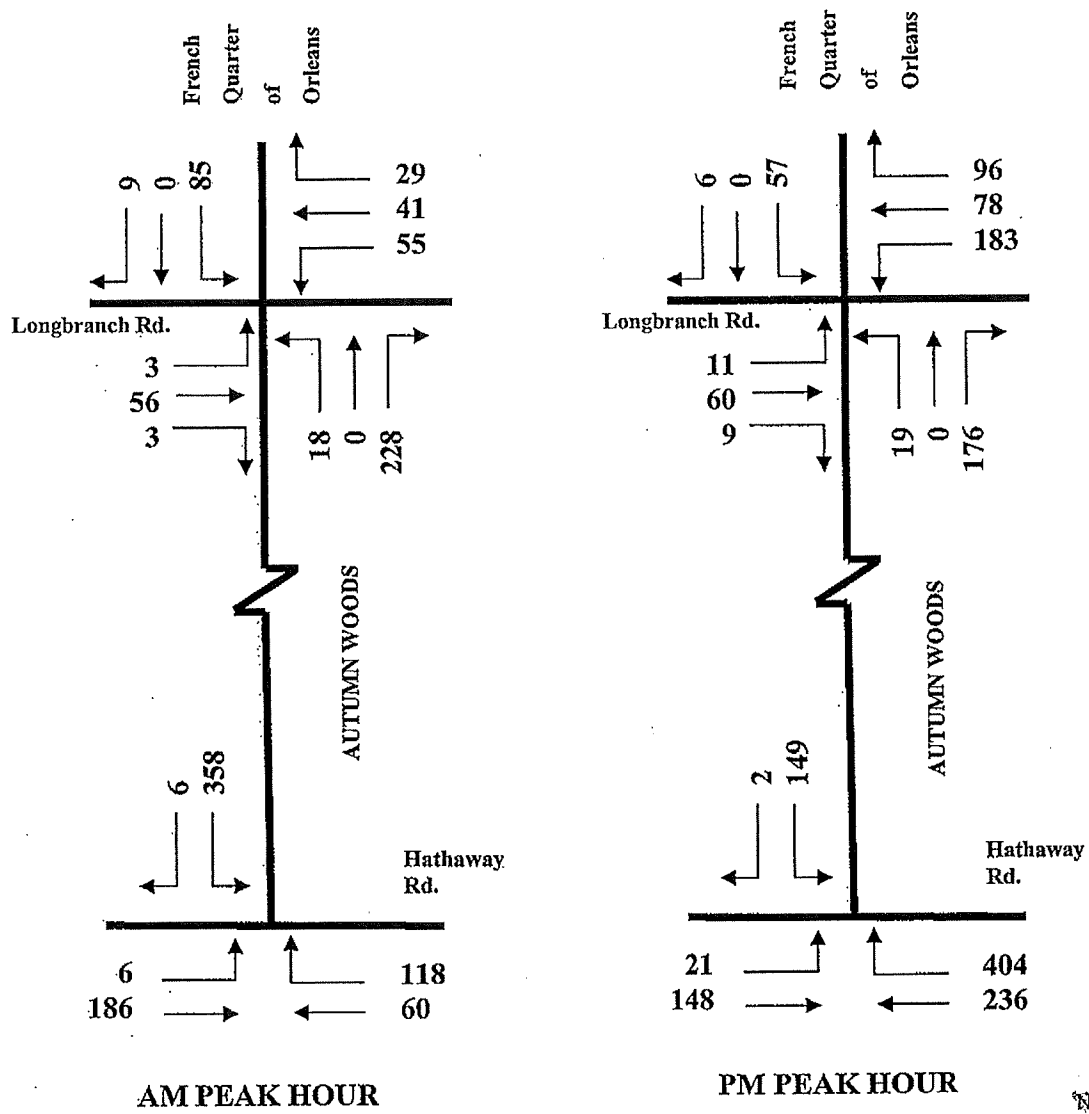
According to the Institute of Transportation Engineers' (ITE) Trip Generation Manual, Seventh Edition, the trip generation of the total (build out) of the Autumn Woods Residential Community project was forecasted as shown in Table 1 for the AM and PM peak hours.

**TABLE 1  
FORECAST TRIP GENERATION  
AUTUMN WOODS SITE DEVELOPMENT**

| ITE Land<br>Use & Code                   | Units | AM Peak    |            |            | PM Peak    |            |            |
|--|-------|------------|------------|------------|------------|------------|------------|
|  |       | In         | Out        | Total      | In         | Out        | Total      |
| Single Family Housing<br>ITE # 210       | 830   | 148        | 442        | 590        | 454        | 266        | 720        |
| Residential Condo/Townhouse<br>ITE # 934 | 550   | 34         | 168        | 202        | 163        | 80         | 243        |
| <b>Total Trips</b>                       |       | <b>182</b> | <b>610</b> | <b>792</b> | <b>617</b> | <b>346</b> | <b>963</b> |

## ***Trip Distribution***

For the stated purpose of this study the allocation and distribution of the development traffic to the existing public roadway system was defined for the access intersections on Longbranch Road and Hathaway Road. Figure 2 shows the forecasted weekday AM and PM peak hour trip generation for the build-out of the Autumn Woods development plus the background traffic.



**FIGURE 2**  
**BUILD-OUT PEAK HOUR TRAFFIC**  
**EXISTING PUBLIC ROADWAY SYSTEM**

## ***Operational Analysis***

### **LEVEL OF SERVICE**

An analysis of the operating characteristics of the intersections of Longbranch Road / Barronne Street / Site and Hathaway Road / Site was undertaken for the build-out traffic volumes. The analysis assumes the addition of left turn lanes at each of the intersections and a westbound right turn lane on Hathaway Road. Table 2 summarizes the results of the build-out project intersection with improvements. As shown, each of the un-signalized movements has a level of service "C" or better. The analysis sheets are provided in Appendix A.

**TABLE 2  
BUILD-OUT LEVEL OF SERVICE**

| Intersection<br>Approach                   | Build-out |       |     |       |
|--|-----------|-------|-----|-------|
|  | AM        |       | PM  |       |
|  | LOS       | Delay | LOS | Delay |
| <b>Longbranch Rd. / Barronne St./ Site</b> |           |       |     |       |
| EB left                                    | A         | 7.3   | A   | 7.6   |
| WB left                                    | A         | 7.4   | A   | 7.7   |
| NB left/thru/right                         | B         | 10.1  | B   | 10.6  |
| SB left/thru/right                         | C         | 15.1  | C   | 22.9  |
| <b>Hathaway Rd. / Site</b>                 |           |       |     |       |
| EB left                                    | A         | 7.6   | A   | 9.1   |
| SB left                                    | C         | 16.0  | B   | 14.3  |
| SB right                                   | A         | 8.6   | A   | 9.6   |

## **LONG-RANGE TRANSPORTATION IMPROVEMENTS**

A number of significant roadway and highway improvements are anticipated in the general vicinity of the proposed Autumn Woods development. These improvements are as detailed in the Boone County Transportation Plan 2030 and the 6-Year Plan by the State of Kentucky. More specifically, these improvements are detailed as follows:

1. *Longbranch Road*: It is understood that Boone County is planning improvements to Longbranch Road in the vicinity of and in conjunction with construction and opening of the new high school and elementary school complex. The purpose of these improvements is to provide improved roadway capacity for traffic generated by the schools. It is understood the completion of these improvements will coincide with the opening of the schools.
  
2. *KY237 / Camp Ernst Road*: It is understood that planned improvements for this traffic corridor include an overpass over KY18 and a widening of KY237 from KY18 to Pleasant Valley Road. Future additional improvements are also planned further south along Camp Ernst Road from Pleasant Valley Road to I-71. It is understood that the state is proceeding with utility relocations and right-of-way acquisitions this year for the initial phase of work. These improvements will provide for a significant improvement of traffic flow from the west end of Autumn Woods, north to KY18 and east to I-75/I-71.
  
3. *Mt. Zion Road / Hathaway Road / KY536*: It is understood that planned improvements for this traffic corridor include interchange improvements at I-75/I-71, a widening KY536 to 5-lanes from I-75/I-71 to the west of KY42. Additionally, KY536 will be re-aligned and widened in the vicinity of Old Union Road. It is understood that right-of-way acquisitions have commenced and that this work will be significantly in process upon commencement of the Autumn Woods development.

These improvements will provide for a significant improvement of traffic flow from the south end of Autumn Woods east to I-75/I-71.

4. *Future East/West and North/South Collector Roads:* The proposed Autumn Woods development includes the partial construction of collector roads in general accordance with the Boone County Transportation Plan. As other properties develop, these collector roads may be extended to KY42 to the east, KY536 (Hathaway Road) to the south and KY237 (Camp Ernst Road) to the west.

It should be noted that these improvements are not necessary to ensure adequate traffic flow in and around the proposed Autumn Woods development as detailed in preceding sections of this report. Moreover, these improvements will serve to further enhance the traffic flows in the future and during the 10 to 15 anticipated build-out of Autumn Woods.

As previously mentioned, a significant enhancement to the traffic flow in and around Autumn Woods will be the eventual extension of the East/West collector road from Autumn Woods to the Westbrook development. This extension would provide an alternate route to Old Union Road and KY42. When completed, this new connection could provide a diversion of around 30% of the Autumn Woods traffic from Longbranch Road and/or Hathaway Road. Figure 3 illustrates the diverted traffic levels and Table 3 below illustrates the level of service improvements that will occur when the internal East/West collector road is completed. Appendix B includes details of the Future Traffic Diversion Level of Service Analysis.

**TABLE 3  
 FUTURE CONNECTOR DIVERSION LEVEL OF SERVICE**

| Intersection Approach                      | Build-out |       |     |       |
|--|-----------|-------|-----|-------|
|  | AM        |       | PM  |       |
|  | LOS       | Delay | LOS | Delay |
| <b>Longbranch Rd. / Barronne St./ Site</b> |           |       |     |       |
| EB left                                    | A         | 7.3   | A   | 7.6   |
| WB left                                    | A         | 7.4   | A   | 7.6   |
| NB left/thru/right                         | A         | 9.6   | B   | 10.1  |
| SB left/thru/right                         | B         | 12.9  | C   | 16.9  |
| <b>Hathaway Rd. / Site</b>                 |           |       |     |       |
| EB left                                    | A         | 7.5   | A   | 8.6   |
| SB left                                    | B         | 13.1  | B   | 14.2  |
| SB right                                   | A         | 8.6   | A   | 9.6   |

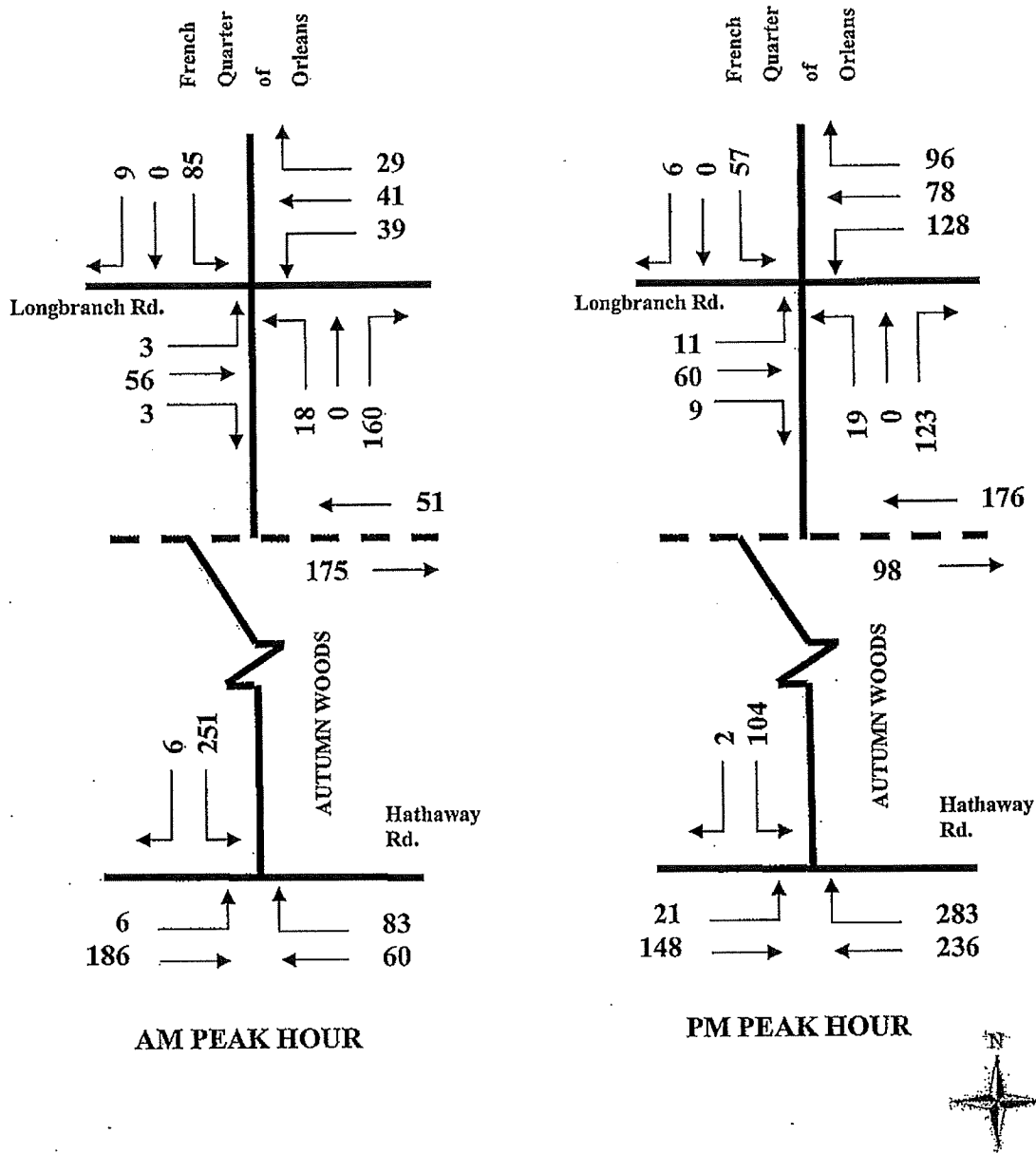


FIGURE 3  
 EAST-WEST CONNECTOR DIVERSION  
 BUILD-OUT PEAK HOUR TRAFFIC

## ***Conclusion***

The preceding Traffic Impact Analysis considered a build-out of the proposed Autumn Woods residential community of 830 single family homes and 550 condominium units. The Study assumes two access points; one on the south end at Longbranch Road and the intersection with the French Quarter of Orleans and one on the north end at Hathaway Road.

In consideration of the total project build-out, the level of service analysis at the two new public roadway intersections was analyzed with improvements for left turn lanes on both Longbranch Road and Hathaway Road and new right turn lane on Hathaway Road at the new intersection. For both the AM and PM peak hours, the build-out level of service for each movement was "C" or better, with all but one turning movement possessing a level of service of "B" or better.

The Autumn Woods development provides for a future extension of the East/West collector road between Camp Ernst Road and KY42. As future development in this area continues, this collector road will provide for a diversion of about 30% of traffic away from Longbranch Road and Hathaway Road, which will improve the intersection levels of service.

As detailed in preceding sections of this report, significant additional improvements are planned for the road network system surrounding the Autumn Woods development. The completion of these improvements, some of which have already commenced, will serve to further enhance already satisfactory intersection levels of service for the Autumn Woods development.

***Appendix A***  
***Build-out with Existing Public Roadways***  
***Level of Service Analysis***

TWO-WAY STOP CONTROL SUMMARY

Analyst: J Gehrum  
 Agency/Co.: Edwards and Kelcey  
 Date Performed: 1/11/2007  
 Analysis Time Period: AM Peak Hour  
 Intersection: Longbranch Rd. / Site/Orleans  
 Jurisdiction: Boone County  
 Units: U. S. Customary  
 Analysis Year: Build-out  
 Project ID: Autumn Woods Residential Community  
 East/West Street: Longbranch Road  
 North/South Street: Autumn Woods / Orleans  
 Intersection Orientation: EW Study period (hrs): 0.25

Vehicle Volumes and Adjustments

| Major Street: Approach Movement | Eastbound |        |        | Westbound |        |        |
|---------------------------------|-----------|--------|--------|-----------|--------|--------|
|                                 | 1<br>L    | 2<br>T | 3<br>R | 4<br>L    | 5<br>T | 6<br>R |
| Volume                          | 3         | 56     | 3      | 55        | 41     | 29     |
| Peak-Hour Factor, PHF           | 0.92      | 0.92   | 0.92   | 0.92      | 0.92   | 0.92   |
| Hourly Flow Rate, HFR           | 3         | 60     | 3      | 59        | 44     | 31     |
| Percent Heavy Vehicles          | 0         | --     | --     | 0         | --     | --     |
| Median Type/Storage             | Undivided |        |        | /         |        |        |
| RT Channelized?                 |           |        |        |           |        |        |
| Lanes                           | 1         | 1      | 0      | 1         | 1      | 0      |
| Configuration                   | L         |        | TR     | L         |        | TR     |
| Upstream Signal?                | No        |        |        | No        |        |        |

| Minor Street: Approach Movement  | Northbound |        |        | Southbound |         |         |
|----------------------------------|------------|--------|--------|------------|---------|---------|
|                                  | 7<br>L     | 8<br>T | 9<br>R | 10<br>L    | 11<br>T | 12<br>R |
| Volume                           | 18         | 0      | 228    | 85         | 0       | 9       |
| Peak Hour Factor, PHF            | 0.92       | 0.92   | 0.92   | 0.92       | 0.92    | 0.92    |
| Hourly Flow Rate, HFR            | 19         | 0      | 247    | 92         | 0       | 9       |
| Percent Heavy Vehicles           | 0          | 0      | 0      | 0          | 0       | 0       |
| Percent Grade (%)                | 0          |        |        | 0          |         |         |
| Flared Approach: Exists?/Storage | No         |        |        | / No /     |         |         |
| Lanes                            | 0          | 1      | 0      | 0          | 1       | 0       |
| Configuration                    | LTR        |        |        | LTR        |         |         |

Delay, Queue Length, and Level of Service

| Approach Movement Lane Config | EB     | WB     | Northbound |          |       | Southbound |           |    |
|-------------------------------|--------|--------|------------|----------|-------|------------|-----------|----|
|                               | 1<br>L | 4<br>L | 7<br>      | 8<br>LTR | 9<br> | 10<br>     | 11<br>LTR | 12 |
| v (vph)                       | 3      | 59     |            | 266      |       |            | 101       |    |
| C(m) (vph)                    | 1537   | 1553   |            | 975      |       |            | 456       |    |
| v/c                           | 0.00   | 0.04   |            | 0.27     |       |            | 0.22      |    |
| 95% queue length              | 0.01   | 0.12   |            | 1.11     |       |            | 0.84      |    |
| Control Delay                 | 7.3    | 7.4    |            | 10.1     |       |            | 15.1      |    |
| LOS                           | A      | A      |            | B        |       |            | C         |    |
| Approach Delay                |        |        |            | 10.1     |       |            | 15.1      |    |
| Approach LOS                  |        |        |            | B        |       |            | C         |    |

HCS+: Unsignalized Intersections Release 5.2

TWO-WAY STOP CONTROL SUMMARY

Analyst: J Gehrum  
 Agency/Co.: Edwards and Kelcey  
 Date Performed: 1/11/2007  
 Analysis Time Period: PM Peak Hour  
 Intersection: Longbranch Rd. / Site/Orleans  
 Jurisdiction: Boone County  
 Units: U. S. Customary  
 Analysis Year: Build-out  
 Project ID: Autumn Woods Residential Community  
 East/West Street: Longbranch Road  
 North/South Street: Autumn Woods / Orleans  
 Intersection Orientation: EW Study period (hrs): 0.25

Vehicle Volumes and Adjustments

| Major Street: Approach Movement | Eastbound |        |        |  | Westbound |        |        |
|---------------------------------|-----------|--------|--------|--|-----------|--------|--------|
|                                 | 1<br>L    | 2<br>T | 3<br>R |  | 4<br>L    | 5<br>T | 6<br>R |
| Volume                          | 11        | 60     | 9      |  | 183       | 78     | 96     |
| Peak-Hour Factor, PHF           | 0.92      | 0.92   | 0.92   |  | 0.92      | 0.92   | 0.92   |
| Hourly Flow Rate, HFR           | 11        | 65     | 9      |  | 198       | 84     | 104    |
| Percent Heavy Vehicles          | 0         | --     | --     |  | 0         | --     | --     |
| Median Type/Storage             | Undivided |        |        |  |           |        |        |
| RT Channelized?                 |           |        |        |  |           |        |        |
| Lanes                           | 1         | 1      | 0      |  | 1         | 1      | 0      |
| Configuration                   | L         |        | TR     |  | L         | TR     |        |
| Upstream Signal?                | No        |        |        |  | No        |        |        |

| Minor Street: Approach Movement  | Northbound |        |        |  | Southbound |         |         |
|----------------------------------|------------|--------|--------|--|------------|---------|---------|
|                                  | 7<br>L     | 8<br>T | 9<br>R |  | 10<br>L    | 11<br>T | 12<br>R |
| Volume                           | 16         | 0      | 179    |  | 57         | 0       | 6       |
| Peak Hour Factor, PHF            | 0.92       | 0.92   | 0.92   |  | 0.92       | 0.92    | 0.92    |
| Hourly Flow Rate, HFR            | 17         | 0      | 194    |  | 61         | 0       | 6       |
| Percent Heavy Vehicles           | 0          | 0      | 0      |  | 0          | 0       | 0       |
| Percent Grade (%)                | 0          |        |        |  | 0          |         |         |
| Flared Approach: Exists?/Storage | No         |        |        |  | No         |         |         |
| Lanes                            | 0          | 1      | 0      |  | 0          | 1       | 0       |
| Configuration                    | L          |        | TR     |  | L          |         | TR      |

Delay, Queue Length, and Level of Service

| Approach Movement Lane Config | EB     | WB     | Northbound |          |       | Southbound |           |    |
|-------------------------------|--------|--------|------------|----------|-------|------------|-----------|----|
|                               | 1<br>L | 4<br>L | 7<br>      | 8<br>LTR | 9<br> | 10<br>     | 11<br>LTR | 12 |
| v (vph)                       | 11     | 198    |            | 211      |       |            | 67        |    |
| C(m) (vph)                    | 1398   | 1538   |            | 871      |       |            | 267       |    |
| v/c                           | 0.01   | 0.13   |            | 0.24     |       |            | 0.25      |    |
| 95% queue length              | 0.02   | 0.44   |            | 0.95     |       |            | 0.97      |    |
| Control Delay                 | 7.6    | 7.7    |            | 10.4     |       |            | 22.9      |    |
| LOS                           | A      | A      |            | B        |       |            | C         |    |
| Approach Delay                |        |        |            | 10.4     |       |            | 22.9      |    |
| Approach LOS                  |        |        |            | B        |       |            | C         |    |





***Appendix B***  
***Future Traffic Diversion  
Level of Service Analysis***

TWO-WAY STOP CONTROL SUMMARY

Analyst: J Gehrum  
 Agency/Co.: Edwards and Kelcey  
 Date Performed: 1/11/2007  
 Analysis Time Period: AM Peak Hour  
 Intersection: Longbranch Rd. / Site/Orleans  
 Jurisdiction: Boone County  
 Units: U. S. Customary  
 Analysis Year: Future DIVERSION  
 Project ID: Autumn Woods Residential Community  
 East/West Street: Longbranch Road  
 North/South Street: Autumn Woods / Orleans  
 Intersection Orientation: EW Study period (hrs): 0.25

Vehicle Volumes and Adjustments

| Major Street:          | Approach Movement | Eastbound |        |        | Westbound |        |        |
|------------------------|-------------------|-----------|--------|--------|-----------|--------|--------|
|                        |                   | 1<br>L    | 2<br>T | 3<br>R | 4<br>L    | 5<br>T | 6<br>R |
| Volume                 |                   | 3         | 56     | 3      | 39        | 41     | 29     |
| Peak-Hour Factor, PHF  |                   | 0.92      | 0.92   | 0.92   | 0.92      | 0.92   | 0.92   |
| Hourly Flow Rate, HFR  |                   | 3         | 60     | 3      | 42        | 44     | 31     |
| Percent Heavy Vehicles |                   | 0         | --     | --     | 0         | --     | --     |
| Median Type/Storage    |                   | Undivided |        |        | /         |        |        |
| RT Channelized?        |                   |           |        |        |           |        |        |
| Lanes                  |                   | 1         | 1      | 0      | 1         | 1      | 0      |
| Configuration          |                   | L TR      |        |        | L TR      |        |        |
| Upstream Signal?       |                   | No        |        |        | No        |        |        |

| Minor Street:                    | Approach Movement | Northbound |        |        | Southbound |         |         |
|----------------------------------|-------------------|------------|--------|--------|------------|---------|---------|
|                                  |                   | 7<br>L     | 8<br>T | 9<br>R | 10<br>L    | 11<br>T | 12<br>R |
| Volume                           |                   | 18         | 0      | 160    | 85         | 0       | 9       |
| Peak Hour Factor, PHF            |                   | 0.92       | 0.92   | 0.92   | 0.92       | 0.92    | 0.92    |
| Hourly Flow Rate, HFR            |                   | 19         | 0      | 173    | 92         | 0       | 9       |
| Percent Heavy Vehicles           |                   | 0          | 0      | 0      | 0          | 0       | 0       |
| Percent Grade (%)                |                   | 0          |        |        | 0          |         |         |
| Flared Approach: Exists?/Storage |                   | No         |        |        | /          | No /    |         |
| Lanes                            |                   | 0          | 1      | 0      | 0          | 1       | 0       |
| Configuration                    |                   | LTR        |        |        | LTR        |         |         |

Delay, Queue Length, and Level of Service

| Approach Movement | EB   | WB   | Northbound |   |   | Southbound |    |    |
|-------------------|------|------|------------|---|---|------------|----|----|
|                   |      |      | 7          | 8 | 9 | 10         | 11 | 12 |
| Lane Config       | L    | L    | LTR        |   |   | LTR        |    |    |
| v (vph)           | 3    | 42   | 192        |   |   | 101        |    |    |
| C(m) (vph)        | 1537 | 1553 | 971        |   |   | 556        |    |    |
| v/c               | 0.00 | 0.03 | 0.20       |   |   | 0.18       |    |    |
| 95% queue length  | 0.01 | 0.08 | 0.73       |   |   | 0.66       |    |    |
| Control Delay     | 7.3  | 7.4  | 9.6        |   |   | 12.9       |    |    |
| LOS               | A    | A    | A          |   |   | B          |    |    |
| Approach Delay    |      |      | 9.6        |   |   | 12.9       |    |    |
| Approach LOS      |      |      | A          |   |   | B          |    |    |



TWO-WAY STOP CONTROL SUMMARY

Analyst: J Gehrum  
 Agency/Co.: Edwards and Kelcey  
 Date Performed: 1/11/2007  
 Analysis Time Period: PM Peak Hour  
 Intersection: Longbranch Rd. / Site/Orleans  
 Jurisdiction: Boone County  
 Units: U. S. Customary  
 Analysis Year: FUTURE diversion  
 Project ID: Autumn Woods Residential Community  
 East/West Street: Longbranch Road  
 North/South Street: Autumn Woods / Orleans  
 Intersection Orientation: EW Study period (hrs): 0.25

Vehicle Volumes and Adjustments

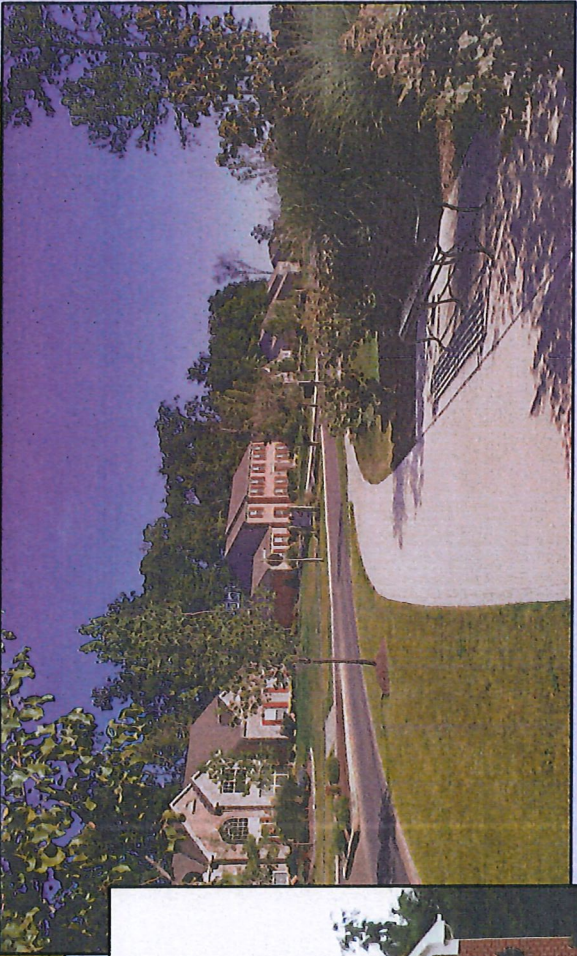
| Major Street:          | Approach<br>Movement | Eastbound |        |        | Westbound |        |        |
|------------------------|----------------------|-----------|--------|--------|-----------|--------|--------|
|                        |                      | 1<br>L    | 2<br>T | 3<br>R | 4<br>L    | 5<br>T | 6<br>R |
| Volume                 |                      | 11        | 60     | 9      | 128       | 78     | 96     |
| Peak-Hour Factor, PHF  |                      | 0.92      | 0.92   | 0.92   | 0.92      | 0.92   | 0.92   |
| Hourly Flow Rate, HFR  |                      | 11        | 65     | 9      | 139       | 84     | 104    |
| Percent Heavy Vehicles |                      | 0         | --     | --     | 0         | --     | --     |
| Median Type/Storage    |                      | Undivided |        |        | /         |        |        |
| RT Channelized?        |                      |           |        |        |           |        |        |
| Lanes                  |                      | 1         | 1      | 0      | 1         | 1      | 0      |
| Configuration          |                      | L         |        | TR     | L         |        | TR     |
| Upstream Signal?       |                      | No        |        |        | No        |        |        |

| Minor Street:                    | Approach<br>Movement | Northbound |        |        | Southbound |         |         |
|----------------------------------|----------------------|------------|--------|--------|------------|---------|---------|
|                                  |                      | 7<br>L     | 8<br>T | 9<br>R | 10<br>L    | 11<br>T | 12<br>R |
| Volume                           |                      | 19         | 0      | 123    | 57         | 0       | 6       |
| Peak Hour Factor, PHF            |                      | 0.92       | 0.92   | 0.92   | 0.92       | 0.92    | 0.92    |
| Hourly Flow Rate, HFR            |                      | 20         | 0      | 133    | 61         | 0       | 6       |
| Percent Heavy Vehicles           |                      | 0          | 0      | 0      | 0          | 0       | 0       |
| Percent Grade (%)                |                      | 0          |        |        | 0          |         |         |
| Flared Approach: Exists?/Storage |                      | No         |        |        | /          | No /    |         |
| Lanes                            |                      | 0          | 1      | 0      | 0          | 1       | 0       |
| Configuration                    |                      | LTR        |        |        | LTR        |         |         |

Delay, Queue Length, and Level of Service

| Approach<br>Movement | EB   | WB   | Northbound |      |   | Southbound |      |    |
|----------------------|------|------|------------|------|---|------------|------|----|
|                      | 1    | 4    | 7          | 8    | 9 | 10         | 11   | 12 |
| Lane Config          | L    | L    |            | LTR  |   |            | LTR  |    |
| v (vph)              | 11   | 139  |            | 153  |   |            | 67   |    |
| C(m) (vph)           | 1398 | 1538 |            | 856  |   |            | 368  |    |
| v/c                  | 0.01 | 0.09 |            | 0.18 |   |            | 0.18 |    |
| 95% queue length     | 0.02 | 0.30 |            | 0.65 |   |            | 0.66 |    |
| Control Delay        | 7.6  | 7.6  |            | 10.1 |   |            | 16.9 |    |
| LOS                  | A    | A    |            | B    |   |            | C    |    |
| Approach Delay       |      |      |            | 10.1 |   |            | 16.9 |    |
| Approach LOS         |      |      |            | B    |   |            | C    |    |

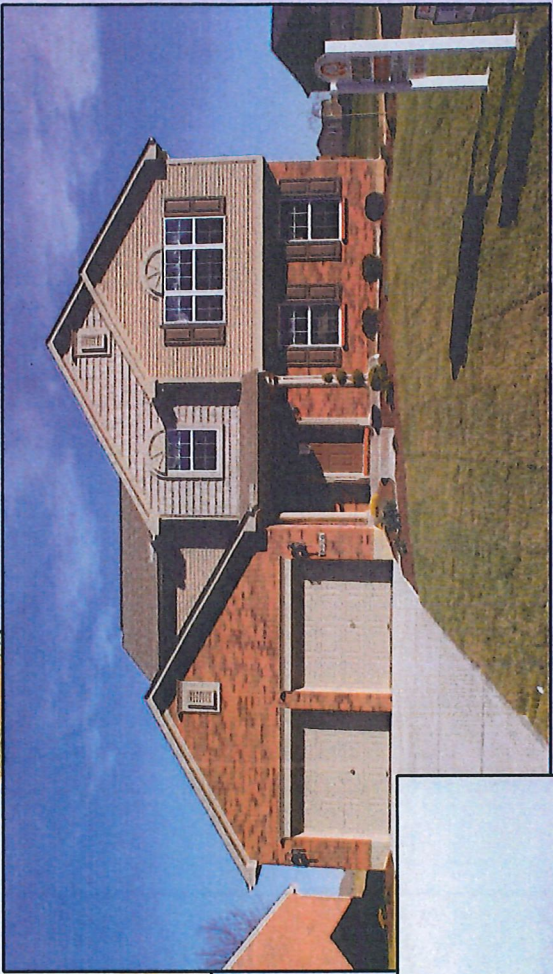










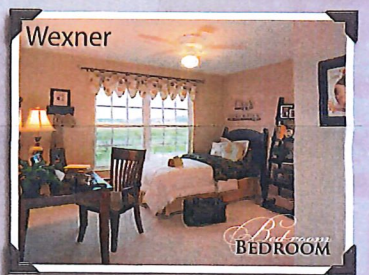
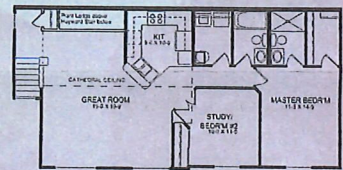
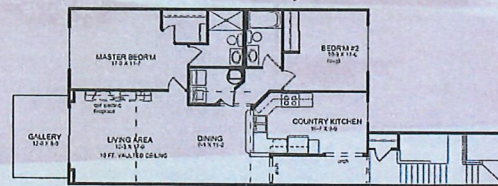
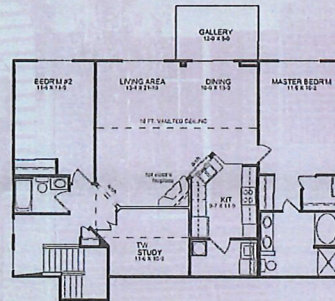
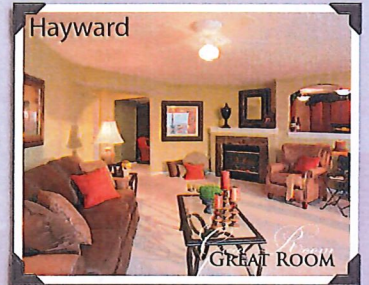


# GALLERY COLLECTION

*Gallery Collection*



*The* GALLERY



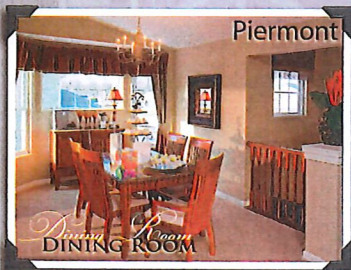
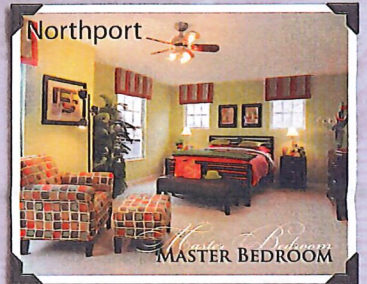
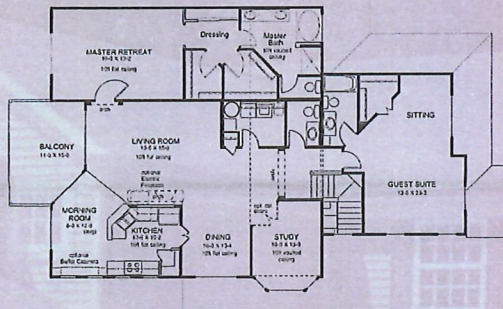
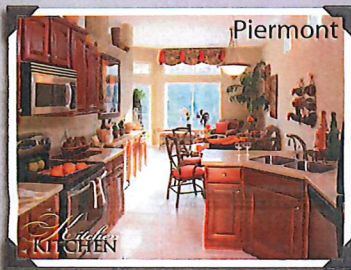
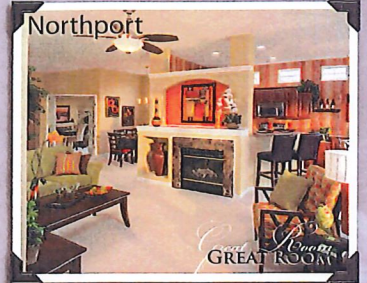
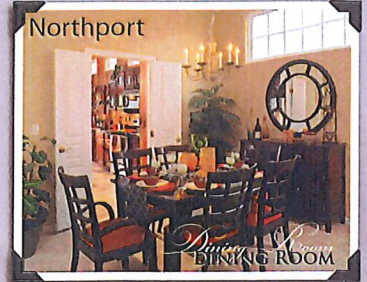
CONDOMINIUMS & TOWNHOMES

welcome home.

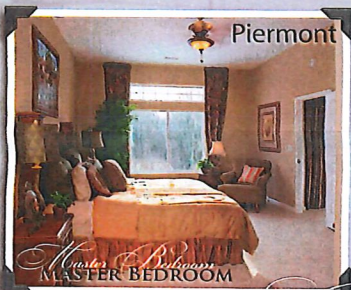
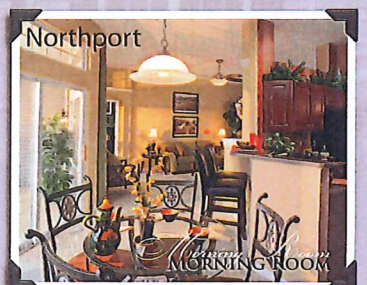
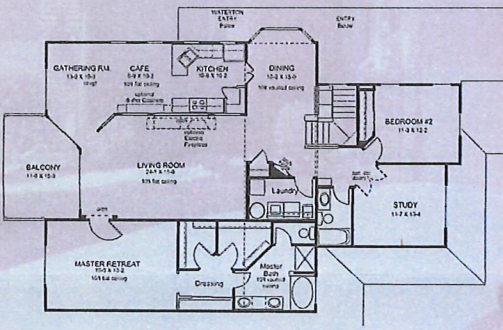


# VILLA II COLLECTION

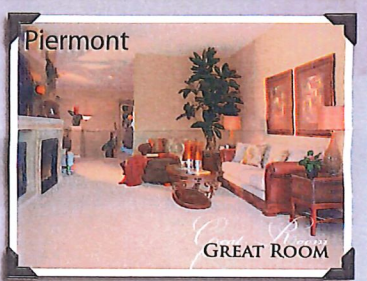
*Villa II Collection*



## Northport



## Piermont



*Condominiums & Townhomes*

## CONDOMINIUMS & TOWNHOMES

# welcome home.



A Fischer Group Company

# **Architecture Theme and Design Guidelines for Autumn Woods, Longbranch Road, Union Kentucky**

## **Boone County Planning Commission Requirements**

A consistent architectural theme shall be provided in planned developments. The theme shall largely use traditional, regionally influenced architectural forms and elements and shall allow variation within it. The architectural theme shall also relate to existing structures on the project site and adjacent sites, especially if such existing structures are historic. The use of architectural guidelines is required for multi-phased projects.

### **Theme**

The theme of exterior designs for the homes of Autumn Woods shall be largely Midwestern traditional and / or transitional in style with regionally and locally influenced architectural forms and elements. The exteriors will compliment the existing homes along Longbranch, Hathaway Road and neighboring communities such as Orleans, Harmony and Westbrook by incorporating similar exterior housing styles, massing, exterior veneers, fenestration pattern, roof designs and detailing.

The House massing and exteriors seen adjacent to the site includes one, one and a half and two story designs along with split foyers and tri-levels. Although mainly Midwest traditional in character which is defined by fundamental massing, simplified roof geometry and the high usage of masonry veneers and siding, many of the adjacent homes incorporate some additional eclectic elements that may be found in the following home styles of the United States. These Styles include Colonial, Georgian, Neo-Classical, Craftsmen, Tudor and Neo-French Eclectic.

Garages in the description above range anywhere in the description from no garages, attached and integral garages, varying in size from one car to multiple cars.

Based on this analysis and requirements stated above the following architectural guidelines have been developed for Autumn Woods.

SINGLE FAMILY  
ARCHITECTURAL  
GUIDELINES

□ Exterior Design

- Midwest traditional/ transitional  
Including subsets of

European

- Arts and Crafts
- English Manor
- French Country
- Italianate
- Provincial
- Tudor

Americana

- American Four Square
- Bucks County
- Craftsman
- Dutch Colonial
- Farmhouse
- Prairie
- Victorian

Traditional

- Classical Revival
- Colonial Revival
- Federal Revival
- Georgian
- Traditional
- Transitional
- Southern Classical

□ Exterior Veneer

- Masonry
  - Brick
  - Stone
  - Stucco
- Siding
  - Horizontal Lap
  - Vertical Board and Batten
  - Specialty Accent
    - :Split Shake
    - :Scallop Shake
    - :Wavy Edge Lap
- Combination of above

□ Garages

- Size
  - Two or more
- Approach
  - Front
  - Side
  - Rear
- Integration into building envelope
  - Attached
  - Integral
  - Integral Lower Level

□ Roof Designs

- Types
  - Gables
  - Hips
  - Dormers
  - Dutch hip
  - Shed
- Pitches
  - 4:12 to 12:12
- Materials
  - Composition shingles
  - Accent Metals

□ Exterior trim and details

- Broad range traditional window and door detail
- Various width of overhangs
- Brick and stone detailing
- Use of louvered, paneled, and planked window shutters
- Variety of gable vents

□ Other Design Elements (May be found on some, but not all homes)

- Porches
- Decks
- Screened in porches
- Sun rooms

## CONDOMINIUM ARCHITECTURAL GUIDELINES

- Exterior Design
  - Consistent Style chosen from existing portfolio of
    - Arts and Crafts
    - Coastal
    - Italianate
    - Traditional
  
- Massing
  - Whole and divisions of 8 and 14 home building combinations
  - One and two story fronts with two and three level rears
  - Attached duplex and stacked flats home arrangements
  
- Building/Home Entry
  - Private direct entry
  
- Exterior Veneer
  - Masonry
    - Brick
    - Stucco
  - Siding
    - Horizontal lap
  - Combination of the above
  
- Garages
  - Size
    - Zero, one and two
  - Approach
    - Front
  - Integration into building
    - Attached direct entry
    - Detached exterior entry

- Roof Design
  - Types
    - Gables
    - Reversed gables
    - Hips
    - Dutch hip
  - Pitches
    - 4:12 through 12:12
  - Material
    - Composition shingles
    - Accent Metal
  
- Exterior trim and detail
  - Varying range of traditional window and door details
  - Various width of roof overhangs
  - Brick and limestone detailing
  - Various bracket, corbel and dentil block details
  - Louvered, planked and paneled window shutters
  - Multiple gable vents
  
- Other Design Elements, (may be found on some, but not all homes)
  - Patios
  - Porches
  - Decks
  - Screened in porches

## **Typical Condominium Language Restricting Leases and Rentals**

The owners of the respective Units or any first mortgages in possession thereof shall have the right to lease the same subject to the covenants and restrictions in this Declaration and to the bylaws and Rules and Regulations. Except as provided in Section 11.3 above, neither a Unit Owner nor any first mortgagee in possession shall lease less than an entire Unit nor shall any Unit be leased for a term of less than one (1) year, and the respective Units shall not be rented for transient or hotel purposes, which shall be defined as (i) rental for any period less than thirty (30) days, or (ii) any rental if the occupants of the Units are provided customary hotel service such as room service for food and beverage, maid service and furnishing of laundry and linen. In case of the lease of a Garage Unit, the tenant must be an Owner or lessee of a Residential Unit. All leases of any Unit shall be in writing. All such leases shall provide that they are subject to all of the provision of the Declaration, the Bylaws and the Rules and Regulations and that any failure by the lessee to comply with any of such provision shall constitute a default under the lease. A copy of each lease shall be given to the Developer and the President of the Council immediately after it is executed. If any lessor or lessee is in violation of any of the provisions of the foregoing documents, the Council may bring an action in own name and/or in the name of the lessor to have the lessee evicted and/or to recover damages. If the Court finds that the lessee is or has violated any of the provisions of the Declaration, the bylaws or the Rules and Regulations, the court may find the lessee guilty of forcible detainer notwithstanding the facts that the lessor is nor a party to the action and/or that the lessee is not otherwise in violation of lessee's lease or other rental agreements with lessor. For purposes of granting the forcible detainer against the lessee, the Court may consider the lessor a person in whose name a contract (the lease or rental agreement) was made and is in addition to any other remedy or remedies which Council has. If permitted by present or future law, Council may recover all of its costs, including Court costs and reasonable attorney's fees, and such costs shall be a continuing lien upon the Unit which shall bind the Unit in the hands of then Unit Owner and the Unit Owner's successors and assigns.



## ORDINANCE 07-23

**AN ORDINANCE OF THE BOONE COUNTY FISCAL COURT APPROVING, WITH CONDITIONS FOR A REQUEST OF LONGBRANCH DEVELOPMENT, INC. (APPLICANT) FOR AF INVESTMENTS LLC, 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 AGRICULTURE (A-1), AGRICULTURAL ESTATE (A-2) AND RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL ONE/PLANNED DEVELOPMENT (SR-1/PD) FOR 339.3 ACRES AND COMMERCIAL ONE/PLANNED DEVELOPMENT (C-1/PD) FOR 5.39 ACRES, BOTH FOR A 344.69 ACRE TOTAL AREA GENERALLY 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**

**WHEREAS**, the Boone County Planning Commission received a request for Zoning Map Amendments to the Boone County Zoning Map and such Zoning Map Amendments being a zone change from Agriculture (A-1), Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development C-1/PD for 5.39 acres, both for a 344.69 acre total area generally 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, which is more particularly described below; and,

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

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

### **SECTION I**

That the request for Zoning Map Amendments for the real estate which is more particularly described below shall be and are hereby approved, with conditions, these Zoning Map Amendments being a zone change from Agriculture (A-1), Agricultural Estate (A-2) and Rural Suburban Estates (RSE) to Suburban Residential One/Planned Development (SR-1/PD) for 339.3 acres and Commercial One/Planned Development C-1/PD for 5.39 acres, both for a 344.69 acre total area generally 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 real estate which is the subject of this request for Zoning Map Amendments in an Agriculture (A-1), Agricultural Estate (A-2) and Rural Suburban Estates (RSE) zones is more particularly described in DEED BOOKS 211, 729, 635, 919, 196, 896, 913 & 915, PAGE NOS. 88, 122, 14, 272, 129, 949, 427 & 494, respectively (as supplied by the applicant) as recorded in the Boone County Clerk's office.

## SECTION II

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

## SECTION III

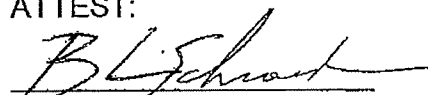
That this Ordinance shall take effect and be in full force when passed, published and recorded according to law.

Introduced and given First Reading on the 21th day of Aug., 2007.

Adopted by the Fiscal Court of Boone County after Second Reading at a regular meeting on the 18th day of Sept., 2007, and on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested under seal by the County Fiscal Court Clerk and declared to be in full force and effect.

  
GARY W. MOORE  
BOONE COUNTY JUDGE/EXECUTIVE

ATTEST:

  
BLAIR G. SCHROEDER  
FISCAL COURT CLERK

  
ROBERT NEACE  
COUNTY ATTORNEY

9-27-07  
DATE PUBLISHED

JSE  
9/18/07  
1:50 P.M.

## CONDITIONS

1. The development shall follow the Concept Development Plan as identified in the "Autumn Woods Summary of Zoning Map Amendment Application, June 20, 2007" (hereafter referred as "6/20/07 booklet") and "Autumn Woods Responses to Public Hearing Questions, June 27, 2007" (hereafter referred as "6/27/07 booklet") except as modified by the agreed conditions below.

2. The property owner agrees that no more than 450 homes (35% of the total homes in Autumn Woods) will be granted Certificates of Occupancy until one of the following additional access points is under construction.

- a. A connection of the North/South connector from Longbranch Road to Hathaway Road; or
- b. A connection of the East/West connector from Autumn Woods Subdivision to Old Union Road; or
- c. A connection of the East/West connector from Autumn Woods Subdivision to Camp Ernst Road; or
- d. A connection of the East/West connector through the sub-collector street within Autumn Woods Subdivision to Hathaway Road.

This access point must be completed and open to the public within 180 days (6 months) after construction begins. In the event this access point is not completed within the time frame, then no additional Zoning Permits will be issued until the street connection is completed and open to the public. The neighborhood park will be under development when these street connections are made.

3. The maximum number of dwelling units shall be phased in accordance with the "Maximum Cumulative Building Permits" subsection on page 16 of the 6/20/07 booklet. 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, and 150 units for 2011. 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. The total number of units in the overall development (all phases combined) shall not exceed 1,287.

4. The property owner agrees to provide the Maddox, Geise and Franks properties access to sanitary sewer, and any necessary easements, as well as the commitment made in the 6/27/07 booklet regarding the extension of sanitary sewer to adjacent Spruce Drive based upon the specifications of SD#1.

5. The development shall follow the stipulations in the "Internal Transportation Patterns" section (page 10) of the 6/20/07 booklet. The turn lanes described on page 12 (and in Tab 5) shall be constructed as part of the initial development of the respective entrances on Longbranch Road and Hathaway Road. Sidewalks will be provided on both sides of all cul-de-sac streets in the single family detached lot pods (Pods 1, 2, 5 & 6). All condominium streets will have a minimum 24' width of pavement. An eight-foot (8') wide asphalt path will be constructed along the North/South sub-collector road and a

ten-foot (10') wide asphalt path along the East/West collector road per the "Pedestrian Pathways" exhibit (Tab 3) of the 6/27/07 booklet. The road connection in Pod 5 to the Geise property will be redesigned to provide a four way intersection. A road connection will also be provided from Pod 5 to the Franks property. The sub-collector street in Pods 5 & 6 indicate a pavement width of 28' with parking on one side of the street, but it is recommended by the Committee that a 25' width of pavement would be appropriate if an Ordinance were passed by the Boone County Fiscal Court eliminating parking on either side of the sub-collector street.

6. The Applicant agrees to extend and connect the two interior cul-de-sacs within POD 1 and create an inner loop that parallels the outer loop.

7. The development shall follow the stipulations outlined in the "Open Space" sections (Tabs 9, 10, 11 & 12) of the 6/20/07 booklet. A minimum of two (2) "No Trespassing" signs will be installed along the lake in Pod 6. The facilities discussed shall be constructed by the developer. The neighborhood park, linear park, and east/west connector area open space outlined will be offered for donation 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.

8. The Applicant agrees to provide by separate agreement easements in favor of Boone County, its successors and assigns, at the following general locations:

- a) A 15 foot wide walking / biking trail easement located within the existing power line easement beginning at the street right-of-way adjacent to the neighborhood park running east / southeast to the existing paper street right-of-way within the neighboring Spruce Lane development.
- b) A 15 foot wide walking / biking trail easement located within the Autumn Woods open space area beginning at Longbranch Road running south to the East/West Connector Street. The intent is that this easement will be a blanket easement until such time in the future the specific location of the trail can be determined. At that time the blanket easement will be removed and a specific 15 foot wide easement centered on the trail will be recorded.

The purpose of both easements would be to allow Boone County or another public entity to have access to construct and maintain walking / biking trails for public use within these easements at some future date. The exact location and alignment of both easements would be mutually determined at a later date. The easements would be fully assignable by Boone County to another entity.

9. The development shall follow the "Conceptual Landscape Plan" in Tab 1 of the 6/27/07 booklet and "Community Features Plan" received at the 7/11/07 Committee Meeting with regard to the open spaces and buffer yards. Buffer yard "C" will be installed between Pods 2 & 3. Buffer yard "B" will be installed along the eastern boundary of Pod 4 and the adjoining property. Credit will be given for retaining vegetation.

10. The applicant shall generally adhere to design features for the proposed 5.39 acre Commercial One (C-1) (POD 3) area that foster neo-traditional planning concepts and connectivity to pedestrian access. This shall include, but not be limited to, relocating buildings closer to the street, reducing building setbacks, creating smaller parking fields and linking building architecture. Upon approval of this condition, the applicant will only

be required to submit a site plan and architectural drawings. The only excluded principally permitted use for this area is "#33. Funeral homes and crematoriums excluding cemeteries or mausoleums".

11. At a minimum, the building elevations in the condominium phase (Pod 4) shall consist of the following:

- a. The "Gallery" style condominiums shall have a minimum of 67% to 84% masonry on the front elevation with an average of 32% to 37% masonry for all elevations.
- b. The "Villa" style condominiums shall have a minimum of 21% to 36% masonry on the front elevation with an average of 16% to 19% masonry for all elevations.

12. The property owner will install a woven wire fence along the Geise and Maddox properties, as it adjoins this development, at a 50/50 shared cost if deemed necessary by Geise and Maddox. Additionally, the developer will install a farm fence (timber posts, 6" woven wire, and two strands of barbed wire) 3' inside the Kahmann property boundary as development occurs along Pods 1, 2 & 4.

13. The minimum side or rear building setback for POD 4 condominium buildings located along the East/West and North/South Connector Streets is fifty (50) feet. Landscaping will be installed within the 50 foot setback as previously conditioned. Furthermore, additional architectural details will be added to select high profile sides and rear elevations of condominium buildings adjacent to said Connector Streets including, but not limited to building materials, trim features, windows and related components.

14. The development shall follow the stipulations outlined in the "Boone County Schools" section (Tab 7) of the 6/20/07 booklet. This section commits to following the agreements outlined in the June 5, 2007 letter from Bryan Blavatt, Superintendent (attached).

15. If this request is approved, the applicant shall be required to modify the Autumn Woods booklet to reflect all zoning conditions as a result of the Zoning Map Amendment and this booklet shall be submitted to the Planning Commission within the 60 days of final action by the Boone County Fiscal Court.